

177

Now at this time, on this 15th day of July 1940, this matter coming on regularly to be heard upon the Final Account of Milton H. Metcalfe, the duly appointed, qualified and acting administrator of the above-entitled estate, the said administrator appearing in person and by his attorneys Paul M. Long and B. W. Taylor, and there having been no objections filed to said Final Account or any exceptions taken thereto and no one appearing to oppose the settlement of said Final Account;; and

It appearing to the court that notice of the time and place heretofore by order of this court duly made and entered, fixed and designated for the hearing and settling of said final Account has been given by publication in the Sunday Welcome, a weekly newspaper of general circulation printed and published in the City of Portland, County of Multnomah, State of Oregon, and that said notice was and has been published in the manner and for the time required by law and the order of this court as disclosed by the affidavit of such publication on file herein; and

It Satisfactorily appearing to the court that said final account is full and complete and contains a full, true and complete statement of all the assets of said estate and the disbursements legally made by him, and the court having examined said final account has found that it is full, true and correct in all particulars.

That all of the property of said estate which has come into the hands of your administrator has been disbursed in accordance with the statement contained in said final account except that there is a balance due for attorneys' fees and a balance due the Sunday Welcome for the publication of Notice of Final Account, all of which will be filed herein.

That your administrator reports that at the time of his death, the said Aaron Lincoln Metcalfe was the owner of real property within the State of Oregon consisting of Lots Four (4) and five (5) in Block Six (6), Terminus Addition to Albina, now within the corporate limits of the City of Portland, County of Multnomah, Ore. That said property was acquired in the year 1909 by said Aaron Lincoln Metcalfe and Charlotte America Metcalfe, his wife, by deed of entirety and upon the death of said Charlotte America Metcalfe, the said Aaron Lincoln Metcalfe became and continued to be up to the time of his death, the sole and exclusive owner of said property.

That said Aaron Lincoln Metcalfe at the time of his death was also the owner of approximately 92 acres of land in Skamania County, Washington, described in the records of said county as Tax No. 2441, Deed Ref. R 331, Sec. 21, Tn. 2, Range 1, School Dist. 23, in said Skamania County, State of Washington.

That the heirs to this estate are the children and the only children of said Aaron Lincoln Metcalfe and said Charlotte America Metcalfe.

That all the indebtedness against said Aaron Lincoln Metcalfe at the time of his death and all the indebtedness presented against his estate has now been paid in full.

That said Aaron Lincoln Metcalfe died intestate and that prior to his death his only marriage had been with Charlotte America Metcalfe, and that the heirs of said estate are the children, and the only children, of said Aaron Lincoln Metcalfe and Charlotte America Metcalfe.

That the sole heirs to all of the estate are: John E. Metcalfe, Ruby V. Metcalfe, Allan F. Metcalfe, Milton H. Metcalfe, George K. Metcalfe, James D. Metcalfe, Robert B. Metcalfe, Theodore R. Metcalfe, Margie B. McConnel and Judith N. Sering -- all and each of whom are children, and the only children, of said Aaron Lincoln Metcalfe and each of whom bear the same relation to the said Aaron Lincoln Metcalfe and to each other and are entitled to share and share alike in the estate of said Aaron Lincoln Metcalfe.

Now, therefore, it is hereby ordered, adjudged and decreed that upon filing of a receipt