

RG. 3840.006

Berloff, Alexander L. (decd)
(Minor - Millicent B.)

1912-13

20

RETURN OF SALE.

The undersigned, Henry Ridgely, Trustee, appointed in and by the foregoing Order, to sell the lands and tenements in said Order mentioned, makes Return of his proceedings under said Order as follows, to wit:-

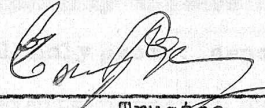
That on Friday, the third day of October, A. D. 1913, at 2:30 o'clock P. M. at the Front Door of the County Building in the town of Dover, Kent County and State of Delaware, I sold the interest and estate of the said minor in the lands and premises designated in said Order, to wit:-

All that certain tract, piece and parcel of land, situated in North Murderkill Hundred, Kent County and State of Delaware, adjoining lands of James W. Jarrell, lands formerly of Thornton Russell, and bounded in part by the public road leading from Viola to Whitehall, and containing, according to a survey made by John C. Hopkins, a Surveyor of Kent County, on the seventh day of June, A. D. 1895, eighty-six acres and sixteen square perches of land (86 A's. and 16 Sq. P's.), be the same more or less; and being the same lands and premises which were conveyed unto Alexander L. Benioff by deed of Isaac Benioff and Ida, his wife, bearing date the twenty-fourth day of March, 1903, and of record in the office of the Recorder of Deeds for Kent County and State of Delaware, in Deed Record Book T, Volume 8, pages 26 &c, as by reference thereto will more fully and at large appear.

And being also the same lands and premises of which the said Alexander L. Benioff died seized and intestate and which upon his death descended to Millicent B. Benioff as his only heir at law.,

Unto Isaac Benioff for the sum of twelve Hundred Dollars, he being at said sum, the

highest and best bidder for the same, and which said purchase money has been duly paid to me before making this Return. All of which is respectfully submitted to the Court for approval.


Trustee.

Open Court, and being on the 1st day of June and says that he met up the ... according to the foregoing Order, in and at one of the best public places in Kent County, at least ten days before the day appointed therein for the sale of the lands and premises.

Richard A. Harrison

Done and Subscribed to in open court this 1st day of June, 1883.

1883, 1st June.



KENT COUNTY, ss.

Rowland A. Hopkins personally appears here in
Open Orphans' Court, and being solemnly sworn, deposes and
says that he set up the advertisements prepared by the Clerk,
according to the foregoing Order, in ten or more of the most
public places in Kent County, at least ten days before the
day appointed therein for the sale of the lands and premises.

Rowland A. Hopkins

Sworn and Subscribed to in open court the 4th
day of October, A. D. 1913.

W. H. Jones Judge

ORDER OF CONFIRMATION.

And now, to wit, this fourth day of October, A. D. 1913, the foregoing Return of Sale, having been presented, read and considered, by the Court,

IT IS ORDERED, ADJUDGED AND DECREED by the Court that the sale therein returned by the Trustee, be and the same is hereby approved and confirmed; and the said Henry Ridgely, Trustee as aforesaid, is hereby Ordered and Directed to make, execute and deliver a deed to the purchaser, the said Isaac Benioff conveying to him all the estate, right, title and interest of the said Millicent B. Benioff, in the said certain piece or parcel of land and premises, so sold in the execution of the Order of the Court;

AND IT IS FURTHER ORDERED that the proceeds of the said sale, after deducting all expenses of sale, be paid to Stella M. Benioff, Guardian of said minor,

appointed by the Superior Court of the State of California, in and for the City and County of San Francisco, it appearing by the exemplified copy of the proceedings for the appointment of said Guardian by said Court, recorded in Superior Court docket R. no 2 folio 240 et seq. at Denver, Colorado, that the said Guardian has given bond with security, approved by said Court covering the interest of said minor in the State of Colorado,

W. H. [Signature]

order for sale.

TO THE HONORABLE THE ORPHANS' COURT OF THE STATE OF DELAWARE
IN AND FOR KENT COUNTY.

The Petition of Stella M. Benioff, Guardian of Millicent B. Benioff, minor child of Alexander L. Benioff, deceased, late of the City and County of San Francisco and State of California, respectfully represents:-

First. That Alexander L. Benioff was in his lifetime and at the time of his death seized in his demesne as of fee of all that certain tract, piece and parcel of land, situated in North Murderkill Hundred, Kent County and State of Delaware, adjoining land of James W. Jarrell, lands formerly of Thornton Russell, and bounded in part by the public road leading from Viola to Whitehall, and containing, according to a survey made by John C. Hopkins, a Surveyor of Kent County, on the seventh day of June, A. D. 1895, Eighty-six acres and sixteen square perches of land (86 A. and 16 Sq. P's.) of land, be the same more or less; and being the same lands and premises which were conveyed unto Alexander L. Benioff by deed of Isaac Benioff and Ida, his wife, by their deed, bearing date the twenty-fourth day of March, nineteen hundred and three, and of record in the office of the Recorder of Deeds, for Kent County and State of Delaware, in Deed Record Book T, Volume 8, pages 26, &c., as by reference thereto will more fully and at large appear.

Second. That the said Alexander L. Benioff, being seized as aforesaid departed this life intestate on the twenty-third day of April, 1910, leaving to survive him a widow, Stella M. Benioff, your Petitioner, and the aforesaid Millicent B. Benioff, as his only child and heir at law, whereupon

the said Millicent B. Benioff became seized in her demesne as of fee of the farm or tract of land aforesaid, subject to the right of dower of the said Stella M. Benioff.

Third. That the said Millicent B. Benioff is a minor of the age of about six years, and is a resident of the City and County of San Francisco and State of California aforesaid.

Fourth. That the said Stella M. Benioff, your Petitioner, is the mother of the said Millicent B. Benioff and was duly appointed the Guardian of the said Millicent B. Benioff by the Superior Court of the State of California in and for the City and County of San Francisco, and duly qualified as such Guardian, all of which will appear by reference to the exemplified copy of the proceedings for the

Guardianship aforesaid of record in the office of the County ^{Clerk} ~~Clerk of the City and County of San Francisco;~~ *of the Orleans' Court, in and for Kent County, State of Delaware*

That the farm or tract of land aforesaid is clear of all liens or encumbrances of every kind.

Fifth. Your Petitioner further represents and states that it would be greatly for the benefit and advantage of the said minor for her interest in the said lands to be sold and the moneys arising therefrom to be paid to your Petitioner as Guardian aforesaid for investment for the benefit of the said minor, or otherwise disposed of according to the Order of this Court.

Your Petitioner, therefore, prays that an Order be made appointing a Trustee and directing him as such to sell the share and interest of the said Millicent B. Benioff, minor as aforesaid by way of public vendue according to the

statute of the State of Delaware in that behalf.

And your Petitioner will ever pray, etc.

Stella M. Benney

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

SS.

BE IT REMEMBERED that on this 4th
day of August A. D. 1913, personally came before
me, the subscriber, a Notary Public for the State of Cali-
fornia, Stella M. Benioff, who being by me duly sworn, accord-
ing to law, doth depose and say that the facts contained in
the foregoing petition are true.

Stella M. Benioff

SWORN to and SUBSCRIBED before me the day and
year aforesaid.

Charles Goldman

Notary Public in and for the City and County
of San Francisco State of California

MY COMMISSION EXPIRES APRIL 9th, 1914

AND NOW TO WIT, this 17th day of Sept-
ember A. D. 1913, the foregoing Petition having been
presented and read and considered by the Court and it
appearing that it will be for the benefit of the said
Millicent B. Benioff, the said minor, that her interest
in the lands and premises mentioned in the said petition
shall be sold,

IT IS ORDERED BY THE COURT, that the same be sold
and Henry Ridgel, Esq. appointed Trustee to
make sale of the said lands for cash upon ten days' pub-
lic notice thereof, and to make return of his proceedings
to the Second September Term of this Court to be held
on the 4th day of October A. D. 1913.

W. H. Hayes, J.C.

PETITION OF STELLA M.

BENIOFF.

*DT not record
until return of rate*

HENRY RIDGELY
ATTORNEY AT LAW
DOVER, DEL.

BALTIMORE OFFICE SUPPLY CO. BALTO. MD

IN THE SUPERIOR COURT

OF THE

STATE OF CALIFORNIA

IN AND FOR THE

City and County of San Francisco

Department No. Nine Probate.

In the matter of the Estate of

Millicent B. Benioff

No. 14,589

Deceased.

I, H. I. Mulcrevy, County Clerk of the City and County of San Francisco, and ex-officio Clerk of the Superior Court of the State of California, in and for the City and County of San Francisco, do hereby certify the foregoing to be a full, true, and correct copy of the original

Petition for appointment of Guardian, Order appointing Guardian,

Bond of Guardian and Letters of Guardianship:-

and of record in my office in the above entitled matter. That the same constitute a full and complete exemplification of the said above named records in the said matter, and of the whole thereof.

which I have caused to be exemplified according to the Act of Congress.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal

of said Court, this Twenty-fourth day

of December A. D. 1912

H. I. Mulcrevy
County Clerk and ex-officio Clerk of the Superior Court.

Thos. F. Graham Presiding Judge of the Superior Court of the State of

California, in and for the City and County of San Francisco, do hereby certify that said Court is a Court of Record having Clerk and Seal. That H. I. Mulcrevy, who has signed the annexed attestation, is the duly elected and qualified County Clerk of the City and County of San Francisco, and was, at the time of signing said attestation, ex-officio Clerk of said Superior Court. That said signature is his genuine handwriting, and that all his official acts, as such Clerk, are entitled to full faith and credit.

I further certify that said attestation is in due form of law.

I witness my hand this 24th day of December A. D. 1912

Thos. F. Graham
Presiding Judge of the said Superior Court.

STATE OF CALIFORNIA, }
County of San Francisco } ss.

H. I. Mulcrevy, County Clerk of the City and County of San Francisco, and ex-officio Clerk of the Superior Court of the State of California, in and for the City and County of San Francisco, do hereby certify that the Honorable Thos. F. Graham whose name is subscribed to the preceding Certificate is presiding Judge of the Superior Court of the State of California, in and for the City and County of San Francisco, duly elected and qualified, and that the signature of said Judge to said Certificate is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal

of the said Court, this Twenty-fourth day

of December A. D. 1912

H. I. Mulcrevy
County Clerk and ex-officio Clerk of the Superior Court.

No. 14589 Dept. 9

PROBATE
In the Superior Court
of the State of California
IN AND FOR THE
City and County of San Francisco

In the Matter of the Estate of

Millicent B. Benioff

Minor

~~Deceased.~~

Exemplification of Record

1913

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR
THE CITY AND COUNTY OF SAN FRANCISCO.

In the matter of the Guardianship
of
MILLICENT B. BENIOFF,
a minor.

To the Honorable, the Superior Court of the State of
California, in and for the City and County of San Francisco;
the petition of Stella M. Benioff respectfully shows:

That Millicent B. Benioff is the daughter of your
petitioner, and of Alexander L. Benioff, deceased, and is aged
about six years.

That said Millicent B. Benioff has no guardian legally
appointed by the order of this court. That the said Millicent
B. Benioff resides with your petitioner in the City and County
of San Francisco, State of California.

That said minor is entitled to an undivided one half
interest in the estate of Alexander L. Benioff, deceased, now
in the course of administration in the above entitled court;

That said one half interest in said estate is valued at about
five hundred (\$500) dollars;

That said minor is entitled to the possession of the
following real property, situated in the County of Kent, State
of Delaware, and described as follows:

All that certain tract, piece and parcel of land, situated
in North Murderkill Hundred, Kent County and State of
Delaware, adjoining lands of James W. Jarrell, lands formerly
of Thornton Russell, and bounded in part by the public road
leading from Viola to White Hall, and containing, according to
a survey made by John C. Hopkins, a Surveyor of Kent County,
on the seventh day of June, A. D. 1895, Eighty-six acres and

1 sixteen square perches of land (86 A. and 16 Sq. p.) of land,
2 be the same more or less; and being the same lands and premises
3 which were conveyed in fee under the said Isaac Benioff by the
4 certain deed of Rudolph H. Benson and wife, dated the sixteenth
5 day of February, A. D. 1897, and of record in the Recorder's
6 Office at Dover, Delaware, in Deed Record Book X, Vol. 7, page
7 306, and c., as by reference thereto will more fully and at
8 large appear.

9 That said real property belonged to said Alexander L.
10 Benioff, deceased, and that the same descends to the said minor
11 under the laws of the State of Delaware, and is valued at about
12 two thousand five hundred (\$2500) Dollars.

13 That it is necessary for the reasons above set forth, that
14 a guardian be appointed over the person and estate of said
15 minor.

16 That the following are the only relatives of said minor
17 residing in the City and County of San Francisco State of
18 California, and their respective residences:
19 Stella M. Benioff, your petitioner, mother of said minor,
20 residing at 3031 Washington Street, San Francisco, California;
21 A. M. Silverstein, father of your petitioner, and grandfather
22 of said minor, residing at 3031 Washington Street, San
23 Francisco, California;
24 Dora Silberstein, mother of your petitioner, and grandmother of
25 said minor, residing at 3031 Washington Street, San Francisco,
26 California;
27 Sidney Silverstein, brother of your petitioner, and uncle of
28 said minor, residing at 3031 Washington Street, San Francisco,
29 California;
30 Cecil Silverstein, sister of your petitioner, and aunt of said
31 minor, residing at 3031 Washington Street, San Francisco, Cal-
32 ifornia.

1 WHEREFORE, your petitioner prays that an order of this
2 honorable court be given and made requiring notice to be given
3 in the above entitled matter, and that a day be set for the
4 hearing of said petition.

5 Stella M. Benioff
6 PETITIONER.

7
8 H. D. NEWHOUSE
9 ATTORNEY FOR PETITIONER.
10 Abram M. Marks

11
12 ENDORSED
13 FILED
14 DEC 17 1912
15 H. I. MULGREY, Clerk.
16 By G. B. Gilson
17 Deputy Clerk.
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IN THE SUPERIOR COURT

OF THE

STATE OF CALIFORNIA

IN AND FOR THE

City and County of San Francisco

Department No. 9 Probate

In the Matter of the Estate and
Guardianship of

No. 14589

Millicent B. Benioff

ORDER APPOINTING GUARDIAN

minor

The petition of Stella M. Benioff

praying to be appointed the Guardian of the person and estate of said minor

coming on regularly to be heard, upon due proof to the satisfaction ^{of the Judge} of said Court that notice has been given to the relatives of the said minor

residing in this City and County, and to the person under whose care said minor is

as required by law and as directed by this Court; and it duly appearing to the Court that said minor is a

resident of the said City and County, and that she has estate within the State of California, which need the care and attention of some fit and proper person, which estate is of the value of \$ 500.00 ^{or thereabouts}, and that said minor has estate in the State of Delaware of the value of \$ 2500.00 ^{or thereabouts}.

IT IS HEREBY ORDERED, That said Stella M. Benioff

be and she is hereby appointed Guardian of the person and estate of said minor

and that letters of Guardianship of the person and estate of said minor

be issued to Stella M. Benioff

upon her giving bond to

said minor
in the sum of Three thousand five hundred (\$3500.00) Dollars.

Dated this December day of 23^d 1912.

J. V. Coffey
Judge of the Superior Court.

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PROBATE

In the Superior Court

of the State of California

IN AND FOR THE

City and County of San Francisco

*In the Matter of the Estate and
Guardianship of*

Millicent B. Benhoff

.....
.....

Minor.

ORDER APPOINTING GUARDIAN

ENDORSED

FILED

DEC 23 1912

H. L. MULGREY, Clerk.

By G. H. Gilson
Deputy Clerk.

City and County of San Francisco
CLERK OF SUPERIOR COURT
12-23-12
RECORDED
INDEXED

In the Superior Court of the State of California

IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

Know all Men these Presents:

THAT We, Stella M. Benioff as principal, and Dora Silverstein and Sidney Silverstein as sureties are held and firmly bound unto State of California in the sum of Three thousand five hundred (\$3500.00) Dollars, lawful money of the United States of America, to be paid to the said

Minor

for which payment well and truly to be made, we bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 23d day of December, A. D. 1912

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, an order was made by the Superior Court of the State of California, in and for the City and County of San Francisco (Dept. No. 9.), on the 23d day of December A. D. 1912, appointing the above bounden Stella M. Benioff the Guardian of the person and estate of the said Millicent E. Benioff and directing that LETTERS of GUARDIANSHIP be issued to Stella M. Benioff upon her giving a bond to said Minor with sufficient sureties, to be approved by the Judge of said Superior Court, in the penal sum of three thousand five hundred Dollars - conditioned that said Guardian shall faithfully execute the duties of her trust, according to law.

NOW THEREFORE, if the said Stella M. Benioff shall faithfully execute the duties of her trust according to law, then this obligation shall be void and of no effect, else to remain in full force and virtue.

Stella M. Benioff [SEAL]
Dora Silverstein [SEAL]
Sidney Silverstein [SEAL]

State of California, }
City and County of San Francisco } ss.

Dora Silverstein and Sidney Silverstein the sureties named in the above bond, being duly sworn, each for self, says that he is a resident and house-holder within said State, and is worth the said sum of three thousand five hundred \$3500 Dollars, over and above all debts and liabilities, exclusive of property exempt from execution.

Dora Silverstein
Sidney Silverstein

Subscribed and sworn to before me }
this 23d day of December A. D. 1912. }
(SEAL) J. J. KERRIGAN, Notary Public
in and for the City and County of San
Francisco, State of California.

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PROBATE

In the Superior Court

of the State of California

IN AND FOR THE

City and County of San Francisco

In the Matter of the Estate and
Guardianship of

Millicent B. Benioff

BOND OF GUARDIAN
Upon Qualifying

Approved this *twenty-third* ~~25th~~ day of

December, A. D. 1912

J. V. Coffey

Judge of the Superior Court.

ENDORSED

FILED
DEC 23 1912

H. I. MULCREVY, Clerk.

By *C. B. Gilman*
Deputy Clerk.

IN THE SUPERIOR COURT

OF THE

STATE OF CALIFORNIA

IN AND FOR THE

City and County of San Francisco

LETTERS OF GUARDIANSHIP

Department No. 9 Probate.

STATE OF CALIFORNIA }
CITY AND COUNTY OF SAN FRANCISCO } SS.

No. 14589

Stella M. Benioff

is hereby appointed Guardian of the Person and Estate of.....

Millicent B. Benioff *minor*

WITNESS, H. I. Mulcrevy, Clerk of the
Superior Court of the State of California in
and for the City and County of San Fran-
cisco, with the Seal of said Court affixed this

23d day of December, A. D. 1912

By order of the Court,

H. I. Mulcrevy Clerk

(SEAL)

By E. B. Gilson Deputy Clerk

STATE OF CALIFORNIA }
CITY AND COUNTY OF SAN FRANCISCO } SS.

I do solemnly swear that I will support the Constitution of the United States, and the
Constitution of the State of California; and that I will faithfully discharge the duties of
Guardian of the Person and Estate of.....

Millicent B. Benioff

according to law.

Subscribed and sworn to before me this }
23d day of December 1912 }

Stella M. Benioff

E. B. Gilson

Deputy County Clerk

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PROBATE
In the Superior Court
of the State of California

IN AND FOR THE
City and County of San Francisco

In the Matter of the Estate
and Guardianship of

Millicent B. Bonieff

Letters of Guardianship

Issued **DEC 23 1912** 191

To

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ENDORSED

Duplicate Filed **DEC 23 1912** 91

H. I. Mulcrevy Clerk

By *[Signature]*

Deputy Clerk

STATE OF CALIFORNIA, }
City and County of San Francisco } ss.

On this 23rd day of December in the year One
Thousand Nine Hundred and Twelve (1912), before me **J. J. KERRIGAN**,
a Notary Public, in and for said City and County and State, residing therein,
duly commissioned and sworn, personally appeared.....

Stella M. Benoff

known to me to be the person described in and whose name is subscribed
to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official
Seal at my office in the City and County of San Francisco, the day and year in
this certificate first above written.

J. J. Kerrigan Notary Public.
In and for the City and County of San Francisco, State of California.
9 JONES STREET. Phones: Market 346 and Market 1815; J. 3823.

My commission expires Aug. 27, 1914.

Co. Clerk General Dept. F. No. 15

STATE OF CALIFORNIA }
City and County of San Francisco } ss.

I, H. I. Mulcrevy, County Clerk of the City and County of San Francisco, and ex-officio Clerk of the Superior Court thereof, the same being a Court of Record, having by law a seal, do HEREBY CERTIFY, That

J. J. Ferrigan
whose name is subscribed to the Certificate of the proof or acknowledgment of the annexed instrument and thereon written, was, at the time of taking such proof and acknowledgment, a Notary Public, in and for said City and County, residing therein, duly commissioned and sworn, and duly authorized by the laws of said State to take the acknowledgments and proofs of deeds or conveyances, for land, tenements or hereditaments in said State, to be recorded therein. And further that I am well acquainted with the handwriting of such Notary Public, and verily believe that the signature to said Certificate of proof or acknowledgment is genuine, and that said instrument is executed and acknowledged according to the laws of said State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal

of said Court, the 23rd day of December 1912

H. I. Mulcrevy
Clerk.

No. 14589

Dept. 9

SUPERIOR COURT
City and County of San Francisco
STATE OF CALIFORNIA.

In the Matter of the
Estate and Guardianship
of
MILLCENT B. BENIOFF,
A Minor.

EXEMPLIFIED COPY OF
R E C O R D .

Hugo B. Newhouse

519 KOHL BUILDING

SAN FRANCISCO

ATTORNEY AT LAW