

STATE OF SOUTH CAROLINA:

COUNTY OF CHESTER:

IN THE COURT OF COMMON PLEAS.

Lay Durham Hughes,

Plaintiff.

vs.

COMPLAINT

FOR

FORECLOSURE.

William B. Cameron, Curtis Cameron, Catherine C. Montgomery, Sarah C. Montgomery, Frances C. Brooks, J. Walker Cameron, and Margaret C. McCarley; and Jno. C. Cameron Jr., James Cameron, Robert G. Cameron, Lizzie C. Workman, Nannie J. Balten, Docia C. Wilson, and Maggie L. Cameron, children of John Cameron deceased; and Sallie Cameron, Nina C. Crouch, Ernest Cameron, Charlie Cameron, J. Gary Cameron, Jas. B. Cameron, and Rebecca J. Cameron, the widow and children of Tom. Cameron deceased, the last three named of whom are minors; and J. Woodward Cameron, Bessie C. Wages, Lillie C. Mobley, Mockbee Cameron, Jas. I. Cameron, and Mary C. Westbrook.

Defendants.

The Plaintiff above named complains of the above named Defendants and alleges:

I: That heretofore on the 31st. day of October 1901, one James C. Cameron, now deceased, executed and delivered his promissory note in writing and under seal, dated on that day, and thereby promised to pay to one G. B. Lee, or his order, the sum of one hundred and sixty five dollars, on the 15th. day of November 1902, with interest thereon after maturity at the rate of eight per cent. per annum, for value received.

II: That the said James C. Cameron on the said 31st. day of October 1901, in order to better secure the payment of his said note, executed and delivered to the said G. B. Lee, his mortgage deed, dated on the said day and there by conveyed to the said G. B. Lee, his heirs and assigns, the following lands and tenements, to wit: All that tract or parcel of land situate and being in the said County and State, bounded on the North by R. T. Mockbee and Dove White, on the East by Mrs. May D. Hughes, on the South and West by lands of the Estate of John Clark deceased, containing eighty four acres more or less, and being the same lands on which the said Jas. C. Cameron then resided. And the condition contained in said mortgage-deed was insubstance, that if the said Jas. C. Cameron should well and truly pay the said note executed by him to said G. B. Lee or his assigns, together with all interest thereon, according to the true intent and meaning thereof, then and in that case the said mortgage deed should become void, but otherwise it should remain

*His vendue filed Aug 11-1912
J. C. Cameron
L. D. Lee*

of full force and virtue.

III: That said ~~mortgage deed~~ was duly ~~recorded~~ in the office of the Register of Mesne Conveyances for Chester County on the ~~18th. day of~~ November 1901, in Book 91 pages 656 to 658.

IV: That afterwards on the ~~31st. day of~~ 1902, the said Note and Mortgage deed were both duly assigned by the said G.B. Lee for value to the Plaintiff, ~~May D. Hughes, in writing~~ duly indorsed on said papers; and the said Note and Mortgage have ever since been in her possession and ~~##~~ now the plaintiff is the legal owner thereof.

IV: That on or about the ~~26th. day of~~ December 1901 the said Jas. C. Cameron died intestate, and left him surviving as his heirs at law, his widow, Mrs. Happy Cameron, and ~~fourteen children and the children of a pre-deceased son, John Cameron; to wit: the defendants, William B. Cameron, Curtis Cameron, Catherine C. Montgomery, Sarah O. Montgomery, Frances C. Brooks, J. Walker Cameron, Margaret C. McCarley, Tom Cameron (now deceased), J. Woodward Cameron, Bessie C. Wages, Lillie C. Mobley, Mockbee Cameron, James I. Cameron, and~~ ~~#####~~ Mary C. Westbrook; and the ~~#####~~ ^{children} of the said John Cameron, who ~~pre-deceased~~ his said Father are the defendants, John C. Cameron Jr., James Cameron, Robert G. Cameron, Lizzie C. Workman, Nannie J. Balton, Docia C. Wilson, and Maggie B. Cameron; That after the death of the said Jas. C. Cameron, one of his sons, Tom Cameron died intestate on or about the ~~day of~~ 1906, and left him surviving as his heirs at law, his widow, the defendant Sallie Cameron, and six children, to wit: the defendants, Nina O. Crouch, and Ernest Cameron and Charlie Cameron, both of whom may be under age, and the present residence of whom is unknown to plaintiff after diligent inquiry; and the defendants John Gary Cameron, Jas. B. Cameron, and Rebecca J. Cameron, all three of whom are minors, the first named being over and the last two named under the age of fourteen years, and all three now reside with their Mother, the said Sallie Cameron, in or near the City of Columbia, S.C. That after the death of the said ~~Mortgagor~~, his widow, the said Happy Cameron died intestate, on the ~~26th. day of~~ June 1912, and left her surviving as her heirs at law, her six children, to wit, the defendants, J. Woodward Cameron, Bessie C. Wages, Lillie C. Mobley, Mockbee Cameron, Jas. I. Cameron, and Mary C. Westbrook.

V: That no part of the said mortgage-debt has been paid except the

following sums to wit: Sixty six dollars on Oct. 1st. 1907, thirteen & 20/100 dollars on Novr. 10th. 1908, thirteen & 20/100 dollars on Novr. 2nd. 1909, and the further sum of thirteen & 20/100 dollars on Oct. 16th. 1911; and the entire balance of said mortgage-debt is now due and unpaid, being the entire principal and more than twenty⁷/₁₀₀ one months interest; and the condition of the said mortgage has been broken.

VI: ~~That there never was any administration upon the estate of the said Jas. C. Cameron, the mortgagor, although he has been dead more than ten years, and some of his heirs have been in possession of the mortgaged premises and paying some interest on the mortgage debt as mentioned above. And there has never been any administration upon the estate of the said Happy Cameron, who died owning her one-third interest in said premises, subject to the said mortgage; and so far as this is informed and believed she alleges that said Happy Cameron has no other property in this State except her interest in said lands.~~

Plaintiff

Wherefore the Plaintiff demands judgment, that the said Mortgage be foreclosed, and the mortgaged premises be sold under the decree of this Court, and that the defendants and all parties claiming under them be barred and foreclosed of all rights or equity of redemption therein: that from the proceeds of sale the costs of this action be paid, and the mortgage-debt of the plaintiff, and the surplus if any be divided among the several defendants, as heirs at law of the Jas. C. Cameron and Happy Cameron according to their respective rights under the Statute of Distributions; and for such other relief as may be just and right.

Chester, S.C. Aug. 20th. 1912:

A. G. Brice
Plaintiff's Attorney.

State of South Carolina:
County of Chester:

Personally before me came, A. G. Brice, who on oath says that he is the attorney for the plaintiff in this action, that the foregoing complaint is true to his own knowledge except as to the things therein stated to be on information and belief, and as to them he believes them to be true. Deponent further says, that the reason this verification is not made by the plaintiff is that she resides out of this State, in Tempe in the State of Arizona; and that the sources of deponents knowledge and information, is his possession for a long of the note and mortgage in question, and the statements of the plaintiff and various ones of the defendants and their agents.

Sworn to and signed before me,
this the 20th day of August 1912.

J. P. Rabbe
notary Rabbe for N.C.

A. G. Brice

State of South Carolina.

In the Court of Common Pleas.

County of Chester:

~~May Durham Hughes,~~

Plaintiff.

vs.

Wm.B.Cameron, Curtis Cameron, Cath-
erine C.Montgomery, and others,

Order Appointing Guar-
dian Ad Litem for minor
Defendants by Probate
Judge.

Defendants.

On reading the Notice of the Application of the Appointment of a Guar-
dian ad litem for the minor defendants herein, and the the proof of
service of the same upon the ~~Mother of the two minor defendants, Jas.~~
~~B. Cameron and Rebecca J. Cameron, both under fourteen years~~ of age, and
the affidavit of A.G. Brice that no application has been for the appo-
intment of such Guardian in their behalf within the twenty days after the
service of said Notice:

And upon the Petition of the minor defendant, ~~John Gary Cameron~~, over
age of fourteen years for the appointment of J.B. Westbrook, Esq. as
Guardian ad litem in this action and herewith attached:

And on motion of A.G. Brice Plaintiffs attorney:

It is Ordered that J.B. Westbrook Esq. an Attorney of this City, be and
he is hereby appointed Guardian ad litem of the minor defendants, ~~John~~
~~Gary Cameron, James B. Cameron, and Rebecca J. Cameron~~ in this action;
and he is hereby authorized and required to appear and defend this ac-
tion in their behalf and for their interests herein.

Given under my hand and the Seal of the Court of Probate for Chester
County this the 27th. day of November 1912.

J. H. W. Daniel
Judge of Probate

