

Record Book

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**August 29, 1908-
February 8, 1909
(Pages 501-600)**

August Adjourned Term — Saturday — August 29-1908

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 she report the same to this Court.

In the matter of the estate of (Final Settlement and Discharge.
Nancy Belle Goodwin, deceased)

Comes now Geo. W. Norton, Public Administrator, having in charge the estate of said deceased, and files his final settlement of same, from which it appears that there is no balance in his hands to distribute - and proof of final notice made it is ordered that said final settlement be approved and recorded, and that said Administrator be discharged.

Ordered that the first Annual Settlement of Robert E. Maupin, Executor of last will of James Roper, deceased, this day filed be approved and recorded.

Estate of Everett Hannah, deceased (Demand allowed and Classified
R. F. Hannah, Administrator)

Comes now Dr. C. A. Martin and presents to the Court for allowance against said estate a demand for \$74.²⁵ on acct. of Medical services rendered deceased in his life time - Service of notice being waived in writing and Affidavit and proof made, it is ordered that same be allowed in the above sum and assigned to class five

Estate of Everett Hannah (Demand allowed -
deceased -

Comes Dr. J. B. Graham and presents to the Court for allowance against said estate a Demand for \$74.²⁵ on acct. of professional services rendered, deceased, Service of notice being waived and Affidavit and proof made it is ordered that same be allowed in the sum of \$74.²⁵ as a fifth Class demand against said estate.

Estate of Everett Hannah deceased (Allowance of Demand,
R. F. Hannah, Admr.)

Now Comes Dr. E. H. Wagoner and presents to the Court for allowance against said estate a Demand for \$32.⁴⁵ founded upon account; and

August Adjourned Term - Saturday - August 29th, 1908.

Service of notice being waived in writing and affidavit and proof made - it is ordered that said sum of \$32.⁴⁵ be allowed against said estate as a fifth class demand

Estate of Everett Hannah, deceased, } Allowance of demand.
R. F. Hannah, Admr.

Comes now Lester Pettijohn and presents to the Court for allowance against said estate a demand for \$12.⁵⁰ on acct. for services at funeral of deceased - Service of notice waived in writing and affidavit and proof made it is ordered that same be allowed in above sum as a first class demand against said estate.

Estate of Everett Hannah, decd } Demand allowed.
R. F. Hannah Admr.

Now comes R. A. Wilson and presents to the Court for allowance against said estate a demand for \$5.⁵⁰ founded on account - Service waived in writing and affidavit and proof made - it is ordered that same be allowed as fifth class demand against said estate in the sum of \$5.⁵⁰

Estate of Everett Hannah, deceased } Demand allowed
R. F. Hannah, Admr.

Come now Scott and Dunn and present to the Court for allowance against said estate a demand for \$28.⁴⁵ founded on account and service being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate as a fifth class demand, in the sum of \$28.⁴⁵,

Estate of James Roper, deceased, } Demand allowed.
Robert E. Maupin Executor

Now comes Jno. C. Gough, and presents to the Court for allowance against said estate a demand for \$42.⁰⁰ - Service of notice waived in writing, and affidavit and proof made it is ordered that said account be allowed in class one.

Estate of D. A. Miller, decd, } Demand allowed.
Mrs. Minnie E. Miller, Admr.

Comes now the Mount Morris College Co. by the Agent Lohman and presents to the Court for allowance against said estate a demand for \$440.¹⁵, founded a note for \$425.⁰⁰ and \$15.¹⁵

August Adjourned Term - Saturday - August 29th, 1908.

accrued interest - service of notice being waived in writing and affidavit and proof made it is ordered that said note be allowed in the sum of \$440.15 as a fifth class demand against said estate.

Estate of David A Miller } Demand allowed
Deceased

Comes now Lucy A. Metz and presents to the Court for allowance against said estate a demand for \$1143.54 founded on two promissory notes - Note 1. for \$400.00 principal, and 8 months and 10 days accrued interest at 8% = \$19.16, and note 2, principal \$700.00; Int. 7 mon. and 10 days at 7% = \$24.28 - Service of notice being waived in writing, and affidavit and proof made - it is ordered that same be allowed against said estate in the sum of \$1143.54 and that it be assigned to Class five

In the matter of Est. of } Allowance of Demand
David A. Miller, decd }

Comes now Henry Etter and presents to the Court for allowance against said estate a demand for \$727.88; as follows: -

Note - Principal \$700.00; Interest 7 months 29 days at 6% = \$27.88.

Service of notice being waived in writing and Affidavit and proof made: it is ordered that said demand be allowed against said estate in the sum of \$727.88, and that same be assigned to the Fifth Class.

Est. of D. A. Miller, deceased } Demand allowed

Comes now J. N. Dillard and presents to the Court for allowance against said estate a demand for \$1015.76 on acct. of note for \$1000.00 and three months and 7 days accrued interest at 6% = \$15.76. And ^{service of} notice ~~of~~ ^{being} waived in writing, and affidavit and proof made it is ordered that said sum of \$1015.76 be allowed against said estate as a fifth class demand.

Est. of D. A. Miller deceased } Allowance of demand

Comes now the Farmers Bank of Cameron, Mo. and presents to the Court for allowance against said estate a demand for \$465.22 on note. Principal \$450.00 and 5 months and 24 days accrued interest at 7% = \$15.22. And service of notice being waived in writing and affidavit and proof made it is ordered that the sum of \$465.22 be allowed as a fifth class demand against said estate.

August Adjourned Term — Saturday — August 29th. 1908.

In the matter of Estate of } Demand allowed.
David A Miller decd)

Comes now the Waterloo National Bank, Waterloo, Iowa, and presents to the Court for allowance against said estate a demand for \$208.89. On note prin \$200.00 Int. @ 8% for 6 months and 29 days = \$8.64 And Notary fee \$1.25, And service of notice being waived in writing and Affidavit and proof made it is ordered that said Claim of \$208.89 be allowed as a fifth class demand against said estate.

In the matter of the estate of } Demand allowed.
David A. Miller, deceased.)

Comes now Chas. A. Metz and presents to the Court for allowance against said estate a demand for \$83.15 on two notes. Principal of Note 1, \$30.00; Interest @ 7% for 8 months \$1.40 = \$31.40
Principal " 2 \$50; " " 7% " 6 " 1.75 = 51.75
Service of Notice being waived in writing and Affidavit and proof made, it is ordered that the sum of \$83.15 be allowed against said estate on same, and that said demand be assigned to the fifth class

In the Matter of the Estate of } Order of Publication
Conrad Smith, deceased)

Now at this day comes, by its Attorneys, Cruger and Britton, the Citizens State Bank of Altamont, Mo., a creditor of the estate of Conrad Smith deceased and presents to the Court its petition praying for the sale of so much of the real estate of said deceased, as will pay and satisfy the remaining ^{debts} due by said estate, and yet unpaid for want of sufficient assets, accompanied by the accounts, lists and inventories, required by law in such cases, on examination whereof it is ordered that all persons interested in the estate of said deceased be notified that application as aforesaid has been made, and that unless the contrary be shown on or before the first day of the next Term of this Court, to be held on the 2nd Monday of November, 1908, an order will be made for the sale of the whole or so much of the real estate of said deceased as will be sufficient for the payment of said debts, and it is further ordered that this Notice be published in 'The North Missourian', a newspaper published in this County and State, for four weeks before the next term of this Court,

1908,

August Adjourned Term - Saturday - August 29th, 1908.

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

In the matter of the estate of } Demand allowed,
Martha H Compton, deceased }

Comes now Maude Compton and presents to the Court for allowance against said estate a demand for \$132.⁶⁵ on note principal \$100.⁰⁰ and interest at 8% for 3 years and 4 months - \$32.⁶⁵; And service of notice being waived in writing, and affidavit and proof made it is ordered that said demand in the sum of \$132.⁶⁵ be allowed against said estate, and that it be assigned to fifth Class.

In the matter of the estate of } Demand allowed,
Harry Nickerson deceased }

Comes now John Buren and presents to the Court for allowance against said estate a demand for \$124.⁵⁰ on account of funeral of deceased, and service of notice being waived in writing and affidavit and proof made, it is ordered that said account be allowed in the sum of \$124.⁵⁰, against said estate and assigned to the first Class,

Estate of Wm. H. Deskins, deceased, } Demand allowed
Edward F. Deskins, Admr. }

Comes now Dr. Lee of Weatherby, and presents to the Court for allowance against said estate a demand for \$30.⁰⁰ on acct. of medical attendance upon deceased during last illness, service of notice waived in writing and affidavit and proof made it is ordered that same in sum of \$30.⁰⁰ be allowed against said estate, and assigned to the second Class,

In the matter of the Estate of } Demand Allowed
Everett Hannah, deceased }

Comes now Clark Bros. and present to the Court for allowance against said estate a demand for \$42.⁰⁰ on account of Casket for deceased. Service of notice waived and affidavit and proof made. it is ordered that same be allowed against said estate in sum of \$42.⁰⁰ as first class demand.

it be assigned to fifth Class.

Carl Gantg,
vs.

Continuance.

Estate of W.H. Deskins, deceased)

Now on this day comes said Carl Gantg,
and E.F. Deskins, Administrator of said Es-
tate - Whereupon said E.F. Deskins, Administra-
tor as aforesaid announces that he is not
ready for the trial of said Cause and
asks for a continuance of the same, and
it appearing to the Court that there are good
reasons for a continuance, it is therefore order-
ed that said Cause be continued to the November
Term 1908, of this Court.

Comes now Clark Bros. and present to the c

August Adjourned Term — Saturday — August 29th 1908,

In the matter of the Estate of (Order of Publication,
David A. Miller, deceased.)

Now at this day comes Mrs. Minnie E. Miller, administratrix of the estate of David A. Miller, deceased, and presents to the Court her petition praying for the sale of so much of the real estate of said deceased as will pay and satisfy the remaining debts due by said estate, and yet unpaid for want of sufficient assets, accompanied by the accounts, lists and inventories, required by law in such cases, on examination whereof it is ordered that all persons interested in the estate of said deceased be notified that application as aforesaid has been made, and that unless the contrary be shown on or before the first day of the next term of this Court, to be held on the 2nd Monday of November, 1908, an order will be made for the ^{sale of the} whole or so much of the real estate of said deceased as will be sufficient for the payment of said debts, and it is further ordered that this notice be published in the Winston Sentinel, a newspaper published in this County and State, for four weeks before the next term of this Court, and that personal service of this notice be made on the heirs and devisees of deceased, resident in said County, at least ten days before the next term of this Court.

In the matter of the estate of (Final settlement and discharge,
Alva Prindle, ^{a minor,} _(now of age))

Comes now Stephen A. Wright, Curator of Alva Prindle, a minor who has attained his majority, and submits to the Court for approval of his final settlement with said ward which shows a balance due to said ward of \$86.⁷¹, and comes also, said Alva Prindle and enters his appearance in open court, and in writing waives service of any notice of any kind, of this settlement, or of the necessity of making and filing any exhibit for this final settlement or of service of any notice of such exhibit, and accepts, and receipts for said balance of \$86.⁷¹ as being in full payment and satisfaction of all claims for money or property due to him by his said Curator, and consents to the discharge of said Curator by this Court. And the Court having examined said final settlement and finding it correct it is ordered that same be approved and recorded, and that said Curator be discharged herein as to said Alva Prindle.

August Adjourned Term - Saturday - August 29th. 1908.

In the Matter of the Collateral Inheritance Tax
upon the estate of
Walter Nevins, 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 parties liable therefor, and the amount of said tax, is as follows:

Beneficiary	Address	Cash value of interest	Amount of tax
Robert Nevins	Purcell, Okla.	\$ 300 00	\$ 15 00
Mrs. Buzard	Golden City, Mo.	300 00	15 00
Miss Nettie Nevins	Supposed to be somewhere in the State of Texas	300 00	15 00

In the Matter of the Collateral
Inheritance Tax upon the
Estate of Sarah A. Orcutt 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 16, of the Revised Statutes of Missouri, 1899, the parties liable therefor, and the amount of said tax, is as follows:

Beneficiary	Address	Cash value of interest	Amount of Tax
Mollie E. Orcutt		\$ 381 00	\$ 19 05
C. E. Orcutt		57 00	2 85
Lillie K. Orcutt		57 00	2 85
Eva Meahl		57 00	2 85
Edna Orcutt		57 00	2 85
Harry C. Orcutt		57 00	2 85
Fred C. Orcutt		57 00	2 85
Ralph E. Orcutt		57 00	2 85

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

In the Probate Court—In Vacation—Sept. 14-1908.

In the matter of the estate of }
Roy Whetstone and John } Choice and Appointment of Guardian
Whetstone, Minors. } and Curator

Now this day come Roy Whetstone and John Whetstone and represent and show to the Judge of Probate that they are minor heirs of James Whetstone deceased, aged respectively 20 years and 18 years; that they are two of the four heirs of said James Whetstone, the others being of age; that said James Whetstone died seized of a certain 80 acres of land; and that they desire to have a guardian appointed to represent them in renting and looking after their interest in said land; that they have chosen their friend Edward Jenkins to be their said guardian and request said Judge to appoint him, the said Edward Jenkins to said guardianship, which choice being approved by said Judge it is therefore ordered that said Edward Jenkins be and is hereby appointed Guardian and Curator of the persons and estates of said Roy Whetstone and John Whetstone minors as aforesaid, and that before entering upon the duties of said guardianship he be required to enter into bond to the State of Missouri for the use and benefit of said Roy Whetstone and John Whetstone in the \$300.00, with two or more securities to be approved by the Court, and conditioned as the law directs.

P. P. Doak,

Judge of Probate.

In the Probate Court—In Vacation—September 16-1908

In the matter of the estate of } Administration granted.
Jacob Ramey, deceased }

Comes now E. M. Street and makes application for letters of administration upon the estate of Jacob Ramey, deceased, and makes affidavit as required by law, and says that, to the best of his knowledge and belief, the names of the heirs of the said Jacob Ramey deceased, and their places of residence, are respectively as follows:

John W. Ramey, who resides in the County of Saline, in the State of Kansas; Ollie Dillingham, Cora Reece, Martha Ramey,

Thomas Ramey and William Ramey, who are children of M. H. Ramey, deceased, and grand children of said Jacob Ramey, deceased - their places of residence being unknown at present; Benjamin S. Ramey, who resides in the County of Comanche, in the State of Okla.; and Mary E. Culver, who resides in the County of Daviess, in the State of Missouri; that the said Jacob Ramey died, without a will, on the 8th day of September, 1908; 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 knowledge or possession.

And it appearing to the judge of Probate that there is no one by statute competent to administer said estate by reason of being distributees thereof, who is resident of this state, and that said E. M. Street is a suitable person for such trust, it is ordered ^{that} letters of administration upon said estate be granted and issue to said E. M. Street, and that he enter into bond to the State of Missouri as such administrator in the sum of \$4000.00, with two or more good and sufficient securities, and conditioned according to law.

And now comes said E. M. Street and files said bond in the sum of \$4000.00 with Jas. H. Heath and Rollin J. Britton as securities and conditioned as the law directs, which bond is by the judge of Probate approved, and it is ordered that Jas. H. Heath and L. A. Plowman be, and they are appointed witnesses to accompany and aid said Administrator to make an inventory of all the property of said estate, and that said Admr. publish notice of the grant of said letters as the law directs.

P. P. Doak

Judge of Probate

In the Probate Court - In Vacation - September 17, 1908

In the matter of Estate of (Will probated
Mary P. A. Carey, deceased.)

Now on this day an instrument of writing, ^{heretofore filed, herein, and} purporting to be the last Will and Testament of Mary P. A. Carey, deceased, who departed this life August 30, 1908, is produced before the Judge of Probate to be admitted to probate and to record, and said Judge ^{seen and} having ^{examined} said instrument of writing, and having also, seen and heard the testimony of Geo. T. Crozier and Boyd Dudley, two of the subscribing witnesses thereto in relation to the execution of the same does declare and adjudge said instrument of writing to be the last will and testament of Mary P. A. Carey, deceased, late of Daviess County, and it is ordered that same be admitted to probate and record as such.

P. P. Doak

Judge of Probate

In Vacation - September 23rd, 1908

In the matter of the estate of (Administration granted
John H. Miller, deceased.)

Comes now Geo. W. Markham and makes affidavit as required by law, and makes application for letters of administration upon the estate of John H. Miller, deceased, and says that said John H. Miller died in Daviess County, Missouri, August 28, 1908, without a will, leaving Alice M. Markham of Daviess County Missouri as his only heir; that he will make a perfect inventory of and faithfully administer all the estate of said deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all the assets which shall come to his possession or knowledge. And the Judge of Probate having confidence in said Applicant as suitable and competent for said trust it is ordered that letters be granted and issue to said G. W. Markham upon the estate of said John H. Miller, provided he enter into Bond to the State of Missouri, with two or more securities to be approved by the Court in the sum of \$2500⁰⁰ and conditioned according to law.

And now comes said G. W. Markham and files his bond in the said sum of \$2500⁰⁰ with R. E. Maupin and Jno. T. Gough as securities thereon, and conditioned

as the law directs, and said bond is by the Judge of Probate accepted and approved, and it is ordered that Jno. P. Hough and B. A. Yates be and are hereby appointed witnesses to accompany and aid said Administrator to make an inventory of said estate, and that said Administrator publish notice of the grant of said letters as the law directs

P. P. Doak
Judge of Probate.

In the Probate Court - In Vacation September 23rd 1908

In the matter of the estate of } Letters Testamentary issued,
Mary P. A. Cary, deceased }

Come now Geo. H. Carey and James H. Carey, who are by the last will and testament of Mary P. A. Carey, deceased as executor thereof and make application for letters thereon, and it appearing that there is personal property belonging to said estate not exceeding the value of \$1500⁰⁰ it is ordered that said executors enter into bond in the sum of \$3000⁰⁰ before entering upon their duties as such executors, and come now said Geo. H. Carey and Jas. H. Carey and file said bond in the sum of \$3000⁰⁰ with Aderson T. Ray and J. L. Dingman as securities thereon, and Conditioned as the law directs, and it is ordered that said bond be approved, and that Solomon Powell and Jas. A. Castor be appointed witnesses to accompany and aid said Executors to open up and examine the books and papers of said deceased and to an inventory of the whole of said estate, both personal and real, and that notice of the grant of said letters be published as the law directs.

P. P. Doak
Judge of Probate.

In Vacation of the Probate Court- October 1st 1908

In the matter of the estate of (Will probated,
Mrs. Phebe Hampton, deceased)

Now on this 1st day of October, 1908, an instrument of writing signed by Phebe Hampton, and purporting to be the Last Will and Testament of Phebe Hampton, deceased, is produced before the Judge of Probate to be proved and admitted to record as such, and the Judge of Probate having seen and examined said instrument of writing, and having also heard the testimony of A. D. Scott and Ira W. Troxel subscribing witnesses thereto in relation to the execution of the same, do declare and adjudge said instrument of writing to be the last Will and Testament of Phebe Hampton, deceased, late of Daviess County, and orders the same admitted to probate and recorded as such.

P. P. Doak

Judge of Probate

In Vacation Oct. 1. 1908

In the Matter of the Estate of (Letters granted and bond filed.
Mrs. Phebe Hampton, deceased)

Now comes William N. Hampton, widower of Mrs. Phebe Hampton, deceased, and makes affidavit as required by law, and makes application for letters of administration with will annexed upon the estate of said Phebe Hampton, who departed this life on the 22nd day of May, 1908, and whose last will and testament hath been in due form proven and admitted to probate and record, and the said Wm. N. Hampton being by law entitled to administer said estate it is ordered that letters of administration with the will annexed be granted and issue to said Wm. N. Hampton upon the estate of said deceased, and that he be required to enter in to bond as such Administrator in the sum of \$100.00 with two or more securities to be approved by the Court and conditioned according to law.

And now comes said Wm. N. Hampton and files said bond in the sum of \$100.00 with A. D. Scott and Ira W. Troxel as securities thereon and conditioned as the law directs, which bond is by the Judge of Probate approved; and it is ordered that A. D. Scott and Ira W. Troxel be and are hereby appointed witnesses to aid said Administrator to make an inventory of said estate, and that said Administrator publish notice of said letters as is by law required.

P. P. Doak,

Judge of Probate.

In Vacation — October 3rd, 1908.

In the matter of the estate of (Administration granted — Bond filed
Omer L. Read, deceased,)

Comes now Rose B. Read, widow of Omer L. Read, deceased, and makes and makes application for letters of Administration upon the estate of said deceased, and makes the required affidavit and says that the said Omer L. Read died on the 19th day of September, 1908, without a will: leaving as his heirs Rose B. Read, widow, who resides in Daviess County, Missouri, and David Francis Read, son, who resides in Daviess County, Missouri; that she 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 her possession or knowledge or possession,

And being by law entitled to administer said estate it is ordered by the judge of Probate that letters of Administration be granted and issue thereon to said Rose B. Read and that she enter into bond ^{to} the State of Missouri as such administratrix in the sum of Four Thousand Dollars, with two or more good and sufficient securities to be approved by the court.

And now comes said Rose B. Read, and files her bond in the sum of \$4000.00 with F. L. Read and Rollin J. Britton as securities thereon, which bond is by said judge of Probate accepted and approved, and it is ordered that Wm. N. Fithens and ^{be and} are hereby appointed witnesses to accompany said Administratrix to open up and examine the books, papers and accounts of said deceased and to make an inventory of all the estate real and personal belonging to him at the time of his decease; and it is also ordered that said Administratrix publish notice of the grant of said letters as the law requires.

P. P. Doak,

Judge of Probate.

In the Probate Court - In Vacation - October 3, 1908.

In the matter of the Co-Partnership Estate of } Administration by surviving Partner,
F. L. & O. L. Read.

Comes now F. L. Read, and represents to the judge of Probate that Omer L. Read, of the Co-partnership firm of F. L. & Omer L. Read died on the 19th day of September, 1908, and prays said judge of Probate to ^{grant} Administration upon said Co-partnership estate.

Whereupon it is ordered that said F. L. Read, surviving partner of said firm enter into bond as administrator of said estate in the sum of \$2500.00 with two or more good and sufficient securities and conditioned according to law.

And now Comes said F. L. Read and files herein said bond in language following, to wit:-

Bond of Surviving Partner.

Know all men by these presents, That we Francis L. Read as principal, and we Rose B. Read and Rollin J. Britton as securities, are held and firmly bound unto the State of Missouri in the sum of Twenty five hundred Dollars (\$2500.00) to the payment of which we bind ourselves, our heirs, Executors and Administrators.

The Condition of the above bond is, that if Francis L. Read surviving partner of the late firm of F. L. & O. L. Read, shall use due diligence and fidelity in closing the affairs of the late Co-partnership, apply the property thereof in legal allowances, the expenses of administration, the ^{payment of the} Co-partnership debts, and in general to do and perform all other acts and things which are or may hereafter be required of him by law, render an account annually, upon oath, to the Court, of all partnership affairs, including the property owned by the late firm, and the debts due thereto, as well as what may have been paid by the survivor towards the partnership debts, and what may still be due and owing therefor, and pay over within two years, unless a longer time be allowed by the Court, to the executor or administrator, the excess, if any there be, beyond satisfying the partnership debts and costs, and expenses in closing the affairs of the Co-partnership, then the above bond to be void, other wise to remain in full force. Witness our hands and seals this 3rd day of October 1908

F. L. Read

{Seal}

Rose B Read

{Seal}

Rollin J Britton

{Seal}

Taken and approved by me this 3rd day of Oct., 1908, and I certify that this bond was signed and executed in my presence and acknowledged by the parties thereto to be their voluntary act and deed.

Seal

P. P. Doak

Judge of Probate

And it is ordered that Mr. R. Githens and be and are hereby appointed witnesses to assist said F. L. Read to make an inventory of said Co-partnership estate and that the said Administrator publish notice that the affairs of said partnership will be closed by him as the law directs

P. P. Doak, Judge of Probate.

In Vacation — October, 6th 1908.

In the matter of the Estate of } Order for Private Sale.
Harry Nickeson, deceased }

Now comes Henry S. Hook, Administrator of said Estate, and files his written Application for permission to sell 28 head of hogs belonging to said estate at private sale, and the Judge of Probate being satisfied that it will be for the best interest of said estate, and not prejudicial to persons interested therein, to sell the same at such sale, it is ordered that said 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—October 8th 1908

In the Matter of the Estate of } Will probated—Letters issued,
Emeline Lindsey, deceased }

Now on this day an instrument of writing heretofore filed, signed by Emeline Lindsey, and purporting to be the last will and testament of Emeline Lindsey, deceased, is produced before the judge of Probate to be proven and admitted to record, and said judge having seen and examined said instrument of writing, and having seen the testimony of H. W. Sage and W. C. Sage 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 Emeline Lindsey, deceased, late of Daviess County, and it is ordered that same be, and is admitted to probate and to record.

And in as much as said will names Joseph F. Harwood as Executor thereof, and it is requested by the testatrix that he be not required to give bond as such Executor, it is therefore ordered that Letters testamentary upon said estate, be granted and issue to said Joseph F. Harwood, and that he be not required to give bond.

And it is further ordered that _____ and _____ be and are hereby appointed witnesses to accompany and aid said ^{Executor} Administrator to open up and examine the books and papers of the deceased and to make an inventory of all the property both real and personal of said estate, and that said Executor publish notice of the grant of said letters.

P. P. Doak,

Judge of Probate.

In the Probate Court—In Vacation—October 8, 1908,

In the matter of the estate of } Administration granted—Bond filed.
Fred C. Orcutt, deceased }

Comes now Robert V. Thompson and makes application for letters of Administration upon the estate of Fred C. Orcutt, deceased, and makes affidavit saying that to the best of his knowledge and belief, the names of the heirs of said Fred C. Orcutt, deceased and their places of residence, are respectively as follows:— Juanita Orcutt, (widow) who resides in Daviess County, Missouri; Chas. C. Orcutt, (father) who resides in Daviess County, Missouri; Tillie K. Orcutt, ^(mother) who resides in Daviess County, Missouri; and Ralph C. Orcutt, (brother) who resides in DeKalb County, Missouri; that the said Fred C. Orcutt on the 30th day of September, without a will; 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 appearing that said Fred C. Orcutt had at the time of his decease personal property not exceeding in value the sum of \$2000.00, and the widow of said deceased having waived her right and claim to letters upon said estate and requested that said R. V. Thompson, administer said estate, and the judge of Probate reposing confidence in said applicant as being a suitable and competent person for such trust, it is ordered that letters of administration upon said estate be granted, and issue to Robert V. Thompson, and that before entering upon the duties of said office he be required to enter into bond to the State of Missouri, as such administrator in the sum of \$4000.00 with two or more good and sufficient securities and conditioned according to law.

And now comes said Robert V. Thompson and files said bond in the sum of \$4000.00, with Jno. R. Handy and J. S. Stovall as securities thereon, and conditioned as the law directs, which bond is, by the judge of Probate, approved.

And it is further ordered that Jno. R. Handy, and S. S. Price be, and are appointed witnesses to assist said Administrator to make an inventory of said estate, and that said Administrator publish notice of the grant of letters upon said estate as the law directs.

P. P. Doak,

Judge of Probate,

In the Probate Court — In Vacation — October 13, 1908

In the matter of the estate of { Administration granted & Bond filed
John F. Henderson, deceased }

Now this day come W. E. Henderson and John W. Meade, and make application for letters of administration upon the estate of John F. Henderson, who departed this life, in testate on the 6th day of October, 1908, and make affidavit as required by law giving the names and places of residence of the heirs of said deceased, and that they will make a perfect inventory of and faithfully administer all the estate of said deceased and pay the debts as far as the assets will extend and the law direct, and account for and pay all the assets which shall come to their possession or knowledge, and the widow, having relinquished in writing her right and claim to letters upon said estate and requested the judge of Probate to appoint said applicants, and said Judge of Probate having confidence in said W. E. Henderson and John W. Meade as being suitable and competent persons for such trust, it is ordered that letters of administration be granted upon said estate and issue to said W. E. Henderson and John W. Meade provided they enter into bond to the State of Missouri as such

In vacation — October 12th 1908

Administrators, in the sum of Fifty Thousand Dollars (\$50,000.00) with two or more securities thereon and conditioned according to law.

And now come said W.E. Henderson and John W. Meade and file their said bond in the sum of (\$50,000.00) Fifty Thousand Dollars, with Homer Teurt, R.M. Barnett, T.B. Yates, D. Harfield Davis, E.D. Mann and Boyd Dudley as securities thereon, and conditioned as the law directs, which bond is by the Judge of Probate approved.

And it is further ordered that Samuel O. Venable and James W. McCluskey be, and they are here by appointees witnesses to accompany and aid said Administrators to open up and examine the books and papers of said deceased and to make an inventory of all the property, both real and personal, belonging to the estate of said deceased at the time of his death, and that said Administrators publish notice of the grant of said letters in the Gallatin Democrat, a news paper published in this County as the Law directs.

O. P. Doak,

Judge of Probate,

In vacation — October 12. 1908

In the matter of the Co-partnership, (of J. F. Henderson and W. E. Henderson,) Bond filed and recorded,

Now comes W. E. Henderson surviving partner of the late Co-partnership firm of John F. Henderson and W. E. Henderson (said John F. Henderson having died on October 6, 1908,) and requests that John W. Meade be joined with him in administering said estate, and it is ordered that letters upon said Co-partnership estate be granted, and issue to W. E. Henderson and John W. Meade and that they be required to execute their bond as Administrators of said Co-partnership estate in the sum of Ten Thousand Dollars with two or more good and sufficient securities.

And come now said W. E. Henderson and John W. Meade file said bond, which is by the Judge of Probate approved, said bond being as follows to-wit:-

Administrators' Bond. Co-partnership Estate,

We, W. E. Henderson and John W. Meade as principals, and E. D. Mann, D. Harfield Davis, T. B. Yates and Boyd Dudley as securities, are held and bound to the State

of Missouri, in the sum of Ten Thousand Dollars (\$10,000⁰⁰) for the payment of which we bind ourselves, our heirs, executors and administrators.

The condition of the above bond is, that if N. E. Henderson (Surviving partner of the late firm of John F. Henderson and N. E. Henderson), and John W. Meade, his Co-administrator, shall use due diligence and fidelity in closing up the affairs of the late co-partnership, apply the property thereof in the payment of legal allowances, expenses of Administration, the partnership debts, and in general to do and perform all other acts and things which are or may hereafter be required of them by law; render an account annually, upon oath, to the probate Court, of all the partnership affairs, including the property owned by the late firm and the debts due thereto, as well as what may have been paid by the survivor toward the partnership debts, and what may still be due and owing therefor, and pay over, within two years, unless a longer time be allowed by the probate Court, to the Administrators, the excess, if any there be, beyond satisfying the partnership debts, and costs and expenses in closing the affairs of the co-partnership, then the above bond to be void; otherwise to remain in full force

N. E. Henderson {Seal}

John W. Meade {Seal}

E. D. Mann {Seal}

D. Harfield Davis {Seal}

T. B. Yates {Seal}

Boyd Dudley {Seal}

State of Missouri } ss.
County of Daviess }

I, P. P. Doak, Judge of the Probate Court of Daviess County, Mo., do hereby certify that this bond was taken and approved by me, and that it was signed and executed in my presence.

Witness my hand and Seal this 13th day of October, 1905.

P. P. Doak

{Seal}

Judge of Probate

and it is ordered by the Judge of Probate that S. O. Venable and James M. McClaskey be and they are hereby appointed witnesses to make an inventory of said co-partnership estate; and that said Administrators publish the required notice of the grant of said co-partnership Administration in the Gallatin Democrat.

P. P. Doak

Judge of Probate,

In the Probate Court in Vacation — October 14th, 1908,

Report of Sale of Personal Estate - at private sale.

State of Missouri { ss In the Probate Court, In and for Daviess County -
County of Daviess } In vacation of said Court

Henry S. Hook, Administrator of Harry Nickerson deceased, comes and reports to the judge of this Court: That in obedience to an order of the Judge of this Court, made in Vacation - Oct. 6th, A.D. 1908, directing me to sell the personal estate in said order as follows, to wit:

22 head of fat hogs.

I did, expose at private sale, upon the Terms mentioned in said order, the personal estate above described, first having had the same duly appraised by W.R. Stewart, James Lindsey and Al Shaffer three disinterested house holders of said County, they having been first duly sworn, as appears by the Affidavit of said Appraisers and their Certificate of Appraisement heretofore filed herein. (See Appraisement)

And W.T. Brown was the highest and best bidder for the same at the price and sum of (\$216.⁶⁷) Two Hundred sixteen & 67/100 Dollars, and the same was sold to him at private sale, accordingly. And the said W.T. Brown has fully complied with the terms of said sale and has paid the sum of \$216.⁶⁷/Two hundred sixteen & 67/100 Dollars, as required by said Order of sale.

Henry S. Hook
Administrator

State of Missouri { ss.
County of Daviess }

Henry S. Hook being sworn, says that he did not directly or indirectly purchase such property, or any part thereof, or any interest therein, and that he is not interested in the property sold, except as State^{ed} in said report. Henry S. Hook, Admr.

Subscribed and sworn to before me, this 14th day of October 1908

(Seal)

P. P. Doak, Judge of Probate

It is ordered by the Judge of Probate that the above report of Private Sale of Personal property be and the same is hereby approved, and confirmed

P. P. Doak,
Judge of Probate.

In the Probate Court — In Vacation — October 22nd, 1908,

In the matter of the estate of (Administration granted — Bond filed,
Serenio W. Selby, deceased)

Now comes J. A. Selby and makes application for letters of Administration upon the estate of Serenio W. Selby, deceased, and makes affidavit and says that, to the best of his knowledge and belief, the names of the heirs of the said Serenio W. Selby, deceased, and their places of residence, are respectfully as follows:

Martha Selby, (widow), who resides in the County of Daviess, in the State of Missouri; Robert H. Selby (a son) who resides in the County of Jackson, in the State of Missouri; Fannie F. Selby, (a daughter), who resides in the County of Daviess, in the State of Missouri; and Lloyd S. Selby, (a son), who resides in the County of Daviess, in the State of Missouri; That the said Serenio W. Selby died on the 1st day of October 1908, without a will; 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 appearing to the judge of Probate that said Serenio W. Selby had at the time of his decease real and personal property which will be required to pay the debts owing by his estate; and the said Martha Selby, widow, and Robert H. Selby, Fannie F. Selby and Lloyd S. Selby heirs as aforesaid having relinquished their right to administer said estate, and said J. A. Selby being a suitable and competent person for such trust, it is ordered that ^{Letters of} Administration upon said estate be granted and issue to said J. A. Selby provided that he enter into bond to the State of Missouri as such administrator in the sum of Four hundred Dollars, with two or more good and sufficient securities, and conditioned according to law.

And now comes said J. A. Selby and files said bond in the sum of \$400⁰⁰ with Royd Dudley and J. W. Meade as securities thereon and conditioned as the law directs, which said bond is by the judge of Probate approved.

And it is ordered that A. N. Hagan and Thomas Sanders be appointed witnesses to aid said Administrator to make an inventory of said estate, and that said J. A. Selby publish notice of the grant of said letters as the law directs.

O. P. Doak

Judge of Probate

In Vacation of the Probate Court—October 26th 1908.

In the matter of the estate of
Roy Whetstone and John Whetstone,
minor heirs of Jas Whetstone, decd } Bond filed

Comes now this 26th day of October, 1908, Edward Jenkins, who was heretofore appointed Curator of the estate of Roy and John Whetstone the aforesaid minors, and files herein his bond as such Curator in the sum of \$300.⁰⁰ with Riley Fields and G. O. Ewing as securities thereon and said bond is by the Judge of Probate accepted and approved. And it is ordered that a certificate of Appointment as Curator of said minors be issued to said Edward Jenkins.

P. P. Doak,

Judge of Probate.

In the Probate Court—In Vacation—November 6th 1908.

In the matter of the estate of } Administration Granted.
Amanda Cox, deceased

Comes now Moses Mann, and makes application for letters of Administration upon the estate of Amanda Cox, deceased, late of Daviess County, Missouri, and makes the required affidavit stating that the said Amanda Cox died in Daviess County, intestate on the 13th day of May, 1908, leaving as her heirs—

Vader Cox, husband, who resides in Daviess County, Missouri;
Juanita Cox, daughter, " " " " " " "
Robena Cox, " " " " " " "
Enoma M. Cox, " " " " " " "
Samuel M. Cox, son, " " " " " " "
Edna M. Cox, daughter, " " " " " " "

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 far as the assets will extend and the law direct and account for and pay all the assets which shall come to his possession or knowledge. And Vader Cox, widower of said deceased having renounced in writing his right and claim to letters on said estate, and the Judge of Probate reposing confidence in the ability and integrity of said Moses Mann it is ordered that letters of Administration be granted and issue to him, the said Moses Mann upon the estate of the said

Amanda Cox, deceased, and that said Administrator before entering upon the duties of his office be required to give bond as such administrator, with two or more good and sufficient securities, in the sum of (\$4000.00) four thousand dollars, and conditioned according to law,

And now comes said Moses Mann and files herein, said bond in the sum of \$4000.00 with Vader Cox, E.M. Foley, jr., and Fred L. Pierce as securities thereon, and conditioned as the law directs, which bond is by the judge of Probate approved,

And it is ordered that Willard H. Luskford and John H. Jones be and they are hereby appointed witnesses to accompany and aid said Administrator to open up and examine the books and papers of said deceased and to make an inventory of all the property belonging to said deceased at the time of her death, and that said Admin. publish notice of the grant of said letters in some newspaper published in Daviess County as the law directs

P.P. Doak, Judge of Probate,

1908.

November Term — Monday — November 9th 1908

State of Missouri } ss.
County of Daviess }

Be it remembered that at a regular term of the Probate Court of Daviess County, Missouri begun and held at the Court House in the City of Gallatin County and State aforesaid on Monday November 9th 1908. there being present O. P. Doak, Judge of said Court and Henry F. Whitt, Deft. Sheriff: when the following proceedings were had, to wit:

Ordered that the Bond of Mary E. Miller, as Administratrix of the estate of Wm. T. Miller, deceased, taken in vacation of this court on September 8th 1908, be approved, and that ^{her} appointment as administratrix be ratified and confirmed.

Ordered that the bond of Geo. H. Carey and James H. Carey as Executors of the last will of Mary P. A. Carey taken in vacation — on the 23rd day of September, 1908 be approved and that their appointment be ratified and confirmed.

Ordered that the bond of E. M. Street, Administrator of the estate of Jacob Ramey, deceased, taken in vacation on September 16th 1908, be approved and that his appointment be ratified and confirmed.

Ordered that the Bond of G. W. Markham as Administrator of John H. Miller deceased be approved and that his appointment made in vacation — September 23rd 1908 be ratified and confirmed.

Ordered that the bond of Wm. N. Hampton as Administrator with will annexed of Rube Hampton, deceased, taken in vacation October 1st 1908 be approved and his appointment ratified and confirmed.

Ordered that the Bond of Rose B. Read as Administratrix of Omer L. Read, deceased, be approved, and that her appointment made in vacation on October 3rd 1908 be ratified and confirmed.

Ordered that the Bond of F. L. Read surviving partner of F. L. & O. L. Read Copartnership estate, taken in vacation Oct 3rd 1908 be approved.

November Term — Monday — November 9th 1908

Ordered that the Bond of Robert V. Thompson, admr. of Fred C. Orcutt, deceased taken in vacation October 8, 1908 be approved and his appointment ratified and Confirmed,

Ordered that the bond of John W. Meade and W. E. Henderson, Administrator of John F. Henderson, deceased, taken in vacation on the 12th day of October be approved, and that their appointment be ratified and Confirmed,

Ordered that the bond of J. A. Selby, administrator of S. W. Selby, deceased, taken in vacation Oct 22nd 1908 be approved, and his appointment ratified and Confirmed

Ordered that the bond of Edward Jenkins, Curator of Roy Whetstone and John Whetstone, ^{minors,} taken in vacation October 26, 1908, be approved and his appointment ratified and Confirmed,

Ordered that the bond of Moses Mann, Administrator of Amanda Cox, deceased, be approved, and that his appointment be ratified and Confirmed

In the matter of the estate of } Judgment Establishing will
Mary P. A. Carey, deceased }

It being shown to the Court now here, that in vacation of this Court, to wit: on the 17th day of September, 1908, an instrument of writing purporting to be the last will and testament of Mary P. A. Carey, deceased, and attested by George T. Crozier, John F. Jordan and Boyd Dudley as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Mary P. A. Carey, deceased, and said Clerk proceeded to take the testimony of George T. Crozier and Boyd Dudley 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 17th day of September, 1908

And the Court having inspected said will, and seen and heard the testimony of Geo. T. Crozier and Boyd Dudley two of said attesting witnesses, so taken in vacation, as to the execution of said will, and being sufficiently advised: it is ordered

November Term Monday November 9th, 1908,

and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Mary P. A. Carey, 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
Phebe Hampton deceased

It being shown to the Court now here, that in Vacation of this Court, to wit: on the 1st day of October, 1908, an instrument of writing purporting to be the last will and Testament of Phebe Hampton, deceased, and attested A. D. Scott and Ira W. Troxel as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Phebe Hampton, deceased, and said Clerk proceeded to take the Testimony of A. D. Scott and Ira W. Troxel 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 1st day of October, 1908. And the Court having inspected said will, and seen and heard the Testimony of A. D. Scott and Ira W. Troxel 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 Phebe Hampton 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.
Emeline Lindsey, deceased

It being shown to the Court now here, that in Vacation of this Court, to wit: on the 8th day of October, 1908, an instrument of writing purporting to be the last will and Testament of Emeline Lindsey deceased, and attested by H. N. Sage and W. E. Sage as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Emeline Lindsey deceased, and said Clerk proceeded to take the

November Term — Monday — November 9th, 1908,

testimony of W.H. Sage and W.E. Sage said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court, And said Clerk having declared said will proved, granted a Certificate of Probate on said 8th day of October, 1908,

And the Court having inspected said will, and seen and heard the testimony of W.H. Sage and W.E. Sage 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 will of said Emeline Lindsay, deceased,

And the 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 } Final Settlement and discharge
Flora E. Beck, a minor }

Comes now J.W. Beck, Curator of Flora E. Beck, and files his final settlement with said minor, who has arrived at full legal age, and said settlement showing a balance due said Flora E. Beck, the said Flora E. Beck enters her appearance in open Court and waives the making and filing of an exhibit of this final settlement or service of notice of such exhibit or settlement and states that she is past 18 years of age, and in open Court signs a receipt for said balance in the sum of \$196.91 as being in full satisfaction of all money and property due to her from her said Curator on account of said Curatorship, and the Court having examined said final settlement and finding it correct, it is ordered that said final settlement be and is hereby approved and it is ordered that same be recorded and that said J.W. Beck be discharged herein.

In the matter of the Estate of } 5th Annual as to
Forest W. Blackburn and Homer Blackburn } Forest W. and Final as
Minors } to Homer

Comes now W.E. Blackburn Curator of Forest W. and Homer Blackburn and files his fifth annual settlement of said estate. And comes now said Homer Blackburn and enters his appearance in Court, and states that he is of full legal age - and it appearing from the settlement filed that

November Term — Monday — November 9th 1908

there is a balance due to said Homer Blackburn in the sum of \$261², said Homer signs a receipt for said sum of \$261² as being in full payment and satisfaction of all money and property due him from said Curator, and waives in writing the making or filing of a final settlement exhibit or the service of any notice of the date of making this settlement and agrees to the discharge herein of said Curator as to all claims which he has on account of such curatorship, And it is ordered by the Court that said 5th annual as to Forest W. and final settlement as to Homer Blackburn be approved and recorded, and that said Curator be discharged herein as to said Homer Blackburn.

Ordered that the 7th Annual Settlement of Walker G. Smith Curator of Rolla Brown, ^{this day filed} be and the same is hereby approved and ordered to be recorded

Ordered that the first Annual Settlement of Howard D. Best, Executor of Silas N. Best, deceased, this day due, be continued till the November term 1909,

In the matter of the Estate of Harry Nickeson, deceased } Order Confirming order of Private Sale of Personal Property
The judge of Probate having made an order of sale in vacation on the 6th day of October 1908, authorizing Henry D. Hook to sell at private sale the fat hogs belonging to said estate, it is now ordered that said proceeding of the judge in vacation be approved, and that the report of said private sale by said administrator filed herein on the 14th of October 1908 be approved.

In the matter of the Estate of } Allowance to widow in lieu of provisions not on hand
Frank K. Netherton deceased }
Comes now Mrs. Ida Netherton, widow of Frank K. Netherton, deceased, and presents her petition to the court asking for an appropriation out of the assets of the estate of said deceased in the hands of the Administrator, in lieu of provisions for the subsistence of her self and two small children, ^{members of her family, and} which are entirely dependent upon her self, for support, and says that there were not provisions on hands and left out of the inventory for said purpose, wherefore she asks that the sum of \$150.00 be appro-

November Term - Monday - November 9th 1908

appropriated out of the assets of said estate in accordance with the provisions of section 106 R. S. of 1899. And the Court having heard the evidence in relation to said matter and being satisfied that said sum ought to be appropriated for said purpose; it is ordered that the sum of \$1600⁰⁰ be and is hereby appropriated out of the assets of said estate in the hands of the Administrator, and that said Administrator pay the same to the said Ida Netherton, and that he take credit for the same in his settlement of said estate.

In the matter of the estate of (Order to pay Balance of personal Dower of \$400.
Frank K. Netherton, deceased)

Now at this day, Comes Ida Netherton and shows to the Court that she took, at appraised value, property to the amount of \$112⁰⁰ and gave to the Administrator of said estate her receipt therefor, and that the rest of personal dower of \$400⁰⁰ has not as yet been paid to her and asks that an order be made by the Court for said Administrator to pay said balance in the sum of \$288⁰⁰. And it is ordered that said Administrator pay to Ida Netherton widow of said deceased the said sum of \$288⁰⁰ and that her receipt for the same will be allowed as a credit in the settlement of said estate.

In the matter of the estate of (Order Confirming Sale of real estate -
Ward Railsback, minor)

Now comes J. W. Railsback, Guardian of the Estate of Ward Railsback, a minor, and submits his report of sale by which it appears that he did on Wednesday the third day of November, 1908, in obedience to the order of this Court made at the August Term, 1908, thereof, sell, at private sale, to Amelia Brown for the sum of One Thousand, seventy nine and 59/100 Dollars ^(\$1079.59) to be paid in cash upon the execution and delivery by said Guardian a good and sufficient guardian's deed to that part of said real estate in said order of the Court and report particularly describes, viz:

The undivided twenty one - two hundred and Twentieths (21/220) of the South half of the north east quarter and the Southeast quarter of the Northwest quarter, and the Northeast quarter of the Southwest quarter, and the West half of the Northwest quarter of the Southeast quarter, all in Section Twenty-nine (29), Township Sixty-one (61), Range twenty Six (26);

And that he did on the the aforesaid 3rd day of Novem-

November Term - Monday - November 9th 1908.

her, in obedience to said order of Court sell, at private sale, to Lucretia Johnson for the sum of Three hundred, eighty one and 82/100 Dollars (\$381.82), to be paid in cash upon the execution and delivery of said guardian of a good & sufficient deed, that part of said real estate in said order of Court and report particularly described, viz:

The South half of the north ~~east~~ quarter of Section thirty (30), Township Sixty one (61), Range twenty Six (26).

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 are hereby approved and confirmed, and the said J. W. Railsback, guardian as aforesaid, is ordered to execute, acknowledge and deliver to the said Amelia Brown and the said Lucretia Johnson deeds in due form of law conveying to the said Amelia Brown all the right, title and interest which his said ward owns in the tract first above described, and to the said Lucretia Johnson all the right title and interest of his said ward to the last described tract.

In the matter of the estate of (Petition for Re-Investment.
Ward Railsback, minor)

Now comes J. W. Railsback, Guardian and Curator of the estate of Ward Railsback, a minor, and represents to the Court:-

That at the August Term, 1908, the Court ordered him to sell, at private sale, all of the said minor's undivided twenty one two hundred twentieths ($21/220$) interest in the following described real estate in Daviess County, Missouri, to-wit: The South half of the North east quarter, the South half of the Northwest quarter, the North east quarter of the Northwest quarter and the west half of the North west quarter of the Southeast quarter of Section Twenty nine (29) and the South half of the North east quarter of Section thirty (30), all in Township Sixty One (61), Range twenty Six (26);

That in obedience to said order, he has sold, according to law, all of said undivided interest in said real estate, except an undivided twenty one-two hundred and twentieths ($21/220$) of the Southwest quarter of the North west quarter of Section Twenty nine ⁽²⁹⁾, Township Sixty one (61), Range twenty-six (26), as fully appears by his report of said sale filed in this Court;

November Term — Monday — November 9th 1908.

That the said South west quarter of the northwest quarter of said section twenty nine (29) adjoins One hundred and twenty acres of land which belongs to the estate of the said minor, in fee simple; That it would be greatly beneficial to the estate of said minor for the said estate to acquire the entire remaining outstanding undivided One hundred and ninety nine — two hundred and twentieths (199/220) of the said forty acre tract, so that the entire title there to may be vested in said estate;

That he, the said Curator, has an opportunity to purchase of the owners thereof, the said remaining undivided one hundred and ninety nine — two hundred and twentieths (199/220) for the price and sum of Eighteen Hundred and nine and 9/100 Dollars, or at the rate of Fifty Dollars per acre for the tract, and that the said outstanding undivided interest is reasonably worth the said sum of \$1809.09;

That said ^{minor} now has in the hands of the said Curator, about \$190, cash; that he will receive as the purchase price of the landed interest sold as afore said, the sum of \$14,61.41; that as the heir of the estate of J.M. Ward, deceased, he has an interest in certain personalty of the estate of said deceased, out of which he will soon realize the sum of \$240, that owing to the character of said forty acre tract, and its situation with respect to the one hundred and twenty acres already owned by said minor, it would be wise, prudent and greatly beneficial to his said estate, to purchase the said forty acre tract, with the money on hand and to be received as aforesaid.

He therefore prays for an order directing and empowering him, upon the receipt of the purchase price of the undivided interests of said minor sold as aforesaid, to purchase of the owners thereof at the price aforesaid, the remaining outstanding undivided interest in the forty acre tract aforesaid, and cause the same to be conveyed to said minor, Ward Railsback.

November Term — Monday — November 9th 1908,

In the matter of the estate of } Order for Purchase of Real Estate
Ward Railsback, minor }

Now at this 9th day of November, 1908, Comes J W Railsback, Guardian of the estate of Ward Railsback, minor, and files his petition for an order to purchase as investment, and it appearing to the Court that the said Ward Railsback is the owner of an undivided Twenty One — Two hundred and twentieths ($21/220$) part of the Southwest Quarter of the Northwest quarter of Section Twenty Nine (29), Township Sixty One (61) Range Twenty Six (26), and that said tract adjoins One hundred and twenty acres of which said minor is owner in fee; that it would be greatly beneficial to the estate of said minor to acquire the entire title to said forty acre tract; that the outstanding interests can be purchased of the owners thereof for the sum of Eighteen hundred and nine and $9/100$ Dollars, and is reasonably worth that sum; that the said minor has on hand and presently available money sufficient to buy said outstanding interests at the said price, and that the said guardian has undertaken and agreed to advance to the estate of his ward such sum as it may lack in making said purchase and wait for the re-payment thereof until such time as there shall be funds available for the repayment of the sum so advanced by him; it is therefore ordered by the Court that the said J. W. Railsback, said Guardian, be authorized, directed and empowered to purchase the said outstanding Undivided interest in said forty acre tract, of the owners thereof, at the price named, and cause the same to be conveyed to the said Ward Railsback, minor.

In the matter of the estate of } Demand allowed —
Jacob Ramey deceased }

Come now Lemuel and Mary E. Culver and present to the Court for allowance against said estate a Demand for the sum of \$872.80. founded on account for Care and Nursing of said deceased during the latter part of his life, and for labor rendered and board furnished laborers on the real estate of deceased, and service being waived in writing and affidavit and proof in form of an agreement entered into by the heirs of deceased whereby they consent to the allowance of Claimants demand, it is therefore ordered

November Term - Monday - November 9th, 1908.

that same be allowed against said estate in the first Class as to \$845.50 and the fifth class as to \$27.30.

In the matter of the estate of } Order Confirming Sale.
Ephraim Kuhns, deceased }

Now come Lawson M. Pennington and Daniel Triem Executors of the last will and testament of Ephraim Kuhns, deceased, and submit to the Court their report of sale, by which it appears that they did, on Monday the fifth day of October, 1908, in obedience to the order of this Court made at the August term 1908, thereof sell at public auction to Alfred Bealls, for the sum of Four Thousand Dollars (\$4000.00) the real estate in said Order of Court and report, particularly described, viz;

The North East quarter of the Northeast quarter of Section Ten (10) Township Fifty Eight (58) of Range Twenty Nine (29) in Daviess County, Missouri, containing 40 acres more or less, 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 Executors are ordered to execute, acknowledge and deliver to said Alfred Bealls a deed in due form of law, conveying to the said Alfred Bealls all the right, title and interest which the deceased had in the same at the time of his death.

Ordered that the Second Annual Settlement of Geo. B. Callison, Guardian of the estate of Paul A. and Julia Rygar, this day filed be approved and recorded.

In the matter of the estate of } Proof of Order of Publication filed and
Conrad Smith, deceased } Cause continued to the 11th inst.

Now comes the Citizens State Bank of Altamont, Mo., Creditor, by its Attorney Crigien and Britton and files the proof of order of Publication for the Sale of Real estate of said deceased made by this Court at the August term thereof on the petition of said Creditor and it is ordered that said order of Publication and petition be continued to Wednesday the 11th instant.

November Term — Monday — November 9th 1908.

In the matter of the Estate of
Charles M. Donaldson, a person } Resignation of Guardian,
of Unsound mind

And now on this day comes Ralph M. Pickell, Guardian of Chas. M. Donaldson a person of unsound mind, and presents to this Court his resignation as such guardian, and prays to be relieved and discharged from his trust as such guardian; and the said Ralph M. Pickell, guardian as aforesaid, having made proof to this Court that he gave due notice by publication of his intention to resign as is by law required, and having shown to the Court that no property or estate of said Chas. M. Donaldson, the aforesaid person of unsound mind has ever come into his possession, and therefore having no moneys, choses in action, effects or property of said estate to account for, and the Court having considered the matter, and being satisfied that said Ralph M. Pickell should be permitted to resign, doth order and adjudge that said resignation of said Ralph M. Pickell be accepted, and that he be henceforth discharged from the further duties of his said guardianship.

And it appearing to the Court that said Chas. M. Donaldson, is one of the heirs at law of a deceased Uncle, whose estate is being administered in the State of Kentucky; that John R. Donaldson is a brother of said Chas. M. Donaldson, and a suitable person for the guardianship of such person of unsound mind; it is therefore ordered that said John R. Donaldson be and he is hereby appointed Guardian of the person and estate of said Chas. M. Donaldson the aforesaid person of unsound mind, and that said John R. Donaldson before entering upon the duties assigned him shall enter into a bond to the State of Missouri in the sum of Two Hundred Dollars (\$200.) conditioned as required by law with such security as the Court shall approve.

Ordered that 2nd annual settlement of Geo. U. Norton, Public Administrator having in charge the estate of Hannah A. Burnham deceased this day due be continued to the February Term 1909

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

P. P. Doak

Judge

November Term Tuesday November 10th, 1908.

Court met pursuant to adjournment; present P. P. Dour, Judge and H. F. Whitt, Deft. Sheriff, when the following proceedings were had, to wit:—

In the matter of the estate of } Final Receipts filed; Order of Discharge,
Wm. C. Bennett, deceased }

Comes now Walter O. Hart, Administrator of the estate of Wm. C. Bennett, deceased, and files the receipts of the following Distributees of said estate for the amounts due them, respectfully, by the order of distribution made at the August Term of this Court, to-wit:

Receipt of William Bennett for the sum of	\$196.63
" " Florence B. Weldon " " "	196.63
" " Alice Woosley " " "	196.63
" " Ira Prosper " " "	98.31
" " Alden McCrary " " "	98.31
" " W. F. Goens " " "	98.31
" " Edward Goins " " "	98.32
" " Dan Baker " " "	98.31
" " E. M. Foley Guardian of Doney Baker for the sum of	98.32
" " Ward A. Bennett " " "	39.32
" " Mrs. Frankie Lewis " " "	39.32
" " Edith Patrick " " "	39.33
" " Mrs. Lizzie Miller " " "	39.33
" " Virginia Bennett	39.33

And it appearing to the Court that proof of the publication of final settlement notice has been made; that all the debts of deceased have been paid and said estate is fully administered

It is therefore ordered that said Walter O. Hart, Administrator, aforesaid be discharged herein.

In the matter of the estate of } Distributive Receipt filed, Admr. discharged,
Christopher Reno, deceased }

Comes now E. L. Frost, Admr. of said estate and files herein the receipt of Harvey L. Smith one of the distributees of said estate for the sum of \$48.71 the same being his distributive share thereof, and it appearing to the Court that said Admr. has now filed the receipts of all the distributees of said estate; that he has filed proof of the publication of final settlement notice; that all the debts of deceased are paid, and said estate fully administered; it is therefore ordered that said administrator be, and is henceforth, discharged herein.

November Term Tuesday November 10th, 1908.

In the Matter of the estate of (Final Receipt of Ward filed: Curator discharged.
Harry A. Horn, minor)

Comes now L. P. Dale, Curator of said Harry A. Horn, now of legal age and files the receipt of said Ward for the sum of \$961.89, the Balance due the said Harry A. Horn as shown by the final Settlement filed and approved at the August term of this Court, and it appearing that said Final receipt has been properly executed: it is therefore ordered that said Curator be, and is hence forth discharged herein.

In the matter of the estate of (Receipts filed - Partial discharge
James M. Johnson, deceased)

Comes now Chas. M. Johnson, Admr. of said deceased and files herein the receipts of Mary C. Johnson for \$61.86,;
of Susan C. Cunningham " 61.84
" J. F. Johnson " 61.84.

the same being the respective shares of said persons, respectively, in said estate as per order of distribution of same heretofore made in this Court, and it is therefore ordered that said Administrator be discharged herein. as to said Mary C. Johnson, Susan C. Cunningham and J. F. Johnson.

Ordered that the Seventh Annual Settlement of Ezra Hamilton Guardian of the estate of George O. Caldwell, minor, this day filed be approved and recorded.

In the ~~matter~~ of the estate of (Appropriation for support & education of.
Frank H. Cozad, et al. minors)

Comes now Mrs. Nancy J. Cozad Curator of Homer E. Cozad, Bessie J. Cozad, Roy R. Cozad, and Frank A. Cozad, and represents and shows to the Court that she has supported and maintained said wards for the past year, besides furnishing them clothing, school books and other necessities including medicine and doctor bills, ^{for the past year} to the amount of \$160. and that she ought to be reimbursed out of the funds now in her hands and prays the Court to make an appropriation out of said amount out of the said funds. And the Court having heard and duly considered said petition and the evidence in relation thereto, and being satisfied that said appropriation should be made: It is ordered that an appropriation of \$160.00 be made out of said

November Term - Tuesday - November 10th 1908.

funds now in her hands, and that she be allowed to take credit for the same in her settlement with said wards.

Estate of Frank H. Cozad, et al } 3rd Annual & final settlement - Suspension.
Minors.

Comes now Nancy J. Cozad, guardian and curator of the estate of Homer E. Cozad, Bessie J. Cozad, Roy R. Cozad and Frank Cozad, minors, and files her third annual settlement of the estate of said minors which shows a balance due guardian of \$2.94, and it appearing that said estate is entirely exhausted, it is ordered that said settlement be approved and recorded, and that said Curatorship be suspended, until such time as there shall be discovered other property and by order of Court said curator be required to resume the same.

In the matter of the estate of } Order making allowance for years support,
Serenus N. Selby, deceased

Now at this day comes Martha Selby widow of Serenus N. Selby, deceased and represents to the Court: That at the time of the death of said deceased there were no grain, meat, vegetables groceries or other provisions on hand, and provided for the subsistence of the family of deceased, and she further says that deceased left no minor children, but the family consisted, at the time of the death of deceased of herself and a daughter of deceased Fannie F. Selby, and Lloyd S. Selby, the latter not permanently, but at present a member of the family.

Wherefore she prays the Court to make an allowance to her in lieu of such provisions not on hands as afore said, as the law provides, out of the assets of the estate of said deceased, and she believes that the sum of \$200.00 would be a reasonable allowance for that purpose.

And the Court having duly considered, said petition and the evidence relating thereto, doth order and adjudge that the sum of \$175.00 be appropriated out of the assets of said estate and that same be paid by the administrator thereof to said Martha Selby, widow as aforesaid, and that her receipt be a proper voucher in the settlement of the administrator.

Ordered that the 4th annual settlement of W. D. McDonald Admin. of the estate of Sarah A. Farneal, deceased this day due be continued to the February Term, 1909.

November Term — Tuesday — November 10th, 1908.

In the matter of the Estate of (First Annual and Final Settle-
Vida C Donaldson, a minor) and Suspension

Comes now D.W. Gosnell, Curator of said minor and files his first Annual Settlement, and it appearing that the assets of said estate have been exhausted in the care and maintenance of said minor, it is ordered that said settlement be approved and recorded and that said Curatorship be suspended until by the discovery of further assets the Court shall order the same to be again opened up.

In the matter of the Estate of (Final Settlement-Distribu-
Hannam M. Frazier deceased) tion

Now this day comes N.B. James, Admr. with will annexed of Hannah B. Frazier, deceased, and files his final settlement of said estate, by which it appears that there is balance due said estate of \$128.20 and that under the provisions of the will of said deceased, Pruntha J Groves is entitled to a special legacy of \$100., and that the remaining \$128.20 are to be distributed as follows:—

To Rosa Burger, Roy E. Copeland and Jesse M Copeland as heirs of Henry Copeland deceased $\frac{1}{3}$ of said balance = \$21.20

or to Rosa Burger $\frac{1}{3}$ of \$21.20 or 7.07

To Roy E. Copeland $\frac{1}{3}$ of \$21.20 = 7.07

and to Jesse M. Copeland, do. 7.07

And to Edward M. Copeland the remaining $\frac{1}{3}$ of Estate = 106.00

and it is ordered that same be distributed accordingly, and that said Administrator pay to said distributees and leg-
atees said amounts and file herein their respective re-
ceipts, and it is ordered that said final settlement be approved
and recorded; proof of final notice having been heretofore filed.

And now comes Jesse M. Copeland and receipts said Admr. for the sum of \$700 as his full share of said estate, and it is or-
dered that said Admr. be discharged as to said Jesse M. Cope-
land.

Ordered that the final settlement of J.H. Black, Ad-
mr. with will annexed of Laura M. Frost deceased this day
due be continued to the February Term, 1909, of this Court

November Term Tuesday November 10th 1908

Ordered that the 2nd Annual Settlement of Geo. W. Mease, Admr. with will annexed of Mrs. E. Brinnon, deceased, this day filed be approved and recorded.

In the matter of the estate of } Demand allowed & classified
J. W. Selby, deceased.

Come now Pettijohn Bros. Undertakers and present to the Court for allowance against said estate a Demand \$135⁰⁰, Service waived in open Court and affidavit and proof made it is ordered that same be allowed, in Class number one, against said estate

Estate of J. W. Selby, } Demand allowed & classified
deceased.

Come now Veneble & Co and present to the Court for allowance against said estate a Demand for \$4¹⁷ founded on account Service of notice waived in writing and affidavit and proof made it is ordered that said account be allowed against said estate in Class five

Estate of J. W. Selby, decd. } Allowance of demand.
J. A. Selby Admr.

Come now Dr. D. J. Hannah and presents to the Court for allowance against said estate a Demand for \$130³⁰ Service of notice waived in open Court, and affidavit and proof made it is ordered that said account be allowed against said estate in Class number two.

Estate of J. W. Selby, decd. } Allowance and classification of Demand.
J. A. Selby, Admr.

Come now M. E. Fittler & Son and present^{to} the Court for allowance against said estate a Demand for \$14⁸² founded on account, Service waived in open Court, and affidavit and proof made it is ordered that same be allowed against said estate in class five.

Estate of J. W. Selby decd. } Allowance and classification of Demand
J. A. Selby, Admr.

Come now Martha Selby and presents to the Court for allowance against said estate a Demand \$100⁰⁰ founded on a note, signed by said deceased, and interest, and

November Term — Tuesday — November 10th 1908.

Service being waived in open Court and affidavit and proof made; it is ordered that same be allowed against said estate in the sum of \$100 ⁶⁴/₁₀₀ and assigned to class five.

In the matter of the Estate of { Petition for Allowance in lieu of
Wm. J. Miller, deceased } provisions not on hand,

Comes now Mrs. Mary E. Miller, widow of W. J. Miller deceased and submits to the Court her petition, ^{not on hand - which is taken under advisement} for allowance in lieu of provisions.

In the matter of the Estate of { Bond Approved
Chas. M. Donaldson, Insane. }

Comes now John R. Donaldson, Guardian of the Estate of Chas. M. Donaldson, said Insane person, and files his bond for the sum of Two Hundred Dollars, with John T. Gough and Robert E. Maupin, as securities thereon, and it is ordered that said bond be approved and recorded -

Bond -

We, John R. Donaldson as Principal, and John T. Gough and Robert E. Maupin as Securities, are held and firmly bound unto the State of Missouri, in the sum of Two Hundred Dollars, for the payment of which we bind ourselves and our heirs:

Upon The Condition, That Whereas, the said John R. Donaldson has been appointed by the Probate Court of Drexel County, Missouri, Guardian of the person and estate of Charles M. Donaldson of said County, a person of Unsound mind. Now, if the said John R. Donaldson shall take due and proper care of said Charles M. Donaldson 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 in full force and effect.

In Testimony Whereof, We have here to our hands and affixed our seals, at Pattonsburg in said County, this 10th day of November, A.D. 1908.

Approved by the Court

P. P. Doak, Judge of Probate

John Donaldson (Seal)

John T. Gough (Seal)

Robert E. Maupin (Seal)

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

P. P. Doak,
Judge of Probate

November Term — Wednesday — November 11th 1908

Court met pursuant to adjournment — present P. P. Douse, Judge and H. S. Hutchison, Sheriff when the following proceedings were had, to-wit: —

Estate of David A. Miller, deceased (Allowance of Demand.
Mrs. Minnie E. Miller, Adm'r)

Comes now A. B. Ford, and presents to the Court for allowance against said estate a Demand for \$260.⁴³ founded on two promissory notes and interest as follows, to-wit: —

Note #1 for \$500.⁰⁰ — signed by D. A. & Minnie E. Miller and dated Dec. 7, 1905 — interest paid to Dec. 7, 1907. interest accrued to date \$3.²³ Amt of note to date \$53.²³
Note #2 signed as above, dated Apr. 30, 1908; for \$200.⁰⁰; accrued int \$7.²⁰ amt 207.²⁰

And service being waived in writing, and affidavit and proof made, it is ordered that said notes and interest be allowed against said estate in the sum of \$260.⁴³ in Class five

In the matter of the Estate of (Demand Allowed
David A. Miller, deceased)

Comes now Mrs. E. J. Crall and presents to the Court for allowance against said Estate a Demand for \$734.⁷⁵ founded on two Notes — Note #1 being for \$250.⁰⁰ and interest @ 6½% from date, Mar. 2, 1904, to present = \$85.⁹³ — amt to date = \$335.⁹³

Note #2, Date May 4, 1904, face \$300.⁰⁰ int. from date @ 6½% = \$98.⁸²;
Amount of note to date 398.⁸²

Said notes being signed by D. A. and Minnie E. Miller.

Service of Notice being waived in writing and affidavit and proof made it is ordered that said notes be allowed against said estate in the sum of \$734.⁷⁵ and that said demands be placed in the fifth class.

In the matter of the Estate of (Demand allowed,
David A. Miller, deceased)

Comes now Mrs. Ida M. Peters, and presents to the Court for allowance against said Estate a Demand for \$155.⁰⁷ founded on note signed by deceased and Minnie E. Miller dated May 18, 1906 @ 7% int with int paid to May 18, 1908 — amt to date as above. Service waived in writing and affidavit and proof made, it is ordered that said note be allowed against said estate in the sum of \$155.⁰⁷ in the fifth class of demands.

November Term — Wednesday — November 11th 1908

Estate of David A. Miller, deceased, } Demand Allowed,
Minnie E. Miller Admrx }

And now Comes Mrs. Ida M. Peters and presents to the Court for allowance against said estate a Demand for \$173²⁶, founded on a note signed by deceased and Mrs. Minnie E. Miller, Feby 26, 1904, interest @ 7%, which note and interest to date amts. to above sum; Service being waived in writing and Affidavit and proof made: it is ordered that said note and interest be allowed against said estate in the sum of \$173²⁶ in Class #5.

In the matter of the Estate of } Order Confirming Sale of Real Estate,
James Robb, deceased }

Now Comes Geo. H. Norton, Public Admr., who has in charge the estate of James Robb, deceased, and submits to the Court his report of sale, by which it appears that he did, on the 31st day of August A.D. One thousand Nine hundred and eight, in obedience to the order of this Court made at the August Term, 1908, thereof, sell at private sale to Joseph Vogel, subject to a Deed of Trust held by Joseph Vogel, for the price and sum of (\$70⁰⁰) Seventy Dollars, in cash, the real estate in said order of Court and report, particularly described, viz:

Commencing (8) Eight rods west of the Northeast Corner of Section (27) twenty-seven, Township (61) Sixty-one, Range (27) twenty-seven, thence West (120) One hundred and twenty rods, thence South (40) forty rods, thence East to the Corner of the Public Road leading from Madelaine to Jameson, thence North (27) Twenty seven rods, thence West about (8) nine rods, thence North (12½) twelve and ½ rods 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 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 Joseph Vogel a deed in due form of law, conveying to the said Joseph Vogel all the right, title and interest which the deceased had in the same at the time of his death.

November Term - Wednesday - November 11th, 1908.

In the matter of the estate of (Final Receipt filed - Administrator discharged,
James M Johnson, deceased)

Comes now Chas. M. Johnson, Admr. of said estate and files final receipt of S. Sterling Johnson of Johannesburg Transvaal for \$55³⁵ the same being his distributive share of said estate on final distribution made pursuant to order of this Court made at May term, 1908 thereof, and it appearing that said proof of publication of notice of final settlement was duly made, and that said estate has been fully administered - it is ordered that said Administrator be, and is hereby discharged herein.

Estate of Wm. T. Miller deceased, (Demand Allowed,
Mrs. Mary T. Miller, Admr.)

Comes now Lester Pettijohn, Undertaker, and presents to the Court for allowance against said estate a Demand for \$171⁶⁵ on acct. for funeral of deceased, and service of Notice being waived in writing, and affidavit and proof made it is ordered that same be allowed, as a first Class demand against said estate, in the sum of \$171⁶⁵,

In the matter of Estate of (Demand Allowed,
Wm. T. Miller, deceased)

Comes now the Daviess County Bank of Pattonburg, Mo., and presents to the Court for allowance against said estate a Demand for \$1581⁷⁵ on note for \$1500.00 signed by deceased DEC. 12, 1907, int. @ 6% to 9th inst. \$81.75; service being waived in writing and affidavit and proof made: it is ordered that said note and interest in said sum of \$1581.75 be allowed as fifth class demand against said estate.

In the matter of Estate of (Demand Allowed,
Wm. T. Miller, deceased)

Comes now Mrs. R. Davis, and presents to the Court for allowance against said estate a Demand for \$800 on account for merchandise, service being waived in writing and affidavit and proof made: - it is ordered that said account be allowed against said estate in the sum of \$800 and assigned to class five.

November Term - Wednesday - November 11th 1908

In the matter of the estate of { Demand allowed,
Omer L. Read, deceased }

Comes now the Daviess County Bank, Pattonsburg, Mo. and presents to the Court for allowance against said estate a Demand \$413.²⁸ founded on the following described notes and account:-

Note for \$100.⁰⁰ - 4-27-1908 due in 90 days int from date 6% \$920 = \$10920

" " 50.⁰⁰ - 7-1-1908 " " 30 " " " 6% 102 = 51.02

" " 150.⁰⁰ - 7-18-1908 " " 4 months " " " 6% 277 = 152.77

" " 85.⁰⁰ - 8-12-1908 " " " " " 6% 124 = 86.24

and account for draft Sept. 10-1908 20.⁰⁰

Service being waived in writing, and affidavit and proof made it is ordered that said notes and account be allowed against said estate in the sum of \$413.²⁸ and placed in the fifth class.

Estate of Omer L. Read { Demand Allowed.
Deceased }

Comes now Lester Pettigohn, undertaker and presents to the Court for allowance against said estate a Demand for \$189.⁴⁰ on account of funeral of deceased, service being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate in the sum of \$189.⁴⁰ and placed in Class one,

Estate of Harry Nickerson { Demand Allowed,
Deceased }

Comes now James L. McCue and presents to the Court for allowance against said estate a Demand for \$9.⁹⁴ on account for merchandise, And service being waived in writing, and affidavit and proof made it is ordered that said account be allowed against said estate and placed in Class five.

Ordered that first Annual Settlement of J. W. Estes, Admr. of Jno. W. Hawkins deceased, this day filed be approved and recorded.

Estate of Harry Nickerson { Demand Allowed,
Deceased }

Comes now Isaac Hook and presents to the Court for allowance against said estate, a Demand for \$11.⁷⁴ founded on account, service being waived in writing and affidavit and proof made, it is ordered that said account

1908 November Term - Wednesday - November 11th 1908

be allowed against said estate in the sum of \$11²⁵ and placed in the fifth Class,

Ordered that the Annual Settlement of Noah Hershberger, Guardian of Thomas Hershberger, a person of unsound mind, this day due, be continued to the November term of this Court 1909.

Ordered that the first Annual Settlement of N. S. Givens, Executor of Wm. M. Givens deceased, this day due be continued to the February Term 1909.

Estate of Edward C. McClung, Deceased Demand allowed

Comes now James L. McBue and presents to the Court for allowance against said estate a Demand for \$18⁰⁰ founded on account for merchandise, And service of notice being waived in writing, and affidavit and proof made: it is ordered that same be allowed against said estate in the sum of \$18⁰⁰ and placed in Class five.

Estate Harry Nickerson, Deceased Demand allowed.

Comes now the Farmers and Merchants Bank, Jamesport, Mo. and presents to the Court for allowance against said estate a Demand for \$488.⁹³ founded on three notes as follows: - Note for \$161⁰² Date 2-10-1908- 9 months - interest from maturity at 8% - Note for \$234⁰⁰ date 2-8-1908- 6 months int @ 8% from maturity and note for \$92⁹⁰ date 2-28-1908- Nine months. Int. @ 8% from maturity and overdraft \$1.²¹. Service being waived in writing and affidavit and proof made it is ordered that said demand be allowed against said estate in the sum of notes, account and interest as per agreement in said notes.

Estate of Fred C. Orcutt Deceased Demand allowed

Come now Pettijohn Bros., undertakers and present to the Court for allowance against said estate a Demand for \$215⁰⁰ on account of funeral of deceased; Service being waived in writing and affidavit and proof made it is ordered that same be allowed in said sum of \$215⁰⁰ against said estate in Class one.

November Term — Wednesday — November 11th, 1908.

Estate of Harry Nickeson (Demand Allowed
Deceased)

Comes now Nancy C. Hook and presents to the Court for allowance against said estate a demand for \$28⁰⁰ founded on account, service being waived in open Court and affidavit and proof made it is ordered that same be allowed against said estate in the sum of \$28⁰⁰ and assigned to Class one.

In the matter of the Estate of (Administration granted by bond approved
John R. Williams, deceased)

Comes now J. B. Evans and makes application for letters of Administration upon the estate of John R. Williams, deceased, and makes affidavit and says that to the best of his knowledge and belief the names of the heirs of the said John R. Williams, deceased, and their places of residence, are respectively as follows:
Anna M. Williams, who resides in the County of Daviess, in the State of Missouri;
Charles E. Williams, who resides in the County of Daviess, in the State of Missouri;
Virgil S. Williams, who resides in the County of Daviess, in the State of Missouri;
Jellia B. Williams, who resides in the County of Daviess, in the State of Missouri;
That the said John R. Williams died on the 2nd day of Nov. 1908, without a will; 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 appearing to the Court that said deceased had at the time of his death personal property not to exceed the value of \$1250.00, and Mrs. Anna M. Williams, widow of deceased having renounced in writing her right and claim to administer said estate, it is ordered that letters of Administration upon said estate be granted and issue to said J. B. Evans, and that before entering upon the duties of said Office be required to enter into bond to the State of Missouri, with two or more securities to be approved by this Court, in the sum of \$2500.00, and conditioned according to law.

And now comes said J. B. Evans and files said bond in the sum of Twenty five hundred Dollars, with Robert E. Maupin and John D. Dunham, sr as securities thereon, and conditioned as the law directs, and it is ordered by the Court that said bond be approved. And it is further ordered that M. H. O'Hare and J. D. Severe be and they are hereby

November Term — Wednesday — November 11th, 1908.

appointed witnesses to aid said Administrator to examine the books and papers of said deceased, and to make an inventory of all the property both real and personal belonging to said estate, and that said Administrator publish notice of the grant of said letters as the law requires,

In the matter of the estate of {
 Conrad Smith deceased { Order of Sale of Real Estate
 Frank W. Voss, Administrator }

Now at this day, Comes The Citizens State Bank of Altamont, Missouri, a Corporation organized under the laws of the State of Missouri, and a creditor of the Estate of Conrad Smith, deceased, and proves to the Court that the Order of Publication made by the Probate Court of said County, upon its petition at the August Term, 1908, thereof, has been published, according to law, and due service thereof had on the heirs 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 Creditor 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 Administrator to pay the debts due and owing by said estate, it is ordered that the said Administrator, first having the same duly appraised according to law, do sell the Real Estate mentioned in said petition, and hereinafter described, at Public Sale for the purpose of paying the debts due by said estate as aforesaid.

Such Sale shall be at public vendue, to the highest bidder, on the 1st day of February, 1909, at the East door of the Court House in the City of Gallatin, in said County of Daviess, and during the Session of the County Court, between the hours of 10 O'Clock in the forenoon and 5 O'Clock in the afternoon 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 Gallatin North Missourian a newspaper published in said County of Daviess, for four weeks prior to said sale.

November Term Wednesday November 11th, 1908,

Description of Property to be Sold.

An undivided one half ($\frac{1}{2}$) interest in and to the North West quarter ($\frac{1}{4}$) of the South East quarter ($\frac{1}{4}$) and the South West quarter ($\frac{1}{4}$) of the North East quarter ($\frac{1}{4}$) and the South East quarter ($\frac{1}{4}$) of the North West quarter ($\frac{1}{4}$) of Section Twenty Nine (29) and the South West quarter ($\frac{1}{4}$) of the North West quarter ($\frac{1}{4}$) of Section Thirty Three (33) all in Township Fifty Six (56) and Range Twenty Nine (29) containing 160 acres more or less in Caldwell County Missouri.

And it is further ordered that the said Administrator sell the same for the purposes in said petition mentioned, on the following terms, to wit:

Cash in hand subject to the Trust Deed securing the sum of Six Thousand Dollars (6000.⁰⁰) to the Farmers Bank of Cameron, Mo., dated November 27, 1905, due three years after date at 7 per cent interest from date.

In the matter of the Estate of } Demand allowed and classified
Everett Hainak, deceased

Comes now, The Bank of Jameson and presents to the court for allowance against said estate, a demand for the sum of \$500.⁰⁰ founded on a note, service being waived in open court and affidavit and proof made, it is ordered that said note be allowed against said estate in the sum of \$500.⁰⁰, and placed in Class five.

Estate of M. J. Culver } Demand allowed.
Deceased

Comes now Elizabeth A. McBryer and presents to the court for allowance against said estate, a demand for \$900.⁰⁰ on account of Board and care of Ernie the minor heir of deceased. Service waived and affidavit and proof made. it is ordered that same be allowed against said estate in the sum of \$900.⁰⁰ and assigned to Class five.

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

P. P. Doak,
Judge

November Term Thursday November 12th 1908.

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

Estate of Robert F. Bennett, deceased, } Final Settlement: Order of Distribution,
W. J. Weldon, Executor.

Come now W. J. Weldon, Executor of Robert F. Bennett, deceased, and files his final settlement of said estate which shows balance due estate of \$106.21 and it is ordered that same be distributed as follows, to-wit: —

To Elizabeth Miller the sum of	\$21.34
" Frankie Bennett Lewis the sum of	21.34
" Dollie Bennett " " "	21.34
" Wardle Bennett " " "	21.34
" Edith Patrick " " "	21.34 and

that said Administrator ^{pay} over the same to said distributees and file herein their respective receipts, and it appearing to the Court that said Administrator has published notice of this final settlement according to law it is ordered that said final settlement be approved and recorded.

In the matter of the Estate of } Final Settlement: Order of Distribution
Joseph H. Knott, deceased

Come now Jas. A. Knott and Jas. H. Prindle, Executors of said deceased, and file their final settlement of said estate, which show a balance for distribution, as provided in the will of deceased, of \$331.70

To Ross Knott 1/4 =	\$97.94
" Doyle D. Knott	97.94
" Walter Knott \$97.94 less \$60.00 as per V. 5 filed.	37.94
and to Wood Knott	97.94

To Russell Knott \$100.00 less than the above distributees = 00.00

And it is ordered that said Executors pay the above sums to the persons entitled thereto and file their receipts for same herein. And said Executors having shown to the Court that notice of this final settlement has been published according to law, it is therefore ordered that said final settlement be approved and recorded.

November Term Thursday November 12. 1908

In the matter of Estate of (Final Settlement, and Discharge,
Henry P. Mills, deceased)

Comes now Festus M. Mills, Administrator, of said estate and files his final settlement of the same which shows a balance in favor of said estate of \$700, and it appearing that Mrs. L. A. Mills is entitled to said balance as part of her special dower of \$400.00: it ordered that same be paid to her and that her receipt therefor be filed herein, And now comes said Administrator and files the receipt of said Mrs. L. A. Mills, for said balance of \$700, and it appearing that notice of this final settlement has been published in accordance with the law, and that said estate is fully administered, it is ordered that said final settlement be approved and recorded, and it is further ordered and adjudged that said Administration be closed and that said Administrator be and he is hereby discharged

In the matter of the Estate of (Curator appointed,
Doyle D. Knott, a minor.)

Comes now James A. Knott and represents to the Court that Doyle D. Knott, a minor, aged nine years, residing in Daviess County, Missouri is his son, and that possesses personal property \$97.24 which came to him by will from the estate of Joseph H. Knott deceased, and that said estate is in money in the hands of the Executors of said Joseph H. Knott, deceased; that it has been ordered paid out to the distributees of said estate; that said minor has no legally appointed and duly qualified Curator or other person authorized by law to receive said property and receipt for the same, and to the end that said property may be properly conserved for the benefit of said Minor, petitioner therefore desires and requests that he be appointed Curator of the estate of said minor, And the Court having heard said petition and the evidence in relation thereto, and being fully advised in said matter doth order that said James A. Knott be and is hereby appointed Curator of the estate of Doyle D. Knott, minor, and that before entering upon the duties of said trust he be required to enter into bond to the State of Missouri for the use and benefit of said Doyle D. Knott, in the sum of \$200.00, with two or more securities to be approved by the Court.

November Term Thursday November 12-1908

Ordered that the Seventh Annual Settlement of E. D. Mann Curator of Harry M. Mann, et al, minors, this day filed be approved and recorded,

Estate of Harry Nickeson } Demand allowed
Deceased,

Come now Marshall and Sutliff and present to the Court for allowance against said estate a demand for \$2.⁹⁰; service waived and affidavit and proof made, it is ordered that same be allowed against said estate in above sum, and placed in Class No. five

Estate of Harry Nickeson } Demand allowed,
Deceased,

Comes now B. W. Wynn and presents to the Court for allowance against said estate a demand for \$1.⁸⁰; on acct, service waived in writing, affidavit and proof made, it is ordered that same be allowed against said estate in fifth Class,

Estate of Harry Nickeson deceased } Demand allowed

Comes Dr G. N. Sutliff and presents to the Court for allowance against said estate a demand for \$4.⁰⁰, service waived in writing, affidavit and proof made it is ordered that same be allowed in Class five

Estate of Harry Nickeson } Demand allowed,
Deceased

Comes now Dr H. E. Songer, and presents to the Court for allowance against said estate a demand for \$25.⁵⁰ on account of medical services rendered deceased in last sickness, and service being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate in the sum of \$25.⁵⁰ and placed in Class two,

Estate of J. J. Long } Demand Allowed
Deceased

Comes now The Farmers Store, Trenton, Mo., and presents to the Court for allowance against said estate a demand for \$21.⁹³ on account of burial costume, service being waived in writing, and affidavit and proof made, it is ordered that said account

November Term Thursday - November 12th, 1908

be allowed against said estate in the sum of \$21.⁹³, and assigned to Class One

Estate of J. J. Long { Demand allowed
Deceased }

Comes now William Gibson, undertaker, and presents to the Court for allowance against said estate a demand for \$60.⁰⁰ on account of funeral of deceased; service being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate in said sum of \$60.⁰⁰ and assigned to Class One.

Estate of John F. Henderson, { Demand allowed.
Deceased. }

Comes now Pettijohn Bros, and present to the Court for allowance against said estate a demand for \$354.⁰⁰ on account of funeral of deceased, and service of notice being waived in writing and proof and affidavit made; it is ordered that said account be allowed against said estate in the sum of \$354.⁰⁰ and assigned to Class one.

Estate of S. M. Delby { Demand allowed,
Deceased }

Comes now O. E. Comstock and presents to the Court for allowance against said estate a demand for \$35.⁰⁰, on account for merchandise, service waived in writing, and affidavit and proof made it is ordered that same be allowed against said estate in above sum, and placed in Class #5;

Estate of Everett Hannah { Demand allowed,
Deceased }

Comes now F. M. Kemp and presents to the Court for allowance against said estate a demand for \$14.⁰⁰ on account, service being waived in Open Court, and affidavit and proof made, it is ordered that same be allowed against said estate in the sum of \$14.⁰⁰ and placed in Class five.

Estate of Everett Hannah, { Demand allowed.
Deceased }

Comes now E. L. Walton and presents to the Court for allowance against said estate a demand for \$3.⁵⁵ on account,

November Term - Thursday - November 12th - 1908

Service waived in open court, and affidavit and proof made: it is ordered that same be allowed against said estate in the sum of \$32.50 and placed in class five.

Estate of Jacob Ramey } Demand allowed,
Deceased

Comes now Lester Pettijohn and presents to the Court for allowance against said estate a demand for \$90.00 on account of funeral of deceased, service being waived in writing, and affidavit and proof made, it is ordered that said account be allowed against said estate and placed in first class.

Estate of Everett Hannah } Demand allowed,
Deceased

Comes now R. L. Gaines and presents to the Court for allowance against said estate a demand for \$10.00 on account of Stallion Service, service waived in open court and affidavit and proof made, it is ordered that same be allowed against said estate in fifth class.

Estate of John H. Miller } Demand allowed,
Deceased.

Comes now the Pattonsburg Mercantile Company and presents to the Court for allowance against said estate a demand for \$22.69 on account of burial costume for deceased, service waived in writing and affidavit and proof made, it is ordered that same be allowed against said estate in class one.

Ordered that the 4th Annual settlement of J. W. Morris, Curator of the estate of Mountie and Roy Morris, this day due be continued till February term 1909.

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

P. P. Doak

Judge.

November Term — Friday — November 13th 1908,

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

Ordered that first Annual Settlement of John N. Morton and W. C. Gillihan, Executors in Re-estate of Chas. E. Morton, deceased, this day filed, be approved and recorded,

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

Ordered that the Second Annual Settlement of Alfred E. Utz, Administrator of Jas. M. Royse, deceased, this day due be continued to February term 1909 for final settlement.

Ordered that the first Annual Settlement of Ethel M. Schapaugh, Admin^{tr} of Wm. H. Schapaugh deceased this day due, be set over to the 18th inst.

Ordered that the fourth annual settlement of Douglass Slater Curator of Roy and Earnest Slater, minors, this day filed be approved and recorded.

Ordered that the second annual settlement of Robert V. Thompson, Curator of Clay Warren Smith, et al, minors, this day filed, be approved and recorded.

Ordered that the first Annual Settlement of T. B. Yates Admin. of Geo. B. Smith deceased, this day filed be approved and recorded.

In the matter of the Estate of (Demand allowed,
Harry Nickerson, deceased)

Come now J. O. Buren and presents to the Court for allowance against said estate a Demand for \$10.00 on acct. of service of Stallion. And service being waived in writing and proof and affidavit made it is ordered that same be allowed against said estate in the sum of \$10.00 in class five.

November Term Friday — November 13th, 1907.

In the matter of the alleged insanity of } Order of Continuance,
Mary C Hershberger

And now Comes ~~Comes~~ Eliza C. Baseue informant, by her attorney Boyd Dudley, and asks that the matter of the alleged insanity of said Mary C Hershberger be continued till the February Term, 1908, of this Court, and it is so ordered by the Court,

In the matter of the Estate of } Order allowing Claim of Sherman McCrary.
William Tyler Kisinger, minor }

Comes now, Sherman McCrary and presents to the Court an itemized account for expenditures for clothing, school supplies, medicine, and for board for said minor, for the sum of \$130.⁶⁸, and asks the Court to allow the same against the estate of said minor. And Tyler Adams, Curator of said minor having waived service of notice on said claim, in open court, And the Court having heard the evidence in relation to said claim, which covers the period from May 13, 1907 to May 1908, doth order and adjudge that the sum of \$26.⁰⁰ be allowed on said account as claimed for clothing, school supplies, and medicine for said ward, and that \$1.⁰⁰ per week = the sum of \$52.⁰⁰ on account of board for the above period be allowed - or a total on said demand of \$78.⁰⁰, and it is ordered that said Curator pay said sum of \$78.⁰⁰ out of the assets of said minor in his hands and that he be allowed credit for said sum in his next annual settlement of said estate

Estate of } Demand allowed
S H Selby deceased }

Comes now O E Comstock, and presents to the Court for allowance against said estate a demand for \$3.⁸³ founded on account service being waived in writing, and affidavit and proof made; it is ordered that same be allowed in the sum of \$3.⁸³ and placed in Class five

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

P. P. Doak

Judge of Probate

November Term — Saturday — November 14th. 1908

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

In the matter of the Estate of
David A. Miller, deceased,

Mrs. Minnie E. Miller, Administratrix

} Order of Sale of Real Estate.

Now at this day comes Mrs. Minnie E. Miller, Administratrix of the estate, of David A. Miller, 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, 1908, 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 touching the application of said Administratrix 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 charged with the payment of debts, and not sufficient assets in the hands of said Administratrix to pay the debts due and owing by said estate, it is ordered that said Administratrix, first having the same duly appraised according to law, do sell the Real Estate mentioned in said petition and hereinafter described, at private sale for the purpose of paying the debts due by said estate as aforesaid. For not less than three fourths of its appraised value, the following real estate, viz:

The South West quarter of section Twenty-three (23); Township Fifty Eight (58) of Range Twenty-nine (29) in Daviess County, Missouri, and containing 160 Acres more or less

And it is further ordered that the said Administratrix sell the same for the purposes in said petition mentioned, on the following terms, to-wit:

For Cash in hand subject to a Deed of Trust on said land to secure to the Connecticut Life Insurance Company the sum of Four Thousand Dollars (\$4000.00) and interest on the same at the rate of 5 per cent from March 1-1908.

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

November Term — Saturday — November 14- 1908

Ordered that the fifth annual settlement of E. M. Foley, jr., Guardian and Curator of the estate of Aubrey Lester Mann, minor, this day filed be approved and recorded.

In the matter of the estate of } Final Settlement and Discharge.
George B. Vantrice, Minor }

Now this day comes E. M. Foley, jr., Curator of George B. Vantrice, minor, and comes also, said ward, who represents and shows to the Court that he has arrived at the full and legal age of twenty one years: Whereupon said Curator proceeds to make a final settlement of his said wards account - said ward having waived in open Court the making and filing of the required Exhibit for such final settlement and service of notice thereof. and said final settlement showing a balance of \$95.92 due from said E. M. Foley, jr., to his said ward, which sum of \$95.92 is paid by said Curator to the said Geo. B. Vantrice, who duly receipts the said Curator for the same which said receipt is filed with said final settlement, and it is ordered by the Court that said final settlement be approved and recorded, and that said E. M. Foley be, and is discharged here in

Ordered that the Sixth Annual Settlement of E. M. Foley, jr., Curator of Clara E. Snyder, minor this day filed be approved and recorded.

Ordered that Fourth Annual Settlement of I. C. Cruzen, Guardian of the person and Estate of Mary E. Steele, an insane person, this day filed be approved and recorded.

Ordered that the fourth annual Settlement of Georgia A. Miller, Curator of the estate of Corwin E. Miller, a minor this day filed be approved and recorded

In the matter of the Estate of } Additional Bond ordered - and recorded.
Mary E. Steele, an insane person }

Now at this day it appearing to the Court that the Bond of Isaac C. Cruzen, Guardian of the person and estate of Mary E. Steele, an insane person, is inadequate in that the amount of assets in the hands of said Guardian is greater than when the present bond was executed, it is therefore ordered that said guardian be required to give additional bond in the sum of Two Thousand Dollars (\$2000)

And now comes said I. C. Cruzen and files said bond in

November Term — Saturday — November 14th, 1908,

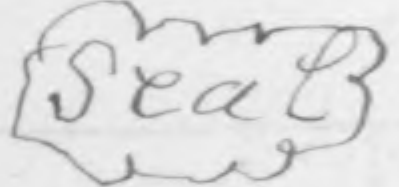
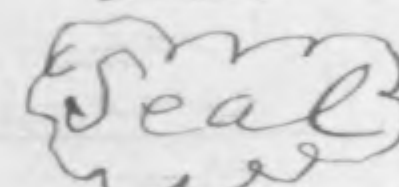
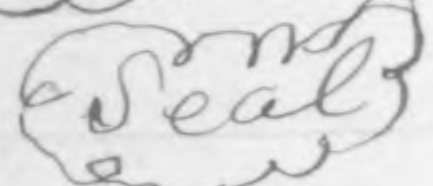
the sum of \$2000.00 with Nat G. Cruzen and Rollin J. Britton as securities thereon, and it is ordered by the Court that said bond be approved,
Bond-

We, J. C. Cruzen, as Principal, and Nat. G. Cruzen and Rollin J. Britton as Securities, are held and firmly bound unto the State of Missouri, in the sum of Two Thousand Dollars, for the payment of which we bind ourselves and our heirs:

Upon the condition, That whereas, the said J. C. Cruzen has been appointed by the Probate Court of Daviess County, Missouri, Guardian of the person and estate of Mary E. Steele of said County, a person of unsound mind.

Now, if the said J. C. Cruzen shall take due and proper care of such Mary E. Steele 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 here to set our hands and affixed our seals, at Gallatin in said County this 14th day of November, A.D. 1908

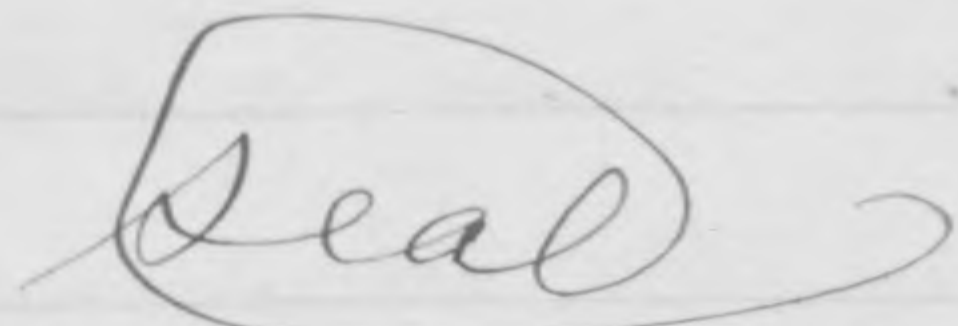
J. C. Cruzen 
 Nat. G. Cruzen 
 Rollin J. Britton 

Approved by the Court. P. P. Doak, Judge of the Probate Court of Daviess County Missouri
 State of Missouri } ss.

County of Daviess } This certifies that the above Bond was filed for Record on the 14th day of November, A.D. 1908, and is duly recorded in Book Six at page 558. Witness my hand and seal of office, done at office in Gallatin, this 9th day of December, A.D. 1908

P. P. Doak,

Judge of Probate



November Term — Saturday — November 14th, 1908.

In the matter of the estate of { Choice and appointment of Curator,
Roger W. Vipond, et al, minors }

Now comes Cort Francisco, and represents to the Court that the following named persons, minors, aged as follows, viz.:

Roger W. Vipond, aged 13 years; Wm J. B. Vipond aged 12 years; and Brunar L Vipond, aged 10 years, residents of Daviess County, possess personal estate of the value \$144.00; that they are the children of J. R. Vipond, late of Daviess County, deceased, and that the aforesaid property will be due to them from the estate of their deceased father on the final settlement of said estate, therefore to the end that said property may be properly conserved for the benefit of said minors, he desires and requests that he be appointed Curator of said minors, and Mrs. Vipond, widow of said J. R. Vipond deceased and mother of said minors being present, also requests the appointment of said Cort Francisco, Curator of said minors.

And now comes also Claude Vipond, Isaac R Vipond and Clarence R. Vipond minor heirs of said J. R. Vipond, deceased, who are above the age of 14 years, and make choice of and request the Court to appoint the aforesaid Cort Francisco, who is their uncle, as their Curator.

Whereupon it is ordered by the Court that said Cort Francisco do be and he is hereby appointed Curator of the estate of Claude Vipond, Isaac R. Vipond, Clarence R. Vipond, Roger W. Vipond, William J. B. Vipond and Brunar J. Vipond. and that before entering upon the duties of such Curatorship he be required to enter into Bond to the State of Missouri for the use and benefit of said minors, in the sum of \$600.00 with two or more securities to be approved by the Court,

And now comes said Cort Francisco and files said bond in the sum of \$600.00 with Robert E. Maupin and John T. Gough as securities thereon, and it is ordered that said Bond be, and the same is hereby approved.

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

Ordered that the Sixth Annual settlement of William Oram, Testamentary Guardian of James Francis Ward, a minor, this filed be approved and recorded.

Ordered that the first Annual settlement of J. F. Wise Admr. of L. J. Smith, deceased, this day due, be set over to the 18th inst.

November Term — Saturday November 14th, 1908.

In the matter of the estate of (Will Established
S. R. Griggs, Deceased)

Now on this day an instrument of writing, heretofore filed herein, is produced before this Court, which said instrument of writing is signed by S. R. Griggs, and purports to be the last will and testament of S. R. Griggs, late of Daviess County, deceased, and is attested by Chas. S. Davis and G. C. Bartlett as witnesses, And the judge of this Court having on ^{the} 5th day of November 1908, issued a Commission to take the deposition of said Chas. S. Davis one of said attesting witnesses, and the same being duly returned under the hand and seal of W. S. Vawter, a Notary Public within and for Adair County, Missouri, the Court now proceeds to take the testimony of G. C. Bartlett the other attesting witness to said instrument.

And each of said witnesses ^{being} first duly sworn, upon their oaths say that they were well acquainted with S. R. Griggs in his life time, and being shown said instrument of writing, purporting to be the last will of said S. R. Griggs, they each further say that they were present at the execution of said will and saw the said S. R. Griggs sign it on the day of the date thereof and heard said S. R. Griggs say then and there that said instrument was his last will and testament; that they subscribed their names as witnesses thereto, at the request of the said S. R. Griggs, in his presence and in the presence of each other, and that the said S. R. Griggs was then of sound and disposing mind and memory, and more than twenty-one years of age. The testimony of said witnesses having been reduced to writing and signed by them respectively, and the Court being now sufficiently advised by the evidence of said witnesses of the proper and legal execution of said will, it is ordered and adjudged by the Court, that said instrument in writing be considered proven and the same is established and adjudged to be the last will and testament of the said S. R. Griggs, late of said County, deceased, and that it be admitted to record as such.

Ordered that the first Annual Settlement of M. E. Whitt Administrator of Mary F. Whitt, deceased, this day filed be approved and recorded.

Estate of M. J. Culver (Demand allowed,
Deceased)

Comes now C. H. Galpin and presents to the Court for allowance against said estate a Demand for \$1.85, founded on account for feed, service waived, affidavit and proof made: ordered that same be allowed. *Class 31*

November Term — Saturday — November 14th 1908

Estate of John F. Henderson, } Demand allowed,
Deceased,

Comes now Dr. J. O. Frazier and presents to the Court for allowance against said estate a Demand for \$105⁰⁰, founded on account for medical services rendered during the last sickness of deceased, Service of Notice waived in writing and affidavit and proof made, it is ordered that same be allowed against said estate in the sum of \$105⁰⁰ and that be placed in the Second Class.

Estate of John F. Henderson, } Demand allowed,
Deceased

Comes now Dr. L. R. Doolin and presents to the Court for allowance against said estate, a Demand for \$98⁵⁰ founded on account for medical services rendered during the last sickness of deceased; Service being waived in writing and affidavit and proof made, it is ordered that same be allowed against said estate in said sum of \$98⁵⁰ and that it be assigned to Class two.

Estate of John F. Henderson, } Demand allowed,
Deceased,

Now comes the Frazier Drug Co. and presents to the Court for allowance against said estate, a Demand for \$21⁸⁰ on account of medicines furnished to deceased, during his last sickness; And service of notice being waived in writing and proof and affidavit made it is ordered that said account be allowed against said estate in said sum of \$21⁸⁰ and that it be assigned to Class Two.

Ordered that the Third Annual Settlement of Israel Heath, Curator of the estate of William R. Willis, minor, this day filed, be approved and recorded.

Estate of Harry Nickeson, } Demand allowed
Deceased

Come now Arnold Bros. and present to the Court for allowance against said estate a Demand for \$15⁰⁰ Service waived, affidavit & proof made. it is ordered that same be allowed against said estate in Class five.

Ordered that Court Adjourn till Wednesday, the 18th instant, at 9 O'clock a.m.

P. P. Doak,

Judge of Probate

November Term — Wednesday the 4th day — November 18, 1908

Court met pursuant to adjournment; there being present A. 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, Order of Distribution
America Hoover, deceased }

Comes now Winfield S. Hoover, Administrator of the Estate of said America Hoover, deceased, and proves to the Court that he has published Notice of Final Settlement as is by law required, and files his final settlement of said estate which shows a Balance due said estate by the said Administrator, of the sum of \$240.²⁷; and it appearing to the Court that all debts ^{against said estate,} and expenses of administration have been paid; It is therefore ordered by the Court that said balance of \$240.²⁷ be distributed to the heirs of said deceased, as follows:—

To Jacob Hoover of Daviess County the sum of	\$30. ⁰⁴
" Maria Conowany " " " "	30. ⁰⁴
" Mary D Nickerson " " " "	30. ⁰⁴
" Winfield S. Hoover " " " "	30. ⁰⁴
" Sarah E. Prime St Joseph, Mo. the sum of	30. ⁰³
" Henry E. Hoover Coffey " " " "	30. ⁰³
" Barbara C. Pell Pattonburg " " " "	30. ⁰³
" Mary D Welch of Phillipsburg Kas. " " "	6. ⁰⁰
" Henry O. Hoover " Gretna " " " "	6. ⁰⁰
" Ether Smith Homer Mo " " " "	6. ⁰⁰
" Chas Hoover Coffey " " " "	6. ⁰¹
" Clarence Hoover Pattonburg, Mo. " " "	6. ⁰¹

and that said W. S. Hoover, pay over to said distributees the said amounts due them respectively and file here in their receipts for the same; and it is further ordered that said final Settlement be approved and recorded.

In the matter of the Estate of { Final Settlement, And Discharge.
Thomas B. Jackson, deceased }

Now at this day Comes Martha S. Jackson, Administratrix of said Estate and files her final Settlement having first given due notice thereof according to law. And it appearing to the Court that said Administratrix, has paid all debts allowed against said estate except that due to herself and upon that she credits in her hands after paying all other allowed claims:—

And it further appearing that the estate has been

November Term - Wednesday the 7th day of Term - November 18-1908.

fully administered and all the assets realized upon so far as the same can be, it is ordered and adjudged by the Court that the Administration upon said estate be closed, the final settlement approved, and that the Administrator be and she is hereby discharged.

Estate of S. N. Selby, deceased (Demand Allowed,
J. A. Selby, Admr.)

Comes now the D. H. Davis Drug Co., and present to the Court for allowance against said estate a Demand for \$302.11; service being waived in open Court and affidavit and proof made: it is ordered that said Demand, on acct. for Merchandise, be allowed against said estate in said sum of \$302.11 and that it be placed in Class five.

In the matter of the estate of (Demand Allowed and Classified,
Everett Hannah, deceased)

Now Comes R. F. Hannah, Administrator of said estate, and file their Claim against said estate for the sum of \$801.00, founded on a note given by Claimants to H. N. Boyer for \$300.00 principal and one \$1.00 interest which Claimants say was borrowed for their son, to start him in business; and on an account for keeping four head of horses two years; and six head of horses two years, \$200.00 and to boarding and nursing deceased, for thirty weeks; from December 7, 1907 to July 17, 1908, at \$10.00 per week = \$300.00. And there being no Co-administrator on said estate the Court appoints L. B. Gillihan, a suitable person, to appear and manage the defence against said demand.

And R. F. Hannah and Maria Hannah the afore said Claimants, and L. B. Gillihan come, and by agreement submit the cause to the Court without a jury, and the Court having heard the evidence adduced, and having duly considered the same, doth find for the Claimants in the sum of (\$801.00) Eight hundred and one Dollars.

It is therefore ordered and adjudged by the Court that that said demand be allowed against the estate of Everett Hannah, deceased, for the sum of \$801.00, and be placed in the fifth Class.

Ordered that the first Annual Settlement of Wm. E. Whitt, Administrator of Mary F. Whitt, deceased, this day filed be approved and recorded.

November Term Wednesday — November 18, 1908 — 7th day.

In the matter of the Estate of (Bond filed and approved — And Letters Testamentary
S. R. Griggs, deceased) issue.

Now on this day comes E. L. Griggs, who is named in the last will of S. R. Griggs, deceased, as Executor thereof, and makes application for letters testamentary on said estate, and it is ordered by the court that letters testamentary be granted, and issue to said E. L. Griggs, and that he enter into bond as such Executor in the sum of Fourteen Hundred Dollars, with two or more securities, and now comes said E. L. Griggs and files said bond in the sum of \$1400.00, with O. E. Emery, D. M. Clagget and T. H. Black as securities thereon, and it is ordered by the court that said bond be and is hereby approved, And it is further ordered that W. S. Gould and Ross DeFord be, and they are hereby appointed witnesses to make an Inventory of the property of said estate, and that said E. L. Griggs publish notice of the grant of said letters according to law.

In the matter of the estate of (Order to Redeem Encumbered Realty,
Lewis A. Ellis, deceased)

Robert E. Maupin, Administrator of Lewis A. Ellis, deceased, appears and presents to the court his petition setting forth that on the 27th day of September, 1905, the deceased bought of John Funnell. The following described real estate, to wit:

All North of the Railroad of the North West quarter of the South East quarter, also three acres North of the Rail Road out of the North west corner of the South West quarter of the South East quarter of Section Twenty Eight (28) Township Sixty One (61), Range Twenty Eight (28) at the price of Two Thousand (\$2000.00) Dollars, one half of which was paid in cash, and for the balance the said Lewis A. Ellis assumed the payment of a note for \$1000.00 payable to Ellis and secured by a trust deed upon the above described land; that during the lifetime of said Lewis A. Ellis \$500.00 of balance was paid by him, and leaving a balance of \$500.00 on above principal and interest thereon for one year at 7% making a total of \$535.00 due and unpaid. And there are in hands sufficient assets to pay the incumbrance and to redeem said property.

And it appearing to the court that there are in the hands of said Administrator, sufficient assets belonging to said estate, and that will not be need-

November Term, Wednesday - November 18, 1908

ed for the payment of debts: It is therefore ordered by the Court that said Robert E. Maupin, administrator as afore said, redeem said incumbered real estate out of the personal assets of the estate,

In the matter of the Estate of (
 Wm. H. Deskins, deceased)

The Court now calls the matter of the Claim of Carl Gantz vs. Said Estate, And E. F. Deskins, ^{Administrator of said Estate.} not appearing, and the Court finding upon examination of the evidence that said Administrator has not had due notice of the intention of the Court to hear said cause at this time: it is therefore ordered by the Court that said cause be continued to the February Term, 1909, of this Court and set for Tuesday the 9th day of February, 1909, at One O'Clock P.M. and that all the parties to said cause be notified to appear at that time.

Ordered that the First Annual Settlement of Ethel M. Schapough Administratrix of Wm. H. Schapough, deceased, this day ~~due~~ be continued to the February term, 1909.

Ordered that the final Settlement of J. H. Hicklin, Administrator of the Estate of Mary A. Hawkins, deceased be, for cause shown, again continued - to the February term, 1909.

Ordered that Court Adjourn till 9 O'clock to-morrow morning

O. P. Doak,
Judge.

November Term Thursday November 19 1908,

Court met pursuant to adjournment. Present
P. B. Doak, Judge, and W. F. Hutchison, Sheriff, where the
following proceedings were had, to wit:

In the matter of the Estate of (Allowance and Classification of Demand,
John N. Miller, deceased)

Comes now Lester Pettijohn, undertaker and presents to the
Court for allowance against said estate a demand for \$71.⁰⁰ on
account of funeral of deceased, And service of notice being waived
in writing, and affidavit and proof made it is ordered by
the Court that said account in the sum of \$71.⁰⁰ be allowed
against said estate, and assigned to Class One.

Estate of David N. Perry (Allowance and Classification of demand,
Deceased,)

Comes now Dr. J. F. Hedrick and presents to the Court for
allowance against said estate a demand for \$32.⁵⁰ on account
of medical services rendered deceased during his last sickness.
Service of notice being waived in open Court and affidavit
and proof made - it is ordered that said account be allow-
ed against said estate in the sum of \$32.⁵⁰ and placed in
Class two.

Ordered that the First Annual Settlement of J. F. Wise,
Administrator of the estate of L. J. Smith deceased, this day filed
be approved and recorded.

Ordered that the Fourth Annual Settlement of John W. Morris
Curator of the estate of Mountie and Roy Morris, this day
due be continued to the February Term 1909.

In the matter of the Estate of (Allowance to Widow in lieu of years sup-
port,)
Mrs. F. Miller deceased

Comes now Mary E. Miller and submits to the Court her
petition setting forth that she is the widow of said deceased;
that her family consists of her self and three children who are
dependent on her for their support; that at the time of making
the inventory of said estate there was not on hand
and provided grain, meat, vegetables, groceries and
other provisions necessary for a year's subsistence of her

self and three minor children, and asks that the sum of \$600.⁰⁰ be allowed her, and appropriated out of the assets of said estate, and the Court having heard said petition, and the evidence adduced in relation thereto, and being sufficiently advised, doth order and adjudge that the sum of \$468⁰⁰ be allowed said widow, and appropriated out of the assets of said estate, and that a receipt for said sum so paid shall be a sufficient voucher in the settlement of said Administratrix.

In the matter of the estate of { Order for Private Sale of personal property.
Amanda Cox, deceased }

Now Comes Moses Mann, Administrator of the estate of said deceased, and files his written application for permission to sell one fat cow belonging to said estate at private sale and the Court being satisfied 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.

In the matter of the Estate of { Order Renewing Order of Sale.
Amanda M. Lord, deceased }

Comes now Samuel A. Lord, Administrator of said estate, and reports that he has not been able to sell the real estate of said deceased, pursuant to the order of this Court, made at the May Term 1907, thereof, and renewed from term to term, and asks that said order of sale be again renewed,

And it is therefore ordered that said order of sale be again in all things renewed, and that said Administrator report his proceedings therein to this Court at the February Term, 1909, thereof.

Ordered that Court adjourn till 9 o'clock Friday morning
November 27, 1908.

P P Doak
Judge

In the Probate Court in Vacation - November 25, 1908.

Nov

In the matter of the person of (Guardian Chosen - Bond filed
Paul M. Padden, a minor)

Comes now Paul M. Padden, and represents to the Judge of Probate that he is a minor of the age of twenty years; that his parents are both dead; that he has no guardian of his person, or other person authorized to represent him in legal transactions - and chooses Cory Pettijohn of Gallatin, a friend of his as his guardian, and requests said Judge of Probate to appoint him, the said Cory Pettijohn to be such guardian, and the said Judge approving said choice - it is therefore ordered that said Corey Pettijohn be and is hereby appointed Guardian of the person of said Paul M. Padden and that he enter into bond ^{to the State of Missouri,} for the use and benefit of said Paul M. Padden in the sum of \$100.00.

And now Comes said Cory Pettijohn and accepts said guardianship and files his bond as such guardian in the sum of \$100.00 with W. E. Wampler and G. F. Harrison as securities thereon, which bond is by the Judge of Probate accepted and approved.

P. P. Doak,
Judge of Probate

November Adjourned Term - Friday - November 27. 1908

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

Ordered that the Bond of Cory Pettigrove as guardian of the Person of Paul M. Padden, a minor taken in vacation of this Court November 25, 1908, be and is hereby approved, and ^{that} the appointment of said guardian be ratified and confirmed.

Ordered that the First Annual Settlement of G. L. Loop, Executor of the last will and testament of Flora Fredrick this day filed be approved and recorded.

In the matter of the Estate of } Final Settlement.
David D. Grove, deceased }

Comes now Geo. U. Norton and files his final Settlement as Administrator of said estate, from which it appears that the entire personal estate of said deceased, has been exhausted; that ^{the} only allowed demand which could be paid was that of Frank Ward - it being the only first class demand, and it also appearing to the Court that the proceeds arising from the sale of real estate under the mortgage lien placed thereon by the said deceased in his lifetime over, and above the payment of said mortgage lien, is less than the sum of \$1500.00, and cannot therefore be used for the payment of the debts of said estate till all of the minor heirs of the deceased have attained their legal majority; it is therefore ordered that said said Frank Ward be paid his said demand in the sum of \$33.00, and interest in sum of \$2.25, and that said Balance remaining after the payment of ^{the aforesaid} Incumbrance and costs of foreclosure on real estate in the sum of \$, be paid over to the estate of Gertie Grove et al minor heirs of said D. D. Grove, deceased, and that upon filing receipts of said Frank Ward and of G. U. Norton Guardian of said minors for the aforesaid amounts that he, the said G. U. Norton will be entitled to his discharge as Administrator of said estate, and that said ^{final} settlement be approved and recorded.

Ordered that Court adjourn till Court in Course

P. P. Doak,
Judge.

In vacation of the Probate Court - December 7, 1908,

In the matter of the Estate of } Bond filed,
Doyle D. Knott, a Minor, }

Comes now Jas. A. Knott and files his bond as Guardian and Curator of Doyle D. Knott a minor in the sum of \$200⁰⁰ with J. H. Prindle and W. H. Knott as securities thereon, which bond is by the Judge of Probate accepted and approved

P. P. Doak,
Judge of Probate,

In the Probate Court In Vacation - December 7, 1908,

In the matter of the Estate of } Will Probated,
And Last will and Testament of }
Esther Fry deceased }

Now this 7th day of December, 1908, An instrument of writing, heretofore filed herein, signed by Esther Fry, and purporting to be the last will and testament of Esther Fry, deceased, late of Daviess County, is produced before the Judge of Probate to be proven and admitted to probate, and said Judge having issued a commissions to take the proof of said will, and said commissions having been duly returned together with the depositions of H. F. Bickel and C. A. Calhoun the subscribing witnesses to said will reduced to writing and by them signed, and said testimony duly certified pursuant to the authority of said Commissions, and the Judge of Probate having examined the same, does declare and adjudge said instrument of date May 17, 1902, is the last will and Testament of said Esther Fry, deceased and the same is therefore admitted to probate and ordered to be recorded

P. P. Doak,
Judge of Probate

In the Probate Court - In Vacation - December 10 - 1908.

In the matter of the estate of } Will probated - and Letters issued
John Donohue, deceased

Now, this 10th day of December, 1908, an instrument of writing signed by John Donohue, and purporting to be the last will and Testament of John Donohue, deceased, is produced before the judge of Probate to be proven and admitted to probate, and it appearing to said judge ~~that~~ ^{he} said John Donohue died 1908, in Daviess County Missouri, ~~he~~ ^{he} proceeded to take the testimony of W. A. Marshall and Mrs. G. S. Price the subscribing witnesses thereto in relation to the execution of said will, ~~and~~ ^{and now} does declare and adjudge said instrument of writing to be the last will and testament of John Donohue, deceased, late of Daviess County, and the same is therefore admitted to probate and ordered to be recorded.

And R. V. Thompson being named in said will as Executor thereof, and being a suitable person for such trust it is ordered by the judge of Probate that letters Testamentary on said estate be granted and issue to the said R. V. Thompson, and that he enter into bond as such Executor in the sum of Four Thousand, five hundred dollars (\$4500.00) with two or more good and sufficient securities.

And comes now said R. V. Thompson and files said bond in the sum of \$4500.00 with G. S. Price and W. A. Marshall as securities thereon, and conditioned as the law directs which bond is by the judge of Probate approved, and it is further ordered that G. S. Price and W. A. Marshall be and they are hereby appointed witnesses to make an inventory of all the property of said estate, and that said Executor publish notice of the grant of said letters according to law.

O. P. Doak,

Judge of Probate

In the Probate Court - In Vacation - December 11 - 1908.

In the matter of the estate of } Will probated.
Moses T. Mallory, deceased

On this December 11, 1908, an instrument of writing signed by Moses T. Mallory, and purporting to be the last will and Testament of Moses T. Mallory, deceased, is produced before the Judge of Probate to be proven and admitted to Probate, and said Judge having examined said instrument of writing, and having, also, heard the testimony of A. J. Place and Lewis B. Gilliam two of the subscribing witnesses thereto in relation to the execution of the same, does declare and adjudge said instrument of writing to be the last will and testament of Moses T. Mallory, deceased, late of Daviess County, and the same is therefore admitted to probate and ordered to be recorded.

O. P. Doak,

Judge of Probate

In the Probate Court - In Vacation - December 12-1908.

In the matter of the Estate of { Order granting Letters Testamentary - Bond filed
Moses T. Mallory, deceased }

Comes now Jas. M. Mallory, who is named in the last will of Moses T. Mallory deceased, as Executor thereof, and makes application for Letters Testamentary upon said estate, and said nomination being approved by the Judge of Probate, it is therefore ordered that said Jas. M. Mallory be granted Letters Testamentary upon the estate of said Moses T. Mallory, deceased, and that he enter into bond to the State of Missouri, as such Executor, in the sum of Four Thousand Dollars (\$4000.00) with two or more securities to be approved by the Court.

And now comes said James M. Mallory and files herein his said bond in the sum of \$4000.00 with J. W. Meade, E. D. Mann and Homer Feart as securities thereon, which bond is by the said Judge approved, and it is ordered that J. W. Meade and E. D. Mann be and are hereby appointed as witnesses to assist said Executor in examining the books and papers of said deceased, and to make an inventory of all the property of said estate, and it is further ordered that said Executor publish notice of the grant of said letters as the law directs.

P. P. Doak

Judge of Probate.

In Vacation - December 12-1908

In the matter of the Estate of { Will Probated - Letters Testamentary granted
John Kavanaugh, deceased }

Comes now Marietta Kavanaugh and files herein an instrument of writing signed by John Kavanaugh, and purporting to be the last will and testament of John Kavanaugh, deceased, and prays that same be proven and admitted to probate. And the Judge of Probate having examined said will and heard the testimony of Benjamin A. Prichard and W. T. Pugh two of the subscribing witnesses thereto, in relation to the execution of the same, does declare and adjudge said instrument of writing to be the last will and testament of John Kavanaugh, deceased, late of Daviess County, and the same is therefore admitted to probate and ordered to be recorded.

And Marietta Kavanaugh being named in said will as executrix thereof, and being a suitable person for said trust - it is therefore ordered that Letters Testamentary upon said estate be granted and issue to said Marietta Kavanaugh, and inasmuch as said testator requested that she execute said will without bond, it is ordered that no bond be required. And it is ordered that W. T. Pugh and Ben A. Prichard be and they are hereby appointed witnesses to assist said Executrix

to examine the books and papers of said deceased and to make an inventory of all the property of said estate, and that said Marietta Kavanagh publish notice of the grant of said letters as the law directs,

P. P. Doak

Judge of Probate

In the matter of

In Vacation — December 12, 1908.

In the matter of the Estate of
Mary C. Herskberger, alleged insane. } Information Dismissed.

Comes now Eliza C. Bascue, Informant, by her Attorney, Roy d. Dudley, and moves for an order dismissing said cause.

And it is therefore ordered that said Information and motion for hearing of said Inquiry by a jury be and the same is hereby dismissed, and that the costs therein be and the same are hereby ordered levied against said Eliza C. Bascue.

P. P. Doak

Judge of Probate

N. C. Macy, Public Administrator = { Commission and Bond.
Certificate of Election }

Certificate of Election

State of Missouri { ss
County of Daviess } This is to certify, That at a General Election, held in the County and State aforesaid, on the first Tuesday after the first Monday in November, A.D., 1908, being the 3rd day of said Month: - N. C. Macy having received 2376 votes for the office of Public Administrator the same being a greater number of votes than were cast for any other person for said office, was duly elected to the office of Public Administrator within and for the County and State aforesaid.

In Testimony Whereof, I, H. F. Lawrence, Clerk of the County Court of said County and State, have hereunto subscribed my name and affixed the seal of said Court,

Done at Office in Gallatin, this 18th day of November, A.D., 1908

H. F. Lawrence
County Clerk

Filed.

Dec. 14-1908

P. P. Doak
Judge of Probate.

(Seal)

The State of Missouri: Executive Department.

To all who shall see these presents, Greeting:

Know ye, That it having been certified to me that N. C. Macy was on the third day of November, Nineteen Hundred and Eight, duly elected to the office of Public Administrator within and for the County of Daviess,

Now Therefore, in the name and on behalf of the State of Missouri, I, Joseph W. Folk, Governor thereof, do hereby Commission him Public Administrator aforesaid, for the term of four years as specified by law and authorize and empower him to discharge the duties of said office according to law.

In Testimony Whereof, I hereunto set my hand and Cause to be affixed the Great Seal of the State of Missouri.

Done at the City of Jefferson, this 27th day of November in the year of our Lord, One Thousand Nine Hundred and 8,

By the Governor.

Jos. W. Folk

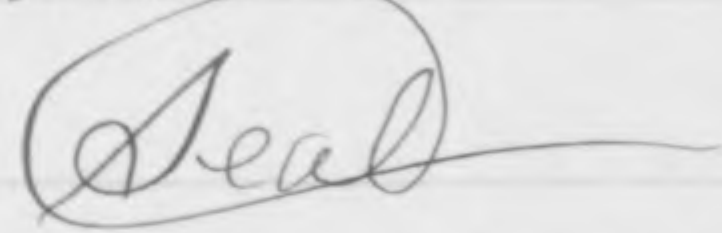
(Seal)

John E. Swanger
Secretary of State

State of Missouri (ss.
County of Daviess) I, W.C. Macy do solemnly swear that I will support
the Constitution of the United States, and the Constitution of the State of Missouri,
and that I will faithfully demean myself in the office of Public Admin-
istrator, to which I was elected on the 3^d day November 1908,
W.C. Macy

Subscribed and sworn to before me, the undersigned Clerk
of the Co. Court within and for said County of Daviess this 14th
day of Dec. A.D. nineteen hundred and eight.

In Testimony Whereof, I have hereunto set my hand and
affixed the seal of said Court at office in the city of Gallatin the date
aforesaid

 Seal

H. F. Lawrence, Clerk.

Filed DEC. 14, 1908

P. P. Doak,

Judge of Probate.

Official Bond

Know all Men by these Presents, That we, W. C. Macy, Principal,
and Rollin J. Britton, John W. Meade, E. D. Mann and Homer
Furst as Securities, are held and firmly bound unto the State
of Missouri in the sum of Ten Thousand (\$10000.00) Dollars,
for the payment of which we hereby bind our selves and our heirs,
executors and administrators.

Witness our hands this 18th day of November 1908.

The Condition of the above bond is such, however, that whereas,
the said W. C. Macy was on the 3^d day of November 1908, duly
elected to the office of Public Administrator of the County of
Daviess in the State of Missouri, and has been duly Commis-
sioned, Now, therefore if the said W. C. Macy shall discharge
all the duties of said office, then this obligation to be
void; otherwise to remain in full force and effect.

W. C. Macy

Rollin J. Britton

J. W. Meade

E. D. Mann

Homer Furst

Approved, November 27, 1908

P. P. Doak

Judge of Probate

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

In the matter of alleged Insanity of } Information filed & Inquisition ordered,
Samuel Hershberger,

Now on this 14th day of December, 1908, Comes Noah Hershberger, by his attorneys Cruzen and Britton, and gives information in writing to the Judge of the Probate Court of said County, in vacation, that Samuel Hershberger, a resident of said County, is of unsound mind and incapable of managing his affairs, and praying that an inquiry therein be had, and said judge being satisfied that there is good cause for the exercise of the jurisdiction of said Probate Court in said matter, now calls a special term of said Court to be held on the 21st, day of December, A.D., 1908, for the purpose of holding an inquiry whether the said Samuel Hershberger, be of unsound mind or not, and orders that said Samuel Hershberger be notified of such proceedings at least five days before said special term of said Court,

O.P. Doak,

Judge of Probate.

Special Term Monday - December 21, 1908

State of Missouri } ss.
County of Daviess }

Be it Remembered that at a Special 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 December 21, 1908; there being present O.P. Doak Judge of said Court, and Howard Page Dept. Sheriff when the following proceedings were had, to wit: -

In the matter of the alleged Insanity of Samuel Hershberger

Court met pursuant to the Judge in vacation, for the purpose of holding an inquiry whether Samuel Hershberger be of unsound mind or not, and notice to Samuel Hershberger being returned by James M. Simpson, Sheriff of Buchanan County, Missouri, served by delivering a true copy of said notice to said Samuel Hershberger, but said Samuel Hershberger appears not.

And comes a jury duly summoned, to wit: -

Peter Hubbard, Geo. Stapleton, Wm. Stapleton, Joshua

Amerine, W. W. Williams, Thos. Cogdill, C. E. Evans, J. E. Stone, T. J. Lewis, F. M. Parker, J. W. Burton and Thomas Gillespie, twelve good and lawful men, who are duly sworn to well and truly make inquiry and determine whether the said Samuel Hershberger is a person of unsound mind or not, and the jury having heard the evidence offered touching his condition, retired to consider their verdict and after due deliberation returned into court the following verdict:—

We the jury find Samuel Hershberger to be of unsound mind and incapable of managing his own affairs.

Peter Hubbard, Foreman
 J. W. Burton
 F. M. Parker
 C. E. Evans
 Joshua Amerine
 J. E. Stone
 Wash. W. Williams
 T. M. Cogdill
 W. D. Stapleton
 T. J. Lewis
 L. E. Stapleton
 T. A. Gillespie

It is therefore adjudged by the Court that said Samuel Hershberger is a person of unsound mind and incapable of managing his affairs, and the Court hereby appoints J. Fisher Pruett Guardian of said Samuel Hershberger and it is ordered that said Guardian, before entering upon the duties of assigned him, shall enter into a bond to the State of Missouri in the sum of Five Hundred Dollars, conditioned as required by law, with such security as the Court shall approve.

And now comes said J. Fisher Pruett and accepts said guardianship and files herein his said bond as follows to-wit:—

We, J. Fisher Pruett as Principal, and Noah Hershberger and Lee Hershberger 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. Fisher Pruett has been appointed by the Probate Court of Daviess County, Missouri, Guardian of the person and estate of said Samuel Hershberger of said County, an insane person.

Now, if the said J. Fisher Pruett shall take due and proper care of such Samuel Hershberger 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 21st day of December, A. D. 1908.

J. Fisher Pruett (Seal)
Noah Hershberger (Seal)
Lee Hershberger (Seal)

Approved by the Court.

P. P. Doak

Judge of the Probate Court
of Daviess County, Missouri

And it is ordered that Court be adjourned,

P. P. Doak,

Judge of Probate.

In the Probate Court — In Vacation — December 21, 1908

In the matter of the Estate of { Application for Letters of Administration
John W. Pennebaker, deceased }

Comes now Mrs. Agnes V. Pennebaker, and makes application for letters of Administration upon the estate of John W. Pennebaker, deceased, and makes Affidavit, saying that, to the best of her knowledge and belief, the names of the heirs of said John W. Pennebaker, and their places of residence, are respectively as follows: — Agnes V. Pennebaker, (widow), who resides in Daviess County, Missouri, and John W. Pennebaker, (son) who resides in Daviess County, Missouri; that the said John W. Pennebaker died on the 17th day of December, 1908, without a will; that she 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 her possession or knowledge,

And the Judge of Probate having confidence in the ability and integrity of said Applicant, who has a right under the statute to administer said estate, it is ordered that letters of Administration upon said estate be granted and issue to the said Agnes V. Pennebaker, provided that she enter into a bond to the State of Missouri as such Administratrix, with two or more good and sufficient securities, residents of this County, in the sum of Ten Thousand Dollars (\$10000.00) and conditioned according to law.

P. P. Doak,

Judge of Probate,

In the Probate Court — In Vacation — December 22, 1908.

In the matter of the Estate of { Choice and appointment of Curator.
Harley H. Ayers, Fred T. Ayers,
and Gracie M. Ayers, minors }

It having been brought to the knowledge of the Judge of Probate, that Harley H. Ayers, aged 16 years; Fred T. Ayers, 14 years, and Gracie M. Ayers, aged 9 years, minor heirs of James F. Ayers deceased have property in their own right estimated value of which is \$1500; that they have no legally appointed and duly qualified Curator.

Whereupon, said Judge of Probate instructs Harley H. Ayers, and Fred T. Ayers, who over 14 years of age to appear and choose a Curator of their said estate. And now come said Harley H. and Fred T. Ayers and choose Mrs Cynthia Ayers, their mother

to be said Curator, and the Judge of Probate approving said choice, it is ordered that she, the said Cynthia Ayers be and she is hereby appointed Curator of the estate of said Harley H. Ayers, Fred T. Ayers, and also, Gracie M. Ayers minors as aforesaid, and that she enter into bond to the State of Missouri for the use and benefit of said Harley H. Ayers, Fred T. Ayers and Grace M. Ayers, with two or more securities to be approved by the Court, in the sum of \$150⁰⁰/₁₀₀.

And now comes said Cynthia Ayers and files said bond in the said sum of \$150⁰⁰/₁₀₀, with W. S. Harold and R. S. Shiner as securities thereon, which bond is by the Judge of Probate approved.

P. P. Doak

Judge of Probate

In the Probate Court In Vacation, December 26, 1908

State of Missouri { ss, Clerk Appointed.
County of Daviess }

Now on this 26th day of December, 1908, it is ordered by the Judge of Probate that Olin E. Doak be and he is hereby appointed Clerk of said Probate Court, within and for Daviess County, and that he execute his bond as such Clerk in the sum of \$1000⁰⁰/₁₀₀ with such security as shall be required by the County Court of said Daviess County,

P. P. Doak,

Judge of Probate.

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

In the matter of alleged Insanity of } Information filed -
Joseph Brinegar. } Inquest ordered.

Now on this 28th day of December, 1908, comes George A. McWilliams and gives information in writing to the Judge of the Probate Court of said County, in vacation of said Court, that Joseph Brinegar, a resident of said county, is of unsound mind and incapable of managing his affairs, and prays that an inquiry thereinto be had, and said Judge being satisfied that there is good cause for the exercise of the jurisdiction of said Probate Court in said matter, now calls a special term of said Court to be held on the 1st day of February, 1909, for the purpose of holding an inquiry whether said Joseph Brinegar be of unsound mind or not, and orders that said Joseph Brinegar be notified of said proceedings at least five days before said special term of said Court.

P. P. Doak,

Judge of Probate

In the Probate Court - In Vacation - January 1-1909

In the matter of the Estate of (Bond filed - Letters issue.
John W. Pennebaker, deceased)

Now this day comes Agnes V. Pennebaker, Administratrix of the Estate of John W. Pennebaker, deceased, and files, herein, her bond as such Administratrix, in the sum of \$10,000.00 ^{with} Squire Galbreath, David Hampton, Ira Day and J. A. Burtch as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate approved, and Letters of Administration upon said estate issue to the said Agnes V. Pennebaker, and it is ordered that

and be and are hereby appointed witnesses to assist said Administratrix to open up and examine the books and papers of said deceased and to make an inventory of all the property, real and personal, which said deceased owned at the time of his death; and it is further ordered that said Agnes V. Pennebaker, publish notice of the grant of said letters as the law requires.

P. P. Doak

Judge of Probate.

In the Probate Court - In Vacation - January 5-1909.

In the matter of the Estate of (Will probated - Letters issued and
A. T. Patton, deceased) Bond filed

Now this day an instrument of writing signed by A. T. Patton, and purporting to be the last will and testament of A. T. Patton deceased, is produced before the Clerk of the Probate Court of Daviess County, Missouri, to be proved and admitted to probate as such, and said Clerk having examined said instrument of writing, and having heard the testimony of W. H. Kindig and C. E. Waller subscribing witnesses thereto in relation to the execution of the same, doth declare and adjudge said instrument of writing to be the last will and testament of A. T. Patton, deceased, late of Daviess County, and the same is therefore admitted to probate and ordered to be recorded.

And Thomas R. Ford, being named in said will as Executor, thereof, and the clerk of said Probate Court approving said nomination, it is therefore ordered that letters testamentary upon said estate be granted and issue to said Thomas R. Ford

provided that he, the said Thomas R. Ford, Execute to the State of Missouri, as such Executor, his bond, with two or more securities to be approved by the Court, in the sum of Three Thousand Dollars,

And Comes now said Thomas R. Ford and files herein said bond in said sum of \$3000⁰⁰ with J. U. DeGolia and Mc Duffey as securities thereon, which bond is by said Clerk accepted and approved, and it is ordered by said Clerk that J. U. DeGolia and Carl Kindig be, and are hereby appointed witnesses to aid said Executor to open up and examine the books and papers of said deceased and to make an inventory of all the property of said estate, both real and personal, and that said Executor publish notice of the grant of said letters according to law.

O. E. Doak,

Clerk of the Probate Court
of Daviess County, Missouri

In the Probate Court of Daviess County, Missouri - In Vacation, January 2, 1909.

In the matter of the Estate of } Will Probated,
Mattie Lile, Deceased }

Now on this 7th day of January, A. D., 1909, an instrument of writing, heretofore filed herein, signed by Mattie Lile, and purporting to be the last will and testament of Mattie Lile deceased, is produced before the Clerk of said Probate Court to be proved and admitted to probate. And said Clerk having examined said instrument of writing, and having heard the testimony E. M. Street and J. E. Jenkins subscribing witnesses thereto in relation to the execution of the same doth declare and adjudge said instrument of writing to be the last will and testament of Mattie Lile, deceased, late of Daviess County, Missouri, and the same is therefore admitted to probate and ordered to be recorded.

O. E. Doak,

Clerk of the Probate Court of
Daviess County, Missouri.

In the Probate Court of Daviess County Missouri - In Vacation - January 11-1909,

In the Matter of the Estate of { Letters Granted, Bond filed
Uriel Wright Doty, deceased }

Comes now John W. Meade, and makes application for letters of Administration on the estate of Uriel Wright Doty, ^{deceased} and makes the required affidavit, saying that, to the best of his knowledge and belief, the names of the heirs of the said Uriel W. Doty, deceased, and their places of residence, are respectively as follows: Minnie M. Doty, who resides in the County of Daviess, in the State of Missouri; Lewis B. Doty, who resides in the City of Fruitvale, in the State of California; Mortimer H. Doty, who resides in Horatio, in the State of Arkansas; and Mary A. Brown, who resides in the City of Catoosa, in the State of Oklahoma; that the said Uriel Wright Doty died on the 31st day of January, 1908, without a will; 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 appearing to the Judge of Probate that said Uriel Wright Doty possessed personal property of the ^{probable} value of \$250.00 at the time of ^{his} death; and Minnie M. Doty, Sister of said deceased, and only distributee of said estate residing in this County having relinquished in writing her right and claim to letters upon said estate; it is therefore ordered that letters of Administration upon the estate of said Uriel Wright Doty be granted and issue to said John W. Meade and that he enter into bond to the State of Missouri as such Administrator in the sum of Twenty five hundred dollars, with two or more securities to be approved by the Court.

And now comes said John W. Meade and files said bond in bond in said sum of \$2500.00 with Alexander M. Dockery, Homer Peurt and Ed Mann as securities thereon, and conditioned according to law, which bond is by the Judge of Probate approved. And it is ordered that Ed Mann and Homer Peurt be, and are hereby appointed to aid said Administrator to examine the books and papers of said deceased and to make an inventory of all the property, real and personal, belonging to said estate, and that notice of said letters be published as the law directs

J. P. Donk
Judge of Probate.

In the Probate Court of Daviess County, in vacation, January 11, 1909

In the matter of the Estate of (Administration granted - Bond filed,
James J. McClung, deceased)

Comes now John W. Meade, and makes application for letters of administration upon the estate of James J. McClung, deceased, and makes affidavit and says that, to the best of his knowledge and belief, the names of the heirs of the said James J. McClung, deceased, and their places of residence, are respectively as follows:

Alice White, residence unknown at present; Rebecca McClung, who resides in the County of Daviess, in the State of Missouri; James McClung, who resides in the County of Daviess, in the State of Missouri and Leonard J. McClung, who resides in the County of Daviess, in the State of Missouri; that the said Jas. J. McClung died on the 6th day of January 1909, without a will; 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 Leonard J. McClung, Rebecca E. McClung, and James A. McClung, the resident heirs having relinquished in writing their right to letters upon said estate, it is therefore ordered that letters be granted and issue to said John W. Meade ~~upon the estate of the~~ said James J. McClung, deceased, late of Daviess County, and that before entering upon the duties of said office that he be required to enter into bond to the State of Missouri as such Administrator, with two or more securities to be approved by the Court, in the sum of Thirty Thousand Dollars, \$30,000.00 and conditioned according to law.

And now comes said John W. Meade, and filed here in said bond in the sum of \$30,000.00 with Alexander M. Dockery, Homer Feurt and Ed. 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 _____ and _____ be and are hereby appointed witnesses to accompany and aid said Administrator to open up and examine the books and papers of the deceased and to make an inventory of all the property, both real and personal, belonging to said estate, and that said Administrator publish notice of said letters according to law.

P. O. Doak,

Judge of Probate.

In the Probate Court of Daviess County, Mo, in Vacation - January 12 - 1908,

In the matter of the estate of (Order dismissing proceedings for Sale of Real Estate
Conrad Smith, deceased)

Comes now The Citizens State Bank, of Altamont, Mo., by its Attorneys Cruzen and Britton, and represents and shows to the Judge of said Probate Court, that the demand ^{for the sum of \$2874.20} of said Bank against said estate, heretofore allowed in this Court, has been fully paid and discharged and asks that the proceedings heretofore had in this Court for the sale of certain real estate belonging to said estate, and described as follows, to wit: -

An undivided One half interest in and to the North West $\frac{1}{4}$ of the South East $\frac{1}{4}$ and the South West $\frac{1}{4}$ of the North East $\frac{1}{4}$ and the South East $\frac{1}{4}$ of the North West $\frac{1}{4}$ of Section Twenty Nine (29) and the South West $\frac{1}{4}$ of the North West $\frac{1}{4}$ of Section Thirty three (33) all in Township Fifty Six (56) and Range Twenty Nine (29) in Caldwell Co, Missouri, be dismissed, and that the order of this Court made at the November term 1908 thereof for the sale of said land, upon the petition of said Citizens State Bank be annulled and set aside, and ^{that} said cause ^{be} forever dismissed.

And it appearing to said Judge, that the above as well as all other allowed demands against said estate ^{and all costs of administration of said estate} are fully paid - it is therefore ordered that ^{the} said order of sale be and the same is hereby annulled and set aside, and that said cause ^{be} and is hereby forever dismissed ^{be}.

C. P. Doak

Judge of Probate

In the Probate Court of Daviess County - In Vacation, January 26 - 1909.

In the matter of the estate of (Will probated - Letters granted -
Silas Day, deceased)

Now, this 26th day of January, 1909 Comes Stephen Ira Day and files herein an instrument of writing signed by Silas Day, and purporting to be the last will and testament of Silas Day, deceased, who departed this life on the day of

And the Judge of Probate having examined said instrument of writing, and having taken and reduced to writing, the testimony of William C. Gillihan and Frank R. Gillihan, two of the subscribing witnesses thereto in relation to the execution of said instrument of writing, does declare and adjudge the same to be the last will and testament of Silas Day, deceased, late of Daviess County, and the same is therefore

admitted to probate and ordered to be recorded.

And Stephen Ira Day being named by said will as Executor thereof, and the said judge of Probate approving said nomination: it is therefore ordered, that he, the said Stephen Ira Day be, and is hereby appointed Executor of the last will and Testament of Silas Day deceased - provided that he enter into bond to the State of Missouri, as such Executor, with two or more good and sufficient securities, in the sum of Thirteen Thousand and Five Hundred Dollars,

P. P. Doak.

Judge of Probate.

In the Probate Court of Daviess County - In Vacation - January 26, 1909.

In the matter of the Estate of
Dewey H. Miller and Veturia
Maude Miller, Minors.

} Appointment of Curator.

Comes now Mrs. Mary E. Miller, and files her petition herein, setting forth that Dewey H. Miller, aged Ten years, residing in Daviess County, Missouri; and Veturia Maude Miller, aged ~~seventy~~ years, and residing in Daviess County Missouri possess real and personal property of the estimated value of \$9000⁰⁰; that they are the children of Wm. P. Miller, deceased, who died in Daviess County, Missouri, August 10, 1908, and of said petitioner, who is a resident of Daviess County, Missouri; that she is single and unmarried.

And to the end that said property may be properly conserved for the benefit of said minors, petitioner desires and requests that she be appointed Curator of said minors.

And the judge of Probate having heard said petition and the testimony in relation to the same, and believing that the granting of said petition will be for the best interest of said minors, it is therefore ordered that said Mary E. Miller, be and she is hereby appointed Curator of the estate of said Dewey H. Miller and Veturia Maude Miller, minors as aforesaid, and that before entering upon the duties of such Curatorship, she be required to enter into bond to the State of Missouri for the use and benefit of said Dewey H. Miller and Veturia Maude Miller, with two or more securities to be approved by the Court, in the sum of Eighteen Thousand Dollars, and conditioned for the faithful discharge of her duties as said

as said Curator according to law—

P. O. Doak,

Judge of Probate,

In the Probate Court in Vacation—January 28-1909.

In the matter of the Estate of (Guardian and Curator appointed,
John M. Pennebaker, a minor)

Comes now Agnes V. Pennebaker, by her attorney Rollin J. Britton and represents to the Judge of Probate that John M. Pennebaker, a minor ten years of age, and residing in Daviess County Missouri, possesses real and personal Estate of the estimated value of (\$2200.00) Two Thousand and two hundred dollars;

That he is the Child of John W. Pennebaker, who is now deceased and Cecelia Pennebaker (First wife of John W. Pennebaker) who is now deceased, and that the property is derived as follows:— \$1149.⁷⁰ from the Estate of his deceased mother, the said Cecelia Pennebaker, and \$1000.00 from the Life Insurance carried by his deceased father and an as yet unknown additional amount derived from the estate of John W. Pennebaker, his deceased father.

Petitioner further states that she is the widow of said John W. Pennebaker, deceased, and a sister of said Cecelia Pennebaker the mother of said minor, John M. Pennebaker.

And to the end that said property may be conserved for the benefit of said Minor, she requests said Judge to appoint her Guardian of the person and Curator of the Estate of said Minor.

And the Judge of Probate having duly considered said petition and the evidence in relation thereto, and having confidence in petitioner as being in every way competent to fill said trust: It is therefore Ordered that said Agnes V. Pennebaker be and is hereby appointed Guardian of the person and Curator of the Estate of John M. Pennebaker, minor as afore said, and that she, the said Agnes V. Pennebaker, be required to enter into Bond to the State of Missouri, for the use and benefit of said John M. Pennebaker, with two or more securities thereon, in sum of

Four Thousand and four hundred Dollars, and conditioned for the faithful discharge of her duties as such Guardian according to law.

P. P. Doak

Judge of Probate

In the Probate Court—In Vacation—February 4—1909

In the matter of the Estate of { Will Probated, Letters granted,
Isaac D. Davis, Deceased }

Now on this 4th day of February, 1909, an instrument of writing signed by Isaac D. Davis, and purporting to be the last will and testament of Isaac D. Davis, deceased, who died in Daviess County January 26, 1909, and the Judge of Probate having examined said instrument of writing and having, also, heard the the testimony of E. F. Ashbrook and Guy G. Murray two of the subscribing witnesses thereto in relation to the execution of the same declares and adjudges said instrument of writing to be the last will and testament of Isaac D. Davis, deceased, late of Daviess County, and the same is therefore admitted to probate and ordered to be recorded.

And it appearing that Permelia A. Davis, widow of said deceased, is named by said will as Executrix thereof, it is therefore ordered that letters Testamentary upon the estate of said deceased be granted, and issue to said Permelia A. Davis, provided she enter into bond as such Executrix in the sum of Two Hundred and fifty Dollars, with two or more securities thereon, to be approved by the Court.

P. P. Doak,

Judge of Probate,

In the Probate Court — In Vacation — January 27-1909.

In the matter of the Estate of { Bond filed -
Silas Day, Deceased. }

Comes now, Stephen Ira Day, Executor of the Last will of Silas Day, Deceased, and files his bond as such Executor, in the sum of Thirteen Thousand and Five Hundred Dollars (\$13500.00) with Benjamin A. Prichard, J. G. Dewert and Wilson T. Smith as securities thereon, which bond is by the Judge of Probate accepted and approved, and it is ordered that _____ and _____ be and they are hereby appointed witnesses to assist said Executor to make an Inventory of said estate and that said Executor publish notice of the grant of Letters as the law requires.

P. P. Doak

Judge of Probate

In Vacation of the Probate Court — February 9-1909.

In the matter of the Estate of { Bond filed -
Isaac D. Davis, Deceased }

Comes now Permilia H. Davis and files herein her bond as Executrix of the last will of Isaac D. Davis in the sum of Two Hundred and Fifty Dollars, with Jas. A. Manning and Jordan W. Manning as securities thereon and said bond is by the Judge of Probate accepted and approved. And it is ordered that H. S. Price and W. L. Arnold be and are hereby appointed witnesses to assist said Executrix to make an Inventory of all the property, both real and personal which belonged to said deceased at the time of his death, and that said Executrix publish notice of the grant of letters upon said Estate in some News Paper published in this County as the law directs.

P. P. Doak,

Judge of Probate.

In the Probate Court - In Vacation - February 6, 1909.

In the matter of the Estate of {
 Laura E. Alleman, and
 Frederick Alleman, minors } Choice and appointment of Curator.

Comes now Christopher Alleman and represents and shows to the Judge of Probate that Laura E. Alleman aged 14 years, and Frederick Alleman aged 12 years, Children of said petitioner who resides in Daviess County, Missouri, and of Juliatta Alleman, deceased are heirs at law of Geo. W. Cornelius deceased from whom they inherited personal property of the estimated value of \$9300; that they have no curator or other person authorized by law to take charge of and manage said estate - And comes also said Laura E. Alleman, and being instructed by said Judge to choose a curator of her estate she makes choice of W. C. Gillihan and requests that he be appointed - and the said Christopher Alleman also requests that said William C. Gillihan be appointed Curator of the estate of said Frederick Alleman, and the Judge of Probate approving said nomination, it is therefore ordered that he, the said William C. Gillihan be and is hereby appointed Curator of the estate of the said Laura E. Alleman and Frederick Alleman, minors as aforesaid, and that before entering upon his duties as such curator the said Wm. C. Gillihan be required to enter into bond to the State of Missouri for the use and benefit of said Laura E. Alleman and Frederick, in the sum of \$2000 with two or more securities to be approved by the Court.

And comes now said William C. Gillihan and files said Bond in the sum of \$2000 with Lewis B. Gillihan, and Rollin J. Britton as securities thereon and conditioned for the faithful discharge of his duties as such curator according to law, which bond is by the Judge of Probate approved.

O. P. Doak,
 Judge of Probate.

February Term. Monday, February 8, 1909 - First Day.

State of Missouri, } ss.
County of Daviess }

Be it Remembered that at a regular term of the Probate Court of Daviess County, Missouri begun and held at the Court House in the City of Gallatin, County and State aforesaid, on Monday, February 8, 1909, there being present O. O. Doak, Judge of said Court and F. M. Parker, Deft. Sheriff, when the following proceedings were had, to wit:

In the matter of the Estate of } Judgment Establishing Will
Esther Fry, Deceased }

It being shown to the Court now here, that in Vacation of this Court, to wit: on the 7th day of December, 1908, an instrument of writing purporting to be the last will and testament of Esther Fry, deceased, and attested by A. F. Bickel and C. A. Calhoon, as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said Esther Fry, deceased, and said Judge proceeded to take the testimony of A. F. Bickel and C. A. Calhoon said attesting witnesses, which was by said Judge reduced to writing, and signed by them respectively, and is now here produced in Court, And said Judge having declared said will proved, granted a certificate of Probate on said 7th day of December, 1908.

And the Court having inspected said Will, and seen and heard the testimony of A. F. Bickel and C. A. Calhoon 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 Esther Fry, deceased. And the said proceedings and action of the Judge 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 Donohue, Deceased }

It being shown to the Court now here, that in vacation of this Court, to wit: on the 10th day of December

February Term — Monday — February 8, 1908 — First Day of Term

1908, an instrument of writing purporting to be the last will and testament of John Donohue, deceased, and attested by W. A. Marshall and Mrs. G. S. Price as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said John Donohue, deceased, and said Judge proceeded to take the testimony of W. A. Marshall and Mrs. G. S. Price said attesting witnesses, which was by said Judge reduced to writing, and signed by them respectively, and is now here produced in Court. And said Judge having declared said will proved, granted a Certificate of Probate on said 10th day of December, 1908.

And the Court having inspected said will, and seen and heard the testimony of W. A. Marshall, and Mrs. G. S. Price 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 Donohue, 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 probate.

In the Matter of the Estate of } Judgment Establishing Will.
Moses T. Mallory, deceased }

It being shown to the Court now here, that in vacation of this Court, to wit: on the 11th day of December, 1908, an instrument of writing purporting to be the last will and testament of Moses T. Mallory, deceased, and attested by S. T. Brosius, Jas. M. Netherton, J. E. Scott, Lewis B. Gillihan and A. J. Place as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said Moses T. Mallory, deceased, and said Judge proceeded to take the testimony of A. J. Place and Lewis B. Gillihan two of said attesting witnesses, which was by said Judge reduced to writing, and signed by them respectively, and is now here produced in Court. And said Judge having declared said will proved, granted a Certificate of Probate on said 11th day of December, 1908.

And the Court having inspected said will, and seen and heard the testimony of A. J. Place and Lewis B. Gillihan two of the attesting witnesses, so taken in vacation, as to the execution of said will, and being sufficiently advised: — It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Moses T. Mallory, deceased.

And the proceedings and action of the Judge in the premises are in all things ratified and confirmed, and

February Term — Monday — February 8, 1909 — First Day

and it is ordered that said will be admitted to record.

In the Matter of the Estate of } Judgment Establishing Will,
John Kavanaugh deceased

It being shown to the Court now here, that in Vacation of this Court, to wit: On the 12th day of December, 1908, an instrument of writing purporting to be the last will and testament of John Kavanaugh, deceased, and attested by Benjamin A. Prichard, W. T. Pugh and William J. Pugh as witnesses was produced before the Judge of this Court to be proved and admitted to record, as the last will of said John Kavanaugh, deceased, and said Judge proceeded to take the testimony of Benjamin A. Prichard and W. T. Pugh two of said attesting witnesses, which was by said Judge reduced to writing, and signed by them respectively, and is now here produced in Court

And said Judge having declared said will proved, granted a Certificate of Probate on said 12th day of December, 1908.

And the Court having inspected said will, and seen and heard the testimony of Benjamin A. Prichard and W. T. Pugh 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 Kavanaugh deceased, And the said proceedings and action of the Judge 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,
A. T. Patton, deceased

It being shown to the Court now here, that in vacation of this Court, to wit: On the 5th day of January, 1909, an instrument of writing purporting to be the last will and testament of A. T. Patton, deceased, and attested by H. W. Kindig and C. E. Waller, M.D. as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said A. T. Patton deceased, and said Clerk proceeded to take the testimony of H. W. Kindig and C. E. Waller M.D. 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

February Term — Monday — February 8 — 1909 — First Day of Term

proved, granted a certificate of Probate on said 5th day of January, 1909.

And the Court having inspected said will, and seen and heard the testimony of N. W. Kindig and C. E. Waller, 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 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.
Mattie Lile, deceased }

It being shown to the Court now here, that in vacation of this Court, to wit: On the 7th day of January, 1909, an instrument of writing purporting to be the last will and testament of Mattie Lile deceased, and attested by E. M. Street and J. E. Jenkins as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Mattie Lile deceased, and said Clerk proceeded to take the testimony of E. M. Street and J. E. Jenkins 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 January, 1909.

And the Court having inspected said will, and seen and heard the testimony of E. M. Street and J. E. Jenkins the attesting witnesses, so taken in vacation 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 Mattie Lile 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.
Silas Day, deceased }

It being shown to the Court now here, that in Vacation of this Court, to wit: — On the 26th day of January, 1909, an instrument of writing purporting to be the last will and Testament of Silas Day deceased, and attested by William C. Gillihan, Aaron Higgins and Frank R. Gillihan as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as

February Term Monday February 8th 1909 First Day

the last will of said Silas Day deceased, and said judge proceeded to take the testimony of William C. Gillihan and Frank R. Gillihan, two of said attesting witnesses which was by said judge reduced to writing, and signed by them respectively, and is now here produced in Court. And said judge having declared said will proved, granted a certificate of Probate on said 26th day of January, 1909.

And the Court having inspected said will, and seen and heard the testimony of William C. Gillihan and Frank R. Gillihan 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 Silas Day deceased. And the said proceedings and action of the judge 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 Isaac D. Davis deceased } Judgment Establishing Will

It being shown to the Court now here, that in vacation of this Court, to wit: On the 4th day of February, 1909, an instrument of writing purporting to be the last will and Testament of Isaac D. Davis, deceased, and attested by E. F. Ashbrook, Guy B. Murray and Chas. L. Arnold as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said Isaac D. Davis deceased, and said judge proceeded to take the testimony of E. F. Ashbrook and Guy B. Murray two of said attesting witnesses, which was by said judge reduced to writing, and signed by them respectively and is now here produced in Court. And said judge having declared said will proved, granted a certificate of Probate on said 4th day of February, 1909. And the Court having inspected said will, and seen and heard the testimony of E. F. Ashbrook and Guy B. Murray, said 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 Isaac D. Davis, deceased.

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

Ordered that the bond of James H. Knott Curator of Doyle D. Knott, a minor, taken in vacation of this Court on December

First day - February Term - Monday - February 8th. 1909.

2nd, 1908, be approved and his appointment be ratified and confirmed

Ordered that the Bond of Robert V. Thompson as executor of last will of John Donohue, deceased, taken December 10, 1908, in vacation of this Court, be approved, and his appointment ratified and confirmed.

Ordered that appointment of Marietta Kavanaugh, with out bond, as Executrix of Last Will of John Kavanaugh, deceased, made in vacation of this Court December 12, 1908, be ratified and confirmed.

Ordered that the bond of James M. Mallory, as Executor of the last will of Moses T. Mallory, deceased, taken in vacation of this court, on December 12, 1908 be approved, and that his appointment as such Executor be ratified and confirmed.

Ordered that the bond of Agnes V. Pennebaker, as Administratrix of the estate of John W. Pennebaker, deceased, taken in vacation of this court on January 1, 1909, be approved, and that her appointment as such Administratrix be ratified and confirmed.

Ordered that the bond of Thomas R. Ford as Executor of A. P. Patton, deceased, taken in vacation of this court on January 1, 1909, be approved and recorded, and his appointment as such Executor be ratified and confirmed.

Ordered that the Bond of John W. Meade, as Administrator of the estate of Uriel W. Doty, deceased, Taken in vacation of this Court on January 11, 1909, be approved and that his appointment as such Administrator be ratified and confirmed.

Ordered that the Bond of John W. Meade, as Administrator of the estate of Jas. J. McBlung, deceased, taken in vacation of this Court on January 11, 1909 be approved, and that his appointment as such Administrator be ratified and confirmed

Ordered that the Bond of Stephen Ira Day as Executor of the last will of Silas Day, deceased, ^{taken in vacation of this Court on January 27, 1909,} be approved, and that his appointment as such Executor be ratified and confirmed

February Term - Monday - February 8th 1909 - First day of term

Febru

Ordered that the Bond of Bernelia A. Davis, as Executrix of the last will of Isaac D. Davis, deceased, taken in vacation of this court on February 5, 1909, be approved and recorded.

Ordered that the bond of Wm. C. Gilliam as Curator of the estate of Laura E. and Fred Alleman, minors, taken in vacation of this Court on February 6th 1909 be approved and that his appointment as such Curator be ratified and confirmed.

In the matter of the estate of { Bond filed and approved,
John M. Pennebaker, a minor. }

Comes now Mrs. Agnes V. Pennebaker, and files her bond as Guardian of the person and Curator of the estate of John M. Pennebaker, minor heir of John M. Pennebaker and Cecelia Pennebaker, both deceased, said bond being in the sum of Four Thousand and Four Hundred Dollars, and is signed by David Hampton and Squire Galbreath, as securities, and is conditioned as the law directs, and it ^{is} ordered by the Court that said bond be and is hereby approved and that the appointment of said Agnes V. Pennebaker as Guardian of the person and Curator of the estate of said John M. Pennebaker, a minor, made by the Judge of this Court in Vacation, to wit, on the 28th day of January, 1909, be ratified and confirmed.

In the matter of the estate of { Final Receipts filed - Executor discharged
Henry Newrahner, deceased. }

Comes now J. D. Dunham, Executor of said deceased, and files the receipts of the distributees of said estate for their respective shares of said estate as per order of distribution heretofore made by order of this Court under the provisions of the last will of said deceased, to wit: —

The receipt of Mrs. Sophie Dunham for the sum of	\$125.83
" " " " Frances Arthur " " " "	125.83
" " " " Lou Idrig " " " "	125.83
" " " " John Dunham " " " "	125.83

And it appearing to the Court that said estate is fully administered and Notice was duly made: it is ordered that said Executor be discharged herein.

February Term — Monday — February 8th 1909 — First day of Term.

In the matter of the estate of } Final Receipts filed — Partial discharge
Hannah M. Frazier, deceased }

Comes now N. B. James, and files the receipt of E. M. Copelen for \$106.00, of Roy Copeland for \$7.07; and of Mrs. C. S. Burger for \$7.07 the same being their respective distributive shares of said estate as per order of distribution made by this Court at its November term 1908. and it is ordered by the Court that said N. B. James be discharged herein as to said E. M. Copelen, Roy Copeland and Mrs C. S. Burger.

In the matter of the estate of } Demand allowed and classified
S. R. Griggo, deceased }

Comes now N. B. Balhoon and presents to the Court for allowance against said estate a demand for \$725.00 on account of funeral of said deceased, and service of notice of presentation being waived in writing and affidavit and proof made — it is ordered by the Court that said account be allowed against said estate and placed in the first class of demands.

In the matter of the estate of } Final Settlement, Distribution and order of discharge
Mary E. Clark, deceased }

Comes now Jas. D. Courter admr. of said Mary E. Clark, deceased, and shows to the Court that he has published notice for final settlement of said estate and files said ^{final} settlement which shows a balance due said estate of the sum of \$117.62 and it further appearing that all demands against said estate have been paid in full — it is ordered that said balance be distributed as follows: To Frank E. Clark the sum of \$58.81 and to Fred A. Clark the sum of 58.81 and that said administrator pay over said distributive shares to the proper persons and file herein their receipts for the same.

And now comes said James D. Courter and files the receipt of Fred A. Clark for \$58.81 and of Frank P. Burris, Curator of Frank E. Clark, minor, for the sum of \$58.81 their respective distributive shares as aforesaid, and it is ordered by the Court that said final settlement be approved and recorded; that said administration be closed and ^{that} James D. Courter, said administrator be discharged

Ordered that the first Annual Settlement of N. B. Culver, as Curator of the estate of Lewis Clifford Culver, this day due, be continued till April 8th, 1909. for final settlement.

February Term Monday February 8th - 1909.

In the matter of the Estate of { Resignation - final settlement and discharge
Emily Minnick - Insane }

Now this day comes Joseph M. Cox, Guardian of the person and estate of Emily Minnick, a person of unsound mind, and presents to this court his resignation as such Guardian, and prays to be relieved and discharged from his trust as such guardian;

And the said Joseph M. Cox, Guardian as aforesaid, having made proof to this Court that he gave due notice by publication of his intention to resign as is required by law, and having adjusted his accounts as such guardian with the Court and made full and final settlement of his guardianship of said estate and having paid over and delivered all the Moneys, Choses in action, effects and property of said estate according to law, and the Court having considered the matter, and being satisfied that said Joseph M. Cox should be permitted to resign, doth order and adjudge that said resignation of said Joseph M. Cox be accepted, and that he be henceforth discharged from the further duties of his trust as guardian.

And the Final Settlement of said guardian having been filed and examined by the Court and adjudged to be correct: It is further ordered that same be approved and recorded.

In the matter of the Estate of { Guardian appointed - Bond approved and
Emily Minnick, Insane } recorded.

It being shown to the Court now here that Emily Minnick, said Insane person, is now a patient Confined in State Hospital, No. 2, for Insane at St. Joseph, Mo.; that she is owner in fee of a farm of 70 acres situate in Harrison Township in this County; that the rental proceeds of said farm are her only source of maintenance at said Hospital and to the end that said farm may be taken care of, rented and the rents collected and properly used in her care and maintenance: It is ordered by the Court that Levi P. Cox be and he is hereby appointed Guardian of the person and Curator of the estate of said Emily Minnick, and that he enter into bond to the State of Missouri for the use and benefit of said Emily Minnick, with two or more securities to be approved by the Court in the sum of \$400.00.

And now comes said Levi P. Cox, and accepts said Guardianship, and qualifies as such and files his said bond in the aforesaid sum of \$400.00 and signed