

1852

**18520000 V. No. (12) \*Not in Oregon Probate**

Estate of D. Carson, dec.  
To Asahel Bush etc  
To advertisement of said estate           \$5.00

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**18521125 Administrator Smith-1**

Territory of Oregon  
County of Benton       SS

Personally appeared Greenberry Smith of said county applicant for Letters of Administration on the Estate of David Carson deceased late of Benton Co O.T. who being duly sworn says that to the best of his knowledge and belief the names and Residences of the Heirs of the said David Carson are as follows to wit: John Carson, Andrew Carson, Mathew Carson and Mrs Jane Blevens, Residents of Ash County North Carolina, James Carson of Carrol County Virginia, Mrs Elisabeth Carson of Platt County Missouri and her heirs to wit: Mrs Margaret Robinson and Robert Carson of Platt Co Mo: and the heirs of Mrs Elisabeth Prior of said Platt Co Mo, and Andrew Carson of Benton Co Oregon Territory, and further says that the said deceased died without a will, and that he will make a perfect Inventory of and faithfully administer all the Estate of the deceased, and pay the debts as far as the assets will extend, and the law direct, and account for, and pay all assets which shall come to his possession or knowledge.

Sworn to and subscribed  
Before me this 25<sup>th</sup>  
Day of Nov AD 1852  
A.G. Hovey Clerk  
Probate Court

Greenbury Smith

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**18521125 Administrator Smith-2**

Know all men by these present that we Greenbury Smith, John Wiles and Joseph Hughart of the County of Benton Oregon Territory are held and firmly bound unto the Territory of Oregon in the sum of Four thousand dollars good and lawful money of the United States of America to be paid to the Probate Court of the County and Territory aforesaid, or it attorney:

To which payment well and truly to be made, we do bind ourselves, our heirs, executors, administrators, and every of them firmly by these presents.

The conditions of this Bond is that if the said Greenberry Smith, administrator of the Estate of David Carson deceased late of Benton Co. O.T. shall faithfully administer said estate, account for, pay and deliver all money and property of said estate and perform all other things touching said administration required by law or order or decree of any court having jurisdiction, then the above bond to be void otherwise to be and remain in full force.

In testimony whereof we have hereunto set our hands and Seals this 25<sup>th</sup> day of November A.D. 1852 Greenbury Smith {Seal}  
John Wiles {Seal}  
Joseph Hughart {Seal}

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**18521204 Estate Inventory**

December the 4<sup>th</sup> 1852

Inventory of the Estate David Carson,

One wagon two yoke oxens one horse fourty head of hoges one plow one iron barrow three hog chains one hoe one spade one shovel one old axe on two yir old steer two yirling steers eight of last Springes calves ~~thirteen~~ 12 cows one bull four two yirs old heifers one shotgun hous hould furniture therein two hundred sixteen dollars eighty nine cents

Ates John Wiles

Ates Andrew Carson

Territory of Oregon

County of Benton SS

Personally appeared Greenbury Smith administrator of the Estate of David Carson deceased, who being duly sworn says that as far as he can ascertain the above list of property is a full inventory and description of the property of said Estate both real and personal, and that he was not indebted or bound in any contract to the deceased at the time of his death.

Sworn to and subscribed  
Before me this 7<sup>th</sup> day of  
Dec AD 1852

Green B Smith

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### **18521207 Appraiser Statements**

Territory of Oregon  
County of Benton       SS

Personally appeared Jacob Modie, Joseph Hughart and D D Davis of said County who being duly sworn say that they are in no way interested in the estate of David Carson deceased late of said County or of kin to any Person interested in the same and that they will to the best of their ability view and appraise the personal estate to the produced

Sworn to and subscribed  
Before me this 7<sup>th</sup> day  
Of Dec 1852

Jacob Modie  
Joseph Hughart  
David D. Davis

A.G. Hovey Clk  
Probate Court

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### **18521207 Estate Appraisal-1**

Appraisement of the stock, agricultural implements and household furniture belonging to the estate of David Carson, deceased

1 brindel steer		\$ 45.--
1 3 year old red steer		50.--
1 yoke white oxen		80.--
1 “ oxen		100.--
3 yearling heifers	\$15.—each	45.--
5 steer calves	12.— “	60.--
1 red bull		30.--
2 yearling steers	15.— “	30.--
3 2 year old steers	30.— “	90.--

4 2 “ “ heifers	35.— “	140.--
12 cows & 2 calves	45.— “	540.--
26 hogs	3.— “	78.--
1 4 year old horse		45.--
1 wagon		35.--
3 log chains	2.— “	6.--
1 Gun		15.--
7 pieces pot metal		10.--
1 lot cupboard ware		15.--
2 trunks & bedding & books		20.--
1 clock		6.--
1 whatch		5.--
1 spade		<u>1.50</u>
Forwarded		\$1446.50

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**18521207 Estate Appraisal-2**

Brot forward	\$1446.50	
½ doz chains		4.00
Tools & benchescrew		6.--
4 furkins 1 cask & Bucket		<u>6.--</u>
		\$1462.50

Jacob Modie      Apprasers [sic]  
David D. Davis

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Omitted to appraise and added according to the bill of sale the following articles  
The calf taken at fifteen dollars when found by the administrator

1 Shovel	\$ 2.00
1 harrow	18.00
1 plow	22.50
1 calf	15.--
½ in a patatee patch	17.--
1 Thermometer	<u>1.80</u>
	\$ 76.30
Amount of Appraisement	<u>1462.50</u>
	\$1538.80

**Filed Jan 12/52 [sic]**

A.G. Hovey  
Clerk

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**18530000 Receipt Bush V. No. (8)**

Rec'd of Greenbury Smith Esq administrator of the estate of David Carson,  
deceased, five dollars for three insertions of notice of administration on said estate,  
in the Oregon Statesman.

Asahel Bush

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**18530104 Estate Sale-1**

Bill of sale of the estate of David Carson \$1818.81

Sale Bill

Filed Jan 20<sup>th</sup> 1853

A.G. Hovey Clerk

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D. Davis	½ in a patch of potatoes	\$ 17.—
	1 furkin	.50
	1 churn	.25
	1 small furkin	.50
	1 lot of carpenters tools	4.—
	1 bucket	1.—
	1 milkstrainer	.25
	1 clock	5.--
	1 yoke white oxen	92.--
	1 red cow	57.--
	5 hogs	18.--
	5 hogs	13.--
	5 hogs	10.--
	5 hogs	5.--
		<u>\$223.50</u>
D. Carson	1 bucket	0.50
	1 iron pot & lid	2.50
	2 large dishes	1.25
	1 copper kettle	1.25

	4 plates	--.60
	4 small pans	1.50
	5 cups & saucers	1.--
	1 trunk	1.50
	1 lots shirts & drawers	<u>1.50</u>
		11.60
J. Moody	1 furkin	--.75
	1 sif(?) & ½ doz. tumblers	1.40
	1 tin pan	<u>--.40</u>
		2.55
L. Carson	1 tub	1.00
	1 large iron pot	1.25
	1 scilet(?) & lid	2.--
	½ doz plates	1.12
	1 bed & bedding	10.--
	1 roan cow	53.50
	1 brindle cow & calf	<u>36.00</u>
		104.87
J. Wheeler	1 cask	1.--
	1 pitcher	1.--
	1 bible	1.50
	1 Gun	12.--
	1 plow	23.50
	1 log chain	<u>4.75</u>
		42.75
M. Hodges	1 Iron pot and lid	2.50
	1 summer vest	--.25
	1 hat	<u>3.00</u>
		5.75
J. Hughert	1 iron pan	.50
	1 spade	1.55
	1 horse	<u>62.--</u>
		<u>64.05</u>
	forwarded	\$455.07

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## 18530104 Estate Sale-2

	Amt brot forward	\$455.07
S. Collins	1 iron pan	\$ .60
	1 cow & heifer calf	<u>80.--</u>
		80.60
T. Reed	1 pitcher	.50
	1 dish knives & forks	--.75
	1 trunk	1.25
	1 coat	3.--
	6 chairs	5.--
	1 red yearling steer	39.--
	1 red & white yearl. steer	36.--
	1 red 2 year old steer	52.--
	2 steer calves	31.--
	3 steer calves	54.--
	1 red 2 year old heifer	<u>45.--</u>
		267.50
G. Roberts	1 pitcher	--.25
	1 bowl & pitcher	<u>--.60</u>
		--.85
F. McDonald	2 books	--.50
	1 vest	--.75
	1 thermometer	<u>1.80</u>
		3.05
A. Rightsman	2 log chains	4.87
J.M. Horn	1 black yearl. heifer	44.--
	1 red " "	50.--
	1 red cow	53.--
	1 red & white cow	<u>58.--</u>
		205.50
E.P. Revfort	1 spotted yearling heifer	50.--
M. Last	1 spotted " "	45.--
	1 red cow	53.--
	1 black cow	<u>53.--</u>
		151.00
J. Smith	3 heifer calves	86.--
H. Chamberlain	2 yearling steers	41.--
S. Taylor	1 red cow	70.--
	1 red cow	<u>50.--</u>

		120.--
A. Hodges	1 red bull	30.75
W. Fulton	1 harrow	18
J. Williams	1 wagon	41
A. Carson	1 whatch	7
Mr. Toppin	1 shovel	<u>2</u>
	forwarded	\$1564.19

**18530104 Estate Sale-3**

	Amt brot forward	\$1564.19
G. Smith	1 velvet vest	\$ 1.12
	1 coat	3.--
	1 yoke of oxen	96.--
	1 steer	63.--
	1 black yearling steer	30.--
	1 cow	42.--
	1 sow & 3 pigs	4.50
	1 heifer calf	<u>15.--</u>
		<u>254.65</u>
		\$1818.81

The heifer calf was not found and if not found will cause a reduction of 15 dollars to the Administrator.

January 4<sup>th</sup> 1853

G. B. Smith, Adm'r

Territory of Oregon  
County of Benton

Personally appeared J.Q. C vandenBosch Clerk of Public Sale of the Property of the Estate David Carson deceased who being duly sworn says that he is in no way interested nor of kin to any heir or devisee of said Estate, and that the above List is a true account of the Sales made by said Administrator at the date above written.

Sworn and subscribed to

Before me this 20<sup>th</sup> day of  
Jan A.D. 1853

J. Q. C. vandenBosch

A.G. Hovey Clerk  
Probate Court

**18530104 Hughart Appraiser Bill**

Territory of Oregon

County of Benton

Estate of D. Carson to Joseph Hughart ? for one day as appraiser [sic] January the 4<sup>th</sup> 1853 \$2.00

Green B Smith

Territory of Oregon

County of Benton

Estate of D. Carson to Joseph Hughart ? for repares [sic] on one watch \$3.00

June 1852

Green B. Smith

**18530104 Modie Appraiser Bill** \*Not on-line

Territory of Oregon

County of Benton

Estate of D. Carson to Jacob Modie ? for one day as appraiser [sic] \$2.00  
January the 4<sup>th</sup> 1853

Green B Smith

**18530110 Doctor Billing V. No. (24)**

Albany Jan 10<sup>th</sup> 1853

The Estate of David Carson

To S.A. Smith Dr

Sept 20<sup>th</sup> & 21<sup>st</sup> 1852 to medicines, attendance &c \$25.00

“ 22<sup>nd</sup> “ “ “ “ “ 25.00

Due This Sum..... 50.00

S.A. Smith

Sworn to & subscribed

Before me at my

office in Albany

this 10<sup>th</sup> day of January

1853. James P. Miller clerk

Of the District court of the  
U.S. in & for Linn Co. O.T.

Deducted on the above Bill \$10.00  
Recd forty dollars in full of all  
demands against said Estate.  
S.A. Smith

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**18530220 Private Sale Smith**

Property of the Estate of David Carson deceased sold by the Administrator at  
Private Sale February 20<sup>th</sup> 1853 the same not being found on the day Public sale to  
wit:

1 Calf	\$15.00
4 Head of Hogs at 3. Per head	<u>12.00</u>

Green B. Smith administrator

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**18530304 Billing D Carson V. No. (11)** \*Expense deleted

David Carson Decd &c March 4<sup>th</sup> 1853.

To David Carson

To 4 months labour @ \$50 per month \$200.00

Credit by cash	<u>6.00</u>
	\$194.00

**18530404 Billing AJ Carson V. No. (15)**

Andrew Carson to 3 days labor man and horse..... \$12.00

Do to 2 days for labor..... 06.00

April the 4<sup>th</sup> 1853

Clerk

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**18530408 Reeceipt D Carson V. No. (17) \*Expense deleted**

David Carson to services on the Estate of David Carson Deceased  
~~March 7th 1853~~ April 8th 1853  
To 12 days service man and horse \$48.00

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**18530500 Land Survey Hathorn**

Estate of David Carson Decd  
Land Claim

Beginning at a point 4.53 chs West and 1.20 chs South of the ¼ Section post on the  
North boundary of Section 25 T 10 S, R 5 W

- Thence North 40.03 chs
- “ N 80° 45’ W 67.50 chs
- “ S 47° 45’ W 20.00 chs
- “ S 14° W 23.60 chs
- “ S 80° 45’ E 88.50 chs

To place of beginning containing 320 Acers more or less

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**18530500 Survey Receipt Hathorn**

\$18.84 Corvallis May 1853

Recd of G.B. Smith eighteen & 84/100 dollars for survey of Carson claim

D. Hathorn  
Dep Surveyor

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**18530508 Receipt AJ Carson V. No. (15)**

Received Eighteen dolars [sic] of Green B. Smith as admr of the Estate of David  
Carson deceased due debts ?? and demandes [sic] up to this Date this the 8<sup>th</sup> of  
May 1853.

A J Carson

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**18531002 Receipt D Carson V. No. (10)**

Received two hundred and forty two dollars it being in full of aul Debets and ??  
and Demandes against the Estate of David Carson Deceased this the 2d Oct 1853  
David Carson

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**18531114 Tax Receipt Smith V. No. (6)**

Received of G B Smith administrator of the estate of David Carson Deceased 45  
cts it being the full amount of his tax for the year 1853. This Nov 14 1853.  
T J Right by A N Locke  
Sheriff of Benton County

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**18531215 Billing D Carson**

Sail Bill of David Carson

Sold to David Carson the 15th of December 1853

1 500 rales \$2.00 pur hundred	\$10.00
2 500 rales \$1.75 pur hundred	\$08.75
3 500 rales \$1.75 pur hundred	\$08.75
4 500 rales \$1.87 ½ pur hundred	\$09.37 ½
5 1 hoge at the apraisement	<u>\$03.00</u>
Green B. Smith	\$39.89 ½

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1854

**18540227 Complaint L Carson-1 \*Not in Oregon Probate/Appears in CvS**

To Greenbury Smith  
Administrator of David Carson deceased  
Sir

Take notice that I shall present to the Probate court of the county of Benton appointed to be held in & for said County at Corvallis on the second Monday of March next for allowance the damages which I have sustained in consequence of the non performance of the following ? contract made & entered into by & between the said David Carson during his life time and myself and also the annexed account, which said contract is in substance as follows, and said account is in the words and figures following to wit:

Sometime in the months of May or June in the Year AD 1845 David Carson, deceased while on the road from the state of Missouri to the territory of Oregon and after he had passed the state line of said state of Missouri stipulated & agree to & with me that in consideration I would live with & work for the said David Carson for and during the term of his natural life that at his decease would make me his sole heir or that he would give me his entire property which he should own or be possessed of at the time of his said decease, that in

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**18540227 Complaint L Carson-2 \*Not in Oregon Probate/Appears in CvS**

pursuance of said contract I continued to live with & work for the said David until the time of his decease, but the said David not regarding his said contract neglected to make me heir to his entire property or to give me the same or any part thereof either by will or otherwise whereupon I have sustained great damage to wit five thousand dollars, which I shall ask for and insist that the same be allowed at said term of Court,

Damages on contract

To 7 years 6 months labor at \$500.00 per year

To 29 head of cattle at \$500.00 per head

To the use of 10 cows 7 years

When & where you may attend if you think proper

Given under my hand this 27<sup>th</sup> day of February AD 1854

Lutershia Carson

Per A.J. Thayer

Filed March the 18 AD 1854

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**18540228 Notice Smith \*Not in Oregon Probate/Appears in CvS**

Notice

Served on Greenbury Smith by reading and copy \$7

Reading 1.00

Mileage 3.00

Served Feb 28<sup>th</sup> 1854

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**18540301 Subpoena Andrew Carson \*Not in Oregon Probate**

Territory of Oregon

Benton County SS

To Andrew Carson in the name of the United States of America you are here by required to appear before me Judge of Probate Court in said county at my office herein on the 13 day March 1854 at 10 of the clock AM of said day to testify in a suit wherein Lucretia Carson is plaintiff and Greenbury Smith administrator of the estate of David Carson deceased is defendent on the part of the defendent [sic] Giving [sic] under my hand this the first day of March 1854.

A.N. Locke

Judge of Probate

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**18540300 Kelsay Statement-1 \*Not in Oregon Probate/Appears in CvS**

Territory of Oregon

Benton County

Greenbury Smith

Administrator of the

Estate of David Carson

Deceased

Ats

Lutenshia Carson

In the District court of Benton County

Oregon Territory

March Term A.D. 1854

And the said defendant by John Kelsay his attorney comes and refutes the damages and injury, when etc and says that the said declaration is not entitled of any court, neither does it appear by the said declaration in what court the **action** said action is brought, and also for that it doth not appear in and by the said declaration who the plaintiff is in said suit, and also for that it doth not appear in

and by said declaration that the several causes of action in said declaration mentioned arose in the said county of Benton, neither

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**18540300 Kelsay Statement-2** \*Not in Oregon Probate/Appears in CvS

doth it appear in and by said declaration that the said several causes of action in said declaration mentioned arose within the jurisdiction of said Probate Court, and also for that as there is no venue or place alleged in or by the second count in said declaration where the said Lutensha Carson done and performed the said seven years labour in the said second count mentioned in the said declaration mentioned, neither doth it appear in or by said second count by whom the said ~~servaces~~ seven years labour was performed. And also for that it doth not appear in or by the said second count at what time the said seven years labour was done either doth it appear by said second count when said labour was done nor by whom said labour was done, neither doth it appear in or by said second count

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**18540300 Kelsay Statement-3** \*Not in Oregon Probate/Appears in CvS

for whom said labour was done nor when the said ~~defendant was~~ deceased was indebted to the said Lutisha nor when said indebtedness accrued, nor when nor where the said administrator was indebted to the said ~~Lutertia~~ Lutersha Carson and for that the said last mentioned counts are uncertain and obscure – And also for that ~~the third count in said declaration~~ as there is no venue or place by the ~~said~~ third count in said declaration when the said deceased got the said twenty nine head of cattle in said count mentioned neither doth it appear in and by the said ~~declaration~~ count that the said cattle was ever the property of the said ~~Lutensa~~ Lutersha neither doth it appear in and by said third count at what time the said deceased got said twenty nine head of cattle or any part thereof from the said

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**18540300 Kelsay Statement-4** \*Not in Oregon Probate/Appears in CvS

Lutersha Carson, neither doth it appear ~~from~~ in and by the said third count that the said deceased was in debt to the said Lutersha for the said twenty nine head of cattle or any part thereof nor at what time neither doth it appear in and by the said third county that the said twenty nine head of cattle ever did belong to the said Lutersha Carson, ~~neither doth it appear in or by the said third count at what time the said deceased ?? to the said Lutersha Carson for said cattle~~ neither doth it appear in or by said third count at what time the said administrator as such was indebted to said Lutisha ~~in the said~~ neither doth it appear in or by said third count that the said administrator is indebted to the said Lutersha for the said twenty nine head of cattle or any part thereof – ~~and for that~~

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**18540300 Kelsay Statement-5** \*Not in Oregon Probate/Appears in CvS

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~~Neither doth it appear~~

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For that as there is no venue or place in or by the said third count ~~wherein~~ alleged when the said administrator was indebted to the said Lutensha Carson, neither doth it appear at ~~what~~ what time or by said ~~administrator~~ third count the said administrator as such was indebted to the said Lutensha, neither doth it appear in and by said third count that the said administrator as such is or was indebted to the said Lutensha—And for that the said Lutensha has laid no proper venue in the said third count and ~~for the~~ also that there was divers blanks and void spaces which make ~~said third count~~ the sense thereof uncertain and obscure

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~~And for that ? not appear the fourth count in the said declaration mentioned~~

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**18540300 Kelsay Statement-6** \*Does not appear in Documentation

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and for that as there is no venue or place alleged in or by the fourth count in said declaration where the said deceased or the said administrator of the estate of said deceased was indebted to the said Lutersha Carson the said thousand dollars for the use of ten cows for seven years, neither doth it appear from the said fourth count that the deceased nor the said administrator of the estate of said deceased ever was indebted to the said Lutersha Carson any part of the said sum mentioned in the said mention fourth count, ~~neither doth it ? for that the said Lutersha has not laid any proper venue~~ neither doth it appear at what time the said deceased and the said administrator was indebted to the said Lutersha Carson -- And for that as the

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**18540300 Kelsay Statement-7**\*Not in Oregon Probate/Appears in CvS

said Lutersha Carson has laid no proper venue in the said fourth count and is in other respects uncertain and obscure And this he is ready to verify, wherefore by reason of the insufficiency of the several counts in said declaration in this behalf of the said defendant prays Judgement.

Greenbury Smith  
Administrator of  
the estate of  
David Carson  
deceased by  
John Kelsay his  
Atty

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**18540301 Summons \*Not in Oregon Probate/Appears in CvS**

Territory of Oregon  
Benton County SS

To David Carson Francis Writsman Alfred Writsman Joseph Hugard John Wiley in the name of the United States of American you are here by required to appear before me Judge of the Probate Court at Corvallis in said county at my office therein on the 15 day of March 1854 at ten of the clock AM of said day to testify in a suit wherein Lucretia Carson is plaintiff and Greenbury Smith administrator of the estate of David is defendent on the part of the defendent.  
Giving under my hand this the first day of March 1854

A N Locke  
Judge of Probate

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**18540304 Summon Knighton and Walker \*Not in Oregon Probate/In CvS**

Territory of Oregon  
Benton county SS To Henry M Knighton William H Walker

In the name of the United States of America You are hereby required to appear before me Judge of the Probate court for said county at my office in the town of Corvallis in said county on the second Monday of March inst at 10 oclock AM of said day to testify in a suit wherein Luticia Carson is plaintiff & Greenbury Smith administrator of the Estate of David Carson deceased defendant on the part of the plaintiff.

Given under my hand this 4<sup>th</sup> day of March AD 1854  
A N Locke  
Judge of Probate

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**18540306 Subpoena Bill** \*Not in Oregon Probate/Appears in CvS

Supponey for

David Carson  
Francis Writsman  
Alfred Writsman  
Joseph Hughart  
John Wiles

Received Mar. 1<sup>st</sup> 1854

Served David Carson and  
Joseph Hughart by Copy  
Mar. 6<sup>th</sup> 1.50

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Alfred Writsman  
by reading Mar 6 1.50

Francis Writsman  
by reading Mar 6 .50

John Wiles  
by reading Mar 6 .50  
Mileage ----- 2.40

Wm Jackson Depty Shff  
Of Benton County

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**18540413 Billing W Jackson \*Not in Oregon Probate/Appears in CvS**

Henry W. Knighton

Not found in County

Mileage                \$1.00

Wm H. Walker not

Found in county

W. Jackson

Dpty Shff

Mar. 4<sup>th</sup> 1854 Benton County

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**18540313 Statement L Carson-1 \*Not in Oregon Probate**

Oregon Territory

Benton County    SS

Lutishia Carson

Vs

Greenbury Smith

Administor of the

Estate of David Carson

Deceased

Probate Court for said County

March Term AD 1854

Andrew J. Thayer of said county being duly sworn deposes & says that he is atty for the plff in the above entitled action that he is informed by said plff that Henry W Knighton is a material witness for said plff on the trial of said action that deponent has in his possession two letters purporting to have been written by the said Knighton wherein the said Knighton states that sometime during the fore part of the year AD 1845 he the said Knighton sold a cow to David Carson deceased that the said David informed him the said Knighton that he was purchasing said cow for said plff & with her money, and deponent further says that his able to prove by William Walker the other witness now absent from said county that the 29 head of cattle originated from said cow and deponent furthers says that he is not able to prove said facts by any other witnesses, as deponin is informed deponent further says that said witnesses are material for said plff on said trial, deponent further says

**18540313 Statement L Carson-2\*Appears in CvS**

not.

Subscribed & sworn  
To before me this  
13<sup>th</sup> day of March AD 1853

A.J. Thayer

Sworn before me Judge of Probate this 15 day of March 1854  
A N Locke Judge of Probate

A J Thayer  
Affidavit

Filed  
March 13 1854  
A N Locke  
Judge of Probate

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**18540508 Receipt Avery**

Received of J C Avery for the Estate of David Carson \$11.36 this the 8<sup>th</sup> May  
1854.

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**18540602 Receipt Jackson \*Not in Oregon Probate**

Rec. of Greenbury Smith admin of the estate of David Carson decd. Forty eight  
dollars & 67 cents in full of all demands against said estate.

June 2<sup>nd</sup> 1854  
Wm Jackson  
J R Cardwell

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**18540926 Billing Statement Bush V. No. (13)**

Territory of Oregon  
County of Marion

Before me Chester N. Terry a Judge of the Probate Court in and for said county personally appeared Asahel Bush above named who made solemn oath that there is justly due on the above claim the sum of \$5.00, that no payments have been made thereon, and that there are no offsets against the same to my knowledge.

Signed  
Asahel Bush

Subscribed and sworn to before me this 26<sup>th</sup> day of September 1854.  
Chester N. Terry  
Judge of Probate

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**18541000 Receipt Taylor V. No. (3)**

Received of Greenbury Smith \$6:00 for bord and horse feed and login Oct turme of 1854 District Court.

E G Taylor

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**18541010 Receipt Bush**

Received October 10, 1854 of Green B. Smith, administrator of the Estate of David Carson deceased the sum of five dollars in full for advertising in matter of said Estate in Statesman newspaper.

A.Bush publisher  
R.L.F. Grove

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**18541012 Billing Logan V. No. (4)**

Corvallis Oct 12<sup>th</sup> 1854

Green B Smith admr of the Estate of David Carson deceased

To D Logan

To services in suit of Lutitia Carson vs G B Smith admr of D Carson deceased in  
District court Benton County \$75.00

Recd payment

D. Logan

---

**18541107 Receipt Locke**

Received of Greenbury Smith admr of the Estate of David Carson deceased ten  
dollars and forty five cts in full of my fees as Probate Judge this Nov 7 1854.

A N Locke

Judge of Probate

---

**18541107 Tax Receipt Smith**

Territory of Oregon  
County of Benton

Received Nov 7 1854 of  
Gr. B Smith Administrator

the sum of eleven dollars fifty eight cents and five mills being the full amount of  
his county territorial poll and school tax for 1854.

T J Right [sic] Collector

---

1855

**18550531 Receipt Hovey**

Recd Benton County OT May 31<sup>st</sup> 1855 of Greenbury Smith administrator of the estate of David Carson deceased Seven Dollars and five cents being the full amount of Clerks fees in said Estate.

\$7.05 A.G. Hovey Probate Clerk for said County

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**18550600 Modie Appraiser Receipt** \*18570300\_Administrator\_Expenses\_6

June 1855

Received of Green B. Smith as administrator of the Estate of David Carson two dollars aul debetes billing and demandes against the Estate of David Carson.

Jacob Modie

---

**18550605 Receipt Locke (1) V. No. (07)**

Excepted [sic] by Green B Smith as administrator of estate David Carson  
This is to certify that I allow the within account for three dollars this June the 5  
1855.

A N Locke  
Judge of Probate

---

**18550605 Receipt Locke (2) V. No. (14)**

Excepted [sic] by Green B. Smith as administrator of the estate of David Carson  
I except to this the account for five dollars this June the 5 1855.

A.N. Locke  
Judge of Probate  
Filed June the 5 1855 A.N. Locke  
Judge of Probate

---

**18550622 Receipt Wright \*Not in Oregon Probate**

Recd of G B Smith administrator of the Estate David Carson disest the sum of five hundred twenty nine dollars & fifty cents on a Judgment in favor of Leuticia Carson against said Smith by Execution this 22 day of June 1855.

T J Right [Wright]  
Sheriff of Benton  
OT

---



and the said Carson estate holds a half Section of land which is worth about \$5 per acre  
 Giving [sic] under my hand this February the 29 AD 1856

A N Locke  
 Judge of Probate Court

**18560307 Receipt Bush**

Estate of David Carson to Asahel Bush ? for publishing notices in Statesman \$5.00  
 Rec'd paym't of GB Smith

March 7, 1856 Asahel Bush

**18560600 Estate Accounting \*Fix 18570600 \_Administrator\_ Accounting in OP**

A full a/c of the administration of the estate of David Carson decd rendered by G B Smith admr of the estate of David Carson at June Term 1856 of Probate Court for Benton Co O.T.

Voucher (No 1) filed and allowed in AD 1852		\$120.75	
“ “ 2 “ “ “ “ “ “ 1853		103.00	
“ “ 3 “ “ “ “ “ “ 1854		6.00	
“ “ 4 “ “ “ “ “ “ “		75.00	
“ “ 5 “ “ “ “ “ “ “		10.45	
“ “ 6 “ “ “ “ “ “ “		.45	
“ “ 7 “ “ “ “ “ “ 1855		2.00	
“ “ 8 “ “ “ “ “ “ 1853		5.00	
“ “ 9 “ “ “ “ “ “ 1853		19.00	341.65
“ “ 10 “ “ “ “ “ “ “		242.00	
“ “ 11 “ “ “ “ “ “ “ expenses		124.00	deleted
“ “ 12 “ “ “ “ “ “ 1852		5.00	
“ “ 13 “ “ “ “ “ “ “		5.00	
“ “ 14 “ “ “ “ “ “ 1853		5.00	
“ “ 15 “ “ “ “ “ “ 1853		18.00	
“ “ 16 “ “ “ “ “ “ 1854		7.05	
“ “ 17 “ “ “ “ “ “ 1853expenses		48.00	deleted
		804.70	
“ “ 18 “ “ “ “ “ “ 1853expenses		100.50	deleted

“	“	19	“	“	“	“	“	1853	40.00
								Feb 5	
“	“	20	“	“	“	“	“	1856	69.00
								Feb 5	
“	“	21	“	“	“	“	“	“	11.58
“	“	22	“	“	“	“	“	“	539.50
“	“	23	“	“	“	“	“	“	18.84
								3 June	
“	“	24	allowed &	filed	“	“	“	“	40.00

Amt as per record of court paid to **? Smith**

Total 1345.62  
Green B Smith Administrator

**18560603 Receipt Locke**

Received of G B Smith administrator of the estate of David Carson Deceased the sum of six dollars in full of my fees as probate Judge this June the 3 1856.

A N Locke  
Judge of Probate

**18561202 Judgment Label**\*Not in Oregon Probate

Transcript of  
Judgment  
Filed  
And  
Approved  
At Dec Term 1856  
Wm L Cardwell  
Judge of Probate

Estate of David  
Carson

**18561202 Judgment L Carson \*Not in Oregon Probate/Appears in CvS**

Oregon Territory

Benton County SS

Lutishia Carson plff

vs

Greenbury Smith Administrator  
of the Estate

Of David Carson deceased Deft

In the U S District Court in and for said Co  
Oct term AD 1856

I hereby certify that at the above mentioned term of court to wit: on the 25<sup>th</sup> day of Oct AD 1856 judgement was rendered in said action for the sum of \$1200. damages in favor of the above named plff & against the Estate of said David Carson deceased besides the costs which amounted to sum of \$199.95 Judgement and costs amounting in all to the sum of \$1399.75.

In testimony whereof I have hereunto set my hand and the seal of said Court  
affixed this 2d day of December AD 1856

THB Odeneal Clerk

---

**18561202 Summons Smith \*Not in Oregon Probate/Appears in CvS**

Territory of Oregon

County of Benton SS

To the Sherriff or any constable of said County.

In the name of the United States you are hereby commanded to cite Greenberry Smith Administrator of the estate of David Carson deceased to be found in your County to be and appear before the undersigned Judge of Probate in and for said County on the first Tuesday of January next at one Oclock P.M. then and there at the court house in Corvallis to render his exhibit, and make final settlement of said Estate or show cause if any why an attachment should not issue compelling such attendance.

And have you then and there this citation

Given under my hand this 2<sup>nd</sup> day of Dec. A.D. 1856

Wm Cardwell Judge of Probate

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**18570100 Estate Summary-1**

A full account of the administration of the estate of David Carson decd rendered and made by G. B. Smith administrator of the estate at the Jan. Term A.D. 1857 of the Probate Court Benton Co. O.T.

?? as ??

as per amount of money on hand at the time of taking out letters of admr.	\$ 216.89
As per amount of original sale bill	1818.81
As per private sale bill	<u>27.00</u>
	\$2062.70
Amount of vouchers	<u>1875.87</u>
Ballance in Admrs hand	486.83
Additional Vouchers	<u>179.00</u>
Ballance in Admrs hand	307.83
Additional voucher	<u>5.00</u>
	302.83
Services of Admr	<u>35.00</u>
	267.83
	<u>20.00</u>
	247.83
Pd for advertising	12
Pd Judge of Probate	8
	247.83
	<u>54.40</u>
	193.43

---

**18570100 Estate Summary-2**

As per V. No. (1)	\$120.00
“ “ “ (2)	93.00
“ “ “ (3)	6.00
“ “ “ (4)	75.00
“ “ “ (5)	10.45
“ “ “ (6)	.45

“	“	“	(7)	3.00
“	“	“	(8)	5.00
“	“	“	(9)	18.00
“	“	“	(10)	242.00
“	“	“	(11)	194.00
“	“	“	(12)	5.00
“	“	“	(13)	5.00
“	“	“	(14)	5.00
“	“	“	(15)	18.00
“	“	“	(16)	7.05
“	“	“	(17)	48.00
“	“	“	(18)	100.05 deleted
“	“	“	(19)	40.00
“	“	“	(20)	69.00
“	“	“	(21)	11.58 ½
“	“	“	(22)	539.50
“	“	“	(23)	18.84
“	“	“	(24)	40.00
“	“	“	(25)	<u>2.00</u>
				1575.87
“	“	“	(26)	40.00
“	“	“	(27)	6.00

**18570100 Estate Summary-3**

Administrators percentage on 2062.70

	\$123.00
Auctioners fees	10

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**18570106 Estate Summary Label** \*Not in OP Documentation/In 000\_Archives

Estate of D.  
Carson  
G. Smith  
Exhibit  
filed Jan 6  
1857

Wm L Cardwell  
Judge of Probate

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**18570106 Petition to Sell Smith-1**

Oregon Territory                      In the Probate Court of  
Benton County    ss                      January Term 1857

To the Hon Judge of the Probate Court of said county:

The undersigned Greenberry Smith administrator of the Estate of David Carson deceased would respectfully show to this court that the sum of two thousand and fifty two dollars and seventy cents is the amount of the proceeds of the sales of the personal property and cash on hand belonging to the estate of said deceased, which have come to the possession of the under-signed administrator, and that the debts against the said estate and expenses of administration amount to ~~thirteen hundred and ninety nine dollars and seventy-three thousand two hundred and seventy nine~~ thirteen hundred and ninety nine dollars and seventy three thousand two hundred and seventy nine dollars sixty two cents. The balance of proceeds of personal estate yet remaining in the hand of the administrator is three hundred and seven dollars eighty three cents leaving a deficiency in the personal estate to meet the demands of said estate of twelve hundred and sixteen dollars and ninety two cents.

Your petitioner would further represent to the court that said deceased died seized [?] and possessed of the following real estate situate in said county of Benton, to wit: 320 acres bounded on the west by E Garrison land claim, on the south by D. Carson Junior land claim on the S.E. by D. Davis' land claim in T. 10 S in R. 5 W -  
You petitioner wants to further represent

---

**18570106 Petition to Sell Smith-2**

that said real estate is of the value of fifteen hundred dollars & further that said real estate is slightly improved & further that said real estate is of fine quality of land (rich) & further the names & residences of the heirs of the estate of ?? are as follows to wit: John Carson Andrew Carson Matthew Carson & Mrs Jane Blevins are residents of Ash County North Carolina & James Carson, of Carrol County Virginia. Mrs Elizabeth Carson is a resident of Platt County Mo & her heirs to wit Mrs. Margaret Robinson & Robert Carson of Platt County Mo. & the heirs of Mrs. Elizabeth Prior of said county of Platt & Andrew Carson of Benton County O.T. the ages of the above heirs are unknown to the undersigned admr. & further the undersigned would ask the court to make such ?? for this

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**18570106 Petition to Sell Smith-3**

sale of said real estate to meet said demands as is required by law for the sale of real estate in such cases made & provided & in duty bound your petitioner will ever pray etc.

Greenbury Smith administrator

Sworn to and subscribed before me this 6<sup>th</sup> day of Jan 1857.

Wm Cardwell  
Judge of Probate

Estate of D.  
Carson  
Petition  
for order to sell  
real Estate

filed Jan 6<sup>th</sup>  
1857  
Wm L Cardwell  
Judge of Probate

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**18570223 Billing Dade \*Not in Oregon Probate/Appears in CvS**

Greenbury Smith  
Administrator of the  
Estate of David Carson dcd }  
To Smith & Dade Atty

For professional services in the case of Letitia Carson & Greenbury Smith  
administrator of said estate and in probate Court in 1855 and 1856 one hundred  
dollars \$100

Febry 23<sup>rd</sup> 1857  
Smith & Dade  
Per I N Smith

I N Smith being first duly sworn according to law deposes and says that the above  
services have been rendered and that the foregoing account is correct and just and  
that the sum of one hundred dollars yet remains wholly unpaid and due the firm of  
Smith & Dade for professional services rendered as above stated.

Sworn and subscribed I.N. Smith  
to before me this day of February AD 1857

E J Harding Clerk District Court  
1<sup>st</sup> Judicial District of Oregon

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**18570300 Administrator Expenses-1**

1 day November turme 1853	\$ 5.00
7 days completing proof of claim \$5)	35.00
Pack up ?? on the origon	\$10.00
Packing up on ??	\$12.00
Prooning blanks	1.00
Expenses in origon city	\$ 3.75
Expenses returning to marisville	3.00
1 day giving notis ?? of railles	\$ 5.00
1 day counting of railles	5.00
1 day selling of railles	\$ 5.00
1 day giving names of witnesses	5.00

1 day imploying counsel	\$ 5.00
2 days attending probate march turme	5.00
Expenses	\$ 1.00
1 day surveying claim	5.00
5 days attending district court	<u>\$ 25.00</u>
Total amount	\$120.75
Green B Smith administrator	

**18570300 Administrator Expenses-2 V. No. (2)**

Green B Smith committed services on or about 25 November 1852 for the Estate David Carson.

To riting out an advertisement and publishing the same in the Statesman	\$1.00
1 day going to take out leters of administration	5.00
1 day going after leters of administration	\$5.00
1 day geting up hoges	5.00
½ day taking the inventory	2.50
For riting out 8 advertisements	\$8.00
2 days putting them up and expenses	\$12.00
3 days gitin up stock before sail	15.00
1 day crying saile	5.00
1 day clearking	5.00
½ day posting up the sail	\$2.50
1 day making returns of sail	5.00
1 day to qualifying the cleark	5.00
1 day Aprill turn presentin property	5.00
1 day surveying off claim	\$5.00
For surveying to ?? stump	11.00
To prooveing up claim before the Surveyor Jeneral	<u>\$3.00</u>
Allowed by Wm L Cardwell	\$93.00
Judge of Probate	

**18570300 Administrator Expenses-3**

3 days January turme 1857 5 pur ddy	\$15.00
2 days going to see why notis of sail didn't come out – \$5 pur dy.....	\$10.00
1 day March turme.....	5.00
Giting Land notis	
.....	<u>5.00</u>
Total amount	\$35.00

Green B Smith administrator

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**18570300 Administrator Expenses-4 V. No. (19)**

2 days Seteling february turme	\$4	\$8.00
2 days April turme	\$4	\$8.00
1 day seeing aturney	\$4	\$4.00
5 days District court	\$4	\$20.00
purcentage on all moneys and effects		
Total amt		<u>\$40.00</u>

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**18570300 Administrator Expenses-5 V. No. (20) \*Not in Documentation**

1 day ?ing with the probate turme 1854	\$3.00
2 days giving counsel notis of names of evidence	\$6.00
2 days giving counsel notis what ?? ??	\$6.00
May turme 6 days district court	\$30.00
1 day June turme probate turme	\$3.00
1 day retell Judgement	\$3.00
1 day giving notis of witnesses Oct turme	\$3.00
1 day giving counsel notis that I could not goin to triel	\$3.00
3 days filing notis Octo turme 1855	9
1 day striking balance sheet	<u>3</u>
Total due amount	\$69.00

---

**18570300 Administrator Expenses-6 V. No. (26)**

1 day June 1856 probate court	\$ 5.00
4 days Oct 1856 District court	20.00
2 days Sept 1856 seeing counsel	\$10.00
1 day Oct 1856 seeing counsel	<u>5.00</u>
	\$40.00

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**18570300 Billing Smith**

G.B. Smith adm. Of the estate of David Carson dcd n & for services as admr.  
March Term O.T. 1857.

As per 2 days of attending Probate court	\$10.00
As per 1 days services May Term 1857.	\$5.00
And days seeing counsel	<u>5.00</u>
	\$20.00

\$12.00 allowed	46.40
<u>34.40</u> commissions	3.00
\$46.40	<u>5.00</u>
	54.40

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**18570301 Billing Smith V. No. (4)**

The within account is allowed to the sum of seventy five dollars March 1<sup>st</sup> 1854  
By me

Greenbury Smith Ad

I have examined the within account and allowed the same amt as the administrator  
seventy five dollars.

March 1<sup>st</sup> 1854                      Wm Cardwell Judge of Probate  
\$75

For value recd We assign the within as allowed to Jackson & Cardwell to be ?? ??  
?? bills without recourse. March 26, 1857

Smith & Dade  
Recd D C Dade  
Smith & Dade Account

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**18570530 Land Sale**

Sale of 320 acres of Land of the estate of David Carson decd sold on the 30<sup>th</sup> day of May AD 1857 To George Fogle for \$860.00  
Greenbury Smith Admr.

Territory of Oregon  
County of Benton

This day personally appeared before me Greenbury Smith admr of the estate of David Carson decd and being first duly sworn, States that the above sale bill is true, and that the sale was fairly conducted according to Law.  
Sworn to and subscribed before me the 2<sup>nd</sup> day of June A.D. 1857.

Wm Cardwell Judge of Probate

---

**18570600 Sale Confirmation** (Lila's scan)

June Term 1857

This day Greenbury Smith Admr of the estate of David Carson decd returned into Court his Sale bill of the Land belonging to said estate of 320 acres, as Sold to George Fogle for the sum of \$860.00. And proof being made to the Satisfaction of the Court as to the legality and fairness of said Sale, the Same is ordered to be confirmed; and conveyance made to Said George Fogle by the Administrator.

**18570600 Sale Confirmation \* (Jan's Photocopy)**

June Term 1857

This day Greenbury Smith Admr of the estate of David Carson decd returned into Court his Sale bill of the Land belonging to said estate of 320 acres, as sold to George Fogle for the sum of \$860.000. And proof being made to the satisfaction of the Court as to the legality & fairness of said Sale, the Same is ordered to be confirmed; and said conveyance made to said George Fogle by the Administrator.

State of Oregon  
County of Benton SS

I B. W. Wilson County Clerk of Benton County, State of Oregon, do hereby certify that E. J. Harding was clerk of the U.S. District court in and for the Territory of Oregon on this 1<sup>st</sup> day of April A.D. 1857 and that T.N.B. Odeneal was Deputy Clerk of said Dist Court at that time for the County of Benton and that all his Official Acts as such are entitled to full faith and credit –

In Witness whereof I have hereunto set my hand and Official seal this Jany 1<sup>st</sup>  
1878

B.W. Wilson  
Clerk

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**18570600 Land Sale Label \*Not in Oregon Probate**

Sale Bill  
of  
G. Smith  
Admr  
\$860.00

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**18570602 Receipt Kelsay \*Not in Oregon Probate/Appears in CvS**

Received \$81.12 cts of Green B. Smith as administrator of the estate of David Carson dcd in full of all demands and accounts etc. for my services as atty  
This the 2 day of June 1857.

John Kelsay

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**18570602 Receipt L Carson \*Not in Oregon Probate/Appears in CvS**

Corvallis June 2 1857

Received of Greenbury Smith Administrator of the Estate of David Carson deceased seven hundred & seventy eight dollars & eighty cents being in full of all demands against estate.

Lutishia Carson  
By A. J. Thayer her atty

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**18547602 Receipt Odeneal (1) \*Not in Oregon Probate/Appears in CvS**

Lutisha Carson

Vs

G.B. Smith admr

Of the Estate of David Carson deceased

Received, Benton Co. June 2d 1857, of Wm L. Cardwell Judge of Probate, the sum of one hundred & twenty nine dollars and sixty three cents, costs in the above entitled cause in the District court for said County.

THB Odeneal Dep Clk  
of said Court

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**18570602 Receipt Odeneal (2) \*Not in Oregon Probate/Appears in CvS**

Received Corvallis June 2d 1857 of Greenberry Smith administrator of the estate of David Carson, deceased the sum of five dollars in full for printing notices of sale of land belonging to said Estate.

T. H. B. Odeneal

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**18580101 Carson Land Sale**

June Term 1857

This day Greenbury Smith Admr of the estate of David Carson decd returned into Court his Sale bill of the Land belonging to said estate of 320 acres, as sold to George Fogle for the sum of \$860.000. And proof being made to the satisfaction of the Court as to the legality & fairness of said Sale, the Same is ordered to be confirmed; and said conveyance made to said George Fogle by the Administrator.

State of Oregon

County of Benton SS

I B. W. Wilson County Clerk of Benton County, State of Oregon, do hereby certify that E. J. Harding was clerk of the U.S. District court in and for the Territory of Oregon on this 1<sup>st</sup> day of April A.D. 1857 and that T.N.B. Odeneal was Deputy Clerk of said Dist Court at that time for the County of Benton and that all his Official Acts as such are entitled to full faith and credit –

In Witness whereof I have hereunto set my hand and Official seal this Jany 1<sup>st</sup> 1858

B.W. Wilson  
Clerk