

Mitchell and others. And whereas the said premises with their appurtenances since the seizure by me made, by virtue of the said writ of Fieri Facias before mentioned, have been exposed to sale at public vendue and purchased by William J Pennington of the County of Greenville in the State of South Carolina for the sum of Two Hundred Dollars being the highest sum that was bidden therefor. Now know ye that I John I. Southern Sheriff aforesaid by virtue of said writ of Fieri Facias aforesaid to me directed and delivered as aforesaid and by virtue of the Statute in such case made and provided and for and in consideration of the said sum of Two Hundred Dollars to me in hand paid or secured to be paid by the said William J Pennington the receipt and payment whereof I do hereby acknowledge have granted bargained and sold and by these presents do grant bargain and sell unto the said William J Pennington heirs and assigns forever, the said tract piece and parcel of land with its appurtenances, and all the estate, right title and interest which the said James Odum of right had of in and to the same. To have and to hold the said piece, parcel and tract of land with its appurtenances unto the said William J Pennington his heirs and assigns forever as fully and absolutely as I the said John I. Southern might could or ought to grant bargain and sell the same by virtue of the Statute aforesaid and the said writ of Fieri Facias or otherwise. I in witness whereof I the said John I. Southern have hereunto set my hand and seal, the seventeenth day of August in the year of our Lord one thousand eight hundred and seventy two

Signed Sealed and Delivered in the presence of

J. S. Wells
W. A. McDaniel

South Carolina } Personally appeared before me
Greenville County } J. S. Wells and made oath that
he saw J. I. Southern sign seal and deliver the
within Deed for the use and purposes therein
mentioned, and that W. A. McDaniel together with
himself witnessed the same. Sworn to before me
this 24th Nov 1874

W. A. McDaniel } J. S. Wells
Clerk of Court Public } Entered in Auditor Office of McDaniel
Recorded 24 November 1874

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| Thomas C. Lower & Whitner Symmes To | Deed |
| Wm. Hattie M. Smith | |

The State of South Carolina
Whereas on the eighteenth day of May A.D. 1874 Emma M. Westfield and Whitner Symmes Plaintiffs exhibited their Complaint for Relief &c., in the Court of Common Pleas for the County of Greenville and State aforesaid, against Thomas M. Cox, Thomas C. Lower, William Birnie and others, Defendants, wherein amongst other things it was alleged that one John Westfield now Deceased on the day of February A.D. 1873 sold and conveyed to the Plaintiff, Whitner Symmes and Thomas M. Cox and Thomas C. Lower the Defendants, and to one James Birnie, also now Deceased an undivided four (4-5) fifths interest in and to certain Real Estate, in and around the City of Greenville, in the County and State aforesaid, and more particularly described in the deed of conveyance of that date; and on the 30th day of September, A.D. 1873, the said John Westfield, agreed to sell to the firm of Cox Birnie & Co., (which was composed of himself and other parties last above-named,) certain other lots, pieces or parcels of land in and near the said City of Greenville and County and State aforesaid, and were particularly described in said agreement; and that the said parties who were interested in the Lands above mentioned, in order to facilitate the sale and transfer of said Lands had agreed to and amongst themselves, to convey all of the said lands in trust, to two of their number to sell and divide the proceeds of sale amongst the parties, according to their respective interests; and prayed amongst other things that these matters might be inquired into, and if found advisable to carry out the said agreement in reference to a trust Deed, that a suitable Trust Deed be reported together with some suitable person or persons to act as Trustee or Trustees; and whereas upon the said cause being heard, on the 17th day of June A.D. 1874, it was referred to a Special Referee to report on the various matters embraced in the pleadings in said cause, and upon the report of said Special Referee coming in, containing the various recommendations therein more fully set forth it was on the 7th day of August, A.D. 1874 amongst other things ordered that Whitner Symmes and Thomas C. Lower, be appointed Trustees to whom William A. McDaniel, Clerk of the said Court, should convey the said Lands to have and to hold the same, to, for and upon the purposes, uses and trusts as set forth and declared in the Deeds reported by the said Referee and whereas the said William A. McDaniel, Clerk as aforesaid, did convey the Lands mentioned in the pleadings to the said Trust