

Thomas Gower and
Whitner Symmes Trustees
To
W. L. Milam
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The State of South Carolina
Whereas, on the eighteenth day of
May A. D. 1874 Emma M. West-
field 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 G. Gower, William Binnie, and others, Defendants, wherein amongst other things it was alleged that one John Westfield, now deceased, on the day of (1873) sold and conveyed to the Plaintiff, Whitner Symmes and Thomas M. Cox and Thomas G. Gower the Defendants, and to one James Binnie, also now deceased, an undivided fourth (1/4) fifth 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 Binnie & 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, 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 G. Gower, 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, together 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 trustees, Now therefore shown all men by these presents that we, Thomas G. Gower and Whitner Symmes Trustees as aforesaid, by virtue of the power conferred upon us, in and by the order and trust deed aforesaid, upon the written request of the certain que trust herein contained