

Record Book

Volume 5

May 1903 – May 1906

**November 18, 1904-
May 10, 1905
(Pages 301-400)**

November Term Friday November 18th 1904

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

Estate of Douglas Taylor deceased.

Comes now Ross Barnett, County Clerk of Sawnee County, and presents to the Court for allowance against said estate, a school fund bond, executed to said County by Douglas Taylor as principal, and Isaac Thompson and Jacob Thompson as sureties for the sum of Three Hundred Dollars, dated March 14th 1903, at six per cent interest compounding, amount now due \$312.90. Notice being waived in open Court, affidavit and proof made, it is ordered that \$312.90 be allowed against said estate in class 1st.

In the matter of the estate of } Final Settlement & Disch
Effie A Coulson - a minor }

Now comes Jackson Searcy, curator of the estate of Effie A Coulson, and presents his accounts and vouchers for final settlement. His said ward having attained her majority, and comes also said Effie A Coulson, and in open Court waives the filing of an exhibit and notice of said settlement, and enters her approval to the making of said settlement, whereupon the Court proceeds with said settlement which is found to be correct, and is by the Court approved and ordered recorded, and said Effie A Coulson having receipted her said curator for the sum of One Hundred and ninety eight & 15/100 Dollars, being the full amount shown to be due her by said settlement and having acknowledged satisfaction of record, it is ordered that said curator be discharged herein.

In the matter of the estate of } Order Confirming Sale
Douglas Taylor, deceased. }

Now comes E. M. Foley Jr, administrator of said Douglas Taylor deceased and submits to the Court his report of sale, by which it appears that he did on Tuesday the first day of November 1904, in obedience to

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the order of this Court made at the August term 1904 thereof sell at private sale to William Daylor for the sum of Four hundred Dollars. The real estate in said order of Court and report particularly described viz:
 Lot number seven (7) in Block Number five (5) of Woodroff. Stone and Coopers addition to Gallatin. Davis 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 said sale be, and the same is hereby approved, and confirmed, and that said administrator is ordered to execute, acknowledge and deliver to said William Snyder, a deed in due form of law, conveying to the said William Snyder, all the right title and interest, which the decedent had in the same at the time of his death.

In the matter of the estate of } Final settlement & Disch.
 Robert Drummond, a minor }

Comes now Howard L. Yates, 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 Robert Drummond, 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. Whereupon said settlement is by the Court duly considered and approved, and said Curator is ordered to pay his said ward the sum of One hundred and seventy & ²⁵/₁₀₀ Dollars, being the balance due him as shown by said settlement, and now comes said Robert Drummond, and receipts his said Curator for said balance. Wherefore it is ordered that said Curator be discharged herein.

In the matter of the estate of } Final settlement & Distribution
 Elmer E. Cozad, Decedent }

Now comes Nancy J. Cozad administratrix de bonis non of said estate 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

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have been fully paid and said estate fully administered and said settlement is considered by the Court and approved. And it appearing from said settlement that there remains in the hands of said administrator due said estate the sum of Two hundred and nineteen and $7\frac{4}{100}$ Dollars it is ordered that said administrator distribute said sum to the heirs of said deceased as follows:

To Rallie E. Cozad.	\$ 43.95
" Homer E. Cozad.	\$ 43.95
" Bessie J. Cozad.	\$ 43.95
" Roy R. Cozad.	\$ 43.95
" Frank H. Cozad.	\$ 43.95

and upon filing receipts therefor that she be discharged.

In the matter of the estate of }
Zella Downs. Etal. minors }

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

In the matter of the estate of } Continuance
Lindsa B. Dowell deceased }

Ordered that the settlement this day due from William Dowell, Executor of said deceased be continued to the February term 1905 for final settlement, and said and proof of publication of notice for final settlement having been this day filed the same is continued to gather with said settlement.

In the matter of the estate of }
Harry M. Mann. Etal. minors }

Ordered that the first annual settlement this day filed by E. D. Mann, guardian and Curator of the person and estate of said minors be approved and recorded.

In the matter of the estate of }
Ulrich W. O'Daniels. dec'd }

Ordered that the first annual settlement this day filed by H. O'Daniels and W. S. Clive, administrators of said deceased be approved and recorded.

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In the matter of the estate of } Final settlement & discharge
John W. H. Oxford, a minor }

Came now Joseph D. Wynn, curator of the estate of said minor, and presents his accounts and vouchers for final settlement, his said ward having attained his majority. And it appearing to the Court that said curator filed a just and true exhibit of the account between himself and his ward more than thirty days before the present term of this Court, and caused a copy of said exhibit to be served upon his said ward as required by law, said settlement is therefore taken up and duly considered by the Court and approved, and said curator having filed therein the receipt of said ward, duly acknowledged for the sum of \$11.⁰² being the amount shown to be due him by said settlement, it is therefore ordered that said curator be discharged herein.

In the matter of the estate of }
Robert E. Ramsey - a minor }

Ordered that the fourteenth annual settlement this day filed by E. O. Ramsey, curator of said minor be approved and recorded.

In the matter of the estate of } Continuance
William Ricker - deceased }

Ordered that the settlement this day due from Lorinda Ricker, Executor of said deceased, be continued to the February term 1905, for final settlement.

In the matter of the estate of } Continued
Jacob A. Stitt - Deceased }

Ordered that the settlement this day due from Katie A. Stitt, Executrix of said deceased be continued to the February Term 1905.

In the matter of the estate of }
Anna M. Scott - Insane }

Ordered that the second annual settlement this day filed by Charles L. Scott, guardian of said insane person, be approved and recorded.

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In the matter of the Estate of } Final Settlement & Dist.
James Robert Ward - Deceased }

Comes now William H. Oram, executor of the last will and testament 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 fully paid and said estate fully administered in conformity to the provisions of the will of said deceased. Said settlement is therefore examined, approved and ordered recorded and the balance of \$183.⁸⁵ remaining in the hands of said executor due said estate is ordered distributed according to the terms of said will as follows viz:

To James Francis Ward Jr. Son of dec'd \$91.92

" Lillie A Ward - widow of deceased \$91.93

And now comes the said William H. Oram and files his receipt as testamentary guardian of said James Francis Ward Jr. for the sum of \$91.93 This distribution shall be as above set forth. It is therefore ordered that said William H. Oram as executor of said deceased be discharged as to said James Francis Ward Jr.

In the matter of the estate of }
James Francis Ward Jr. a minor }

Ordered that the second annual settlement this day filed by William H. Oram testamentary guardian of said minor be approved and recorded

Ordered that Court adjourn until tomorrow morning at 4 o'clock
Thomas A. Shaw
Judge

November Term - Saturday - November 19th 1904.

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

Estate of John H. Searey, deceased }

Comes now R. J. Osborn, and presents to the Court for allowance against said estate a demand for \$15.⁶⁴ founded on a note executed by deceased to claimant, dated September 19th 1902, with interest at eight per cent per annum if not paid when due. - due in six months - amount of note \$14.³⁰ Notice 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 \$15.⁶⁴ and that it be assigned to fifth class.

Estate of Joshua S. Bennett, dec'd.

Comes now B. W. Patrick, and M. C. Hershberger and present to the Court for allowance against said estate a demand for \$109.⁴⁰ founded on account for balance paid by them as securities on a certain note executed by J. S. Bennett, B. W. Patrick, and M. C. Hershberger, dated December 31st 1895, due in one year, with eight per cent interest from date, with the following indorsements thereon, Decr 31st 1896, \$8.⁰⁰ Decr 31st 1897 \$8.⁰⁰ Decr 31st 1898, \$8.⁰⁰ - Decr 31st 1899 \$8.⁰⁰ - Decr 31st 1900, \$8.⁰⁰ Decr 31st 1901, \$8.⁰⁰ Decr 31st 1902 \$8.⁰⁰, and Feby 27th 1904, paid by B. W. Patrick \$54.⁷⁰ and Feby 27th 1904, paid by M. C. Hershberger, \$54.⁷⁰. And it appearing to the Court from the evidence that the said Joshua S. Bennett, deceased, in his lifetime, for a valuable consideration assumed the payment of said note, and that the said B. W. Patrick, and M. C. Hershberger, as securities on said note, were required to pay the balance due on said note to wit the sum of \$109.⁴⁰ it is therefore ordered that their demand against said estate for said sum of \$109.⁴⁰ be allowed, and the same is assigned to the fifth class.

November Term - Saturday, November 19th 1904.

Estate of Samuel Custis, dec'd.

Comes now George Whitt, and presents to the Court for allowance against said estate a demand for \$14.⁰⁰ founded on account for services as nurse to deceased 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 \$14.⁰⁰ and that it be assigned to the second class.

In the matter of the estate of } Order to lease real estate.
Samantha Castor, deceased }

Comes now Newton J. Castor, administrator of said estate, and represents and shows to the Court that the personal estate now in his hands, belonging to the estate of said deceased, will be insufficient to pay the debts allowed and to be allowed against said estate, but that if the reverts to be derived from the real estate of deceased be applied in the payment of said demands, there will be no necessity to sell said land, and that the same can thereby be saved to the heirs of said deceased. Wherefore he prays the Court to authorize and direct him to take possession of the real estate of deceased, described as follows: The North East quarter of the North East quarter of section six Township fifty nine of Range twenty nine, in Daviess County Missouri, and revert the same, and apply the proceeds arising therefrom to the payment of the debts of said deceased. And the Court having considered said petition, it is ordered that said administrator take possession of said above described real estate, and revert the same for one year beginning March 1st 1905, on the best terms that can be obtained.

In the matter of the estate of } Order of sale of personalty.
Samantha Castor, deceased }

Now comes Newton J. Castor, administrator of said estate, and makes application for permission to sell, one black mare, and one lot of hogs, belonging to said estate at private sale, and the Court being satisfied that it will not be prejudicial to creditors, or parties interested therein to sell the same at such sale, it is therefore ordered

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that said administrator, sell said property at private sale for not less than its appraised value, for cash in hand, and that he report same to this court.

Estate of Samuel Austin, Dec'd.

Comes now McBue and Henderson, and present to the Court for allowance against said estate a demand for \$77.⁰⁰ founded on account for burial casket and funeral expenses, 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 \$77.⁰⁰ and that it be assigned to first class.

Estate of Samuel Austin, Dec'd {

Comes now J. C. Fraizer M.D. and presents to the Court for allowance against said estate a demand for \$50.⁰⁰ founded on account for medical services during last sickness. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$50.⁰⁰ and that it be assigned to the second class.

Estate of Samuel Austin Dec'd.

Comes now M. A. Smith M.D. and presents to the Court for allowance against said estate a demand for \$39.⁰⁰ founded on account for medical services during last sickness. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$39.⁰⁰ and that it be assigned to the second class.

Estate of Samuel Austin, Dec'd {

Comes now The Missouri Cemetery Improvement Company by William Lile, agent, and presents to the Court for allowance against said estate a demand for \$30.⁰⁰ founded on account for Cemetery lot \$25.⁰⁰ and digging grave \$5.⁰⁰ Total \$30.⁰⁰ Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate, and that it be assigned to the First Class.

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In the matter of the estate of } Continuance & Citation
Malinda Dutro. deceased }

Ordered that the settlement this day due from Arthur E. Dutro. administrator of said deceased be continued to the February term 1905. and that citation issue for said Arthur E. Dutro for failing to make settlement as required by law.

In the matter of the estate of } Final settlement
Grace Kemp. a minor }

Comes now Joshua B. Scott, curator of the estate of said minor and presents his accounts and vouchers for final settlement. His ward having attained her majority, and it appearing to the court that said curator filed herein a just and true exhibit of the account between himself and his ward more than thirty days before the present term of this court, and caused a copy of said exhibit, and notice of said settlement to be served upon his said ward wherefore upon examination of said settlement the court finds it to be correct and it is ordered that the same be approved. And it appearing from said settlement that there remains in the hands of said curator a balance due said ward of \$722⁵⁷/₁₀₀ it is ordered that said curator pay to his said ward said balance of Seven hundred and twenty three & ⁵⁷/₁₀₀ dollars, and on filing her receipt therefor that he be discharged.

In the matter of the estate of }
James Homer Knight. }

Ordered that the second annual settlement this day filed by Joshua F. Hicklin, guardian of said James Homer Knight. be approved and recorded.

In the matter of the estate of } Continuance & Citation
William D. & Lurda M. Knight. minors }

Ordered that the settlement this day due from Harrison Tomlinson, Curator of said minors be continued to the February term 1905. and that citation issue for said curator for failing to make settlement as required by law.

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In the matter of the estate of } Final Settlement
Anderson L. Lierley, a minor }

Come now Wilson Lierley, Curator of the estate of said minor, and presents his accounts and vouchers for final settlement, said ward having attained his 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 he would make such settlement, to be delivered to his ward at least for weeks next before the first day of the present term of this court, wherefore the court proceeds to the examination of said settlement, which is by the court found to be correct and is approved. And it appearing to the court from said settlement that there remains in the hands of said curator and his said ward the sum of Seventeen hundred and seventy one & ²⁵/₁₀₀ Dollars, it is therefore ordered that said Curator pay to his said ward said sum of \$1771.²⁵ and on filing his proper receipt therefor that he be discharged.

In the matter of the estate of }
Thomas J. Muller, a minor }

Ordered that the fifth annual settlement this day filed by Philip M. Muller, Curator of the estate of said minor, be approved and recorded.

In the matter of the estate of } Continuance
Maurice 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 February term 1905.

In the matter of the estate of }
Alexander R. Deatt, deceased }

Ordered that the first annual settlement this day filed by J. D. De Vries, administrator with the will annexed of said deceased be approved and recorded.

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In the matter of the estate of }
Mabel & Phelma Thompson, minors }

Now at this day comes Selas N. Best curator of the estate of said minors, and presents his accounts and vouchers for his fourth annual and final settlement, in obedience to the order of this Court made at the February term 1904, thereof, said wards having become nonresidents of the State of Missouri, and having a guardian of their estate appointed by the probate Court of the County of Sumner and State of Kansas where said minors now reside, and the Court having taken up and considered said settlement and found the same to be correct, it is ordered and adjudged that said settlement be approved and recorded. And the balance of \$758.55 found to be due said minors as shown by said settlement, said Curator is ordered to pay over to M. M. Miller, the duly appointed guardian of the estate of said minors in the County of Sumner in the State of Kansas, and upon filing the receipt of said M. M. Miller, as guardian as aforesaid for said balance of \$758.55 that he be discharged.

In the matter of the estate of } Continued
Mary B. Turner, a minor }

Ordered that the settlement this day due from Gabriel Jones, Curator of the estate of said minor be continued to the February 1905.

In the matter of the estate of }
Albert H. Wilson, a minor }

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

Ordered that Court adjourn until Friday December 9th 1904

Thomas R. Shaw
Judge

In Vacation - Monday November 28th 1904.

In the matter of the guardianship of } appointment of Guardian
Grace May Finchem, a minor }

On this day appeared Grace May Finchem, and it appearing to the Judge of probate, that she is a minor, under eighteen, but above fourteen years of age, and resides in the County of Daviess, and has no guardian and being instructed by the Judge of probate to choose a guardian of her person, she selected James McDaniel who being approved by the Judge of probate, is appointed guardian of the person of said Grace May Finchem 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 such security as shall be approved by the Court in the sum of Fifty Dollars conditioned for the faithful discharge of his duties according to law. Whereupon comes said James McDaniel, and files said bond in said sum of fifty dollars, with Ben A. Yates, as security thereon which said bond is approved, and said guardian is ordered to enter upon the discharge of his duties.

Thomas R. Shaw
Judge of Probate.

In Vacation - November 30th 1904.

In the matter of the alleged Insanity }
of John Castor.

Now on this 30th day of November 1904, comes J. H. Crute, and John A. Pennington, residents of Daviess County Missouri, and give information in writing, to the Judge of the probate Court of Daviess County, in vacation, that John Castor, a resident of said County is of unsound mind, and incapable of managing his affairs, and praying that an inquiry therein 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 fixes the hearing of said cause for Friday, December 9th 1904, being the adjourned day of the November term 1904 of said Probate Court for the purpose of holding an inquiry, whether the said John Castor be of unsound mind or not, and orders that said John Castor be notified of such proceeding at least five days before said adjourned term of said Court.

Thomas R. Shaw, Judge of Probate.

In Vacation - November 30th 1904.

In the matter of the estate of
Walter Flowers, Josie Flowers,
Clarence Flowers & Esther Flowers,
minors heirs of Thomas Flowers, Deed.

} Appointment of Curator

Now on this day comes Sophrona Flowers, and represents and shows to the Judge of probate, that she is a resident of the County of Jackson, and is the Mother of said Walter Flowers, Josie Flowers, Clarence Flowers and Esther Flowers, who are minors under fourteen years of age, except the said Walter Flowers, who is over fourteen, but under twenty one years of age, and prays the Judge of probate, to appoint N. D. Givens, curator of the estate of said minors. And on this day also appeared the said Walter Flowers who is under twenty one, but above fourteen years of age and being directed by the Judge of probate to choose a curator of his estate he selected N. D. Givens, who being approved by the Court is appointed Curator of the Estate of said Walter Flowers, and it further appearing to the Judge of probate that Sophrona Flowers, the mother of said before mentioned minors Josie Flowers, Clarence Flowers, and Esther Flowers, has this day filed her written relinquishment of her right under the law to be appointed curator of the estate of said minors. And said N. D. Givens being a suitable and competent person for such trust is also appointed Curator of the estate of said minors Josie Flowers, Clarence Flowers and Esther Flowers, 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 Five hundred dollars conditioned for the faithful discharge of his duties according to law.

Thereupon comes said N. D. Givens, and files herein his bond as such Curator in said sum of Five hundred Dollars, with John C. Leopard and Joshua F. Hecklin as securities thereon which said bond was by the Judge of probate approved.

Thomas R. Shaw
Judge of Probate.

In Vacation - December 8th 1904.

In the matter of the estate of
 Glenna S. Henry, and } Appointment of Guardian
 Bernice A. Henry, minors } and Curator.
 Albert Henry, deceased.

Now on this day comes Ida F. Henry, and represents, and shows to the Judge of probate that she is a resident of the County of Daviess, and is the mother of Glenna S. Henry, and Bernice A. Henry, aged and years respectively, and praying the Judge of probate to appoint her guardian and curator of the person and estate of said minors, and it appearing to the Judge of probate that said minors own property not derived from said Ida F. Henry, and not exceeding in value the sum of Five hundred Dollars, and that the said Ida F. Henry is a suitable, and competent person for such trust, it is ordered by the Judge of probate, that said Ida F. Henry, be, and she is hereby appointed guardian of the person and estate of said Glenna S. Henry, and Bernice A. Henry, 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 One thousand dollars, conditioned for the faithful discharge of her duties according to law: Whereupon comes said Ida F. Henry, and files therein her bond in said sum of One thousand Dollars, conditioned as the law directs, with Riley Fields, and Herbert Francisco, and L. A. Ellis, as securities thereon, which said bond was by the Judge of probate approved.

Thomas R. Shaw
 Judge of Probate.

November adjourned Term. Friday Decr 9th 1904

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

Estate of Porterfield Foster, deceased.

Comes now W. M. Nickell. and presents to the
court for allowance against said estate a demand
for \$24.⁰⁰ 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 \$24.⁰⁰ and that it be assigned
to the fifth class.

Estate of James William Mann, dec'd.

Comes now Tenable and Nymn. and present to the
court for allowance against said estate a demand for
\$12.³⁰ 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 \$12.³⁰ and that it be assigned to the fifth class.

In the matter of the estate of ~~Henry~~ ^{Final Settlement & Discharge}
Henry Halleck White, a minor.

Comes now John W. Meade. curator of the estate of
said minor. and presents his accounts and vouchers
for final settlement. and comes also said Henry
Halleck White. who has attained his majority. 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. whereupon the court
proceeds to the examination of said settlement. which
is found to be correct. and is by the court approved.
And said ward having receipted his curator for the
sum of \$1286.⁸¹ Twelve hundred and eighty six and
81/100. Dollars. the amount shown to be due him by
said settlement. and having acknowledged satisfaction
of record. it is therefore ordered that said curator
be discharged therefrom.

November adjourned Term. Friday. Decr 9th 1904.

Estate of Albert Henry. deceased.

Came now Anna M Henry. M.D. and presents to the court for allowance against said estate a demand for \$122.⁵⁵ 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 One hundred and twenty two and ⁵⁵/₁₀₀ Dollars. and that it be assigned to the second class.

Estate of Douglas Taylor. deceased.

Came now Frank A. Woodruff and presents to the Court for allowance against said estate a demand for \$18.⁶⁵ 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 \$18.⁶⁵ and that it be assigned to class six.

In the matter of the alleged insanity
of John Castor.

Now at this day the above entitled cause comes on to be heard on the petition of J. H. Crute. and John H. Pennington. filed in vacation. November 30th 1904. for the purpose of holding an inquiry. whether John Castor be of unsound mind or not. and notice to said John Castor. being returned by R. D. McCray. sheriff of Daviess County. served by delivering a true copy of said notice to said John Castor. and by reading same to him. And now comes a jury duly summoned to wit: James Alexander. A. L. Beck. J. W. Richardson. J. A. Troxel. W. H. Carter. N. A. Baker. W. B. Macy. John Nichols. Albert Robinson. J. M. Whitechurch. M. O. Lester. and James Tandyke. twelve good and lawful men. who are duly sworn to well and truly make inquiry. and determine whether the said John Castor. is a person of unsound mind or not. And the jury having heard the evidence offered touching his condition. retired to consider their verdict. and after due deliberation returned in to Court the following verdict.

"We the jury find John Castor to be of unsound

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mind and incapable of managing his affairs"

John Nichols
J. W. Richardson
J. A. Troxel.
A. L. Beck.
N. A. Baker
W. C. Macy.
J. M. Whitchurch
James Tandyke
M. O. Lester.
Albert Robinson
James Alexander
Wm H. Carter.

It is therefore adjudged by the Court, that said John Costor. is a person of unsound mind, and incapable of managing his affairs, and the Court hereby appoints, Charles S. Davis, guardian of said John Costor, 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 One thousand Dollars, conditioned as required by law, with such security as the Court shall approve. And now comes said Charles S. Davis, and files herein his bond in said sum of One thousand Dollars conditioned as the law directs, with D. M. Clayett, J. H. Crute, and Joshua Maurice, as securities thereon, which said bond is by the Court approved, and is in words and figures following to-wit:

Bond.

We Charles S. Davis as principal and D. M. Clayett J. H. Crute, and Joshua Maurice, as securities are held and firmly bound unto the state of Missouri, in the sum of One thousand (\$1000⁰⁰) Dollars for the payment of which we bind ourselves and our heirs: Upon the Condition: that whereas the said Charles S. Davis, has been appointed by the probate Court of Daviess County Missouri, guardian of the person and estate of John Costor of said County, a person of unsound mind.

Now if the said Charles S. Davis, shall take due and proper care of such insane person, and manage and

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administer. his 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 hereunto set our hands, and affixed our seals, at Gallatin in said County this 9th day of December A.D. 1904.

Chas S. Davis (Seal)

D. M. Clagett (Seal)

J. H. Erute. (Seal)

Joshua Maniere (Seal)

Approved by the Court

Thomas A. Shaw, Judge of the Probate Court of Davis County Missouri.

In the matter of the Estate of }
Lester C. Pell, and Oscar G. Pell. } Appointment of Curator
minor heirs of John C. Pell. dec'd }

Now on this day comes Barbara C. Pell, and represents and shows to the Court, that she is a resident of the county of Daniels, and is the Mother of Lester C. Pell, and Oscar G. Pell, and prays the Court to appoint Robert E. Maupin, Curator of the estate of said minors. The said Barbara C. Pell, having filed in this Court her written renunciation of her right to act as Curator of the estate of said minors. And the said Lester C. Pell, being above fourteen years of age, and being instructed by the Court, to choose a Curator of his estate, he made his selection in writing of said Robert E. Maupin, which said choice is approved by the Court, and the said Robert E. Maupin is appointed Curator of the estate of said Lester C. Pell, and Oscar G. Pell, 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 Five hundred dollars, conditioned for the faithful discharge of his duties according

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to law: Thereupon comes said Robert E. Maupein and files herein his bond as such curator in said sum of five hundred dollars, conditioned as the law directs with L. M. Best and N. E. Maupein as securities thereon, which said bond is by the Court approved.

In the matter of the estate of ~~John C. Pell~~ ^{Final Discharge} deceased

Comes now E. M. Foley Jr. administrator of the estate of John C. Pell, deceased, and files the receipts of Robert E. Maupein, curator of the estate of Lester C. Pell, and Oscar G. Pell, minor heirs of John C. Pell, deceased for the sum each of \$145.⁶⁶ said sum being the amount due each of said minors on a final settlement of the estate of said John C. Pell, made August 17th 1902, of this Court at its August term 1902, and said estate being fully administered, it is ordered that said administrator be discharged.

In the matter of the adoption of }
Vauora Watson, minor child }
of Jesse H. Watson, and } Changing Name.
Mary Watson, By William Ogle, }
and Maggie Ogle. }

Now at this day comes William Ogle, and Maggie Ogle, his wife, and show to the Court, that on the 20th day of March, 1897, by deed of adoption duly executed, acknowledged, and recorded, in the office of the Recorder of deeds, in the County of Davies, they adopted Vauora Watson, minor child of Jesse H. Watson, and Mary Watson, as well for their child and heir at law, with the assent of the said Jesse H. Watson, Father of the said Vauora Watson, who joined in the execution of said deed as party thereto, the said Mary Watson, mother of the said Vauora Watson, being deceased. And they ask the Court to change the name of said adopted child, from Vauora Watson, to Nellie Vauora Ogle, so that it shall bear the name of its adopted parents.

It is therefore ordered that the name of said adopted

November Adj' Term. Friday Decr 9th 1904.

child be and the same is by this order changed from Vanora Watson. to Nellie Vanora Ogle. so that thenceforth the said adopted child, shall be known as and by the name of Nellie Vanora Ogle, child and heir of William Ogle. and Maggie Ogle, its adopted parents.

In the matter of the estate of } Final Settlement & Distribution
Susan A. Gotschall. dec'd }

Now at this day comes Robert E. Maupin Executor of the last will and testament 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. said settlement is taken up and considered and is by the Court approved. And it further appearing that there remains in the hands of said Executor due said estate the sum of \$260.¹⁰ it is therefore ordered that said balance be distributed to the heirs and legatees of said deceased under the provisions of the will of deceased as follows:

To Job Gotschall		\$41.68
" Brice Gotschall		41.68
" W. F. Gotschall		41.68
" Mary E. Williams		41.68
" Marietta J. Young		41.68
" Lydia A. Stephens		41.68
" Martha Smith		.71
" Effie Doord		.71
" Laura Summers.	Legacy to heirs of George Gotschall.	.71
" Charles T. Gotschall		.71
" Thad Gotschall		.71
" Worley Gotschall		.71
" Roy Gotschall		.71
" Charles L. Beard		1.00
" Charlotte Bryson	Legacy to heirs of Sarah Beard.	1.00
" David C. Beard		1.00
" Mary E. Fraze		1.00
" Sarah F. Jones.		1.00

And now comes said Robert E. Maupin Executor as of one act and

November adj. Term - Friday Decr 9th 1904

files the receipt of Job Gotschall. Price Gotschall. W. F. Gotschall. Mary E. Williams. Maureen J. Young. and Lydia A. Stephens. for said sum each of \$41.68. It is therefore ordered that said executor be discharged as to said distributives.

In the matter of the estate of } appropriation for support of minor
William D. Hamilton. dec'd

It is ordered by the court that the sum of one hundred and twenty five dollars be and the same is appropriated out of the assets of said estate for the support of Genevieve Hamilton, minor child of said deceased, and said appropriation shall be allowed the administrator of said estate as so much distributed to said minor child.

In the matter of the estate of } appropriation
Warren Reed. Insane.

It is ordered by the court that the sum of \$37.50 be and the same is appropriated out of the estate of said Warren Reed. to be paid to Robert Hale, for the board of said Warren Reed. for six months from May 15th 1904 to November 15th 1904. And E. M. Foley Jr. guardian of said Warren Reed is authorized and directed to pay said sum out of the estate in his hands as such guardian.

In the matter of the estate of } Order to make repairs
Elmer D. Lambert. Et al.

It is ordered by the court that E. M. Best, guardian and curator of said minors be, and he is hereby authorized and directed to make all necessary repairs on fences, and build such new fence on the real estate of said minors, as shall be necessary to protect the crops raised on said lands, and as will place said lands in good rental condition.

Ordered that Court adjourn until Court in course.

Thomas R. Shaw
Judge

In Vacation - December 31st 1904

In the matter of the estate of
Harry R. Wells, and Leander Wells
minors heirs of Leander G. Wells.
deceased

On this day comes Sarah A. Wells, and represents and shows to the Judge of probate, that she is a resident of the County of Daviess, and is the Mother of Harry R. and Leander Wells, aged sixteen, and thirteen years respectively, and praying the Judge of probate to appoint James C. Stovall, curator of the estate of said minors, the said Sarah A. Wells, having filed herewith her written renunciation of her right to act as curator of the estate of said minors. And on this day appears the said Harry R. Wells, who is over fourteen years of age, and resides in the County of Daviess, and being directed by the Judge of probate to choose a curator of his estate, he selected James C. Stovall, which choice was by the Judge approved, and the said James C. Stovall is appointed curator of the estate of said Harry R. Wells and Leander Wells, and before entering on 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 Six thousand Dollars conditioned for the faithful discharge of his duties according to law. And now comes said James C. Stovall, and files therein his bond as such curator in said sum of Six thousand Dollars, conditioned as the law directs, with W. D. Stovall, Jno. R. Handy, and Jerome S. Stovall, as securities thereon, which said bond was by the Judge approved.

Thomas R. Shaw
Judge of Probate.

In Vacation - December 31st 1904

In the matter of the estate of } Will probated and
and last will and testament of } Executors appointed,
Matilda Rausbottom, dec'd }

Now on this day an instrument of writing purporting to be the last will and testament of Matilda Rausbottom 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 William E. Gilleham, and Samuel P. Brosius, 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 Matilda Rausbottom, deceased, late of Daviess County and orders the same admitted to probate. And comes Elijah M. Foley, and Ruth Rausbottom, who are named as executors in said will, and make affidavit as required by law, and make application for letters testamentary upon said estate, and being suitable persons for such trust, it is ordered that they be, and are hereby appointed executors of said estate, and that letters testamentary issue to them thereon. And before entering on the duties of their office, they are 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 Ten thousand Dollars conditioned for the faithful discharge of their duties according to law. And now comes said Elijah M. Foley and Ruth Rausbottom, and file said bond in said sum of ten thousand dollars with J. H. Weldon Amanda Weldon, John W. Meade and E. D. Mann as securities thereon which is approved.

Thomas R. Shaw
Judge of Probate.

Public Administrator's Commission.

The State of Missouri:
(Executive Department)

To all who shall see these presents, greeting:
Know Ye, That it having been certified to me that
J. H. Norton was on the eighth day of November, Nine-
teen Hundred and Four, duly elected to the office of
Public Administrator, within and for the County of
Davies.

Now Therefore, in the name, and on behalf of
the State of Missouri, I, Alexander M. Dockery,
Governor thereof, do hereby commission him,
Public Administrator, aforesaid, for the term of four
years as specified by law, and authorize and em-
power him to discharge the duties of said office
according to law.

In Testimony Whereof, I hereunto set my
hand, and cause to be affixed the Great Seal
of the State of Missouri. Done at the City of Jefferson
this 12th day of December in the year of our
Lord, One Thousand Nine Hundred and Four.
By the Governor. A. M. Dockery.

Sam B Cook

(Seal)

Secretary of State.

State of Missouri ss.
County of Davies ss. I, J. H. Norton, do solemnly
swear that I will support the Constitution of the
United States, and the Constitution of the State of
Missouri, and that I will faithfully discharge my-
self in the office of Public Administrator.
J. H. Norton.

Subscribed and sworn to before me the undersigned Clerk of
the County Court, within and for said County of Davies
this 2nd day of January, A.D. Nineteen hundred and
five.

In Testimony Whereof I have hereunto set my
hand and affixed the seal of said Court at
office in the City of Gallatin, the date aforesaid
N. R. Burnett - Clerk

(Seal)

Filed July 2, 1905

Thomas R. Shaw
Judge of Probate

By H. A. Lawrence
Deputy.

Public Administrators Bond

Know all men by these presents:

That we George A. Norton, principal, and James H. Wise, M. H. Taylor, E. R. Norton, J. V. Johnston, Wm Roney, A. B. Butler, L. M. Castor, James A. Caston, Daniel Triem, as securities, are held and firmly bound unto the State of Missouri, in the sum of Ten Thousand Dollars (\$10,000⁰⁰) for the payment of which we hereby bind ourselves and our heirs, executors and administrators, severally and jointly by these presents.

The condition of the above bond is such, however, that whereas the said George A. Norton, was on the eighth day of November 1904, duly elected to the office of Public Administrator, and Ex Officio, Public Guardian and Curator of the County of Daviess in the State of Missouri and has been duly commissioned. Now Therefore if the said George A. Norton, shall faithfully discharge all the duties of such office then this obligation to be void otherwise to remain in full force and effect.

Witness our hands and seals.

George A. Norton.	Seal
James H. Wise.	Seal
M. H. Taylor.	Seal
E. R. Norton.	Seal
J. V. Johnston	Seal
Wm Roney.	Seal
A. B. Butler	Seal
L. M. Castor	Seal
Jas A. Caston	Seal
Daniel Triem.	Seal

Dated at Daviess County Mo.

this first day of January A.D. 1905.

Approved.

January 2nd 1905
 Thomas R. Shaw
 Judge of Probate

Filed January 2nd 1905
 Thomas R. Shaw
 Judge of Probate

In Vacation - January 10th 1905.

In the matter of the estate of } Public administrator to
Robert Smith - deceased. } take charge.

Comes now Mary R. Butler (formerly Mary R. Smith) widow of said Robert Smith, deceased, and represents and shows to the Judge of Probate, that said Robert Smith departed this life intestate in Daviess County Missouri on the 28th day of January 1893, that at the time of his death the said Robert Smith was seized and possessed of personal property, and of certain Real Estate situate in Daviess County Missouri, that there has never been any administration on said estate, and that in order to prevent said property from being injured, wasted and lost, said petitioner prays the Court that the same may be ordered into the hands of the public administrator of said County. To the end therefore that said estate may be collected and preserved for those who may be legally entitled thereto, and that the same may not be wasted, injured or lost, it is ordered by the Judge of Probate that George W. Norton, public administrator of Daviess County Missouri, take charge of and administer said estate according to law; and do and perform all other acts and things, which are or may hereafter be required of him by the order or decree of any court having jurisdiction.

Thomas R. Shaw
Judge of Probate.

In Vacation - January 10th 1905.

In the matter of the estate of } Declaration of Election by
Robert Smith, deceased } widow.

Comes now Mary R. Butler (formerly Mary R. Smith) and widow of Robert Smith, deceased, and files her declaration of Election, which is in words and figures following:

"Declaration of Election"

Know all men by these presents, that I, Mary R. Butler (formerly Mary R. Smith), widow of Robert Smith, late of Daviess County Missouri, deceased, do elect to take all the real and personal estate, which came to the said Robert Smith, in right of our marriage, and all personal

property of the said Robert Smith deceased which came to his possession with my written consent remaining undisposed of, absolutely, not subject to the payment of my said husband's debts, and one half of all the real and personal estate belonging to my said husband at the time of his death absolutely, subject to the payment of his debts, in lieu of dower of the one third part of all lands whereof my said husband, or any other person to his use, was seized of an estate of inheritance at any time during our coverture, as provided by sections 2939, 2941, and 2943 of the revised statutes of Missouri, for the year 1899, the said Robert Smith having died without any children or other descendants in being capable of inheriting.

Witness, P. D. Lyons

E. D. Butler

Mary R. ^{her} Butler _{mark}

State of Missouri } ss.
County of Leary. } On this 5th day of January 1905 before me, personally appeared Mary R. Butler to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that she executed the same, as her free act and deed.

In Testimony Whereof I have hereunto set my ^(seal) hand, and affixed my Notarial seal, the day and year first above written.

My Commission Expires 3
February 12th 1907. 3

P. D. Lyons
Notary Public

Thomas R. Shaw
Judge of Probate.

In Vacation - January 16th 1905

In the matter of the estate of ³ Order refusing letters of
Newton Galpin, deceased ³ administration.

Now at this day comes Mary Jane Galpin, and shows to the court that she is the widow of Newton Galpin late of the County of Daviess, deceased, who died having at the time of his death personal property in this state not greater in amount than is allowed by law as the absolute property of the widow. To the end therefore that the said Mary Jane Galpin, as such widow may be authorized and empowered to collect, sue for and retain said property as her absolute property as provided by law, it is ordered that letters of administration on said estate be refused, unless on the application of creditors or other parties interested the existence of further or other property be shown.

Thomas R. Shaw
Judge of Probate.

In Vacation - January 17th 1905.

In the matter of the estate of ³ Letters of administration
Samuel Nichols, deceased ³ granted.

Comes now John Nichols, and makes application for letters of administration on the estate of Samuel Nichols deceased, who departed this life intestate January 12th 1905, in Daviess County, Missouri; possessed of personal property of the probable value of sixteen thousand dollars, in addition to real estate. And the said John Nichols, being a distributee, and son of said deceased, and entitled to administer upon said estate it is ordered that letters of administration issue to said John Nichols 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 Thirty two thousand (\$32,000⁰⁰) Dollars, conditioned for the faithful discharge of his duties according to law.

And now comes said John Nichols, and files herein his bond as such administrator in said sum of \$32,000⁰⁰ conditioned as the law directs, with Phoebe Nichols Mary Macy, D. A. Nichols, J. M. Nichols, Samuel Nichols, Hannah Drummond, and Martha Caldwell,

as securities thereon which said bond is approved. It is further ordered that John Burge and R. M. McEne. 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 in making an inventory thereof.

It is further ordered that the notice of the grant of letters of administration on said estate be published in the North Missourian, a news paper published in Gallatin Davis County Missouri.

Thomas R Shaw
Judge of Probate.

In Vacation - January 19th 1905.

In the matter of the estate of ³ Order of Private Sale
Samuel Nichols, deceased.

Now comes John Nichols administrator and files his inventory and appraisement of said estate which are approved. And said administrator makes application for permission to sell. One bay mare. One buggy, and about two hundred bushels of oats. Five ton of hay. One heating stove. One bureau, and one kitchen safe. Belonging to said estate at private sale. And the Judge of probate being satisfied that it will be for the best interest of the estate and not prejudicial to persons interested therein to sell the same at such sale, it is therefore ordered that said administrator sell said property at private sale for not less than its appraised value, for cash in hand, and that he report the same to this court

Thomas R Shaw.
Judge of Probate.

In Vacation January 26th 1905

State of Missouri }
County of Daviess }

In the matter of the alleged insanity of
Benjamin F. Young.

Now on this 26th day of January, A.D. 1905, comes Robert D. McGraw, a citizen of the County of Daviess, and gives information in writing to the Judge of the Probate Court of said County in vacation, that Benjamin F. Young, a resident of said County, is of unsound mind, and incapable of managing his affairs, and praying that an inquiry therein 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 Monday the sixth day of February, A.D. 1905, for the purpose of holding an inquiry whether the said Benjamin F. Young, be of unsound mind or not, and orders that said Benjamin F. Young, be notified of such proceedings at least five days before said special term of said Court.

Thomas R. Shaw
Judge of Probate

- In Vacation - February 3rd 1905.

In the matter of the estate of }
And Last will and Testament of } Letters Testamentary Granted.
Robert McKinnis, deceased }

Now on this day an instrument of writing purporting to be the last will and testament of Robert McKinnis, deceased is offered for probate, and the undersigned Judge having seen and examined said instrument of writing, and having also heard the testimony of E. M. Street, and Henry Ward 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 Robert McKinnis, deceased, late of Daviess County and orders the same admitted to probate. And now comes Ellen McKinnis, who is named as executor in said will and makes affidavit as required by law, and makes application for letters testamentary upon said estate, and being a suitable person for such trust, it is ordered that she be, and is hereby appointed executrix of said estate, and that letters testamentary issue to her thereon. And in as much as the testator requested in his will

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

It is further ordered that E. M. Street and Henry Ward be and they are appointed witnesses, to aid said executor in making an inventory of said estate.

Thomas R. Shaw
Judge of Probate.

In Vacatur - February 3rd 1905

In the matter of the estate of $\frac{3}{4}$ Order refusing letters of
D. J. R. Turner, deceased. $\frac{1}{4}$ administration.

Now at this day comes Cora A. Turner, and shows to the Court that she is the widow of D. J. R. Turner, late of the County of Daviess, deceased who died leaving at the time of his death, personal property in this State not greater in amount than is allowed by law as the absolute property of the widow.

To the end therefore that the said Cora A. Turner as such widow may be authorized and empowered to collect, sue for and retain said property as her absolute property, as provided by law, it is ordered that letters of administration on said estate be refused, unless on the application of creditors or other parties interested, the existence of further or other property be shown.

Thomas R. Shaw
Judge of Probate.

Special Term - Monday - February 6th 1905

State of Missouri }
County of Daviess }

In the matter of the alleged insanity of Benjamin F. Young, Court met pursuant to the order of the Judge in vacation for the purpose of holding an inquiry whether Benjamin F. Young be of unsound mind or not, and notice to said Benjamin F. Young, being returned by James M. Sampson Sheriff of Buchanan County Missouri, served by delivering to said Benjamin F. Young, a true copy of said notice, and by reading the said notice to, and in the hearing of the said Benjamin F. Young, on the 28th day of January 1905. And comes now a jury duly summoned to-wit: E. H. Dillery, Thomas Wertz, William Pundleton, Seth Sullivan, William N. Richardson, P. P. Doak, G. H. Payne, W. S. Ralov, John A. Keck, J. A. Proxel, J. E. Winburn, and Thomas R. Duggle, twelve good and lawful men who are duly sworn to well and truly, make inquiry and determine whether the said Benjamin F. Young, is a person of unsound mind or not. And the jury having heard the evidence offered touching his condition, retired to consider their verdict, and after due deliberation returned into court the following verdict:

"We the Jury find Benjamin F. Young, to be of unsound mind, and incapable of managing his own affairs"

P. P. Doak

E. H. Dillery

W. S. Ralov

Geo H. Payne

John A. Keck

W. G. Pundleton

J. A. Proxel

J. E. Winburn

W. N. Richardson

T. J. Wertz

Thos R. Duggle

Seth E. Sullivan

It is therefore adjudged by the Court that said Benjamin F. Young, is a person of unsound mind and incapable of managing his affairs, and the Court hereby appoints J. A. Selby, guardian of said Benjamin F. Young, 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 Six hundred Dollars, conditioned as required by law with such security as the court shall approve. And now comes said J. A. Selby and files herein his bond as such guardian in said sum of Six hundred Dollars, with John W. Meade, E. D. Mann, and J. B. Yates as securities thereon which said bond is by the Court approved, and said guardian is ordered to give notice of his appointment and enter upon the discharge of his duties.

Said bond being in words and figures following to-wit:

Bond.

"We J. A. Selby as principal, and John W. Meade, E. D. Mann, and J. B. Yates, as securities are held and firmly bound unto the state of Missouri in the sum of Six hundred Dollars for the payment of which we bind ourselves and our heirs: Upon the Condition, that whenever the said J. A. Selby, has been appointed by the probate Court of Daviess County Missouri, guardian of the person and estate of Benjamin F. Young, of said County, a person of unsound mind. Now if the said J. A. Selby shall take due and proper care of said Benjamin F. Young, and manage and administer his 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 Gallatin Mo. in said County this 6th day of February A.D. 1905.

J. A. Selby. (seal)
John W. Meade (seal)
E. D. Mann (seal)
J. B. Yates. (seal)

Approved by the Court:

Filed Feby 6 1905 } Thomas R. Shaw - Judge of the Probate
Thomas R. Shaw } Court of Daviess County Missouri.

Judge

In Vacation - February 9th 1905.

In the matter of the estate of Richard W. Wolfe, deceased Letters of Admin. Granted.

Came now Lucetta J. Wolfe widow of said deceased, and makes application for letters of administration on the estate of said deceased, who departed this life intestate in Dallas County Missouri on the 22nd day of January 1905. Having at the time of his death property in this state of the probable value of \$1200.⁰⁰ which may be lost, destroyed or diminished in value if speedy care be not taken of the same. To the end therefore that said property may be collected, preserved, and disposed of according to law. We do hereby appoint Lucetta J. Wolfe (widow of said deceased) administratrix of all and singular the goods and chattels, rights and credits which were of the said Richard W. Wolfe at the time of his death, with full power and authority to secure and dispose of said property according to law, and collect all moneys due said deceased, and in general to do and perform all other acts and things, which are, or may be required of her by law. And before entering upon the discharge of her duties, she is required to enter into bond to the State of Missouri as such administratrix in the sum of Twenty five hundred Dollars, with such security as the Court shall approve. Conditioned for the faithful discharge of her duties according to law. And now comes said Lucetta J. Wolfe and files her bond in said sum of \$2500.⁰⁰ as such administratrix, conditioned as the law directs, with George H. Gaines, George J. Garner, and George M. Cornelius, as securities thereon, which said bond is approved and said administratrix is ordered to enter upon the discharge of her duties. It is further ordered that George H. Gaines, and C. C. Alden be and they are appointed witnesses to aid said administratrix in making an inventory of said estate. And that notice of grant of letters of administration be published in the Gallatin Democrat.

Thomas R. Shaw
Judge of Probate.

February Term. Monday. February 13th 1905.

State of Missouri
County of Daviess

Be it remembered that at a regular term of the Probate Court of Daviess County Missouri, begun and held at the Court House in the City of Gallatin County and State aforesaid, on Monday the 13th day of February 1905, there was present Thomas P. Shaw Judge of said Court, and W. S. Hutchinson Sheriff of said County where the following proceedings were had to-wit:

Ordered that the bond of James W. McDaniel, as guardian of the person of Grace May Fitchett, a minor, taken in vacation November 28th 1904, be and the same is approved and his appointment, ratified and confirmed.

Ordered that the bond of M. S. Givens, as curator of the estate of Esther Flowers, et al. minors, taken in vacation November 30th 1904, be and the same is approved, and his appointment as such curator ratified and confirmed.

Ordered that the bond of Ida F. Henry, as guardian and curator of Glenn F. Henry, and Bernice A. Henry, minors, taken in vacation December 8th 1904, be and the same is approved and her appointment ratified and confirmed.

Ordered that the bond of James C. Stovall, as curator of the estate of Harry R. Wells, and Leander Wells, minors taken in vacation December 31st 1904, be and the same is approved and his appointment as curator ratified and confirmed.

Ordered that the bond of John Nichols, as administrator of the estate of Samuel Nichols, deceased, taken in vacation January 17th 1905, be and the same is approved, and his appointment ratified and confirmed.

Ordered that the bond of Lucetta J. Wolfe, as administratrix of the estate of Richard W. Wolfe, taken in vacation Feb'y 9th 1905, be and the same is approved, and her appointment as administratrix ratified and confirmed.

February Term. Monday February 13th 1905.

Ordered that the bond of Ruth Ramsbottom, and Elijah M. Foley Jr. as executors of Matilda Ramsbottom, deceased, taken in vacation December 31st 1904, be and the same is approved and their appointment ratified and confirmed.

In the matter of the estate of } Judgment Establishing will.
Matilda Ramsbottom, deceased.

It being shown to the Court now here, that in vacation of this Court to-wit: on the 31st day of December 1904 an instrument of writing, purporting to be the last will and testament of Matilda Ramsbottom, deceased, and attested by William C. Gillihan, and Samuel T. Brosius, as witnesses, was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Matilda Ramsbottom, deceased, and said Clerk proceeded to take the testimony of William C. Gillihan, and Samuel T. Brosius, 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 31st day of December 1904.

And the Court having inspected said will, and seen and heard the testimony of William C. Gillihan, and Samuel T. Brosius 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 Matilda Ramsbottom, 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 } Judgment Establishing will.
Robert M. Kinzie - deceased

It being shown to the Court now here, that in vacation of this Court to-wit: on the 3rd day of February 1905, an instrument of writing purporting to be the last will and testament of Robert M. Kinzie, deceased, and attested by E. M. Stewart and Henry Ward, as witnesses, was produced before the Clerk of this Court, to be proved and admitted to record as the last will of said Robert M. Kinzie deceased, and

February Term Monday - February 13th 1905.

said clerk proceeded to take the testimony of E. M. Street and Henry Ward, 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 3rd day of February 1905. And the court having inspected said will, and seen and heard the testimony of E. M. Street and Henry Ward, 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 Robert McKinnis 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 } Administrator Discharged.
Douglas B. Hill, deceased }

Comes now W. J. Minnick, administrator of the estate of Douglas B. Hill, deceased, and files the receipt of Sylvia Lierley for the sum of \$483.50 being the amount ordered paid her on final settlement of said estate, made August 17th 1899, being the August Term 1899 of this court and said estate being fully administered. It is ordered that said administrator be discharged.

In the matter of the estate of } Curator Discharged.
Grace Kemp, a minor }

Comes now Joshua B. Scott, Curator of the estate of said minor, and files her receipt properly executed, for the sum of \$723.51, being the amount found due and ordered paid her on final settlement of her estate made at November Term, 1904 of this court, and on the 19th day of November 1904, wherefore it is ordered that said curator be discharged.

In the matter of the estate of } Administrator Discharged.
Frederick B. Howard, deceased }

Comes now William C. Gillham, administrator

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of said deceased, and files the receipt of Malissa E. Yapple sole heir of said deceased for the sum of One hundred and fifty three and $\frac{56}{100}$ Dollars, being the amount due her on final settlement of said estate made with this court November 14th 1904, and said estate being fully administered. It is ordered that said administrator be discharged.

In the matter of the estate of } Executor Discharged.
James Robert Ward, dec'd.

Comes now William H. Orum, executor of deceased and files the receipt of Mrs Lillie A. Ward, widow of said deceased for the sum of \$91.92 being the amount due her as legatee of said deceased, as shown on final settlement of said estate made at the November term 1904 of this court, and said estate being fully administered said executor is discharged herein.

In the matter of the estate of } Executor Discharged.
William Lewis deceased

Comes now J. M. Parker, executor of said deceased and files his own receipt for the sum of \$658.⁰⁰ as trustee under the provisions of the will of said deceased for the trust fund passing from himself as executor of said deceased said trust fund being due the widow of said deceased, as shown by the final settlement of said estate made at the May term 1904 of this court, and said estate being fully administered said executor is discharged herein.

In the matter of the estate of } Partial Discharge
Elizabeth Montgomery, dec'd

Comes now Benjamin Steel, administrator with the will annexed of said deceased and files the receipts of Emma J. Cary, George B. Montgomery, Missamin E. Harvey, John Montgomery for the sum and amount due them respectively as legatees of said deceased, as shown by the final settlement of said estate, made at the February term 1904 of this court. It is therefore ordered that said administrator be discharged as to said above named legatees.

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In the matter of the estate of } Discharge of administration.
Albert Prindle deceased }

Comes now Nancy Prindle, administratrix of said deceased, and files the receipts of all of the distributees of said estate for the amount due each of them respectively on final settlement of said estate, made at the February term 1903 of this Court to-wit:

William J. Boorum, guardian and curator of the estate of John Boorum \$35.58

Stephen A. Wright, Curator of the estate of Goldie & Alva Prindle - minors

35.58

J. N. Prindle

35.58

John B. Prindle

35.58

And said estate being fully administered it is ordered that said administration be discharged.

In the matter of the estate of } Curator Discharged
Mabel Thompson & Thelma Thompson. }

Comes now Silas N. Best, Curator of the estate of said minors, and files the receipt of M. M. Miller, the guardian of the estate of said minors, who resides with said minors in the County of Sumner, and State of Kansas, for the sum of Seven hundred and fifty eight and $\frac{55}{100}$ Dollars, said amount being due the estate of said minors as shown by the final settlement of said Silas N. Best Curator as aforesaid, made at the November term 1904 of this Court, which said balance and estate due said minors, was by this Court ordered turned over to said M. M. Miller, the guardian of said minors in said County of Sumner and State of Kansas. Wherefore it is ordered that said S. N. Best, as Curator of the estate of said minors be and he is hereby discharged.

Estate of Albert Henry - deceased.

Comes now A. D. Wray, and presents to the Court for allowance against said estate a demand for \$6.96 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 \$6.96 and that it be assigned to the fifth class.

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Estate of W. A. Cunningham. dec'd.

Comes now D. E. Swisher 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 \$4.⁰⁰ and that it be assigned to the fifth class.

Estate of George Egbert, deceased.

Comes now "Dis Drug Company, and present to the Court for allowance against said estate a demand for \$1.³⁵ 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 \$1.³⁵ and that it be assigned to the sixth class.

Estate of William Lake, deceased.

Comes now Mrs E. J. Rozelle, and presents to the Court for allowance against said estate a demand for \$511.⁰⁰ founded on a note, executed by deceased to said claimant, dated Sept 20th 1902, due in six months, bearing six per cent interest from date. Notice 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 eleven Dollars, and that it be assigned to the sixth class.

In the matter of the estate of } Order on State Auditor
George Drummond, deceased }

Comes now Elbert George and files his petition in which he represents and shows to the Court, that he is a son and heir of Mary A. George, who was a distributee of the estate of George Drummond deceased, final settlement of whose estate, and order of distribution of the balance in the hands of the administrator, was made on the 13th day of February, 1900, by this Court; that it appears in and by said order, that said Mary A. George, the mother of petitioner, was entitled to \$41.⁸⁶ as her distributive share. Said petitioner further shows to the Court that subsequent to the said order of distribution, to wit: on the 14th day of November 1900, and during the November term thereof it

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having been brought to the knowledge of the court, that since the date of the said order of distribution, the said Mary A. George had departed this life, leaving as her sole, and only heirs her sons J. F. George and Elbert George, the petitioner herein. The administrator of said estate John A. Dunn, was ordered to pay the one half of said sum to-wit: \$20.00 to said J. F. George. And it being shown to the court that petitioner was not in a condition to receive his share of said money, as the heir of said Mary A. George, that is that he was a minor, and a nonresident of the state of Missouri, at the time of the said distribution, said administrator was then and there ordered, to pay the same into the Treasury of the State of Missouri, which was done and the same now there remains.

Said petitioner further shows to the court that he arrived at his majority on the 25th day of October 1904, and that neither he nor his agent, guardian or other person for him have during the year following, and next ensuing after the date of said order of distribution made claim to said money. Wherefore he prays the court to grant him a certificate under its seal, certifying that he is entitled to said \$20.00 as such heir of Mary A. George, as distributee of the estate of George Drummond deceased.

And it further appearing to the court, that a copy of said petition has been duly served upon Thomas A. Hicklin, prosecuting attorney of Daviess County, and said prosecuting attorney having filed his answer thereto. And the court having heard said petition and answer, and the proofs, and allegations in support thereof is satisfied that said Elbert George is entitled to said sum of \$20.00 as paid into the state treasury as set up in his petition, and as shown by the records of this court. It is therefore ordered by the court, that the State Auditor be and is hereby ordered and directed to issue his warrant on the State Treasurer for said sum of \$20.00 payable to said Elbert George.

In the matter of the estate of } Order on State Auditor
Mary B. Foster-deceased

Comes now Elbert George, and shews to the court that he is a distributee of the estate of Mary B. Foster deceased, final settlement of whose estate, and order of

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distribution thereon was made on May 14th 1903. by this court; that it appears in and by said order of distribution, that petitioner is entitled to six and 78/100 Dollars as his distributive share of said estate. Said petitioner further shows to the Court, that within one year after the final settlement of said estate, on November 13th 1903, by order of this Court, the said money was paid into the treasury of the State of Missouri, by Joseph R. Foster, administrator of said estate, where it now remains.

Petitioner further shows to the Court, that at the time of said final settlement, and order of distribution, and ever since, he has been and now is, a nonresident of the State of Missouri; And that he did not arrive at his majority till October 25th 1904, and because of these facts he was not in a situation to receive the same, and give said administrator a discharge therefor, and that neither he nor his agent, or other person for him, has during the year next ensuing after the date of said order of distribution made claim to said money.

And it further appearing to the Court that a copy of said petition has been duly served upon Thomas H. McKelvie prosecuting attorney of Dancus County, and said prosecuting attorney having filed his answer thereto; And the Court having heard said petition and answer, and the proofs and allegations in support thereof is satisfied that said Elbert George, is entitled to said sum of \$6.78 so paid into the State Treasury, as set up in said petition, and as shown by the records of this Court.

It is therefore ordered by the Court, that the State Auditor be and he is hereby ordered, and directed to issue his warrant on the State Treasurer, for said sum of \$6.78 payable to said Elbert George.

Estate of William Farnsworth, dec'd }

Comes now E. M. Patter, and presents to the Court for allowance against said estate, a demand for Eleven & 15/100 Dollars, founded on account, notice being claimed in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$11.15 and that it be assigned to the fifth class.

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In the matter of the estate of } Order of sale of Real Estate.
Elza P. Richardson, deceased.

Now at this day comes Robert F. Richardson, Administrator of Elza P. Richardson deceased, and proves to the Court that the order of publication made by the Probate Court of said County upon his petition at the November 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: Whereupon the Court proceeds to hear the testimony produced, and to examine the parties who appear touching the application of said administrator for the sale of real estate of said deceased as in said publication and petition mentioned: And it being proved to the Court that there is not sufficient personal estate and effects of said deceased charged with the payment of debts, and not sufficient assets in the hands of said administrator, to pay the debts due ^{and} owing by said estate, it is ordered that the said administrator, first having the same duly appraised according to law, do sell the real estate mentioned in said petition and hereinafter described, at private sale, for the purpose of paying the debts due by said estate as aforesaid.

The South East quarter (1/4) of the South West quarter (1/4) of Section Thirty three (33), Township Fifty Eight (58) of Range Twenty four (24) in Livingston County Missouri, containing forty acres more or less; and that the same be sold subject to a mortgage for seven hundred dollars.

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: for cash in hand, and for not less than three fourths of the appraised value thereof; 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 }
Wardle C. Bennett, 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.

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In the matter of the estate of }
Julia A. Buzard - Insane }

Ordered that the fifth annual settlement this day filed by Perry H. Lilly, guardian of said insane person be approved and recorded.

In the matter of the estate of } - Continuance
Boyd and Cecil Cook, minors }

Ordered that the settlement this day due from S. M. Cook, Curator of said minors, be continued to the May Term 1905. Hereof.

In the matter of the estate of }
Virgil Dixon, Etal - minors }

Ordered that the second annual settlement this day filed by R. V. Thompson, guardian and curator of said minors be approved and recorded.

In the matter of the estate of }
William Farnsworth, dec'd }

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

In the matter of the estate of }
Edna Roswell, Etal - minors }

Ordered that the sixth annual settlement this day filed by R. V. Thompson, guardian and curator of said minors be approved and recorded.

February Term. Tuesday. February 14th 1905.

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

Estate of Albert Henry - deceased }

Comes now Edmund Henry, and Thersia Henry his wife, and present to the Court for allowance against said estate a demand for \$360.⁰⁰ founded on agreement expressed in deed for purchase E/ & M E 1¹⁴ section 33, Township 61, Range 28, by deceased frame suit claimants, the agreement or clause in said deed being to the effect that "grantee should pay grantors the sum of \$40.⁰⁰ on the first day of March of each year so long as either of said grantors shall live". 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 \$360.⁰⁰ and that it be assigned to the fifth class.

Estate of John H. Dearey - deceased

Comes now B. L. Van Meter, and presents to the court for allowance against said estate a demand for \$67.⁹⁴ 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 \$67.⁹⁴ and that it be assigned to fifth class.

In the matter of the estate of } Final settlement & Distribution
Lindsea C. Dowell - deceased }

Now at this day comes William Dowell, one of the executors of the last will and testament of said deceased and presents his accounts and vouchers for final settlement of said estate, and it appearing to the Court that notice of said settlement has been published according to law, that all the debts and demand against said estate have been fully paid, said settlement is duly considered, and approved, and ordered spread of record. And it further appearing to the Court that there remains in the hands of said executor, belonging to said estate, and for distribution to the heirs and legatees of

February Term Tuesday - Feby 14th 1905.

said deceased under and according to the will of deceased, the sum of \$2669.74 It is therefore ordered that said Executor pay out and distribute said sum according to the provisions of said will as follows;

To Belvia O'Daniels - Request	\$ 100.00	
" Heirs of Lewis Dowell dec'd. "		
" Viola P. Dowell, minor sister	\$25.00	100.00
" Clarence M. Dowell " Brother.	\$25.00	
" Clara Dowell " Mother	\$25.00	
" William Dowell " Father	\$25.00	
" William Dowell		462.24
" John Dowell		1003.25
" Eucaline O'Daniels.		1003.25
		<u>\$ 2669.74</u>

In the matter of the estate of } Final settlement & Discharge
Alphons F. Day - deceased

Comes now Ira Day, administrator of said deceased and presents his accounts and vouchers for final settlement, and it appearing to the Court that notice of settlement has been published as required by law, that all the debts and demands against said estate have been fully paid, and all the assets of said estate exhausted, and said estate fully administered it is therefore ordered that said settlement be approved and recorded and said administrator discharged.

In the matter of the estate of } Continuance and Citation
Melinda Dutro, deceased

Ordered that the settlement this day due from Arthur B. Dutro, administrator of said estate be continued to the May term 1905, and that Citation issue for said administrator for failing to make settlement as required by law.

In the matter of the estate of } Continuance
Georgia Hilbish - a minor

Ordered that the settlement this day due from J. M. Brookshire, Curator of the estate of said minor, be continued to the May term 1905. hence.

February Term Tuesday Feby 14th 1905

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

Thomas P. Shaw
Judge

February Term - Wednesday - February 15th 1905.

Court met pursuant to adjournment, present
Thomas P. Shaw, Judge, and W. J. Hutchison, Sheriff
where the following proceedings were had to-wit:

In the matter of the estate of } Continuance
Robert F. Bennett, deceased }

Ordered that the settlement this day due from William
J. Mildow, executor of said deceased be continued to the
May term 1905 for final settlement.

In the matter of the estate of } Final settlement & Discharge
Thomas Henry, deceased }

Comes now Martin Henry, and Charles Henry, 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, and said
estate fully administered in conformity with the pro-
visions of the will of said deceased, it is therefore
ordered that said settlement do, and the same is
approved and ordered spread of records, and that
said executors be discharged thereof.

February Term Wednesday - Feby 15th 1905.

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 May term 1905 herof. for final settlement. the said Grace Hamel having become a non resident of the state of Missouri, and her authority as such curator having thereby been revoked and held for naught.

In the matter of the Copartnership }
Estate of Hamilton & Dudley. }
William D. Hamilton - Decedent }

Ordered that the first annual settlement this day filed by Boyd Dudley, surviving partner of said copartnership estate, be approved and recorded.

In the matter of the estate of } Final settlement &
Nellie Kirkade - a minor } Curator discharged.

Comes now R. H. Alderson, curator of the estate of said Nellie Kirkade, and presents his accounts and vouchers for final settlement. said ward having attained her majority, and now comes said Nellie Kirkade, and in open court waives the filing of an exhibit, and notice of said settlement and enters her appearance. whereupon said settlement is taken up and considered and approved and it appearing from said settlement that there remains in the hands of said curator, due said Nellie Kirkade the sum of \$702.²⁵ it is ordered that said curator pay to said ward said sum. And now comes said Nellie Kirkade, and receipts to her said curator for said sum of \$702.⁰⁵ and acknowledges satisfaction of record whereupon it is ordered that said curator be discharged as to said ward.

In the matter of the estate of }
Walter Kirkade, a minor }

Ordered that the tenth annual settlement this day filed by R. H. Alderson, curator of the estate of said minor be approved and recorded.

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In the matter of the estate of } Continuance & Citation
H^m S. & Lurda M. Knight minors

Ordered that the settlement this day due from Harrison Soulebow, curator of the estate of said minors be continued to the May term 1905, and that citation issue for said curator for failing to make settlement as required by law.

In the matter of the estate of } Continuance
Rosa R. Lirley - a minor

Ordered that the settlement this day due from Mary E. Lirley, curator of the estate of said minor, be continued to the May term 1905, hereby.

In the matter of the estate of }
Nancy J. Lord - Insane.

Ordered that the third annual settlement this day filed by Samuel A. Lord, guardian of said insane person, be approved and recorded.

In the matter of the estate of } Continuance & Citation
Mountie & Roy Morris minors

Ordered that the settlement this day due from John W. Morris, curator of said minors be continued to the May term 1905, and that citation issue for said curator for failing to make settlement as required by law.

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

Thomas R. Shaw
Judge

February Term. Thursday. February 16th 1905.

Court met pursuant to adjournment. present Thomas R. Shaw Judge. and W. F. Hitchison Sheriff when the following proceedings were had.

In the matter of the estate of } allowance to widow
Albert Henry, deceased }

Now this day comes Ida F. Henry, widow of Albert Henry deceased, and represents to the Court: that at the time of the death of said deceased, there was not sufficient grain, meat, vegetables, groceries or other provisions on hand, and provided for the subsistence of herself and family, that she has two children members of her family, who are altogether supported by her, wherefore she prays the Court to make an allowance to her in lieu of provisions not on hand as aforesaid, as provided by law.

And the Court having heard and considered said petition, finds that the sum of two hundred Dollars will be required to supply such deficiency.

It is therefore ordered by the Court that said sum of Two hundred Dollars be and the same is appropriated out of the assets of the estate of said deceased for the purpose aforesaid.

Estate of W^m H. Cunningham, dec'd.

Comes now Hass Brothers, and present to the Court for allowance against said estate a demand for \$9.³⁰ 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 \$9.³⁰ and that it be assigned to the first class.

In the matter of the estate of } Order refusing letters
Reuben Lewis, deceased }

Now at this day comes Viola M. Lewis, and shows to the Court that she is the widow of Reuben Lewis late of the County of Daviess, deceased, who died having at the time of his death, personal property in this state not greater in amount than is allowed by law as the

February Term - Thursday. February 16th 1905.

absolute property of the widow. To the end therefore that the said Viola M. Lewis, as such widow may be authorized and empowered to collect, see for and retain said property, as her absolute property, as provided by law; it is ordered that letters of administration on said estate be refused, unless on the application of creditors, or other parties interested the existence of other or further property be shown.

In the matter of the estate of
 Elbert C. McDonald, ^{and}
 Stella May McDonald, minor
 heirs of Hannah C. McDonald, deed } Appointment of Curator.

On this day appeared Elbert C. McDonald and Stella May McDonald, and it appearing to the Court that they are minors under eighteen and twenty one years of age respectively, but above fourteen years of age, and reside in the County of Davies and have no curator, and being directed by the Court to choose a curator of their estate, they selected their Father, Charles McDonald who being approved by the Court, is appointed Curator of the estate of said Elbert C. and Stella May McDonald, 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 Elbert C. McDonald and Stella May McDonald, 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 causes said Charles McDonald, and files herein his bond, as such Curator, in said sum of Two hundred and fifty dollars, conditioned as the law directs, with John W. Meade, and E. D. Mann, as securities thereon, which said bond was by The Court approved.

In the matter of the estate of
 Jesse Cruzon McClure, ^{and}
 Nathaniel J. McClure, minors } Additional Bond filed & approved.

Now at this day it having come to the knowledge of the Court, from the fourth annual settlement this day filed by Nathaniel J. Cruzon Jr. guardian and Curator of said minors, that the bond of said guardian and Curator

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is insufficient in amount, and that one of the securities in the bond of said guardian and curator has died.

It is therefore ordered that said guardian and curator be and he is required to file an additional bond in the sum of Five thousand Dollars. And now comes said Nathaniel G. Cruzen Jr. and files herein said additional bond in said sum of Five thousand Dollars, conditioned as the law directs, with Bettie Savage, Mary Cruzen, Pollie J. Britton and John W. Meade, as securities thereon, which said bond is approved.

In the matter of the estate of } Order for additional Bond.
Ella Bell Robison - a minor }

Now at this day it having come to the knowledge of the Court, from the fourth annual settlement of the estate of said minor, this day made and filed by J. R. Yates, testamentary guardian of the estate of said minor, that the bond of said guardian is insufficient in amount. It is therefore ordered that said guardian be and he is hereby required to give an additional bond in the sum of Seven thousand Dollars, with such security as the Court shall approve, conditioned as the law directs.

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

Ordered that the fifth annual settlement this day filed by Jacob M. Brown, curator of the estate of said Solomon Brown, be approved and recorded.

In the matter of the estate of } Final settlement & discharge
Clarence Hyatt - a minor }

Comes now Owen Edwards, curator of said minor and presents his accounts and vouchers for final settlement his said ward having attained his majority, and comes also said Clarence Hyatt, and waives the filing of an exhibit and notice of said settlement, whereupon the Court examines said settlement, which is found to be correct and is approved, and said ward having received his said curator for the balance found to be due him on said settlement, it is therefore ordered that said curator be discharged.

February Term Thursday - Feby 16th 1905.

In the matter of the estate of } Final settlement & Discharge
Thomas M. Mallory - dec'd }

Now this day comes May F. Mallory, administratrix of the estate 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 according to law; that all the debts and demands 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 } Continued
Daniel J. Morris, deceased }

Ordered that the settlement this day due from Mary E. Morris, Executrix of said deceased be continued to the May term 1905. hereof.

In the matter of the estate of }
Matthew R. Mann, dec'd }

Ordered that the first annual settlement this day filed by Joseph R. Mann, Executor of the last will and testament of said deceased be approved and recorded.

In the matter of the estate of }
Isaac C. Minnick, deceased }

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

In the matter of the estate of }
Pearl M. Cray, Etol - minors }

Ordered that the 13th annual settlement this day filed by Elizabeth M. Cray, Curator of said minors be approved and recorded.

In the matter of the estate of }
Jesse S. C., and Nathaniel P. McClure. }

Ordered that the fourth annual settlement this day filed by Nathaniel S. Craven guardian and Curator of said minors be approved and recorded.

February Term Thursday - Feby 16th 1905.

In the matter of the estate of } Settlement & Discharge
Francis M McCrory, deceased } of administrator pen. deute liti.

Now at this day comes Elijah M Foley Jr. administrator pen. deute liti of said estate and presents his accounts and vouchers for his first annual and final settlement of his accounts as such administrator pen. deute liti, which said settlement is taken up and duly considered by the Court and approved, and said administrator pen. deute liti is ordered to surrender possession of all matters and property of said estate now in his hands to W^m H. Hase and Joseph M Cray, Executors of said deceased, and that said administrator pen. deute liti be and he is hereby discharged. Said settlement and order to surrender said estate to said executors being made in pursuance of an order of the Circuit Court of Daviess County Missouri at its December term 1904 thereof, and of a stipulation therein filed in the matter wherein Rebecca C. Walker et al were plaintiffs, and Joseph M Cray et al were defendants, a duly certified copy of said stipulation having been filed with said settlement of said administrator pen. deute liti.

In the matter of the estate of } Final settlement & Discharge
John Nichols, Sr. deceased }

Comes now Phoeby Nichols, administrator of said deceased and presents her accounts and vouchers for final settlement, and it appearing to the Court that said administrator has caused notice of said settlement to be published as required by law, and it further appearing that all the debts due and owing by said estate have been fully paid and said estate fully administered, and that said settlement shows a balance due said administrator of \$16.00, it is therefore ordered that said settlement be approved and recorded and said administrator discharged.

In the matter of the Estate of }
Ella Bell Robison, minor } Orders that the fourth annual settlement this day filed by T. D. Yates, Testamentary guardian be approved & recorded.

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

Thomas R Shaw
Judge

February Term - Friday - Feby 17th 1905.

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

Estate of Henry C. Parberry, deceased.

Came now George Bleich, and presents to the Court for allowance against said estate a demand for \$17.⁰⁵ 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 \$17.⁰⁵ and that it be assigned to the sixth class.

In the Estate of John H. Searcy, dec'd.

Came now D. M. Clagett M.D., and presents to the Court for allowance against said estate a demand for \$15.⁵⁰ 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 \$15.⁵⁰ and that it be assigned to the second class.

In the Estate of Albert Henry, dec'd.

Came now C. R. Brown & Bro. and present to the Court for allowance against said estate a demand for \$35.²⁰ 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 \$35.²⁰ and that it be assigned to the fifth class.

In the matter of the estate of }
Grover C. Guinn, et al. minors }

Ordered that the 12th annual settlement this day filed by George A. Hunt, Curator of said minors be approved and recorded.

In the matter of the estate of } Final settlement & Discharge
Henry A. McNeely, deceased }

Now at this day comes Gabriel Jones, 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 settlement has been published

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according to law: that all the debts and demands 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 administrator discharged.

In the matter of the estate of } Continued as per stipulation.
Joseph Offield, deceased }

Ordered that the settlement this day due from James M. Offield Executor of said deceased be continued to the May term 1905. as per stipulation filed.

In the matter of the estate of } Final settlement & Distribution
Henry C. Parkerry, deceased }

Now at this day comes John R. Haughey, 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 settlement has been published according to law, that all the debts due and owing by said estate have been fully paid, said settlement is upon examination approved and ordered recorded. And it appearing from said settlement that there remains in the hands of said administrator due said estate for distribution to the heirs of said deceased the sum of \$6607.¹⁰ It is therefore ordered that said administrator distribute said sum to the widow and heirs of said deceased as follows:

✓ To Sarah Parberry, widow of deceased	\$1321.42
✓ " Joseph E. & Harley P. Tate, } { C. L. Tate, Curator	1321.42
✓ " D. R. Whorton, administrator of the estate of } Martha E. Whorton, deceased.	1321.42
" S. C. Pundolfo, husband and Legatee under } the will of his wife Lily Pundolfo, deceased	1321.42
" Mary E. Bleich	<u>1321.42</u>

In the matter of the estate of } Final settlement & Discharge
William Ricker, deceased }

Now at this day comes Lorrinda Ricker, executrix of the will of said deceased, and presents her accounts and vouchers for final settlement, and it appearing to the

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count that notice of said settlement has been published according to law: that all the debts and demands against said estate have been fully paid and said estate fully administered. It is therefore ordered that said settlement be approved and recorded and said Executor discharged herein.

In the matter of the estate of } Final settlement & distribution
William Ranney - deceased }

Now at this day comes James R. Heath, 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 settlement has been published according to law: that all the debts due and owing by said estate have been fully paid. said settlement is examined and approved and it appearing to the Court that there remains in the hands of said administrator for distribution to the heirs of said deceased the sum of \$167. 60. It is therefore ordered that said administrator distribute said sum to the heirs of said deceased as follows:

✓ To Jacob Ranney	\$ 20 94	✓ Emily Colvin	3 49
✓ " Eliza Rice	20 94	✓ Peter Stapleton	3 49
✓ " Elizabeth Heath	20 94	✓ Jno B. Stapleton	3 49
✓ " Wm L. Ranney	10 47	✓ J. A. Stapleton	3 49
✓ " Nevada Simmons	10 47	✓ Jane Stapleton	3 49
✓ " Alvin Ranney	5 24	✓ Inez Stapleton	3 49
✓ " Earnest Ranney	5 24	✓ Dora B. Gardner	3 49
✓ " George Ranney	5 24	✓ R. P. Ranney	3 49
✓ " Eva Sweet	5 24	✓ Nannie Day	3 49
✓ " James H. Stapleton	3 00	✓ Maudie O'Hare	3 49
✓ " George Stapleton	3 00	✓ Daisy Sanders	3 49
✓ " Robert Stapleton	3 00	✓ Pearl Lamp	3 49
✓ " Ellen Rader	3 00	Total	167 60
✓ " Mary Pettit	3 00		
✓ " Martha Severe	3 00		
✓ " Eliza Hughes	3 00		

And upon filing receipts of above distributees for the amounts due them respectively that he be discharged.

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In the matter of the estate of }
Mary B. Turner - a minor }

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

In the matter of the estate of } Continuance
Worthy D. Ray, a minor }

Ordered that the settlement this day due from Frank B. Ray, Curator of the estate of said minor be continued to the May term 1905. hereby.

In the matter of the estate of } Continuance
John R. Richardson, Insane }

Ordered that the settlement this day due from Robert Richardson, guardian of said insane person be continued to the August Term 1905.

In the matter of the estate of } Continued Generally.
John Jackson, (Insane) }

Ordered that the settlement due from Philip Jackson, guardian of said insane person, be continued generally to pass off the docket. Said guardian and his ward having become nonresidents of the state of Missouri.

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

Thomas R. Shaw
Judge

February Term - Saturday Feby 18th 1905.

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

Estate of Elza P. Richardson - dec'd.

Now at this day comes Dr. O. N. Thompson, and presents to the Court for allowance against said estate a demand for \$40.⁰⁰ founded on account for medical services during last sickness. Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$40.⁰⁰ and that it be assigned to the second class.

In the matter of the estate of } Final statement & discharge
Johnson Moffitt, a minor.

Now at this day comes W^m C. Gillham, curator of the estate of said minor, and presents his accounts and vouchers for final settlement. His said ward having attained his majority, and it appearing that said curator filed a just and true exhibit of the account between himself and his ward more than thirty days before the present term of this Court, and caused a copy of said exhibit to be served upon his said ward together with notice of the time when said settlement would be made, said settlement is therefore taken up and considered by the Court, and approved, and said Johnson Moffitt having receipted his said curator for the sum of \$674.²⁰ being the amount due him as shown by said final settlement, it is therefore ordered that said curator be discharged.

In the matter of the estate of } appointment of administrator
James M. Ward, deceased.

Now at this day comes James William Ward, and makes affidavit as required by law, and makes application for letters of administration on the estate of said deceased, who departed this life intestate on the 6th day of February 1905. Having at the time of his death in addition to real estate personal property of the probable value of Two thousand dollars. And the widow

February Term. Saturday - February 18th 1905.

of said deceased, having filed her written relinquishment of her right to administer upon said estate, and the said James William Ward, being one of the distributees of said estate, and a suitable and competent person to administer the same, it is therefore ordered that letters of administration issue to him on said estate, and before entering upon the duties of his office, he is required to enter into bond to the State of Missouri, in the sum of Five thousand dollars, with two or more securities to be approved by the Court, conditional for the faithful discharge of his duties according to law; And now comes said James William Ward, and files his said bond in said sum of \$5000.⁰⁰ with J. M. Royton, and John W. Meade as securities thereon, which said bond is by the Court approved. It is further ordered that Benjamin Cox, and Isaac W. Haynes, be and they are appointed witnesses to assist said administrator in making an inventory of said estate.

In the matter of the alleged insanity }
of Gabriel Ballinger. }
Wm J. Hutchison, Sheriff, Informant }

Now at this day comes Wm J. Hutchison, Sheriff of Daviess County Missouri, and by information in writing informs the Court, that Gabriel Ballinger, a resident of Daviess County, is a person of unsound mind, and incapable of managing his affairs; And it appearing from the evidence, that the said Gabriel Ballinger is at this time an inmate of Hospital No 2, for the insane located at St Joseph Missouri; and that he is of violent and dangerous disposition, and cannot be safely brought before the Court, it is therefore ordered that his presence be dispensed with at the investigation of the facts alleged in said information, but it is ordered that said Gabriel Ballinger be notified of such proceeding at least five days before the hearing of said cause. It is further ordered that the hearing of said cause be set for Saturday the 4th day of March 1905.

February Term - Saturday - February 18th 1905.

In the matter of the estate of } Benjamin F. Young - Insane } Order to restrain & Support.

Now at this day it having come to the knowledge of the Court, that Benjamin F. Young - who was at a special term of this Court held on the 6th day of February 1905, adjudged to be a person of unsound mind, and incapable of managing his affairs } is so far disordered in his mind as to endanger his own person, and the person and property of others; And it further appearing to the Court that the said Benjamin F. Young, is at this time an inmate of State Hospital No 2, at St Joseph Missouri, as a county patient, and that at a regular term of the County Court of Daviess County Missouri, said Court by its order entered of record and duly certified to this Court, ordered, that on and after July 1st 1905, no further expense of said Benjamin F. Young, as a patient at said Hospital, would be paid by said County.

It is therefore ordered, that in order to the proper restraint, support, and safe keeping of said Benjamin F. Young, that his guardian J. A. Selby, continue the said Benjamin F. Young in care of the Authorities of said State Hospital No 2, at St Joseph Missouri, and apply the estate of the said Benjamin F. Young, now in his hands as such guardian, so far as the same shall be necessary, to his support and maintenance at said Hospital.

In the matter of the estate of } John R. Richardson, Insane } Order to restrain and Support.

Now at this day it having come to the knowledge of the Court, that the said John R. Richardson, who was at a special term of this Court held on the 28th day of May 1901, adjudged to be a person of unsound mind and incapable of managing his affairs, is so far disordered in his mind, as to endanger his own person, and the person and property of others; And it further appearing to the Court that the said John R. Richardson is at this time an inmate of State Hospital No 2, at St. Joseph Missouri, as a county patient, and that at a regular term of the County Court of Daviess County Missouri, by its order entered of record, and duly certified

February Term - Saturday - February 18th 1905

to this court, ordered, that on and after July 1st 1905 no further expense of said John R. Richardson as a patient at said hospital would be paid by said county.

It is therefore ordered, that in order to the proper restraint, support and safe keeping of said John R. Richardson, that his guardian, Robert R. Richardson, continue the said John R. Richardson, at said hospital in care of the authorities thereof, and apply the estate of the said John R. Richardson, now in his hands as such guardian so far as the same shall be necessary to his support and maintenance at said hospital.

In the matter of the estate of }
Harley E. Barre, Etal. minors }

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

In the matter of the estate of }
Joshua S. Bennett, deceased }

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

In the matter of the estate of }
Ernest L. Pearson, a minor }

Ordered that the 13th annual settlement this day filed by O. P. Hill, Curator of the estate of said Ernest L. Pearson be approved and recorded.

In the matter of the estate of }
Lloyd S. Selby - a minor }

Ordered that the settlement this day due from S. W. Selby, Curator of the estate of said minor be continued to the May term 1905 for final settlement.

In the matter of the estate of }
Fannie Seatt, Etal. minors }

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

February Term - Saturday Feby 18th 1905

In the matter of the estate of } Final Sett. & Discharge
Leander Stewart, deceased }

Now at this day comes Anna M. Stewart, administratrix of the estate 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 said final settlement is upon examination approved and ordered recorded, and said administratrix discharged herein.

In the matter of the estate of }
Henry C. Smith, deceased }

Ordered that the first annual settlement this day filed by Ellen Smith, administratrix of said Estate be approved and recorded.

In the matter of the estate of } allowance to widow
Henry C. Smith - deceased }

Now at this day comes Ellen Smith, widow of said Henry C. Smith deceased, and represents to the Court: That at the time of the death of said deceased, there was not sufficient grain, meat, vegetables, groceries and other provisions on hand and provided for the subsistence of herself and family for one year next after the death of her said husband. That she has eight children who are members of her family, who are supported by her wherefore she prays the Court to make an allowance to her in lieu of provisions, not on hand as aforesaid as provided by law: And the Court having heard said petition, and the evidence in support thereof, finds that the sum of \$450.⁰⁰ will be required to make up said deficiency. Wherefore it is ordered that said sum of \$450.⁰⁰ be and the same is appropriated out of the assets of said estate of said deceased for that purpose: and that the administratrix of said estate pay the same, and have credit therefor in her settlement of said estate.

February Term Saturday. Feby 18th 1905.

In the matter of the estate of } Continuance
John D. Nymre. deceased.

Ordered that the settlement this day due from John N. Nymre. Executor of said deceased be continued to the May term 1905. hereof for final settlement.

In the matter of the estate of } Final settlement & Distribution
George M. Utz. deceased.

Now at this day comes J. J. and A. E. Utz. administrators 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 according to law: that all the debts due and owing by said estate have been fully paid, said settlement is considered by the court and approved, and it appearing from said settlement that there remains in the hands of said administrators due said estate the sum of \$6663.98. It is therefore ordered that said sum be distributed to the heirs of said deceased as follows:

To Mary A. Utz. (widow)	\$ 833.00
" Jasper J. Utz.	833.00
" George M. Utz.	833.00
" A. E. Utz.	833.00
" Ellen Royce	833.00
" William Utz.	833.00
" Thomas M. Utz.	833.00
" Annie B. Akes.	833.00

And upon said administrators filing receipts therefor that they be discharged.

In the matter of the estate of } Final settlement & Distribution
Lauder G. Wells. deceased.

Now at this day comes Frank P. Wells, 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 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 upon examination approved and ordered recorded. And it appearing from said settlement that there remains

February Term. Saturday Feby 18th 1905

in the hands of said administrator belonging to said estate the sum of \$183.³³ it is therefore ordered that he distribute said sum to the heirs of said deceased as follows:

✓ To Harry R. Wells. minor	James C. Stovall Curator	\$79.17
✓ " Leander Wells minor		79.17
✓ " Frank P. Wells		4.16
✓ " Clarence R. Wells.		4.16
✓ " Gertrude Alice Lake		4.16
✓ " Homer W. Wells		4.16
✓ " Hugh E. Wells.		4.16
✓ " Lillie M. Clure.		4.16

And upon said administrator filing receipts therefor that he be discharged.

Ordered that court adjourn until Monday Feby 20th 1905

Thomas A. Shaw
Judge

February Term - Monday - February 20th 1905.

Court met pursuant to adjournment - present Thomas A. Shaw, Judge, and Wm J. Hutchison, Sheriff when the following proceedings were had to-wit:

In the matter of the estate of } appointment of administrator
Philip Hess - deceased } or bonis mor. with will annexed.

Comes now Joseph A. Hess, and makes application for letters of administration with the will annexed on the estate of said deceased, and it appearing to the court from the records of this court, that the letters of administration heretofore granted to H. Margaret Hess has been revoked and held for naught by reason of the production and probate of the will of said deceased, and the said Joseph A. Hess, being one of the legates under the terms of said will, and a suitable and competent person for such trust. It is therefore ordered that he be and he is hereby appointed administrator de bonis mor. with the will annexed of said Philip Hess, deceased. And before entering on the duties of his office he is required to enter into bond to the state of Missouri, as such administrator in the sum of Twenty two thousand Dollars, with two or more securities to be approved by the court; And now comes said Joseph A. Hess, and files said bond in said sum of \$22,000⁰⁰ with H. Margaret Hess, and Robert V. Thompson, as securities thereon, which said bond is by the court approved.

In the matter of the estate of } additional Bond filed and
Ella Bell Robison - a minor } approved.

Now at this day comes Thomas B. Yates, testamentary guardian of the estate of said Ella Bell Robison, and files an additional bond as such guardian, as required by the order of this court, in the sum of Seven thousand dollars, with E. D. Mann, John W. Meade, S. O. Venable, and R. R. Wymme as securities thereon which said bond is by the court approved.

February Term - Monday. February 20th 1905.

Estate of J. D. Bennett, deceased.

Comes now Dyke Hornback, and presents to the court for allowance against said estate, a demand for \$5.⁸⁰ founded on account, notice being waived in writing and affidavit and proof made. it is ordered that said demand be allowed against said estate in said sum of \$5.⁸⁰ and that it be assigned to the sixth class.

Estate of J. D. Bennett, deceased.

Comes now the "North Missouri Lumber Co." and presents to the court for allowance against said estate a demand for \$7.⁶⁸ founded on account, notice being waived in writing, and affidavit and proof made. it is ordered that said demand be allowed against said estate in said sum of \$7.⁶⁸ and that it be assigned to the sixth class.

Estate of J. D. Bennett, deceased.

Comes now J. L. Cochran, and presents to the court for allowance against said estate a demand for seventy five cents. 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 seventy five cents, and that it be assigned to the sixth class.

In the matter of the estate of } Final settlement of administrator
Philip Hess, deceased.

Comes now H. Margaret Hess, administrator of said Estate, and presents her accounts and vouchers for her first annual settlement, with her successor, Joseph A. Hess who has been appointed administrator de bonis non with the will annexed of said deceased. the letters of administration issued to said H. Margaret Hess, having been revoked on the production and probate of the will of said deceased. Whereupon the court proceeds to the consideration of said settlement which is found to be correct and is by the court approved. And it appearing from said settlement that there remains in the hands of said administrator due said estate the sum of \$10964.⁴⁰ it is ordered that she pay said sum to her successor the said Joseph A. Hess, and on filing his receipt therefor that she be discharged.

February Term - Monday - February 20th 1905.

In the matter of the estate of }
Oscar Place, a minor }

Ordered that the 16th annual settlement this day
filed by William H. Place, curator of said minor
be approved and recorded.

Ordered that Court adjourn until Saturday March 4th 1905

Thomas R Shaw

Judge

In Vacation Feby 21st 1905.

In the matter of the estate of }
and last will and testament of } Will Probated & Executor appointed.
Adaline Dipton - deceased }

On this day an instrument of writing purporting to be the last
will and testament of Adaline Dipton, 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 Geo W. Gindler
and George R. Allen, two of the subscribing witnesses thereto in
relation to the execution of the same, does declare and adjudge
said instrument of writing, to be the last will and testament
of Adaline Dipton, deceased late of Daviess County, and orders
the same admitted to probate. And comes now L. H. Goutney
who is named as executor in said will, and makes affidavit as
required by law, and makes application for letters testamentary
upon said estate. And being a suitable person for such trust
it is ordered that he be, and is hereby appointed executor
of said estate, and that letters testamentary issue to him
thereon. And in as much as the testatrix requested in her
will, that the executor named therein, be not required to
give bond, and no creditors, or devisees, appearing to the con-
trary, it is deemed unnecessary to require a bond of said
executor herein. It is further ordered that George R. Allen
and Geo W. Gindler, be and they are appointed as witnesses
to assist said executor in making an inventory of said estate.

Thomas R Shaw
Judge

In Vacation - Feby. 22nd 1905.

In the matter of the estate of } Order for citation
Nancy Belle Goodwin - dead }

Now comes John Whitelaw and sons state that they are creditors of the estate of Nancy Belle Goodwin who died in Daviess County Missouri in the year 1904. That they have never been paid any part of their claim against said estate, that no administrator has ever been appointed on said estate, and that said deceased so far as they know died intestate. wherefore they pray the court for the appointment of an administrator of said estate. And it appearing to the Judge of probate, that none of those entitled to distribution of said estate, have applied for letters of administration, within thirty days after the death of said deceased it is therefore ordered that citation issue to John Goodwin and Susan Armstrong, distributees of said deceased on motion of said John Whitelaw & sons, to appear and qualify for administration within ten days from service of citation.

Thomas R Shaw
Judge of Probate

In Vacation March 3rd 1905.

In the matter of the estate of } Letters of administration
Andrew Warner, deceased }

Now at this day comes Hannah M. Warner, widow of said deceased and makes application for letters of administration on the estate of said deceased, who departed this life intestate on the 21st day of February 1905. having at the time of his death personal property of the probable value of \$2500.⁰⁰ It is therefore ordered that said Hannah M. Warner, be, and she is hereby appointed administrator of said estate, 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 Five 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 Hannah M. Warner, and files said bond in said sum of \$5000.⁰⁰ with Chas S. Davis, E. Ray, Warner, Jas M. Wetherston, and Rollin J. Britton as securities thereon which said bond is approved.

Thomas R Shaw Judge

February Adjourned Term. Saturday March 4th 1905

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

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

Now at this day it having come to the knowledge of the court that Sarah J. Peurt. (formerly Sarah J. Brown) who is the administratrix of the estate of Napoleon B. Brown, deceased, has since her first annual settlement of said estate intermarried with Gabriel Peurt, and that thereby her authority as administratrix of said estate has ceased, and the letters of administration issued to her on said estate are revoked and held for naught. It is therefore ordered by the court that she, at once proceed to make settlement of her accounts as such administratrix, and turn over said estate to the administrator, de bonis mori, whom one shall have been appointed.

In the matter of the estate of } Appointment of administrator
Napoleon B. Brown, deceased } de bonis mori.

The letters of administration issued to Sarah J. Brown on the estate of said deceased, having been revoked by reason of her marriage with Gabriel Peurt, since her first annual settlement of said estate. It is therefore ordered by the court, that John W. Meade, he, and he is hereby appointed administrator de bonis mori of said estate, and that he take charge of and administer said estate according to law; And before entering on the duties of his office, that he enter into bond to the state of Missouri, as such administrator de bonis mori, in the sum of Two thousand dollars, with two or more securities to be approved by the court, conditioned for the faithful discharge of his duties according to law; And now comes said John W. Meade and files said bond in said sum of Two thousand Dollars, with Sarah J. Peurt and Gabriel Peurt as securities thereon, which said bond is by the court approved, and said administrator is ordered to enter upon the discharge of his duties.

February Adjourned Term - Saturday March 11th 1905.

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

Comes now Sarah J. Feurt (formerly Sarah J. Brown) administratrix of the estate of Napoleon B. Brown, deceased, and presents her accounts and vouchers for her second annual and final settlement of said estate, on the revocation of her letters of administration. said administratrix having married since her last annual settlement, and the Court having duly considered said settlement and approved the same. And it appearing from said settlement that there remains in the hands of said administratrix due said estate a balance of \$854.⁵¹ it is ordered that said administratrix pay over said sum to John W. Meade the administrator de bonis mon of said estate, and now comes said administratrix and files the receipt of said administrator de bonis mon for said sum of \$854.⁵¹ wherefore it is ordered that she be discharged.

In the matter of the alleged insanity }
of Gabriel Ballinger.

Now, at this day this cause coming on to be heard on the information heretofore filed by W. J. Helstrom Sheriff of Davies County, Missouri, in which he informs the Court that the said Gabriel Ballinger is a person of unsound mind and incapable of managing his affairs; and it appearing to the Court that due notice of this proceeding has been served upon the said Gabriel Ballinger, by delivering to him a true copy of the same as appears by the return of James M. Sampson, Sheriff of Buchanan County, endorsed thereon; And now comes a jury duly summoned to wit: R. M. Barnett, J. H. Townsend, John A. Kirk, W. D. Ralston, Isaac Swafford, M. N. Knight, J. E. Tomlinson, J. I. Hughes, B. H. Darwater, H. A. Pilcher, A. Wornell and E. J. Harlow, twelve good and lawful men, who are duly sworn to well and truly make enquiry, and determine whether the said Gabriel Ballinger is a person of unsound mind and incapable of managing his affairs, or not; and the jury having heard the evidence offered touching his condition retire to consider their verdict, and after due deliberation

February Adj Term. Saturday March 4th 1905.

return into court the following verdict: "We the jury find Gabriel Ballinger to be of unsound mind and incapable of managing his affairs"

R. M. Barnett
J. H. Townsend
John A. Keck
W. S. Kelou
Isaac Swoford
M. M. Knight
J. E. Dickinson
J. D. Hughes
B. H. Tarwater
H. A. Pileher
A. Worrell
E. J. Harlow.

It is therefore adjudged by the Court, that said Gabriel Ballinger is a person of unsound mind, and incapable of managing his affairs, and the Court hereby appoints John C. Leopard, guardian of said Gabriel Ballinger. And it is ordered that said guardian before entering on the duties assigned him, 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.

In the matter of the estate of } Appropriation
William D. Hamilton, decd }

Comes now John F. Jordan, administrator of said estate, and represents and shows to the Court that Minnie M. Hamilton, the mother of May Hamilton, and Genevieve Hamilton, who are the children and sole heirs of said deceased, is insured in the Missouri State Life Insurance Company of St Louis, Missouri, in the sum of Three thousand dollars. That the said May, and Genevieve Hamilton are the sole beneficiaries under said policy of insurance that a quarterly premium on said insurance of \$31.40 is now due, and that the said Minnie M. Hamilton

February Adj. Term Saturday March 4th 1905

and the Mother of said May and Genevieve Hamilton is unable at this time to pay said quarterly premium of \$31.⁴⁰. That to prevent the lapsing of said policy of insurance and the ultimate loss of the same, he believes it would be to the interest of the said May and Genevieve Hamilton, and not prejudicial to the creditors of said deceased to pay said quarterly premium on said insurance out of the assets of said estate, wherefore he prays the Court to authorize and direct him to pay said quarterly premium of \$31.⁴⁰ by its order entered of records. And the Court having heard said petition and the evidence in support thereof, is satisfied that it will be to the interest of said May and Genevieve Hamilton and not prejudicial to the creditors of deceased to pay said premium on said insurance. It is therefore ordered that said sum of \$31.⁴⁰ be and the same is appropriated out of the assets of said estate for the purpose aforesaid, and that said administrator pay the same, and have credit therefor in his settlement of said estate.

In the matter of the estate of } Discharge of administrators
George M Utz - deceased

Comes now J. J. and A. B. Utz, administrators of said deceased and file the receipts of all of the distributees of said deceased for the amount due them respectively on final settlement of said estate made at the present term of this Court, to-wit: on the 18th day of February 1905, and said estate being fully administered it is ordered that said administrators be discharged.

In the matter of the estate of } Final settlement & discharge
Harry R. Reed - deceased

Now comes Elizabeth A. Reed, Executrix of said deceased, and presents her 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 and demands against said estate have been fully paid, and said estate fully administered in accordance with the will of deceased. It is therefore ordered that said statement be approved and recorded, and said Executrix discharged.

February adj. Term. Saturday March 4th 1905.

Ordered that Court adjourn until Monday March 13th 1905.

Thomas R. Shaw
Judge.

February adj. Term - Monday - March 13th 1905.

Court met pursuant to adjournment - present Thomas R. Shaw - Judge and W.^m J. Hutchison - Sheriff, when the following proceedings were had to-wit:

Estate of Samantha Castor - deceased.

Now at this day comes B. L. Van Meter and presents to the court for allowance against said estate a demand for \$4.³⁰ 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 \$4.³⁰ and that it be assigned to the fifth class.

Estate of Richard W. Wolfe, dec'd.

Comes now H. DeLaurier, M.D. and presents to the Court for allowance against said estate a demand for \$10.⁰⁰ founded on account for medical services during last sickness. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$10.⁰⁰ and that it be assigned to the second class.

Estate of Richard W. Wolfe, deceased.

Comes now Dr. J. M. W. Cannon and presents to the Court for allowance against said estate a demand for \$10.⁰⁰ founded on account for medical services during last sickness. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$10.⁰⁰ and that it be assigned to the second class.

February Adj Term - Saturday - March 13th 1905.

In the matter of the estate of } Administrators Discharged.
Philip Hess. deceased.

Comes now H. Margaret Hess. former administrator of the estate of said Philip Hess deceased. and files the receipt of Joseph A. Hess. administrator de bonis non of said deceased for the sum of \$10,964⁴⁵ being the amount due said estate on final settlement made by said H. Margaret Hess. at the present term of this Court. which sum she was ordered to pay over to Joseph A. Hess. administrator de bonis non of said estate. Wherefore it is ordered that said H. Margaret Hess as administrator be discharged.

In the matter of the estate of } Administrator Discharged.
L. G. Brookshier. deceased

Comes now John S. Brookshier administrator of the estate of said deceased. and files the receipts of all of the distributees of said estate for the amount due them respectively. on final settlement of said estate. made at the November term 1899. of this Court. and on the 13th day of November 1899. to wit: the sum of \$212.⁹⁰. And said estate being fully administered. it is ordered that said administrator be discharged.

In the matter of the Copartnership Estate } Discharge
of L. G. Brookshier & L. Z. Williams

Comes now John S. Brookshier. administrator of said Copartnership estate. and files the receipt of L. Z. Williams. surviving partner. for the amount due him on final settlement of said estate. made at the Nov^r term 1899. of this Court. and on Nov^r 13th 1899. to wit: the sum of \$483⁶⁴ and said estate being fully administered it is ordered that said administrator be discharged.

In the matter of the estate of } Bond of Guardian filed
Gabriel Ballinger - Isaac and approved.

Comes now John S. Leopard. who was on the 4th day of March 1905. appointed guardian of said Gabriel Ballinger. Isaac. and files his bond as such guardian. as required by the order of this Court. made March 4th 1905. in the sum of Two thousand dollars

February adj Term - Saturday - March 18th 1905

with John W. Meade, Homer Stewart, and George W. Lockridge as securities thereon, which said bond is by the Court approved. And it appearing to the court that the said Gabriel Ballinger, is at this time an inmate of State hospital No 2, for the insane at St Joseph Missouri, as a county patient. And the County Court of Daviess County Missouri, having at its February term 1905, ascertained that said Gabriel Ballinger has an estate in this county, which may be made subject to the payment of the expenses of keeping him at said hospital, by its order entered of record ^{and} duly certified to this Court, requests that this Court appoint a guardian for the said Gabriel Ballinger and that his estate be taken charge of by his guardian and the same applied to his maintenance as said hospital. And it further appearing from the evidence that the said Gabriel Ballinger, is so far disordered in his mind, as to endanger his own person, and the person and property of others, it is therefore ordered, that in order to the proper restraint, support, and safe keeping of said Gabriel Ballinger, that his guardian, John C. Leopold, continue the said Gabriel Ballinger in the custody and under the control of the authorities of said hospital No 2, at St Joseph Missouri.

In the matter of the estate of } Public Admin to take charge
Nancy Belle Goehman, dec'd }

Now at this day it appearing to the Court, that on the 22nd day of February 1905, on the Motion of John Whitlaw Bone, a citation to the next of kin to said deceased to appear and qualify for administration was issued by this Court, and delivered to the Sheriff of Daviess County, who as appears by his return on said notice duly served the same on those entitled to administer upon said estate, on the 28th day of Feby. 1905. And it further appearing, that more than ten days have elapsed since the service of said notice, and said persons so cited having failed to appear and qualify for administration of said estate. It is therefore

February Adj Term - Monday - March 13th 1905

ordered that G. W. Norton, public administrator of Daviess County Missouri, be and he is hereby appointed administrator of the estate of said Nancy Belle Goodwin, deceased, and that he take charge of said estate, all and singular, the goods and chattels, rights and credits which were of the said Nancy Belle Goodwin, at the time of her death, and administer the same according to law.

In the matter of the estate of
James Hammer, Robert Hammer,
and Mamie Hammer, heirs of
Paul Hammer, ^{and Rosa Hammer, died} } appointment of Curator.

On this day appeared James Hammer and Robert Hammer, and it appearing to the court that they are minors, under twenty one, but above fourteen years of age, and reside in the County of Daviess, and have no curator, and being directed by the court to choose a curator of their estate, they selected Thomas H. Hicklin, who being approved by the court is appointed curator of the estate of said James Hammer and Robert Hammer. And the said Mamie Hammer being under the age of fourteen years, it is ordered that said Thomas H. Hicklin, be also appointed curator of the estate of said Mamie Hammer, 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 James, Robert and Mamie Hammer with two or more securities to be approved by the court in the sum of Two hundred Dollars, conditioned for the faithful discharge of his duties according to law. Whereupon came said Thomas H. Hicklin and files herein his bond as such curator, in said sum of Two hundred Dollars conditioned as the law directs, with John W. Meade, and Homer Peunt as securities thereon, which said bond was by the court approved, and said curator is ordered to enter upon the discharge of his duties.

February adj Term. Monday March 13th 1905.

In the matter of the estate of } Order of Publication
Benjamin F. Royston dec'd }

Now at this day comes Robert E. Maupin, administrator of the estate of Benjamin F. Royston, 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 of May 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 Pattersonburg Call, 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 } Order of appropriation
William D. Hamilton, dec'd }

It is ordered by the Court that the sum of one hundred Dollars be and the same is appropriated out of the assets of said estate, for the support and maintenance of Genevieve Hamilton, minor child of said deceased, and said appropriation shall be allowed the administrator of said estate as so much distributed to said minor child.

Ordered that Court adjourn until Court in course.

Thomas R. Shaw
Judge

In Vacation March 22nd 1905.

In the matter of the estate of } Will Probated & Executor
Benjamin B. Worden, dec'd. } appointed.

Now on this day an instrument of writing purporting to be the last will and testament of Benjamin B. Worden deceased is offered for probate, and the judge of probate having seen and examined said instrument, and having also heard the testimony of W. C. Gillihan and D. T. Grosius, 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 Benjamin B. Worden deceased, late of Daviess County and orders the same to be admitted to probate, as such. And now comes C. A. Worden who was named as executor in said will, and makes affidavit as required by law, and makes application for letters testamentary upon said estate, and being a suitable person for such trust, it is ordered that he be and is hereby appointed executor of said estate, and that letters testamentary issue to him thereon. And before entering upon the duties of his office, he is required to enter into bond to the State of Missouri, with two or more securities to be approved by the court, in the sum of Twenty five hundred Dollars, conditioned for the faithful discharge of his duties according to law; And now comes said C. A. Worden, and files herein his bond as such executor in said sum of \$2500⁰⁰ with W. C. Gillihan and D. Harfield Davis, as securities thereon, which said bond is approved.

It is further ordered that W. C. Gillihan & Henry Kindig be and they are hereby appointed witnesses to aid said executor in making an inventory of said estate.

Thomas R. Shaw
Judge

In the matter of the estate of } Bond of Guardian
Gabriel Ballinger - Insane }

We John C. Leopard as principal, and John W. Meade
Homer Hewitt and Geo W. Lockridge, 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 John C. Leopard
has been appointed by the probate court of Daviess County
Missouri, guardian of the person and estate of Gabriel
Ballinger of said county, a person of unsound mind.

Now of the said John C. Leopard, shall take due and prop-
er care of such person of unsound mind, and manage
and administer his estate and effects to the best advan-
tage according to law, and shall faithfully do and
perform all such other acts, matters and things touch-
ing his guardianship as may be subscribed 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.

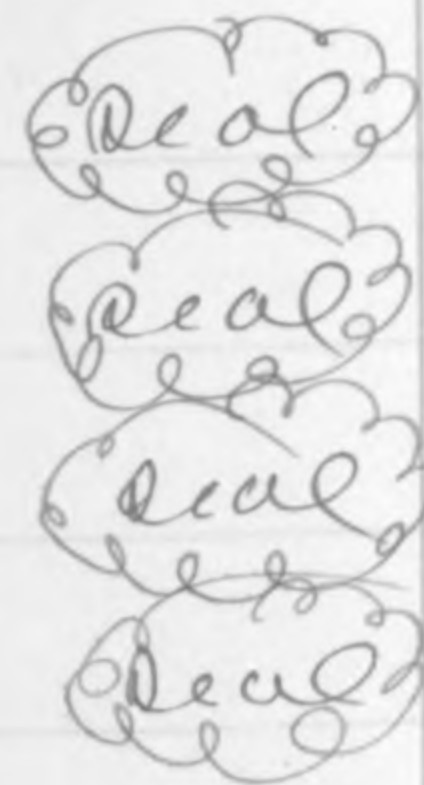
In Testimony Whereof, we have hereto set our hands
and affixed our seals at Gallatin in said county, this
4th day of March, A. D. 1905.

John C. Leopard

John W. Meade

Homer Hewitt

Geo W. Lockridge



Approved by the Court

Thomas R Shaw, Judge of the probate Court of Daviess
County Missouri

Filed March 13th 1905. }
Thomas R Shaw }
Judge }

In Vacation - March 31st 1905.

In the matter of the estate of } Order refusing letters of
Joseph T. McGee, deceased } Administration.

Now at this day comes Sarah L. McGee, and shows to the court that she is the widow of Joseph T. McGee late of the County of Davis, deceased who died, having at the time of his death, personal property in this state not greater in amount, than is allowed by law, as the absolute property of the widow. To the end therefore that the said Sarah L. McGee, as such widow, may be authorized and empowered to collect, sue for and retain said property as her absolute property, as provided by law, it is ordered that letters of administration on said estate be refused, unless on the application of creditors or other parties interested, the existence of further or other property be shown.

Thomas R. Shaw.

In Vacation - April 3rd 1905

In the matter of the estate of } Appointment of Curator
Frank E. Haynes and Mabel C. Haynes, }
minor heirs of Scott J. Haynes, dec'd }

On this day appeared Frank E. Haynes, and Mabel C. Haynes, 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 Davis, and have no curator, and being directed by the Judge of probate, to choose a curator of their estate, they selected Georgia H. Haynes who being approved by the Judge, is appointed curator of the estate of said Frank E. Haynes, and Mabel C. Haynes 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 Frank E. Haynes, and Mabel C. Haynes with two or more securities to be approved by the Court in the sum of Four thousand dollars, condition for the faithful discharge of her duties according to law. Thereupon comes said Georgia H. Haynes, and files herein her bond as such curator in said sum of Four thousand dollars condition as the law directs with D. Q. Yates, M. R. Handy, D. O. Venable and R. R. Nymme as securities thereon which said bond was by the Judge of probate approved.

Thomas R. Shaw
Judge of Probate

In Execution - April 18th 1905.

In the matter of the estate of } Will Probated and
and last will and testament } Executrix appointed,
of Perry Brannen, deceased

Now on this day an instrument of writing purporting to be the last will and testament of Perry Brannen, 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 Perry Morris and J. M. Blankenship, 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 Perry Brannen, deceased late of Davie's County, same and except that part of said will embraced in the second and third lines thereof, and which reads as follows: "I will to my sons, Milford - Robert - William - Emma and Detmer, \$1⁰⁰ each to Daughter Ira, and Pearl, \$1⁰⁰ each". And said part of said will is rejected, and probate thereof refused, for the reason that said clause was added to said will subsequent to the execution thereof by said testator, and subsequent to the attestation of said will by the subscribing witnesses thereto, and the same is with said exception admitted to probate. And now comes Mary Jane Brannen wife of said deceased who was named as executrix in said will, and makes affidavit as required by law, and makes application for letters testamentary upon said estate, and being a suitable person for such trust it is ordered that she be, and is hereby appointed executrix of said estate, and that letters testamentary issue to her thereon, and in as much as the testator requested in his will, that the executrix named therein be not required to give bond, and no creditors or devisees appearing to the contrary, it is deemed unnecessary to require a bond of said executrix herein.

Thomas P. Shaw
Judge of Probate

In Vacation - April 19th 1905

In the matter of the estate of } Letters of administration
John W. Kissinger - deceased }

Comes now Matilda Jane Kissinger, widow of John W. Kissinger deceased, and makes application for letters of administration upon the estate of said deceased who departed this life intestate on the 11th day of February 1905, having at the time of his death personal property in this state of the probable value of Fifteen hundred Dollars, and the said Matilda Jane Kissinger being entitled to administer upon said estate, and being a suitable person for such trust, it is ordered that she be and is hereby appointed administratrix of said estate, and before entering upon the duties of her office she is required to enter into bond to the state of Missouri, in the sum of Three thousand Dollars, conditioned according to law, and with two or more securities to be approved by the Court. And now comes said Matilda Jane Kissinger and files said bond in said sum of \$3000.⁰⁰ with Tyler Adams, and Grant M. Gray as securities thereon which said bond was by the Judge approved. It is further ordered that William Bristow and Grant M. Gray be and they are appointed witnesses to aid said administratrix in making and inventory of said estate.

Thomas R. Shaw
Judge of Probate.

In Vacation. April 24th 1905

In the matter of the estate of } appointment of administrator
John J. Wampler, deceased)

Came now Isaac E. Wampler, and makes application for letters of administration on the estate of John J. Wampler deceased, who departed this life intestate on the 20th day of April 1905, having at the time of his death personal property of the probable value of Twelve hundred Dollars, and it appearing to the Judge of Probate that Ella Wampler the widow of said deceased has filed herein her relinquishment of her right and preference to administer upon said estate, and the said Isaac E. Wampler being a distributee of said deceased, and suitable for such trust, it is therefore ordered that he be and is hereby appointed administrator of said estate, and before entering upon the duties of his office he is required to enter into bond to the state of Missouri, in the sum of Twenty five hundred Dollars, conditioned for the faithful discharge of his duties according to law, with two or more securities to be approved by the Court. And now comes said Isaac E. Wampler and files said bond in said sum of \$2500.⁰⁰ with Andrew J. McBrayer, Ella Wampler, John A. Keck, and W. E. Henderson, which said bond is by the Judge approved, and said administrator is ordered to enter upon the discharge of his duties.

Thomas R. Shaw
Judge of Probate

In Vacation - April 26th 1905

In the matter of the estate of } Will Probated.
and last will and testament of }
George Sales - deceased

On this day an instrument of writing purporting to be the last will and testament of George Sales, deceased is offered for probate, and the Court having seen and examined said instrument of writing, and having also heard the testimony of Della Moffett, Nathaniel G. Cruze Jr. and Rollin J. Britton 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 George Sales deceased late of Daviess County, and orders the same admitted to probate.

Thomas P. Shaw
Judge of Probate

In Vacation - April 29th 1905.

In the matter of the Estate of } Additional Bond Filed
Elbert C. McDonald. "et al" }
Stella May, McDonald, minors

Now at this day, it having come to the knowledge of the Judge of the Probate Court that the bond of Charles McDonald as curator of the estate of said minors is insufficient in amount, it is therefore ordered that said curator do and he is required to file an additional bond in the sum of Two 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 Charles McDonald and files said additional bond in said sum of Two hundred dollars with E. D. Maun and John W. Maule as securities thereon, which said bond is approved. Said curator having waived the requirement and service of notice of the intention of the Court to require said additional bond.

Thomas P. Shaw
Judge of Probate

May Term. Monday 8th May 1905.

State of Missouri } ss.
County of Daviess }

Be it remembered that at a regular term of the probate court of Daviess County Missouri begun and held at the Court house in the City of Gallatin, County and State aforesaid on Monday May 8th 1905. there was present Thomas R. Shaw Judge, and W. J. Hutchison Sheriff. when the following proceedings were had to wit:

Ordered that the bond of Hannah M. Warner, as administrator of the estate of Andrew Warner, deceased, taken in vacation, March 3rd 1905. be and the same is approved, and her appointment ratified and confirmed.

Ordered that the bond of E. A. Worden, as executor of the will of Benjamin B. Worden, deceased, taken in vacation, March 22nd 1905. be and the same is approved and his appointment ratified and confirmed.

Ordered that the bond of Georgia H. Haymes as curator of the estate of Frank E. and Mabel B. Haymes, taken in vacation, April 3rd 1905. be and the same is approved and her appointment, as curator ratified and confirmed.

Ordered that the bond of Matilda J. Kessinger, as administrator of the estate of John W. Kessinger, deceased, taken in vacation, April 19th 1905. be and the same is approved, and her appointment ratified and confirmed.

Ordered that the bond of Isaac E. Wampler, as administrator of the estate of John J. Wampler, deceased, taken in vacation, April 24th 1905. be and the same is approved and his appointment, ratified and confirmed.

Ordered that the additional bond of Charles McDonald, as curator of the estate of Elbert E. McDonald, and Stella May, McDonald, minors, taken in vacation April 29th 1905. be and the same is approved.

May Term - Monday - May 8th 1905.

In the matter of the estate of } Judgment Establishing Will.
and last will and testament }
of Adaline Tipton-deceased }

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 21st day of February 1905, an instrument of writing purporting to be the last will and testament of Adaline Tipton, deceased, and attested by George R. Allen, and George W. Guider, as witnesses, was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Adaline Tipton, deceased, and said Clerk proceeded to take the testimony of George R. Allen and George W. Guider, 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 21st day of February 1905.

And the Court having inspected said will, and seen and heard the testimony of George R. Allen and George W. Guider, 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 Adaline Tipton, 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 } Judgment Establishing Will.
and last will and testament }
of Benjamin B. Worden, dec'd }

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 22nd day of March 1905, an instrument of writing, purporting to be the last will and testament of Benjamin B. Worden, deceased, and attested by W. C. Gillihan, and S. J. Brosius, as witnesses, was produced before the Clerk of this Court, to be proved and admitted to record, as the last will of said Benjamin B. Worden deceased. And said Clerk proceeded to take the testimony of W. C. Gillihan, and S. J. Brosius, said attesting witnesses, which was by said Clerk reduced to writing,

May Term - Monday - May 8th A D 1905

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 22nd day of March 1905. And the Court having inspected said will and seen and heard the testimony of W. B. Gillichum, and S. J. Brosius, 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 Benjamin B. Worden, 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 } Judgment Establishing will,
and last will and testament of }
Perry Braumew, deceased }

It being shown to the Court now, that in vacation of this Court, to-wit: on the 18th day of April 1905, an instrument of writing, purporting to be the last will and testament of Perry Braumew, deceased, and attested by Perry Morris, and J. M. Blaukenship, as witnesses, was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Perry Braumew, deceased, and said Clerk proceeded to take the testimony of Perry Morris, and J. M. Blaukenship, 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 18th day of April 1905. And the Court having inspected said will, and seen and heard the testimony of Perry Morris, and J. M. Blaukenship, 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 Perry Braumew, 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.

May Term - Monday - May 8th 1905.

In the matter of the estate of }
and last will and testament } Judgt Establishing will
of George Dales, deceased. }

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 26th day of April 1905, an instrument of writing, purporting to be the last will and testament of George Dales, deceased and attested by Della Maffitt, Nathaniel G. Cruze Jr. and Rollie J. Britton, as witnesses, was produced before the Clerk of this Court, to be proved and admitted to record as the last will of said George Dales deceased, and said Clerk proceeded to take the testimony of Della Maffitt, Nathaniel G. Cruze Jr. and Rollie J. Britton, 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 26th day of April 1905. And the Court having inspected said will, and seen and heard the testimony of Della Maffitt, Nathaniel G. Cruze Jr. and Rollie J. Britton, 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 George Dales, 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 }
Lauder G. Wells, deceased } Administrator Discharged.

Come now Frank P. Wells, administrator of said deceased, and files the receipts of all of the distributees of said deceased, for the amount due each of them respectively on final settlement of said estate, made at the February Term 1905 of this Court, as follows:

Gertrude Alice Lake \$4.¹⁷ - Homer N. Wells \$4.¹⁷

B. R. Wells \$4.¹⁷ - Lillie M. McClure \$4.¹⁷

Hugh E. Wells \$4.¹⁷ - J. B. Stovall Curator, for Harry

B. and Lauder Wells \$158.³⁴ - Frank P. Wells \$4.¹⁷

And said estate being fully administered, said administrator is discharged.

May Term.

Monday -

May 8th 1905.

In the matter of the estate of } Final settlement - and Curator
 Stephen Herschberger, administrator } Discharged.

Comes now D. J. Taylor, Curator of the estate of said Stephen Herschberger, and presents his accounts and vouchers for final settlement, said ward having attained his majority, and comes said ward 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. Whereupon the Court takes up said settlement which is found to be correct, and is by the Court approved and a balance found to be due said ward of \$169.⁸⁶ It is therefore ordered by the Court that said Curator pay his said ward said sum, and on filing his receipt therefor that he be discharged. And now comes said Stephen Herschberger, and receipts his said Curator for said sum of \$169.⁸⁶ and enters satisfaction of record wherefore it is ordered that said Curator be discharged as to said Stephen Herschberger.

In the matter of the estate of } Final Settlement
 Philip Hess, Deceased }

Comes now Joseph A. Hess, 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 as required by law; that all the debts due and owing by said deceased have been fully paid, and said estate fully administered, it is therefore ordered that said settlement be approved and recorded and the balance remaining in the hands of said administrator of \$10,156.⁹⁰ be distributed as follows:

To Joseph A. Hess.

\$5078.⁴⁵

" H. Margaret Hess.

\$5078.⁴⁵

and upon filing receipts therefor, that he be discharged.

Estate of W. H. Cunningham, deceased.

Comes now Eugene A. Martin, and presents to the Court for allowance against said estate a demand for one hundred and eleven and 10/100 dollars founded on account notice being waived in open court, and affidavit and proof made, it is ordered that said sum of \$111.¹⁰ be allowed.

May Term

Monday

May 8th 1905.

against said and assigned to class six, and now comes E. M. Liley Jr. administrator of said estate, and files an offset to said demand of \$115.⁰⁰ which said sum is due said estate from said claimant. It is therefore considered and adjudged by the court that said demand be offset, leaving said claimant indebted to said estate in the sum of \$3.²⁰, and that said claimant pay the costs of this proceeding.

Estate of Albert Henry, deceased.

Comes now Ida Henry, widow of said deceased and presents to the court for allowance against said estate a demand for \$126.²⁰ founded on account for cattle sold by deceased, which was the separate property of the said Ida Henry. Notice being waived in open court, and affidavit and proof made, by agreement of parties the sum of One Hundred Dollars is allowed against said estate, and that said demand be assigned to class five.

In the matter of the estate of }
George E. Ashbrook, Etal. minors }

It is ordered that the sixth annual settlement this day filed by F. M. Kemp, Curator of the estate of said minors be approved and recorded.

In the matter of the estate of } Continued
Jamie E. Baker, a minor }

Ordered that the settlement this day due from Charles H. Baker, Curator of said minor be continued to the August Term 1905. Hence.

In the matter of the estate of }
Malinda M. Butler, Etal. minors }

Comes now Archie Gautrey, Curator of the estate of said minors, and files a corrected third annual settlement, which is examined and approved, and ordered spread of record. It is further ordered that the fourth annual settlement this day also filed by said Curator, on the basis of said corrected third annual settlement, be approved and recorded.

May Term.

Monday May 8th 1905.

In the matter of the estate of }
Robert F. Bennett. dec'd }

Ordered that the second annual settlement this day filed by William J. Meldow, executor of the last will and testament of said deceased be approved and recorded.

In the matter of the estate of } Continued
Helen, and Edward Barlow. minors }

Ordered that the settlement this day due from Rosa Barlow, curator of the estate of said minors be continued to the August term 1905. hereof.

In the matter of the estate of }
Boyd & Cecil Cook. minors }

Ordered that the third annual settlement this day filed by S. M. Cook, curator of the estate of said minors be approved and recorded.

In the matter of the estate of } Continued
Law E. Curtis. deceased }

Ordered that the settlement this day due from Laura J. Curtis, Executrix of said deceased be continued to the August term 1905, for final settlement.

In the matter of the estate of }
Wm A Cunningham. dec'd }

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

In the matter of the estate of }
Malinda Dutro. deceased. }

Ordered by the Court that the first annual settlement this day filed by Arthur Dutro, administrator of said deceased be approved and recorded. And it appearing to the Court from said settlement and from the inventory and appraisement returned in said estate that there is not more property belonging to said estate than is allowed by law to the husband of said deceased. Under section 111, Article five of the

May Term

Monday

May 8th 1905.

Revised Statutes of 1899. It is therefore ordered by the court that said administration be suspended, and that all further advertisements, settlements, and other proceedings under said administration be dispensed with unless further estate be discovered, or the court order the administration to be proceeded with.

In the matter of the estate of }
Wm. S. and Lurda M. Knight, minors }

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

In the matter of the estate of } Final settlement & discharge
John D. Wynne, deceased. }

Came now John N. Wynne, 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 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 said will, it is therefore ordered that said settlement be approved and recorded, and that said administrator be discharged therein.

In the matter of the estate of }
Willis E. and Frank Goatsky, minors }

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

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

Thomas R. Shaw
Judge

May Term

Tuesday

May 9th 1905

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

In the matter of the estate of } Order discharging Curator
Albert Manuel, a minor

Now at this day comes J. M. Fanning, Curator of the estate of said Albert Manuel, and files the duly acknowledged receipts of said Albert Manuel for the amount due his said ward on final settlement of his estate, made November 11th 1901. It is therefore ordered that said Curator be discharged.

Estate of Luro Angeline Gilliland.

Comes now Rosevthall & Haas, and present to the court for allowance against said estate a demand for \$11.²⁰ 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 Eleven Dollars, and that it be assigned to the Fifth Class.

In the matter of the estate of } Appointment of
Allene L. Lord, minor heir of } Guardian & Curator
Amanda M Lord, deceased

Now on this day comes Samuel A. Lord, and represents and shows to the court that Allene L. Lord, aged _____ years, is a minor child and heir at law of said Amanda M Lord deceased, that said minor resides in the County of Daviess, that she owns property not exceeding in value the sum of One hundred dollars, and prays the Court to appoint him the said Samuel A. Lord guardian of the person and estate of said minor. And it appearing to the court that the statements so made are true, and that the said Samuel A. Lord, is a suitable and competent person for such trust, it is therefore ordered by the court that he be and is hereby appointed guardian of the person and estate of said Allene L. Lord, and before entering upon the duties of his office, he is required to enter into bond to the state of Missouri, for

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The use of said Allee L. Lord, with two or more securities to be approved by the court, in the sum of Two hundred Dollars, conditioned for the faithful discharge of his duties according to law.

And now comes said Samuel A. Lord, and files herein his bond as such guardian, in said sum of Two hundred Dollars, conditioned as the law directs with Jasper Robb, and George Palmer, as securities thereon which said bond is by the court approved.

In the matter of the estate of }
Edith V. Carter, a minor.

Ordered that the second annual settlement this day filed by James J. A. Carter, curator of the estate of said minor be approved and recorded.

In the matter of the estate of }
Porterfield Foster, deceased

Ordered that the first annual settlement this day filed by W^m M. Drummond, and George Goodbar administrators of said deceased be approved and recorded.

In the matter of the estate of } Final settlement & Discharge
Robert H. Gaines, a minor

Comes now R. E. L. Gaines, curator of the estate of Robert H. Gaines, and presents his accounts and vouchers for final settlement. His said ward having attained his majority, and comes also said Robert H. Gaines, 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. Whereupon the Court duly examines said settlement which is by the Court approved, and it appearing that there is a balance due said ward of \$962.²² as shown by said settlement, it is ordered that said curator pay his said ward said sum. And now comes said Robert H. Gaines, and in open court acknowledges satisfaction of record, and receipts his said curator for said sum of \$962.²² wherefore it is ordered by the Court that said curator be discharged as to his said ward the said Robert H. Gaines.

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In the matter of the estate of }
Ray C. Gaines, a minor }

Ordered that the fifth annual settlement this day filed by R. E. L. Gaines, Curator of the estate of said minor be approved and recorded.

In the matter of the estate of }
Georgia Hilbish, a minor }

Ordered that the ninth annual settlement this day filed by J. M. Brookshire, Curator of the estate of said minor be approved and recorded.

In the matter of the estate of }
Harry A. Horn, a minor }

Ordered that the fifth annual settlement, this day filed by L. I. Dale, Curator of the estate of said minor be approved and recorded.

In the matter of the estate of }
W^m H. Hartman, Insane }

Ordered that the third annual settlement this day filed by A. A. Hartman, guardian of said insane person, be approved and recorded.

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

Thomas R. Shaw
Judge

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

In the matter of the estate of } Partial Discharge
Ella M. Hill, deceased.

Came now George W. Hill, executor of the last will and testament of said deceased, and files the receipts of the following named legates of said deceased for the amounts shown to be due them under the provisions of said will, and on final settlement of said estate, made May 15th 1901, in the probate Court of Daviess County Missouri, to-wit:

Mrs L. D. Hill (formerly Mrs Power) \$ 200.⁰⁰

Louisa D. Jones. 320.⁰⁰

Doc E. Power 295.⁰⁰

It is therefore ordered that said executor be discharged as to said above named legates.

In the matter of the estate of }
Jesse C. and Nathaniel P. McClure } Order of Sale of Real Estate
minors.

On this day comes N. T. Cruzen Jr. guardian and curator of the person and estate of Jesse C. & Nathaniel P. McClure, minors, and files his petition for the sale of real estate of said minors therein described as follows to-wit: The undivided one sixth of a one eighth interest in the west half of the North East quarter of section 2) two, Township 52) fifty two, of Range 21) twenty one, in Saline County Missouri, said minors owning said interest in equal parts, subject to the life estate of Mrs Mary Cruzen, setting forth that said land has no improvements, except fences - which are now in bad repair, that no income has been derived to any person from said land for the last year, and that the parties owning the other interests in said land, desire, and intend to sell their interest, and cannot do so, unless all the interests in said land can be sold, and if the interest of said minors is not sold by order of this Court, said other interested parties will institute a suit in partition, against these minors which would in the matter of costs and attorneys fees, be

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greatly to the detriment of said minors, on account of the small interest said minors have in said land, and that in view of these facts, and the further fact that said land and fencing is deteriorating in value, said guardian and curator believes it is to the interest of said minors that said land be sold, and the proceeds thereof loaned out at interest under the direction of this court.

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

In the matter of the estate of } Order of sale of real estate.
Mary E. Steel - (Insane)

On this day comes Isaac C. Cruzar, guardian of said Mary E. Steel, an insane person, and files his petition for the sale of real estate, setting forth that said Mary E. Steel, is the owner of an undivided one eighth of the West half of the North East fractional quarter of section (2) two, Township (52) fifty two, and Range (21) twenty one in Saline County Missouri, that the value of said land is about \$3500⁰⁰, that there are no buildings or other improvements on said land except fences which are now in bad condition, and that said land is so situated, and run down, that it is not possible to rent the same to advantage, that the parties owning the other undivided seven eighths, desire to sell their interest in said land, and will in all probability institute a suit in partition for that purpose, which would entail upon said estate of said Mary E. Steel, a large amount of expense that it is to the interest of said Mary E. Steel that said land be sold by her guardian, and that the proceeds arising therefrom be loaned out on real estate.

And the court having heard the petition of said guardian and the evidence in relation thereto, is satisfied that

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

In the matter of the estate of } Administrator Discharged
Philip Hess, deceased

Comes now Joseph A. Hess, administrator with the will annexed, and files the receipt of H. Margaret Hess for the sum of \$5078.⁴⁵ being the amount due her as a legatee of said, deceased on final settlement of said estate made at the present term of this Court and said estate being fully administered said administrator is discharged herein.

Estate of Nancy Belle Goodwin dec'd.

Comes now John Whitelaw & sons, and present to the Court for allowance against said estate a demand for \$73.⁵⁶ founded on account, due notice of the presentation of said demand having been served upon the administrator of said estate, and affidavit and proof made. It is ordered that said demand be allowed against said estate in said sum of \$73.⁵⁶ and that it be assigned to the fifth class.

In the matter of the estate of } Letters of administration Granted.
Sarah A. Brown, deceased

Comes now Lewis M. Best, and makes application for letters of administration on the estate of said deceased who departed this life intestate on the 28th day of April 1905, in Daviess County Missouri, having at the time of her death personal property of the probable value of one thousand dollars. And the heirs of said deceased entitled to administer upon said estate, having filed their relinquishment of such right and requested the appointment of said Lewis M. Best as such administrator

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It is therefore ordered that he be and is hereby appointed administrator of said estate, and before entering upon the duties of his office he is required to enter into bond to the state of Missouri, in the sum of Two Thousand Dollars with two or more securities to be approved by the court, conditioned for the faithful discharge of his duties according to law. And now comes said Lewis M. Best, and files said bond, in said sum of Two Thousand Dollars, with W. W. Cawptree, D. W. Cawptree, D. F. Brinnon, and J. H. Murphy, as securities thereon which said bond is by the court approved.

It is further ordered that Jno P. Smith, and Robert E. Maupin be and they are appointed witnesses to accompany and assist said administrator in making an inventory of said estate.

In the matter of the estate of
Bertha L. Patton & Elor M. Patton
minor heirs of Laura M. Patton, deceased.

} Appointment of Curator.

Now on this day comes William R. Patton, and represents and shows to the court, that he is a resident of the county of Daviess, and is the Father of Bertha L. Patton, and Elor M. Patton, aged twelve, and ten years respectively, and praying the court to appoint him curator of the estate of said minors, and it appearing to the court that said minors own property, not derived from said William R. Patton, and not exceeding in value the sum of Five hundred Dollars, and that the said William R. Patton, is a suitable and competent person for such trust, it is ordered by the court that said William R. Patton, be, and he is hereby appointed curator of the estate of said Bertha L. Patton, and Elor M. Patton, 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 Bertha L. Patton, and Elor M. Patton, with two or more securities to be approved by the court, in the sum of One thousand dollars, conditioned for the faithful discharge of his duties according to law. Thereupon comes said William R. Patton and files herein his bond as such curator in said sum of One Thousand Dollars conditioned as the law directs.