

Record Book

Volume 5

May 1903 – May 1906

**May 10, 1905-
November 14, 1905
(Pages 401-500)**

May Term - Wednesday May 10th 1905.

with Robert P. Wymse, Samuel M. Grove, and J. S. Patton, as securities thereon, which said bond is by the court approved.

In the matter of the estate of } Continued
Grace M. & Clara P. Hamel, minors

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

In the matter of the estate of }
James L. Haynes, deceased

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

In the matter of the estate of } Continued
John D. James, - Insane.

Ordered that the settlement this day due from E. M. Foley Jr. guardian of said John D. James be continued to the August Term 1905. hence.

In the matter of the estate of } Continued
William A. Johnson, dec'd.

Ordered that the settlement this day due from Obed S. Gentry, administrator of said deceased be continued to the August term 1905.

In the matter of the estate of }
Rosa Ree Lierley, a minor

Ordered that the fifth annual settlement this day filed by Mary E. Lierley, curator of the estate of said Rosa Ree Lierley, be approved and recorded.

In the matter of the estate of }
John F. Lampkins, Etal minors

Ordered that the fourth annual settlement this day filed by Benjamin A. Prishard, curator of said John F. Lampkins and others - minors be approved and recorded.

May Term

Wednesday

May 10th 1905.

In the matter of the estate of }
Elmer D. Lambert. Etal }

Ordered that the first annual settlement this day filed by Lewis M. Best, guardian and curator of the person and estate of said minors be approved and recorded.

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

Thomas R. Shaw

May Term Thursday May 11th 1905.

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

In the matter of the estate of } Will probated and
and last will and testament of } Executrix appointed.
Julia A. Buzard, deceased

Now on this day an instrument of writing purporting to be the last will and testament of Julia A. Buzard deceased, is offered for probate, and the Court having seen and examined said instrument of writing, and having also heard the testimony of J. D. Davis and Mrs. Annie Hutchison 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 Julia A. Buzard, deceased late of Davies County, and orders the same to be recorded as such.

And comes now Effie L. Buzard, 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 do, and is hereby appointed executrix of said estate, and that letters testamentary issue to her thereon. And in as much as the testatrix requested in her 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.

In the matter of the estate of } Final settlement & Discharge
Francis M. McGary, dec'd }

Now at this day comes Joseph McGary, and Wm. H. Place 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 according to law, that all the debts due and owing by said estate have been fully paid, and said estate fully administered, in pursuance of the provisions of the will of deceased, it is therefore ordered that said settlement

May Term Thursday May 11th 1905.

be approved and recorded, and that said executor be discharged herein.

In the matter of the estate of } Order concerning Sale,
Elza P. Richardson, deceased }

Now comes Robert F. Richardson, administrator of Elza P. Richardson, deceased, and submits to the court his report of sale, by which it appears that he did on Friday the 17th day of March 1905, in obedience to the order of this court, made at the February term 1905, thereof, sell at private sale to Ida Virginia Hoskins, for the sum of Fifteen hundred Dollars, the real estate in said order of court, and report particularly described viz: The South East quarter (1/4) of the South West quarter (1/4) of Section (33) thirty three, Township (38) fifty eight, and Range (24) twenty four, situate in Livingston 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 the said administrator is ordered, to execute, acknowledge and deliver, to said Ida Virginia Hoskins, a deed in due form of law, conveying to the said Ida Virginia Hoskins, all the right, title, and interest, which the deceased had in the same at the time of his death.

In the matter of the estate of } Order of sale of real Estate,
Preston G. Prindle, a minor }

On this day comes James H. Prindle, curator of the estate of Preston G. Prindle, a minor, and files his petition for the sale of real estate of said minor therein described, setting forth that said minor is the owner of the undivided one eighth interest, in and to the East twenty (20) acres, of the East half of the North East quarter (1/4) of section twenty three (23) Township (61) sixty one, and Range twenty eight (28) in Daviess County Missouri, containing in said one eighth part, Eight & 3/4 acres more or less. That said land is improved and has upon it, a dwelling house and other improvements

May Term

Thursday.

May 11th 1905.

the same having been inherited by the said Preston G. Prindle, along with other heirs of Nathaniel Glaze deceased. That the property is of such a character that a division in kind cannot be had among the eight interests involved therein. That all of the other heirs are adults, and that a division of said property if had by partition proceedings in Circuit Court will prove very expensive. That the said property is worth fifty dollars per acre, and the interest of said ward, will be greatly promoted by a sale of the said property at the hands of this court. That the funds derived therefrom, can be invested in farm mortgages at a good rate of interest, or loaned on other solvent security. Wherefore he prays the court for an order of sale of said real estate, at private sale.

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

Estate of Andrew Warner, dec'd.

Comes now Fred E. Warner, assignee and presents to the court for allowance against said estate a demand for \$75.²⁴ founded on a note executed by deceased, to E. M. Cor. dated September 2nd 1904, due in six months for \$75.⁰⁰ with eight per cent interest from maturity, notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$75.²⁴ and that it be assigned to the fifth class.

May Term Thursday May 11th 1905.

Estate of B. F. Royston. dec'd.

Comes now Macy, Nixon & Co. and present to the court for allowance against said estate a demand for \$15.⁰⁰ 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 \$15.⁰⁰ and that it be assigned to the sixth class.

Estate of Adaline Tipton. dec'd.

Comes now Jno I. Gough. and presents to the court for allowance against said estate. a demand for \$51.⁰⁰ founded on account for burial casket and robe. 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 \$51.⁰⁰ and that it be assigned to the first class.

Estate of Samantha Castor. dec'd.

Comes now Jno I. Gough. and presents to the court for allowance against said estate a demand for \$81.⁷⁵ founded on account for burial casket. notice being waived in writing and affidavit and proof made. it is ordered that said demand be allowed against said estate in said sum of \$81.⁷⁵ and that it be assigned to the first class.

In the matter of the estate of }
Emily Minnick - Insane }

Ordered that the 23rd annual settlement this day filed by Joseph M Cox. guardian of said insane person be approved and recorded.

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

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

May Term - Thursday May 11th 1905.

In the matter of the estate of }
Lola A. Mason, a minor }

Ordered that the second annual settlement this day filed by R. J. Britton guardian and curator of the estate of said minor be approved and recorded.

In the matter of the estate of } Continued
Mountie & 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 August term 1905.

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 the last will and testament of said deceased be approved and recorded.

In the matter of the estate of }
John W. Macrauder - a minor }

Ordered that the first annual settlement this day filed by John A. Macrauder, curator of the estate of said minor be approved and recorded.

In the matter of the estate of }
Wm M & James D Matchett, minors }

Ordered that the first annual settlement this day filed by Charley A. Scott curator of the estate of said minors be approved and recorded.

In the matter of the estate of } Continued
Corwin E. Miller, a minor }

Ordered that the settlement this day due from George A. Miller, curator of the estate of said minor be approved and recorded.

In the matter of the estate of }
Hattie E. Noah, Etal. minors }

Ordered that the 13th annual settlement this day filed by William H. Place curator of the estate of said minors be approved and recorded.

May Term- Thursday. May 11th 1905.

In the matter of the estate of }
Elza P. Richardson, deceased. }

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

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

Thomas R. Shaw
Judge of Probate.

May Term -

Friday

May 12th 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 James M Ward, dec'd.

Comes now the Buren Furniture Company and present to the court for allowance against said estate a demand for \$99.⁰⁰ founded on account for burial casket, and funeral expenses. Notice being waived in writing, and affidavit and proof made. It is ordered that said demand be allowed against said estate in said sum of \$99.⁰⁰ and that it be assigned to the first class.

In the matter of the estate of } Allowance to widow.
John J. Wampler, deceased }

Comes now Ella Wampler, widow of John J. Wampler, deceased, and prays the court for an appropriation out of said estate, to supply the deficiency in grain, meat, vegetables, and groceries, which were not on hand and provided for the support of said widow for one year next after the death of her husband, and to which she is entitled by law. And the court having her petition of said Ella Wampler, and the evidence in support thereof finds that the sum of One Hundred Dollars will be required to supply such deficiency. It is therefore ordered by the court that the sum of one hundred dollars be and the same is appropriated out of the personal estate of said deceased for the purpose aforesaid.

Estate of Matilda Ramsbottom, dec'd.

Comes now McBue and Henderson, and present to the court for allowance against said estate a demand for \$100.⁰⁰ founded on account for burial casket. Notice being waived in open court and affidavit and proof made. It is ordered that said demand be allowed against said estate in said sum of One hundred dollars, and that it be assigned to the 1st first class.

May Term

Friday

May 12th 1905

In the matter of the estate of } Order of sale of real estate.
 Ina Mae Mitchell - a minor }

On this day comes Nelson J. Smith, guardian of the person and estate of Ina Mae Mitchell, a minor of about the age of fourteen years, and files his petition for the sale of real estate of said minor therein described as follows to-wit: The undivided one fifth of thirty eight acres in the North West quarter of the South East quarter of section Eight (8) Township sixty (60) and Range Twenty four (24) situate in the County of Grundy, and state of Missouri. Also the undivided one fifth of Lot three (3) in Block nineteen (19) in the City of Trenton Missouri. Said guardian further states that said land is improved, and has upon it improvements as follows, a dwelling on said lot. That said building and improvements on the said land are in a dilapidated condition, and rapidly decaying. That said real estate is deteriorating in value by reason of age, and conflicting interests, and that it will not be to the interest of said ward to use the other funds in the hands of said guardian for repairs or improving same, there being no income from said real estate. The sale is for the purpose of reinvestment. Said petitioner further states that said real estate is now worth one hundred and fifty dollars, and that it would be greatly to the interest of said ward if the real estate aforesaid be sold, and the funds arising from the sale thereof be put on interest. Wherefore in consideration of the premises he prays for an order to sell such real estate. And the court having heard the petition, and evidence in relation thereto is satisfied that said order should be granted. It is therefore ordered by the court, that said guardian be, and he is hereby authorized, and empowered, to sell the said real estate, at 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.

May Term-

Friday

May 12th 1905.

In the matter of the estate of } Order of Sale of Real Estate
John D. James. Insane. }

On this day comes E. M. Foley Jr. guardian of said John D. James, and files his petition for the sale of real estate of said insane person, therein described, and said guardian represents and shows to the court that the personal property of said insane person, appraised April 28th 1903, at \$214.⁰⁰ consisting of cows and calves and other live stock, and wagon and buggy have been suffered to remain in the hands of the wife and family of said John D. James, to be used by them in and for their maintenance and support. That of the real estate of the said John D. James, inventoried, he did on the 8th day of December 1903, in obedience to the order of this court, sell to Elmer E. Githens, for the payment of debts of said John D. James, the North half of the North West quarter of section 4, Township 61, Range 27, in Daviess County Missouri, for the price and sum of \$2960.⁰⁰ leaving unsold and undisposed of of the real estate of said John D. James, the North half of the South East quarter of section 32, Township 62, Range 27, in said county. Said guardian further shows, that there have been allowed as demands against said estate the following: No. 1. Class 5, in favor of Robert S. James, Judgment, and interest at six per cent, amounting at time of allowance August 26th 1903, to \$2016.⁰⁰. Demand No 2. Class 5, in favor of Hamilton and Dudley, \$100.⁰⁰. That there was received from rent on land, the sum of \$129.⁰⁰ which said amount together with the said sum of \$2960.⁰⁰ derived from the sale of said lands, have been applied to the payment of said demands, the payment of taxes, and costs of administration as shown by his first annual settlement, so far as they would go, and that said settlement shows a balance due the guardian, of \$57.²⁸, and that said demand No 2, yet remains unpaid, and also about \$540.⁰⁰ yet remains unpaid on said demand No 1.

Said guardian further shows that there is no money or property of said insane person, in his hands, except as above stated, nor are there any debts or obligations due said insane person, so that there will not be found in the hands of the guardian any thing to pay the debts

May Term

Friday

May 12th 1905.

of said insane person, without selling the remainder of the real estate of said insane person, inventoried as follows: The North half of the South East quarter of section 32, Township 62 of Range 27, in Daviess County Missouri:

Said guardian further shows to the Court as a further reason for the sale of said land, that it would be for the benefit of said ward to sell the same for reinvestment in another house for the family of said John D. James, that in as much as, a part of said land would have to be sold for the purpose of paying the remaining debts such part could not be so advantageously sold, as could the whole tract. That the surplus if any that might arise from the sale of said land, after the payment of all debts, and expenses of administration would be more beneficial to said ward, and his family in the form of real estate for another home, for them, than it would in securities, or other form of investment. Said guardian therefore recommends, that said land of his said ward, be sold at private sale for the payment of debts and reinvestment as heretofore set forth according to law.

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

In the matter of the estate of } Allowance in lieu of provisions
Richard W. Wolfe deceased }

Comes now Lucette J. Wolfe, widow of said deceased and represents to the Court that at the time of the death of deceased there was no grain, meat, vegetables, groceries or other provisions on hand and provided for the subsistence of herself and family, except of the value of ten dollars.

May Term.

Friday

May 12th 1905.

that she has four children at home who are members of her family. wherefore she prays the Court for an appropriation out of said estate to supply such deficiency, and grant her an allowance in lieu of provisions.

And the Court having heard and considered said petition and the evidence in support thereof finds that the sum of Two hundred and fifty dollars will be required to supply such deficiency. It is therefore ordered by the Court that said sum of \$250⁰⁰ be and the same is appropriated out of the personal assets as said estate for said purpose. and that said administratrix have credit therefor in her settlement of said estate.

In the matter of the estate of }
Taylor Graybill. a minor

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

In the matter of the estate of }
Oliver Goin. a minor

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

In the matter of the estate of }
Harriett W. Haughton. Etal. minors

Ordered that the third annual settlement this day filed by John C. Leopard curator of the estate of said minors be approved and recorded.

In the matter of the estate of }
James Huston. Etal. minors

Ordered that the first 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 } Continued
Joseph Offield. deceased

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

May Term

Friday

May 12th 1905.

In the matter of the estate of }
Goldie M. Prindle. Etal. minor

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

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

Ordered that the sixth annual settlement this day filed by J. B. Yates, guardian and curator of the person and estate of said minor, be approved and recorded.

In the matter of the estate of } Continued
B. F. Royston & Son.

Ordered that the settlement this day due from Robert E. Maupin, administrator of said Copertownship estate, be continued to the August Term 1905.

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

Ordered that the third annual settlement this day filed by E. M. Foley Jr. guardian of the person and estate of said Warren Reed, be approved and recorded.

In the matter of the estate of }
Benjamin F. Royston, deced.

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

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

Ordered that the eighth annual settlement this day filed by Martin A. Scott, guardian of said John M. Scott, be approved and recorded.

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

Thomas R. Shaw
Judge

May Term - Saturday. May 13th 1905

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

Estate of John H. Searcy, deceased.

Comes now S. S. Heimbach, and presents to the court for allowance against said estate a demand for \$184.⁰⁸ founded on two promissory notes described as follows: One note dated Feby 25th 1901. for \$62.⁸⁰ due in twelve months with eight per cent per annum interest from date signed by Albert Searcy, and John H. Searcy, executed to E. H. Grant, and assigned to S. S. Heimbach, credited Oct 26th 1903. \$14.²⁴ balance now due \$70.⁷⁶. And one note dated Jan 12th 1901. for \$100.⁰⁰ executed to J. P. Dixon and assigned to S. S. Heimbach, bearing 8% interest from date - credited Jan 12th 1902 \$8.⁰⁰ - Oct 26th 1903 \$14.⁸⁵ balance now due \$113.³² Total amount due on said two notes \$184.⁰⁸. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$184.⁰⁸ and that it be assigned to the fifth class.

Estate of John H. Searcy, deceased.

Comes now E. V. Shumbach, and presents to the court for allowance against said estate, a demand for \$138.⁷⁵ founded on a note executed by A. A. Searcy and John H. Searcy, dated Sept 30th 1901. for \$136.⁹⁰ due in twelve months with eight per cent per annum interest from date. Credited Sept 30th 1903. with \$10.⁹⁵, and on March 10th 1905. \$15.²⁰ leaving a balance due on said note of \$138.⁷⁵. 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 \$138.⁷⁵ and that it be assigned to the fifth class.

In the matter of the estate of } Order of Publication
John H. Searcy, deceased }

Now at this day comes Jackson Searcy, administrator of the estate of John H. Searcy, deceased and presents to the court his petition, praying for the sale of so much of the real estate of said deceased as will

May Term - Saturday May 13th 1905.

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 August 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 Gallatin Democrat, a newspaper published in this County, and state for four weeks before the next term of this Court. And that personal service of this notice be made on the heirs and devisees of deceased resident in said County, at least ten days next before the next term of this Court.

In the matter of the estate of } Order of Publication
James H. Ellis-deceased }

Now at this day comes Isaac J. Oxford, administrator of the estate of James H. Ellis, 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 August, 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 Jannsport Gazette, a newspaper published in this County, and state for four weeks before

May Term

Saturday

May 13th 1905.

the next term of this court, and that personal service of this notice be made on the heirs and devisees of deceased resident in said county at least ten days before the next term of this court.

Estate of Albert Henry, deceased.

Comes now the Davies County Bank, and presents to the Court for allowance against said estate a demand for \$78.92 founded on a note executed by G. E. Stapleton and Albert Henry to said bank, dated March 15th 1904, due in six months, with eight percent interest from date. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$78.92 and that it be assigned to the fifth class.

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

Ordered that the Eleventh annual settlement this day filed by F. B. Ray, Curator of the estate of said minor be approved and recorded. It is further ordered that the additional bond this day filed by said curator, in the sum of Three thousand Dollars, in compliance with the order of this Court heretofore made be approved and recorded.

In the matter of the estate of }
Eleanor Roberts, Etal. minors }

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

In the matter of the estate of } Final settlement & Discharge
Lloyd S. Delby, a minor }

Now at this day comes D. W. Delby, Curator of the estate of said Lloyd S. Delby, and presents his accounts and vouchers for final settlement, and it appearing to the Court that said curator has filed a just and true exhibit of his account between himself and his said ward and caused a copy of said exhibit, and notice of said settlement to be served upon his said ward as required by law

May Term

Saturday

May 13th 1905.

said settlement is therefore taken up and considered by the Court and is by the Court approved, and said curator having filed herein the receipt of his said ward for all sums and balances due him, which receipt is duly acknowledged, it is therefore ordered that said settlement be approved and recorded and that said curator be discharged herein.

In the matter of the estate of } continued
Mary Stiffler, deceased

Ordered that the settlement this day due from J. C. Stovall administrator of said estate be continued to the August term 1905. for final settlement.

In the matter of the estate of }
John H. Searey, deceased

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

In the matter of the estate of }
William Taylor, a minor

Ordered that the third annual settlement this day filed by J. H. Taylor Jr. Curator of the estate of said minor be approved and recorded.

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

Ordered that the fourth annual settlement this day filed by Joseph C. Whitt Curator of the estate of said minor be approved and recorded.

Ordered that Court adjourn until Wednesday May 24th 1905. 4 o'clock

Thomas R. Shaw

Judge

May Adjourned Term. Wednesday May 24th 1905

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

Estate of John J. Wampler, deceased.

Comes now M. A. Smith, M.D. and presents to the court for allowance against said estate a demand for \$15.⁹⁰ founded on account for medical services during last sickness of deceased. Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$15.⁹⁰ and that it be assigned to the second class.

Estate of John J. Wampler dec'd

Comes now McClure and Henderson, and present to the court for allowance against said estate a demand for \$67.⁰⁰ founded on account for burial casket. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$67.⁰⁰ and that it be assigned to the first class.

Estate of Richard W. Wolfe, dec'd.

Comes now J. W. Deems, and presents to the court for allowance against said estate a demand for \$7.⁰⁰ founded on account. Notice being waived in writing, affidavit and proof made and \$6.⁵⁰ allowed on said demand against said estate and assigned to the fifth class.

Estate of Richard W. Wolfe dec'd

Comes now H. Tilly, and presents to the court for allowance against said estate a demand for \$80.⁵⁰ founded on account for funeral expenses. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$80.⁵⁰ and that it be assigned to the first class.

May Adjourned Term. Wednesday May 24th 1905.

In the matter of the estate of } Final settlement & discharge
Elizabeth L. Haughton - minor }

Came now John C. Leopold, curator of the estate of said Elizabeth L. Haughton, and presents his accounts and vouchers for final settlement, his said ward having attained her majority, and said ward having in open court waived the filing of an exhibit and notice of said settlement, and entered her appearance, said settlement is upon examination approved and ordered recorded, and now comes said Elizabeth L. Haughton and in open court receipts her said curator for the sum of \$153.⁴⁴ being the amount due her on said settlement, and acknowledges satisfaction of record wherefore it is ordered that said curator be discharged as to his said ward.

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

It is ordered by the Court that the sum of one hundred and fifty Dollars be and the same is appropriated out of said estate for the support of Genevieve Hamilton, minor child of said dec'd and that said sum be allowed the administrator of said dec'd as so much distributed to the said Genevieve Hamilton.

Estate of Richard W. Wolfe dec'd.

Came now Walter D. Agnew, secy for Missouri Wesleyan College, and presents to the Court for allowance against said estate a demand for \$10.⁰⁰ founded on account for subscription to said college, 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 \$10.⁰⁰ and that it be assigned to the fifth class.

In the matter of the estate of } Order of sale of real
Gabriel L. Ballinger, Jr. - Insane } Estate.

On this day comes John C. Leopold, guardian of the person and estate of Gabriel L. Ballinger Jr.

May Adjourned Term. Wednesday May 24th 1905.

and files his petition for the sale of real estate of said insane person. therein described as the south 22. acres of the South West quarter of the South East quarter of section (33) Thirty three. Township (59) fifty nine of Range 26. also an undivided one half interest in a strip of land one rod wide beginning at the North West corner of said 22. acres thence north to center of said section 33. Township 59. Range 26. to the public road. And said guardian represents and shows to the court, that there is no personal property or money in the hands of the guardian, belonging to his said ward. That said ward is now confined in State Hospital for insane No 2 at St Joseph Missouri, that the maintenance of said ward at said hospital has heretofore been defrayed by Daviess County Missouri; that the county Court of said County refuses to further defray said expenses, for the reason that said ward has sufficient estate out of which to meet the same that one quarterly payment will become due to said hospital, for the maintenance of said ward on July 1st 1905. and there are no funds or personal property now in the hands of said guardian out of which to pay same. That said ward is believed to be incurable. Said guardian therefore prays the court to make an order for the sale of said real estate that he may have the funds in his hands for the purpose of meeting said payment, due July 1st 1905. and that the remainder may be placed at interest for the purpose of meeting the expenses for the maintenance of said ward as the same becomes due.

And the court having heard the petition and evidence in relation thereto is satisfied that said order should be granted.

It is therefore ordered by the court that said guardian be and he is hereby authorized and empowered to sell the said real estate at either public or private sale (first having had the same appraised according to law) for not less than three fourths of the appraised value thereof, on the following terms to wit: Cash in hand, and that

May adjourned Term Wednesday May 24th 1905.

said guardian report said sale and his proceedings
therein to this court at the next term thereof

Ordered that Court adjourn until Monday June 12th 1905

Thomas R Shaw.
Judge of Probate.

In Vacation - May 25th 1905.

In the matter of the estate of } Will Probated and
and last will and testament } Executor appointed
of Lillitha F. McDow. dec'd

Now on this day an instrument of writing purporting to be the last will and testament of Lillitha F. McDow. 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 Homer Stewart, and L. B. Gillihan the subscribing witnesses thereto, in relation to the execution of the same, does declare and adjudge said instrument of writing, to be the last will and testament of Lillitha F. McDow. deceased late of Danvers County, and orders the same admitted to probate as such. And comes now William C. Gillihan, 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, 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 William C. Gillihan, and files herein said bond, in said sum of Two thousand dollars, with D. S. Brosius, Jas N. Netherton, and L. B. Gillihan, as securities thereon, which is approved.

It is further ordered that J. I. Day, and Henry Lynch, be and they are appointed witnesses, to accompany and aid said executor in opening and examining the papers and money of said deceased and in making an inventory thereof.

Thomas R. Shaw
Judge of Probate.

In Vacation - May 29th 1905.

In the matter of the estate of } Letters of administration Granted
Mary E. Morris - deceased }

Now comes William J. Morris, and makes application for letters of administration on the estate of Mary E. Morris, deceased, who departed this life intestate, on the 12th day of May, 1905, having at the time of her death, personal property of the probable value of Six hundred, and the said William J. Morris, being one of the distributees of said deceased, and a suitable and competent person for such trust, it is ordered that he be, and is hereby appointed administrator of the estate of said deceased, 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 Thirteen hundred 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 William J. Morris, and files herein his bond as such administrator in said sum of Thirteen hundred dollars, with John P. Lough & S. Aldridge, and Robert Perry, as securities thereon, which bond is approved. It is further ordered that Geo. Aldridge, and Robert Perry, be and they are appointed witnesses to accompany and aid said administrator in making an inventory of said Estate.

Thomas R. Shaw
Judge of Probate.

In Vacation - May 29th 1905.

In the matter of the estate of } Adair De bonis now with
Daniel J. Morris, deceased } will annexed.

Now at this day comes William J. Morris and represents and shows to the Judge of Probate that Mary E. Morris, who was in and by the last will and testament of said Daniel J. Morris, appointed Executor thereof, and duly qualified as such, departed this life on the 12th day of May 1905, leaving a part of the estate of said Daniel J. Morris, unadministered, she never having made a settlement of said Estate either annual or final. To the end therefore, that the

property of the said testator may be preserved for those who shall appear to have a legal right or interest therein, and that the said last will, and testament, may be executed according to the request and instruction of the testator, we do hereby appoint W^m J. Morris administrator de bonis non, cum testamento annexo, of said estate, to collect and secure all and singular the goods and chattels, rights and credits which were of the said Daniel J. Morris, at the time of his death. And before entering upon the duties of his office, he is required to enter into bond to the State of Missouri, as such administrator, in the sum of Thirteen hundred Dollars, with two or more securities, to be approved by the Court conditioned for the faithful discharge of his duties according to law. And now comes said William J. Morris, and files herein his bond as such administrator in said sum of \$1300.⁰⁰ with John P. Gough, G. D. Aldredge, and Robert Perry as securities thereon which said bond is approved.

Thomas R. Shanley
Judge of Probate.

In Vacation - June 5th 1905.

In the matter of the Guardianship of Herman Clay. } appointment of "Children's Home Society" as Guardian.

Comes now the "Children's Home Society of Missouri, and represent and shew to the Judge of Probate, that it is a corporation, duly organized under the laws of the State of Missouri, and as such is engaged in acting as guardian for, and procuring homes for homeless children in this state, and as such makes application to be appointed guardian of Herman Clay, a male child born on the second day of May 1905, whose residence is in Daviess County Missouri, and whose Mother Ethel Clay, resides in Daviess County Missouri, and whose Father is unknown. That the parent of said child, the said Ethel Clay, is incompetent and unfit for the duties of guardianship of said child, and

is not able financially to support and raise said child. That said child is in the care and custody of its mother. And the Judge of Probate, having heard said application, and the evidence in support thereof finds the statements made in said application are true, and the Judge of Probate, being satisfied of the ability and purpose of said society to keep and care for said child. And it further appearing, that the mother of said child the said Ethel Clay, has in writing, waived the ten days notice to which she would be entitled, and requested the guardianship of said child to be given to said society. It is therefore ordered that said Childrens Home Society be, and is hereby appointed guardian of said Herman Clay.

Thomas R. Shaw
Judge of Probate.

In Vacation - June 8th 1905.

In the matter of the estate of }
and last will and testament of } Will probated. Executor appointed
Samuel Lindsey, deceased.

Now on this day an instrument of writing purporting to be the last will and testament of Samuel Lindsey 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 A. R. Moffitt, L. B. Gillihan and Nathaniel S. Cruzen, 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 Samuel Lindsey, deceased, late of Daviess County, and orders the same admitted to probate.

And now comes Rollin J. Britton, 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 before entering upon the duties of his office, he is required to enter into

bond to the state of Missouri as such executor in the sum of four 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 Rollin J. Britton and files herein his bond in said sum of Four Thousand Dollars with N. G. Cruzew, C. R. Maffitt, and W. B. Gillihan as securities thereon which said bond is approved.

It is further ordered that N. G. Cruzew and L. B. Gillihan be and they are appointed witnesses to accompany and aid said Executor in making an inventory of said estate

Thomas R. Shaw
Judge of Probate

"May Adjourned Term. Monday June 12" 1905.

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

Estate of Porterfield Foster, dec'd:

Robert A. Miller

Plaintiff

against

Wm M. Drummond and

George C. Goodbar, administrators
of said deceased.

Defendants.

Came now the defendants and file their motion to require plaintiff to give security for costs, which motion is taken up and considered by the Court, and overruled.

Estate of Porterfield Foster, deceased.

Robert A. Miller.

Plaintiff

against

William M. Drummond and

George C. Goodbar, administrators
of said Porterfield Foster, dec'd.

Defendants.

Now comes the parties, and the said Robert A. Miller presents to the Court for allowance against said estate, a demand for the sum of \$1835.50 founded on account, and the plaintiff having required a jury, now here comes the jury to wit: Samuel O. Venable, Paul Reynolds, R. B. Mass, Thomas Duggle, John Wallace, Samuel Gallimore, John Cope, Fred Koch, L. B. Rogers, Geo A. Lynn, J. A. Troxel, and Harrison Lawson, - twelve good and lawful men, qualified to serve as jurors, who having been duly empanelled, and sworn to try the matter in difference between said parties in said cause, and a true verdict give according to the law and the evidence, and the trial of this cause is entered into. And same progress having been made in the trial thereof, and the hour of adjournment having arrived, the further hearing of this cause is continued until nine o'clock tomorrow morning.

May Adj Term - Monday, June 12th 1905.

Estate of Porterfield Foster, deceased,

Effie Elliston

Plaintiff

against $\frac{2}{3}$

Wm M. Drummond and

George C. Goodbar, administrators

of said Estate.

Defendants.

By agreement of parties this cause is continued to the August term 1905. hence.

Estate of A. C. Smith, deceased.

Now at this day comes J. S. Miller, and presents to the Court for allowance against said estate a demand for \$81.⁰⁵ founded on receipt, notice of the presentation of said demand for allowance having been waived, and service acknowledged, and affidavit and proof made. By agreement of parties the sum of \$25.⁰⁰ is allowed on said demand, and the same is assigned to the Sixth Class.

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

Thomas R. Shaw
Judge

May Adjourned Term. Tuesday June 13th 1905.

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

Estate of Porterfield Foster, Deceased,

Robert A. Miller

Plaintiff

against

W^m M. Drummond and

George C. Goodbor, administrators

of said estate.

Defendants.

Now at this day comes, as well the parties herein as the jury heretofore impaneled and sworn to try the cause, as the law directs, and the trial of this cause is resumed. And the said jury having heard all the evidence, and argument of counsel, after mature deliberation thereon, return into open court the following verdict to-wit:

"We the jury find for the plaintiff in the sum of Four hundred dollars."

J. R. Cope,
Foreman.

It is therefore considered by the Court that the sum of Four hundred Dollars, so found as aforesaid by the jury, be allowed in favor of the plaintiff against said estate, and that the same be assigned to the sixth class. It is further ordered that said W^m M. Drummond and George C. Goodbor, as such administrators pay the costs of this proceeding out of the assets of the estate, taxed at \$111.⁵⁰

Ordered that Court adjourn until Court in course.

Thomas R. Shaw
Judge

In Vacation - June 15-1905.

In the matter of the estate of }
and last will and testament } Will Probated
of Rodney Glazier deceased }

Now on this day an instrument of writing purporting to be the last will and testament of Rodney Glazier, 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 Walter R. Burke and Henry C. Canrad 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 Rodney Glazier, deceased late of Daviess County, and orders the same admitted to probate.

Thomas R. Shaw
Judge of Probate.

In Vacation - June 21st 1905.

In the matter of the estate of }
Porterfield & Foster, Deeds }

Robert A. Miller.

Plaintiff

Against

Wm. M. Drummond, and

George C. Goodbar, Admins of said Estate. Defendants.

Now at this day comes the plaintiff in the above entitled cause, and files herein his affidavit, and bond for an appeal, on consideration of which said bond is approved, and said appeal granted, and it is ordered that the Judge, and Ex-officio clerk of the probate court, transmit to the clerk of the Circuit court a certified transcript of the record, and proceedings in the above entitled, together with the original papers in his office relating thereto.

Thomas R. Shaw
Judge & Ex-officio Clerk.

In Vacation - June 21st 1905.

In the matter of the estate of } Letters of admin. Granted
Harford P. Harrah, deceased. }

Comes now Dina Harrah, widow of said deceased and makes application for letters of administration on the estate of said deceased, who departed this life intestate, on the 23rd day of May 1905, having at the time of his death personal property of the probable value of Five hundred Dollars. And said Dina Harrah, being a suitable and competent person for such trust, and entitled to administer upon said estate, it is therefore ordered that she be, and is hereby appointed administrator 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 One Thousand Dollars with two or more securities to be approved by the Court conditioned for the faithful discharge of her duties according to law.

And now comes said Dina Harrah, and files herein her bond in said sum of one thousand Dollars with Walter D. Hays, and James Robb, as securities thereon which is approved. It is further ordered that John A. Dunn and Isaac Brown, be, and they are appointed witnesses to assist said administrator in making an inventory of said estate.

Thomas R. Hunt
Judge

In Vacation - July 3rd 1905.

In the matter of the estate of } Will Probated &
and last will and testament } Executor appointed.
of Jesse A. Creekmore, dec'd }

Now on this day an instrument of writing purporting to be the last will and testament of Jesse A. Creekmore, 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 Lewis B. Gillihan, S. V. Brasius, and James M. Netherston, 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 Jesse A. Creechmore, deceased, late of Daviess County, and orders the same admitted to probate.

And now comes William B. Gillihan 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, in the sum of One thousand Dollars, with two or more securities to be approved by the Court, conditioned for the faithful discharge of his duties according to law: Whereupon comes said William B. Gillihan, and files herein his bond in said sum of One thousand Dollars, with James N. Netherton, Lewis B. Gillihan, and Rollin J. Britton, as securities thereon, which said bond is approved.

It is further ordered that O. T. Brown and M. Finley be and they are appointed witnesses, to accompany and aid said Executor in making an inventory of said estate.

Thomas R. Shaw
Judge of Probate

State of Missouri } In Vacation - July 4th 1905.
County of Daviess }

Now on this 4th day of July 1905, comes Noah Hershberger, and Lee Hershberger, Citizens of Daviess County, and give information in writing, to the Judge of the Probate Court of said County, in vacation, that Thomas Hershberger a resident of said County is of unsound mind, and incapable of managing his affairs, and praying that an inquiry thereinto be had. And said Judge being satisfied that there is good cause for the exercise of the jurisdiction of said probate Court in said matter, now calls a special

term of said Court, to be held on the 11th day of July 1905, for the purpose of holding an inquiry whether the said Thomas Herschberger, be of unsound mind or not, and orders that said Thomas Herschberger, be notified of such proceeding, at least five days before said special term of said Court.

Thomas R. Shaw
Judge of Probate

In Vacation - July 4th 1905.

The State Board of Embalming:
State of Missouri.
No 875.

To all whom it may concern. Greeting:

By virtue of Authority vested in us by the State of Missouri by an act approved March Sixteenth, Eighteen Hundred and ninety five, to regulate the practice of Embalming: We do hereby grant a License, for the term of One year from date to J. D. Henderson, he having passed satisfactory examination by the State Board.

Given under our hands and seal of this Board, this Thirteenth day of May, Nineteen Hundred and five.

Jos. Martin
Geo B. W. Wagoner.
G. B. Hickman - Secretary
Leo J. Stewart - President
Oleg Lohmeyer.
State Board of Embalming.

(Seal)

In Vacation - July 7th 1905.

In the matter of the estate of } Order for private sale.
Mary E. Morris, deceased }

Now comes William J. Morris, administrator of said estate, and makes application for permission to sell all of the personal property belonging to said estate as shown by the two appraisements thereof filed herein by said administrator 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, on a credit of twelve months taking the purchaser's note at six percent interest with good security, and that he report the same to this Court.

Thomas R. Shaw - Judge

Special Term - Tuesday - July 11th 1905.

In the matter of the alleged
Insanity of Thomas Herskberger

Court met pursuant to the order of the Judge in vacation for the purpose of holding an inquiry, whether Thomas Herskberger be of unsound mind or not, and notice to Thomas Herskberger being returned by Dick Herskberger, served by delivering to said Thomas Herskberger a copy of the same, the said Thomas Herskberger now appears in open court, and comes a jury duly summoned to wit: M. C. Linnow, William Bulong, R. B. Moss, James Hughes, George Whitt, D. B. Godman, Joseph Lukehart, Frederick Weiser, William Richardson, C. H. Payne, J. J. Cook, and W. H. Hamilton, twelve good and lawful men, who are duly sworn to well and truly make inquiry, and determine whether the said Thomas Herskberger, is a person of unsound mind or not, and the jury having seen and examined the said Thomas Herskberger, and heard the evidence offered touching his condition

retired to consider their verdict, and after due deliberation return into court the following verdict:

"We the jury find Thomas Herschberger to be of unsound mind and incapable of managing his affairs"

Noah H. Hamilton

M. C. Lunnun.

Fred Meiser.

J. J. Hughes.

W. S. Rulon

J. J. Cook.

R. B. Moss.

Geo A Whitt.

S. B. Goddard.

J. J. Lukehart.

Geo H. Payne.

W. N. Richardson.

It is therefore adjudged by the court that said Thomas Herschberger is a person of unsound mind, and incapable of managing his affairs, and the court hereby appoints Noah H. Herschberger, guardian of said Thomas Herschberger 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 Five hundred Dollars, conditioned as required by law, with such security as the court shall approve. And now comes said Noah H. Herschberger and files herein his bond as such guardian in said sum of Five hundred Dollars, with Lee Herschberger, Dick Herschberger, and Mary C. Herschberger, as securities thereon, which is by the court approved.

Thomas A. Shaw Judge

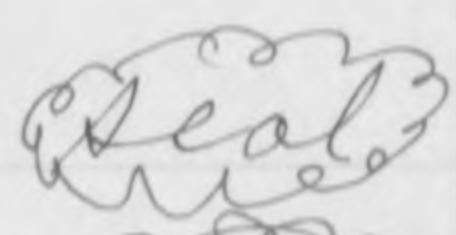
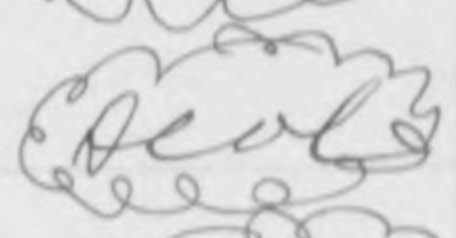
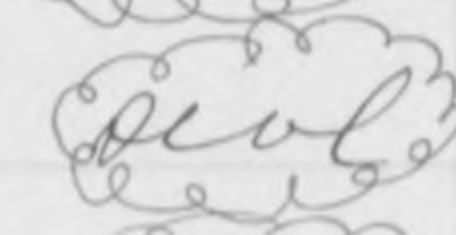
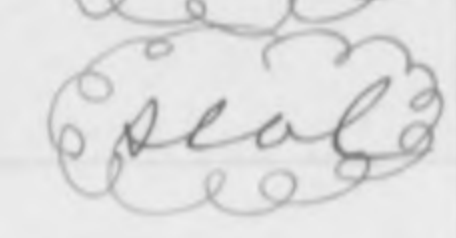
Bond of Guardian

We Noah H. Herschberger, as principal, and Lee Herschberger, Dick Herschberger and Mary C. Herschberger as securities, are held and firmly bound unto the state of Missouri, in the sum of Five hundred Dollars for the payment of which we bind ourselves and our heirs: Upon the Condition, That Whereas the said Noah H. Herschberger, has been appointed by the probate Court of Daviess County, Missouri, Guardian of the person

and estate of Thomas Herschberger of said county a person of unsound mind.

Now if the said Noah H. Herschberger shall take due and proper care of said Thomas Herschberger, 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 in said County, this 11th day of July, A.D. 1905.

Noah Herschberger 
 Lee Herschberger 
 Dick Herschberger 
 Mary E. ^{her} Herschberger 
 mark

Witness mark
 Boyd D. Quilley.

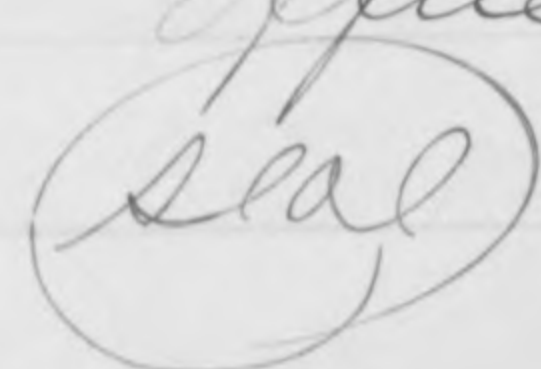
Approved by the Court

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

State of Missouri } ss.
 County of Daviess }

This certifies that the above bond was filed for record on the Eleventh day of July, A.D. 1905, and is duly recorded in Book 5, at page 436 & 7

Witness my hand and seal of office, Done at office in Gallatin, this 11th day of July, A.D. 1905.



Thomas R. Shaw
 Judge of Probate

In Vacation - July 11th 1905.

In the matter of the alleged Insanity
of George Nelson.

Now on this 11th day of July 1905. Comes Samuel Orton, Constable of Jackson Township, Danciss County Missouri, and gives information in writing to the Judge of the Probate Court of said County, in vacation, that George Nelson, a resident of said County is of unsound mind, and incapable of managing his affairs, and praying that an inquiry thereinto be had. And said Judge being satisfied, that there is good cause for the exercise of the jurisdiction of said Probate Court, in said matter, now calls a special term of said Court to be held on the 12th day of July 1905, for the purpose of holding an inquiry, whether the said George Nelson, be of unsound mind or not, and orders that said George Nelson, be brought before the Court that the facts alleged may be enquired into by a jury.

Thomas A. Shaw
Judge of Probate

Special Term. Probate Court July 12th 1905.

State of Missouri }
County of Danciss }

In the matter of the alleged
Insanity of George Nelson.

Court met pursuant to the order of the Judge in vacation for the purpose of holding an inquiry whether George Nelson, be of unsound mind or not, and in accordance with the order of the Judge of Probate, entered of record July 11th 1905, the said George Nelson is brought into Court. And now comes a jury duly summoned to wit:

John H. Townsend, Gabe W. Cox, Fred Meiser, John A. Keck, D. L. Britten, Frank A. Woodruff, E. Black, W. C. Macey, Isaac Dwyfford, J. P. Baker, S. J. McBrayer, John T. Gallimore, twelve good and lawful men, who are duly sworn, to well and truly make inquiry and determine whether the said George Nelson, is a

person of unsound mind or not. And the jury having seen and examined the said George Nelson, and heard the evidence offered touching his condition, retired to consider their verdict and after due deliberation return into court the following verdict.

"That the jury find George Nelson to be of unsound mind, and incapable of managing his own affairs."

John H. Townsend
Gabe W. Cox.

Fred Weiser

John A. Keck.

D. L. Britten

Frank A. Woodruff

C. Black.

W. C. Macy.

Isaac Dwyford

J. P. Baker.

G. J. McDargy

Jno I. Gallimore

It is therefore adjudged by the court that said George Nelson is a person of unsound mind and incapable of managing his affairs, and the court hereby appoints George W. Norton, (Public administrator and Ex Officio Public guardian and Curator of Daviess County Missouri) guardian of said George Nelson.

And it further appearing to the court that said George Nelson 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 George Nelson, that said guardian forthwith convey him to "State Hospital No 2. for the insane", at Saint Joseph Missouri.

Thomas R. Shaw
Judge of Probate.

In Vacation - July 15th 1905.

In the matter of the estate of } Will Probated and
and last will and testament of } Executors appointed.
William L. Powell, decd }

Now on this day an instrument of writing purporting to be the last will and testament of William L. Powell, deceased, is offered for probate and the Judge of Probate having seen and examined said instrument of writing, and having also heard the testimony of W. L. Brasius, and W. C. Gilleham, 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 William L. Powell, deceased, late of Davies County, and orders the same admitted to probate as such. And now comes Lewis W. Powell and Daniel Blackburn, 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 upon the duties of their office they are 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 their duties according to law.

And now comes said Lewis W. Powell and Daniel Blackburn, and file herein their bond as such executors in said sum of Five thousand Dollars with John W. Meade, Homer Peurt, and E. D. Mann as securities thereon which is approved.

It is further ordered that, Samuel O. Venable and W. C. Gilleham be and they are appointed witnesses to accompany and aid said Executors in opening and examining the papers, and money of said Decedent and in making an inventory thereof.

Thomas R. Shaw
Judge of Probate

In Vacation - July 17th 1905.

In the matter of the Estate of } Administration Granted
William E. Brimmon, deceased. }

Now at this day comes John W. Meade, and makes application for letters of administration on the Estate of William E. Brimmon, deceased, who departed this life intestate on the 31st day of May 1905, having at the time of his death (in addition to real estate) personal property of the probable value of Six hundred Dollars, and Eliza C. Brimmon, widow of said deceased, and Benjamin F. Brimmon, a distributee of said deceased who are entitled to administer upon said estate having filed a relinquishment of their right, and the said John W. Meade, being a suitable and competent person for such trust, it is therefore ordered that he be and is hereby appointed administrator of the estate of said William E. Brimmon, deceased, and before entering upon the duties of his office he is required to enter into bond to the State of Missouri as such administrator, in the sum of Twelve hundred dollars, with two or more securities to be approved by the Court, conditioned for the faithful discharge of his duties according to law; And now comes said John W. Meade, and files herein his bond in said sum of Twelve Hundred Dollars, with Homer F. Furt, and E. D. Mann, as securities thereon, which said bond is approved.

It is further ordered that - J. Allen Selby and E. D. Mann - 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.

Thomas A. Shaw
Judge of Probate

In Vacation - July 20th 1905

In the matter of the Estate of } widow files Election
William E. Brinnon, deceased }

Now at this day comes Eliza C. Brinnon, widow of William E. Brinnon, deceased, and files her declaration of election, to take all the real and personal estate, which came to said William E. Brinnon deceased in right of their marriage, and all personal property of her said husband which came to his possession with her written consent remaining undisposed of absolutely, not subject to the payment of her said husband's debts, and one half of the real and personal estate belonging to her 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 her said husband or any other person to his use was seized of an estate of inheritance at any time during their coverture, to hold and enjoy during her natural life. Which said declaration of election was duly acknowledged before J. A. Selby, a Notary Public on the 20th day of July 1905, and signed Eliza C. Brinnon. *Eliza C. Brinnon*

Thomas A. Shaw
Judge of Probate.

In Vacation - July 24th 1905

In the matter of the Estate of } Will probated and
and last will and testament of } Executors appointed
James M. Hunter, deceased }

Now on this day an instrument of writing purporting to be the last will and testament of James M. Hunter, deceased is offered for probate and the Court having seen and examined said instrument of writing, and having also heard the testimony of H. F. Lawrence and J. A. Selby, 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 James M. Hunter, deceased late of Daviess County.

and orders the same to be admitted to probate. And now comes Rana Hunter, widow of said deceased, and 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 A. Shaw
Judge of Probate.

In Vacation - August 3rd 1905.

In the Matter of the Copartnership Estate of
William L. Powell & Son.

On this day comes Lewis W. Powell, surviving partner of William L. Powell, deceased, of the late firm of William L. Powell & Son, and shows to the Judge of Probate, that William L. Powell, departed this life on the 11th day of July, 1905, wherefore said Lewis W. Powell as such surviving partner makes application for letters of administration on said Copartnership estate. Whereupon it is ordered that administration on said Copartnership be granted to said Lewis W. Powell, surviving partner, as aforesaid. And now comes said Lewis W. Powell, and enters into bond to the State of Missouri as administrator of said Copartnership's Estate in the sum of Two Thousand Dollars, conditioned as the law directs with Homer Hunt, and E. D. Mann, as securities thereon which is accepted and approved. It is therefore ordered that said Lewis W. Powell, surviving partner take charge of said Estate and administer the same according to law.

Thomas A. Shaw
Judge of Probate.

Bond of Surviving Partner.

Know all men by these presents that we Lewis W. Powell as principal and we E. D. Mann, and Homer Jewett as securities, are held and firmly bound unto the State of in the sum of Two Thousand Dollars, to the payment of which, we bind ourselves, our heirs, Executors and administrators:

The condition of the above bond is that if Lewis W. Powell, surviving partner of the late firm of William L. Powell and son, shall use due diligence, and fidelity, in closing the affairs of the late copartnership, apply the property thereof in legal allowances, the expenses of administration, the payment of the partnership debts, and in general to do and perform all other acts and things, which are or may hereafter be required of him by law, render an account annually upon oath to the court of all partnership affairs, including the property owned by the late firm, and the debts due thereto, as well as what may still be due and owing therefor, and pay over within two years - unless a longer time be allowed by the court - to the executor or administrator, the excess if any there be, beyond satisfying the partnership debts, and costs, and expenses in closing the affairs of the copartnership, then the above bond to be void, otherwise to remain in full force.

Witness our hands and seals this 3rd day of August 1905.

Lewis W. Powell (seal)
E. D. Mann. (seal)
Homer Jewett. (seal)

Taken and approved by me, this 3rd day of August 1905, and I certify that this bond was signed and executed in my presence and acknowledged by the parties thereto to be their voluntary act and deed.

(seal)

Thomas R. Shaw
Judge of Probate

In Vacation - August 7th 1905.

In the matter of the estate of } appointment of admin.
Marion J. Pennington - Dec'd }

Now on this day comes Laura Bell Pennington widow of said deceased, and makes application for letters of administration on the estate of said deceased, who departed this life intestate on the 25th day of July 1905, having at the time of his death personal property (in addition to real estate) of the probable value of Twenty four hundred dollars. And the said Laura Bell Pennington, being a suitable and competent person for such trust, and being entitled to administer upon said estate, it is therefore ordered that she do and is hereby appointed administrator of said estate, and that letters of administration issue to her thereon. 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 Forty Eight hundred 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 Laura Bell Pennington and files hereto her bond as such administratrix in said sum of \$4800.00 with Lawson W. Pennington, John Z. Pennington, and John W. Pennington as securities thereon, which said bond is approved.

It is further ordered that Daniel Friend & George Bradley, he and they are appointed witnesses to aid said administratrix in making an inventory of said estate. And that notice of the grant of letters of administration be published in the Western Democrat.

Thomas R. Shaw
Judge

In Vacation - August 8th 1905.

In the matter of the estate of } Order refusing Letters,
John A. Leopards, deceased }

Now at this day comes Susan C. Leopards, and shows to the court that she is the widow of John A. Leopards, deceased, late of the County of Danvers, 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.

It is the end therefore that the said Susan C. Leopards, 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 other or further property be shown.

Thomas R. Shaw

Judge of Probate.

In Vacation - August 11th 1905.

In the matter of the estate of } Order Private Sale of
Marion J. Pennington - dec'd } Personality.

Now comes Laura Bell Pennington, administratrix of said estate and makes application for permission to sell

One mare and colt - Twenty - 2 year old steers.
Twenty - short - 2 year old steers - Twenty yearling steers
One cow - Fifty hogs - Thirty five tons hay in stack,
Ten tons of hay in barn - 300 bushels of oats,
belonging to said estate at private sale:

And the Court being satisfied that it will be for the best interest of the estate, and not prejudicial to persons interested therein to sell the same at such sale, it is ordered that said administratrix sell said property at private sale for not less than its appraised value, for cash: And that she report the same to this court.

Thomas R. Shaw
Judge of Probate.

August Term. 'Monday - August 14' 1905.

State of Missouri }
County of Dancess }

Be it remembered that at a regular term of the Probate Court of Dancess County, Missouri, begun and held at the Court house, in the City of Gallatin, County and State aforesaid, on Monday August 14' 1905, there was present, Thomas R. Strand, Judge of said Court, and W. J. Hatchison, Sheriff of said County, when the following proceedings were had to wit:

Ordered that the bond of William J. Morris as administrator of Mary E. Morris, deceased, taken in vacation May 29' 1905, be and the same is approved, and his appointment as administrator ratified and confirmed.

Ordered that the bond of Lina Harrah, as administratrix of the estate of Harford S. Harrah, deceased, taken in vacation June 21st 1905, be and the same is approved and her appointment as administratrix ratified and confirmed.

Ordered that the bond of John W. Meade as administrator of the estate of William E. Brimmon, deceased taken in vacation July 17th 1905, be and the same is approved and his appointment as administrator, ratified and confirmed.

Ordered that the bond of Laura Bell Pennington as administratrix of the estate of Marion J. Pennington, deceased taken in vacation August 7th 1905, be and the same is approved and her appointment as admin., ratified and confirmed.

Ordered that the bond of William C. Gillihun, as Executor of the estate of Lillitha F. McDow, deceased taken in vacation May 25' 1905, be and the same is approved and his appointment as Executor, ratified and confirmed.

Ordered that the bond of Wm J. Morris, as administrator de bonis non, with the will annexed of said deceased taken in vacation May 29' 1905, be and the same is approved and his appointment as administrator, ratified and confirmed. Estate of Daniel J. Morris

August Term - Monday - August 14th 1905.

Ordered that the bond of Rollin J. Britton, as executor of the last will and testament of Samuel Lindsey, deceased taken in vacation June 8th 1905, be and the same is approved, and his appointment ratified and confirmed.

Ordered that the bond of W^m C. Gillham, as Executor of the last will and testament of Jesse A. Creekmore, deceased taken in vacation, July 3rd 1905, be and the same is approved and his appointment ratified and confirmed.

Ordered that the bond of Lewis W. Powell, and Daniel Blackburn as Executors of William L. Powell, deceased taken in vacation July 17th 1905, be and the same is approved and their appointment ratified and confirmed.

Ordered that the bond of Lewis W. Powell, as surviving partner of the copartnership estate of W^m L. Powell & Son, taken in vacation, August 3rd 1905, be and the same is approved, and his appointment ratified and confirmed.

In the matter of the estate of } Partial Discharge
Eliza C. Hightree, Dec'd

Now at this day comes Philip Shaw, executor of said deceased and files the receipts of the following named distributees of said deceased for the amount due and ordered paid them on final settlement of said estate made at the November Term 1904 of this Court, and on the 14th day of November 1904, viz:

To W ^m H. Hightree	33.84
" Whitney W. Hightree	33.84
" Evaline J. Hastings,	33.84
" Eliza C. Boustead,	33.84
" The heirs of Chas L. Hightree, Dec'd	
James Hightree	4.83
Elmer Hightree	4.83
Melvin Hightree	4.83
Eva Anderson	4.83
Estella Beane	4.83

Wherefore it is ordered that said executor be discharged as to said above named distributees.

August Term. - Monday - August 14th 1905.

In the matter of the estate of } Order to pay into State Treasury
Eliza C. Hightree, deceased }

Now at this day comes Philip Shaw, Executor of said deceased, and shows to the Court that at the final settlement of said estate made at the November term 1904 thereof there was due and ordered paid to Edward Hightree, and Earl Hightree, distributees of said deceased the sum each of four and $8\frac{3}{100}$ dollars, that said distributees are minors and have no curator of their estate and are not in a situation to receive from said Executor said distributive shares and give receipts therefor.

He therefore prays the Court to order the distributive shares of said Edward & Earl Hightree to be paid into the State Treasury. - It is therefore ordered that said Executor pay into the State Treasury of the State of Missouri, the distributive shares of said Edward Hightree and Earl Hightree.

In the matter of the estate of } Administrator discharged,
William Parney deceased }

Now at this day comes James R. Heath, administrator of the estate of William Parney, deceased and files herein the receipts of all the distributees of said deceased for the amount found to be due them respectively on final settlement of said estate, made at the February term 1905, of this Court. Wherefore it is ordered that said administrator be discharged.

In the matter of the estate of }
and last will and testament of } Judge Establishing Will,
Lillitha F. McDow, deceased }

It being shown to the Court now here, that in vacation of this Court term; on the 25th day of May 1905, an instrument of writing, purporting to be the last will and testament of Lillitha F. McDow, deceased, and attested by L. B. Gillihan and Homer Hunt, as witnesses, was produced before the clerk of this Court to be proved and admitted to record as the last will of said Lillitha F. McDow, deceased and said clerk proceeded to take the testimony of said

August Term Monday August 14th 1905

L. B. Gillihan and Homer Peurt 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 25th day of May 1905.

And the Court having inspected said will, and seen and heard the testimony of L. B. Gillihan and Homer Peurt, 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 Gillihan J. M. Daw, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed and that said will be admitted to record.

In the matter of the estate of }
and last will and testament } Judgment Establishing Will.
of Samuel Lindsey, dead }

It being shown to the Court now here that in vacation of this Court to-wit: on the 8th day of June 1905, an instrument of writing purporting to be the last will and testament of Samuel Lindsey, deceased, and attested by, A. R. Maffitt, L. B. Gillihan, and N. G. Cruzen as witnesses was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Samuel Lindsey, deceased, and said Clerk proceeded to take the testimony of said A. R. Maffitt, L. B. Gillihan and N. G. Cruzen said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in court. And said Clerk having declared said will proved, granted a certificate of probate on said 8th day of June 1905. And the Court having inspected said will and seen and heard the testimony of A. R. Maffitt, L. B. Gillihan, and N. G. Cruzen, 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

August Term - Monday - August 14th 1905,

last will and testament of said Samuel Lindsey deceased; and the said proceedings and action of the clerk in the premises, are in all things ratified and confirmed, and that said will be admitted to record.

In the matter of the estate of }
and last will and testament of } Judgt. Establishing will
Rodney Glazier, deceased }

It being shown to the Court now here, that in vacation of this Court to-wit: on the 15th day of June 1905, an instrument of writing purporting to be the last will and testament of Rodney Glazier, deceased, and attested by Walter R. Burks, and Henry B. Conrad, as witnesses, was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Rodney Glazier, deceased, and said Clerk proceeded to take the testimony of Walter R. Burks and Henry B. Conrad, the 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 15th day of June 1905. And the Court having inspected said will, and seen and heard the testimony of Walter R. Burks, and Henry B. Conrad 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 Rodney Glazier, deceased.

And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and that said will be admitted to record.

In the matter of the estate of }
and last will and testament of } Judgt. Establishing will
Jesse A. Breckinridge, deceased }

It being shown to the Court now here, that in vacation of this Court to-wit: on the 3rd day of July 1905, an instrument of writing purporting to be the last will

August Term Monday - August 14th 1905.

and testament of Jesse A. Creekmore, deceased, and attested by Lewis B. Gilliam, Jas N. Netherton 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 Jesse A. Creekmore, deceased, and said clerk proceeded to take the testimony of Lewis B. Gilliam, Jas N. Netherton, and S. J. Brosius, 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 July 1905.

And the court having inspected said will, and seen and heard the testimony of Lewis B. Gilliam, Jas. N. Netherton, 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 Jesse A. Creekmore, deceased. And the said proceedings and action of the clerk in the premises are in all things ratified and confirmed, and that said will be admitted to record.

In the matter of the Estate of }
and last will and testament of } Judgmt. Establishing Will
William L. Powell. Decd. }

It being shown to the court now here, that in vacation of this court to-wit: on the 17th day of July 1905 an instrument of writing, purporting to be the last will and testament of William L. Powell deceased, and attested W. B. Gilliam, and W. L. Brosius, as witnesses was produced before the clerk of this court to be proved and admitted to record as the last will of said William L. Powell, deceased, and said clerk proceeded to take the testimony of W. B. Gilliam and W. L. 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

August Term Monday August 14th 1905.

granted a certificate of probate on said 17th day of July 1905. And the Court having inspected said will and seen and heard the testimony of W. B. Gilleham and W. L. 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 William L. Powell deceased. And the said proceedings and action of the clerk in the premises are in all things ratified and confirmed, and that said will be admitted to record.

In the matter of the Estate of }
and last will and Testament } Judgt Establishing will
of James M. Hunter, decd. }

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 24th day of July 1905, an instrument of writing purporting to be the last will and testament of James M. Hunter, deceased, and attested by H. P. Lawrence, and J. A. Delby, as witnesses, was produced before the clerk of this Court to be proved and admitted to record as the last will of said James M. Hunter deceased, and said clerk proceeded to take the testimony of H. P. Lawrence, and J. A. Delby, 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 24th day of July 1905. And the Court having inspected said will, and seen and heard the testimony of H. P. Lawrence, and J. A. Delby, 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 James M. Hunter, deceased, and the said proceedings, and action of

August Term - Monday - August 14th 1905.

the clerk in the premises are in all things ratified and confirmed, and that said will be admitted to record.

Estate of Mary E. Morris, dec'd.

Came now J. C. Beaslee, and presents to the court for allowance against said estate a demand for \$11.55 founded on account for burial clothing, 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 \$11.55 and that it be assigned to the first class.

Estate of Mary E. Morris, deceased.

Came now John J. Laughlin, and presents to the court for allowance against said estate a demand for \$74.⁰⁰ founded on account for burial casket, notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$74.⁰⁰ and that it be assigned to the first class.

Estate of James M. Ward, deceased.

Came now Dr R. R. Harmon, and presents to the court for allowance against said estate a demand for \$11.⁵⁰ 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 \$11.⁵⁰ and that it be assigned to the second class.

Estate of Jesse A. Brookmore, dec'd.

Came now G. A. Lynn, and presents to the court for allowance against said estate a demand for \$51.28 founded on a note executed by deceased to W. B. Stopleton, dated July 11th 1892, for \$30.⁰⁰ credited Sept 14th 1895, \$20.⁰⁰, said note bearing 10% compound interest. Notice being waived in writing, affidavit and proof made and \$51.28 allowed against said estate, and assigned to the fifth class.

August Term. Monday - August 14th 1905.

Estate of Jesse A. Breckinridge. dec'd

Comes now Fred Meier, and presents to the court for allowance against said estate a demand for \$30.63 founded on two notes, described as follows:

One note dated June 11th 1891, due in six months, with eight percent interest from date. Credited September 16th 1895, with \$5.00 and November 26th 1903 with \$1.50, total now due on said note \$17.16 - One note dated March 1st 1892, due in four months, with 8% interest from date. Credited July 6th 1895, \$5.00 - Balance now due on said note, \$19.47. Total amount now due on both notes \$36.63. 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 \$36.63 and that it be assigned to the fifth class.

In the matter of the guardianship of } Guardians final
of Julia A. Buzard. Insane. } settlement.
(now deceased)

Comes now Perry A. Lilly, guardian of the person and estate of said Julia A. Buzard, an insane person. (now deceased), and presents his accounts and vouchers for final settlement of his guardianship of said Julia A. Buzard having departed this life on the day of 1905, and it appearing to the court that said guardian filed herein a just and true exhibit of the account between himself and his said ward, and caused a copy of the same to be served upon Effie L. Buzard, Executrix of said Julia A. Buzard deceased four weeks before the present term of this court, said settlement is therefore taken up and considered by the court and approved, and ordered to be recorded. And it appearing from said settlement that there remains in the hands of said guardian due said estate the sum of \$717.36 it is therefore ordered that said guardian pay said sum of \$717.36 to Effie L. Buzard, Executrix of said deceased, and the redemption of any effects, property rights or credits belonging to said estate, and upon filing her receipt therefor that he be discharged.

August Term - Monday - August 14th 1905.

In the matter of the estate of } appointment of administrator
Lucy A. Huston, deceased }

Now at this day comes Simon W. Groves, and makes application for letters of administration on the estate of Lucy A. Huston, deceased, who departed this life intestate on the 27th day of July 1905, leaving at the time of her death personal property in this state of the probable value of one thousand dollars. And J. M. Woodworth distributee of deceased entitled to administer upon said estate having this day filed his relinquishment of such right, and requested the appointment of said Simon W. Groves as such administrator; and being a suitable and competent person for such trust, it is therefore ordered that he be and is hereby appointed administrator of said estate, and before entering 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 Simon W. Groves, and files herein his bond as such administrator in said sum of Two Thousand dollars, with Simon Groves, and E. E. Kinding, as securities thereon which said bond is by the Court approved. It is further ordered that George Rhoads, and Thomas M. Caskey, be and they are appointed witnesses to assist said administrator in making an inventory of said estate.

Estate of Matilda Pansbottom, dec'd.

Conus now Place, Whitt & Place, and present to the Court for allowance against said estate a demand for \$ 7. 54 founded on account, notice being waived in open Court, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of Seven and 54/100 Dollars, and that it be assigned to the fifth class.

August Term. Monday - August 14th 1905.

Estate of Matilda Ramsbottom. Decd. }

Comes now D. H. Davis Sons, and present to the court for allowance against said estate a demand for \$10.⁴⁰ founded on account. Notice being waived in open court and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$10.⁴⁰ and that it be assigned to the fifth class.

In the matter of the estate of } Order of sale of Real Estate.
James H. Ellis - deceased }

Now at this day comes Isaac J. Oxford, administrator of James H. Ellis, deceased, and proves to the court that the order of publication, made by the probate court of said County upon his petition, at the May term 1905, 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 no personal estate and effects of said deceased, charged with the payment of debts, - and no 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 North half of the North West quarter of the South West quarter of section Fifteen (15) Township Fifty nine (59) and Range Twenty six (26). And it is further ordered that the said administrator sell the same for the purposes in said petition mentioned on the following terms to-wit: Cash in hand, and said administrator is directed to make report of his proceedings in

August Term - Monday August 14th 1905

relation thereto to this court at its next term as required by law.

In the matter of the estate of } Final Settlement & Discharge
Jennie E. Baker - a minor

Now at this day comes Charles H. Baker, curator of the estate of said minor, and presents his accounts and vouchers for final settlement. his said ward having attained her majority, and comes also said Jennie E. Baker, and in open court waives the filing of an exhibit, and notice 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 Jennie E. Baker having acknowledged satisfaction of record and receipted her said curator for the sum of (\$760¹⁶) Seven hundred and sixty and 16/100 Dollars. The amount found to be due her on said settlement, it is therefore ordered that said curator be discharged.

In the matter of the estate of } Continuance
Harley E. Baranover, et al minors

Ordered that the settlement this day due from E. M. Foley, Jr. Curator of the estate of said minors be continued to the November term 1905. hence.

In the matter of the estate of } Final settlement & Discharge
Lew E. Curtis, deceased

Comes now Laura A. Curtis, Executrix of said deceased, and presents her accounts and vouchers for final settlement, and it appearing that notice of said settlement has been published as required by law, that all the debts due and owing by said estate have been fully paid and said estate fully administered, it is therefore ordered that said final settlement be approved and recorded, and said Executrix discharged herein.

August Term - Monday - August 14th 1905.

In the matter of the estate of } Final settlement & Discharge
Nathaniel G. Bruzen, dec'd }

Now at this day comes Mary Bruzen, executrix 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 in compliance with the terms of the will of said deceased it is therefore ordered that said settlement be approved and recorded and said Executrix discharged herein.

In the matter of the estate of } Final Settlement & Discharge
Powhatan Downing, - Deceased }

Now at this day comes Charles L. Downing, and William B. Gilligan, Executors of the last will and testament of said deceased and present their accts 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 pursuance of the provisions of the will of said deceased, it is therefore ordered that said settlement be approved and recorded, and that said executors be discharged herein.

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

Thomas R. Shaw
Judge

August Term - Tuesday - August 15th 1905.

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

In the matter of the estate of } Final Settlement
Orville Dixon - a minor } And guardian disch'd

Comes now Robert V. Thompson, guardian and Curator of the person and estate of Orville Dixon a minor, and presents his accounts and vouchers for final settlement, the said ward having attained his majority, and comes also said Orville Dixon and waives the filing of an exhibit, and notice of said settlement, whereupon the Court proceeds to examine said settlement which is by the Court approved and ordered recorded, and said guardian and Curator is ordered to pay to said ward the sum of \$23.²⁴ the amount found to be due him on said settlement, and said Orville Dixon having receipted on the record to his guardian and Curator for said sum, and acknowledged satisfaction of record it is therefore ordered that said guardian and Curator be discharged.

In the matter of the estate of } Appropriation to widow
James M. Ward, deceased }

Comes now Mary Ward, widow of said deceased and represents to the Court, that at the date of the death of her said husband there was not sufficient provision on hand and provided for the maintenance of herself and family for one year next after the death of said deceased, as allowed her by law, wherefore she prays the Court to make an appropriation to supply such deficiency, out of the personal estate of said deceased. And the Court having heard said application, and evidence in support thereof, finds that the sum of one hundred dollars will be necessary to supply such deficiency, it is therefore ordered that said sum of one hundred dollars be and the same is appropriated out of the personal estate of said deceased for the purpose aforesaid.

August Term. Tuesday - August 15th 1905.

In the matter of the estate of } Order to make repairs.
James M. Ward, deceased }

Comes now James W. Ward, administrator of said deceased, and shows to the court, that the barn located on the home premises of said deceased in Lincoln Township, is out of repair and in danger of rapid depreciation unless he be authorized to expend money of the estate in making the necessary repairs, that the repairs needed on said barn is a new roof and some siding. Wherefore he prays the court by its order to authorize and direct him to have such repairs made as are needed, and pay for same out of the assets of said estate. And the court being satisfied that it will be to the interest of said estate, and not prejudicial to creditors to make said repairs it is therefore ordered that said administrator be and he is hereby authorized to make such repairs on said barn as will be required to put the same in good condition and that he have credit for same out of the assets of said estate.

In the matter of the estate of } Final settlement & Discharge
Albert L. Bennett - a minor }

Comes now James H. Meldon, Curator of the estate of said Albert L. Bennett, and presents his accounts and vouchers for final settlement, his said ward having attained his majority. And comes also said Albert L. Bennett, and in open court waives the filing of an exhibit and notice of said settlement, whereupon the court proceeds to the consideration of said settlement which is found to be correct, and is by the court approved, and said curator is ordered to pay to his said ward the sum of Three hundred and forty and ¹⁰⁰/₁₀₀ Dollars being the amount shown to be due him on said settlement. And now comes said Albert L. Bennett, and receipts to his said Curator for said sum of \$340.¹⁰⁰/₁₀₀, and acknowledges satisfaction of record. It is therefore ordered that said Curator James H. Meldon, be discharged herefrom.

August Term.

Tuesday - August 15th 1905.

In the matter of the Estate of } Curator files Inventory
Bertha L. and Elor M. Patton.

Comes now William R. Patton, curator of said minors, and files his inventory of said estate which is by the Court Examined and approved.

In the matter of the estate of } Curator files Inventory
Elbert C. & Stella M. McDougal.

Comes now Charles McDougal, Curator of said minors and files his inventory of said estate which is examined and approved.

In the matter of the estate of } Order confirming sale
Mary E. Steel - Insane

Now comes Isaac B. Bruzer, guardian of the person and estate of said Mary E. Steel, said insane person, and submits to the Court his report by sale by which it appears that he did on Saturday the 27th day of May 1905, in obedience to the order of this Court, made at the May Term 1905, thereof sell at private sale to G. N. Jackson for the sum of Four hundred and thirty eight Dollars and eighty four cents, the real estate in said order of Court and report particularly described viz; An undivided one eighth ($\frac{1}{8}$) interest in and to the West half of the North East quarter of fractional section (2) Two, Township Fifty two (52) Range Twenty one (21) situate in Saline 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 the said guardian is ordered to execute, acknowledge and deliver to said G. N. Jackson, a deed in due form of law, conveying to the said G. N. Jackson all the right title and interest which the said Mary E. Steel, had in and to said real estate.

August Term Tuesday - August 15th 1905.

In the matter of the estate of }
Jesse C. McClure, and Nathaniel } Order confirming sale.
P. McClure, minors }

Now comes Nathaniel G. Bruzew, Jr. guardian of the person, and curator of the estate of Jesse C. McClure, and Nathaniel P. McClure, minors, and submits to the court his report of sale, by which it appears that he did, on Saturday the 27th day of May 1905, in obedience to the order of this Court, made at the May term 1905 thereof, sell at private sale to G. N. Jackson, for the sum of Forty two & 20/100 Dollars, the real estate in said order of Court and report particularly described viz: The undivided one sixth of a one eighth interest in the West half of the North East quarter fractional of section two (2) Township fifty two (52) of Range twenty one (21), situate in Saline County, Missouri, subject however to the life estate of Mary Bruzew. And it appearing that said sale was legally and fairly conducted pursuant to the order of the Court, and in accordance with the statute, it is therefore ordered that the said sale be, and the same is hereby approved and confirmed, and the said guardian and curator is ordered to execute, acknowledge and deliver to said G. N. Jackson a deed in due form of law, conveying to the said G. N. Jackson all the right title and interest which the said Jesse C. McClure, and Nathaniel P. McClure, had in and to said real estate.

Estate of Matilda Ransbottom, dec'd.

Comes now M. E. Pitterer & Son, and present to the court for allowance against said estate a demand for \$51.55 founded on account. Notice being waived in open court, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$51.55, and that it be assigned to the fifth class.

Estate of William L. Powell, dec'd.

Comes now McBue & Pettigrew, and present to the court for allowance against said estate a demand for \$215.50 founded on account for burial expenses.

August Term - Tuesday August 15th 1905.

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 \$215.⁵⁰ and that it be assigned to the first class.

Estate of Jesse A. Creekmore, dec'd.

Comes now Smith & Lockbridge, and present to the Court for allowance against said estate a demand for Nineteen & 1/100 Dollars founded on account. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$19.¹⁵ and that it be assigned to the fifth class.

Estate of Jesse A. Creekmore, dec'd.

Comes now Henderson and Cope, and present to the Court for allowance against said estate a demand for \$5.⁶⁰ founded on account. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$5.⁶⁰ and that it be assigned to the fifth class.

Estate of Lura A. Gillilan, dec'd.

Comes now the Buren Furniture Company, by John Buren, agent of said Company, and present to the Court for allowance against said estate a demand for One Hundred Dollars, founded on account for burial casket and funeral expenses. Notice being waived in open Court and affidavit and proof made, it is therefore ordered that said demand be allowed against said estate in said sum of \$100.⁰⁰ and that it be assigned to the first class.

In the matter of the Estate of }
James H. Ellis - deceased. }

Ordered that the first annual settlement this day filed by Isaac J. Oxford, administrator of said decedent be approved and recorded.

August Term - Tuesday August 15th 1905

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

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

In the matter of the estate of } Continuance
Amanda B. Godman, a minor }

Ordered that the settlement this day due from Perry A. Godman curator of the estate of said minor be continued to the November term 1905 of this court for final settlement.

In the matter of the estate of } settlement approved and
Luro A. Gillilan, dec'd } distribution ordered.

Ordered that the first annual settlement this day filed by R. W. Thompson, administrator of said estate be approved and recorded. And said administrator having reported to the Court that he has on hand the sum of Thirteen hundred and fifty dollars (\$1350.00) which will not be needed for the payment of debts of said deceased, it is therefore ordered that said administrator distribute said sum to the heirs of said deceased as follows:

To Nathan K. Gillilan	\$ 450.00
" Lorenzo J. Gillilan	\$ 450.00
" Mary Lee Wags.	\$ 450.00

In the matter of the estate of } Continuance
Reuben Herskberger, Etal. }

Ordered that the settlement this day due from D. J. Taylor, curator of the estate of said minors be continued to the November term 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 November term 1905.

August Term -

Tuesday

August 15th 1905.

In the matter of the estate of }
Virgil C. Miller - a minor }

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

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

Thomas R. Shaw
Judge

August Term. Wednesday - August 16th 1905.

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

In the matter of the estate of } appropriation to widow
Marion J. Pennington - dec'd }

Now on this day comes Laura Bell Pennington widow of said 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, which consists of two children (who are altogether supported by her) for one year next after the death of her said husband, as allowed her by law; wherefore she prays the court to make an allowance to her in lieu of provisions not on hand as aforesaid, out of the assets of said estate, and that she believes the sum of seventy five dollars will be a reasonable allowance for that purpose. And the court having heard and considered said petition, and the evidence in support thereof finds that said sum of \$75.00 will be necessary to supply said deficiency, wherefore it is ordered by the court that said sum do, and the same is therefore appropriated out of said estate for the purpose aforesaid.

In the matter of the estate of } Inventory & appraisement
William E. Brinnow, dec'd } filed and approved.

Comes now John W. Meade, administrator of the estate of William E. Brinnow, deceased, and files his inventory and appraisement of said estate and is examined and approved.

In the matter of the estate of } Order of sale of Real Estate.
John H. Darcy, deceased }

Now at this day comes Jackson Darcy, administrator of John H. Darcy, deceased, and prays to the court that the order of publication, made by the Probate Court of said county of Davies, upon his petition

August Term - Wednesday, August 16th 1905.

at the May term 1905, 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 no personal estate or effects of said deceased charged with the payment of debts, and no 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 North East quarter ($\frac{1}{4}$) of the South East quarter ($\frac{1}{4}$) of section (8) Eighth Township (59) Fifty nine, and Range (29) Twenty nine, containing 40 acres more or less, Also the North three fourths ($\frac{3}{4}$) of the North East quarter ($\frac{1}{4}$) of the North West quarter ($\frac{1}{4}$) of section (8) Eighth Township (59) Fifty nine (59), of Range (29) Twenty nine, containing 30. acres more or less, all situate in Daviess County Missouri. Said North East quarter of the South East quarter of section Eighth Township Fifty nine, of Range Twenty nine, is included in a deed of trust with 160 acres of other lands securing to Frank Simpson, the sum of \$3000.⁰⁰ bearing (5%) five percent interest, and due March 20th 1906, said encumbrance having been executed by John H. Dearcy deceased, and is ordered sold subject to said encumbrance. It is further ordered that the said administrator, sell the same for the purposes in said petition mentioned on the following terms to-wit: Cash in hand, and said administrator is directed to make report of his proceedings in relation thereto, to this court at its next term as required by law.

August Term. Wednesday - August 16th 1905.

In the matter of the estate of }
Simeon Hamblin - dead }

Ordered that the first annual settlement this day filed by Margaret Hamblin, administrator of said Estate be approved and recorded.

In the matter of the estate of } Final settlement & discharge
William A. Johnson, dead }

Now at this day comes Obed S. Goutsey, administrator of the Estate of said William A. Johnson 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 otherwise fully administered, it is therefore ordered that said settlement be and the same is approved and ordered spread of record, and that said administrator be discharged herein.

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 the estate of said minors be and the same is continued to the November term 1905 hereby, 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

August Term. Thursday, August 17th 1905.

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

In the matter of the estate of
Herman A. Conway, minor
heir of Aquilla Conway, dec'd } Appointment of Curator

On this day appeared Herman A. Conway, and it appearing to the Court, that he is a minor under twenty one but above fourteen years of age, and resides in the County of Daviess, and has no Curator, and being directed by the Court to choose a Curator of his estate he selected his Mother, Rebecca Conway, who being approved by the Court is appointed Curator of the estate of said Herman A. Conway, 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 minor 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 her duties according to law. And now comes said Rebecca Conway, and files herein her bond, as such Curator in said sum of Two hundred and fifty Dollars, conditioned as the law directs, with William A. Knott and William Drummell as securities thereon, which said bond is by the Court approved.

Estate of Jesse A. Creechmore, dec'd } 3

Comes now Dr W. L. Brasius, and presents to the Court for allowance against said estate a claim and for \$85.⁰⁵ founded on a note executed by deceased, dated January 1st 1904, due in one year, with eight per cent per annum interest from date, total now due \$85.⁰⁵. 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 Eighty five & ⁰⁵/₁₀₀ Dollars, and the same is assigned to the fifth class.

August Term - Thursday - August 17th 1905.

Estate of Nancy Bell Goodwin. Dec'd.

Comes now Dr Linsley Brown, and presents to the Court for allowance against said estate a demand for \$87.⁰⁰ 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 \$87.⁰⁰ and that it be assigned to the second class.

Estate of Harford F. Harrah. dec'd.

Comes now Hughston & Gustin, and present to the Court for allowance against said estate a demand for \$45.⁰⁰ founded on account for burial casket for 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 Forty five Dollars and that it be assigned to the first class.

In the matter of the estate of } appropriation to widow.
Harford F. Harrah. dec'd }

Comes now Lina Harrah, widow of said deceased and prays the Court to allow her a reasonable sum for her support out of the personal estate of said deceased, and states to the Court that at the date of the death of said deceased there was not on hand and provided the provision allowed her by law necessary for the support of herself and family for one year next after the death of her said husband. That there was on hand only 106 bushels of wheat. That her family consists of herself, her aged Mother and one son seventeen years of age. That she believes the sum of One hundred and seventy five Dollars will be a reasonable appropriation to supply such deficiency. And the Court having considered said petition and evidence in support thereof, orders that said sum of One hundred and seventy five Dollars be and the same is appropriated out of said personal estate for the purpose aforesaid.

August Term

Thursday.

August 17th 1905.

In the matter of the estate of } Order confirming Sale.
Preston G. Prindle - a minor

Now comes James H. Prindle, curator of the estate of Preston G. Prindle, and submits to the court his report of sale by which it appears that he did on Wednesday the 16th day of August 1905, in obedience to the order of this court made at the May term 1905, thereof, sell at private sale to Gabriel Glaze for the sum of Four hundred and thirty seven & 50/100 Dollars the real estate in said order of court and report particularly described viz: The undivided one eighth (1/8) interest in and to the East seventy (70) acres of the East half of the North East quarter of section (23) Twenty three, Township (61) Sixty one of Range (28) in Daviess County Missouri. And it appearing that said sale was legally, and fairly conducted, pursuant to the order of the court, and in accordance with the statute, it is therefore ordered that the said sale be, and the same is hereby approved, and confirmed, and the said curator is ordered, to execute, acknowledge and deliver to said Gabriel Glaze, a deed in due form of law, conveying to the said Gabriel Glaze, all the right, title and interest which the said Preston G. Prindle had in and to said real estate.

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

Ordered that the settlement this day due from E.M. Foley Jr. guardian of said John D. James be continued to the November term 1905. Thereof.

In the matter of the estate of } Renewal of order of sale.
John D. James - Insane

It is ordered by the court that the order of sale of real estate, made at the May term 1905 of this court on the petition of said guardian, be and the same is in all things renewed, and that said guardian report his proceedings under said order to the next term of this court.

August Term - Thursday August 17th 1905.

In the matter of the estate of }
Harvey Johnson - Susane }

Ordered that the third annual settlement this day filed by Charles E. Gotes, guardian of said minor, be approved and recorded.

In the matter of the estate of }
Gordon R. Leap. Etal. }

Ordered that the sixth annual settlement this day filed by Frank B. Ray, curator of the estate of said minors be approved and recorded.

In the matter of the estate of } Continuance
Daniel J. Morris. dec'd }

Ordered that the settlement this day due from William J. Morris administrator de busis moris with the will annexed of said deceased be continued to the November term 1905. for final settlement

In the matter of the estate of }
Corrin E. Miller - a minor }

Ordered that the first annual settlement this day filed by Georgia E. Miller Curator of the estate of said minor be approved and recorded.

In the matter of the estate of } Continuance
Irma May Mitchell - a minor }

Ordered that the settlement this day due from Nelson T. Smith, Curator of the estate of said minor be continued to the November term 1905.

In the matter of the estate of } Final settlement and
Lorenzo E. McBrayer - dec'd. } Distribution

Now at this day comes Walker McBrayer administrator of said deceased and presents his accounts and vouchers for final settlement, and it appearing to the court that notice of said settlement has been published as required by law; that all the debts due and owing by said estate have been fully paid, and said estate fully administered. it is therefore ordered that said

August Term Thursday August 17th 1905.

settlement be approved and recorded, and the balance remaining in the hands of said administrator of \$225.99 belonging to said estate is ordered distributed to the heirs of deceased as follows.

To Mary F. McBrayer (widow)	\$ 112.99
" Margaret J. Place (Sister)	56.50
" Walker McBrayer (Brother)	56.50

And upon filing receipts therefor that he be discharged.

In the matter of the estate of } Continued.
Joseph Offield - Deceased }

Ordered that the settlement this day due from Jas M Offield, Executor of said deceased be continued to the November term 1905. as per stipulation.

In the matter of the estate of }
Preston S. Prindle - a minor }

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

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

Thomas R. Shaw
Judge

August Term - Friday - August 18th 1905.

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

In the matter of the adoption of }
 Mary M. Robert, minor child } Changing name.
 of Carrie E. Robert, and }
 David Groomer and Letitia Groomer }

Now at this day comes David Groomer and Letitia Groomer his wife, and show to the Court that on the 17th day of December, 1904, by deed of adoption duly executed, acknowledged and recorded - as in the case of a conveyance of real estate - in the County of Davies, they adopted Mary M. Robert, minor child of Carrie E. Robert, as and for their child and heir at law, with the assent of the said Carrie E. Robert who joined in the execution of said deed, as party thereto; and they ask the Court to change the name of said adopted child, from Mary M. Robert, to Mary M. Groomer, so that it shall bear the name of its adopted parents; it is therefore ordered that the name of said adopted child, be and the same is by this order changed from Mary M. Robert to Mary M. Groomer, so that hereafter the said adopted child shall be known as, and by the name of - Mary M. Groomer, child and heir of David Groomer and Letitia Groomer, its adopted parents.

In the matter of the estate of } Partial Discharge
 Susan A. Gotschall - dec'd }

Now at this day comes Robert E. Marpin, executor of said deceased, and files the receipt of S. A. Gotschall and C. J. Gotschall for the amount ascertained to be due them as distributees of said deceased, on final settlement of said estate, made at the November adjourned term - Dec 9th 1904, of this Court, for the sum each of seventy one cents. Wherefore it is ordered that said Executor be discharged as to said S. A. & C. J. Gotschall.

August Term - Friday August 18th 1905.

Estate of William E. Brinnow, dec'd $\frac{3}{4}$

Comes now Dr W. L. Brosius, and presents to the Court for allowance against said estate, a demand for \$15.⁰⁰ 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 \$15.⁰⁰ and that it be assigned to the second class.

Estate of Mary E. Morris, dec'd $\frac{3}{4}$

Comes now Bert Shaver, and presents to the Court for allowance against said estate a demand for \$12.⁰⁰ founded on account. Notice being waived in open Court and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$12.⁰⁰ and that it be assigned to the fifth class.

Estate of Mary E. Morris, deceased.

Comes now Dix Drug Co. and present to the Court for allowance against said estate a demand for \$2.¹⁵ founded on account. Notice being waived in open Court and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$2.¹⁵ and that it be assigned to the second class.

Estate of Mary E. Morris - dec'd.

Comes now Dr D. D. Jarrett, and presents to the Court for allowance against said estate a demand for \$18.⁰⁰ founded on account. Notice being waived in open Court, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of Eighteen Dollars and that it be assigned to the second class.

Estate of Jesse A. Creekmore, dec'd.

Comes now McCune and Pettijohn and present to the Court for allowance against said estate a demand for \$100.⁰⁰ founded on account for burial casket and funeral expenses. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$100.⁰⁰ and that it be assigned to the first class.

August Term Friday - August 18th 1905.

Estate of Lillitha J. McDow. deceased. $\frac{2}{3}$

Comes now McEne & Pettijohn, and present to the Court for allowance against said estate a demand for \$77⁵⁰ founded on account for funeral expenses for deceased. Notice being received in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of Seventy seven & $\frac{50}{100}$ Dollars and that it be assigned to the first class.

In the matter of the estate of Benjamin F. Rayston, dec'd } Final settlement & discharge.

Now at this day comes Robert E. Marpin, 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 terms of the will of said deceased, and that the assets of said estate have been fully accounted for, it is therefore ordered that said settlement be approved and recorded and that said administrator be discharged.

In the matter of the partnership Estate } Final settlement & discharge
of B. F. Rayston & Son

Now at this day comes Robert E. Marpin, administrator of the copartnership estate of B. F. Rayston & Son, and presents his accounts and vouchers for final settlement, and it appearing that notice of said final settlement has been published according to law, that all the debts of said copartnership have been fully paid and said estate fully administered it is therefore ordered that said settlement be approved. And there remaining in the hands of said administrator for distribution as shown by said settlement the sum of \$2162⁴⁴ it is ordered that said administrator distribute said sum as follows:

To Estate of B. F. Rayston - dec'd	\$108. 47
" James P. Rayston, surviving partner	108. 47

and said admin having charged himself as administrator of the estate of B. F. Rayston, dec'd with said sum of \$108. 47. and accounted for same in his final settlement

August Term -

Friday.

August 18th 1905.

of said estate this day made. and having also filed the receipt of the said James T. Royston for said sum of \$108.⁴⁷ it is therefore ordered that said administrator be discharged herein.

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

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

In the matter of the estate of } Final Settlement & Distribution
George Egbert - deceased

Now at this day comes Robert E. Maupin, administrator 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 due and owing by said estate have been fully paid and said estate fully administered, it is therefore ordered that said settlement be approved and recorded. And it appearing from said settlement that there remains in the hands of said administrator for distribution among the heirs of said deceased the sum of \$5390.²⁴ it is ordered that said administrator distribute said sum as follows to-wit:

To Eva Dooney.	(Daughter)	\$ 965. ⁰⁴	✓
" Mary Trimble	(")	965. ⁰⁴	✓
" Maggie O'Hare.	(")	965. ⁰⁴	✓
" John D. Egbert	(Son)	965. ⁰⁴	✓
" Rachel A. Egbert	(widow)	565. ⁰⁴	✓
" Dallis Ellis.	(Daughter)	965. ⁰⁴	✓

And upon filing receipts therefor that he be discharged.

In the matter of the estate of }
Joseph D. McDaniel - minor

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

August Term Friday - August 18th 1905.

In the matter of the Estate of }
John R. Richardson - Insane }

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

In the matter of the Estate of }
Gladys E. & Lucille D. Reyston - Minors }

Ordered that the fourth annual settlement this day filed by Ada M. Reyston, curator of the estate of said minors be approved and recorded.

In the matter of the estate of } Continued
George A. Robinson Etol - Minors }

Ordered that the settlement this day due from William Robinson, curator of said minors be continued to the November term 1905.

In the matter of the Estate of }
William M. Robinson }

Ordered that the first annual settlement this day filed by Joseph C. Robinson, executor of said William M. Robinson, be approved and recorded.

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

Thomas R. Shaw
Judge

August Term. Saturday August 19th 1905.

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

In the matter of the estate of } Final settlement & Discharge
James A. Whitt. - a minor }

Comes now Joseph O. Whitt. curator of the estate of
said minor, and presents his accounts and vouchers
for final settlement. said James A. Whitt having at-
tained to his majority. and comes also the said
James A. Whitt. and in open court waives the filing
of an exhibit and notice of said settlement, and
enters his appearance. Whereupon the court pro-
ceeds to the examination of said settlement which
is found to be correct, and is by the court ap-
proved. And it appearing from said settlement that
there remains in the hands of said curator the sum
of \$248.78 due said ward it is therefore ordered that
said curator pay said sum to said ward. And now
comes the said James A. Whitt. and acknowledges
satisfaction of record, and receipts his said curator
for said sum of \$248.78. Wherefore it is ordered that
said curator be discharged.

Estate of Jesse A. Creeknor. dec'd.

Comes now Wood A. Hamilton, and presents to
the Court for allowance against said estate a demand
for \$105.⁶³ founded on a note, executed by deceased
dated January 1st 1888. - for \$25⁰⁰ with interest at the
rate of ten percent. compounded if not paid an-
nually. - Credited Nov. 9th 1903, with \$10⁰⁰ balance
of principal and interest now due \$105.⁶³. Notice
being waived in writing, and affidavit and proof
made, as to execution of said note, it is therefore or-
dered that said demand be allowed against said es-
tate, in said sum of \$105.⁶³ and that said demand
be assigned to the fifth class.

August Term - Saturday August 19th 1905

Estate of William H. Cunningham, dec'd {

Comes now Livingston D. Paige agent for E. S. Swift, and presents to the court for allowance against said estate a demand for \$4.¹⁷ founded on account. Notice being waived in open court and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$4.¹⁷ and that it be assigned to the fifth class.

Estate of John H. Searey, dec'd {

Comes now H. N. Reynolds and presents to the court for allowance against said estate a demand for \$933.⁸⁵ founded on three promissory notes, described as follows: One for \$200.⁰⁰ dated January 1st 1900, with interest at 7%. interest paid to January 1st 1904; interest due to July 22nd 1905 \$21.⁸⁰ One note dated March 28th 1902, due in twelve months, bearing interest at 7%, interest paid to Mch 28th 1904; interest due to July 22nd 1905 \$50.⁷⁰ amount of note \$550.⁰⁰ One note for \$100.⁰⁰ dated December 9th 1900, bearing 7% interest, interest paid to Dec 19th 1903, interest due to July 22nd 1905, \$11.³⁵ Total \$933.⁸⁵. Notice being waived in writing, affidavit and proof of execution made, it is therefore ordered that said demand be allowed against said estate in said sum of \$933.⁸⁵ with interest from July 22nd 1905 at 7% and that it be assigned to the fifth class.

Estate of John H. Searey, dec'd {

Comes now H. N. Reynolds, and presents to the court for allowance against said estate a demand founded on a note for \$1091.⁴⁵ executed by deceased, dated Feby 1st 1904, due in twelve months with six per cent interest from date, amount due July 22nd 1905 \$1091.⁴⁸ Notice being waived and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$1091.⁴⁸ at 6% from July 22nd 1905, and that it be assigned to the fifth class.

August Term - Saturday. August 19th 1905.

Estate of Jesse A. Creekmore. dec'd.

Comes now Drs Hanna & Doolin, and presents to the court for allowance against said Estate a demand for \$31.50 founded on account for medical services. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$31.50 and that it be assigned to the fifth class.

Estate of R. W. Wolfe. deceased.

Comes now L. W. Shew, agent for "Kiddler Institute", and presents to the court for allowance against said estate, a demand for \$52.50 founded on an endowment fund contract to said Institute. 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 \$52.50 and that it be assigned to the fifth class.

Estate of George Nelson - Insane.

Comes now James B. Drummond, and presents to the court for classification, a certified copy of a judgment rendered against said George Nelson, and in favor of said James B. Drummond for \$45.75 debt at six percent interest and for \$8.50 interest and \$3.10 costs of suit. Total of judgment \$57.35 said judgment having been rendered by D. P. Cox, Justice of the Peace of Union Township, Daviess County Missouri. Notice of the presentation of said judgment having been waived in writing by the guardian of said George Nelson, and affidavit made it is therefore ordered that said demand be allowed against said estate in said sum of \$57.35 and that it be assigned to the fifth class.

Estate of George Nelson - Insane.

Comes now H. M. Doulinson, and presents to the court for classification against said estate a certified transcript of a judgment rendered by J. G. McVeigh, J. P. of Union Township, Daviess County Missouri, in favor of said H. M. Doulinson and against

August Term - Saturday - August 19, 1905.

said George Nelson on the 17th day of June 1905. for the sum of \$7.⁰⁰ debt and \$4.⁰⁵ costs. Total \$11.⁰⁵

Notice of presentation of said judgment for classification having been waived in writing, and affidavit made, it is therefore ordered that said judgment be allowed against said estate in said sum of \$11.⁰⁵ and that it be assigned to the fifth class.

In the matter of the estate of } Order of sale of real estate renewed.
Gabriel L. Ballinger Jr - Insane

It is ordered by the Court that the order of sale of real estate of said Gabriel Ballinger Jr. Insane, made at the May term 1905 of this Court be and the same is in all things renewed, and said guardian is ordered to 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 renewed
Ima May Mitchell - a minor

It is ordered by the Court, that the order of sale of real estate of said minor made at the May term 1905 of this Court, be and the same is in all things renewed, and that said Curator report said sale, and his proceedings therein to this Court at the next term thereof.

In the matter of the estate of } Appropriation to widow
John W. Kissinger - deced

Comes now Matilda J. Kissinger, widow of decedent, and represents to the Court, that at the date of the death of her said husband, there was not on hand, grain, meat, vegetables and groceries, necessary for her support and maintenance for one year next after the death of her said husband wherefore she prays the Court for a reasonable allowance out of the estate of decedent to supply said deficiency: Wherefore it is ordered by the Court that the sum of \$100.⁰⁰ be and the same is appropriated out of the personal estate of said decedent for the purpose aforesaid.

In the matter of the estate of }
Helen and Edward Barlow - minors

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

August Term - Saturday August 19th 1905.

In the matter of the estate of }
Myrtle Shintaffer - a minor }

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

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

Ordered that the settlement this day due from Katie A. Stitt - Executrix of said deceased, be continued to the August term 1906. hence

In the matter of the estate of } Final settlement & distribution
Mary Stiffler - deceased }

Now at this day comes J. B. Stovall administrator of said estate and presents his accounts and vouchers for final settlement and it appearing to the Court that notice of said settlement has been published as required by law, that all the debts due and owing by said estate have been fully paid and said estate fully administered, it is therefore ordered that said settlement be approved and recorded, and that said administrator distribute the balance remaining in his hands due said estate, of \$918.49 to the heirs of said deceased as follows:

To Sardinia A. Stiffler	\$ 85.24	✓
" William Stiffler	85.24	✓
" Martha Nichell	213.81	✓
" Cora Robison	213.81	✓
" Mrs. Bertha Morrow (formerly Bertha Payne)	85.24	✓
" Emma Brouley	85.24	✓
" Izella Musselman.	14.22	✓
" William Kelly	14.22	✓
" George Kelly	14.22	✓
" Everett Kelly	35.65	✓
" Rosa Kelly	35.65	✓
" Lee Kelly.	35.65	✓

And upon said administrator filing the receipts of said above named distributees for the amount due them respectively that he be discharged.

August Term Saturday. August 19th 1905.

In the matter of the estate of } Continuance
Roy & Ernest Slatten - minors }

Ordered that the settlement this day due from Douglas Slater, curator of the estate of said minors be continued to the November term 1905. henceof.

In the matter of the estate of }
Alice L. Taylor. Et al. minors }

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

In the matter of the estate of } Final settlement & discharge
Douglas Taylor. deceased }

Now at this day comes E. M. Foley Jr. administrator of said estate, and presents his accounts and vouchers for final settlement, and it appearing to the Court that notice of said settlement has been published as required 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 it appearing from said settlement that there remains in the hands of said administrator the sum of \$847.56 it is ordered that said administrator distribute said sum to the heirs of said deceased as follows:

To William D. Taylor.	\$282.52
" Alice L. Taylor	282.52
" Myrtle P. Taylor.	282.52

And now comes the said E. M. Foley Jr. and as guardian and curator of the persons and estate of the above named distributees files receipts for the amount due each of them respectively wherefore it is ordered that he be discharged.

In the matter of the estate of } Continuance
Georgia Witten. Et al. minors }

Ordered that the settlement this day due from Louise J. Witten, curator of said minors be continued to Nov Term 1905.

August Term Saturday August 19th 1905.

In the matter of the estate of } Final settlement & Discharge
Sarah J. Wood - deceased }

Now at this day came P. P. Doak, 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, and that said estate has been fully administered, it is therefore ordered that said settlement be approved and recorded. And it appearing from said settlement that there remains in the hands of said administrator belonging to said estate a balance of \$1720.⁴⁷ it is therefore ordered that said administrator distribute said sum to the heirs of said deceased as follows:

To Joseph A. Wood.	\$ 345.40
" William A. Wood.	345.40
" Mary E. Wood.	345.40
" Jefferson D. Wood.	345.40
" Pearl Blackburn.	69.08
" Francis C. Blackburn.	69.08
" Virgil H. Blackburn.	69.08
" Laura W. Blackburn.	69.58
" Forest W. Blackburn.	69.08

And now came said P. P. Doak, administrator as aforesaid and files herein the receipts of all of the above named distributees for the amount due them respectively, wherefore it is ordered that said administrator be discharged.

Ordered that Court adjourn until Court in course.

Thomas R. Shaw
Judge

In Vacation - September 11th 1905.

In the matter of the Copartnership Estate } Private Sale
of William L. Powell & Son.

Came now Lewis M. Powell, surviving partner in charge of said estate, and files his written application for permission to sell forty two fat hogs weight \$7900. belonging to said estate, at private sale, and the Judge of Probate being satisfied that it will be to the best interest of said estate, and not prejudicial to persons interested therein to sell the same at such sale, it is ordered that said surviving partner, sell said property at private sale for not less than three fourths of its appraised value for cash, and that he make report of same to this Court.

Thomas R. Shaw
Judge of Probate.

In Vacation - September 13th 1905.

In the matter of the Guardianship } Appointment of Guardian
of Clara May Butcher - a minor

On this day appeared Clara May Butcher, 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 directed to choose a guardian of her person, she selected Sylvester Maulin, who being approved by the Judge of Probate, is appointed guardian of the person of said minor, and before entering upon the duties of his office he is required to enter into bond to the State of Missouri, for the use of said minor, with two or more securities to be approved by the Court in the sum of One hundred Dollars, conditioned for the faithful discharge of his duties according to law. And now came said Sylvester Maulin and files herein his bond as such guardian in said sum of One hundred dollars, with Rollin J. Britton, and C. H. Eldon, as securities thereon which is approved.

Thomas R. Shaw
Judge of Probate.

In Vacation - September 21st 1905.

In the matter of the estate of } Appointment of administrator
Hugh Smith - deceased.

Now at this day comes Eliza J. Smith widow of said deceased, and makes application for letters of administration on the estate of said deceased, who departed this life intestate on the 6th day of September, 1905. Having at the time of his death (in addition to real estate) personal property of the probable value of five hundred dollars. And the said Eliza J. Smith being the widow of said deceased, and entitled to administer upon said estate, and being a suitable and competent person for such trust, it is therefore ordered that she be and is hereby appointed administrator of said estate, and that letters of administration issue to her thereon. 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 one thousand dollars with two or more securities to be approved by the Court conditioned for the faithful discharge of her duties according to law. And now comes said Eliza J. Smith and files herein her bond in said sum of one thousand dollars with William Roney and Sarah Bacon as securities thereon which said bond is approved.

Thomas R. Shaw
Judge of Probate.

In Vacation - October 19th 1905.

In the matter of the estate of } Appointment of administrator
William M. Whitchurch, dec'd.

Comes now Sarah C. Whitchurch, widow of said deceased, and makes application for letters of administration on the estate of said deceased, who departed this life intestate on the second day of October 1905. Having at the time of his death personal property of the probable value of one thousand dollars and the said Sarah C. Whitchurch, being a suitable and competent person for such trust and as the widow of said deceased entitled to administer upon said estate; it is therefore ordered that she be and is hereby appointed administrator of said estate.

and that letters of administration issue to her thereon, and before entering upon the duties of her office she is required to enter into bond to the State of Missouri, as such administratrix in the sum of two 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 Sarah C. Whitchurch, and files herein her bond in said sum of Two Thousand dollars, with Jasper Shoemaker, V. E. Foxworthy, and P. F. Christian, as securities thereon which said bond is approved. It is further ordered that J. J. Jeffries, and Joshua Maurice, he and they are appointed witnesses, to accompany and aid said administratrix in opening and examining the papers, money and other property of said deceased and in making an inventory thereof.

Thomas R. Shaw
Judge of Probate.

On Vacation - October 20th 1905.

In the matter of the estate of, and last will and testament of John Easter, deceased } Will Probated.

On this day one instrument of writing heretofore filed herein purporting to be the last will and testament of John Easter, deceased together with the Codicil thereto attached is offered for probate and the Judge of Probate having seen and examined said instrument of writing, and Codicil thereto attached, and having also heard the testimony of J. J. Jeffries, and J. H. Mallory, two of the subscribing witnesses to said will, and Joshua Maurice and J. H. Klepper, the subscribing witnesses to said codicil, attached to said will, in relation to the execution of the same, does declare and adjudge said instrument of writing dated March 28th 1897, and said codicil dated February 24th 1903 to be the last will and testament of John Easter, deceased late of Daviess County, and orders the same admitted to probate as such.

Thomas R. Shaw
Judge of Probate.

In Vacation - October 21st 1905.

In the matter of the estate of } Order regarding letters
John C. Farrer. Deceased }

Now at this day comes Celia Farrer, and shows to the court that she is the widow of John C. Farrer 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.

And the court therefore that the said Celia Farrer, 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 other or further property be shown.

Thomas R Shaw
Judge of Probate

In Vacation - October 28th - 1905.

In the matter of the estate of } Administrator Public
Humphrey M. Pollard - Deceased } to take charge

Now at this day it having come to the knowledge of Probate that Humphrey M. Pollard late of the County of Daviess departed this life intestate on the 26th day of October 1905, having at the time of his death personal property in this state of the probable value of One hundred dollars, and William Pollard one of the distributees of said deceased having this day filed his written relinquishment of his right to administer upon said estate, and requested that the public administrator of Daviess County be ordered to take charge of and administer said estate - And in order that said estate be not wasted, pawned or lost, it is ordered that George W. Morton, public administrator of Daviess County take charge of and administer said estate according to law and that letters of administration issue to him thereon -

Thomas R Shaw Judge of Probate

In Vacation - October 28th 1905.

In the matter of the estate of }
 Jesse L. Wells - Clarence L. Wells, } Appointment of Curator
 Clarice B. Wells, and Orville R. Wells, }
 minor heirs of Benjamin J. Wells, dec'd.

Now on this day appeared Jesse L. Wells, Clarence L. Wells, and Clarice B. Wells, and it appearing to the Judge of Probate that they are minors under twenty one but above fourteen years of age, and reside in the County of Daviess, and have no curator, and being directed by the Judge of Probate to choose a curator of their estate, they selected Dr Robert V. Thompson, who being approved by the Judge of Probate is appointed Curator of the estate of said Jesse L. - Clarence L. and Clarice B. Wells, and it further appearing to the Judge of Probate that the said Orville R. Wells, is a minor under fourteen years of age and has no curator, it is therefore ordered that said Robert V. Thompson do and he is hereby also appointed Curator of the estate of said Orville R. Wells, 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 Jesse L. - Clarence L. - Clarice B. and Orville R. Wells, in the sum of Twenty Eight hundred Dollars, with two or more securities to be approved by the Court, conditioned for the faithful discharge of his duties according to law.

Thomas R. Shaw - Judge of Probate.

In Vacation - October 31st 1905.

In the matter of the estate of } Curator files bond.
 Orville R. Wells, et al - minors }

Came now Robert V. Thompson, who was on the 28th day of October 1905 appointed Curator of the estate of Jesse L. Wells, Clarence L. Wells, Clarice B. Wells, and Orville R. Wells - minor heirs of Benjamin J. Wells, deceased, and files his bond as such Curator in the sum of Twenty eight hundred Dollars as required by said order of appointment, with Jno R. Hursey, and J. E. McBrayer, as securities thereon which said bond is approved, and said Curator is ordered to enter upon the discharge of his duties.

Thomas R. Shaw
 Judge of Probate.

In Vacation - October 31st 1905.

In the matter of the estate of } Order Refusing Letters.
Robert Danner - deceased }

Now at this day comes Froua Danner, and shows to the Court that she is the widow of Robert Danner, 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.

So the end therefore that the said Froua Danner, 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 other or further property be shown.

Thomas R. Shaw, Judge of Probate.

In Vacation - November 6th 1905.

In the matter of the estate of } Appointment of Curator.
William R. Willis - a minor }

On October 27th 1905, appeared William R. Willis, and it appearing to the Judge of Probate, that he is a minor under twenty one, but above fourteen years of age and resides in the County of Daviess, and has no curator of his estate, and being directed by the Judge of Probate to choose a curator of his estate, he selected Israel Heath, who being approved by the Judge of Probate is appointed curator of the estate of said William R. Willis, 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 William R. Willis, 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 Israel Heath and files herein his bond as such curator in said sum of Two Hundred Dollars, conditioned as the law directs, with James R. Heath and William R. Heath as securities thereon which said bond is by the Judge of Probate approved.

Thomas R. Shaw
Judge of Probate.

November Term - Monday - November 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 November 13th 1905, there was present Thomas R. Shaw, Judge of said court, and W. J. Hutchison, Sheriff of said county when the following proceedings were had to-wit;

Ordered that the bond of Eliza J. Smith, as administratrix of the estate of Hugh Smith, deceased, taken in vacation September 21st 1905, be and the same is approved, and her appointment as administratrix ratified and confirmed.

Ordered that the bond of Sarah E. Whitchurch as administratrix of the estate of William M. Whitchurch, deceased, taken in vacation October 19th 1905, be and the same is approved and her appointment ratified and confirmed.

Ordered that the bond of Sylvester Maullie as guardian of the person of Clara May Butcher - a minor taken in vacation September 13th 1905, be and the same is approved and his appointment ratified and confirmed.

Ordered that the bond of R. V. Thompson as curator of the estate of Orville R. Wells Etol - minors, taken in vacation October 31st 1905, be and the same is approved and his appointment as curator, ratified and confirmed.

Ordered that the bond of Israel Heath, as curator of the estate of William R. Willis - a minor, taken in vacation November 6th 1905, be and the same is approved, and his appointment as curator, ratified and confirmed.

In the matter of the estate of }
and last will and testament of } Judgment Establishing will,
John Easter, deceased.

It being shown to the court now here, that in vacation of this court, on the 7th day of September 1905, an instrument of writing, purporting to be the last will and

November Term. Monday. Nov 13th 1905.

Testament of John Carter, deceased, together with the codicil thereto attached - said will being attested by J. D. Stevens, J. J. Jeffries, and J. H. Mallory, and said codicil being attested by Jacob H. Klepper, and Joshua Maurice, as witnesses - was produced before the clerk of this Court to be proved and admitted to record as the last will of said John Carter, deceased. And said clerk proceeded to take the testimony of J. H. Mallory and J. J. Jeffries, two of the witnesses to said will, and of Jacob H. Klepper and Joshua Maurice, witnesses to said codicil, to said will, 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, and codicil thereto, proved, granted a certificate of probate on said 20th day of October 1905. And the Court having inspected said will, and codicil and seen and heard the testimony of said subscribing witnesses so taken in vacation as to the execution of said will, and codicil, and being sufficiently advised. It is ordered that said instruments be considered proved, and the same is adjudged to be the last will of John Carter 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 } Discharge of administrator
Lorenzo E. McBrayer, deceased }

Came now Walker McBrayer, administrator of said estate, and files the receipt of Margaret C. Race, Mary J. Whitt, (formerly Mary J. McBrayer), and Walker McBrayer, for the amount due each of them on final settlement of said estate, made August 17th 1905. It is therefore ordered that said administrator be discharged, said estate having been fully administered.

In the matter of the estate of } Partial Discharge
Lindira C. Dowell, decd. }

Came now William Dowell, and John Dowell Executors of said deceased, and file the receipt of Emeline O'Daniel, and John Dowell for the sum each of \$1003.25, and the receipt of Clara Dowell for the sum of

November Term Monday November 13th 1905,

\$25⁰⁰ Twenty five dollars. being the amounts due them respectively on final settlement of said estate, made February 14th 1905. Said executors also file the receipt of Belva O'Daniels for the sum of One hundred Dollars as legatee of said deceased. It is therefore ordered that said executors be discharged as to said distributees and said legatee.

In the matter of the estate of } Order of Private Sale. Personally.
William M. Whitchurch, dec'd }

Came now Sarah C. Whitchurch, administratrix of said estate, and makes application for an order of this Court to sell at private sale, the personal property belonging to said estate, described in the appraisement thereof filed in this Court November 20th 1905. And it appearing to the Court that it would be to the interest of said estate, and not prejudicial to parties interested therein to sell said property at private sale. It is ordered that said administratrix sell all of said personal property, described in said appraisement except such property as to widow may choose to take at the appraised value, at private sale for cash, at not less than three fourths of the appraised value thereof, and report her proceedings to this Court.

In the matter of the estate of } Order to lease Real Estate.
William M. Whitchurch, dec'd }

Came now Sarah C. Whitchurch, administratrix of said estate, and prays the Court for an order to lease that part of the real estate of said deceased, known as the North half of lot six (6) Block two (2) Weston Mission, occupied as a Blacksmith shop for the purpose of applying the rental of said property on the debts of said deceased. It is therefore ordered by the Court, that said administrator take possession of and rent said real estate on the best terms that she can obtain, payable in advance, said rental to be by the month, and that she report her proceedings to this Court.

November Term Monday - November 13th 1905.

In the matter of the estate of } Final settlement & discharge
Mabel C. Haynes - a minor

Now at this day comes Georgina H. Haynes curator of the estate of Mabel C. Haynes, a minor, and presents her accounts and vouchers for final settlement said ward having attained her majority. And comes also said Mabel C. Haynes, and in open court waives the service of an exhibit and notice of said settlement, and enters her appearance. Whereupon said settlement is taken up and considered by the court, and approved, and said curator is ordered to pay to her said ward the sum of \$997.²⁵ the balance found to be due her on said settlement. And now comes said Mabel C. Haynes and receipts her said curator for said balance and acknowledges satisfaction of records. It is therefore ordered that said curator be discharged as to his said ward Mabel C. Haynes.

Estate of Lucy A. Huston - dec'd.

Comes now E. J. Phillips Esq. and presents to the court for allowance against said estate a demand for \$7.²⁵ founded on account. Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$7.²⁵ and that it be assigned to the fifth class.

Estate of Lucy A. Huston - deceased.

Comes now O. E. Lamstock and presents to the court for allowance against said estate a demand for \$7.¹² 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 \$7.¹² and that it be assigned to the fifth class.

Estate of Lucy A. Huston, deceased.

Comes now M. E. Fittner Esq. and presents 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.

November Term Monday November 13th 1905.

of \$1.³⁵ and that it be assigned to the fifth class.

Estate of William E. Brimmon-deceased

Comes now Gil H. Puddleton, and presents to the Court for allowance against said estate a demand for \$5.⁰⁰ 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 \$5.⁰⁰ and that it be assigned to the fifth class.

Estate of M. J. Pennington-deceased.

Comes now John McKinley, and presents to the Court for allowance against said estate a demand for \$809.⁵³ founded on a note executed by L. M. Pennington and M. J. Pennington-dated Nov. 21st 1902, due in three years with five percent interest from date, compounded, 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 \$809.⁵³ at five percent, and that said demand be assigned to class five.

Estate of M. J. Pennington-deceased.

Comes now Herbert Scott, and presents to the Court for allowance against said estate a demand for \$445.²⁰ founded on a note executed by L. M. Pennington, and M. J. Pennington, for \$424.⁰⁰ Dated January 15th 1905, due in one year with interest at six percent, compounded if not paid annually, 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 \$445.²⁰ with interest at six percent from November 13th 1905, at six percent and that said demand be assigned to the fifth class.

Estate of Luro A. Gillilan-deceased.

Comes now W. R. Ashbrook, and presents to the Court for allowance against said estate a demand for \$2.³⁵ founded on account, notice being waived in writing, and affidavit and proof made, it is

November Term - Monday November 13th 1905.

ordered that said demand be allowed against said estate in said sum of \$2.⁰⁵ and that it be assigned to the 5th Class.

Estate of Jane A. Cuckmore, dec'd.

Barth now John Wilson, and presents to the Court for allowance against said estate, a demand for \$43.¹¹ founded on a note executed by deceased to Robt. Hise dated March 13th 1897, due in six months, with interest from date at 8% compounded, credited as follows: Interest paid to Oct 13th 1899. Oct 13th 1899. \$7.⁰⁰ paid on principal amount of note \$34.⁰⁰. Notice waived in writing, affidavit and proof of execution made. it is therefore ordered that said demand be allowed against said estate in said sum of \$43.¹¹ and that it be assigned to the fifth class.

In the matter of the estate of }
William S. Armstrong - dec'd }

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

In the matter of the estate of }
Samuel Austin - deceased }

Ordered that the first annual settlement this day filed by Anna S. Austin, administratrix of said deceased be approved and recorded.

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

Ordered that the fourth annual settlement this day filed by Walker S. Smith guardian and curator of the person and estate of said minor be approved and recorded.

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

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

November Term. Monday - November 13th 1905.

In the matter of the estate of }
Elma Parkdell. Etal. Minors }

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

In the matter of the Estate of } Renewal of Order of
Gabriel L. Ballinger Jr. Successor } Sale of Real Estate.

It is ordered by the Court that the order of sale of Real Estate of said Gabriel L. Ballinger Jr. made at the May term 1905. and on the 24th day of May 1905. and which order of sale was at the August term 1905. and on the 19th day of August renewed. be and the same is again in all respects renewed. and that said guardian report his proceedings to this Court at its next term.

Estate of H. F. Harrah - deceased.

Causes now Pyda Netherton. and presents to the Court for allowance against said estate a demand for \$216.⁹⁶ founded on a note for \$200.⁰⁰ dated October 25th 1905. due in one year with eight percent interest from date compounded if not paid annually, said note having been executed to A. L. Netherton. and assigned to this claimant. 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 \$216.⁹⁶ and that it be assigned to the fifth class.

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

Thomas A. Shaw
Judge

November Term - Tuesday - November 14th 1905.

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

Estate of F. M. Drummond. Deceased.

James maid O. L. Buckels. and presents to the Court for allowance against said estate a demand for \$97.³² founded on account. Notice being waived in open Court and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$97.³² And now comes E. L. Knauer, administrator of said estate, and files an offset to said demand, founded on account for \$124.⁷⁵ and a note executed to dec'd in the sum of \$89.⁴⁵ leaving a balance due said estate of \$124.⁷⁵ It is therefore ordered that said demand be offset, and that claimant pay the costs of this proceeding -

In the matter of the estate of } Administrator Discharged.
Elmer E. Cozad - Deceased

Came now Nancy J. Cozad, administrator of the estate of Elmer E. Cozad deceased, and files her receipt as curator of the estate of Frank H. Cozad, et al. minor heirs of said deceased for the amount due them as heirs and distributees of said deceased on final settlement of said estate, made at the November term 1904 of this Court said balance being \$219.⁷⁴ and said estate being fully administered, it is therefore ordered that said administrator be discharged.

In the matter of the estate of } Appointment of Curator.
Rollie E. Cozad, Homer E. Cozad
Bessie J. Cozad, Roy R. Cozad, and
Frank H. Cozad, minor heirs of
Elmer E. Cozad - Deceased

On this day appeared Rollie E. Cozad, and Homer E. Cozad, and it appearing to the Court that they are minors under twenty one but above fourteen years of age, and have no curator, and being directed by the Court to choose