

COURT OF MISSOURI

DEPARTMENT 1

COURT OF ST. LOUIS

ELEVENTH JUDICIAL DISTRICT

In the matter of the estate of the  
City National Bank of St. Louis, and G.  
S. Power, co-administrators de bonis  
non with will annexed of the estate  
of Victor Lee Power, also known as  
Victor L. Power, deceased, to deposit  
certain monies in Court.

George S. Power

On reading the verified petition of Marie Marie and upon all  
the files and records, pleadings and proceedings herein, and on motion of  
E. J. McWhitt, attorney for George S. Power, petitioner,

IT IS HEREBY ORDERED That all of the creditors of G. S. Power  
whose names are attached to the order of this Court made in the above  
entitled matter on the 1st day of April A.D. 1937, and whose names are  
attached to the order of this Court dated and signed on the 31st day of  
January, 1937, whose claims have not been paid other than if any they have  
before this Court at a special term thereof to be held at the Court House  
in the City of St. Louis, County of St. Louis, State of Missouri, on Friday  
the 23rd day of July A.D. 1937, at 10:30 o'clock on said day or on some  
hereafter as counsel can be heard why an order should not be made deter-  
mining the order in which creditors shall be paid out of money held by the  
Clerk of the District Court of Eleventh Judicial District as depository  
for monies belonging to the said G. S. Power, which said monies, to-wit:  
the sum of One Thousand Dollars were ordered deposited with said Clerk by  
said order dated April 1, 1937, and why an order should not be made and  
entered herein ordering said monies to be paid to said George S. Power as  
the survivor of said partnership of George S. Power and John S. Marie.

IT IS FURTHER ORDERED that the Clerk of the District Court of the  
Eleventh Judicial District as depository do and he hereby is restrained from  
paying out any monies in his possession belonging to said G. S. Power until  
hearing and determination of the petition herein can be had and a further  
order of this Court made.

AS IS FURTHER SHOWN that the petitioner George L. Lewis through  
his attorney A. J. McNeill served a copy of this order together with a verified  
petition attached upon the creditors listed in Exhibits A and B of said orders  
dated respectively April 1, 1937, and January 22, 1938, by calling to their or  
their attorneys as listed in said orders true and correct copies thereof  
forthwith.

Dated: July 6, 1937.

BY THE COURT,

G. B. WAGNER

JUDGE

In the matter of the will of the City National Bank of Duluth, and W. S. Powers, as administrator de bonis non with will annexed of the estate of Victor Lee Powers, also known as Victor L. Powers, decedent, to do, with certain monies in court.

RETURN

Comes now George W. Powers and respectfully petitions the Court and alleges:

1. That your petitioner is a creditor of W. J. Powers of Minnegan, Minnesota, who is one of the heirs of Victor L. Powers, deceased. Just or about the 28th day of April A.D. 1937, pursuant to Order of the above named Court made on the 1st day of April A.D. 1937, the administrators de bonis non with will annexed of the estate of Victor Lee Powers, also known as Victor L. Powers, deceased, paid into the Clerk of the District Court who had been designated a depository for monies received from said estate for W. J. Powers under said Order of April 1, 1937, the sum of \$1000.00.

2. The amount due and owing by said W. J. Powers to your petitioner has been duly approved and allowed by the above named Court in the amount of Two Thousand Dollars by its order dated January 31, 1935. That there has been paid on the same under orders of this Court the following amounts at the following times, to-wit: \$603.50 January 31, 1935, \$13.75 December 3, 1935, and \$17.25 February 10, 1936, making a total of \$634.50. That there is now due and owing on said claim including interest at the rate of six per cent per annum from January 31, 1937, on the unpaid balance and deducting the above named payments the sum of \$1474.14. That your petitioner is among other persons waiting for payment from said monies received from said estate and due said W. J. Powers, and is among those to whom the said W. J. Powers assigned monies due him and to become due him from said estate of Victor L. Powers.

3. That most of the monies paid to said depository for the said W. J. Powers by said administrators de bonis non with will annexed was received from income of the property in the estate of said Victor L. Powers and not from the sale of real estate.

4. That by the order of the above named Court dated January 31, 1937, and further clarified and explained by its order dated December 27, 1938, and filed December 16, 1938, the above named Court adjudged and decreed that except as to funds shown to have been derived from sales of real estate to judgment creditors and assignments set forth in Exhibits A and B of said Order of January 31, 1937, are to be paid in the order of the dates of their respective judgments or assignments.

5. That your petitioner is first in order by the date of his assignment as compared to the creditors both under judgments and under assignments and is entitled to said sum of \$1000.00 to be applied upon his said claim.

6. That the said John E. Harjo has since the removal of said claim died, and your petitioner presents this petition as the surviving partner for the benefit of said partnership.

WHEREFORE, your petitioner respectfully petitions the Court for an order determining that they are entitled to said monies and ordering the Clerk of the above named Court as depository above named to pay said monies to them, and further allowing them their actual disbursements incidental to these proceedings.

Dated: July 3, 1937.

GEORGE S. PETER AND JOHN E. HARJO

BY MARIE HARJO

M. J. SHERWELL  
 M. J. SHERWELL  
 Attorney for Petitioner

STATE OF MINNESOTA )  
 ) SS  
 COUNTY OF ST. LOUIS )

Marie Harjo, being first duly sworn, deposes and says, that she is the surviving spouse and one of the heirs at law of John E. Harjo deceased, the claimant named in the foregoing claim, and was by the Probate Court of St. Louis County, Minnesota, decreed a share in his said property. That she is also the agent of George S. Peter authorized by the said George S. Peter to make this petition and verification. That the matters stated in said petition are true of her own knowledge except those stated on information and belief, and as to those she believes it to be true.

Subscribed and sworn to before me  
 this 3rd day of July A.D. 1937.

MARIE HARJO

(SEAL)

M. J. SHERWELL

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STATE OF MINNESOTA  
DEPARTMENT OF STATE  
**FILED**  
JUL 13 1937

*Wm. H. Holm*  
Secretary of State