

STATE OF SOUTH CAROLINA,

COUNTY OF GREENVILLE.

IN THE COURT OF COMMON PLEAS

EX PARTE:

M. M. HEWELL AND L. H. STRINGER,  
as Receivers or Trustees of  
American Land and Investment Company,  
Petitioners.

ORDER

IN RE:

GREENWOOD COTTON MILL

- vs -

American Land &amp; Investment Company,

-and-

J. B. Eskew,

-vs-

American Land &amp; Investment Company.

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This matter was referred to E. Inman, Master for Greenville County, to take the testimony and report his findings of fact and conclusions of law. A reference has been held and the Master has filed the testimony taken together with his report thereon.

No exceptions are being taken to the Master's report and it appears to the Court that this findings and recommendations are well founded.

IT IS, THEREFORE, ORDERED that the Master's report be and the same is hereby confirmed and made a part of the judgment of this court.

IT IS FURTHER ORDERED that the accounting rendered by M. M. Hewell and L. H. Stringer concerning their actions in the matter be and the same is hereby approved.

IT IS FURTHER ORDERED that they forth with pay all claims, fees, and costs as approved by the Master. If it be-come necessary, in order to raise sufficient funds for the payment of the approved claims, that all, or any part, of the remaining assets be sold, leave is hereby given to said parties to apply to the Court for the necessary orders of sale.

IT IS FURTHER ORDERED that all assets of American Land & Investment Company remaining in their hands after such payment be turned over to the Receiver hereinafter appointed and that thereupon Hewell and Stringer and all officers, directors and stockholders of American Land & Investment Company be thereupon discharged from further liability in connection with the same.

The Master has recommended that, after the payment of the claims aforesaid, B. F. Martin be appointed as Receiver of American Land & Investment Company under the supplementary proceedings filed by the judgment creditors thereof. It has always been the practice of this Court to require a bond in connection with all receiverships. In this instance, however, the judgment creditors, who appear to be the only interested parties, have asked that their attorney, B. F. Martin, be appointed as Receiver and that a bond be dispensed with.

IT IS, THEREFORE, ORDERED that B. F. Martin be and he is hereby appointed Receiver under the supplementary proceedings filed in this matter of all assets of American Land & Investment Company remaining after the payment of the claims aforesaid.

It is further ordered that said Receiver be vested with the usual powers and authority of receivers appointed by this court and that he be, and is, hereby authorized to take charge of all property of the judgment debtor, American Land & Investment Company, both real and personal, wheresoever situate, and sell the same, and make good titles thereto, subject to the confirmation of the Court, on approval of the two judgment creditors herein - - receiving all moneys therefor, as well as any moneys remaining after payment of the above claims and the costs of this action, and holding the same subject to the further order of this Court.

In the case of Eskew against said American Land & Investment Company a consent order was signed by Judge Rice, presiding in the 13th Circuit, on March 30, 1938, same being duly recorded in the office of the Clerk of Court in Book of Pleadings and Judgments, Volume KKK, page 442, by which Cannon Mills, Inc., a corporation of New York, was duly substituted for the plaintiff, J. B. Eskew, having purchased said Eskew judgment against the American Land & Investment Company herein, Judgment Roll No. E-1767 and same, as shown in said order, having been duly assigned to said corporation; and said transaction is further evidenced by an assignment in said Judgment Roll from said Eskew to said Cannon Mills, Inc., duly recorded in Common Pleas Journal in said office, Volume Z, page 313.