

Record Book

Volume 6

May 1906 – March 1909

**May 17, 1906-
November 16, 1906
(Pages 1-100)**

May Term

Thursday

May 17th 1906.

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

Ordered by the court that the settlement this day due from John W. Morris, curator of the estate of said minors be continued to the August term 1906. and that citation issue for said curator returnable to said term for failing to make settlement as required by law.

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

Ordered that the seventh annual settlement this day filed by T. B. Gates, curator of the estate of said Alex M. Richardson be approved and recorded.

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

Thomas A. Shaw
Judge

May Term

Friday

May 18th 1906.

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

In the matter of the estate of } Final settlement and
Adda M. George. (formerly) } Curator Discharged.
Adda M. Leop. a minor

Came now Frank B. Ray, curator of the estate of Adda M. George. (formerly Adda M. Leop) now intermarried with one Elmer George. and presents his accounts and vouchers for final settlement. and read curators said ward 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 Adda M. George. and her husband Elmer George having receipted the said curator for the sum of \$13⁰⁰ the balance found to be due her on said settlement. and acknowledged satisfaction of record. It is therefore ordered that said curator be discharged.

In the matter of the estate of } Order Confirming Sale
Gladys E. Rayston. and }
Lucile D. Rayston - minors

Came now Adda M. Rayston. curator of the estate of Gladys E. and Lucile D. Rayston. and submits to the court her report of sale heretofore filed in this court at its February Term 1906. and by the court continued to the present term. by which it appears that she did on Thursday the 15th day of February 1906. in obedience to the order of this court made at the November term 1905. thereof sell at private sale to Charles A. Scott. and Lawrence Scott. for the sum of Four Hundred Dollars. cash in hand the real estate in said order of court and report particularly described viz: all the right title and interest of said minors in and to the South half of the South West

May Term

Friday

May 18th 1906.

quarter of Section (27) Twenty seven. Township (61) Sixty one. and Range (27) Twenty seven. in Daviess County Missouri. the said interest being at the time a contingent undivided one fourth interest. 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 or and the same is hereby approved, and confirmed, and the said curator is ordered to execute, acknowledge and deliver to said Charles A. Scott, and Lawrence Scott, a deed in due form of law. conveying to the said Charles Scott, and Lawrence Scott, all the right, title and interest which said minors had in and to said real estate.

In the matter of the estate of } Order confirming sale
Ima Mae Mitchell, a minor }

Came now Wilson J. Smith, curator of the estate of said Ima Mae Mitchell, and submits to the court his report of sale by which it appears that he did on Tuesday the 11th day of July 1905, in obedience to the order of this court made at the May term 1905. there-
of sell at private sale to for the sum of Twenty five Dollars, the real estate in said order of court, and report particularly described viz: The undivided one fifth of the east one fourth of the North West quarter of the South East quarter of Section (8) eight. Township (60) Sixty, and Range (24) Twenty four in Grundy 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 or and the same is hereby approved and confirmed, and the said curator is ordered to execute, acknowledge and deliver to said a deed in due form of law, conveying to the said all the right title and interest which said Ima Mae Mitchell, had in and to said real estate.

May Term

Friday

May 18th 1906.

Estate of John D. Mc Bride - dead.

Comes now V. E. Foxworthy and presents to the court for allowance against said estate a demand for \$13¹⁵ 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 \$13¹⁵ and that it be assigned to the fifth class.

Estate of Robert McKinnis - dead

Comes now Macy, Nixon & Co. and present to the court for allowance against said estate a demand for \$135.⁰⁰ for a monument to the memory of said deceased. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate, and that it be assigned to the first class.

In the matter of the estate of } Order confirming Sale
Martha E. Brodbeck Et al. minors }

Comes now Charles L. Knauer, Curator of the estate of said minors. Mabel Cuy Brodbeck, Ruth Brodbeck, Russell Mark Brodbeck, Blanch Lenora Brodbeck and Martha E Brodbeck and submits to the court his report of sale by which it appears that he did on Tuesday the first day of May 1906 in obedience to the order of this court, made at the February term 1906, thereof sell at private sale to James V. Buck of Harrison County Missouri, for the sum of Eight hundred and seventy five dollars, cash in hand, a part of the real estate in said order of court and report particularly described viz: The West half of the North East quarter, and the East half of the East half of the North West quarter, and the North West quarter of the South East quarter all in section twelve (12) Township Sixty Three (63) of Range twenty eight (28) in Harrison County Missouri. And said curator further reports that in obedience to said order of sale, he did on said first day of May 1906, at private sale, sell all the right title and interest of the said minors in and to the following real estate to wit: Commencing at a point 22 feet North of the North West corner of Lot 29.

May Term

Friday

May 18th 1906.

in Schnatterly's addition to Bethany, running thence North to the North line of lot 6, in Neels addition to Bethany, part second, thence East with the North line of said lot 6, three (3) rods and $14\frac{1}{2}$ feet; thence south to a point 32 feet north of the North line of lot 29, of said Schnatterly's addition; thence West (3) three rods and $14\frac{1}{2}$ feet to the place of beginning.

Also commencing at a point 123 feet north of the South west corner of Lot 29, of Schnatterly's addition to Bethany, thence North 123 feet to the North line of Lot 6, of Neels addition to Bethany, part second, thence west with the North line of said lot 6, to a point 7 feet and nine inches west of the North West corner thereof, thence South 123 feet; thence East $97\frac{1}{2}$ feet to the place of beginning both in the City of Bethany, Harrison County Missouri, to Harvey N. Gunn, of Harrison County Missouri, for the price and sum of Sixty eight & ⁰³/₁₀₀ Dollars, Cash in hand, all of said real estate having sold for more than three fourths of the appraised value thereof.

And it appearing that said sales were legally and fairly conducted pursuant to the order of the Court, and in accordance with the statute, it is therefore ordered that said sales be, and the same are hereby approved and confirmed, and the said curator is ordered to execute, acknowledge and deliver to said James T. Buck and said Harvey N. Gunn, deeds in due form of law conveying to the said James T. Buck, and the said Harvey N. Gunn, all the right title and interest which said minors had in and to said real estate.

In the matter of the estate of }
Martha C. Brodbeck Etal - minors }
Order of Renewal of Order
of Sale of Real Estate

It is ordered by the Court that the order of sale of real estate made by this Court at its February term 1906 in the above entitled estate, be and the same is in all things renewed, as to all of said lands embraced in said order, except such as are reported sold by the curator, and report filed, and sale confirmed at the present term of this Court.

May Term

Friday

May 18th 1906.

Estate of William E. Brimmer, dead

Comes now Dudley and Selby, and present 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.

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

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

In the matter of the estate of } Final settlement & distribution.
William H. Cunningham, dead }

Comes now E. M. Foley Jr administrator of the estate of said deceased and presents his accounts and vouchers for final settlement. And it appearing to the Court that notice of said settlement has been published according to law: that all the debts owing by said estate have been fully paid, and said estate fully administered, said settlement is taken up and considered by the Court and approved. And it appearing that there remains in the hands of said administrator a balance belonging to said estate of \$1438.86 It is therefore ordered that he distribute said sum to the heirs of said deceased as follows to-wit:

Do. Martha Cunningham	\$159.76 ² / ₉
" Analyze Summers.	159.76 ² / ₉
" James L Cunningham	159.76 ² / ₉
" Jonathan Cunningham	159.76 ² / ₉
" John P Cunningham	159.76 ² / ₉
" Susan Aldbridge	159.76 ² / ₉
" Thomas Cunningham	159.76 ² / ₉
" Sarah E. Miles	159.76 ² / ₉
" Ella Hendricks.	159.76 ² / ₉

May Term

Friday

May 18th 1906.

7

In the matter of the estate of } Order to turn over insolencies
Wm H. Cunningham, dec'd }

It is ordered by the Court that all notes, accounts and choses in action belong to said estate remaining in the hands of said administrator, and for which he has taken credit in his final settlement as insolvent or otherwise uncollectable, be turned over to the heirs and legal representatives of the deceased, who shall have the right to sue for and recover thereon in any Court of competent jurisdiction.

In the matter of the estate of } Revocation of Letters of ad-
John W. Kessinger, deceased } ministration

Now at this day it having come to the knowledge of the Court that Matilda J. McVary, (formerly Matilda J. Kessinger,) and widow of said deceased, and who is also the duly appointed administratrix of said estate, has since her appointment as administratrix intermarried with one Sherman McVary, and that thereby her authority as administratrix of said estate ceased, and the letters of administration issued to her on said estate are revoked and held for naught. It is therefore ordered by the Court that she at once proceed to make settlement of her accounts as such administratrix, and turn over said estate to the administrator de bonis non, thereof when one shall have been appointed.

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

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

In the matter of the estate of }
James Dewey Matchett, a minor }

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

May Term

Friday

May 18th 1906.

In the matter of the estate of } Continuance
Robert McKinnis, dec'd }

Ordered that the settlement this day due from Ellen McKinnis, executrix of said deceased be continued to the August term 1906. heretof.

In the matter of the estate of } Continued
Joseph Offield - deceased }

Ordered that the settlement this day due from James M Offield, as a final settlement be continued to the August term 1906 heretof.

In the matter of the estate of } Final settlement & discharge
Oscar Place, a minor }

Comes now William H. Place, curator of the estate of said minor, and presents his accounts and vouchers for final settlement. His ward the said Oscar Place having attained his majority. And comes also said Oscar Place, and in open court warns the filing of an exhibit, and notice of said settlement whereupon said settlement is taken and and considered by the court and approved. And it appearing from said settlement that there remains in the hands of said curator a balance due said Oscar Place of \$ it is therefore ordered that said curator pay said sum to his said ward, and now comes said Oscar Place and receipts the record in satisfaction of said sum. Wherefore it is ordered that said curator be discharged.

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

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

In the matter of the estate of }
Bertha L. Patton - Etal. minors }

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

May Term

Friday

May 18 1906.

In the matter of the estate of } Final settlement and
 Elza P. Richardson, dec'd } distribution.

Came now Robert A. Richardson administrator of the estate of Elza P. Richardson 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 paid, and said estate fully administered, said settlement is upon examination approved and ordered recorded.

And it appearing from said settlement that there is remaining in the hands of said administrator a balance of \$89.⁰⁰ for distribution to the heirs of said deceased said sum is therefore ordered distributed as follows viz:

To Olin Virgil Richardson	\$44.80
" Robert A. Richardson	44.80

The distributive share of G. E. Richardson having been credited up his insolvent note due said estate as fully appears in said final settlement. It is further ordered that the insolvent notes accounts and choses in action credited in and returned with said settlement be turned over to the heirs and legal representatives of said deceased.

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

Ordered that the ninth 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 19th 1906.

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

In the matter of the estate of } Final settlement.
John T. Baranovsk - a minor }

Came now E. M. Foley Jr. curator of the estate of said John T. Baranovsk, and presents his accounts and vouchers for final settlement, said ward having attained his majority, and it appearing to the court that said curator filed in this court an exhibit of the account between himself and his said ward and caused a copy of same together with notice of said settlement stating the time at which and court in which said settlement would be made to be served upon his said ward more than thirty days before the present term of this court, whereupon the court proceeds to the examination of said settlement which is found to be correct, and is by the court approved. And it appearing from said settlement that there remains in the hands of said curator a balance of Four hundred and five and 29/100 dollars due said minor, it is therefore ordered that said curator pay to his said ward said sum of \$405.29/100, and the redemption of any effects, property, rights or credits belonging to said ward, and upon filing his receipt therefor, that he be discharged.

In the matter of the estate of } Order of renewal of order
George Nelson - Insane. } of sale of Real Estate

Came now George W. Norton, public guardian of Daviess County having in charge the person and estate of said George Nelson, and represents and shews to the court that he has been unable to find a purchaser for the real estate of his said ward, at an adequate price, prior to the present term of this court. It is therefore ordered by the court that the order of sale of real estate of said George Nelson made upon the petition of said guardian by this court at its November term 1905, and by this court renewed

May Term

Saturday

May 19th 1906.

at the February Term 1906 thereof, found the same is again in all matters and things renewed. And that said guardian report his proceedings under said order to the August term of this court 1906.

In the matter of the estate of } Robert E. Ramsey - a minor { Receipt filed. Curator Discharged.

Came now Charles O. Ramsey, curator of the estate of Robert E. Ramsey, and files the duly acknowledged receipt of said Robert E. Ramsey, for the sum of \$850.²⁶ same being the amount due said ward on a final settlement of his estate, made at the February term 1906 of this court, wherefore it is ordered that said curator be discharged.

Estate of Harford. F. Harrah deceased.

Came now J. F. Hedrick M.D. and presents to the court for allowance against said estate a demand for \$8.⁰⁰ founded on account for medical services during last sickness. Notice being waived in writing Feby 23rd 1906, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$8.⁰⁰ Eight Dollars and that it be assigned to the second class.

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

Ordered that the 6th annual settlement this day filed by Mary J. Ford, guardian and curator of the person and estate of said minor be approved & recorded.

In the matter of the estate of } Hallie E. Noah, a minor {

Ordered that the 14th annual settlement this day filed by William H. Place, Curator of the estate of said minor be approved and recorded.

In the matter of the estate of } John H. Searcy, deceased. { Continuance

Came now Jackson Searcy, administrator

May Term

Saturday

May 19th 1906.

of the estate of John H. Searcy, deceased, and files the proof of publication of notice of final settlement of said estate which said notice together with the settlement this day due from said administrator is by the court for cause continued to the August term 1906 of this court.

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

Ordered that the settlement this day due from J. H. Taylor curator of said minor be continued to the August term 1906 hereof for final settlement.

In the matter of the estate of }
Adaline Lipton, deceased

Ordered that the first annual settlement this day filed by L. H. Gantry, Executor of the last will and testament of said deceased, be approved and recorded.

In the matter of the estate of } Continuance
Andrew Warner, deceased

Ordered that the settlement this day due from Hannah M. Warner, administratrix of said deceased be continued to the August term 1906 hereof.

In the matter of the estate of }
Benjamin D. Worden, dec'd

Ordered that the first annual settlement this day filed by Charles Worden Executor of said deceased be approved and recorded.

In the matter of the estate of }
John J. Waropler, deceased

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

Ordered that court adjourn until Monday May 21st 1906.

Thomas R. Shaw
Judge

May Term - Monday May 21st 1906.

Court convened pursuant to adjournment present Thomas R. Shaw Judge, and W. T. Hutcheson sheriff where the following proceedings were had viz;

Estate of Lucy A. Huston - deceased

Comes now the Farmers Store, and presents to the court for allowance against said estate a demand for \$25.⁷⁵ founded on account. Notice being waived in writing and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$25.⁷⁵ and that it be assigned to the fifth class.

Estate of Lucy A. Huston - deceased.

Comes now George G. Pedrick, and presents to the court for allowance against said estate a demand for \$16.³⁰ founded on account. Notice being waived in writing and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$16.³⁰ and that it be assigned to the fifth class.

In the matter of the estate of } Letters of administration Granted.
Anthony Robinson - deceased.

Comes now Robert V. Thompson, and makes application for letters of administration on the estate of Anthony Robinson deceased who departed this life intestate on the 12th day of May 1906, having at the time of his death personal property (in addition to real estate) of the probable value of Two Thousand Dollars. And all the heirs of said deceased who are entitled to administer upon said estate having relinquished their right and preference to administer. And the Court having full faith and confidence in the ability and integrity of said Robert V. Thompson, it is ordered that he be, and is hereby appointed administrator of said estate, and before entering upon the duties of his office he is required to enter into bond to the state of Missouri, as such administrator in the sum of Four Thousand Dollars conditioned for the faithful discharge of his duties according to law. And now comes said Robert V. Thompson, and files herein his said bond in said sum of Four Thousand Dollars, conditioned as the law directs with Jno R. Handy

May Term

Monday

May 21st 1906.

and Jerome S. Stovall, as securities thereon, which said bond is by the court approved. It is further ordered that Jno R. Handy, and G. D. Price be and they are hereby appointed witnesses to aid said administrator in making an inventory of said estate.

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

Came now Minnie Bennett, administrator of said deceased and presents her accounts and vouchers for final settlement, and it appearing to the court that notice of her intention to make said final settlement has been published as required by law, and proof of publication of such notice having been filed herein, whereupon said settlement is filed and the further consideration and approval of said settlement is for cause continued to the August term 1906 of this court.

In the matter of the estate of }
Gabriel L. Ballinger, Insane }

It is ordered by the court that the first annual settlement this day filed by John C. Leopard guardian of said Gabriel L. Ballinger be approved and recorded.

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

Thomas R. Shaw
Judge

May Term

Tuesday.

May 22nd 1906.

Court convened pursuant to adjournment present Thomas R. Shaw, Judge and W. A. Hutchison, Sheriff where the following proceedings were had viz;

In the matter of the estate of } Appt of admin de bonis non
John W. Kissinger, deceased

The letters of administration issued to Matilda Jane Kissinger, widow of deceased, having been revoked by reason of her marriage with one Sherman M. Crary since her appoint as such administrator. It is therefore ordered by the court that Tyler Adams, a resident of Daviess County Missouri, be and he is hereby appointed administrator de bonis non, of said estate, and that he take charge of and administer said estate according to law. And before entering on the duties of his office, he is required to enter into bond to the state of Missouri, as such administrator de bonis non, in the sum of Sixteen 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 Tyler Adams, and accepts said trust, and files herein his bond in said sum of Sixteen hundred Dollars, with Grant M. Crary, and H. J. Lynch as securities thereon, which said bond is by the court approved, and said administrator de bonis non is ordered to enter upon the discharge of his duties.

In the matter of the estate of } Settlement and Discharge of
John W. Kissinger - deceased } Administrator.

Comes now Matilda Jane M. Crary, formerly Matilda Jane Kissinger, widow of said deceased and administrator of the estate of said deceased, and in obedience to the order of this court presents her accounts and vouchers for her first annual and final settlement of said estate, on the revocation of her letters of administration, by reason of her marriage since her appointment as such administrator. And the court having duly considered said settlement finds the

May Term

Tuesday

May 22nd 1906.

same to be correct, and said settlement is by the Court approved. And it appearing from said settlement that there remains in the hands of said administrator the said estate a balance of \$784.98 it is ordered that said administrator pay over said sum to Tyler Adams, the administrator de bonis non of said estate. And now comes said administrator and files the receipt of said Tyler Adams, administrator de bonis non, for said sum of \$784.98 wherefore it is ordered that she be discharged herein.

In the matter of the estate of } Appointment of Curator
William Tyler Kissinger - a minor

Now at this day comes Tyler Adams, and represents and shows to the Court that he is a resident of the county of Danvers, and is the grand father of William Tyler Adams, aged seven years, the heir at law of John W. Kissinger deceased, and prays the Court to appoint him curator of the estate of said minor. And it appearing to the Court that said minor owns property derived from his father the said John W. Kissinger of the probable value of Five hundred dollars, and that the said Tyler Adams is a suitable and competent person for such trust, it is ordered that he be, and is hereby appointed curator of the estate of said William Tyler Adams, 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 Thousand dollars, conditioned for the faithful discharge of his duties according to law; And now comes said Tyler Adams, and files herein his bond as such curator, in said sum of One Thousand dollars, conditioned as the law directs with Grant McCurry, and Pollie J. Britton as securities thereon, which said bond is by the Court approved, and said curator enters upon the discharge of his duties.

May Term

Tuesday.

May 22nd 1906.

Estate of Jesse A. Beckmone, dec'd

Came now D. H. Davis, and presents to the court for allowance against said estate a demand for \$101.⁰⁰ founded on account. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of One hundred and one & ⁰⁰/₁₀₀ Dollars, and that it be assigned to the fifth class.

Estate of Harford F. Harrah, dec'd.

Came now J. A. Magraw, M.D. and presents to the court for allowance against said estate a demand for \$27.⁰⁰ 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 \$27.⁰⁰ and that it be assigned to the second class.

In the matter of the estate of }
 Elvaree Roberts, et al. minors }

Ordered that the third annual settlement this day filed by Barbara A. Roberts curator of the estate of said minors be approved & recorded.

Ordered that court adjourn until Thursday May 24th 1906

Thomas R. Shaw
 Judge

May adjourned Term Thursday

May 24th 1906.

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

In the matter of the estate of } appropriation
Gordon R. Leap, a minor.

On the application and recommendation of J. B. Ray the Curator of the estate of said minor it is ordered by the Court, that the sum of one hundred and twenty five dollars be and the same is appropriated out of the estate of said minor, in the hands of said curator to apply on the purchase of a piano for the use of said minor, and that said curator have credit for said sum in his settlement of said minors estate upon his showing that said sum was expended by him on account of said purchase.

In the matter of the estate of } Receipt filed. Curator discharged.
John T. Dammone, a minor

James now E. M. Foley Jr. Curator of the estate of John T. Dammone, and files the duly acknowledged receipt of his said ward for the balance shown to be due him on final settlement of his estate by his said Curator, made May 19th 1906, to wit: the sum of (\$405.39) Four hundred and five dollars and thirty nine cents. Wherefore it is ordered that said Curator be discharged, as to his said ward.

In the matter of the estate of } appropriation for monument.
James M. Johnson, deceased

It is ordered by the Court that the sum of Fifty Dollars be and the same is appropriated out of the personal estate of said deceased for the purpose of purchasing and erecting a suitable monument to the memory of said deceased. And the administrator of said estate is hereby authorized and directed to expend said sum for said purpose and that he have credit therefor in his settlement of said estate.

May adjourned term. Thursday. May 24th 1906.

In the matter of the estate of }
 Georgina Hilbush. (nee Georgina } Final settlement & discharge
 Huckoby. intermarried with one } of Curator.
 George Huckoby }

Came now James M. Drushkin, Curator of the estate of said Georgina Hilbush (nee Georgina Huckoby) and presents his accounts and vouchers for final settlement and comes also his said word who in open court waives the filing of an exhibit and notice of said settlement whereupon said settlement is taken up and considered by the court, and approved. And it appearing from said settlement that there remains in the hands of said Curator, due his said word the sum of Five hundred Dollars, it is therefore ordered that said Curator pay over to his said word said sum of \$500⁰⁰ found to be due and the rendition of any effects, property, rights or claims belonging to his said word. And now comes the said Georgina Hilbush - Huckoby, and joined by her husband George Huckoby, and in open court and on said settlement acknowledge satisfaction of record. Wherefore it is ordered that said Curator be discharged herein.

Ordered that Court adjourn until Saturday May 26th 1906.

Thomas R. Shaw
 Judge

May Adjourned Term. Saturday. May 26th 1906.

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

Estate of William E. Brinnon, dec'd.

Comes now the Farmers Exchange Bank and presents to the Court for allowance against said estate a demand for \$17.¹⁵ founded on account for an overdraft by deceased at said Bank. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$17.¹⁵ and that it be assigned to the fifth class.

Estate of J. M. Gunt, deceased.

Comes now the Farmers Exchange Bank and presents to the Court for allowance against said estate a demand for \$285.⁶² founded on four promissory notes, described as follows: One note for \$50.⁰⁰ dated Decr 29th 1905, due in four months, with eight per cent per annum from maturity. One note for \$189.⁰⁰ dated Sept 23rd 1905, due in one year, bearing eight per cent interest from maturity. One note for \$24.⁰⁰ dated Feby 16th 1906, due in six months with eight per cent interest from maturity, all three of said notes payable to the Farmers Exchange Bank. One note for \$32.⁴⁰ Dated October 9th 1905, due in nine months after date, with eight per cent interest from maturity, payable to J. L. Barton, and assigned, all of said notes aggregating \$285.⁶². 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 aggregate sum of \$285.⁶² and that it be assigned to the fifth class. And it appearing that the three notes, last above described in said demand, are not due, it is ordered that no execution issue on said demand until the maturity of said three notes.

May Adjourned Term - Saturday, May 26th 1906.

Estate of J. M. Sant, deceased.

Comes now the Farmers Exchange Bank, and presents to the Court for allowance against said estate a demand for \$177.⁴⁸ founded on a note, executed by J. M. Sant, and Samuel Sant, to E. J. Phillips, for \$300.⁰⁰ dated March 1st 1905, due in one year with 8% interest from maturity. Credited as follows: Mch 1st 1906 \$56.⁰⁰ March 1st 1906 by work \$40.⁰⁰ March 31 1906 \$30.⁰⁰ by H. J. Houghton. Balance due due \$177.⁴⁸ 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 \$177.⁴⁸ and that it be assigned to the fifth class.

In the matter of the estate of } appropriation to widow
George E. Courad-decd }

Now this day comes Faith L. Courad widow of said deceased and represents to the Court, that at the time of the death of said deceased there was no grain, meat, vegetables, groceries or other provisions on hand and provided for the subsistence of her family and herself for one year as allowed her by law. that she has one child seven years of age who is altogether supported by her. Wherefore she prays that the Court may make an order of allowance to her in lieu of provisions not on hand as aforesaid out of the assets of the Estate of said deceased, and the Court having heard said petition and 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 that said sum of \$250.⁰⁰ be and same is appropriated out of said Estate for the purpose aforesaid.

In the matter of the estate of } Record of Contract
Jephtha B. Reed - Insane (now dead) }

Comes now W. B. Gillihue, guardian of said Jephtha B. Reed, and files herein the contract entered into by and between Frank D. Reed

May adjourned Term Saturday May 26th 1906.

the son of said Jephtha C. Peed. and the said W. B. Gillihan as guardian as aforesaid. for the support care and maintenance by said Frank D. Peed of his father the said Jephtha C. Peed. which said contract is in words and figures following, to wit:

Contract.

This agreement witnesseth: That W. B. Gillihan guardian of Jephtha C. Peed, an insane person, of the first part, and Frank D. Peed of the second part, have agreed as follows, to wit: First part has engaged second party to board, lodge, keep and maintain said Jephtha C. Peed to furnish him with good comfortable clothing, and underwear, according to the seasons, shoes, head and foot wear, also good warm bed with plenty of covering in winter, also a good warm room in which to stay and sleep, with fire and lights whenever necessary, and to render him such care and attention as may be necessary to keep him reasonably clean, furnish him with plenty of good wholesome food and drink, and plenty of chewing tobacco, and to take such care of him as his age and condition may require, and to furnish him with such medical attention and medicine as may be necessary in consideration of which the first party is to allow second party the sum of one hundred fifty dollars per year, for each and every year, second party may keep him during his natural life, and should said party of the second part only keep him for a part of a year, he shall be paid pro rata for the time he has kept him.

And it is further agreed and understood that the entire estate of said Jephtha C. Peed, consists alone of a note for the sum of Twelve hundred & fifty (\$1250) dollars executed by second party and his wife, and secured by trust deed on One hundred sixty acres of land in Daviess County Missouri, described as follows, to wit: South West quarter of the South East quarter, and the Southeast quarter of the Southwest quarter of section twenty two (22). Also the Northeast quarter of the North west quarter, and the Northwest quarter of the Northeast quarter of section twenty seven

May Adjourned Term. Saturday May 26th 1906.

(27) all in Township fifty nine (59) of Range twenty nine (29) subject to a former trust deed to the Mutual Benefit Life Insurance to secure the payment of \$3000. with interest thereon at the rate of 5%, also a trust deed to Bartlett Brothers to secure the payment of five notes cash for the sum of \$30. and that the sum of \$150.⁰⁰ as above stated for keeping said Jephtha C. Deed is to be credited upon said note of \$1250. at the end of each year.

And it is further agreed that should second party fail neglect or refuse to keep and maintain said Jephtha C. Deed as above set forth, and it becomes necessary to have him kept by some other party or sent to the Asylum, that second party will furnish first party sufficient funds to pay for keeping him elsewhere, or in the Asylum, for which second party is to have credit on his note of \$1250.

It is further agreed that second party is to furnish first party all necessary expenses of carrying on said guardianship, such as probate Court fees taxes and reasonable compensation of said guardian each year for which second party is to have credit on his said note.

And it is furthermore agreed that should said Jephtha C. Deed, die before said sum of \$1250.⁰⁰ and interest is used as above set out, that second party is to furnish him a suitable and decent burial including all necessary funeral expenses suitable to the condition and station heretofore occupied by Jephtha C. Deed, and furnish his grave with a suitable monument, or grave stone and see that the same is placed at his grave for all which second party is to have credit on his note.

And it is further agreed that after all expenses above enumerated are paid, if there remains any balance due on said note it is to be canceled and delivered up and said trust deed is to be satisfied.

And it is furthermore agreed and understood

May Adjourned Term Saturday May 26th 1906.

that the note of second party for \$1250.⁰⁰ is made payable one day after date, so that if second party shall fail, neglect or refuse to carry out any of the foregoing agreements, that said first party through the trustee named in said trust deed may proceed to foreclose the same at once.

It is further agreed that an account is now due J. B. Smith, for necessaries for said Jephtha C. Peed, which is to be paid at once or within one month from this date, said account being for about \$40.⁰⁰ and when paid is to be credited on said note.

And it is further agreed that if said second party should sell said land that said note of \$1250.⁰⁰ secured by trust deed thereon is to be paid, and the proceeds used for the purpose above stated, and if there is any balance of said money not used as above stated it is to be paid to second party.

And it is further agreed that if said Jephtha C. Peed, should live till all of said \$1250.⁰⁰ is used for the purpose herein stated, that second party will nevertheless continue to support and maintain said Jephtha C. Peed, in the manner above stated, or furnish first party the means to pay therefor as may be required during his natural life. This contract signed in triplicate.
 Given under our hands } N. C. Gillihan, Guardian of Jephtha
 this the 6th day of March } C. Peed, an insane person, party of
 1906 } the first part.

Frank A. Peed.

Party of the second part.

Ordered that court adjourn until court in course

Thomas R. Shaw
 Judge

In Vacation May 28th 1906.

In the matter of the estate of } Administration Granted
Conrad Smith - deceased.

Comes now Frank W. Voss and makes application for letters of administration on the estate of Conrad Smith deceased who departed this life intestate on the 24th day of March 1906. in Darius County Missouri. Having at the time of his death personal property in this state of the probable value of Two hundred and fifty dollars. And Phoebe Smith, widow of said deceased, and Catharine Voss, W. J. Smith, and John N. Smith, the only heirs of said deceased, having filed a written relinquishment and renunciation of their right to administer upon said estate and requested the appointment of said Frank W. Voss, as such administrator, 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, as such administrator in the sum of Five hundred Dollars conditioned for the faithful discharge of his duties according to law. And now comes said Frank W. Voss, and files herein his bond in said sum of Five hundred Dollars conditioned as the law directs, with Catharine Voss, W. J. Smith and J. N. Smith, as securities thereon, which said bond is approved. It is further ordered that Stephen Peterbaugh, and William Roney, 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 - June 11th 1906.

In the matter of the estate of }
and last will and testament of } Will Probated,
Mariah Litton, deceased }

Now on this day the instrument of writing hereto-
fore filed herein, to-wit: on the 15th day of May 1906,
purporting to be the last will and testament of
Mariah Litton, deceased is offered for probate and
the Judge and Ex officio Clerk of Probate, having seen
and examined said instrument of writing, and having
also heard the testimony of L. V. Dale and J. J. Meade
the subscribing witnesses thereto in relation to the ex-
ecution of the same, (the testimony of the said J. J.
Meade having been taken before Maud E. Morgan, a
Notary Public in and for the County of Larimer, and
State of Colorado, in pursuance of a commission is-
sued by the Judge and Ex officio Clerk of the Probate Court
of Daviess County Missouri, on the 28th day of May 1906)
do declare and adjudge said instrument of writing to
be the last will and testament of Mariah Litton, dec'd
late of Daviess County Missouri, and orders the same
to be admitted to probate, and to be recorded as such,
save and except that part of said instrument of
writing purporting to be, and intended as a codicil
to said will, beginning with the words "In addition
to the above will", and ending with the words "after
paying all my other heirs one dollar each", dated on
May 8th 1899, signed by Mariah Litton, by mark, and also
signed, "J. J. Meade, witness to mark," which said codi-
cil or intended codicil, to said will, is not attested
as required by law, and the same is therefore rejec-
ted as a part of, or codicil to said will, and probate there-
of refused.

Thomas R. Shaw
Judge of Probate.

In Vacation - June 20th 1906

In the matter of the estate of } Administration Granted
Clarence D. Easter - dec'd }

Came now Olive Easter, widow of said deceased and makes application for letters of administration on the estate of Clarence D. Easter, deceased who departed this life intestate on the first day of April 1906, leaving at the time of his death personal property of the probable value of Seven Hundred Dollars.

And the said Olive Easter 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 administratrix of said estate and before entering upon the duties of her office she is required to enter into bond to the State of Missouri in the sum of Fifteen Hundred Dollars, conditioned for the faithful discharge of her duties according to law. And now comes said Olive Easter and files herein her bond as such administratrix in said sum of Fifteen Hundred Dollars, with George O. Shipley, and Grant Young, as securities thereon which said bond is approved, and said administratrix is ordered to enter upon the discharge of her duties.

Thomas A. Shaw
Judge of Probate

In Vacation - June 25th 1906.

In the matter of the Estate of } Appointment of Curator
Olive Lucile Brown, minor }
heir of Martin O. Brown, dec'd }

Now on this day comes James W. Wilson, and represents and shews to the Judge of Probate, in vacation, that Olive Lucile Brown, is a minor nine years of age, and heir at law of Martin O. Brown, deceased that said minor resides with her mother, Willie Brown, in the County of Davies, that she owns property not exceeding in value the sum of One Hundred Dollars and prays the Court to appoint him curator of the estate of said minor. And it appearing to the Judge of Probate, that the statements so made are true, and that

the said James W. Wilson. is a suitable and competent person for such trust. and the said Lucile Brown the Mother of said minors. being present and waiving her right to the curatorship of said minors, it is therefore ordered that the said James W. Wilson. be and he is hereby appointed curator of the estate of said Olive Lucile Brown. 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 Olive Lucile Brown. 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 James W. Wilson and files herein his bond as such curator. in said sum of Two Hundred Dollars, with R. E. Maupin and W. J. Wilson. as securities thereon, which said bond is approved.

Thomas R. Shaw
Judge of Probate

In Vacation - July 9th 1906.

In the matter of the estate of { Letters of administration with
Leone Coffey - deceased. } will annexed - granted

Comes now Charles Bergin, a resident of Kansas City Missouri, and makes application for letters of administration on the estate of Mrs Leone Coffey, deceased, who departed this life testate, in the County of El Paso, and State of Texas, on the . . . day of 190 . Having at the time of her death personal property in this state of the probable value of One Thousand Dollars. And it appearing to the Judge of Probate that the will of said deceased was admitted to probate in this office on the 19th day of March, 1906. And it further appearing that J. A. Coffey, the husband of said deceased, and who is named as executor in the will of said deceased, is a non resident of the State of Missouri, and therefore not entitled to letters testamentary on said estate. And the said Charles Bergin, being

a suitable and competent person for such trust. It is therefore ordered that he be and is hereby appointed administrator with the will annexed of said 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 Two Thousand Dollars with such security as the Court shall approve conditioned for the faithful discharge of his duties according to law. And now comes said Charles Bergin and files herein his bond as such administrator in the sum of Two Thousand Dollars, with the "Bankers Surety Company" of Cleveland Ohio, as security thereon. And it appearing to the Judge of Probate, from the Certificate of Authority, issued by W. D. Vandiver, Superintendent of Insurance of the State of Missouri to said "Bankers Surety Co." that the said "Bankers Surety Co. of Cleveland Ohio, has complied with all the requirements of the insurance laws of this state, and is authorized, subject to the provisions thereof, to do the business of becoming surety on the bonds, or obligations of persons or corporations, or of insuring the fidelity of persons holding places of public or private trust, and to become and be accepted as surety on the bond, recognizance or other writing obligatory of any person or corporation, in or concerning any matter in which the giving of a bond or other obligation is authorized, required or permitted by the laws of the state of Missouri: And it further appearing that the said "Bankers Surety Co." have signed and Executed said bond by and through Wm E. Culbertson, and Robert E. Hayslett, attorneys in fact for said Company, as appears by the power of attorney, issued by said Company to said Wm E. Culbertson, and Robert E. Hayslett, duly executed and acknowledged on the 14th day of February, 1906. It is therefore ordered that said bond be and the same is hereby approved by the Judge in vacation, and said administrator with the will annexed is ordered to enter upon the discharge of his duties.

Thomas R. Shaw
Judge of Probate.

In Vacation - July 27th 1906.

In the matter of the estate of } Will Probated and
and last will and testament of } Executor appointed
Nelson Harwood, deceased }

Now on this day an instrument of writing pur-
porting to be the last will and testament of Nelson
Harwood, deceased, who died July 20th 1906, 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. E. Gillihan, V. E. Fox-
worthy, and A. R. Elwell the subscribing wit-
nesses thereto in relation to the execution of the same
does declare and adjudge said instrument of writ-
ing to be the last will and testament of Nelson
Harwood deceased, late of Daviess County, and
orders the same admitted to probate as such and
to be recorded. And comes now Daniel Friend,
who is named as executor in said will, and makes
affidavit as required by law, and makes appli-
cation for letters testamentary upon said estate, and
bring 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
Two Thousand Dollars conditioned for the faith-
ful discharge of his duties according to law;
with two or more securities to be approved by the
court. And now comes said Daniel Friend, and
files herein his bond in said sum of (\$2000⁰⁰)
Two Thousand Dollars, with V. E. Foxworthy, and
and A. R. Elwell, as securities thereon, which said
bond is approved. It is further ordered that said
V. E. Foxworthy, and A. R. Elwell, be and they are
appointed as witnesses to accompany and aid
said executor in making an inventory of said estate.

Thomas A. Shaw
Judge of Probate

In Vacation - July 28th 1906.

In the matter of the estate of } Order Refusing Letters
Henry S. Ballard, deceased }

Now at this day comes Margaret Ballard, and shows to the Court that she is the widow of Henry S. Ballard, 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.

So the end therefore that said Margaret Ballard 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 - July 30th 1906.

In the matter of the estate of } Will Probated and
and last will and testament of } Executrix appointed
Theodore England - deceased }

Now on this day an instrument of writing purporting to be the last will and testament of Theodore England deceased, who departed this life is offered for probate. And the Judge of probate having seen and examined said instrument of writing, and having also heard the testimony of Melvin A. Shipley, and R. F. Baker, 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 Theodore England deceased late of Daviess County, and orders the same admitted to probate and to be recorded as such.

And comes now Eliza J. England who is 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 claimants appearing to the contrary it is deemed unnecessary to require a bond of said Executrix herein.

Thomas R. Shaw
Judge of Probate

In Vacation - July 31st 1906.

In the matter of the estate of } Letters of administration Granted
William E. Bennett deceased }

Come now Walter O. Hart, and makes application for letters of administration on the estate of William E. Bennett deceased, who departed this life intestate on the 13th day of July 1906, having at the time of his death personal property in this state (in addition to real estate) of the probable value of fifteen hundred dollars. And it appearing that the distributees of said deceased, entitled to administer upon said estate have filed herein their relinquishment of their right to administer upon said estate, and the said Walter O. Hart, 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, as such administrator with two or more securities to be approved by the Court, in the sum of Three Thousand Dollars, conditional for the faithful discharge of his duties according to law. And now come said Walter O. Hart, and files herein his bond in said sum of \$3000⁰⁰ with Thomas P. Reed, and Jacob Treon as securities thereon which is approved. It is further ordered that R. J. Dale, and M. Euell be and are appointed witnesses to assist said administrator in making an inventory of said estate.

Thomas R. Shaw, Judge of Probate

In Vacation - August 3rd 1906.

In the matter of the estate of } Order Private Sale of Personally
Theodore England, deceased }

Came now Eliza J. England, executrix of said deceased and makes application for permission to sell one pair of work mules, four years old belonging to said estate at private sale. And the Judge of Probate being satisfied that it will be for the best interest of the estate and not prejudicial to persons interested therein to sell the same at such sale, it is ordered that said executrix sell said property at private sale for not less than its appraised value for cash in hand and that she report the same to this court.

Thomas A. Shaw
Judge of Probate

In Vacation - August 8th 1906.

In the matter of the Estate of } Letters of administration issued
Thomas B. Jackson, dec'd }

Came now Martha S. Jackson, widow of said deceased, and makes application for letters of administration on the estate of Thomas B. Jackson, deceased who departed this life intestate on the 3rd day of August 1906, in Daviess County Missouri, having at the time of his death personal property of the probable value of Five Hundred Dollars. And the said Martha S. Jackson being entitled to administer upon said estate, and suitable & competent it is therefore ordered that she be, and is hereby appointed administratrix of said estate, and before entering upon the duties of her office, she is required to enter into bond to the state of Missouri, in the sum of One Thousand Dollars with such security as the court shall approve. Conditioned for the faithful discharge of her duties according to law. And now came said Martha S. Jackson, and files herein her bond in said sum of One thousand dollars, with John Vanover, and D. B. Everman, as securities thereon, which is approved. It is further ordered that, D. M. Fisher and D. B. Everman, be and are appointed witnesses to assist said administratrix in making an inventory of said Estate.

Thomas A. Shaw
Judge of Probate

August Term. Monday August 13th 1906.

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 August 13th 1906. there was present Thomas A. Shaw Judge of said Court, and W. S. Hutcheson Sheriff when the following proceedings were had viz:

Ordered that the bond of Frank W. Voss, as administrator of the estate of Conrad Smith, deceased taken in vacation May 28th 1906. be and the same is approved, and his appointment ratified and confirmed.

Ordered that the bond of Olive Easter, as administrator of the estate of Clarence D. Easter, deceased taken in vacation June 20th 1906. be and the same is approved and his appointment ratified and confirmed.

Ordered that the bond of Walter O. Hart, as administrator of the estate of William E. Bennett, deceased taken in vacation July 31st 1906. be and the same is approved and his appointment as administrator ratified and confirmed.

Ordered that the bond of Martha S. Jackson as administrator of the estate of Thomas R. Jackson, deceased, taken in vacation August 8th 1906. be and the same is approved and her appointment ratified and confirmed.

Ordered that the bond of Charles Berque, as administrator with the will annexed of Mrs. Leanne Coffey, deceased, taken in vacation July 9th 1906. be and the same is approved and his appointment as administrator ratified and confirmed.

Ordered that the bond of Daniel Friend, as executor of Nelson Harwood, deceased, taken in vacation July 27th 1906. be and the same is approved, and his appointment as executor, ratified and confirmed.

August Term. Monday August 13th 1906.

Ordered that the appointment of Eliza J. England as executrix of the last will and testament of Theodor England deceased, made in vacation July 30th 1906 be and the same is ratified and confirmed.

Ordered that the bond of James W. Wilson as curator of the estate of Olive Lucile Brown, taken in vacation June 25th 1906, be and the same is approved and his appointment as curator of said minor ratified and confirmed.

In the matter of the estate of } Judgment Establishing will.
'Mariah Litton - deceased }

It being shown to the Court now here, that in vacation of this Court to-wit: on the 15th day of May 1906, an instrument of writing purporting to be the last will and testament of Mariah Litton, deceased and attested by I. J. Meade, and L. J. Dale as witnesses was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Mariah Litton, deceased, and said Clerk proceeded to take the testimony of L. J. Dale one of said subscribing witnesses which was by said Clerk reduced to writing, and was signed by said witness, and said Clerk issued a commission directed to any Notary Public in the County of Larimer, and state of Colorado, the place of residence of the said I. J. Meade, authorizing and directing said Notary to take the testimony of the said I. J. Meade as such subscribing witness, and one Maude E. Morgan, a Notary Public in and for said County of Larimer and state of Colorado, caused to come before her at her office in Lakewood Colorado said I. J. Meade and proceeded to take his testimony as to the execution of said will, which said testimony was signed by said I. J. Meade, and with the testimony of said L. J. Dale is now here produced in Court. And said Clerk having declared said will proved, granted a certificate of probate on the eleventh day of June 1906. Same except as to that part of said instrument of writing purporting

August Term - Monday - August 13th 1906.

to be, and intended as a codicil to said will, beginning with the words "In addition to the above will", and ending with the words, "After paying all my other heirs one dollar each", dated May 8th 1899, signed by Mariah Litton, by mark, and also signed "J. J. Meade witness to mark" which said codicil or intended codicil to said will is not attested as required by law, and the same is therefore rejected as a part of or codicil to said will, and probate thereof refused.

And the Court having inspected said will, and seen and heard the testimony of J. J. Meade and L. P. Dale 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 Mariah Litton, deceased, same and except as to said exception heretofore mentioned. And the said proceedings and action of the clerk in the premises are in all things ratified and confirmed, and said will admitted to record.

In the matter of the estate of } Judgment Establishing Will
Nelson Harwood, decd.

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 27th day of July 1906, an instrument of writing purporting to be the last will and testament of Nelson Harwood deceased, and attested by W. C. Gillihan, V. E. Foxworthy, and A. R. Ellwell, as witnesses, was produced before the clerk of this Court to be proved and admitted to record as the last will of said Nelson Harwood, deceased, and said clerk proceeded to take the testimony of W. C. Gillihan, V. E. Foxworthy, and A. R. Ellwell, 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 27th day of July 1906. And the

August Term Monday August 13th 1906.

court having inspected said will, and seen and heard the testimony of W.C. Gilkham, V.E. Foxworthey and A.R. Elwell, 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 Nelson Harwood deceased. And the said proceedings, and action of the clerk in the premises, are in all things ratified and confirmed, and that said will be admitted to record.

In the matter of the estate of } Judgment Establishing Will
Theodore England, deceased.

It being shown to the court now here, that in vacation of this court to-wit: on the 30th day of July 1906, an instrument of writing, purporting to be the last will and testament of Theodore England deceased, and attested by Melvin A. Shipley, and B.F. Baker as witnesses was produced before the clerk of this court to be proved and admitted to record as the last will of said Theodore England deceased, and said clerk proceeded to take the testimony of Melvin A. Shipley, and B.F. Baker, said attesting witnesses, which was by said clerk reduced to writing, and was 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 30th day of July 1906. And the Court having inspected said will, and seen and heard the testimony of Melvin A. Shipley and B.F. Baker, 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 Theodore England, 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.

August Term. Monday. August 13th 1906.

In the matter of the estate of } Partial Discharge
George W. Cornelius. dec'd }

Comes now George M. Cornelius, and as administrator of said estate files the receipt of Phena Allenman for the amount due her as a distributive of said estate for the amount due her on final settlement of said estate, made November 13th 1899, said distributive share being \$7.16. It is therefore ordered that said administrator be discharged as to said Phena Allenman.

In the matter of the estate of } Order to pay shares into
George W. Cornelius. dec'd } State Treasury.

Comes now George M. Cornelius, administrator of said estate and prays the Court to order him to pay into the state treasury of the state of Missouri the distributive shares of Carrie Allenman, Laura Allenman, and Fred Allenman as heirs at law of said deceased, as shown by final settlement of said estate made November 13th 1899, and shows to the Court that said above named distributives are minors, and have no curator of their estate, and are therefore not in a situation to receive and receipt for said shares. It is therefore ordered by the Court that said administrator pay into the state treasury the distributive shares of said Carrie Allenman, Laura Allenman and Fred Allenman, the same being the sum due each of \$7.16 making a total of \$21.48 and upon filing the receipt of the state treasurer therefor that he be discharged as to said above named minors.

In the matter of the estate of } Partial Discharge
William H. Cunningham. dec'd }

Comes now E. M. Foley, Jr. administrator of said estate, and files the receipts of the following distributives of said estate for the amount due them respectively, on final settlement of said estate made May 18th 1906, in the Daviess County Probate Court viz:

Ella Hendricks	the sum of	\$159.76 ⁷ / ₉
Aima E. Summers	" " "	159.76 ⁷ / ₉
Sarah E. Miles	" " "	159.76 ⁷ / ₉

August Term Monday, August 13th 1906.

Martha Cunningham the sum of	\$ 159.76 $\frac{7}{9}$
J. H. Cunningham " " "	159.76 $\frac{7}{9}$
Dusan Aldridge " " "	159.76 $\frac{7}{9}$
James L. Cunningham " " "	159.76 $\frac{7}{9}$

Wherefore it is ordered that said administrator be discharged as to said before named distributees.

In the matter of the estate of } Final Discharge
Elizabeth Montgomery, (decd.)

Come now Benjamin Steel, administrator with the will annexed of said deceased, and files the receipt of Claud C. Smith widower of Sarah G. M. Smith deceased who was a distributee of said Elizabeth Montgomery, deceased for the sum of \$20⁰⁰ being the amount due said Sarah G. M. Smith on final settlement of the estate of said Elizabeth Montgomery, made in the probate Court of Daviess County at its February term 1904. And said estate being fully administered said administrator is discharged herein.

In the matter of the estate of } Order of Discharge
Henry C. Parberry, deceased

Come now John R. Hauck, administrator of said estate, and files the receipts of the following named distributees, and heirs at law of said deceased for the amount due them respectively on final settlement of said estate and order of distribution made at the February term 1905 of this Court viz:

Sarah Parberry	\$ 1321.42
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Mary E. Reich	1321.42
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J. R. Wharton - admin for Martha E. Wharton, deceased.	1321.42
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E. L. Tate, Curator for Joseph H. & Harley E. Tate.	1321.42
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Samuel B. Pandolfo - Husband and legatee under will of his wife Lilly Pandolfo, deceased	1321.42
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And said estate being fully administered it is ordered that said administrator be discharged.

August Term. Monday - August 13th 1906.

Estate of H. F. Harrow. deceased.

Came now the Gilman Bank, and present to the Court for allowance against said estate a demand for \$53.⁶⁶ founded on a note executed by deceased and Harley Harrow, dated May 17th 1905, due in four months, with 8% interest from maturity. 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 \$53.⁶⁶ and that it be assigned to the fifth class.

Estate of William M. Whitchurch Dec'd.

Came now Wilson Harris, and presents to the Court for allowance against said estate a demand for \$53.⁸⁴ founded on a note executed by deceased, and E. E. Nise, and O. E. Stecker, dated August 26th 1905, for \$50.⁰⁰ with 8% interest from date. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of \$53.⁸⁴ at 8% and that it be assigned to the fifth class.

Estate of W^m M. McCarty, dec'd 3

Came now McCue & Pettijohn, and present to the Court for allowance against said estate a demand for \$67.⁰⁰ founded on account for burial casket and shoes 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 \$67.⁰⁰ at 6% from date of allowance and that it be assigned to the first class.

Estate of J. D. McBride, deceased.

Came now the Citizens State Bank of Alton and present to the Court for allowance against said estate a demand for \$37.⁴⁵ founded on a note executed by deceased for \$35.⁰⁰ dated Sept 29th 1905, 8% interest from date. Notice being waived in writing and affidavit and proof of execution made, it is ordered that said demand be allowed against said estate in said sum of \$37.⁴⁵ and that it be assigned to the fifth class.

August Term Monday August 13th 1906.

Estate of Anthony Robinson, dec'd.

Comes now C. M. Myers, and presents to the court for allowance against said estate a demand for \$2.⁰⁰ 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 \$2.⁰⁰ and that it be assigned to the fifth class.

Estate of W^m M. Whitechurch, dec'd.

Comes now E. N. Wilder, and presents to the court for allowance against said estate a demand for \$7.⁷² 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 \$7.⁷² and that it be assigned to the fifth Class. and paid accordingly.

In the matter of the estate of } Order confirming Sale
Earl V. Short, deceased }

Now comes George W. Norton, administrator of said Earl V. Short deceased, and submits to the court his report of sale, by which it appears that he did on the 17th day of May 1906, in obedience to the order of this court made at the May term 1906, thereof, sell at private sale to William T. Hutchinson, for the sum of \$237.⁵⁰ the real estate in said order of court and report particularly described viz; Lot One (1) Block Nine (9) in Gilliland addition to the town of Jamesport, 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 said sale be and the same is hereby approved and confirmed. And the said administrator is ordered to execute acknowledge and deliver to said William T. Hutchinson a deed in due form of law conveying to the said William T. Hutchinson, all the right title and interest which the deceased had in and to said real estate at the time of his death.

August Term. Monday. August 13th 1906.

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

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

In the matter of the estate of }
Joshua D. Bennett - dec'd }

Ordered that the final settlement of Minnie Bennett as administrator of said estate filed at the May term 1906 hereby and continued to this term be and the same is approved, and ordered recorded, it appearing that all the debts of said estate have been paid as far as the assets will extend, and that said estate has been fully administered, it is therefore ordered that said administrator be discharged.

In the matter of the estate of } Continued
Perry Braumen - deceased }

Ordered that the settlement this day due from Mary J. Braumen, executrix of said deceased be continued to the November term 1906 hereby.

In the matter of the estate of } Continued
Herman A. Conway - a minor }

Ordered that the settlement this day due from Rebecca Conway, Curator of the estate of said minor be continued to the November Term 1906 hereby.

In the matter of the estate of }
Maurice & Ray Morris - minors }

Ordered that the second settlement this day filed by John W. Morris, Curator of said minors be approved and recorded.

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

Thomas R. Shaw
Judge

August Term - Tuesday August 14th 1906.

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

Estate of Conrad Smith - deceased.

Comes now H. DeLaunay, M.D. and presents to the court for allowance against said estate a demand for \$87.⁰⁰ 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 \$87.⁰⁰ and that it be assigned to the second class.

Estate of Conrad Smith, deceased.

Comes now J. R. Schwartz and presents to the court for allowance against said estate a demand for \$211.⁰⁰ founded on account for funeral expenses notice being waived in writing and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$211.⁰⁰ and that it be assigned to the first class.

Estate of C. D. Easter, deceased.

Comes now Lertie M. Easter and presents to the court for allowance against said estate a demand for \$112.²⁴ founded on a note executed by deceased dated July 1st 1901, due one day after date with interest at the rate of six per cent. for \$100.⁰⁰. Credited with interest payments up to July 1st 1904. Notice being waived in writing and affidavit and proof of execution of said note it is ordered that said demand be allowed against said estate in said sum of \$112.²⁴ and that it be assigned to the fifth class.

Estate of C. D. Easter, deceased. $\frac{2}{3}$

Comes now Sarah E. Easter and presents to the court for allowance against said estate a demand for \$232.⁶⁵ founded on a note for \$200.⁰⁰ dated July 1st 1901, due one day after date, bearing six per cent interest

August Term Tuesday August 14th 1906.

said note having been executed by decedent to said 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 \$232.⁶⁵ and that it be assigned to the fifth class.

Estate of Anthony Robinson. dec'd

Comes now Dr R. V. Thompson and presents to the Court for allowance against said estate a demand for \$10.⁰⁰ founded on account for medical services in last sickness. And claimant being administrator of said estate, it is ordered that W. E. Gilkhan be and he is hereby appointed administrator ad litem to represent said estate. And said administrator ad litem having waived notice of presentation of said demand and affidavit and proof of said demand having been made, it is ordered that said demand be allowed against said estate, and that it be assigned to the second class.

In the matter of the Estate of }
Anthony Robinson dec'd }

Comes now John Buren for Buren Furniture Co. and present to the Court for allowance against said estate a demand for \$114.²⁵ founded on account for burial casket and other funeral expenses. Notice being waived in writing, and affidavit and proof made it is ordered that said demand be allowed against said estate in said sum of \$114.²⁵ and that it be assigned to the first class.

Estate of Anthony Robinson. dec'd.

Comes now Dr G. M. Dutcliff and presents to the Court for allowance against said estate a demand for \$11.³⁵ 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 \$11.³⁵ and that it be assigned to the second class.

August Term Tuesday August 14th 1906.

In the matter of the estate of } Appropriation for monument.
John D. McBride - deceased

Comes now Anna B. McBride, administratrix of said estate and prays the court to make an appropriation out of the assets of said estate, to purchase a suitable monument to mark the grave of said deceased and it appearing to the court that it will not be prejudicial to creditors of said estate or to other persons interested therein to make an appropriation for that purpose. It is therefore ordered that the sum of one hundred and fifty Dollars be and the same is appropriated out of the assets of said estate for the purpose of said and that said administratrix be and is hereby authorized to expend said sum in the purchase of said monument, and that she have credit therefor in her settlement of said estate.

In the matter of the estate of } Final settlement by
Jephth B. Peed, an insane person } Guardian & Discharge
(now deceased)

Comes now William C. Gilliham, guardian of said Jephth B. Peed, an insane person. (now deceased) and represents and shews to the court that his ward the said Jephth B. Peed, departed this life on the 18th day of May - 1906, at Hospital No 2, for the insane located at St Joseph Missouri; and said guardian therefore presents to the court his accounts and vouchers for his final settlement of his guardianship, which is taken up and considered by the court. And it appearing from said settlement, that after the payment by said guardian of all debts and obligations of said deceased there remains in the hands of said guardian the sum of Seven hundred and sixty seven and 45/100 Dollars (\$767.⁴⁵/₁₀₀). And it further appearing to the court that by the terms and conditions of a certain written contract entered into by and between William C. Gilliham as guardian of said Jephth B. Peed as aforesaid as party of the first part and Frank S. Peed, party of the second part, that among other conditions in said contract mentioned and

August Term Tuesday - August 14th 1906.

set forth. it is stated that it is agreed and understood that the entire estate of said Jephtha B. Peed consisted alone of a note for the sum of Twelve hundred and fifty Dollars executed by said second party and his wife and secured by trust deed on one hundred and sixty acres of land in Danvers County Missouri. And it is further stipulated and agreed by and between said parties to said contract that in the event the proceeds of said note were not used for the purposes mentioned in said contract that the balance was to be paid to said second party. which said contract in its entirety is found of record in Book 6. of the general records of this court.

And it appearing to the Court that said estate has been fully administered and said guardianship fully settled. it is therefore ordered that said guardian pay over to said Frank D. Peed party of the second part in said contract said balance of \$767.⁴⁵. And now comes said Frank D. Peed and in open court receives said guardian for said sum of \$767.⁴⁵ and acknowledges satisfaction of record. Wherefore it is ordered by the Court that said guardian be discharged herein.

In the matter of the estate of } Final settlement and
James H. Ellis - deceased } Distribution ordered
Comes now Isaac J. Oxford, 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, said settlement is therefore approved and ordered to be recorded.

And it appearing from said settlement that there remains in the hands of said administrator to be distributed to the heirs of said deceased the sum of Three hundred and three Dollars and sixty four cents. it is therefore ordered that said administrator

August Term Tuesday August 14th 1906.

distribute said sum to the heirs of said deceased as follows:

✓ To Sylvanus Ellis	\$ 43.38
✓ " Nathaniel Ellis	43.38
✓ " Elzera Case	43.38
✓ " Elzeta Hickman	43.38
✓ " Emanuel Ellis	43.38
✓ " Ira Ellis	43.38
✓ " Cora McMullen	<u>43.38.</u>

And upon filing the receipts of said distributees said administrator to be discharged.

In the matter of the estate of } Final settlement & Distribution
Luro A. Gillilan - dec'd }

Came now Robert T. Thompson, 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 settlement be approved and recorded. And it appearing from said settlement that there remains in the hands of said administrator for distribution to the heirs of said deceased the sum of \$130.73. It is therefore ordered that said administrator pay out and distribute said sum as follows to-wit:

To Mary Lee Hays.	\$ 43.58
" L. J. Gillilan.	43.58
" N. R. Gillilan.	<u>43.58</u>

And upon filing receipts therefor that he be discharged.

In the matter of the estate of } Continuance
Nancy B. Goodwin - dec'd }

Ordered that the settlement this day due from George W. Norton, administrator of said estate be continued to the November term 1906 hereof.

August Term Tuesday, August 14th 1906.

In the matter of the estate of }
Robert McKinnis - dec'd }

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

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

Thomas R. Shaw, Judge.

August Term Wednesday, August 15th 1906.

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

In the matter of the estate of } Renewal of sale of Real
George Nelson - Insane. } Estate

It is ordered by the Court that the order of sale of real estate of said insane person, made at the November term 1905 heretofore, and by the Court at each succeeding term renewed, be and the same is again in all things renewed, and that said guardian report his proceedings under said order, and this renewal of said order to the November term 1906 heretofore.

In the matter of the estate of } Order for removal of
George E. Ashbrook, Etal minors } Curatorship.

Came now Francis M. Kemp Curator of Zella Ashbrook Jewell P. Ashbrook Bulah M. Ashbrook and George E. Ashbrook, minor heirs of George E. Ashbrook deceased, and petitions this Court for the removal of the estate of said minors, and all proceedings in relation thereto to the County of Archer, and State of Texas. And represents and shows to the Court as grounds

August Term - Wednesday August 15th 1906.

for said removal that he and his wards have become non residents of the State of Missouri, and are now residents of the County of Archer and State of Texas where they expect to make their future home. That he has complied with the terms of section 3515 Revised Statutes of Missouri 1899, page 874, and has given bond and security in the County of Archer, and State of Texas in the sum of Thirteen Thousand Dollars which is more than double the amount with which he stands charged in this Court, as shown by certificates of his appointment and qualification as guardian of the estate of said minors, according to acts of Congress in such cases made and provided.

And it appearing to the Court that said Francis M. Kemp as such guardian has produced to this Court an exemplification under the seal of office of the Probate Court of the County of Archer, and State of Texas containing all the entries on record in said Court in relation to his appointment, and giving bond, and authenticated, as required by act of Congress.

It is therefore ordered and adjudged by the Court that said estate and guardianship thereof be removed to the County of Archer, and State of Texas, the place of residence of said guardian, and his said wards, and that said guardian proceed at once to make settlement of his accounts and administration of said estate of said wards in this Court.

And now comes said F. M. Kemp, and files herein his settlement of the estate of said minors which is by the Court taken up and considered and approved, and it appearing from said settlement that there is a balance in the hands of said guardian, due said minors of (\$6291.06) Six thousand two hundred and ninety one Dollars and six cents, it is ordered that said guardian deliver, and pass over said money and property to himself as guardian of the estate of said minors in the County of Archer, and State of Texas.

August Term. Wednesday August 15th 1906.

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

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

In the matter of the estate of } Final settlement & Discharge
Sineva Hamblin - deceased }

Comes now Margaret Hamblin, administrator of the estate of said deceased, and presents her accounts and vouchers for final settlement. And it appearing to the court that notice of said settlement has been published as required by law, that all the debts due and owing by said estate have been paid, and said estate fully administered, it is therefore ordered that said settlement be approved and recorded, and said administrator discharged.

In the matter of the estate of } Continuance
Mamie Hammer, Etal minors }

Ordered that the settlement this day due from Thomas H. Hecklin, guardian and curator of said minors be continued to the November term 1906, henceforth.

In the matter of the estate of }
Harford A. Harrah, dec'd }

Ordered that the first annual settlement this day filed by Lina Harrah, administrator of said dec'd be approved and recorded.

In the matter of the estate of } Continuance
Thomas Herschberger - Insane }

Ordered that the settlement this day due from Noah H. Herschberger, guardian of said insane person be continued to the November term 1906, henceforth.

In the matter of the estate of }
James M. Hunter - dec'd }

Ordered that the first annual settlement

August Term. Wednesday August 15th 1906.

This day filed by Fama Hunter, executor of the will of said deceased, be approved and recorded.

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 insane person be continued to the November term 1906. Hence,

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

Ordered that the order of sale of real estate of said John D. James, made at the May term 1905, and renewed at each subsequent term of this court, be and the same is again in all things renewed and continued in force and that said guardian report his proceedings to this court at the next term thereof.

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

Ordered that the fifth 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 A. M.

Thomas R. Shaw
Judge

August Term Thursday August 16th 1906.

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

In the matter of the estate of }
Jesse A. Creekmore, dec'd }

Ordered that the first annual settlement this day filed by W^m C. Gellisham, Executor of the will of said deceased be approved and recorded.

In the matter of the Estate of } Continuance & citation
W^m S. and L. M. Knight minors }

Ordered that the settlement this day due from Harrison Paulinson, Curator of the estate of said minors, be continued to the November term 1906. and that citation is due for said curator for failing to make settlement as required by law.

In the matter of the estate of }
Corda A. Leep, a minor }

Ordered that the seventh annual settlement this day filed by Frank D. Ray, curator of the estate of said minor be approved and recorded.

In the matter of the estate of }
Mary E. Morris, dec'd }

Ordered that the first annual settlement this day filed by William J. Morris, administrator of said Mary E. Morris dec'd be approved and recorded.

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

Thomas R. Shaw
Judge

August Term Friday, August 17th 1906

Court met pursuant to adjournment - present Thomas A. Shaw, Judge and W. J. Hutchison sheriff where the following proceedings were had viz:

Estate of William E. Bennett, Dec'd

Comes now Frank Ward, and presents to the court for allowance against said estate a demand for \$60.⁰⁰ founded on account for funeral expenses burial casket and embalming. Notice being waived in writing, and affidavit and proof made, it is ordered that said demand be allowed against said estate in said sum of Sixty Dollars, and that it be assigned to the first class.

Estate of William E. Bennett, dec'd

Comes now Dr James A. Waterman, and presents to the court for allowance against said estate a demand for \$18.⁰⁰ 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 Eighteen Dollars and that it be assigned to the second class.

Estate of John Caster, deceased.

Comes now A. J. Ray, and presents to the court for allowance against said estate a demand for \$970.⁹⁷ founded on a note for \$868.⁵⁷ dated Feby 19th 1903 due in five years, bearing seven percent interest from date, interest to be compounded if not paid annually, with credits as follows: Interest paid to Feby 19th 1904. Interest paid to Feby 19th 1905. Said note secured by deed of trust of same date with said note on real estate, said note signed by John Caster and Mary E. Caster. Amount, principal and interest now due \$970.⁹⁷. 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 \$970.⁹⁷ at 7% from date of this allowance and that it be assigned to the fifth class. And it appearing that said note is not due until Feby 19th 1908. It is ordered that no execution is - sue on said demand until the maturity of said note.

August Term. Friday. August 17th 1906.

In the matter of the estate of } Final Discharge
Elza P. Richardson, dec'd }

Came now Robert A. Richardson, administrator of said deceased, and files the receipt of Oliver Richardson, a distributee of said estate for the amount due him on final settlement of said estate, made at the May term 1906, of this Court and said estate being fully administered it is ordered that said administrator be discharged.

In the matter of the estate of } Final settlement & discharge
David F. Dilley - a minor }

Came now Jesse Dilley, curator of the estate of said minor and presents his accounts and vouchers for final settlement, his said ward having attained his majority. And came also said David F. Dilley, and in open Court waives the service of an exhibit and notice of said settlement and enters his appearance to the making of said settlement, whereupon the Court proceeds to the examination of said settlement which is found to be correct and is by the Court approved. And it appearing from said settlement that there is a balance due said minor of \$105.21, said curator is ordered to pay said ward said sum. And said curator said David F. Dilley, and receipts the record for said sum of \$105.21 in satisfaction thereof, wherefore it is ordered that said Jesse Dilley be discharged herein.

In the matter of the estate of } Order confirming sale.
William R. Willis - a minor }

Now came Israel Heath, curator of the estate of said William R. Willis - a minor and submits to the Court his report of sale by which it appears that he did on the 15th day of May 1906, in obedience to the order of this Court, made at the November term 1905, thereof, sell at private sale to John D. Willis, for the sum of Five hundred Dollars the real estate in said order of Court and report particularly described

August Term. Friday, August 17th 1906,

viz: An undivided one fifth interest in and to the West half (1/2) of the South East quarter (1/4) of section nine (9) Except (5) five acres in the North East corner. Also Ten (10) acres in the South West corner of the South East quarter (1/4) of the South East quarter (1/4) of section (9) nine all in Township Sixty one (61), and Range Twenty nine (29) and all that part East of Sampson Creek of the South half (1/2) of the South East quarter (1/4) of South East quarter (1/4) Except a strip (2) two rods wide commencing on the East bank of Sampson Creek at the Bridge, and running north, intersecting the middle line of said South East quarter of South East quarter, And all that part west and south of Sampson Creek of the North half (1/2) of the South East quarter (1/4) of the South East quarter (1/4) all in section (9) nine. Township (61) Sixty one, Range (29) Twenty nine. Also all South of Sampson Creek of the West half (1/2) of the South West quarter (1/4) of section (10) Ten. Township (61) Sixty one. Range (29) Twenty nine, containing (5) Five acres, more or less, all the land described containing 115 acres more or less, in Davess 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 said Curator is ordered to execute, acknowledge, and deliver to said John D. Willis, a deed in due form of law, conveying to him all the right, title and interest which his said ward had in and to said real estate.

In the matter of the estate of } Order confirming sale
Martha A. Gentry, dec'd }

Came now James W. Wilson Jr. Executor of said deceased and submits to the Court his report of sale by which it appears that he did on the 4th day of August 1906, in obedience to the order of this Court, made at the May term 1906 thereof, sell at private sale to Lewis A. Burton, for the sum of Seventeen hundred Dollars, the real estate in said order of Court and report particularly described viz:

August Term. Friday August 17th 1906.

The South West quarter of the North East quarter of Section (18) eighteen, Township (60) sixty of Range (28) Twenty eight, in Davies County Missouri, said sale being made subject to an encumbrance of \$342⁰⁰ at seven percent interest from May 7th 1906, which sum is a part of the above consideration, and is to be paid therefrom. 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 executor is ordered to execute acknowledge and deliver, to said Lewis A. Burton, a deed in due form of law, conveying to him all the right title and interest which the deceased had in and to said real estate at the time of her death.

In the matter of the estate of } Order of renewal of Order of
Martha E. Prodbeck, Etal. } Sale of Real Estate

It is ordered by the court that the order of sale of real estate made by this court at its February term 1906, in the above entitled estate, and which order of sale was at the May term 1906, renewed be and the same is in all things renewed as to all of said lands embraced in said order, except such as were reported sold by the curator, and report filed and sale confirmed at the May term 1906, of this court.

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

Ordered that the fourth annual settlement this day filed by John P. 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 second annual settlement this day filed by E. M. Foley Jr. curator of the estate of said James Huston Etal be approved and recorded.

August Term Friday, August 17th 1906.

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

Ordered that the second 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 }
Dillitha F. McDow-decd }

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

In the matter of the estate of }
George Nelson. Insane }

Ordered that the settlement this day filed by George H. Norton, guardian of said George Nelson 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 said deceased be continued to the November Term 1906.

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

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

In the matter of the estate of }
Marion J. Pennington, decd }

Ordered that the first annual settlement this day filed by Laura B. Pennington, administratrix of said deceased be approved and recorded.

In the matter of the estate of } Continued Generally
John R. Richardson - Insane }

Ordered by the court that the fourth annual settlement this day filed by Robert F. Richardson

August Term Friday August 17th 1906.

guardian of said John R. Richardson, be approved and recorded. And it appearing from said settlement that the entire estate of said insane person in the hands of said guardian has been exhausted, and that the said John R. Richardson is now a county patient of Linn's County, it is therefore ordered that said guardianship be continued generally, and that all further settlements be dispensed with until such time as the court shall order the same proceeded with.

In the matter of the estate of }
Gladys and Lucile Rayston Munson }

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

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

Thomas A. Shaw
Judge

August Term - Saturday - August 18th 1906.

Court met pursuant to adjournment. present
Thomas A. Shaw Judge and W. J. Hutchison sheriff
where the following proceedings were had to wit:

In the matter of the estate of ~~William W. Robinson~~ Final settlement & Distribution
William W. Robinson. dec'd

Came now Joseph E. Robinson, Executor of
the last will and testament of said deceased
and presents his accounts and vouchers for
final settlement, and it appearing to the court
that notice of said settlement has been published
as required by law; that all the debts due and
owing by said estate have been fully paid, and
said estate fully administered in accordance
with the provisions of the will of said deceased
said settlement is therefore upon examination approved
and ordered recorded. And it appearing from said
settlement that there remains in the hands of said
executor a balance of \$23.25 it is ordered that
said sum be distributed by said executor as
per the provisions of said will:

To Joseph E. Robinson the sum of \$11.64 1/2

" Myrtle Houghton " " 11.64 1/2

And the said Joseph E. Robinson having filed his
receipt for said sum of \$11.64 1/2 is discharged
as to said Joseph E. Robinson.

In the matter of the estate of ~~Jacob A. Stitt~~ 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 November term 1906.

In the matter of the estate of ~~William Taylor~~ Continued.
William Taylor - a minor

Ordered that the settlement this day due from
J. H. Taylor, Curator of the estate of said minor
be continued to the November term 1906 for final
settlement.

August Term Saturday - August 18th 1906.

In the matter of the estate of ~~3~~ Continuanee
Audred Warner - deceased

Ordered that the settlement this day due from
Hannah M Warner, administrator of said deceased
be continued to the November term 1906.

In the matter of the estate of ~~7~~ Final Settlement & Distr
John H. Searcy - deceased

Comes now Jackson Searcy 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 ordered that
said final settlement be approved and recorded.
And it appearing that there remains in the hands of
said administrator as shown by said settlement a
balance of Thirty seven & $\frac{49}{100}$ Dollars, the same
is by the court ordered distributed as follows:

✓ To Elmora W. Searcy	\$ 3.40 $\frac{9}{11}$
✓ " Albert A. Searcy	3.40 $\frac{9}{11}$
✓ " Verdie S. Searcy	3.40 $\frac{9}{11}$
✓ " William S. Searcy	3.40 $\frac{9}{11}$
✓ " John A. Searcy	3.40 $\frac{9}{11}$
✓ " Denver Searcy	3.40 $\frac{9}{11}$
✓ " Rosa M. Searcy	3.40 $\frac{9}{11}$
✓ " Roy Searcy	3.40 $\frac{9}{11}$
✓ " Francis J. Searcy	3.40 $\frac{9}{11}$
✓ " George W. Searcy	3.40 $\frac{9}{11}$
✓ " Archie Searcy	3.40 $\frac{9}{11}$

And upon filing receipts therefor that he be discharged.

Ordered that Court adjourn until Saturday August
25th 1906.

Thomas A. Shaw
Judge

In Vacation - August 23rd 1906.

In the matter of the estate of Will Probated
and Last will and Testament
of Joseph H. Knott deceased

Now on this day an instrument of writing pur-
porting to be the last will and testament of Joseph
H. Knott deceased who died August 8th 1906, is offered
for probate, and the Judge of Probate having seen and
examined said instrument of writing, and having
also heard the testimony of E. W. Litherus, and W. J.
Seple, the subscribing witnesses thereto, in relation
to the execution of the same, does declare and ad-
judge said instrument of writing to be the last will
and testament of Joseph H. Knott deceased, late of Dav-
iess County, and orders the same admitted to probate
and recorded as such.

Thomas R. Shaw - Judge

August Adjourned Term. Saturday Aug 25th 1906.

Court met pursuant to adjournment present Thomas R. Shaw, Judge, and W. J. Hutcheson, Sheriff where the following proceedings were had viz;

Estate of Theobald England, dec'd.

Comes now Dr W. L. Brosius, and presents to the court for allowance against said estate a demand for \$55.⁰⁰ 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 \$55.⁰⁰ and that it be assigned to the second class.

Estate of Theodore England, dec'd.

Comes now Dr Charles Pipkin, and presents to the court for allowance against said estate a demand for \$6.⁵⁰ 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 Six & 50/100 Dollars, and that it be assigned to the fifth class.

Estate of William E. Bennett, dec'd.

Comes now Alden M. Cray, and presents to the court for allowance against said estate a demand for \$58.⁰⁰ 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 Fifty eight Dollars, and that it be assigned to the fifth class.

Estate of John S. McBride - dec'd.

Comes now E. W. Wilder and presents to the court for allowance against said estate a demand for \$6.⁵⁰ founded on account. Notice being waived in writing and affidavit and proof made, it is ordered that said demand be allowed

August Adj' Term. Saturday August 25th 1906.

against said estate in said sum of \$6.50 and that it be assigned to the fifth class.

In the matter of the estate of ~~Order of~~ ^{Order of} Private sale Nelson Harwood, deceased of Personalty.

Comes now Daniel Friend, executor of said deceased and files his written application for permission to sell one heating stove appraised at \$1.50

One seythe	appraised at	.75
One Shovel	Plow	.75
One 1. Horse	" " "	1.50
One Bureau	" "	1.00
One Table	" "	1.50
One water Bucket	" "	.10
One Lamp	" "	.25
One Trunk	" "	1.00
Five Sacks	" "	.75
Three Chairs	" "	.30
Two Trunks	" "	.25

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

Estate of William M. Whitchurch, dec'd.

Comes now Clark and Bates, Lumber Carriers, by A. R. Elwell, manager, and presents to the court for allowance against said estate a demand for \$23.56 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 \$23.56 and that it be assigned to the fifth class.

August Term (adj) Saturday August 25th 1906.

Estate of Theodore Emyland, deceased.

Came now M. C. Pettigrew, and present to the court for allowance against said estate a demand for \$51.⁵⁰ founded on account for burial casket and robe 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 \$51.⁵⁰ and that it be assigned to the first class.

In the matter of the estate of ~~Apparition~~ Hannah M. Frazier, deceased.

Came now William B. James, and makes application for letters of administration on the estate of said deceased. And it appearing that the heirs of said deceased and Edward W. Copley, the person named in the will of said deceased as executor, having failed to qualify as such executor, or to apply for letters of administration on said estate, after having been cited to appear for that purpose, and the said William B. James, being a suitable and competent person for such trust, it is ordered that he be, and is hereby appointed administrator with the will annexed of said deceased. And before entering upon the duties of his office he is required to enter into bond to the state of Missouri in the sum of Five Thousand Dollars, conditioned for the faithful discharge of his duties according to law. And now came said William B. James, and files herein his bond as such administrator in said sum of \$500.⁰⁰ with Philip Shaw and John W. Bristow, as securities thereon, which said bond is by the court approved. It is further ordered that D. A. Garrett, and J. W. Aldridge, be and they are hereby 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 of the same.

August Adj Term. Saturday August 25th 1906.

In the matter of the estate of William E. Brimmer, dead.

Ordered that the first annual settlement this day filed by John W. Meade, administrator of said estate be approved and recorded.

In the matter of the estate of Maud H. Ewing - a minor. Final settlement & Discharge

Came now John W. Meade, curator of the estate of said Maud H. Ewing, a minor and presents his accounts and vouchers for final settlement, his ward having attained her majority. And now comes said Maud H. Ewing, and in open court waives the filing of an exhibit, and notice of settlement whereupon the court proceeds to the examination of said settlement, which is found to be correct and is by the court approved. And it appearing from said settlement that there remains in the hands of said curator, due said minor a balance of Thirty one hundred and seventeen & $\frac{4}{100}$ Dollars, it is ordered that said curator pay said sum to his said ward, and now comes said Maud H. Ewing, and in open court, and on said settlement, and in satisfaction thereof accepts her said curator for said sum of \$3117.40. wherefore it is ordered that John W. Meade as such curator be discharged herein.

In the matter of the estate of Lucy A. Huston, deceased. First annual settlement and Distribution to Creditors.

Ordered that the first annual settlement this day filed by Simon W. Grove, administrator of said estate be approved and recorded. It is further ordered that said administrator distribute to the creditors of said estate, who hold demands in class five, the sum of \$- 31.70 per cent of the amount of said demands, exclusive of interest, and that he have credit therefor in his settlement of said estate.

August Adj' Term - Saturday - August 25th 1906.

In the matter of the estate of ~~Samuel Liddsey~~
 Samuel Liddsey - deceased.

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

In the matter of the estate of ~~William L. Powell~~
 William L. Powell - Deceased.

Ordered that the first annual settlement this day filed by Powell and Pluesburn, Executors of said deceased be approved and recorded.

In the matter of the estate of ~~William L. Powell & Son~~
 William L. Powell & Son.

Ordered that the first annual settlement this day filed by L. W. Powell, surviving partner of said Partnerships estate be approved and recorded.

Ordered that Court adjourn until Court in course

Thomas R. Shaw.
 Judge

In Vacation August 27th 1906.

In the matter of the estate of ~~James H. Knott~~ Executors appointed and Joseph H. Knott deceased Bond Filed.

Came now James A. Knott and Henry Prindle who are named as executors in the will of Joseph H. Knott, deceased, which will was admitted to probate on the 23rd day of August 1906. 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 as such executors in the sum of (\$2000⁰⁰) Two Thousand Dollars, with such security as the court shall approve, conditioned for the faithful discharge of their duties according to law.

And now came said James H. Knott and Henry Prindle and file their said bond with John E. Deurt and W. Henry Deurt as securities thereon which said bond is approved. It is further ordered that William Land and Ross Danison be and they are appointed witnesses to accompany and aid said Executors in opening and examining the papers money and other property of said deceased and in making an inventory of the same.

Thomas R. Shaw
Judge of Probate.

In Vacation - September 3rd 1906.

In the matter of the estate of Administration Granted
Aminca Hoover, dec'd

Came now Winfield D. Hoover, and makes application for letters of administration on the estate of Aminca Hoover deceased who departed this life intestate on the 8th day of June 1906, in Danvers County Missouri, having at the time of her death personal property in this state of the probable value of Seven Hundred Dollars. And the said Winfield D. Hoover, being one of the distributees of said estate and a suitable and competent person for such trust, it is ordered that he be and is hereby appointed administrator of said estate. And before entering on the duties of his office he is required to enter into bond to the state of Missouri as such administrator in the sum of Fifteen hundred Dollars with such security as the court shall approve, conditioned for the faithful discharge of his duties according to law. And now came said Winfield D. Hoover and files herein said bond with William Russell and James H. Mickelson, as securities thereon, which said bond is approved, and said administrator is ordered to enter upon the discharge of his duties.

Thomas R. Shaw - Judge of Probate.

In Vacation - September 6th 1906.

In the matter of the estate of Choice and appointment
Paul Alexander Buzard and of Curator.
Julia Buzard - minors

On this day appeared Paul Alexander Buzard and Julia Buzard, and it appearing to the Judge of probate, that they are minors under eighteen and twenty one, but above fourteen years of age and reside in the County of Danvers, and have no curator and being directed by the Judge of probate to choose a curator of their estate, they selected George B. Ballison

who being approved by the Judge of Probate is appointed Curator of the estate of said minors and before entering upon the duties of his office he is required to enter into bond to the state of Missouri for the use of said minors, with two or more securities to be approved by the court in the sum of Two Thousand Dollars conditioned for the faithful discharge of his duties according to law;

Thompson comes said George D. Ballison and files here in his bond as such curator in said sum of Two Thousand Dollars conditioned as the law directs, with W. M. Nickell and J. M. Drummond as securities thereon, which said bond is by the Judge approved.

Thomas R Shaw Judge

In Vacation. September 7th 1906.

In the matter of the estate of Hannah A. Bernham, decd. Public Administrator to take charge.

Now at this day it having come to the knowledge of the Judge of Probate, that Hannah A. Bernham late of the County of Daviess, and State of Missouri departed this life intestate, having at the time of her death personal property in this state of the probable value of eight hundred dollars, which is liable to be injured, wasted or lost unless speedy care be taken of the same, and all the heirs of said deceased being non residents of the State of Missouri except one David A. Bernham who is supposed to be a resident of Missouri, but whose place of residence is unknown. To the end therefore that the said property may be collected, preserved and disposed of according to law. It is ordered that George W. Norton, Public administrator of Daviess County, take charge of and administer said estate according to law;

Thomas R Shaw
Judge of Probate

In Vacation - September 12th 1906.

In the matter of the estate of } Public administrator
David D. Grover. deceased } to take charge

Now at this day it having come to the knowledge of the Judge of probate that David D. Grover late of the County of Daviess, and State of Missouri, departed this life intestate on the 28th day of August 1906, having at the time of his death in addition to real estate, personal property of the probable value of Eight hundred and fifty Dollars, which is liable to be injured, wasted or lost unless speedy care be not taken of the same, and the heirs of said deceased being minors, and therefore not entitled to administer upon said estate: So the and therefore that the said property may be collected, preserved and disposed of according to law, it is ordered that George W. Norton, Public administrator of Daviess County Missouri, take charge of and administer said estate.

Thomas R Shaw
Judge of Probate

In Vacation - September 12th 1906.

In the matter of the estate of }
and Last Will and Testament } Will Probated.
of Samuel Mackey - dec'd }

Now on this day an instrument of writing purporting to be the last will and testament of Samuel Mackey, deceased is offered for probate and the Court having seen and examined said instrument of writing, and having also heard the testimony of Rallie J. Britton, one of the subscribing witnesses thereto, in relation to the execution of the same, and having also heard the testimony of Rallie J. Britton, and M. E. Gilligan who upon their oath state that they were present and saw Samuel Mackey, sign said instrument purporting to be his last will, and heard him publish and declare the same to be his last will, that the said will was signed by mark, and that

The signature and mark of said testator was duly attested and witnessed by Owen H. M^cGee, now deceased, and said Rollin J. Britton, that the said Owen H. M^cGee, was present at the time of the signing of said will, and that said affiants saw the aforesaid Owen H. M^cGee sign his name to said will as a witness thereto, and said affiants further state that they are familiar with the hand writing of the said Owen H. M^cGee, and do know that the signature attached to the aforesaid will is the genuine signature of the said Owen H. M^cGee, - does declare and adjudge said instrument of writing to be the last will and testament of Samuel Mackey - deceased, late of Danvers County, and orders the same admitted to probate, and to be recorded as such.

Thomas R. Shaw
Judge of Probate.

In Vacation - September 18th 1906.

In the matter of the estate of Ezra Soule - deceased
Order Refusing administration

Now at this day comes Charlotte A. Soule, and shews to the Court, that she is the widow of Ezra Soule late of the County of Danvers, 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 Charlotte A. Soule as such widow, may be authorized and empowered to collect, sue for, and retain said property as her absolute property, as provided by law, it is ordered that letters of administration on said estate be refused, unless on the application of creditors or other parties interested the existence of further or other property be shown.

Thomas R. Shaw
Judge of Probate.

In Vacation September 18th 1906.

In the matter of the Estate of $\int$ Order Private Sale
Hannah A. Bernham - dead $\int$

Comes now George W. Norton, public administrator, having in charge the estate of Hannah A. Bernham, deceased, and makes application for permission to sell all the personal property of said deceased, as shown by the Inventory thereof filed in this court this day (Except the notes therein described) belonging to said estate, at private sale, and the Judge of Probate being satisfied that it will be for the best interest of the estate, and not prejudicial to persons interested therein to sell the same at such sale, it is ordered that said administrator sell said property at private sale for not less than its appraised value, for cash in hand, and that he report the same to this court.

Thomas R. Shaw
Judge of Probate.

In Vacation - September 29th 1906.

In the matter of the estate of $\int$ Administration Granted
Henry J. Mills, deceased $\int$

Comes now Festus M. Mills, and makes application for letters of administration on the estate of Henry J. Mills, deceased who departed this life intestate on the 8th day of September 1906, in Daviess County Missouri, having at the time of his death personal property in this state of the probable value of Six hundred Dollars.

And the said Festus M. Mills bring a certificate of said estate, and a suitable and competent person for such trust, it is ordered that he be, and is hereby appointed administrator of said estate, and before entering on the duties of his office, he is required to enter into bond to the state of Missouri as such administrator in the sum of Twelve Hundred Dollars conditioned for the faithful discharge of his duties according to law. And now comes said Festus M. Mills, and files herein his bond in said sum

of Twelve hundred Dollars with George O. Mills
Leona Pearl Mills. and Corda Eldora Mills as se-
curities thereon which said bond is approved and
Samuel Leonard and R. V. Thompson are appoint-
ed as witnesses to accompany and aid said admini-
strator in making an inventory of said estate

Thomas R Shaw
Judge of Probate

In Vacation - October 11th 1906.

In the matter of the estate of } Will Probated.
and last will and testament }
of L. G. Edgerton - deceased }

Now on this day an instrument of writing pur-
porting to be the last will and testament of L. G. Ed-
gerton, 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
Martha Brook McClung, and Effie F. Longpellow the
subscribing witnesses thereto, in relation to the execu-
tion of the same, does declare and adjudge said in-
strument of writing to be the last will and testa-
ment of L. G. Edgerton, deceased, lately of Davis
County, and orders the same admitted to probate
and to be recorded as such.

Thomas R Shaw

In Vacation - October 20th 1906.

In the matter of the estate of Order for Private Sale
Thomas B. Jackson - dec'd

Came now Martha S. Jackson, administratrix of said estate, and files her written application for permission to sell a stock of drugs including furniture and fixtures used in connection therewith, situated in Altamont Missouri, appraised at seven hundred dollars, belonging to said estate, at private sale. And the Judge of probate being satisfied that it will be for the best interest of said estate, and not prejudicial to persons interested therein to sell the same at such sale, it is ordered that said administratrix sell said property at private sale for cash in hand, for not less than three fourths of the appraised value thereof, and that she report the same to this court.

Thomas R. Shaw
 Judge of Probate.

In Vacation - November 3rd 1906.

In the matter of the estate of Order for Private Sale
Joseph H. Knatt - deceased

Came now James A. Knatt, and Henry Prindle Executors of last will and testament of Joseph H. Knatt, deceased, and make application for permission to sell one house valued at \$35.00 belonging to said estate, at private sale. And the Judge of Probate being satisfied that it will be to the best interest of the estate, and not prejudicial to persons interested therein to sell the same at such sale, it is therefore ordered that said executors sell said property at private sale for not less than its appraised value, for cash in hand, and that they report the same to this court.

Thomas R. Shaw
 Judge

In Vacation - Nov. 3rd 1906.

In the matter of the estate of } Appointment of Admin.
Laura M Frost - deceased } with will annexed.

Came now Thomas H. Black, and makes application for letters of administration on the estate of Laura M Frost deceased, who departed this life testate on the day of the last will and testament of the said Laura M Frost having been admitted to probate in this Court on the 23rd day of March 1904. And it appearing to the Judge of Probate that there is no executor named in the will of said deceased. And the said Thomas H. Black, being a suitable and competent person for such trust, it is therefore ordered that he be and is hereby appointed administrator with the will annexed of said 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 Five hundred Dollars, with such security as the Court shall approve conditioned for the faithful discharge of his duties according to law. And now comes said Thomas H. Black, and files herein his bond as such administrator in said sum of Five hundred Dollars with R. D. Mass, and J. E. Strover as securities thereon which is approved, and V. E. Foxworthy, and John Maurice are appointed witnesses to assist said administrator in making an inventory of said estate.

Thomas R. Shaw - Judge

In Vacation - Nov. 9th 1906.

In the matter of the estate of } Probate of Will.
and last will and testament }
of Daniel Gray - deceased.

Now on this day an instrument of writing heretofore filed, purporting to be the last will and testament of Daniel Gray, 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 Addie Mallory and G. L. Loop.

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 Daniel Gray, deceased, late of Davies County, and orders the same admitted to probate and to be recorded as such.

Thomas R Shaw
Judge of Probate.

In Vacation - November 10th 1906.

In the matter of the estate of M. G. G. and Last Will and Testament of William Gee, deceased. Probate of Will.

Now on this day an instrument of writing heretofore filed herein, purporting to be the last will and testament of William Gee, 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 Amos Walker and C. S. McTearly 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 William Gee, deceased, late of Davies County, and orders the same admitted to probate, and to be recorded as such.

Thomas R Shaw
Judge of Probate.

November Term. November 12th 1906.

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 12th 1906, there was present Thomas R. Shaw, Judge of said Court, and W. S. Hutchison, Sheriff, where the following proceedings were had, and entered of record to wit;

Ordered that the bond of George B. Callison, as curator of the estate of Paul Alexander Buzard, and Julia Buzard minors, taken in vacation September 6th 1906, be and the same is approved, and his appointment ratified and confirmed.

Ordered that the bond of Winfield S. Hoover, as administrator of the estate of America Hoover, deceased, taken in vacation September 3rd 1906, be and the same is approved, and his appointment ratified and confirmed.

Ordered that the appointment of George W. Norton public Administrator of Daviess County, as administrator of the estate of Hannah A. Bernheim, deceased, made in vacation Sept 7th 1906 be ratified and confirmed.

Ordered that the appointment of George W. Norton, Public administrator of Daviess County, as administrator of the estate of David D. Grover, deceased, made in vacation September 13th 1906, be ratified and confirmed.

Ordered that the bond of Festus M. Mills as administrator of the estate of Henry P. Mills, deceased taken in vacation September 29th 1906, be and the same is approved and his appointment ratified and confirmed.

Ordered that the bond of James A. Knott & J. Henry Dindle, Executors of the will of Joseph H. Knott, deceased, taken in vacation August 27th 1906, be and the same is approved and their appointment ratified and confirmed.

November Term Monday November 12th 1906.

Ordered that the bond of Thomas H. Black, as administrator with the will annexed of the estate of Laura M. Black, deceased taken in vacation November 3rd 1906. be and the same is approved, and his appointment ratified and confirmed.

In the matter of the estate of
And last will and testament Judgment Establishing Will,
of Joseph H. Knott, deceased

It being shown to the Court now here, that in vacation of this Court term; on the 23rd day of August 1906, an instrument of writing purporting to be the last will and testament of Joseph H. Knott, deceased and attested by W. J. Siple, and C. W. Githens as witnesses was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Joseph H. Knott, deceased, and said Clerk proceeded to take the testimony of W. J. Siple and C. W. Githens said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectfully and is now here produced in Court. And said Clerk having declared said will proved, granted a certificate of probate on said 23rd day of August 1906.

And the Court having inspected said will, and seen and heard the testimony of W. J. Siple, and C. W. Githens the attesting witnesses so taken in vacation, 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 Joseph H. Knott, 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 L. G. Edgerton, deceased

It being shown to the Court now here, that in vacation of this Court term; on the 11th day of October 1906 an instrument

November Term Monday November 12th 1906.

of writing purporting to be the last will and testament of L. G. Edgerton deceased, and attested by Martha Brook McClung and Effie L. Langfellow as witnesses was produced before the clerk of this court to be proved and admitted to record as the last will of said L. G. Edgerton deceased, and said clerk proceeded to take the testimony of Martha Brook McClung and Effie L. Langfellow, 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 11th day of October 1906. And the court having inspected said will, and seen and heard the testimony of Martha Brook McClung and Effie L. Langfellow 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 L. G. Edgerton 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 Daniel Gray - deceased }

It being shown to the court now here, that in vacation of this court term; on the 22nd day of October 1906, an instrument of writing purporting to be the last will and testament of Daniel Gray, deceased, and attested by G. L. Loop, Addie Mallory and Jackson Searcy, as witnesses was produced before the clerk of this court to be proved and admitted to record as the last will of said Daniel Gray, deceased and said clerk proceeded to take the testimony of Mrs Addie Mallory, and G. L. Loop, two of said attesting witnesses, which was by said clerk reduced to writing and signed by them respectively, and is now here produced in court. And said clerk having declared said will

November Term Monday - November 12th 1906.

proved granted a certificate of probate on said 22nd day of October 1906. And the court having inspected said will, and seen and heard the testimony of Mrs Addie Mallory and G. L. Loop, two of 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 Daniel Gray, 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 William Gee, deceased

It being shown to the Court now here, that in vacation of this Court, to wit: on the 8th day of October 1906 an instrument of writing, purporting to be the last will and testament of William Gee, deceased, and attested by Amos Walker, W. L. Arbuckle, and C. G. McKinley, as witnesses was produced before the clerk of this court to be proved and admitted to record as the last will of said William Gee, deceased, and said clerk proceeded to take the testimony of Amos Walker, and C. G. McKinley, two of said attesting witnesses, which was by said clerk reduced to writing and signed by them respectively, and is now here produced in court. And said clerk having declared said will proved, granted a certificate of probate on said 8th day of October 1906. And the Court having inspected said will and seen and heard the testimony of Amos Walker, and C. G. McKinley two of 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 Gee, 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.

November Term - Monday November 12th 1906.

In the matter of the estate of ³ Judgment Establishing will
and last will and testament
of Samuel Mackey, dec'd ³

It being shown to the Court now here, that in vacation of this Court to-wit: on the 12th day of September 1906, an instrument of writing purporting to be the last will and testament of Samuel Mackey, deceased and attested by Rollie J. Britton, and Owen H. McGee, as witnesses was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Samuel Mackey, deceased. And said Clerk proceeded to take the testimony of Rollie J. Britton, one of the subscribing witnesses to said will, which was by said Clerk reduced to writing and signed by said witness. (The other subscribing witness to said will, the said Owen H. McGee being now deceased.) And said Clerk further proceeded to take the testimony of Rollie J. Britton and W. B. Gillihan, who stole that they were present, and saw Samuel Mackey sign the aforesaid instrument purporting to be his last will and testament, and heard him publish and declare the same to be his last will and testament, that the said will was signed by mark, and that the signature and mark of the said Samuel Mackey was duly attested and witnessed by Owen H. McGee, now deceased, and Rollie J. Britton. That the said Owen H. McGee was present at the time of the signing of said will, and that the said Rollie J. Britton and W. B. Gillihan saw the aforesaid Owen H. McGee sign his name to said will as a witness thereto, and do further state that they are familiar with the hand writing of the said Owen H. McGee and do know that the signature attached to the aforesaid will is the genuine signature of the said Owen H. McGee. Which said testimony was reduced to writing and signed by Rollie J. Britton, and W. B. Gillihan respectively, and is now here produced in Court.

And said Clerk having declared said will proved granted a certificate on said 12th day of September 1906.

And the Court having inspected said will, and seen and heard the testimony of said Rollie J. Britton and

November Term. Monday Nov 12th 1906.

W. C. Gillihan, 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 Samuel Mackey, 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  Executor Discharged.
William W. Robinson, dec'd

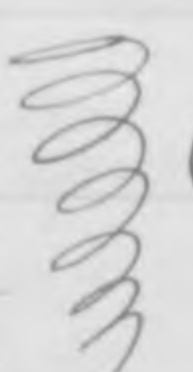
Comes now Joseph C. Robinson, Executor of said deceased, and files herein the receipt of Myrtle Houghton, formerly Myrtle Robinson, for \$11.67 being the amount due her as a legatee of said deceased on final settlement of said estate, made at the August term 1906 of this court and said estate being fully administered, it is ordered that said executor be discharged.

In the matter of the estate of  Partial Discharge
John H. Searcy - Deceased

Comes now Jackson Searcy, administrator of the estate of said deceased, and files the receipts of the following named distributees of said estate for the amount due them respectively on final settlement of said estate made at the August term 1906 of this court to-wit:

John A. Searcy.	\$ 3.75
Rosa M. Williamson	3.75
E. W. Searcy	3.75
George Searcy.	3.75
Roy Searcy.	3.75
Denver Searcy.	3.75
F. D. Searcy.	3.75

It is therefore ordered that said administrator be discharged as to said above named distributees.

In the matter of the estate of  Curator Discharged.
Georgia E. Ashbrook, Etal

Comes now F. M. Kemp, former Curator of said

November Term - Monday - November 12th 1906.

estate of said minors in Danciss County Missouri now guardian of the estate of said minors in the county of Archer and state of Texas, the place of residence of said guardian and his said wards, and to where said estate has been transferred by the order of this Court, and files herein his receipt as guardian of the estate of said minors in said County of Archer and state of Texas, for the sum of \$6291.⁰⁶ being the amount due his said wards on final settlement of his curatorship made at the August term 1906 of this Court. Wherefore it is ordered that said curator be discharged.

In the matter of the estate of Administrator Discharged
Luro A. Gillilan. Deceased

Comes now R. V. McUpoon, administrator of said estate, and files the receipts of the distributees of said estate for the amount due them respectively on final settlement of said estate made at the August term 1906 of this Court, to-wit:

L. J. Gillilan	For	\$43.58
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N. Gillilan	"	43.58
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Mary Lee Hays	"	43.58
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And said estate being fully administered it is ordered that said administrator be discharged.

In the matter of the estate of Partial Discharge
William H. Cunningham, dead

Comes now E. M. Foley, Jr. Administrator of said estate and files herein the receipt of W. J. Hutchison Sheriff of Danciss County, Missouri, for the sum of One hundred and fifty nine Dollars, and seventy six cents (\$159.76) said sum being the distributive share of Jonathan R. Cunningham, one of the distributees of said estate for the amount due him on final settlement of said estate of William H. Cunningham made by said administrator in this Court at the May Term 1906, thereof. Said distributive share, due said Jonathan R. Cunningham, having been paid said Sheriff on execution from the Circuit Court of Danciss County Missouri, in favor of Susan Annie Cunningham and against

November Term Monday November 12th 1906.

said Jonathan R. Cunningham, said administrator having been garnished. Wherefore it is ordered that said administrator be discharged as to said Jonathan R. Cunningham.

In the matter of the estate of Receipts Filed
Henry C. Parberry, deceased

Came now John R. Hardy, former administrator of said estate, and files herein the receipts of all the heirs of said deceased for the sum of \$3.70 each being an amount in the aggregate retained by said administrator on final settlement of said estate, for the payment of taxes assessed against said estate, and which sum was in excess of the amount required to pay said taxes, as follows to-wit:

C. L. Tate, Curator for J. H. & H. P. Tate	\$3.70
Mary Bleich	3.70
Daniel C. Paudolpho	3.70
S. R. Wharton, Admin of estate of Martha E. Wharton	3.70
Sarah Kim (formerly Sarah Parberry, widow)	3.70
Receipt for Taxes of 1905.	<u>81.47</u>

In the matter of the estate of Order of sale of Real Estate
James Huston and
George Huston - minors

Came now E. M. Foley, Public guardian and curator having in charge the estate of James Huston and George Huston - minors, and prays the court to order a sale of the real estate of the said James Huston and George Huston for the following reasons to-wit: Said guardian and curator states that on the 30th day of December 1903 said minors inherited from their great grand father Isaac Minnick an interest as two of the four children of John F. Huston, deceased who was a son of Mary J. Huston, deceased, who was a daughter of the said Isaac C. Minnick deceased, - in the following described lands in Daviess County Missouri, to-wit: All that part of the North West quarter of Section 12, Township 58, Range 26, described as follows: Commencing at the South East corner

November Term - Monday - November 12th 1906.

of said North West quarter and running thence West 26.04 chains; thence North 8.10 chains; thence west 2.00 chains; thence North 4.09 chains; thence west 12.00 chains; thence North to the North West corner of said North West quarter; thence East to the North East corner of said North West quarter; thence South to the place of beginning, Excepting a Cemetery, Containing 142. $\frac{23}{100}$ acres more or less, Also the North East quarter, of the South East quarter, and the South East quarter, of the North East quarter of Section 11, Township 58, of Range 26, Excepting that part heretofore laid off in town lots, and also excepting the right of way of the Nabash Rail Road. Also the West half of the North East quarter of the South West quarter of Section 11, Township 58, of Range 26.

Said guardian and curator further shows to the Court that the interest in the said lands owned by his said wards is a very small one, it being estimated to be about a $\frac{2}{100}$ interest therein, which leaves the Control and disposition thereof to others, and such interest if given to them in kind would be so small an acreage to be farmed or rented in any way to advantage for said minors, where all the facts and circumstances of said ownership and location of said land are taken into consideration.

Said guardian and curator further represents that it would be more beneficial for the interest of said minors for said land to be sold at private sale, and the proceeds arising therefrom to be invested in other lands or placed at interest. Wherefore in consideration of the premises said guardian and curator prays for an order to sell the said real estate of said minors according to the statute in such cases made and provided.

And the Court having heard the petition of said guardian and curator, and the evidence in relation thereto is satisfied that said order should be granted.

It is therefore ordered by the Court that said guardian and curator, be and is hereby authorized and empowered to sell the said real estate, at 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:

November Term Monday November 12th 1906.

For cash in hand; and that he report said sale and his proceedings therein to this Court at the next term thereof.

Ellen Kirk

Plaintiff

Against Presentation of Demand for allowance,
William B. James, Administrator with
the will annexed of Hannah M. Frazier, dec'd. Deft.

Now came the parties and this cause being at issue is by agreement submitted to the Court for trial without a jury. And the Court having heard the evidence and argument of counsel doth find for the plaintiff in the sum of Fifty Dollars.

It is therefore adjudged by the Court that plaintiff recover of the defendant as executor of the estate of Hannah M. Frazier deceased said sum of Fifty Dollars, so found as aforesaid with costs of suit, and that said demand be assigned to the fifth class.

Estate of William E. Bennett dec'd }
}

Came now A. J. Curry, and presents to the Court for allowance against said estate a demand for \$7.62 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 Seven and 62/100 Dollars, and that it be assigned to the fifth class.

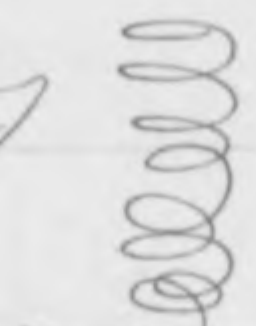
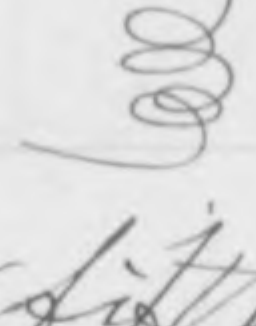
In the matter of the estate of }
William G. Armstrong dec'd }

It is ordered that the Eighth annual settlement this day filed by John H. Johnson Executor of the last will and testament of said deceased be approved and recorded.

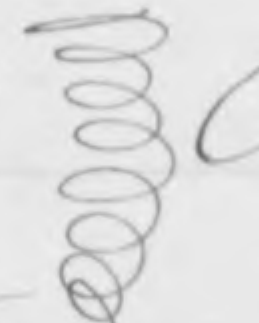
In the matter of the Estate of }
Forest W. Blackburn, Etal minors }

It is ordered that the Third annual settlement this day filed by W. E. Blackburn Curator of said minors, be approved and recorded.

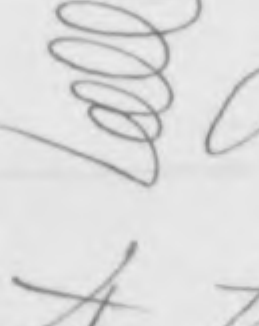
November Term Monday Nov 12th 1906.

In the matter of the estate of  Rella Brown - a minor 

It is ordered that the fifth annual settlement this day filed by Walker G. Smith guardian and curator of said Rella Brown be approved and recorded.

In the matter of the estate of  Additional Bond Filed Rella Brown - a minor  and approved.

Now at this day it having come to the knowledge of the Court from the records of this Court that the bond of Walker G. Smith as guardian and curator of the person and estate of said minor is insufficient in amount. It is therefore ordered by the Court that said guardian and curator be and he is hereby required to give an additional Bond as such guardian and curator in the sum of Twelve Hundred Dollars conditioned as the law directs. And now comes said Walker G. Smith and files herein his said Additional Bond as required and in compliance with the above order in said sum of \$1200⁰⁰ with W. E. Hathaway and Fred Knecht as securities thereon which said bond is by the Court approved.

In the matter of the estate of  Settlement approved and George O. Caldwell - a minor  Additional Bond Ordered.

It is ordered by the Court that the fourth annual settlement this day filed by Thomas E. Hamilton Curator of the estate of said minor be approved and recorded. And it appearing to the Court from the records of this Court that the bond of said curator is insufficient in amount: It is therefore ordered by the Court that said Thomas E. Hamilton Curator as aforesaid be and he is hereby required to give an additional bond as guardian and curator of the person and estate of said minor in the sum of (\$2500⁰⁰) Twenty five Hundred Dollars with such security as the Court shall approve. Conditioned as the law requires and that said bond be filed during the present term of this Court.

November Term Monday Nov 12th 1906,

In the matter of the estate of 3 Continuance
 Perry Braum, deceased 3

Ordered that the settlement this day due from
 Mary J Braum, Executrix of said deceased be
 continued to Monday December 3rd 1906,

Estate of David D. Grove, deceased 3

Edna now S. J. Dewey, and presents to the court for
 allowance against said estate a demand for \$10.51
 founded on account. Notice being waived in writing, and
 affidavit and proof made, it is ordered that said demand
 be allowed against said estate in said sum of \$10.51 and
 that it be assigned to the fifth class.

In the matter of the estate of 3
 and Last Will & Testament of 3 Will Probate.
 William E. Brinnon, dec'd 3

Now at this day an instrument of writing
 heretofore filed herein, to-wit on September 24th 1906,
 purporting to be the last will and testament of
 of William E. Brinnon, deceased is offered for probate
 And the Court having seen and examined said ins-
 trument, and having also heard the testimony of
 Benton Miller and J. W. Alexander two of the sub-
 scribing witnesses thereto in relation to the execu-
 tion of the same, does declare and adjudge said
 instrument of writing to be the last will and tes-
 tament of William E. Brinnon, deceased late
 of Daviess County, and orders the same admitted
 to probate, and to be recorded as such.

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

Thomas D. Shaw
 Judge

November Term - Tuesday November 13th 1906.

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

In the matter of the adoption of Claud Owen Green, - minor Child of Julia A. Smith - formerly Julia A. Green. Changing Name

Now at this day comes William H. Smith, and shows to the Court, that on the 21st day of June 1906, by deed of adoption, duly executed, acknowledged and recorded in the County of Daviess, in the State of Missouri, he adopted Claud Owen Green, minor child of Julia A. Smith - formerly Julia A. Green - who joined in the execution of said deed as party thereto, as and for his child and heir at law; with the assent of the said Julia A. Smith formerly - Julia A. Green, and he asks the Court to change the name of said adopted child from Claud Owen Green to Claud Owen Smith, so that it shall bear the name of its adopted parent. It is therefore ordered that the name of said adopted child, be and the same is by this order changed from Claud Owen Green, to Claud Owen Smith so that henceforth the said adopted child shall be known as and by the name of Claud Owen Smith, child and heir of William H. Smith, its adopted parent.

Estate of Anthony Robinson, deceased.

Comes now J. E. Merrifield, and presents to the Court for allowance against said estate a demand for \$19.⁰⁰ 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 Nineteen Dollars, and that it be assigned to the fifth class.

Estate of Anthony Robinson - deceased.

Comes now J. E. Moore, M.D. and presents to the Court for allowance against said estate a demand for \$40.⁰⁰ founded on account for medical services during last sickness Notice being waived in writing, and affidavit and proof made. It is ordered that said demand be allowed in said sum of \$40.⁰⁰ and same assigned to 2nd Class.

November Term. Tuesday - November 13th 1906.

Estate of John D. McBride - dec'd.

Came now the First National Bank of Hamilton, Missouri, and presents to the Court for allowance against said estate a demand for Twenty three hundred and three, and $\frac{13}{100}$ Dollars founded on four promissory Notes described as follows: One note for \$600⁰⁰ Dated Aug 2nd 1905, due in six months, payable to First National Bank of Hamilton Mo. with interest at 8% per annum, from date, compounded if not paid annually. Amount due Sept 24th 1906, \$654.93. One note for \$748.70 Dated Aug 7th 1905, due in six months, with 8% interest from date. Amount due Sept 24th 1906, \$817.28. One note for \$624.⁰⁰ Dated Oct 21st 1905, due in six months, with 8% interest from date. Amount due Sept 24th 1906, \$670.18. One note for \$150.⁰⁰ Dated Nov 2nd 1905, due in six months, with 8% interest from date. Amount due Sept 24th 1906, \$160.24. Total amount due on four notes \$2303.¹³ all of said notes signed by J. D. McBride.

Notice being received in writing, and affidavit and proof of execution made, it is ordered that said demand be allowed against said estate in said sum of \$2303.¹³ with interest at eight per cent per annum from Sept 24th 1906 and that said demand be assigned to the fifth (5th) Class.

Estate of Thomas Herschberger - Insane

Came now Lee - Richard - and Noah Herschberger and present to the Court for allowance against said Estate a demand for Three hundred and ten Dollars and seventy five cents, founded on account stated. And it appearing to the Court that Noah Herschberger, one of said claimants is the duly appointed and qualified guardian of said Thomas Herschberger, it is therefore ordered that O. P. Hook be appointed guardian ad litem of said insane person to appear and manage the defense for said insane person. Notice being received in writing by said guardian ad litem, in open Court, and affidavit and proof having been made, It is ordered that said demand be allowed against said estate of said insane person, and that it be assigned to the fifth Class of demands and paid accordingly.

November Term. Tuesday - November 13th 1906.

In the matter of the estate of } Final Settlement & Discharge
Samuel Austin - deceased }

Comes now Anna J. Austin, administratrix of said deceased, and presents her accounts and vouchers for final settlement. And it appearing to the court that notice of said final settlement has been published as required by law; that all the debts due and owing by said estate have been fully paid, and said estate fully administered, it is thereupon ordered by the court that said administratrix be discharged therein.

In the matter of the estate of } Continuance
Hermou A. Conway - a minor }

Ordered that the settlement this day due from Rebecca Conway, Curator of the estate of said minor, be continued to the May Term 1908, hereof, at which date said ward will have attained his majority, there being at this time no estate in the hands of said Curator.

In the matter of the estate of } Continuance
Nancy D. Goodwin - dec'd }

Ordered that the settlement this day due from George W. Norton, Public Administrator having in charge said estate be continued to the February Term 1907 hereof.

In the matter of the estate of } Continuance
Mamie Hammer, Etal. minors }

Ordered that the settlement this day due from Thos. H. Hicklin, Curator of the estate of said minors be continued to the February term 1907 hereof.

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

Thomas R. Shaw
Judge

November Term - Wednesday Nov 14th 1906.

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

In the matter of the estate of ~~William E. Brimmer~~ ^{Revocation of Letters of Administration}, deceased.

Now at this day it having come to the knowledge of the Court, from the records of this Court, that on the first day of this Court, to-wit: on the 12th day of Nov. 1906, an instrument of writing purporting to be the last will and testament of William E. Brimmer, deceased, was offered for probate, and the same was by the Court duly admitted to probate as the last will of said deceased.

It is therefore ordered by the Court that the Letters of Administration on said estate issued to John W. Meade on the 17th day of July 1905, be and the same are hereby revoked and held for naught, and that said administrator proceed at once to make settlement of his administration of said estate. And now comes said John W. Meade administrator as aforesaid, and presents his accounts and vouchers for final settlement, which said settlement is taken up and considered by the Court and found to be correct, and is by the Court approved.

And it is further ordered that the balance of \$171.89 remaining in the hands of said administrator, be paid over by said administrator to his successor in said trust when one shall have been appointed, and on filing the proper receipt therefor that said administrator be discharged.

In the matter of the estate of ~~Frank H. Cozad~~ ^{Etal - minors}, Etal - minors.

Ordered that the first annual settlement this day filed by Nancy J. Cozad - guardian and curator of said Frank H. Cozad Etal, be approved and recorded.

November Term - Wednesday Nov 14th 1906,

In the matter of the estate of } Continuance
Sarah A. Darneal - dec'd. }

Ordered that the settlement this day due from William D. McDonald, Executor of the last will and testament of said deceased be continued to the February term 1907. Henceforth.

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 the person and estate of said John D. James. be continued to the February term 1907.

In the matter of the estate of } Final Settlement & Discharge
William Lake, deceased. }

Came now George W. Lake, Executor of the last will and testament of said deceased and presents his accounts and vouchers for final settlement. And it appearing to the Court that notice of said final settlement has been published as required by law; that all the debts due and owing by said estate have been fully paid, and said estate fully administered in compliance with the provisions of the will of said deceased, it is therefore ordered that said Executor George W. Lake be discharged.

In the matter of the estate of } Continuance
Thomas Herzhberger - Insane }

Ordered that the settlement this day due from Noah H. Herzhberger, guardian of the person and estate of said Thomas Herzhberger. be continued to the November term 1907. Henceforth.

In the matter of the estate of } Continuance
Allene L. Lord - a minor, now dec'd }

Ordered that the settlement this day due from Samuel A. Lord guardian and curator of said minor be continued to the November term 1907. Henceforth.

November Term - Wednesday - Nov. 14th 1906.

In the matter of the estate of } Continuance
W.S. and L.M. Knight minors }

Ordered that the settlement this day due from
Harrison Harrison, Curator of the estate of said minors be
continued to Monday December 3rd 1906.

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

Ordered that the third annual settlement this day
filed by E.M. Foley, Jr. Curator of the estate of said
Aubry L. Mann, be approved and recorded.

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

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

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

Thomas R. Shaw
Judge

November Term. Thursday - Nov 15th 1906.

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

In the matter of the estate of } Renunciation of Executor. and
William E. Drimmer. dec'd } app't of adm'r with will annexed

Comes now Denton Miller, who is named as executor in the will of said deceased, and files herein his renunciation of all claim or right to letters testamentary on the will of said deceased, and declines to accept said appointment as executor of said will. And the Court having full faith and confidence in the ability and integrity of John W. Meade, former administrator of said deceased, it is therefore ordered that he be and is hereby appointed administrator de bonis non, with the will annexed of said 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 Five Hundred Dollars, with such security as the Court shall approve, conditioned for the faithful discharge of his duties according to law. And now comes said John W. Meade, and files herein his bond as administrator de bonis non, with the will annexed, in said sum of \$500.00 with E. D. Meade, and Homer Peert as securities thereon which said bond is approved, and said administrator ordered to enter upon the discharge of his duties.

In the matter of the Estate of }
George E. Courad - Deceased }

Comes now Faith L. Courad widow of said deceased and presents to the Court for allowance against said estate a demand for \$675.00 founded on a claim for personal property belonging to said claimant in her own right, converted to his own use by said George E. Courad. And the said Faith L. Courad being the executrix of said deceased, and there being no co-executor, it is ordered that W. C. Gilleham be and he is hereby appointed, administrator ad litem

November Term. Thursday - Nov 15th 1906.

to appear and manage the defense on behalf of said estate. And it is further ordered that the hearing of said cause be continued to Monday December 3rd 1906.

In the matter of the estate of
 Charles N. Smith. J. Frank Smith.
 Anna F. Smith. Laura E. Smith. (Appointment of Curator.
 Henry Lee Smith and Clay Warren Smith
 Heirs of Henry C. Smith deceased

On this day comes Charles N. Smith and J. Frank Smith and it appearing to the court that they are minors under twenty one but above fourteen years of age, and reside in the County of Danvers, and have no curator, and being directed by the court to choose a curator of their estate, they selected Robert V. Thompson, who being approved by the court is appointed curator of the estate of said Charles N. Smith, and J. Frank Smith. And it further appearing to the court that Anna F. Smith, Laura E. Smith, Henry Lee Smith, and Clay Warren Smith, are minors under fourteen years of age and have no curator of their estate, and the said Robert V. Thompson being a suitable and competent person for such trust and the court having full faith and confidence in the ability and integrity of said Robert V. Thompson, it is therefore ordered that he be and is hereby appointed curator of the estate of said Anna F. Smith, Laura E. Smith, Henry Lee Smith, and Clay Warren Smith, 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 Charles N. Smith, J. Frank Smith, Anna F. Smith, Laura E. Smith, Henry Lee Smith and Clay Warren Smith, with two or more securities to be approved by the court, in the sum of Five Thousand Dollars, conditioned for the faithful discharge of his duties according to law; And now comes said Robert V. Thompson, and files herein his bond as such curator in said sum of \$5000.⁰⁰ conditioned as the law directs, with John R. Handy, and Jerome S. Stovall as securities thereon which said bond is by the court approved.

November Term Thursday Nov 16th 1906.

In the matter of the estate of } Administrator Discharged,
William E. Brumon, dec'd }

Comes now John W. Meade, administrator of said estate and files the receipt of John W. Meade, as administrator de bonis mori, with the will annexed of said William E. Brumon deceased for the sum of One hundred and seventy one and $8\frac{1}{100}$ Dollars being the amount due said estate on a final settlement made by said John W. Meade as administrator of said estate on revocation of his letters at the present term of this Court and on the 3rd day thereof to-wit: on Wednesday November 14th 1906. It is therefore ordered that said John W. Meade, as administrator as aforesaid be discharged.

In the matter of the estate of } Continuance
Marion J. Murray - a minor }

Ordered that the settlement this day due from E. M. Foley Jr. Curator of the estate of said minor be continued to the February Term 1907 hereof.

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

Ordered that the final settlement heretofore filed herein and recorded, be continued with approval of same to the February term 1907 hereof.

In the matter of the estate of } Final settlement & Discharge
William H. Powell, dec'd }

Comes now Elizabeth Powell 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 deceased have been fully paid, and said estate fully administered in pursuance of the will of said deceased and in accordance with the law. It is therefore ordered that said executrix be discharged herein.

November Term. Thursday - Nov 15th 1906.

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

Ordered that the settlement this day due from
Katie A. Stitt. Executrix of the last will and testa-
ment of said Jacob A. Stitt-deceased be continued
to the May term 1907 hereof for final settlement.

In the matter of the estate of }
Orville P. Wells, Etal-Minors }

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

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

Thomas R. Shaw
Judge

November Term Friday - Nov 16th 1906.

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 Christopher Reus deceased Order of Distribution

Comes now E. L. Frost, administrator of the estate of Christopher Reus, deceased, and represents that he now has in his hands the sum of Twenty five hundred Dollars, which will not be required for the payment of debts of said deceased. That four of the heirs of said deceased, namely, Joseph Reus, John J. Reus, Harry N. Reus, and Lillie Smith nee Reus, have received by way of advancement from said deceased, the sum of Five Hundred Dollars each, leaving five heirs who have not received any advancement, namely, Lucy Reus, Emma Stewart Ella Reus, Maggie Sweager, and Fanny Reus. That said advancements above noted are evidenced by receipts of said parties so advanced, a memorandum of which is set out in the inventory on file in this case. Wherefore said administrator prays the Court that an order be made, that he be directed to pay to said parties and heirs who have received no advancement to wit: Lucy Reus, Emma Stewart, Ella Reus, and Maggie Sweager, and Fanny Reus, the sum of Five Hundred Dollars each.

And the Court having duly considered said petition it is ordered and adjudged by the Court that said administrator pay to said Lucy Reus, Emma Stewart Ella Reus, Maggie Sweager, and Fanny Reus, the sum of Five Hundred Dollars each out of the assets in his hands belonging to said estate, in order to make them equal with the heirs of said deceased who have received a like sum of \$500. by way of advancement, as above set forth, and that said administrator have credit therefor in his settlement of said estate.

November Term - Friday - Nov 16th 1906,

In the matter of the estate of Order of Sale of Real Estate
Gabriel L. Ballinger - Insane

On this day comes John C. Leopard, guardian of the person and estate of Gabriel L. Ballinger, an insane person, and files his petition for the sale of real estate of his said ward, described as follows to-wit:

An undivided one sixth interest in the North East quarter (1/4) of the South East quarter (1/4) of Section Thirty Three (33) Township Fifty nine (59) of Range Twenty Six (26), situate in Daviess County Missouri, subject to the life estate of Maria Ballinger, mother of said insane person; that the said Maria Ballinger is about sixty eight years of age; that said ward is now confined in State Hospital No 2 for the insane located at St Joseph Missouri, and that his said ward is said to be incurable. Said guardian further states that it would be to the interest of his said ward to sell his interest in said real estate above described and reinvest the proceeds by putting the same at interest. And the Court having heard the petition of said guardian, and the 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 private sale, (first having had the same appraised according to law) for not less than three fourths of the appraised value thereof, for cash in hand, and that said guardian report said sale to this court at the next term thereof.

In the matter of the estate of Final Settlement & Discharge
Albert Henry - deceased.

Comes now Charles Henry, Executor of the last will and testament of said deceased, and presents his accounts and vouchers for final settlement. And it appearing to the Court that notice of said settlement has been published as required by law; that all the debts due and owing by said estate have been fully paid and said estate fully administered in compliance