

State of South Carolina, (Decree)
County of Greenville. Court of Common Pleas.

H.A. Garrison)
Plaintiff,)
-VERSUS-)
Junius H. Garrison, Mary A.-)
Garrison, Mabel V. Garrison,)
and Mary T. Garrison,)
Defendants.)
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(J.S.W No.1)

¶ Upon reading the Master's report, and the testimony in the above entitled matter, and upon motion of J.J. McSwain, Plaintiff's Attorney, Walter A. Adams, as Guardian ad litem for the infant Defendants, consenting and the Defendant, Mary T. Garrison, having filed an answer admitting the allegations of the complaint, and joining in the prayer thereof, it is ordered, adjudged and decreed that the Plaintiff, H. S. Garrison, is the owner in fee simple of all right, title and interest in the two tracts of land described as follows:

- 1 -

¶ That tract of land conveyed on July 15, 1895 by Mary T. Garrison to Velona Huff Garrison, as Trustee for Plaintiff, situated on the C. & G. Railroad, and on the Piedmont Public Road, and having such metes and bounds as will appear by reference to the deed which is recorded in R.M.C. office Volume B.B.B. page 395.

-11-

¶ Also, all that other parcel or tract of land conveyed by W.D. Garrison, on July 15, 1895, to Velona Huff Garrison as Trustee for Plaintiff, containing thirty (30) acres more or less, and having such metes and bounds as will appear by reference to said deed which is recorded in R.M.C. office Volume B.B.B. page 394.

¶ It appears that W.D. Garrison and his wife Mary T. Garrison, who is now alive, conveyed real estate of about equal value to their three children, on or about July 15, 1895 and that the share of their son, H.S. Garrison was placed in the name of his wife, to hold and keep the same as Trustee for him, and that she never exercised any dominion over it, nor collected any rents, nor paid any taxes on it. It does not appear that the intention was to create anything like a Spendthrift Trust, or to deny H.S. Garrison the absolute control and ownership of the property, but it is conceded that he is a prosperous and highly respectable (J.S.W. No. 2) citizen and will provide wisely for all his children. The effect of this proceedings is not divest the rights of said children, but to equalize the rights of all the children in the prospective benefits to be derived. It appears that now is an opportune time to realize good prices for the sale of the land, and that the money would no doubt bring more interest than the rental of the land for farm purposes. This would accrue to the benefit of all the family, and upon the death of H.S. Garrison would be for the benefit of all his children.

¶ Since the grantor of the tract containing one hundred and twenty (120) acres, which from situation as well as size, must be worth several times as much as the thirty (30) acres, joins in the prayer of the complaint, and testifies so strongly that her own intention and that of her husband was to convey the property for the benefit and use of their son, H.S. Garrison the Plaintiff, in this case, and since the rights of third parties have not intervened and no one can in any way be prejudiced by carrying out the original proper and natural intention of the Grantors, I have no hesitation in ordering, adjudging and decreeing as above, that the absolute legal title to the two tracts of land herein described does vest in the Plaintiff, H.S. Garrison.

¶ It is ordered that the Plaintiff pay all the costs and expenses of this action, including an attorney's fee of one hundred (\$100) dollars and a fee of ten (\$10) dollars to the Guardian ad litem for the infant Defendant.

April 1st, 1910.

John S. Wilson,
Presiding Judge.

We consent to the foregoing decree, J.J. McSwain, Plaintiff's Attys.
Walter A. Adams, Guardian ad litem for the infant Defendant.

Recorded April 28th, 1910.