

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND.)

IN THE COURT OF COMMON PLEAS.

The Housing Authority of the)
City of Columbia, S. C.,)

Plaintiffs,)

vs.)

Minnie White James, et al.,)

Defendants.)

STATEMENT OF COSTS.

Columbia, S. C. September 13, 1939.

Purchase Price	\$ 200.00
Amount for actual court costs	35.40
	<hr/>
	\$ 235.40

Clerk \$ 5.00

Master's costs:

Reference	\$3.00	
Witnesses	.50	
Report & Copies	4.50	
Testimony	<u>1.50</u>	
	9.50	
Deed & Commissions	<u>7.00</u>	16.50

Chas. I. Dial, Atty., .90
Copy of testimony-pd.

Edgar S. Douglas, Guardian ad Litem fee 10.00

State Revenue 1.00
Federal Revenue .50

Recording deed 1.50

City Sheriff, 1934-1938 City taxes 53.20

Ellen I. Butler, Tax Collector, 1937-1938 taxes 45.53
\$134.13

Pro-rata	Distributive shares	
Minnie White James		\$ 33.79
Williams E. White		9.64
Robt. L. White		9.64
Stephen White		9.64
Minnie White James, as Nat. Gdn. for Jas. White		9.64
" " " " " " " E.A. White		9.64
" " " " " " " Lucinda James		9.64
" " " " " " " Rosanna White		9.64
		<u>101.27</u>

\$ 235.40

\$ 235.40.

Harry M. Lightsey,
Master for Richland County.

OFFER OF SALE OF LAND

In consideration of the sum of one dollar (\$1) and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged the undersigned (hereinafter called the "seller"), being the owner thereof, hereby offers and agrees to

sell and convey to the.....(hereinafter called the "Local Authority") or its assignee or nominee the following-described property, located in the city of..... county of....., State of.....

upon the following terms and conditions:

Upon closing, the seller shall convey to the Local Authority or its assignee or nominee by general warranty deed a good and marketable fee-simple title thereto, together with all improvements, hereditaments, and appurtenances thereunto belonging, free and clear of all liens (except liens for current taxes and assessments), easements, restrictions, delinquent taxes and assessments, leases and encumbrances of any kind, existing or inchoate with proper release of dower, curtesy, and waiver of homestead rights, if any, together with all of his rights, title and interest in and to any streets or alleys adjoining or abutting thereon. Taxes and assessments shall be adjusted as of the time of closing. Possession shall be delivered to the Authority at the time of closing.

The total purchase price shall be \$^{\$}210..... All expenses of examination of title and of preparation and recording the deed shall be paid by the Local Authority. Payment of the purchase price shall be made upon transfer of title to the Local Authority.

This offer shall be irrevocable for a period of 120..... days from the date hereof and shall remain in force thereafter until terminated by the seller. Such termination may be effected at any time after the expiration of such..... day period by seller giving 30 days' prior written notice to the Authority of such termination. In accepting this offer the Local Authority shall endorse its acceptance hereon and mail notice thereof to the seller at the address specified below. The Local Authority shall specify the place and time of closing, which shall be not more than 60 days after the date of acceptance. The seller agrees that this offer shall not be revokable and that he will not sell, mortgage, encumber, or otherwise dispose of such property or any part thereof prior to said expiration date, except to the Local Authority. This agreement shall be binding upon the seller and his heirs, executors, administrators, successors, and assigns.

Notwithstanding the prior exercise of this offer, the Local Authority in lieu of completing the purchase of said premises may, at any time prior to closing, proceed to acquire the same by condemnation. The seller agrees, as an independent stipulation, which shall survive the expiration or cancellation of this offer, to such condemnation upon the payment of just compensation, which shall be the purchase price above stated, which price the seller hereby declares to be the fair market value of said premises, inclusive of every interest therein.

Loss or damage to the property by fire or casualty shall be at the risk of the seller until title has been conveyed to the Local Authority.

Signed, sealed, and delivered in the presence of:

..... July, 1939

..... [SEAL]

Address.....

APPROVED: [SEAL]

By..... Address.....

ACCEPTED: [SEAL]

..... Address.....

(Local Authority)

..... [SEAL]

By..... Address.....

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

AFFIDAVIT)

Personally appeared before me William E. White, who being duly sworn, deposes and says that he is the son of William E. White Sr., deceased, and that the said William E. White, Sr., died on the 16 day of Nov. 1937, and left no Will. That the heirs at law of William E. White Sr., are the following persons:

Name	Relationship	Age
✓ <u>William E. White Jr.</u>	<u>son</u>	<u>26</u>
✓ <u>R. L. White</u>	<u>son</u>	<u>23</u>
✓ <u>Stephen White</u>	<u>son</u>	<u>22</u>
<u>James White</u>	<u>son</u>	<u>19</u>
<u>E. A. White</u>	<u>son</u>	<u>17</u>
<u>Lucinda James</u>	<u>Daughter</u>	<u>20</u>
<u>Russell White</u>	<u>Daughter</u>	<u>20</u>
✓ <u>Mission White James</u>	<u>Wife</u>	<u>43</u>
_____	_____	_____
_____	_____	_____

DEPONENT

Sworn to and subscribed before
me this 26 day of August 1939.

J. C. [Signature]
NOTARY PUBLIC IN AND FOR S.C.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

}
} IN THE COURT OF COMMON PLEAS
}

The Housing Authority of the
City of Columbia, S. C.

Plaintiff,

- vs -

Minnie White James, William E.
White, Robert L. White, Stephen
White and James White, E. A.
White, Lucinda James and Rosanna White,
Minors,

Defendants.

DECREE.

This matter comes before me on motion of Messrs. Robinson & Robinson,
and Charles I. Dial, Attorneys for Plaintiff, for an order confirming the
Master's report rendered by Harry M. Lightsey, Esq., Master in Equity for Richland
County, S. C., on September 11th, 1959, and it appearing to my satisfaction that
the best interest of all of the parties defendant will be best served by author-
izing the said Master in Equity to convey the interest of all the defendants in the
property herein below described to the Plaintiff, The Housing Authority of the
City of Columbia, S. C., now, therefore,

1: IT IS ORDERED, RECORDED AND DECREED that Harry M. Lightsey, as
Master in Equity for Richland County, S. C., be and he hereby is authorized and
directed to convey the interest, of all of the parties defendant to the Plaintiff,
in the property described as follows:

All that piece, parcel or lot of land, situate, lying and being in
the eastern section of the City of Columbia, County of Richland, State
of South Carolina, at the southeast intersection of Liberty Hill Avenue
with an unnamed alley which connects this Avenue with Dial Street;
this lot being irregular in shape, beginning at a stake at the inter-
section of Liberty Hill Avenue and alley, thence running East along the
alley 180.7 feet to a stake, thence running South 105.9 feet to a
concrete monument, thence running West 168.4 feet to a concrete monument
on Liberty Hill Avenue, thence running North along said Avenue 52.7
feet to a point of beginning; together with all right, title and interest
in and to the streets or alleys binding this property on the West and
North. This being the same property conveyed to William E. White by
Laura Brown by deed dated March 6, 1904, recorded in Deed Book "AJ"
at page 277.

Upon the payment to him of the costs in the action and the sum of \$200.00 by the Plaintiff; and he is further ordered to pay the taxes accrued against the property out of said funds and to disburse the balance to the defendants as their respective interests will appear under the Statute of Descent and Distribution, and that the shares of the minors to be paid direct to the person with whom the said minors reside.

2: That the report of the said Master in Equity be and the same hereby is confirmed.

Columbia, S. C.

Presiding Judge for the Fifth Juridical
Circuit.

September , 1939.

Costs \$ 35 ⁴⁰/₁₀₀

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND.

)
) IN THE COURT OF COMMON PLEAS.
)

The Housing Authority of the
City of Columbia, S.C.,

Plaintiff,

- vs -

Minnie White James, William E.
White, Robert L. White, Stephen
White and James White, E.A. White,
Lucinda James and Rosanna White,
Minors,

Defendants.

NOTICE
The original of this report was filed in
the office of the Clerk of Court for Rich-
land County and a copy thereof forward-
ed to the below named attorney on the
11th day of Sept 1939
MASTER'S REPORT
Harry Lightsey
Master Richland County
to Robinson & Robinson
class S. Dial atty
Edgar L. Dwyer

Columbia, S.C., September 11, 1939.

Orig.
H.M.L.

To the Presiding Judge of the Court of Common Pleas for Richland County,
S.C., Fall Term, 1939 :

M.
#1.

I, the undersigned Master have to report :

1. Pursuant to the order of reference set out
in the attached testimony, I held a reference
herein, attended by the attorneys of record, took the testimony offered,
which is herewith reported, and therefrom find and conclude as herein-
after set forth.

2. I find that on or about the 16th day of
November, 1927, William E. White, Sr. (colored)
died intestate seized and possessed of that certain lot of land more
particularly set forth and described in paragraph two of the verified
complaint herein, leaving the defendants as his heirs at law, the de-
fendants James White, E.A. White, Lucinda James and Rosanna White being
minors duly represented in this action by their Guardian ad Litem, who

appeared and actively represented the said minors herein.

3. I further find that in July 1939, all of the defendants entered into a contract for themselves with the plaintiff herein, wherein and whereby they contracted to sell the premises described in the complaint unto plaintiff at and for the total purchase price of \$200.00 and this action is brought for the purpose of the Court inquiring into the reasonableness of the purchase price and to ascertain if it be advantageous to the interest of the minors for the premises to be sold at and for the contract price.

4. I further find from the evidence of two competent real estate agents that the sum of \$200.00 is fair and reasonable and would be most advantageous, particularly to the interest of the minors, in view of the fact that plaintiff herein has agreed and is willing to pay the costs and expenses of the within action; that the only expense to the sellers would be taxes to be paid in accordance with the terms and conditions of the contract or agreement between the parties.

5. I further find that the sum of \$10.00 would be a reasonable fee to be allowed the Guardian ad Litem for services rendered and to be rendered herein until the final adjudication of the within action.

6. I would, therefore, recommend that this Court do by its proper order and decree authorize and direct the Master for Richland County to make, execute and deliver deed unto plaintiff conveying the premises described in the verified complaint herein upon the payment of the costs and expenses of the within action by plaintiff, and the further payment of the sum of \$200.00 to the said Master; that out of said sum the Master do pay the taxes in accordance with the terms of the contract of sale of said premises, and that the balance be distributed among the heirs at law of the said William E. White, Sr. in accordance with

Orig.
H.M.L.

M.
#2.

the Statute of Descent and Distribution; that the sums due the respective minors, being less than \$200.00, that the Master be ordered to pay same direct to the person with whom said minors reside, and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

Harry M. Lightsey,
Master for Richland County.

September 11, 1939.

1939.

Also calls attention to and files herein the affidavit of R.H. Robinson dated 1st day of September, 1939, showing service of the summons, complaint and notice upon the minor defendants James White, E.A. White and Lucinda James by delivering copy thereof to each of them personally at their home near Remini, S.C., on the 1st day of September, 1939; also showing service of the summons, complaint and notice upon the minor defendant Rosanna White by delivering copy thereof to her mother, Minnie White James, a person of discretion at her her home near Remini, S.C., on the 1st day of September, 1939.

Also calls attention to and files herein the petition of Lucinda James, James White and E.A. White dated 1st day of September, 1939, praying for the appointment of Edgar S. Douglas as Guardian ad Litem to represent said minors in the within action; also to the petition of Rosanna White dated 9th day of September, 1939, praying for the appointment of Edgar S. Douglas as Guardian ad Litem to represent her in the within action, and to the order of Hon. C.E. Hinnant, Clerk of Court, dated 11th day of September, 1939, wherein the said Edgar S. Douglas was appointed Guardian ad Litem for the minor defendants James White, E.A. White, Lucinda James and Rosanna White in the within action; also to the consent of the said Edgar S. Douglas to act as such Guardian ad Litem.

Mr. Dial files herein answer for and on behalf of the defendants Minnie White James, William E. White, Robert L. White and Stephen F. White and calls attention to the acceptance of service endorsed on the back thereof by Counsel for plaintiff.

Mr. Douglas files herein his answer as Guardian ad Litem for and on behalf of the minor defendants James White, E.A. White, Lucinda James and Rosanna White and calls attention to the acceptance of service endorsed on the back thereof by Counsel for plaintiff.

Mr. Dial calls attention to the order of Hon.

C.E. Hinnant, Clerk of Court, dated 11th day of September, 1939, wherein the above entitled cause was referred to the Master in Equity for Richland County, S.C., to take the testimony offered and report the same together with his findings of fact and conclusion of law, with leave to report any special matter.

Q. You are generally familiar with the locality?
WHEREUPON, MR. DIAL CALLED:

MR. JOHN H. BOLLIN, WHO BEING DULY SWORN, testified as follows:

BY MR. DIAL: inspected this particular lot?

Q. Mr. Bollin, you are a resident of the City of Columbia?

A. Yes. In your opinion is a reasonable value for this property on the

present? Are you in the real estate business?

A. Yes, sir. \$200.00 is fair and reasonable.

Q. How long have you been engaged in the real estate business?

A. Seven years. Understand the purchaser is to take care of the costs of

clearing. Q. You have had occasion during that period of time to handle various types of properties?

BY MR. DIAL: I would like to state that plaintiff will pay the costs

A. Yes.

of the action, there will be no costs to be taxed against the defendants

Q. Have you had any experience in handling negro property?
except taxes.

A. Yes.

WHEREUPON, MR. DIAL CALLED:

Q. Have you inspected the vacant lot described in the complaint?
MR. J. SWANS ELLIOTT, WHO BEING DULY

A. Yes, sir.

SWORN, testified as follows:

Q. There are no improvements on the lot?

BY MR. DIAL:

A. None.

Q. Mr. Elliott, are you a resident of the City of Columbia, S.C.?

Q. In your opinion, do you think \$200.00 is a reasonable price for the

A. Yes, sir.

lot?

Q. What is your business?

A. Yes, I do.

A. Real estate.

Q. You think that is a fair value for the lot?

Q. How long have you been engaged in the real estate business?

A. Yes.

A. Nineteen years.

Q. During that time, you have had occasion to handle various types of properties?

A. Yes, sir.

Q. Have you had any experience with property owned by colored people ?

A. Yes, sir.

Q. Have you inspected the lot described in the complaint in this action ?

A. Yes.

Q. There are no improvements on the lot ?

A. No improvements.

Q. Would you say there are quite a few encroachments on the lot ?

A. Two streets.

Q. The lot is really much smaller than described ?

A. That is correct.

Q. You understand that the costs of this action will be paid by plaintiff and whatever amount is paid to the defendants will be net to them, less taxes, that is they will pay the taxes ?

A. Yes.

Q. What, in your opinion, is a reasonable price for the property ?

A. I think under those conditions \$200.00 is a fair price for the lot.

CROSS EXAMINATION :

BY MR. DOUGLAS :

Q. Mr. Elliott, have you ever had experience in selling real estate in this particular locality ?

A. Yes, sir.

Q. Have you inspected the lot in question ?

A. Yes.

Q. What, in your opinion, is a fair market price to be obtained for the lot taking into consideration the fact that the purchaser is to pay the costs of the action ?

A. I think \$200.00 is a fair price.

Q. You think that is all that could be realized from the sale of the lot ?

A. Yes, with the title in the shape it is in.

Mr. Dial offers in evidence and asks permission to withdraw, the option which was executed by the various defendants, in which they agreed to deliver a good and marketable fee simple title or general warranty deed to the plaintiff, with all taxes, liens and encumbrances paid up, for the sum of \$200.00. The option was executed by all the parties but of course when the fact was discovered there were minors made it necessary for this action to be brought.

Option described by Counsel offered and received as Exhibit "A", same returned to Counsel for plaintiff.

Reference adjourned,

Harry M. Lightsey,
Master for Richland County.

September 11, 1939.

CROSS EXAMINATION :

BY MR. DOUGLAS :

Q. Mr. Bollin, you say you have been in the real estate business for seven years ?

A. Yes.

Q. You are generally familiar with real estate values in this particular locality ?

A. Yes.

Q. Have you inspected this particular lot ?

A. Yes.

Q. What in your opinion is a reasonable value for this property on the present market ?

A. I think \$200.00 is fair and reasonable.

Q. You think that is all that can be realized from the property ?

A. Yes and I understand the purchaser is to take care of the costs of clearing the title and the costs of the action.

BY MR. DIAL: I would like to state that plaintiff will pay the costs of the action, there will be no costs to be taxed against the defendants except taxes.

WHEREUPON, MR. DIAL CALLED:

MR. J. EVANS ELLIOTT, WHO BEING DULY

SWORN, testified as follows :

BY MR. DIAL :

Q. Mr. Elliott, are you a resident of the City of Columbia, S.C. ?

A. Yes, sir.

Q. What is your business ?

A. Real estate.

Q. How long have you been engaged in the real estate business ?

A. Nineteen years.

Q. During that time, you have had occasion to handle various types of properties ?

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

)
) IN THE COURT OF COMMON PLEAS
)

The Housing Authority of the
City of Columbia, S. C.

Plaintiff,

-VS-

Minnie White James, William E.
White, Robert L. White, Stephen
White and James White, E. A. White,
Lucinda James, Rosanna White, Minors.

Defendants.

ORDER OF REFERENCE

This matter comes before me on motion of Messrs. Robinson & Robinson, Attorneys for the Plaintiff, and it appearing to my satisfaction that the above entitled cause is one that should be referred to the Master in Equity for Richland County, S. C., now with the consent of Edgar S. Douglas, guardian-ad-litem for the minor defendants, it is :

ORDERED, ADJUDGED AND DECREED that the above entitled cause be and the same hereby is referred to the Hon, Harry M. Lightsey, Master in Equity for Richland County, S. C., to take the testimony offered and report the same together with his findings of fact and conclusion of law, with leave to report any special matter.

Columbia, S. C.

September _____, 1939.

I consent:

GUARDIAN AD LITEM FOR MINOR DEFENDANTS.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

)
) IN THE COURT OF COMMON PLEAS
)

The Housing Authority of the
City of Columbia, S. C.

Plaintiff,

-VS-

Minnie White James, William E.
White, Robert L. White, Stephen
White and James White, E. A. White,
Lucinda James, Rosanna White, Minors.

Defendants.

ORDER OF REFERENCE

This matter comes before me on motion of Messrs. Robinson & Robinson, Attorneys for the Plaintiff, and it appearing to my satisfaction that the above entitled cause is one that should be referred to the Master in Equity for Richland County, S. C., now with the consent of Edgar S. Douglas, guardian-ad-litem for the minor defendants, it is :

ORDERED, ADJUDGED AND DECREED that the above entitled cause be and the same hereby is referred to the Hon, Harry M. Lightsey, Master in Equity for Richland County, S. C., to take the testimony offered and report the same together with his findings of fact and conclusion of law, with leave to report any special matter.

Columbia, S. C.

September _____, 1939.

I consent:

GUARDIAN AD LITEM FOR MINOR DEFENDANTS.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

)
) IN THE COURT OF COMMON PLEAS
)

The Housing Authority of the City
of Columbia, S. C.

Plaintiff,

-vs-

Minnie White James, William E. White,
Robert L. White, Stephen White and James White,
E. A. White, Lucinda James, Rosanna White, Minors.

Defendants.

A N S W E R

The minor defendants, James, White, E. A. White, Lucinda James
and Rosanna White, by their guardian-ad- litem , Edgar S. Douglas, answering
the complaint of the above named plaintiff, allege:

1: That these defendants answering by their guardian-ad-litem
would respectfully show that they are infants over the age of 14 years,
and are stranger\$ to all and singular the matters and things mentioned
and alleged in the plaintiff's complaint; that they claim such interest
in the real property described in said complaint as they are entitled to
by reason of inheritance from their father William E. White, Sr., deceased;
and that they therefore submit all their rights to the protection of this
court.

GUARDIAN AD LITEM FOR MINOR DEFENDANTS.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

PERSONALLY appeared before me Edgar S. Douglas, who being duly
sworn, deposes and says that he is the duly appointed guardian-ad- litem
for the minor defendants in the above designated cause, and that he has read
the foregoing Answer and the same is true of his own knowledge.

Sworn to and subscribed before me
this _____ day of September 1939.

(L.S)
NOTARY PUBLIC IN AND FOR S.C.

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS

The Housing Authority of the
City of Columbia, S. C.

Plaintiff,

-VS-

Minnie White James, William E. White,
Robert L. White, Stephen White and James
White, E. A. White, Lucinda James, Rosanna
White, Minors,

Defendants.

ANSWER

The adult defendants herein, Minnie White James, William E. White,
Robert L. White, Stephen White, answering the complaint of the plaintiff herein,
would respectfully show:

1: That they admit the allegations of the complaint and request
that the court do authorize and direct its proper officer to convey the real
property described in the complaint to the plaintiff upon payment of the purchase
price stipulated in the complaint.

WHEREFORE having fully answered these defendants pray that
the prayer of the complaint be granted.

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

PERSONALLY appeared before me, Minnie White James, William E. White, Robert
L. White and Stephen White, who being duly sworn, depose and say that they are the
above named adult defendants and have read the foregoing Answer and find the
same to be true of their own knowledge.

Sworn to and subscribed before me

this ____ day of _____ 1959.

NOTARY PUBLIC IN AND FOR S.C.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS

The Housing Authority of the
City of Columbia, S. C.

Plaintiff,

-vs-

Minnie White James, William E. White,
Robert L. White, Stephen White and James
White, E. A. White, Lucinda James, Rosanna
White, Minors.

Defendants.

ANSWER

The adult defendants herein, Minnie White James, William E. White,
Robert L. White, Stephen White, answering the complaint of the plaintiff herein,
would respectfully show:

1: That they admit the allegations of the complaint and request
that the court do authorize and direct its proper officer to convey the real
property described in the complaint to the plaintiff upon payment of the purchase
price stipulated in the complaint.

WHEREFORE having fully answered these defendants pray that
the prayer of the complaint be granted.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

PERSONALLY appeared before me, Minnie White James, William E. White, Robert
L. White and Stephen White, who being duly sworn, depose and say that they are the
above named adult defendants and have read the foregoing Answer and find the
same to be true of their own knowledge.

Sworn to and subscribed before me

this ____ day of _____ 1939.

NOTARY PUBLIC IN AND FOR S.C.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) IN THE COURT OF COMMON PLEAS

The Housing Authority of the City
of Columbia, S. C.

Plaintiff,

-VS-

Minnie White James, William E.
White, Robert L. White, Stephen
White and James White, E. A. White,
Lucinda James, Rosanna White, Minors.

Defendants.

P E T I T I O N

This the petition of James White, E. A. White, Lucinda James and
Rosanna White, minors over the age of 14 years, respectfully shows:

1: That the above minors are over the age of 14 years and the said
minors have no guardian-ad-litem to represent them in this action and that
they reside in the County of Sumter, State of South Carolina.

2: That the above entitled action has been commenced, and is now
pending in said court, the subject matter of which refers to certain real
property, in County of Richland, State of South Carolina, and in which these
minors defendants may have some interest. That the said minors defendants
are necessary parties to the proper adjudication of the action, and have been
notice by the plaintiff to apply for the appointment of a guardian ad litem.

3: That your petitioners are desirous to have a guardian ad litem
appointed for said minor defendants to appear and defend said action in their
behalf.

4: That Edgar S. Douglas is a fit and proper person to appear and
defend said action, and to protect the rights of James White, E. A. White,
Lucinda James and Rosanna White, in the above entitled cause.

WHEREFORE your petitioners pray for an order appointing the said Edgar
S. Douglas as guardian ad litem for the said minors, and authorizing and
directing his to appear and defend said action on the part and behalf of said
minors.

PETITIONERS

STATE OF SOUTH CAROLINA

COUNTY OF SUMTER

Personally appeared before me James White, E. A. White, Lucinda James, Rosanna White, Minors, over the age of 14 years, who being duly sworn depose and say, that they are the petitioners in the foregoing petition and that they have read the same and find it to be true of their knowledge.

Sworn to and subscribed before me
this ____ day of _____ 1939.

Notary Public in and for S. C.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS

The Housing Authority of the City
of Columbia, S. C.

Plaintiff,

-VS-

Minnie White James, William E.
White, Robert L. White, Stephen
White and James White, E. A. White,
Lucinda James, Rosanna White, Minors.

Defendants.

P E T I T I O N

This the petition of James White, E. A. White, Lucinda James and
Rosanna White, minors over the age of 14 years, respectfully shows:

1: That the above minors are over the age of 14 years and the said
minors have no guardian-ad-litem to represent them in this action and that
they reside in the County of Sumter, State of South Carolina.

2: That the above entitled action has been commenced, and is now
pending in said court, the subject matter of which refers to certain real
property, in County of Richland, State of South Carolina, and in which these
minors defendants may have some interest. That the said minors defendants
are necessary parties to the proper adjudication of the action, and have been
notice by the plaintiff to apply for the appointment of a guardian ad litem.

3: That your petitioners are desirous to have a guardian ad litem
appointed for said minor defendants to appear and defend said action in their
behalf.

4: That Edgar S. Douglas is a fit and proper person to appear and
defend said action, and to protect the rights of James White, E. A. White,
Lucinda James and Rosanna White, in the above entitled cause.

WHEREFORE your petitioners pray for an order appointing the said Edgar
S. Douglas as guardian ad litem for the said minors, and authorizing and
directing his to appear and defend said action on the part and behalf of said
minors.

PETITIONERS

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS

The Housing Authority of the
City of Columbia, S. C.

Plaintiff,

-vs-

Minnie White James, William E.
White, Robert L. White, Stephen
White and James White, E. A. White,
Lucinda James, Rosanna White, Minors.

Defendants.

P E T I T I O N

This the petition of Rosanna White, minor over age of
fourteen years, respectfully shows:

1: That the above named minor is over the age of
fourteen years and has no Guardian-ad-Litem to represent her in
this action.

2: The above entitled action has been commenced and is
now pending in this court, the subject matter of which refers to
certain real property in the County of Richland, State of South
Carolina, and in which this minor Defendant may have some in-
terest. That the said minor Defendant is a necessary party to
the proper adjudication of the action, and has been given notice
by the Plaintiff to apply for the appointment of a Guardian-ad-
Litem.

3: That your petitioner desires to have a Guardian-ad-
Litem appointed to appear ^{and defend said} /in action in her behalf.

4: That Edgar S. Douglas is a fit and proper person to
appear and defend said action, and to protect the rights of the
said Rosanna White in the above entitled cause.

WHEREFORE your petitioner prays for an order appointing
the said Edgar S. Douglas as Guardian-ad-Litem for the said minor,
and authorizing and directing him to appear and defend said action
on the part and in behalf of said minor.

September 1, 1939

Miss Rosanna White
532 Wilder Street
Philadelphia, Penn.

Dear Miss White:

Enclosed herewith please find petition for the appointment of a Guardian-ad-Litem to appear for you in the action now pending to clear the title to the vacant lot left by your father. Please sign the petition at each of the penciled "X" marks and have a Notary Public sign at the penciled "Y" marks and return same to us as soon as possible in the enclosed self-addressed envelope.

On today I talked with your brother, William E. White, and your mother, Minnie White James, both of whom advised me they would write you and tell you that it is perfectly all right to sign the paper.

When the matter is closed we will have your check sent to your mother, who will then forward it on to you.

Yours very truly,

CID/g

State of South Carolina

Richland County

In Court of Common Pleas

Service of the within _____
_____ accepted this the
_____ day of _____ 193_____

THE HOUSING AUTHORITY OF THE CITY
OF COLUMBIA, S. C.

Plaintiff

Attorney for

vs.

MINNIE WHITE JAMES, ET AL ,

Defendant

SUMMONS,
COMPLAINT
&
NOTICE.

ROBINSON & ROBINSON
ATTORNEYS AT LAW
COLUMBIA, S. C.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS

The Housing Authority of the City
of Columbia, S. C.

Plaintiff,

-vs-

Minnie White James, William E.
White, Robert L. White, Stephen
White and James White, E. A. White,
Lucinda James, Rosanna White, Minors.

Defendants.

S U M M O N S

TO: THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint in this
action, a copy of which is herewith served upon you, and to serve a copy of
your answer to the said complaint, on the undersigned Robinson and Robinson,
Attorneys for the Plaintiff, #907 Central Union Building, Columbia, S. C.
within twenty (20) days after the date of service hereof, exclusive of the
day of such service; and if you fail to answer the complaint within the time
aforesaid, the plaintiff in this action will apply to the Court for a relief
demanded in the complaint.

Columbia, S. C.

Robinson & Robinson
Attorneys for the Plaintiff.

August 31st 1939.

NOTICE TO PROCURE APPOINTMENT OF
GUARDIAN-AD-LITEM

TO: The Minor Defendants, James White, E. A. White, Lucinda James, Rosanna
White:

TAKE NOTICE that unless you, the above named minor defendants or
someone in your behalf, do within twenty days (20) after the service of this
Notice upon you procure the appointment of a Guardian-ad-Litem to represent
you in this action, that the undersigned Attorneys for the Plaintiff will
apply to the Court for the appointment of some suitable and competent person
to act as such guardian herein.

Columbia, S. C.

Robinson & Robinson
Attorneys for the Plaintiff.

August 31st 1939.

STATE OF SOUTH CAROLINA)
) IN THE COURT OF COMMON PLEAS
 COUNTY OF RICHLAND)
)

The Housing Authority of the
 City of Columbia, S. C.

Plaintiff,

-vs-

Minnie White James, and William
 E. White, Robert L. White, Stephen
 White and James White, E. A. White,
 Lucinda James, Rosanna White, Minors.

Defendants.

C O M P L A I N T

The Plaintiff complaining of the above named Defendants alleges:

1: That the Plaintiff is the Housing Authority of the City of Columbia, S. C., being duly created under and by virtue of the statute laws of the State of South Carolina and duly authorized thereby, among other things, to purchase real property located in the City of Columbia, S. C.

2: That the Plaintiff is informed, believes and alleges, that the Defendants are residents and citizens of the County of Sumter, and State of South Carolina, and that the last four (4) named Defendants are minors over the age of 14 years, and that all of the Defendants are the heirs at law of William E. White, Sr., who died on the 16th day of November 1927, intestate, and seized and possessed of the following described real property:

"All that piece, parcel or lot of land situate, lying and being in the eastern section of the City of Columbia, County of Richland, State of South Carolina, at the southeast intersection of Liberty Hill Avenue with an unnamed alley which connects this Avenue with Dial Street; this lot being irregular in shape, beginning at a stake at the intersection of Liberty Hill Avenue and alley, thence running East along the alley 180.7 feet to a stake, thence running South 105.9 feet to a concrete monument ~~on Liberty Hill Avenue~~, thence running West 168.4 feet to a concrete monument on Liberty Hill Avenue, thence running North along said Avenue 32.7 feet to a point of beginning; together with all right, title and interest in and to the streets or alleys binding this property ~~on the~~ West and North. This being the same property conveyed to William E. White by Laura Brown by deed dated March 6, 1904, recorded in Deed Book "AJ" at page 277, which real property is located in the County of Richland, State of South Carolina and is the subject matter of this action."

3: That heretofore to-wit, in July 1939, the Defendants under and by virtue of a certain written option executed by the Defendants, agreed to sell to the Plaintiff the above described real property at and for the sum of \$200.00, such offer to be irrevocable for a period of one hundred and twenty (120) days from the date thereof, and further agreed to convey to the Plaintiff, by general warranty deed, a good and marketable fee-simple title thereto.

4: That the Plaintiff is ready and willing to accept said offer and to pay over the said funds, but this Plaintiff is informed, believes and alleges that the Defendants cannot convey a good and marketable fee-simple title to the above described real property for the reason that after the execution of the option this Plaintiff received subsequent information to the effect that the last four named Defendants, being: James White, E. A. White, Lucinda James and Rosanna White, are minors over the age of 14 years and therefrom incapable of conveying their interest in the said real property.

5: That in order for the Defendants to convey a good and marketable fee-simple title to the above described real property, it is necessary that the Court do inquire into the matter and, if proper, do authorize and direct some officer of this Court to convey the interest of the said minor Defendants to the Plaintiff.

WHEREFORE this Plaintiff prays:

1: That this Court do authorize its proper officer to convey the interest of the Defendants above named to this Plaintiff.

2: That upon the execution of such deed, the Plaintiff to pay over to such officer of this Court the sum of \$200.00 to be distributed among the Defendants in accordance with the law.

Columbia, S. C.

August 31st 1939.

Robinson & Robinson
ATTORNEY FOR PLAINTIFF

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Personally appeared before me Thomas T. Moore, who being duly sworn, deposes and says that he is Assistant Executive Director of The Housing Authority of the City of Columbia, S. C., the Plaintiff above named, that he has read the foregoing Complaint, and from the information contained in the Office of the Plaintiff the same is true except those matters alleged on information and belief and as to them he believes them to be true.

Sworn to and subscribed before me
this 31st day of August 1939.

Thomas T. Moore

R. H. Robinson (L.S)
Notary Public in and for S. C.