

Court of Common Pleas

State of South Carolina }  
County of Greenville }  
Ex Parte }  
Earline C. Sanford, and Hubert W. }  
Cunningham, Petitioners }

Deceit

The above named cause before me on petition of the petitioners, duly verified by each of them.

It appears from the testimony, and I so find, that upon the death of Liza M. Cunningham, Trustee named in each of the said Planters Savings Bonds, refused to act, and did not perform the trust imposed in each of the said deeds and as evidence of their refusal to act, executed a release, under seal duly witnessed and probated, wherein it surrendered any right, or interest it had acquired under the said deeds, which were dated January 5, 1932.

It also appears from the testimony, heard, that on January 25, 1932, the Planters Savings Bank suspended business, closed its doors, so that it became imperative that a substitute trustee be appointed accordingly. The wishes of the Petitioners, Earline C. Sanford and Dr. Hubert W. Cunningham, having decided upon and requested the appointment of Dr. M. L. Sanford of near, South Carolina, as substitute trustee, and it appearing to my satisfaction that he is a capable and responsible party for the said trust, and that he is willing to accept the said trust and that the duties and requirements of the trustee, as set forth in the deeds mentioned in the petition require a man residing in community, keep in constant touch with the property described in those deeds, to keep the same insured, repairs properly attended to, and to keep them occupied with suitable tenants, found the showing I am convinced that his selection is satisfactory to this Court. Now on motion of J. D. Sanford, attorney for Petitioners, it is:

Ordered that Dr. M. L. Sanford, be and he is hereby substituted as trustee instead of Planters Savings Bank and he is hereby authorized, empowered, and vested with full and complete authority, as such trustee, as set forth in a deed from Liza M. Cunningham to Planters Savings Bank as Trustee, recorded in tab. 111, page 142 in P. M. C. office in and for Greenville County, and is authorized, empowered, and directed to do and perform each and every act, vested in the said trustee by the above mentioned deed, subject to each and all of the limitations imposed upon the said trustee by the said deed.

He is further authorized, empowered, and vested with all power, duties, and subject to the limitations imposed upon the said trustee by certain deed executed by Liza M. Cunningham to Planters Savings Bank, as Trustee, recorded in tab. 111, page 600 in the P. M. C. office for Greenville County, and is further directed to perform, do, and exercise the said trust as fully, and largely as the trustee named in the said deed.

It appearing to my satisfaction that the property under his care and control consist of real estate, and that the only funds which he will handle from time to time, will consist of the monthly rentals received, it is therefore, ordered that he cannot without bond, have any, should conditions arise in the future that justify acquiring a bond leave is given to any interested party to apply at the foot of this Deed for any additional relief this Court.

Let a copy of this Decree be entered of record in P. M. C. office in Greenville County with suitable reference on the Margin of the record of the above mentioned deeds.

And it is, so Ordered, adjudged and Decreed.  
February 1<sup>st</sup>, 1932  
M. M. Mann  
Presiding Judge

Recorded Feb. 1, 1932 at 3:00 P. M.