

MISCELLANEOUS RECORD G

SKAMANIA COUNTY

WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GOODWIN A. YOUNG, SCOTT C. YOUNG AND WILLIAM B. HERRMAN WHO ARE PERSONALLY KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING OF THE PARTIES THERETO, AND ACKNOWLEDGED THE SAME TO BE THEIR FREE VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN THE DAY AND YEAR FIRST ABOVE WRITTEN.

{NOTARIAL}
{SEAL}

RAYMOND J. SLV
NOTARY PUBLIC FOR WASHINGTON
RESIDING AT STEVENSON THEREIN.
MY COMMISSION EXPIRES JANUARY 27TH 1927

FILED FOR RECORD MARCH 30. 1923, AT 3-50 P.M. BY WM. B. HERRMAN.

Wm. B. Herrman
COUNTY AUDITOR.
By *Earl P. Smith* DEPUTY.

JOSEPH D. BANNING TO PORTLAND ASSOCIATION OF CREDIT MEN & A. T. SCHOUBOE COMMON LAW ASSIGNMENT

THIS INDENTURE MADE THIS 24 DAY OF APRIL, 1923, BY AND BETWEEN JOSEPH D. BANNING DOING BUSINESS AS JOSEPH D. BANNING AT STEVENSON WN. HEREINAFTER CALLED "ASSIGNOR", AND THE ADJUSTMENT BUREAU OF THE PORTLAND ASSOCIATION OF CREDIT MEN, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF OREGON, AND A. T. SCHOUBOE HEREINAFTER CALLED "ASSIGNEES", WITNESSETH:

WHEREAS SAID ASSIGNOR IS UNABLE TO PAY THE CLAIMS AND DEMANDS OF HIS CREDITORS AS THEY MATURE IN THE ORDINARY COURSE OF BUSINESS, A LIST OF WHICH CREDITORS IS HEREWITH FURNISHED TO SAID ASSIGNEES SHOWING THE AMOUNTS RELATIVELY DUE AND OWING TO SAID CREDITORS BY SAID ASSIGNOR; AND,

WHEREAS, SAID ASSIGNOR DESIRES TO PAY EACH AND EVERY BONA FIDE CREDITOR FILING A CLAIM WITH SAID ASSIGNEES AS HEREINAFTER PROVIDED FOR, AND WHETHER OR NOT SAID CREDITOR MAY BE MENTIONED IN SAID LIST FURNISHED TO SAID ASSIGNEES EQUALLY AND RATABLY BY TRANSFERRING AND ASSIGNING ALL OF HIS PROPERTY FOR THE BENEFIT OF HIS CREDITORS TO SAID ASSIGNEES AND WITHOUT THE INTERVENTION OF LEGAL PROCEEDINGS; AND,

WHEREAS, SAID ASSIGNEES ARE WILLING TO TAKE AN ASSIGNMENT AND CONVEYANCES FROM SAID ASSIGNOR OF ALL OF HIS PROPERTY OF EVERY KIND AND DESCRIPTION FOR THE PURPOSES AND ON THE TERMS HEREIN SET FORTH;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT THE ASSIGNOR, FOR AND IN CONSIDERATION OF THE PREMISES AFORESAID AND OF THE COVENANTS HEREINAFTER CONTAINED, AND FOR THE SUM OF ONE DOLLAR TO HIM IN HAND PAID BY SAID ASSIGNEES, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, DOES BY THESE PRESENTS GRANT, BARGAIN, SELL, CONVEY, CONFIRM, ASSIGN, TRANSFER AND DELIVER OVER UNTO SAID ASSIGNEES ALL OF THAT CERTAIN STOCK OF GOODS, WARES AND MERCHANDISE CONSISTING PRINCIPALLY OF A STOCK OF LT GROCERIES CIGARS AND TOBACCO CANDY ETC. NOW LOCATED AND BEING AT THE PLACE OF BUSINESS OF SAID ASSIGNOR KNOWN AND DESCRIBED AS I. O. O. F. BUILDING STEVENSON WN. TOGETHER WITH ALL FIXTURES, TOOLS, APPLIANCES, EQUIPMENT, BILLS AND ACCOUNTS RECEIVABLE, CASH ON HAND, BANK ACCOUNTS, BANK DEPOSITS, INSURANCE POLICIES, BOOKS OF ACCOUNT AND RECORDS, ALL UNITED STATES MAIL IN TRANSIT, GOOD WILL, CHOSES IN ACTION, AND ALL PROPERTY OF EVERY KIND AND DESCRIPTION IN WHICH HE MAY HAVE ANY RIGHT, TITLE

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OR INTEREST WHEREVER THE SAME MAY BE LOCATED, AND WHETHER OR NOT THE SAME MAY BE PART OF SAID BUSINESS OF SAID ASSIGNOR, EXCEPT SUCH PROPERTY AS MAY BE EXEMPT FROM EXECUTION UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WASHINGTON.

TO HAVE AND TO HOLD ALL OF SAID PROPERTY AND PROPERTY RIGHTS UNTO SAID ASSIGNEES, THEIR SUCCESSORS AND ASSIGNS FOREVER, BUT IN TRUST NEVERTHELESS FOR THE USE AND BENEFIT OF THE CREDITORS OF SAID ASSIGNOR, SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS AND STIPULATIONS HEREIN EXPRESSED AND AS FOLLOWS:

1ST. THAT SAID ASSIGNEES SHALL TAKE IMMEDIATE POSSESSION OF ALL OF SAID PROPERTY, RIGHTS AND PRIVILEGES, AND SHALL HAVE AND POSSESS THE SAME POWER TO CONTROL, USE, MANAGE, OPERATE AND DISPOSE OF THE SAME, AND TO INCUR ALL AND PROPER EXPENSES IN CONNECTION THEREWITH AS IN THE JUDGMENT OF THE SAID ASSIGNEES SHALL SEEM TO THE BEST INTERESTS OF THE CREDITORS OF SAID ASSIGNOR, AS FULLY AS THOUGH SAID ASSIGNEES WERE THE ABSOLUTE OWNERS THEREOF, BUT WITHOUT THEM INCURRING ANY PERSONAL LIABILITY THEREFOR OTHER THAN TO BIND THE TRUST ESTATE IN THE HANDS OF SAID ASSIGNEES.

2ND. AND SAID ASSIGNEES MAY, IF THEY DEEM IT BEST SO TO DO, SELL ALL OF THE SAID PROPERTY COLLECTIVELY OR SEPARATELY, AT PRIVATE OR PUBLIC SALE, WITH OR WITHOUT NOTICE OF SUCH SALE PUBLISHED, OR OTHERWISE, AND IN SELLING SAID PROPERTY MAY GIVE GOOD TITLE THERETO WITHOUT ANY OTHER OR FURTHER CONVEYANCE ON THE PART OF THE SAID ASSIGNOR THAN THIS ASSIGNMENT, AND SAID ASSIGNEES MAY IF THEY DEEM IT BEST SO TO DO OPERATE AND CONDUCT SAID BUSINESS IN THE ORDINARY AND USUAL WAY, AND ALL ORDINARY OPERATING COST AND EXPENSES THEREOF, IF SAID BUSINESS IS SO OPERATED BY SAID ASSIGNEES, SHALL BE DEEMED TO BE PREFERRED LIABILITIES SECOND ONLY TO SUCH LIABILITIES AS ARE ALREADY PRIOR AND PREFERRED BY THE LAWS OF THE STATE OF WASHINGTON.

3RD. THAT SAID ASSIGNEES MAY COLLECT, SELL OR COMPROMISE ALL OUTSTANDING ACCOUNTS AND BILLS RECEIVABLE AND DETERMINE WHETHER OR NOT SUIT SHALL BE BROUGHT AND JUDGMENT OBTAINED ON THE SAME.

4TH. AFTER DEDUCTING THE EXPENSES OF ADMINISTERING SAID TRUST ESTATE FROM THE FUNDS DERIVED THEREFROM, INCLUDING A REASONABLE ATTORNEY'S FEE FOR ATTORNEYS EMPLOYED BY SAID ASSIGNEES, INCLUDING A REASONABLE COMPENSATION FOR SAID ASSIGNEES FOR THE ADMINISTRATION OF SAID TRUST ESTATE, WHICH REASONABLE COMPENSATION IS HEREBY DECLARED TO BE A SUM EQUAL TO FIVE PERCENT OF THE GROSS FUNDS WHICH SHALL COME INTO THE HANDS OF SAID ASSIGNEES TO BE DISTRIBUTED BY THE ASSIGNEES IN THE ADMINISTRATION OF THE ESTATE, SAID ASSIGNEES SHALL APPLY THE BALANCE OF SAID FUNDS TO THE PAYMENT OF ANY AND ALL CLAIMS WHICH ARE PREFERRED BY LAW, AND THE REMAINDER SHALL BE PAID EQUALLY AND RATABLY TO THE CREDITORS WHOSE CLAIMS HAVE BEEN FILED WITH SAID ASSIGNEES OR PROVEN TO THEIR SATISFACTION, AND ANY RESIDUE OF SAID TRUST ESTATE REMAINING AFTER SAID PAYMENTS HAVE BEEN MADE, TO BE RECONVEYED TO SAID ASSIGNOR, OR TO SUCH PARTY OR PARTIES AS HE MAY DIRECT.

5TH. THAT SHOULD ANY CREDITORS RECEIVING NOTICE OF THIS ASSIGNMENT, EITHER BY SAID ASSIGNEES MAILING NOTICE THEREOF TO SAID CREDITOR, OR BY RECORDING THIS ASSIGNMENT IN THE OFFICE OF THE RECORDING OFFICER IN THE PROPER COUNTY, FAIL, NEGLECT, OR REFUSE FOR A PERIOD OF NINETY DAYS THEREAFTER, TO FILE A VERIFIED STATEMENT OF ACCOUNT WITH SAID ASSIGNEES, SAID ASSIGNEES MAY CLOSE THE BOOKS OF SAID TRUST ESTATE WITHOUT PAYING ANY DIVIDEND TO SUCH CREDITORS AND WITHOUT ANY LIABILITY ON THE PART OF SAID ASSIGNEES TO SUCH CREDITOR UPON MAKING A FINAL DISTRIBUTION TO THE CREDITORS WHOSE PROOFS OF CLAIM HAVE BEEN FILED WITH SAID ASSIGNEES.

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IT IS FURTHER UNDERSTOOD AND AGREED THAT EVERY CREDITOR WHO SHALL PARTICIPATE IN THE DISTRIBUTION OF FUNDS TO BE DERIVED UNDER THIS ASSIGNMENT SHALL, IF THE RESPECTIVE CREDITORS SHARE OUT OF SAID DISTRIBUTION SHALL AMOUNT TO A SUM LESS THAN THE FACE OF THEIR RESPECTIVE CLAIMS, ACCEPT SAID SUM AND DISTRIBUTION IN FULL SATISFACTION, RELEASE AND DISCHARGE OF THEIR RESPECTIVE CLAIMS TO THE SAME EXTENT AS IF SAID ASSIGNOR HAD DULY AND REGULARLY FILED HIS VOLUNTARY PETITION IN BANKRUPTCY IN THE DISTRICT COURT OF THE UNITED STATES AND HAD DULY AND REGULARLY OBTAINED HIS DISCHARGE IN BANKRUPTCY AS TO ALL HIS PROVEABLE DEBTS.

THIS INSTRUMENT IS INTENDED TO BE A COMMON LAW ASSIGNMENT AND SHALL NOT BE CONSTRUED TO BE A VOLUNTARY ASSIGNMENT UNDER THE LAWS OF THE STATE OF WASHINGTON.

IN WITNESS WHEREOF, THE ASSIGNOR HAS HEREUNTO SET HIS HAND AND SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

EXECUTED IN OUR PRESENCE AS WITNESSES:

A. T. SCHOUBOE

JOSEPH D. BANNING (SEAL)

STATE OF WASHINGTON,)
) ss.
COUNTY OF SKAMANIA)

THIS IS TO CERTIFY, THAT ON THIS 25 DAY OF APRIL, 1923, BEFORE ME, THE UNDERSIGNED, A COUNTY CLERK IN AND FOR THE STATE OF WASHINGTON DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED JOSEPH D. BANNING, TO ME PERSONALLY KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND VOLUNTARILY STATED FOR HIMSELF THAT HE EXECUTED THE SAME AS HIS TRUE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

(SUPERIOR COURT)
(SEAL)

G. C. CHESSE
COUNTY CLERK
MY COMMISSION EXPIRES _____

FILED FOR RECORD APRIL 25, 1923, AT 10 A.M. BY A. T. SCHOUBOE

Wm. A. Mitchell
COUNTY AUDITOR
BY *E. J. Mitchell* DEPUTY.

HATTIE E. SMITH TO THE PUBLIC

WASHINGTON STATE BOARD OF HEALTH

PLACE OF DEATH
COUNTY OF SKAMANIA
CITY OR TOWN OF CARSON

RECORD No. _____
REGISTERED No. _____

REGISTRATION DIST. BUREAU OF VITAL STATISTICS
No. 2

CERTIFICATE OF DEATH

2. FULL NAME MRS. HATTIE E. SMITH

- (A) RESIDENCE No. _____ St.;
(B) IF NON-RESIDENT, GIVE CITY OR TOWN, AND STATE _____
(C) HOW LONG IN REGISTRATION DIST. 11 YRS. - MOS. - DS.;

PERSONAL AND STATISTICAL PARTICULARS

MEDICAL CERTIFICATE OF DEATH

3. SEX F 4. COLOR OR RACE 1 5. SINGLE, MARRIED, WIDOWED OR DIVORCED (WRITE THE WORD) MARRIED

5. (A) IF MARRIED, WIDOWED OR DIVORCED:
WIFE OF CARL B. SMITH

6. DATE OF BIRTH
FEBRUARY 12 1894
MONTH DAY YEAR

7. AGE
29 YRS. 1 MOS. 8 DS.

8. OCCUPATION OF DECEASED:
(A) TRADE, PROFESSION, OR
PARTICULAR KIND OF WORK. HOUSEWIFE