

Record Book

Volume 6

May 1906 – March 1909

**November 11, 1907-
April 8, 1908
(Pages 301-400)**

November Term — Monday — November 11th 1907

In the matter of the Estate of } Order Confirming Sale of Real Estate
Hazel Harwood, a minor, }

Comes now N. L. Gillihan, Curator of the estate of Hazel Harwood a minor and submits to the Court his report of sale by which it appears that he did on Friday the 16th day of August, 1907, in obedience to the order of this Court made at the August term, 1907, thereof, sell at private sale to Ephraim C. DeFord for the price and sum of Four Hundred dollars (\$400.00) cash in hand, the real estate in said order of the Court and report particularly described, viz: -

Lot No. 2 in Block No. 2 in George W. Tipton's Addition to the town of Winston, 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 is hereby approved and confirmed, and the said Curator is ordered to execute, acknowledge and deliver to the said Ephraim C. DeFord a deed in due form conveying to the said Ephraim C. DeFord all the right, title and interest which the said Hazel Harwood has in and to the said Real Estate.

In the matter of the Estate of, } Order Confirming Sale of Real Estate
William N. Smith, Ida E. Smith, }
Virgil M. Smith & Ina Alice Smith }
Minors }

Comes now Alice J. Smith Curator of the estate of William N. Smith, Ida E. Smith, Virgil M. Smith and Ina Alice Smith, minors and submits to the Court her report of sale by which it appears that she did on Wednesday the 24th day of August, 1907, in obedience to the order of this Court made at the August term 1907, thereof, sell at private sale to Isaac P. Leach for the price and sum of One Hundred Dollars (\$100.00) cash in hand, the real estate in said order of the Court and report particularly described, viz:

Lot One Hundred and twenty eight (128) in South Cameron Clinton County Missouri, as the same appears by the plat of said South Cameron in the Recorder's office of Clinton County, Mo.

And it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with

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the Statute. It is therefore ordered that said sale be and is hereby approved and confirmed, and the said Curator is ordered to execute, acknowledge and deliver to the said Isaac P. Leach a deed in due form conveying to the said Isaac P. Leach all the right title and interest of the said Wm. N. Smith, Ida E. Smith, Virgil M. Smith and Ina Alice Smith in and to said Real Estate.

In the matter of the Estate of } Order Confirming Sale of Real Estate.
Harford F. Harrah, deceased)

Now comes, Dina Harrah, administratrix of the estate of Harford F. Harrah, deceased, and submits to the Court her report of sale by which it appears that she did on Saturday the 21st day of September 1907, in obedience to the order of this Court made at the August term, 1907, thereof, sell at private sale to Walter S. Hays and Benjamin F. Cox for the price and sum of Three Thousand five hundred and twenty Dollars (\$3520.00) Cash in hand the real estate in said order of the Court and report particularly described, viz: The South West quarter of the North East quarter except two (2) acres out of the South West corner thereof reserved as a School House Site - Section 26, Township 61, Range 27. Also the South 21 Acres of the North West quarter of the North East quarter; and 2 acres off of the West Side of the North East quarter, described more particularly as follows: Beginning at the South West corner of said North East quarter of North East quarter, Section 26, Township 61, Range 27, running thence North 48 rods, then East far enough to include two acres, then South 48 rods, and then West to the place of beginning - all in Section 26, Township 61, of Range 27.

Also 3 acres described as follows; to wit: Commencing 42 rods North of the South West corner of the North West quarter of the North East quarter of Section 26, Township 61, Range 27 run thence North 12 rods, then East 40 rods, then South 12 rods, then West 40 rods to the place of beginning. All of said land in Daviess County, Missouri.

And it appearing that said sale was legally and fairly conducted pursuant to the order of sale and in accordance with the Statute - It is therefore ordered that said sale be and is hereby approved and affirmed, and the said Administratrix is ordered to execute, acknowledge and deliver to the said Walter S. Hays and Benjamin F. Cox a deed in due form conveying to them, the said Walter S. Hays and Benjamin F. Cox all the right, title and interest which said deceased had in and to said lands at the time of his death.

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In the Matter of the Estate of } Order Confirming Sale of Real Estate
Martha E. Brodbeck Etal, minors }

Comes now Charles L. Krauer, Curator of the estate of Martha E. Brodbeck, Blanch Lenora Brodbeck, Russell Mark Brodbeck, Ruth Brodbeck and Mabel Looy Brodbeck, ^{minors} and reports to this Court that he did on Tuesday the 15th day of October, 1907, in obedience to the order of this Court made at the August Term, 1907, thereof, sell at private sale to W. W. Morehead of Harrison County Missouri, for the price and sum of One Hundred and Sixty Three and 27/100 Dollars cash in hand, the real estate in said order of the Court and report particularly described, viz: —

All their undivided interest in the following described real estate in the City of Bethany, Harrison County Missouri, to wit: —

Commencing at the South west corner of Lot Six (6) of Schatterley's First Addition to Bethany Missouri: thence North fourteen (14) rods and fifteen (15) feet to Central Street; thence East along the South line of Central Street Eighty Three (83) feet and three (3) inches; thence South fourteen (14) rods and fifteen (15) feet to South Street; thence West along the North line of South Street Eighty Three (83) feet and three (3) inches to the place of beginning.

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 is hereby approved and confirmed.

And the said Curator is Ordered and directed to execute, acknowledge and deliver to the said W. W. Morehead a deed in due form conveying to the said W. W. Morehead all the right, title and interest which his said wards have in and to said real estate.

In the matter of the Estate of } Final Settlement and Discharge of Curator,
E. C. McDonald, a minor }

Comes now Charles McDonald, Curator of E. C. McDonald, a minor, and files herein his Final Settlement of the estate of said minor, and it appearing that said Curator had filed a final Settlement Exhibit with this Court, and had served his ward with a copy thereof as required by statute, and that said service is duly acknowledged by said ward; and that ~~said~~ his said ward has also given a receipt duly executed to his Curator for the sum of \$855.3, the balance shown to be due ward by said Final Settlement and Exhibit, and acknowledged satisfaction in full of all claims against said Curator, and says that he

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of full age and competent to make such receipt and discharge.
it is therefore ordered that said final Settlement be approved and recorded, and that said Curator be discharged.

Ordered that the Ninth Annual Settlement of John H. Johnson Executor of last will of William S. Armstrong, deceased this day filed be approved and recorded.

Ordered that the First Annual Settlement of Geo. B. Callison Curator of Paul and Julia Buzard, minors this day filed be approved and recorded

Ordered that the Fourth Annual Settlement of Willard E. Blackburn, Curator of Forest W. and Homer Blackburn, ^{minors} this day filed be approved and recorded

In the matter of the Estate of } Final Settlement & Discharge
Laura W. Blackburn, minor.

Comes now W. E. Blackburn, curator of the estate of Laura W. Blackburn, a minor, and files his 4th Annual Settlement of her said estate, and it appearing that said ward has attained her majority, and that a final settlement exhibit has been duly filed in this Court and a copy of the same served upon said ward, and that the said Laura W. Blackburn has acknowledged service and given her receipt properly executed for the balance due from her guardian as shown by said Settlement and exhibit it is therefore ordered that said Settlement be approved and recorded and that said Curator be discharged herein as to said Laura W. Blackburn.

Ordered that the First Annual Settlement of George U. Norton Public Administrator having Charge of the estate of Hannah A. Bernham, deceased this day filed be approved and recorded.

Ordered that the Sixth Annual Settlement of Walker G. Smith, Curator of the estate of Rolla Brown, a minor, this day filed be approved and recorded.

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In the matter of the estate of Final Settlement approved — Order of
Mary E. Morris, deceased } Distribution.

The Court now takes up the final settlement of W. J. Morris, administrator of the estate of Mary E. Morris, deceased, filed on the 27th day of August, 1907, and continued under advisement, and which shows a balance due said estate of \$1504.39, and contains the following recital, to wit:—

The above balance consists of an account of \$150.00 against Lewis Shaver who is insolvent and is now confined in the Missouri State Penitentiary, also an account of \$500.00 against J. D. Morris one of the distributees of said estate, \$854.39 in cash, that the said J. D. Morris is insolvent and a judgment against him would be unavailing, that the distributees of said estate are as follows, to-wit: W. J. Morris, J. D. Morris, G. H. Morris and Samantha Shaver, that the said amount of \$500.00 owing said estate by said J. D. Morris is far in excess of his distributive share of said estate, and the Administrator therefore prays that said sum of \$854.39 be distributed as follows, to-wit. to W. J. Morris, \$284.79; to G. H. Morris \$284.79; and to Samantha Shaver \$284.79 and to J. D. Morris nothing.

And it appearing to the Court that J. D. Morris, the aforesaid debtor and distributee of said estate was present on the 16th day of August as shown by the record of the proceedings on said day, and moved that said settlement, which was that day due be set for the 27th of August that he might show to the Court that the debt of \$500.00 claimed by said Administrator to be due said estate by him, the said J. D. Morris was invalid; and that he the said J. D. Morris did not appear on said 27th day of August, and has not since appeared, though he knew said settlement had not been approved; and it further appearing that W. J. Morris had published his Final Settlement notice the proof of which is filed in this Court, and that said estate is fully administered and all the debts thereof paid. It is ordered that said distribution as above prayed for be made, and that said Administrator file herein the final receipts of said W. J. Morris, G. H. Morris and Samantha Shaver, and that said settlement be approved and recorded.

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In the matter of the Estate of
 Thomas B. Jackson, deceased
 Martha S. Jackson, Administratrix } Order of sale of real estate.

Now comes Martha S. Jackson Administratrix of the estate of Thomas B. Jackson, deceased, and shows to the court that Order of Publication made at the August Adjourned term of this Court, upon the petition of said Administratrix asking for an order for the sale of certain real estate of the deceased, therein described for the payment of the debts due by said estate has been published for more than four weeks prior to the first day of the present term of this Court, in the Gallatin Democrat, a weekly newspaper, published in the City of Gallatin, in the County of Davies; and that there are no heirs or devisees of said deceased, resident in said Davies County to be served with notice of said Order of Publication, and the court having heard said application, and being satisfied that the personal estate of the deceased in the hands of said Administratrix is not sufficient to pay the debts due and owing by said estate, it is ordered that said Administratrix, first having had the same appraised according to law, do sell at private sale for cash in hand, the real estate mentioned in said petition and described as follows, to wit:

Block two (2) in the town of Altamont, in Davies County, Missouri, and that part of Section thirty (30) in Township fifty nine (59) of Range twenty eight (28), in Davies County, Missouri, described as follows: beginning at the North West corner of Block three (3) in the said town and running thence with the west line of said Block three (3) if extended, North ninety three and five tenths (93.5) feet; thence West two hundred and forty nine and three tenths (249.3) feet more or less to a point which is one hundred and fifty six and three tenths (156.3) feet North of the North west corner of Block four (4) in said town; thence South to the North west corner of said Block four (4) and thence Easterly on a curved line which is the Northern boundary of said town, as platted, to the point of beginning, Except the West two hundred and fourteen and three tenths (214.3) feet of the tract last above described which excepted part belongs to W. H. Cole.

Also the following tract in said Section 30 described as follows: beginning at the North west corner of Block (2) two in the said town and running thence with the East line of Main Street in said town if extended North one hundred and five and three tenths (105.3)

feet, more or less, to a point which is two hundred and twenty five (225) feet distant from the center line of the railroad of the said Railway Company as now located and constructed on a line ~~on a line~~ drawn at right angles with such center line and South thereof; thence Easterly on a line parallel with said center line and two hundred and twenty five (225) feet distant therefrom and South thereof, three hundred and seventy six (376) feet more or less, to a point North of the North East corner of Block One (1) in the said town; thence South one hundred and eighty eight and five tenths (188.5) feet more or less, to the North East corner of said Block One (1); and thence Westerly on a curved line which is the Northern boundary line of the said town as platted, to the point of beginning, containing One and twenty three one hundredths (1.23) acres of land be the same more or less.

Also the following real estate in Kansas City, in Jackson County, Missouri, to-wit:— The South thirty six (36) feet of the North One hundred and sixty six (166) feet of the East One hundred and fifty five (155) feet of Lot three (3) in Flournoy's Heights an addition to the City of Kansas in said County described as follows:— All that portion of Lot three (3) in Flournoy's Heights, an addition to the City of Kansas, now Kansas City, more particularly described as follows, to-wit:— beginning at a point on the West line of Brooklyn Avenue, as now established, One hundred and thirty (130) feet South of the South West corner of Brooklyn Avenue, as now established, and Twenty Second Street, and running thence South along the West line of Brooklyn Avenue as now established, thirty six (36) feet; thence West One hundred and fifty (150) feet; thence North and parallel with the West line of said Brooklyn Avenue, thirty six (36) feet; thence East one hundred and fifty (150) feet to the place of beginning, subject, however, to the right of way for a sewer across a portion of said land as contained in deed dated May 19th 1902 and recorded in Book B. 805 at page 549 in the records of Jackson County, Missouri, for the purpose of paying the debts due by said estate as aforesaid, and that she report her proceedings therein to the next term of this Court,

Ordered that Court adjourn till tomorrow morning at 9 O'Clock.

P. P. Doak,

Judge

November Term ~ Tuesday ~ November 12 - 1907

Court met pursuant to adjournment; present P. P. Doak, Judge, and W. J. Hatchison, Sheriff, when the following proceedings were had to wit:—

Ordered that the Fifth Annual Settlement of T. E. Hamilton, Curator of the estate of Geo. O. Caldwell, a minor, this day filed be approved and recorded,

Ordered that the Second Annual Settlement of Nancy J. Cozad, Guardian and Curator of Frank H. Cozad, et al, minors this day filed be approved and recorded,

In the matter of the estate of } 2nd Annual and Final—Discharge
Rollin E. Cozad, Minor }

Comes now Nancy J. Cozad, Guardian and Curator of the person and estate of said Rollin E. Cozad, and files her 2nd Annual and final Settlement of said minors estate, from said Settlement it appears that balance due said ward is thirty six dollars and 39 cents (\$36³⁹)

And said ward comes now in open Court, and in writing, waives the necessity of the filing of Final Settlement Exhibit for this final settlement, and therein signs a receipt to his said guardian for said sum of \$36³⁹ as being in full satisfaction of his said guardian and Curator's account with him, and consents to her discharge herein. it is therefore ordered that settlement be approved and recorded, and that said Guardian and Curator be discharged herein as to said Rollin E. Cozad.

Ordered that the Annual Settlement of Noah Hershberger, Guardian of the person and estate of Thomas Hershberger, an insane person this day due be continued till the November Term of this Court, 1908, as all the estate he has is only a contingent ^{interest in real estate}

Ordered that the First Annual Settlement of Geo. W. Norton, Admr. Public who has charge of the ^{T. D. D. Grove, deceased} estate, this day filed be approved and recorded,

Ordered that the First Annual Settlement of Thomas H. Black Executor of the last will of Laura M. Frost, deceased, this day due be continued to Nov. 1908 term for final settlement.

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In the Matter of the estate of }
John Dilley, deceased } Order on the State Auditor.

Comes now Thomas E. Dilley and shows to the Court that he is an heir and distributee of the estate of John Dilley deceased, final settlement and distribution of which was made by order of this Court on the 16th day of November, 1904; that it appears by said order of distribution that said Thomas E. Dilley was entitled to the sum of One Hundred Three and 92/100 Dollars as his distributive share of said estate.

Petitioner further shows that within one year after said order of distribution that he did not make claim to his said distributive share of said estate, and thereupon, by an order of this Court, said money was on November 23rd 1905 paid into the treasury of the State of Missouri, by Henry B. Dilley, administrator of John Dilley, deceased, where it still remains.

Wherefore petitioner prays this Court to grant him a Certificate under its seal, in accordance with the Statute, certifying that he is entitled to said money as distributee of said John Dilley, deceased.

And it appearing to the Court that a copy of said petition has been ^{duly} served upon Thomas H. Hicklin, Prosecuting Attorney of Daviess County, and that said Prosecuting Attorney has filed his answer thereto; and the Court having heard said petition and answer; and the proof and allegations in support thereof, is satisfied that said Thomas E. Dilley is entitled to said sum of \$103.92 so paid into the State Treasury as set up in said petition and shown by the records of this Court.

It is therefore ordered by the Court that the State Auditor be and is hereby ordered and directed to issue his warrant on the State Treasurer for said sum of (\$103.92) One Hundred Three & 92/100 Dollars, payable to said Thomas E. Dilley.

Ordered that Court Adjourn till 9 O'Clock tomorrow
Morning P. P. Doak, Judge

November Term — Wednesday — Nov. 13 — 1907.

Court met pursuant to adjournment — present P. P. Doak, Judge, and W. T. Hutchison Sheriff, when the following proceedings were had, to-wit: —

In the Matter of the Estate of } Allowance & Classification of Demand,
N. S. Beard, deceased }

Comes now The Farmers Ex Bank, by J. N. Meade, President and presents to the Court for allowance against said estate a Demand for \$216⁰⁰ founded on a Note for \$200. and interest for one year at 10% — Notice waived in writing and Affidavit and proof made it is ordered that same be allowed against said estate and assigned to Class No. 5.

Estate of N. S. Beard, deceased } Demand allowed & Classified,

Comes now M. B. Guthrie, solicitor, and presents to the Court for allowance against said estate a Demand for \$10⁰⁰ founded on a subscription to a fund to build a bridge on Grand River near Jameson, Mo. Notice of service waived in writing, and Affidavit and proof made it is ordered that same be allowed and assigned to the 5th class of demands.

In the matter of the estate of } Demand allowed and Classified,
Mary C. Maugh, deceased }

Come now James N. Beard and Susie E. Beard his wife and present to the Court for allowance against the estate of said deceased a Demand for Nine Hundred fourteen & 00/100 founded on account for services rendered said deceased, in waiting on and nursing her, and washing and ironing for her, and for all other needed care and attention during her crippled and sick condition from May 29, 1905 to April 25, 1907 at the rate of (\$40.00) Forty Dollars per month — Notice of service being waived in writing, and Affidavit and proof made it is ordered that said account be allowed against said estate in said sum of \$914⁰⁰ and assigned to Class No. 2.

In the matter of the Estate of } Demand allowed and classed
Walter Nevins, deceased }

Comes now G. W. Rhoades and presents to the Court for allowance against said estate a Demand for \$1⁰⁰ founded on account — notice waived, Affidavit and proof made — it is ordered

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That same be allowed against said estate in said sum and assigned to class No 5.

Ordered that the First Annual Settlement of Mrs. Hoover, Admr., of the estate of America Hoover, deceased this day filed be approved and recorded

Ordered that the 1st Annual Settlement of James A Knott, Executor of the last Will of Joseph H. Knott, deceased, this day filed be approved and recorded

In the Matter of the Estate of } Final Settlement and Discharge
James M. Hunter, deceased }

Comes now Roma Hunter, Executrix of last will of said deceased, and files herein her Final Settlement of said estate and it appearing to the court that all demands against said estate have been paid and said estate fully administered, and that there remain in the hands of said Executrix no assets, and proof made of the publication of final settlement notice - it is ordered that said Final Settlement be approved and recorded, and that said Executrix be discharged herein.

In the matter of the estate of }
James Naugh, deceased }
James M. Royston,
Executor, }

Order of Sale of Real Estate,

Now at this day comes James M. Royston Executor of the ^{last} Will of James Naugh, deceased, and proves to the Court that the Order of Publication made by the Probate Court of said County, upon his petition at the August Term 1907 thereof, has been published, according to law, and due service thereof had on the heirs and devisees residing in said County, and moves for an Order of Sale, pursuant to said petition and notices; whereupon the Court proceeds to hear the testimony produced, and to examine the parties who appear touch the application of said Executor for the sale of Real Estate of said deceased, as in said publication and petition mentioned; and it being proved to the Court that there are no personal estate and effects of said

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deceased charged with the payment of debts and legacies, and no assets in the hands of said Executor to pay a specific legacy due and owing by said estate, according to the provisions of the last will of said deceased - it is ordered that the said James M. Royston, first having the same duly appraised according to law, do sell the Real Estate mentioned in said petition, and herein after described, at public sale for the purpose of paying the said legacy due by said estate as aforesaid, and it is ordered that such sale shall be at public vendue, to the highest bidder on the 14th day of December, 1907, at the ^{front} door of the Court House in the City of Gallatin in said County of Davies, and during the session of the Circuit Court, between the hours of 10 O'Clock, A.M. and 4 O'Clock P.M. of that day, notice of such sale having been given by publication of notices containing a particular description of the Real Estate to be sold, and stating the time, terms and place of sale in the "North Missourian"; a newspaper published in the City of Gallatin in said County of Davies for four weeks prior to said sale of said Real Estate in the petition of said Executor particularly described as follows, to-wit:—

Description of Property to be sold.

That part of the North West quarter of the North East quarter of Section Nineteen (19), Township Fifty Nine (59) of Range Twenty Seven (27) bounded as follows, viz:— Beginning Thirty and fifty six and two thirds hundredths ($30\frac{56\frac{2}{3}}{100}$) Chains West of the North East Corner of said Section 19, Township and Range aforesaid, at the North West corner of James M. Royston's (now John F. Henderson's) land. (See Book 47, page 318); thence West Six and 90/100 (6.90) Chains; thence South Fourteen and 48/100 (14.48) Chains to the public road; thence East Six and 90/100 (6.90) Chains to the South West corner of James M. Royston's (now John F. Henderson's) land; thence North Fourteen and 48/100 (14.48) Chains to the place of beginning, containing Ten (10) Acres more or less.

And it is further ordered that the said James M. Royston sell the same for the purposes in said petition mentioned, on the following terms, to-wit:— for cash in hand.

And said Executor is directed to make report of his proceedings in relation thereto to this Court at its next term, as required by law,

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In the matter of the estate of (
 Jacob A. Stitt, deceased, } Order of Sale of Real Estate.
 Katie A. Stitt Executrix

Now at this day comes Katie A. Stitt, Executrix of Jacob A. Stitt, deceased, and proves to the Court that the Order of Publication made by the Probate Court of said County, upon her petition at the August Term 1907 thereof, has been published, according to law, and due service thereof had on the heirs and devisees residing ~~residing~~ in said County, and moves for an order of sale pursuant to said petition and notices; whereupon the Court proceeds to hear the testimony produced, and to examine the parties who appear touching the application of said Executrix for the sale of Real Estate of said deceased, as in said publication and petition mentioned; and it being proved to the Court that there are not sufficient ~~personal~~ estate and effects of said deceased charged with the payment of debts, and not sufficient assets in the hands of said Executrix to pay the debts due and owing by said estate, it is ordered that the said Katie A. Stitt, do on the 15th day of February next, at the front door of the Court House of ~~the County of~~ Daviess, and during the Session of the Probate Court of said County, between the hours of ^{ten} (10) o'clock in the forenoon and five (5) o'clock in the afternoon of that day, expose to sale, at public vendue or outcry, the following real estate in the petition of said Executrix, described to-wit:—

The North West quarter (¼) of the North East quarter (¼) of Section Thirteen (13), Township Sixty One (61) and Range Twenty Nine (29) in Daviess County, Missouri, containing 40 acres, more or less; and sell the same for the purposes in said petition mentioned, on the following terms, to-wit:— for cash in hand, first having the same appraised, and notice of the time, terms, and place of said sale published for four weeks, prior thereto, in the "Pattonburg Call", a newspaper published in the city of Pattonburg in said Daviess County, as directed by law, and said Katie A. Stitt, is directed to make report of her proceedings in relation ^{thereto} to this Court at its next term, as required by law.

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Estate of Alleene Lord, minor, (General Continuance,
S. A. Lord, Guardian and Curator)

Comes now S. A. Lord, the said Guardian and Curator and represents to the Court that no assets have as yet come into his hands as Curator of said estate, and that said Ward is dead, and asks for a continuance of said settlement till such time as he shall receive the inheritance hereby represented from the estate of Amanda M. Lord, deceased; it is therefore ordered that said settlement be continued generally.

In the matter of the Estate of
Oscar and Lester Pell, minors } Proof of notice of Resignation,
heirs of John C. Pell, deceased }

Comes now Robert C. Maupin, Curator of said minors and files herein the proof of notice of resignation which has been published in the Pattonsburg Call, a newspaper published in this County for four weeks prior to the first day of this term, it is therefore ordered that said resignation be accepted, and that upon his ^{filing and the approval of} final settlement of said estate and a receipt ^{from his successor} for balance due said estate by a final settlement of same that he be discharged,

In the matter of the estate of (Renewal of Order of Sale of Real Estate,
Hannah M. Frazier, deceased)

Comes now M. B. James, Admr. with will annexed of said estate and says that as yet he has not been able to sell the real estate of his testatrix pursuant ^{to} the order of this Court made at the August Term 1907, thereof and asks for a renewal of said order, it is therefore ordered that said Order of Sale to sell the real estate of said Hannah M. Frazier, deceased, and ^{which real estate is particularly} described in the petition of said Administrator and in said Order of sale made at the August Term of this Court as aforesaid, be and it is in all things renewed and the said Administrator is ordered to report his proceedings in relation thereto, to this Court at the next Term thereof.

Ordered that the first Annual Settlement of M. B. James Administrator of the Estate of Hannah M. Frazier, deceased be continued to the February Term 1908 of this Court,

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Ordered that the Annual Settlement of E. M. Polyz Jr. Guardian of the person and estate of John D. James an insane person this day due be continued to the February Term 1908 of this court.

Ordered that Court adjourn till to morrow morning at 9 O'clock.

P. P. Doak,
Judge.

November Term — Thursday — November 14th, 1907.

Court met pursuant to Adjournment — present O. P. Doak, Judge and H. T. Hutchison Sheriff, when the following proceedings were had to wit: —

In the matter of the estate of { Order Confirming Sale of Real Estate,
Gabriel L. Ballinger, Insane }

Now comes John C. Leopard, Guardian of the estate of Gabriel L. Ballinger, an Insane person, and submits to the Court his report of Sale, by which it appears that he did, on Tuesday, the 12th day of November, A. D. One Thousand Nine Hundred and seven (1907) in obedience to the Order of this Court made at its November Term, 1906, thereof, and renewed at the February, May and August Terms 1907 respectively, sell at private Sale to Oscar M. Thomlinson, for the sum of One Hundred and seventy one Dollars (\$171.⁰⁰) cash in hand, the real estate in said order of the Court and report, particularly described, viz:

An Undivided ($\frac{1}{6}$) One Sixth interest in the Northeast ($\frac{1}{4}$) quarter of the South East ($\frac{1}{4}$) quarter of Section (33) Thirty three, Township (59) Fifty nine Range (26) Twenty-six, subject to the Life Estate of Maria Ballinger, who is Sixty nine years of age.

And it appearing that said sale was legally and fairly conducted, pursuant to the Order of the Court and in accordance with the Statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said Guardian is ordered to execute, acknowledge and deliver to said Oscar M. Thomlinson, a deed in due form of law, conveying to said Oscar M. Thomlinson all the right, title and interest which said Insane person has in the same.

Ordered that the first Annual Settlement of Festus M. Mills administrator of the estate of Henry P. Mills, deceased, this day filed, be approved and recorded.

Ordered that the 3rd Annual Settlement of Douglas Slator Curator of Earnest Slator, a minor, this day filed be approved and recorded

Ordered that the 8th Annual Settlement of Philip M. Muller, Guardian and Curator of Thomas J. Muller, minor, this day filed be approved and recorded

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Ordered that the 4th Annual Settlement of E. D. Mann Curator of Roswell P., Clinton, Veda, Marren and Harry Mann, minors, this day filed be approved and recorded.

Ordered that the 3rd annual Settlement of Jno. W. Morris curator of the estate of Mountie and Roy Morris this day due and filed be approved and recorded.

Estate of Ann M. Luce, deceased, Demand allowed and classified.
Wm. C. Gillihan Admr, will annexed.

Comes now Geo. L. Loop Executor of the last will of Flora Frederick, deceased, and presents to the Court for allowance against the estate of Ann M. Luce, a demand for \$179⁶¹/₁₀₀ founded on a note in favor of said Flora Frederick Principal \$135⁰⁰/₁₀₀ with compound interest since date, March 1st 1904 at 8 ops per annum Interest to date \$44⁶¹/₁₀₀ — Notice of service being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate in the said sum of \$179⁶¹/₁₀₀ and that it be assigned to class No 5.

In the Matter of the Estate of } Order renewing Order of sale
Amanda M. Lord, deceased }

Comes now S. A. Lord, Admr. of said estate and represents to the Court that he has as yet been unable to secure a sale for the real estate of said deceased, pursuant to the Order of this Court made at the May term and renewed at the August term thereof and requests that said order be again renewed, it is therefore ordered that said order of sale as aforesaid be, ^{in all things} again renewed.

Ordered that the 1st annual Settlement of S. A. Lord, Administrator of the Estate of Amanda M. Lord, deceased this day due be continued till the February Term 1908 of this Court.

Ordered that Court adjourn till 9 o'clock to morrow
Morning
P. P. Doak judge

November Term — Friday — November 15th. 1907.

Court met pursuant to adjournment — present P. P. Doak, Judge and M. J. Hutchison, Sheriff, when the following proceedings were had, to wit:—

Estate of James M. Royse, deceased, { Appropriation for monument.
Alfred E. Utz, Administrator }

Comes now Alfred E. Utz, Administrator of James M. Royse, deceased and prays the court to make an appropriation out of the assets of said estate for the erection of a monument at the grave of said deceased and says that the widow of said deceased consents to pay one half the purchase price of a double monument costing the sum of \$300.00, and he believes that it is a reasonable request that the estate pay one half also; that to do so will not be prejudicial to creditors or others interested in said estate; that there are sufficient assets in his hands with which to pay the sum of one \$150.00 for same, and that it will not be needed for the payment of the debts of said estate — And the Court having heard said petition and the testimony in relation to said matter and being sufficiently advised — it is ordered that said Administrator pay said sum of \$150.00 out of the assets in his hands on said monument and that he take credit for the same in his settlement of said estate,

In the matter of the estate of { Allowance in lieu of Provision,
James M. Royse, deceased }

Comes now Ellen Royse, widow of said deceased and presents her petition for an allowance in lieu of grain, meat vegetables groceries and other articles which she says were not on hand for the maintenance of herself and family consisting of three children, viz Grace, Ralph and Agnes Royse aged 18, 16 and 9 years respectively, at the time of the decease of said Jas. M. Royse; that she believes the sum of \$75.00 to be a reasonable allowance for that purpose, And the court having heard and considered the petition and evidence in relation thereto doth order that said allowance be made, and that the receipt of said Ellen Royse for said allowance of \$75.00 be considered a proper voucher in the settlement of said estate,

Estate of Walter Nevins, deceased { The Allowance and Classification
George U. Norton, Administrator } of Demand

Comes now Citizens State Bank of Altamont, Mo. and presents to the Court for allowance vs. said estate

November Term — Friday — November 15th 1907.

a Demand for \$39¹⁵ founded on two promisory notes, as follows, to wit:
One note Prin, \$30⁰⁰, interest \$1⁰⁰; the other, principal \$7³⁵ and interest 30 cents — aggregating the above sum of \$39¹⁵; And notice of service being waived in writing and affidavit and proof made, it is ordered that same be allowed against said estate in said sum and assigned to class No. 4;

Estate of Walter Nevins, Deceased, (Demand allowed and classified.
G. U. Norton, Administrator)

Comes now the Farmers State Bank, Winston, Mo, and presents to the Court for allowance against said estate, a demand for \$25⁰⁰ founded on a note given by said Walter Nevins — principal \$25⁰⁰ and interest at 8% from Oct 16, 1907 — and notice being waived in writing and Affidavit and proof made it is ordered that said note with interest as aforesaid be allowed against said estate in class No 5.

Ordered that the first Annual Settlement of R. V. Thompson Curator of the Estate of Clay Warren Smith et al, minors, this day filed be approved and recorded.

Ordered that the Inventory of the Estate of Clay Warren Smith, et al, this day filed by R. V. Thompson, Cur, be approved and recorded.

Ordered that 5th annual Settlement of C. M. Foley, jr., Guardian of the estate of Clara C. Snider, minor this day filed be approved and recorded.

Ordered that the 2nd, Annual Settlement of G. U. Norton Guardian of the estate of George Nelson, Insane, this day filed be approved and recorded.

Estate of Humphrey Pollard, deceased } Final Settlement & Discharge
G. U. Norton Admr.

Comes now said administrator and files his final settlement of the estate of said deceased, and it appearing that notice of said final settlement has been duly published — and there are no assets in the hands of said Admr. with which to pay the debts of said deceased, and that none can be found — it is ordered that said final settlement be approved and recorded and said administrator be discharged

November Term — Friday — November 15th 1907

Ordered that the first Annual Settlement of Alfred E. Utz Administrator of the estate of James M. Royse, deceased, this day filed be approved and recorded,

Ordered that the Settlement of Charles L. Scott, Guardian and Curator of Anna M. Scott, Incompetent, this day due be continued to the Feby 1908 Term.

Ordered that the first Annual Settlement of Bertha Robertson, Curator of the estate of George A. Robinson et al this day due be continued to the Feby, 1908 Term.

Ordered that Settlement of James M. Offield Exr. of the Estate of Joseph Offield, deceased, due this day be continued till the 29th inst.

Ordered that Court adjourn till 9 o'clock
to morrow morning
P. P. Doak, judge.

November Term — Saturday — November 16th 1907.

Court met pursuant to Adjournment with P. P. Doak, Judge, and H. F. Whitt, Deputy Sheriff present. When the following proceedings were had, to wit

In the matter of the Estate of } Order granting letters of Administration
Mary F. Whitt, deceased }

And now comes William E. Whitt, and prays the Court to grant him letters of Administration upon the estate of Mary F. Whitt, deceased, first having made proof by affidavit, as is by law required, says that to the best of his knowledge and belief, the names of the widower and heirs of said Mary F. Whitt, deceased and their residences are as follows:—

William E. Whitt widower, who resides in the County of Daviess, in the State of Missouri.

Timothy Culver, father, who resides in the County of Daviess, in the State of Mo;
Adelia M. Brayer, sister " " " " " " " " "
Amanda Lynch, " " " " " " " " "
Wesley A. Culver Brother " " " " " " " " "
Jm, " " " " " " " " "
Henry " " " " " " " " "
Clifford " Nephew " " " " " " " "

that the said Mary F. Whitt died without a will on the 13th day of November 1907, that he will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge; and it further appearing to the Court that the said Mary E. Whitt died possessed of property of the probable value of Twelve Hundred Dollars, and that the said Wm. E. Whitt is competent to administer and is entitled to administer upon said Estate by reason of being the husband of said deceased.

Now therefore, it is ordered that letters of Administration be granted and issue to said Wm. E. Whitt, provided that he, the said Wm. E. Whitt enter into bond to the State of Missouri in the sum of Twenty Four Hundred Dollars with two or more sufficient securities, residents of this County, conditioned according to law.

Whereupon the said Wm. E. Whitt files herein his said bond in the sum of \$2400.00 with J. N. Meade and E. D. Maun as securities thereon, and conditioned as the law directs, which bond is approved by the Court.

And it is further ordered that S. E. Drake and Scott Sailor

November Term — Saturday — November 16th 1907

witnesses to accompany and aid said Administrator to open up and examine the papers, money and other property of the deceased and to make an inventory thereof, and it is also ordered that notice of the grant of said letters be published in some newspaper as the law directs

In the Matter of the estate of } Final Settlement
Hugh Smith deceased }

Comes now William H. Smith, administrator of the estate of Hugh Smith deceased and files herein his final settlement of said estate from which it appears that there is a balance of \$53³⁵ Fifty three and 35/100 dollars due said estate, and it appearing that the said Wm. H. Smith is the only distributee of the said estate, it is ordered that said amount be paid to him and his receipt therefor filed in this Court, whereupon the said Wm. H. Smith executes and files herein his said receipt.

And it appearing that there remains due, ^{and unpaid,} as probate fees the ^{sum of} \$7.65 it is ordered that said settlement be not approved nor recorded till the same be paid.

Ordered that the 2nd Annual settlement of Robert V. Thompson, Curator of the estate of Orville Wells et al, minors, this day filed be approved and recorded,

Ordered that the 5th Annual Settlement of William H. Oram, Testamentary Guardian of James Francis Nard, Jr. a minor this day filed be approved and recorded

Ordered that the 4th Annual settlement of E. H. Foley, Jr., Guardian and Curator of Aubrey Mann, a minor, this day filed be approved and recorded

Ordered that the Second Annual Settlement of Israel Heath Curator of William R. Mills, a minor, this day filed be approved and recorded,

Estate of Julia A. Buzard, deceased, } Final Settlement and discharge.
Effie L. Buzard, Executrix.

Comes now said executrix and files her final settlement of said estate, from which it appears that there remains in the hands of said executrix after the settlement of all claims and legacies a balance for distribution under the provisions of the will a sum of \$3523⁸⁵ as follows:

November Term Saturday November 16th 1907

To Edwin A. Bayard \$1761.⁹³ and to Effie L. Bayard \$1761.⁹³ and the receipts of the said Edwin A. and Effie L. being respectively signed and filed for said amounts; And it appearing that notice of final settlement has been published and that said estate has been fully administered it is ordered that said settlement be approved and recorded and that said Executor be discharged.

Estate of Lucy A. Huston, deceased, (Final Settlement, and Discharge.
Simon W. Grove, Administrator.)

Now comes Simon W. Grove, Administrator and files his final settlement of the estate of Lucy A. Huston deceased, and it appearing by said said settlement that said administrator had, in pursuance of the order of this Court made at its August Term 1906, settled with the creditors of said estate holding fifth class allowed demands on the basis of 3/10 per cent of said claims exclusive of interest, and that said settlement had exhausted the assets of said estate, and it further appearing that notice of said final settlement has been duly published - it is ordered that said settlement be approved and recorded, and that said Administrator be discharged herein.

Estate of John Doty, deceased, (Final Settlement and Distribution
Uriel W. Doty Administrator.)

Comes now Uriel W. Doty, Administrator of John Doty, deceased, and submits final settlement of said estate and it appearing that a balance of \$600.²⁶ remains in his hands for distribution among the heirs, it is ordered that same be distributed as follows, to wit:

To Minnie M. Doty	\$120.05-
" Lewis V. Doty	120.05-
" Mary S. Brown	120.05-
" Uriel W. Doty	120.05-
" Mortimer H. Doty	120.05-
Total	\$620.25-

And it is ordered that said Administrator pay said amounts to said distributees and file herein their respective receipts therefor, when he shall be entitled to a discharge herein.

Ordered that the final settlement of Hannah M. Warner, Administrator of Estate of A. Warner, deceased, this day due be continued to the 29th inst.

November Term — Saturday — November 16th 1907

Estate of Mrs. M. Whitchurch, deceased, { Final Settlement and Order of discharge,
Sarah C. Whitchurch, Administratrix }

Comes now Sarah C. Whitchurch, Administratrix of said estate and files her final settlement which shows that the assets of said estate are all absorbed, and that there remains in the hands of said Administratrix nothing with which to pay the debts of said estate, and it appearing to the court that Notice of Final Settlement has been published as required by law and proof of same filed — it is ordered that said final settlement be approved and recorded and that said Sarah C. Whitchurch Administratrix be discharged herein.

Ordered that the 3rd Annual Settlement of Isaac C. Cruzen Guardian of Mary E. Steel, an insane person, this day due be continued to the 29th inst.

Estate of Robert McKinnis, deceased, { Final Settlement and Discharge,
Ellen McKinnis, Executrix, }

Clerical Error — Sept. 23rd
Comes now Ellen McKinnis, Ex. of said deceased, and files her final settlement of said estate, and it appearing from said settlement that there is not as much property left in the hands of said Ellen McKinnis as the Statute, and the will of deceased entitles her to as widow of deceased it is ordered that said widow receipt said Executrix for the sum of \$305.00 that being the balance of assets in her hands. And Notice of Final Settlement having been published, and there being no unpaid debts ^{or legacies} against said estate it is ordered that said Executrix be discharged herein.

Ordered that Court adjourn till 9 o'clock A.M. the 29th day of November 1907

P. P. Doak
Judge

November Term — Friday — November 29th, 1907.

Court met pursuant to Adjournment — present P. P. Douk, Judge and W. T. Hutchison, Sheriff — when the following proceedings were had to wit:

In the matter of the estate of John Doty deceased (Final Receipts filed — Order of Discharge.)

Comes now Urial W. Doty Admr. of said estate and files herein the final receipts of Winnie M. Doty, Lewis V. Doty, Mary D. Brown, Urial W. Doty and Mortimer H. Doty distributees of said estate for their distributive shares of said estate as per order of distribution made by this Court on the 16th instant.

And it appearing that said estate is fully administered; that all the debts are paid, and distribution made of all the assets that came into the hands of said administrator; and that proof of Notice of final settlement has been filed herein, it is ordered that the final settlement heretofore filed be approved and recorded, and that said Administrator be discharged.

Ordered that the oath of Martha S. Jackson as Administratrix, of the estate of Thomas B. Jackson, deceased, this day filed be appended to the Bond of said Administratrix heretofore filed and recorded, and that said oath be recorded in the Administrators Record.

Ordered that the appeal bond of J. D. Morris and G. H. Morris taken by the Judge of this Court in vacation — on the 25th inst. be approved, and that the order made by said Judge granting an appeal from the final settlement of W. J. Morris, Admr. of the estate of Mary E. Morris, deceased be ratified and confirmed.

Ordered that third annual settlement of J. C. Bruzen, guardian of Mary E. Steel, insane, this day filed be approved and recorded.

Ordered that the first Annual Settlement of J. N. Meade, Administrator with will annexed of W. E. Brinson deceased, this day filed be approved and recorded.

November Term Friday — November 29th 1907,

In the matter of the estate of (Resignation and final settlement,
Oscar G. and Lester C. Pell, minors.)

Comes now Robert E. Maupin, Curator of the estate of Oscar G. Pell and Lester C. Pell, minors, and tenders his resignation as such Curator, and having published notice of intention so to do, as required by statute, it is ordered that he make final settlement of said curatorship, whereupon said Curator files final settlement from which it appears that the balance due his said wards is \$242.82, and it is ordered that said Curator turn over said balance to successor and take his receipt for the same, and upon the filing of which said Robert E. Maupin shall be discharged herein and it is further ordered that said final settlement be approved and recorded.

In the matter of the estate of (Final settlement and Order of discharge.
Robert McKinnis, deceased)

Comes now Ellen McKinnis, Executrix of said deceased and files her final settlement of said estate, and it appearing that all debts and legacies have been paid, and that the balance of assets in the hands of said Executrix is a less amount ^{than} that to which she is entitled under the Statute and will, as widow of said deceased, it is ordered that she, the said Ellen McKinnis, ^{widow as aforesaid} execute her receipt for the same, and that said executrix file the same herein. Whereupon said Executrix files said receipt, and it appearing that Notice of final settlement is filed, and said estate fully administered it is ordered that said final settlement be approved and recorded, and said Executrix be discharged.

In the matter of the estate of (Final settlement and Order of
Andrew Warner, deceased) Discharge.

Comes now Hannah M. Warner, Administratrix of said Andrew Warner, deceased, and files her final settlement of said estate, from which it appears that all the debts due by said estate have been paid, or assumed by the widow and heirs, and the personal assets have all been absorbed and there remains nothing in the hands of said Administratrix, and it further appearing that due notice of said final settlement has been published. it is ordered that said settlement be approved and recorded and said Administratrix be discharged.

November Term — Friday — November 29th, 1907.

Ordered that the settlement this day due by Frank B. Ray Curator of the estate of Cordia and Peter Leap minors be continued till Feb'y 1908 Term of this Court,

Ordered that the final settlement of Jas. M. Offield Exr of Joseph Offield, deceased, heretofore filed, and continued from term to term, be continued till the Feb'y, 1908, term of this Court.

In the matter of the estate of } Allowance, under sections 105 and 110
D. D. Grove, deceased. } Revised Statutes 1899.

Comes now G. U. Norton Guardian of May Grove, William Grove, Gertrude Grove, Stella Grove and Francis Grove, minor heirs of said deceased and represents to the Court that the above named children of David D. Grove, deceased, were, at the time of the death of said David D. Grove, under the age of sixteen years; that there was no widow, and at the time of taking the inventory of the estate of said deceased, there was not on hands meat, grain, vegetables, groceries and other provisions necessary for the support of said minor children for 12 months as is allowed them under Sections 105 and 110, Revised Statutes of 1899, and prays the Court to make said allowance out of the assets of said estate,

And the Court having heard said petition and the evidence in relation thereto, doth order and adjudge the sum of \$375⁰⁰ be allowed to said minors for said purpose, and it is ordered that the Administrator of said estate be authorized to pay into the hands of said Guardian said sum of \$375⁰⁰ and to take his receipt therefor, which shall be allowed as a sufficient voucher for said amount in his settlement of said estate.

In the matter of the estate of } Demand of B. H. Miller. allowed -
Andrew Warner, deceased }

Comes now B. H. Miller and presents to the Court for allowance vs, said estate a Demand for \$828¹⁷ founded on two notes given said claimant by the said deceased which with accrued interest aggregate said sum of \$828¹⁷, and service of notice waived and affidavit and proof made it is ordered that same be allowed in Class #6 of Demands,

Ordered that Court adjourn till 9 O'clock Thursday Morning December the 5th day, 1907.

P. P. Doak, Judge.

In Vacation — November 25th 1907-

In the matter of the Estate of ^{(Affidavit and Bond for appeal filed,}
Mary E. Morris, deceased ^{Order granting appeal.}

Come now J. D. Morris and G. H. Morris and make af-
fidavit ^{and ask} for ^{an} appeal from the final settlement of N. J. Morris,
administrator of said estate, ^{which final settlement was filed in this court Aug. 27, 1907 and}
and the Judge of Probate ^{approved November 11-1907} having re-
quired a bond ^{from said affiants} for said appeal, in the sum of two hundred dol-
lars, the said J. D. Morris and G. H. Morris come ^{now} and file their said
bond with Henry L. Cades as security thereon, which said bond
is by the Judge of Probate approved.

And it is ordered that said appeal be granted as
prayed for by said ~~affiants~~ ^{relation to}, and that a transcript of the
proceedings in ^{the} said final settlement, together with original papers
in ~~relation~~ ^{therein} thereto which are ^{on file in this office} be certified to the Circuit Court of Daviess
County, Mo.

P. P. Doak

Judge of Probate

November Adjourned Term - Thursday - December 5th 1907

Court met pursuant to adjournment - present P.P. Doak, judge and W.D. Hutchison, Sheriff, when the following proceedings were had, to-wit: -

Estate of (Demand allowed and classified
Elvira C. Leok, deceased)

Comes now the Gallatin Marble works, by Robert G. Yates, and presents to the Court for allowance against said estate, a demand for \$15⁰⁰ founded on account for lettering monument service of notice being waived in writing and Affidavit and proof made, it is ordered that same be allowed against said estate and assigned to class five.

Estate of Mr. Speaker deceased (Demand allowed and classified,

Come now Dudley and Selby and present to the Court for allowance against said estate, a demand for \$65⁰⁰ founded on account for legal services in numerous cases of actual or proposed litigation - Service of notice waived in writing, and Affidavit and proof made - it is ordered that same be allowed against said estate and assigned to class five,

Estate of (Allowance and Classification of Demand
J.M. Gant deceased)

Comes now D.H. Davis & Sons and present to the Court for allowance against said estate a demand for \$38⁷⁰ founded on a note and interest, and balance of book account Service waived, and Affidavit and proof made - it is ordered that said demand be allowed in class No Six (6).

Estate of (Demand allowed and classified,
N.C. Brannon, deceased,)

Comes now D.H. Davis & Sons and present to the Court for allowance against said estate, a demand for \$15⁰⁵ founded on account, and notice being waived in writing and Affidavit and proof made it is ordered that the same be allowed against said estate, and assigned to Class No. 5.

Estate of M.S. Beard, deceased

Comes now J.M. Barnes, and presents to the Court

November Adj. Term — Thursday — December 5th 1907

for allowance against said estate a demand for \$94.00, founded on account for medicines during last sickness. Service waived in writing and affidavit and proof made — it is ordered that same be allowed in Class No. two.

In the matter of the estate of
Mabel Coy Brodbeck, Ruth Brodbeck,
Russell Mark Brodbeck, Blanch Lenora
Brodbeck and Martha E. Brodbeck, minors,

Order of Sale of Real Estate.

On this day comes Charles L. Knauer, Curator of the estate of said Mabel Coy Brodbeck, Ruth Brodbeck, Russell Mark Brodbeck, Blanche Lenora Brodbeck, and Martha Elizabeth Brodbeck, and filed herein his petition for the sale of real estate of said minors therein described, and represents to the court that the interest of his wards in said real estate is very small, viz: $40/441$ of the whole of said described tracts; that it is situated at an inconvenient distance from their residence and that of their Curator, ^{viz. in the city of Bethany, Harrison County, Mo.} and the small income from the rents of said property would not be profitable in view of the expense and cost of renting and keeping up repairs; that by reason of the small interest of said minors in said property and its distance from them they could have no control of the same; that an opportunity now exists to sell said property for a good price; that the proceeds derived from such sale, loaned out on first mortgage real estate security, or invested in other real estate can be managed at less expense and inconvenience, and that such sale and re-investment would be more beneficial to the interests of said minors.

Wherefore said petitioner asks the court to make an order authorizing him to sell ^{either public or} at private sale for cash in hand the undivided $40/441$ interest of the said minors in the real estate in said petition described, viz: —

Beginning at the South west corner of Lot Six (6) of Schnatterly's first addition to Bethany, Missouri, and running thence North fourteen rods and fifteen feet to the South line of Central Street; thence East along the South line of Central Street eighty three feet and three inches, thence South fourteen rods and fifteen feet to the South line of the afore said lot six; thence West along the South line of said lot six eighty three feet and three inches to the place of beginning.

November Adj. Term - Thursday - December 5th 1907.

Also the following: beginning at a point on the South line of Lot six (6) of Schnaterly's first addition to Bethany, Missouri, eighty three feet and three inches East of the South west corner of said lot six and running thence North fourteen rods and fifteen feet to the South line of Central Street; thence East along the South line of Central Street eighty three feet and three inches; thence South fourteen rods and fifteen feet to the North line of South ^{or} Main Street; thence West along the North line of South or Main Street and the South line of Lot six aforesaid eighty three feet and three inches to the place of beginning. Both of above tracts of land lying and being situate in the City of Bethany, in Harrison County in the State of Missouri.

And the Court having heard the petition and evidence in relation thereto, is satisfied that said order should be granted, it is therefore ordered by the court that said 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: for Cash in hand, and that said guardian report said sale and his proceedings therein to this Court at the next term thereof.

In the Matter of the Collateral Inheritance Tax } Assessment
Upon the Estate of Mary L. Whitt, deceased }

Upon Examination of the papers on file in the above entitled matter and on due consideration of other evidence therein submitted, the Probate Judge has, on his own motion

Ordered and adjudged, that the cash value of the property or interest, the transfer of which is subject to the tax imposed by Section 312, Chapter 1, Article XVI, of the Revised Statutes of Missouri, 1899, the party or parties liable therefor, and the amount of said tax is as follows:

Beneficiary	Address	Address	Value of interest	Cash value of interest	Tax
Mrs Adelia McBrayer	Gallatin Mo		270 00		13 50
" Amanda Linck	" "		270 00		13 50
Wesley Culver	" "		270 00		13 50
W. J. Culver	" "		270 00		13 50
A. C. Culver	" "		270 00		13 50
Clifford Culver	" "		270 00		13 50

Ordered that Court adjourn till Court in course,
P. P. Doak, Judge

In the Probate Court in Vacation—December 9th 1907.

In the Matter of the Estate of } Administration Granted,
Emma L. Johnson, deceased. }

Now comes Albert Johnson and prays the Court for letters of Administration on the estate of Emma L. Johnson, deceased, and having filed his affidavit as required by law, showing that said Emma L. Johnson departed this life in Daviess County, Missouri, on the 29th day of November 1907, intestate leaving the following children and heirs at law, to wit:

Albert Johnson, who resides in Daviess County, Missouri,

Lola F. Johnson " " " " " " " "

Ethel E. " " " " " " " "

Roy J. " " " " " " " " and

Early R. " " " " " " " " and

stating that he will make a perfect inventory and faithfully administer the estate, pay the debts as far as the assets will extend and law direct, and account for and pay over all assets which shall come to his knowledge or possession,

And it appearing to the Court that said Emma L. Johnson died possessed of property of the probable value of \$700.00, and that said Albert Johnson is a son of said intestate and is competent and by law entitled to administer upon said estate, it is ordered letters of administration of the goods, chattels, credits and effects of said deceased be issued to the said Albert Johnson, and that he enter into² bond to the State of Missouri in the sum of \$1400.00, with two or more securities, residents of this County, conditioned according to law,

And now comes said Albert Johnson and files his said bond in the sum of One Thousand four hundred dollars, with John W. Meade and E. D. Mann as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate approved. And it is ordered that Holmes D. Leopold and G. C. Harbord be and are hereby appointed witnesses to accompany and aid said Administrator to open up and examine ^{books} the papers and evidences of debt of said deceased and to make an inventory of all the personal effects appertaining to said estate.

It is also ordered that said Administrator publish notice of the grant of letters, as aforesaid, in some newspaper published in this County as directed by law.

P. P. Doak,

Judge of Probate.

In the Probate Court in Vacation — December 9th 1907.

In the matter of the Estate of { Appointment of Guardian and Curator
Early R. Johnson, deceased }

Comes now Albert Johnson and represents and shows to the Judge of Probate that Early R. Johnson, aged thirteen years, residing in Daviess County, Missouri, is the child of ^{P. P. Johnson, deceased, and} Emma L. Johnson, deceased, that the said Emma L. Johnson departed this life on the 29th day of November, 1907, that said Early R. Johnson being the only child of said Emma L. Johnson, who is under the age of sixteen years, he is entitled to the statutory allowance of \$400⁰⁰ out of the personal property of said Emma L. Johnson, deceased, and to the end that said property may be properly conserved for the use and benefit of said, minor, said petitioner desires and requests that he be appointed Guardian and Curator of said minor. And the said Albert Johnson being a brother of said minor and a suitable person for such Guardianship; it is ordered that said Albert Johnson be and is hereby appointed guardian of the person and Curator of the estate of said Early R. Johnson, and that before entering upon the duties ^{of his office} he be required to enter into bond to the State of Missouri for the use and benefit of said Early R. Johnson, with two or more securities, to be approved by the Court in the sum of ^{conditioned} Eight Hundred Dollars, conditioned for the faithful discharge of his duties according to law.

And now comes the said Albert Johnson and files his bond in the sum of \$800⁰⁰ with John W. Meade and E. D. Mann as securities, which is by the Judge of Probate approved, and the said Albert Johnson qualifies ^{according to} and enters upon the duties of his said guardianship.

P. P. Doak,

Judge of Probate

In the Probate Court in Vacation — December 9, 1907,

In the matter of the Estate of } The Public Guardian ordered to take charge,
Ira A. Murphy, a minor, }

Information having been filed with the Judge of Probate that Ira A. Murphy, a minor of Daviess County, Missouri, whose parents are dead, and who is above the age of 14 years, has no curator of his estate, and that said estate is liable to suffer waste unless there is some one appointed to look after the same, and said minor having been instructed to choose a guardian of said estate, and having signified in writing the choice of his brother Charles Murphy as such curator and said Charles Murphy being notified to appear and qualify as by the law required — declines to accept said curatorship and recommends that the same be placed in the hands of Geo. W. Norton Public Administrator, and Ex Officio Public Guardian, it is therefore ordered that said Geo. W. Norton be and he is hereby appointed curator of the estate of said minor, and that he take charge of and manage and administer the same according to law and as the Court by order may require.

P. P. Doak, Judge of Probate.

In the Probate Court — In Vacation: December 20, 1907,

In the matter of the estate of } Administration Granted,
Frank K. Netherton, deceased }

Now on this day comes C. E. Terry and makes application for letters of administration upon the estate of Frank K. Netherton who departed this life intestate on the 15th day of December, 1907, and having made proof by affidavit as is by law required as to the names and places of residence of the widow and heirs of said deceased, and that he will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend, and ^{the law direct} ~~the law direct~~ ^{trust} account for and pay all the assets which shall come to his possession or knowledge; And Ida Netherton, widow of said deceased, having relinquished her right to administer on said estate and requested the appointment of said C. E. Terry; and it appearing that the said C. E. Terry is competent to fill said trust it is therefore ordered that letters of administration be granted and issued to said C. E.

Terry, provided that he, the said C. E. Terry enter into bond to the State of Missouri in the sum of Thirty five Hundred (\$3500⁰⁰) Dollars, with two or more sufficient securities, residents of this County, conditioned according to law.

And now comes said C. E. Terry and files his bond as such administrator in the sum of Thirty five hundred (\$3500⁰⁰) Dollars with Wm. D. Terry and John W. Meade as securities thereon, conditioned as the law directs, which said bond is by the Judge of Probate approved.

And it is ordered that and
he and they are hereby appointed as witnesses to accompany and aid said Administrator to open up the books and papers and other evidences of ^{the} proper ^{of} said estate, and to make an inventory of all and singular the goods, chattels and all things pertaining thereto, and that said Administrator publish notice of the grant ^{said} of letters in some Newspaper in this County as the law directs.

P. P. Doak, Judge of Probate.

In the Probate Court - In Vacation - December 21 - 1907

In the Matter of the estate of { Curator Chosen -
Lewis Clifford Culver, a minor. }

Comes now Lewis Clifford Culver and represents and shows to the Judge of Probate that he is a minor above the age of 14 years; that his parents are dead, and that he possessed real and personal estate of the probable value of Three hundred and fifty dollars; that he has no Curator of said estate, and requests the Judge of Probate to appoint W. J. Culver, who is his Uncle, as his curator - and said choice being approved by the Judge of Probate, it is therefore ordered that ~~he~~ the said W. J. Culver - be and he is hereby appointed Curator of the estate of said Lewis Clifford Culver, and that he enter into bond to the State of Missouri for the use and benefit of said Lewis Clifford Culver in the sum of Seven hundred dollars, with two or more securities to be approved by the court, and conditioned for the faithful discharge of his duties as such Curator, according to law.

forward

And now comes said W. J. Culver and files said bond in the sum of seven hundred dollars, with H. J. Lynch and H. C. Culver as securities thereon, which said bond is by the judge of Probate accepted and approved, and the said W. J. Culver is ordered to take charge of and manage and administer said estate according to law and the direction of the court.

In the Probate Court - In Vacation - December 24 - 1907

In the Matter of Estate of }
 And Last Will and Testament of } Will Probated
 Maro Thomas, deceased }

Now at this day an instrument of writing signed by Maro Thomas, and purporting to be the last Will and Testament of Maro Thomas, deceased, ^{who departed this life Dec. 22, 1907,} is produced before the judge of Probate to be proved, and admitted to probate and record, and the judge of Probate having ^{seen and} examined said instrument of writing, and having heard the testimony of Chas. L. Knauer and John W. Meade, 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 Maro Thomas, deceased, late of Daviess County, and it is therefore ordered that the same be admitted to probate, and that it be placed on record as such.

P. P. Doak,

Judge of Probate

In the Probate Court - In Vacation - December 24, 1907

In the matter of the estate of { Curator Chosen,
Clarence Beck and Flora Beck, minors }

Now on this 24th day of December, 1907, come Clarence Beck and Flora Beck, aged twenty years and seventeen years respectively and represent and show to Judge of Probate that they are heirs at law of William S. Beard, deceased, late of Daviess County, Missouri; that there is now in the hands of W. T. Hutchison, Sheriff of Daviess County, about Three Hundred Dollars which said money came to them from the estate of said William S. Beard; that they have no legal curator or other person authorized to receive said money and receipt for same; therefore, they request that their father J. W. Beck be appointed as their curator. And the Judge of Probate approving the choice of said minors it is ordered that said J. W. Beck be and he is hereby appointed curator of the estate of said Clarence Beck and Flora Beck, minors, as aforesaid; provided, that said J. W. Beck enter into bond to the State of Missouri for the use and benefit of said minors in the sum of Six Hundred and Fifty Dollars, with two or more sufficient securities, and conditioned for the faithful discharge of his duties as such curator according to law.

And now comes said J. W. Beck and accepts said curatorship, and files his said bond in the sum of \$650.00 with A. L. Beck and H. F. Whitt as securities thereon, which said bond is by the Judge of Probate approved. And it is ordered that said J. W. Beck take charge of said estate and manage and administer the same as the law and the Court by order may direct.

P. P. Doak,
Judge of Probate.

In Vacation - Dec. 30th, 1907.

In the matter of Estate of and { Will Probated,
Last Will of E. J. Phillips, deceased }

Now on this 30th day of December 1907, an instrument of writing signed by E. J. Phillips, and purporting to be the last will and testament of E. J. Phillips, deceased, who departed this life on the 23rd day of December, 1907, is offered for probate, and the Judge of Probate having seen and examined said instrument of writing, and having also heard the testimony of John C. Leopard and W. T. Hutchison, 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 E. J. Phillips, deceased, late of Daviess County, and orders the same admitted to probate and to be
re

recorded as such.

And now comes Cora A. Phillips and Uberta H. Phillips, who are named as Executors in said will, and make affidavit as required by law; and make application for letters testamentary upon said estate, and being suitable persons for such trust; it is ordered that they be, and are hereby appointed executors of said estate and that letters testamentary issue to them on the same.

And it appearing that there is personal property not exceeding in value the sum of six hundred (\$600.00) dollars, it is ordered that said Executors enter into bond to the State of Missouri as such executors with two or more securities to be approved by the court in the sum of Twelve Hundred (\$1200.00) dollars, conditioned according to law. And now come said Cora A. Phillips and Uberta Phillips and file their said bond in said sum of \$1200.00 with J. B. Gates and T. B. Bowen as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

And it is further ordered that J. C. Leopard and J. M. West be and they are hereby appointed witnesses to aid said executors to open up and examine the books, papers and other evidences of debt and to make an inventory of ^{all and singular} the goods, chattels, and other effects belonging thereto, and that said executors publish notice of the grant of letters on said estate in some newspaper published in this County as by the law directed.

P. P. Doak,

Judge of Probate.

In the Probate Court - In vacation - December 31st 1907

In the matter of the estate of, and {
last will and Testament of { Will probated
John H. Townsend, deceased }

Now on this 31st day of December 1907, an instrument of writing signed by John H. Townsend and purporting to be the last will and Testament of John H. Townsend, 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 J. B. Gates and W. J. Osborn 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 John H. Townsend, deceased late of Daviess County, and orders the same admitted to Probate and to be recorded as such.

P. P. Doak, Judge of Probate,

In the Probate Court - In Vacation - December 31st 1907.

In the matter of the estate of } Administration granted - Bond filed.
Robert Rader, deceased }

Now comes Frances V. Rader and makes application for letters of administration upon the estate of Robert Rader, deceased, who departed this life intestate on the 21th day of December, 1907, and having made proof by affidavit as by law required - and being competent and by law entitled to administer, as widow of said deceased - it is ordered that letters be granted and issue to said Frances V. Rader upon said estate, and it appearing that there is personal property - in addition to what is by law given to the widow as her absolute right in value not exceeding \$5000⁰⁰ it is ordered that she enter into bond to the state of Missouri as such administratrix, in the sum of One thousand dollars (\$1000⁰⁰) with two or more securities to be approved by the Court, conditioned according to law,

And now comes said Frances V. Rader and files her said bond in said sum of \$1000⁰⁰, with N. O. Rader, O. G. Rader, Fratie Lewis and Boyd Dudley as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved,

And it is also ordered that J. M. Cox and Jonathan K. Cade be and they are appointed witnesses to accompany and aid said Administratrix to open and examine the papers, money and other property of the deceased and to make an inventory of the same, and that notice of the grant of said letters be published in the Gallatin North Missourian as is by law required,

O. P. Doak, Judge of Probate,

In Vacation - December 31st A. D. 1907.

In the matter of the estate of } Administration granted, and Bond filed.
Lewis A. Ellis, deceased }

Comes now Robert E. Maupin and makes application for letters of Administration on the estate of Lewis A. Ellis, deceased, and having made proof by affidavit that said Lewis A. Ellis died intestate in Daviess County, Missouri, December 13th, 1907, and giving the names and places of residence of the widow and the heirs of said deceased, and that he will make a perfect inventory of and faithfully administer all the estate of the deceased, pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge, And Josie A. Ellis, widow, and Rural G. Ellis and Jefferson W. Ellis sons of said deceased, have relinquished in writing all right and claim to letters on said

In Vacation — December 31st — A.D. 1907.

estate, and the judge of Probate having confidence in the integrity and ability of said Robert E. Maupin it is ordered that letters be granted and issue to said Robert E. Maupin upon said estate, and that he enter into bond to the State of Missouri as such Administrator in the sum of Five Thousand Dollars (\$5000.00) with two or more sufficient securities residents of this County, conditioned according to law.

And now comes said Robert E. Maupin and files his bond in said sum of \$5000.00 with Ben A. Yates, Jno. T. Gough and D. B. Koger as securities thereon, and conditioned as the law directs, which bond is by the judge of Probate approved.

And it is further ordered that John Macrander and David E. Waters be and they are appointed witnesses to accompany and aid said administrator to open and examine the papers, money and other property of said estate and to make an inventory of the same, and that said administrator publish notice of the grant of said letters in the Pattonburg Call a newspaper published in this county as the law directs.

P. P. Doak, Judge of Probate,

In Vacation — December 31st A.D. 1907

In the matter of the estate of } Administration Granted.
Henry Shaw, deceased }

Comes now Theodore J. Shaw and makes application for letters of Administration on the Estate of Henry Shaw, deceased, who died intestate in Daviess County, Missouri, on the 19th day of December 1907. And having made affidavit as required by law and Lavina Shaw, widow of said deceased having renounced her right and claim to administer upon said estate, and the judge of Probate having confidence in the integrity and ability of said applicant and being by law entitled to administer; it is ordered that letters be granted and issue to said Theodore J. Shaw, provided he enter into bond to the State of Missouri as such administrator in the sum of \$8500.00 with two or more sufficient securities residents of this County, conditioned according to law.

P. P. Doak

Judge of Probate,

In Vacation — January 1st A.D. 1908

In the matter of the Estate of { Curator files bond.
John M. Bennebaker, a minor }

Comes now John M. Bennebaker, who was by an order made on the 23rd day of October, 1907, appointed Curator of the estate of John M. Bennebaker, a minor, and files his bond as such curator in the sum of twenty five hundred dollars, with A.E. Anderson, A.D. Pratt and A.D. Keown as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved, and it ordered that a certificate of Curatorship be granted to the said John M. Bennebaker on said estate.

In the Probate Court in Vacation — January 2nd, A.D. 1908

In the matter of the Estate of { Bond filed —
Henry Shaw, deceased }

Comes now Theodore J. Shaw, who was on the 31st day of December, 1907, appointed Administrator of the estate of Henry Shaw, deceased, provided that he execute the required bond as such administrator, and files said bond in the sum of \$8500⁰⁰ with O.E. Emery, James A. Coaster, J.B. Smith and T.H. Black as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

And it is ordered that C.L. Edwards and J.B. Smith be and they are appointed witnesses to aid said Administrator to open, examine the papers, money and other property of the deceased and to make an inventory of the same, both real and personal. It is also ordered that said Administrator publish notice of his appointment in some newspaper published in this County as directed by law.

P. P. Doak,

Judge of Probate

In the Probate Court - In Vacation - January 4th 1908

In the matter of the Estate of } Administration granted.
Alexander K. Love, deceased }

Comes now L. M. Love, and makes application for letters of administration on the estate of Alexander K. Love, who departed this life on the 2nd day of January 1908, without a will, and the said L. M. Love, having made affidavit setting forth the names and places of residence of the heirs of said deceased and that he will make a perfect inventory of and faithfully administer all the estate of the deceased; pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge; And being a son of deceased, and otherwise competent it is ordered that letters be granted and issue to said L. M. Love upon said estate, and it appearing that there is personal property of the probable value of \$400.00, before entering upon the duties of said office he is required to enter into bond to the State of Missouri for the faithful discharge of his duty according to law, in the sum of \$800.00 with two or more securities to be approved by the Court, and conditioned according to law.

And now Comes said L. M. Love and files his said bond in the sum of \$800.00 with N. E. Culver and George Culver as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved. And it is ordered that N. A. Culver and J. L. Gann be and are hereby appointed witnesses to said Administrator make an inventory of said estate, and that said Administrator publish notice of the grant of said letters in some newspaper published in this County as required by law.

P. P. Doak,

Judge of Probate.

In the Probate Court - In vacation - January 4th, 1908.

In the matter of the Estate of } Appointment of Curator.
Walter Irving Wheeler, a minor

Comes now O. R. Whitt and represents to the Judge of Probate that Walter Irving Wheeler^{who} is a minor under fourteen years of age residing in Daviess County Missouri, possesses real and personal estate of the estimated value of \$1000⁰⁰; that he is the child of Henry A. Wheeler, deceased and Ruby Jane Wheeler, now Ruby Jane Cox; that his real estate consists of a divided $\frac{1}{2}$ interest in 95 acres of farm land, which said 95 acres of land has an incumbrance of \$700⁰⁰ together with the interest which has accrued since June 1st 1907; that there is no one authorized to look after the renting of said land, and collect rents on the same, and in general to look after and protect the rights and interest of said minor. Therefore to the end that said property may be properly conserved for the benefit of said Minor, said petitioner desired and requests that he be appointed Curator of said Minor. And the Judge of Probate having heard said petition and the evidence in relation thereto, and having confidence in said O. R. Whitt as being a suitable person for said Curatorship. It is ordered that he, the said O. R. Whitt be and he is hereby appointed Curator of the estate of said Walter Irving Wheeler, provided that said O. R. Whitt enter into bond to the State of Missouri for the use and benefit of said minor in the sum of Two Thousand Dollars, with two or more sufficient securities and conditioned for the faithful discharge of his duties as such Curator according to Law.

And now comes said O. R. Whitt and files his said Bond in the sum of \$2000⁰⁰ with H. F. Whitt and John W. Meade as securities thereon, which said bond is by the Judge of Probate accepted and approved, and it is ordered that said O. R. Whitt take charge of and manage and administer said estate as the law and the orders of the Court shall direct.

P. P. Doak,

Judge of Probate,

In the Probate Court - In Vacation - January 10th, 1908,

In the matter of the estate of } Order for either Public or Private Sale, Personally,
Lewis A. Ellis, deceased. }

Now comes Robert E. Maupin, Administrator of said estate, and files his written application for permission to sell the corn, wheat, hogs and such other property as will in his judgment sell better at private than at public sale, belonging to said estate at either public or private sale, and the Judge of Probate being satisfied that it will be to the best interest of said estate, and not prejudicial to creditors or others interested in the same to sell said property at such sale, it is ordered that said Administrator sell said property at either public or private sale, as to him may seem for the best interest of said estate, and if sold at private sale, for not less than its appraised value, on such terms as shall be for the best interest of said estate, and that he report said sale to this Court.

P. P. Doak,

Judge of Probate,

In the Probate Court - In Vacation, January 13-1908,

In the matter of the estate of } Order for Private Sale of
Emma L. Johnson, deceased } Personally,

Now comes Albert Johnson, Administrator of said estate, and files his written application for permission to sell Two Hundred bushels of wheat, some fat hogs and other property 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.

P. P. Doak,

Judge of Probate,

In the Probate Court - In Vacation - January 17, 1908.

In the matter of the estate of } Public Admr. ordered to
James Robb, deceased. } take charge.

It having come to the knowledge of the Judge of Probate that James Robb departed this life intestate, in Daviess County, Missouri on the day of , 190 , and Dinah Harrah, a distributee of said estate, having waived in writing her right to administer the same and it appearing that said deceased had personal property in this county of the probable value of \$200.00, which is liable to be wasted, purloined or lost, it is ordered that George U. Norton, Public Administrator of Daviess County, take charge of said estate and administer the same according to law and that letters of administration issue to him thereon.

P. P. Doak

Judge of Probate.

In the Probate Court in Vacation - January 23-1908.

In the matter of the estate of } Order for Private Sale of Personalty -
Edward J. Phillips, deceased. }

Comes now Uberto Phillips one of the Executors of the last will of E. J. Phillips, deceased and files his written application for an order to sell at private sale the remainder of the personal property belonging to said estate after taking therefrom the property taken by Cora A. Phillips as her personal dower of \$400.00 and says that the aggregate of said remaining property is very small - as will appear from the inventory and appraisement thereof, filed herein on the 10th day of January 1908 - and that he believes that it will be for the best interest of said estate to sell the same at private sale for cash - and the Judge of Probate being satisfied that such sale will not be prejudicial to the creditors or others interested therein, it is therefore ordered that the same be sold at private sale for cash in hand, at not less than its appraised value - and that said Executors report said sale to this Court.

P. P. Doak

Judge of Probate

In vacation — January 24th 1908.

In the matter of the estate of { Public Guardian to take charge,
Oscar S. Bell, and Lester C. Bell minors }

Now at this day, it appearing to the Judge of Probate that Oscar S. Bell and Lester C. Bell minor heirs of John C. Bell, deceased are without a legal Curator of their estate, and said minors, who are over (14) fourteen years of age make choice of George U. Norton as their Curator, and the Judge of Probate approving said choice, doth hereby order that the said Geo. U. Norton, Public Administrator, and Ex-Officio Public Guardian, take charge of said estate as Curator thereof, and that he manage and administer the same according to law and as the order of the Court may direct.

P. P. Doak

Judge of Probate

In the Probate Court — In vacation — January 28th 1908

In the Matter of the estate of { Administration Granted
Wm. H. Deskins, deceased }

Comes now Edward F. Deskins and prays the Judge of Probate to grant him letters of Administration upon the estate of Wm. H. Deskins, deceased, first having made proof by affidavit, as is by law required, that said Wm. H. Deskins died intestate January 18, 1908, leaving as his heirs Geo. F. Deskins, who resides in Davess County, Mo.;

Jemima L. " " " " " " " " " " " "

Edward F. " " " " " " " " " " " "

Mollie Dice, who resides " DeKalb " " " " " "

Addie Whitaker " " " " " " " " " " " "

Effie " " " " " " " " " " " "

Gracie Deskins " " " " " " " " " " " "

Ellen " " " " " " " " " " " "

Guy " " " " " " " " " " " "

and Rollie " " " " " " " " " " " "

that he will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend, and the law directs; and that he will account for, and pay over all assets of said estate coming to his knowledge and possession; and it further appearing that said Wm. H. Deskins had at the time of his death property of the probable value of \$500.00, and that said Edward F. Deskins is compe-

tent to administer, and is entitled to administer, upon said estate by reason of being a distributee thereof:

Now, therefore, it is ordered that letters of Administration be granted and issued to said Edward F. Deskins, provided said Edward F. Deskins enter into bond to the State of Missouri in the sum of One thousand dollars, with two or more sufficient securities, residents of this County, conditioned according to law.

O. P. Doak,
Judge of Probate.

In the Probate Court - In Vacation February 1 - 1908.

In the matter of the Estate of } Application for Administration,
John D. James, deceased }

Comes now Mrs. Sarah Jane James, widow of John D. James, deceased, and makes affidavit as is by law required, and makes application for letters of Administration on the estate of said deceased, who departed this life intestate on the 25th day of September, 1907, and having at the time of his death, personal property of the probable value of Five Hundred Dollars, and said Sarah Jane James being entitled to administer said estate and the Judge of Probate having confidence in her ability doth hereby order that letters of Administration upon the estate of said John D. James, deceased be granted and issue to said Sarah Jane James provided that the said Sarah Jane James enter into bond to the State of Missouri in the sum of One thousand Dollars, with two or more sufficient securities, residents of this County, Conditioned according to law.

O. P. Doak,
Judge of Probate

In the Probate Court - In Vacation - February 4th 1908.

In the matter of the Estate of (Administration Granted
James C. Whetstone, deceased)

Comes now Charles H. Whetstone, son of James C. Whetstone deceased, and makes affidavit as is by law required, and makes application for letters of Administration upon the estate of said James C. Whetstone, who departed this life intestate, in Daviess County, on the 8th day of January 1908, being possessed of personal property at the time of his death of the probable value of Four Hundred Dollars, and the said Charles H. Whetstone, by reason of being a distributee of said estate, is entitled to administer the same, and being otherwise competent, it is ordered that that letters of Administration be granted and issue to said Charles H. Whetstone upon the estate of the said James C. Whetstone deceased, provided that the said Charles H. Whetstone enter into bond to the State of Missouri in the sum of Dollars, with two or more sufficient securities residents of this County, conditioned according to law.

O. P. Doak,

Judge of Probate,

In the Probate Court - In Vacation - February 4th 1908.

State of Missouri (ss. In Vacation of the Probate Court of said County,
County of Daviess)

Now on this 4th day of February 1908, comes Genobia Hannah and makes known to the Judge of Probate that William Hannah is a person of unsound mind; that he is now confined in State Hospital Number Two (2) at St. Joseph, Missouri, and that said William Hannah is incapable of managing his affairs, Wherefore Genobia Hannah prays that an inquiry be had as to the sanity of said William Hannah.

And the Judge of Probate being satisfied there is good cause for the exercise of the jurisdiction of said Probate Court in said matter doth now order that the sanity of said William Hannah be inquired into by a jury, and that Monday, February 10th, 1908, at 130 P. M., be set as the time when such inquiry shall be had at the Office of said Court in Gallatin, Mo., and that said William Hannah be given at least five days notice

of the time and place of making said inquiry, and that witnesses be called to the end that said inquiry may be had.

P. P. Doak,

Judge of Probate.

In Vacation — February 8th 1908.

In the matter of the estate of }
James C. Whetstone, deceased } Bond filed - Letters issued.

Now comes Charles H. Whetstone and files his bond as Administrator of the estate of James C. Whetstone, deceased, in the sum of (\$850.00) Eight hundred and Fifty Dollars, with Robert E. Maupin and Wm. M. Moore, as securities thereon, and conditioned as the law directs, which bond is by the Judge of Probate accepted and approved.

And in pursuance of the order made on the 4th inst. Letters are this day issued to said Charles H. Whetstone, on said estate.

And it is also ordered that J. W. Trimble and John Slater be and they are hereby appointed witnesses to accompany and aid said Administrator to open up and examine the papers of said deceased and to make an inventory of all the property of said James C. Whetstone, and that said Administrator publish notice of the grant of said letters as is by law required.

P. P. Doak,

Judge of Probate

February Term - Monday - February 10 - 1908 - First day of Term

State of Missouri } ss.
County of Daviess }

Be it remembered that at regular Term of the Probate Court of Daviess County, Missouri, begun and held at the Court House in Gallatin in the County and State aforesaid on Monday February 10th 1908 - there being present P. P. Doak, Judge of said Court, and W. J. Hutchison, Sheriff, when the following proceedings were had and entered of record, to-wit: -

In the matter of the estate of } Judgment Establishing Will.
Maro Thomas, deceased, }

It being shown to the Court now here, that in Vacation of this Court, to-wit; on the 24th day of December, 1907, an instrument of writing purporting to be the last will and testament of Maro Thomas, deceased, and attested by Chas. L. Knauer and John W. Meade as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Maro Thomas, deceased, and said Clerk proceeded to take the testimony of Chas. L. Knauer and John W. Meade, said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a certificate of Probate on said 24th day of December, 1907.

And the Court having inspected said will, and seen and heard the testimony of Chas. L. Knauer and John W. Meade 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 that said instrument be considered proved, and the same is adjudged to be the last will of said Maro Thomas, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed; And it is ordered that said will be admitted to record.

In the Matter of the Estate of } Judgment Establishing Will.
John H. Townsend, deceased }

It being shown to the Court, now here, that that in vacation of this Court, to-wit; on the 31st day of December, 1907, an instrument of writing purporting to be the last

February Term Monday February 10th 1908—First day of Term.

will and testament of John H. Townsend, deceased, and attested by T. B. Yates and W. T. Osborn as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said John H. Townsend, deceased, and said Clerk proceeded to take the testimony of T. B. Yates, and W. T. Osborn said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a certificate of Probate on said 31st day of December, 1907.

And the Court having inspected said will, and seen and heard the testimony of T. B. Yates and W. T. Osborn 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 John H. Townsend, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

In the Matter of the Estate of } Judgment Establishing Will.
E. J. Phillips, deceased }

It being shown to the Court now here, that in vacation of this Court, to-wit: On the 30th day of December, 1907, an instrument of writing purporting to be the last will and testament of E. J. Phillips, deceased, and attested by John C. Leopard and W. T. Hutchison as witness, was produced before the Clerk of this Court to be proved and admitted to record, as the last will ~~will~~ of said E. J. Phillips, deceased, and said Clerk proceeded to take the testimony of John C. Leopard and W. T. Hutchison 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 30th day of December, 1907.

And the Court having inspected said will, and seen and heard the testimony of John C. Leopard and W. T. Hutchison, 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 E. J. Phillips, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

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Ordered that the Bond of Albert Johnson as Administrator of the Estate of Emma L. Johnson, deceased, taken in vacation December 9th 1907 be approved and his appointment ratified and confirmed.

Ordered by the Court that the bond of Albert Johnson, as Guardian and Curator of the person and estate of Carly R. Johnson, a minor, taken in vacation, December 9th, 1907, be approved, and his appointment ratified and confirmed.

Ordered that the proceedings and action of the Clerk of this Court had in vacation December 9th, 1907, in ordering G. W. Norton Public Administrator, and Ex-Officio Public Guardian, to take Charge of the estate of Ira A. Murphy, a minor be ratified and confirmed.

Ordered that the bond of C. E. Perry, as administrator of the estate of Frank K. Netherston, deceased, taken in vacation December 20th 1907 be approved, and that his appointment be ratified and confirmed.

Ordered by the Court that the bond of W. J. Culver as Curator of Lewis Clifford Culver, a minor, taken in vacation December 20th, 1907, be approved, and his appointment ratified and confirmed.

Ordered by the Court that the bond of J. W. Beck as Curator of the estate of Clarence Beck and Flora Ellen Beck minors taken in vacation December 24th, 1907, be approved, and that his appointment be ratified and confirmed.

Ordered that the Bond of Cora Alice Phillips and Umberto Phillips, as Executors of the last will of E. J. Phillips, deceased, taken in vacation on December 30th, 1907, be approved, and that their appointment be ratified and confirmed.

Ordered that the bond of Frances V. Rader, administratrix of Robert Rader, deceased, taken in vacation December 31st 1907, be approved, and that

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her appointment be ratified and confirmed.

Ordered that the Bond of Robert E. Maupin, as Administrator of Lewis A. Ellis, deceased, taken in vacation December 31st, 1907, be approved and that his appointment be ratified and confirmed.

Ordered that the bond of John W. Pennebaker, as Curator of the estate of John W. Pennebaker, a minor, taken in vacation January 1st, 1908, be approved and his appointment ratified and confirmed.

Ordered that the bond of Theodore J. Shaw, as Administrator of Henry Shaw, deceased, taken in vacation January 2nd, 1908 be approved and that his appointment be ratified and confirmed.

Ordered that the bond of Loveman M. Love, as administrator of Alexander K. Love, deceased, taken in vacation January 4th, 1908, be approved, and that his appointment be ratified and confirmed.

Ordered that the bond of O. R. Whitt - as Curator of the estate of Walter Irving Wheeler, a minor, taken in vacation January 4th 1908, be approved, and that his appointment be ratified and confirmed.

Ordered that the action of Judge in vacation, to wit January 24th 1908, in ordering the G. U. Norton to take charge of the estate of Oscar Bell and Lester Bell, minors be approved and confirmed.

Ordered by the Court that the bond of Chas. H. Whetstone as administrator of the estate of James C. Whetstone, deceased, taken in vacation February 8th, 1908, be approved, and that his appointment be ratified and confirmed.

In the matter of the estate of Lewis Clifford Culver, a minor (Order Private Sale of Real Estate)

Comes now William J. Culver and presents to the Court his petition representing that he is the duly appointed and legally qualified Curator of the estate of Lewis Clifford Culver a minor about the age of 19 years; That said minor is the owner of the undivided one fourteenth of the following described real estate situate in the County Daviess and State of Missouri, to wit:-

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The East 4.5 acres of the West half of the North East quarter of Section three (3) in Township fifty-eight (58) and in the South East ^{of the South East quarter} quarter of Section thirty-four (34) Township fifty-nine (59) all in Range twenty-eight (28) containing in all 8.5 Acres.

Petitioner further states that his ward inherited said interest from his Aunt Mary F. Whitt, deceased as one of several tenants in common, and that his Co-tenants in common have sold their entire interest in said land to one William Boor at the rate of \$3600.00 for the 8.5 Acres aforesaid, or the sum of \$257 $\frac{24}{100}$ Dollars for each undivided interest of one seventh; that he believes that he can realize the same price for his ward's interest therein; that the other tenants in common have received their shares of equal amount therein.

Petitioner further states that his ward's interest in said land is so small that he will have little or no voice in its management since it is in the hands of a stranger who is now in the full possession thereof.

Petitioner further states that his ward is now 19 years of age and married, doing business on his own account, and is desirous that said land be sold on the terms stated above, that said ward has no other means with which to protect his interest in said land if forced into partition proceedings which would result in a public sale of said land, as it is not susceptible of division in kind, and thus subject his ward to large fees and costs in which case he would be helpless and at the mercy of the owner of said land; that under all the circumstances it would be for the interest of his ward that his interest in said land be sold and the proceeds of said sale be invested under the supervision of the Court.

Petitioner, therefore, prays the Court to hear the evidence in relation to said matter, and to make an order authorizing the sale of said land at private sale for cash, and for all proper relief.

And the Court having heard the petition and the evidence in relation thereto, is satisfied that said order should be granted. It is therefore ordered by the Court that said Curator be and is hereby authorized and empowered to sell the following described real estate, to wit: The East 4.5 Acres of the West Half of the North East quarter of Three (3) in Township Fifty-eight (58) Range Twenty-eight (28), and the South East quarter of the South East quarter of Section Thirty-four (34), Township Fifty

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nine (59); Range Twenty-Eight (28) all in Daviess County Missouri, at either public or private sale, (first having had the same appraised according to law). for not less than three-fourths its appraised value, on the following terms to-wit: for Cash in hand, and that said Curator report said sale and his proceedings therein to this Court at the next thereof.

In the matter of the estate of
Mabel C. Ruth, Russell M.,
Blanch L., and Martha E. Brodbeck minors

Order confirming Sale of Real Estate

Comes now Chas. L. Hoguer Curator of the estate of Mabel Coy Brodbeck, Ruth Brodbeck, Russell Mark Brodbeck, Blanche Lenora Brodbeck and Martha E. Brodbeck, minors, and reports to this Court that he did on Saturday the 1st day of February, 1908, in obedience to the order of this Court made at the November term, thereof, sell at private sale to W. W. Morehead of Harrison County, Missouri, for the price and sum of One Hundred and sixty-three and 27/100 Dollars, Cash in hand that part of the real estate in said order of the Court and report particularly described, viz:—

The undivided $\frac{40}{441}$ interest in a tract bounded as follows: Beginning at the South West corner of Lot Six (6) of Schnatterly's First Addition to Bethany, Missouri, and running thence North fourteen rods and fifteen feet to the South line of Central Street; thence East along the South line of Central Street eighty three feet and three inches; thence South fourteen rods and fifteen feet to the South line of the aforesaid lot six; thence West along the South line of said lot six eighty three feet and three inches to the place of beginning, and situate in the city of Bethany, Harrison County, Missouri,

And that he did said 1st day of February, 1908, sell to Jasper N. Long, of said Harrison County, Missouri, for the price and sum of Sixty five and 75/100 Dollars cash in hand the other tract of real estate in said order of the Court and report said tract being described as follows:— The undivided $\frac{40}{441}$ interest in a tract bounded as follows:— Beginning at a point on the line of Lot six (6) of Schnatterly's First Addition to Bethany Missouri, eighty three feet and three inches East of the South West corner of said Lot six and running thence North fourteen rods and fifteen feet to the South line of Central ^{street}; thence East along the South line of Central Street eighty three feet and three inches;

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thence South fourteen rods and fifteen feet to the North line of South or Main Street and the ^{South} line of Lot Six aforesaid Eighty three feet and three inches to the place of beginning, situate in the City of Bethany, in the County of Harrison, and the State of Missouri.

And it appearing that said sales were legally and fairly conducted pursuant to the order of the Court and in accordance with the Statute.

It is therefore ordered that said sales be and are hereby approved and Confirmed.

And the said Curator is ordered and directed to execute, acknowledge and deliver to the said N.W. Morehead a deed in due form, conveying to the said N.W. Morehead, all the right, title and interest, which his said wards have in and to said tract first described in said report, and that said Curator execute, acknowledge and deliver to said Jasper N. Long a deed in due form conveying to said Jasper N. Long all the right, title and interest which his said wards have in and to said tract last described in said report.

In the matter of the Estate of } Order Confirming Sale.
James Traugh deceased }

Now Comes James M. Royston, Executor of the Last Will and Testament of James Traugh, deceased, and submits to the Court his report of sale, by which it appears that he did, on Saturday the 14th day of December, A.D. 1907, in obedience to the order of this Court made at the November Term, 1907, thereof, sell at public auction to Isaac E. Wampler, for the sum of Twenty-one hundred Dollars (\$2100.) the real estate in said ^{order} of Court and report, particularly described, viz: -

That part of the North West quarter of the North East quarter of Section (19) Nineteen in Township (59) Fifty Nine, of Range (27) Twenty-seven - Bounded as follows: - Beginning Thirty ~~and~~ ^{56 3/4} Chains West of the North East Corner of section 19, at the North West Corner of the tract of land described in Book 47 at page 318, and running thence West Six (6) and 90/100 Chains; thence South Fourteen and 48/100 Chains to the public road; thence East Six and 90/100 Chains; thence North Fourteen and 48/100 Chains to the place of beginning, situate, lying and being in the County of Daviess and State of Missouri.

And it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in ac-

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Concordance with the Statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said administrator is ordered to execute, acknowledge and deliver to said Isaac E. Brampler, a deed in due form of law, conveying to the said Isaac E. Brampler all the right, title and interest which the deceased had in the same at the time of his death.

In the matter of the alleged
insanity of William^M Hannah, } Inquisition of insanity,
Genobia Hannah, informant.

Now at this time comes Genobia Hannah, informant, and it appearing to the court that said William^M Hannah was, in pursuance of the order of the judge of Probate made in vacation of this court, to wit: on the 4th day of February, 1908, duly served with a notice that information in writing has been^{filed} in this court alleging the insanity of him, the said William^M Hannah, and that Inquiry regarding said allegations would be had at this time, by delivering to said William^M Hannah a copy of said notice.

And said William^M Hannah appearing not, ~~and~~ comes now a jury duly summoned, to wit: W. C. Macy, E. F. Easter, Samuel Gallamore, Frank A. Woodruff, Wm. S. Rulon, W. S. Townsend, James W. Hall, Cleo Runnels, Leo Runnels, O. P. Wilson, J. M. Royston and John W. Glasscock, twelve good and lawful men, who are duly sworn, to well and truly make inquiry and determine whether the said William^M Hannah is a person of unsound mind or not, and the jury having heard the evidence offered touching his condition retired to consider their verdict, and after due deliberation returned into court the ~~the~~ following verdict:

We, the jury, find that Wm^M Hannah is of unsound mind and incapable of managing his affairs.

W. S. Townsend, Foreman
O. P. Wilson
Cleo Runnels
Leo Runnels
Jas. W. Hall
Samuel Gallamore
W. S. Rulon
E. F. Easter
J. M. Royston
W. C. Macy
J. W. Glasscock
F. A. Woodruff

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It is therefore adjudged by the Court that said William^{M.} Hannah is a person of unsound mind and incapable of managing his affairs, and the Court hereby appoints Alvin S. Hannah guardian of said William^{M.} Hannah, and it is ordered that said guardian before entering on the duties assigned him shall enter into a bond to the state of Missouri in the sum of Three Hundred dollars, conditioned as required by law with such security as the court shall approve.

In the matter of the estate of (Order of Allowance in lieu of Erastus J. Brown, deceased) provisions not on hand.

Now this day comes Rachel V. Brown, widow of Erastus J. Brown, deceased and shows to the Court that at the time of the death of said deceased, there was not on hand sufficient grain, meat, vegetables groceries and other provisions for the subsistence of her family and her self for one year; that her family consists of herself and four children aged respectively 15, 12, 8 and 1½ years; that they are altogether supported by her. She therefore prays the Court to make an allowance to her in accordance with Sections 105 and 106, revised Statutes 1899, and thinks that the sum of \$250.00 will be a reasonable allowance for said purpose.

And the Court having heard said petition, and ^{having also} heard the evidence in relation thereto, and being satisfied that said order ought to be made: it is therefore ordered that said allowance be made out of the assets of said estate, and that the Admr. be authorized to take credit in her settlement of the same for said sum of \$250.00.

Ordered that the 1st Annual Settlement of E. M. Foley, Jr., Curator of the Estate of Toney Baker, a minor this day filed be approved and recorded.

Ordered that the 4th Annual Settlement of E. M. Foley, Jr., Curator of the estate of Wardle A. Bennett, a minor, this day filed be approved, and recorded.

Ordered that the First Annual Settlement of James J. Courter, Admr. of the estate of Mary E. Clark, deceased this day filed, be approved and recorded.

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In the matter of the estate of } Final Settlement & Discharge.
Clarence Beck, a minor }

Comes now J. W. Beck, Curator of Clarence Beck and files his final settlement of said estate, which shows the sum of \$156.²²/₁₀₀ to be due said ward,

And comes now said Clarence Beck and in open Court receipts his said Curator for said sum of \$156.²²/₁₀₀ and acknowledges the same to be in full payment of all money and property due him from said Curator.

And said Clarence Beck says that he is twenty-one years of age, and waives the necessity of a final settlement exhibit or service of notice of final settlement: It is therefore ordered that said settlement be approved and recorded and that said Curator be discharged herein as to said Clarence Beck.

In the matter of the estate of } Final receipts filed - Partial discharge.
Porterfield Foster, deceased }

Come now W. N. Drummond and Geo. H. Goodbar, Administrators of the estate of said Porterfield Foster, deceased and file the receipts of Jora Hesler; and of D. N. Hesler, curator of Carl Hesler, Chloe Hesler, Lela Hesler and Harry Hesler, minor heirs of Ada Hesler, deceased, for the sum of \$1⁵⁷/₁₀₀ for each of said persons, the same being their distributive shares of said estate as shown by order of distribution made at the May Term of this Court 1906. and it is ordered that said Administrators be discharged as to said Jora Hesler, Carl Hesler, Chloe Hesler, Lela Hesler, ^{and} Harry Hesler.

Ordered that 4th annual settlement of D. W. McDonald, Adms., of Sarah A. Darneal, deceased, this day due be continued to the Aug Term 1908.

Ordered that the ^{first settlement of} R. E. Etter, Curator of G. E. & Robt Etter, minors be required to file inventory of said estate in lieu of settlement this day due and that settlement be continued.

Ordered that Court adjourn till to morrow morning at 9 o'clock.

P. P. Doak, judge

February Term — Tuesday — February 11th 1908,

Court met pursuant to adjournment — present Q. Q. Doak, Judge, and W. J. Hutchison, Sheriff, — When the following proceedings were had, to wit: —

In the matter of Virgil Dixon, a minor, } Final Settlement
Robert V. Thompson, Curator

Comes now Robert V. Thompson Curator of the estate of Virgil Dixon, and files his Final Settlement of said estate from which it appears that there is in the hands of said Curator a balance due his ward of One hundred thirty eight & $\frac{22}{100}$ Dollars (\$138 $\frac{22}{100}$)

And now comes said Virgil Dixon and in open court Receipts his said Guardian and Curator for said sum of \$138 $\frac{22}{100}$ as being in full of the amount due him from said guardian and curator, and says that he is of full age and competent to give such receipt; and he waives filing and service of a final settlement exhibit.

It is therefore ordered that said final Settlement be approved and that said guardian and curator be discharged herein.

In the matter of Estate of (Final Settlement and discharge of Curator.
Grace M. Hamel, Minor)

Comes now Sadie Hamel, Curator of the estate of Grace M. Hamel and files her final settlement of said estate from which it appears that there is a balance due said ward of \$243 $\frac{72}{100}$, and it appearing that said ward has attained full age, and that she has been presented with the final Settlement exhibit by law required, and that she has waived service of notice of the same in writing, it is therefore ordered that said Settlement be approved and recorded, and that upon the filing of the receipt of said Grace M. Hamel, properly executed that said Sadie M. Hamel be entitled to discharge as Curator of said Grace M. Hamel.

Ordered that the First Annual Settlement of Sadie A. Hamel, Curator of the estate of Clara P. Hamel, minor, this day filed be approved and recorded.

In the matter of the Estate of (Final Settlement. Order of Distribution
Harford F. Harrah, deceased)

Comes now Dinah Harrah, Administratrix of the estate of Harford F. Harrah, deceased and files her final Settlement of said estate, and there being a balance due said estate as shown

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by said settlement, of \$2500.⁴³/₁₀₀, and it appearing that all of the debts of said estate have been fully paid; it is therefore ordered that said balance be distributed as follows:

To Emma Cox the sum of \$833.³⁸/₁₀₀

To Jessie G. Hays the sum of 833.³⁸/₁₀₀

To Harley Harrah the sum of 833.³⁸/₁₀₀ and that said Admin-

istratrix file herein the receipts of said distributees, and it appearing that proof of the publication of final settlement has been filed, it is therefore ordered that said ^{final} settlement be approved and recorded.

And Comes now said Administratrix and files the receipts of Emma Cox and husband for the sum of \$833.³⁸/₁₀₀, and of Jessie G. Hays and husband for the sum of \$833.³⁸/₁₀₀ to them paid by said Administratrix, it is therefore ordered that said Administratrix be discharged as to said Emma Cox and said Jessie G. Hays.

Ordered that the first Annual Settlement of A. B. Evans, Administrator of the estate of Wm. H. Hartman, deceased this day filed be approved and recorded.

In the matter of the estate of } Order Confirming Sale.
Hannah M. Frazier, deceased }

Now Comes W. B. James Administrator of said Hannah M. Frazier, deceased, and submits to the Court his report of sale, by which it appears that he did, on Tuesday the 24th day of December, A. D. One thousand nine hundred and seven, in obedience to the order of this Court made at the August Term, 1907, of said Court, and renewed at the November term 1907, thereof, sell at private sale to Edward W. Coplen for the sum of Two hundred ninety two & 50/100 Dollars, ^{Cash in hand,} that ^{part of said} real estate in said order of Court and report particularly described, viz:

All of the Strip (26) twenty six rods wide off of the West side of the Southwest ¹/₄ of the Southwest ¹/₄ of Section (6) Six; Township (61) Sixty one; Range (28) Twenty Eight, in Daviess County, Mo. Containing (13) thirteen acres, more or less.

And that he did on the 8th day of January 1908, in obedience to the order afore said, sell at private sale to John Gough for the price and sum of Fifty five dollars \$55.⁰⁰/₁₀₀ Cash in hand that part of the real estate in said order of the Court and report particularly described,

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viz:

All the West half $\frac{1}{2}$ of Lot (11) Eleven in Block three (3) of Neil and Perham's Addition to the Village of Elm Flat (now the City of Pattonsburg), Mo. in Daviess County Missouri.

And it appearing that said sales were legally and fairly conducted, pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said sales be and the same are hereby approved and confirmed, and the said Administrator is ordered to execute, acknowledge and deliver to said Edward M. Copley a deed in due form of law conveying to said Edward M. Copley all the right, title and interest which the deceased had in said strip 26 rods wide off of the West Side of the South West $\frac{1}{4}$ of Section 6; Township 61; Range 28, at the time of her death, and that he execute, acknowledge and deliver to said John T. Gough a deed in due form of law conveying to said John T. Gough all the right title and interest said deceased had in and to said West $\frac{1}{2}$ of Lot No 11; Block No 3 in the Village of Elm Flat (now the City of Pattonsburg) at the time of her death.

In the matter of the Estate of }
Glennie Bernice Henry, minors }

Ordered that the 3rd Annual Settlement of Ida F. Henry Guardian and Curator of the estate of said minors this day filed be approved and recorded.

In the matter of the estate of } Allowance of Demand.
George Nelson, Deceased. }

Comes now A. B. Evans, Clerk of the Circuit Court of Daviess County, Missouri, and filed a certified copy of judgment against said George Nelson and in favor of James Tuggle, by which said Court ordered that costs of said suit be assessed against said George Nelson, it is therefore ordered that the certified fee bill in said matter in the sum of \$50.⁰⁰ thereto appended be allowed against said estate in class No six.

In the matter of the estate of }
Hannah M. Frasier, deceased }

Comes now Dr S. L. Hardinger and presents to the Court for allowance against said estate a Demand for \$9.50 founded on

account for Medical services rendered deceased - Service of notice being waived and affidavit and proof made it is ordered that same be allowed, against said estate and that it be assigned to Class No. Six.

In the matter of the estate of } Final Receipts filed - Executor discharged.
Samuel Lindsey, deceased, }

Comes now Rollin J. Britton Ex. of said estate and files herein final receipts of distributees and legatees of said estate as per order of distribution and by the provisions of the last will of said deceased, as follows:

Receipt of Chas. J. Lindsey for the sum of	\$232.98
" " Mary E. Frederick " " " "	531.98
" " Julia A. Woodruff " " " "	631.98
" " John B. Lindsey " " " "	481.98
" " William Morris Lindsey " " " "	431.98
" " David James Lindsey " " " "	232.98

And said estate being fully administered, all the debts and legacies paid; it is ordered that said executor be discharged.

In the matter of the estate of } Partial Distribution -
James Waugh, deceased, }

Comes now James M. Royston, Executor of the estate of James Waugh, deceased, and shows to the Court that he has in his hands as such Executor the proceeds of the sale of the real estate of said deceased, made in pursuance of the order of this Court; that besides the legacy of three hundred dollars, due to the heirs of Susan Spangler, deceased, and the costs of administration, there is no other claims against said estate, and moves that the sum of \$1200.00 of said money be distributed, under the order of the Court, to the distributees thereof in accordance with the provisions of the last will of said deceased.

Whereupon it is ordered by the Court that said executor distribute said sum of \$1200.00 as follows, to wit:

To James M. Beard the sum of	\$400.00,
" Charlotte A. Vager the sum of	400.00 and
" James Sharrah the sum of	400.00, and that

he take their respective receipts for the same, which said receipts shall be accepted as vouchers in his settlement of said estate.

Ordered that Court adjourn till 9 O'Clock to-morrow Morning

P. P. Doak,

Judge of Probate.

February Term — Wednesday — February 12th, 1908.

Court met pursuant to adjournment. Present O.P. Doak, Judge, and W.I. Hutchison Sheriff; when the following proceedings were had, to wit:

Estate Frank K. Netherton, deceased. } Allowance of Demand.
C.E. Perry, Administrator

Come now Pettigrove Bros, and present to the Court for allowance against said estate a Demand for \$77⁰⁰ founded on acct for Undertakers job - service of notice waived and affidavit and proof made, it is ordered that same be allowed against said estate in Class No. one.

Estate of Frank K. Netherton, deceased } Demand allowed.

Comes Now Dr. J.F. Hedrick and presents to the Court for allowance against said estate a Demand for \$53²⁵ founded on acct. for Medical services rendered during last sickness of deceased, service of notice waived and affidavit and proof made - it is ordered that same be allowed against said estate in Class two.

Estate of } Demand allowed.
Frank K. Netherton deceased }

Comes now Julia Netherton and presents to the Court. for allowance against said estate a Demand for \$71¹⁴ on note and interest - service of notice waived, and affidavit and proof made, it is ordered that same be allowed in Class No five.

Estate of } Demand allowed.
Frank K. Netherton deceased }

Comes Now C.E. Perry, Administrator of said estate and presents to the Court for allowance against said estate a Demand for \$125⁰⁰ founded on a promissory note given by said deceased in his life. And there being no Co-administrator the Court appoints Frank B. Ray, a suitable person to appear in behalf of said estate pending the trial of said claim.

And now comes said Frank B. Ray and waives service of Notice, and Claimant having made affidavit to said claim, and the Court having heard the evidence offered - doth order that said note be allowed as a fifth Class demand against said estate

February Term — Wednesday — February 12th 1908.

In the Matter of the Estate of { 8th Annual Settlement and order of suspension
Cordia & Peter Leap, minors }

Comes now Frank B. Ray Curator of Cordia R. and Peter & Leap minors, and files his 8th annual settlement of said estate from which it appears that said estate has been exhausted in the maintenance and education of said minors, it is therefore ordered that said settlement be approved and recorded, and that said Curatorship be suspended till such time as the court shall order the same resumed.

Ordered that the 2nd Annual Settlement of Andrew J. McBryer, Curator of Grace Alice McBryer, a minor, this day filed be approved and recorded.

Ordered that the 2nd Annual Settlement of D.B. Knight Guardian and Curator of the estate of James Homer Knight, incompetent, this day filed be approved and recorded.

Ordered that the 10th annual Settlement of Samuel J. Taylor, Curator of Reuben Hershberger, a minor, this day filed be ^{approved and} recorded.

Ordered that the First Annual Settlement of J. A. Selby, Executor of the last will of Elvira E. Cook, deceased this day filed be approved and recorded.

In the Matter of the Estate of { Bond filed, approved and recorded
William Hannah, Insane }

Comes now Alvin S. Hannah Guardian of said William Hannah, insane, and files herein his bond as such guardian, which Bond is in language following, to wit:

We Alvin S. Hannah as principal, and Simon Brady and James A. Oastor, Sen. as Securities, are held and firmly bound unto the State of Missouri, in the sum of Three Hundred Dollars for the payment of which we bind ourselves and our heirs:

Upon the Condition, That whereas, the said Alvin S. Hannah has been appointed by the Probate Court of Daviess County, Missouri, Guardian of the person and estate of William Hannah of said County, an insane person.

Now if the said Alvin S. Hannah shall take due and

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and proper care of such William Hannah and manage and administer his estate and effects to the best advantage, according to law, and shall faithfully do and perform all such acts, matters and things touching his Guardianship as may be prescribed by law, or enjoined on him by the order, sentence or judgment of any Court of competent jurisdiction, then this Bond to be void; otherwise to remain in full force and effect.

In Testimony Whereof, We have hereto set our hands and affixed our seals at Winston in said County, this 12-day of February A. D. 1908.

On this 12th day February 1908, before me personally appeared Alvin S. Hannah & Simon Brady & James A. Castor and signed this Bond

Alvin S. Hannah Seal
Simon Brady Seal
James A. Castor Seal

My term expires { O. C. Emery
October 12-1910. } Notary Public

Notary Seal

Approved by the Court.

P. P. Doak, Judge of the
Probate Court of Daviess County,
Missouri.

Ordered that said bond be approved.

Ordered that 2nd Annual Settlement of H. R. Kingdon guardian of Margaret B. Kingdon, Insane this day due be continued to May term 1908.

Ordered that final Settlement of E. M. Foley, Jr., Guardian of Jno. D. James, insane, this day due be continued to the May term, 1908.

Ordered that the Annual Settlement of H. M. Thomlinson, Curator of M. S. & Luerla Knight this day due be continued to May Term 1908.

Ordered that 1st Annual Settlement of J. A. Lord, Admr. of Amanda M. Lord, deceased, this day due be continued to May term, 1908

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

P. P. Doak, Judge

February Term — Thursday — February 13th 1908

Court met pursuant to adjournment — present P. P. Doak, Judge, and W. J. Hutchison, Sheriff. when the following proceedings were had, to wit: —

In the matter of the estate of } Final Settlement and Order of distribution
Henry Newvahn, deceased }

Comes now J. D. Dunham, Sr., Executor of the last will of said deceased, and files his final settlement of said estate from which it appears that the balance due the estate is \$503²³/₁₀₀ which by the provisions of the will of said deceased should be distributed among the following distributees: Louisa Shrig; Sophia Dunham; Fannie Arthur; Mattie Beggs and John Newvahn, but it appearing that said Mattie Beggs is indebted to the estate in the sum of \$465.54 as shown by the insolvent note shown herein — which sum is more than her distributive share of said estate — it is ordered that distribution be made as follows, to wit:

To Louisa Shrig the sum of \$125.83

" Sophia Dunham the sum of 125.83

" Fannie Arthur the sum of 125.83

And to John Newvahn the sum of 125.83

and to Martha Beggs, nothing.

And it appearing that said estate is fully administered; that all claims have been paid notice of final settlement duly published and the proof filed, it is ordered that said final settlement be approved and recorded and that said Executor pay over said money to the respective distributees, and that he file herein their receipts for the same.

In the matter of the estate of } Final Settlement and discharge.
Powell and Son — Copartnership }

Comes now L. Wallace Powell, Surviving partner and administrator of said estate and files his final settlement of the same, which shows that there are no assets in his hands for distribution, and it appearing that said estate is fully administered; that all the debts have been paid and the assets distributed, and that final settlement has been published according to law — it is therefore ordered that said final settlement be approved and recorded, and that said administrator be discharged.

February Term — Thursday — February 13th 1908

Ordered that the 2nd Annual Settlement of Anna B. McBride Administratrix of the estate of John J. McBride, deceased, this day filed be approved and recorded.

Ordered that the first annual Settlement of Anna Belle McBride as Curator of the estate of Jennie E. & Chas. E. McBride, minors, this day filed be approved and recorded.

Ordered that the 3rd Annual Settlement of Wilson P. Smith, Guardian and Curator of Ima Mac Mitchell, a minor, this day filed, be approved and recorded.

In the matter of the Estate of { Appropriation to purchase Piano,
Jennie E. McBride, a minor }

Comes now Anna Belle McBride and represents and shows to the Court that she is the mother of said Jennie E. McBride, and also her legal and duly qualified Curator of her estate; that said ward is of the age of 16 years; that she desires among other accomplishments to acquire a musical education, and that in order to said attainment she needs a piano, that believing it to be for the best interest of her said ward, and to gratify her desire to obtain a musical education, on the 5th day of October 1907, she purchased of S. A. Stone of Chillicothe, Mo. a piano at the price of \$375.00; that \$125.00 of said price was to be and was paid in cash, and the remaining \$250.00 to be paid on October 5th, 1908, with no interest till maturity.

Petitioner further states that it is her wish to pay \$125.00 of said purchase price out of her own money, if the Court approve and confirm said purchase.

Wherefore she prays the Court to approve said purchase, and that the payment of \$250.00 of said Jennie E. McBride's money be authorized for said purpose.

And the Court having heard and duly considered the petition and the testimony in relation to said matter, and believing that said purchase was essential to the acquirement of said musical education; it is ordered that said sale be and is hereby approved and confirmed, and that said Curator be authorized to make said payment of the sum of \$250.00 on said piano, out of said Jennie E. McBride's estate in her hands.

February Term — Thursday — February 13th, 1908—

In the matter of the estate of { Administration Granted,
Malinda Anderson, deceased }

Comes now A. B. Evans, and makes affidavit as required by law, and makes application for letters of administration upon the estate of Malinda Anderson, who died intestate in Daviess County on the 8th day of February, 1908, and H. H. Evans and Lewis Evans, the only distributees of the estate of said deceased resident in this State, having waived their right to letters, and requested the appointment of said A. B. Evans, and the Court having confidence in the ability and integrity of said A. B. Evans to fill said trust. It is therefore ordered that letters be granted and issue to said A. B. Evans on said Estate provided he enter into bond to the State of Missouri as such Administrator, in the sum of \$5000.00, with two or more sufficient securities, and conditioned according to law.

And now comes said A. B. Evans and files said Bond in the sum of \$5000.00 with E. D. Mann and Homer Deurt as securities thereon, and conditioned as the law directs, and it is ordered by the Court that said bond be approved, and that W. J. Hutchison and M. C. Tague be and they are hereby appointed as witnesses to assist said Administrator to open up and examine the books and papers of said deceased, and to make an inventory of all ^{the} goods, chattels and other property of said deceased, and that said Administrator publish notice of the grant of said letters in the Gallatin Democrat a newspaper published in this County as provided by Statute.

Estate of James Roper deceased } Allowance of Demand

Comes now Dr. J. D. Dunham and presents to the Court for allowance against said estate a Demand for \$16¹³/₁₀₀ founded on account for Medical Services rendered deceased during last sickness. Service waived, affidavit and proof made, it is ordered that same be allowed in Class 2.

Ordered that final settlement of James M. Offield Executor of Joseph Offield, deceased heretofore filed, and continued from term to term be again continued, with approval to the May Term 1908

Ordered that Court Adjourn till to morrow morning at 9 O Clock

P P Doak, Judge.

FEB 14 1908

February Term — Friday — February 14th, 1908 — 5th day of term

Court met pursuant to adjournment — present P. C. Doak, Judge; and W. J. Hutchison Sheriff; when the following proceedings were had, to wit:

In the matter of the estate of } Order requiring new bond,
+ Alfreda Roswell and Edna Roswell, minors }

Upon the examination of the bond of R. V. Thompson, Curator of Alfreda and Edna Roswell, minors, it appearing to the Court that the sureties on said bond have both become non residents of the state it is therefore ordered that said Curator be required to give a new bond, ^{to the state of Missouri, for the use and benefit of said minors,} in the sum of \$3300.00

And now comes said R. V. Thompson and files said bond in the sum aforesaid, with John R. Handy and G. S. Price as securities thereon and conditioned as the law directs.

And it is ordered by the court that said bond be approved.

Ordered that the 9th Annual Settlement of R. V. Thompson, Curator of the estate of Alfreda and Edna Roswell, minors, this day filed be approved and recorded.

In the matter of the estate of } ^(Receipts) Final Settlement, Order to distribute, and file
Christopher Reno, deceased }

Comes now Elisha L. Frost and files herein his final settlement of the estate of Christopher Reno, deceased, which shows a balance due said estate of \$1315.13, and it is ordered by the court that said sum be distributed as follows:

✓	To Lucy Reno the sum of	\$146.12
✓	" Emma Stewart the sum of	146.13
✓	" Joseph Reno " " "	146.13
✓	" John T. Reno " " "	146.13
✓	" Harvey N. Reno " " "	146.13
✓	" Ella Bruce (nee Reno) the sum of	146.13
✓	" Maggie Sweager " " "	146.13
✓	" Fannie Reno " " "	146.13
✓	" Harvey T. Smith " " "	48.71
✓	" Henry A. Smith " " "	48.71
✓	" Earnest C. Smith " " "	48.71

Total \$1315.16, and

it is further ordered that said Administrator file the receipts of said distributees herein, and that said final settlement be approved and recorded.

FEB 14 1908

FEB 14 1908

Ordered that the 8th Annual Settlement of Jacob M. Brown Guardian and Curator of Solomon Brown, a minor, this day filed be approved and recorded.

Ordered that the 1st Annual Settlement of Sarah A. Robinson, Administratrix of the estate of Theodore Robinson, deceased, this day filed be approved and recorded.

Ordered that the 1st Annual Settlement of B. A. McWilliams, Administrator of the Estate of Vincent H. Shaw, deceased, this day filed, be approved and recorded.

In the matter of the estate of ^{Anna M. Scott}, { Resignation of Guardian.
Anna M. Scott, a person of unsound mind }

Comes now this day Chas. L. Scott Guardian and Curator of Anna M. Scott, a person of unsound mind, and tenders his resignation of said Guardianship,

and it appearing to the Court that he ^{has} published notice of his intention to apply for leave to resign said office for more than four weeks prior to the first day of this term as required by law, and having shown good cause for resigning said trust; it is therefore ordered that the resignation of said guardian and Curator be accepted, and that he at once proceed to make a final settlement of his guardianship of said estate.

In the matter of the person and Estate of { Appointment of Guardian and
Anna M. Scott, a person of unsound mind } Curator.

Now at this day, it appearing to the Court that Anna M. Scott, a person of unsound mind, has no guardian of her person and curator of her estate, Chas. L. Scott having resigned said Guardianship, and his resignation having been accepted by the Court. It is therefore ordered by the Court that James M. McClaskey be and he is hereby appointed Guardian of the person and Curator of the estate of said Anna M. Scott of unsound mind, and that said James M. McClaskey, be required to enter into bond to the State of Missouri for the use of said Anna M. Scott, with two or more securities to be approved by the Court, in the sum of Two Thousand Dollars, conditioned according to law.

And now comes said James M. McClaskey and accepts said trust, and files his said bond in said said sum, which said bond is ⁱⁿ language as follows:—

We, James M. McClaskey as principal; and John F. Henderson, C. L. Scott, John W. Meade and Homer Teurt as securities, are held and firmly bound unto the State of Missouri, in the sum of Two Thousand (\$2000⁰⁰) Dollars, for the payment of which we bind ourselves and our heirs:

FEB 14 1908

Upon the Condition, That whereas, the said James McClaskey has been appointed by the Probate Court of Daviess County, Missouri, Guardian of the person and estate of Anna M. Scott, of said County, a Person of unsound mind,

Now, if the said James McClaskey shall take due and proper care of such Anna M. Scott, and manage and administer her estate and effects to the best advantage according to law, and shall faithfully do and perform all such other acts, matters and things touching his Guardianship, as may be prescribed by law or enjoined on him by the order sentence or judgment of any Court of competent jurisdiction, then this bond to be void; otherwise to remain in full force and effect.

In Testimony Whereof, We have hereto set our hands and affixed our seals at Gallatin in said County, this 14. day of February A.D. 1908.

Jas. McClaskey (Seal)
John F. Henderson (Seal)
C. L. Scott (Seal)
John W. Meade (Seal)
Homer Feurt (Seal)

Approved by the Court

Peter O. Doak, Judge of the Probate Court, of Daviess County Missouri.

In the Matter of the estate of (Final Settlement on resignation - Anna M. Scott, of unsound mind)

Now at this day comes Chas L. Scott, Guardian of the person and estate of Anna M. Scott, of unsound mind and presents his accounts and vouchers for his final settlement, said guardian and curator having resigned said trust.

And comes also James M. McClaskey, successor of said Chas. L. Scott in said trust and waives the filing any exhibit and notice of said settlement, and enters her appearance. Whereupon the court proceeds to the examination of said settlement which is found to be correct and is by the court approved.

And it appearing from said settlement ^{that} there remains in the hands of said Curator, a balance in favor of his said ward of Eight Hundred sixty-nine and 9/100 (\$869.09) Dollars, it is ordered that he pay said sum to his successor James M. McClaskey and that he file herein the receipt of said James M. McClaskey for the same.

And comes now said Chas. L. Scott and files said receipt for said sum, and it is therefore ordered that said Chas. L. Scott be discharged

FEB 14 1908

FEB 14 1908

In the matter of the estate of } Allowance in lieu of provisions not on hands,
Henry Shaw, deceased. }

Comes now Lavina Shaw, and represents and shows to the Court that she is the widow of Henry Shaw, deceased, and that at the time of taking the inventory of the property of belonging to said estate there was not on hands meat, grain, groceries and other provisions necessary for subsistence for twelve months as is allowed her by Section 105 Revised Statutes of Missouri, 1892, and prays the Court to make her a reasonable appropriation out of the assets of said estate to supply said deficiency as provided by Section 106 of said Revised Statutes, and the Court having heard said petition, and the evidence in relation thereto, and believing that the sum of Two hundred (\$200.00) is a reasonable allowance for said purpose - it is therefore ordered, and adjudged that said sum of \$200.00 - be allowed said widow as her statutory allowance under said sections, and that the administrator of said estate pay the said widow said sum, and that he be allowed to take for receipt for the same in his settlement of said estate.

In the matter of the estate of } Allowance of Demand
V. H. Shaw, deceased }

Comes now L. A. Harris and presents to the Court for allowance against said estate a Demand for \$235.50 founded upon a note for \$85.50 and an account for \$149.93, and service of notice being waived, and Affidavit and proof made; it is ordered that said Demand be allowed against said estate in Class No Five.

Estate of V. H. Shaw, deceased } Demand allowed -

Come now Loose and Wiles and present to the Court for allowance against said estate a demand for \$5.90 founded on account - service of notice waived, affidavit and proof made it is ordered that same be allowed against said estate in said sum, and that be assigned to Class Six.

In the matter of the estate of } Administration Granted,
Joel J. Long, deceased }

Comes now Chas. Long, son of Joel J. Long deceased and makes application for letters of Administration on the estate of said deceased and having made affidavit stating that to the best of his knowledge and belief the names of the heirs

FEB 15 1908

FEB 15 1908

February Term

Court met pursuant to adjournment. present P.P. Doak, judge and W.T. Hutchison Sheriff, when the following proceedings were had to wit: -

In the matter of the estate of } Final Settlement and order of Distribution,
Martha A. Yontsey, deceased.

Comes now James W. Nelson, jr. Executor of the Last Will of Martha A. Yontsey deceased and files herein his Final Settlement of the estate of said deceased, and it appearing to the Court that the debts and legacies of said deceased have been paid in accordance with the provisions of said will; that notice of final settlement has been published in accordance with the statute and that a balance of \$972.79 is due said estate for distribution: it is there^{fore} ordered that the same be distributed in accordance with the provisions of said will, as follows:

To Mary J. Shannon the sum of	\$194.56
" Julia A. Burkett " " "	194.56
" Martha E. Yontsey " " "	194.56
" John M. Yontsey " " "	194.56
" Kate M. Yontsey " " "	194.56
" Total amount ordered distributed	\$972.79

And it is further ordered that said Executor pay said distributees their respective distributive shares, and that he file here receipts for the same, and that said settlement be approved and recorded.

In the matter of the Estate of } Report of Sale of Real Estate filed
Jacob A. Stitt, deceased.

Comes now Katie A. Stitt, Executrix of the Last will of Jacob A. Stitt, deceased, and files her report of public sale of the real estate embraced in the order of sale made by this Court at the November term 1907, thereof, and it is ordered that said report of sale be continued to the May term 1908 of this Court for approval.

Ordered that the 4th Annual Settlement of E.M. Foley, jr. Curator of estate of Geo B Mantrice, a minor, this day filed be approved and recorded.

Ordered that the 1st Annual Settlement of Cort Francisco, administrator of Estate of J.R. Vipon, deceased this day filed be approved and recorded

February Term — Saturday — February 15th 1908

In the matter of the estate of { 1st Annual Settlement and Suspension
Carl Heeler, et al, minors }

Comes now D. N. Heeler, Curator of the estate of Carl Heeler, et al, minors, and presents his accounts and vouchers for his 1st annual settlement of said estate and the court takes the approval of the same under advisement and orders a continuance thereof till the May term 1908.

Ordered that the 1st Annual Settlement of C. A. Whitt, Administrator of the estate of Henry A. Wheeler, deceased this day filed be approved and recorded.

In the matter of the estate of { Allowance of Demand,
Ira A. Murphy, a minor, }

Comes now C. C. Smith & Co. by J. B. Smith, a member of said firm and present to the court for allowance against said estate a demand for \$15.00 founded on account for suit of clothes purchased by said minor. And service of notice being waived and affidavit and proof made, it is ordered that said account be allowed against said estate in Class No. five.

In the matter of the estate of { Continued to February Adjourned Term,
Harry R. and Leander Wells, minors } March 16th 1908.

Now at this day it having come to the knowledge of the court that J. C. Stovall, Curator of said minors has become a non-resident of this State, by removing to the State of Colorado - It is therefore ordered that the Curatorship of said J. C. Stovall be and is hereby revoked, and that said J. C. Stovall be required to appear in this court at the February Adjourned Term 1908, thereof, to wit: on the 16th day of March, 1908, and to settle his accounts as such Curator.

Ordered that the final settlement of J. W. Meade, Administrator of the estate of Sarah M. Nynn, deceased, this day due be set for March 16th, 1908, at the February Adjourned term of this court.

Ordered that the annual settlement of Louisa Witten Curator of Georgia Witten et al this day due be continued to the May term 1908.

February Term — Saturday — February 15 — 1908

In the matter of the Estate of
Rayar Berg, Otto Berg, Uellew Berg,
Arora Berg Williw Berg and
George Berg, minors,

Choice, and Appointment of Curator

Comes now William O. Berg and represents and shows to the Court that he is the father Rayar Berg, aged 18 years; Otto Berg, aged 16 years; Uellew Berg, aged 13 years; Arora Berg, aged 11 years; Uellew Berg, aged 9 years and George Berg aged 6 years, all of whom reside with him in Daviess County, Mo.; that said minors are the children of his deceased wife Jennie Berg, and heirs at law of John Pliley, deceased, from whose estate they have inherited real and personal property; that they have no curator of their estate, and said petitioner waives his rights, by reason of being the father of said minors, to be appointed as their Curator, and requests the Court to appoint George F. Alexander Williw Berg, Arora Berg Uellew Berg and George Berg, who are under the age of 14 years.

And now come said Rayar Berg and Otto Berg and being instructed by the Court to make choice of a Curator of their estate they each make choice of the said George F. Alexander. it is therefore ordered by the Court that said choice be and is hereby approved and confirmed, and that the said George F. Alexander be and he is hereby appointed Curator of the said Rayar Berg, Otto Berg, Uellew Berg, Arora Berg, Uellew Berg and George Berg, minors, and that before entering upon his duties as such curator that he enter into bond to the State of Missouri for the use and benefit of said minors with two or more securities to be approved by the Court, in the sum of Five hundred (\$500.00) Dollars, conditioned for the faithful discharge of his duties as such Curator according to law.

Ordered that Settlement of Louisa J. Witten, Curator of Georgia Witten et al this day due be continued to May Term, 1908.

Ordered that Court adjourn ^{till} Tuesday Morning, the 18th inst, at 9 O'Clock

O. P. Dock,
Clerk Judge

February Term — Tuesday — February 18 — 1908.

Court met pursuant to adjournment; present P. P. Doak, Judge, and M. J. Hutchison Sheriff; when the following proceedings were had, to-wit: —

In the matter of the estate of } Bond filed, and approved.
George Berg, et al, minors, }

Comes now George F. Alexander and files herein his bond as Curator of the estate of Rayar Berg, Otto Berg, Willie Berg, Arora Berg, Wellew Berg and George Berg, minor heirs of Jennie Berg, deceased, in the sum of Five Hundred Dollars with J. B. Yates and A. G. Picklin as securities thereon, conditioned for the faithful discharge of his duties as said Curator according to law, and it is ordered by the Court that said bond be approved.

In the matter of the estate of } Bond filed and approved, and letters
Wm. H. Deskins, deceased } issued.

Comes now Edward F. Deskins, who was appointed Administrator of the estate of Wm. H. Deskins, deceased, in vacation of this Court, to-wit: on the 28th day of January, 1908, and who was required to give bond as such Administrator in the sum of One Thousand, and files said bond in said sum with C. E. West, J. M. Friede and A. J. Dree as securities thereon, and it is ordered that said bond be approved, and that letters issue to said Edward F. Deskins, and it is ordered that Chas. L. Edwards and J. B. Smith be and are hereby appointed witnesses to aid said Administrator to make inventory of said estate, and that notice of grant of letters thereon be published in the Winston Sentinel, a newspaper published in this County.

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

Comes now Katie A. Stitt, Executrix of the last will of Jacob A. Stitt, deceased, and files the proof of publication of notice of final settlement of said estate, which notice, together with the settlement this day due from said Executrix, is, for cause, by the Court ordered continued to the May Term 1908 of this Court.

February Term Tuesday February 18, 1908.

Ordered that the 16th Annual Settlement of Elizabeth McCrary, Curator of the estate Thomas & Pearl McCrary this day filed be approved and recorded.

Ordered that the 7th Annual Settlement of N.G. Cruzen, Curator of J.C. and N.G. McLure, minors, this day filed be approved and recorded.

In the matter of the Estate of E.J. Phillips, deceased { Order allowance in lieu of provisions not on hand

Comes now Cora Alice Phillips, widow of said E.J. Phillips deceased, and represents to the Court:— That at the time making the inventory of said estate there was reserved to her grain, meat, vegetables, groceries or other provisions for the subsistence of herself and her family; that she has one dependent child Jesse G. Phillips, and who because of affliction is supported by her

Wherefore she prays the Court to make an allowance in lieu of said provisions not on hand as aforesaid, and provided by law, out of the assets of the estate of said deceased, and she believes that the sum of Two Hundred (\$200.00) Dollars would be a reasonable allowance for said purpose.

And the Court having heard said petition and the evidence in relation thereto, and believing that said allowance should be made— it is therefore ordered that an allowance of \$200.00 be made for said purpose out of the assets of said estate, and that a receipt of said widow for the same be allowed as a proper voucher in the settlement of said estate.

Estate of James Roper deceased { Allowance of Demand

Comes now Henry Thomas and presents to the Court for allowance vs. said estate Demand for \$52.00 on acct. for nursing deceased during last sickness, Service waived, and affidavit and proof made— ordered that same be allowed in class 2.

Ordered that Court adjourn till March 16, 1908, at 9 O'Clock A.M.

P. P. Doak, Judge

In vacation — February 24 — 1908

In the matter of the estate of ^{fill} Samuel Hersherberger, an insane person } Guardian appointed to vacancy
 Comes now, ^{by her attorney Boyd Dudley} Eliza C. Basile, one of the daughters of Samuel Hersherberger an insane person, now confined in State Hospital No 2, for insane, at St Joseph, Mo., and states that said Samuel Hersherberger was duly adjudged to be an insane person by the Probate Court of Daviess County, Missouri, on December 6th, 1898; that he was then sent to the Asylum for Insane at St Joseph, Mo.; that Silas N. Best was then appointed as guardian for such insane person and served as such until his death in 1907; that said Silas N. Best as such Guardian had charge of the estate of such insane person until the death of said ~~said~~ guardian; that by reason of his death, the guardianship of said Insane person is now vacant and he has no guardian; that said insane person is entitled to the possession of 240 acres of land in Daviess County Missouri now in the possession of Noah Hersherberger and others; that there are claims against the estate of said insane person on behalf of Daviess County, Missouri for his maintenance in said Asylum; that the business interests of said insane person demand the attention of a Guardian and that a Guardian should be appointed to succeed the said Silas N. Best, deceased, and to take charge of and care for the estate of said insane person.

Wherefore petitioner prays that J. A. Selby be appointed Guardian of such Samuel Hersherberger.

And the Judge of Probate having heard said petition and the evidence in relation thereto, and believing that said insane person should have a guardian to look after and care for him and his business interests, and having Confidence in said J. A. Selby as a suitable and Competent person to fill said trust; it is therefore ordered that J. A. Selby be and is hereby appointed Guardian of the person and estate of said Samuel Hersherberger, Insane, and before entering upon his duties as such Guardian he be required to enter in to bond to the State of Missouri ^{for the use and benefit of said Samuel Hersherberger} in the sum of Five Hundred Dollars conditioned as required by law and with such security as the Court shall approve.

And now Comes said J. A. Selby and files his bond as said Guardian in the said sum of \$500.00

with Boyd Dudley and Homer Furt as securities thereon, which bond is by the Judge of Probate approved, and is here entered of record, as follows, to wit:

We, J. A. Selby as Principal and Boyd Dudley and Homer Furt as Securities, are held and firmly bound unto the State of Missouri, in the sum of Five Hundred Dollars for the payment of which we bind ourselves and our heirs:

Upon the Condition, That whereas, the said J. A. Selby has been appointed by the Probate Court of Daviess County, Missouri, Guardian of the person and estate of Samuel Herschberger, of said County, an insane person;

Now if the said J. A. Selby shall take due and proper care of such Samuel Herschberger and manage and administer his estate and effects to the best advantage, according to law, and shall faithfully do and perform all such other acts, matters and things touching his Guardianship as may be prescribed by law or enjoined on him by the order, sentence or judgment of any Court of competent jurisdiction, then this Bond to be void; otherwise to remain in full force and effect.

In Testimony Whereof, We have hereto set our hands and affixed our seals, at Gallatin in said County, this 24th day of February, A.D. 1908.

J. A. Selby Seal
Boyd Dudley Seal
Homer Furt Seal

P. P. Doak

Judge of Probate.

In Vacation — March 30th 1908.

In the matter of the estate of Francis Marion Robinson, minor. } Choice of Curator —
Bond filed.

Comes now Francis Marion Robinson, minor heir of Theodore Robinson, deceased, and says ^{that he is 17 years of age,} that he has no Curator of his estate and requests the Judge of Probate to appoint his mother, Sarah Alice Robinson, to be his curator, and it appearing to said Judge of Probate that said minor lives with his said mother; that he has an undivided $\frac{1}{3}$ interest in 120 acres of real estate from which he should receive annual rents, and that he also has personal property of the estimated value of \$200⁰⁰ due from the estate of said Theodore Robinson, deceased, and accrued rents in the sum of \$76⁰⁰ which is now in the hands of said Sarah Alice Robinson and might be and ought to be placed at interest for the benefit of said minor; it is therefore ordered that said Sarah Alice Robinson be and she is hereby appointed Curator of the estate of said minor.

And she is required to enter into bond to the State of Missouri for the use and benefit of said Francis Marion Robinson, in the sum of One Thousand Dollars with two or more securities which shall be approved by the Court and conditioned for the faithful discharge of her duties according to law.

And comes now said Sarah Alice Robinson and files her said bond in said sum, with Leah Robinson and John W Meade as securities thereon, which bond is by the Judge of Probate approved.

F.P. Doak,

Judge of Probate.

In Vacation — March 30th 1908.

In the matter of the estate of Roy C. Dawson, Estel C. Dawson and Guy M. Dawson } Choice and appointment
Minor heirs of Mary Dawson, deceased } of Curator.
Bond filed

Whereas it has been made to appear to the Judge of the Probate Court that Roy C. Dawson, aged 19 years; Estel C. Dawson, aged 14 years; and Guy M. Dawson, aged 12 years

are children of Charles Dawson residing in Daviess County, Missouri, and of Mary Dawson, deceased, late of Daviess County, possess real estate in said ^{County} Daviess, which was inherited from their mother the said Mary Dawson, ~~Dawson~~, deceased, of the estimated value of \$1350.00; that they have no Curator of their estate, or any other person legally authorized to care for and to manage said estate, and the Judge of Probate having instructed said Roy C. Dawson and Estel O. Dawson, to appear and choose a curator of their estate, Now come said Roy C. and Estel O. and choose Jonathan B. Weldon, who is their brother-in-law to be their curator, and request the Judge of Probate to appoint him to said trust, And the father of said minors, the aforesaid Charles Dawson, having waived his right to said appointment and consented that the discretion of said Judge be exercised in said matter; it is therefore ordered that the choice of said Roy C. Dawson and Estel O. Dawson be and is hereby approved and confirmed; And it is also ordered that said Jonathan B. Weldon be and he is hereby appointed Curator for said Guy M. Dawson;

And comes now said Jonathan B. Weldon and accepts said Curatorship, and in compliance with the the requirement of Judge of Probate, files his Bond as such Curator in the sum of \$2500.00, Twenty-five Hundred Dollars, with James B. Weldon, and Geo. D. Weldon as securities thereon, Conditioned for the faithful discharge of his duties as said Curator according to law, which bond is by the said Judge approved.

And it is ordered that said Jonathan B. Weldon take charge of the estate of said minors and manage and care for the same as the law and order of the Court may direct,

C. P. Doak

Judge of Probate

In the Probate Court - In Vacation - March 3rd, 1908.

In the matter of the Estate of { Administration granted,
James L. McNeely, deceased }

Comes now John W. Meade, at the request of Creola Doak and Harley McNeely the heirs and distributees of the estate of James L. McNeely, deceased, and makes application for letters of Administration on the estate of said deceased, and having made affidavit that said Jas. L. McNeely died intestate in Daviess County February 25th 1908, leaving as his heirs the afore-

In Vacation — March 3-1908

Said Creola Doak, of Daviess County, Missouri; and Harley McNeely of Daviess County, Missouri, and that he will make a perfect inventory of and faithfully all the estate of said James L. McNeely, pay the debts as far as the assets will extend and the law direct, and account for and pay over all the assets of said estate that shall come to his possession or knowledge -

And it appearing that there is no distributee of said estate who is competent under the law to administer said estate, and said Judge having confidence in the ability and integrity of said John W. Meade to fill said trust, it is therefore ordered that he be, and is hereby appointed administrator of the estate of said Jas. L. McNeely, deceased, and that enter into Bond to the State of Missouri as such Administrator in the sum of Seven Hundred (\$700.00) Dollars, with two or more sufficient securities, and condition according to law.

And comes now said John W. Meade, and files his said Bond, in said sum of \$700.00 with E. D. Mann and R. M. Barnett as securities thereon, conditioned as the law directs, which bond is by the Judge of Probate approved.

And it is ordered that H. A. Pilcher and W. O. Fague be and are hereby appointed witness to aid said Administrator to make an inventory of said estate, and that said Administrator publish notice of the grant of letters on said estate in the Galatin Democrat as required by law,

P. P. Doak.

Judge of Probate.

In the Probate Court in Vacation March 7th, 1908.

In the matter of the Estate of (Will Probated and Letters granted,
William M. Wigger, deceased)

Now on this day an instrument of writing purporting to be the last will and testament of William M. Wigger, deceased, who departed this life on the 2nd day of March 1908, is offered for probate, and the Judge of Probate having seen and examined said instrument of writing, and having also heard the testimony W. C. Gillham and A. J. Place, two of the subscribing witnesses thereto in relation to the execution of the same, does declare and adjudge said

In Vacation — March 7, 1908

instrument of writing to be the last will and testament of William M. Wigger, deceased late of Daviess County, and orders the same admitted to probate and to be recorded as such.

Now comes Teresa C. Wigger, who is named as executor in said Will and makes affidavit as required by law and makes application for letters Testamentary upon said estate, and being the widow of said deceased, and by the provisions of said will entitled to a life estate in all the property thereof subject to the debts of said deceased, it is ordered that she be, and is hereby appointed Executrix of said estate, and that Letters Testamentary issue to her thereon.

And in as much as the Testator requested in his will that the Executor named therein be not required to give bond and no creditors or devisees appearing to the contrary it is ordered that no bond be required of said Executrix herein, and it is further ordered that E. A. Croy and Robert Musselman be and are hereby appointed witnesses to make an inventory of said estate.

P. P. Doak, Judge of Probate,

In the Probate Court In Vacation — March 9th, 1908,

In the matter of the estate of (Order to Dispense with ^{out} further
Wm. M. Wigger, deceased) Publications or settlements.

Comes now Teresa C. Wigger, ^{Executrix of Wm. M. Wigger, deceased,} and files herein the ^{said} Inventory of the property belonging to the estate of William M. Wigger, deceased, and also the appraisement thereof; And upon examination of said instruments it appearing to the Judge of Probate that the amount of property belonging to said estate is not greater than that allowed by statute to the widow as her absolute property free from the claims of creditors, and it further appearing to said Judge that by the provisions of the last will of said deceased, that all of said property was given to said widow to ^{be} used by her for ^{her} support and maintenance, during her natural life, or until her re-marriage, now, therefore it is ordered that said property be turned over to said Teresa C. Wigger, widow of said deceased, and that all further advertisements and settlements be dispensed with, unless upon the discovery of other property or for other Cause the Court should order otherwise.

P. P. Doak,
Judge of Probate

In Vacation — March 11-1908

In the matter of the estate of (Order for New Bond.
James Francis Ward, a minor)

Now on this day comes William H. Oram, Testamentary Guardian of said James Francis Ward, a minor, and shows to ^{the} Judge of Probate that since filing the inventory of his ward's estate, and since making his last annual Settlement of the same, that one of his bondsmen, viz: James Francis Ward, Sr. has died; and that by reason of the death of the said James Francis Ward, Sr., who was the Grand Father of ^{his} said ward, there is due to said ward from the estate of said deceased, additional assets of the estimated value of \$2200.00, and it thus appearing necessary that said William H. Oram, Guardian as aforesaid, be required to give a new bond as such guardian: it is therefore ordered that he enter into Bond to the State of Missouri for the use and benefit of said James F. Ward, with two or more securities, that shall be approved by the Court, in the sum of Eight Thousand Dollars (\$8000.00), conditioned for the faithful discharge of his duties as said Guardian.

And now comes said William H. Oram, and files herein his said bond in said sum of \$8000.00 with T.B. Yates and Rollin J. Britton as securities thereon, and conditioned as the law directs, which said bond is, by the Judge of Probate, accepted and approved.

P. P. Doak,

Judge of Probate,

February Adjourned Term - Monday - March 16 - 1908

Court met pursuant to adjournment - present P. P. Doak, Judge, and N. J. Hutchison, Sheriff, when the following proceedings were had, to wit: -

In the matter of the estate of } Judgment Establishing Will
William M. Wigger, deceased }

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 7th day of March, 1908, an instrument of writing purporting to be the the last will and testament of William M. Wigger, deceased, and attested by W. C. Gillihan, Lewis B. Gillihan and A. J. Place as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said William M. Wigger, deceased, and said Clerk proceeded to take the testimony of W. C. Gillihan and A. J. Place, 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 7th day of March, 1908.

And the Court having inspected said will, and seen and heard the testimony of W. C. Gillihan and A. J. Place 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 M. Wigger, deceased,

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

Ordered that Bond of Sarah Alice Robinson, as Guardian of the person and Curator of the estate of Frances Marion Robinson, a minor taken in vacation of this Court, to-wit: on March 3, 1908 be and the same is hereby approved, and her appointment as such Curator ratified and confirmed.

Ordered that the bond of Jonathan B. Meldon, as Curator of the estate Roy C. Dawson, Estel O. Dawson and Guy M. Dawson minors taken in vacation on March 3rd, 1908 be approved and that his appointment as such Curator be ratified and confirmed.

Ordered that the bond of John W. Meade, as Administrator of the estate James L. McNeely, deceased, taken in vacation on the 3rd day of March be approved, and that his appointment be ratified and confirmed.

February Adjourned Term - Monday - March 16th - 1908.

Ordered that bond of William H. Dorn Testamentary Guardian of James Francis Ward, a minor, taken in vacation of this Court on March 11th, 1908, be approved.

Estate of James L. McNeely, deceased } Demand allowed and classified
Jno W. Meade, Admr.

Comes now the firm of Scott & Dunn by C. W. Dunn, a member of said firm and present to the Court for allowance against said estate a Demand for thirteen and 25/100 dollars, founded on account for goods furnished funeral of said deceased, and service of notice being waived, and affidavit and proof made it is ordered that same be allowed against said estate in the said sum of \$13.²⁵ and assigned to the first class.

Estate of } Demand allowed and classed.
Jas. L. McNeely, deceased.

Come now Clark Bros. by S. J. Clark, member of said firm and present to the Court for allowance against said estate a Demand for \$46.⁵⁰ founded on account for Casket for said deceased - Service waived in writing, affidavit and proof made, it is ordered that said account be allowed in the first class.

Estate of James C. Whetstone, deceased } Allowance of Demand
Comes now the Pattonburg Mercantile Co. by J. L. McKinnis and presents to the Court for allowance against said estate a Demand for \$6.⁴⁰ founded on account for funeral furnishings for said deceased, service waived, and affidavit and proof made; it is ordered that same be allowed against said estate in said sum of \$6.⁴⁰ and assigned to Class One.

In the matter of Estate of } Allowance of Demand
James C. Whetstone deceased

Comes now Dr. S. S. Jarrett and presents to the Court for allowance against said estate a Demand for \$17.²⁵ founded on account for medical attendance during last sickness of deceased; service of notice waived in writing, affidavit and proof made, it is ordered that same be allowed against said estate in Class Two.

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In the matter of the estate of } Allowance of Demand.
Emma L. Johnson deceased }

Come now Bruzen and Britton, Assignees of the firm of Chapman and Company, and present to the Court for allowance against said estate a Demand for \$32⁵⁰ founded on account for merchandise, service waived, affidavit and proof made; it is ordered that same be allowed in Class five.

In the matter of the estate of } Allowance of Demand
D. D. Grove, deceased, }

Now Comes the International Harvester Co. by its Agent - H. F. Key and presents to the Court for allowance against the estate of D. D. Grove, deceased, a Demand for \$50.²⁵ founded upon a note given to said Co. by said deceased in his lifetime, and service of notice being waived in writing and affidavit and proof made, it is ordered that said Claim be allowed against said estate in Class 5.

Ordered that the bond of J. A. Selby, as Guardian of Samuel Hershberger, an insane person, taken in vacation on the 24th day of February, 1908, be approved, and his appointment ratified and confirmed.

In the matter of the estate of } Final Settlement and distribution
Sarah M. Nynn, deceased } Partial Discharge

Comes now John W. Meade, and files his final settlement as administrator of the estate of Sarah M. Nynn, deceased, by which it appears that the balance of assets in the hands of said Administrator is \$330.⁰⁰, and it appearing that all the debts against said estate have been paid, and that said estate is fully administered, and that proof has been made of the publication of final settlement notice; it is therefore ordered that said ^{Final} settlement be approved and recorded; and that said balance be distributed among the heirs of said deceased as follows:—

To B. M. Nynn the sum of	\$53.35
" Ida O. Fox " " "	53.35
" John Nynn " " "	53.35
" Elvira Walls " " "	53.35
" Carrie Smith " " "	53.35
" Melvin Nynn " " "	53.35

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and it is further ordered that said Administrator pay the said distributees their respective shares of said estate, and that he file their receipts herein, and that upon the filing of said receipts he shall be entitled to a discharge.

And now Comes said Administrator and files the receipts of the following distributees for their shares in accordance with the above distribution: — The receipts of

B. W. Wynn of Jamesport for the sum of \$53.35;
 of Ida O. Fox of Platte City " " " " \$3.35;
 John Wynn of Jameson " " " " \$3.35;
 Elvira Walls " " " " \$3.35;

and of Carrie Smith of Independence for the sum of \$3.35;

and it is ordered that said John W. Meade be discharged as to said B. W. Wynn, Ida O. Fox, John Wynn, Elvira Walls and Carrie Smith.

In the matter of the Estate of (Final Settlement and discharge
 Oliver Goins, a minor)

Comes now E. M. Foley, Jr. guardian of said Oliver Goins, and Comes now, also his ward, and represents and shows to the Court that he, the said Oliver Goins 21 years of age, whereupon said Guardian proceeds to make his final settlement of his accounts with ^{his} said ward, which said settlement shows a balance due said ward of the sum of \$26.68, which said ward receipts the said Guardian for in open Court as follows: —

\$26.68/100 Received of Elijah M. Foley my Guardian the sum of Twenty six & 68/100 Dollars in full of Amount due me on final settlement of my said Guardian, and I hereby declare that I am (21) twenty one years of age of age and fully competent and authorized to receive the same, and I further waive the filing of Exhibit and notice upon me as required by law, and hereby enter my appearance as fully as if notified according to law and agree to the correctness of the above and all former settlements of my said Guardian and hereby consent that he be forever discharged from all further liability to me as such Guardian

Oliver Goins

And the Court approving said Final Settlement it is ordered that it be recorded, and that said Guardian be discharged,

February Adjourned Term — Monday — March 16 1908

In the matter of the estate of } Order of renewal of Order of Sale of real estate,
Thomas B. Jackson, deceased }

Comes now Martha S. Jackson, Administratrix of Thomas B. Jackson deceased, by her attorney J. A. Selby and represents to the Court that she has been unable to sell the real estate contained in the order of sale made by this Court at its November term, 1908, and prays the Court to make an order renewing said Order of sale:

It is therefore ordered that said order of sale of the real estate described in the aforesaid order of sale be in all things renewed, and that said Administratrix report the sale of said real estate to this Court at its next term.

In the matter of the estate of } Order renewing Order of Sale,
Amanda M. Lord, deceased }

Comes now S. A. Lord, Administrator of the estate of Amanda M. Lord deceased and represents to the Court that he has been unable to sell the real estate of said deceased, pursuant to the Order of this Court made at the May Term 1907, there of and renewed at the August and November terms, 1907, and asks that said order of sale be again renewed.

It is therefore ordered that the aforesaid order of sale of real estate be in all things again renewed, and that said Administrator report said sale to this Court at the next Term thereof.

In the matter of the estate of } Public Administrator ordered
John D. James, deceased } to take charge,

Now at this day it appearing to the Court that the Citation issued on January 15th 1908 to Sarah Jane James widow of John D. James, deceased to appear and qualify for administration of the said estate has been duly served on said Sarah Jane James, as appears by the return of said Citation, duly certified by H. F. Whitt, Deft Sheriff of Daviess County, and said Sarah Jane James having failed to qualify as administrator of said estate, though several weeks have elapsed since the return of said Citation.

It is therefore ordered that George U. Norton, Public Administrator ^{of Daviess County, Missouri,} take charge of said estate and administer the same according to law.

Adjournd
February Term — Monday — March 16 - 1908.

and that letters of Administration on said estate issue to said George U. Norton, Public Administrator as aforesaid, and John D. Henderson and W. E. Blackburn are appointed witnesses to assist said G. U. Norton make inventory of said estate.

In the matter of the Estate of (Order revoking letters,
Mrs. Malinda Anderson, deceased)

Now at this time comes A. B. Evans Administrator of Malinda Anderson, deceased and represents and shows to the Court, that the assets of said estate consisted of about \$2400 on deposit in a Bank in the State of New York; that the Certificate of ^{said} deposit is assigned to H. H. Evans, in trust, with power and authority to settle her said estate as may to him seem proper and right, and that therefore said assets cannot be gotten in possession by him, the said A. B. Evans, and that there is no available estate to administer, wherefore, he moves that Letters of Administration upon said estate be revoked, and that he be discharged from further liability as such Administrator.

And the Court having heard the evidence in relation to said matter, and being satisfied that there is no available estate of said Malinda Anderson to administer;

It is therefore Ordered that the Letters of Administration on said estate be and are hereby revoked, and the said A. B. Evans, is discharged herein as such Administrator,

In the matter of the Estate of (Final receipts filed -
Lillitha McDow deceased)

Comes now W. C. Gillham, Executor of the last will of Lillitha S. McDow deceased and files the receipts of Lillitha Lena Casebolt for one dollar specific legacy and of O. E. Worley Curator of Alma, Osborn and Francis Worley, minor children of Claude Worley, deceased, for one dollar, specific legacy, and it is ordered that said executor be discharged as to said Lillitha Lena Casebolt and said Alma, Osborn and Francis Worley.

In the matter of the Estate of (Final receipt filed and dis-
Grace M. Hamel, a minor) Charge of Curator as to said minor

Now Comes Sadie A. Hamel Curator of Grace M. Hamel and files final receipt, properly executed, of said Grace M. Hamel, and it is ordered that said Curator be discharged as to said Grace M. Hamel.

February Adjourned Term Monday March 16, 1908.

In the matter of Estate of (Receipts filed under order of partial distribution
James Vaughn, deceased)

Comes now James M. Royston Exr. of last will of James Vaughn, deceased, and files the receipts Charlotte Wager, James M. Beard and James M. Sharrah for \$400.00 each, as partial distribution of said estate made in pursuance of ^{an order of} this Court,

Ordered that the 1st annual Settlement of Thomas H. Hicklin Curator of the estate of Marie Hammer, et al, minors, this day filed be approved and recorded,

In the matter of the estate of (Order of Sale of Real Estate
William ^{M.} Hannah, Insane)

On this day Comes ^{Alvin} S. Hannah, Guardian of the person and estate of said William ^{M.} Hannah, an Insane person, and files his petition for the sale of real estate of his ^{said} ward described as follows, to-wit:

Lots Thirteen (13) and Fourteen (14) in Block Two (2) in Allenwood Addition to the City of Bethany, in the County of ~~Harison~~ ^{Harold} M. Hannah, and State of Missouri. And says that said ^{M. Hannah} is now confined in State Hospital No. 2 for insane at St Joseph, Mo., and that he has been so confined since January 17, 1903; that he is said to be hopelessly insane; that he has no personal property, whatever for care and support; that the aforesaid lots are unimproved and that they yield, practically no income in the way of rents; that they can, in his judgment, be sold for about \$150.00, and that it would be for the best interest of his ward to sell said lots and use the proceeds thereof for the care and support of his said ward.

And the Court having heard said petition 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.

Ordered that 1st Annual Settlement of W. B. James, Adm'r of estate of Hannah M. Frasier deceased be continued to the May term 1908

February Adjourned Term - Monday - March 16th, 1908.

In the Matter of the estate of (Administration granted,
James M. Goins, deceased)

Now Comes E. M. Foley, Jr., and prays the Court for letters of administration on the estate of James M. Goins, deceased, and having filed his affidavit as required by law, showing that said James M. Goins departed this life in Daviess County, Mo, on the day February, 1908, intestate, leaving the following Children and heirs at law, residing as follows, to wit: - John B. Goins, residing in the County of Caldwell, in the State of Missouri; Bluford Goins, who resides at Leroy in the State of Oklahoma; James W. Goins, who resides in the County of Daviess, in the State of Missouri; Mary Mann, who resides in the State of Kansas; and the Minor heirs of Mrs John Bennett, deceased, whose residences are unknown at the present time; and stating that he will make a perfect inventory and faithfully administer the estate, pay the debts as far as the assets will extend and law direct, and account for and pay over all assets which shall come to his knowledge and possession. And it appearing to the Court that said James M. Goins died possessed of property of the probable value of \$2000.00, and that John B. Goins and James W. Goins, the only persons having a prior right as next of kin, have relinquished said right to letters, and the Court reposing confidence in said E. M. Foley, Jr., as being a suitable person for said trust: it is ordered that letters of administration on said estate be granted, and issue to said E. M. Foley, Jr., provided said E. M. Foley, Jr., enter into bond to the State of Missouri as such administrator, with two or more sufficient securities, in the sum of \$4000.00, Conditioned according to law,

And Comes now said E. M. Foley, Jr., and files said bond in the sum of \$4000.00, with John N. Meade, E. D. Mann and Homer Feurt as securities thereon, and conditioned as the law directs; which said bond is by the Court ordered approved and recorded. And it is ordered that and
be and are hereby appointed witnesses to accompany and aid said administrator to examine the papers of said deceased and to make an inventory of all the property belonging to said estate, and that said administrator publish notice of the grant of said letters as the law requires.

February Adjourned Term — Monday — March 16th, 1908,

In the matter of Nancy J. Lord, } Application for Discharge.
An Insane person,

Now this comes Samuel J. Lord, and shows to the Court that Nancy J. Lord was on the 30th day of January, 1903, declared insane by the Probate Court of Daviess County, and Samuel A. Lord was thereupon appointed her guardian, and duly qualified as such; that said Nancy J. Lord has now, as this applicant verily believes, been restored to her right mind, and ought to be discharged from the care and custody of her said guardian, and restored to her rights over her person and property.

Wherefore said Samuel A. Lord, prays the Court that the facts may be inquired into by the Court, and that such order and decree may be made as shall be warranted by the finding of the Court.

And the Court having heard said petition, and the evidence in relation to said matter, and being satisfied that said Nancy J. Lord has been restored to her right mind and that she is capable of managing her own affairs, it is therefore ordered and adjudged by the Court that said Nancy J. Lord is of sound mind and capable of managing her own affairs, and that she be and is hereby discharged from the further care and control of her said guardian and restored to ^{her} rights over her person and property.

In the matter of the Estate of (Choice and Appointment
Harry R. Wells and Leander Wells, Minors) of Curator.

Come now Harry R. and Leander Wells, minor heirs of Leander S. Wells, deceased, who are above the age of (14) fourteen years, and being directed to Choose a Curator of their estate to fill the vacancy in said office by reason of the removal from the State of their former Curator, J. C. Stovall. And said minors Choose James O. Wallace of Jamieson, Mo. to be their said Curator subject to the approval of the Court, and it is ordered by the Court that said James O. Wallace be and is hereby appointed Curator of said Minors, and that he enter into bond to the State of Missouri for the use and benefit of said Minors in the sum of \$5000.00 with two or more securities to be approved by the Court.

February Adjourned Term - March 16th - 1908.

Ordered that the final settlement of J. C. Stovall, Curator of the estate of Harry R. and Leander Wells, set for this day - be continued to Wednesday the 8th day of April, 1908.

In the matter of the Estate of } Allowance and Classification of Demand,
Robert Rader, deceased }

Comes now Raymond Wade and presents to the Court for allowance against said estate a Demand in the sum of \$564⁰⁰ founded on four promissory notes, as follows:

No. 1. for \$5⁰⁰ to B. F. Wade, Jr. Date Oct. 5-07 - three months after date - Interest 8% from maturity - interest and Principal - 5.25
No 2 - for \$15⁰⁰ to Trustees M. E. Church Parsonage, date July 13-07 due Jan 13-08 - Interest 8% from maturity - Prin & int 15.75
No. 3 for \$10⁰⁰, date Aug 3-07, due Feb. 3-08 - 8% from due, Prin & int 10.50
No 4 for \$23⁹⁰ - Aug 13-07 date; due Feb 13-08, 8% from due - Prin & int 23.90
Nos. 3 & 4 were given to the Locks Springs Bank; service of notice waived in writing and affidavit and proof made - It is ordered that said demand be allowed against said estate in the sum of \$564⁰⁰ and assigned to Class No. 5;

Ordered that 1st Annual Settlement of Martha L. Jackson Curator of Martha & Florence Green be continued to May term 1908

In the matter of the estate of } Order to pay Legatees
Joseph H. Knott, deceased }

Comes now Jas. A. Knott, Executor of the last will of said deceased and says that he has on hands the sum of \$347⁰⁰ which will not be needed to pay the debts of said estate and asks the Court to make an order directing him to pay the following legatees as per the provisions of said will, viz: - To Ross Knott \$86.75; To Doyle Knott, \$86⁷⁵; To Russel Knott \$100⁰⁰ less than to the others; to Waller Knott \$86⁷⁵ and to Wood Knott \$86.75; and the Court having heard said petition and the evidence in relation thereto and being satisfied that said order will not prejudice the rights of others interested in said estate it is ordered that he ^{the said Exr.} pay said legatees said sums.

Ordered that Court adjourn till the 8th day of April at 9 O'clock, A. M.

P. P. Doak, Judge

In Vacation — March 25-1908.

In the matter of the estate of { Bond filed -
Harry R. and Leander Wells, minors }

Comes now James O. Wallace and files his bond as Curator of Harry R. Wells and Leander Wells, minors, in the sum of \$5000.00 with J. W. Gillespie, E. G. Walton and J. F. Brown as securities thereon, and conditioned for the faithful discharge of his duties as said Curator, according to law, and said bond is by the Judge of Probate approved, and said guardian having qualified according to law it is ordered that he take charge of said estate and manage the same as the law and order of the Court may direct,

P. P. Doak,

Judge of Probate.

In the Probate Court In Vacation — March 26-1908

In the matter of the estate of { Affidavit Alleging Waste,
William H. Deskins, deceased }

Now this day Comes Chas. E. West, and files his Affidavit stating that he is one of the securities on the bond of Edward F. Deskins, Administrator of the estate of said deceased, and that he has cause to believe and does believe that said Edward F. Deskins is insolvent and wholly irresponsible; and that he is wasting the assets of said estate by converting the same to his own use.

Wherefore affiant asks the Court to examine into his complaint, and if the same be found to be ^{just and} true, that his letters be revoked, or that he be required to give a new bond with sufficient security.

And the Judge of Probate believing that such examination into said complaint ought to be made; it is ordered that said matter be examined into by the Court on Wednesday the 8th day of April, 1908, at the February Adjourned Term of said Court set for that day.

P. P. Doak

Judge of Probate

In the Probate Court - In Vacation - March 30 - 1908.

In the matter of the Estate of { Will probated.
Ephraim Kuhns, deceased }

Now on this day an instrument of writing, heretofore filed, purporting to be the last will and testament of Ephraim Kuhns, deceased, who departed this life on the day of , 1908 is offered for Probate, and the Judge of Probate having seen and examined said instrument of writing, and having also heard the testimony of Jacob H. Klepper and Carl Steward 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 Ephraim Kuhns, deceased late of Daviess County, Missouri, and orders the same admitted to probate and to be recorded as such.

And come now Lawson N. Pennington and Daniel Triem who are named in said will as Executors thereof, and make affidavit, and make application for letters testamentary upon said estate, and the Judge of Probate having confidence in said Lawson N. Pennington and Daniel Triem as being suitable and competent persons for said trust: it is therefore ordered that they, the said Lawson N. Pennington and Daniel Triem be and they are hereby appointed Executors of said estate, and that letters testamentary issue to them on the same - provided the said Lawson N. Pennington and Daniel Triem enter into bond to the State of Missouri as such Executors, in the sum of \$4000.00 with two or more sufficient securities, and conditioned according to law.

P. P. Doak.

In

Judge of Probate.

In Vacation - April 3rd, 1908

In the matter of the Estate of { Bond filed - Letters Issued,
Ephraim Kuhns, deceased }

Come now Lawson N. Pennington and Daniel Triem and file their bond as Executors of the Estate of said Ephraim Kuhns, deceased, in the sum of \$4000.00 with T. H. Black and Laura B. Pennington as securities thereon, and conditioned as the Statute directs, and it is ordered that

said bond be approved, and that letters issue in pursuance of the order on March 30th made,

And it is further ordered that Richard Hudson and H.C. Kelso be and they are hereby appointed as witnesses to accompany and aid said Executors to examine the books and papers of said deceased, and to make an inventory of all the property of said estate, and that said Executors publish notice of the grant of said letters in some newspaper published in Daviess County as the law requires.

P. P. Doak,

Judge of Probate.

In the Probate Court in Vacation - March 31st, 1908.

In the matter of the Estate of (Will filed - Commission to prove will,
Margaret Cornelius, deceased)

Now on this day an instrument of writing signed by Margaret Cornelius, and purporting to be the last will and testament of Margaret Cornelius, deceased, is filed in the office of the Probate Court to be proved and admitted to probate, and it appearing to the Judge of Probate that R. C. Clevinger, one of the subscribing witnesses to said will is now a resident of Harris in the State of Kansas, it is therefore ordered that a Commission to take proof of said R. C. Clevinger issue.

P. P. Doak

Judge of Probate

February Adjourned Term — April 8. 1908.

Court met pursuant to adjournment; present O. P. Doak, Judge and W. D. Hutchison, Sheriff when the following proceedings were had, to-wit:

Ordered that the bond of James O. Wallace as curator of the Estate of Harry R. and Leander Wells taken by the Judge of Probate in vacation, to-wit: March 25, 1908, be and the same is hereby approved, and the appointment of said Jas. O. Wallace ratified and confirmed.

Ordered that the bond of Lawson W. Pennington and Daniel Triem as Executors of the last will of Ephraim Kuhns, deceased, filed herein, on the 3rd instant, be and the same is hereby approved by the Court and their appointment ratified and confirmed.

In the matter of the Estate of (Administration granted,
James H. Nickerson, deceased)

Comes now William N. Githens and makes application for letters of administration upon the estate of James H. Nickerson who departed this life intestate in Daviess County on the 30th day of March, 1908; and said Wm. N. Githens having made affidavit as required by law, ^{and} Mary D. Nickerson, the Widow and J. C. Nickerson a son of said deceased having renounced all claims to letters on said estate, and it appearing to the Court that said Wm. N. Githens is a suitable and competent person to administer said estate, it is ordered that letters be granted and issue to said Wm. N. Githens thereon and that he enter into bond to the State of Missouri as such Administrator in the sum of Nine Thousand Dollars with two or more securities, and conditioned according to law.

And now comes said William N. Githens and files his bond in said sum of Nine Thousand Dollars, with B. A. Prichard, J. B. Handy and A. D. Rowland as securities thereon and conditioned as the law directs. And it is ordered by the Court that said bond be and the same is hereby approved, and it is further ordered that F. L. Read and J. A. Macrauder be and are hereby appointed witnesses to make an inventory of said estate, and that notice of the