

Record Book

Volume 5

May 1903 – May 1906

**May 15, 1903-
November 11, 1903
(Pages 1-100)**

May Term.

Friday

May 15th 1903.

In the matter of the estate of ~~Drna Kemp~~ Final settlement & Discharge
Drna Kemp. - a minor

Now at this day comes Joshua B. Scott, Curator of said Drna Kemp, and presents his accounts and vouchers for final settlement. His said ward having attained her majority, and it appearing to the Court, that said Curator has made a just and true exhibit of the account between himself and his ward, and has filed the same in this Court, and has caused a copy of such exhibit together with a notice stating the day on which said settlement would be made, to be delivered to his ward, at least four weeks before the present term of this Court, said settlement is upon examination approved. And it appearing from said settlement that there remains in the hands of said Curator a balance due his said ward of \$12.67, it is therefore ordered that he pay said sum to said Drna Kemp, and upon filing her receipt therefor that he be discharged.

In the matter of the estate of ~~William Lake~~
William Lake - deceased.

Comes now James H. Meldrum one of the securities on the bond of George W. Lake, as Executor of the last will and testament of William Lake, deceased, and files his application and affidavit, to be released from the bond of said executor.

In the matter of the estate of ~~Alphus P. Day~~ Order to pay interest on loan.
Alphus P. Day - deceased.

Comes now Ira Day, administrator of said deceased and represents and shows to the Court, that Simpson and Groves of Kansas City Missouri, hold a deed of trust on the lands of said deceased for the sum of \$3200.⁰⁰ the interest on which amounting to \$160.⁰⁰ became due and payable, on the 15th day of April 1903. That it would be for the best interest of the estate of said deceased that said interest be paid at once.

And the Court having heard the petition of said administrator, and considered the same, it is therefore ordered that said administrator he and he is hereby directed to pay the interest on said loan of \$3200. now past due out of any moneys now in his hands belonging to said estate.

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Estate of B. F. Rayston - deceased 3

Comes now Eugene A. Martin, and presents to the Court for allowance against said estate, a demand for \$16.²⁵ founded on account. Notice being waived in writing, and affidavit and proof made. It is therefore ordered that said demand be allowed against said estate in said sum of \$16.²⁵ and that it be assigned to the sixth class.

Estate of H. F. McNeely, deceased. 3

Comes now the Bank of Junction, and present to the Court for allowance against said estate a demand for \$92.⁶⁰ founded on a note, executed by H. F. McNeely and Gabriel Feurt, dated May 3rd 1902, due in six months with 8% interest from date. Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$92.⁶⁰ and that it be assigned to the fifth class.

In the matter of the estate of 3 Order of Sale of Real Estate.
Mary B. Turner - a minor 3

Comes now Gabriel Jones, curator of the estate of said Mary B. Turner, and represents and shows to the Court that said minor is the daughter of Deodora Oglew (formerly Turner) who was a daughter of W^m Richardson who died on March 23rd 1896, leaving a will by the terms of which he gave and bequeath to said minor, by the name of Isabel Turner, and her two sisters, the interest in his estate which otherwise would have gone to their said Mother.

That said W^m Richardson, died seized, and possessed in fee simple, of the following described real estate situate in Grundy County Missouri, to wit: The West half of the North East quarter of section fourteen, containing 80 acres, and the West half of the East half of the North East quarter of section fourteen, containing 40 acres, all in Township sixty Range Twenty five. And that under the provisions of said will, this minor is the owner in fee simple of the undivided one third of one sixth of one eighteenth part of said real estate. Said Curator further states to the Court, that there is and has been no other property, or estate belonging to said minor, except her interest in the real estate above described, that said interest in said real estate is needed to maintain, sup-

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port and educate said minor, that owing to the situation of said real estate, and the number of persons interested therein, it would be to the best interest of said minor to have her interest in said real estate sold for her maintenance, support and education. Wherefore he prays the Court to make an order authorizing and empowering him to sell said minor's interest in said real estate for the purposes aforesaid.

And the Court having heard the petition of said Curator, and the evidence in relation thereto is satisfied that said order should be granted. It is therefore ordered by the Court, that said Curator do, and he is hereby authorized and empowered to sell the said real estate, at either public or private sale (first having had the same appraised according to law,) for not less than three fourths of the appraised value thereof on the following terms to-wit: Cash in hand, and that said Curator report said sale, and his proceedings therein to this Court at the next term thereof.

On the matter of the estate of } Order Confirming sale of Real Estate.
 Amanda Paulah Godman, a minor }

Now on this day comes Perry A. Godman, Curator of the estate of said minor, and files his report of the sale of the following real estate of said minor, made pursuant to the order of this Court at its February term thereof 1903, to-wit: The undivided four months interest in and to the North West quarter of the North West quarter of section sixteen, Township Sixty one, and Range Twenty six, in Daviess County, Missouri. The same having been sold at private sale to William R. Marshall for the sum of \$711.⁰⁰, the appraised value thereof. And the Court having carefully examined said report of the sale of said real estate, and being satisfied that said sale has in all respects been legally made. It is therefore ordered that said sale be, and the same is hereby confirmed. And it is further ordered that a good and sufficient deed be made by said curator to said purchaser conveying to him all the right title and interest of said minor, in and to said real estate.

On the matter of the estate of } Order of sale of Real Estate.
 Grace Kemp, a minor }

On this day comes Joshua B. Scott, Curator of the estate of Grace Kemp a minor sixteen years of age, and files his petition for the sale of real estate of said minor therein

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described, setting forth that he has faithfully applied all the personal estate of said minor to her support maintenance and education, and that there is no personal estate in his hands belonging to said minor, except the sum of \$64.⁴¹ as shown by his annual settlement of said minor's estate, made at the November Term 1902, hereof. That the rents and profits of said lands, after deducting necessary expenses and repairs, are wholly insufficient to pay the charges and expenses necessary to support, and to complete the education of said minor wherefore for the purpose of raising the funds necessary to complete the education of said minor, he prays the Court to order the sale of the following real estate or so much thereof as may be requisite for that purpose, viz: The undivided one half of the North half of the North East quarter of the North West quarter, and the North half of the North West quarter of the North East quarter, and 18 acres off of the North side of the North East quarter of the North East quarter, all three tracts in section (32) thirty two. Also 14 acres off of the South side of the South East quarter of the South East quarter, in section (29) Twenty nine, all in Township sixty one (61) of Range (27) Twenty seven, containing in all 72 acres more or less.

And the Court having heard the petition of said Curator, and the evidence in support thereof is satisfied that said order should be granted.

It is therefore ordered by the Court, that said Curator be and he is hereby authorized and empowered to sell the said real estate at private sale, (first having had the same appraised according to law) for not less than three fourths of the appraised value thereof, on the following terms viz: Two hundred Dollars Cash; Two hundred Dollars in one year from date of sale. The balance in two years, deferred payments to bear interest at the rate of six per cent per annum, to be secured by first deed of trust on the real estate sold. And that said Curator report said sale, and his proceedings thereunder to this Court at the next term thereafter.

On the matter of the estate of } Order on State Auditor
George W. Walls - deceased }

Comes now Celina May Stack, and files her petition in which she represents and shows to the Court, that she is the legatee, and distributee, of the estate of George W. Walls dec'd

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final settlement of which, and distribution and payment of legacies therein was ordered on the 14th day of May 1901, by this Court. That it appears in and by said order, that petitioner said Celia May Stack is entitled to \$38.76 as her distributive share of said estate, and to \$5.00 legacy by virtue of the last will of said deceased, making a total due said Celia May Stack of \$43.76. That said Celia May Stack did not make claim to said legacy, and distributive share, due her from the estate of said deceased during the first year after the date of said order of distribution; and that under and by virtue of an order of this Court, made at its May term 1902, said money was paid into the State treasury of the State of Missouri, by the executor of said estate, where the same now remains.

Wherefore she prays the Court to grant her an order on the State Auditor, to issue his warrant on the State Treasurer for the amount of said claim.

And now comes John C. Leopard, Prosecuting attorney of Daviess County, and as knowledge service of a copy of said petition, and files herein his answer to the same.

And the Court having heard the petition of said Celia May Stack, and examined said claim, and the allegations and proofs in support thereof, and having also considered the answer of said prosecuting attorney, is satisfied that said Celia May Stack is entitled to said sum of \$43.76 so paid into the State treasury as aforesaid.

It is therefore ordered by the Court, that the State Auditor do and he is hereby ordered, and directed to issue his warrant on the State Treasurer, for said sum of \$43.76 payable to said Celia May Stack, but without interest or costs.

In the matter of the estate of Warren Reed, a person of unsound mind.

Now at this day it having come to the knowledge of the Court that Warren Reed, a person of unsound mind is without a lawful guardian of his person and estate by reason of the death of H. J. Reed, who was his duly appointed guardian, and no one competent to take charge of such estate, or to act as guardian, having been found.

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or is known to the Court who will qualify, it is therefore ordered by the Court that E. M. Foley Jr. Public guardian of Davies County be and he is hereby ordered and directed to take into his charge and custody, the person and estate of said Warren Reed, and care for him the said Warren Reed, and manage and administer his estate.

Estate of L. M. Stewart, deceased 3

Comes now H. E. Sawyer, M. D. and presents to the Court for allowance against said estate, a demand for \$22.⁰⁰ founded on account for services during last sickness. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate, and that it be assigned to the second class.

In the matter of the estate of 3
Annanda B. Godman, a minor 3

Ordered that the fourth annual settlement this day filed by Perry A. Godman Curator of said minor be approved and recorded.

In the matter of the estate of 3
Taylor Graybill - a minor 3

Ordered that the second annual settlement this day filed by E. M. Foley Jr. Curator of the estate of said minor be approved and recorded.

In the matter of the estate of 3
Lindira E. Dowell - deceased 3

Ordered that the first annual settlement this day filed by William Dowell, one of the executors of said deceased be approved and recorded.

In the matter of the estate of 3
Benjamin F. Rayston - Decd. 3

Ordered that the first annual settlement this day filed by Robert E. Mumpkin, administrator with the will annexed of said Benjamin F. Rayston deceased be approved and recorded.

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In the matter of the estate of $\frac{3}{3}$ Continuance
Myrtle Shuttaffer - minor $\frac{3}{3}$

Ordered that the settlement this day due from J. W. Tolson guardian and curator of said minor be continued to the August Term 1903 of this Court, and that said minor be notified to appear and make choice of a guardian and curator of her person and estate.

In the matter of the estate of $\frac{3}{3}$ Continuance
Jacob A. Stitt - deceased $\frac{3}{3}$

Ordered that the settlement this day due from Katie A. Stitt, executrix of said deceased be continued to the August term 1903, hence.

In the matter of the estate of $\frac{3}{3}$ Final Settlement.
Warren Reed. - (Incompetent) $\frac{3}{3}$

Comes now Elizabeth A. Reed, executrix of the estate of H. J. Reed deceased, who was guardian of said Warren Reed, and on behalf of said testator presents her accounts and vouchers for final settlement. And now comes E. M. Foley Jr. who was at this term of this Court, as public guardian ordered to take charge of the person and estate of said Warren Reed, and enters his appearance to the making of said settlement, and waives, and exhibits and notes thereof, whereupon said settlement is examined, approved and ordered recorded.

And it appearing from said settlement that at the death of said H. J. Reed there remained in his hands as guardian of said Warren Reed the sum of \$352.⁹⁰ which sum less the credits to which he was entitled toward the sum of \$93.⁹⁰ leaves a balance due the estate of the said Warren Reed of \$259.⁰⁰ It is therefore ordered that said Executrix pay to said E. M. Foley Jr as successor in said guardianship said sum of \$259.⁰⁰ out of the assets now in her hands belonging to the estate of the said H. J. Reed, deceased and upon filing proper receipts therefor that she be discharged.

In the matter of the estate of $\frac{3}{3}$ Final settlement & distribution
Henry F. Rayston - deceased $\frac{3}{3}$ and discharge

Comes now Gabriel Jones, administrator of said

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deceased, and presents his accounts and vouchers for final settlement. and it appearing to the Court that notice of said settlement has been published as required by law. that all the debts due and owing by said estate have been fully paid, and said estate fully administered said settlement is therefore upon examination approved and ordered recorded. And it appearing from said settlement that there remains in the hands of said administrator due said estate a balance of \$1114.82. it is therefore ordered that said administrator distribute said sum to the widow and heirs of said deceased as follows. to-wit:

To Mrs Ada M. Rayston - (widow)	\$409.10 ² / ₃
" Gladys E. Rayston (Daughter)	352.85 ² / ₃
" Lucile D. Rayston (Daughter)	352.85 ² / ₃

And now comes said administrator, and files the receipt of Mrs Ada M. Rayston for said sum of \$409.10²/₃. and also the receipt of Ada M. Rayston, as Curator of the estate of Gladys E. and Lucile D. Rayston for the sum of \$352.85²/₃ due each of said minors. and is discharged.

It is further ordered that the insolvent notes and accounts belonging to said estate, be turned over to the heirs and legal representatives of said deceased.

In the matter of the estate of ³/₃ Final settlement & discharge.
Oma J. Smith - a minor ³/₃

Now at this day comes M. F. Dunnington, Curator of said minor and presents his accounts and vouchers for final settlement. and it appearing that said Curator has made a just and true exhibit of the account between himself and his ward, and has filed the same in this Court, and has caused a copy of such exhibit, together with a notice stating the day of which said settlement would be made to be delivered to his ward and her husband, four weeks before the first day of the present term of this Court, said settlement is therefore taken up, and considered by the Court and is by the Court approved. And it further appearing to the Court that said curator has this day filed the duly acknowledged receipt of Oma J. Palmer, (formerly Smith) for the sum of Four hundred and one and 1¹/₁₀₀ Dollars, being the amount shown to be due her by said settlement. it is therefore ordered that said Curator be discharged.

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In the matter of the estate of ^{Fourth annual & Suspension} Susan N. & Zora J. Staats - minors

Ordered that the fourth annual settlement this day filed by Harrington B. Staats, Curator of said minors be approved and recorded, and it appearing to the Court that the entire estate of said minors in the hands of their said Curator has been exhausted, It is therefore ordered by the Court that all further accountements and settlements be dispensed with.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas A. Shad
Judge

May Term

Saturday

May 16th 1903.

Court met pursuant to adjournment. present
Thomas A. Shaw, Judge. and R. D. McGray, sheriff
when the following proceedings were had to-wit:

In the matter of the estate of $\frac{3}{3}$ Order of allowance
Mary Stiffler - deceased. $\frac{3}{3}$

Comes now George C. Stiffler widower of said
deceased, and makes application to the court for an order
of appropriation out of the personal estate of said de-
ceased to supply the deficiency in grain, meat, vegetables,
groceries, and other provisions, on hand and provided, and
necessary for the support, and maintenance of himself and
family, for one year next after the death of said deceased,
as provided by sections 105 and 106, Chapter one of the
Revised Statutes of Missouri 1899.

And the Court having duly considered said application
and the evidence in support thereof finds, that at the
time of the death of said Mary Stiffler, there were
no provisions on hand, allowed under said sections 105
and 106, and that the sum of One hundred and eighty
two dollars is a reasonable sum and will be required
to supply such deficiency. Wherefore it is ordered
by the Court that said sum of \$182⁰⁰ be and the same
is appropriated out of the assets of said estate for the
purpose aforesaid, and the administrator of said estate
is directed to pay said sum to said petitioner out
of any moneys in his hands belonging to said estate.

In the matter of the estate of $\frac{3}{3}$ Continuance
Mary B. Turner - a minor $\frac{3}{3}$

Ordered that the settlement this day due from
Gabriel Jones, as curator of the estate of said Mary
B. Turner, be continued to the August term 1903
thereof, on application of said Curator.

In the matter of the estate of $\frac{3}{3}$
William Taylor - a minor $\frac{3}{3}$

Ordered that the first annual settlement this
day filed by James H. Taylor Jr. Curator of said
William Taylor be approved and record

May Term - Saturday May 16th 1903.

In the matter of the estate of }
J. W. Tolew - deceased }

Ordered that the first annual settlement this day filed by Clarence and Charles Tolew, executors of said J. W. Tolew deceased be approved and recorded.

In the matter of the estate of } Continuance
Georgia L. Witten et al - minors }

Ordered that the settlement this day due from Louisa J. Witten Curator of the estate of said minors be continued to the August Term 1903.

In the matter of the estate of } Final settlement & discharge...
James V. Wilson - deceased }

Now at this day comes James W. Wilson, administrator of said deceased, and presents his accounts and vouchers for final settlement. And it appearing to the Court that notice of said settlement has been published as required by law, that all the debts and demands against said estate have been fully paid, and said estate fully administered, it is therefore ordered that said settlement be and the same is approved, and said administrator discharged.

In the matter of the estate of }
James A. Whitt - a minor }

Ordered that the second annual settlement this day filed by Joseph C. Whitt, Curator of the estate of said James A. Whitt, be approved and recorded.

In the matter of the estate of }
W. E. & Frank Gantsey - minors }

Ordered that the fifth annual settlement this day filed by Willis E. Wood, Curator of the estate of said minors be approved and recorded.

In the matter of the estate of }
Alexander M. Richardson - a minor }

Ordered that the fourth annual settlement this day filed by J. B. Yates, Curator of the estate of said minor be approved and recorded.

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Saturday

May 16th 1903.

In the matter of the estate of
 Harriet W. Houghton Etal - minors

Ordered that the first annual settlement this day filed by
 John C. Leopards, Curator of said minors be approved
 and recorded.

In the matter of the estate of } Final settlement & Discharge
 James M. Houghton, a minor }

Comes now John C. Leopard, Curator of said minor
 James M. Houghton, and presents his accounts and vouchers
 for final settlement, said ward having attained his majority,
 and now comes also said James M. Houghton, and in open
 court waives the service of an exhibit, and notice of said
 settlement and enters his personal appearance, where-
 upon the Court proceeds to hear said settlement, which on
 examination is approved and ordered recorded, and
 said James M. Houghton having in open court receipted
 to his said Curator for the balance shown to be due him
 by said settlement, it is therefore ordered that said cu-
 rator be discharged

Ordered that Court adjourn until Tuesday May 19th 1903

Thos. A. Shaw
 Judge

May Adjourned Term - Tuesday May 19th 1903.

Court met pursuant to adjournment. present
Thomas R Shaw Judge and R. D. McCree Sheriff
when the following proceedings were had to wit:

In the matter of the estate of Letters of administration.
Malinda Dutro, deceased.

Now at this day comes Arthur C. Dutro and makes
application for letters of administration on the estate of
Malinda Dutro, deceased, who departed this life intestate
the 26th day of April 1903. Having at the time of her death
personal property of the probable value of Five hundred
and fifty dollars, and the said Arthur C. Dutro being
the widower of said deceased, and entitled to admin-
ister upon said estate, it is therefore ordered that letters
of administration issue to him thereon, and before
entering on the duties of his office he is required to
enter into bond to the State of Missouri as such ad-
ministrator in the sum of Five hundred Dollars
with two or more securities to be approved by the Court
conditioned for the faithful discharge of his duties ac-
cording to law. Whereupon comes said Arthur C. Dutro
and files herein his bond in said sum of \$500⁰⁰
with N. B. Brown and W. O. Tague as securities thereon
which is approved.

In the matter of the estate of Continuation
Margaret Brasius-decd

Ordered that the settlement this day due from
O. P. Cline Executor of the will of said deceased be
continued to the August Term 1903. and that the final
settlement notice proof of the publication of which
has this day been filed, be continued with said settlement.

Ordered that Court adjourn to Friday May 29th 1903

Thomas R Shaw
Judge

In Vacation - May 21st 1902.

In the matter of the estate of Letters of Administration Granted
Lorenzo McBrayer - Deceased

Came now Walker McBrayer, and makes application for letters of administration on the estate of Lorenzo McBrayer who died intestate May 11th 1903, having at the time of his death personal property of the probable value of \$1200.00 in addition to real estate. And the said Walker McBrayer being one of the distributors of said estate, and the widow of said deceased having relinquished her right to administer upon said estate, and requested the appointment of said Walker McBrayer, it is therefore ordered that he be and is hereby appointed administrator of said estate, and that as such he enter into bond to the State of Missouri in the sum of \$2500.00 with two or more securities to be approved by the court. And now came said Walker McBrayer and files herein his bond in said sum of \$2500.00 with William A. Place, and John W. Meade as securities thereon conditioned as the law directs, which said bond is approved. It is further ordered that said administrator give notice of his appointment in the Gallatin Democrat, and that Henry Whitt and Byron Evans be and they are appointed witnesses to accompany and aid said administrator in making an inventory of said estate.

Thomas R. Shaw.
Judge of Probate.

In Vacation - May 22nd 1902.

In the matter of the estate of Will Probated
and last will and testament of Abraham Reed - deceased

Now on this day an instrument of writing heretofore filed purporting to be the last will and testament of Abraham Reed deceased is offered for probate, and the undersigned Judge and Ex officio Clerk of probate having seen and examined said instrument of writing and having also heard the testimony of Esther Balkey (formerly Esther Sailor) one of the subscribing witnesses thereto in relation to the execution of the same. And it appearing that A. H. Blakley, the other subscribing witness to

said will is dead. The undersigned Judge and Ex officio Clerk proceeds to take the testimony of W. C. Gillihew, as to the hand writing of the testator, and the hand writing of A. H. Blakley, said attesting witness who is dead. Which said testimony of said W. C. Gillihew is reduced to writing, and signed by him. And declare and adjudge said instrument of writing to be the last will and testament of Abraham Reed, deceased late of Daviess County, and orders the same admitted to probate.

Thomas R. Shaw
Judge of Probate.

May Adjourned Term. Friday - May 29th 1903.

Court met pursuant to adjournment, present Thomas R. Shaw Judge, and R. D. McGray, Sheriff where the following proceedings were had to wit;

In the matter of the estate of $\int$ Appropriation to widow William A. Johnson, Dec'd $\int$

Comes now Beatrice Johnson widow of said William A. Johnson deceased, and represents to the Court that at the time of the death of said deceased there was no grain, meat, vegetables, groceries, and other provisions on hand, and provided for the subsistence of herself and family, that she has a large family, wherefore she prays the Court to make an appropriation out of the assets of said estate to supply the deficiency in said provisions. And the Court having considered the said applications finds that the sum of \$250.⁰⁰ will be required to provide said widow and her family with subsistence and maintenance for one year next after the death of her said husband. It is therefore ordered by the Court that said sum of \$250.⁰⁰ be and the same is appropriated out of the estate of said deceased for that purpose, and that the administrator of said estate pay said widow said sum out of any money now in his hands or that may hereafter come into his hands, and that he have credit therefor.

May adjourned Term - Friday, May 29th 1903.

On the matter of the estate of James M. & Madeline Kelsey Minors } Final settlement & discharge

Comes now George D. Railsback, Curator of said minors and presents his accounts and vouchers for final settlement his said wards having attained their majority, and said curator having made a just and true exhibit of the account between himself and his wards, and filed the same in this Court, and caused said exhibit together with a notice stating the day on which said settlement would be made to be delivered to his wards, said settlement is therefore upon examination approved and ordered recorded, and said James M. & Madeline Kelsey, having receipted to their said Curator for all balances and sums due them as shown by said settlement, as appears by their respective receipts duly acknowledged and filed with said settlement, it is therefore ordered that said Curator be and he is discharged therein.

On the matter of the estate of }
and last will and testament of } Judgment Establishing will
Abraham Reed deceased }

It being shown to the Court now here, that in vacation of this Court to-wit: on the 22nd day of May 1903, an instrument of writing, purporting to be the last will and testament of Abraham Reed deceased, and attested by Esther Balkey (formerly Esther Sailor) and A. H. Blakley, as witnesses was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Abraham Reed deceased, and said Clerk proceeded to take the testimony of said Esther Balkey (formerly Esther Sailor) one of said attesting witnesses, which was by said Clerk reduced to writing and signed by her, and, it appearing that A. H. Blakley, the other subscribing witness to said will is dead, said Clerk proceeded to take the testimony of W. C. Gillihan, as to the hand writing of the testator, and of the said A. H. Blakley said attesting witness to said will, which was by said Clerk reduced to writing, and was signed by said W. C. Gillihan, and is now here produced in Court, And said Clerk having declared said will proved granted a certificate of probate on said 22nd day of May 1903. And the Court

May adjourned Term Friday May 29th 1902.

Having inspected said will, and seen and heard the testimony of Esther Balkey (formerly Esther Scilor) said attesting witness, and the testimony of W. C. Gilchrist, as to the handwriting of the testator and of said attesting witnesses, A. H. Blakely, so taken in vacation as to the execution of said will, and being sufficiently advised, it is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Abraham Reed deceased. And the said proceedings, and action of the Clerk in the premises are in all things ratified and confirmed, and that said will be admitted to record.

In the matter of the estate of $\frac{3}{2}$ Gertrude Stormer - a minor $\frac{3}{2}$ Continuance

Ordered that the settlement this day due from Freelin Boyer guardian and curator of said minor be continued to the August term 1902, and that citation issue for said guardian and curator for failing to make settlement as required by law.

In the matter of the estate of $\frac{3}{2}$ James M. Watts - a minor $\frac{3}{2}$ Final settlement & discharge

Now at this day comes Isaac Martgomery curator of said minor and presents his accounts and vouchers for final settlement his ward having attained his majority, and now comes also said James M. Watts and waives the service of notice of said settlement, and the filing of an exhibit, and enters his appearance, whereupon said settlement is examined and found to be correct and is approved. And said James M. Watts having received the record in full for the amount due him as shown by said settlement, it is therefore ordered that said curator be discharged.

Estate of B. F. Royston deceased $\frac{3}{2}$

Comes now E. L. Frost, and presents to the Court for allowance against said estate a demand for \$8.⁰⁰ founded on account, notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed, in said sum of \$8.⁰⁰ and that it be assigned to the sixth class.

May adj. Term Friday. May 29th 1903.

Estate of B. F. Royston-deceased }

Comes now William J. Ward and presents to the Court for allowance against said Estate a demand for \$1.95 founded on account, notice being waived in writing and said account being certified to as correct by the administrator. it is therefore ordered that said demand be allowed against said estate in said sum of \$1.95 and that it be assigned to the sixth class.

Estate of Alphons T. Day, deceased.

Comes now Nancy J. Isbel, and presents to the Court for allowance against said estate a demand for \$371.⁰⁰ founded on a note executed by A. T. Day, and Silas Day, to Nancy J. Isbel for \$350.⁰⁰ Dated May 3rd 1902, due in twelve months, with interest from date at six per cent per annum. Notice being waived in writing, and affidavit and proof of signature made, it is therefore ordered that said demand be allowed against said estate in said sum of \$371.⁰⁰ with six per cent interest thereon from May 3rd 1903, and that it be assigned to the fifth class.

Ordered that Court adjourn until Court in course

Thomas A. Shaw
Judge

In Vacation - June 5th 1903.

In the matter of the estate of
and last will and testament of } Will Probated.
Powhatan Downing - deceased.

Now on this day an instrument of writing, heretofore filed herein, purporting to be the last will and testament of Powhatan Downing, deceased, is offered for probate, and the undersigned Judge having seen and examined said instrument of writing, and having also heard the testimony of H. A. Kerr, and L. B. Gillihan, the subscribing witnesses thereto, in relation to the execution of the same, does declare and adjudge said instrument of writing, to be the last will and testament of Powhatan Downing, deceased, late of Daviess County, and orders the same to be admitted to probate.

Thomas A. Shaw
Judge of Probate.

In Vacation - June 6th 1903.

In the matter of the estate of } Bond Filed.
Powhatan Downing - deceased }

Now at this day comes Charles L. Downing, and W. C. Gillihan who are named as executors in the will of Powhatan Downing deceased (said will having been admitted to probate June 5th 1903), and make affidavit as required by law, and make application for letters testamentary upon said estate, and being suitable persons for such trust, it is ordered that they be and are hereby appointed executors of said estate, and that letters testamentary issue to them thereon, and before entering on the duties assigned to them, they are required to enter into bond, to the state of Missouri, as such executors, in the sum of one thousand dollars, with two or more securities, to be approved by the Court conditioned for the faithful discharge of their duties according to law. And now comes said Charles L. Downing, and W. C. Gillihan, and file said bond, in said sum of one thousand dollars, with John W. Meade and M. J. Mallory, as securities thereon, which is approved. It is further ordered that Wm. H. Place, and Jason Murburn, be and they are appointed as witnesses, to accompany and assist said executors in making an inventory of said estate.

Thomas A. Shaw
Judge of Probate.

In Vacation - June 9th 1903.

In the matter of the estate of } Letters of Administration Granted.
Napoleon B. Brown, deceased }

Comes now Sarah J. Brown, widow of said deceased and makes application for letters of administration on said estate deceased having departed this life intestate. May 26th 1903, having at the time of his death personal property of the probable value of \$3200.⁰⁰ And the said Sarah J. Brown, being entitled to administer upon said estate, it is therefore ordered that she be and is hereby appointed administratrix of said estate, and before entering on the duties of her office she is required to enter into bond to the State of Missouri, as such administratrix in the sum of \$6500.⁰⁰ with two or more securities to be approved by the Court. Thereupon comes said Sarah J. Brown and files herein her bond in said sum of \$6500.⁰⁰ conditioned as the law directs, with John W. Meade, William R. Huray and George C. Brown as securities thereon which is approved.

Thomas R. Shaw
Judge of Probate.

In Vacation - June 11th 1903.

In the matter of the Estate of } Order Private Sale of Personally
Peowhatam Downing, deceased }

Now comes Charles L. Downing, and W. C. Gillham, executors of said estate, and file a written application for permission to sell all the personal property belonging to said estate, at private sale, and the Court being satisfied that it will be for the best interest of the estate and not prejudicial to persons interested therein, to sell the same at such sale, it is ordered that said executors sell said property of said estate as shown by the appraisement, at private sale, for not less than its appraised value, for cash in hand, and that they report the same to this Court.

Thomas R. Shaw
Judge of Probate.

In Vacation - June 23rd 1903

In the matter of the Estate of $\frac{2}{3}$ Widows Election to the
Thomas M. Mallory, deceased $\frac{1}{3}$ Endowed.

Comes now Mary F. Mallory, widow of said Thomas M. Mallory deceased, and files her declaration in writing duly acknowledged before a notary public, whereby she elects to be endowed as follows: First to all the real and personal estate which came to the said Thomas M. Mallory in right of the marriage, and to all the personal property of said Thomas M. Mallory which came to his possession with the written assent of the said Mary F. Mallory, remaining undisposed of, absolutely; And one half of the real and personal estate belonging to her said husband, at the time of his death absolutely, in lieu of dower of one third part of all lands whereof her said husband or any other person to his use, was seized of an Estate of inheritance at any time during coverture to hold and enjoy during

Thomas R. Shaw Judge

In Vacation - July 8th 1903.

In the matter of the estate of $\frac{2}{3}$
and Last Will and Testament of $\frac{1}{3}$ Will Probated. Executrix appointed
Nathaniel G. Cruzen, dead $\frac{1}{3}$

Now on this day an instrument of writing, purporting to be the last will and testament of Nathaniel G. Cruzen, deceased, is offered for probate, and the Judge of Probate having seen and examined, said instrument of writing and having also heard the testimony of Rollin J. Britton and Frank E. Clingard, two of the subscribing witnesses thereto, in relation to the execution of the same, does, declare and adjudge said instrument of writing to be the last will and testament of Nathaniel G. Cruzen, deceased, late of Daviess County, and orders the same to be admitted to probate. And now comes Mary Cruzen, who was named as executrix in said will, and makes affidavit as required by law, and makes application for letters testamentary upon said estate, and being a suitable person for such trust, it is ordered that she be, and is hereby appointed Executrix of said estate, and that letters testamentary issue to her thereon. And in as much as

the testator requested in his will, that the executor named therein be not required to give bonds, and no creditors or devisees appearing to the contrary, it is deemed unnecessary to require a bond of said Executor herein.

Thomas R. Shaw

Judge of Probate.

On Vacation - July 4th 1903.

In the matter of the estate of Administrator appointed Sarah J. Wood - deceased

Comes now P. P. Doak, and makes application for letters of administration on the estate of said Sarah J. Wood, deceased who died intestate March 22nd 1903, leaving at the time of her death personal property of the probable value of \$1500.00. And it appearing to the Judge of Probate, that all the distributees of said estate who are entitled to, administer upon said estate, have filed herein their relinquishment, and renunciation of such right and requested the appointment of said P. P. Doak, as such administrator. It is therefore ordered that he do, and is hereby appointed administrator of said estate, and before entering upon the duties of his office he is required to enter into bond to the State of Missouri in the sum of three thousand dollars with two or more securities to be approved by the Court, conditioned for the faithful discharge of his duties according to law.

And now comes said P. P. Doak and files herein his bond in said sum of \$3000.00 with J. M. Parker, V. S. Morris, John W. Meade, and R. R. Wynn, as securities thereon, which is approved. It is further ordered that J. J. Lewis, and A. B. Hale, do and they are hereby appointed witnesses to accompany and assist said administrator in making an inventory of said estate. It is further ordered that notice of grant of letters be published in the Gallatin Democrat.

Thomas R. Shaw
Judge of Probate.

In Vacation - July 9th 1903.

In the matter of the Estate of ³ Appointment of Public Administrator
Douglas Taylor - deceased.

Now at this day it having come to the knowledge of the Judge of Probate, that Douglas Taylor, late of the County of Daviess, departed this life intestate, July 3rd 1903, having at the time of his death personal property in this state of the probable value of (\$1000.) One thousand dollars, which may be lost, destroyed, or diminished in value if speedy care be not taken of the same. And it further appearing that said deceased did not have or leave a widow or heirs in this state. To the end therefore, that the said property, may be collected, preserved, and disposed of according to law, we do hereby appoint E. M. Foley Jr. (Public Administrator of Daviess County Missouri) administrator of said estate of said Douglas Taylor deceased, and hereby direct that he take charge of and administer said estate.

Thomas R Shaw
Judge of Probate

In Vacation - July 14th 1903.

In the matter of the estate of
William D. Taylor, Myrtle P. Taylor ³ Appointment of Public Curator
and Alice L. Taylor, minor heirs of ³
Douglas Taylor, deceased.

Now on this day comes E. M. Foley, Jr Public Administrator, and Ex Officio Public Curator of Daviess County Missouri, and represents and shows to the Judge of Probate, that William D. Taylor, Myrtle P. Taylor, and Alice L. Taylor, aged as follows, Wm D. born Nov 27th 1891. Myrtle P. born May 26th 1894. Alice L. born May 19th 1898. are minors and heirs at law, of Douglas Taylor, deceased, late of Daviess County Missouri, that said minors now reside in the state of Nebraska that they have no parents living, that they own property in the state of Missouri, not exceeding in value the sum of \$1300.⁰⁰

And it appearing to the Judge of Probate that the statements so made are true. it is therefore ordered that he be and is hereby appointed curator of the estate of said minors and that he take into his charge and custody the estate of said minors, and manage and administer the same according to law.

Thomas R Shaw Judge

In Vacation - July 17th 1903.

In the matter of the registration
of the License of John W. Lierley,
to practice the science of Embalming

Now at this day comes John W. Lierley, and presents to the Judge of the Probate Court, in vacation for registration his license authorizing him to practice the science of embalming, as required by section 7375, Chapter 103, of the Revised Statutes of Missouri 1899. Given under the hand of the State Board of Embalming, said License being in words and figures following:

"The State Board of Embalming
State of Missouri - No 775.

To all whom it may concern, Greeting;
By virtue of authority vested in us by the State of Missouri, by an act approved March sixteenth Eighteen hundred and ninety five, to regulate the practice of embalming - We do hereby grant a license for the term of one year from date, to John W. Lierley of Coffeyburg, County of Davis, to practice the science of embalming, he having passed a satisfactory examination by the State Board.

Given under our hands, and seal of this Board
this sixteenth day of May nineteen hundred and three.

(Seal)

Geo E. R. Wagoner
Aug Lohmeyer
L. B. Hickman
Leo J. Stewart - Secretary
Jos Martin President
State Board of Embalming

Filed July 17th 1903.

Thomas R. Shum
Judge of Probate.

On Vacation - August 3rd 1903.

On the matter of the estate of $\frac{3}{3}$ Order Private sale
 William Lake - deceased. $\frac{3}{3}$

Now comes George W. Lake Executor of the will of William Lake, deceased and files his written application for permission to sell thirty one head of fat hogs weighing on an average about 200# belonging to said estate, at private sale. And the Judge of Probate being satisfied that it will be for the best interest of the estate, and not prejudicial to persons interested therein to sell the same at such sale, it is ordered that said Executor sell said property at private sale for not less than three fourths of its appraised value, and that he report the same to this Court.

Thomas A. Shaw. Judge of Probate.

August Term - Monday - August 10th 1903.

State of Missouri. } ss.
County of Daviess }

Be it remembered that at a regular term of the Probate Court of Daviess County Missouri, begun and held at the Court House in the City of Galatin, County and State aforesaid, on the 10th day of August 1903, there was present Thomas R. Shaw Judge of said Court, and R. D. McCray Sheriff when the following proceedings were had to-wit:

Ordered that the bond of Walker McBryer, as administrator of the estate of Lorenzo McBryer deceased, taken in vacation, May 21st 1903. be, and the same is approved and his appointment as such ratified and confirmed.

Ordered that the bond of Sarah J. Brown, as administrator of the estate of Napoleon B. Brown, deceased taken in vacation June 9th 1903. be, and the same is approved and her appointment ratified and confirmed.

Ordered that the bond of Charles L. Downing, and W. C. Gellihew as executors of the will of Powhatan Downing Sr deceased taken in vacation June 6th 1903. be and the same is approved, and their appointment ratified and confirmed.

Ordered that the appointment of Mary Cruzen, as Executrix of the last will and testament of Nathaniel G. Cruzen, deceased, made in vacation, July 8th 1903. be and the same is ratified and confirmed.

Ordered that the appointment of E. M. Foley Jr. Public administrator of Daviess County, as administrator of the estate of Douglas Taylor deceased made in vacation July 9th 1903. be ratified and confirmed.

Ordered that the bond of P. P. Doak as administrator of the estate of Sarah J. Wood, deceased taken in vacation July 9th 1903. be and the same is approved, and his appointment ratified and confirmed.

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In the matter of the estate of }
and Last will and Testament of } Judgment Establishing will
Powhatan Downing, deceased.

It being shown to the Court now here, that in vacation of this Court to-wit: on the 5th day of June 1903, an instrument of writing purporting to be the last will and Testament of Powhatan Downing, deceased, and attested by H. A. Kerr, and L. B. Gillihan, as witnesses was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Powhatan Downing, deceased, and said Clerk proceeded to take the testimony of H. A. Kerr, and L. B. Gillihan, said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved granted a certificate of probate on said 5th day of June 1903. And the Court having inspected said will, and seen and heard the testimony of H. A. Kerr and L. B. Gillihan, the attesting witnesses so taken in vacation, as to the execution of said will, and being sufficiently advised, it is ordered and adjudged by the Court, that said instrument be considered proved, and the same is adjudged to be the last will of said Powhatan Downing, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed and that said will be admitted to record.

In the matter of the estate of }
and last will and testament of } Judgment Establishing will.
Nathaniel G. Cruzen, deceased }

It being shown to the Court now here, that in vacation of this Court to-wit: on the 8th day of July 1903, an instrument of writing, purporting to be the last will and testament of Nathaniel G. Cruzen, deceased, and attested by Rollin J. Britton, Robert G. Yates, and Frank E. Clingan as witnesses was produced before the Clerk of this Court to be proved and admitted to record as the will of said Nathaniel G. Cruzen, deceased. And said Clerk proceeded to take the testimony of Rollin J. Britton and Frank E. Clingan

August Term - Monday August 10th 1903.

two of said attesting witnesses, which was by said clerk reduced to writing, and signed by them respectively, and is now here produced in court. And said clerk having declared said will proved, granted a certificate of probate on said 8th day of July 1903. And the Court having inspected said will, and seen and heard the testimony of Rollin J. Britton, and Frank E. Clingard, attesting witnesses so taken in vacation as to the execution of said will, and being sufficiently advised, It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Nathaniel G. Cruger, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and that said will be admitted to records.

In the matter of the estate of } Partial Discharge
John Robison - deceased }

Now comes J. B. Yates executor of said deceased and files the receipts of the following named legatees of said deceased for the amount ascertained to be due them on final settlement of said estate, made at the February term 1902 of this Court, to wit;

Harriet Elizabeth Frey	\$229.15
E. B. Robison	343.73
H. M. Longfellow	11.46
Mrs Bertha Clark	11.46
Nellie E. Lintecum	11.46

wherefore it is ordered, that said executor as to said above named legatees.

In the matter of the estate of } Discharge of Administrator
Alfred C. Minnier, dec'd }

Comes now John Minnier, administrator of the estate of said deceased, and files the receipts of all of the distributees of said estate for the amount due them respectively on final settlement of said estate, made at the May Term 1903, of this Court to wit;

Elizabeth Dryden	\$84.89
N. C. Minnier	84.89
Martha J. Minnier	84.89
John Minnier	84.89

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and said estate being fully administered said administrator is discharged.

Estate of George Gatschell dec'd $\frac{3}{4}$

Now at this day comes Robert E. Maupin, and presents to the Court for allowance against said estate a demand for \$8.95 founded on account. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$8.95 and that it be assigned to the 6th class.

Estate of Thomas M. Mallory, dec'd $\frac{3}{4}$

Now at this day comes Albert Clinesmith, and presents to the Court for allowance against said estate a demand for \$13.⁰⁰ founded on account for funeral expenses. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$13.⁰⁰ and that it be assigned to Class One.

Estate of John D. Wynne, deceased $\frac{3}{4}$

Comes now Scott and Dunn, and present to the Court for allowance against said estate a demand for \$5.⁶⁰ founded on account, notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$5.⁶⁰ and that it be assigned to Class One.

Estate of D. D. Meadows, deceased $\frac{3}{4}$

Comes now Abr Hawk, and presents to the Court for allowance against said estate a demand for \$802.⁴⁷ founded on a note executed by deceased to Neel, McKinnis & Co., and assigned, dated March 7th 1899 for \$572.³⁰ at 8% interest from date, compounded. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$802.⁴⁷ at 8% interest from this date, and that it be assigned to the fifth class.

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Estate of Henry C. Parberry, deceased. }

Comes now J. M. Drummond, and presents to the court for allowance against said estate a demand for \$3.50 founded on account, notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$3.50 and that it be assigned to class one.

Estate of L. G. Wells, deceased. }

Comes now C. G. McKimley, M. D. and presents to the court for allowance against said estate a demand for \$7.00 founded on account. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$7.00 and that it be assigned to the second class.

In the matter of the Estate of William Sherman Knight & }
 Laura May Knight, minor heirs } Choice and appointment of
 of William Thomas Knight & } Guardian & Curator.
 Carrie Knight, deceased. }

On this day appeared William Sherman Knight and it appearing to the court that he is a minor under twenty one, but above fourteen years of age, to-wit: sixteen years of age, August 31st 1903, and resides in the county of Daviss, and has no guardian and curator and being directed by the court to choose a guardian and curator of his person and estate he selected Harrison M. Tomlinson. And now on this day comes also Harrison M. Tomlinson, and represents and shows to the court, that Laura May Knight, and Wm Sherman Knight, aged 13 & 15 years, respectively, are minors children, and heirs at law of William Thomas Knight, and Carrie Knight deceased. That said minors reside in the county of Daviss, that they own property not exceeding in value the sum of \$250.00 and prays the court to appoint him guardian of the person, and curator of the estate of said minors. And it appearing to the court that the statements so made are true, and that the said Harrison M. Tomlinson is a suitable, and

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competent person for such trust. it is ordered by the Court that he be and is hereby appointed guardian of the person, and curator of the estate of said William Sherman Knight and Lurda May Knight and before entering on the duties of his office he is required to enter into bonds to the state of Missouri, for the use of said minors with two or more securities to be approved by the Court in the sum of \$300.⁰⁰ conditioned for the faithful discharge of his duties according to law.

Estate of James R. Ward dec'd.

Now comes B. R. Harmon M.D. and presents to the Court for allowance against said estate a demand for \$42.⁰⁰ founded on account for medical services during last sickness. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$42.⁰⁰ and that it be assigned to the second class.

In the matter of the estate of Alphons A. Day - deceased. Order of sale of Real Estate

Now at this day comes Ora Day, administrator of the estate of Alphons A. Day, deceased, and proves to the Court that the order of publication by the probate Court of said County, upon his petition at the May term 1903, thereof has been published according to law, and due service had on the heirs, and devisees residing, in said County, and moves for an order of sale, pursuant to said petition and notice. Whereupon the Court proceeds to hear the testimony produced, and to examine the parties who appear touching the application of said administrator for the sale of real estate of said deceased, as in said publication, and petition mentioned. And it being proved to the Court that there is not sufficient personal estate and effects of said deceased, charged with the payment of debts, and not sufficient assets in the hands of said administrator, to pay the debts due and owing by said estate, it is ordered that the said administrator, first having the same duly appraised according to law, do sell the real estate mentioned in said petition, and thereafter

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described at private sale, for the purpose of paying the debts due by said estate as aforesaid. The South half of the South West quarter of section 26. Township 61. of Range 28. in Daviess County Missouri. And it is further ordered that the said administrator, sell the same for the purposes in said petition mentioned on the following terms to-wit: Cash in hand, and said administrator is directed to make report of his proceedings in relation thereto to this Court at its next term as required by law.

In the matter of the Estate of ^{Choice of} Guardian & Curator.
Wardle A. Bennett - a minor

On this day appeared Wardle A. Bennett, and it appearing to the Court that he is a minor under twenty one but above fourteen years of age and resides in the County of Daviess, and has no guardian & curator and being directed by the Court to choose a guardian and curator of his person and estate, he selected E. M. Foley Jr. Public guardian and Curator of Daviess County. It is therefore ordered by the Court that said E. M. Foley Jr. he and he is appointed guardian and Curator of the person and estate of said minor, and that he at once take charge of and administer said estate and take due and proper care of said minor.

In the matter of the estate of ^{Choice & appointment of} Guardian & Curator.
Myrtle Shintaffer - a minor

On this day appeared Myrtle Shintaffer, and it appearing to the Court that she is a minor, under eighteen but above fourteen years of age, and resides in the County of Daviess, and has no guardian and curator of her person and estate, and being directed by the Court to choose a guardian and curator she selected E. M. Foley Jr. Public guardian and Curator of Daviess County. It is therefore ordered by the Court that said E. M. Foley Jr. as public guardian and Curator he and is appointed guardian and Curator of said minor and that he at once take charge of and administer the estate of said minor, and take due and proper care of said minor.

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In the matter of the estate of }
Alphons P. Day - deceased }

Comes now Ora Day, administrator of said deceased and represents and shews to the Court that the Stephens Farm Loan Co. hold two deeds of trust on the lands of said deceased, one for \$100. one fifth of same due in 1, 2, 3, 4 & 5 years respectively, and one for \$400. bearing interest at 5%. That one of the Commission notes of \$20.⁰⁰ and the interest on the \$400. amounting to \$20.⁰⁰ making a total of \$420.⁰⁰ at 8% interest from April 15th 1902. is now due and payable. Wherefore he prays the Court to make an order directing him as such administrator to pay said sum and interest. And the Court having considered said petition is satisfied that it will be to the best interest of said estate, and not prejudicial to persons interested therein to pay said interest. It is therefore ordered that said administrator pay the same out of the assets of said estate, and that he have credit therefor in his settlement of said estate.

Estate of Mrs. Ranney - deceased.

Now comes John D. Rader, and presents to the Court for allowance against said estate a demand for \$19.⁴⁰ founded on account, notice being waived in writing, and affidavit and proof made. It is ordered that said demand be allowed against said estate in said sum of \$19.⁴⁰ and that it be assigned to class five.

In the matter of the Estate of }
Rella Brown - a minor }

Ordered that the second annual settlement this day filed by Walker G. Smith guardian and curator of said minor be approved and recorded.

In the matter of the Estate of }
Margaret Brasier - deceased }

Ordered that the settlement this day due from P. P. Cline Executor of said deceased be continued to the November Term 1903. for final settlement.

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In the matter of the Estate of } Continued.
Hiram J. Cook - deceased }

Ordered that the settlement this day due from
J. A. Selby, administrator of said deceased be contin-
ued to the November Term 1903.

In the matter of the Estate of } Continued
Charles M. Donaldson - Insane }

Ordered that the settlement this day due from
R. M. Pickell, guardian of said insane person be
continued to the November Term 1903.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

August Term - Tuesday, August 11th 1903.

Court met pursuant to adjournment, present Thomas R. Shaw, Judge, and R. D. McGray, Sheriff when the following proceedings were had to wit:

On the matter of the estate of $\frac{3}{4}$ Order Confirming Sale.
Mary B. Turner - a minor $\frac{3}{4}$

Now comes Gabriel Jones, Curator of the estate of said Mary B. Turner - a minor, and submits to the court his report of sale, by which it appears that he did on Saturday the 6th day of June 1903, in obedience to the order of this Court, made at the May Term 1903, thereof, sell at private sale to Theophilus Bratton for the sum of \$194.⁴⁴ the real estate in said order of Court and report particularly described to wit: The undivided one eighteenth part of the North three fourths of the West half of the North East quarter of section 14, and the West half of the East half of the North east quarter of section 14, all in Township 60, Range 25, in Grundy County Missouri. And to Bazel Brown, for the price and sum of \$38.⁵⁸ the real estate in said order of Court and report particularly described as follows, to wit: The undivided one eighteenth part of the South one fourth of the West half of the North east quarter of section 14, Township 60, Range 25, in Grundy County Missouri. And it appearing that said sales were legally and fairly conducted, pursuant to the order of the Court, and in accordance with the Statute. It is therefore ordered that the said sales be and the same are hereby approved, and confirmed, and the said curator is ordered, to execute as knowledge and deliver, to said purchasers, deeds in due form of law, conveying to them all the right, title and interest which said minor had in and to said real estate.

On the matter of the estate of $\frac{1}{2}$ Final Settlement & Discharge
Harry D. Lindsey - a minor $\frac{1}{2}$

Comes now B. F. Parvick, Curator of the estate of said minor, and presents to the Court his accounts and vouchers for final settlement, his ward having attained his majority, and it appearing to the Court

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that said curator filed in this court an exhibit of his account with his said ward, and caused a copy of said exhibit and notice of said settlement to be served upon his said ward as required by law. Said settlement is therefore taken up and examined and by the court approved. And said Harry D. Lindsey having received his said curator for the balance found due him on said settlement, it is therefore ordered that said curator be discharged.

Estate of Mary Stiffler - deceased &

Comes now Darcina A. Stiffler and presents to the Court for allowance against said estate a demand for \$300.00 founded on account, notice being waived in writing, and affidavit, and proof made, it is ordered that said demand be allowed against said estate in said sum of \$300.00 and that it be assigned to the fifth class.

In the matter of the estate of & Appropriation to widow Lorenzo McBrayer - deceased &

Comes now Mary J. McBrayer, widow of said deceased, and shows to the Court, that at the time of the death of her husband there was nothing on hand in the way of provisions such as grain, meat vegetables, and groceries, necessary for the support and maintenance of said widow for one year as provided by law. Wherefore she prays the Court for an order appropriating out of the assets of said estate a sum sufficient for her maintenance for one year next after the death of her husband.

And the Court having considered said petition and the evidence in support thereof finds that the sum of two hundred Dollars will be a reasonable sum to supply the deficiency in the provisions allowed said widow as aforesaid. It is therefore ordered by the Court that said sum of \$200.00 be and the same is appropriated out of the assets of said estate in the hands of the administrator thereof for that purpose and that said administrator have receipt therefor.

August Term - Tuesday - August 11th 1903.

Estate of Pawhatan Downing - dec'd.

Came now McClure and Henderson, and present to the court for allowance against said estate a demand for \$87.⁰⁰ founded on account for burial cost, and funeral expenses. Notice being waived, and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$87.⁰⁰ and that it be assigned to class one.

In the matter of the Estate of }
Elmer E. Cozad - Dec'd. }

Now at this day comes Louis Theilman administrator of the estate of Moses J. Badler dec'd who was administrator of the estate of Elmer E. Cozad dec'd and on behalf of his decedent presents his accounts and vouchers for settlement with Nannie Cozad who is administrator ad hoc of the estate of said Elmer E. Cozad dec'd. Whereupon said settlement is taken up and considered by the court and approved and said Estate of Moses J. Badler by and through said Louis Theilman, as administrator is discharged.

In the matter of the estate of }
Maud H. Ewing - a minor }

Ordered that the fourth annual settlement this day filed by John W. Meade Curator of the estate of said minor be approved and recorded.

In the matter of the estate of } Continuance
William B. Eads, a minor }

Ordered that the settlement this day due from Louis J. McClure guardian and Curator of said minor be continued to the November term 1903.

In the matter of the Estate of }
James M. Freeman, dec'd }

Ordered that the first annual settlement this day filed by Rodman K. Freeman, Executor of said dec'd be approved and recorded.

August Term Tuesday - August 11th 1903.

In the matter of the Estate of } continued
William L. Holmes - a minor }

Ordered that the settlement this day due from
Daniel Blackburn, Curator of said minor be con-
tinued to the November term 1903.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

August Term - Wednesday - August 12th 1903.

Court met pursuant to adjournment. present
Thomas R. Shaw - Judge and R. D. McGraw sheriff
when the following proceedings were had to wit:

Estate of John Nichols Sr. deceased.

Comes now Farmers and Merchants Bank of Jamestown
and presents to the Court for allowance against said estate
a demand for \$39.⁶⁸ founded on 2 notes described as follows:
One for \$30.⁰⁰ dated July 15th 1897. payable to R. L. Ishenwood,
and assigned to said Bank. Credited May 17th 1898. \$5.⁰⁰ and
Nov 28th 1899. \$10.⁰⁰ and May 3rd 1900. \$10.⁰⁰ balance due this date
\$18.⁷⁵ And one note for \$20.⁰⁰ dated July 11th 1892. at 8% from
due, and due in six months, signed by John Nichols Sr. and
John Nichols Jr. amount due this date \$20.⁰⁰. Total due
on said two notes \$39.⁶⁸ Notice being waived in writing
and affidavit and proof made. It is therefore ordered that
said demand be allowed against said estate in said sum of
\$39.⁶⁸ and that it be assigned to the fifth class.

Estate of Alphons P. Day - deceased. }

Comes now M. D. McDonald, and presents to the Court
for allowance against said estate, a demand for \$32.⁰⁰
founded on account. Notice being waived in writing,
and affidavit and proof made. It is ordered that said
demand be allowed against said estate in said sum of
\$32.⁰⁰ and that it be assigned to the fifth class.

Estate of Henry B. Parberry, deceased. }

Comes now L. R. Woodbridge, and presents to the Court
for allowance against said estate, a demand for \$369.⁰⁰
founded on account for nursing deceased during last
sickness twenty one days, and for services as nurse
during sickness, on various other occasions and dates.
Notice being waived in writing and affidavit made. By
agreement of parties the sum of \$125.⁰⁰ is allowed the
same to be in full for said services. and said demand
is assigned to the fifth class.

August Term - Wednesday August 12th 1903.

Estate of S. S. Meadows, deceased.

Comes now Edmund Henry, and presents to the Court for allowance against said estate a demand for \$787⁰⁰ founded on account. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum, and that it be assigned to the fifth Class.

On the matter of the estate of } Continued
Philip Hess - deceased }

Ordered that the first annual settlement this day due from H. Margaret Hess, administratrix of said estate be continued to the November Term 1903.

On the matter of the estate of }
Ora Lindenberg - Etal - }

Ordered that the seventh annual settlement this day filed by W. C. Gillihan Curator of said minors be approved and recorded.

On the matter of the Estate of } Continued
Joseph H. Mallory, dec'd. }

Ordered that the settlement this day due from Zeviah E. Mallory, administratrix of said deceased be continued to November term 1903.

On the matter of the Estate of } Continuance
Frederick C. Howard, dec'd. }

Ordered that the settlement this day due from W. C. Gillihan, administrator of said deceased be continued to Sept 25th 1903.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas D. Shaw
Judge

August Term. Thursday August 13th 1903.

Court met pursuant to adjournment - present Thomas R. Shaw, Judge, and R. D. McCray Sheriff when the following proceedings were had Court:

Estate of John D. Wynn - dec'd {

Comes now W. J. Fount, and presents to the Court for allowance against said estate a demand for \$11.²⁵ founded on account, notice being waived in writing, and affidavit and proof made. It is ordered that said demand be allowed against said estate, and that it be assigned to the fifth class.

In the matter of the estate of {
Joseph D. McDaniel - a minor {

Ordered that the seventh annual settlement this day filed by Robert J. McDaniel, Curator of said minor be approved and recorded.

In the matter of the estate of { Final settlement & Discharge
Wyatt L. Newton, deceased. {

Comes now William F. Newton, administrator of said deceased and presents his accounts, and vouchers for final settlement, and it appearing that notice of said settlement has been published as required by law, that all the debts due and owing by said deceased have been paid and said estate fully administered. It is therefore ordered that said settlement be approved and recorded and said administrator discharged.

In the matter of the estate of {
Preston G. Prindle - a minor {

Ordered that the third annual settlement this day filed by James H. Prindle, Curator of said Preston G. Prindle be approved and recorded.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

August Term. Friday August 14th 1903.

Court met pursuant to adjournment - present Thomas R Shaw Judge and R. D. McCray Sheriff when the following proceedings were had to wit:

Estate of Alphons J. Day deceased }
 Cause now Robert Wilson, and presents to the Court

for allowance against said estate a demand for \$1622.⁶⁰ Sixteen hundred and twenty two & ⁶⁰/₁₀₀ Dollars founded on a note executed by deceased and Silas Day. Dated April 11th 1902. for \$1500.⁰⁰ bearing six per cent interest from date. Notice being waived in writing, and affidavit and proof made. it is ordered that said demand be allowed against said estate in said sum of \$1622.⁶⁰ and that it be assigned to the fifth class.

In the matter of the estate of }
 Edna Guider - a minor }

Ordered that the eighth annual settlement this day filed by George W. Guider, curator of said minor be approved and recorded.

In the matter of the estate of } Continued
 Harvey O. Stretch - minor. }

Ordered that the settlement this day due from Rosa Stretch, curator of said minor be continued to the November Term 1903.

In the matter of the estate of } Continued
 Gertrude Stroman - a minor }

Ordered that the settlement this day due from Franklin Boyer, guardian and curator of said minor be continued to the November term 1903 for final settlement.

In the matter of the estate of } Continued
 Clarence Dandige - a minor }

Ordered that the settlement this day due from William B. Wilson curator of said minor be continued to the November Term 1903.

August Term - Friday - August 14th 1903.

In the matter of the estate of $\frac{3}{4}$ Continued
Jacob A. Stitt. Deceased $\frac{3}{4}$

Ordered that the settlement this day due from
Katie A. Stitt. Executrix of said deceased be con-
tinued to the November Term 1903.

In the matter of the Estate of $\frac{3}{4}$ Continued
Joseph Offield - Deceased. $\frac{3}{4}$

Ordered that the settlement this day due from
James M. Offield Executor of said deceased be con-
tinued to September 23rd 1903. for final settlement.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

August Term - Saturday - August 15th 1902.

Court met pursuant to adjournment, present Thomas R. Shaw, Judge, and R. D. McOmey, Sheriff, when the following proceedings were had to wit:

In the matter of the Estate of } Discharge of Executor
Sarah F. Landis - deceased. }

Comes now Owen Edwards, Trustee, under the provisions of the will of said deceased, duly qualified as such of Charles N. Hiatt, and Clarence W. Hiatt, and files his receipt, as such trustee, given to himself as Executor of said Sarah F. Landis, deceased, for the amount due said Charles N. and Clarence W. Hiatt, on his final settlement as Executor of said estate at the May Term 1902 of this Court, and on the 15th day of May 1902. Wherefore said Executor is discharged.

In the matter of the estate of } Final statement by Executor
Wardle A. Bennett, a minor }

Comes now W. J. Meldon executor of the last will and testament of R. F. Bennett, deceased, who was curator of the estate of said Wardle A. Bennett, and on behalf of his decedent, presents his accounts and vouchers for final settlement of said curatorship, and now comes also E. M. Foley, Jr. who was chosen and duly appointed curator of the Estate on the 10th day of August 1902 of the present term of this Court, and reads the filing of an exhibit, and notice of said settlement, and enters his appearance. Whereupon said settlement is taken up and examined by the Court and by the Court approved. And it appearing from said settlement that there is a balance due said minor of \$69.84 It is therefore ordered that said Executor of said R. F. Bennett, pay to said E. M. Foley as curator of said minor said sum of \$69.84 and upon filing a receipt therefor that he be discharged.

In the matter of the estate of }
Reuben Herschberger - Etal minors }

Ordered that the sixth annual settlement this day filed by O. J. Taylor, Curator of said minors, be approved and recorded.

August Term. Saturday - August 15th 1903.

In the matter of the estate of $\frac{3}{3}$
Corcia R. Leap. Etal - minors $\frac{3}{3}$

Ordered that the fourth annual settlement this day filed by F. D. Ray, Curator of said minors be approved and recorded.

In the matter of the estate of $\frac{3}{3}$
Harvey Johnson - Insane $\frac{3}{3}$

Ordered that the first annual settlement this day filed by Charles G. Yates - guardian of said insane person, be approved and recorded.

In the matter of the estate of $\frac{3}{3}$ Final settlement & discharge
William A. Wright, deceased $\frac{3}{3}$

Now at this day comes C. L. & D. E. Wright, Executors of said, deceased, and present their accounts and vouchers for final settlement. And it appearing that notice of said settlement has been published as required by law, and that said estate has been fully administered in accordance with the will of said deceased, said settlement is therefore approved, and the balance of \$727.40, remaining in the hands of said Executors, as shown by said settlement is ordered distributed according to the provisions of said will as follows:

To C. L. Wright	\$181.85
" D. E. Wright	181.85
" Mary F. Wright	181.85
" Martha E. Wright	181.85

And now comes said Executors and file the receipts of the above legatees for the amount due each of them respectively wherefore they are discharged herein.

In the matter of the Estate of $\frac{3}{3}$ Continued.
Mary B. Turner - a minor $\frac{3}{3}$

Ordered that the settlement this day due from Gabriel Jones, Curator of said minor be continued to the Nov Term 1903.

Ordered that Court adjourn until Monday August 17th 1903 at 9 o'clock.

Thomas R. Shaw
Judge

August Term. Monday. August 17th 1903.

Court met pursuant to adjournment. present Thomas R. Shaw. Judge and R. D. McGray-sheriff when the following proceedings were had to wit:

In the matter of the estate of $\frac{2}{3}$ Curator Discharged,
Derna Kemp - a minor

Came now Joshua B. Scott. Curator of the estate of said Derna Kemp, and files her receipt for the sum of \$12⁶⁷ being the amount due her on final settlement of her estate, at the May Term 1902, of this Court, wherefore said Curator is discharged as to his said ward the said Derna Kemp.

In the matter of John H. Strunge $\frac{2}{3}$ Fidal sett & Discharge
a minor

Came now R. V. Thompson, Curator of the estate of said John H. Strunge, and presents his accounts for fidal settlement, his said ward having attained his majority. And said ward now appearing in open court, and waiving the service of an exhibit, and notice of said settlement, and entering his appearance, said settlement is taken up and considered by the Court and approved. And said ward having receipted his said Curator for the balance due him as shown by said settlement to wit: the sum of \$859.³⁶ it is therefore ordered that said Curator be discharged.

In the matter of the estate of }
Leslie R. Robinson, Flora L. Robinson } Appointment of Guardian & Curator
Mabel M. Robinson, & George A. Robinson }
Minor heirs of Quintus J. Robinson, dec'd }

Now on this day came William Robinson, and represents and shews to the Court that Leslie R. Robinson, Flora L. Robinson, Mabel M. Robinson and George A. Robinson, aged respectively sixteen - thirteen - nine - and seven years, are minor children and heirs at law of Quintus J. Robinson deceased, that said minors reside in the County of Danvers, that they own property of the probable value of \$320.⁰⁰ and prays the Court to appoint him guardian of the person and curator of the estate of said minors. And the said

August Term - Monday - August 17th 1903.

Leslie R. Robinson, being above fourteen years of age and being directed by the Court to choose a guardian and curator, he selected the said William Robinson, who being considered by the Court a suitable and competent person for such trust. It is therefore ordered that he be and is hereby appointed guardian of the person and curator of the estate of said Leslie R. Robinson. Flora G. Robinson Mabel M. Robinson and George A. Robinson, and that as such guardian and curator he enter into bond to the state of Missouri for the use of said minors in the sum of \$800⁰⁰ Eight hundred Dollars conditioned for the faithful discharge of his duties according to law. And now comes said William Robinson, and files herein his bond as such guardian and curator in said sum of Eight hundred Dollars, with Howard Page, and Joshua D. Scott as securities thereon which said bond is by the Court approved.

In the matter of the Estate of ³ George Egbert deceased ₃ appointment of administrator.

Now at this day comes Robert E. Maupin and makes application for letters of administration on the estate of George Egbert deceased, who departed this life intestate 1902. Having at the time of his death personal property of the probable value of six thousand dollars, and the widow and heirs of said deceased, entitled to administer upon said estate having relinquished their right, and requested the appointment of said Robert E. Maupin as such administrator. It is therefore ordered by the Court that he be and is hereby appointed administrator of said estate, and before entering on the duties of his office he is required to enter into bond to the state of Missouri in the sum of Twelve thousand dollars, with two or more securities to be approved by the Court, conditioned for the faithful discharge of his duties according to law. And now comes said Robert E. Maupin and files herein his bond in said sum of \$12000⁰⁰ with J. C. Browalee, L. M. Bext, and W. E. Smith as securities thereon, which said bond is by the Court approved.

August Term - Monday - August 17th 1902.

Estate of Douglass Taylor Dec'd $\frac{2}{3}$

Came now McBride and Henderson, and present to the Court for allowance against said estate a demand for \$84.⁰⁰ founded on account for funeral casket etc. Notice being waived in open Court and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$84.⁰⁰ and that it be assigned to the first class.

Estate of Douglas Taylor, deceased. $\frac{2}{3}$

Came now Scott J. Haynes, and presents to the Court for allowance against said estate a demand for \$14.⁷⁵ founded on account. Notice being waived in open Court and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$14.⁷⁵ and that it be assigned to the fifth class.

On the matter of the estate of $\frac{2}{3}$
James Huston - Etal - minors $\frac{2}{3}$

Now at this day it having come to the knowledge of the Court, that Isaac F. Huston, Curator of said Alexander, George, and James Huston, has become a non resident of the State of Missouri, it is therefore ordered and adjudged by the Court that the letters of Curatorship granted said Isaac F. Huston, be and the same are revoked and held for naught, and that his authority as such Curator cease. It is further ordered that said Isaac F. Huston be and he is ordered and required to make final settlement of his accounts with the Estate of said minors with his successor in said Curatorship when one shall have been appointed.

+ On the matter of the Estate of $\frac{2}{3}$
Alexander Huston - George Huston $\frac{2}{3}$ Appointment of Curator
and James Huston - minors. $\frac{2}{3}$

Now at this day it having come to the knowledge of the Court, that said Alexander, George and James Huston, minors, and residents of Daviess County are without a Curator of their estate. (Isaac F. Huston who was their Curator having become a nonresident of this

August Term - Monday - August 17th 1902.

state. and by reason thereof his authority as such curator having been revoked, it is therefore ordered and adjudged by the Court that E. M. Foley Jr. Public administrator of Davies County Missouri and Ex-officio public guardian and curator. be and he is hereby appointed curator of the Estate of said minors. and that he take charge of and manage and administer the same according to law and as the order of the Court may require.

In the matter of the estate of }
Alexander Huston - Geo. Huston } Final settlement & discharge
and James Huston - minors } of Isaac F. Huston - curator

Now comes Isaac F. Huston - former curator of the estate of said minors, and presents his accounts and vouchers for final settlement. And now comes also E. M. Foley Jr. the duly appointed and qualified curator of the estate of said minors. and waives the service of an exhibit and notice of said settlement and enters his appearance to the making of said settlement. Whereupon said settlement is taken up and considered by the Court and approved. And it appearing from said settlement that there remains in the hands of said Isaac F. Huston due the estate of said minors the sum of One hundred and eighty five and 73/100 Dollars. it is therefore ordered that said Isaac F. Huston pay to E. M. Foley Jr. curator of said minors said sum. And now comes said Isaac F. Huston, and files herein the receipt of said E. M. Foley Jr. for said sum of \$185.73. It is therefore ordered that said Isaac F. Huston as curator as aforesaid be discharged.

In the matter of the estate of }
Anna Koch - deceased. }

Ordered that the first annual statement this day filed by E. M. Foley Jr. administrator of said Estate be approved and recorded.

In the matter of the estate of }
Quintus J. Robinson - dec'd }

Ordered that the first annual statement this day filed by William Robinson administrator of said estate be approved & recorded.

August Term - Monday - August 17th 1903,

In the matter of the Estate of } Final settlement & distribution
John C. Pell - deceased. }

Now at this day comes E. M. Foley Jr. administrator of said estate, and presents his accounts and vouchers for final settlement, and it appearing to the Court that notice of said settlement has been published as required as required by law, that all the debts owing by said estate have been fully paid, and said settlement fully administered, said settlement is upon careful examination approved. And it is further ordered that the balance of \$448.³⁰ remaining in the hands of said administrator, due said estate by him be distributed to the heirs of said deceased as follows:

To Rosa B. Black - (Daughter)	\$145.66
" Amanda M. Black (")	145.66
" Birdie C. Pell (")	145.66
" Lester C. Pell (Son)	145.66
" Oscar G. Pell (Son)	<u>145.66</u>

And upon filing receipts therefor that he be discharged.

In the matter of the estate of }
John H. Stueker - deceased }

Ordered that the first annual settlement this day filed by E. M. Foley Jr. administrator de bonis moris of said estate be approved, and recorded.

In the matter of the estate of } Continues
George B. Vautrice - minor }

Ordered that the settlement this day due from E. M. Foley Jr. Curator of said minor, be continued to the November term thereof 1903.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw - Judge

August Term - Tuesday - August 18th 1903.

Court met pursuant to adjournment. present Thomas R. Shaw Judge and R. D. McCoy Sheriff when the following proceedings were had to-wit:

Estate of Hiram J. Cook deceased {

Came now Venable and Wynne and present to the Court for allowance against said estate a demand for \$183.75 founded on a note executed by deceased, dated January 1st 1902. due on demand for \$162.00 with 8% interest from date. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$183.75 and that it be assigned to the sixth class.

Estate of Hiram J. Cook deceased. {

Came now Venable and Wynne and present to the Court for allowance against said estate a demand for \$29.04 founded on account. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$29.04 and that it be assigned to the sixth class.

On the matter of the estate of {
William Sherman Knight and { Bond filed and approved.
Lurda May Knight. minors heirs of {
of William Thomas Knight. dec'd {

Came now Harrison M. Doulinson who was on the 10th day of August 1903, appointed guardian and curator of the person and estate of said minors, and files his bond as such guardian and curator, as required by said order of appointment in the sum of Five hundred dollars (\$500.00) with J. R. Dixon, and W. P. McClure, as securities thereon which said bond is by the Court approved.

On the matter of the estate of {
Mary Minnick - deceased. {

Ordered that the first annual settlement this day filed by W. C. Minnick, administrator of said deceased be approved and recorded

August Term - Tuesday August 18th 1903.

In the matter of the estate of
Gladys E. & Lucile D. Rayston - minors

Ordered that the second annual settlement this day filed by Ada M. Rayston, Curator of said minors be approved and recorded.

In the matter of the estate of J. M. Dolan sett by Executors
Myrtle Shintaffer - a minor of J. M. Dolan.

Now at this day comes Clarence and Charles Dolan Executors of J. M. Dolan deceased, who was guardian and curator of said minor and on behalf of said deceased present their accounts and vouchers for final settlement of his curatorship. And now comes also E. M. Foley Jr the present guardian and curator of said minor and waives the filing of an exhibit, and notice of said settlement, and enters his appearance. Whereupon said settlement is taken up and by the Court examined and is approved. And it appearing from said settlement that there remains in the hands of said Executors of said J. M. Dolan due said minor the sum of \$127.71 it is therefore ordered that said Executors pay to said E. M. Foley Jr said guardian and curator said sum of \$127.71 and upon filing his receipt therefor that they be discharged.

In the matter of the estate of J. B. Yates Final settlement & distribution
Byron E. Freeman - dec'd

Now at this day comes J. B. Yates, administrator of the estate of said deceased, and presents his accounts and vouchers for final settlement, and it appearing that notice of said settlement has been published as required by law, and that said estate has been fully administered and that all the demands of said have been paid except a demand in favor of Helen Freeman, No 3, Class 5, for \$2000.00 on which a small balance remains unpaid. said settlement is taken up and considered and approved, and the balance due the estate as shown by said settlement of \$46.02 is by the Court ordered applied on said demand No 3 Class 5, and upon said administrator filing the receipt of said Helen Freeman for said sum that he be discharged.

August Term - Tuesday - August 18th 1903.

In the matter of the estate of }
Georgia L. Witten Etal - minor }

Ordered that the eleventh annual settlement this day filed by Louisa J. Witten Curator of said minor be approved and recorded.

In the matter of the estate of }
Henry Halleck White - a minor }

Ordered that the fourth annual settlement this day filed by John W. Meade Curator of said minor be approved and recorded.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas D. Shaw
Judge

August Term - Wednesday - August 19th 1903.

Court met pursuant to adjournment. present Thomas R. Shaw - Judge and R. D. McBray - Sheriff where the following proceedings were had to wit;

On the matter of the estate of ~~Elizabeth Roney~~ Final settlement & Discharge

Comes now Henry J. McBrayer, Curator of the estate of said Elizabeth Roney, and presents to the Court his accounts and vouchers for final settlement. His said ward having attained her majority, and now comes said Elizabeth Roney, and in open Court waives the service of an exhibit and notice of said settlement, and enters her appearance to the making of said settlement, which is taken up and considered by the Court, and approved. And said Elizabeth Roney having receipted the record and acknowledged satisfaction of the same for the amount due her on said final settlement to wit: the sum of \$44⁴⁹ it is therefore ordered that said Curator be discharged.

On the matter of the estate of ~~George W. Walls~~ deceased.

Comes now Ross Wilson and files his petition in which he represents that he is a legatee and distributee of the estate of George W. Walls, deceased. Final settlement of said estate, and distribution and payment of legacies therein ordered on the 14th day of May 1901, by this Court, that it appears in and by said order, that petitioner is entitled to \$19³⁸ as his distributive share, and to \$5⁰⁰ legacy by virtue of the will of said deceased, making a total of \$24³⁸. Said petitioner further shows to the Court, that he did not make claim to said money or legacy and distributive share during the first year, after the date of said order of distribution. And that therefore by an order of this Court said money was paid into the state treasury of the State of Missouri by John A. Dunn, who was the executor of said deceased. Wherefore he prays the Court to grant him an order on the State Auditor, to issue his warrant on the State Treasurer for the amount of said claim.

And it further appearing to the Court that a copy of said petition has been duly served upon John C. Leopold

August Term. Wednesday - August 19th 1902.

prosecuting attorney of Daviess County, as appears by the return of R. D. McGray, sheriff of said County, endorsed thereon and said prosecuting attorney, having filed his answer thereto,

And the Court having heard said petition and answer and the proofs and allegations in support thereof is satisfied that said Ross Wilson is entitled to said sum of \$24.³⁵ as paid into the State Treasury as set up in his petition and as shown by the records of this Court;

It is therefore ordered by the Court that the State Auditor, be, and he is hereby, ordered and directed to issue his warrant on the State Treasurer for said sum of \$24.³⁵ payable to said Ross Wilson.

In the matter of the estate of } Second annual settlement. ^{and}
S. D. Stephens, deceased } Distribution

Ordered that the second annual settlement this day filed by J. B. Yates, executor, of said deceased be approved and recorded. And it appearing to the Court that said executor has on hands belonging to said estate the sum of \$1200.⁰⁰ which will not be required for the payment of debts or expenses of administration of said estate, it is therefore ordered that said executor pay said sum of \$1200.⁰⁰ to Mrs Love A Stephens, the widow of said deceased, in pursuance of the provisions of the will of said deceased.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

August Term - Thursday - August 20th 1903.

Court met pursuant to adjournment. present Thomas R. Shaw, Judge. and R. D. McCray, Sheriff. when the following proceedings were had to-wit:

Estate of John Nichols Dr. deceased $\frac{3}{4}$

Comes now C. G. McKinley - M. D. and presents to the Court for allowance against said estate a demand for \$27.²⁵ founded on account for medical services. Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$27.²⁵ and that it be assigned to the fifth class.

Estate of B. F. Rayston, deceased $\frac{3}{4}$

Comes now Mrs R. Davis, and presents to the Court for allowance against said estate, a demand for \$32.⁸⁰ founded on account. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$32.⁸⁰ and that it be assigned to class six

Estate of Douglas Taylor, deceased $\frac{3}{4}$

Comes now J. E. Melborn, and presents to the Court for allowance against said estate a demand for \$5.⁰⁰ founded on account. Notice being waived in open Court and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$5.⁰⁰ and that it be assigned to class one.

In the matter of the estate of }
John L. Pearson & Earnest L. } Order of sale of real Estate.
Pearson - minors }

Now at this day comes O. F. Hill, Curator of the estate of said minors, and represents to the Court that said minors are possessed of the following real estate, to-wit: the undivided one half interest in and to the North East quarter of the South West quarter of section eight, Town = ship sixty one, and Range twenty nine, containing forty acres situate in Daviess County Missouri. And said Curator

August Term - Thursday - August 20th 1903.

further represents and shows to the Court, that it would be to the interest of his said wards, to sell their interest in said real estate, and place the same at interest, for the reason that the rental value of said land in its present condition is less than can be realized from the value of said wards interest in said land, placed at interest, that the other heirs who own the other undivided one half interest in said land contemplate instituting a suit in partition for the division of said land, which proceeding would entail a large expense upon his said wards, wherefore said Curator says that in his opinion it would be advisable to sell the interest of his said wards, in said real estate, and that the proceeds thereof be placed at interest.

And the Court having heard the petition of said Curator and evidence in relation thereto is satisfied that said order should be granted. It is therefore ordered and adjudged by the Court, that said Curator be, and he is hereby authorized and empowered to sell the said real estate at private sale, (first having had the same appraised according to law,) for not less than three fourths of the appraised value thereof, on the following terms to-wit: Cash in hand, and that said Curator report his proceedings to this Court at the next term thereof.

It is further ordered that said Curator before proceeding to make said sale, be and he is required to enter into bond to the State of Missouri, for the use of said minors in the sum of Two thousand Dollars conditioned that he will conduct said sale with fidelity to the interest of his said wards, and faithfully account for the proceeds of said sale according to law, and as the order of the Court may require.

Estate of B. P. Rayston - dec'd $\frac{3}{4}$

James I. Rayston

Plaintiff

against $\frac{3}{4}$

Robert E. Maupin - administrator of

Defendant.

B. P. Rayston - Dec'd.

Now comes the claimant James I. Rayston, and presents to the Court for allowance against said estate a demand for the sum of \$501.⁸⁰ founded on account and it appearing from the notice and return of service thereon, that said Robert E. Maupin, administrator of

August Term Thursday - August 20th 1903.

said estate has been duly notified of the presentation of said demand to the Court for allowance more than ten days prior to the first day of the present term of this Court, and the said claimant having made affidavit that to the best of his knowledge and belief he has given credit to the estate for all payments and disbursements to which it is entitled, and that the balance claimed is justly due, and said cause having been submitted to the Court without a jury, and the Court having heard the evidence and argument of counsel, said cause is by the Court continued under advisement to the August Adjourned term of this Court to be held September 24th 1903.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

August Term. Friday - August 21st 1903.

Court met pursuant to adjournment. present Thomas R. Shaw. Judge. and R. D. McCray. Sheriff when the following proceedings were had to wit:

Estate of George M. Utz - deceased.

William L. Utz.

Plaintiff

Against

Alfred E. Utz and Jasper J. Utz - Administrators

of the estate of George M. Utz - deceased.

Defendants.

Now comes the parties, and the said William L. Utz, presents to the Court for allowance against said estate, a demand for the sum of \$2280⁰⁰ founded on account for 228 months labor performed on the farm of George M. Utz, caring for stock and doing general farm work, from Nov 11th 1883, to Oct 4th 1902, said work done for, and at the instance and request of and under a contract with said George M. Utz, at \$10⁰⁰ per month. And the plaintiff having required a jury, now here comes the jury to wit: Albert Robinson, Mark Tolew, R. I. Miller, Daniel Ninemires, John Vambibber, Walker McBrayer, J. E. Stone, W. R. Etchison, A. J. Summers, David Hockensmith, Oscar Weist, and James Critten, twelve good and lawful men qualified to serve as jurors, who having been duly empaneled, and severally sworn, to try the matter in difference between said parties in said cause and a true verdict give according to the law and the evidence, and having heard the evidence and argument of counsel, after mature deliberation thereon return into court the following verdict Viz:

"That the jury find for plaintiff in the sum of (\$1600⁰⁰) sixteen hundred Dollars".

James Critten.
J. H. Vambibber.
D. D. Ninemires.
R. I. Miller.
O. J. Weist.
A. J. Summers.
Walker McBrayer.
Albert Robinson.
J. E. Stone.

August Term - Friday - August 21st 1903.

It is therefore considered by the Court that the sum of \$1640.⁰⁰ so found as aforesaid by the jury, be allowed in favor of the plaintiff against said estate, and that the same be assigned to the fifth class. It is further ordered that said Jasper J. Utz, and Alfred E. Utz, as such administrators pay the costs of this proceeding, out of the assets of the estate, taxed at \$109.⁵⁰

Estate of John Nichols Sr. deceased {

Comes now E. L. Miller, and presents to the Court for allowance against said estate, a demand for \$120.⁰⁰ founded on a note executed by D. D. Warner, C. Warner and John Nichols Sr. dated November 5th 1902, due on or before January 1st 1904, with eight per cent interest from maturity executed to E. L. Miller. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$120.⁰⁰ with interest from January 1st 1904 at eight per cent interest.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

August Term - Saturday - August 22nd 1902.

Court met pursuant to adjournment - present Thomas R. Shaw - Judge, and R. D. McGray - Sheriff, where the following proceedings were had to-wit:

Estate of John D. James - Insane $\frac{3}{3}$

Came now Robert J. James, a presenter to the court for allowance and classification, against the estate of said John D. James, a duly certified copy of a judgment of the Circuit Court of Danvers County, Missouri in the case of John D. James Etal against Robt J. James rendered by said Court at the April Term 1902 for the sum of \$2975.⁰⁰ debt with interest at six per cent from June 1st 1901, and \$41.⁰³ costs of said, making a total of \$3016.⁰³. Notice of presentation of said demand waived in open Court. It is therefore ordered that said judgment be allowed against said estate in said sum of \$3016.⁰³ with interest at six per cent from June 1st 1901, and that it be assigned to the fifth (5) Class, and paid accordingly.

In the matter of the estate of $\frac{3}{3}$ Order of sale of Real Estate John D. James - (Insane) $\frac{3}{3}$

On this day came E. M. Foley Jr. guardian of said John D. James, an insane person, and files his petition for the sale of the real estate of said John D. James, therein described, setting forth that the title to said land was ^{vested in said} guardian ward, by a certain decree rendered by the Circuit Court of Danvers County, Missouri, in a certain case therein pending, entitled, "John D. James Etal, against Robert J. James," that by the terms of said decree, (a certified copy of which has been filed in this Court, and classified) said land is charged with the payment to the said Robert J. James, of the sum of \$2975.⁰⁰ and the interest thereon at six per cent from June 1st 1901, and with costs to the amount of \$41.⁰³ making a total chargeable to said land of \$3016.⁰³. That there are other debts and claims against said estate known to said guardian, and that may be hereafter allowed against said estate to the amount of about \$300.⁰⁰ That the assets of said ward available

August Term. Saturday - August 22nd 1903.

for the payment of said debts consists of the land aforesaid of the land aforesaid, described as follows: The North half of the North West quarter of section four (4) Townships sixty one (61). Range twenty seven (27). And the North half of the South East quarter of section thirty two (32). Townships sixty two (62). Range twenty seven (27) situate in Davis County Missouri. That there is no adequate personal estate to pay said debts. That said ward is the head of a family and has a wife and seven children. That all the personal effects of said ward is needed for the subsistence of said ward and family. That by the terms of said decree, the amounts charged against said land, are required to be paid by January 1st 1904. And that a sale of said land, or so much thereof as is necessary to pay said debts, is necessary in order to prevent the loss of the whole, as provided by the terms of said decree. Wherefore said guardian prays the Court to order the sale of said land or so much thereof as may be necessary to pay said debts.

And the Court having heard the petition, and evidence in relation thereto is satisfied that said order should be granted. It is therefore ordered by the Court, that said guardian be and he is hereby authorized and empowered to sell the said real estate, at either public or private sale (first having had the same appraised according to law,) for not less than three fourths of the appraised value thereof on the following terms to-wit; Cash in hand. And that said guardian report said sale, and his proceedings therein to this Court at the next term thereof.

On the matter of the estate of Order of sale of Real Estate
Helena Barlow & Edward Barlow

On this day comes Rosa Barlow, curator of the estate of said minors, and files her petition for the sale of real estate of said minors therein described, setting forth that said minors are the owners in fee (subject to the dower interest of their Mother, the said Rosa Barlow) of the following described real estate situate in Davis County Missouri to-wit; Lots One and Two, and the North half of Lot nineteen, in Kimball's second addition to the town of Elmer Flat. That the rents from said property will

August Term - Saturday - August 22nd 1903.

amount to very little after the payment of taxes and necessary repairs, and that said property is not likely to increase in value, but by reason of the decay of the buildings thereon will become greatly impaired in value in a few years. That if said property be sold, and the proceeds invested in other property, or loaned on good security, it will be to the best interest of said minors.

Wherefore said Curator prays the Court to make an order directing her to sell said real estate, and place the proceeds thereof at interest.

And the Court having heard the petition of said Curator and evidence in relation thereto is satisfied that said order should be granted. It is therefore ordered by the Court that said Curator be, and she is hereby authorized and empowered to sell the said Real Estate at private sale, (first having had the same appraised according to law) for not less than three fourths of the appraised value thereof, on the following terms to-wit: Cash in hand, and that said Curator report said sale, and her proceedings therein to this Court, at the next term thereof.

It is further ordered that said Curator before proceeding to make said sale, be and she is required to enter into bond to the state of Missouri, in the sum of One hundred Dollars conditioned that she will conduct said sale with fidelity to the interest of her said wards, and faithfully account for the proceeds of said sale according to law, and as the order of the Court may require.

Ordered that Court adjourn until Thursday September 24th 1903
 Thomas R. Shaw
 Jucyl

In Vacation - August 26th 1903.

In the matter of the estate of ³ Letters of administration Granted.
Uriah W. O'Daniels - deceased ³

Now at this day comes Harry O'Daniels and Winfield S. Cline, and make application for letters of administration on the estate of Uriah W. O'Daniels deceased, who died intestate in Daviess County Missouri, August 14th 1903, having at the time of his death, in addition to real estate, personal property of the probable value of Five thousand Dollars, and the undersigned Judge having full faith and confidence in the ability and integrity of said Harry O'Daniels and Winfield S. Cline, and that said property may be preserved for those having the legal right thereto, it is ordered that they be, and are hereby appointed administrators of said estate, and that they enter into bond to the state of Missouri as such administrators in the sum of \$10,000.⁰⁰ Ten thousand Dollars, with two or more securities to be approved by the Court, conditioned for the faithful discharge of their duties according to law.

And now comes said Harry O'Daniels, and Winfield S. Cline, and file their said bond in said sum of \$10,000⁰⁰ with John M. Ellis, Omer L. Reed and Charles O'Daniels, as securities thereon which said bond is approved.

It is further ordered that John M. Ellis and Samuel Nelson be and they are appointed witnesses to accompany and aid said administrators in making an inventory of said estate.

Thomas R. Shaw
Judge

In Vacation - August 28th 1903.

In the matter of the estate of
George M. Witz - deceased.

William L. Witz.

Plaintiff

Against ³

Jasper J. Witz and

Alfred E. Witz Administrators of said deceased. Defendants.

Now on this day comes the defendants in the above entitled cause by their attorneys, Hicklin Leopold & Hicklin and file their affidavit for an appeal, on consideration of which said appeal is granted. And it is ordered that

the clerk of this Court transmit to the clerk of the circuit Court a certified transcript of the record and proceedings in the above entitled cause together with the original papers in his office relating thereto.

Thomas R. Shaw
Judge Ex Officio Clerk

In Vacation - August 29th 1902.

In the matter of the estate of } Bond Filed
Helen Barlow & Edward Barlow }

Comes now Rosa Barlow, Curator of the estate of said minors, and files a bond as such Curator as required by the order of the Probate Court made August 22nd 1902, in the sum of Seventeen Hundred Dollars, with Robert E. Maupin, Wm J. Groomer and G. M. Groomer as securities thereon, which said bond is approved.

Thomas R. Shaw
Judge of Probate.

In Vacation - Sept 2nd 1903.

In the matter of the Estate of } Curator files Bond.
John L. Pearson & Ernest L. Pearson }

Comes now O. P. Hill, Curator of the Estate of said minors, and files a bond as such Curator as required by the order of the Probate Court made August 20th 1903, in the sum of Two thousand Dollars (\$2000⁰⁰) with W. R. Heath, J. D. Savage, A. L. Small, and J. F. Adcock as securities thereon, which said bond is approved.

Thomas R. Shaw
Judge of Probate.

In Vacation - September 2nd 1903.

In the matter of the Estate of } Order Private sale Personalty.
W. W. O'Daniels, deceased }

Now comes Harry O'Daniels, and W. S. Clive administrators of said estate, and file their written application for permission to sell all the personal estate of said deceased, as shown by the appraisement thereof.

filed September 1st 1903. at private sale, and the undersigned Judge of Probate, being satisfied that it will be for the best interest of said estate, and not prejudicial to persons interested therein to sell the same at such sale. It is ordered that said administrators, sell said property at private sale, for not less than its appraised value, for cash, and that they report the same to this court.

Thomas R Shaw

Judge of Probate.

On Vacation - September 14th 1903.

On the matter of the estate of ³ Administrator appointed Francis M. Drummond, dec'd ³

Now at this day comes Charles L. Knauer and makes application for letters of administration on the estate of Francis M. Drummond deceased, who departed this life intestate in Daviess County, September 7th 1903, having at the time of his death, personal property of the probable value of three thousand dollars. And it appearing that Julia Drummond, the widow of said deceased, and Fred A. Drummond, and Charles A. Drummond distributees of said deceased, have filed their relinquishment of their right to administer upon said estate, and requested the appointment of Charles L. Knauer, as such administrator. It is therefore ordered that he be, and is hereby appointed administrator of said estate, and before entering on the duties of his office he is required to enter into bond to the State of Missouri, in the sum of \$6000⁰⁰ with two or more securities to be approved by the Court, conditioned for the faithful discharge of his duties according to law. And now comes said Charles L. Knauer, and files herein his bond in said sum of \$6000⁰⁰ with John W. Meade, Homer Hewitt, and E. D. Mann as securities thereon, which said bond is approved. It is further ordered that P. R. De Ford and Henry Kündig be and they are appointed witnesses to aid said administrators in making an inventory of said estate.

Thomas R Shaw
Judge of Probate.

In Vacation - September 22nd 1902

In the matter of the estate of } Administrator appointed
Thomas R Lambert - deceased }

Comes now David Woodring, and makes affidavit as required by law, and makes application for letters of administration on said estate of Thomas R Lambert deceased, who died intestate, in Daviess County Missouri, August 27th 1902, having at the time of his death personal property of the probable value of \$2300.00. And it appearing that Eliza Lambert the widow of said deceased has filed her relinquishment of her right to administer upon said estate. And the Judge of Probate having full faith and confidence in the ability, and integrity of said David Woodring. It is ordered that he be and is hereby appointed administrator of said estate, and before entering upon the duties of his office, he is required to enter into bond to the State of Missouri, in the sum of \$4700.00 with two or more securities to be approved by the Court, conditioned for the faithful discharge of his duties according to law. And now comes said David Woodring and files herein said bond in said sum of \$4700.00 with Louis A. Best & James Kelly, and Jacob M. Poage, as securities thereon which is approved. It is further ordered that George D. Ewing and J. M. Alton be and they are appointed witnesses to accompany and aid said administrator in making an inventory of said estate.

Thomas A. Shaw
Judge of Probate.

August Adjourned Term. September 24th 1903.

Court met pursuant to adjournment, present Thomas R. Shaw Judge, and R. D. McCray Sheriff when the following proceedings were had to-wit:

In the matter of the Estate of $\frac{3}{4}$ Bond filed and approved.
Grace Kemp. a minor

Now comes Joshua B. Scott, Curator of the estate of said minor, and files herein his bond as such curator as required by the order of this Court at the August Term 1903 thereof in the sum of Two thousand Dollars, with Lawrence Scott, C. A. Scott, and M. A. Scott, as securities thereon which is approved.

In the matter of the estate of $\frac{3}{4}$ Order Confirming Sale of Real Estate
Grace Kemp - a minor

Now comes Joshua B. Scott Curator of the estate of said Grace Kemp, and submits to the Court his report of sale, by which it appears that he did on the 21st day of August 1903, in obedience to the order of this Court made at the May term 1903 thereof, sell at private sale for the sum of Ten hundred and eighty Dollars, to Thomas A. Walls, the real estate in said order of Court and report particularly described viz: One undivided half of the following described real Estate in Daviess County Missouri to-wit: North half of North East quarter of North West quarter, and North half of North West quarter of North East quarter, and Eighteen acres, off of the North side of North East quarter of North East quarter, all three tracts in Section thirty two (32) Also fourteen acres off of the South side of South East quarter of South East quarter of Section Twenty nine (29) all in Township Sixty one (61) of Range Twenty seven (27) containing in all 72 acres. And it appearing that said sale was legally and fairly conducted pursuant to the order of the Court, and in accordance with the statute, it is therefore ordered that the said sale be, and the same is hereby approved and confirmed, and the said curator is ordered to execute, acknowledge and deliver to said purchaser a deed in due form of law, conveying to him all the right title and interest of said minor in and to said land upon a full compliance with the terms of said sale.

August Adj Term - September 24th 1902.

Estate of Sarah J. Wood deceased }
 Mary E. Wood plaintiff
 against }

P. P. Doak, administrator of the Estate of
 Sarah J. Wood, deceased. Defendant

Comes now said Mary E. Wood, and presents to the Court for allowance against said estate a demand for \$2392⁰⁰ founded on account for services rendered said deceased by claimant, 1196 weeks at \$2⁰⁰ per week, and it appearing that due notice has been had upon said administrator of the presentation of said account. And now comes the parties plaintiff and defendant in their own proper person and by their counsel, and file herein the following stipulation.

"In the Probate Court of
 Daviess County Missouri.

"Mary E. Wood
 vs

Estate of Sarah J. Wood.

It is agreed that the sum of (\$900⁰⁰) nine hundred dollars shall be allowed against the estate of Sarah J. Wood on the above demand, in favor of Mary E. Wood, and that the costs of this proceeding shall be taxed against, and paid by said estate

Mary E. Wood by
 Hamilton & Dudley her attorneys
 Hicklin Leopold & Hicklin
 Attorneys for P. P. Doak. Advers

It is therefore ordered by the Court that said demand be allowed against said estate in said sum of (\$900⁰⁰) nine hundred dollars as per said stipulation, and that it be assigned to the fifth class.

Estate of Sarah J. Wood deceased }
 Jeff D. Wood Plaintiff
 vs.

P. P. Doak, administrator of Estate of
 Sarah J. Wood, deceased. Defendant.

Now comes Jeff D. Wood, and presents to the Court for allowance against said estate, a demand for \$1200⁰⁰ founded on account for labor performed for deceased for five years at \$20⁰⁰ per month. Due notice of the presentation

August Adj. Term - September 24th 1903.

of said demand having been had on the administrator of said estate, and affidavit made. Now comes the parties plaintiff and defendant in their own proper persons and by their attorneys, and file herein the following stipulation.

Stipulation.

In the Probate Court of
Lancaster County Missouri.

Jeff D. Wood.

vs.

Estate of Sarah J. Wood.

It is agreed that the sum of Five hundred and fifty (\$550.00) Dollars shall be allowed against the estate of Sarah J. Wood, on the above demand in favor of Jeff D. Wood, and that costs shall be paid by estate.

Jeff D. Wood, by
Hamilton & Dudley
his attorneys.

Hicklin Leopard & Hicklin
Attys for O. P. Cook, Adm.

It is therefore ordered by the Court that said demand be allowed against said Estate in said sum of \$550.00 as per said stipulation, and that it be assigned to the fifth class.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

August Adjourned Term - September 25th 1903.

Court met pursuant to adjournment. present Thomas R Shaw Judge. and R. D. McGray, Sheriff when the following proceedings were had to wit:

Estate of B. F. Royston - deceased.

James T. Royston -

Plaintiff

Against

Robert E. Maupin - administrator of the Estate of B. F. Royston - deceased.

Defendant.

Now on this day comes the parties plaintiff and defendant by their respective attorneys, and a jury having been heretofore waived, and this cause submitted to the Court upon the evidence and argument of counsel, and all by the Court having been seen and heard, and said cause having been continued under advisement, and now at this day the Court being fully advised in the premises, doth order and adjudge that said claim be disallowed, and that the plaintiff take nothing by reason of his demand and that he pay the costs of this proceeding taxed at \$

In the matter of the estate of ~~3~~ Order private sale of personal Joseph Offield - deceased ~~3~~ property.

Now comes James M. Offield, Executor of said estate and makes application to sell all of the personal property of said estate as shown by the inventory thereof filed in this Court June 7th 1899, at private sale. And the Court being satisfied that it will be for the best interest of the estate, and not prejudicial to persons interested therein to sell the same at such sale, it is ordered that said executor sell said property at private sale for not less than three fourths of its appraised value for cash and that he report the same to this Court.

On the matter of the estate of ~~3~~ Settlement file & continued Joseph Offield deceased. ~~3~~

Now at this day comes James M. Offield Executor of said estate and presents his accounts and vouchers for final settlement, and it appearing that notice

August Adj Term - September 23rd 1902.

of said settlement has been published as required by law, proof of said publication having been this day filed. It is ordered that said settlement be continued to the November term of this Court 1902 for further consideration and approval, and that said settlement be placed of record.

In the matter of the Estate of } Discharge
Byron E. Dremain. Decedent }

Come now J. B. Yates, administrator of the estate of said decedent and files the receipt of Helen Dremain for the sum of \$46.⁰⁰ being the amount remaining in the hands of said administrator on his final settlement of said estate made at the present term of this Court. due said estate and ordered paid to said Helen Dremain on demand No 2. Class 5 for \$2000.⁰⁰ held by her against said estate. And said estate being fully administered said administrator is discharged herein.

In the matter of the Estate of }
Frederick C. Howard. decedent }

Ordered that the first annual settlement this day filed by William C. Gilliland, administrator of said estate be approved and recorded.

Estate of Douglas Taylor decedent }

Now at this day comes J. C. Arrazier M.D. and presents to the Court for allowance against said Estate a demand for \$10.⁰⁰ founded on account for medical services. Notice being waived in open Court and affidavit and proof made, it is ordered that said demand be allowed against said Estate in said sum of Ten Dollars and that it be assigned No 2nd Class.

Ordered that Court adjourn until Court in course

Thomas R. Shaeffer
Judge

In Vacation - October 2nd 1903.

In the matter of the estate of } Letters of administration granted.
William D. Hamilton, dec'd }

Came now John F. Jordan, and makes application for letters of administration on the estate of William D. Hamilton deceased who departed this life intestate, September 29th 1903, having at the time of his death personal property in this state of the probable value of \$3500.00. And it appearing that there are no distributees of said estate entitled to administer thereon, and the Court having full faith and confidence in the ability and integrity of said John F. Jordan, it is therefore ordered that he be, and is hereby appointed administrator of said estate, and before entering upon the duties of his office he is required to enter into bond to the State of Missouri, with two or more securities to be approved by the Court in the sum of seven thousand dollars, conditioned for the faithful discharge of his duties according to law. And now comes said John F. Jordan, and files herein his bond as such administrator in said sum of seven thousand dollars, with John W. Meade, and E. D. Maun, as securities thereon, which is approved. It is further ordered that notice of the grant of letters of administration be published in the Gallatin Democrat, and that E. D. Maun and John C. Leopard be and they are appointed witnesses to aid said administrator in making an inventory of said estate.

Thomas R. Shaw
Judge of Probate.

In Vacation - October 3rd 1903.

In the matter of the estate of }
B. F. Rayston - deceased }

James E. Rayston,
against.

Plaintiff

Robert E. Manpin, adm^r of Estate of B. F. Rayston, dec'd Defendant.

Now on this day came the plaintiff in the above entitled cause, and files his affidavit and bond for an appeal, on consideration of which said bond is approved, and said appeal granted. And it is ordered that the Clerk of this Court transmit to the Clerk of the Circuit Court a certified transcript of the record and proceedings in the above entitled cause together with the original papers in his office relating thereto.

Thomas R. Shaw
Judge of Probate.

In Vacation - October 8th 1903.

In the matter of the Estate of $\frac{3}{4}$ Appointment of Curator.
Albert H. Wilson - a minor $\frac{3}{4}$

Now on this day comes Thomas Wilson, and represents and shows to the Judge of Probate, that he is a resident of the County of Daviess, and is the Father of Albert H. Wilson who was thirteen years of age on the 6th day of July 1903, and prays the Court to appoint him curator of the estate of said minor. And it appearing to the Judge of Probate, that said minor owns property not derived from said Thomas Wilson, and not exceeding in value the sum of two hundred Dollars (\$200⁰⁰), and that the said Thomas Wilson, is the Father of said minor, and a suitable and competent person for such trust, it is ordered that he be, and is hereby appointed curator of the Estate of said Albert H. Wilson, and before entering upon the duties of his office he is required to enter into bond to the State of Missouri, for the use of said minor, with two or more securities to be approved by the Court, in the sum of Four hundred Dollars, conditioned for the faithful discharge of his duties according to law.

And now comes said Thomas Wilson, and files herein his bond as such curator in said sum of Four hundred Dollars, conditioned as the law directs, with S. J. Wilson and S. Corn, as securities thereon, which said bond is approved.

Thomas R. Shaw
Judge of Probate.

In Vacation - Oct 10th 1903

In the matter of the Estate of $\frac{3}{4}$ widow Felix Election
Francis M. McCrary - Dec'd $\frac{3}{4}$

Now at this day comes Martha J. McCrary, widow of said Francis M. McCrary, and files herein her written renunciation of the provisions of the will of said Francis M. McCrary by which she refuses to accept the provisions of the will of said deceased, and insists upon her right and claim of homestead and dower, in the lands of said deceased, and all statutory allowances in the personal estate of her deceased husband Francis M. McCrary.

Thomas R. Shaw
Judge of Probate.

In Vacation - October 13th 1903,

In the matter of the Estate of ^{Letters of administration Granted} James William Mann, Decd. }

Now at this day comes Joseph A Mann and makes application for letters of administration on the estate of James William Mann, deceased, who died intestate in Daviess County Missouri, October 11th 1903. Having at the time of his death personal property of the probable value of Four thousand dollars, and there being no distributees of said deceased entitled to administer upon said estate, and the Judge of Probate having full faith and confidence in the ability, and integrity of said Joseph A Mann, it is therefore ordered that he be and is hereby appointed administrator of said estate, and before entering on the duties of his office he is required to enter into bond to the state of Missouri in the sum of Ten thousand dollars with two or more securities to be approved by the court, conditioned for the faithful discharge of his duties according to law.

And now comes said Joseph A. Mann, and files herein his bond in said sum of \$10,000, conditioned as the law directs, with John W. Meade, Homer Peunt, and E. D. Mann as securities thereon which is approved.

It is further ordered that Perry Macy, and Ezra Hamilton be and they are appointed witnesses to accompany and assist said administrator in making an inventory of said estate.

Thomas A. Shaw
Judge of Probate.

In Vacation - October 18th 1903.

In the matter of the estate of
 Roswell P. Mann, Clinton A. Mann,
 Veda M. Mann, Robert M. Mann,
 and Harry M. Mann, heirs of
 James William Mann, & Mary Maria
 Mann, deceased. } appointment of Guardian & Curator

Now on this day comes Elwood S. Mann, and represents and shows to the Judge of Probate, that Roswell P. Mann, Clinton A. Mann, Veda M. Mann, Robert M. Mann, and Harry M. Mann, aged Eleven, nine, eight, five, and three years respectively are minor children and heirs at law of said James William Mann, and Mary Maria Mann, deceased. That said minors reside in the County of Davies, that they own property not exceeding in value the sum of thirty five hundred dollars and praying the Judge of Probate to appoint him guardian of the person, and curator of the estate of said minors. And it appearing to the Judge of Probate, that the statements so made are true, and that the said Elwood S. Mann, is a suitable and competent person for such trust, it is ordered by the Judge of Probate, that he be and is hereby appointed guardian of the person and estate of said Roswell P. Mann, Clinton A. Mann, Veda M. Mann, Robert M. Mann, and Harry M. Mann, and before entering upon the duties of his office, he is required to enter into bond to the State of Missouri, for the use of said minors with two or more securities to be approved by the Court in the sum of Seven thousand dollars, conditioned for the faithful discharge of his duties according to law. Thereupon comes said Elwood S. Mann, and files herein his bond as such guardian and curator, in said sum of Seven thousand dollars, with John W. Meade, Homer Dewit, and Joseph A. Mann as securities thereon which said bond was by the Judge of Probate approved.

Thomas R. Shaw,
 Judge of Probate.

On Vacation - October 29th 1903.

In the matter of the Estate of ³ Letters of administration Granted
Sarah A. Darneal, deceased ³

Now at this day comes William D. McDonald and makes application for letters of administration on the estate of Sarah A. Darneal deceased, who departed this life intestate, October 22nd 1903, having at the time of her death personal property of the probable value of Four thousand dollars, and it appearing to the Judge of Probate that said William D. McDonald is one of the distributees of said estate, and a suitable and competent person for such trust, it is therefore ordered that he be, and is hereby appointed administrator of said estate, and before entering on the duties of his office, he is required to enter into bond to the state of Missouri, in the sum of Eight thousand dollars with two or more securities to be approved by the court conditioned for the faithful discharge of his duties according to law. And now comes said William D. McDonald, and files herein his bond in said sum of Eight thousand dollars, with John C. McDonald and C. A. Reurt, as securities thereon which is approved.

It is further ordered that I. B. Yates, and John W. Meade be and they are appointed witnesses to accompany and aid said administrator in making an inventory of said estate.

Thomas R. Shaw
Judge of Probate

On Vacation - October 29th 1903.

In the matter of the estate of ³ Letters of administration Granted
Aquila Conway, deceased ³

Now at this day comes Rebecca Conway, widow of said deceased, and William A. Conway, distributee of said deceased, and make application for letters of administration on the estate of said deceased, and it appearing that said Aquila Conway, died intestate October 2nd 1903, having at the time of his death, in addition to real estate, personal property of the probable value of six hundred dollars, it is therefore ordered that the said Rebecca Conway and William A. Conway

he and they are hereby appointed administrators of said estate. and before entering on the duties of their office they are required to enter into bond to the state of Missouri in the sum of Twelve hundred Dollars. with two or more securities to be approved by the Court. conditioned for the faithful discharge of their duties according to law.

Thereupon came said Rebecca Canaway and William A. Canaway. and file said bond in said sum of Twelve hundred Dollars with F. L. Read and W. A. Knott as securities thereon which is approved.

It is further ordered that Samuel Wilson and G. A. Glaze be and they are appointed witnesses to aid said administrators in making an inventory of said estate.

Thomas R. Shaw
Judge of Probate.

On Vacation - October 29th 1903.

In the matter of the Collateral Inheritance Tax
 Tax upon the Estate of William Ranney, dead

Upon examination of the papers on file in the above entitled matter, and on due consideration of other evidence submitted the Probate Judge has, on his own motion, Ordered and adjudged that the Cash value of the property or interest, the transfer of which is subject to the tax imposed by section 312, Chapter 1, Article 16, of the Revised Statutes of Missouri 1899, the party or parties liable therefor, and the amount of said tax is as follows:

Beneficiary	Address	Cash Value of Interest	Amount of Tax
Jacob Ranney	Pattonsburg Mo	499	24 95
Eliza Rine	Exter "	499	24 95
Elizabeth Heath	Pattonsburg "	499	24 95
Alvin Ranney	" "	124	6 20
George Ranney	Oklahoma	124	6 20
Earnest Ranney	Oklahoma	124	6 20
Eva Sweet	Pattonsburg Mo.	124	6 20
William Ranney	Washington Center "	248	12 40
Nevada Simmons	Engleville "	248	12 40
Rallie Ranney	Pattonsburg "	83	4 15
Dora Gardner	Pouk City Ind. Ty.	83	4 15
Nannie Day	Pattonsburg Mo	83	4 15
Pearl Ranney	King City "	83	4 15
Annanda O'Hane	" "	83	4 15
Daisy Ranney	Pattonsburg "	83	4 15
John B. Stapleton	" "	83	4 15
Peter Stapleton	Denver Mo.	83	4 15
Dall Stapleton	Carroll Co. "	83	4 15
Emily Colman	Denver "	83	4 15
Jane Stapleton	" "	83	4 15
Imeza Stapleton	" "	83	4 15
James H Stapleton	Gallatin "	71	3 55
George Stapleton	Brownsdale "	71	3 55
Robert Stapleton	North County "	71	3 55
Ellen Radner	Pattonsburg "	71	3 55
Eliza Hughes	Nodaway Co. "	71	3 55
Mary Pettit	Oklahoma	71	3 55
Martin Severe	Oklahoma	71	3 55

Thomas A. Shaw

Judge of Probate

Dated October 29th 1903.

November Term. Monday. Nov 9th 1903.

State of Missouri }
County of Daviess }

Be it remembered that at a regular term of the Probate Court of Daviess County, Missouri, begun and held at the Court house, in the City of Gallatin, County and State aforesaid on Monday November 9th 1903. There was present Thomas R. Shaw, Judge of said Court, and R. D. McCray, Sheriff of said County, when the following proceedings were had to-wit:

Ordered that the additional bond of Rosa Barlow as curator of the estate of Helen, and Edward Barlow, minors, taken in vacation, August 29th 1903, be and the same is approved.

Ordered that the additional bond of O. P. Hill as curator of the estate of John L. and Earnest L. Pearson, minors, taken in vacation September 2nd 1903, be and the same is approved.

Ordered that the bond of Joshua B. Scott, as curator of the estate of Grace Kemp, a minor, taken, September 24th 1903, be and the same is approved.

Ordered that the bond of Thomas Wilson, as curator of the estate of Albert H. Wilson, a minor, taken in vacation October 8th 1903, be and the same is approved, and his appointment as curator ratified and confirmed.

Ordered that the bond of Elwood D. Mann, as curator of the estate, and guardian of the person of Russell P. Clinton A. Veda M. Robert M. and Harry M. Mann, taken in vacation October 13th 1903, be and the same is approved, and his appointment as guardian and curator, ratified and confirmed.

Ordered that the bond of Winfield D. Clure and Harry O. Daniels as administrators of the estate of U. W. Daniels, deceased, taken in vacation, August 26th 1903, be and the same is approved, and their appointment as such administrators ratified and confirmed.

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Ordered that the bond of Charles L. Knaus as administrator of the estate of Francis M. Hammond deceased taken in vacation, September 14th 1903. be and the same is approved and his appointment as such administrator ratified and confirmed.

Ordered that the bond of David Woodring as administrator of the estate of Thomas R. Lambert, deceased, taken in vacation September 22nd 1903. be and the same is approved and his appointment as such administrator, ratified and confirmed.

Ordered that the bond of Joseph A. Mann, as administrator of the estate of James William Mann, deceased, taken in vacation October 13th 1903. be and the same is approved and his appointment as such administrator ratified and confirmed.

Ordered that the bond of John F. Jordan, as administrator of the estate of William S. Hamilton, deceased, taken in vacation, October 2nd 1903. be and the same is approved and his appointment as administrator, ratified and confirmed.

Ordered that the bond of Rebecca Conaway, and William A. Conaway as administrators of the estate of Aquilla Conaway, deceased taken in vacation October 29th 1903. be and the same is approved and his appointment as administrator ratified and confirmed.

Ordered that the bond of William D. McDonald as administrator of the estate of Sarah A. Darneal, deceased, taken in vacation October 29th 1903. be and the same is approved, and his appointment as administrator ratified and confirmed.

In the matter of the estate of } Receipts filed, and annex
Louisa Craft, deceased } discharged.

Comes now Moses W. Litton, Executor of the Estate of said Louisa Craft, deceased, and files the receipt of May Litton, and Moses W. Litton, for the amount due them as legatus, and distributors of said deceased on final settlement of said estate made at the February Term 1903 of this Court. Said executor also files the receipt of A. P. Williams, treasurer of the State of Missouri, for the sum of Four dollars, said sum being the amount due Gladys Litton, and Glen Litton, as legatus, under and

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by virtue of the will of said Louisa Craft deceased, said legacy being two dollars to Gladys Litton, and two dollars to Glen Litton which said sums was ordered paid into the state treasury by this court at its February Term 1903. And said estate being fully administered, said executor is discharged.

Estate of Leander M. Stewart - deceased {

Now comes C. G. McKinley, M.D., and presents to the court for allowance against said estate, a demand for \$10⁰⁰ founded on account for professional services. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$10⁰⁰ and that it be assigned to the second class.

Estate of W. W. O'Daniels deceased {

Now comes D. P. Hanna M.D., and presents to the court for allowance against said estate, a demand for \$20⁰⁰ founded on account for medical services during last sickness. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$20⁰⁰ and that it be assigned to the second class.

Estate of Henry F. McNeely, deceased. {

Now comes George B. McNeely, and presents to the court for allowance against said estate, a demand for \$8⁵⁰ founded on account, notice being waived in writing, and affidavit and proof made. it is ordered that said demand be allowed against said estate in said sum of \$8⁵⁰ and that it be assigned to the fifth class.

In the matter of the estate of { appropriation
Ora & Charles Lindenberg, minors }

Now comes Susan Robertson, the mother of said minors and shows to the court that said minors make their home with her, and that she has provided their support and maintenance. Wherefore she prays the court to make an appropriation out of the estate of said minors to reimburse her for said support and maintenance. Wherefore it is ordered and -

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adjudged by the Court that the sum of fifty dollars be and the same is appropriated out of the estate of said minors in the hands of W. C. Gilleham, Curator of their estate for the maintenance of said minors for six months commencing at the August term 1903. and ending February Term 1904. of this Court, said sum to be paid quarterly, being \$12⁵⁰ per quarter from each of said minors.

In the matter of the Estate of ~~George Egbert~~ deceased. ~~Appropriation to widow and~~ ~~order to pay special dower.~~

Comes now Rachel Egbert, widow of said deceased and shows to the Court, that of the special dower of \$400.⁰⁰ allowed her by law, she has received in property at its appraised value the sum of \$ leaving due her on account of said special dower the sum of \$ That the administrator of said estate, has sold at public sale the remainder of the personal estate of said deceased, as shown by the appraisement and Sale Bill. Said Rachel Egbert further shows to the Court that she did not have on hand at the death of her husband provisions allowed her by law, necessary for her support and maintenance for one year. Wherefore she prays the Court for an order directing the administrator to pay her said balance of special dower, and a reasonable sum, as will cover the deficiency in her years support and maintenance.

And the Court having heard the petition of said Rachel Egbert, and the evidence in support thereof and duly considered the same. It is ordered and adjudged by the Court that the administrator of said estate pay said Rachel Egbert the sum of \$ remaining due her on special dower. And that the sum of \$200.⁰⁰ be and the same is appropriated out of said estate for the support and maintenance of said Rachel Egbert for one year next after the death of her said husband, and that said administrator pay the same and have credit therefor in his settlement of said estate.

Estate of William D. Hamilton - dec'd ~~of~~

Comes now the Stephens Farm Loan Co. and presents to the Court for allowance against said Estate a demand

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for \$47.⁵⁰ founded on account. notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$47.⁵⁰ and that it be assigned to the fifth class.

Estate of John Nichols Sr. deceased. }

Comes now M. M. McKinley, M.D. and presents to the Court for allowance against said estate a demand for \$31.⁹⁷ founded on account for medical services. Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$31.⁹⁷ and that it be assigned to the fifth class.

Estate of John Nichols Sr. deceased. }

Comes now Farmers Exchange Bank by John W. Meade president, and presents to the Court for allowance against said estate a demand for \$78.⁰⁰ founded on a note executed by John Nichols Sr. and John Nichols Jr. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$78.⁰⁰ and that it be assigned to the fifth class.

Estate of L. S. Wells deceased. }

Comes now Rosenthal & Haas, and present to the Court for allowance against said estate a demand for \$7.²⁵ founded on account. notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$7.²⁵ and that it be assigned to fifth class.

In the matter of the estate of } Trial settlement & discharge
Esse Hays, a minor }

Comes now W. C. Gillham, curator of the estate of said Esse Hays, and presents his accounts and vouchers for final settlement. His said ward having attained her majority. And now comes also said Esse Hays, and in open Court waives the filing of an exhibit and notice of said settlement, and enters her appearance whereupon said settlement is taken up and considered and approved

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and it appearing from said settlement that there is remaining in the hands of said Curator due said ward the sum of \$541⁶⁸ it is ordered that said Curator pay to his said ward said sum. and now comes said Essa Mayo. and receipts to her said Curator for said sum of \$541⁶⁸ in full satisfaction of said record wherefore it is ordered by the Court that said Curator be discharged therein.

In the matter of the estate of } Order to pay interest on loan.
John Nichols Dr. deceased }

Comes now Phoebe Nichols administratrix of said estate, and represents and shews to the Court, that said deceased died seized and possessed of the West half of the South East quarter of Section 8. Township 54 of Range 26. which is encumbered by a deed of trust dated Nov 11th 1901. for \$1000.⁰⁰ due in five years, bearing five percent interest from date, by the terms of which there will be due as interest, on the 11th day of November 1903, the sum of \$50.⁰⁰ which if not paid renders the whole amount of principal due, and that in order to best preserve said estate, it is necessary that said interest be paid when due, wherefore she prays the Court to make an order, directing her to pay said interest, and the Court having duly considered said petition, and being satisfied that the interests of said estate will be promoted thereby, It is therefore ordered that said administratrix be and she is hereby authorized and directed to pay the interest on said loan out of the personal estate in her hands belonging to said estate, and that she have credit therefor in her settlement of said estate.

In the matter of the estate of } Order to sell note.
Alexander K. Scott, deceased }

Comes now J. J. De Vore, administrator with the will annexed of said deceased, and represents and shews to the Court, that by the terms of the last will of said deceased it is provided, that all the personal property, notes, accounts, and choses in action, are to be used by the widow of said deceased Mary C. Scott in the

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support, maintenance, and education, of her three minor children, in said will named and specified to wit: Ezra, Serepta and Tyza. That said children are of tender age and without any means of support except the labor of their said Mother, there being no funds in the hands of the administrator, and that they are in need of immediate funds, with which to procure food, raiment and books. That the assets of said estate, consists solely of a note for One thousand Dollars, made by one M. A. Scott which is fully secured by a deed of trust upon real estate, but that said note is not due or collectable until the 16th day of August A.D. 1905. Wherefore said administrator prays the Court to make an order authorizing him to sell said note to the best advantage, and to apply so much of the proceeds thereof as shall be necessary to the support, maintenance, and education of said children, as provided by said will.

And the Court having heard said petition, and duly considered the same. It is ordered that said administrator be and he is hereby authorized, and directed to sell said note for not less than its face value, and that he apply so much of the proceeds thereof as may be immediately necessary to the support, maintenance, and education of said children, as provided by the terms of the said will of deceased, and for that purpose that he pay the same into the hands of their Mother the said Mary E. Scott, and that he make report of his proceedings to this Court.

In the matter of the estate of John Nichols Dr. deceased Order of Publication

Now at this day comes Phoeby Nichols, administratrix of the Estate of John Nichols Dr. deceased, and presents to the Court her petition praying for the sale of so much of the real estate of said deceased, as will pay and satisfy the remaining debts due by said estate, and yet unpaid for want of sufficient assets accompanied by the accounts, lists and inventories required by law in such cases, on examination whereof it is ordered, that all persons interested in the estate of said deceased, be notified that application as aforesaid

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has been made, and that unless the contrary be shown on or before the first day of the next term of this Court to be held on the second Monday of February 1904 and order will be made for the sale of the whole or so much of the real estate of said deceased, as will be sufficient for the payment of said debts. And it is further ordered that this notice be published in the North Missourian a newspaper published in this County and state for four weeks before the next term of this Court, and that personal service of this notice be made on the heirs and devisees of deceased resident in said County at least ten days before the next term of this Court.

In the matter of the Estate of $\int$
William G. Armstrong - dec'd $\int$

Ordered that the fifth annual settlement this day filed by John H. Johnson Executor of said deceased be approved and recorded.

In the matter of the estate of $\int$
Elbert L. Bennett, a minor $\int$

Ordered that the sixth annual settlement this day filed by James H. Meldow Curator of said minor be approved and recorded.

In the matter of the estate of $\int$ Final settlement & Discharge
Gilbert A. Bennett a minor $\int$

Now comes James H. Meldow, Curator of said minor and presents his accounts and vouchers for final settlement. his ward having attained his majority, and comes also said ward Gilbert A. Bennett and in open Court waives the service of an exhibit, and notice of said settlement, and enters his appearance. whereupon the Court proceeds to the examination of said settlement which is found to be correct, and is by the Court approved, and it appearing from said settlement that there is a balance due said ward of \$325.²⁵ it is ordered that said Curator pay said ward said sum, and now comes said Gilbert A. Bennett and in open Court receipts his said Curator in full for said balance wherefore it is ordered that said Curator be discharged as to said ward.

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In the matter of the Estate of $\frac{3}{3}$ Continuance
Solomon Brown, a minor, $\frac{3}{3}$

Ordered that the settlement this day due from Jacob M. Brown, Curator of said minor, be continued to the February Term 1904 hereof, and that citation issue for said curator for failing to make settlement as required by law.

In the matter of the estate of $\frac{3}{3}$ Continuance
Margaret Brasius - deceased $\frac{3}{3}$

Ordered that the settlement this day due from P. P. Cline Executor of said deceased be continued to the February Term 1904 hereof for final settlement.

In the matter of the estate of $\frac{3}{3}$
George O. Caldwell, a minor $\frac{3}{3}$

Ordered that the first annual settlement this day filed by Thomas E. Hamilton, curator of said minor be approved and recorded.

In the matter of the estate of $\frac{3}{3}$
Ray & Cecil Cook, minors $\frac{3}{3}$

Ordered that the second annual statement this day filed by Sylvester M. Cook, Curator of said minors be approved and recorded.

In the matter of the Estate of $\frac{3}{3}$ Continuance
Hiram J. Cook, deceased $\frac{3}{3}$

Ordered that the settlement this day due from J. A. Delby, Administrator with the will annexed of said deceased be continued to the February Term 1904.

In the matter of the estate of $\frac{3}{3}$
Zella Downs, Etal - minors $\frac{3}{3}$

Ordered that the third annual settlement this day filed by Elvis L. Downs, Curator of said minors be approved and recorded.

Ordered that Court adjourn until tomorrow morning at 9 o'clock

Thomas R. Shaw
Judge

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Court met pursuant to adjournment. present Thomas R. Shaw Judge. and R. D. McBray, sheriff when the following proceedings were had to wit:

Estate of Thomas M. Mallory, deceased {

Comes now W. C. Gilliland, and presents to the court for allowance against said estate, a demand for \$63.³² founded on a note, executed by Scott Mallory, and Thomas M. Mallory, dated September 19th 1902, due in six months with eight percent interest from date for \$58.⁰⁰ Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against said estate in the sum of \$63.³² at 8% interest from this date and that it be assigned to the fifth class.

Estate of U. W. Daniels, deceased {

Comes now Dr J. A. Burtch, and presents to the court for allowance against said estate, a demand for \$15.⁰⁰ founded on account for professional services during last sickness. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$15.⁰⁰ at six percent, and that it be assigned to the second class.

Estate of U. W. Daniels, deceased. {

Comes now John S. Gough, and presents to the court for allowance against said estate a demand for \$107.⁰⁰ founded on account for burial expenses and casket. Notice being waived in open court, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$107.⁰⁰ and that it be assigned to First class.

In the matter of the estate of { Report of sale approved.
U. W. Daniels, deceased {

Comes now Harry Daniels, and W. S. Cline administrators of said estate, and present their report of the sale of the personal property belonging to said estate. And it appearing that said sale was made pursuant

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to the order of this Court, and in conformity therewith and that the aggregate amount of said sale was more than three fourths of the appraised value of said personal property. It is therefore ordered that said sale be and the same is approved.

In the matter of the estate of } Order of distribution to heirs.
U. W. O'Daniels, deceased }

Comes now Harry O'Daniels, and W. S. Cline, administrators of said estate, and report to the Court that they have on hand in cash, belonging to said estate the sum of \$3200.⁰⁰ which will not be required for the payment of debts, or expenses of administration, and which they pray the Court to order distributed to the heirs of said deceased.

It is therefore ordered by the Court that said administrators distribute said sum of \$3200.⁰⁰ to the heirs of said deceased as follows:

To Mrs Henrietta Cline.	\$ 400.00
" J. Milton O'Daniels	400.00
" W. W. O'Daniels	400.00
" J. B. O'Daniels	400.00
" G. W. O'Daniels	400.00
" Harry O'Daniels	400.00
" Charles O'Daniels	400.00
" Anna O'Daniels.	400.00
Total	\$ 3200.00

Estate of James W. Mann, dec'd }

Comes now Margaret A. Mann, and presents to the Court for allowance against said estate, a demand for \$1045.⁰⁰ founded on a note executed by deceased dated February 2nd 1903, due on demand for \$1000.⁰⁰ at six percent from date. Notice being received in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of Ten hundred and forty five Dollars with interest at six per cent from this date, and that it be assigned to the fifth class.

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Estate of James W. Mann, dec'd {

Comes now the Farmers Exchange Bank by John W. Meade president, and presents to the Court for allowance against said estate a demand for \$694.⁰⁰ founded on a note executed by deceased to said Bank dated June 19th 1903, due in six months, with interest at 8% from maturity, interest paid to Dec'r. 19th 1903, notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$694.⁰⁰ with interest at eight percent from December 19th 1903, and that it be assigned to fifth class.

Estate of James W. Mann, dec'd {

Comes now J. B. Osborn, and presents to the Court for allowance against said estate a demand for \$86.¹⁸ founded on account for labor, notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$86.¹⁸ and that it be assigned to the fifth class.

Estate of James W. Mann, dec'd {

Comes now the Farmers Exchange Bank, and presents to the Court for allowance against said estate a demand for \$175.⁵⁵ founded on an overdraft to said Bank, notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$175.⁵⁵ and that it be assigned to the fifth class.

In the matter of the estate of { Helen Barlow, and Edward Barlow { } Order confirming sale

Now comes Rosa Barlow, guardian and curator of said Helen Barlow, and Edward Barlow, and submits to the Court her report of sale, by which it appears that she died on the day of August 1903, in obedience to the order of this Court, made at the August Term 1903, thereof, sell at private sale to Mary E. Hedges, for the sum of eight hundred dollars cash, the real estate in said order of Court, and report particularly described viz: Lots one (1) and two (2), and

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the north half of Lot nineteen (19) in Kimbrells second addition to the town (now city) of Elm Flat, Daviess County Missouri; subject however, to the dower interest of Mrs Rosa Barlow, the mother of said minors. And it appearing that said sale, was legally and fairly conducted pursuant to the order of the court, and in accordance with the statute. It is therefore ordered, that the said sale be, and the same is hereby approved, and confirmed, and said guardian^{and} curator is ordered to execute, acknowledge and deliver to said Mary E. Hedges, a deed in due form of law, conveying to her, all the right, title, and interest which said minors had in said real estate.

In the matter of the estate of $\frac{3}{3}$ Order to pay interest on loan.
Lander M. Stewart. dec'd $\frac{3}{3}$

It is ordered by the court that the administration of said estate, be and she is hereby authorized and directed to pay the interest on a loan of \$400. made by deceased, and secured by deed of trust on all the land belonging to said estate, in order that the estate of said deceased may be preserved, and to avoid a sacrifice of said land by a sale under said trust deed.

In the matter of the estate of $\frac{3}{3}$ Order of sale of Real Estate
Joseph S. McDaniel - a minor $\frac{3}{3}$ and reinvestment.

Comes now Robert J. McDaniel, guardian and curator of said minor, and prays the court to order a sale of real estate of said minor, and represents and shows to the court that said minor owns an undivided one eighth interest in and to the West half of the North West quarter of section 32, Township 62 of Range 27, in Daviess County Missouri, and one George Brewer, and Eliza J. Brewer, his wife, own the remaining seven eighths interest in and to said described land. That the said George and Eliza J. Brewer, are in possession of, and improving said land, and are about to institute a suit in partition for the purpose of obtaining the interest of said minor, which said partition proceeding would involve said minors estate in heavy expense. Said guardian and curator further states that the said Eliza J. Brewer, owns an undivided

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$\frac{19}{144}$ interest, amounting to $10\frac{5}{9}$ acres, in and to the following described real estate, to-wit: The North West quarter of the N.E. quarter of section 32, Townships 62 of Range 29, in Daviess County Missouri; and the North East quarter of the South East quarter of section 29, Townships 62, Range 29, in Harrison County Missouri; and that the said minor Joseph D. McDaniel, owns an undivided $\frac{1}{48}$ interest amounting to ten acres, in said last described tracts, that the said $\frac{19}{144}$ interest, amounting to $10\frac{5}{9}$ acres, of the said Eliza J. Brewer, can be purchased by a conveyance of the interest of the said minor in the first described tract to her the said Eliza J. Brewer, and by the additional payment of the value of $\frac{5}{9}$ of an acre of land, (the minors interest in the first described tract being ten acres, and the said Eliza J. Brewers interest in said last described tract being $10\frac{5}{9}$ acres). He therefore prays the court for an order, authorizing and directing him as such guardian and curator to sell the undivided one eighth interest of said minor in and to said West half of the North West quarter of section 32, Townships 62 of Range 29, and reinvest the proceeds of said sale, and such additional sum as may be necessary out of the personal estate of said minor, in the purchase of the undivided $\frac{19}{144}$ interest, or $10\frac{5}{9}$ acres of the said Eliza J. Brewer, in and to the North West quarter of the North East quarter of section 32, Townships 62, of Range 29, in Daviess County Missouri, and the North East quarter of the South East quarter of section 29, Townships 62 Range 29, in Harrison County Missouri, for the reason that said sale and reinvestment as herein set forth, would obviolate heavy costs on the part of said wards estate, and would serve to consolidate, and better said wards estate.

And the Court having heard the petition of said guardian and curator and the evidence in support thereof, and duly considered the same is satisfied that the best interests of said wards estate will be promoted by said order of sale, and reinvestment. It is therefore ordered and adjudged by the Court, that said guardian and curator he and he is hereby authorized, and directed to sell the undivided one eighth interest of his said ward in and to the West half of the North West quarter of

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section 32. Townships 62. Range 29. in Daviess County Missouri (first having had the same appraised according to law) at private sale for cash, for not less than three fourths of the appraised value thereof, and that he reinvest the proceeds of said sale together with such additional sum out of the personal estate of said ward as shall be necessary in the purchase for said minor of the undivided $\frac{19}{144}$ interest, amounting to $10\frac{5}{9}$ acres, of the said Eliza J. Brewer, in and to the North West quarter of the North East quarter of section 32. Township 62 of Range 29. in Daviess County Missouri, and the North East quarter of the South East quarter of section 29. Township 62 and Range 29. in Harrison County Missouri; and that he make report of his proceedings to this Court at the next term thereof after such sale and reinvestment.

In the matter of the Estate of $\frac{3}{3}$ Continued.
Charles M. Donaldson - Insane $\frac{3}{3}$

Ordered that the settlement this day due from R.M. Pickell, guardian of said insane person be continued to the February Term 1904.

In the matter of the Copartnership Estate $\frac{3}{3}$ Continued
of L. C. Howell & Son - $\frac{3}{3}$

Came now William Howell surviving partner of said copartnership estate, and files proof of notice of publication for final settlement. which said notice and final settlement are continued to the May term of this Court 1904.

In the matter of the estate of $\frac{3}{3}$
John Dilly - deceased $\frac{3}{3}$

Ordered that the first annual settlement this day filed by Henry B. Dilly, administrator of said estate be approved and recorded.

In the matter of the Estate of $\frac{3}{3}$ Continued
William B. Cads - a minor $\frac{3}{3}$

Ordered that the settlement this day due from Lovie J. McClure, guardian and curator of said minor be continued to the February term 1904.

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In the matter of the Estate of } Continued
Thomas J. Fitch - a minor }

Ordered that the settlement this day due from Joseph J. Fitch curator of said minor be continued to the November term 1904 for final settlement

In the matter of the estate of } Final settlement & distribution
Henry W. Githens - Deceased }

Now at this day comes William W. Githens, administrator of said Estate of Henry W. Githens, deceased, and presents his accounts and vouchers for final settlement. And it appearing to the Court that notice of said settlement has been published according to law. That all the debts and demands against said estate have been fully paid and said estate fully administered, said settlement is therefore approved and ordered recorded, and the balance remaining in the hands of said administrator due said estate is ordered distributed to the heirs of said deceased as follows:

To Samuel J. Githens	\$ 15.95
" George W. Githens	15.95
" Becca Jane Leonard	15.95
" Mary Ann Carter	15.95
" Eva E. Poage	15.95
" Clara M. Palmer	15.95
" Emma E. Baughman	15.95
" Anna L. Livingston (nee Bender)	15.95

And upon filing proper receipts therefor that he be discharged.

In the matter of the estate of }
Eliza C. Hightree - deceased }

Ordered that the third annual settlement this day filed by Philip Shaw, Executor of said deceased be approved and recorded.

Ordered that Court adjourn until tomorrow morning at 9 o'clock
Thomas R. Shaw
Judge of Probate

November Term - Wednesday, Nov 11th 1903.

Court met pursuant to adjournment. present Thomas R. Shaw, Judge, and R. D. McCray, Sheriff when the following proceedings were had to-wit: -

In the matter of the estate of $\frac{3}{3}$ appropriation for support William D. Hamilton - deceased $\frac{3}{3}$ of minor children.

Comes now John F. Jordan, and represents to the Court that May Hamilton, and Genevieve Hamilton are the minor children, and sole heirs at law of said deceased, and as such are entitled to the whole of his estate left over after paying all debts against said estate, and expenses of administration. That said minors are wholly without means of support, that they are now attending school in the City of St. Louis Missouri, and funds are needed for their support, and education. Wherefore he prays the Court to make such appropriation for the support of said minors, as may seem right and proper the premises considered. And the Court having heard and considered the petition of said administrator, orders that the sum of Two hundred Dollars be and the same is appropriated out of the estate of said deceased for the support of said minors, for four months, commencing October 2nd 1903 and ending February 2nd 1904, and said appropriation shall be credited to said administrator as so much distributed to said minor children.

In the matter of the estate of $\frac{3}{3}$ Gladys E. and Lucille D. Royston. $\frac{3}{3}$

Comes now Ada M. Royston, and represents and shows to the Court, that she is the widow of Henry F. Royston deceased, and that said Henry F. Royston, was the father and that she is the mother of the said Gladys E. & Lucille D. Royston, minors. She further represents and shows to the Court, that on August 15th 1902, she as such guardian and curator of said minors, filed in this Court her petition, asking that she be ordered to sell certain of the real estate belonging to said minors, and reinvest the proceeds together with other funds belonging to said minors, in other real estate, in which said minors then had an interest,

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with a view to enlarging their interest therein; Said guardian and curator further represents to the Court, that in said petition, and all other and further proceedings incident to said sale in said Court, it was represented and acted upon by all parties, as being a fact, that said minors were the owners in common, in fee, of the undivided one twelfth interest in and to the North West quarter, and the North West quarter of the North East quarter of section 33, Township 61. of Range 27, in Daviess County Missouri. Whereas, in truth and in fact the said minors, and the said Aida M. Rayston, were together, owners in fee of said undivided one twelfth interest, for the reason that said Aida M. Rayston as widow as aforesaid, did on March 20th 1902, preceding the filing of said petition, file in the office of the Recorder of deeds, of said Daviess County Missouri, her election of that date, duly acknowledged and filed as aforesaid, to take a child's part of the real estate whereof her husband died seized as of an estate of inheritance, in lieu of her dower therein; Petitioner further represents to the Court that in the proceedings aforesaid relating to the sale, and reinvestment of the interest of said minors, the said land was by the appraisers, valued at thirty five dollars, per acre, as will appear from the certificate of appraisement filed in this Court November 14th 1902. Petitioner further represents and shows, that by reason of the premises aforesaid, and because of said misapprehension, and mistake on the part of all parties concerned, the interest of said Aida M. Rayston, in said North West quarter of section 33, Township 61. of Range 27, in Daviess County, Missouri, acquired by said election, to wit the undivided $\frac{1}{36}$ part thereof, has been used by, and formed a part of the consideration paid by said minors, for their interest in said North West quarter, of the North East quarter, of said section 33, Township 61. of Range 27, without any recompense, or consideration ever having been paid to the said Aida M. Rayston, therefor. Wherefore by reason of the premises the said Aida M. Rayston, prays the Court, that it make an order appropriating from the estate of said wards, the sum of One hundred and fifty five dollars and fifty five cents which is the equivalent, of her interest in the said North West quarter of section 33, Township 61. of Range 27, of which interest she was the owner, by reason of the election aforesaid

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and the premises herein mentioned.

And the Court having heard the petition of said Ada M. Rayston, and the evidence offered in support thereof, and having duly considered the same finds that the facts set up, and contained in said petition are true, and that said petitioner is entitled to the relief prayed for therein. It is therefore ordered and adjudged by the Court, that the sum of One hundred and fifty five and ⁵⁵/₁₀₀ Dollars the interest of the said Ada M. Rayston, in the said North West quarter of section 33. Township 61. of Range 27, at the valuation of thirty five dollars per acre, as aforesaid be and the same is appropriated out of the estate of said minors in the hands of their said Curator, as the equivalent of her interest in the said tract of land, and that said Curator pay said sum to said Ada M. Rayston, and that said Curator have credit therefor in her settlement of the estate of said minors.

On the matter of the estate of Order of Publication
Sarah J. Wood, deceased

Not at this day comes P. P. Doak, administrator of the Estate of Sarah J. Wood, deceased, and presents to the Court his petition, praying for the sale of so much of the real Estate of said deceased as will pay and satisfy the remaining debts due by said estate, and yet unpaid for want of sufficient assets, accompanied by the accounts, lists and inventories, required by law in such cases, an examination whereof it is ordered that all persons interested in the Estate of said deceased be notified that application as aforesaid has been made, and that unless the contrary be shown, on or before the first day of the next term of this Court to be held on the second Monday of February 1904, an order will be made for the sale of the whole or so much of the real estate of said deceased, as will be sufficient for the payment of said debts, and it is further ordered that this notice be published in the Gallatin Democrat, a newspaper published in this County for four weeks before the next term of this Court, and that personal service of this notice be made on the heirs and devisees of said deceased resident in said County at least ten days before the next term of this Court.

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Estate of William D. Hamilton, dec'd

Comes now Albert Cribberly, and presents to the Court for allowance against said estate a demand for \$25.⁰⁰ founded on account for a burial lot. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said Estate and that it be assigned to the first class.

Estate of John D. Wymme, deceased

Now comes Chas. Nixon & Co successors to, and assigns of Brown Critten & Co and present to the Court for allowance against said Estate a demand for \$100.⁰⁰ founded on a contract for a monument for deceased. Executor by J. M. Wymme, administrator, of said estate of John D. Wymme. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of One hundred Dollars, and that it be assigned to the first class.

In the matter of the estate of William L. Holmes - a minor

Ordered that the settlement this day due from Daniel Blackburn, Curator of said minor, be continued to the February term 1904, for final settlement.

In the matter of the estate of James H. Huston - deceased

Ordered that the final settlement of said estate, this day due from Josephus Hoskins, administrator of said estate, together with the notice of said final settlement proof of publication of which is this day filed be continued to the February Term 1904.

In the matter of the estate of Philip Hess, deceased

Ordered that the settlement this day due from H. Margaret Hess, administratrix of said estate be continued to the February term 1904.

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On the matter of the estate of William H. Jannell. dec'd

Ordered that the first annual settlement this day filed by Nancy A. Jannell, administratrix of said estate be approved and recorded.

On the matter of the estate of John Jackson - Insane.

Ordered that the settlement this day due from Philip Jackson, guardian of said John Jackson be continued to the February term 1904.

On the matter of the estate of Aubry L. Maun - a minor

Order accepting resignation
Now comes Jasiah S. Baker, guardian and curator of Aubry L. Maun, a minor and presents to the court his resignation as guardian of the person and curator of the estate of said minor, and it appearing to the court that due notice of his intention to apply to the court at this time to resign his office as such guardian and curator has been given by publication of such notice for four weeks in the North Missourian, a newspaper published in the town of Gallatin, County of Daviess and state of Missouri, according to law; and the court being sufficiently advised in the premises, it is therefore ordered and adjudged that the resignation of the said Jasiah S. Baker as such guardian and curator be accepted, and that he be discharged from further duties of said office.

On the matter of the estate of Aubry L. Maun - a minor

Appointment of Guardian & Curator
Now at this day it having come to the knowledge of the court that Jasiah S. Baker, guardian and curator of said minor has tendered his resignation of said trust and said resignation having been accepted, and said guardian and curator discharged from further duties of said office, it is therefore ordered that Elijah M. Foley Jr. Public administrator of Daviess County Missouri, and Ex officio public guardian and curator be and he is hereby appointed guardian and curator of the person and estate of said Aubry L. Maun.