

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO.

IN THE MATTER OF THE ESTATE OF JOHN W. McNEW, DECEASED.

NO. 748
Filed Jul 6 1926
M J Keith
Clerk
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Deputy

Morley Griswold and Milton J. Reinhart
Attorneys for.....

- DECREE OF-DISTRIBUTION -

HAYDEN HENDERSON, Administrator with the Will Annexed of the above-entitled Estate, having on the 6th day of July, 1926, rendered and filed herein a full account and report of his administration of said Estate, which account was for final settlement, and having with the said account filed a petition for final distribution of said estate, and said account and petition coming on regularly this day to be heard, there having been filed with said petition the verified requests of all the heirs that said account and petition be heard without further notice to them, therefore, it is hereby ordered, adjudged and decreed that due and legal notice of the hearing of said account and petition has been given to all persons interested in said estate, and after due and legal evidence having been adduced and it appearing that said account is in all respects true and correct as rendered, and that it is supported by proper vouchers, that the residue of money in the hands of the Administrator at the time of filing said account was \$1134.01; that no money has been received or expended by him since the rendition of said account; that the cost of closing said estate will be nothing for the reason that said costs have been paid; and it appearing that all claims and debts against said decedent and all debts and expenses of administration have been paid, save and except attorneys fees and administrator's fees, hereinafter set; that said estate is ready for distribution and in a condition to be closed.

It is hereby ORDERED, ADJUDGED AND DECREED that said first and final account of said administrator be and the same is hereby settled, allowed, approved and confirmed as rendered.

It further appearing to the Court by affidavits of publication and posting that notice to creditors has in all respects been given as by law provided; that more than three months have elapsed since the first publication thereof; it is, therefore, hereby ORDERED, ADJUDGED AND DECREED that due and legal notice to the creditors of said deceased has been given, and the Court further finds that said Administrator was duly and regularly appointed by an order of the above-entitled Court on the 9th day of March, 1925, and thereupon duly qualified as such administrator Letters of Administration with the Will Annexed being duly issued to him on said date; that ever since said date he has been and now is the duly appointed, qualified and acting Administrator of said Estate; that thereafter, and within the time prescribed by law, said administrator duly made and returned to the Court a true inventory and appraisement of said estate, which had come to the knowledge and possession of the Administrator; that all the claims against said Estate have been paid, save and except attorneys fees and Administrator's fees, hereinafter set;

That said estate is in a condition to be closed and ready for distribution.

That the fees of the Administrator herein are hereby set at the sum of \$125.00, the services of the Administrator in this Estate being reasonably worth said sum. That a reasonable attorney's fee for the firm of Morley Griswold and Milton J. Reinhart, representing the Administrator, is hereby set in the sum of \$350.00;

That all of the property of said estate is the separate property of said deceased, in that it was acquired before marriage to Katherine McNew.

That said deceased died testate, on the 5th day of December, 1923, in the County of Ray, State of Missouri; that he was a resident of said County and State at the time of his death; that he left estate in the County of Elko, State of Nevada, and within the jurisdiction of this Court; that the devisees, legatees and heirs at law, mentioned in the Will of said deceased, duly probated, are as follows:

- Katherine McNew, widow, residing at Brockenridge, Missouri, now deceased;
- Etta Hanks, daughter, residing at Brockenridge, Missouri;
- Thomas F. McNew, son, residing at Fairfield, Iowa;
- Lee McNew, son, residing at Reno, Nevada;
- John McNew, son, residing at Lock Springs, Missouri;
- George McNew, son, residing at Brockenridge, Missouri;
- William I. McNew, son, residing at Braymer, Missouri;
- Lida Widmier, also known as Lydia Widmier, also known as Lyda Widmier, daughter, residing at Polo, Missouri;
- Sherman McNew, son, residing at Polo, Missouri;

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Charles McNew, son, residing at P.O. Missouri,
 Alice Stanberry, daughter, residing at P.O. Missouri,

With reference to the interest of Katherine L. McNew, who was also known as Kathryn McNew, who is now deceased, and her estate has been probated in the State of Missouri, as appears by certified copies on file herein, and whereas it appears therein that all of her estate was willed to Mary Townsend Fraiser and Georgetta Figh Fraiser, share and share alike, and that Mary T. Fraiser and Georgetta F. Fraiser, by deed executed on the 30th day of April, 1925, and recorded July 6, 1925, in Book 42 of Deeds, page 49, records of Elko County, Nevada, deed all of their interest in said estate to the remaining McNew heirs, said deed covering the NW 1/4 of Section 18, T. 33 N., R. 58 E., M. D. B. & M.

That June 13, 1925, John G. McNew and wife, and Sherman McNew and wife, deeded to the remaining heirs of said estate, all of their title in said estate, said deed being recorded July 6, 1925, in Book 42 of Deeds, pages 50 and 51, records of Elko County, Nevada.

That Clint Bolton procured a judgment against Charles P. McNew, one of the heirs herein, and took execution upon the interest of said Charles P. McNew in the real property hereinafter mentioned, and after due proceedings a Sheriff's deed issued to said Clint Bolton covering an undivided one-seventh interest in said real property, said real property being all of said estate; that on the 29th day of June, 1926, Clint Bolton deeded all of the interest in said estate to William I. McNew, one of the heirs of said estate, said deed being of record in the office of the County Recorder of Elko County, Nevada.

WHEREFORE, under and by virtue of the above stated facts, the Court hereby finds the respective interests of the heirs of said estate, are as follows:

- To Etta Hanks, daughter, one-eighth, or eleven-eighty-eighths;
- To Thomas F. McNew, also known as T. F. McNew, son, one-eighth, or eleven-eighty-eighths;
- To Lee McNew, son, one-eighth, or eleven-eighty-eighths;
- To George McNew, son, one-eighth, or eleven-eighty-eighths;
- To William I. McNew, son, nineteen-eighty-eighths;
- To Charles P. McNew, also known as Charles McNew, son, three-eighty-eighths;
- To Lida Widmier, or Lyda Widmier, a daughter, one-eighth, or eleven-eighty-eighths;
- To Alice Stanberry, daughter, one-eighth, or eleven-eighty-eighths;

That deducting from said \$1134.01 the sum of \$625.00, hereinafter authorized to be paid, \$125.00 Administrator's fees, and \$350.00 attorney's fees, leaving in the hands of the Administrator, the sum of \$34.01;

And it further appearing to the Court that all of the heirs herein have filed a verified request that the Administrator herein pay to the Henderson Banking Company the sum of \$625.00 and interest; now, therefore, it is hereby ORDERED, ADJUDGED and DECREED, that Hayden Henderson, Administrator herein, pay to said Henderson Banking Company the sum of \$625.00 and the interest thereon due.

That there is no inheritance tax due upon the estate for the reason that the exemptions to the heirs in said estate greatly exceed the value of said estate.

It is, therefore, hereby ORDERED, ADJUDGED AND DECREED, all and singular the law and the premises being by the Court fully examined and considered, and all the acts and proceedings of said Administrator had and taken in the matters set forth upon the records herein, be and the same are hereby ratified, approved and confirmed;

That the rest, residue and remainder of said estate consists of the aforesaid mentioned cash, together with the NW 1/4 of Section 18, T. 33 N., R. 58 East, M. D. B. & M.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that distribution of said estate now in the hands of said Administrator be, and the same is hereby is, made as follows:

- To Etta Hanks, daughter, one-eighth, or eleven-eighty-eighths;
- To Thomas F. McNew, also known as T. F. McNew, son, one-eighth, or eleven-eighty-eighths;
- To Lee McNew, son, one-eighth, or eleven-eighty-eighths;
- To George McNew, son, one-eighth, or eleven-eighty-eighths;
- To William I. McNew, son, nineteen-eighty-eighths;
- To Charles P. McNew, also known as Charles McNew, son, three-eighty-eighths;
- To Lida Widmier, or Lyda Widmier, a daughter, one-eighth, or eleven-eighty-eighths;
- To Alice Stanberry, daughter, one-eighth, or eleven-eighty-eighths;

That any other property now known or discovered which may belong to the said estate, or in which the said estate may have an interest, be, and the same is, hereby distributed to the aforementioned heirs, as their respective interest may appear.

Done in open Court this 6th day of July, 1926.

J. M. McManara,
 DISTRICT JUDGE.

STATE OF NEVADA)
 COUNTY OF ELKO) SS.

I. M. J. KEITH, County Clerk and Ex-Officio Clerk of the District Court of the Fourth

Judicial District of the State of Nevada, and for the County of Elko, do hereby certify that the annexed is a full, true and correct copy of DECREE OF DISTRIBUTION IN THE MATTER OF THE ESTATE OF JOHN W. McNEW, DECEASED, as the same appears on file and of record in my office.

WITNESS my hand and the seal of said court affixed, this 6th day of July A.D., 1926.

M. J. Keith
Clerk.

(SEAL)

Filed for record at request of W. I. McNew on the 6 day of July 1926 at 3:45 o'clock P.M.,

Wm Rigby
County Recorder.

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