

by deed bearing date the 7th day of January 1904, and recorded in the R.M.C.O. for Greenville County, in Book M.M.M. page 64.

Also the right to flow and overflow all or any part of all that certain piece, parcel or tract of land situate lying and being in the County of Greenville, State aforesaid containing forty-six and one half acres more or less having the following metes and bounds to wit: Beginning at a stone 3x on land of H.B. Williams with S.A. Ramsay, and running thence S. 80° 59' W. 24.50 chains to a cypress 3x on Cedar Shoals Creek, thence down said creek to the small branch of Saluda River, 10 chains to a stone 3x on line of H.B. Williams; thence N. 18-3/4 W. 32.80 chains to beginning corner. Bounded by lands of S.A. Ramsay, M.C. Williams and H.B. Williams, and also the right to back water thereon by or in consequence of the erection by the said Belton Power Company, its successors or assigns of such dam or dams as it may deem proper, on the Saluda River at any point or points in the vicinity of Cooley's Bridge Shoals or Holliday Shoals, or which may be erected at any other points on said river for the purpose of developing the water power of either or both of said Shoals, as will more fully appear by reference to a conveyance from T.A. Williams to Ellison A. Smyth bearing date the 24th day of December A.D. 1902, and recorded in R.M.C.O. Greenville County in Book J.J.J. page 207. And also conveyance from me the said Ellison A. Smyth to M.C. Williams bearing date the 14th day of June A.D. 1904, and recorded in R.M.C.O. for Greenville County in Book L.L.L. page 765.

Also all the right and privilege to flow and overflow all or any part of all that certain tract or parcel of land being of what was formerly known as the Harper tract, of land described as follows Beginning at a P.O. with Bartley Acker, thence 33, W. 19.22 chains, to a stone 3x; thence N. 14 E. 16.18 chains to a stone 3x; thence N. 10 1/2 E. 20 chains to a stone 3x; thence N. 29 E. 14.50 chains to a 3x; at mouth of branch on Saluda River, thence down the river to G.M. Harper 3x; thence S. 76 W. 7.60 chains to a persimmon 3x; thence S. 4 W. 16.75 chains to a water oak 3x; thence S. 29 E. 23.15 chains to a stone 3x; thence S. 51 W. 6.75 chains to a Pine 3x; thence S. 30 1/2 W. 15.75 chains to the beginning 3x. Bounded by lands of G.M. Harper, Bartley Acker, Harrison Latimer, J.J. Vaughn, and Saluda River, and situate in Honea Path, Township, Anderson County, South Carolina, and being the property conveyed by S. Pickens Taylor, to me the said Ellison A. Smyth, by deed bearing date the 27th, day of May 1903. and recorded in R.M.C.O. for Anderson County, in Book XXX. page 511. And also the further right to back water thereon by and in consequence of the erection of the Belton Power Company, or its successors or assigns, of such dam or dams, as it may deem proper on the Saluda River, at any point or points in the vicinity of Cooley Bridge Shoals, or which may be erected at any other point on said river, for the purpose of developing the water power, of either or both of said Shoals. Also the right and privilege to flow and overflow and to back water upon all that certain piece or parcel or tract of land containing Fifty Acres more or less, lying on Saluda River on both sides of the Fidler Branch, beginning on a stone 3x, on the bank on Saluda River, and running thence S. 32 1/4 W. 26.00 chains to a stone 3x, 3x, thence N. 46 W. 20.65 to a stone 3x, 3x, on Samuel Poore's line; thence 40 1/2 E. 23.15 to stone 3x, 0, thence N. 72 E. 5.00 to a stone 3x on the bank of Saluda River; thence down the said river 15.00 to the beginning, bounded by lands now or formerly of J.S. Acker, and Samuel Poore, being property conveyed by B.T. Acker, to Ellison A. Smyth, by deed bearing date the 15th day of -- 1903, and recorded in the R.M.C.O. for Anderson County, in Book, XXX, page 415. such flow and overflow and backing of water to be caused by or in consequence of the erection of the said dam or dams, as it may deem proper on the Saluda River, at any point or points in the vicinity of Cooley Bridge Shoals, or which may be erected at any other points on said river for the purpose of developing the water power of either or both of said Shoals, as will more fully appear by reference to a conveyance from T.A. Williams to Ellison A. Smyth bearing date the 24th day of December A.D. 1902, and recorded in R.M.C.O. Greenville County in Book J.J.J. page 207. And also conveyance from me the said Ellison A. Smyth to M.C. Williams bearing date the 14th day of June A.D. 1904, and recorded in R.M.C.O. for Greenville County in Book L.L.L. page 765.

of such dam or dams, as it may deem proper on the Saluda River, at any point or points in the vicinity of Cooley Bridge Shoals, or Holliday Shoals, or which may be erected at any other points on said river for the purpose of developing the water power of either or both of said Shoals. Also the right to flow and overflow all of any part of the premises hereinafter described, and to back water thereon, by or in consequence of the erection by him or his heirs or assigns of such dam or dams as he may deem proper, on the Saluda River, at any point or points, in the vicinity of Cooley Bridge Shoals or Holliday Shoals, or which may be erected at any point on said River either for the purpose of developing the water power of either or both of said shoals or for any other purpose whatsoever; and I do hereby release the said Belton Power Company, its successors and assigns, from any and all claim or claims for any and all damages which may be caused to the said property, so hereinafter described, by any overflow or back water directly or indirectly caused by the erection of the dam or dams aforesaid, or by any other structures erected in connection with the said proposed development. It being however, understood that the back water or flows caused by the erection of the said dam or dams shall not extend over the said premises at the time of the completion of the said dam or dams above the level of the water where Toney Creek now empties into the Saluda River.

All that certain lot of land, embracing the Mill seat on Saluda River (known as Cox's old Mill) containing fifty-six (56) Acres, be the same more or less, situate in the State and County aforesaid, beginning on a stone 3x on aforesaid river at the abutment of Cooley's Bridge, thence S. 68 W. 22.50 to a stone 3x near Cox's Horse lot, thence N. 35 W. 8.00 to a stone 3x on the Williamston Road, thence the Road line 16.50 to a stone on aforesaid road, thence N. 69-1/2 W. 23.50 to a stone 3x on Saluda River, thence running so as to embrace the island which contains three acres of the above amount of land, and on to the beginning corner, which also embraces the aforesaid Mill seat with all of its water power privileges ect. Bounded by lands of E.P. Cox, Jos. Cox, and others. Being the property conveyed by J.M. Cox, to Ellison A. Smyth, by deed bearing date the 30th. day of June, 1904. and recorded in the R.M.C.O. for Anderson County in Book, 43, page 48. Also the right to flow and overflow the parts of the premises hereinafter described, and to back water thereon, by or in consequence of the erection by it or its assigns of such dam or dams as it may deem proper on the Saluda River at any point or points below the property hereinafter described, for the purpose of developing the water power on the said Saluda River below and including the water power on the said premises hereinafter described, subject always to the limit found in the next paragraph. It being expressly understood that the said dam or dams are not to back water further up the river than where the line of J.M. Cox and the line of the estate of J.W. Poore and J.M. Cox strike the river about one hundred yards (100yds.) above Cooley's Bridge on the Anderson side of the river, nor to elevate the water at Cooley's Bridge more than eighteen inches (18 in.) above the level of the Saluda River, said back water not to submerge the floors of either of the said mills or of the store room situated near said river, said back water not to damage or render unfit for cultivation any part of the lands either Greenville or Anderson Counties; other than the strip on either side of the said Saluda River that may be covered by said back water in accordance with the terms herein contained.

All that piece, parcel or tract of land, containing one hundred and fifty eight (158) acres, more or less, situate on Saluda River in Greenville County, State aforesaid, near of Cooley Bridge beginning at a beech tree on Saluda River at the mouth of branch, thence up said branch to a stone 3x, thence N. 68 E. 29.24 to a stone 3x, thence N. 10-1/2 W. 9.50 to stone 3x, thence N. 8-3/4 E. 14.64 to stone 3x, thence S. 83 W. 1.40 to E.O. 3x, thence S. 81 1/4 W. 19.25 to E.O. 3x, thence S. 80-3/4 W. 24.45 to stone 3x on bank of said river, thence down the river to the mouth of branch, and being the property conveyed by J.M. Cox, to Ellison A. Smyth, by deed bearing date the 30th. day of June, 1904. and recorded in the R.M.C.O. for Anderson County in Book, 43, page 48.