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GREENVILLE CO. S. C.

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BOOK 1157 PAGE 551

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )  
Ollie Farnsworth )  
R. P. C. )  
IN THE COUNTY COURT

Charlie H. Jones and )  
Ma Mae Jones, )

Plaintiffs, )

Pioneer Finance Company, )  
a corporation, )

Defendant. )

This is an action brought by the petitioners for the purpose of having that certain mortgage executed by the petitioners on 20 March 1961 cancelled of record. It appears that said mortgage was duly recorded in the P.M.C. Office for Greenville County, S. C., on 5 April 1961, in Mortgage Book 854, at Page 101, and that said mortgage was subsequently assigned to respondent by assignment of record in the P.M.C. Office for Greenville County, S. C., in Mortgage Book 811, at Page 120.

The petitioners, by their verified petition, allege that said mortgage indebtedness had been paid in full and on the basis of this Petition a Rule to Show Cause was issued by this Court requiring the respondent to show cause why a writ of certiorari should not be issued by this Court requiring the cancellation of respondent's mortgage.

This action having been brought in violation of Article 1, Section 10 of the Constitution of the State of South Carolina, for 1962, an order of the Court in Case No. 27186-1, dated 11 June 1970, was issued for three (3) consecutive weeks, to wit: 11 June 1970, 18 June 1970, and 25 June 1970. The notice to the respondent that said order was issued was mailed to the respondent at his residence at 1111 North Main Street, Greenville, South Carolina, on 11 June 1970.

On the testimony of the respondent, it is shown that the mortgage was cancelled of record on 11 June 1970, and that the mortgage was cancelled of record on 11 June 1970. On March 21, 1961, one that said letter executed another mortgage with the same parties, which was returned to the respondent with a copy of the original mortgage.

(CONTINUED ON NEXT PAGE)

SIDNEY L. JAY ATTORNEY AT LAW GREENVILLE, S. C.