

-they may peaceably hold and enjoy said premises during said term, without interruption by the Lessor or any other person lawfully claiming through or under him.

In Witness Whereof the said parties have hereunto set their hands and seals this day and year first above written.

In the presence of: James McPherson, (L.S.) Lessor. A.B. Aiken, J.Gordon Scott, (L.S.) W.C. Cleveland, (L.S.) Lessees. Ethel Eskew.

State of South Carolina, County of Greenville.

Personally appeared before me A.B. Aiken who being duly sworn says that she saw the above named James McPherson, as Lessor, and J.Gordon Scott and W.C. Cleveland, as Lessees, sign, seal and as their act and deed execute the foregoing written instrument, and that she with Ethel Eskew witnessed the execution thereof.

Sworn to and subscribed before me

this the 8th, day of August, A.D. 1917.

A.B. Aiken.

C.F. Haynsworth (L.S.)

Notary Public for S.C.

Recorded Sept. 25th, 1917.

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(Deed of Trust)

State of South Carolina, County of Greenville.

Whereas, prior to the 14th, day of December 1916, certain steps were taken toward the organization and incorporation of a company to be known as Piedmont Packing Company; that J.B. Bruce, W.H. Austin, W.H. Ballentine, Wm.F. Robertson and W.D. Browning made application to the Secretary of State for a Charter of said Packing Company, and were commissioned as incorporators to open books of subscription to the proposed capital stock, which was to be One hundred thousand dollars.

Said books of subscription were opened and various persons entered subscriptions to said Capital stock, and some of them paid in parts of their respective subscriptions; that no Charter for said corporation has ever been obtained, no return of the incorporators having been filed with the Secretary of State; that on the 14th of December 1916, for value received, H.P. McGee, W.P. Conyers, and W.T. Henderson, as Trustees of the Estate of W.H. Irvine, Bankrupt, executed and delivered to "Piedmont Packing Company" their deed, and undertook thereby to convey the land hereinafter described. Upon said deed there was entered "Sale approved. Cothran, Dean & Cothran, Attorneys for W.H. Irvine estate, Attorneys for Eva B. Irvine", and said deed was entered of record in Vol. 40, page 263, in R.M.C. office for Greenville County, South Carolina; that it having been determined not to perfect said organization, but that the scheme therefor should be and is abandoned, it follows that there being no such person or corporation as "Piedmont Packing Company", no title to said hereinafter described property was by said above referred to deed conveyed; that on the 30th, day of July, 1917, the following letter was sent out to all persons who had entered subscriptions to the proposed capital stock:

(next page)

Greenville, S.C. July 30th 1917.

Dear Sir:

You will recall that sometime ago an effort was instituted whereby the organization of a packing plant, to be known as the Piedmont Packing Company, at Greenville, S.C. was sought to be had. The proposed capital stock was \$75,000.00, and all subscriptions to the capital stock were taken on that basis. Owing to the war and other conditions rendering it inadvisable to carry out the organization, it has been thought best to discontinue that effort.

In anticipation of the organization, certain expenditures were made, and certain lands have been purchased and are now held under a deed which was executed to the proposed corporation. In as much as no charter has ever been granted, it follows, as a matter of course, that the deed is not sufficient, and that another arrangement will have to be made in order to close the matter. It has been thought best by those commissioned to secure the charter, to call a meeting of all the subscribers to the proposed capital stock, at which meeting they will be asked to consider having a deed made to some individual as Trustee. with power to sell and convey to the best advantage the land held by them. Some payments have been made upon subscriptions to the proposed capital stock. From the funds as a whole, the land and the expenses of the attempted incorporation and this proceeding will all be paid for. The remainder to be distributed among the subscribers as their interests may, respectively appear.

Therefore, you are requested to meet as a Proposed stockholder of said corporation, at the assembly room, Chamber of Commerce, in the City of Greenville, S.C. at 6 o'clock P.M. on the 14th, day of August, 1917. If you find it impossible to be present in person, please execute the within proxy, in presence of a witness, naming some subscriber to represent you, and send said proxy to Mr.W.D.-Browning, Secretary, Greenville, S.C.

Respectfully,

- J.B. Bruce, W.H. Austin, W.H. Ballentine, Wm.F. Robertson, W.D. Browning, Commissioners".

That pursuant to said letter, a meeting was held in the City of Greenville, S.C. on the 14th, of August 1917, more than a majority of the said proposed subscribers at said meeting represented, either in person or by proxy, as is shown by the following excerpt from the minutes of said meeting, to wit:

"Greenville, S.C. August 14, 1917.

Called meeting of the Stockholders of The Piedmont Packing Company held at 6 P.M., August 14th, 1917, in the Assembly Rooms of the Chamber of Commerce of Greenville City, South Carolina. First appointed J.B. Bruce, W.H. Ballentine and W.D. Browning as a committee to ascertain the number of shares present; found 79 shares by proxy and 341 shares in person. Meeting then called to order, W.H. Austin, Jr. being nominated and elected Chairman for this meeting.

- (J.B. Bruce, W.H. Ballentine, W.D. Browning. Committee on Tabulation - - - -

(Over)