

Roll No. L-8857 ^{BOOK} 20 PAGE 469

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

FILED
GREENVILLE, S.C.
DEC 17 4 48 PM '73
DONNIE S. TANKERSLEY
R.H.C.

Helen L. Hodge Craig,

Petitioner,

-vs-

Lewis M. Campbell, James Ansel
Campbell, Lila J. C. Hogan and
Margie Monteen Cantrell,

Respondents.

ORDER

*Cancelled
Donnie S. Tankersley*

This matter was brought under the provisions of Sec. 45-67.1 of the 1962 South Carolina Code of Laws, as amended, to obtain an order of this Court directing the Register of Mesne Conveyance of this County to cancel of record a mortgage recorded in the Register's Office in Mortgage Book 825, page 82.

I find that the mortgage had been given to Marion Earle Campbell and Birdie H. Campbell by petitioner's former husband, Clyde W. Hodge, Jr., on May 13, 1960, as a part of the purchase price for the property therein described. The mortgage; and the note which the same secured, were introduced in evidence, and these instruments show on their face that the interest of Birdie H. Campbell had been assigned to Marion Earle Campbell. Written in ink across the face of both instruments are purported satisfactions which read "Satisfied in full, Marion E. Campbell, by Claud I. Campbell, Witness, Lila C. Hogan"; but inasmuch as there was no recorded power of attorney from Marion Earle Campbell to the said Claud I. Campbell the Register of Mesne Conveyances could not satisfy the mortgage of record.

On October 11, 1973, testimony was taken from the Petitioner and the Respondent, Lila J. C. Hogan, the other defendants not appearing. Since one of the respondents, Lewis M. Campbell, could not be personally served, he was served by publication in a Greenville newspaper but did not appear at the appointed time to make his return, and I therefore am considering the testimony taken on October 11, 1973, in his case as well as the other. It appears from their testimony that Marion Earle Campbell, a brother of the respondents, was a victim of muscular

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