

State of South Carolina,
County of Greenville.

Whereas Mrs. Ann E. Marshall, late of said County and State, departed this life on the seventh day of July A.D. 1910, leaving of full force and effect her last will and testament, bearing date the nineteenth day of April, A.D. 1895, and admitted to probate by the Court of Probate for said County and State on the twenty-fifth day of July, A.D. 1910, and now on file in the office of said Court, in apartment 100, file 18, whereby, after disposing of certain real and personal property, she provided that the residue of her estate (including the lands hereinafter described), should be divided by her executors, either by division of property, or by sale, into as many shares as she might have children living at the time of her death; such shares to go to such children as provided in said will;

And whereas the said Ann E. Marshall appointed John B. Marshall and William E. Beattie executors of her said last will and testament and authorized them to sell at public or private sale any or all of her property, real or personal, and to execute titles therefor; and whereas, letters testamentary were duly issued by said Court to the said John B. Marshall and W.E. Beattie, on the twenty-ninth day of August 1910, and the said John B. Marshall and W.E. Beattie duly qualified and entered upon the discharge of their duties as such executors;

And whereas the said Ann E. Marshall left the following children living at the time of her death, viz: L.B. Marshall, A. Eliza Marshall, Kitty M. Beattie, John B. Marshall and J. Sproull Marshall; And whereas the said L.B. Marshall departed this life on the fourth day of November A.D. 1911, leaving of full force and effect her last will and testament, bearing date the eighteenth day of July, 1911, and admitted to probate by the Probate Court for said County and State on the fifteenth day of November 1911, and now on file in the office of said Court, in apartment 108, file 15, whereby, after disposing of certain real and personal property, she devised and bequeathed her residuary estate (including her undivided interest in the lands hereinafter described), to her sisters and brothers, A. Eliza Marshall, Kitty M. Beattie, John B. Marshall and J. Sproull-Marshall, share and share alike. And whereas the said L.B. Marshall appointed the said John B.-Marshall and William E. Beattie executors of her said last will and testament, with full power to sell her lands at public or private sale and to make deeds therefor; and whereas letters testamentary were duly issued by said Court to the said John B. Marshall and W.E. Beattie on the fifteenth day of November, 1911; and the said John B. Marshall and W.E. Beattie duly qualified and entered upon the discharge of their duties as such executors;

And whereas the said John B. Marshall and William E. Beattie, in the exercise of their duties as executors of the said last will and testament of the said Ann E. Marshall, deceased, and as executors of the said last will and testament of L.B. Marshall, deceased, and with the consent and approbation of the said A. Eliza Marshall, Kitty M. Beattie, John B. Marshall and J. Sproull-Marshall, sole surviving residuary devisees and legatees under both of said wills, did partition in kind a certain portion of said residuary estate among said devisees and legatees; and whereas, in such partition, the lands hereinafter described have been allotted to the said John B. Marshall, to-wit: /

All that certain lot, piece or parcel of land situate, lying and being in the State of South Carolina and County of Greenville, in the First Ward of the City of Greenville, known and -

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-designated as lot No. 1, on a plat made by Will D. Neves, dated February 7, 1912, showing three lots situate on the northeast side of Hampton Avenue (formerly West Street), between Lloyd Street and Echols Street, and having, according to such plat, the following metes and bounds, to-wit: Beginning at a stake on said Hampton Avenue seventy (70) feet northwestward from the line of the Catholic Church Street property and running along said Hampton Avenue S. 41° 30' E. seventy (70) feet to a stake on the corner of said Catholic Church property; thence along line of said property N. 48° 30' E. two hundred and eight (208) feet to a stake; thence N. 40° 30' W. seventy (70) feet to a stake on the corner of lot No. 2; thence S. 48° 30' W. two hundred and eight (208) feet and eight (8) inches along line of lot No. 2 to the beginning corner; this being a portion of lot No. 50 of the W.P. McBee farm, conveyed to the said Ann E. Marshall by J.L. Southern, sheriff, by deed bearing date the third day of January, 1876, and recorded in the office of the Register of Mesne Conveyances for said County and State on the twenty-seventh day of June, 1876, in Book "HH" of deeds, at page 423;

Also all that certain other lot, piece or parcel of land situate, lying and being in said State, County and City, on the southwest side of Pinkney Street between Mulberry and Frank Streets, known and designated as lot No. 6, on a plat made by Will D. Neves, dated February 7, 1912, showing three lots situate on Pinkney Street and three lots situate on Hampton Avenue, and having, according to such plat, the following metes and bounds, to-wit: Beginning at a stake on Pinkney Street one hundred and twenty-eight (128) feet and four (4) inches from the Pinkney Street public school lot belonging to the City of Greenville and running thence along said Pinkney Street S. 34° E. sixty-four (64) feet and two (2) inches to corner of lot belonging to William H. Irvine or Henry-Madler; thence along line of said lot S. 57° 30' W. one hundred and ninety-nine (199) feet to a stake on corner of lot No. 1; thence N. 33° 15' W. sixty-four (64) feet and five (5) inches along line of lot No. 1 to stake on the common corner of lots 1, 2, 5 and 6; thence N. 57° 40' E. one hundred and ninety-eight (198) feet along line of lot No. 5 to the beginning corner; this being a portion of lot No. 26 of the W.P. McBee farm, conveyed to the said Ann E. Marshall by the said J.L. Southern, sheriff, by deed bearing date the third day of January 1876, and recorded in said office on the twenty-seventh day of June, 1876, in Book "HH" of deeds, at page 425;

And whereas the said Ann E. Marshall provided in her said last will and testament that the shares of her residuary estate allotted to her sons should be held in trust for them by her executors upon the trusts and limitations hereinafter set forth; and whereas the said John B. Marshall consents that his undivided share in the property hereinafter described, formerly belonging to the said L.B. Marshall, shall be held by said executors upon the same trusts and limitations; Now, therefore, know all men by these presents that we, the said John B. Marshall and William E.-Beattie as executors of the last will and testament of Ann E. Marshall, deceased, and as executors of the last will and testament of L.B. Marshall, deceased, do hereby acknowledge and declare that we, the said John B. Marshall and William E. Beattie, as executors of the last will and testament of Ann E. Marshall, deceased, do hold the lands hereinabove described as trustees, under the said last will and testament of the said Ann E. Marshall, deceased, upon the following trusts and limitations, to-wit:

First, In trust to collect the rents, income and profits arising from said lands and after paying the taxes and all necessary repairs and improvements and defraying the costs and expenses-

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