

JAMES V. SLOCUM, Individually,
and as Administrator of the
Estate of GAYNELL SLOCUM, Dec'd.,

Plaintiff,

VS.

J. A. KLUMPP, As Trustee for
MARY FRANCES SLOCUM,

Defendant.

IN THE
CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.
NO. 3645
IN EQUITY

IT appearing to the Court that this case was originally filed in this Court on November 5, 1955; that service was perfected and pleadings filed on December 5, 1955; that demurrers to the cross bill were overruled on May 8, 1956; that the case has been regularly called from term to term; and that the case having been set for this day, by special arrangements and agreement between the respective Attorneys of Record;

And the case being regularly called on this day, and the Complainant failing to appear, it is the opinion of the court that this cause should be dismissed for want of prosecution.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the above case be and it is hereby dismissed out of Court on this date.

Dated this the 30th day of October, 1956.

Robert M. Allen
JUDGE

Filed 10-31-56
W. J. H. H. H.

CECIL G. CHASON

ATTORNEY AT LAW
FOLEY, ALABAMA

Oct. 23, 1956

Mrs. Alice J. Duck
Bay Minette, Alabama

Dear Mrs. Duck:

Enclôsed is Answer to Cross Bill in the case of Jas. V. Slocum, individually, and as Administrator of the Estate of Gaynell Slocum, Deceased, Complainant vs J. A. Klumpp, as Trustee for Mary Frances Slocum, a copy of which has been sent to Telfair J. Mashburn, Attorney for the Respondent.

Yours very truly,



C. G. Chason

CGC:dc

Encl. 1

VS.

Respondent.

ALABAMA. IN EQUITY.

NO. 3645

Respondent.

that the demurrer is not well taken and should be over-ruled.

Respondent be and the same is hereby overruled.

by given 20 days in which to file additional pleadings.

Dated at Bay Minette, Alabama, this 8th day of May, 1956.

Judge of the 28th Judicial
Circuit of Alabama.

JAMES V. SOLOCOMB, ET AL.,

Complainant,

VS.

J. A. KLUMPP,

Respondent.

IN THE

CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA. IN EQUITY.

No 3614

This cause being regularly called, on this a regular day for the calling of the docket of this Court, and the parties not answering,

IT IS ORDERED by the Court that this cause be continued until May 8, 1956.

IT IS FURTHER ORDERED that this cause be, and it is hereby set down for the taking of testimony, and submission for final decree on May 8, 1956, at the Courthouse in Bay Minette, Alabama, beginning at 10 A. M.

IT IS FURTHER ORDERED that a copy of this order be mailed to the respective Solicitors of record for the parties to this cause.

This 17th day of April, 1956.

John W. Hall

Judge, 28th Judicial Circuit of
Alabama.

JAMES V. SLOCUM, individually
and as administrator of the
Estate of Gaynell Slocum,
Deceased,

Complainant,

VS.

J. A. KLUMPP, as Trustee for
Mary Frances Slocum

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 3645

Comes the Complainant and Cross Respondent in the above styled cause and demurs to the answer and cross bill heretofore filed therein, and each count, paragraph and aspect thereof separately and severally, and assigns the following separate and several grounds:

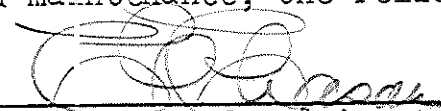
1. That the Cross Bill is vague and indefinite.
2. That the Cross Bill does not contain equity.
3. That the Cross Bill is incomplete.
4. That the Cross Bill prays for improper relief.

5. For further grounds of demurrer Complainant and Cross Respondent demur to the aspect of the Cross Bill wherein it is stated that the Complainant was supported by the Decedent, Mary Frances Slocum, practically all of his life, as being vague and indefinite.

6. The Complainant and Cross Respondent demur to the aspect of the Cross Bill praying that the Complainant be required to pay an amount equal to the value of the property as described in the said Cross Bill, said relief being improper.

7. Complainant and Cross Respondent demur to the aspect of the Cross Bill wherein it is shown that he has not accounted for amounts expended in and about his support and maintenance by Mary Frances Slocum, it not being shown that he was expected to account or make repayment.

8. Complainant and Cross Respondent demur to the aspect of the Cross Bill wherein it prays the Court to determine the reasonable value of support and maintenance, and that the Complainant be ordered to pay over to the Respondent the reasonable value of such support and maintenance, the relief being improper.


Solicitor for Complainant and Cross
Respondent

JAS. V. SLOCUM, individually,)
 and as Administrator of the)
 Estate of Gaynell Slocum, De-)
 ceased,)

Complainant,)

-vs-)

J. A. KLUMPP, as Trustee for)
 Mary Frances Slocum,)

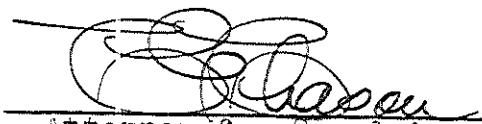
Respondent.)

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes the Complainant and Cross Respondent in the above styled cause and in answer to the Cross Bill heretofore filed therein, shows as follows:

1. He admits the allegations of Paragraph One of the Cross Bill.
2. He denies the allegations of Paragraph Two of the Cross Bill and demands strict proof thereof.
3. He denies the allegations of Paragraph Three of the Cross Bill and demands strict proof thereof.
4. He denies the allegations of Paragraph Four of the Cross Bill and demands strict proof thereof.


 Attorney for Complainant and
 Cross Respondent

JAMES V. SLOCUM, individually,
and as administrator of the
Estate of Gaynell Slocum,
Deceased,

Complainant,

VS.

J. A. KLUMPP, as Trustee for
Mary Frances Slocum,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 3645.

Comes the respondent in the above styled cause and, for
answer to the bill of complaint heretofore filed in said cause,
says:

1. That he admits the allegations contained in paragraph
number 1 of said bill of complaint.

2. That he admits the allegations contained in paragraph
number 2 of said bill of complaint.

3. That he admits the allegations contained in paragraph
number 3 of said bill of complaint.

4. That he admits the allegations of paragraph number 4
of said bill of complaint insofar as they pertain to the Deed of
Trust provisions. That he denies each and every other allegation
contained in paragraph number 4 of said bill of complaint, separate-
ly and severally, and demands strict proof of same.

For further answer to said paragraph number 4, respon-
dent denies that Mary F. Slocum ever executed and delivered a promis-
sory note, in any amount, to the said complainant, and that, if she
did, such note was wholly without consideration.

For further answer to said paragraph number 4, respon-
dent denies that the complainant and Wallace Brelsford, or either
of them, ever advanced or paid any sum of money to the said Mary
F. Slocum, or to anyone else at her request or for her benefit.

For further answer to said paragraph number 4, respon-
dent denies that Mary F. Slocum ever executed and delivered a promis-
sory note, in any amount, to the said complainant's intestate, Gay-
nell Slocum; and says further that, if she did, such note was wholly
without consideration.

For further answer to said paragraph number 4, respon-
dent says that the father of the complainant, who was the husband
of Gaynell Slocum and the son of Mary F. Slocum, died in the early

1930s, leaving his widow, the said Gaynell Slocum, and two children, the complainant, who was then a small boy, and a sister; that the father of said complainant left no estate; that the said Mary F. Slocum took the complainant, his mother, and sister into her home and supported and maintained them until complainant's sister married and complainant's mother died; that the complainant's Mother, the said Gaynell Slocum, suffered from cancer and was in the hospital on several different occasions and that the said Mary F. Slocum paid her hospital and Doctors' bills; and that the said Mary F. Slocum supported, maintained and kept the complainant practically all of his life until the day of her death.

For further answer to said paragraph 4, respondent says that the complainant had knowledge during the lifetime of the said MARY F. SLOCUM that she had deeded all of her property to your respondent, as Trustee; that said alleged debts had matured and become due during the lifetime of the said MARY F. SLOCUM; that said complainant had heard the said MARY F. SLOCUM, in the presence of the complainant and your respondent, make the statement that she owed no debts; and that respondent failed at that time to make any statement, or claim, that the said MARY F. SLOCUM owed the alleged debts claimed in this cause of action.

5. That he admits the allegations contained in paragraph number 5 of said bill of complaint.

And for further answer to paragraph number 5 of said bill of complaint, respondent says that there is attached hereto, marked Exhibit "A", and, by reference, made a part hereof as though fully set out herein, a full, true and correct account of all of the monies belonging to the said MARY F. SLOCUM, or her estate, that have come into the possession, or under the control, of your respondent, and his disbursements of the same.

And the said J. A. KLUMPP, as Trustee, having answered the bill of complaint heretofore filed in said cause, and each and every paragraph thereof from 1 to 5 inclusive, files herewith a cross-bill and respectfully represents and shows unto the Court as follows:

1. That he is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and that JAMES V. SLOCUM is over

the age of twenty-one years and is a resident of Baldwin County, Alabama.

2. That your complainant is Trustee for Mary F. Slocum as shown by Exhibit "A" to the original bill of complaint in this cause, which said Exhibit "A", by reference, is made a part hereof as though fully set out herein.

3. That on or about, to-wit: the 15th day of August, 1954, the said JAMES V. SLOCUM took and carried away, or otherwise disposed of, from the home of MARY F. SLOCUM, Deceased, the following personal property, which belonged to your respondent and cross-complainant, as Trustee for MARY F. SLOCUM, to-wit:

One set of Club Aluminum, consisting of:

One Dutch Oven;
One 1-quart size saucepan;
One 2-quart size saucepan;
One 3-quart size saucepan;
One Jersey Cow;
One Black Calf;
One Grown Heifer;
One Belgium Revolver;
One Oak Dresser;
One Oil Painting in Shadow Box Frame;
One 1-half ton Chevrolet Pick-up Truck;

That said property was taken without the knowledge or consent of your cross-complainant.

4. That the said JAMES V. SLOCUM lived with the decedent, MARY F. SLOCUM, and was supported and maintained by her practically all of his life, from the time he was an infant; and that he has not accounted for the amounts expended by the said MARY F. SLOCUM in and about his support and maintenance.

WHEREFORE, THE PREMISES CONSIDERED, the said J. A. KLUMPP, as Trustee, prays that this Honorable Court will take jurisdiction of this his cross-bill; that it will make the said JAMES V. SLOCUM respondent to this his cross-bill, requiring him to plead, answer or demur to the same within the time required by law; and, upon a final hearing hereof that your Honor will grant him the following separate and several relief:

1. That your Honor will determine the value of the personal property mentioned in paragraph number 3 of this cross-bill and will order the said JAMES V. SLOCUM to pay an amount equal to the value of said personal property to the cross-complainant, as Trustee;

2. That your Honor will determine the reasonable value of the support and maintenance furnished to the complainant and cross-respondent by the said MARY F. SLOCUM over the years and will order the said JAMES V. SLOCUM to pay to your cross-complainant an amount equal to the reasonable value of such support and maintenance.

3. That your Honor will order that the amounts found to be due by the said JAMES V. SLOCUM to your Cross-complainant, as Trustee for Mary F. Slocum shall be a charge against the said JAMES V. SLOCUM'S distributive share of the said MARY F. SLOCUM'S Estate.

And if your respondent and cross-complainant be mistaken in the relief to which he is entitled in the premises, then he prays for such other, further, different or general relief as unto your Honor may seem just and proper in the premises, and, as in duty bound, he will every pray, etc.

Telfair J. Mashburn, Jr.
SOLICITOR FOR RESPONDENT AND
CROSS-COMPLAINANT.

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

Before me, JAMES R. OWEN, a Notary Public in and for said County and State, personally appeared Telfair J. Mashburn, Jr., who is known to me, and, who, being by me first duly sworn, deposes and says as follows: "I am the Solicitor for the respondent and cross-compalinant, J. A. KLUMPP, as Trustee, in the foregoing cause and I am duly authorized to make this affidavit; I am informed and believe, and, on such information and belief, avers that the allegations contained in the foregoing answer and cross-bill are true and correct". Further Deponent says not.

Telfair J. Mashburn, Jr.

Sworn to and subscribed before me this the 5th day of December, 1955.

James R. Owen
Notary Public, Baldwin County, Ala.

EXHIBIT "A".
EXPENSE ACCOUNT
OF
J. A. KLUMPP
AS TRUSTEE
FOR
MARY F. SLOCUM

BOOK
020
PAGE 121

RECEIPTS.

July 30, 1952	\$ 140.00
August 1, 1952	25.00
March 20, 1953	20.00
November, 1953 (From pecan crop)	186.00
From Lula Smith Estate	904.70
Refund on Vault Policy	15.10
Refund on Meter Deposit	5.00
Sale of picture	5.00
Rent of house--January, February and March, 1955	30.00
April 12, 1955--Refund on fire insurance policy	7.78
April, 1955---Rent on estate	10.00
May, 1955----Rent on Estate	10.00
June, 1955----Rent on Estate	10.00
July, 1955----Rent on Estate	10.00
August, 1955---Rent on Estate	10.00
October 28, 1955--Refund on cancelled fire insurance policy	17.62
TOTAL RECEIPTS	\$1,406.20

DISBURSEMENTS

August 11, 1952--Fire insurance	\$ 10.00
October 24, 1952--W. C. Beebe, Attorney	10.00
October 24, 1952--Recording fees	2.50
March 9, 1953	18.00
May 11, 1953---Mary F. Slocum, for clothes	30.00
August 13, 1953--For Medicine for Mary F. Slocum	10.00
August 24, 1953--Hospital Insurance	33.75
September 18, 1953--Medicine for Mary F. Slocum	10.00
February 22, 1954--Vault insurance	21.06
March 8, 1954--Jordan Clinic	15.25
April 18, 1954--Medicine for Mary F. Slocum	9.18
April 29, 1954--Robe and Wine	5.10
April 29, 1954--Cash to Mary F. Slocum	5.00
May 21, 1954--To undertaker	51.05
May 25, 1954--Dr. Johnson	20.00
May 25, 1954--Jordan Clinic	70.00
September 14, 1954--T. J. Mashburn, Attorney's fees	100.00
May 25, 1954--To Eloise for domestic Helpt	24.00
September 14, 1954--Court costs	17.00
September 1, 1954--Fire insurance	10.00
October 18, 1954--Real Estate Taxes	22.28
November 8, 1954---Advertisement in Fairhope Courier	.8
January, 1955--John Beasley	25.0
February 18, 1955--Material for repairs	2.9

CONTINUED ON NEXT PAGE:

EXHIBIT "A" (CONT'D)

BOOK 020 PAGE 122

Costs in Probate Court.....	\$ 19.30
June 15, 1955--Mowing lawn.....	3.00
Repairing water pump.....	7.00
August 20, 1955--Fire insurance premium.....	19.80
September 16, 1955--Western Lumber & Supply, Material for Slabs.	17.51
September 30, 1955--Labor for building slabs.....	57.50
Wire for building slabs.....	4.00
September 12, 1955--Cost of Monuments for Slocums.....	216.30
September, 1955--Abstract of Title for Mary F. Slocum place...	90.00
September 30, 1955--Mowing and Cleaning Yard.....	40.00
October 31, 1955--Real Estate Taxes.....	29.82
November 1, 1955--Bondex and brush.....	2.30
To J. A. Klumpp--Seven trips to Bay Minette @ \$3.50 per trip..	24.50

TOTAL DISBURSEMENTS.....\$1,053.96

BALANCE ON HAND.....\$352.24

I certify that I have on this 5th day of December, 1955, served a copy of the foregoing Answer and Cross-bill on the complainant and cross-respondent, JAMES V. SLOCUM, by depositing a copy, addressed to his Solicitor, HON. CECIL G. CHASON, in a properly addressed and stamped envelope, in the United States Mail in Bay Minette, Alabama.

J. A. Klumpp
 SOLICITOR FOR RESPONDENT AND
 CROSS-COMPLAINANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 3645

JAMES V. SLOCUM, individually,
and as Administrator of the
Estate of Gaynell Slocum, De-
ceased,

Complainant and cross-
respondent.

VS.

J. A. KLUMPP, as Trustee for
Mary Frances Slocum,

Respondent and cross-
complainant.

ANSWER AND CROSS-BILL.

FILED

DEC 15 1955

ALICE A. BROWN, Registrar

SUMMONS

Form 1531-3

McQuiddy Printing Co., Nashville, Tenn.

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon

*J. A. Klumpke*to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State *Ly**Jas. V. Spencer*

against

J. A. Klumpke -

Herein fail not. Due return make of this writ as the law directs.

Witness this

2nd

day of

Nov, 19*55**Deirdre J. Drake*

, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

JAS. V. SLOCUM, individually,
and as Administrator of the
Estate of Gaynell Slocum, De-
ceased,

Complainant,

-vs-

J. A. KLUMPP, as Trustee for
Mary Frances Slocum,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your Complainant, Jas. V. Slocum, individually, and as
Administrator of the estate of Gaynell Slocum, Deceased, and shows
to this Honorable Court the following:

1. That he is a resident citizen of Baldwin County, Alabama,
and is over the age of twenty-one years, and that on the 18th day
of December, 1954, he was appointed by the Probate Court of Baldwin
County, Alabama, as Administrator of the Estate of Gaynell Slocum,
Deceased.

2. That the Respondent, J. A. Klumpp, Trustee for Mary
Frances Slocum, is over the age of twenty-one years, and is a
resident citizen of Baldwin County, Alabama.

3. That, heretofore, Mary Frances Slocum, who was also some-
times known as Mary F. Slocum, departed this life in Baldwin County,
Alabama, leaving a Last Will and Testament, which was submitted to
the Probate Court of Baldwin County, Alabama, by the Respondent,
J. A. Klumpp, who was therein named as Executor, and which said
Last Will and Testament was admitted to Probate in said Court and
notice was given by publication in a newspaper in Baldwin County,
Alabama, as required by law. Thereupon and within the time re-
quired by law, your Complainant, Jas. V. Slocum, individually, and
as Administrator of the Estate of Gaynell Slocum, Deceased, filed
certain claims against the said estate for monies due to your Com-
plainant, individually, and to him as Administrator of the Estate
of Gaynell Slocum, Deceased, which said claims were duly recorded
in the Probate proceeding. Respondent, J. A. Klumpp, as Executor
of the estate of Mary Frances Slocum, Deceased, thereupon filed a
denial of said claims. Whereupon the Complainant herein filed a

motion for the removal of the cause from the Probate Court to this Honorable Court, which said motion was never acted upon, inasmuch as J. A. Klumpp, as Executor, filed an instrument declaring the estate insolvent, and as basis for this claim produced an instrument dated the 24th day of October, 1952, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 187, Pages 307-309, which he alleged to be a Deed of Trust executed by the said Mary Frances Slocum to the said J. A. Klumpp, as Trustee, and which said document proports to convey all of the property of the said Mary Frances Slocum to the said J. A. Klumpp as such Trustee. A copy of this instrument is attached hereto marked "Exhibit A", and is specifically made a part hereof.

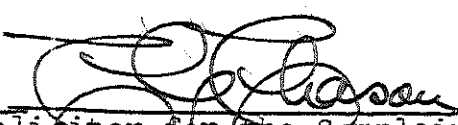
4. Complainant further shows unto the Court that the Alleged Deed of Trust has as one of its provisions the following: "The said J. A. Klumpp shall take possession of, manage, control; operate and use the said property so as to produce the maximum income therefrom, to pay any and all obligations, taxes and contractual obligations I may have." Complainant therefore shows that on the 16th day of January, 1952, Mary F. Slocum executed and delivered a Promissory Note in the principal sum of Seven Hundred Ninety-eight and 49/100 Dollars (\$798.49), payable on demand at the Bank of Fairhope, Fairhope, Alabama, to Wallace Brelsford or Jas. V. Slocum, which said instrument was regularly and duly transferred and assigned by Wallace Brelsford to your Complainant, Jas. V. Slocum; that the said Mary Frances Slocum is also indebted to the said Jas. V. Slocum in the amount of Six Hundred Ninety-eight and 96/100 Dollars (\$698.96) for sums of monies advanced and paid in the calandar year of 1952 by Jas. V. Slocum and Wallace Brelsford to Mary F. Slocum, or paid at her request and for her benefit, all interests of the said Wallace Brelsford having been legally and duly assigned to your Complainant, Jas. V. Slocum; that on the 12th day of October, 1951, the said Mary F. Slocum executed a Promissory Waive Note, payable on demand to Gaynell Slocum, which said Note was in the principal sum of Three Thousand Dollars (\$3,000.00), and bears interest at the rate of eight per cent (8%) per annum, and was payable at the Bank of Fairhope, Fairhope, Alabama, and which said note bears on its face the statement "for

services rendered", and which said instrument is now due and payable to the said Jas. V. Slocum as Administrator of the Estate of Gaynell Slocum, Deceased.

5. Complainant further shows unto the Court that the alleged Deed of Trust, a copy of which is attached hereto marked "Exhibit A", charging J. A. Klumpp, as Trustee, to keep any monies and properties coming into his possession and control as said Trustee, separate and apart from his own properties, and to deposit monies in his name as Trustee in the bank. The said instrument further provides that the remaining properties shall, after the death of the said Mary Frances Slocum, Deceased, be divided among her heirs per stirpes, without preference one over the other. Complainant further shows that he is one of the heirs at law and next of kin of the said Mary Frances Slocum, Deceased, and is entitled to receive a distributive share of her said properties and estate. Complainant further shows that as an heir to said estate, he is therefore entitled to have and receive a full accounting of the monies, properties and effects of the said Mary Frances Slocum, Deceased, from the date of the execution of the alleged Deed of Trust, such accounting not being waived in said instrument.

THE PREMISES CONSIDERED, your Complainant prays that J. A. Klumpp, as Trustee for Mary Frances Slocum, be made a party defendant to this cause by the usual process of this Honorable Court, requiring him to plead, answer or demurr within the time required by law and the Statutes in such cases made and provided, and that upon a final hearing of this cause, that your Honor may Order, Adjudge, and Decree (1) that J. A. Klumpp, as Trustee, shall be required to file a full, true and correct accounting under oath of all of the properties and effects of the said Mary Frances Slocum, Deceased, and enumerating any and all expenditures therefrom. (2) That J. A. Klumpp, as Trustee for Mary Frances Slocum, be required to pay to the Complainant Jas. V. Slocum, the sum of Seven Hundred Ninety-eight and 49/100 Dollars (\$798.49) due by Promissory Note of January 16, 1952, and the sum of Six Hundred Ninety-eight and 96/100 Dollars (\$698.96) due for sums advanced to, or for the benefit of Mary F. Slocum in the calendar year 1952, and as Administrator of the Estate of Gaynell Slocum, Deceased, the sum of Three

Thousand Dollars (\$3,000.00), plus interest at the rate of eight per cent (8%) per annum from the date that demand was made for payment by filing a claim in the Probate Court of Baldwin County, Alabama, on the Promissory Waive Note executed on the 12th day of October, 1951, by Mary F. Slocum, payable to Gaynell Slocum. (3) That upon accounting and payment of the sums as aforesaid, that J. A. Klumpp, as Trustee for Mary Frances Slocum, be required to divide the remaining properties between and among the heirs at law and next of kin of Mary Frances Slocum, Deceased, per stirpes, without preference one over the other. (4) That your Complainant be granted such other, further, different, or general relief to which he may be entitled, and as in duty bound, he will ever pray.


Solicitor for the Complainant

as herein provided for my maintenance and support.

3rd: Any and all of the properties conveyed hereunder to the said trustee shall, after my death, be divided between and among my heirs per stirpes without preference one over the other.

4th: In the event any of the said properties can not be partitioned or divided between my heirs, then at the request of the majority of the adults of such heirs, he shall sell the property and divide the proceeds thereof.

5th: This trust conveyance shall be irrevocable, provided however, that after my death the said trustee may resign this trust by proper declaration recorded in the deed records of Baldwin County, Alabama, in which event my said properties conveyed hereunder shall vest in my heirs under the laws of the State of Alabama.

6th: In the event of the death of the said J. A. Klumpp during my lifetime then the Judge of Probate of Baldwin County, shall appoint a trustee to succeed the said trustee named hereunder and to have and exercise all the powers given and granted, subject to the duties and obligations herein provided for such trustee. In the event of the death of the said trustee after my death and before the distribution of the estate conveyed hereby, then the Judge of Probate shall appoint a trustee hereunder with all such powers and duties from persons nominated to him by my adult heirs.

The said J. A. Klumpp trustee hereunder joins with me in the execution of this agreement, agreeing and binding himself to render the services provided hereunder and to carry out the provisions of this trust.

IN WITNESS WHEREOF, the said Mary Frances Slocum and J. A. Klumpp have hereunto set their hands and seal this the 24th day of October, 1952.

(Signed) Mary Frances Slocum

(Signed) J. A. Klumpp
As Trustee

STATE OF ALABAMA

BALDWIN COUNTY

I. W. C. Beebe, a Notary Public in and for said County and State, hereby certify that Mary Frances Slocum whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

BOOK 020 PAGE 114

"EXHIBIT A"

STATE OF ALABAMA

BALDWIN COUNTY

BOOK 020 PAGE 115

WHEREAS, I, Mary Frances Slocum, because of my age desire to set up a trust for the management, control and use of my property for my sole benefit for and during the remainder of my life, and desire that after my death the remainder of any of my estate shall be divided between and among my heirs per stirpes and not per capita, and having full and complete confidence in my son-in-law, J. A. Klumpp;

NOW, THEREFORE, for the purpose of setting up the said trust and in consideration of the sum of Ten (\$10.00) Dollars to me in hand paid, I, Mary Frances Slocum, a widow, do hereby GRANT, BARGAIN, SELL and CONVEY to J. A. Klumpp, as trustee with the powers and charged with the duties herein set out, any and all property, real, personal and mixed, of whatever kind and description, wheresoever situated held by me at this time and as well any property that shall hereafter during my lifetime be and become my property in any manner whatsoever, to have and to hold by the said J. A. Klumpp as trustee for me for and during my natural life, and to distribute the same as herein provided after my death:

1st: The said J. A. Klumpp shall take possession of, manage, control, operate and use the said property so as to produce the maximum income therefrom, to pay any and all obligations, taxes and contractual obligations I may have and to keep any moneys and properties coming into his possession and control hereunder separate and apart from his own properties, to deposit such moneys in his name in the bank as trustee for me and he shall as my needs appear from time to time use the income and as well the corpus of this trust estate for my maintenance and support solely so long as I live.

2nd: At his descretion he is given the sole, and full and complete right and power to sell and convey, borrow money, mortgage and otherwise deal with and in any or all of my said property for the purpose of executing and carrying out the provisions of this trust, such proceeds to be held, managed and used

Given under my hand and seal this the 24th day of October,
1952.

(Signed) W. C. Beebe
Notary Public, State of Alabama
at large.

STATE OF ALABAMA

BALDWIN COUNTY

I, W. C. Beebe, a Notary Public in and for said County and State, hereby certify that J. A. Klumpp, whose name as trustee, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 24th day of October,
1952.

(Signed) W. C. Beebe
Notary Public, State of Alabama
at Large

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