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153205

187

IN THE DISTRICT COURT OF THE
STATE OF NEVADA,
COUNTY OF EUREKA.

IN THE MATTER OF THE ESTATE
OF

WILLIAM DUNPHY,

Deceased.

DECREE OF FINAL DISTRIBUTION.

Filed Sept 21st 1903

J. H. Kaegy
Clerk

Recorded in Probate Book
6. Pages 401 to 405

This matter coming on regularly to be heard upon the petition and prayer of the Executrices for the final distribution of the Estate and property belonging to the Estate of the said William Dunphy, deceased, which said petition and prayer is included in the petition of the Executrices for the settlement and allowance of their final account filed on the 15th day of August, 1903: The Court, having at the same time with the making of this order, made its order settling, allowing and approving the said final

WILLIAM DUNPHY, DOGBAND.

IN HIS MATTER OF THE ESTATE

COUNTRY OF BURMA.

IN THE DISTRICT COURT OF THE STATE OF NEVADA

I had twenty five thousand dollars, separate property.

I declare that at the time I married my wife, CARMEN

2011.

to serve without bonds or other security.

my daughter, JENNIE C. DUNPHY, Executrices of this will.

I nominate and appoint my wife, CARMEN U. DUNPHY and

1st

state this my last will and testament.

FRANCISCO, State of California, do make, publish and do-

I, WILLIAM DUNPHY of the city and county of San

following is a copy of the said will:

said last will of the said William Dunphy, deceased. The

C. Dunphy, trustees of the trusts made by the terms of the

one undivided half thereof to Carmen U. Dunphy and domestic

said deceased, as her share of the community property and

one undivided half thereof to Carmen U. Dunphy, widow of the

trusts, be and the same is hereby finally distributed, the

and all such as is now in the possession of the said Execut-

property, real and personal, belonging to the said deceased.

IT IS ORDERED, ADJUDGED AND DECREED, that all of the

as attorney for the said Executrices.

NOW, upon the motion of J. H. Meredith, appearing

community property.

property of the said deceased was at the time of his death

of the community property, and it appearing that all of the

Dunphy, widow of the said deceased elects to take her share

said deceased. And it further appearing that Carmen U.

debts or claims were presented against the estate of the

of the said deceased have been fully paid and that no

of the specific legacies given and made in the last will

The court having heard evidence and it appearing that all

will produce a steady and reasonable income, the net income property invested in real estate, in such a way that it in a reasonable revenue, my object being to have all my shall be so used as that the property may be made to bring sufficient money shall be retained to improve the same and California, improved or unimproved. It unimproved, and estate in the city and county of San Francisco, State of and they shall invest the proceeds of such sales in real of one million seven hundred and fifty thousand dollars, property in the State of Nevada ought to bring, about the sum I advise them that the real property and the personal property as soon as practicable for the best price obtainable, but in the State of Nevada, shall also be used by them for cash California into cash, and all my personal and real property my personal property in the county of Monterey, State of date of this my will. My said trustees shall convert all information with any person subsequent to the making and its powers, immunities or privileges by reason of her C. DUNPHY, shall not be deprived of this trust of any of of them and I further direct that my said daughter, JENNIE I direct that no bond be required of them or other Trustees.

the uses and purposes hereinafter named, and as such and to hold to them or the survivor of them in trust for and estate, real and personal, wherever situated to have DUNPHY, and my daughter JENNIE C. DUNPHY, all my property I give, devise and bequeath to my wife, SARAH U. 3rd.

of my property as common property.

with its increase now forming part of my estate, the balance which I have actively used in my business ever since, and

shall remain in the custody of my family during her minority

so long as my grand-daughter VIOLA CARRIE GARNER PIERCE

daughter JENNIE C. DUNPHY to be applied as follows:

ONE-FIFTH of the said income shall be paid to my

my heirs at law.

to her children and if she leave no child, it shall go to

and if she shall have made no such directions, it shall go

transferred and distributed as she may, by will, direct,

her death one-fifth of the principal of my estate shall be

during her lifetime, to my daughter, JENNIE C. DUNPHY, at

ONE-FIFTH of said income shall be paid, quarterly

heirs at law.

children and if he shall leave no child, it shall go to my

such directions, then such fifth interest shall go to his

paid as he may, by will, direct. If he shall have made no

death, one-fifth of the principal of my estate shall be

to my son JAMES C. DUNPHY, during his life, and at his

ONE-FIFTH of said income shall be paid, quarterly

to my heirs at law.

children and if she has no child, said one-fifth shall go

one-fifth of the principal of my estate shall go to her

to my daughter MARY FLOOD during her life. Upon her death

ONE-FIFTH of said income shall be paid, quarterly

law.

no such directions, said one-fifth shall go to my heirs at

puted, as she may, by will direct. If she shall have made

the principal of my estate shall be transferred and distri-

my wife during her life, and upon her death, one-fifth of

ONE-FIFTH of said income shall be paid quarterly to

shares or parts.

outlays of every kind, shall be divided into five equal

of my whole estate, after paying all taxes, expenses and

Go to the same trustees above mentioned and be divided into

equal provision for her and the balance of my estate shall
 her only share in my estate as I consider that will be an
 mined upon, the said portion of common property shall be
 provided, my will is that after my wife's share is deter-
 property, then, instead of distributing my estate as above
 she desires to do so and claims her share of the common
 in lieu of her share of the common property. If, however,
 said trustees and takes one-fifth of the entire estate,
 but permits my whole estate to go into the hands of my
 That my wife does not claim any common property,

This condition, viz:

The above disposition of my estate, is made upon

leave no child to my heirs at law.

equal of my estate shall go to her children, and if she
 at the death of my grand-daughter, one-fifth of the prin-
 the shares of my wife and three children. In any event,
 ten thousand dollars above reserved shall go to increase
 go to the increase of the rest of my estate. The said

cease and be of no force or effect and said one-fifth shall

on the benefit of her children, under this will, shall
 support as well as all other provisions for her benefit,
 be deprived of her custody, then all provisions for her

should, at any time during the minority of my grand-daughter

to her quarterly during her life. If, however, my fully

by me in procuring the custody of her person shall be paid
 fifth income, less the sum of ten thousand dollars expended
 ago of twenty-one years, after which time the said one-

and three children until my said grand-daughter attains the

residue of said one-fifth income shall be paid to my wife

to the support and maintenance of my grand-daughter. The

a sufficient sum out of said one-fifth, shall be applied

I make the following bequests, which my Executors

5th.

as if she had been named alone.

Powers herein given to both and the same in all respect

to act, then the other shall serve alone with all the
inclination of either of my Executors, or said Trustees,

In case of the death, absence or inability of dis-

5th.

not be questioned.

and approved and the property and necessity thereof shall

ed and considered as proper and necessary and be allowed

and every outlay and payment which they make shall be deem-

may do or perform and every expense which they may incur

for any outlay or payment and every act and deed which they

correct, and they shall not be required to produce vouchers

shall be accepted and received as absolutely true and

when rendered, under oath shall not be questioned, but

think my estate and shall not be questioned: their accounts

and real property, and their acts in the premises shall

leave to do so. This shall include sales of both personal

and outlays without applying to any court or judge for

and authority to make any and all sales and investments

To my said Executors and trustees, I give full power

4th.

tate shall be invested the same as above provided.

vided in the division of fifths of my estate, and the es-

same terms, conditions, provisions and limitations as pro-

ONE to my Grand-daughter VIOLA GABRIEL CARMEN PINNEY, on the

one to JAMES C. DUNPHY - and one to JENNIE C. DUNPHY and

four equal parts, one of which shall go to MARY FLOOD -

153205

FILE NO.

EUREKA COUNTY, NEVADA
M.N. REBELEATI, RECORDER

94 JUN 23 P 4:55

RECORDED AT THE REQUEST OF

OFFICIAL RECORDS

BOOK 270

PAGE 265

SEVENTH JUDICIAL DISTRICT COURT

STATE OF NEVADA

IN AND FOR COUNTY OF EUREKA

SS

I, the Undersigned COUNTY CLERK, and Ex-Officio

CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby CERTIFY

that the foregoing is a full, true and correct copy of the original on file in

my office and that I have carefully compared the same with the

original.

WITNESS, My Hand and Seal of said

DISTRICT COURT, this 22nd day of June, 1903.

County Clerk and Ex-Officio Court Clerk

Deputy Clerk

RECORDED BK 859 PG 706

JERRY D. REYNOLDS

ELKO CO. RECORDER

94 JUN 10 P 2:37

FILED FOR RECORD

AT REQUEST OF

FILE # 354239

FEE \$14.00

BOOK 270

PAGE 265

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STATE OF NEVADA

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DISTRICT COURT, this 22nd day of June, 1903.

County Clerk and Ex-Officio Court Clerk

Deputy Clerk

RECORDED BK 859 PG 706

JERRY D. REYNOLDS

ELKO CO. RECORDER

September, 1903.

Done in open Court this

21st day of

conveyance.

of any beneficiary of said trusts joining in such sale or

distributed to them by this decree, without any necessity

to sell and convey any of the lands and personal property

this decree, the said trustees have the power and authority

that by the true intent and meaning of the said will of

And it is expressly ORDERED, ADJUDGED and DECREED

(SEAL)

WM. DUNPHY

eight hundred and eighty-eight (A.D. 1888)

that, this twentieth day of February, A.D. one thousand

WITNESS my hand and seal at San Francisco, Califor-

paid quarterly.

son and not to their order and those to my family shall be

bequests above made shall be paid to the devisees in per-

I revoke all wills, by me heretofore made. All the

7th.

One Thousand Dollars.

CHURCH for St. JOSEPH'S ORPHAN ASYLUM, of San Francisco,

Dollars. To the SISTERS OF CHARITY, of the ROMAN CATHOLIC

ROMAN CATHOLIC ASYLUM for boys, at San Rafael, one thousand

St. Dominic, at Mendota, five hundred dollars. To the

of San Francisco, one thousand dollars. To the Sisters of

one thousand dollars. To the PROTESTANT ORPHAN ASYLUM,

viz: to the ROMAN CATHOLIC ORPHAN ASYLUM of San Francisco,

soon as the money is on hand, after payment of all my debts

shall pay before investing the money of my estate and as

INDEX