

STATE OF SOUTH CAROLINA,
COUNTY OF GREENVILLE.

ASSIGNMENT FOR THE BENEFIT OF CREDITORS.

KNOW ALL MEN BY THESE PRESENTS: That whereas, C. H. Talley Lumber Company, a corporation of the State of South Carolina, with its principal place of business in Greenville, S. C., is indebted to divers persons in various sums of money, which it is unable at this time to pay in full, and whereas said company is desirous of conveying all of its property, real and personal, for the benefit of its creditors, without preference or priority,

NOW, THEREFORE, the said C. H. Talley Lumber Company, in consideration of the premises hereinabove expressed and of \$1.00 to it paid by J. M. Wells, the receipt whereof, is hereby acknowledged, have granted, bargained, sold, assigned, transferred and set over, and by these presents do grant, bargain, sell, assign, transfer and set over unto the said J. M. Wells, all and singular the lands, tenements, hereditaments and appurtenances, goods, chattels, stocks, promissory notes, debts, choses in action, evidences of debt, claims, demands, property and effects of every description belonging to said company, wherever the same may be situate, and especially all:

The stock, merchandise, goods, fixtures, equipment and any other property now located in or owned by the business known as C. H. Talley Lumber Company situate at #421 West Washington St., Greenville, S. C.

To Have and to Hold all and singular the said property unto the said J. M. Wells, in trust, to sell and dispose of the same, and to collect, sue for and demand, receive and recover all such sums of money as may be or become due, owing and payable on said promissory notes, debts, choses in action, evidences of debt, claims and demands, and then in trust to apply the proceeds arising from the same as follows:

First: To pay all lawful costs and expenses of executing the trust hereby created.

Second: To pay, after such property and sums as shall be adjudged to be exempt from levy and sale, pro rata to all such creditors as shall accept the terms of this assignment and execute a release for their claims within thirty days after notice hereof.

Third: After paying as hereinbefore directed, to pay pro rata to all of said company's creditors who shall establish their claims with the assignee hereof.

Fourth: If the proceeds as aforesaid shall be more than sufficient to pay and satisfy every one of said company's creditors then to pay and return to said company the balance.

And we do hereby nominate, constitute and appoint the said J. M. Wells, our true and lawful attorney, irrevocable in name or otherwise, for the purpose aforesaid, to execute the trust hereby created, giving and granting unto said attorney full power and authority to do and perform every act, deed, and claim requisite and necessary in the premises as fully, to all intents and purposes, as said company might or could do, if this assignment had not been made; with full power of substitution and revocation, hereby ratifying and confirming all that said attorney or his substitute may lawfully do or cause to be done in the premises by virtue hereof.

In witness whereof said company through and by its lawful authorized officer, Annie D. Talley, Vice-President, has hereunto set its hand and seal this the 7th day of Feb. 1938.

In the presence of:

Semmie Lurey
D. B. Leatherwood,

C. H. Talley Lumber Company,
BY: Annie D. Talley (L. S.)
Vice President.

I hereby accept the foregoing assignment:

Feb. 8, 1938.

Witness: J. M. Wells.

W. H. Arnold,
Pearle B. Hunter

State of South Carolina,
County of Greenville.

Personally appeared before me Semmie Lurey, who being duly sworn says that she saw the within named C. H. Talley Lumber Company by Annie D. Talley, as Vice-President, sign, seal and as its act and deed deliver the foregoing written instrument and that she with D. B. Leatherwood witnessed the execution thereof.

Sworn to before me this 7 of Feb. 1938

D. B. Leatherwood (L. S.)

Semmie Lurey

N. P. for S. C.

Recorded this the 8th day of February, 1938 at 9:19 A. M. #1608 BY:E.G.