

File No.22582.
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE
OF NEVADA, IN AND FOR THE COUNTY OF EUREKA.

No.522

IN THE MATTER OF THE ESTATE OF
JOSEPHINE WEBER, DECEASED.

FILED: July 7, 1938

Ed Delaney, Clerk

McNAMARA & ROBBINS
Elko, Nevada
Attorneys for Executrices.

DECREE APPROVING AND SETTLING FIRST
AND FINAL ACCOUNT AND OF DISTRIBUTION

Come now BELLE WEBER BAYNES, CLAIRE WEBER CADY, and MABEL WEBER BLAIR, Executrices of the above-entitled Estate, and prove to the satisfaction of the Court that their first and final account and report of their administration of said Estate was filed in the office of the Clerk of the above-entitled Court on the 22nd day of June, 1938; that on the same day the Clerk of this Court appointed the 7th day of July, 1938, at the hour of 11:00 o'clock A.M. for the hearing thereof; and said account and report, which includes a petition for distribution, coming on regularly to be heard on this the 7th day of July, 1938, and there having been filed herein affidavit of the posting of the notice of said hearing, together with an admission of service of the notice of hearing of such account and petition signed by BELLE WEBER BAYNES, CLAIRE WEBER BLAIR, the only heirs-at-law and the only persons interested in said Estate, joining in the prayer of the petition and asking for its allowance and approval, and that the Estate be distributed as prayed for, and no person appearing to contest or object to the same, and proof having been made to the satisfaction of the Court that due and legal notice of the hearing of said account and petition for distribution has been given in the manner and for the time required by law,

IT IS, THEREFORE, HEREBY ORDERED, ADJUDGED AND DECREED that due and legal notice of the hearing of said account and petition has been given as required by law to all persons interested in said Estate.

After hearing the evidence upon the matters and things contained insaid account and report, wherefrom it appears that said account is in all respects true and correct as rendered, and that the residue of cash in the hands of the Executrices at the time of filing said account was the sum of \$1,585.19.

And it further appearing that no claims have been filed against said Estate, but from the evidence submitted to the Court, the Court is satisfied that BELLE WEBER BAYNES, Co-Executrix, has advanced from her personal funds in payment of expenses of the last illness and funeral charges of the said Deceased, the sum of \$1211.22, which the Court finds to be a just and reasonable sum chargeable against said Estate; and it further appearing to the Court that there remains for the Executrices to pay certain charges and expenses of administration, together with an attorneys' fee to be paid to McNamara & Robbins, of Elko, Nevada, as reported in said account and report;

IT IS, THEREFORE, HEREBY ORDERED, ADJUDGED AND DECREED, that said first and final account of said Executrices is approved, allowed and settled as rendered, and that all things done by them as said Executrices are approved and confirmed as reported.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that due and legal notice to creditors has been given as required by law, and that more than three months have elapsed since the first publication thereof.

It also appears to the Court that upon a petition for an order for the transfer of certain funds on deposit in the WELLS FARGE BANK AND UNION TRUST COMPANY OF SAN FRANCISCO, heretofore filed with the Clerk of the above-entitled Court, that the Court has heretofore, on the last day of July, 1938, entered its order for the transfer of the sums of money on deposit in said above-named bank to the credit of the above-entitled Estate, and the Court being satisfied that said sums of money will be available to the said Executrices,

IT IS, THEREFORE, HEREBY FURTHER ORDERED that said Executrices pay forthwith the following sums as reported in said account and report as being due and payable:

To BELLE WEBER BAYNES,	\$ 1,211.22
To McNAMARA & ROBBINS,	18.85
To W. J. MAHONEY, WILLIAM RUTLEDGE, and E. M. HANKS, the sum of \$5.00 each for services rendered as appraisers of said Estate,	15.00

It also appearing to the satisfaction of the Court that subsequent to the filing of said final account and report, the said McNAMARA & ROBBINS have paid the further sum of \$43.80 to the Eureka Sentinel, a newspaper published at Eureka, Nevada, for the publication of the notice of the probate of will of said estate in the sum of \$16.80, and for the publication charges of the notice to creditors in the sum of \$27.00;

IT IS, THEREFORE, FURTHER ORDERED that said Executrices pay the further sum of \$43.60 to the said firm of McNAMARA & ROBBINS.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$500.00 be and the same is hereby fixed as a reasonable attorneys' fee to be paid to McNAMARA & ROBBINS, of Elko, Nevada, for legal services rendered in connection with said Estate, and said Executrices are ordered and directed to pay said sum to said attorneys.

From the proofs taken in support of said petition for distribution it appears that said Executrices were duly and regularly appointed as such by order of the above-entitled Court on the 25th day of June, 1937, and that thereupon letters testamentary were issued to said Executrices, and that ever since said time they have been and are now the duly appointed, qualified and acting Executrices of said Estate; that thereafter said Executrices caused to be made and returned to this Court, in the manner and form as provided by law, a true inventory and appraisal of the Estate of said Deceased which had come to their knowledge and possession, which inventory and appraisal placed the total value of \$16,613.37 upon the assets of said Estate.

Said Executrices in open Court waived all right to any legal commissions to which they would be entitled as Executrices of said Estate according to law.

And it further appearing that the above-named decedent died testate on or about the 23rd day of March, 1937, in the City of San Francisco, State of California, and that at the time of her death was of the age of about seventy-four years, and was a resident of the County of Eureka, State of Nevada.

And it further appearing from the last will and testament of said decedent, heretofore admitted to probate in this Court, and as reported by said Executrices in their first and final account, that the devisees and legatees and heirs-at-law mentioned in said will, and their respective interests therein are as follows:

MIRIAM ALCOFF, a specific bequest of \$1.00; and the rest, residue and remainder, share and share alike, to BELLE WEBER BAYNES, CLAIRE WEBER CADY, and MABEL WEBER BLAIR.

The Court being satisfied that the Estate is now in condition to be closed, and that there will be no further costs or expenses, except the recording fees for recording the certified copy of this decree in the office of the County Recorder of the County of Eureka, State of Nevada, which said Executrices have agreed to assume,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said Executrices pay forthwith to MIRIAM ALCOFF the specific legacy of \$1.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the rest, residue and remainder of said Estate, both real and personal together with any other property which may belong to said Decedent, or to her said Estate, or in which may hereafter be discovered, be distributed share and share alike to BELLE WEBER BAYNES, CLAIRE WEBER CADY, AND MABEL WEBER BLAIR.

The rest, residue and remainder of said Estate herein distributed to said BELLE WEBER BAYNES, CLAIRE WEBER CADY, and MABEL WEBER BLAIR, subject to the payments from the cash assets of said Estate as hereinbefore ordered to be paid, is as follows:

REAL PROPERTY

Lots 11, 12, 13, 14, 15, in Block 11, of the Town of Beowawe, Eureka, County, Nevada, together with personal property, consisting of furniture, fixtures, and equipment now in and upon said property;

W $\frac{1}{2}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12, Township 33 North, Range 49 East, M. D. B. & M., (Macks Creek Ranch), together with improvements.

PERSONAL PROPERTY

Cash on hand as reported, \$ 1,585.19

Wells Fargo Bank & Union Trust Co, San Francisco, (Savings Account) (heretofore ordered transferred to said Estate to be available for costs and expenses of administration and distribution) 2,702.29

Wells Fargo Bank & Union Trust Co., San Francisco, (Commercial account), (heretofore ordered transferred to said Estate to be available for costs and expenses of administration and distribution) 36.38

30 shares Wesson Oil & Snowdrift Co., Inc., Preferred.

10 shares Elko-Lamoille Power Co., Preferred.

10 shares American Utilities Service Corporation.

42 shares Voting Trust Certificate, American Utilities Service Corporation.

1 \$500.00 Bond, No. D728, Collateral Trust 6% Bond, American Utilities Service Corporation, Series A, Due 1964;

100 shares Pacific Coast Aggregates, Inc., Cert. No. 6523.

323.40 shares Henderson Banking Company Mortgage Corporation, No. 2216.

Claim against First National Bank of Winnemucca.

2612 shares The Realization Company.

IT IS HEREBY FURTHER ORDERED that upon the filing by said Executrices of receipts from the various devisees and legatees and for the disbursements herein ordered to be paid, and upon recording in the office of the County Recorder of the County of Eureka, Nevada, of the certified copy of this decree, that said Executrices shall be discharged from their trust.

Done in open Court this 7th day of July, 1938.

EDGAR EATHER

DISTRICT JUDGE

STATE OF NEVADA,)
) ss.
 COUNTY OF EUREKA.)

I, ED DELANEY, County Clerk and Ex-Officio Clerk of the District Court of the Third Judicial District of the State of Nevada, in and for the County of Eureka, do hereby certify that the annexed is a full, true and correct copy of DECREE APPROVING AND SETTLING FIRST AND FINAL ACCOUNT AND OF DISTRIBUTION IN THE MATTER OF THE ESTATE OF JOSEPHINE WEBER, DECEASED, as the same appears on file and of record in my office.

WITNESS my hand and the seal of said Court affixed this 7th day of July A.D., 1938.

(SEAL)

Ed. Delaney Clerk

Recorded at the request of McNamara & Robbins July 7 A.D. 1938 At 0 minutes past 11 A.M.

Peter Merialdo---Recorder.