

Record Book

Volume 5

May 1903 – May 1906

**May 12, 1904-
November 17, 1904
(Pages 201-300)**

May Term Thursday. May 12th 1904

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

In the matter of the estate of George M. Utz. deceased.

Came now J.J. & A.E. Utz. administrators of the estate of said George M. Utz. deceased, and report to the court that they have on hand in cash belonging to said estate the sum of Twenty eight hundred dollars which will not be needed for the payment of debts and pray the court to order said sum distributed to the heirs of said deceased. It is therefore ordered by the court that said administrators distribute said sum of \$2800. to the heirs of said deceased as follows:

To Jasper J. Utz.	\$400.00
" George M. Utz.	400.00
" Alfred E. Utz.	400.00
" William Utz.	400.00
" Thomas Utz.	400.00
" Ellen Page.	400.00
" Anna Aker.	400.00
Total	\$2800.00

In the matter of the estate of Katie Dobson. a minor.

Came now Martha Dobson curator of the estate of said minor and presents her accounts and vouchers for final settlement. said ward having attained her majority, and comes also said Katie Dobson, and in open court examines the filing of an exhibit and notice of said settlement and enters her appearance to the making of said settlement whereupon the court takes up and examines said settlement, and finds the same to be correct, and said Katie Dobson having received her said curator for the balance found due her on said final settlement and in open court acknowledged satisfaction of record it is therefore ordered that said settlement be approved and recorded and said curator discharged.

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

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

In the matter of the estate of Harriet W. Haughton Etal. minors

Ordered that the second annual settlement this day filed by John A. Leopart Curator of the estate of said minors be approved and recorded.

In the matter of the estate of Nona P. Kemp. a minor

Comes now J. H. Kemp Curator of said minor Nona P. Kemp, and presents his accounts and vouchers for final settlement. said ward having attained her majority. And comes also said Nona P. Kemp and in open Court waives the filing of an exhibit and service of notice of said settlement, and enters her appearance. whereupon the Court proceeds to the examination of said settlement which is found to be correct and is by the Court approved and ordered recorded. And said Nona P. Kemp having receipted her said Curator for the balance due her on said settlement to-wit: the sum of \$34³⁸ and having acknowledged satisfaction of record It is therefore ordered that said Curator be discharged herein.

In the matter of the estate of John A. Lambkin Etal. - minors

Ordered that the third annual settlement this day filed by Reij. A. Orichard, Curator of the estate of said minors be approved and recorded.

In the matter of the estate of William Lewis - deceased

Comes now James M. Parker, Executor of the last will and testament of said deceased, and presents his accounts and vouchers for final settlement, and

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it appearing 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 in pursuance of the provisions of the will of said deceased. said settlement is upon examination approved and ordered recorded, and said executor is ordered to distribute to the heirs and legatees of said deceased the balance remaining in his hands as such executor, as shown by said settlement to wit the sum of \$552.⁰⁴ and to pay to himself as trustee under the provisions of the will of said deceased for Caroline Williams the widow of said deceased when he shall have qualified as such trustee the sum of \$658.⁰³ the balance remaining of said trust fund as shown by said settlement, and for which sum said Executor has received a credit in said settlement. So that said distribution to said heirs of said balance of \$552.⁰⁴ and of said trust fund of \$658.⁰³ shall be as follows:

To Thomas Lewis	\$110.41
" John W Lewis	110.41
" Mary Lewis. (nee Williams)	110.41
" Elvira Medsker	110.41
" Eliza Mayfield	110.41
" Caroline Lewis. widow	658.03

And when said executor shall have filed receipts for said above described distribution & have said trust fund that he be discharged.

In the matter of the estate of ~~3~~ Continuation and Citation.
Virgil C. Miller - a minor ~~3~~

Ordered that the settlement this day due from Andrew Miller Curator of said estate be continued to the August term 1904 & citation ordered.

In the matter of the Estate of ~~3~~ Continuation
Maurice & Ray Morris minors ~~3~~

Ordered that the settlement this day due from John W Morris, Curator of said minors be continued to the August term 1904.

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In the matter of the estate of Warren Reed - Insane.

Ordered that the first annual settlement this day
filed by E. M. Foley Jr. guardian of said insane
person be approved and recorded.

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

Thomas R. Shaw
Judge

May Term - Friday - May 13th 1904.

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

In the matter of the estate of ~~B.~~ ^{B.} Confirming sale, Real Estate.
Sarah J. Wood - deceased

Now comes P.P. Doak administrator of said Sarah J. Wood deceased, and submits to the court his report of sale, by which it appears that he did on Thursday the 14th day of April 1904, in obedience to the order of this court made at the February term 1904, thereof, sell at public auction to Mary E. Wood and Jefferson D. Wood, for the sum of \$2126.⁰⁰ the real estate in said order of court and report particularly described viz: the undivided ($\frac{7}{5}$) two fifths interest in the West half of the North East quarter and in one half acre off of the East side of the South East quarter of the North West quarter both in section (3) three said two tracts containing 83.⁴⁴/₁₀₀ acres more or less. Also the undivided ($\frac{12}{5}$) two fifths interest in all that part of the South East quarter, of the North West quarter of section (4) four, lying south of Honey Creek, and East of Marrowbone Creek, containing seven acres more or less, all in Township (58) fifty eight of Range (27) twenty seven. 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 administrator is ordered to execute, as knowledge, and deliver to said Mary E. Wood, and Jefferson D. Wood a deed in due form of law, conveying to the said Mary E. Wood, and Jefferson D. Wood all the right title and interest which the deceased had in said real Estate at the time of her death.

In the matter of the estate of ~~B.~~ ^{B.} Order Confirming sale of Real Est.
John Nichols Sr. deceased

Now comes Phely Nichols administratrix of the said John Nichols Sr. deceased, and submits to the court her report of sale by which it appears that she did on the 14th day of April 1904 in obedience to the

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order of this court, made at its February Term 1904 thereof, sell at private sale to Charles W. Slatten for the sum of Fourteen Hundred and fifty Dollars the real estate in said order of court and report particularly described to wit: The North West quarter of the South East quarter of Section (8) Eight, Township (59) fifty nine and Range (26) twenty six in Davies County Missouri, 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 administrator is ordered to execute acknowledge and deliver to said Charles W. Slatten a deed in due form of law, conveying to the said Charles W. Slatten, all the right title and interest which the deceased had in said real estate at the time of his death.

Estate of William Farnsworth Dec^d $\frac{2}{3}$

Came now "Bureau Furniture Co" and presents to the court for allowance against said estate a demand for \$50.⁰⁰ founded on account for burial casket and funeral 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 \$50.⁰⁰ and that it be assigned to the first class.

In the matter of the estate of $\frac{2}{3}$ Final settlement & discharge
S. D. Stephens, deceased $\frac{2}{3}$

Came now J. B. Yates, Executor of the last will and testament 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 due and owing by said estate have been fully paid, and said estate fully administered in accordance with the provisions of the will of said deceased, It is therefore ordered that said settlement be approved and recorded and the balance of \$50.⁰⁰ remaining in the hands of said executor is ordered paid to the widow

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of said deceased, and now comes said executor and files with said settlement the receipt of said widow for said balance of \$50.⁰⁰ and said estate being fully administered, said executor is discharged herein.

It is further ordered that all the involvements returned with the final settlement and with former settlements be turned over to Loue A Stephens the widow of said deceased.

In the matter of the estate of $\left\{ \begin{array}{l} \text{Order of Suspension.} \\ \text{Robert Phelps Johnson, a minor.} \end{array} \right\}$

Comes now J. W. Alexander curator of said minor and presents his accounts and vouchers for his fourth settlement, which said settlement is taken up and considered by the Court and approved, and it appearing from said settlement that the estate of said minor in the hands of said curator has been exhausted and that there is no probability that further or additional estate will be received by said curator or come into his hands. It is therefore ordered that further settlements and advertisements be dispensed with, and said administration suspended.

In the matter of the estate of $\left\{ \begin{array}{l} \text{Order confirming sale of Real Estate.} \\ \text{Maud H. Ewing - a minor} \end{array} \right\}$

Now comes John W. Meade curator of the estate of said Maud H. Ewing, and submits to the Court his report of sale by which it appears that he did on the 11th day of May 1904, in obedience to this order of this Court made at the February term 1904, thereby sell at private sale to Anna May Osborn, for the sum of Five hundred Dollars the real estate in said order of Court, and report particularly described as follows viz: The undivided one sixth (1/6) interest in the following described real Estate situate in the City of Gallatin, Davis's County, Missouri to-wit: The South half of all of Lot Eleven (11) in Block (B) three West, and (2) two South. 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 said sale be and the same is hereby approved and confirmed and

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the said curator is ordered to execute acknowledgment and deliver to said Anna May Osborn, a deed in due form of law, conveying to her all the right title and interest which said minor had in and to said real estate.

Estate of William Farnsworth Decd.

Comes now James Guirew, and presents to the Court for allowance against said estate a demand for \$2.50 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 \$2.50 and that it be assigned to the fifth class.

Estate of William Farnsworth Decd.

Comes now "McClung Hardware & Furnishing Co" and present to the Court for allowance against said estate a demand for \$19.82 founded on a note executed by decedent and James J. Dye. Dated June 13th 1900, with eight percent interest from date, compounded \$14.22 principal and interest now due \$19.82. Notice being waived in writing and affidavit made it is ordered that said demand be allowed against said estate in said sum of \$19.82 and is assigned to class five.

In the matter of the estate of Jesse Baldwin - deceased

Comes now Amos Musselman Executor 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 due and owing by said estate have been fully paid and said estate fully administered in accordance with the provisions of the will of said deceased except the payment of a legacy of \$5.00 to Minnie A. Miller and a legacy of \$5.00 to Clara E. Daniel.

It is therefore ordered that said settlement be approved and said Executor is ordered to pay said above described legacies to said Minnie A. Miller and Clara E. Daniel. and on filing receipts therefor that he be discharged herein.

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In the matter of the estate of Robert Drummond, a minor

Ordered that the fifth annual settlement this day filed by Howard L. Yates guardian and curator of said Robert Drummond be approved and recorded.

In the matter of the estate of Choice and appointment of Curator
Oliver Goin - a minor

Now on this day comes Oliver Goin, 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 curator of his estate by reason of the death of William Lake who was the duly appointed and qualified curator of the estate of said minor, and said minor having selected as his curator E. M. Foley Jr. (Public administrator, and Ex Officio public guardian of said county of Daviess,) it is therefore ordered that said E. M. Foley Jr. he and he is hereby appointed curator of the estate of said minor and as such curator that he take charge of and administer the estate of said minor according to law.

In the matter of the estate of Final sett & Discharge
Oliver Goin - a minor.

Now comes George W. Lake Executor of the will of William Lake deceased and presents his accounts and for a final settlement for his decedent who was curator of the estate of said Oliver Goin, and comes also E. M. Foley Jr. the successor to said William Lake in said Curatorship, and produces an exhibit and notice of said settlement and enters his appearance to the making of said settlement. Whereupon said settlement is taken up examined and approved, and it appearing from said settlement that there is in the hands of said Executor the sum of \$43⁰⁶ due said Oliver Goin from his former Curator William Lake. It is therefore ordered that said Executor pay said sum to E. M. Foley Jr. the present Curator of said minor. And now comes said E. M. Foley Jr. and acknowledges satisfaction of record and receipts said Executor for said sum of \$43⁰⁶. It is therefore ordered that said Executor on behalf of the estate of William Lake deceased be discharged.

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In the matter of the estate of John D. James - Insane.

Ordered that the first annual settlement this day filed by E. M. Foley Jr. guardian of said insane person be approved and recorded.

In the matter of the estate of William Lake, deceased.

Now at this day comes George W. Lake, Executor of the last will and testament of said deceased and presents his accounts and vouchers for his first annual and final settlement pending the contest of the will of said deceased. which 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 Executor due said estate the sum of Five Hundred (\$500⁰⁰) Dollars, it is ordered that said Executor pay over said sum to E. M. Foley Jr. as administrator pendente lite of said Estate, and that said Executor surrender and turn over to said administrator pendente lite all personal and real property belonging to said Estate.

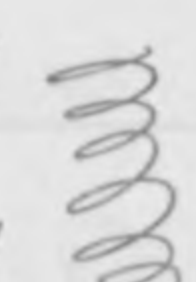
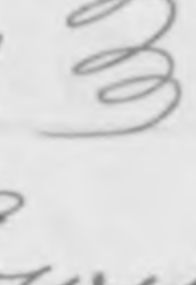
In the matter of the estate of David G. Miller - deceased. Final Settlement & Discharge

Comes now L. M. Lewis, 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 by law. said settlement is upon examination approved and ordered recorded, and the balance of \$105.⁴⁵ remaining in the hands of said administrator is ordered distributed pro rata on allowed demands against said estate being 66% of the principal of said demands. And now comes said administrator and files the receipts of all of the creditors of said estate holding demands against said estate in class given for 66% of the principal of said demands and said estate being fully administered, it is ordered that said administrator be discharged.

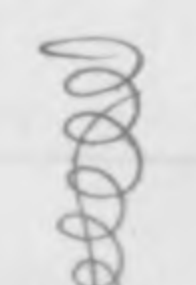
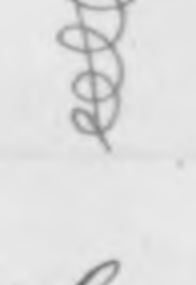
May Term

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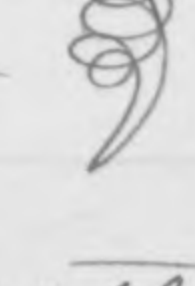
May 13th 1904.

In the matter of the estate of  Final settlement & Discharge
Sylvester S. Meadows, dec'd 

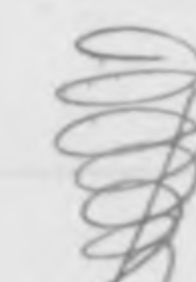
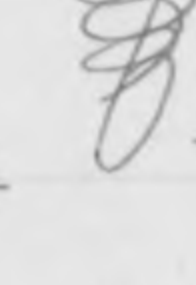
Came now George D. Ewing, administrator of said deceased and presents his accounts and vouchers for final settlement. and it appearing to the court that notice of said settlement has been published as required by law; that all the debts owing by said estate have been fully paid and said estate fully administered, it is therefore ordered that said settlement be approved and recorded, and said administrator discharged. said administrator having filed with said settlement the receipt of Mary S. Blish (and husband E. C. Blish) for the sum of \$3279⁷⁶ being the balance due said estate for distribution as shown by said settlement, and said Mary S. Blish being sole distributee of said estate.

In the matter of the estate of 
James W. & Harley E. Noah minors 

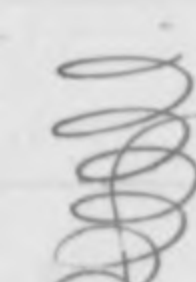
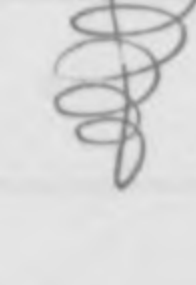
Ordered that the 12th annual settlement this day filed by William H. Place, curator of said minors be approved and recorded.

In the matter of the estate of  Continuance
Joseph Offield - Deceased 

Ordered that the final settlement this day due from James M. Offield Executor of said deceased be continued to the August term 1904. as per stipulation filed.

In the matter of the estate of 
Goldie M. Prindle Etal. minors 

Ordered that the second annual settlement this day filed by Stephen A. Wright, curator of the estate of said minors be approved and recorded.

In the matter of the estate of 
B. F. Royston, deceased 

Ordered that the second annual settlement this day filed by Robert E. Maupin, administrator with the will annexed of said deceased be approved and recorded.

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In the matter of the estate of ~~Barbara~~
 Elvaree Roberts Etal. minors

Ordered that the first annual settlement this day filed by Barbara Roberts, curator of said minors be approved and recorded.

In the matter of the estate of ~~John M. Scott~~
 John M. Scott - Insane.

Ordered that the seventh annual settlement this day filed by Martin A. Scott - guardian of said insane person be approved and recorded.

In the matter of the estate of ~~Jacob A. Stitt~~ Continuance
 Jacob A. Stitt - deceased.

Ordered that the settlement this day due from Katie A. Stitt, Executrix of said deceased be continued to the August term 1904.

In the matter of the Copartnership Estate of ~~B. J. Royston & Son~~
 B. J. Royston & Son

Ordered that the first annual settlement this day filed by Robert E. Maupin, administrator of said Copartnership be approved and recorded.

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

Thomas R. Shaw
 Judge

May Term - Saturday - May 14th 1904.

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

Estate of Mary Stöffler, deceased $\frac{3}{4}$

Came now Scott. Dunn & Co. and presents to the court for allowance against said estate a demand for \$9.⁸⁵ founded on account for burial clothing, 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 \$9.⁸⁵ and that it be assigned to the first class.

Estate of Mary Stöffler, dec'd $\frac{3}{4}$

Came now W. D. Jarnett, and presents to the court for allowance against said estate a demand for \$5.⁰⁰ founded on account for funeral services. Notice being waived in writing, affidavit and proof made. and ordered that said demand be allowed against said estate, and that it be assigned to the first class.

Estate of Mary B. Stöffler, dec'd. $\frac{3}{4}$

Came now Dr J. B. Graham, and presents to the court for allowance against said estate a demand for \$2.⁰⁰ founded on account for services during last sickness. notice being waived in writing affidavit and proof made and ordered that said demand be allowed against said estate and that it be assigned to the second class.

Estate of Mary B. Stöffler, dec'd.

Came now Dr Martin, and presents to the court for allowance against said estate a demand for \$1.⁰⁰ 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 \$1.⁰⁰ and that it be assigned to the second class.

May Term - Saturday - May 14th 1904

In the matter of the estate of ~~Warren Reed~~ ^{Warren Reed} - (Insane)

Comes now Elizabeth Reed, and makes application to the Court for an appropriation out of the estate of said insane person, for his support and maintenance for the year ending May 15th 1904, wherefore it is ordered by the Court that the sum of \$75.⁰⁰ be, and the same is appropriated out of said estate in the hands of E.M. Foley Jr. guardian of said Warren Reed for the purpose aforesaid. It is further ordered that said guardian pay to said Elizabeth Reed the further sum of \$10.⁹⁴ being the aggregate of sums expended by said Elizabeth Reed in the purchase of necessaries for said Warren Reed during said year.

Estate of J. D. Bennett, deceased

Comes now Frank Ward, and presents to the Court for allowance against said estate a demand for \$61.²⁵ founded on account for burial casket &c. 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 \$61.²⁵ and that it be assigned to the first class.

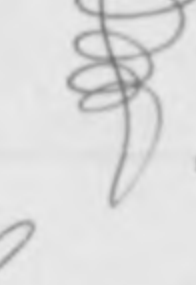
Estate of J. D. Bennett, deceased

Comes now D.C. Bailey, and presents to the Court for allowance against said estate a demand for \$38.⁵² founded on a note executed by H.B. Bennett Jan'y 18th 1893, for \$100.⁰⁰ due in one year with eight percent interest from date, and guaranteed by J. D. Bennett. 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 \$38.⁵² and that it be assigned to the fifth class.

In the matter of the estate of ~~William A. Johnson~~ ^{William A. Johnson} - deceased.

Ordered that the first annual settlement this day filed by Obed S. Gaitsy, administrator of said deceased be approved and recorded.

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In the matter of the estate of 
Jacob Earl Miller - a minor 

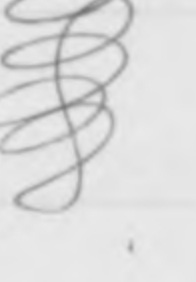
Ordered that the fourth annual settlement this day filed by Mary J. Ford guardian and curator of said Jacob Earl Miller be approved and recorded.

In the matter of the estate of 
Lola A. Mason - a minor 

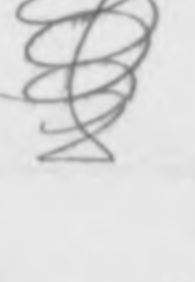
Ordered that the first annual settlement this day filed by Rollin J. Britton, guardian and curator of said minor be approved and recorded.

In the matter of the estate of 
Alexander M. Richardson, a minor 

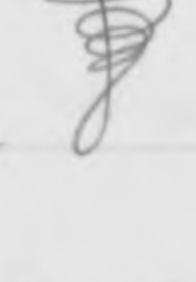
Ordered that the fifth annual settlement this day filed by J. D. Yates, guardian and curator of said minor be approved and recorded.

In the matter of the estate of 
Mary Steffler deceased. 

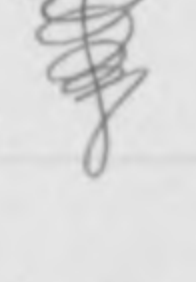
Ordered that the first annual settlement this day filed by J. C. Stovall, administrator of said deceased be approved and recorded.

In the matter of the estate of 
Alexander K. Scott, deceased 

Ordered that the settlement this day due from J. S. De Vorse, administrator of said Alexander K. Scott, deceased be continued to the August term 1904 hence.

In the matter of the estate of 
William Taylor - a minor 

Ordered that the second annual settlement this day filed by J. H. Taylor Jr. curator of said William Taylor be approved and recorded.

In the matter of the estate of 
James A. Whitt, a minor 

Ordered that the third annual settlement this day filed by Joseph O. Whitt, curator of said minor be approved and recorded.

May Term

Saturday

May 14th 1904

In the matter of the estate of J. W. Tolen - deceased. Final settlement & Distribution

Now at this day comes Clarence Tolen, and Charles Tolen, Executors of the last will and testament of said deceased, and present their 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: it is therefore ordered that said settlement be approved and recorded. And it appearing from said settlement that there remains in the hands of said Executors for distribution to the heirs of said deceased the sum of Sixteen hundred and seventy two and 00/100 Dollars. It is therefore ordered that said executors pay said sum to the heirs of said deceased as follows:

To Mary E. Fulton	\$ 324.41
" Marcus Tolen	324.41
" Frank Tolen	324.41
" Clarence Tolen	324.41
" Charles Tolen	324.41

\$ 1672.00

And upon filing receipts therefor that they be discharged

In the matter of the estate of J. Order of Revocation
Willis E. & Frank A. Youtsey, minors.

Now at this day it having come to the knowledge of the Court, that Willis E. Wood, who is the duly appointed and qualified curator of the estate of said minors has become a nonresident of the state of Missouri. It is therefore ordered, that the authority of the said Willis E. Wood as curator as aforesaid, be and the same is revoked and held for naught, and said curator is ordered to proceed to a final settlement of his curatorship, as soon as his successor shall have been appointed.

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May 14th 1904.

In the matter of the estate of & appointment of Curator
 Willis E. & Frank A. Goutsey.

Now on this day comes Archie D. Goutsey and represents and shows to the Court that Willis E. & Frank A. Goutsey, are minor children and heirs at law of Mary E. Goutsey, deceased, and Edward J. Goutsey, that said minors own property not exceeding in value the sum of seven hundred dollars, and prays the court to appoint him curator of the estate of said minors. And it appearing to the Court that the statements so made are true and that the said Archie D. Goutsey, is a suitable and competent person for such trust, it is ordered that he be and is hereby appointed curator of the estate of said Willis E. & Frank A. Goutsey, 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 Fifteen hundred dollars conditioned for the faithful discharge of his duties according to law.

Ordered that court adjourn until Monday May 16th 1904

Thomas E. Shaw

May Term

Monday

May 16th 1904.

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

In the matter of the estate of ~~Willis E. & Frank A. Goutney, minors~~ ~~of~~ Bond of Curator, approved

Now at this day comes Archie D. Goutney, who was on the 14th day of May 1904, appointed Curator of the estate of said minors, and files his bond as such curator in the sum of \$1500.00, as required by said order of appointment with John W. Meade, E. D. Meem & Homer Reut as securities thereon which said bond is by the Court now here approved, and said curator duly qualifies and enters upon the discharge of his duties.

In the matter of the estate of ~~Willis E. & Frank A. Goutney, minors~~ Final Settlement & Discharge

Now comes Willis E. Wood former Curator of the estate of said minors, and presents his accounts and vouchers for final settlement, his authority having been revoked, and comes also Archie D. Goutney, the present curator of said minors, and waives the service of an exhibit, and notice of said settlement, and enters his appearance whereupon said settlement is by the Court examined and approved, and the balance due the estate of said minors of \$631.21 as shown by said settlement is ordered paid to said Archie D. Goutney, Curator as aforesaid. And now comes said Archie D. Goutney, and receipts to said Willis E. Wood for said sum of \$631.21 and acknowledges satisfaction of record.

It is therefore ordered that Willis E. Wood as curator of Willis E. & Frank A. Goutney as aforesaid be discharged.

In the matter of the estate of ~~Emily Minnick - Insane.~~

Ordered that the twenty second annual settlement this day filed by Joseph M. Cox guardian of said Emily Minnick be approved and recorded.

May Term Monday - May 16th 1904

In the matter of the estate of Henry Dabin - deceased. Final settlement & Discharge

Came now Rebecca Dabin, administratrix of said deceased and presents her 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 it is therefore ordered that said settlement be approved and recorded and said administratrix discharged.

In the matter of the estate of J. W. Tolen - deceased. Discharge of Executors

Now at this day came Clarence and Charles Tolen Executors of the last will and testament of said deceased, and file the receipts of all of the distributees of said estate for the amount found to be due them on final settlement of said estate made on the 14th day of May 1904 of this Court, and said estate being fully administered in pursuance with the provisions of the will of said deceased it is therefore ordered that said executors be discharged.

In the matter of the estate of Charles F. Lindenberger, a minor. Final settlement & Discharge

Came now W. C. Gilliam, Curator of the estate of said minor and presents his accounts and vouchers for final settlement his said ward having attained his majority, and said Charles F. Lindenberger having appeared in open Court, and waived the filing of an exhibit, and notice of said settlement and entered his appearance, said settlement is upon examination approved and ordered recorded, and there remaining due said ward as shown by said settlement the sum of \$113.83 it is ordered that said Curator pay to said ward said sum, and now comes the said Charles F. Lindenberger, and receipts the record in full satisfaction of the amount due him, wherefore it is ordered that said Curator be discharged as to said ward.

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In the matter of the estate of Order of Publication
 Douglas Taylor, deceased

Now at this day comes E. M. Foley Jr. administrator of the estate of Douglas Taylor, deceased, and presents to the court his petition praying for the sale of all the right title and interest of deceased in and to certain mortgaged real estate belonging to said deceased, 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 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 August 1904, an order will be made for the sale of all such right title, and interest of deceased in and to said real estate. And it is further ordered that this notice be published in the Gallatin Democrat 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 Final settlement
 George C. Diestelhorst dead and Distribution

Now at this day comes Austin G. Diestelhorst 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 by law that all the debts due and owing by said estate have been fully paid wherefore upon examination said settlement is found to be correct and is approved and ordered recorded.

And it appearing that there remains in the hands of said administrator belonging to said estate the sum and amount of \$8321.65 he is ordered to pay out and distribute said sum as follows:

To Martha J. Diestelhorst - widow	\$4660.82
" Alice L. Diestelhorst - Daughter	\$3660.82

and upon filing receipts therefor that he be discharged therefrom.

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The distribution herein of said balance of \$8321.65 being made in pursuance of a written stipulation or agreement filed with said settlement signed by the widow and heirs of said deceased, and is in words and figures following to wit:

"In the Probate Court, Daviess
County Mo. May Term 1907.

Whereas George C. Diestelhorst, late of said County died intestate on the 7th day of December 1901, seized and possessed of the following described real estate in Daviess County Missouri to wit: The S.E. quarter (except 2 acres off the S. end of the E. half thereof) and the S. 53 acres of the W. half of the N.E. quarter, and a strip 78 and one half feet wide off of the S. end of the E. half of N.E. quarter all in section 24, Township 59, Range 28, - containing 213 acres. Also the N.E. quarter of the S.W. quarter, and all N. of the Wabash Rail Road, of S.E. quarter of S.W. quarter of section 22, Township 59, Range 26, - containing 55 acres, and an undivided one third interest in a strip 15 feet wide off of the E. side of the S.W. quarter of the S.W. quarter of section 32, Township 59, Range 26, for a road.

Also of money and notes amounting to (\$16,482.84) sixteen thousand four hundred and eighty two dollars and 84 cents.

Leaving his widow, Martha, and the following named children to wit: Susan Keck, Austin G. Diestelhorst, Frank V. Diestelhorst, and Alice Diestelhorst, who are each entitled to the one fourth part thereof subject to the allowances due said widow.

And whereas, Susan Keck, was advanced 120. acres of land by her Father; And Frank V. Diestelhorst was advanced 102. acres of land by his Father; And whereas Austin G. Diestelhorst prefers to take whatever share he has in said estate in land, and the other parties interested prefer to take their shares in money, notes, and land as hereinafter set out. Now therefore, for the purpose of making a final settlement, and an equitable division of said real and personal property in view of said advancements and according to the wishes of said children and widow, it is hereby mutually agreed by

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us who are all the children of said deceased, and widow of said deceased, who are all of full age, and all competent and able to enter into this agreement, and whose names are signed hereto, that each of us will, and do hereby accept the following distribution and partition of said real and personal property, to-wit:

Frank V. Diestelhorst in notes and money as per receipt filed in the first annual settlement with advancements aforesaid in full of his share in said estate the sum of \$3882.52

Susan Keck, in notes and money as per receipt in first annual settlement with her advancement aforesaid in full of her share of said estate, the sum of \$3882.52

Alice Diestelhorst in notes, money and real estate the sum of \$3660.82

which is in full of her share of said estate.

Austin G. Diestelhorst for real estate taken by him in lieu of money and notes in full of his share of said estate (for description see receipt.)

The N.E. 1/4 of the S.W. 1/4, and the S.E. 1/4 of the North West 1/4 all in section 7, Township 58, of Range 27, = 84.28 acres, more or less, which belongs to Alice L. Diestelhorst, and Martha J. Diestelhorst as follows. Alice owns one half of said land plus the sum of five hundred dollars, \$500.00. - and Martha J. Diestelhorst owns one half said land minus \$500.00. Title to said land is now in Austin G. Diestelhorst who holds same as trustee for said parties.

Martha Diestelhorst, widow, in lieu of all statutory allowances given her under the laws of this state the sum of \$4660.82

And we all hereby agree, and request The Honorable Probate Court of said county to enter upon its records as its final order of distribution upon the final settlement of Austin G. Diestelhorst, administrator of said deceased at the present term of this court the foregoing agreement.

Deeds have already been executed and delivered in conformity to the foregoing agreement; and we hereby agree with each other, and with said court that Austin G. Diestelhorst, the administrator of said estate may be forever discharged by this court, from any and all further liability to us on account of said estate.

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Livest under our hands this May 14th A.D. 1904.

(Witnesses - J. E. Wenopler)

Martha J^{her} Diestelhorst.

Susan F. Keck.

John A. Keck.

J. V. Diestelhorst.

Alie L. Diestelhorst.

Ordered that Court adjourn until Court in course.

Thomas R. Shaw
Judge

In Vacation - May 23rd 1904.

In the matter of the estate of Will Probated
and last will and testament of
William W. Robinson, deceased

Now on this day an instrument of writing pur-
porting to be the last will and testament of William
W. Robinson, deceased, is offered for probate, and the
Judge of Probate, having seen and examined said instru-
ment of writing, and having also heard the testimony
of John C. Leopard, and Thomas H. Hicklin, the subscri-
bing 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 Wil-
liam W. Robinson, deceased late of Davies's County
and orders the same to be admitted to probate.

Thomas R. Shaw
Judge of Probate

In Vacation - May 24th 1904.

In the matter of the estate of Executor appointed
William W. Robinson, dec'd

Now comes Joseph C. Robinson, who was named
as executor in the last will of said deceased 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 he
be, and is hereby appointed executor of said estate, and
that letters testamentary issue to him thereon, and before
entering on the duties of his office that he enter into
bond as such executor in the sum of Seven thousand dollars
with two or more securities to be approved by the court con-
ditioned for the faithful discharge of his duties according
to law. And now comes said Joseph C. Robinson, and
files said bond in said sum of \$7000.⁰⁰ with E. D. Mann
and John A. Caraway, as securities thereon, which is
approved. It is further ordered that John W. Tolbert and
Thomas E. Hamilton, be and they are appointed witnesses
to accompany and aid said executor in making an inventory
of said estate.

Thomas R. Shaw
Judge of Probate

In Vacation - May 27th 1904

In the matter of the estate of 3 Order Private Sale
Elza P. Richardson, dec'd. 3

Now comes Robert P. Richardson, administrator of said estate and files his written application for permission to sell all the personal estate of said deceased as shown by the appraisement thereof this day filed, (except the notes described therein) at private sale. And the Judge of Probate being satisfied that it will be for the best interests of the estate and not prejudicial to creditors to sell the same at such sale, it is ordered that said administrator sell said property at private sale for not less than three fourths of the appraised value thereof for cash, or on a credit of six months, note to bear six per cent interest from date, and that he report same to this court.

Thomas R. Shaw, Judge of Probate

In Vacation - May 31st 1904.

In the matter of the estate of 3 Letters of administration Granted,
Dimeon Hamblin dec'd. 3

Now comes Margaret Hamblin widow of said deceased and makes application for letters of administration on the estate of said deceased who died in Davies County May 17th 1904, intestate, leaving in addition to real estate, personal property of the probable value of Five hundred dollars. And said Margaret Hamblin, 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 upon the duties of her office that she enter into bond to the state of Missouri, in the sum of One thousand dollars, with two or more securities to be approved by the Court, conditioned for the faithful discharge of her duties according to law. And now comes said Margaret Hamblin and files herein said bond in said sum of \$1000.00 with James P. Hamblin, Walter Hamblin, and H. B. McMahon as securities thereon which is approved.

It is further ordered that H. B. McMahon, and E. W. Slatten be and are appointed witnesses to accompany and aid said administratrix in opening and examining the papers money and other property of said deceased and in making an inventory thereof.

Thomas R. Shaw - Judge of Probate

In Vacation - June 2nd 1904.

In the matter of the estate of }
 Ima May Mitchell, minor } appointment of Guardian & Curator.
 heir of George D. Mitchell and
 Minnie Mitchell, deceased }

Now on this day comes Wilson J. Smith, and represents and shows to the Judge of Probate that Ima May Mitchell who was thirteen years of age on the day of 1904, is the minor child and heir at law of said George D. Mitchell and Minnie Mitchell, deceased, that said minor resides in the county of Danvers, that she owns property of the probable value of three thousand dollars, and prays the Court to appoint him guardian of the person and curator of the estate of said minor. And it appearing to the Judge of Probate, that the statements so made are true, and that the said Wilson J. Smith, is a suitable and competent person for such trust, it is ordered that he be and is hereby appointed, guardian of the person and curator of the estate of said Ima May Mitchell, 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 six thousand dollars, conditioned for the faithful discharge of his duties according to law; And now comes said Wilson J. Smith, and files herein his bond as such guardian and curator, in said sum of six thousand dollars conditioned as the law directs, with Gideon Smith and Rollin J. Britton as securities thereon, which said bond was by the Judge of Probate approved.

Thomas A. Shaw
 Judge of Probate.

In Vacation - June 4th 1904

In the matter of the estate of } Order for private sale.
William Lake, deceased

Now comes E. M. Foley, Jr administrator pendente lite of said estate, and files his written application for permission to sell all the personal property of said deceased as shown by his appraisement thereof, filed in the office of the Probate Court of Daviess County on the 27th day of May 1904, and in said appraisement particularly described, 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 therefore ordered that said administrator pendente lite, sell said property at private sale for not less than three fourths of the appraised value thereof, on the following terms viz: cash in hand; and that he report said sale to this court at its next term.

Thomas R Shaw
Judge of Probate.

In Vacation - June 17th 1904.

In the matter of the estate of } Appointment of Curator.
Roy Slater, and Earnest Slater, minors }

On this day comes Roy Slater and Earnest Slater, and it appearing to the Judge of Probate, that they are minors under twenty one, but above fourteen years of age, and reside in the County of Daviess, and have no curator of their estate, and being directed to choose a curator they did in writing, select their Father, Douglas Slater, who being approved by the Judge of Probate, is appointed Curator of the estate of said minors, Roy and Earnest Slater, 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 Fifteen hundred Dollars, conditioned for the faithful discharge of his duties according to law. Whereupon comes said Douglas Slater, and files herein his bond as such curator in said sum of Fifteen hundred Dollars, conditioned as the law directs, with Horace B Hyde, and William R Heath, as securities thereon which said bond was by the Judge of Probate approved.

Thomas R Shaw - Judge.

In Vacation June 18th - 1904.

In the matter of the registration
of the License of John A. Gough, to
practice the science of Embalming.

Now at this day comes John A. Gough, and presents
to the Judge of Probate for registration a 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 810.

To all whom it may concern - Greeting;

By virtue of authority vested in us by the State of Miss-
ouri, by an act approved March 16th 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 A. Gough, of Patton-
burg, County of Daviess, to practice the science of
Embalming, he having passed a satisfactory exami-
nation by the State Board.

Given under our hands, and seal of this Board
this Fourteenth day of May, nineteen hundred and four.

Geo. E. R. Wagoner

Clay Schaeffer

L. B. Hickman

Leo J. Stewart - Secretary,

Jos. Martin. President,

The State Board of Embalming.

(Seal)

Filed June 18th 1904

Thomas R. Shaw

Judge of Probate

In Vacation - August 1st 1904

In the matter of the estate of ~~J~~ Letters of administration
James H. Ellis - deceased ~~J~~.

Now at this day comes Isaac J. Oxford, and makes application for letters of administration on the estate of James H. Ellis, deceased, who departed this life, intestate on the 14th day of July 1904, having at the time of his death personal property, (in addition to real estate) of the probable value of three hundred and fifty (\$350⁰⁰), and it appearing to the Judge of probate, that Elizabeth Ellis, the widow of said deceased has filed her relinquishment of her right to administer said estate, and requested the appointment of said Isaac J. Oxford as such administrator, and there being no distributees of said estate entitled to administer said estate, it is therefore ordered that Isaac J. Oxford be, and he is hereby appointed administrator of said estate and that as such administrator he enter into bond to the State of Missouri in the sum of Seven Hundred dollars, with such security as the court shall approve, conditioned for the faithful discharge of his duties according to law; And now comes said Isaac J. Oxford, and files said bond in said sum of Seven Hundred dollars, with William C. Gilbhan and W. J. Hines, as securities thereon, which said bond is approved. It is further ordered that W. J. Hines, and George Mooney, be, and they are appointed witnesses to accompany and aid said administrator in opening and examining the papers, money and other property of said deceased and making an inventory thereof.

Thomas R. Shaw
Judge of Probate

In Vacation - August 5th 1904

In the matter of the estate of } Will probated.
and last will and testament }
of W. H. Powell, deceased }
}

Now on this day an instrument of writing heretofore filed herein, purporting to be the last will and testament of W. H. Powell, 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 Daniel M. Fisher, and L. C. Williams 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 W. H. Powell, deceased, late of Daviess County, and orders the same admitted to probate.

Thomas R. Shaw
Judge of Probate.

August Term - Monday - August 8th 1904

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 the 8th day of August 1904: there was present Thomas R. Shaw Judge of said Court, and R. D. McCray, Sheriff of said County when the following proceedings were had viz:

Ordered that the bond of Archie S. Gautrey as guardian and curator of Willis E. Gautrey, and Frank A. Gautrey minors, taken in vacation May 16th 1904, be and the same is approved and his appointment ratified and confirmed.

Ordered that the bond of Joseph C. Robinson as executor of the last will and testament of W^m W. Robinson, deceased taken in vacation May 24th 1904, be and the same is approved and his appointment ratified and confirmed.

Ordered that the bond of Margaret Haeublin, as administratrix of the estate of Simon Haeublin deceased taken in vacation May 31st 1904, be and the same is approved, and her appointment as administratrix ratified and confirmed.

Ordered that the bond of Wilson T. Smith as guardian and curator of Irma May Mitchell, a minor, taken in vacation June 2nd 1904, be and the same is approved, and his appointment as guardian and curator, ratified and confirmed.

Ordered that the bond of Douglas Slater, as curator of the estate of Ray, and Earnest Slater, minors, taken in vacation June 17th 1904, be and the same is approved and his appointment as curator ratified and confirmed.

In the matter of the estate of $\frac{2}{3}$ Judgment Establishing will. William W. Robinson, dec'd $\frac{2}{3}$

It being shown to the Court now here, that in vacation of this Court to-wit: on the 23rd day of May 1904, an instrument of writing purporting to be the last will and testament of William W. Robinson, deceased, and attested

August Term. Monday. August 8th 1904

by Jno O. Leopard and Thos H. Hicklin as witnesses, was produced before the clerk of this court, to be proved and admitted to record as the last will of said William W. Robinson, deceased, and said clerk proceeded to take the testimony of Jno O. Leopard and Thomas H. Hicklin, 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 23rd day of May 1904. And the court having inspected said will, and seen and heard the testimony of Jno O. Leopard and Thos H. Hicklin, 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 William W. Robinson, 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 }
 Gertrude Groover - formerly } Discharge of Guardian & Curator
 Gertrude Stormer - a minor }

Comes now Freelin Boyer, guardian and curator of said minor, and files the receipt of said Gertrude Groover - formerly Gertrude Stormer - for the sum of one hundred and nineteen and 50/100 dollars, being in full of the amount shown to be due her on final settlement of her estate, made by said guardian and curator at the November term 1902 of the probate court of Davison County. Wherefore it is ordered that said guardian and curator be discharged.

In the matter of the estate of } Judgment Establishing Will.
 William N. Powell. dec'd }

It being shown to the court now here that in vacation of this court to-wit: on the 5th day of August 1904, an instrument of writing purporting to be the last

August Term. Monday August 8th 1904

will and testament of W. H. Powell deceased, and attested by Daniel M. Fisher, and L. C. Williams as witnesses, was produced before the clerk of this court to be proved and admitted to record as the last will of said W. H. Powell deceased, and said clerk proceeded to take the testimony of Daniel M. Fisher and L. C. Williams, 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 August 1904. And the Court having inspected said will, and seen and heard the testimony of Daniel M. Fisher, and L. C. Williams, 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 W. H. Powell, 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 Philip Hess, deceased. Judgment Establishing will, and last will and testament of Philip Hess, deceased.

Now on this day an instrument of writing heretofore filed herein, purporting to be the last will and testament of Philip Hess, deceased is offered for probate, and the Court having seen and examined said instrument, and having also heard and examined the testimony of J. W. Linn, and G. F. Galpin, the subscribing witnesses thereto in relation to the execution of the same, which said testimony of said subscribing witnesses was taken under and by virtue, and authority of a commission issued by the Judge and Ex officio clerk of the probate Court of Daviess County, Missouri in vacation of said Court, said subscribing witnesses being now residents of the state of Missouri; And the Court being fully advised: It is ordered and adjudged

August Term. Monday, August 8th 1904.

by the court, that said instrument be considered proved, and the same is adjudged to be the last will of said Philip Hersa, deceased. And the said proceedings and action of the clerk in the premises, in vacation, are in all things ratified and confirmed and that said will be admitted to record.

In the matter of the estate of $\frac{3}{3}$ Executor Discharged.
George Gotschall, deceased $\frac{3}{3}$

Came now Solomon S. Smith, executor of the last will and testament of said deceased, and files the receipt of Aliceira Gotschall, widow of said deceased, for the sum of Forty Dollars, being the amount ordered paid her on the final settlement of said estate, made at the May term, 1904, of this court, and said estate being fully administered it is ordered that said executor be discharged.

In the matter of the Estate of $\frac{3}{3}$ Final Discharge
Tobias M. Henderson, dec'd $\frac{3}{3}$

Came now Benjamin F. Koger, administrator of said estate, and files the receipts of Mayme F. Henderson, Dora Henderson Crum and Elsie E. Koger for the sum of \$10.⁵⁷ each, due them on final settlement of the estate of said deceased, made May 13th 1903, and said estate being fully administered, it is ordered that said administrator be discharged, herein.

In the matter of the estate of $\frac{3}{3}$ Partial Discharge
William Lewis, deceased $\frac{3}{3}$

Came now J. M. Parker, executor of said deceased and files the receipt of Thomas Lewis, John W. Lewis, Mary Lewis Williams, Elvira Medsker, and Eliza Mayfield for the sum each of \$10.⁴¹ being the amount due each of them respectively, as heirs of said William Lewis, deceased, on final settlement of said estate, made at the May term, 1904, of this court, wherefore it is ordered that said executor be discharged, as to said above named legatees.

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Estate of Jno H. Searcy - deceased. $\frac{2}{3}$

Came now E. J. West, and presents to the Court for allowance against said estate, a demand for one and $\frac{65}{100}$ Dollars (\$1.65) 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 \$1.65 and that it be assigned to the fifth class.

Estate of Porterfield Foster, dec'd $\frac{2}{3}$

Came now C. E. Orcutt, and presents to the Court for allowance against said estate a demand for one dollar. (\$1.00) 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 one dollar, and that it be assigned to the fifth class.

Estate of John H. Searcy, deceased $\frac{2}{3}$

Came now W. K. Knappman, and presents to the Court for allowance against said estate a demand for \$5.75 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 Five & $\frac{75}{100}$ Dollars and that it be assigned to the fifth class.

Estate of John H. Searcy - deceased. $\frac{2}{3}$

Came now C. C. Searcy, and presents to the Court for allowance against said estate a demand for \$5.50 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 Five & $\frac{50}{100}$ Dollars, and that it be assigned to the fifth class.

Estate of James W^m Mann, deceased. $\frac{2}{3}$

Came now J. E. Harris, and presents to the Court for allowance against said estate, a demand for \$8.05 founded on account. Notice being waived in writing and affidavit and proof made, it is ordered that

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August 8th 1904.

said demand be allowed against said estate in said sum of \$ 8.⁰⁵ and that it be assigned to the 5th class.

Estate of J. D. Bennett. deceased. §

Comes now Dr M. Patton, and presents to the court for allowance against said estate a demand for \$ 84.²⁶ founded on a note executed by deceased and Will Grady. Dated Feby 7th 1903. due in ten months with 8% interest from maturity. Notice being waived in writing, and affidavit and proof of signature made, it is ordered that said demand be allowed against said estate in said sum of \$ 84.²⁶ and that it be assigned to the fifth class.

Estate of Simon Hamblin. deceased. §

Comes now James P. Hamblin, and presents to the court for allowance against said estate a demand for \$ 78.¹⁷ founded on two promissory notes, one for \$ 22.⁵⁷ dated April 8th 1897. with interest from date at 8% and one note for \$ 26.⁸⁰ dated January 27th 1900. with interest from date at eight per cent. total amount of said two notes being \$ 78.¹⁷. Notice being waived in writing, and affidavit and proof of signature made, it is ordered that said demand be allowed against said estate in said sum of \$ 78.¹⁷ and that it be assigned to the fifth class.

Estate of J. D. Bennett. Dec'd §

Comes now Jacob Duern, and presents to the court for allowance against said estate a demand for \$ 163.⁷¹ founded on two promissory notes, one for one hundred dollars, dated January 30th 1897. with interest from date at eight per cent., credited as follows: January 30th 98. paid \$ 50.⁰⁰ and interest to date. Int paid to Jan'y 30/01. - Int paid to Jan'y 30/02. - Int paid to Jan'y 30/02. - amount due Aug 8th 1904. \$ 56.¹⁹ - One note bearing date Sept 5th 1903. due in four months. interest from date at 8%. for \$ 100.⁰⁰ - amount due Aug 8th 1904. \$ 107.⁵² Total due \$ 163.⁷¹ Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed in said sum of \$ 163.⁷¹ and that it be assigned to the fifth class.

August Term Monday August 8th 1904.

Estate of John H. Searey - deceased. $\frac{2}{3}$

Comes now C. A. Calhoun and presents to the Court for allowance against said estate a demand for \$104.⁰⁰ founded on account for burial casket and funeral expenses. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against estate in said sum of \$104. and that it be assigned to the first class.

Estate of William Farnsworth. dec'd $\frac{2}{3}$

Comes now Dr H. E. Sawyer, and presents to the Court for allowance against said estate a demand for \$3.⁰⁰ 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 in said sum of \$3.⁰⁰ and that it be assigned to the second class.

Estate of William Farnsworth dec'd $\frac{2}{3}$

Comes now C. E. Orcutt, and presents to the Court for allowance against said estate a demand for \$2.¹⁰ 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 \$2.¹⁰, and that it be assigned to the fifth class.

Estate of W. H. Cunningham. Dec'd. $\frac{2}{3}$

Comes now the Pattonsburg Hardware Company and presents to the Court for allowance against said estate a demand for \$12.⁰⁵ 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 \$12.⁰⁵ and that it be assigned to the fifth class.

Estate of Simon Hamblin. Dec'd.

Comes now Samuel Nichols Jr. and presents to the Court for allowance against said estate a demand for \$10.⁰⁰ founded on account. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said

August Term. Monday - August 8th 1904.

estate in said sum of \$10⁰⁰ and that it be assigned to the fifth class

In the matter of the estate of ~~John L. Clark~~ ^{Final settlement & Discharge} John L. Clark - a minor.

Now comes E. M. Foley Jr. public guardian and curator having in charge the estate of said John L. Clark, a minor, and presents his accounts and vouchers for final settlement said ward having attained his majority, and comes also said John L. Clark and in open Court waives the filing of an exhibit and service of 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 said ward having in open Court to his said curator for the balance found to be due him on said settlement, to wit: the sum of \$203.⁵⁵ it is therefore ordered that said curator be discharged herein.

In the matter of the estate of ~~Rally Brown~~ ^{Continuance} Rally Brown - a minor

Ordered that the settlement this day due from Walker G. Smith, guardian and curator of the person and estate of said minor, be continued to the November term 1904.

In the matter of the estate of ~~Wardle A. Bennett~~ ^{Continuance} Wardle A. Bennett, a minor

Ordered that the settlement this day due from E. M. Foley Jr. guardian and curator of said minor be continued to the November term 1904.

In the matter of the estate of ~~Forest W. Blackburn et al.~~ ^{Continuance} Forest W. Blackburn et al. minors

Ordered that the settlement this day due from W. E. Blackburn, curator of said minors be continued to the November term 1904.

August Term Monday - August 8th 1904

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

Ordered that the first annual settlement this day filed by Sarah J. Brown, administratrix of said estate, be approved and recorded.

In the matter of the estate of }
Nathaniel G. Cruzen, dec'd. }

Ordered that the first annual settlement this day filed by Mary Cruzen, Executrix of said deceased be approved and recorded.

In the matter of the estate of } Final settlement & Discharge
Anna E. Davis, dec'd. } of Executor.

Now at this day comes John W. Meade, Executor of the last will and testament of said deceased and presents his accounts and vouchers for final settlement, and it appearing to the Court that notice of said final settlement has been published as required by law, and that all the debts due and owing by said estate have been fully administered and paid, said settlement is upon examination approved and ordered to be recorded, and it further appearing from said settlement that said executor has taken credit therein for the sum of \$851.⁶³ which said sum he has receipted for as trustee, created under and by virtue of the provisions of the will of said deceased and having duly qualified and given bond of such trustee, it is ordered that said Executor have credit on said settlement for said sum receipted for, and held by him as trustee as a fundsuit, and said estate being fully administered in accordance with the provisions of the will of said deceased it is further ordered that said Executor be discharged.

In the matter of the Estate of }
Maud A. Ewing - a minor }

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

Ordered that Court adj until tomorrow morning at 9 o'clock
Thomas Ashaw Judge

August Term - Tuesday - August 9th 1904

Court met pursuant to adjournment. present
Thomas R. Shaw. Judge. and R. D. McCray sheriff
where the following proceedings were had viz;

In the matter of the estate of $\frac{2}{3}$ Final settlement & Discharge
Oscar L. Fittener, a minor $\frac{1}{3}$

Came now Mary E. Fisher, Curator of the estate
of said Oscar L. Fittener, and presents her accounts
and vouchers for final settlement, said ward having
attained his majority, and came also said Oscar
L. Fittener, and in open court waives the filing of
an exhibit, and notice of said settlement, and
enters his appearance to the making of said settle-
ment, whereupon the Court proceeds with said set-
tlement, which on examination is found to be
correct, and is approved. And it appearing from
said settlement, that there is a balance in the hands
of said Curator due said minor of \$1212.⁴⁸ It is
ordered that said Curator pay her said ward said
sum of \$1212.⁴⁸. And now comes said ward and
in open Court and receipts the record and ack-
nowledges satisfaction thereof from his said cu-
rator, wherefore it is ordered that said Curator
be discharged.

Estate of Joshua B. Bennett, deceased $\frac{2}{3}$

Came now Dr O. W. Shampron, and presents
to the Court for allowance against said Estate a
demand for \$62.⁵⁰ founded on account for medical
services rendered deceased. 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.

Estate of Porterfield Pester, deceased $\frac{2}{3}$

Came now the "Rivers Furniture Company" and
present to the Court for allowance against said estate
a demand for \$92.⁰⁰ founded on account for burial
casket, and other funeral expenses. Notice being waived
in writing, and affidavit and proof made, it is

August Term - Tuesday - August 9th 1904.

ordered that said demand be allowed against said estate in said sum of \$92.⁰⁰ and that it be assigned to the first class.

In the matter of the estate of }
William Marion Matchett and } Order Confirming Sale of Real
James Dewey Matchett - minors } Estate

Came now Charley A. Scott, curator of the estate of said minors, and submits to the court his report of sale, by which it appears that he did on the 9th day of August 1904, in obedience to the order of this court, made at the May term 1904, thereof, sell at private sale to George Flint Reid, for the sum of Two hundred and seventy five dollars, the real estate in said order of Court and report particularly described viz: The undivided one fourth interest in and to the North West quarter of the South East quarter of section Twenty (20), and 90 rods off North East quarter of South West quarter of section Twenty (20) described as follows. Beginning at the North East corner of the South West quarter of section Twenty running thence West three (3) rods; along the line dividing the South West quarter from the North West quarter, thence South thirty (30) rods; thence East three (3) rods; thence North to the place of beginning, all in Township fifty nine (59) Range twenty Eight (28) in Jackson County Missouri. 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 George Flint Reid, a deed in due form of law, conveying to the said George Flint Reid, all the right, title and interest which said minors had in and to said real estate.

August Term - Tuesday - August 9th 1904

In the matter of the estate of } Approval of Report of Sale
Powhatan Downing - deceased }

Comes now M. B. Gillihan and Charles L. Downing, executors of said deceased, and file their report of the private sale of the personal estate of said deceased under an order of the probate Court, which said report is considered and approved.

Estate of James L. Haynes, dec'd }

Comes now McCue and Henderson and present to the Court for allowance against said estate a demand for \$45.⁰⁰ founded on account for a burial casket for deceased. 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 \$45.⁰⁰ and that it be assigned to the first class.

In the matter of the estate of } Continued
Lindsea E. Dowell - deceased }

Ordered that the settlement this day due from William Dowell, Executor of said deceased be continued to the November term 1904 for final settlement

In the matter of the estate of } Continued
Malinda Dietro - deceased }

Ordered that the settlement this day due from Arthur E. Dietro, administrator of said deceased be continued to the November term 1904.

In the matter of the estate of }
Powhatan Downing - deceased }

Ordered that the first annual settlement this day filed by M. B. Gillihan & Chas. Downing, Executors of said deceased be approved and recorded

In the matter of the estate of } Continued
William B. Eads - a minor }

Ordered that the settlement this day due

August Term Tuesday August 9th 1904

from Lovie J. McClure, curator of said minor he continued to the November term 1904.

In the matter of the Estate of $\S$ George Egbert - deceased $\S$

Ordered that the first annual settlement this day filed by Robert E. Maupin administrator of said deceased be approved and recorded.

In the matter of the estate of $\S$ Final statement & discharge James M. Freeman, dec'd $\S$

Now at this day comes Radman K. Freeman executor of the last will and testament 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 due and owing by said deceased have been fully paid and that said estate has been fully administered according to law and in pursuance of the terms of said last will and testament, it is therefore ordered that said settlement be approved and recorded, and said executor discharged.

In the matter of the estate of $\S$ Bond approved James H. Ellis deceased $\S$

Ordered that the bond of Isaac J. Oxford as administrator of the Estate of said James H. Ellis deceased taken in vacation August 1st 1904 be and the same is approved and his appointment as administrator ratified and confirmed.

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

Thomas R. Shaw
Judge

August Term - Wednesday - August 10th 1904.

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 E. P. Richardson. deceased.

Now comes John Buren on behalf of "Buren Furniture Company" and presents to the Court for allowance against said estate a demand for \$65.²⁵ founded on account for burial casket and other 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 Sixty five & ²⁵/₁₀₀ Dollars and that it be assigned to the first class.

Estate of James H. Ellis - deceased.

Now comes the "Buren Furniture Company" and presents to the Court for allowance against said estate a demand for \$32.⁵⁰ founded on account for burial casket. 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 Thirty two & ⁵⁰/₁₀₀ Dollars and that it be assigned to the first class.

Estate of William D. Hamilton. deceased.

Now comes John W. Meade, president of the Farmers Exchange Bank, and on behalf of said bank presents to the Court for allowance against said estate a demand for \$107.¹⁰ founded on a note executed by said deceased to said bank for \$100.⁰⁰ dated July 18th 1903, due in two months, with eight per cent per annum interest from maturity. 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 and seven dollars and ten cents, and that it be assigned to the fifth class of demands against said estate and paid accordingly.

August Term Wednesday August 10th 1904.

Estate of W^m D. Hamilton deceased $\frac{3}{4}$

Comes now the Farmers Exchange Bank of Gallatin Mo. by Jno W. Meade president of said bank and presents to the Court for allowance against said estate a demand for \$193.⁵⁴ founded on an account for an overdraft at 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 \$193.⁵⁴ and that it be assigned to the fifth class.

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

Comes now John W. Meade, trustee in bankruptcy and on behalf of the "Bank of Altamont" presents to the Court for allowance against said estate a demand for \$87.²⁵ founded on a note executed by deceased and W. Scott Mallory for \$75.⁰⁰ dated July 22nd 1902. due in six months with eight per cent interest from date. amount now due \$87.²⁵. 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 \$87.²⁵ and that it be assigned to the sixth class.

Estate of Sarah A. Darneal. dec'd $\frac{3}{4}$

Comes now the Farmers Exchange Bank by John W. Meade president and presents to the Court for allowance against said estate a demand for \$565.²⁰ founded on a note executed by deceased for \$500.⁰⁰ dated July 6th 1903. due on demand with eight per cent interest from date. amount now due \$565.²⁰. Notice of presentation for allowance being waived in writing. and affidavit and proof of execution made. It is ordered that said demand be allowed against said estate in said sum of Five hundred and sixty five and ²⁰/₁₀₀ Dollars and that it be assigned to the fifth class of demands against said estate and paid accordingly with interest at the rate of eight per cent from this date.

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Estate of Simon Hamblin - dec'd }

Comes now the "Rurew Furniture Co." and presents to the Court for allowance against said estate a demand for \$78.75 founded on account for burial casket and funeral expenses. Notice of presentation for allowance being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate, in said sum of Seventy Eight and 75/100 Dollars, and that it be assigned to the first class.

Estate of F. M. Drummond. Dec'd }

Comes now J. A. Selby, assignee, and presents to the Court for allowance against said estate a demand for \$50.72 founded on a note executed by deceased to Wm. H. Cole for \$48.50 dated the 17th day of February 1903, due in nine months with interest from date at eight per cent. principal and interest now due \$50.72. 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 \$50.72, and that it be assigned to the fifth class.

Estate of F. M. Drummond. deceased }

Comes now D. B. Everman, and presents to the Court for allowance against said estate a demand for \$10.00 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 \$10.00, and that it be assigned to the fifth class.

Estate of James L. Haynes, deceased }

Comes now M. A. Smith, M.D., and presents to the Court for allowance against said estate a demand for \$18.00, founded on account for medical services during his last sickness. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate, and assigned to class two.

August Term. Wednesday - August 10th 1904.

Estate of James L. Haynes, dec'd 3

Comes now J. W. McClarkey and presents to the court for allowance against said estate a demand for \$ 3.⁵⁰ founded on account for use of teams at funeral of deceased. 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 Class one.

Estate of F. M. Drummond, dec'd 3

Comes now "W. H. Etter Dry Goods Co." and presents to the court for allowance against said estate a demand for \$ 4.⁰⁰ 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 Four Dollars and that it be assigned to the fifth Class.

Estate of James L. Haynes dec'd 3

Comes now Smith & Lockridge, and present to the court for allowance against said estate a demand for \$ 1.⁷⁰ 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 One & 70/100 Dollars, and that it be assigned to the second class.

In the matter of the estate of 3 Allowance to widow
Simeon Hamblin, dec'd 3

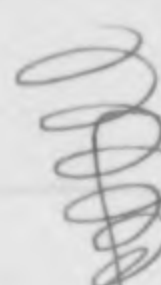
Now at this day comes Margaret Hamblin widow of said deceased, and represents to the court that at the time of the death of deceased there was no grain, meat vegetables groceries or other provisions on hand and provided for the support of herself and family consisting of two daughters. Wherefore she prays the court that an allowance be made in lieu of provisions not on hand as above said, as provided by law out of the assets of the estate of said deceased. And the court having heard said petition, and the evidence in support thereof, finds that the sum of two hundred Dollars

August Term - Wednesday - August 10th 1904

\$200⁰⁰ will be required to supply such deficiency. It is therefore ordered that said sum be and the same is appropriated out of the personal assets of said estate for the purpose aforesaid.

In the matter of the estate of  Final settlement & Discharge
Thomas J. Fitch, a minor

Comes now Joseph P. Fitch, Curator of the Estate of said minor, and presents his accounts and vouchers for final settlement, said ward having attained his majority, and comes also said Thomas J. Fitch, and in open court waives the filing of an exhibit and notice of said settlement, and enters his appearance, whereupon the Court proceeds to examine said settlement, which is found to be correct and is by the Court approved, and said Thomas J. Fitch, having receipted his said curator for the balance found to be due him on said settlement, it is therefore ordered that said curator be discharged.

In the matter of the estate of 
Amanda B. Goddard, a minor

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

In the matter of the estate of  Continued
James Hurston, Et al - minors

Ordered that the settlement this day due from E. M. Foley Jr. Curator of said minors be continued to the November term of this Court 1904.

In the matter of the Estate of  Continued
Grace M. & C. P. Hamel - minors

Ordered that the settlement this day due from Sadie Hamel, Curator of said minors be continued to the November term hereof 1904.

August Term - Wednesday - August 10th 1904

In the matter of the estate of
Harvey Johnson - Insane.

Ordered that the second 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 Letters of administration
Philip Hess - deceased. Revoked.

It having come to the knowledge of the Court
from the records of this Court, that since to grant
of letters of administration on said estate of deceased
to H. Margaret Hess, a will of said Philip Hess
deceased has been found, which said will was by
this Court admitted to probate, on the first day
of the present term of this Court, to-wit: on the 8th
day of August 1904. It is therefore ordered that
the letters of administration on said estate issued
to said H. Margaret Hess, on the seventh day of July
1902, be and the same are revoked, and it is further
ordered that said H. Margaret Hess be and she
is required to make final settlement of her admin-
istration of said estate at the November term 1904

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

Thomas R. Shaw
Judge

August Term - Thursday August 11th 1904

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

Estate of Eliza P. Richardson, dec'd

Comes now "Bank of Lock Springs" by J. L. Wade cashier, and presents to the court for allowance against said estate, a demand for \$147.²⁴ founded on a note executed by deceased to said Bank for \$146.⁰⁰ dated June 15th 1903, due in six months, with eight per cent interest from maturity. 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 \$147.²⁴ and that it be assigned to the fifth class.

In the matter of the estate of
John H. Seavey, deceased.

Comes now Jackson Seavey administrator of deceased, and shows to the court that deceased in his life time to-wit: on March 20th 1901, procured a loan of \$3000. from Frank Simpson of Kansas City Missouri, on certain real estate, and did afterwards convey all of said lands except NE⁴ of SE⁴ of section 8, and NW⁴ of SW⁴ of section 9, Township 59 of Range 29, to two of his sons, Wm D. & Jno A. Seavey by the terms of which sale, said sons assumed the payment of \$2400.⁰⁰ of said debt, leaving the estate of Jno H. Seavey, liable for the sum of \$600.⁰⁰ which said debt matures on March 20th 1906. Said administrator further shows that said Wm D. Seavey to protect the lands aforesaid from the debt aforesaid did on March 20th 1904, pay all of the interest on the debt due from the estate of his father said Jno H. Seavey amounting to \$30.⁰⁰ wherefore said administrator pray the court to order him to reimburse the said William D. Seavey, in said sum of \$30.⁰⁰ advanced as aforesaid, with eight percent interest thereon from March 20th 1904, as aforesaid, said interest having been paid for the use of said money, the total sum to this date being \$30.²⁵. And the court having

August Term - Thursday - Aug 11th 1904

heard and considered said petition. orders that said administrator refund to said Wm S. Searcy said sum of \$30.95 expended by him as aforesaid. and that he have credit therefor in his settlement of said estate.

Estate of F. M. Drummond dec'd $\frac{3}{4}$

Comes now J. L. De Pau. M.D. and presents to the court for allowance against said estate a demand for \$10.50 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 \$10.50 and that it be assigned to the fifth class.

In the matter of the estate of $\frac{3}{4}$ Distribution to heirs, Lorenzo McBrayer - dec'd $\frac{3}{4}$

Comes now Walker McBrayer, administrator of said, and reports to the court, that he has on hand in cash, belonging to said estate the sum of \$600.00 which will not be needed for the payment of debts, or expenses of administration, and prays the court to order the same distributed to the heirs of said deceased. It is therefore ordered that said administrator distribute said sum to said heirs as follows:

To Mary F. McBrayer, widow of said dec'd	\$300.00
" Walker McBrayer Brother " " "	150.00
" Mrs Margaret C. Place, Sister " " "	150.00
	<u>\$ 600.00</u>

In the matter of the estate of $\frac{3}{4}$ Order of Sale of Real Estate Douglas Taylor - deceased $\frac{3}{4}$

Now at this day comes E. M. Foley Jr. administrator of Douglas Taylor, deceased, and prunes to the court that the order of publication, made by the probate Court of said County upon his petition at the May term 1904 thereof, has been published according to law, and due service thereof had on the heirs and devisees residing in said county, and moves for an order of sale pursuant to said petition and notice

August Term Thursday - August 11th 1904

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 it would be injurious to the estate of said deceased to redeem the said mortgaged real estate out of the personally belonging to said Estate, or by the sale of other real estate for that purpose, and it being further shown to the court, that said deceased had not devised the said mortgaged real Estate, or provided for its redemption by will. It is therefore ordered that said administrator, first having the same duly appraised according to law: do sell the mortgaged real estate mentioned in said petition, and hereinafter described at private sale to wit; Lot (7) seven in Block (5) five of Woodruff, Stone and Coopers addition to the City of Gallatin, Sanders 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 ~~Edna~~
Edna Ginder - a minor

Ordered that the ninth annual settlement this day filed by George M. Ginder, curator of the estate of said minor be approved and recorded.

In the matter of the estate of ~~John Jackson~~ Continued
John Jackson - Insane.

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

In the matter of the estate of ~~Wm D. and L. M. Knight~~ Continued
Wm D. and L. M. Knight - minors

Ordered that the settlement this day due from Harrison Tomlinson, curator of said minors be continued to Nov. Term 1904.

August Term Thursday, August 11th 1904.

In the matter of the estate of
Ora Luideubergers, a minor

Ordered that the eighth annual settlement this day filed by M. E. Gielshaw, Curator of said minor be approved and recorded.

In the matter of the estate of
Virgel C. Meller, a minor

Ordered that the third annual settlement this day filed by Andrew Miller, Curator of the estate of said minor be approved and recorded.

In the matter of the estate of
Mauntie and Roy Morris, minors

Ordered that the settlement this day due from John W. Morris, Curator of the estate of said minors be continued to the November Term 1904.

In the matter of the estate of
Joseph M^cDaniel, a minor

Ordered that the eighth annual settlement this day filed by Robert J. M^cDaniel, Curator of the estate of said minor be approved and recorded.

Ordered that Court adjourn until tomorrow morning at 9. O'clock

Thomas R Shaw
Judge

August Term Friday - August 12th 1904

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

August 13th 1904 Estate of F. M. Drummond, Dec'd

Came now Thompson & Groves, and present to the Court for allowance against said estate a demand for \$5.00 founded on a balance of account. Notice being waived in open court, and affidavits 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 the fifth class.

August 13th 1904

In the matter of the estate of Luro Angeline Gillilan, dec'd

Now at this day it being known to the Court from the records of this Court, that Luro Angeline Gillilan late of the County of Daviess, departed this life intestate on the 29th day of May 1904, and that no application has been made by those entitled to administer upon said estate, for letters of administration, and it further appearing that the heirs of said deceased entitled to administer have been cited to appear and qualify as administrators of said estate, said citation having been served more than five days prior to this date, and have failed to appear and qualify as such administrators, It is therefore ordered by the Court that letters of administration on said estate issue to Robert V. Thompson he being a suitable person for such trust, and that as such administrator he enter into bond to the State of Missouri, in the sum of One thousand Dollars, conditioned for the faithful discharge of his duties according to law.

In the matter of the estate of Anna Koeh, deceased

Now at this day comes E. M. Foley Jr., administrator of the estate of said deceased, and presents his accounts and vouchers for final settlement and it appearing to the Court that notice of said

August Term - Friday - August 12th 1904.

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, it is therefore ordered that said settlement be approved and recorded.

And it appearing that there remains in the hands of said administrator the sum of \$143.55 due said estate, it is ordered that said sum be distributed to the heirs of said deceased as follows,

To G. A. Cook	\$ 47.85
" Emma Carney,	\$ 47.85
" Olga Nauke	\$ 15.95
" May Nauke	\$ 15.95
" Alice Nauke	\$ 15.95

and upon filing receipts therefor that he be discharged herein.

In the matter of the estate of
Lorenzo McBrayer, dec'd

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

In the matter of the estate of ~~Joseph Offield~~ Continuance
Joseph Offield - Dec'd.

Ordered that the settlement this day due from James M. Offield executor of said deceased be continued to the November term 1904, as per agreement filed.

In the matter of the estate of ~~John W. H. Oxford~~ Continuance
John W. H. Oxford - a minor

Ordered that the settlement this day due from Joseph D. Wymre, Curator of the estate of said minor be continued to the November term 1904, for final settlement.

In the matter of the estate of ~~Preston S. Prindle~~
Preston S. Prindle, a minor

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

August Term - Friday - August 12th 1904

In the matter of the Estate of ~~¶~~
Gladys E. & Lucile D. Royston.

Ordered that the 3rd annual settlement this day filed by Ada M. Royston, Curator of the estate of said minors be approved and recorded.

In the matter of the estate of ~~¶~~
Quintus J. Robinson-decd.

Ordered that the second annual settlement this day filed by William Robinson, administrator of the estate of said deceased, be approved and recorded.

In the matter of the estate of ~~¶~~
George A. Robinson, Etal. minors

Ordered that the first annual settlement this day filed by William Robinson, Curator of the estate of said minors be approved and recorded.

In the matter of the Estate of ~~¶~~ Executrix
Jacob A. Stitt-deceased

Ordered that the settlement this day due from Katie A. Stitt, Executrix of said deceased be continued to the November term 1904.

In the matter of the estate of ~~¶~~ Final Settlement and
John H. Stucker deceased. ~~¶~~ Distribution.

Now at this day comes E. M. Foley Jr. administrator of the estate of John H. Stucker, deceased, and presents his accounts and vouchers for final settlement. And it appearing to the Court that notice of said final settlement has been published as required by law. 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 administrator the sum of \$72.³⁹ for distribution to the creditors of said estate, it is therefore ordered that said administrator distribute said sum as the allowed demands against said estate in Class four as follows:

To Jonas Meyer & Co. Demand for \$2505. ⁶⁰ Class 4	\$53. ⁵⁷
" Rice, Dyer & Co " " \$880. ⁵⁴ Class 4	\$18. ⁸²

And on filing receipts therefor that he be discharged.

August Term Friday - August 12th 1904

In the matter of the estate of
Douglas Taylor - deceased.

Ordered that the first annual settlement this day filed by E. M. Foley Jr. administrator of said estate of Douglas Taylor. decedent be approved and recorded.

In the matter of the estate of
Alice L. Taylor Etal. minors.

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

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

Thomas R. Shaw
Judge

August Term - Saturday - August 13th 1904.

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

In the matter of the estate of 
Reuben Herschberger Etal. minors

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

In the matter of the estate of  Continued
Frederick C. Howard - dec'd

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

In the matter of the estate of 
Cordie R. Leap, Etal - minors

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

In the matter of the estate of  Continued
Alexander K. Scott, deceased.

Ordered that the settlement this day due from
J. T. De Vries, administrator with the will annexed of
said deceased be continued to the November term 1904.

In the matter of the estate of 
Georgia L. Witten Etal - minors

Ordered that the twelfth annual settlement this day filed
by Louisa J. Witten, Curator of the estate of said minors
be approved and recorded.

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

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

Aug 15th 1904

Aug 15/04

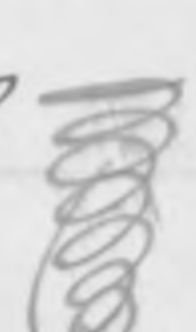
Aug 15th 1904

August Term - Saturday - August 13th 1904.

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

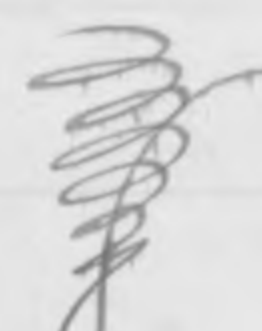
Ordered that the first annual settlement this day filed by P. P. Doak, administrator of said deceased be approved and recorded.

Aug 15th 1904.

In the matter of the Estate of  Final Settlement
Mary Minnick - deceased and Discharge

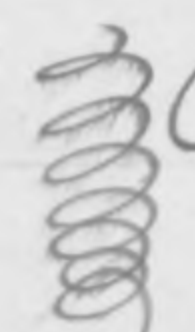
Now at this day comes W. C. Minnick administrator of said deceased and presents his accounts and vouchers for final settlement. And it appearing to the Court that notice of said final settlement has been published as required by law. That all the debts due and owing by said estate have been fully paid and said estate fully administered. said settlement is therefore upon examination found to be correct and is by the Court approved. and it is further ordered that said administrator be discharged.

Aug 15/04

In the matter of the estate of 
Myrtle Shustoff - minor

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

Aug 15/04

In the matter of the estate of  Receipts filed & Admin^r discharged.
John H. Stueker - dead

Comes now E. M. Foley Jr administrator of said deceased and files the receipt of Jonas Meyers for \$53.57 and the receipt of Rice & Co for \$18.87 being the several amounts paid them on final settlement of said estate. Wherefore it is ordered that said administrator be discharged.

Ordered that Court adjourn until Monday. August 15th 1904

Thomas R. Shaw
Judge

August Term - Monday - August 15th 1904

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

In the matter of the alleged insanity of Mary E. Steel. } Inquisition of
N. G. Cruzin Jr. Informant. } Insanity.

Now at this day comes N. G. Cruzin Jr., and by information in writing informs the Court that Mary E. Steel, a resident of Daviess County is a person of unsound mind, and incapable of managing her affairs. And it appearing to the Court that said Mary E. Steel is now confined in the hospital for insane at St Joseph Missouri, and cannot be brought before the Court, and that her mind is so impaired that she would not comprehend the purport of a notice of this proceeding. It is therefore ordered that notice to her and her presence at this investigation be dispensed with. And now comes a Jury duly summoned to wit: Elwood Miller, Edward Clingan, John Surface, Isaac Thompson, John Vanbithen, William Green, Frank Parker, Scott S. Haynes, Wm Yeisley, Allen Graham, James Britton, and Joseph O. White, twelve good and lawful men, who are duly sworn to well and truly make inquiry and determine whether the said Mary E. Steel, is a person of unsound mind or not. And the Jury having heard the evidence offered touching her condition retired to consider their verdict, and after due deliberation returned into Court the following verdict, "We the Jury find Mary E. Steel, to be a person of unsound mind and incapable of managing her own affairs" Joseph O. White Foreman

It is therefore adjudged by the Court, that the said Mary E. Steel, is a person of unsound mind and incapable of managing her affairs. And the Court hereby appoints Isaac C. Cruzin, guardian of said Mary E. Steel, and it is ordered that said guardian, before entering on the duties assigned him, shall enter into a bond to the state of Missouri in the sum of Two thousand dollars, conditioned

August Term Monday August 15-1904

as required by law, with such security as the Court shall approve.

In the matter of the estate of ~~Administrator~~ files bond
Laro Angelnie Gillilaw dead.

Comes now Robert V. Thompson administrator of the estate of said deceased, and in obedience to the order of this Court made on Saturday, August 13th 1904 and files his bond as such administrator in the sum of One thousand Dollars, with Jno R. Handy and Jerome D. Stovall, as securities thereon, which said bond is by the Court approved. It is further ordered that Jonathan McClure, and John Lockridge be, and are hereby appointed witnesses, to accompany and aid said administrator in making an inventory of said estate.

In the matter of the estate of ~~Distribution~~ to heirs
Mary Steffler - deceased.

Comes now J. C. Stovall, administrator of the estate of said deceased, and reports to the Court that he has on hand in cash, belonging to said estate the sum of Nine hundred Dollars (\$900.00) which will not be needed for the payment of debts, or expenses of administration. And prays the Court to order the distribution of said sum, to the heirs of said deceased.

Wherefore it is ordered by the Court that said administrator distribute said sum of \$900. to the heirs of said deceased as follows:

To Sardinia Steffler	\$128.57
" William Steffler	128.57
" Martha Muicheel	128.57
" Cora Robinson	128.57
" Emma Crawley	128.57
" Bertha Payne	128.57
" Izellia Musselman	21.43
" William Kelly	21.43
" George Kelly	21.43
" Everett Kelly	21.43
" Ross Kelly	21.43
" Lee Kelly	21.43

Ordered that Court adjourn to Court in Course. Thomas A. Shaw Judge

In Vacation August 19th 1904.

State of Missouri } In the vacation of the Probate Court
County of Daviess } of said County.

In the matter of the alleged } Information filed
Insanity of Florence Phelps. }

Now on this 19th day of August 1904 comes Mary E. Lawson
a resident of the County of Daviess, and gives information
in writing to the Judge of the probate Court of said County
that Florence Phelps a resident of said County is of un-
sound mind and incapable of managing her affairs and
praying that an inquiry thereinto be had, and said Judge
being satisfied that there is good cause for the exercise of
the jurisdiction of said probate Court in said matter
now calls a special term of said court to be held
on the 27th day of August 1904 for the purpose of holding
an inquiry whether the said Florence Phelps be of
unsound mind or not, and orders that said Florence
Phelps be notified of such proceeding at least five
days before said special term of said Court.

Thomas R. Shaw
Judge of Probate.

In Vacation - August 19th 1904

In the matter of the alleged } Information filed
Insanity of Mary E. Steel. }

Now on this 19th day of August 1904, comes N. G. Cruzen
a resident of the County of Daviess, and gives infor-
mation in writing to the Judge of the probate Court
of said County, in vacation that Mary E. Steel a
resident of said County is of unsound mind and
incapable of managing her affairs, and praying that
an inquiry thereinto be had. And said Judge being sat-
isfied that there is good cause for the exercise of
the jurisdiction of said probate Court in said matter
now calls a special term of said Court to be held
on the 27th day of August 1904 for the purpose of holding
an inquiry whether the said Mary E. Steel be of unsound
mind or not, and orders that said Mary E. Steel be notified of
such proceedings at least five days before said special
term of said Court.

Thomas R. Shaw Judge

In Vacation. August 23rd 1904.

In the matter of the estate of ³appointment of Executor
William H. Powell, deceased ³

Now at this day comes Elizabeth Powell who is named as executor in the will of ³Wm H Powell deceased. said will having been admitted to probate on the 5th day of August 1904. 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 executor of said estate. and that letters testamentary issue to her thereon. and before entering on the duties of her office she is required to enter into bond to the state of Missouri in the sum of six hundred Dollars (\$600⁰⁰) conditioned according to law. with such security as the court shall approve. And now comes said Elizabeth Powell. and files said bond with G. M. Carter and C. T. Lindsay as securities thereon which is approved. It is further ordered that J. R. Stephens and Jno O. Cole be and they are appointed witnesses to assist said Executor in making an inventory of said estate.

Thomas A. Shaw
Judge of Probate.

In Vacation - August 23rd 1904

In the matter of the estate of ³
and last will and testament of ³will Probated & Executor
Albert Henry, deceased ³ appointed.

Now on this day an instrument of writing heretofore filed herein. purporting to be the last will and testament of Albert Henry 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 Robert E. Maupin. and O. A. Reynolds 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 Albert Henry deceased. late of Danvers County. and orders the same admitted to probate. And now comes Charles Henry. who is one

of the parties named as executor in said will. (the others named therein as executors declining to qualify as such) 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 he be, and is hereby appointed executor of said estate, and that letters testamentary 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 executor in the sum of \$3000.⁰⁰ conditioned for the faithful discharge of his duties according to law, and with such security as the Court shall approve. And now comes said Charles Henry, and files his said bond in said sum of Three Thousand Dollars, with Robert E. Maupin and James A. Kessinger as securities thereon which said bond is approved.

Thomas R. Shaw
Judge of Probate

State of Missouri
County of Daviess } Special Term, Probate Court
August 27th A.D. 1904

In the matter of the alleged
insanity of Mary E. Steel.

Court met pursuant to the order of the Judge in vacation August 19th 1904 for the purpose of holding an inquiry whether Mary E. Steel be of unsound mind or not, and notice to Mary E. Steel, being returned by M. L. Spencer Sheriff of Buchanan County Missouri, served by delivering a true copy of the same to the said Mary E. Steel. And comes now a jury duly summoned to wit: H. B. Duggle, George Williams, James Duggle, Douglas Heaston, Thos Durland, Henry Whitt, George Culver, John Hawkins, Asalet Nymme, Richard Dooxford, Oranus Doremus, and Lewis Keene, twelve good and lawful men, who are duly sworn to well and truly make inquiry and determine whether the said Mary E. Steel is a person of unsound mind or not. And the jury having heard the evidence offered touching her condition retired to consider their verdict, and after due deliberation returned into court

the following verdict." Be the jury find Mary E. Steel to be of unsound mind, and incapable of managing her affairs"

James Tuggle
 Hamlet Wynn
 G. W. Williams
 Erasmus Downing
 H. P. Tuggle
 Thomas Barlow
 Henry F. Whitt
 George Culver
 J. W. Hawkins
 W. D. Heaston
 R. E. Doxford
 Lewis Keene.

It is therefore adjudged by the Court that said Mary E. Steel is a person of unsound mind and incapable of managing her affairs, and the Court hereby appoints Isaac C. Cruzen, guardian of said Mary E. Steel, and it is ordered that said guardian before entering on the duties assigned him, shall enter into a bond to the State of Missouri in the sum of Two thousand Dollars, conditioned as required by law, with such security as the Court shall approve.

Thomas R. Shaw,
 Judge of Probate.

State of Missouri }
 County of Dade } Special Term, Probate Court, Aug 27th 1904

In the matter of the alleged
 insanity of Florence Phelps.

Court met pursuant to the order of the Judge in vacation, August 19th 1904, for the purpose of holding an inquiry whether Florence Phelps, be of unsound mind or not. And it appearing to the Court that the said Florence Phelps, has not received due and lawful notice of this proceeding as required by law, it is therefore ordered that this inquiry be continued to Sept 6th 1904, and that said Florence Phelps be served with due notice of this proceeding as required by law.

Thomas R. Shaw - Judge

In Vacation - August 31st 1904.

In the matter of the estate of John William Macrauder, a minor } Additional Bond.

Now at this day it having come to the knowledge of the Judge of probate, in vacation, that the bond of John A. Macrauder, who is the duly appointed qualified and acting curator of the estate of said minor John William Macrauder, is insufficient in amount for the reason that an additional estate of the probable amount of Two thousand Dollars, will come into the hands of said curator, it is therefore ordered that said curator give an additional bond in the sum of Four thousand Dollars, conditioned according to law with such security as the Court shall approve. And now comes said John A. Macrauder, curator as aforesaid and files said additional bond, in said sum of \$4000.⁰⁰ with N. A. Baker and C. W. Dickerson as securities thereon, which said bond is by the Judge of probate in vacation, approved.

Thomas A. Shaw
Judge

In Vacation - September 8th 1904

In the matter of the estate of Mary E. Steel - (Income) } Guardian files Bond.

Came now Isaac C. Cruzet, who was on the 27th day of August 1904, appointed guardian of the person and estate of said Mary E. Steel, and files his bond as such guardian in the sum of Two thousand Dollars as required by the order of the Court on said 27th day of August 1904, with Marion M. Cruzet, H. D. Lewis and M. G. Cruzet as securities thereon, which said bond is approved, said being in words and figures following:

Thomas A. Shaw Judge

Bond.

We Isaac C. Cruzet, as principal, and Marion M. Cruzet, H. D. Lewis, and M. G. Cruzet, as securities, are held and firmly bound unto the state of Missouri, in the sum of Two thousand (\$2000⁰⁰) Dollars, for the payment

of which we bind ourselves and our heirs:

Upon the Condition. That Whereas. the said Isaac C. Cruzent. has been appointed by the Probate Court of Daviess County Missouri. guardian of the person and estate of Mary E. Steel, of said County, a person of unsound mind. Now if the said Isaac C. Cruzent shall take due and proper care of such person of unsound mind. and manage and administer her estate and effects to the best advantage, according to law. and shall faithfully do and perform all such other acts, matters and things touching his guardianship as may be prescribed by law, or enjoined on him by the order, sentence or judgment of any Court of competent jurisdiction, then this bond to be void, otherwise to remain in full force and effect.

In Testimony Whereof. we have hereto set our hands and affixed our seals, at --- in said County this 8th day of September A. D. 1904.

I. C. Cruzent (seal)
 Marion M. Cruzent. (seal)
 H. D. Lewis. (seal)
 N. G. Cruzent. (seal)

Approved by the Court.

Thomas R. Shaw, Judge of the Probate Court of Daviess County Missouri.

Filed September 8th 1904
 Thomas R. Shaw, Judge.

In Vacation - September 19th 1904.

In the matter of the production
and probate of the last will
and testament of } Citation to produce
Abigail S. Bennett, deceased, } will.

Came now Larkin W. Bennett, and Katie B. Steel and represent and show to the Court that on the 7th day of May 1904, the said Abigail S. Bennett departed this life in Daviess County Missouri, and at the time was the owner of the South West quarter of the North West quarter of Section 26, in Township No. 58, of Range 26, and of certain personal property in Daviess County Missouri. Said parties further represent, and show to the Court, that prior to her death the said Abigail S. Bennett, executed according to law, her last will and testament, making final disposition therein of her said property to said petitioners, and others therein mentioned.

Said petitioners further represent, that said Abigail S. Bennett, left surviving her, as her sole and only heirs at law, said petitioners, together with David S. Bennett, Washington M. Bennett, and William H. Bennett, sons, and Rachel J. Hamlet, Martha E. Smith, Bettie Jenkins and Theresa A. Atterberry, daughters, and her grand children in said petition mentioned.

Said petitioners further represent, that they are interested in having said will produced in this Court, and probated according to law, by reason of their kinship to the said deceased, and also because they are devisees therein. Petitioners further represent and show to the Court that they do not know who if any one is appointed executor in and by said will, but have good reason to believe, and do believe that said William H. Bennett, has the said will in his possession, and can produce the same in this Court.

Wherefore petitioners pray, that a citation may issue from the Judge of Probate, commanding the said William H. Bennett to produce for probate, the said will of said deceased. And the Judge of probate having heard said petition, and duly considered the same and believing that said petitioners are entitled to the relief prayed for. It is therefore ordered, that a citation issue

for the said William H. Bennett, commanding him to produce to this court, or to the Judge thereof in vacation the said will of said Abigail S. Bennett deceased on the 26th day of September 1904, at 2 o'clock P. M. of said day.

Thomas R. Shaw
Judge of Probate

In Vacation - Sept. 26th 1904.

In the matter of the production
and probate of the last will and
testament of Abigail S. Bennett. Decd. }

Now on this day comes William H. Bennett in answer to a citation issued by the Judge of Probate in vacation September 20th 1904, on the petition of Larkin W. Bennett, Etal, requiring him the said William H. Bennett to produce to the Judge of Probate, the will of Abigail S. Bennett deceased, and to show cause why an attachment should not issue against him for refusing to come forward and produce for probate said will. And the Judge of Probate having heard the evidence on behalf of said petitioners, and said William H. Bennett, finds that the said William H. Bennett is not in possession of, nor has he under his control, the will of the said Abigail S. Bennett, deceased. It is therefore ordered that he be discharged from and on account of said citation, and the costs of this proceeding are adjudged against said petitioners.

Thomas R. Shaw
Judge of Probate

In Vacation - October 17th 1904.

In the matter of the estate of Order private sale of personally.
Albert Henry, deceased.

Came now Charles Henry, executor of said deceased, and files his written application for permission to sell about eight acres of corn in the field 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 creditors and other 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 the appraised value thereof for cash in hand and that he report the same to this Court.

Thomas R Shaw
Judge of Probate.

In Vacation - October 28th 1904.

In the matter of the estate of Albert E Barkdoll
and Elma Barkdoll, minor heirs of Albert Barkdoll, dec'd

Now on this day comes Eva Barkdoll, and represents and shows to the Judge of probate, that she is a resident of the County of Davis and is the Mother of Albert E. Barkdoll, and Elma Barkdoll, aged fifteen, and twelve years respectively, and praying the Judge of probate to appoint her curator of the estate of said minors. And on this day appeared Albert E. Barkdoll one of said minors who is above fourteen years of age, and being directed by the Judge of probate to choose a curator of his estate, he selected his Mother the said Eva Barkdoll, and it further appearing to the Judge of probate that said minors own property not derived from said Eva Barkdoll, and not exceeding in value the sum of \$300.00 and that the said Eva Barkdoll is a suitable and competent person for such trust, it is ordered by the Judge of probate, that said Eva Barkdoll be and she is hereby appointed Curator of the estate of said Albert E. and Elma Barkdoll and before entering upon the duties of her office she 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 \$600. Conditioned for the faithful discharge of her duties according to law. Thereupon comes said Eva Barkdoll and files herein her bond as such Curator in said sum of \$600, conditioned as the law directs, with R. M. De Ford and Rollin J. Britton as securities thereon which said bond was by the Judge of probate approved.

Thomas R Shaw
Judge of Probate.

In Vacation. November 2nd 1904

In the matter of the estate of } appointment of Admin
Samuel Austin. Deceased }

Now at this day comes Anna J. Austin widow of said deceased, and makes application for letters of administration on the estate of said deceased who departed this life intestate on the 19th day of October 1904, having at the time of his death personal property (in addition to real estate) of the probable value of One thousand dollars. And said Anna J. Austin being entitled to administer upon said estate, and being suitable and competent. It is therefore ordered that letters of administration on said estate issue to said Anna J. Austin, and before entering on the duties of her office she 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 Two Thousand Dollars, conditioned for the faithful discharge of her duties according to law. Thereupon comes said Anna J. Austin, and files herein said bond, in said sum of \$2000.⁰⁰ with Thomas R. Lynch and Thomas Addison, as securities thereon, which said bond was by the Judge of probate approved. It is further ordered that P. G. Whitt and J. W. Wilson, be and they are appointed witnesses, to accompany and assist said administratrix in making an inventory of said estate. It is further ordered that notice of the grant of letters of administration be published in the Gallatin Democrat.

Thomas R. Shaw
Judge of Probate

In Vacation. November 7th 1904.

In the matter of the estate of } appointment of administrator
Dorothy Castor, dec'd }

Now at this day comes Newton J. Castor, and makes application for letters of administration on the estate of Dorothy Castor, deceased who departed this life intestate on the day of August 1904, leaving personal property (in addition to real estate) of the probable value of One hundred and fifty dollars. And the said Newton J. Castor being a distributee of said deceased, and a suitable and competent person for such trust, it is ordered that letters of administration issue to him on 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 Three hundred 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 Newton J. Castor, and files said bond, in said sum of three hundred dollars, with J. J. Fleming, and J. M. Fleming, as securities thereon which said bond is approved. It is further ordered that Benjamin Whitechurch and William Downing, be and they are appointed witnesses to accompany, and aid said administrator in opening and examining the papers, money and other property of said estate and in making an inventory of the same.

Thomas R. Shaw
Judge of Probate.

In Vacation November 11th 1904

In the matter of the guardianships
of Roy F. Esterday, Ada L. Esterday
Sadie Esterday, Daisy Esterday and
Chris Esterday.

Comes now the "Childrens Home Society of Missouri" the same being a society duly organized and incorporated in accordance with the provisions of Article 11, Chapter 12, of the Revised Statutes of Missouri, for the year 1899, and asks the Judge of Probate to appoint said corporation guardian of the following children viz: Roy F. Esterday, aged 12 years; Ada L. Esterday aged 10 years; Sadie Esterday, aged 8 years; Daisy Esterday, aged 6 years, and Chris Esterday, aged 4 years; That the Father of the above named children Christopher E. Esterday is dead, and their Mother Joanna Esterday has been adjudged insane, and is now confined in the Asylum at St. Joseph Missouri. That they are residents of Daviess County Missouri, and absolutely without means of support, that they are at present in the care and custody of V. E. Foxworthy, who now appears before the Judge of Probate, and asks to be relieved of the care of said children, and hereby waives service of notice of intimation to file same, and agrees that said application may be heard at once. And the Judge of Probate being satisfied, that said society is duly incorporated, and that it has the ability and purpose to properly keep and care for said minor children, It is therefore ordered by the Judge of Probate, that said "Childrens Home Society of Missouri" be and is hereby appointed guardian of the person of said Roy F. Esterday; Ada L. Esterday, Sadie Esterday - Daisy Esterday - and Chris Esterday - minors as aforesaid.

Thomas R. Shaw
Judge of Probate.

November Term - Monday November 14th 1904.

State of Missouri ss.
County of Daviess

Be it remembered that at a regular term of the Probate Court of Daviess County, begun and held at the Court house, in the City of Gallatin, County and State aforesaid, on the 14th day of November, A.D. 1904 there was present Thomas R. Shaw Judge of said Court and R. D. McGraw Sheriff of said County where the following proceedings were had to-wit:

Ordered that the bond of Elizabeth Powell, as executrix of the estate of William H. Powell, deceased, taken in vacation August 23rd 1904, be and the same is approved and her appointment as executrix ratified and confirmed.

Ordered that the bond of Charles Henry, as executor of the estate of Albert Henry, deceased, taken in vacation August 23rd 1904, be and the same is approved and his appointment as executor, ratified, and confirmed.

Ordered that the bond of Anna J. Austin as administratrix of the estate of Samuel Austin, deceased, taken in vacation November 2nd 1904, be and the same is approved, and her appointment as administratrix, ratified and confirmed.

Ordered that the bond of Newton J. Caston as administrator of the estate of Samantha Caston, deceased, taken in vacation November 7th 1904, be and the same is approved, and his appointment as administrator, ratified and confirmed.

Ordered that the additional bond of John A. Macrauder as curator of the estate of John William Macrauder, taken in vacation August 31st 1904, be and the same is approved.

Ordered that the bond of Eva Barkdoll, as curator of the estate of Albert E. Barkdoll, and Elma Barkdoll, minors, taken in vacation October 28th 1904, be and the same is approved, and her appointment as such curator ratified and confirmed.

November Term. Monday - November 14th 1904.

Ordered that the bond of Isaac E. Bruzen as guardian of the person and estate of Mary E. Steel, a person of unsound mind, filed September 8th 1904, be and the same is approved, and his appointment as such guardian ratified and confirmed.

In the matter of the estate of ~~3~~ Discharge of administrator.
Anna Koch, deceased. ~~3~~

Now at this day comes E. M. Foley Jr administrator of said Anna Koch deceased, and files the receipts of the distributees of said estate, for the amount due each of them respectively, on the final settlement of said estate, made August 12th 1904. viz:

G. A. Cook	\$47.85
Max Nauke	15.95
Olga Nauke	15.95
Alice Nauke	15.95
Emma Barney, (formerly Emma Nauke)	47.85.

And said estate having been fully administered, said administrator is discharged herein.

In the matter of the estate of ~~3~~ Judgment Establishing will.
Albert Henry - deceased. ~~3~~

It being shown to the Court now here, that in vacation of this Court to-wit on the 23rd day of August 1904, an instrument of writing, purporting to be the last will and testament of Albert Henry, deceased and attested by Robert E. Maupin and O. A. Reynolds as witnesses was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Albert Henry, deceased, and said Clerk proceeded to take the testimony of Robert E. Maupin and O. A. Reynolds, 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 23rd day of August. And the Court having inspected said will, and seen and heard the testimony of said Robert E. Maupin, and O. A. Reynolds the attesting witnesses, so taken in vacation,

November Term - Monday - November 14th 1904.

as to the execution of said will, and being sufficiently advised, it is ordered and adjudged by the Court that that said instrument be considered proved, and the same is adjudged to be the last will of said Albert Henry, dec'd. 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 } Final settlement & Discharge of
Hiram J. Cook, deceased. } Administrator

Came now J. A. Selby, administrator with the will annexed 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 according to law, that all the debts due and owing by said estate have been fully paid, and said estate fully administered, it is therefore ordered that said settlement be approved, and recorded. And it further appearing from said settlement that there remains in the hands of said administrator the sum of \$112.⁸⁴ belonging to said estate, it is ordered that said administrator pay said sum to Elvira E. Cook, widow of said deceased, as per the terms of the will of said deceased. And now comes said administrator, and files the receipt of said Elvira E. Cook for said sum of \$112.⁸⁴ wherefore it is ordered, that said administrator be discharged herein.

Estate of Aquilla Bouaway, dec'd. }

Came now J. B. Hardy, and presents to the Court for allowance against said estate a demand for \$26.²⁵ 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 \$26.²⁵ and that it be assigned to the fifth class.

Estate of Aquilla Bouaway, dec'd. }

Came now Jno J. Gough, and presents to the Court for allowance against said estate a demand for \$77.⁰⁰ founded on account for burial costs &c.

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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 \$77⁰⁰ and that it be assigned to the first class.

Estate of Aquilla Bouaway deceased. §

Came now Dr J. D. Durham, and presents to the Court for allowance against said estate a demand for \$20⁰⁰ founded on account for medical services during last sickness of deceased, 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 Porterfield Foster, dec'd §

Came now G. N. Butcliff M.D. and presents to the Court for allowance against said estate a demand for \$2⁵⁰ 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 \$2⁵⁰ and that it be assigned to the second class.

Estate of Porterfield Foster dec'd §

Came now Rosenthal and Haas, and present to the Court for allowance against said estate a demand for \$3²⁵ 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 \$3²⁵ and that it be assigned to the fifth class.

Estate of J. H. Ellis, dec'd §

Came now C. G. McKivley M.D. and presents to the Court for allowance against said estate a demand for \$26⁰⁰ 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 in said sum of \$26⁰⁰ and that it be assigned to the second class.

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Estate of Albert Henry, deceased. }

Comes now Mrs Edmund Henry, and presents to the court for allowance against said estate a demand for \$127.⁰⁸ founded on a note for \$111.³³ dated April 27th 1903 without interest. Executed to E. Henry, signed by deceased. Also statement of account for \$15.⁷⁵ making a total of \$127.⁰⁸ 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 \$127.⁰⁸ and that it be assigned to the fifth class, said sum of \$15.⁷⁵ to bear six percent interest from date of allowance.

Estate of Albert Henry, deceased. }

Now comes Dr W. L. Brosius, and presents to the court for allowance against said estate a demand for \$26.⁰⁰ founded on account for services during last sickness of deceased. 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 \$26.⁰⁰ and that it be assigned to the second class.

Estate of W. H. Cunningham dead }

Now comes Dr W. L. Brosius, and presents to the court for allowance against said estate a demand for \$10.⁰⁰ founded on account for services during last sickness of deceased. 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 \$10.⁰⁰ and that it be assigned to the second class.

Estate of Luvo Angeline Gillilan dead }

Comes now Nathan Gillilan, and presents to the court for allowance against said estate a demand for \$98.⁰⁰ founded on account for care of stock from date of death of deceased to day of sale. 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 Ninety eight Dollars, and that it be assigned to the second class.

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In the matter of the estate of } Final settlement & Discharge
Ora Linderberger, a minor }

Now at this day comes William E. Gielhan curator of the estate of said minor 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 filed the same in this Court, and caused a copy of such exhibit together with a written notice stating the day on which said settlement would be made to be delivered to his ward at least four weeks before the first day of the present term of this Court said settlement is therefore taken up by the Court and found to be correct and is by the Court approved. And said Ora Linderberger having receipted her said Curator for the balance due her as shown by said settlement to wit the sum of \$622.⁷⁹, which receipt is duly acknowledged and filed with said settlement. It is therefore ordered that said Curator be discharged herein.

In the matter of the estate of } Final Settlement & Discharge
James W. Noah, a minor }

Comes now William H. Place Curator of the estate of said minor, and presents his accounts and vouchers for final settlement his said ward having attained his majority, and comes also said James W. Noah and in open Court waives the filing of an exhibit and notice of said settlement, and enters his appearance to the making of said settlement, which is taken up and considered by the Court and is approved. And said James W. Noah, having receipted his said Curator for the sum of \$96.⁵¹ being the balance found to be due him on said final settlement, and having in open Court acknowledged satisfaction of record, it is therefore considered and adjudged by the Court that said Curator be discharged herein as to his ward the said James W. Noah.

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In the matter of the estate of } Allowance to widow
James H. Ellis deceased.

Comes now Elizabeth Ellis, widow of said deceased and represents to the Court that at the death of her husband the said James H. Ellis, there was not on hand and provided for the support of herself and family for one year next after the death of her said husband the groceries and other provisions allowed her by law; wherefore she prays the Court to make an appropriation out of the personal assets of said estate to supply such deficiency. And the Court having considered said petition and the evidence in support thereof finds that the sum of Seventy five Dollars will be necessary for that purpose it is therefore ordered by the Court that said sum of \$75.⁰⁰ be and the same is appropriated out of the assets of said estate for the support of said widow as aforesaid.

In the matter of the Estate of } Allowance to widow
Samuel Austin - Deceased

Comes now Anna J. Austin, widow of said deceased and represents and shows to the Court that at the death of her husband, there was not on hand and provided for the support of herself and family, which consists of herself and four children, for one year next after the death of her said husband the groceries and other provisions allowed her by law; wherefore she prays the Court to make an appropriation out of the personal assets of said estate to supply such deficiency, as provided by law. And the Court having considered said petition, and the evidence in support thereof finds that the sum of Two Hundred Dollars would be a reasonable allowance, it is therefore ordered by the Court that the sum of \$200.⁰⁰ be and the same is appropriated out of the personal assets of said estate for the purpose aforesaid.

In the matter of the estate of } Order private Sale
Samuel Austin, deceased

Now comes Anna J. Austin, administratrix of said estate, and makes application for permission to sell. One bay mare, One brown horse, One bay mare

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Two years old. One red cow eight years old. One black sow and five pigs - Four hogs - Seven head of sheep. and Thirteen lambs. belonging to said estate at private sale. And the court being satisfied that it will be to the best interest of the estate and not prejudicial to persons interested therein to sell the same at such sale. It is therefore ordered that said administratrix sell said property at private sale for not less than its appraised value, for cash, and that she report same to this court.

In the matter of the estate of } Order to pay interest.
Albert Henry - deceased }

Now comes Charles Henry, Executor of said deceased, and represents and shows to the court that deceased in his lifetime executed a note for \$1800.⁰⁰ of date November 1st 1902, to Riley Fields, due three years after date with interest at the rate of six per cent per annum, that there is now due on said note \$108.⁰⁰ as interest, that said note and interest is secured by deed of trust on the real estate of said deceased. Wherefore he prays the court for an order directing him to pay said interest and thereby prevent the sale of said real estate under said deed of trust, and preserve the same to the estate of said deceased. which said petition is duly considered by the court, and it is ordered that said executor pay the interest accrued on said note to wit the sum of One hundred and eight dollars, out of the personal assets of said estate.

In the matter of the estate of }
William H. Armstrong, dec'd }

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

In the matter of the estate of }
Rolla Brown - a minor }

Ordered that the third annual settlement this day filed by Walker & Smith Curator be approved and recorded.

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In the matter of the estate of }
Nardle A. Bennett - a minor }

Ordered that the settlement this day due from E. M. Foley Jr Curator of the Estate of said minor be continued to the February term 1905.

In the matter of the estate of }
Elbert L. Bennett - a minor }

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

In the matter of the estate of }
Forest W. Blackburn. Etal - minors }

Ordered that the first annual settlement this day filed by W. E. Blackburn, Curator of said minors be approved and recorded.

In the matter of the estate of }
Aguilla Conway - deceased }

Ordered that the first annual settlement this day filed by Rebecca ^{and} William A. Conway administrators of said deceased be approved and recorded.

In the matter of the estate of }
George O. Caldwell - a minor }

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

In the matter of the estate of } Final Settlement & distribution
Eliza C. Hightree, deceased }

Comes now Philip Shaw, Executor of the last will and testament 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 due and owing by said estate have been fully paid, said settlement is taken up and duly considered by the Court and

by the Court approved, and it appearing from said settlement that there remains in the hands of said Executor due said estate a balance of One hundred and sixty nine and $18/100$ Dollars. It is therefore ordered that said executor distribute said sum to the heirs and legatees of said deceased as follows:

To William H. Hightree	\$ 33.84 .
" Whitney W Hightree	33.84 .
" Evaline J. Hastings	33.84 .
" Eliza C. Bristow	33.84 .
" Charles L. Hightree, dec'd. heirs as follows.	
" James Hightree	4.83 .
" Elmer Hightree	4.83 .
" Melvin Hightree	4.83 .
" Edward Hightree	4.83 .
" Earl Hightree	4.83 .
" Eva Anderson.	4.83 .
" Estella Beard.	4.83 .

And upon filing receipts therefor that he be discharged.

In the Matter of the estate of } Final Settlement & Distribution
Frederick C. Howard, Dec'd }

Now at this day comes William C. Gillham, 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, that all the debts due and owing by said estate have been paid, and said estate fully administered it is therefore ordered that said settlement be approved and recorded: And it further appearing that there remains in the hands of said administrator due said estate the sum of One hundred and fifty three and $56/100$ Dollars, it is therefore ordered that said administrator pay said sum of \$153⁵⁶ to Mrs M. E. Yapple, sole heir of said deceased, and on filing her receipt therefor that he be discharged.

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

Thomas R Shaw
Judge

November Term - Tuesday - November 15th 1904

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

Estate of John H. Searcy, deceased

Comes now C. R. Brown & Bro. and presents to the Court for allowance against said estate a demand for \$2.90 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 \$2.90 and that it be assigned to the fifth class.

Estate of Albert Henry, deceased

Comes now Jesse E. Maize, and presents to the Court for allowance against said estate a demand for \$126.⁰⁵ founded on a note executed by deceased to claimant, dated Febry 23rd 1904 for \$119.⁰⁰ with eight per cent interest from date if not paid when due, principal and interest due this date, \$126.⁰⁵ 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 \$126.⁰⁵ and that it be assigned to the fifth class.

Estate of James H. Ellis - deceased

Comes now James C. Harrah, and presents to the Court for allowance against said estate a demand for \$7.⁵⁰ founded on account, for services as auctioneer. 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 \$7.⁵⁰ and that it be assigned to the fifth class.

Estate of Joshua D. Bennett, dec'd.

Comes now Thomas P. Reid, and presents to the Court for allowance against said estate a demand for Five Dollars (\$5.⁰⁰) founded on account. Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against

November Term Tuesday November 15th 1904.

said estate in said sum of \$5.⁰⁰ and that it be assigned to the fifth class.

Estate of Thomas R. Lambert dec'd. 3

Comes now Dr D. S. Garrett, and presents to the Court for allowance against said estate a demand for \$2.⁵⁰ Two and 50/100 Dollars, 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 \$2.⁵⁰ and that it be assigned to the fifth class.

Estate of John H. Searey, deceased. 3

Comes now E. W. Rhoads, and presents to the Court for allowance against said estate, a demand for Five and 50/100 Dollars, 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 \$5.⁵⁰ and that it be assigned to the fifth class.

Estate of Simon Hamblin, dec'd. 3

Comes now Dr H. E. Souger, and presents to the Court for allowance against said estate a demand for Eight Dollars, 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 \$8.⁰⁰ and that it be assigned to the second class.

Estate of Albert Henry, deceased. 3

Comes now the Daviess County Bank, and presents to the Court for allowance against said estate a demand for \$15.²⁵ founded on a note executed by deceased to said Bank, dated July 14th 1901, with eight per cent interest from date. Original amt of note \$15.⁰⁰ 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 \$15.²⁵ and that it be assigned to fifth class.

November Term Tuesday November 15th 1904.

In the matter of the estate of Final settlement. & Curator
Alexander Huston - a minor discharged.

Comes now E. M. Foley Jr. Curator of the estate of said Alexander Huston, and presents his accounts and vouchers for final settlement, said ward having attained his majority; And comes also said Alexander Huston and in open court waives the filing of an exhibit, and notice of said settlement, and enters his appearance to the making of said settlement, wherefore upon examination said settlement is approved and ordered recorded, and said Curator is ordered to pay said ward the sum of \$75.65 being the balance due him as shown by said settlement, and now comes said ward and receipts, and acknowledges satisfaction of record of said balance, from his said Curator wherefore it is ordered that said Curator be discharged.

Estate of Eliza P. Richardson - dec'd.

Comes now the Farmers and Merchants Bank of Jannsport Missouri, and presents to the Court for allowance against said estate a demand for \$54.⁴¹ founded on a note executed by deceased, dated Jan'y 16th 1904, due in six months, with eight per cent interest from maturity, 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 Fifty four and ⁴¹/₁₀₀ Dollars, and that it be assigned to the fifth class.

Estate of Luro Angeline Gillilan, Dec'd.

Now at this day comes R. V. Thompson, and presents to the Court for allowance against said estate a demand for \$10.⁰⁰ founded on account for medical services, and Claimant being administrator of said estate, it is ordered that R. V. Thompson be and he is hereby appointed administrator ad litem to represent said estate, and now comes said admin ad litem and waives service in open court, affidavit and proof made, and \$10.⁰⁰ Due Dollars allowed against said estate, and assigned to the second class.

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Estate of Luro Angelina Giehlaw. Dec'd.

Came now G. M. Dutelleff M. D. and presents to the court for allowance against said estate a demand for \$61.¹⁰ founded on account for medical services during last sickness. Notice being waived in writing affidavit and proof made. it is therefore ordered that said demand be allowed against said estate in said sum of \$61.¹⁰ and that it be assigned to the second class.

Estate of J. S. Bennett. deceased

Came now Russell and Prosper and present to the court for allowance against said estate a demand for \$76.⁶⁶ founded on three notes, described as follows: One for \$25.⁰⁰ dated September 29th 1902, due in three months with eight per cent interest from maturity; One note for \$25.⁰⁰ dated April 18th 1902, due in three months with eight per cent interest from maturity; One note for \$20.⁰⁰ dated March 3rd 1902, due in three months with eight per cent interest from maturity. Total principal \$70.⁰⁰ Total interest \$6.⁶⁶ Sum total \$76.⁶⁶. Notice being waived in writing, and affidavit and proof of signature made. it is ordered that said demand be allowed against said estate in said sum of \$76.⁶⁶ and that it be assigned to the fifth class.

In the matter of the estate of }
Sarah A. Darnell, dec'd }

Ordered that the first annual settlement this day filed by Wm D. McDonald, administrator of said deceased be approved and recorded.

In the matter of the estate of } Continuance
Philip Hess, deceased }

Ordered that the settlement this day due from H. Margaret Hess, administrator of said estate be continued to the February term 1905.

In the matter of the estate of }
Wm D. Hamilton, deceased }

Ordered that the first annual settlement this day filed by John F. Jordan, administrator of said deceased be approved and recorded.

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November Term. Wednesday Nov 16th 1904.

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 ~~William H. Jarrell~~ Allowance to widow.
William H. Jarrell, deceased.

Came now Nancy A. Jarrell, widow of said deceased and represents and shews to the Court that at the date of the death of her said husband there was not on hand and provided the groceries and other provisions necessary for the support and maintenance of herself and family for one year, allowed her by law. She therefore prays the Court to make an appropriation out of the personal assets of said estate to supply such deficiency, and the Court having considered said petition finds that the sum of \$86.⁹⁴ will be a reasonable appropriation for that purpose. It is therefore ordered that said sum be and is appropriated out of the personal estate of deceased for the deficiency in the support allowed said widow by law.

Estate of Thomas R. Lambert, dec'd 3

Came now Macy Mison Co. and present to the Court for allowance against said Estate a demand for \$105.⁰⁰ for a tombstone for said deceased. Notice being waived in open court, and affidavit and proof made it is ordered that said demand be allowed against said estate in the sum of \$105.⁰⁰ and that it be assigned to fifth class.

Estate of Albert Henry - deceased 3

Came now David Woodring, administrator of the estate of Thomas R. Lambert, deceased, and on behalf of said estate, presents to the Court for allowance against said Estate a demand for \$18.⁴⁷ founded on a note executed by said Albert Henry to said administrator dated Oct 15th 1903, due in one year at 8% from date. Notice being waived in writing, and affidavit made. It is ordered that said demand be allowed against said estate in said sum of \$18.⁴⁷ and that it be assigned to the fifth class.

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In the matter of the estate of } Final Discharge.
Jesse Baldwin - deceased. }

Came now Amos Musselman, administrator with the will annexed of said deceased, and files the receipt of Mrs. Minnie Miller for five dollars and the receipt of Clara E. Daniels, legatus of said deceased for five dollars, ordered paid them on the final settlement of said estate, made May 13th 1904 of this Court, and said estate being fully administered it is ordered that said administrator be discharged herein.

In the matter of the estate of } Final settlement & discharge
Daisy E. Haughton - a minor }

Came now John C. Leopard, curator of the estate of said minor, and presents his accounts and vouchers for final settlement, his ward having attained her majority, and came also said Daisy E. Haughton, 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 whereupon the Court proceeds to the examination of said settlement which is found to be correct, and is by the Court approved. And said Daisy E. Haughton having received her said curator for the sum of \$153.85 the balance due her as shown by said settlement, and in open Court acknowledged satisfaction of record, it is ordered that said curator be discharged as to said ward.

In the matter of the estate of } Appointment of Curator.
David F. Dilley - a minor }

On this day appeared David F. Dilley, and in 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 curator, and being directed by the Court to choose a curator of his estate, he selected Jesse Dilley, his brother, who being approved by the Court is appointed curator of the estate of said David F. Dilley, and before entering upon the duties of his office, he is required to enter into

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Bond to the state of Missouri for the use of said David F. Dilley, with two or more securities to be approved by the Court, in the sum of Two hundred and fifty dollars, conditioned for the faithful discharge of his duties according to law. Thereupon comes said Jesse Dilley, and files herein his bond in said sum of Two hundred and fifty Dollars conditioned as the law directs, with H. D. Best, C. D. Bell and David Woodring as securities thereon, which said bond was by the Court approved.

Estate of Thomas R. Lambert, dec'd

Comes now E. M. Foley Jr. administrator of the estate of W. H. Cunningham, deceased and on behalf of said estate, presents to the Court for allowance against the estate of Thomas R. Lambert, deceased a demand for \$84.⁰⁰ founded on account for medical services rendered deceased. 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 sixth class.

In the matter of the estate of } Final Settlement & Distribution
John Dilley - deceased

Now at this day comes Henry B. Dilley, 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 paid and said estate fully administered it is therefore ordered that said final settlement be approved and recorded. And it appearing from said settlement that there remains in the hands of said administrator due said estate the sum of Nine hundred and thirty five and 79/100 Dollars, it is ordered that said administrator pay out and distribute said sum to the heirs of said deceased as follows:

To Delila Price
" Eva Lewis

\$103.92

\$103.92

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To Henry B. Dilley	\$ 103.92
" Thomas E. Dilley	103.92
" Jesse Dilley	103.92
" Belle Bell	103.92
" Lavena Best	103.92
" Ethel Jenkins	103.92
" David F. Dilley.	102.92.

and upon filing receipts therefor that he be discharged. And now comes said administrator and files the receipt of Jesse Dilley as curator of the estate of David F. Dilley for said distributive share due said David F. Dilley wherefore it is ordered that said administrator be discharged as to said David F. Dilley.

In the matter of the estate of } Final settlement & Discharge
William B. Eads - a minor }

Came now Louie J. McClure, curator of the estate of said minor, and presents her accounts and vouchers for final settlement said ward having attained his majority. And came also said William B. Eads, and in open court waives the filing of an exhibit and notice of said settlement, and the court having considered said settlement orders that same be approved and recorded, and said ward having receipted his said curator for all sums and balances found to be due him. It is therefore ordered that said curator be discharged herein.

In the matter of the estate of } Continued
Grace Hamel, Etol - minors }

Ordered that the settlement this day due from Sadie Hamel, curator of the estate of said minors be continued to the February term 1905. of this court.

In the matter of the estate of } Final settlement & Discharge
William A. Jarrell, Dec'd }

Now at this day comes Nancy A. Jarrell, administratrix of said deceased, and presents her 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 and demands

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against said estate have been fully paid and said estate fully administered. said settlement is therefore taken up and considered by the Court and is approved, and all the assets of said estate having been accounted for it is ordered that said administrator be discharged.

In 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 February term 1905.

In the matter of the estate of }
William Lake, deceased }

Now at this day comes E. M. Foley Jr. administrator pro deute lito of said estate, and files herein a certified copy of a judgment of the Circuit Court of Daviess County Missouri which judgment is in words and figures following.
"State of Missouri } ss. September term 1904.
County of Daviess }

In the Circuit Court of said County on the 9th day of September 1904, the following among other proceedings were had viz:

Ewin M Lake, and Mary J. McCrary
joined by her husband Rufus M
McCrary

vs.

George W. Lake and Teresa A. Lake.

Now at this day comes the plaintiffs and defendants by counsel, and also come the jury heretofore empaneled, and sworn to try this cause as the law directs and the trial of this cause is resumed, and at the conclusion of plaintiffs evidence, the said jury under instructions of the Court report the following verdict.

"We the jury find that the instrument in evidence, signed by William Lake, and attested by Harry French, A. B. Lay, and J. M. Goins, as witnesses is the last will and testament of William Lake deceased."

James M. Clokey - Foreman

It is therefore considered, ordered and adjudged by the Court that the instrument in writing produced in evidence

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signed by William Lake, and attested by Harry French
W. B. Lay and J. M. Goins, as witnesses is the last will and
testament of William Lake, deceased, so found by the jury,
and it is further adjudged that defendants have and re-
cover of plaintiffs their costs herein expended, and it
is ordered that execution issue therefor.

State of Missouri } ss.
County of Daviess } I, J. J. Vogelgesang Clerk of the
Circuit Court in and for said County, hereby Certify the
above and foregoing to be a true copy of the proceedings
of our said Circuit Court on the day and year above
written, as the same appears of record in my office.

In Testimony Whereof, I have hereunto set my
hand and affixed the seal of said Court at office in
Gallatin this the 16th day of November 1904

(Seal)

J. J. Vogelgesang
Clerk of Circuit Court

By W. O. Tague D.C.

Wherefore it is considered, ordered and adjudged by this
Court that E. M. Foley Jr. administrator per deute lite
of the estate of said William Lake deceased be and he
is hereby required to make settlement of his accounts
as administrator per deute lite of said estate at the
present term of this Court, and turn over to George
W. Lake Executor of said estate, named in the will of
said deceased, all property of said estate and all bal-
ances which may be shown to be due said estate on
said settlement.

In the matter of the estate of }
William Lake, deceased }

Now comes E. M. Foley, Jr. administrator per deute
lite of said estate, and in obedience to the order of this
Court presents his accounts and vouchers for his
final settlement, which 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 administrator per deute lite a
balance of \$550.³⁵ due said estate, it is therefore
ordered that said administrator per deute lite, pay over

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said sum of \$550³⁵ to George W. Lake the executor of said William Lake deceased and on filing his receipt therefor that he be discharged.

In the matter of the estate of }
Thomas R. Lambert, deceased }

Ordered that the first annual settlement this day filed by David Woodruff, administrator of said deceased be approved and recorded, and it appearing from said settlement that there is in the hands of said administrator the sum of six hundred dollars which will not be required for the payment of debts or expenses of administration, it is therefore ordered that said administrator distribute said sum to the heirs of said deceased as follows:

To Fred Lambert	\$200.00
" Oles Lambert	\$ 200.00
" Elmer Lambert	\$ 200.00

In the matter of the estate of }
Aubrey L. Mann - a minor }

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

In the matter of the estate of }
Marion D. Murray, a minor }

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

In the matter of the estate of }
Clara E. Snyder, a minor }

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 } Final settlement & distribution
Quintus J. Robinson, dec'd }

Now at this day comes William Robinson, admr

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of Quintis J. Robison, 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 owing by said Estate have been paid, said settlement is considered, approved and ordered recorded. And it is ordered by the Court, that the balance of \$ remaining in the hands of said administrator belonging to said Estate is ordered distributed to the heirs of said deceased as follows:

To Virginia Robinson,	\$ 11.43
" Effie Robinson,	11.43
" Bertha Robinson,	11.43
" Leslie R. Robinson,	11.43
" Flora L. Robinson,	11.42
" Mabel M. Robinson,	11.42
" George A. Robinson,	<u>11.42.</u>

In the matter of the estate of }
George B. Vintriece, a minor }

Ordered that the first annual settlement this day filed by E.M. Poley Jr. Curator of the Estate of said minor be approved and recorded.

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

Thomas A. Shaw
Judge

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

Estate of John H. Searcy, deceased. $\frac{3}{4}$

Came now Dr A. C. Eastman, 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 writing, and affidavit and
proof made, it is ordered that said demand be al-
lowed against said estate in said sum of \$10.⁰⁰ and
that it be assigned to the second class.

Estate of Elza P. Richardson Dec'd.

Came now J. D. Hoskins, and presents to the
court for allowance against said estate a demand
for \$440.⁶⁴ founded on a note executed by E. P.
Richardson, and R. F. Richardson, for \$400.⁰⁰ dated
August 17th 1902, due in twelve months, with eight per
cent interest from date, said note executed to W. F.
Houston, and assigned to said J. D. Hoskins. 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 Four hundred and forty
and $\frac{64}{100}$ Dollars, and that it be assigned to the fifth class.

Estate of Samantha Castor, dec'd $\frac{3}{4}$

Came now Dr L. E. Lee, and presents to the
court for allowance against said estate a demand
for \$43.⁶⁰ founded on account for medical services dur-
ing 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 Forty three & $\frac{60}{100}$ Dollars, and that it be assigned
to the second class.

Estate of John H. Searcy, deceased $\frac{3}{4}$

Came now Dr L. E. Lee, and presents to the court
for allowance against said estate a demand for \$35.¹⁵
founded on account for medical services during last sickness.

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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 \$35.¹⁵ and that it be assigned to the second class.

Estate of Elza T. Richardson - Dec'd.

Came now W. D. Dickerson, and presents to the Court for allowance against said estate a demand for \$121.³⁰ founded on a note executed by deceased, to J. R. Eads, dated May 17th 1902, for \$100.⁰⁰ due one day after date, with eight percent 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 One hundred and twenty one, and 30/100 Dollars and that it be assigned to the fifth class.

Estate of Albert Henry, deceased

Came now John D. Gough, and presents to the Court for allowance against said estate a demand for \$54.⁰⁰ founded on account for burial casket. 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 \$54.⁰⁰ and that it be assigned to the first class.

Estate of John H. Searcy deceased

Came now George L. Cain, and presents to the Court for allowance against said estate a demand for \$14.⁷⁵ 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 \$14.⁷⁵ and that it be assigned to the fifth class.

Estate of Portwfield Foster Dec'd

Came now C. M. Potter, and presents to the Court for allowance against said estate a demand for \$13.⁸⁵ 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 (\$13.⁸⁵) Thirteen and 85/100 Dollars, and that it be assigned to the fifth class.

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In the matter of the Estate of } Sale of personally Confirmed.
Elza P. Richardson, dec'd }

Comes now Robert F. Richardson, administrator of the estate of Elza P. Richardson, and files his report of the sale of personal property belonging to said estate, which report is approved, and said sale confirmed.

In the matter of the Estate of } Order of publication.
Elza P. Richardson, dec'd }

Now at this day comes Robert F. Richardson, administrator of the estate of Elza P. Richardson, 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, on 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 in February 1905, 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 Locksprings Herald (a news paper 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.

Estate of Susan A. Gotschall, dec'd }

Comes now R. E. Maupin and presents to the Court for allowance against said estate a demand for \$4.⁸⁰ founded on account, and claimant being Executor of said Estate, it is ordered that Jas C Leopart be appointed Admr. ad litem to represent said Estate. Notice being waived in open Court, affidavit and proof made and \$4.⁸⁰ allowed against said estate, and is assigned to Class Six.

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In the matter of the estate of }
A. M. Drummond Dec'd }

It is ordered that the first annual settlement this day filed by Charles L. Knauer, administrator of said estate be approved and recorded.

In the matter of the estate of } Continuance
Susan A. Gotschall, Dec'd }

It is ordered that the settlement this day due from R. E. Malpin Executor of dec'd be continued to December 9th 1904.

In the matter of the estate of }
Johnson Maffitt - a minor }

Ordered that the eighteenth annual settlement this day filed by William E. Gillihan, Curator of the estate of said minor be approved and recorded.

In the matter of the estate of } Continuance
Thomas M. Mallory, dec'd }

Ordered that the settlement this day due from May Mallory administratrix of said estate be continued to the February term 1905. for final settlement.

In the matter of the estate of }
James William Mann, Dec'd }

Ordered that the first annual settlement this day filed by Joseph A. Mann, administrator of said estate of James William Mann, deceased, be approved and recorded.

In the matter of the estate of } Continued
Joseph Offield Dec'd }

Ordered that the final settlement, this day due from James Offield, together with the objection filed thereto be continued to the February term 1905. as per stipulation filed.

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

Thomas R. Shaw.
Judge