

STATE OF ILLINOIS)
COUNTY OF COOK) SS

IN THE PROBATE COURT OF COOK COUNTY

IN THE MATTER OF THE ESTATE)
OF)
WILLIAM WALLACE HILL, DECEASED)

Docket 221
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File 88307

PETITION FOR PRIVATE SALE OF PERSONAL
PROPERTY

TO THE HONORABLE JOHN F. O'CONNELL, JUDGE OF THE PROBATE
COURT OF COOK COUNTY, ILLINOIS:

Your petitioner, ALLEN DAVY, respectfully represents
to this court as follows:

That he is the duly qualified and acting administrator
de bonis non with will annexed of the estate of William
Wallace Hill, deceased; that as such administrator he has
heretofore filed in and had approved by this court an in-
ventory and an amended and supplemental inventory of the
unadministered estate of said decedent; that upon petition
of your petitioner an order was previously entered herein
providing that no bill of appraisement of the goods, chattels,
and personal estate of said decedent need be filed herein;
that it appears in and by said amended and supplemental in-
ventory that the sole estate of said decedent which has come
into the hands, possession or knowledge of your petitioner is
as follows:

An undivided one-quarter (1/4) legal and equitable
interest in the following copyrights and renewal copy-
rights to the following books and musical compositions
written by Mildred J. Hill and Patty S. Hill:

- (1) Song Stories for the Kindergarten.
Original United States copyright regis-
tration, October 13, 1893, entry #45997
or #45997Y; renewal registration,
September 3, 1921, renewal registration
#19043.

(2) Song Stories for the Kindergarten. New edition, revised, illustrated and enlarged. Original United States copyright registration, June 8, 1896, entry #34260 or #34260B2; renewal registration, January 9, 1924, renewal registration #25771.

(3) Song Stories for the Sunday School. Original United States copyright registration, March 20, 1899, entry #20441; renewal registration January 3, 1927, renewal registration #36618.

(4) Good Morning to All. Original United States copyright registration, February 7, 1907, entry #142468 or #0142468; renewal registration, January 2, 1935, renewal registration #34877 or #R34877,

and in any rights, claims, demands, and causes of action which may have heretofore accrued or which may hereafter accrue because of infringements of said copyrights and renewal copyrights

which personal property was estimated in said amended and supplemental inventory to have a value not in excess of Fifteen Dollars (\$15.00).

That on May 14, 1923, Corinne Dorothy Hill filed her petition herein for proof of the will of William Wallace Hill, deceased, and for issuance of letters testamentary; that letters testamentary were granted to said Corinne Dorothy Hill and that she acted as said Executrix of the estate of William Wallace Hill from said date until her death on September 27, 1934; that Leo B. Lowenthal, who then was and still is a counsellor and attorney at law, duly admitted and licensed to practice as a counsellor and attorney at law in all courts in this State, filed his appearance as attorney for said Corinne Dorothy Hill on May 14, 1923 and acted as said attorney until the death of said Corinne Dorothy Hill; that the death of said Executrix was suggested to this court on February 1, 1939, by said Leo B. Lowenthal and that day Allen Davy was appointed administrator de bonis non with will annexed; that on February 1939 an order was entered authorizing the withdrawal of the appearance of said Leo B. Lowenthal as attorney for said Corinne

Dorothy Hill and that on said date he withdrew as said attorney; that in his capacity as attorney for said Corinne Dorothy Hill in her capacity as Executrix of said estate, he performed numerous necessary legal services in connection with the administration of said estate; that he expended a large number of hours in connection with the drawing and presentation of the petition for probate of the last will and testament of William Wallace Hill and for letters testamentary, the proof of heirship in the estate of William Wallace Hill, in the drawing and presentation of the several petitions heretofore presented to this court in relation to the administration of said estate and in advising said Executrix as to her duties in connection with the administration of said estate; that he has never received any fee or compensation whatsoever for his services as attorney for said Executrix; that he has notified your petitioner of his intention to file his petition herein praying this court to fix his fee for the said services rendered to Corinne Dorothy Hill and to allow the same as a first class claim against the estate of William Wallace Hill, deceased; that said Leo B. Lowenthal has informed your petitioner and your petitioner verily believes that the fair, reasonable and usual fee for the services so rendered is in excess of the sum of Fifteen Dollars (\$15.00).

Your petitioner further represents that he has by advancement out of his own funds paid certain court costs heretofore assessed and taxed herein by the clerk of this court in the amount of \$13.65, and that additional court costs have heretofore been assessed and taxed and will hereafter be assessed and taxed herein by the clerk of this court;

Your petitioner further represents that in order to pay the necessary costs of administration of said estate, including the claim of Leo B. Lowenthal for attorney's fees for legal services rendered to Corinne Dorothy Hill in her capacity

as executrix of said estate, the claim of your petitioner because
of said advancements, ^{and} /said additional court costs heretofore
assessed and taxed and hereafter to be assessed and taxed by
the Clerk of this Court, it is necessary that the aforementioned
personal property be sold; that there is no cash in said un-
administered estate of said William Wallace Hill, deceased;
that sale of the above described property is the sole method
whereby funds can be made available to pay said necessary costs
of administration of said estate; that your petitioner believes
it is to the best interests of said estate that said personal
property be sold at private sale for the reason that the
personal property to be sold has no market value and the net
proceeds of a public sale would be substantially less than
the proceeds of a private sale of said personal property and
would undoubtedly be insufficient to pay the costs of ad-
vertisement and conduct of a public sale;

Your petitioner further represents that on the 9th
day of February, 1939 your petitioner filed his petition herein
for the entry of an order authorizing private sale of the un-
administered estate of said decedent described in his inventory
thereof previously filed herein and approved by this court and
in said petition, and that on said day this court entered an
order authorizing a private sale of said unadministered estate;
that no sale pursuant to said order has been made or will be
made for the reason that the description of said unadministered
estate appearing in said inventory and petition and directed to
be sold by said order is inaccurate; that the amended and sup-
plemental inventory previously filed herein and approved by
this court, and this petition, correctly describe said un-
administered estate,

WHEREFORE, your petitioner prays that an order be
entered herein by this court vacating said order for private
sale entered herein on the 9th day of February, 1939, and

authorizing him as administrator de bonis non with will annexed of the estate of William Wallace Hill, deceased, to sell all of his interest as said administrator de bonis non with will annexed of the estate of William Wallace Hill, deceased, and all of the interest of said decedent and said estate in the personal property hereinabove specifically described at private sale for cash and for not less than the estimated value stated in said amended and supplemental inventory.

Respectfully submitted,

Allen Davy
Petitioner

STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

ALLEN DAVY, being first duly sworn, on oath deposes and says that he is administrator de bonis non with will annexed of the estate of William Wallace Hill; that he has read the above and foregoing petition by him subscribed, and that the same is true to the best of his knowledge, information and belief.

Allen Davy

Subscribed and sworn to
before me this 22nd day
of March, 1939.

Helen M Carter
Notary Public