

NAME

739

Hersey C. Nayman, Deceased

DATE

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF)
HERVEY C. HAYMAN, DECEASED.)

No. 6739

FILED - 8 - 1944
Stanley Taylor
Judge Probate County Court

PETITION TO PROBATE WILL.

Comes now your petitioner, Susie Dell McCulloch, and respectfully shows to the Court:

That she is a resident of Butler County, Kansas, and that her postoffice address is Towanda, Kansas.

That the decedent, Hervey C. Hayman, died on the 26th day of January, 1944, at his home in Butler County, Kansas, and that he was at the time of his death a resident of Butler County, Kansas.

That said decedent left a last will and testament, which is attached hereto, marked Exhibit "A" and made a part hereof.

That petitioner is the daughter of said decedent and one of the devisees named in said will.

That at the time of his death said testator was the legal owner of the following described real estate in Butler County, Kansas, to-wit:

The Northwest Quarter (NW. $\frac{1}{4}$) of Section Thirty-four (34), Township Twenty-five (25) South, in Range Four (4) East of the Sixth Principal Meridian,

of the approximate value of \$4,000.00; subject, however, to that certain warranty deed for the above described real estate executed by said testator as grantor to L. E. McCulloch and Susie D. McCulloch, grantees, dated April 18th, 1940 and recorded in Book 180 of Deeds at Page 568 in the office of the Register of Deeds of said county and state. That the interest in and to said real estate reserved to said testator in the aforesaid warranty deed was the only interest in real estate owned by the testator at the time of his death. That said testator had no interest in the real estate described in his will at the time of his death, and that due to mistake or typographical error the real estate hereinabove

described was described in said will as the Northeast Quarter of said Section Thirty-four (34) instead of the Northwest Quarter of said Section Thirty-four (34), and that said testator intended to devise by said will all his right, title and interest in and to said Northwest Quarter (NW.¼) of Section Thirty-four (34), Township Twenty-five (25) South, Range Four (4) East, in Butler County, Kansas. That the conditions in the aforesaid warranty deed had been fully complied with by the grantees named therein at the time of the death of said testator.

That at the time of the death of said testator he owned personal property, consisting principally of a savings account in a Building and Loan Association and an automobile, of the approximate value of \$525.00.

That decedent was a widower at the time of his death, and that he left surviving him as his sole and only heir at law your petitioner, Susie Dell McCulloch, whose residence and postoffice address is Towanda, Kansas.

That the names, residences and addresses of the devisees and legatees named in the will of said testator are as follows:

Susie Dell McCulloch,	Towanda, Kansas.
Millie Hayman,	407 North Star Street, El Dorado, Kansas.
Hattie Olin,	520 North Main Street, El Dorado, Kansas.
Lucy Lytle,	217 East Fourth Street, Little Rock, Arkansas.
Beatrice Morgan,	427 West Main St., Apt. 3, El Dorado, Arkansas.
Bessie Thompson	946 South Burlington Ave., Los Angeles, California.

That Emma Stinson, one of the legatees named in said will, died prior to the death of said testator. That her address was Oklahoma City, Oklahoma.

That in said will it is requested that Luther E. McCulloch be appointed as Executor thereof, and that said Luther E. McCulloch is well qualified to act as such Executor, and should be by the Court appointed as Executor of the will and estate of said decedent.

WHEREFORE, your petitioner prays that the Court enter an order herein fixing the time and place for a hearing on this petition and designating what notice shall be given of such hearing, and that upon a hearing on said petition the document attached hereto, marked Exhibit "A" and made a part hereof, be determined and adjudged by the Court to be the Last Will and Testament of the said Hervey C. Hayman, deceased, and be admitted to the records of this Court, and that Letters Testamentary be issued to the said Luther E. McCulloch, as Executor of said will and estate.

Susie Dell McCulloch

STATE OF KANSAS, BUTLER COUNTY, SS.

Susie Dell McCulloch, being first duly sworn, states:

That she is the petitioner hereinabove named. That she has read the foregoing petition, and that all the allegations contained therein are true.

Susie Dell McCulloch

SUBSCRIBED AND SWORN TO before me, this 8th day of February, 1944.

Lucy R. Delaney
Notary Public.

(My commission expires Oct. 2, 1947)



LAST WILL AND TESTAMENT OF HERVEY C. HAYMAN

I, Hervey C. Hayman, of Fairview Township, Butler County, Kansas, being of sound and disposing mind and memory and not under any restraint or undue influence, do hereby make, declare and publish this my last will and testament, in the words and figures following:

FIRST

I hereby revoke any and all former wills by me at any time heretofore made.

SECOND

It is my will that all my just debts, funeral expenses, a memorial for my grave, and expenses of administration be fully paid as provided in the next paragraph hereof.

THIRD

Subject to the payment of each and all of the items of expense enumerated in Paragraph Two hereof, I give, devise and bequeath to my daughter, Susie Dell McCullough, the

Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-four (34), in Township Twenty-five (25) South, Range Four (4) East, in Butler County, Kansas.

PROVIDED that upon the said payments by said devisee as the same shall become due and payable, the title in and to said premises shall vest in my said daughter, Susie Dell McCullough, and shee shall become and be the owner in fee simple thereof.

FOURTH

All the rest, residue, and remainder of my said property, real, personal, or mixed, and wheresoever situate, of which I shall die seized, possessed, or be entitled to at the time of my said death, I give, devise and bequeath to, or the survivors thereof at the time of my said death, Millie Hayman, Hattie Olin, Emma Stinson, Lucy Lytle, Beatrice Morgan, and Bessie Thompson

FIFTH

I hereby appoint Luther E. McCullough
as executor of this, my Last Will and testament.

Exhibit A

IN WITNESS WHEREOF, I have hereunto set my hand this 8th
day of March, 1940.

Hervey C. Hayman

Signed, sealed, published and declared by the said Hervey C. Hayman as and for his last will and testament in our presence, who in his presence and at his request, and in the presence of each other, have signed our names hereto as witnesses thereof this 8th day of March, 1940.

O. A. Andreadou

L. F. Steffen

V. J. Mooney

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF
HERVEY C. HAYMAN, DECEASED.

No. 6739

ORDER FOR HEARING AND TO GIVE NOTICE.

This matter coming on for hearing this 8th day of February, 1944, on the petition of Susie Dell McCulloch to probate the Last Will and Testament of Hervey C. Hayman, deceased, petitioner appearing in person and by her attorney F. J. Leasure, and the Court having examined said petition finds that it is in due form and should be set for hearing on a definite date, and that notice of said hearing should be given in accordance with the provisions of Section 185 of the Kansas Probate Code.

IT IS THEREFORE by the Court ordered that said petition be heard at 10:00 o'clock A. M. on the 6th day of March, 1944, in the Probate Court Room of the Butler County Court House in El Dorado, Kansas, and that said petitioner publish and serve notice of the hearing on said petition pursuant to the provisions of Section Number 185 of the Kansas Probate Code.

Stanley Taylor

PROBATE JUDGE.

FILED
Feb - 8 - 1944
Stanley Taylor
Judge Probate County Court

Affidavit of Publication

STATE OF KANSAS, }
BUTLER COUNTY, } SS.

(First Published in the Butler County News February 11, 1944)
IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.
 In the Matter of the Estate of Hervey C. Hayman, Deceased.
NOTICE OF HEARING

The State of Kansas to all persons concerned:
 You are hereby notified that a petition has been filed in said Court by Susie Dell McCulloch, heir of said decedent and devisee named in his will, praying for a judgment of the Court admitting to probate the last will and testament of said decedent and appointing Luther E. McCulloch Executor of said will, and you are hereby required to file your written defenses to said petition on or before the 6th day of March, 1944, at 10:00 o'clock A. M. of said day, in said Court in the City of El Dorado, Kansas, at which time and place said cause will be heard. Should you fail therein judgment and decree will be entered in due course upon said petition.

SUSIE DELL McCULLOCH,
 Petitioner.
 F. J. LEASURE,
 Attorney.
 (Feb. 11-18-25)

James W. Greenbank, of lawful age, being first duly sworn, deposes and says, that he is publisher of THE BUTLER COUNTY NEWS, a weekly newspaper published in the City of El Dorado, County of Butler, State of Kansas, which newspaper has been admitted to the mails as second class matter in said County; and having general circulation in said County, and which said newspaper has been continuously and uninterruptedly published in said County during the period of more than one year immediately prior to the first publication of the notice hereinafter mentioned; and that a notice, of which a true copy is hereto attached, was published once each week in the regular and entire issue of said newspaper on each Friday for 3 consecutive weeks, the first publication being made as aforesaid on the 11 day of Feb., 1944.

And affiant further says that he has personal knowledge of the statements herein set forth, and that they are true.

James W. Greenbank

State of Kansas, Butler County, ss.

Subscribed and sworn to before me this 1 day of March, A. D., 1944.

Stanley Taylor
 Probate Judge Notary public
 Butler County, Kansas

My commission expires _____, 194_____.

Printer's Fee, \$ 4.99

FILED
 March 1 - 1944
Stanley Taylor
 Judge Probate County Court

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF)
HERVEY C. HAYMAN, DECEASED.)

No. 6739

PROOF OF MAILING NOTICE OF HEARING.

STATE OF KANSAS,)
BUTLER COUNTY.)

FILED
March 6 1944
Stanley Taylor
Judge Probate County Court

Susie Dell McCulloch, being first duly sworn, states:

That she is an heir at law of said decedent and one of the devisees named in his will, and the petitioner for the admission of said will to Probate in the above named Court.

That on the 14th day of February, 1944 she mailed to each of the other devisees and legatees named in said will, at his last known postoffice address, a published Notice of Hearing of the petition for the admission of said will to probate in said Court, a copy of which notice is hereto attached and made a part hereof, in the United States mail in accordance with postal regulations.

Further affiant saith not.

Susie Dell McCulloch

SUBSCRIBED AND SWORN TO before me,
this 6th day of March, 1944.

Stanley Taylor

LEGAL NOTICES
 (First Published in the Butler County News February 11, 1944)
IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.
 In the Matter of the Estate of Hervey C. Hayman, Deceased.
NOTICE OF HEARING

The State of Kansas to all persons concerned:
 You are hereby notified that a petition has been filed in said Court by Susie Dell McCulloch, heir of said decedent and devisee named in his will, praying for a judgment of the Court admitting to probate the last will and testament of said decedent and appointing Luther E. McCulloch Executor of said will, and you are hereby required to file your written defenses to said petition on or before the 6th day of March, 1944, at 10:30 o'clock A. M. of said day, in said Court in the City of El Dorado, Kansas, at which time and place said cause will be heard. Should you fail therein judgment and decree will be entered in due course upon said petition.

SUSIE DELL McCULLOCH,
 Petitioner.
 F. J. LEASURE,
 Attorney.
 (Feb. 11-18-25)

AFFIDAVIT OF SUBSCRIBING WITNESS TO WILL

STATE OF KANSAS, }
Butler County, } SS

In The Matter of The Estate of

} In the Probate Court in and for said County:

Hervey C. Hayman,
Late of Said County, deceased

On this 6th day of March, A. D., 1944, personally appeared before me, the undersigned,

Judge of said Court, C. E. Boudreau, who by me being duly sworn according to law doth upon oath depose and say: I am one of the subscribing witnesses to the last will and testament of Hervey C. Hayman, deceased, bearing date of

March 8th, A. D., 1940. I saw said testator sign said will and testament, and heard him declare the same to be his last will and testament. At the time thereof he was of full age, sound mind and memory, and under no restraint. I signed said will as a witness thereto, at the request of said testator, in his presence and in the presence of L. F. Steffen and V. P. Mooney,

the other subscribing witnesses, and I recognize the instrument now shown me as said last will and testament

C. E. Boudreau

Subscribed and sworn to before me, the day and year first above written.

Stanley Taylor
Probate Judge.

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF)
HERVEY C. HAYMAN, DECEASED.) No. 6739.

A F F I D A V I T.

STATE OF KANSAS,)
BUTLER COUNTY.) SS.

FILED
March 6 1944
Stanley Taylor
Judge Probate County Court

F. J. Leasure, being first duly sworn, states:

That he is now and has been for more than fifteen years last past a resident of El Dorado, in said county and state.

That he was well and personally acquainted with V. P. Mooney, late of El Dorado, Kansas, now deceased; has seen the said V. P. Mooney sign his name many times and knows the signature of the said V. P. Mooney.

That the said V. P. Mooney was residing at El Dorado, Kansas on March 8th, 1940, and that the signature "V. P. Mooney" subscribed to the last will and testament of Hervey C. Hayman, deceased, on the aforesaid date as a witness to the execution of said will, together with C. E. Boudreau and L. F. Steffen, the other subscribing witnesses, is the actual and genuine signature of the said V. P. Mooney, now deceased.

Further affiant saith not.

F. J. Leasure

SUBSCRIBED AND SWORN TO before me, this 6th day of March, 1944.

Lucy R. Delaney
Notary Public

(My commission expires October 2, 1947.)

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS

In the Matter of the Estate of

Hervey C. Hayman,
Deceased.

No. 6739

OATH OF EXECUTOR.

State of Kansas, County of Butler, ss.

Luther E. McCulloch

of lawful age, after being first duly sworn, upon his oath, deposes and says: I ~~we~~ do solemnly swear that I ~~we~~ will faithfully and impartially and to the best of my ~~own~~ ability discharge all the duties of my ~~own~~ trust according to law, and that I ~~we~~ am ~~we~~ acting on my ~~own~~ own behalf and not on behalf of any bank or corporation organized and having its principal place of business outside of the State of Kansas.

Luther E. McCulloch

Subscribed in my presence and sworn to before me this 6th day of March

A. D. 1944*

Stanley Taylor
Probate Judge.

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS

In the Matter of the Estate of

Hervey C. Hayman,
Deceased.

No. 6739

BOND OF EXECUTOR.

Know All Men by These Presents: That we Luther E. McCulloch
as principal, and Harry Girard

as sureties, are held and firmly bound unto the State of Kansas in the sum of Seven Hundred and ⁷⁰/₁₀₀ Dollars, to the payment of which, well and truly to be made, we bind ourselves, our executors, administrators, successors and assigns, firmly by these presents. Dated, signed and sealed by us, this 6th day of March A. D. 1944.

THE CONDITION OF THE ABOVE BOND IS, that if Luther E. McCulloch as Executor of the estate of Hervey C. Hayman, Deceased, shall faithfully discharge all the duties of his trust according to law, then the above bond to be void, otherwise to remain in full force and effect.

Luther E. McCulloch (Seal)
Harry Girard (Seal)
(Seal)
(Seal)

VERIFICATION OF SURETIES

State of Kansas County of Butler, ss.

being first duly sworn, under oath depose and say that they, and each of them are worth over and above all liabilities and legal exemptions, the sum of \$.....

Subscribed and sworn to before me this _____ day of _____ A. D. 19____

Probate Judge.

Being fully satisfied as to the sufficiency of the above sureties, the above bond is taken and approved by me this 6 day of March A. D. 1944.

Stanley Taylor
Probate Judge.

LETTERS OF APPOINTMENT

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS

IN THE MATTER OF THE ESTATE OF

Hervey C. Hayman

NO. 6739

LETTERS TESTAMENTARY

KNOW ALL MEN BY THESE PRESENTS: THAT Luther C. McCulloch

HAVING BEEN APPOINTED AND HAVING QUALIFIED AS Executor

OF THE ESTATE OF Hervey C. Hayman, deceased,

IS HEREBY GRANTED LETTERS Testamentary OF SAID ESTATE, WITH FULL POWER

AND AUTHORITY IN THE PREMISES AS PROVIDED BY LAW.

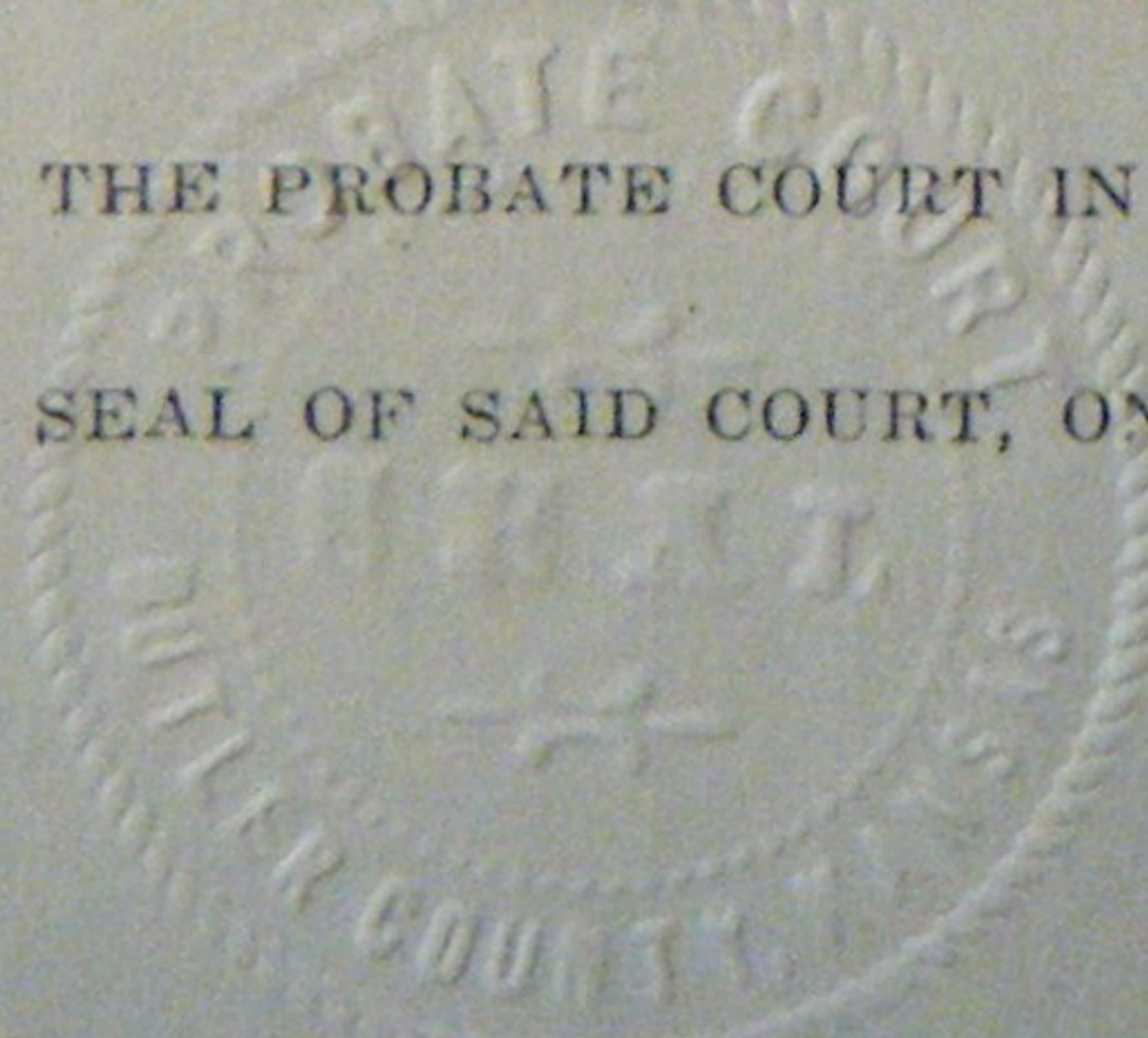
IN TESTIMONY WHEREOF, I, Stanley Taylor JUDGE OF

THE PROBATE COURT IN AND FOR SAID COUNTY AND STATE, DO HEREUNTO SET MY HAND AND AFFIX THE

SEAL OF SAID COURT, ON THIS THE 6th DAY OF March A. D. 1944.

Stanley Taylor

PROBATE JUDGE



IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF)
HERVEY C. HAYMAN, DECEASED.)

No. 6739.

FILED
March 6 1944
Stanley Taylor
Judge Probate County Court

ORDER ADMITTING WILL TO PROBATE.

This matter coming on for hearing this 6th day of March, 1944, on the petition of Susie Dell McCulloch to probate the Last Will and Testament of said decedent and for the appointment of Luther E. McCulloch Executor of the will and estate of said decedent, petitioner appearing in person and by her attorney F. J. Leasure, and C. E. Boudreau also appeared in person. Evidence was introduced in support of the allegations in said petition, and no exceptions or objections being made thereto, the Court having heard the evidence and being fully advised in the premises, finds:

That notice was given to all the heirs and devisees of the time and place of the hearing on said petition, as provided by law and pursuant to the order of the Court entered herein on the 8th day of February, 1944, and proof of the service of said notice has been duly made by affidavit filed herein, and said notice and the proof of the service thereof is by the Court hereby approved.

That satisfactory proof by affidavit filed herein has been made that none of the heirs or devisees of said decedent is now in military service, as said term is used and defined in the Soldiers and Sailors Civil Relief Act of 1940, as amended, and it is ordered that the hearing on said petition now proceed to judgment.

That all the allegations in said petition are true.

The Court further finds that the document attached to said petition, marked Exhibit "A" and made a part thereof, is the last will and testament of the said Hervey C. Hayman, deceased; that the same was executed, declared and published by testator and witnessed in accordance with the provisions of law, and that at the time of the execution thereof said testator was of lawful age and of sound mind and memory.

That testator did not own the real estate described in Article Three of said will at the time he executed said will or at the time of his death on the 26th day of January, 1944. That at the time said Testator executed his will he was the legal owner of the following described real estate in Butler County, Kansas, to-wit:

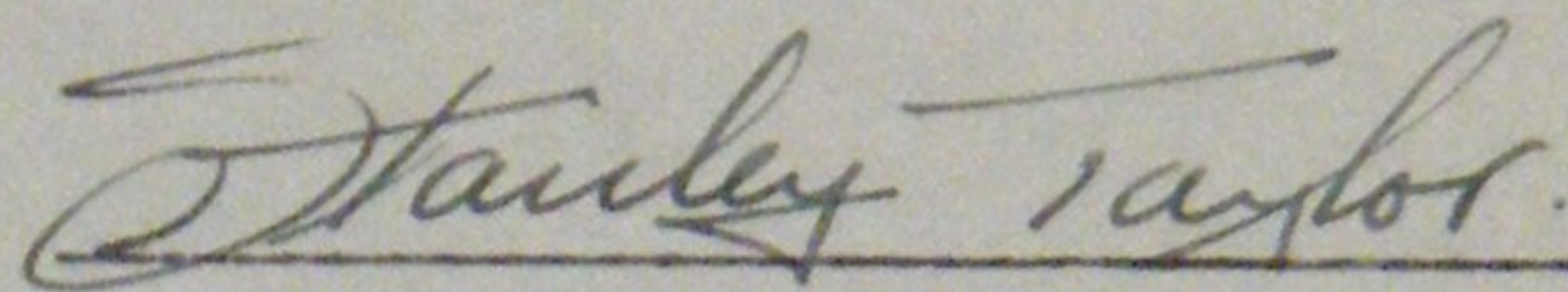
The Northwest Quarter (NW. $\frac{1}{4}$) of Section Thirty-four (34), in Township Twenty-five (25) South, in Range Four (4) East of the Sixth Principal Meridian,

and that the above described real estate was the only real estate said testator did own at the time he executed said will. That it was due to inadvertence or mistake of the testator, or of the scrivener of said will, that said real estate mentioned in the Third Article of said will was described as the Northeast Quarter of the aforesaid Section Thirty-four (34), and that it was the intention of said testator at the time he executed his said will to describe therein the only real estate then owned by him, namely: The Northwest Quarter (NW. $\frac{1}{4}$) of Section Thirty-four (34), in the aforesaid Township and Range, in Butler County, Kansas.

The Court further finds that after said Testator executed his will, and for a good and valuable consideration, said testator, by warranty deed dated April 18th, 1940 and recorded in the records of Butler County, Kansas in Book 180 of Deeds at Page 568, made a valid conveyance of said Northwest Quarter (NW. $\frac{1}{4}$) of Section Thirty-four (34), Township Twenty-five (25) South, in Range Four (4) East of the Sixth Principal Meridian, in Butler County, Kansas, to L. E. McCulloch and Susie D. McCulloch. That the consideration for said conveyance is stated in said warranty deed and has been fully paid by said grantees named therein, and that at the time of the death of said testator said grantees, by virtue of said warranty deed, were the legal and equitable owners of said real estate last hereinabove described.

That Luther E. McCulloch, named in the will of said testator as Executor thereof, is a resident of Butler County, Kansas, and is a suitable person to act as the Executor of said will.

IT IS THEREFORE by the Court considered, ordered and adjudged that the document attached to the aforesaid petition filed herein, marked Exhibit "A" and made a part thereof, is the Last Will and Testament of the said Hervey C. Hayman, deceased, and that the same be admitted to probate and recorded on the records of this Court as such Last Will and Testament of said decedent, and that Luther E. McCulloch, of Towanda, in Butler County, Kansas, be, and he hereby is, appointed Executor of said will and of the estate of said decedent.



PROBATE JUDGE.

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF)
HERVEY C. HAYMAN, DECEASED.) No. 6739.

AFFIDAVIT AS TO MILITARY SERVICE.

STATE OF KANSAS,)
BUTLER COUNTY.) SS.

FILED
March 6 - 1944
Stanley Taylor
Notary Public - Kansas

Susie Dell McCulloch, being first duly sworn, states:

That she is an heir at law and one of the devisees under the will of said decedent, and the petitioner for the admission of said will to probate in this Court.

That none of the heirs, devisees or legatees of said decedent was in military service, as said term is used and defined in the Soldiers and Sailors Civil Relief Act of 1940, as amended, on the 6th day of March, 1944, and none of said heirs, devisees or legatees had been in such military service within thirty days next prior to said date.

Susie Dell McCulloch

SUBSCRIBED AND SWORN TO before me,
this 6th day of March, 1944.

Stanley Taylor

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF)
HERVEY C. HAYMAN, DECEASED.)

No. 6739.

March 13, 1944
Stanley Taylor
Judge Probate-Circuit Court

PETITION FOR ORDER TO SELL PERSONAL
PROPERTY AT PRIVATE SALE.

Comes now your petitioner Luther E. McCulloch, the duly appointed, qualified and acting Executor of the will and estate of said decedent, and respectfully represents to the Court that it is necessary to sell all the personal property of said estate for the purpose of paying debts and costs of administration, and that it will be for the best interests of said estate to sell said property at private sale.

WHEREFORE, petitioner prays that the Court enter an order herein authorizing him to sell at private sale in accordance with the provisions of law all personal property of said estate as shown by the inventory filed herein.

Luther E. McCulloch

Administrator.

STATE OF KANSAS, BUTLER COUNTY, SS.

Luther E. McCulloch, being first duly sworn, states:

That he is the duly appointed, qualified and acting Administrator of the estate of Hervey C. Hayman, deceased. That he has read the foregoing petition, and that the statements therein contained are true.

L. E. McCulloch

L. E. McCulloch

SUBSCRIBED AND SWORN TO before me, this 13th day of March, 1944.

Lucy R. Delaney

Notary Public.

(My commission expires October 2nd, 1947.)

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF)
HERVEY C. HAYMAN, DECEASED.) No. 6739.

ORDER FOR PRIVATE SALE OF PERSONAL
PROPERTY.

This matter coming on for hearing this 13th day of March, 1944, on the petition of Luther E. McCulloch, Executor of said estate, for an order authorizing him to sell the personal property of said estate at private sale, petitioner appearing in person and by his attorney F. J. Leasure, and the Court being fully advised in the premises, finds:

That all the allegations in said petition are true, and that the same should be granted.

That no notice of the hearing on said petition is necessary or required.


IT IS THEREFORE by the Court ordered that petitioner be, and he hereby is, authorized and directed to sell the personal property of said estate described as follows:

Savings Account in Mid-Continent Federal Savings and Loan Association of El Dorado, Kansas,

1 Ford two-door Sedan Model A 1931 Automobile,

1 Share Capital Stock of Potwin Mutual Telephone Company, evidenced by Certificate No. 354, issued under date of _____, 19__ of the par value of \$65.00,

and that said property be sold for cash of not less than three-fourths the appraised value thereof.


Stanley Taylor

PROBATE JUDGE.

FILED
March 13 1944
Stanley Taylor
Judge Probate County Court

IN THE PROBATE COURT OF BUTLER COUNTY, KANSAS

In the Matter of the Estate of

No. 6739

Hervey C. Hayman
Deceased—Insane—Minor—Incompetent

Demand
No

PETITION FOR ALLOWANCE OF CLAIM

Comes now The Arnold-Kirby Funeral Home, and alleges and shows to the Court:

1. That its residence (principal place of business) is at 224 West Ash in the City of El Dorado, State of Kansas

2. That your petitioner is interested in the above captioned estate as a claimant and creditor, and is entitled to present its claim herein.

3. That the above named decedent was a resident of Butler County, Kansas, at the time of his death. (Or state other jurisdictional facts)

4. That the above entitled estate is indebted to your petitioner by reason of

Jan 26 1944-Complete funeral service for Mr Hayman	
call-cars-embalming-conducting service-casket etc	\$385 00
Telephone .40 cents-Under clothing-1.56 Pressing suit.25	2 21
Kansas State Slaes tax	4 62
Discount \$11 55	
Total	391 83

a true and correct copy of which as above is hereunto attached under mark of Exhibit A and made a part hereof to the same extent as though fully set out herein. That in said Exhibit A said estate has been given credit for all payments and offsets to which it is entitled and the balance of \$ 380 28 shown therein is justly due said petitioner.

5. WHEREFORE, your petitioner prays judgment in the sum of \$ 380 28 and further prays that said amount be allowed as a claim of the first class against said estate; also

Arnold-Kirby Funeral Home

By M R Arnold
A partner in the firm Petitioner.

Attorney for

State of Kansas, County of Butler, ss.

M L Arnold

after being first duly sworn, under oath deposes and says that he is a partner in the firm of the petitioner in the foregoing petition; that he has read and knows the contents of said petition and personally knows that the statements and allegations therein are true and correct.

M R Arnold

Subscribed and sworn to before me this 14 day of March 1914

Stanley Taylor

Probate Judge Notary Public.

My commission expires 1914

INFORMATION CONCERNING A NON-TAXABLE ESTATE

STATE OF KANSAS,
County of **BUTLER** } ss.

In the Matter of the Estate of
Hervey C. Hayman, Deceased
(PRINT)

In the matter of the above entitled estate, the following information is submitted to the Director of Revenue, State Commission of Revenue and Taxation of the State of Kansas by the Probate Court of the county of **Butler**

for the purpose of showing that no tax liability under the laws of Kansas taxing legacies and successions arises as to any legacies or successions to distributive shares of the above entitled estate, the conclusions stated being based upon the evidence before the court.

1. The above named decedent died a resident of **Butler** County, State of Kansas, on the **26th** day of **January**, 19**44**.

2. At the time of his death the decedent was the owner of property described and of value as follows:

Personal Property: Description	Value
Savings Account in Mid-Continent Building and Loan Association, El Dorado, Kansas,	\$ 423.57
1 Ford Sedan Automobile, Model A, 1931	125.00
1 Share Capital Stock, Potwin Mutual Telephone Co.	8.00
Total	\$ 548.57

Real Estate: Description	Sect. Lot	Twp.	Range Block	County or City	Appraised Value	Mortgage Indebtedness	Assessed Value for Year of Death
N O N E							

FILED
May 20 1944
Ralph B. Ralston
Judge Probate County Court

Total	
Mortgage Indebtedness	
Net Value of Realty	
Total Value of Estate	\$548.57
3. Claims Allowed by the Probate Court (including estimated costs of administration)	..520.08
Net Value of the Estate	\$ 28.49

4. The decedent died intestate, and according to the information filed herein, his heirs under the law of descents and distributions are as follows:	Relation

5. The decedent died testate, and by the provisions of the will the distributees of his estate are as follows:	Relation	Describe briefly distributees' interest	Age as of date of decedent's death	Value of Interest
Susie Dell McCulloch	Daughter	Nothing	Legal	
Millie Hayman	Sister-in-law	1/6 Residue	"	
Hattie Olin	Niece	1/6 Residue	"	
Emma Stinson	Niece	1/6 Residue	"	
Lucy Lytle	Niece	1/6 Residue	"	
Beatrice Morgan	Niece	1/6 Residue	"	
Hessie Thompson	Niece	1/6 Residue	"	

This statement is furnished the Director of Revenue in accordance with a requirement of the said Director of Revenue that such statement be furnished when it is considered by the court that no tax liability exists against any of the distributive shares of an estate, and in such case the court will be excused from furnishing a copy of the inventory and appraisal or any other papers filed in connection with the estate.

Given under my hand and the seal of the Probate Court this **May** day of **1944**.

NOTE.—If not sufficient space under either of above headings, a special statement may be attached.

Judge of the Probate Court of the County of **Butler**, State of Kansas.