

dystrophy and died Intestate at the Veteran's Administration Hospital, Oteen, North Carolina, in July 1967, leaving respondents and his father, the said Claud I. Campbell, as his next of kin and heirs at law. Claud I. Campbell died in May of the following year, leaving a will in which he devised and bequeathed all his property to his children and step-child who are the respondents herein. Petitioner testified that after she acquired title to the mortgaged premises from her former husband, the said Clyde W. Hodge, Jr., she continued making the payments on the note and mortgage and paid them in full in June of 1965. The mortgage shows receipts, in someone's handwriting, for nine of the ten payments. Petitioner testified that during the early sixties, the said Marlon Earle Campbell lived with his father, and inasmuch as the said Marlon Earle Campbell was an invalid, his father usually received the payments for him and receipted for them. Although there was apparently no express written agency, the facts and circumstances warrant the conclusion that the father had apparent or implied authority to receive the payments for his son. The respondent Lila J. C. Hogan testified that the signatures on the satisfaction are genuine and she exhibited a power of attorney that was later given by Marlon Earle Campbell to his father, Claud I. Campbell.

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I therefore find that the note and mortgage in question were paid in full and should be cancelled.

NOW, THEREFORE, on motion of Earle, Bozeman & Grayson, Attorneys for Petitioner,

IT IS ORDERED that upon receipt of the standard fee, Donale S. Tankersley, Register of Mesne Conveyances be, and she is hereby, directed to cancel of record the mortgage from Clyde W. Hodge, Jr. to Marlon E. Campbell and Birdie H. Campbell, which is recorded in her office in Mortgage Book 825, page 82.

RECORDED

M. P. Price, Jr.
Judge, Greenville County Court

Greenville, S. C.
December 13th, 1973

Margaret A. Reed
Clerk of Court C. P. & C.S.
Ex-Officio Clerk County Court
Greenville County, S. C.
Dated DEC 13 1973 15751

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