

✓ Augustus Botto

Deceased

Order of sale

In the District Court of the Sixth Judicial District, County of Eureka, State of Nevada,

In the Matter of the estate of Augustus Botto Deceased. Order of Sale of Real Estate Alva C. Bishop Administrator of the estate of Augustus Botto deceased, having, on the second day of September A. D. 1878 presented to this District Court, a petition praying that an order of sale be made authorizing him to sell so much and such parts of the real estate belonging to the estate of said deceased, as this court should judge necessary or beneficial and setting forth the matter enumerated in the statute in such case made and provided; And it having appeared to this Court by said petition that it is necessary to sell the whole or some portion of the

real estate to pay the the debts outstanding against the deceased, and the debts expenses and charges of the administration, said petition was filed and an order was thereupon duly made and entered directing all persons interested in the said estate to appear before this Court at the Court Room thereof in Eureka, Nevada on Wednesday the 11th day of December A.D. 1878, at 10 o'clock A.M. to show cause why an order should not be granted to the said Administrator to sell so much of the real estate of the deceased as should be necessary, and ordering that a copy of said order to show cause be published at least four successive weeks in the Eureka Daily Leader, a newspaper printed and published in the said County of Eureka, Nev; on this, the said eleventh day of December A.D. 1878 at 10 o'clock A.M. and at the Court Room of this Court, said Alva L. Bishop Administrator appearing in person and by his counsel Murre Bishop & Sabin Esq upon satisfactory proof by the affidavit of G. M. Foster a competent witness, of the due publication of a copy of the said order to show cause, in said newspaper, at least once a week four successive weeks, this Court proceeded to the hearing of said petition, and heard and examined the allegations and proofs of the petitioner and other documentary proofs were offered and put in evidence; and said Alva L. Bishop Administrator examined on oath, said case was then continued until Saturday December 14th A.D. 1878 at the hour of 10 o'clock A.M. And now on the said fourteenth day of December A.D. 1878 this matter coming on to be decided, and this Court being satisfied, after a full hearing upon the said petition, and an examination of the proofs and allegations of the parties interested, that all the allegations in said petition are true, and that the sale of all of the Real estate is necessary for the payment of the debts outstanding against the deceased and the debts expenses and charges of the Administration and no person, interested in the said estate or otherwise, having made or filed any objections thereto; and it is further appearing that no good reason exists why the said order of sale should not be granted; and that all the proceedings upon this application have been in all respects strictly conducted in accordance with and as provided in the Statute regulating the sale of real estate belonging to the estate of deceased persons; on motion of said counsel for said Alva L. Bishop the Administrator of said estate it is hereby ordered Adjudged and decreed that said Alva L. Bishop the Administrator of the estate of Augustus Botta deceased, be and he is hereby authorized to sell either in one parcel or in subdivisions, as the said Administrator shall judge most beneficial to said estate the following real estate belonging to said estate at public Auction to the highest bidder, upon the following terms, to wit; for cash in hand it is further ordered That the said Administrator in all things proceed to conduct and manage said sale as the Statute, in such cases made and provided, is directed and required, and make due returns of his proceedings under this order, to this Court according to law. The following is the real estate hereby authorized to be sold, being situated in the said County of Eureka State of Nevada, and bounded and described as follows, to wit; An undivided One half of the South 2 $\frac{1}{2}$ feet of lot No 4 in block No. 5 of the Monroe Survey in the Town of Eureka County of Eureka and State of Nevada.

Dated Dec 14th 1878

Henry Rivers Dist Judge

State of Nevada } ss
 County of Eureka }

J. H. Harmon County Clerk and ex officio clerk of the District Court, Sixth Judicial District in and for said County do hereby certify that the above and foregoing is a correct and true copy of the original matter thereof, which now remains in my office at Eureka, County and State aforesaid.

Seal

In Testimony Whereof I have hereunto set my hand and affixed the seal of said Court, at office in the Town of Eureka this 14th day of December A.D. 1878

J. H. Harmon County Clerk
 and ex officio Clerk of the District Sixth Judicial District Eureka County
 State of Nevada

Endorsed No 33. District Court. County of Eureka. In the Matter of the estate of Augustus Potts deceased. Order of Sale of Real Estate. Filed Dec 14th 1878 J. H. Harmon Clerk By L. Molinelli Deputy Clerk

Recorded at the Request of J. H. Harmon County Clerk of Eureka Co
 Nov December 14th A.D. 1878 R. L. Chan Recorder by W. F. Hunt