

Record Book

Volume 7

March 1909 – September 1911

**November 10, 1909-
May 9, 1910
(Pages 201-300)**

November Term Wednesday November 10-1909.

Ordered that the settlement of Georgia H. Miller, Curator of Corwin E. Miller, a minor, this day due be continued till the November Adjourned Term of this Court to be held December 13, 1909.

In the matter of the estate of (Order for Partial distribution
Maria T. Drummond deceased)

Comes now John F. McMahon, Administrator of Maria T. Drummond deceased and applies for an order permitting him to make a partial distribution of the assets in his hands, and says the debts against said estate, so far as he has any knowledge have all been provided for, and that he can pay out to the distributees of said estate the sum of \$600.00 - that will not be need to pay debts or costs of Administration - And it is ordered by the Court that said Administrator be and he is here by permitted to distribute said sum to the persons entitled there to according to their respective rights, and to file their receipts therefor, herein.

Estate of Hugh E Wells, deceased

Now comes Doniphant & Co and present to the Court for allowance against said estate a Demand for \$9⁹⁴ - Acct. for mdse. And service of notice waived in writing, and affidavit and proof made. it is ordered that same be allowed against said estate in sum of \$9⁹⁴ and placed in Class five

Estate of Hugh E Wells deceased

Now come Frederick Westheimer & sons and present to the Court for allowance against said estate a demand for \$13³⁶ - account for mdse. Service waived in writing, affidavit and proof made. Ordered that same be allowed against said estate in the sum of \$13³⁶ and placed in Class five

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

P. P. Doak

Judge

November Term Thursday November 11, 1909

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

In the matter of the Estate of Order for Private Sale.
Silas Day, deceased

Now comes Ira Day, Executor of Silas Day deceased, and files his written application for permission to sell one share of Stock No. 47 of Coffeyburg Hardware Co. issued February 9, 1904 to deceased, said share being for \$100.⁰⁰; also one share of Stock in the Jameson Telephone Company said share being No. 57; for \$25.⁰⁰ belonging to said estate at private sale, and the Court being satisfied that it will be for the best interest of the estate, and not prejudicial to persons interest therein, to sell the same at such sale, it is ordered that said Executor sell said property at private sale for not less than its appraised value for cash in hand, and that he report the same to this Court.

Ordered that the Second Annual Settlement of W. C. Gillihan and John N. Morton, Administrators De bonis non with will annexed of Charles E. Morton, deceased, this day filed, be approved and recorded.

Ordered that the First Annual Settlement of E. M. Street, Administrator of the estate of Jacob Ramey, deceased, this day filed be approved and recorded.

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

Ordered that the First Annual Settlement of Mary E. Miller, Administratrix of the Estate Wm. T. Miller, deceased, this day due be continued till the November Adjourned Term of this Court to be held December 13, 1909.

Ordered that the Settlement of J. N. Morris, Curator of Mountie and Roy Morris, minors, this day due, be continued to the May Term 1910.

November Term Thursday November 11th 1909.

Ordered that the First Annual Settlement of Rose B. Read, Administratrix of Omer L. Read, deceased, this day due, be continued till the November Adjourned Term of this Court, to be held December 13th 1909

Ordered that First Annual Settlement of F. L. Read - surviving partner the Co-partnership Estate of F. L. & O. L. Read; O. L. Read, deceased, this day due, be continued till the November Adjourned Term of this Court, to be held December 13, 1909.

Ordered that the Annual Settlement of Barbara Roberts, Curator of the Estate of Elvare Roberts, et al, minors, this day due be continued till the November Adjourned Term of this Court to be held December 13, 1909.

Estate of Hugh E. Wells deceased }
 Comes now the Kemper Thomas Co. and present to the Court

for allowance against said Estate a Demand for \$12.20 founded on account, and service waived in writing and Affidavit and proof made, it is ordered that same be allowed against said estate and placed in Class five

Estate of Hugh E. Wells, deceased }
 Now Comes the Pepsin Syrup Co. and presents to the

Court for allowance against said estate, a Demand for \$15.52 founded on account. And service of Notice waived in writing, and Affidavit and proof made. it is ordered that said account in the sum of \$15.52 be allowed against said estate and placed in Class five.

Estate of Jno. F. Henderson, deceased } Demand-allowed.

Now comes the D. H. Davis Drug Co., and presents to the Court for allowance against said estate a Demand for \$6.75. service waived, affidavit and proof made. it is ordered that same be allowed in said sum of \$6.75 as 6th class demand against ^{said estate}

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

P. P. Doak,
 Judge.

November Term Friday November 12-1909.

Court met pursuant to adjournment. present P. P. Dosh, Judge and J. A. Blair, Sheriff; -- when the following proceedings were had, to-wit:--

In the matter of the Estate of { Final Settlement and Discharge.
George B. Smith, deceased. }

Now at this day comes T. B. Gates, Administrator of said estate and files his final settlement, having first given notice thereof according to law.

And it appearing to the Court that said Administrator has paid all the debts allowed against said estate. And it further appearing that the estate has been fully administered and all the assets realized upon so far as they can be, and that the estate has been exhausted in the payment of the debts and the widow's allowances, so that there are no assets remaining to distribute - it is therefore ordered and adjudged by the Court that the administration upon said estate be closed, the final settlement approved and recorded, and that said Administrator be and he is hereby discharged.

Ordered that the first Annual Settlement of J. A. Selby, Administrator of the estate of Serena W. Selby, deceased this day filed be approved and recorded.

In the matter of the estate of { Final Settlement-Discharge
William H. Schapaugh, deceased }

Now at this day comes Ethel M. Schapaugh, Administratrix of said estate, and files her final settlement, having first published notice according to law. And it appearing to the Court that said Administratrix has paid all the debts allowed against said estate; that the estate has been fully administered; all the assets of the estate realized upon; that the estate is exhausted by the payment of said debts and the redemption of encumbered real estate, and that the estate is in debt to the Administratrix in the sum of \$813.82 for money advanced by her, and commission for administering said estate - it is therefore ordered and adjudged by the Court that said Administration ^{be} closed, the final settlement approved and recorded and the Administratrix discharged.

November Term — Friday — November 12th 1909

Estate of John Donohue deceased }

Now comes James Gurin and presents to the Court for allowance against said estate a demand for \$13.00 founded on accounts.

And service of notice being waived in writing and affidavit and proof made - it is ordered that said account in the sum of \$13.00 be and the same is allowed against said estate, and placed in the fifth class.

In the matter of the Estate of (Final Settlement and Order to pay over
Larkin J. Smith, deceased)

Now on this day comes James F. Wise, Administrator of said estate and files his final settlement of the same, having first published Notice thereof according to law.

And it appearing to the Court that all the debts allowed against said estate have been paid by said Administrator, and there remains in his hands a balance due said estate of the sum of \$859.96; and also insolvent debts due to said estate of \$812.12, which insolvencies are duly credited in said final settlement. It is therefore ordered and adjudged by the Court that the administration of upon said estate, which has been fully made, be closed, that said balance of \$859.96 and also the insolvencies of \$812.12 as aforesaid be turned over to Cora Wise the sole and only heir of said Larkin J. Smith, and that her receipts for the same be filed in this court, upon which said Administrator shall be discharged - and it is ordered that said final settlement be approved and recorded.

Ordered that the 5th Annual Settlement of E. M. Foley, Jr., Curator of Aubrey Mann, a minor, this day filed be approved and recorded.

Ordered that the first annual settlement of Robert V. Thompson, Administrator of Fred C. Oreatt, deceased, this day filed be approved and recorded.

In the matter of the Estate of (Final Settlement and Discharge.
James Roper, deceased)

Now this day comes Robert E. Manpin, Executor of the last will of said deceased and files his final settlement of said estate, having first published notice thereof according to law.

November Term Friday — November 12th. 1909.

from which said final settlement it appears that there is a balance due said estate of \$152.⁰⁰; and it being shown to the court that all debts allowed against said estate have been paid in full, ^{and} that said estate is fully administered; and it appearing further that by the provisions of said last will J. T. Roper one of the distributees of said estate is to be charged with an Advancement of \$157.⁰⁰ which is in excess of the balance due said estate, it is therefore ordered that Mary Isabelle Thomas the only other heir and distributee be paid the whole of said balance of \$152.⁰⁰

And comes now said Mary Isabelle Thomas the afore said distributee and accepts said balance and signs her receipt therefor, which said receipt is duly filed with said final settlement,

And it is ordered and adjudged by the Court that the Administration upon said estate be closed; that said final settlement be approved and recorded and said Executor discharged.

Ordered that the Third Annual Settlement of Robert V Thompson, Curator of Clay Warren Smith, & al, minors, this day filed be approved and recorded.

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

Ordered that the Annual Settlement of Douglas Slater, Curator of Roy and Earnest Slater, minors, this day due be continued till the November Adjourned Term of this Court to be held December 13th 1909.

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

P. P. Toak
Judge

November Term - Saturday November 13th - 1909.

Court met pursuant to adjournment - present P. P. Doak, judge, and J. A. Blair Sheriff; when the following proceedings were had, to-wit:-

Estate of Hugh H Bowers, deceased }

Now comes R. G. Yates manager of the firm of Yates, Nixon and Co, and presents to the Court for allowance against said estate a Demand for \$50.00 on account of monument erected at grave of deceased. And service of notice being waived in writing, and affidavit and proof made, it is ordered that said account in the sum of \$50.00 be allowed against said estate and placed in class one.

Estate of Maria P. Dowell deceased }

Come now Yates Nixon & Co. by R. G. Yates and present to the Court for allowance against said estate a Demand for \$100.00 on account of monument erected at the grave of deceased. And service of notice of presentation being waived in writing, and affidavit and proof made: it is ordered and adjudged by the Court, that said account in the sum of \$100.00 be allowed against said estate, and that it be placed in Class One.

In the matter of the Estate of (Final Settlement and distribution
Mary F. Whitt, deceased)

Now this day comes Mr. E. Whitt, Administrator of said deceased, and files his final settlement of said estate, having first published notice thereof according to law, which said settlement shows a balance of \$451.95 due said estate. And it appearing that said Administrator has paid all the debts allowed against said estate and that the estate is fully administered - it is ordered that that the balance above mentioned be distributed as follows:-

To Mr. E. Whitt, husband one half ($\frac{1}{2}$)	=	\$225.97½
" Amanda E. Lynch one fourteenth ($\frac{1}{14}$)	=	32.28
" Henry C. Culver " " (")	=	32.28
" Elizabeth A. McBrayer " " (")	=	32.28
" Mrs. J. Culver's Est " " (")	=	32.28
" L. C. Culver " " (")	=	32.28
" Timothy Culver " " (")	=	32.28
" Wesley A. Culver " " (")	=	32.28

and that said Administrator pay said distributees their respective shares, and that he file herein their receipts

November Term - Saturday - November 13th - 1909.

for the same - when he shall be entitled to discharge.

In the matter of the Estate of (Final Settlement and discharge.
Mary C. Waugh, deceased.)

Now comes John W. Meade, Administrator of said estate and files his final settlement, having first given notice thereof according to law, and it appearing to the court that the assets of said estate have been exhausted in the payment of the First Class Demand^{no. 1 - class no. 1}, and a partial payment of \$19.85 on Demand No. 2, Class No. 2. - it is therefore ordered that said final settlement be approved and recorded and that said Administrator be discharged.

Ordered that the Seventh Annual Settlement of Wm. H. Oram, Testamentary Guardian of James Francis Ward, a minor, this day filed be approved and recorded.

Ordered that fourth annual settlement of Robert V. Thompson Curator of Orville R. Wells, et al, minors this day filed be approved and recorded.

Ordered that the first Annual Settlement of Edward Jenkins, Curator of Roy and John Whetstone, minors this day due be continued till the February term 1910 of this Court.

Ordered that the first Annual Settlement of Noah Hersherberger, Guardian of Thomas Hersherberger, insane, this day due be continued till the November Term 1910 of this Court.

In the Matter of the Estate of (Final receipt of May filed -
Gertie Grove, et al, minors. } Discharge of former Curator &
Securities

Comes now May Emerson, formerly May Grove, with whom final settlement was heretofore^{made and} filed in this Court and files her receipt for the sum of \$64.39 the same being the amount due her on said final settlement (\$61.82) and \$2.57 fees paid on a protested check of George U. Norton, her former Guardian and Curator, and it is ordered that said Geo. U. Norton and the Securities on his bond be and are hereby discharged as to said May Emerson, formerly May Grove.

November Term - Saturday - November 13th. 1909.

Ordered that the first Annual Settlement of Virginia Arbelia Townsend, Executor of the last Will of John H. Townsend, deceased, this day due be continued to the November Adjourned Term, December 13, 1909.

Ordered that the Annual Settlement of Israel Heath, Curator of William R. Willis, a minor this day due be continued till the November Adjourned Term of this Court, to be held December 13th 1909.

Ordered that the Annual Settlement of Thomas Wilson Curator of Albert H. Wilson, a minor, this day due be continued till November Adjourned Term of this Court to be held December 13th 1909.

In the matter of the Estate of (Final Settlement and Discharge
Jennie E. McBride, minor)

Now this day Comes Anna B. McBride, Guardian & Curator of Jennie E. McBride now Eighteen years of age and files her final settlement with said Jennie E. which shows a balance due ward of \$375.¹³ And as a part of said settlement appears the receipt of said Jennie E. McBride, for the sum of \$375.¹³ to her paid by the said Anna B. McBride, her guardian and Curator, which she, the said Jennie E. McBride, accepts, and acknowledges to be payment in full of all money and property due to her from her said Guardian and Curator - And she, the said Jennie E. McBride, declares herself to be 18 years of age, and waives the necessity of the making and filing of an Exhibit for this final settlement, and of the service of notice of such exhibit or of any previous notice of said final settlement, whatever, and consents to the discharge of said Guardian and Curator, and the Court being satisfied of the correctness of said final settlement - it is ordered and adjudged as correct - and the same is ordered approved and recorded and said Guardian and Curator is discharged.

Ordered that Court adjourn till 9 O'Clock A.M., Monday, December 13, 1909

P. P. Doak
Judge

November 24 - 1909.

In the Probate Court - County of Daviess, Missouri - In Vacation -

In the matter of the Estate of { Administrator Public to take Charge,
Louisa Cox, deceased. }

Now this 24th day of November, 1909, it appearing to the Judge of the Probate Court of said Daviess County, that Louisa Cox died in said County, intestate, October 6, 1908, and that the Samuel Cox and Frederick Cox, the persons who are entitled under the law to administer upon the estate of said deceased, although cited to appear and qualify as administrators of the same, have failed so to do, and it appearing that deceased ^{died} possessed of personal estate which is ~~in danger~~ of being injured, wasted, purloined or lost: to the ~~end~~, therefore that said estate may be preserved for the benefit of those entitled thereto, it is ordered that Wm. C. Macy, Public Administrator of said Daviess County, take charge of, and administer the estate of said Louisa Cox, deceased. And it is further ordered that E. S. Lankford and Louis Black be and they are hereby appointed witnesses to assist said Wm. C. Macy to examine the books, papers and evidences of debt of said deceased, and to make an inventory of all the property belonging to said estate, and that said Administrator publish notice of the grant of administration upon said estate as the law directs.

P. P. Doak

Judge of Probate

In Vacation November 26, 1909

Estate of Philip E. Covington { Order Refusing Letters of Administration
Deceased }

Now, at this day comes Lola E. Covington and shows to the Judge of Probate that she is the widow of Philip E. Covington, deceased, who died, having at the time of his death personal property in this State, not greater in amount than is allowed by law as the absolute property of the widow. To the end, therefore, that the said Lola E. Covington as such widow may be authorized and empowered to collect, sue for and retain said property, as her absolute property, as provided by law, it is ordered that Letters of Administration on said Estate be refused, unless on the application of Creditors or other parties interested, the existence of other ^{further or} property be shown.

P. P. Doak

Judge of Probate

In Vacation — November 29. 1909.

In the matter of the registration of
the License of Corey Pettijohn to
practice the science of Embalming.

Now at this day comes Corey Pettijohn and presents to the Judge of Probate, in Vacation, for registration his License authorizing him to practice the Science of Embalming, as required by Section No. 7375, Chapter No. 103. of the Revised Statutes of Missouri, 1899, given under the hand of the State Board of Embalming. Said License being in words and figures following: —

— The State Board of Embalming — State of Missouri.
No. 1371.

To all whom it may concern, Greeting:

By virtue of authority vested in us by the State of Missouri by an Act approved March Sixteenth, eighteen hundred and ninety-five, to regulate the practice of
— Embalming —

We do hereby grant a License for the term of One Year from date to Cora Pettijohn of Gallatin County of Daviess to practice the Science of Embalming, he having passed a satisfactory examination by the State Board.

Given under our hands and seal of this Board this 14th day of November, Nineteen hundred and nine.

M. Scanlon
Thomas O'Donnell
H. R. McLaw

H. M. McClure, Secretary.

Dr. T. Oliver President.
The State Board of Embalming.

{Seal}

P. P. Doak,
Judge of Probate.

In Vacation — November 29, 1909.

In the matter of the registration of
the License of Roy D. Kingdon to
practice the Science of Embalming

Now on this day Comes Roy D. Kingdon of Jamesport, Missouri, and presents to the Judge of the Probate Court of Daviess County, in Vacation, his license authorizing him to practice the Science of Embalming, as required by Section 7375 of Chapter 103 of the Revised Statutes of Missouri, 1899, and given under the State Board of Embalming, said License being in words and figures as follows:

The State Board of Embalming

State of Missouri. No 1379.

To All Whom It May Concern, Greeting:
By virtue of authority vested in us by the State of Missouri by an act approved March sixteenth, Eighteen hundred and ninety-five, to regulate the practice of — Embalming —

We do hereby grant a License for the term of One Year from date to Roy D. Kingdon of Jamesport County of Daviess to practice the Science of Embalming, he having passed a satisfactory examination by the State Board
Given under our hands and seal of this Board this 17th day November nineteen hundred and nine

Seal

M. Scanlon

Thomas Donnell

H. R. McCaw

N. M. McClure - Secretary

J. L. Oliver - President

The State Board of Embalming

P. O. Doak
Judge of Probate

In Vacation — November 29th 1909.

In the matter of the Estate of }
Walter Thomas and Roy Thomas } Appointment of Curator.
minors

Comes now Mary Thomas and represents to the Judge of the Probate Court of the County of Daviess, that she is the mother of Walter Thomas aged eleven years and ten months and of Roy Thomas aged eight years; that their father, Fred Thomas, is now dead, that they possess personal estate in this County of the estimated value of Eleven hundred dollars; and to the end that said property may be properly Conserved for said minors she prays said Judge to appoint Lewis B. Gillihan Curator of said minors.

And the said Judge having Confidence in said Lewis B. Gillihan as being a suitable person for such Curatorship - it is Ordered that he, the said Lewis B. Gillihan be, and he is hereby appointed Curator of the estate of said Walter Thomas and Roy Thomas, and that before entering upon his duties as such Curator, that he be required to enter into bond to the State of Missouri, in the sum of Twenty Two hundred dollars, for the use of said minors, with two or more sufficient Securities, and Conditioned for the faithful discharge of his duties as such Curator.

And now Comes said Lewis B. Gillihan and accepts said trust and files his said bond in the sum of \$2200⁰⁰ with L. M. Brown and A. J. Place as securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

P. P. Doak,

Judge of Probate.

November Adjourned Term - December 19th, 1909 - 1st day adj Term

Court met pursuant to Adjournment on November 13th, there being present P.P. Doak Judge, and Ex-Officio Clerk, and F.M. Parker, Sheriff, when the following proceedings were had, to-wit:-

Estate of Louisa Cox, }
Deceased }

Ordered by the Court that the order made by the Judge of this Court in Vacation - November 24th - Appointing W.C. McCay (Public Administrator) Administrator of Louisa Cox, deceased, be and the same, with all the proceedings therein, is hereby approved, ratified and confirmed.

Estate of Philip E. Covington }
Deceased }

Ordered by the Court that the order made by the Judge of this Court in Vacation on November 26, 1909, refusing letters of Administration upon the estate of said deceased for insufficiency of property, be and the same is hereby approved ratified and confirmed.

Ordered that the bond of Lewis B. Gillihan^{es}, Curator of Walter Thomas and Roy Thomas, minors, taken by the Judge of this Court in Vacation thereof, on November 29, 1909, be approved, and that his appointment to said office be and the same is hereby ratified and confirmed.

Estate of Mrs. S. Beard, } Receipts filed - Administrator discharged.
Deceased }

Comes now Jas. W. Beard, Administrator of said deceased, and files the receipts of the distributees of said estate for their respective shares of the same, as shown by the order of this Court heretofore made, to wit:-

Of Henry D. Beard for	\$8.37;	of Margaret R. Henderson for	\$8.37;
" Sallie Beard "	8.37;	" Nettie L. Runnels "	8.38;
" Bettie C. Hagadorn "	8.37;	" John A. Beard "	8.37;
" W. J. Beard "	8.37;	" James W. Beard "	8.37;
" Clarence Beck "	4.19	" Mrs. Flora Ellen Beck, Johnson "	4.19;

and said estate having been fully administered, and all the lawful debts thereof fully paid and assets disbursed, it is ordered and adjudged by the Court that said administration be closed and said Administrator discharged.

November Adjourned Term - Monday - December 13, 1909 - 1st day Adj. Term

In the matter of the Estate of (Final receipts filed - Partial discharge,
Hannah A. Burnham, deceased)

The receipts of Hattie L. Rocher for \$79.⁴⁵ the same being her distributive share of said estate as per order of distribution of said estate on final settlement thereof, together with a protest fee on the check of Geo. W. Norton for the sum of \$76.⁹⁴ given to said distributee and payment thereof refused, by the Farmers State Bank at Winston, Mo. because of lack of funds to the credit of said Geo. W. Norton; Also the receipt of Daniel A. Burnham for \$76.²⁵ his distributive share of said estate, \$2.²⁰ protest fee of \$2.²⁰ for same reason as above given - making a total of \$79.⁴⁵; and the receipt of Henry P. Burnham for \$76.²⁵ his distributive share of said estate. And it is ordered by the Court that a discharge of record as to liabilities to said Hattie L. Rocher, Daniel A. Burnham and Henry P. Burnham on account of the estate of said deceased, be and the same is hereby made.

In the matter of the Estate of (
Thomas Hersberger, Insane.)

It having been shown to this Court, that heretofore, to-wit: on the 11th day of July, 1905, that ^{Thomas} Hersberger was, by this Court, adjudged to be a person of unsound mind and incapable of managing his own affairs, and that on said 11th day of July 1905, Noah Hersberger was duly appointed Guardian of said Thomas Hersberger, and that he, the said Noah Hersberger has served as such Guardian from said date to the present time; that owing to litigation involving title to real estate the interests of the said Noah Hersberger, and his ward, the said Thomas Hersberger are in conflict the one with the other, so as to render the said Noah Hersberger an unsuitable person for such Guardianship.

And comes now the said Noah Hersberger and acknowledges service of Notice to appear before this Court and show Cause why he should not be removed from said guardianship, and ^{in writing} waives service of said notice upon him by any officer.

And the Court having heard and duly considered the evidence in relation to said matter, and believing that the facts justify the removal of said Noah Hersberger from said Guardianship, it is therefore ordered and adjudged by the Court that his said Guardianship be and the same is hereby revoked, and that he the said Noah Hersberger proceed at once to settle his account as such Guardian, and to turn over all money and property, belonging

November Adjourned Term - Monday - December 13th 1909

to his said Ward - if any there be - which he may have in his possession, to his Successor in said office.

And it appearing that said Thomas Hershberger, ^{who has been adjudged to be} a person of unsound mind, has no guardian of his person or estate it is therefore ordered that Mr. C. Macy, Public Administrator and Ex-Officio Public Guardian and Curator of Daviess County be authorized and instructed to take charge of the person and estate of said Thomas Hershberger, and that he manage and administer the same as the law directs.

In the matter of the Estate of } Final Settlement and Discharge.
Earnest Slater, a minor }

Now comes Douglas Slater Curator of Earnest Slater, a minor and files his final settlement of his account with said Ward, which shows a balance due to him of \$273.72.

And now comes said Earnest Slater and enters his personal appearance as a party to said settlement, and says that he ^{was} twenty-one years of age on December 6, 1909, and accepts said balance of \$273.72 as being in full payment and satisfaction of all money and property due to him from his said guardian and Curator, and over his own signature receipts for the same, and waives the necessity for making and filing an Exhibit for final settlement as is by law required, and the service of notice ^{the filing of} such Exhibit or of any notice whatever of said settlement. And the Court having examined said final settlement doth order and adjudge said final settlement to be correct it is therefore approved and ordered to be recorded and it is further ordered that said Curator be and he is hereby discharged.

Ordered that the First Annual Settlement of N. N. Hampton Executor of the last will of Phebe Hampton deceased, this day filed be approved and recorded.

Estate of Lillitha McDow, (Final recpt filed, partial
deceased.) Discharge

Now comes W. C. Gillihan Executor of the last will of said deceased files the receipt of Gabe Heaston for \$25.00 the same being the amount due him from said estate according to the provision of said last will, and it is ordered that said Executor be discharged as to said Gabe Heaston.

November Adjourned Term - Monday - December 13th, 1909.

Estate of Larkin J. Smith } Final receipt filed and Discharge.
Deceased

And now comes James F. Wise, Administrator of said estate and files the receipt of Cora Wise for the sum of \$859.96 being the balance due said estate on the final settlement thereof heretofore made and also for the insolvencies credited in said final settlement in the sum of \$812.12 - She, the said Cora Wise being the sole and only heir and distributee of said estate - It is therefore ordered by the Court that said Administrator be discharged.

Ordered that the first Annual settlement of F. L. Read, Surviving Partner of the firm of F. L. Read & O. L. Read, said O. L. Read, deceased, this day filed be approved and recorded.

In the matter of the Estate of } final settlement of Georgia A. Miller Barton
Corwin E. Miller, deceased

Comes now Georgia A. Barton, formerly Georgia A. Miller, and Curator of Corwin E. Miller, a minor, and files her final settlement of said estate, which said settlement shows a balance due to said minor of \$1018.60. And it is ordered that said Georgia A. Miller, (now Georgia A. Barton, she having been married to J. L. Barton May 30, 1909), pay over to her successor in said Curatorship said balance of \$1018.60, as soon as there shall have been such Curator appointed and he shall have qualified according to law, and that she file herein a receipt for the same, and it is further ordered that said final settlement be approved and recorded.

Ordered that the 5th Annual settlement of Thomas Wilson, Curator of Albert H. Wilson a minor this day filed be approved and recorded.

Estate of Hatten Price } Demand allowed
Deceased

Comes now S. F. Daniels and presents to the Court for allowance against said a Demand for \$14.50 on account for pasturing stock for deceased in his life time, and service of notice being waived in writing, and affidavit and proof made; it is ordered that said account in the sum of \$14.50 be allowed against said estate and placed in the fifth class,

November Adjourned Term - Monday - December 13-1909.

Estate of L. D. Shaffer, } Demand allowed
Deceased }

Comes now S. A. Broyles and presents to the Court for allowance against said estate a demand for \$240²⁴ founded on a note given by deceased, And service being waived in writing and affidavit and proof made it is ordered that said note in the sum of \$240²⁴ be allowed against said estate and assigned to Class five.

Estate of J. R. Williams, } Demand allowed
Deceased }

Comes now J. B. Handy and presents to the Court for allowance against said estate a demand for \$17³⁵ founded on account for Merchandise, and service of notice being waived in writing and affidavit and proof made. it is ordered that same in the sum of \$17³⁵ be allowed against said estate and that it be assigned to class five.

Ordered that the 4th Annual Settlement of Israel Heath, Curator of William R. Willis, a minor, this day filed be approved and recorded.

Estate of Flora Frederick, } Order setting aside former order.
Deceased }

Now this day it appearing to this Court that the final settlement of said estate heretofore filed and approved by this Court, to-wit: on November 9, 1909, contains some errors, it is therefore ordered that said order of approval be and is hereby set aside and held for naught, and that Geo. L. Loop, Executor, file a corrected final settlement of said estate.

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

P. P. Doak,
Judge

November Adjourned Term - Tuesday - December 14th 1909

Court met pursuant to adjournment. There being present P. P. Doak, Judge and Ex Officio Clerk of said Court, and J. H. Blair, Sheriff of Daviess County, when the following proceedings were had, to wit: -

In the matter of the Estate of { Administration granted, Bond filed & approved
Betsey C. Norden deceased }

Comes now Chas. A. Norden and makes Affidavit as required by law and makes application for letters of Administration on the estate of Betsey C. Norden, who died in Daviess County July 18, 1908, intestate,

And it appearing that the only heir of deceased that is known to applicant is Mary E. Crowell who resides in the County of Hampden and State of Massachusetts, and that applicant is a suitable person to administer upon said Estate. It is therefore ordered that said Chas. A. Norden be and he is hereby appointed Administrator of the estate of Betsey C. Norden, deceased, and that before he enters upon the duties of said office that he enter into bond to the State of Missouri, in the sum of Two Hundred dollars with two or more securities thereon and conditioned according to law.

And now comes said Chas. A. Norden, and files his said bond in the sum of \$200.00 with W. C. Gillihan, A. R. Maffitt and Rollin J. Britton as securities thereon and conditioned as the law directs, which said bond is by order of the Court approved. And it is further ordered that A. R. Maffitt and Rollin J. Britton be and they are hereby appointed witnesses to assist to make an inventory of said estate, and that said Administrator publish notice of the grant of said letters as is by law required.

Ordered that the first Annual Settlement of Mary E. Miller, Administratrix of Wm. T. Miller, deceased, this day filed be and the same is hereby continued for correction.

In the matter of the Estate of { Order Confirming Sale.
John W. Pennebaker, deceased }

Now comes Agnes V. Pennebaker, Administratrix of said John W. Pennebaker deceased, and submits to the Court her report of sale, by which it appears that she did, on the 1st day of December, 1909, in obedience to the order of this Court made at the August Term 1909, thereof, sell at private sale to John A. Burch for the sum of ~~Four~~ Thousand, One Hundred and fifty dollars, the real estate in

November Adjourned Term Tuesday, ^{December} ~~November~~ 14th, 1909,

said order of Court and report, particularly described, viz;

All of a tract Commencing at a point, Three Hundred (300) feet North of the North East Corner of Block C of Weldens 1st Addition to the Town of Salem running thence North One Hundred (100) feet; thence West One Hundred and Thirty Four (134) feet; thence South One Hundred (100) feet; thence East One Hundred and Thirty Four (134) feet to the place of beginning, all in the South West Quarter ($\frac{1}{4}$) of Section One (1).

And also All of a tract of land Commencing at a point Three Hundred and sixty (360) feet South and forty Nine (49) feet East of the South East Corner of Block One (1) in Hendrick's First Addition to the Town of Salem; running thence East One Hundred and Thirty Six (136) feet; thence South One Hundred and fifty (150) feet; thence West One Hundred and thirty six (136) feet; thence North one Hundred and fifty (150) feet to the place of beginning, all in South West quarter ($\frac{1}{4}$) of section One (1) And all of above described land being in Township Sixty One (61) and Range Twenty Eight (28) in Daviess County, Missouri, and it appearing that said sale was legally and fairly conducted pursuant to the order of the Court and in accordance with the statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said Administrator is ordered to execute, acknowledge and deliver to said John A. Burtch a deed in due form of law, conveying to the said John A. Burtch all the right, title and interest which the deceased had in the same at the time of his death.

In the matter of the Estate of }
Robert E. Irwin, Edna M. Irwin, } Order of sale of real estate
and James H. Irwin, minors }

On this day came J. H. Gillespie Guardian and Curator of Robert E. Irwin, Edna M. Irwin and James H. Irwin, minors, aged 19, 13 and 9 respectively, and sets forth that his wards own an undivided $\frac{3}{16}$ interest in the real estate described in petition, and that the other undivided $\frac{13}{16}$ of said property having been sold gives the purchaser thereof a controlling interest in the same; that the small amount which he might be able to obtain from the rent of said property would not more than pay the taxes and keep up the repairs on the same.

He therefore asks an order for the sale of said real estate for the purpose of reinvesting the proceeds derived from said sale in other property or of loaning the same for the

November Adjourned Term — Tuesday December 14th 1909

the benefit of said minors; said property being described as follows: -

Lot One (1) in Block Five (5) in the Town of Jameson, Daviess County, Missouri.

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

In the matter of the estate of (Final Settlement and order of distribution
Flora Frederick, deceased)

Comes now George L. Loop, Executor of Flora Frederick, deceased and ^(in lieu of the settlement filed in this Court November 7, 1909, the order approving same having been set aside.) filed a Corrected Final Settlement of said estate, which shows a balance due the estate of \$1681.58, of which balance the sum of \$1275.00 is in the form of a note made by Frank Frederick for the sum of \$1375.00 with interest at the rate of 5% per annum, but by the provisions of the last will of said deceased, said Frank Frederick is to have the use of said money for and during his natural life and is not to be required to pay interest thereon from and after her death, and it appears further that said Frank Frederick has paid all the interest which had accrued on said note up to the time of the death of said Flora Frederick, and had also paid \$100.00 on the principal - thus reducing said note to \$1275.00, and it is further provided by said will that at the death of said Frank Frederick said note is to be collected, and Five Hundred (\$500.00) out of it is to be paid to Missouri Conference of the Advent Church and the remainder is to be distributed equally share and share alike among her brother Sam. N. Frederick and her three sisters Helen Loop, Ellen Leslie and Alta Olsen, if said brother and sisters should then be living, and that the share of any of said remaindermen, who may have died prior to the death of said Frank Frederick is to go to said Advent Church - said \$1275.00 being a trust which cannot be distributed during the life of said Frank Frederick - it is ordered that the same be transferred to the Circuit Court of Daviess County. And it is further ordered that the balance of \$406.58 which sum is in the hands of said Ex-

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Executor be distributed as per the provisions of said last will as follows: To S. N. Frederick the sum of \$107.⁵⁷; To Helen Loop the sum of \$107.⁵⁷; to Ellen Leslie the sum of 107.⁵⁷; and To Alta Olsen the sum of \$107.⁵⁷ less the sum of \$23.²⁰ which has been advanced to said Alta Olsen by the said Executor as appears from her receipt filed as a voucher in said final settlement, and it is further ordered that said Executor pay over said sums to the parties entitled thereto and that he file herein their respective receipts for the same, when he shall be entitled to his discharge.

Estate of J. M. Pennebaker } Allowance of Demand.
Deceased

Comes now the Vane-Calvert Paint Co. and presents to the Court for allowance against said Estate a Demand for \$15.⁰⁰ founded on Account for Merchandise purchased by deceased; And Service of Notice being waived in writing, and Affidavit and proof made it is ordered and adjudged by the Court that said account be allowed against said estate in the sum of \$15.⁰⁰ and that it be assigned to the 5th class of demands.

Estate of Jno. W. Pennebaker } Demand allowed
Deceased

Comes now the Webb Freyschlag Co. and presents to the Court for allowance against the estate of said deceased a Demand for \$149.⁰⁰ found on Bill for Mdse bought at wholesale. And Service of Notice waived in writing and Affidavit and proof made, it is ordered and adjudged by the Court that same be allowed against said estate in the aforesaid sum of \$149.⁰⁰, and placed in Class five.

Estate of John W. Pennebaker } Demand allowed
Deceased

Comes now the McKee Drug Co. and presents to the Court for allowance against said estate a Demand for \$28.⁸³ founded on account; And Service of Notice having been waived in writing, and Affidavit and proof made, it is ordered and adjudged by the Court that said account in said sum of \$28.⁸³ be allowed against said estate, and placed in Class five.

Estate of John W. Pennebaker } Demand allowed
Deceased

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Comes now the Campbell Glass & Paint Co. and present to the Court for allowance against said estate, a demand for \$28⁴⁵ founded on account, And service of notice being waived in writing and Affidavit and proof made, it is ordered and adjudged by the Court that said account in the sum of \$28⁴⁵ be allowed against said estate and placed in Class five.

Estate of John W. Pennebaker, (Demand allowed
Deceased)

Comes now the Beckwith Art Co. and presents to the Court for allowance against said estate, a demand for \$14²⁶ the same being an Invoice Bill. And service of Notice waived in writing by Administratrix, and Affidavit and proof made, it is ordered and adjudged by the Court that said account be allowed against said estate in the sum of \$14²⁶ and that it be assigned to the 5th Class of demands.

Estate of John W. Pennebaker, (Demand allowed,
Deceased)

Comes now the National Refining Co. and presents to the Court for allowance against said estate a demand for \$9³⁶ founded on account, And service of notice waived in writing and Affidavit and proof being made it is ordered and adjudged by the Court that same be allowed against said estate ^{in the sum of \$9³⁶} and placed in Class five.

Estate of John W. Pennebaker (Demand allowed,
Deceased)

Come now Glasner and Barger and present to the Court for allowance against said estate a demand for \$75⁴³ founded on account, And service of notice of presentation waived in writing, and Affidavit and proof made it is ordered and adjudged by the Court that said account in the aforesaid sum of \$75⁴³ be allowed against said estate and placed in Class five

Estate of John W. Pennebaker (Demand allowed,
Deceased)

Comes now H.C. Bucklin & Co. and presents to the Court for allowance against said estate a demand for \$24⁰⁰ founded on account and service of notice waived in writing and affidavit and proof made it is ordered that same in the sum of \$24⁰⁰ be allowed against said estate in Class (5)

November Adjourned Term ^{on} Tuesday December 14th 1909

Estate of John W Pennebaker { Demand allowed,
Deceased }

Comes now Joseph Vogel, and presents to the Court for allowance against said estate a Demand for ~~\$755.25~~^{for \$700.00}, founded on a note given by J W Pennebaker and Agnes Pennebaker. Date Nov. 1. 1907, and due 8 months from date, with interest at 7 per cent, and service of notice being waived in writing, and affidavit and proof made, it is ordered and adjudged that said note for \$700. with ~~\$55.25~~ accrued interest be allowed against said estate making a total of ~~\$755.25~~, and that it be placed in Class five.

Estate of John W Pennebaker { Demand allowed
Deceased }

Comes now Mrs. Agnes W Pennebaker, Administratrix of said estate and presents to the Court for allowance against said estate a Demand for \$368⁴⁸ founded on a note ^{for \$300.00} signed by J. W. Pennebaker, date April 1. 1907 and due April 1, 1908, and it is agreed that if interest or principal be not paid when due that it shall draw 8% interest. And there being no Co-Administrator, L. B. Gillihan a suitable person is appointed to appear and represent said estate pending the trial of said claim, who comes and waives service of notice for presentation in writing, and Claimant having made affidavit to said claim it is submitted to the ^{Court} upon the proof, and it is ordered and adjudged by the Court that Claimant recover her note and accrued interest in the sum of \$368.48 and it is ordered that said Demand be placed in the 5th Class of demands against said estate.

Estate of Jacob Ramey { Demand allowed
Deceased }

Come now Gates Nixon & Co. and present to the Court for allowance against said estate a Demand for \$8.00 on account for lettering monument at grave of deceased. And service of notice for presentation being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate, in said sum of \$8.00 and that it be assigned to Class Five.

In the matter of the estate of { Final Settlement - Order distribution
Silas N. Best, deceased }

Comes now Howard D. Best, Executor of said Silas N. Best deceased and submits his final settlement heretofore filed

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and it appearing that the specific legacies provided to be given, by the last will of deceased have been duly delivered to the legatees, and that said executor has paid the debts due and owing by said estate and that there is a balance due the estate of \$184.01, and it appearing that Dennis Best and Elizabeth Delley, distributees have each received the sum of \$125.00 it is therefore ordered that Lewis D Best be paid \$108.00 and that Howard D. Best be paid \$75.00 and that their receipts therefor be filed herein, and that said final settlement be approved and recorded

Ordered that the first Annual Settlement of W.E. Henderson surviving partner of the firm of Henderson and Henderson - a co-partnership composed of Jno. F. Henderson and W. E. Henderson, Jno. F. Henderson, deceased, this day filed be approved and recorded.

Estate of Joseph Thomas } Demand allowed
Deceased

Comes now the D.H. Davis Drug Co. and presents to the Court for allowance against said estate a Demand for \$29.44 on acct. for Mdse. - and service of notice waived in writing by Administrator ^{also} and Certificate of the Correctness of said claim, ^{and affidavit made as required} it is ordered that same, in said sum of \$29.44 be allowed against said estate, in class five

Estate of John Donohue } Demand allowed
Deceased.

Comes now John French and presents to the Court for allowance against said estate a Demand for \$238.00 on account of labor performed ^{for} and corn furnished deceased in his lifetime, and service of notice being waived in writing and affidavit and proof made, it is ordered that said account be allowed against said estate in the sum of \$238.00 and that it be assigned to Class five.

Estate of W.E. Henderson, } First Annual Settlement - Partial distrib^{ution}
Deceased.

Comes now W.E. Henderson, one of the Administrators of the Estate of John F. Henderson, deceased, and files his first annual settlement of the same which shows a balance in the hands of the Administrator of \$5769.89. and said Administrator represents to the Court that of said balance there are \$4000., at least, that will not be needed for the payment of debts, and he asks the Court for

In Vacation - December 29, 1909.

In the matter of the Estate of } Administration granted,
Henry F. McLung, deceased }

Now this day comes Ida A. McLung and files her application for letters of administration upon the estate of Henry F. McLung, deceased ^{in Daviess County} and shows by her affidavit that said, Henry F. McLung died, October 17, 1908, without a will; that he left a widow, Ida A. McLung, residing in Daviess County, Mo. and one child, Robert Earl McLung, who resided in Daviess County, Mo. and says that she will make a perfect inventory of and faithfully administer all the estate of said deceased, pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to her knowledge or possession.

And said applicant being the widow of said deceased, and otherwise competent to fill such trust. it is ordered that administration be granted and that letters issue to the said Ida A. McLung upon the Estate of said Henry F. McLung, deceased, and that she enter into bond to the state of Missouri as such Administratrix in the sum of \$500. with two or more sufficient securities and conditioned according to law.

And now comes said Ida A. McLung and files said bond in the sum of \$500. with Gabe May and John C. Leopard as securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved, and it is ordered that W. D. McDonald and Jas. M. McGleskey be appointed witnesses to make an inventory of said estate, and that notice of the grant of said letters be published in the Gallatin Democrat as the Statute directs.

P. P. Doak

Judge of Probate.

In Vacation - December 29, 1909.

In the matter of the Estate of } Public Administrator to take charge
Grace Bender, deceased }

It being shown to the Judge of Probate that Grace Bender, a minor, owning property in Daviess County, died at Monroe, in the State of Nebraska, without a will. that the aforesaid property is in the hands of her curator, W. C. Macy, and that there are demands against her estate. It is therefore that said W. C. Macy, Public Administrator be granted letters upon said estate; that he publish notice of the grant of said letters as directed by law and that C. H. Welden and A. R. Maffitt be appointed witnesses to assist in making an inventory of said estate.

P. P. Doak, Judge of Probate

November Adjourned Term, Monday, January 10, 1910.

Court met pursuant to adjournment: present P. P. Doak, Judge, and F. M. Parker, Deputy Sheriff - when the following proceedings were had, to-wit:

Estate of Sarah C. Murry }
Deceased }
2

Comes now William Murry and presents to the Court for allowance against said Estate a demand for \$44.00, on acct. for money paid out for merchandise and telephoning for deceased, Service of notice waived in writing and Affidavit and Proof made. It is ordered that said account in the sum of \$44.00 be allowed against said estate as a fifth class demand.

In the matter of the Estate of } Final Settlement & discharge
Grace Bender, a minor (now dead)

Comes now W. C. Macy, Curator of Grace Bender, a minor, who died in Monroe, Nebraska, Oct. 22, 1909, and makes his final settlement of said estate, which shows a balance due said estate of \$55.00, and the Court finding said settlement to be correct, it is ordered that said balance be paid to W. C. Macy Administrator of said Grace Bender deceased and that the receipt therefor be filed in this Court.

And now comes said Curator and files herein the receipt of W. C. Macy, Curator as aforesaid and files said receipt of W. C. Macy Administrator of Grace Bender deceased for said balance of \$55.00 and it is ordered that said final settlement be approved and recorded and that said Curator be discharged.

In the matter of the Estate of } Allowance to widow in lieu of provisions.
John R. Williams, deceased }

Comes now Anna M. Williams, widow of J. R. Williams deceased and makes application for an allowance in lieu of grain, meat, groceries and other provisions not on hand and provided for the subsistence of herself and family for one year and says that the family of said deceased consisted of herself and three children; that at the time of making an inventory of said estate there was not on hand and provided grain, meal, groceries &c sufficient for the subsistence of said family for one year, and that in addition to the grain, fruit and other provisions on hand there was required at least \$200. to supply said deficiency. She therefore prays the Court for an order allowing said sum for such purpose. And the Court having duly considered the matter doth order and adjudge that said sum of \$200.00 be allowed to supply such deficiency and that the Administrator of said estate be authorized to pay to said Anna M. Williams said sum, and that he file herein her receipt for same.

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Estate of Louisa Cox } Demand allowed
Deceased

Comes now Mr. McGarwin and presents to the Court for allowance against said estate a demand for \$508⁰⁰ on account of boarding said deceased for five years and one month @ \$100 a year - and service of notice of presentation being waived in writing by the Administrator, and affidavit made, and the proof taken it is ordered and adjudged by the Court that said Claimant be allowed the sum of \$400. as a fifth class demand against said estate, and it appearing that \$108. of said claim had accrued more than five years before the death of the said Louisa Cox, it is ordered that said sum of \$108. be not allowed.

Estate of Louisa Cox } Demand allowed
deceased

Comes now Sarah Turman, and presents to the court for allowance against said estate a demand for \$79³² on account of washing and sewing for deceased for 3 years and 10 months during her lifetime, and service of notice of presentation being waived in writing and affidavit and proof made it is ordered that the said account in the sum of \$79³² be allowed against said estate, and placed in Class five.

Estate of Volney B Scott }
Deceased

Now Comes the Phoenix Insurance Company and presents to the Court for allowance against said estate a Demand for \$193⁹⁴ found on a transcript judgment ^{upon a note} and costs, which with interest amounts to said sum, And service of notice being waived in writing and affidavit made by Agent of Claimant. it is ordered that said judgment be entered as a fourth class demand against said estate.

In the matter of the Estate of } Order Renewing order of Sale
David A Miller, deceased }

Now Comes B Rowland Milke Administrator De Bonis non of the Estate of David A. Miller, deceased and represents to the Court that he has not been able to make a sale of the Real Estate belonging to said deceased, pursuant to the order of Sale made by this Court at the November Term 1908 thereof and renewed at the February, May and August Terms of said Court, and asks that said Order be again

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renewed. And it is ordered by the Court that said order for the sale of said real estate so made and renewed as aforesaid, be, and the same is hereby, in all things renewed.

Estate of David Galpin } Demand allowed
deceased

Comes now Mrs. W. D. Lower and presents ^{to} the Court for allowance against said estate a demand for \$40.⁰⁰ founded on account for nursing deceased during his last sickness, and service waived in writing, and affidavit made it is ordered and adjudged by the Court that the same, in said sum of \$40.⁰⁰ be allowed against said estate and that it be assigned to Class Two.

Estate of David Galpin } Demand allowed.
deceased

Now comes Dr. Thomas Paul, and presents to the Court for allowance against said estate a demand for \$30.⁰⁰ founded on an account for medical services rendered deceased in his last sickness. And service of Notice being waived in writing and affidavit and proof made it is ordered that said account be allowed against said estate, in said sum of \$30.⁰⁰ and placed in Class Two.

Estate of David Galpin } Demand allowed
deceased

Comes now Mrs. Mollie Ellis and presents to the Court for allowance against said estate a demand for \$15.⁰⁰, founded on account for services as nurse and laundry during last sickness. And service of Notice waived in writing and affidavit and proof made it is ordered that said account in the sum of \$15.⁰⁰ be allowed against said estate in Class No. Two.

Estate of David Galpin } Demand allowed
deceased

Now comes the St. Joseph Casket Company and presents to the Court for allowance against said estate a demand for \$48.⁰⁰ on account casket and other funeral articles furnished deceased, and service of Notice waived in writing and affidavit and proof made

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it is ordered that said account in the sum of \$98⁵⁰ be allowed against said estate in Class No. One.

Estate of David Galpin { Demand allowed.
Deceased }

Comes now John Houghton and presents to the Court for allowance against said estate a demand for \$8⁵⁰ on account for Hearse from Hamilton to McCrory Cemetery, and service of notice being waived in writing and Affidavit and proof made, it is ordered that said account in the sum of \$8⁵⁰ be allowed against said estate and placed in Class No. One.

In the matter of the Estate of {
Madge Nickell, Robert Nickell } Curator appointed.
and Ralph Nickell, minors }

Comes now W. Nickell and represents and shows to the Court that he is the father of Madge Nickell, Robert Nickell and Ralph Nickell, minor heirs of Dora E. Nickell, deceased, aged 11, 7 and 5 years respectively; that said minors possess an undivided one seventh interest in the following tract of real estate, to wit - The S. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Section 9, Twp. 60 of R. 27, in Daries County, Mo. the value of which said interest is estimated at \$125⁰⁰, and says that said minors have no duly appointed and legally qualified Curator of their estate, and prays the Court to appoint him such Curator.

And the Court having confidence in his ability and integrity it is ordered that said W. N. Nickell be and he is hereby appointed, Curator of the estate of said Madge Nickell, Robert Nickell and Ralph Nickell, minors as aforesaid, and that he enter into bond to the State of Missouri for the use of said Madge Nickell, Robert Nickell and Ralph Nickell, in the sum of \$250.⁰⁰, with two or more securities thereon to be approved by this Court and conditioned for the faithful discharge of his duties as such Curator.

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

O. P. Doak

Judge

November, 1909, Adjourned Term Tuesday January 11, 1910.

Court met pursuant to adjournment. Present P. P. Doak, Judge and J. A. Blair, Sheriff; when the following proceedings were had, to wit: -

Estate of Kenneth A Newton, } Demand allowed,
deceased.

Come now Pettijohn Bros. and present to the Court for allowance against said estate a demand for \$90.⁰⁰ founded on account for funeral furnished deceased; and service of notice being waived in writing and affidavit and proof made it is ordered that said account in the said sum of \$90.⁰⁰ be allowed against said estate, and assigned to Class one.

Estate of Kenneth A Newton, } Demand allowed
deceased

Comes now Dr E. H. Wagoner and presents to the Court for allowance against said estate a demand for \$9.⁰⁰ founded on account for medical services rendered said deceased during his last sickness, and service of notice having been waived in writing and proof and affidavit made. it is ordered that said account in the sum of 9.⁰⁰ be allowed against said estate and placed in Class No. two.

Estate of Kenneth A Newton, } Demand allowed,
deceased

Comes now Dr. C. P. Martin and presents to the Court for allowance against said estate a demand for \$50.⁰⁰ on acct of Medical services rendered deceased in last sickness and service of notice being waived in writing by the Administrator of said estate and affidavit and proof being made. it is ordered that said account in the sum of \$50.⁰⁰ be allowed against said estate, and that it be assigned to Class No. five.

Estate of Kenneth A Newton, } Demand allowed
deceased

Come now Scott & Dunn and present to the Court for allowance against said estate a demand for \$4.⁴⁵ on account for Mdse sold deceased, and service of notice being waived in writing

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and affidavit and proof being made. it is ordered that said account in the sum of \$14⁴⁶ be allowed against said estate, and that same be assigned to the 5th Class of demands.

Estate of John R. Williams } Demand Allowed,
deceased

Comes now the S. R. Baker & Co, by agent Shiner, and presents to the Court for allowance against said estate a demand for \$4⁴⁶ on account for Mase sold deceased. And service of notice being waived in writing and affidavit and proof made it is ordered that said account be allowed against said estate and assigned to the 6th Class of demands

In the matter of the Estate of } W.C. Macy, Appointed Admr. de bonis non
Eliza C. Brannon deceased

Now this day it having come to the knowledge of this Court that Otto C. Wagner was heretofore, to wit on the 6th day of May 1909 duly Appointed Administrator of the estate of Eliza C. Brannon deceased, and that he did on said 6th day of May 1909 qualify as such Administrator and that he proceeded with the administration of said estate till about October - 1909 when he removed from this State and took up his residence in the State of Iowa where he still resides, thereby vacating said office - And it appearing that a part of said estate remains unadministered - it is therefore ordered that W.C. Macy, Public Administrator of Daviess County be and he is hereby appointed Administrator de bonis non of said estate, and it is further ordered that N.G. Creegan and A.R. Maffitt be appointed witnesses to assist said W.C. Macy to make an inventory of the property belonging to said estate.

In the matter of the estate of } Report of Sale, personally.
Chas. H. Bouton, deceased

Comes now Samuel A. Lord, Administrator of said estate and submits to the Court his report of Sale of personal property at private Sale in which he says:

That in obedience to an order of this Court, made on the 10th day of September, ^{A.D.} 1909, directing him to sell the personal estate in said order as follows, to wit: one cow and calf and one

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set of harness, 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 Chas. Palmer, Elwood Culver and J. J. Zeigler 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.

And that Elmer Duffey was the highest and best bidder for said Cow and calf at the price and sum of Forty dollars and the same was sold to him at private sale accordingly.

And the said Elmer Duffey has fully complied with the terms of said sale, and has paid me the sum of Forty dollars, in cash, and Festus Carter was the purchaser of harness at price and sum of five dollars, and that he has paid me \$5.00 in cash as required by said order of sale.

Samuel A. Lord,
Administrator

State of Missouri, County of Daviess: ss.

Samuel A. Lord being duly sworn, says that he did not directly nor indirectly purchase such personal estate, or any part thereof or any interest therein, and that he is not interested therein in the property sold, except as stated in said report.

Samuel A. Lord.

Subscribed and sworn to before me, this 17th day of December 1909.

(Seal)

P. P. Doak, Judge of Probate

Ordered by the Court that said report be and the same is hereby approved, and said ratified and confirmed.

Estate of Chas. H. Bouton, (Demand allowed deceased)

Comes now V. E. Foxworthy and presents to the Court for allowance against said estate a demand for \$112.90, founded on account of a number of assigned bills, as follows, to-wit: - F. M. Turley shaving deceased \$2.50

M. B. Calhoun, funeral furnished deceased 66.60

Dr. J. L. Dot bill for medical services rendered deceased 14.75

C. A. Santy Mdse. furnished " 8.40

J. B. Strasser, " " 20.65

Total \$112.90

and service being waived in writing, and affidavit and proof made it is ordered that said account be allowed against said estate in said sum of \$112.90 and placed in class five.

November 1909 Adjourned Term - Tuesday - January 11, 1910

Estate of John F. Henderson } Demand allowed and classified
deceased.

Comes now the D.H. Davis Drug Co. by F.M. Davis Treasurer, and presents to the Court for allowance against said estate a demand for \$6.25 on acct for Mdse. sold deceased during last illness. and service of notice waived by the administrator and Affidavit made and W.E. Henderson, Admr., certifying to the correctness of account, it is ordered that same in said sum of \$6.25 be allowed against said estate and placed in the 6th class.

In the matter of the Estate of } Curator Public ordered to take charge.
Corwin E. Miller, a minor.

Now this day it appearing to the Court that Corwin E. Miller, a minor heir of Charles N. Miller, deceased, has personal estate in value not exceeding \$1100, that he has no curator of said estate, Georgia A. Miller, his mother, and acting Curator. having inter married with J.L. Barton on May 30, 1909.

And said Corwin E. Miller being under the age of 14 years, and his mother, the afore said Georgie A. (Miller) Barton so requesting: It is therefore ordered by the Court that Wm. C. Macy, Public Administrator and Ex Officio Public Guardian and Curator of Daviess County be, and he is hereby authorized ^{and directed} to take charge of the estate of said Corwin E. Miller and to manage and care for the same.

Estate of Grace Bender, deceased, }

Come now Reade Bros. Monroe, Nebraska, and present to the Court for allowance against said estate a demand for \$76.10 on acct for funeral of deceased. Service of notice waived in open Court, and Affidavit and proof made, it is ordered and adjudged by the Court that said acct. in the sum of \$76.10 be and is allowed as a first class demand against said estate.

Estate of Grace Bender, deceased }

Comes now Orville Fleming and presents to the Court for allowance against said estate a demand for \$125.00, for taking care of deceased in her last sickness, and service of notice being waived in open Court and Affidavit and proof made it is ordered and adjudged by the Court that said acct. in the sum of \$125.00 be and the same is allowed as a ^(Said Estate) second class demand against

Ordered that Court adjourn till Court in course.

P.O. Doak,

Judge of Probate.

In the Probate Court - In Vacation - January 21, 1910.

In the matter of the Estate of {
 Madge Nickell, Robert Nickell } Bond filed.
 and Ralph Nickell minors }

Comes now, W. N. Nickell and files his bond as Guardian and Curator of said minors in the sum of \$250.00 with T. S. Nickell and Prestes Nickell as securities thereon and conditioned for the faithful discharge of his duties as such guardian and curator, which said bond is by the Judge of Probate accepted and approved.

P. P. Doak,

Judge of Probate.

In the Probate Court - In Vacation - January 25, 1910.

In the matter of the Estate of { Will Probated. Letters granted,
 William R. Cole, deceased }

Now on this 25th day of January, 1910, an Instrument in writing, signed by W. R. Cole and purporting to be the last will and Testament of William R. Cole, 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 heard the testimony of W. T. Brown and Fred Fair the attesting witnesses to said instrument in relation to the execution of the same, and affidavit being made showing that said William R. Cole, died in Daviess County Missouri on the 21st day of January, 1910, It is ordered and adjudged that said instrument of writing of date November 18, 1908 be declared the last Will and Testament of said William R. Cole, deceased, and the same is therefore admitted to Probate.

And it appearing Mrs. Nancy E. Cole, widow said William R. Cole, deceased has been named by said last will and Testament as Executor thereof, it is ordered that said nomination be approved, and that letters Testamentary upon the estate of said Wm. R. Cole deceased, be granted, and issue to the said Mrs. Nancy E. Cole, and it being the request of the testator that she be not required to give bond as such executrix, it is therefore ordered that no bond be required.

And it is further ordered that Frank B. Ray and J. R. Baker be and they are hereby appointed witnesses to assist said executrix to make an inventory of said estate - And that notice of said letters be published as the law directs.

P. P. Doak,

Judge of Probate

February Term - Monday - February 14th, 1910. First Day of Term

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 Ballwin, in said County, on Monday, August 14, 1910, there being present, R. P. Doak, Judge of said Court, and J. A. Blair Sheriff of said Daviess County, the following proceedings were had, viz:

In the matter of the Estate of { Judgment Establishing Will
William R. Cole, deceased }

It being shown to the Court now here that in Vacation of this Court, to-wit: on the 25th January, 1910, an instrument of writing purporting to be the last will and testament of William R. Cole, deceased, and attested by W. T. Brown and Fred Fair as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said William R. Cole, deceased, and said Judge proceeded to take the testimony of W. T. Brown and Fred Fair 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 25th day of January, 1910.

And the Court having inspected said will, and seen and heard the testimony of W. T. Brown and Fred Fair the attesting witnesses, so taken in vacation, as to the execution of said will, and being sufficiently advised: - It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said William R. Cole 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.

Estate of Wm R Cole, {
deceased } Ordered that appointment of Nancy E. Cole as executrix of the last will and testament of William R. Cole deceased, made by the Judge of this Court in vacation, January 25th, 1910, be ratified and confirmed, and the order that she be not required to give bond

February Term Monday February 14, 1910, First day of term.

Ordered that the bond of W. N. Nickell, Curator of the estate of Madge Nickell, Robert Nickell and Ralph Nickell, minors, taken by the judge of this Court in vacation - January 21, 1910, be approved.

In the matter of the Estate of {
Harley H. Ayers, Fred T. Ayers and } First Annual Settlement - Suspension.
Grace M. Ayers, minors

Now comes Cynthia Ayers, Curator of said minors and files her first Annual Settlement of said estate and it appearing that the assets of said estate are exhausted. It is ordered by the Court that said settlement be approved and recorded and that said Curatorship be, and the same is hereby suspended until the discovery of other or further assets, or till the Court shall order a resumption thereof.

Ordered that the First Annual Settlement of John R. Donaldson Guardian of Chad M. Donaldson, an insane person, this day filed be approved and recorded.

Ordered that the first Annual Settlement of Cermelia A. Davis, Executrix of the last will of Isaac D. Davis, deceased, this day due, be continued to the February Term 1911.

In the matter of the Estate of {
Madge Nickell, Robert Nickell } Order of Sale of real Estate.
and Ralph Nickell, minors

On this day comes William N. Nickell Guardian and Curator of the Estate of Madge Nickell, Robert Nickell and Ralph Nickell, minors, aged 11 years, 9 years and 5 years respectively, and presents his petition for the sale of real estate of said minors therein described, setting forth that his wards are owners of an undivided $\frac{1}{4}$ interest, - subject to the rights of Mary A. Scott, - in and to the following described real estate to wit: -

The South East One fourth ($\frac{1}{4}$) of The North East One fourth ($\frac{1}{4}$) of Section Nine (9), Township Sixty (60) in Range Twenty Seven (27) in Daviess County, Missouri, that the other Six sevenths of said land having been sold gives the purchaser thereof a controlling interest in the same and that the rents which might be obtained from his wards interest

February Term - Monday - February 14, 1910 - First Day of Term

in the said property would not more than be sufficient to keep up the repairs and pay the taxes thereon, and says that it will be more ^{profitable} to said minors to sell their interest in said land and invest the proceeds of said sale in other property or loan the same for their benefit, and asks for an order to sell the same at private sale for the purposes in said petition set forth.

And the Court having heard said petition and the evidence in relation thereto, is satisfied that said order should be granted. It is therefore ordered by the Court that said guardian and curator be and is hereby authorized and empowered to sell to sell the said real estate, at private sale, (first having had the same appraised according to law), for not less than three-fourths ($\frac{3}{4}$) of the appraised value thereof, for cash in hand, and that said guardian and curator report said sale and his proceedings therein to this Court within ten days after such sale.

In the matter of the Estate of
Robert E. Irwin, Edna M. Irwin } Order confirming Sale,
and James H. Irwin, Minors

Now comes J. F. Gillespie, guardian of the Estate of Robert E. Irwin, Edna M. Irwin and James H. Irwin, minor heirs of Ruth M. Irwin, deceased, and submits to the Court his report of sale, by which it appears that he did, on the 31st day of January, 1910, in obedience to the order of this Court made at the November Adjourned term, 1909, thereof, sell at private sale to Harry R. Wells, for the sum of forty-two and 18/100 dollars, the real estate in said order of Court and report, particularly described, viz: An undivided three-sixteenths ($\frac{3}{16}$) interest in Lot One (1) in Block Five (5) in the Town of Jameson, Daviess County, Missouri, and it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said sale be, and the same is hereby approved and confirmed, and the said guardian and curator is ordered to execute, acknowledge and deliver to said Harry R. Wells a deed in due form of law, conveying to the said Harry R. Wells all the right, title and interest which said minors have in said property.

Ordered that the first Annual Settlement of Stephen Ira Day, Executor of Siles Day deceased this day filed be approved and recorded.

In the Probate Court, County of Daviess, Missouri. February Term - Monday February 14 - 1910

In the matter of the Estate of } Order distributing Specific Legacy of Clarence
Silas Day, deceased } Day, a deceased Legatee.

Corned now Stephen Ira Day, Executor of said Silas Day, deceased, and files his petition for an order Distributing a Specific Legacy given by said deceased, by the provisions of his last will to Clarence C. Day, a Grand Child. and shows that since the will of said deceased was probated, to-wit on the 14th day of December, 1909, that the said Clarence C. Day died at his home in Daviess County, leaving as his sole and only heirs, his mother, Nancy Markham; and the following brothers and sisters, viz: - Nardie Day, Roy Day, Ross Day, Guy Day and Velma Day; that the said deceased Clarence C. Day was a minor, under the age of 21 years; that he left no indebtedness except funeral expenses which are otherwise provided for and he therefore prays the Court to make an order authorizing him to distribute said legacy which is for the sum of One hundred and 23.00 Dollars, as follows, to-wit: - To Mrs. Nancy Markham, mother, \$16.95; to Nardie Day, brother, \$16.95; to Roy Day, brother, \$16.95; to Ross Day, brother, \$16.95; to Guy Day, brother, \$16.95; and to Velma Day, sister \$16.95.

And the Court having duly considered said petition and the evidence adduced in said matter, it is ordered and adjudged, by the Court, that distribution as prayed for in said petition be made, and it is further ordered that said Executor pay the sum of \$16.95 to said Nancy Markham, and to Lewis B. Gillihan, the legally qualified Curator of the estate of said Nardie Day, Roy Day, Ross Day, Guy Day and Velma Day the sum of \$84.25, and that their receipts for said amounts be allowed as sufficient vouchers for the same.

In the matter of the Estate of } Order To redeem Mortgaged property
L. J. Shaffer deceased }

Now this day Julia M. Shaffer, Administratrix of said L. J. Shaffer, deceased. Appears and presents to the Court her petition setting forth that said deceased, died leaving the real Estate, described in the inventory heretofore filed, viz: - The NW¹/₄ of NW¹/₄ Section 35; the E¹/₂ of NE¹/₄; the SW¹/₄ of the NE¹/₄; the SE¹/₄ of the NW¹/₄; the N. 17 acres of the NE¹/₄ SE¹/₄; And the N¹/₂ NE¹/₄ of the SW¹/₄ of Section 34, all in Township 62 of Range 27 containing 234 acres more or less, encumbered by a deed of trust securing an indebtedness of \$3000.00, bearing 5¹/₂% interest per annum payable to ^{the order of} the Mutual Benefit Life Insurance Company, a Corporation, five years after the date thereof, to-wit. February 1, 1908; that said trust deed provided that \$100.00 or any multiple thereof may be paid on the principal of

February Term - Monday - February 14, 1910 - First Day of Term

said debt at any interest payment date, that said land, nor any part thereof was devised by said deceased, nor was any provision made for redemption thereof by will, said deceased having died intestate, and petitioner further represents that she has now on hands belonging to said estate about \$1200.⁰⁰ in cash and two or three hundred dollars in notes which she expects soon to be paid; that there is to petitioner's knowledge no other outstanding demands against said estate, except the costs of administration, and that it would promote the interest of the estate and not be prejudicial to creditors to order the payment the interest and \$1000.⁰⁰ of the principal of said indebtedness, and prays the Court that such order be made.

And it appearing to the Court that said assets on hands are not needed for the payment of debts. it is therefore ^{ordered} by the Court that Julia M. Sheffer, Administratrix as aforesaid, pay the accrued interest and the sum of \$1000.⁰⁰ on the principal of said indebtedness out of the personal assets of said estate.

In the matter of the Estate of { Final distributive Receipts filed, partial discharge
Flora Frederick, deceased }

Comes now Geo. L. Loop, Executor of said deceased and files the receipts of the residuary legatees of said estate as follows, to wit: Receipt
S. N. Frederick for the sum of \$107.⁵⁷ the amount due him on final ^(element) settlement
of Helen Loop " " " \$107.⁵⁷ " " " her on final settlement
" Ellen Leslie " " " 107.⁵⁷ " " " " " "
and of Alta Olsen " " " 83.⁸⁷ " " " " " "

And it is ordered that said Executor be discharged as to the legatees aforesaid.

In the matter of the estate of { Receipt for assets, filed, former Curator discharged
Corwin E. Miller, a minor }

And now comes Georgia A. Barton (formerly Georgia A. Miller) and former Curator of Corwin E. Miller, a minor, and files the receipt of M. C. Macy, present acting Curator of the estate of said minor in the sum of One Thousand, thirty-one & 32/100 Dollars the balance due said minor by Georgia A. Barton said former Curator, as shown by the final settlement heretofore made by her, and it is ordered that said said Georgia A. Barton - formerly Georgia A. Miller, be and she is hereby discharged of farther responsibility by reason of said Curatorship.

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

P. P. Doak, Judge

(Second Day of Term.)

In the Probate Court - Daviess County Missouri - February Term - Tuesday - February 15, 1910.

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

Ordered that the first Annual Settlement of Robert V. Thompson, Executor of John Donohue, deceased, this day filed be approved and recorded.

Ordered that the first Annual Settlement of Robert L. Etter, Curator of Robert McDonald Etter and Golden Etter this day filed, be approved and recorded.

In the matter of the estate of { Final Settlement and Order distribution
Lewis A. Ellis, deceased }

Now comes Robert E. McFarlin Administrator of Lewis A. Ellis, deceased, and first having published notice according to law, files his final settlement of said estate and it appearing that said Administrator has paid all the debts which have been allowed against said estate and that there remains a balance due said estate of the sum of \$764.⁹⁶, which balance is by the Court ordered to be distributed among the heirs of said deceased as follows: -

To Estlin M. McBrander the sum of	\$95. ⁶²
" Rural G. Ellis " " "	95. ⁶²
" Jefferson W. Ellis " " "	95. ⁶²
" Elbia A. Timmons " " "	95. ⁶²
" Belva G. Ellis " " "	95. ⁶²
" Beulah D. Ellis " " "	95. ⁶²
" Luma O. Ellis " " "	95. ⁶²
" Lewis A. Ellis " " "	95. ⁶²

M. H. O'Hare, }
Curator } 95.⁶²

And it is ordered that said Administrator file ^{herein} receipts for the same, and that said final settlement be approved and recorded.

Ordered that the first Annual Settlement of E. L. Griggs, Executor of S. R. Griggs deceased, this day filed be approved and recorded.

Ordered that the fifth Annual Settlement of Ida F. Henry, Curator of the estate of Glena and Bernice Henry, minors, this day filed be approved and recorded.

Ordered that the first Annual Settlement of Marietta Kavanagh, Executrix of John Kavanagh, deceased this day filed be approved and recorded.

In the Probate Court, Daviess County, Missouri - February Term - Tuesday - February 15, 1910.

In the matter of the estate of { Final Settlement and discharge
Reuben Hershberger a minor }

Comes now Samuel J. Taylor, Curator of the estate of said Reuben Hershberger and shows to the Court that his ward is twenty one years of age; that he has presented an Exhibit for this final settlement to said ward with notice that he would at this time make his final settlement of said estate, and that said Reuben Hershberger has waived service of said notice and copy of Exhibit and that he accepts said final settlement as a true and correct exhibit of his accounts with his estate, and he accepts the balance of (\$150.00) One hundred and fifty & 16/100 Dollars as being in full payment of, and satisfaction of the balance due him by his said Curator as shown by said exhibit and final settlement, and his receipt ^{for said sum of \$150.00} duly executed is filed with said Exhibit and final settlement.

And the Court having examined said final settlement and finding the same correct it is ordered that said final settlement, together with the final receipt of said ward be approved and recorded and that said Samuel J. Taylor, be discharged of his said Curatorship.

In the matter of the estate of {
Madgie Nickells, Robert Nickells } Report of Sale filed and continued
and Ralph Nickells, minors }

Comes now W. N. Nickells and files the report of sale of real estate of said minors and it is by the Court ordered continued to the February Adjourned Term ¹⁹¹⁰ of this Court to be held March 14, 1910.

In the matter of the estate of { Order of Sale.
Volney B. Scott, deceased }

Martin Dowell, Administrator

Now at this ^{day} Comes Martin Dowell, Administrator of said Volney B. Scott, deceased, and proves to the Court that the Order of Publication made upon his Petition at the November Term, 1909, thereof, has been published according to law, and that personal service of said notice has been made on the heirs and devisees of deceased, resident in said Daviess County, ten days before the present term of this Court, and moves for an order of Sale pursuant to said Petition and notice; Whereupon the Court proceeded to hear the testimony produced, and to examine the parties who appear touching the applica-

In the Probate Court - Daviess County - February Term - Tuesday - February 15, 1910 - Second Day of Term

In the O.

cation of said Administrator for the sale of Real Estate, as in said Publication 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 by said estate, it is ordered that the said Martin Dowell, Administrator, first having had the same appraised according to law, do sell at private sale for cash in hand, the real estate mentioned in said petition and described as follows, to-wit: -

The North East Quarter (¼) of the South West quarter (¼) of Section Fifteen (15-) township Sixty^{one} (61) Range Twenty Six (26) in said Daviess County, Missouri, for the purpose of paying the debts due by said estate as aforesaid, and that he report his proceedings therein to this Court within ten days after making such sale, as required by law.

Ordered that 2nd Annual Settlement of Sadie Hamel Curator of Clara P. Hamel, a minor this day due be continued to the February term 1911. of this Court.

Ordered that the second Annual Settlement of Alvin Hannah Guardian of Mrs Hannah nah, an Insane person this day due be continued to the May term, 1910, of this Court

Ordered that the first Annual Settlement of W. F. Brewett Guardian of Samuel Herokberger, an insane person, this day due be continued to the May term, 1910, of this Court.

Ordered that the final Settlement of F. H. Heckler Administrator of Mary A. Hawkins deceased this day due be continued to the May term of this Court.

Ordered that the bond of Ida McColung, as Administrator of the estate of Henry F. McColung, deceased, taken by the Judge of this Court in vacation thereof be and is hereby approved, and her appointment ratified and confirmed.

Ordered that Court adjourn till to morrow Morning at 9 O'Clock.
J. P. Doak, Judge

In the Probate Court of the County of Daviess, Missouri - February Term - Wednesday, February 16, 1910 - 3rd day of term

Court met pursuant to adjournment. Present P. P. Doak judge and J. A. Blair Sheriff: when the following proceedings were had, to wit:

Ordered that the first Annual settlement of J. A. Knott, Curator of the estate of Doyle D. Knott, this day filed be approved and recorded.

Ordered that the first Annual Settlement of James M. Mallory, Executor of the last will of Moses T. Mallory, deceased this day filed be approved and recorded.

Ordered that the first Annual settlement of Levi P. Cox, Curator of the estate of Emily Minnick, Insane, this day due be continued to the May term 1910.

Ordered that the 12th Annual settlement of Philip M. Muller, Curator of Thomas J. Muller, a minor, this day filed be approved and recorded.

Ordered that the 1st Annual settlement of Charles B. Murphy, Curator of Ira B. Murphy, a minor this day due be continued to the May term 1910.

Ordered that the 4th Annual settlement of A. J. McBrayer Curator of Grace A. McBrayer, a minor, this day filed be approved and recorded.

Ordered that the 1st Annual settlement of James M. Blankenship, Administrator of Fannie C. Munn, deceased, this day filed be approved and recorded.

In the matter of the Estate of (Final Settlement - Order Distribution)
Alexander K. Love, deceased

Comes now L. M. Love, Administrator of Alexander K. Love, deceased, and first having published notice thereof according to law, submits his final settlement of said estate, and it appearing to the Court that all demands allowed against said estate have been paid in full, and that there is a balance of \$251.²⁷ due said estate. it is ordered that said balance be distributed among the heirs of deceased as follows, to wit: -

To Rebecca Whitt $\frac{1}{11}$ thereof = \$22.⁸⁷;
To Cythera Culver $\frac{1}{11}$ = \$22.⁸⁷; to Parmelia Jane McGrary $\frac{1}{11}$ = \$22.⁸⁷;
to B. N. Love $\frac{1}{11}$ = \$22.⁸⁷; to Ella Clark $\frac{1}{11}$ = \$22.⁸⁷;
to Lumira Webb $\frac{1}{11}$ = \$22.⁸⁷; to L. M. Love $\frac{1}{11}$ = \$22.⁸⁷;
to Viera Love $\frac{1}{11}$ = \$22.⁸⁷; to Sarah O. Whitt $\frac{1}{11}$ = \$22.⁸⁷;
to Minnie Grady $\frac{1}{11}$ = \$22.⁸⁷; to Wm. A. Love $\frac{1}{11}$ = \$22.⁸⁷

Probate Court, County of Daviess, Missouri: February Term, Wednesday, Feby. 16, 1910

Probate

And it is further ordered that said Administrator pay over to said distributees their respective shares as aforesaid and that he file herein their receipts therefor, and that said final settlement be approved and recorded.

In the matter of the Estate of { Order Confirming Sale,
Maria P. Dowell, deceased }

Now Comes Mrs. C. Macy, Public Administrator, having charge of the estate of Maria P. Dowell, deceased, and submits to the Court his report of sale, by which it appears that he did Friday the 4th day of February, 1910, in obedience to the order of this Court made at the November term, 1909, thereof, sell at private sale to Malinda Pugh for the sum of Three hundred and fifty (\$350.00) Dollars, the real estate in said order of Court and report, particularly described, viz:

Commencing at a point Eighty (80) rods North and fifty-three (53) rods and ten ⁽¹⁰⁾ feet East of the South West Corner of Section One (1), Township Sixty-one (61), Range Twenty-eight (28); running thence South One Hundred (100) feet; thence East One hundred ⁽¹⁰⁰⁾ feet; thence North One hundred (100) feet; thence West One Hundred (100) feet to the place of beginning, all in the Corporate limits of the Town of Salem, Daviess County, Missouri, and it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said Administrator is ordered to execute, acknowledge and deliver to said Malinda Pugh a deed in due form of law, conveying to the said Malinda Pugh all the right, title and interest which the deceased had in the same at the time of her death.

In the matter of the Estate of { Order of Publication,
Eliza C. Brannon deceased }

Now at this day Comes Mrs. C. Macy, Public Administrator, having charge of the estate of Eliza C. Brannon, deceased, and presents to the Court his petition praying for the sale of so much of the real estate of said deceased, as will pay and satisfy the remaining debts due by said estate, and yet unpaid for want of sufficient assets, accompanied by the accounts, lists and inventories, required by law in such cases, on examination whereof it is ordered that all persons interested in the estate of said deceased

16, 1910

Probate Court - County of Daviess, Missouri - February Term, 1910, Wednesday, February 16, 1910.

be notified that application as aforesaid has been made, and that unless the contrary be shown on or before the first day of the next term of this Court, to be held on the Second Monday of May, 1910, an order will be made for the sale of the whole or so much of the real estate of said deceased as will be sufficient for the payment of said debts, and it is further ordered that this notice be published in the Gallatin North Missourian, 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.

Estate of James M. McCarty, { Demand allowed.
Deceased

Comes now Dr. C. G. McKinley, and presents to the Court for allowance against said estate a Demand for \$185.⁰⁰ founded on an account for medical services rendered deceased in last illness. And service of Notice having been waived in writing by the Executrix of deceased and Affidavit and proof made, it is ordered that said account in said sum of One hundred and eighty-five (\$185.⁰⁰) Dollars be allowed against said estate as a second class demand.

Estate of James M. McCarty, { Demand allowed.
Deceased.

Now Comes the Gilman City Milling Co. and presents to the Court for allowance against said estate a demand for seven & 50/100 (\$7.⁵⁰) Dollars, founded on account for merchandise, and service of Notice of presentation having been waived in writing, and affidavit and proof made, it is ordered that said claim in said sum of \$7.⁵⁰ be allowed against said estate as a 5th class demand.

Estate of Jas. M. McCarty, { Demand allowed
deceased

Comes now Jas. L. McLene, and presents to the Court for allowance against said estate a demand for \$57.³⁰ founded on an account for Mdse, and service of Notice for presentation being waived in writing and Affidavit and proof made it is ordered that same in said sum of Fifty seven & 30/100 Dollars, be allowed against said estate and placed in class No. five.

In the Probate Court, County of Daviess, Missouri - February Term - Wednesday, February 16, 1910

Estate of James M. McCarty { Demand allowed
Deceased

Comes now W.T. Dunn & Co. and present to the Court for allowance against said estate a Demand for \$53¹⁶ founded on account, and service of notice of presentation waived in writing and affidavit and proof made, it is ordered that same in said sum of \$53¹⁶ be allowed against said estate, and assigned to Class five.

Estate of James M. McCarty { Demand allowed,
Deceased

Now comes Marshall and Williams and present to the Court for allowance against said estate a demand for \$3⁰⁰ founded on account And service of notice waived, and correctness of claim certified it is ordered that same in above sum be allowed in class 5.

Estate of Jas. M. McCarty { Demand allowed,
Deceased

Comes now O.N. Gibson and presents to the Court for allowance against said estate a demand for \$7⁵⁰ on account of writing will of deceased and service of notice waived in writing and affidavit and proof made it is ordered that said account in the sum of \$7⁵⁰ be allowed against said estate and placed in Class five

Estate of James M. McCarty { Demand allowed,
deceased

The Farmers Telephone Co Comes now and presents to the Court for allowance against said estate an account in the sum of \$20⁰⁰ and service of notice being waived in writing and affidavit and proof made it is ordered that same in said sum of \$20⁰⁰ be allowed against said estate and assigned to the fifth class of demands.

Estate of James M. McCarty, { Demand allowed
deceased

Now come Miner and Fries and present to the Court for allowance against said estate a demand for \$46⁹¹ founded on account - And service of notice being waived in writing and affidavit and proof made, it is ordered that said account be allowed against said estate and that it be assigned to class No. five.

In the Daviess County Probate Court - February Term - Wednesday February 16, 1910

Estate of James M. McCarty { Demand allowed,
deceased

Comes now H. D. Haines and presents to the Court for allowance against said estate a demand for \$197⁰⁰ on account of the funeral of deceased. And service of Notice being waived in writing and Affidavit and proof made - it is ordered that said account be allowed against said estate for the of \$197⁰⁰ and that it be assigned to Class one.

Estate of Jas. M. McCarty { Demand allowed.
Deceased

Comes now the Gilman Mercantile Co. and presents to the Court for allowance against said estate a demand for \$35³⁰ founded on account; and service being waived in writing and Affidavit and proof made it is ordered that the same in the above said sum of \$35³⁰ be allowed against said estate and assigned to Class five

Estate of Eliza C. Brannon, { Demand allowed,
deceased

Comes now the D. H. Davis Drug Co. and presents to the Court for allowance against said estate a demand for \$7³⁴ on acct. for Mdse. sold deceased in her life time and service of notice being waived in writing and Affidavit and proof made, it is ordered that said account in the sum of \$7³⁴ be allowed against said estate and placed in Class 5;

Estate of Eliza C. Brannon { Demand allowed
deceased

Now comes Geo. W. Lockridge and presents to the Court for allowance against said estate a demand for \$3²⁵, on account for Mdse. and being attested by affidavit of claimant. and service of notice waived and certificate of correctness made by Admin. it is ordered that said account in the sum of \$3²⁵ be allowed against said estate and that it be assigned To Class 5;

Ordered that Court adjourn till 8 O'clock to-morrow morning.
P. O. Doak, judge

(4th day of term)

In Daviess County Probate Court - February Term Thursday - February 12, 1910

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

In the matter of the Estate of { Allowance in lieu of year's provisions,
William R. Cole, deceased }

Now Comes Nancy E. Cole, widow of said William R. Cole, deceased, and submits to the Court her written Application for an allowance in lieu of provisions not on hands and provided at the time of the death of said William R. Cole, for the subsistence of her self and family for a period of 12 months as provided by law, and shows ^{to the Court} that said family consisted of herself ^{and} three children two of whom are minors, that except meat and other provisions taken at the appraised value, as shown by appraisement filed in this Court, in the sum of \$41.00 there are no provisions provided and on hands; that she believes that the sum of \$300.00 would be a reasonable allowance for such purpose and asks the Court to make an Order authorizing the payment of that amount out of the assets of said estate.

And the Court having duly considered said petition and the testimony in relation thereto, doth order and adjudge that the sum of Three Hundred (\$300.00) Dollars be and is hereby allowed out of the assets of said estate for the purposes set forth in said petition and it ordered that the Executrix be authorized and instructed to pay said sum to said widow and to take her receipt therefor, which said receipt shall be allowed as a sufficient in the settlement of said estate.

Estate of Mrs. R. Cole { Demand allowed
Deceased }

Now Comes Rienga Cole and presents to the Court for allowance against said estate a demand for \$199.05 on account Contract between himself and deceased by which claimant was given a one third interest in hogs sold. And service of notice of presentation for allowance of said demand being waived in writing and affidavit and proof made it is ordered that said account in the sum of \$199.05 be allowed against said estate and that it be assigned to Class # 5.

Ordered that the first Annual Settlement of John W. Meade, Administrator of Jas. J. McClung, deceased, this day filed be approved and recorded

In the Probate Court - February Term - Thursday - February 17, 1910 - 4th day of Term

In the matter of the estate of { Demand allowed
Fanny C. Munro, deceased }

Comes now James M. Blankenship, Administrator of said estate and files his claim against said estate for the sum of \$54.⁷⁴ founded on an account for the payment of various items of indebtedness against said deceased, and there being no Co-Administrator on said estate the Court appoints Wm. C. Macy a suitable person to appear and manage the defense against said demand. And comes now said Wm. C. Macy and in writing waives service of notice of presentation of said demand. and Claimant having made affidavit as required by law said demand is submitted to the Court on the evidence. and the Court having heard the same, doth find for the Claimant in the sum of \$54.⁷⁴ and costs, and it is therefore ordered and adjudged that the said sum of \$54.⁷⁴ be and the same is hereby allowed against said estate as a fifth Class demand.

In the matter of the estate of { Final Settlement and discharge
Thomas McLerary, a minor }

Comes now Elizabeth McLerary, Curator of Thomas McLerary, a minor - now 21 years of age - and submits her final settlement with said ward. And comes also said Thomas McLerary and enters his personal appearance in open Court and becomes a party to said final settlement and having waived the necessity of making and filing a final settlement exhibit, and service of notice thereof and of the service of any previous notice whatever of said final settlement, and accepts said final settlement and all previous settlements as correct and consents to the discharge of said Curator on the payment by her of the sum of \$1750.⁴² the same being the balance shown by said final settlement to be due by the said Curator to her said ward, and said Curator having paid over the same to the said Thomas McLerary, and he, the said Thomas McLerary having in open Court entered his receipt ^{therefor} upon said final settlement and made it a part of said final settlement - it is therefore ordered and adjudged by the Court that said final settlement be approved and recorded and the said Elizabeth McLerary, Curator as aforesaid, be discharged herein.

In Probate Court - Daviess County, Missouri - February Term Thursday February 17-

In the P.

In the matter of the Estate of { Final Settlement and Discharge
Frank K. Netherton, deceased }

Comes now C. E. Terry, Administrator of said deceased and files his final settlement of said estate, and it appearing to the Court that said Administrator has given notice thereof as the law requires; that all the debts allowed against said estate have been duly paid; that said estate is fully administered and that there are no assets remaining in the hands of said Administrator it is therefore ordered that said Administration ^{be} Closed, said final settlement approved and recorded and that said Administrator be discharged.

In the matter of the Estate of { Final Settlement filed and Continued
Walter Nevins, deceased }

Comes now Wm. C. Macy, ^{Administrator de bonis bonis} and files his final settlement of said estate, notice thereof having been previously published as required by law and said final settlement is for Cause Continued - (together with the final settlement notice) - to the May Term 1910 of this Court.

Ordered that the first Annual Settlement of D. R. Ford, Executor, of the estate of A. J. Patton deceased, this day filed be approved and recorded.

In the matter of the Estate of { Order Authorizing Administrator to
Marshall Jones deceased } rent Real Estate

Comes now W. C. Macy Admr. of said estate and asks the Court to make an order permitting him to continue to rent the real estate of said deceased - and shows that the heirs of the said deceased are non-residents and that it will be for the interest of the property to keep the same rented ^{so as} to keep the insurance thereon operative and for the protection of the property in a general way. And it is ordered that ~~he~~ the said Administrator be permitted ^{to} rent said property.

In the matter of the Estate of { Will Probated.
Salathiel G. Doem, deceased }

Now this day an instrument of writing signed by Salathiel G. Doem, and purporting to be the last will and testament of Salathiel G. Doem, deceased, is produced

In the Probate Court - County of Daviess, Missouri - February Term - Thursday - February 17, 1910.

before this Court to be proved and admitted to probate, as the last will of said Salathiel G. Deem, deceased, and the Court having examined said instrument of writing, and having heard the testimony of Elwood O'Hare one of the subscribing witnesses thereto in relation to the execution of the same, and having heard the testimony of E. M. Street and John M. Meade in relation to the hand writing of said Salathiel G. Deem, the testator and of Alphaus F. Day, deceased, one of the subscribing witnesses to said will, and the Court having also taken the proof of the date of the death of the said Salathiel G. Deem, the testator, from which it appears that he, the said Salathiel G. Deem died at his residence in Daviess County, Missouri, on the 10th day of February, A.D., 1910, therefore said instrument of writing, bearing date September 21, 1898, is by the Court declared and adjudged to be the last will and Testament of said Salathiel G. Deem, deceased, late of Daviess County and the same is admitted to probate and is ordered recorded.

In the matter of the Estate of (Letter of Administration with will annexed)
Salathiel G. Deem deceased

And now Comes E. M. Street and files his Application for letters of Administration, with will annexed, on the estate of said Salathiel G. Deem, deceased, and makes affidavit according to law.

And it appearing to the Court that no Executor was appointed by the last will of said Salathiel G. Deem, and the widow of said deceased having renounced her right and claim to administer said estate, and it appearing further that there is personal estate of the estimated value of \$25000.00 belonging to said estate and that said E. M. Street is a suitable and competent person to administer the same it is therefore ordered by the Court that Letters of Administration with will annexed be granted and issue to the said E. M. Street upon the estate of said Salathiel G. Deem, deceased, and that before entering upon the duties of said office that he, the said E. M. Street be required to enter into bond to the State of Missouri, as such Administrator, in the sum of Fifty Thousand (\$50000.00) Dollars, with good and sufficient security thereon, and conditioned according to law.

Ordered that Court adjourn till 8 O'Clock to morrow Morning.

P. P. Doak, Judge

In Probate Court County of Daviess, Missouri - February Term - Friday - Feb. 18 - 1910.

Court convened in pursuance with adjournment, with P. P. Doak, Judge and J. A. Blair, Sheriff, present, and the following proceedings were had, to wit: -

Ordered that the first Annual Settlement of Agnes V. Pennebaker Curator of John M. Pennebaker, a minor, this day filed be approved and recorded.

Ordered that the first Annual Settlement of Agnes V. Pennebaker, Administratrix of the Estate of John M. Pennebaker, deceased, this day filed be approved and recorded.

In the matter of the Estate of (Final Settlement and discharge Edward J. Phillips, deceased)

Comes now Uberto Phillips one of the Executors of the estate of said deceased, and files herein a final settlement of said estate, having first given ^{notice} by publication in accordance with the statute, from which final settlement it appears that said estate is in debt to the Executors in the sum of \$279.25, one of whom, to wit: Cora A. Phillips, who is also the widow of said deceased, having advanced out of her own means the aforesaid sum to pay the debts of the deceased together with the costs of administration, and it being shown to the Court that all of said debts have been fully paid and that the administration of said estate is completed, it is ordered and adjudged by the Court that said final settlement be, and same is hereby approved, and the same is ordered to be recorded. And it is ordered that said Executors be discharged.

In the matter of the Estate of (Final Settlement and discharge Robert Rader, deceased)

Now Comes Francis V. Rader, Administratrix of said Robert Rader deceased and submits her final settlement of said estate, and it appearing to the Court that notice of said final settlement was duly published according to law; that said estate is fully administered; that all allowed demands have been fully paid and that the assets are all exhausted, so that there are funds to distribute - it is therefore ordered by the Court that said final settlement be approved and recorded and that said Administratrix be discharged.

February Term - Friday - February 18, 1910. 5th day of term

In the matter of the Estate of (Demand allowed.
Allen Burton, deceased)

Comes now Thomas O. Burton and presents to the Court for allowance against said estate a Demand for \$249.⁰⁵ founded on one Note for \$200. dated Aug. 29, 1908. interest @ 6%. Interest due to date 17.⁵⁰ making the amount of said note \$217.⁵⁰ also various bills, receipts, aggregating = 31.³⁸ and service of notice being waived in writing and Affidavit and proof made it is ordered that said demand in the sum of \$249.⁰⁵ be allowed against said estate, and that it be placed in the Fifth Class.

Ordered that the Fifth Annual Settlement of Robert V. Thompson, Curator of Edna Roswell, a minor, this day filed be approved and recorded.

Ordered that the Second Annual Settlement of James M. McCluskey Guardian of the estate of Anna M. Scott, incompetent, this day filed be approved and recorded.

In the matter of the Estate of Final Settlement - Order Distribution
Henry Shaw, deceased

Comes now Theodore J. Shaw, Administrator of said deceased, and first having published notice as the law directs, submits his final settlement of said estate, which said final settlement shows a balance due said estate of the sum of \$3493.²⁴, And it appearing that all the debts against said estate are paid in full it is ordered that said balance be distributed to the widow and heirs of said deceased according to their respective rights, viz-

To Lovina Shaw, widow, the sum of \$486. ⁶³ - \$400. personal dower previously paid =	\$ 86. ⁶³
To Carrie Anderson, Child, the sum of	486. ⁶³
" Effie McCully, " " " "	486. ⁶³
" Edith Cutler, " " " "	486. ⁶³
" Frank Shaw, " " " "	486. ⁶³
" Theodore J. Shaw, " " " "	486. ⁶³
" Arthur Shaw, " " " "	486. ⁶³
" Eugene Shaw, " " " "	486. ⁶³

And that said executor pay over to said distributees the

In the Probate Court of Daviess County - February term - Friday, February 18, 1910

said amounts to them respectively due, and that he file herein their receipts for the same; and it is ordered that said final settlement be approved and recorded.

Estate of John W Pennebaker (Demand allowed, deceased,

Comes now Agnes V. Pennebaker, Administratrix of said deceased and files a Demand against said estate for \$267²⁶/₁₀₀ founded on various receipted bills against said estate which she, the said Agnes V. Pennebaker, had settled out of her own money, and there being no Co-Administrator it is ordered by the Court that J. A. Selby, a suitable person appear and manage the defence against said demand in behalf of said estate.

And comes now said J. A. Selby, (and said Claimant having made affidavit that said demand is correct), ^{and} waives in writing service of notice of presentation for allowance of the same - and by agreement of the parties said claim is submitted to the Court for trial upon the evidence, and the Court having heard the evidence doth find for the Claimant, and it is ordered that said demand in the sum of \$267²⁶/₁₀₀ be allowed against said estate, and placed in Class No. 4.

Estate of Louisa Cox (Demand allowed, deceased

Comes now Fred Cox and presents to the Court for allowance against said estate a demand for \$6⁵⁰/₁₀₀ on account receipted bills paid for deceased And service of Notice waived in writing and affidavit and proof made it is ordered that said account be allowed against said estate in the said sum of \$6⁵⁰/₁₀₀ and that it be assigned to Class five.

Estate of Louisa Cox (Demand allowed, deceased

Comes now Yates Nixon & Co. and present to The Court for allowance against said estate a demand for \$100⁰⁰/₁₀₀ on account of the erection of monument at grave of deceased, and service of Notice being waived in writing and affidavit and proof made it is ordered that said account in said sum of \$100⁰⁰/₁₀₀ be allowed against said estate, and that it be placed in Class one.

In the Probate Court of Daviess County - February Term - Friday - February 18, 1910 on Fifth day of Term.

Estate of Louisa Cox } Demand Allowed.
Deceased

Now Comes Dr. Clayton Tiffin; and presents to the Court for allowance against said estate a demand for \$16.00 on account of services in last sickness of deceased, and service of notice being waived in writing and affidavit and proof made. it is ordered that same in said sum of \$16.00 be allowed against said estate and that it be assigned to Class No. 1.

Estate of Louisa Cox } Demand allowed.
Deceased

Come now Houghton & Hughson, undertakers, and present to the Court for allowance against said estate a demand for \$106.00 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 in the sum of \$106.00 be allowed against said estate, and that it be assigned to the first Class of demands.

Estate of Hugh E Wells, deceased. $\int$

Comes now Dr. C. P. Martin and presents to the Court for allowance against said estate a demand for \$186.00 on a c't. of services as Registered Pharmacist &c. and comes Myrtle Wells, Administratrix of said estate and waives service of notice of presentation and offers an offset to said demand in the sum of \$111.00, and by agreement of the parties said demand less said offset is allowed against said estate. It is therefore ordered and adjudged by the Court that the sum of \$75.00 be allowed against said estate in Class five.

Estate of Hugh E Wells, deceased $\int$

Now Come Hess & Clark and present to the Court for allowance against said estate a demand for \$23.50 on acct for Mdse. sold deceased, and service of notice waived in writing and affidavit and proof made. it is ordered and adjudged by the Court that said account in the sum of \$23.50 be allowed against said estate in Class five.

Ordered that Court adjourn till 8 O'Clock to-morrow Morning.

P. P. Doak,

Judge.

In the Probate Court - Daviess County - February Term - Saturday February 19, 1910. 6th day of term.

In the

Court met pursuant to adjournment there being present P. P. Doak, Judge, and J. A. Blair, Sheriff: When the following proceedings were had to-wit:-

Ordered that first Annual Settlement of Virginia A. Townsend, Executrix of John H. Townsend, deceased, this day due be continued to May Term 1910.

Ordered that the first Annual Settlement of Cort Francisco, Curator of Roger Vipon, et al, minors, this day filed be approved and recorded.

Ordered that the second Annual Settlement of O. H. Whitt Curator of Walter J. Wheeler, a minor, this day filed be approved and recorded.

In the matter of the Estate of (Final Settlement and Discharge James C. Whetstone, deceased)

Now comes Chas. H. Whetstone Administrator of said deceased, and having published notice as required by law, and files his Final Settlement of said estate, which shows a balance due the estate of \$131.²⁴, and it appearing that the debts against said estate have all been paid in full - it is ordered by the Court that said balance be distributed among the heirs of said deceased, as follows:

To Chas. H. Whetstone $\frac{1}{4}$ of \$131. ²⁴ =	\$ 32. ⁸¹
" Rhoda E. Stafford $\frac{1}{4}$ " " =	32. ⁸¹
" Roy E. Whetstone $\frac{1}{4}$ " " =	32. ⁸¹
" John W. Whetstone " " " =	32. ⁸¹

and that the receipts of said distributees, or their Curator for same be filed herein.

And now comes said Charles H. Whetstone and files the said receipts, to-wit:-

The receipt of Charles H. Whetstone for	\$ 32. ⁸¹ ;
The " " Rhoda E. Stafford "	32. ⁸¹ and
" " " Edward Jenkins "	65. ⁶² The

said " " being Curator of Roy E. and John Whetstone, and said estate being fully administered it is ordered that said Final Settlement be approved and recorded and that said Administrator be discharged.

Ordered that the first Annual Settlement of Edward Jenkins Curator of Roy E. Whetstone and John W. Whetstone, minors this day due be continued to the May term 1910 of this Court.

In the Probate Court of Daviess County, February Term - Saturday, February 12, 1910

Ordered that the first Annual Settlement of J. B. Evans, Administrator of Jno. R. Williams, deceased, this day filed be approved and recorded.

Ordered that the first Annual Settlement of N. E. Mampler, Curator Leander R. Wells, a minor, this day filed be approved and recorded.

Estate of Mm. R. Cole } Demand allowed
Deceased }

Comes now Robert B. Cole, and presents to the Court for allowance against said estate a demand for \$78⁴⁵, founded on account for various articles furnished deceased in his life time and service of notice for presentation for allowance having been waived in writing, and affidavit and proof made it is ordered that said account be allowed against said estate and placed in Class five

In the matter of the Estate of } Bond filed and approved.
Salathiel G. Deem, deceased }

Comes now E. M. Street and files his bond as Administrator with Will Annexed of Salathiel G. Deem, deceased, said bond being in the sum of Fifty Thousand (\$50000.00) Dollars, and is signed by Abe Hawk, J. N. Young, C. N. Lowrey, and W. W. McKinis, and is conditioned as the law directs, and it is ordered that said bond be approved.

In the matter of the Estate of } Final Settlement & Discharge.
James Robb, deceased }

Now comes W. C. Macy and submits his final settlement of said estate, which shows a balance due estate of \$86¹⁶, and it appearing that said W. C. Macy as Adminr. of said estate has given notice by publication according to law, and that the demands of 1st and 2nd Class have been paid in full; that so far as possible all debts due said estate as well as all assets have been realized upon, and it appearing that said balance is only sufficient to pay 2 1/2% of the 5th class demands: - it is ordered and adjudged by the Court that said 5th class demands be settled upon a basis of 2 1/2% Cents on the one dollar. And now comes said W. C. Macy and files his vouchers showing the payment of said 5th class demands as follows: to Minor & Freed - Demand \$26³² paid \$3⁶⁶; W. T. Feurt, Demand \$65⁷² payment \$14²²; Calvin Fisher, Demand \$40.90, paid \$8⁵⁴; John H. Dunn, Demand \$107.33, paid \$23¹⁸; Joseph Vogel, Demand \$110²⁵ paid \$23⁸²; J. H. Huddleson, Demand \$27.79, paid \$6²²; J. C. McDonald, Demand \$20.50 paid \$4⁷⁴; and said estate being fully administered, it is ordered by the Court that said final settlement be approved and recorded, and said Administrator be discharged.

Ordered that Court adjourn till the Second Monday in March, 1910, at 9 O'clock A.M.

C. P. Doak, Judge

In the Probate Court - County of Daviess - In Vacation - February 24, 1910

In the matter of the Estate of *[Signature]*
Helen Barlow, and Edward *[Signature]* Additional Bond filed
Barlow, minors

Now Comes John D. Gough, Curator of Helen Barlow and Edward Barlow, Minors, and files an additional bond as such Curator his former bond being inadequate in view of the increased assets of said estate, said additional bond being in the sum of \$4500.00 and is signed by Robert C. Maupin and Wm. J. Gromer as securities and is conditioned as the law directs. it is therefore ordered by the Judge of Probate that said bond be accepted and approved.

P. P. Doak
Judge of Probate

February 25, 1910 - In Vacation -

In the matter of the Guardianship of *[Signature]* Information filed alleging unfitness of Natural Guardian
Laura E. Alleman, a Minor *[Signature]*

Now this Comes Laura E. Alleman a minor under the age of 18 years, but above the age of 14 years and files information alleging the unfitness of Christian C. Alleman, her father to be the guardian of the person of said minor, and asking that inquiry touching said matter be made by the Probate Court or by a Jury, and the Judge of Probate believing that the allegations set up in said information of sufficient importance to give said Court jurisdiction in said matter - it is therefore ordered that Wednesday, March 9, 1910, at 1 o'clock P.M. be set as the time for such inquiry, and that said Christian C. Alleman be notified of the time and place of such inquiry.

P. P. Doak,

Judge of Probate.

In Vacation - March 1, 1910

In the matter of the Estate of *[Signature]* Will Probated - Bonds filed, Letters
Wm. O. Osborn, deceased *[Signature]* Testamentary granted

Now on this 1st day of March, 1910, An instrument of writing signed by Wm O Osborn and purporting to be the last will and Testament of Wm O Osborn, 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 ^{heard} the testimony of H. S. Clark ^{and} F. D. Osborn subscribing witnesses thereto in relation to the execution of the same, and having taken proof of the date of the death of said Wm. O. Osborn, who died at his home in the Town of Carlou, in Daviess County, Missouri February 23rd, 1910, doth declare and adjudge said instrument of writing of date February 23, 1910, to be the last will and testament of Wm. O. Osborn, deceased, late of Daviess County, Missouri, and it is therefore admitted to Probate and ordered to be recorded.

And whereas said Will names Verden Dyer Osborn as Executor thereof and said Judge approves said nomination it is therefore ordered that Letters Testamentary on the Estate of said Wm. O. Osborn, deceased be granted and issue to the said Verden Dyer Osborn, and that he enter into bond as such executor in the sum of Six Hundred (\$600.00) with two or more securities to be approved by the Court, and conditioned according to law.

And now Comes said Verden Dyer Osborn and files said ^{in the sum of \$600.00} bond, with F. D. Osborn and Mary A. Osborn as securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

And it is further ordered that James Drummond and James Oxford be and they are hereby appointed as witnesses to assist said Executor to examine the books and papers of said deceased and to make an Inventory of the property of said estate, and that said Executor publish notice of the grant of said letters as directed by law.

P. P. Doak

Judge of Probate

In Vacation — March 4, 1910.

In the Matter of the Estate of (Administration granted, bond filed,
Benjamin F. Pugh, Deceased)

Come now Miles O. Pugh and Chas. H. Pugh, and having made affidavit showing that Benjamin F. Pugh died in Daviess County, Missouri, February 27, 1910, intestate, and giving the names and places of residence of the heirs of said deceased and they would make a perfect inventory of and faithfully administer all the estate of said Benjamin F. Pugh deceased, pay the debts as far as the assets will extend and the law direct and account for and pay over all assets that shall come to their knowledge or possession; and pray the Judge of Probate, for letters of Administration upon the estate of said deceased

And said applicants being the sole and only heirs ^{and distributees} of the said deceased, and entitled by law to letters upon said estate it is ordered that letters of Administration upon the estate of said Benjamin F. Pugh be granted and issue to the said Milas O. Pugh and Charles H. Pugh and that before entering upon the duties of said office they be required to enter into bond to the State of Missouri as such Administrators in the sum of \$16000⁰⁰ with two or more securities and conditions according to law.

And now Come said Milas O. Pugh and Charles H. Pugh and file said bond in the sum of Sixteen Thousand (\$16000⁰⁰) Dollars, with E. D. Mann and Homer Ferret as securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved, and it is further ordered that E. D. Mann and H. F. Lawrence be and they are hereby appointed as witnesses to assist said Administrator to examine the books and papers of deceased and to make an inventory of all the property belonging to said estate, and that said Administrators publish notice, as required by law, of the grant of said letters.

P. O. Doak

Judge of Probate

In the Probate Court In Vacation — March 5, 1910

In the matter of the Estate of { Will filed.
Lewis Banton, deceased. }

Now this day an instrument of writing signed by Lewis Banton and purporting to be the last will of Lewis Banton, deceased, is filed in the office of the Probate Court. And it appearing to the Judge of Probate that one of the subscribing witnesses to said instrument ^{to wit Jas. N. Netherton,} resides at Montrose in the State of Colorado, it is therefore ordered that said will or instrument of writing with a Commission to prove will annexed be sent to some ^{at Montrose} officer authorizing him to take the testimony of said Jas. N. Netherton and said Commission and testimony to return to this Court.

P. O. Doak

Judge of Probate

In Vacation — March 5, 1910

In the matter of the Estate of { Order for Private Sale
Wm. O. Osborn, deceased }

Now comes W. D. Osborn, Executor of said Estate, and files his written application for permission to sell one stock of Merchandise, Consisting of Dry-goods, and notions, Groceries and Hardware together with Store Fixtures located at Carlow, in said Daviess County, belonging to said estate at private sale, and the judge of Probate being satisfied that it will be for the best interest of the estate, and not prejudicial to persons interested therein, to sell the same at such sale it is ordered that said Executor sell said property at private sale for not less than Three-fourths of its appraised value for cash in hand, and that he report the same to this Court.

P. P. Doak,

Judge of Probate

In Vacation — March 7, 1910.

In the matter of the Estate of { Administration granted, bond filed
John Easter, deceased }

Comes now Lillie M. Easter, and having made affidavit as required by law, setting forth that said John Easter died at his home in Daviess County, on the 15th day of February 1910, intestate leaving as his heirs Lillie M. Easter, residing in Daviess County Missouri and

Clara B. Young, who resides in Daviess County, Missouri, and that she will make a perfect inventory of and faithfully administer all the estate of said deceased, pay the debts as far as the assets will extend and the law direct, and pay over all assets which shall come to her knowledge or possession, and prays the Judge of Probate to grant her letters of Administration upon the estate of the said deceased, and applicant being a distributee of said estate and otherwise a suitable and competent person for such trust, it is ordered that Letters of Administration upon the estate of said John Easter deceased be granted and issue to Lillie M. Easter and that before entering upon the duties of said office she be required to enter into bond to the State of Missouri, ^{as such Administrator} in the sum of Sixteen hundred and fifty (\$1650.00) Dollars with two or more sufficient securities and conditioned as the law directs.

And now Comes said Lillie M. Easter and files said bond in the sum of \$1650.00 with Grant Young and

N. E. Smith as securities thereon and conditioned as the law requires, which bond is by the Judge of Probate accepted and approved, and it is further ordered that H. M. Gerlach and N. E. Smith be and they are hereby appointed as witness to assist said Administratrix to examine the books and papers of said deceased and to make an inventory of all the property belonging to said estate, and that she, the said Administratrix publish notice of the grant of said letters as required by law.

P. P. Doak
Judge of Probate

In Vacation — March 7, 1910.

In the matter of the Estate of { Curator Appointed
Frederick Doty, a minor }

Now comes Mrs. Elizabeth C. McClung and represents to the Judge of Probate that she is Grandmother of Frederick H. Doty a minor thirteen years of age; that his mother is dead and that his father resides in the State of Washington; that she has had the care and custody of said minor ever since the death of his mother or about eleven years; that he has an interest in real and personal property of the estimated value of \$665.⁰⁰; that he has no Curator of said estate, or other person legally authorized to take charge of said estate, and to the end that same be properly conserved for the benefit of said minor petitioner desires and requests that she be appointed Guardian of the person and Curator of the estate of said minor.

And the Judge of Probate having confidence in said petitioner as being a suitable and competent person for such guardianship, it is therefore ordered that she, the said Elizabeth C. McClung be and she is hereby appointed Guardian of the person and Curator of the estate of said Frederick H. Doty, ^{before entering upon said guardianship,} and that she be required to enter into bond to the State of Missouri for the benefit of said Frederick H. Doty in the sum of One Thousand three hundred and fifty Dollars with two or more securities to be approved by the Court and conditioned for the faithful discharge of her duties according to law.

P. P. Doak,
Judge of Probate,

In the Probate Court - In vacation March 8, 1910.

In the matter of the Estate of } Administration granted.
James Pilcher, deceased.

Now Comes B. B. Pilcher, and having made the required affidavit, showing that said James Pilcher died in Daviess County, Missouri, December 22nd A.D. 1906 leaving as his heirs Anna Johnson, who resides at Independence, State of Kansas; J. W. Pilcher, who resides in the County of Elk in the State of Kansas; Henry H. Pilcher who resides in the County of Daviess, in the State of Missouri; Jas. S. Pilcher, who resides in the County of Daviess, in the State of Missouri; B. B. Pilcher, who resides in the County of Daviess, in the State of Missouri; Lizzie Roberts, who resides in the County of Elk, in the State of Kansas - all children; And Lucy Peterson and Mary Winton, grand-children ^{children of Ellis Pilcher a deceased son of said Jas Pilcher,} who reside at Denver in the State of Colorado, And it appearing that deceased left ^{personal} property of the probable value of \$125.00, and that said B. B. Pilcher being a son of said deceased and a suitable person to administer said estate. it is ordered that letters of Administration upon the estate of said James Pilcher be granted and issue to said B. B. Pilcher, and that before entering upon the duties of said Administrators that he be required to enter into bond to the State of Missouri as such Administrator in the sum of \$250.00, with two or more sufficient securities thereon and conditioned according to law.

P. P. Doak

Judge of Probate

In the Probate Court, County of Daviess, Missouri - In Vacation, March 9, 1910

In the matter of the Collateral Inheritance Tax

Upon the Estate of Louisa Cox, 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 372, Chapter 1, Article 16, of the Revised Statutes of Missouri, 1899, the party or parties liable therefor, and the amount of said tax, is as follows:

Beneficiary	Address	Cash Value ^{est}	Amount of Tax
Nancy McGarvin	Nettleton, Mo.	78 30	3 92
Sarah Ann Vokes	Hamilton, Mo.	78 30	3 92
Samuel Cox	Hamilton, Mo.	78 30	3 92
Frederick Cox	Nettleton, Mo.	78 30	3 92
Samuel Cox jr	Valentine, Mont.	8 70	44

Beneficiary	Address	Cash Value of Interest	Amount of Pay
Frederick Cox jr	Los Angeles Calif	78 70	44
Louisa Cox	" "	78 70	44
Sofia Cox	Seattle Washington	78 70	44
Lura H. Hess	Casey, Iowa	78 70	44
Wm. Cox	Moore Montana	8 70	43
Gary H. Cox	" "	8 70	43
Cyrenus Cox	" "	8 70	43
Edward Cox	" "	8 70	43
Margaret Susan Coffman	Los Angeles Calif	39 15	1 96
Eva Jane Coffman	" "	39 15	1 96
Robin Baine	Etna Washington	7 83	39
M. V. Baine	Joliet Montana	7 83	39
Ed Baine	Mercer Mo.	7 83	39
Cyrenus Baine	Prenceton Mo.	7 83	39
Richard Baine	Millgrove Mo	7 83	39
Sophia Hubert	" "	7 83	39
Jane Hubert	" "	7 83	39
Lucinda Gray	" "	7 83	39
Georgia Ann Hamilton	" "	7 83	39
Levi Baine (Child of Talitha Baine)	St. Joseph Mo.	7 83	39

O. P. Doak,
Probate Judge

In Vacation - March 11, 1910

In the matter of the Estate of { Bond filed.
James Pilcher Deceased }

Comes now B. B. Pilcher and files his bond as Administrator of James Pilcher, deceased, in the sum of Two Hundred and fifty (\$250.00) dollars, with Estes Goutsey and J. S. Pilcher as securities thereon, and conditioned as the Law directs, which said bond is by the Judge of Probate accepted and approved. And it is ordered, farther, that N. L. Stroup and O. G. Whitt be and they are hereby appointed witnesses to assist said Administrator to examine the books, papers and evidences of debt of said deceased and to make an inventory of all the property of said estate and that he, the said Administrator, publish notice of the grant of letters upon said estate as the law directs.

O. P. Doak
Judge of Probate

In Vacation - March 12, 1910 -

For the matter of the Estate of { Administration granted.
Edward Ray Warner, deceased }

Now comes Fred E. Warner, and makes application for letters of administration upon the Estate of Edward Ray Warner, deceased, and having made affidavit showing that said Edward Ray Warner died intestate in Daviess County, Missouri, March 12, 1910, leaving a widow, Pearl E. Warner, ^{who resides at Mabel in said County} and a son, Edward Raymond Warner, two months old as his only heirs, And that he will make a perfect inventory of and faithfully administer all the estate of the said Edward Ray Warner 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 Edward Ray Warner died possessed of personal Estate of the estimated value of \$1000.00 and said Pearl E. Warner, widow as aforesaid having waived her right and claim to administer said estate it is ordered that letters of Administration upon the Estate of said Edward Ray Warner be granted and issue to said Fred E. Warner a brother of the deceased and that he be required to enter into bond to the State of Missouri as such Administrator in the sum of \$2000.00 and conditioned according to law,

And comes now said Fred E. Warner and files his said bond in the sum of \$2000.00 with Hannah M. Warner, Pearl E. Warner and C. J. Althouse as securities thereon and which bond is by the judge of Probate accepted and approved Conditioned as the law directs, and it is further ordered that Charles H. Hammond and John D. Bell be appointed witnesses to assist said administrator to examine the books and papers of deceased and to make an inventory of said estate and that notice of the grant of said letters be published in the Gallatin Democrat according to law

P. P. Drake

Judge of Probate

In the Probate Court - February Adjourned Term - Monday - March 14, 1910.

Court met pursuant to adjournment: present D. P. Doak, Judge, and F. M. Parker Deft. Sheriff: where the following proceedings were had, to wit:

Ordered that first Annual settlement of John W. Meade, Administrator of the estate of Uriel Wright Doty, this day filed be approved and recorded.

In the matter of the Estate of } Final settlement and Discharge.
Claude Vipond, a minor }

Now Come Cort Francisco, Curator of the estate of said Claude Vipond and also said Ward who has attained his legal majority and it is agreed by and between Curator and ward that the first annual settlement heretofore filed in the matter of the estate of Brunar Vipond et al, minors, to wit: February 19, 1910, be accepted as a final settlement as to the estate of said Claude Vipond, said first settlement showing a balance due said Claude Vipond of the sum of \$43²⁶, which sum is by the said Claude Vipond accepted and receipted for as being in full payment and satisfaction for all money and property due ^{him} to the said Claude Vipond from his said Curator, And he, the said Claude Vipond, in open Court, declares that he was 21 years of age on the 22nd day of June, 1909, that he is competent to make this final settlement and to ^{and that he does} consent to the discharge of his said Curator herein, and waives the necessity of a final exhibit and filing thereof and notice of exhibit or of final settlement previously made or served.

It is therefore ordered and adjudged by the Court that said first annual settlement be deemed a final settlement of the Curatorship of the said Cort Francisco as to the said Claude Vipond, and it ^{is} ordered that it be approved and together with attached receipt of said ward recorded - and that said Cort Francisco be discharged of his Curatorship as to said Claude Vipond,

Ordered that The Additional bond bond of John P. Lough, Curator of Edward and Helen Barlow, minors, taken by the Judge of this Court in Vacation - on 24 be and same is hereby approved.

Ordered that the bond of V. J. Osborn, Executor of Mrs. O Osborn, deceased, taken in vacation February 24, 1910 be approved, and that his appointment be ratified and confirmed

February Adjourned Term - Monday March 14, 1910 -

Ordered that the bond of M. O. and C. H. Pugh, as administrators of the estate of Benjamin F. Pugh, deceased, taken in vacation March 4, 1910, be and the same is hereby approved; and that their appointment as such administrators be ratified and confirmed.

Ordered that the bond of Lillie M. Easter as Administratrix of the Estate of John Easter, deceased, taken in vacation March 4, be and same is hereby approved and her appointment and all the proceedings thereon ratified and confirmed.

Ordered that the bond of B. B. Pilcher, as administrator of the estate of James Pilcher, deceased, taken in vacation March 11, 1910 be and the same is approved and his appointment as such administrator ratified and confirmed.

Ordered that the bond of Fred E. Warner, as Administrator of the estate of Edward Ray Warner, deceased, taken by Judge of this Court in vacation March 12, 1910 be and the same approved and that his appointment as such administrator be ratified and confirmed.

In the matter of the estate of } Judgment Establishing will
Wm. O. Osborn, deceased }

It being shown to the Court now here, that in vacation of this Court Term, on the first day of March, 1910, an instrument of writing purporting to be the last will and Testament of Wm. O. Osborn, deceased, and attested by H. S. Clark and F. D. Osborn as witnesses, was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Wm. O. Osborn, deceased, and said Clerk proceeded to take the testimony of H. S. Clark and F. D. Osborn, said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a certificate of Probate on said 1st day of March 1910,

And the Court having inspected said will, and seen and heard the testimony of H. S. Clark and F. D. Osborn the attesting witnesses, so taken in vacation, as to the execution of said will, and being sufficiently advised: - it is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Wm. O. Osborn, deceased, and the said proceedings and action of the Clerk in the

February Adjourned Term - Monday, March 14, 1910.

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 { Demand allowed,
Benjamin F. Pugh, deceased }

Now comes Fred R. Rotman and presents to the Court for allowance against said estate a demand for \$13⁵⁰ founded on an account for nursing deceased during his last sickness, and for having the deceased, and the Administrators having waived service of notice for presentation and affidavit and proof being made, it is ordered that said account in the said sum of \$13⁵⁰ be allowed against said estate and that it be assigned to Class Two (2).

In the matter of the estate of { Allowance of Demand
Salathiel I. Deen, deceased }

Comes now Ira Day and presents to the Court for allowance against said estate a demand for \$173⁰⁰ founded on account for Casket and other supplies for burial of deceased, and service of notice being waived in writing and affidavit and proof made it is ordered that said account in said sum of One Hundred and seventy three & No/100 (\$173⁰⁰) Dollars be allowed against said estate, and assigned to Class One (1).

In the matter of the estate of { Allowance and classification of Demand
Volney B. Scott, deceased }

Comes now C. H. Neff and presents to the Court for allowance against said estate a demand for \$6⁵² on account of Phone rent and service furnished deceased in his life time, and service waived in writing and affidavit and proof made, it is ordered that same in sum of \$6⁵² be allowed against said estate and placed in class five (5).

In the matter of the alleged { Inquiry by the Court.
unfitness for guardianship
of Christian C. Alleman }

This matter coming on and the parties herein: - the said Laura E. Alleman, minor, and informant in said cause, and the said Christian C. Alleman, defendant, - appears in person and by their respective Attorneys, when said matter is submitted to the Court without a jury, and the Court

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having heard the testimony of the witnesses and argument of the attorneys doth find that the said Christian C. Alleman is a suitable and competent person to act as Guardian of the person of his child, the said Laura E. Alleman and it is ordered that she, the said Laura E. Alleman be not permitted to choose an other guardian of her person.

In the matter of the Estate of } Order of Distribution
Silas Day, deceased

Comes now Stephen Ira Day, Executor of the last will of said Silas Day deceased and represents to the Court that he has paid all the debts of the deceased, also the special legacies provided for in said last will and that he has now in his hands the sum of \$2000.00, that will not be needed in the payment of debts, and prays the Court to make an order distributing said sum of \$2000.00 as follows, to-wit: -

Elizabeth Conoway	1/4	\$500.00
Stephen Ira Day	1/4	500.00
Clinton E. Day	1/4	500.00
Lewis B. Gillihan	Curator for Clarence E. Day	83.33
" " "	" " Wardie Day	83.33
" " "	" " Roy Day	83.33
" " "	" " Ross Day	83.33
" " "	" " Guy Day	83.34
" " "	" " Velma Day	83.34

= 1/4

And the Court being satisfied that such distribution would not be prejudicial to creditors or other persons interested in said estate and said Executor having given notice of his intention to make the same, it is ordered by the Court that distribution as above set forth made and that the receipts of the said distributees be filed herein.

In the matter of the Estate of (order to pay into the State Treas-
America Hoover, deceased) ^{ury}

Comes now W. S. Hoover, Administrator of the estate of America Hoover, deceased and represents to the Court that final settlement and order of distribution of said estate was made in this Court November 18, 1910; that by said order of distribution there was due to Henry E. Hoover, ^{a distributee of said estate the sum of thirty & 3/100 dollars} as his distributive share thereof; that he accordingly made a tender of said sum of \$30.03 to the said Henry E. Hoover, and that he, the said Henry E. Hoover did refuse to accept the same and to receipt therefor, and that he continues to so refuse.

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Wherefore he, the said W.S. Hoover, prays this Court to make an order authorizing and directing him to pay said distributive share into the State Treasury.

And it is ordered that said W.S. Hoover, Administrator as aforesaid be and he is hereby authorized and directed to pay the distributive share of said Henry E. Hoover in said estate, in the sum of \$30.⁰³ into the State Treasury of the State of Missouri and to file herein the receipt therefor when he will be entitled to discharge.

In the matter of the Estate of (Appropriation for Monument,
Marshall Jones, deceased)

Comes now Wm. C. Macy, Administrator of said estate and represents to the Court, that said deceased left an estate estimated to be worth \$10000.⁰⁰, that he left no family and that his heirs are all collaterals; that there are no debts but what have been provided for, and that he has in his hands a sufficient amount with which to place a suitable monument at the grave of said deceased, and he prays the Court to make an order appropriating out of the assets in his hands a sum sufficient for the erection of said monument. And he believes that the sum of Three Hundred (\$300.⁰⁰) will be a reasonable and at the same time a sufficient sum for such purpose.

And the Court being satisfied that such appropriation will not be prejudicial to the rights of Creditors, doth order and judge that said sum of Three Hundred dollars allowed against said estate for the purpose of erecting a suitable monument at the grave of said deceased, and it ordered that said Administrator cause the erection of said monument and pay for the same out of the assets in his hands.

In the matter of the Estate of (Order to rent Real Estate
James Pilcher, deceased)

Comes now B.B. Pilcher, Administrator of said James Pilcher deceased and represents to the Court that at the ^{time of the} death of his intestate, the widow, Berilla Pilcher was living; that she occupied the real estate of said deceased consisting of about seventeen acres of land in Monroe Township in Daviess County, described as follows to-wit: The South Seventeen Acres of the North West quarter (1/4) of the South East quarter (1/4) of Section Six (6), Township Fifty-Eight (48) of Range Twenty Seven (27);

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that she continued to occupy same as a homestead till her death, which occurred the — day of — 1910; that the personal estate of said deceased James Pilcher was of less value than the law allowed to said widow as her absolute property; that she assumed control of the same and used it for support and comfort; that the real estate mentioned was encumbered by a Mortgage securing to W.C. Gillihan the sum of \$102.00 which encumbrance still remains upon said land; that he has not sufficient personal estate with which to pay said encumbrance and other debts against said Estate.

Wherefore he prays the Court grant an Order authorizing and directing him to take charge of and rent said real estate for the purpose of raising money to apply on the said indebtedness.

And the Court being satisfied that it is for the best interest of said estate that said real estate be rented and the proceeds applied on the payment of said debts:

It is therefore Ordered that said Administrator take charge of said real estate, and that he rent the same on the best terms which can be procured for the purposes in said petition mentioned.

In the matter of the Co-partnership Estate of } ^{Approving Contract and} Order ^{Confirming Sale.}
Scott and Dunn, at Jameson, Mo. }

Now at this day Comes Alexander D. Scott Administrator of the Co-partnership estate of Scott and Dunn at Jameson, Mo. and reports to the Court that by an agreement made and entered into by and between Ruth J. Dunn Administratrix of the estate of Charles W. Dunn deceased, late Copartner of said firm, and also Guardian and Curator of Beulah B. Dunn Vesta R. Dunn and Charles W. Dunn, Minors, and Elsie M. Dunn Adult, — Children of Charles W. Dunn deceased, parties of the first part and himself as party of the second. a copy of which agreement is attached to and filed with said report, by which it is agreed that second party will ^{pay} first parties the sum of Sixty (60) cents on the dollar for the one half share of Charles W. Dunn in said stock and fixtures at Jameson, Mo. And it appearing to the Court that said stock and fixtures as shown by the inventory amounts to \$16568.30 the one half thereof being \$8284.15, and which, at 60 cents on the dollar being \$4970.49, And it further appearing to the Court that said stock and fixtures have been duly appraised by John T. Gallamore, Sydney C. Schaffer, and F. A. McCrary, two of whom are experienced

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merchants, and house holders of Daviess County, wholly disinterested in said estate, at the sum of \$12426²², and that said sum of \$4970.¹⁴ is largely in excess of three fourths of the Appraised Value of the share of said C. W. Dunn decd. in said stock.

And it further appearing from said report that said Alexander D. Scott Administrator of said Copartnership has been unable to dispose of said stock of goods and fixtures for any thing approaching the real value thereof or for any greater sum than 60 cents on the dollar. And the Court considering the time that has elapsed since the Appraisalment — The Condition of said stock, the season of the year, the great necessity of replenishing said stock with staple and fashionable goods, and the additional facts, that all persons interested in said stock in person or by their legal representative have signed said Agreement, and that said Agreement can in no way affect the creditors of said estate Copartnership, and is free of any fraud, bad faith or collusion of any of said parties to said Agreement and is for the best interest of all the parties concerned.

It is therefore, ordered and adjudged by the Court that said report be in all things approved and ^{that} said Agreement be in all things ^{ratified and} confirmed, and that said Alexander D. Scott be charged in his settlement of said Copartnership, with said sum of Four Thousand Nine Hundred and Seventy Dollars and 49 cents and that he account to Ruth J. Dunn, Administratrix of the estate of said Charles W. Dunn deceased for that sum.

In the matter of the Copartnership of (Order Confirming Sale.
J. R. Scott & Co. at Lock Springs, Mo.)

Comes now Alexander D. Scott Administrator of the Copartnership estate of J. R. Scott and Company, at Lock Springs, Mo., and reports to the Court that by an agreement made and entered into by and between Ruth J. Dunn Administratrix of the estate of Charles W. Dunn, deceased, late Co-partner of said firm; also guardian and Curator of Beulah G. Dunn, Vesta P. Dunn and Charles W. Dunn, minors, and Elsie M. Dunn, Adult Children of said Charles W. Dunn, deceased, parties of the first part, and himself party of the second part, a copy of which agreement is attached to and filed with said report, by which it is agreed that second party will pay said first

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parties the sum of Seventy Cents on the dollar for the one third interest of said Charles M. Dunn in said stock ^{of merchandise} and fixtures at Lock Springs, Mo.

And it appearing to the Court that said Stock of Merchandise and fixtures, as shown by the inventory, amounts to the sum of \$6093⁶³, which ^{said} stock and fixtures was duly appraised by J. A. Brookshire, F. A. McClary and John P. Gallamore, three disinterested house holders of Davies County, Mo., two of whom are experienced Merchants, at the sum of \$5484.27, as shown by their appraisement on file in this Court.

And 70 cents on the dollar of the one third interest of said deceased amounts to \$1421.85 which is over three fourths of the appraised value thereof. And it further appearing from said report that said Alexander D. Scott Administrator of said Copartnership has been unable to dispose of said goods and fixtures for a greater sum than 70 cents of the appraised value thereof. And the Court, considering the time which has elapsed since the appraisement, the condition of said stock, the season of the year, the necessity of replenishing said stock with staple and fashionable goods, and the additional facts, that all persons interested therein have, in person or by their legal representative, signed said agreement, and that said agreement can in no way prejudice the rights of creditors of said Co-partnership; and that said agreement appears to be free from fraud, bad faith or collusion on the part of all parties thereto, and that carrying out the same is for the best interest of all parties concerned. It is therefore, ordered and adjudged by the Court, that said report be in all things approved and said agreement be in all things ratified and confirmed, and that said Alexander D. Scott be charged in his settlement of said Co-partnership with said sum of \$1421.85 and that he account to Ruth J. Dunn, the Administratrix of the estate of said Charles M. Dunn, deceased for the same.

In the matter of the Estate of {
Ralph Nickell, Robert Nickell and
Madgie Nickell, minors } Order Confirming Sale.

Now Comes W. N. Nickell, Curator of said Ralph Nickell, Robert Nickell and Madgie Nickell and submits to the Court his report of sale, by which it appears that he did on the 15th day of February, 1910, in obedience to the order of this Court made at the

February Adjourned Term Monday - March 14 - 1910.

February term 1910, thereof, sell at private sale to Clarence Scott, for the sum of One Hundred and twenty five (\$125.00) Dollars, the real estate in said Order of Court and report, particularly described, viz: The undivided one seventh ($\frac{1}{7}$) interest in and to the South East quarter of the North East quarter of Section Nine (9) Township Sixty (60) of Range No. Twenty Seven (27), subject to the homestead and dower rights of Mary A. Scott widow of Andrew J. Scott deceased, situate, lying and being in Daviess County, Missouri, and it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said W. N. Nickell, Curator as aforesaid, is ordered to execute, acknowledge and deliver to said Clarence Scott, a deed in due form of law, conveying to the said Clarence Scott all the right, title and interest which his said wards have in the same.

In the matter of the Estate of } Order of Publication.
A. T. Patton, deceased }

Now at this day comes T. R. Ford Executor of the last will of A. T. Patton, deceased and presents to the Court his petition praying for the sale of so much of the real estate of said deceased, as will pay and satisfy the remaining debts and legacies 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 May, 1910, 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 legacies, and it is further ordered that this notice be published in the Gallatin Democrat, a news-paper 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 said deceased, resident in said County, at least ten days before the next term of this Court.

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

O. P. Doak
Judge

February Adjourned Term - Tuesday - March 15th 1910

Court met pursuant to adjournment; present J. P. Davis, Judge and J. A. Blair Sheriff; when the following proceedings were had, to-wit:

In the matter of the Estate of (Allowance and Classification of Demand.
Benjamin F. Pugh deceased)

Comes now Mrs. Myrtle Pierce and presents to the Court for allowance against said estate a demand for \$120⁰⁰ founded on account for board, nursing and washing for deceased in his lifetime. And service of notice waived in open Court by the Administrator, who also consent to the allowance of said demand which is verified by the affidavit of the Claimant and it is ordered and adjudged by the Court that the same in the sum of \$120⁰⁰ be allowed against said estate and placed in Class two.

Estate of Benjamin F. Pugh (Demand allowed and Classified.
Deceased)

Come now Pettijohn Brothers and present to the Court for allowance against said estate a demand for \$277⁵⁰ on account of funeral of deceased. Service being waived in open Court and affidavit and proof made. It is ordered and adjudged by the Court that that Claimants be allowed their demand against said estate in the sum of \$277⁵⁰, and that same be assigned to Class One.

Estate of Benjamin F. Pugh (Demand allowed and Classified.
Deceased)

Comes now Dr. M. A. Smith and presents to the Court for allowance against said estate a demand for \$41⁰⁰ founded on account for medical attendance during last sickness of deceased. Service of notice being waived in open Court and affidavit and proof made, it is ordered and adjudged by the Court that said claim in the sum of \$41⁰⁰ be allowed against said estate in Class two.

Estate of Benjamin F. Pugh (Demand allowed and Classified.
Deceased)

Comes now Ed. H. Pendleton and presents to the Court for allowance against said estate a demand for \$10⁰⁰ on account of Osteopathic treatment of deceased, and service of notice waived in open Court and affidavit and proof made it is ordered and adjudged by the Court that said account in the sum of \$10⁰⁰ be allowed against said estate and placed in class No. (2) two.

February Adjourned Term - Tuesday - March 15th, 1910.

In the matter of the Estate of { Order of Publication,
David Galpin, deceased. }

Now at this day comes S. G. Hosman Administrator of the Estate of David Galpin deceased and presents to the Court his petition praying for the sale of so much of the real estate of said deceased, as will pay and satisfy the remaining debts due by said estate, and yet unpaid for want of sufficient assets, accompanied by the accounts, lists and inventories, required by law in such cases, on examination whereof it is ordered that all persons interested in the estate of said deceased be notified that application as aforesaid has been made, and that unless the contrary be shown on or before the first day of ^{the} next term of this Court, to be held on the 2nd Monday of May 1910, An order will be made for the sale of the whole or so much of the real estate of said deceased as will be sufficient for the payment of said debts, and it is further ordered that this notice be published in the Gallatin Democrat, a newspaper published in this County and State, for four weeks before the next term of this Court, and personal service of this notice be made on the heirs and devisees of deceased, resident in said County, at least ten days before the next term of this Court.

Estate of Jno. W. Pennebaker { Continuance as to Demand of David Hampton
deceased. }

In the matter of the Demand of David Hampton against said estate heretofore filed herein with the return of notice duly served, made by the Constable of Salem Township in Daviess County - by Consent of the parties it is ordered by the Court that said Cause be continued till Thursday, May 12, the same being the 4th day of the May term 1910 of this Court.

Estate of John W. Pennebaker { Continuance of Demand of Dr. Foster
deceased. }

In the matter of the Demand of Dr. Forster vs. said estate heretofore filed in this Court with notice that same would be presented for allowance against said estate at this time, duly served by the Constable of Salem Township - it is ordered that same be continued to Thursday May 12, 1910, the same being the 4th day of the May term 1910 of this Court

February Adjourned Term - Tuesday - March 15th 1910.

In the matter of the estate of } Final Receipts filed and partial discharge.
Lewis A. Ellis, deceased. }

Comes now Robert E. Maupin, Administrator of said estate and files the receipts of the following Final distributees of said estate for their distributive shares of said estate as shown by the order of final distribution heretofore made by this Court. - viz: -

The receipt of Mrs. Elbie A. Timmons for her share = $\frac{1}{8}$ of balance due estate = \$ 95.⁶²

" " " " Eddie M Malander " " " = 75:62

" " " Rural G. Ellis " his " = $\frac{1}{8}$ " " " " = 95, 62

" " " Jefferson M. Ellis " " = $\frac{1}{4}$ " " " = 95.62

And it is ordered by the Court that said Administrator be discharged as to the said Elbie A. Timmons, Estlie M. McGrander, Rura G. Ellis and Jefferson N. Ellis,

In the matter of The Estate of } Final Receipts filed, Order of discharge,
Mary F. Whitt, Deceased }

Now Comes Mrs. E. Whitt Administrator of said Mary F. Whitt deceased. and files the receipts of the distributees of said estate for their respective shares thereof as shown by the final settlement and order of distribution heretofore made in this Court, as follows, to-wit:—

Receipt of Ananda J. Lynch ^{for} her distributive share = \$32.28.

" " H. C. Culver for his " " - " 32. ^{2d}

{ " H.C. Culver, Administrator Estate Wm. J. Culver, { 32.28
deceased - for share said deceased }

Elizabeth A & C. A. McBrayer (her husband) for her share 32.28

Timothy Culver for his share 32.²⁸

W. A. Carver " " " 32. ²⁸

Clifford Culver " "

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And it appearing to the Court that said Estate is fully adminis-
tered, the debts all paid, and assets distributed and receipts filed, and
that notice of final settlement ^{was} duly published, it is ordered by the
Court that said Mrs. E. Whitt, Administrator as aforesaid be dis-
charged.

In the matter of the Estate of { Receipts for shares of John W. & Elmer &
Hannah A. Barham deceased } Snyder filed. and discharge

The distributive shares of John W. Snyder and Elmer C. Snyder, Grand children of said deceased having been heretofore paid to the Judge of this Court by George U. Norton Administrator of said said deceased and the said Judge now files the

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duly executed receipts of said John M. Snyder and Elmer E. Snyder for the sum of (\$38.41) Thirty Eight & 41/100 Dollars each, and said estate being now fully administered it is ordered that said Geo. W. Norton Administrator as aforesaid and his bond be fully discharged as to said estate.

In the matter of the estate of { Final Receipts filed. Order of Discharge
Henry Shaw, deceased }

Comes now Theodore J. Shaw, Administrator of said deceased and files the receipts of the following distributees of said estate for their shares of the same as shown by the final settlement and order of distribution heretofore made in this court, to wit: -

Receipt of Mrs Louina Shaw, ^{widow}	for balance due her = the sum of \$	86.63
" " " Carrie Anderson, daughter,	for her share, = " " "	486.63
" " " Effie McCulley " " " "	= " " "	486.63
" " " Edith E. Cutler " " " "	= " " "	486.63
" " " F. W. Shaw son " " " "	= " " "	486.63
" " " Theodore J. Shaw " " " "	= " " "	486.63
" " " Arthur T. Shaw " " " "	= " " "	486.63
" " " Eugene A. Shaw " " " "	= " " "	486.63

And it having been shown to the Court heretofore, that notice of final settlement was duly published, that the debts of the estate were fully paid and the administration of same complete, it is ordered that said Administrator be discharged.

In the matter of the estate of { Final Receipts filed and order of discharge
Ann M. Luce deceased }

Comes now W. C. Gillihan, Administrator with the will annexed of Ann M. Luce deceased and files the receipt of Sidney C. Frederick, for \$25.00 the same being the amount due him under the terms of the last will of said deceased, and said estate being now fully administered and the assets paid out as the will directs it is ordered that said Administrator be discharged.

In the matter of the estate of { Final Receipt filed and Discharge.
Harford Harrah, deceased }

Comes now Dina Harrah, administratrix of said deceased and files receipt of Harley Harford, for the sum of \$33.38 the same being his distributive share on final settlement of said estate made Feb'y 14, 1906, and it appearing that said estate has been fully administered and the assets

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distributed and receipts filed it is ordered that said administratrix be and she is hereby discharged.

In the matter of the Estate of { Allowance of demand.
Marshall Jones, deceased. }

Comes now Mrs. Frances Hicklin Executrix of Joshua F. Hicklin, deceased and presents to the Court for allowance against said Estate a demand for \$31.⁰⁰ founded on account for legal services rendered deceased in his life time by said Joshua F. Hicklin, and service of notice being waived in writing the Court after hearing the evidence doth order and adjudge said claim to be allowed against said Estate in the sum of \$31.⁰⁰ and that same be assigned to Class five.

In the matter of the Estate of { Allowance to widow in lieu of year's provisions.
Edward C. McBlung, deceased. }

Now comes Elizabeth C. McBlung widow of said deceased and presents to the Court her written application for an allowance in lieu of provisions not on hands and provided for the subsistence of herself and family at the time of the death of said Edward C. McBlung and at the time of making the inventory of said estate and says that said family consisted of herself and two grand-children one of whom is a minor and that One Hundred ^{and fifty} ~~Hundred~~ ^(\$100.00) dollars was necessary for such purpose — And the Court having heard the evidence in relation to said matter doth order and adjudge that the sum of One hundred and fifty dollars be and the same is allowed against said estate and R. V. Thompson, Administrator of said estate be authorized and directed to pay her the said Elizabeth C. McBlung said sum of One Hundred and fifty dollars (\$100.00) and that he take credit therefor in his settlement of said estate.

In the matter of the Estate of { Final Settlement & Distribution
Walter Nevins, deceased. }

Comes now W. C. Macy, Public Administrator, and Administrator de bonis non of the Estate of Walter Nevins, deceased, and shows to the Court that since filing his final settlement of said estate on the 17th day of February — which said final settlement was by this Court continued to the May Term thereof — that he has collected from George U. Norton, former Public Administrator, and former Administrator of said estate, the sum of One Hundred ^{Final} ~~(\$100.00)~~ Dollars; that there is now no reason for continuing said settlement to the May Term, and asks the Court to set aside said order of continuance and to permit him

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to file this revised final settlement and that it be approved in lieu of that heretofore filed herein and continued as aforesaid, And it appearing to the Court that all the debts due to said estate have now been collected; That all the debts allowed against said estate have been duly paid, and that there is a balance due said estate of \$93.05

It is therefore ordered by the Court that the aforesaid order of continuance be and the same is hereby set aside and counted for naught; it is also ordered and adjudged by the Court that said balance of \$93.05 be distributed to the heirs of said deceased as follows, To-wit: —

To Mrs. Belle Buzard - Sister $\frac{1}{3}$	=	\$31.02
" Miss Nettie Nevins - " "	=	31.01
" Robert Nevins - brother "	=	31.02 and

that said Administrator pay the same over to said distributees and that he file their receipts therefor in this Court in order to obtain his discharge, and it is ordered that said final settlement be approved and recorded.

In the matter of the Estate of { Order of Sale and Reinvestment of Proceeds,
Ray Berg et al, Minors }

Now this day Comes George F. Alexander, the legally appointed, qualified and acting Curator of the Estate of Ray Berg, Otto Berg, Vellew Berg, Arora Berg Vellew Berg and George Berg, Minors, and files his petition praying for an order to sell the land hereinafter described and re-invest the proceeds of said sale, or so much thereof as the Court shall deem fit and proper, the premises considered, in residence property in the City of Gallatin; And it appearing to the Court that said minors are the owners in fee simple of the South East quarter of the Southwest quarter of Section Three (3), and the North one acre of the South twenty three (23) acres of the Southwest quarter of the Southwest quarter of Section two (2) all in Township Sixty One (61), of Range Twenty Seven (27), in Daviess County, Missouri: And it further appearing to the Court that since the appointment of said Curator one of said minors, to-wit Vellew Berg has died on the 24th day of December 1909, single and unmarried, intestate and without issue, while still a minor, leaving as her sole and only heirs at law the above named Ray Berg, Otto Berg, Arora Berg, Vellew Berg and George Berg, her brothers, and her father William O. Berg and that

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each of them is entitled to an undivided one sixth interest in her said estate, subject to the payment of debts; and it further appearing to the Court that said Uellen Berg left no debts and that the expenses of her last sickness and funeral expenses have been paid; and it further appearing to the Court that said real estate has no dwelling house thereon and no buildings of any character except an old shed, and that said shed is in a dilapidated condition and rapidly decaying; that the fences around said premises are in a bad state of repair, some of which need rebuilding and all in bad repair; that about fifteen acres of said land is covered with a thick undergrowth of scrub brush making that part of said land practically useless in its present condition, and that the balance has been farmed in such a way as to cause the land to depreciate in value; that the petitioner has not sufficient funds in his hands belonging to said minors to put said property in tenantable repair; that said land is far removed from the place of residence of both said Curator and said minors, entailing considerable annoyance and expense in looking after the rental of said property; and that the father of said minors is in modest circumstances and needs the help of their small estate in properly caring for them; And it further appearing to the Court, after having heard the petition and evidence adduced in relation thereto, that the interests of said minors would be greatly promoted by the sale of said land and the investment of the proceeds from the sale thereof, or so much thereof as the Court may deem fit and proper, the premises considered, in suitable residence property in the City of Gallatin, in said County and State, that said order should be granted; and that said real estate is reasonably worth Eighteen Hundred Dollars.

It is therefore Ordered by the Court that said Curator be and he is hereby authorized and empowered to sell the interests of said minors in and to said real estate at either public or private sale (after having had the same first appraised according to law) for not less than three fourths of the appraised value thereof, on the following terms to-wit: Cash in hand; and invest the proceeds of said sale, or so much thereof as the Court may deem fit and proper the premises considered, in suitable residence property in said City of Gallatin, subject to the further order of this Court, after having first had the property sought to be purchased duly appraised according to law, and that said

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Curator report said Sale and his proceedings therein to this Court within ten days after making said sale or said purchase and cause continued to await said report or reports.

In the matter of the Estate of } Judgment of Circuit Court classified
Jacob Ramey deceased

The Clerk of the Circuit Court having certified to this Court, a judgment of said circuit court rendered against said estate and in favor of Sanford Daniels - said judgment being for the sum of \$200.⁰⁰ and costs in the sum of \$197.²⁵ as per certified fee bill attached thereto.

And it is ordered that said judgment and costs in the sum of \$397.²⁵ be entered on the Demand Record as a fifth class demand against said estate.

In the matter of the Estate of } Judgment of Circuit Court classified
W. H. Deskins, deceased

Carl Gauty

Plaintiff

W. H. Deskins Est.

Defendant

This cause having been tried in the Circuit Court of Davies County, on appeal from this Court, was submitted to a jury and verdict rendered in favor of Plaintiff for \$51.¹⁷ and the following order made by said Circuit Court - To wit:

"It is therefore considered, ordered and adjudged by the Court that Plaintiff have and recover from said Defendant the said sum of Fifty one and 17/100 dollars (\$51.¹⁷) by the jury so assessed, together with his costs therein expended and laid out, and that execution issue therefor."

And said judgment and attached bill of costs being certified to this Court for classification it is therefore ordered that said judgment ^{in said sum of \$51.¹⁷} and costs in the sum of \$15.²⁰ making a total of \$66.³⁷ be entered on the Demand Record as a fifth class demand against said estate.

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In the matter of the Estate of { Final receipts filed - Order of Discharge
Joseph H. Knott, deceased }

Now comes James A. Knott one of the Executors of Joseph H. Knott, deceased and files receipts of Ross H. Knott for \$97.50; M. H. Knott for \$37.50; and of Jas. A. Knott Curator of Doyle D. Knott for \$97.50 said amounts being the shares of said distributees in said estate on final settlement thereof, and it is ordered that said Executors be discharged as to said Ross H. Knott, M. H. Knott and Doyle D. Knott.

In the matter of the Estate of { Final settlement Discharge as to Richard B.
Richard B. Houghton, a minor }

Now comes John C. Leopard, Curator of Harriet W. and Richard B. Houghton, minors, and submits his final settlement of his account with Richard B. Houghton, one of his said wards, who has attained his legal majority, which said final settlement shows a balance due said Richard B. Houghton of the sum of One Hundred Ninety two and 15/100 Dollars (\$192.15).

And comes now said Richard B. Houghton and enters his personal appearance, in open Court, to said final settlement and says that he was twenty one years of age on the 20th day of February 1910. And he waives the necessity of making ^{and} filing a final settlement exhibit for this settlement and of service of notice of the same, and accepts said settlement as correct, Receipts for the balance as payment and satisfaction in full of all money and property due to him from said Curator, and the Court having examined said final settlement doth adjudge the same to be correct, and it is ordered that same be approved and recorded, and that said Curator be and he is discharged as to said Richard B. Houghton.

Ordered that the Ninth Annual settlement of N. S. Cruzen, Curator of J. C. & N. P. McClure, minors, this day filed be approved and recorded.

Estate of Wm. O. Osborn { Demand allowed
Deceased }

Comes now Mary A. Osborn and presents to the Court for allowance against said Estate a Demand for Nineteen & 25/100 Dollars. balance on account and service of notice being waived in writing and affidavit and proof made it is ordered and adjudged by the Court that said claim in the sum of \$19.25 be allowed against said estate and that it be assigned to class five.

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Estate of John R. Williams } Demand allowed
Deceased.

Comes now W. W. McKinis, Manager, Pattonsburg Home Telephone Company and presents to the Court for allowance against said estate a demand for (\$1.70) One & 70/100 Dollars, an acct. for Telephone Service - And Service of Notice waived in writing by the Administrator, who also certifies to the correctness of acct. it is therefore ordered by the Court that same in said sum of \$1.70 be allowed as a fifth class demand against said estate.

Estate of Oscar E. McElfresh } Order to turn over Estate to widow
Deceased

Comes now Minnie E. McElfresh, admr. of said Estate and represents and shows to the Court that the only assets which have come to her possession or knowledge is the amt. received from P. O. department on account of unpaid salary in the sum of \$202.⁹⁰ as shown by the inventory heretofore filed. Wherefore it is ordered and adjudged ^{that} said property be and the same is hereby authorized turned over to the widow, Minnie E. McElfresh, and that further publications and settlements be dispensed with.

In the matter of the Estate of } Report of Sale real estate filed and confirmed
Volney B. Scott, deceased }

Now comes Martin Dowell, Administrator of said estate and files his report of sale, made pursuant to the order this Court. and it is ordered that same be continued to the May term 1910 of this Court for its approval.

Ordered that Court adjourn till Court in course.

P. P. Doak
Judge

In Vacation — March 16th, 1910.

In the matter of the estate of } Will probated, Letters granted and bond filed
Lewis Banton, deceased

Now on this 16th day of March, 1910, an instrument of writing, heretofore filed, signed by Lewis Banton, and purporting to be the Last Will and Testament of Lewis Banton 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 seen and heard the testimony of James N. Netherton and J. E. Scott the subscribing witnesses thereto in relation to the execution of the same doth declare and adjudge said instrument of writing, bearing date August 31, 1906 to be the last will and testament of Lewis Banton who departed this life February 27, 1910, at his home in Daviess County, Missouri, and it is therefore admitted to Probate and ordered to be recorded.

And said deceased having named Lewis B. Gillihan, in said will as Executor thereof and the said Lewis B. Gillihan being a suitable and competent person for said Executorship, it is ordered by the Judge of Probate that Letters Testamentary upon said estate be granted and issue to said Lewis B. Gillihan that he enter into bond to the State of Missouri as such Executor in the sum of Four Thousand (\$4000.00) Dollars, with two or more sufficient securities thereon and conditioned according to law.

And now comes said Lewis B. Gillihan and qualifies as such Executor and files his said bond in the aforesaid sum of \$4000.00 and signed by A. R. Maffitt, C. H. Welden, L. M. Brown and Charles Henry as securities thereon, and conditioned as the law directs, and said bond is by said Judge of Probate accepted and approved.

And it is ordered that A. R. Lay and Geo. W. Lake be, and they are appointed witnesses to accompany and aid said Executor to examine the money, books and papers of said deceased and to make an inventory of all the property of said estate, and that said Executor publish notice of the grant of said letters in the Gallatin North Missourian as is by law required.

P. P. Doak,

Judge of Probate.

In the Probate Court — In Vacation — March 17th 1910

In the Matter of the Estate of { Motion for Administration filed.
Forest Etchison, deceased, }

Comes now Rufus Hopkins, and represents to the Judge of Probate that Forest Etchison died in Daviess County, Missouri, August 4, 1909, intestate, leaving his father M.R. Etchison; his mother Mrs — Etchison, and the following named sisters, to wit: Coila E.; Cora F.; Majorie L.; Roberta Marie; Minifred L. and Georgia Frances Etchison as his next of kin; that more than 30 days have elapsed and none of said persons have applied for letters of Administration upon said estate; That said petitioner is interested in said estate as a creditor thereof, having a just claim against the same, and moves that citation issue to said parties or others who may be entitled to administer said estate to appear and qualify and in case they fail so to do that letters be granted to such person as may to the Court or Judge may seem most suitable.

And the Judge of Probate having examined said petition takes the matter under advisement.

P.P. Doak,

Judge of Probate

In the Probate Court in Vacation — March 18, 1910.

In the matter of the Estate of { Bond filed
Frederick Doty, a minor. }

Now comes Mrs Elizabeth C. McElung, and files her bond as Guardian and Curator of Frederick Doty, a minor, with P.H. Libley, C.G. McKinley and Thomas K. Hays as securities thereon (said bond being in the sum of Thirteen Hundred and fifty (\$1350.00) Dollars) — and conditioned for the faithful discharge of her duties as such Guardian and Curator, which bond is by the Judge of Probate approved

P.P. Doak

Judge of Probate

In the Probate Court - In Vacation - March 19, 1910.

In the matter of the Estate of { Guardian Chosen -
Daniel F. Compton, minor }

Comes Daniel F. Compton a minor, under twenty-one years of age, but above the age of 14 years and represents to the Judge of Probate that C. L. Frost is the duly appointed and legally qualified guardian of his person and estate; that he has good reasons for being dissatisfied with the administration of said guardian and that he desires to choose in his stead his sister, Maude Compton to be his Guardian and Curator and the Judge of Probate approving said choice, it is ordered that the said Maude Compton be, and she is hereby appointed Guardian of the person and Curator of the estate of said Daniel F. Compton, and before entering upon the duties of said Guardianship she is required to enter into bond to the State of Missouri for the use of said Daniel F. Compton, in the sum of \$500.00, with such security as the Court shall approve and conditioned for the faithful discharge of her duties as such Guardian and Curator.

P. P. Doak

Judge of Probate

In the Probate Court - In Vacation - March 31-1910

In the matter of the Estate of { Administration granted. Bond filed.
Chas. W. Booram, deceased }

Now comes M. F. Ward, and makes application for letters of Administration upon the Estate of Charles W. Booram, deceased, and having made affidavit setting forth the names and places of residence of the widow and heirs of said deceased and showing that said Chas. W. Booram died March 26, 1910 intestate and that he will make a perfect inventory of 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 over all assets which shall come to his possession or knowledge.

And Gertie Booram, widow of deceased; W. D. Booram, his father, and James H. Barngrover, ^{his} surviving partner having ~~waived~~ waived their right and claim to letters on said estate and having requested that said M. F. Ward, father of said widow be appointed - ^{and} it appearing that deceased died possessed of personal estate of the probable value of Two Thousand (\$2000.00) dollars - it is therefore ordered that Marion F. Ward be and he is hereby appointed Administrator of ~~the~~ estate of Chas. W. Booram, deceased, and that he enter into

In the Probate Court — In Vacation — March 31st 1910.

Bond to the state of Missouri as such Administrator in the sum of Four thousand (\$4000.⁰⁰) Dollars, with two or more securities thereon and conditioned according to law.

And now comes said Marion F. Ward and files said bond in the sum of \$4000.⁰⁰ with J. R. Baker and C. H. Welden as securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

And it is ordered that J. R. Baker and F. B. Ray be and they are hereby appointed witnesses to accompany and assist said Administrator to examine the money, books papers and other property belonging to said deceased and to make an inventory thereof, and that notice of the grant of said letters be published in the Jamesport Gazette as the law directs.

P. P. Doak

Judge of Probate

In the Probate Court — In Vacation — March 31st 1910.

In the matter of the Estate of J. Administration granted. bond filed Wm Baker, Sr. Deceased J

Now Comes J. R. Baker and makes application for letters of Administration upon the estate of Wm Baker, Sr. first having made affidavit as the law requires giving the names and places of residence of the heirs of said deceased, from which affidavit it appears that said Wm Baker, Sr. died without a will February 26, 1910. And it appearing to the Judge of Probate that deceased left no widow; that he died possessed of personal estate of the probable value of Ten hundred and fifty (\$1050.⁰⁰) Dollars, and that applicant, Joseph R. Baker, is a son and distributee of said estate and is otherwise a suitable and competent person to administer the same: It is therefore ordered that letters of Administration be granted and issue to said Joseph R. Baker upon the Estate Wm Baker, Sr. deceased, late of Daviess County, Missouri, and that he enter into bond to the State of Missouri, as such Administrator, in the sum of Two thousand and One hundred (\$2100.⁰⁰) Dollars, with two or more sufficient securities and conditioned according to law.

And now Comes said Joseph R. Baker and files his said bond in the sum of \$2100.⁰⁰ with M. F. Ward and C. H. Welden as securities thereon and conditioned as the law directs, which said bond is by the said Judge accepted and approved.

And it is further ordered that M. F. Ward and F. B. Ray be,

and they are hereby appointed witnesses to accompany and aid said Administrator to examine the ^{money} books, papers and other proper ^{to} belonging to said estate and to make an inventory thereof, and that notice of the grant of said letters be published in the Jamesport Gazette, a newspaper published in this County as the law directs.

P. P. Doak,
Judge of Probate.

In Vacation — April 1st, 1910.

In the matter of the estate of { Information filed.
Bridget Donohue, alleged insane }

Comes now David Donohue and files information alleging that Bridget Donohue is of unsound mind and incapable of managing her own affairs and prays that inquiry thereinto be had by a jury whether the said Bridget Donohue be of sound mind or not.

And the Judge of Probate having heard said petition and believing that said information is sufficient to give this Court jurisdiction in said matters — it is ordered that Thursday the 7th inst. at One O'Clock ^{P. M.} be set as the time for such inquiry, and that said Bridget Donohue be duly served with notice thereof.

P. P. Doak,
Judge of Probate.

In Vacation — April 2nd, 1910.

In the matter of the estate of { Bond filed.
Daniel F. Compton, a minor }

Now comes Maude Compton and files her bond as Guardian and Curator of Daniel F. Compton, a minor, in the sum of Five Hundred (\$500.00) Dollars, M. J. Guynn and W. E. Howard as securities thereon and Conditioned for the faithful discharge of her duties as such Guardian and Curator according to law, and said bond is by the Judge of Probate accepted and approved.

P. P. Doak,
Judge of Probate.

In the Probate Court—In Vacation—April 7th, 1910

In the matter of Information alleging } Continuance
the incompetency of }
Bridget Donohue. }

In the matter of the information ^{heretofore} filed with the Judge of Probate, in which it is alleged that Bridget Donohue is of unsound mind and not capable of managing her own affairs—it appearing to the Judge of Probate that the said Bridget Donohue has not been served with notice of the filing of such information—it is therefore ordered that said matter be and is hereby continued to April 20th, 1910, and that said Bridget Donohue be notified of such information.

P. P. Doak,
Judge of Probate

In the Probate Court—In Vacation April 12th, 1910.

In the matter of the Estate of { Administration granted, Bond filed
Lawrence P. Robinson deceased }

Now comes Robert V. Thompson and, having made affidavit as required by law makes application for letters of Administration upon the estate of Lawrence P. Robinson, who died in Daviess County, Missouri, March 23, 1910, without a will. And it appearing to the Judge of Probate that said Lawrence P. Robinson died possessed of Personal Estate of the estimated value of Three Thousand (\$3000.00) dollars, and that the widow of deceased, has waived her right and preference to administer upon said estate, and has requested the appointment of Robert V. Thompson, the aforesaid applicant to administer the same and the Judge of Probate having confidence in the ability and integrity of the said applicant—it is therefore ordered that letters of Administration be granted and issue to the said Robert V. Thompson upon the estate of said Lawrence P. Robinson, deceased, late of Daviess County, and that he be required to enter into bond to the State of Missouri as such Administrator in the sum of Six Thousand (\$6000.00) dollars with two or more sufficient securities and conditioned according to law.

And now comes said Robert V. Thompson and files said bond in the sum of Six thousand (\$6000.00) dollars with Ben F. Wood and W. T. Hutchison as securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

And it is ordered that B. H. Robinson and O. P. Robinson be and they are hereby appointed witnesses to assist said Administrator

to examine the money, books, papers and evidences of title of said deceased and to make an inventory of all the property belonging to said estate and that said Administrator publish notice of the grant of said letters in the Jamesport Gazette a newspaper published in Daviess County as directed by law.

J. C. Dook,

Judge of Probate.

In the Probate Court — In Vacation — April 16th, 1910

In the matter of the Estate of } Choice and Appointment
Oscar E. Grimes, Thomas J. Grimes }
and Dora Lee Grimes, minors }

Now this day comes Sarah A. Grimes and represents to the Judge of Probate that Oscar E. Grimes aged 18 years, Thomas A. Grimes, aged 12 years and Dora Lee Grimes aged 2 years have an estate of the estimated value of seven hundred and fifty dollars; that they are the children of William A. Grimes deceased and of the aforesaid Sarah A. Grimes, and that they have no duly appointed and legally qualified Curator of said estate.

And said Oscar E. Grimes being above the age of 14 years having been instructed by said Judge to choose a Curator for his said estate he makes choice of his mother, the said Sarah A. Grimes and requests that she be appointed such Curator, and she being a suitable person for said Trust it is ordered that she, the said Sarah A. Grimes, be and she is hereby appointed Guardian of the person and Curator of the estate of said Oscar E. Grimes, Thomas J. Grimes and Dora Lee Grimes, minors and before entering upon said Guardianship she is required to enter into bond to the State of Missouri for the use of said Oscar E. Grimes, Thomas J. Grimes and Dora Lee Grimes in the sum of Fifteen Hundred (\$1500.00) Dollars, with two or more securities to be approved by the Court and Conditioned according to law.

And now comes said Sarah A. Grimes and files said bond in the sum of \$1500.00 with Nat G. Cruzin and Newton Eads as securities thereon, and conditioned for the faithful discharge of the duties of said Guardianship according to law, and said bond is by the Judge of Probate accepted and approved.

J. C. Dook,

Judge of Probate

In the Probate Court, County of Daviess, Missouri - In Vacation

In the matter of the Collateral Inheritance Tax
Upon the Estate of Salathiel G. Deem, deceased }

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

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

Beneficiary	Address	Cash value of interest	Amount of tax
Nancy Ellis	Eona Iowa	2382 53	119 13
Reuben Deem	Jt Joseph Mo	2182 53	109 13
Lou S. Deem	Not known	2282 53	114 13
Anna Ellis	Pattonsburg Mo	2182 53	109 13
Lillian Golschall	Boyers Colo	397 09	19 85
Rebecca Golschall	Concordia Kans.	397 09	19 85
Lula Dutro	Pattonsburg Mo	397 09	19 85
Omer Dutro	Salina Kans	397 09	19 85
Claude Dutro	Omaha Neb	397 09	19 85
Salathiel Dutro	Lyons Neb.	397 09	19 85
Laura Windsor	Lawson Mo	1500 00	75 00

Dated April 25, 1910

J. J. Doak
Probate Judge

In the Probate Court, May Term, Monday May 9, 1910. First day of Term

State of Missouri { ss.
County of Daviess }

Be it Remembered, That at a Regular Term of the Probate Court of said County, begun and held at the Court House in Gallatin in said County on Monday the 9th day of May, A.D. 1910 - There being present P.P. Doak, Judge, and J. A. Blair, Sheriff, the following proceedings were had and entered of record, to wit: —

In the matter of the Estate of {
Ralph Nickell, Robert Nickell } Order setting aside an order confirming sale.
and Madgie Nickell, minors }

Now on this 9th day of May, 1910, it appearing to the Court that the order of this Court made at the February Adjourned Term thereof, to wit ^{Confirming the sale of real estate belonging to said minors.} February 14, 1910, was premature, and invalid because made at the same term of said Court at which the order of sale of said land was made - it is therefore ordered by the Court that said order confirming said sale be and the same is hereby set aside and for naught held.

In the matter of the Estate of {
Ralph Nickell, Robert Nickell } Order confirming sale.
and Madgie Nickell, minors }

And now comes W. N. Nickell, Guardian and Curator of said Ralph Nickell, Robert Nickell and Madgie Nickell, minors, and submits to the Court his report of sale, by which it appears that he did on the 15th day of February, 1910, in obedience to the order of this Court made at the February term 1910, thereof, sell at private sale to Clarence Scott for the sum of One Hundred and Twenty five (\$125.00) Dollars, the real estate in said Order of Court and report, particularly described, viz: The undivided One seventh ($\frac{1}{7}$) interest in and to the Southeast quarter of the North East quarter of Section Nine (9), Township Sixty (60) of Range No. Twenty Seven (27), subject to the homestead and dower rights of Mary A. Scott, widow of Andrew J. Scott, deceased, situate lying and being in Daviess County, Missouri. And it appearing that said sale was legally and fairly conducted pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said W. N. Nickell, Guardian and Curator as aforesaid, is ordered to execute, acknowledge and deliver to said Clarence Scott, a deed in due form of law, conveying

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to him, the said Clarence Scott, all the right title and interest which his said wards have in the same.

Ordered that the bond of Lewis B. Gilliam as Executor of the Last will of Lewis Banton, deceased taken by the judge of this Court in vacation March 16, 1910, be and the same is approved, and his appointment as such Executor ratified and confirmed.

Ordered that the bond of Elizabeth C. McClung, as Guardian and Curator of Frederick H. Doty, minor, taken by the judge in vacation March 18, 1910, be and the same is hereby approved and that her appointment as such Guardian and Curator be ratified and confirmed.

Ordered that the bond of J. H. Baker, as Administrator of the estate of William Baker, Sr, deceased, taken by the judge of this Court in vacation thereof, on March 31, 1910 be and the same is hereby approved and his appointment as such Administrator ratified and confirmed.

Ordered that the bond of Marion F. Ward, as Administrator of the Estate of Chad. W. Booram, deceased, taken in vacation - March 31, 1910 be, and the same is approved, and his appointment as such Administrator ratified and confirmed.

Ordered that the Bond of Robert V. Thompson, as Administrator of the estate of Lawrence P. Robinson, deceased, taken in vacation of this Court on April 12, 1910 be and the same is hereby approved and his appointment to said office ratified and confirmed.

In the matter of the Estate of (Additional Bond approved.
Edward and Helen Barlow Minors)

John T. Lough, Guardian of the estate of said Edward Barlow and Helen Barlow minors having filed an additional bond as such curator by reason of an inheritance of said minors, coming from the estate of the grandfather of said wards, said bond being for \$5600.00 and signed by

In the matter of the Estate of (Order approving Additional bond
Bruner Vipond, et al, minors)

Coit Francisco, Curator of the estate of Richard Vipond, Ray Vipond, Roger Vipond, Bryan Vipond and Bruner Vipond, minor

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heirs J. R. Vipond, deceased, comes now and submits an additional bond as Curator of said minors the same being for the sum of \$5600⁰⁰ and is signed by John T. Gough and Robert E. Maupin, and it is ordered by the Court that said bond be and the same is hereby approved.

In the matter of the Estate of { Judgement Establishing Will.
Lewis Banton, deceased. }

It being shown to the Court now here, that in vacation of this Court, to wit: on the 16th day of March, 1910, an instrument of writing purporting to be the last will and testament of Lewis Banton deceased, and attested by Jas. N. Netherton and J. E. Scott as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said Lewis Banton, deceased, and said Judge proceeded to take the testimony of Jas. N. Netherton and J. E. Scott 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 16th day of March, 1910.

And the Court having inspected said will and seen and heard the testimony of Jas. N. Netherton and J. E. Scott, 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 Lewis Banton 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 { Order Confirming Sale.
Volney B. Scott, deceased }

Now comes Martin Howell, Administrator of said Volney B. Scott, deceased, and submits to the Court his report of sale, heretofore filed, by which it appears that he did, on Tuesday the 15th day of March, 1910, in obedience to the order of this Court made at the February Term 1910, thereof, sell at private to William L. Lindsay

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for the sum of Twenty Six Hundred (\$2600⁰⁰) Dollars in cash, the real estate in said order of Court and report, particularly described, viz:

The North-East Quarter of the South-West Quarter of Section fifteen; Township Sixty-One; Range Twenty-Six in said Daviess County Missouri, and it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said Administrator is ordered to execute, acknowledge and deliver to ^{the} said William L. Lindsay, a deed in due form of law, conveying to him, the said William L. Lindsay, all the right, title and interest which the deceased had in the same at the time of his death.

In the matter of the Estate of (Report of Sale of Personal Estate at Private Sale,
William O Osborn, deceased)

V. D. Osborn, Executor of W. O. Osborn, deceased, Comes and reports to this Court: — That in obedience to an order of this Court, made on the 5th day of March A.D. 1910, directing him to sell the personal estate in said order as follows, to wit:

One Stock of Merchandise consisting of Dry Goods & Notions, Groceries & Hardware together with Store fixtures, located at Carlow in said Daviess Co. belonging to said estate he 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 James Drummond, James Oxford and Alta Brookshire — three disinterested householders of said County, they having been first duly sworn, as appears by the affidavit of said appraisers and their certificate of appraisement herewith filed,

And Mary A Osborn was the highest and best bidder for said personal estate, at the price and sum of One Hundred and fifty four (\$154⁰⁰) Dollars, and the same was sold to her at private sale accordingly, And the said M. A. Osborn has fully complied with the terms of said sale and has paid him the sum of One hundred fifty four ⁰⁰/₁₀₀ Dollars as required by said order of sale.

W. D. Osborn

Administrator

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State of Missouri } ss
County of Daviess }

V.D. Osborn being sworn, says that he did not directly or indirectly purchase such personal estate, of any part thereof, or any interest therein, and that he is not interested in the property sold, except as stated in said report.

V.D. Osborn

Subscribed and sworn to before me, this 5th day of May, 1910.

(Seal)

P. P. Doak, Judge of Probate

Ordered by the Court that said report be approved, and said sale be approved and confirmed.

In the matter of the Estate of { Allowance for years support,
Salathiel G. Deem deceased }

Comes now Mary G. Deem, widow of said Salathiel G. Deem, deceased, and presents to the Court her written application for an allowance for years subsistence for herself, and shows that at the time of the death of said deceased there was not on hand and provided a sufficient amount of meat, grain, vegetables, groceries and other provisions for her subsistence for one year - and she believes that the sum of \$120.00 will be a reasonable sum for such purpose - and asks the Court to make an order authorizing the payment of that sum out of the assets of said estate for said purpose - And the Court being satisfied, after hearing said petition and evidence adduced, that said sum is a reasonable appropriation for the purpose named - it is ordered and adjudged by the Court that said sum of One Hundred and twenty (\$120.00) Dollars be allowed said Mary G. Deem, widow, and that the Administrator with will annexed, of said estate be allowed to take credit for the same on filing the receipt of said widow therefor as a voucher in his settlement of said estate.

In the matter of the Estate of { Final Receipts filed, and Discharge
Lewis A. Ellis, deceased }

Comes now Robert E. Maupin, Administrator of the Estate of said deceased, and files Receipts of M. H. O'Hare, Curator of the minor heirs of said estate, as follows, to wit: —

Bulah D. Ellis for her distributive share of said estate original distribution	\$95.62
Belva G. Ellis " " " " " " " " " "	95.62
Luna O. Ellis " " " " " " " " " "	95.62
Lewis A. Ellis, Jr., " his " " " " " " " " " "	95.62

And it appearing that said estate is fully administered, the bal-

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ance due distributed and receipts therefor filed - it is therefore ordered that said Administrator be discharged.

In the matter of the Estate of } Discharge
America Hoover, deceased }

Comes now N. S. Hoover, Administrator of said deceased, and files the receipt of James Cowcill, ^{State Treasurer,} for the distributive share of Henry E. Hoover, a distributee of said estate, ^{in the sum of \$30.00,} the same being the amount due him on final settlement thereof. And it appearing ^{to} the Court that said estate is now fully administered, the assets paid out and receipts therefor filed - it is therefore ordered that said Administrator be ~~discharged~~.

In the matter of the Estate of } Final settlement and discharge
Lester G. Pell, a minor, }

And now comes Mrs. C. Macy, Curator of the Estate of said Lester G. Pell and submits his final settlement of the account of his said ward who has attained his legal majority, which said settlement shows a balance due said ward of ninety five and 00/100 Dollars (\$95.00) and comes also said Lester G. Pell and enters his personal appearance as a party to said settlement and waives service of notice of said settlement or the filing of an exhibit and service of notice of the same, and accepts said balance as in full of all money and property due to him from said Mrs. C. Macy, Curator as afore said and receipts for the same. And the Court finding said settlement correct, it is ordered that same ^{Approved and} be recorded and ^{that} said Curator be discharged as to said Lester G. Pell.

Estate of William R. Cole, } Allowance of Demand.
Deceased }

Comes now the Bank of Melborn and presents to the Court for allowance against said estate a demand for \$568.⁴³, founded on a note for \$500 and accrued interest in the sum of \$8.⁴³, and service of notice being waived in writing, and affidavit and proof made, it is ordered and adjudged by the Court that said demand in said sum of \$568.⁴³ be and the same is hereby allowed against said estate and assigned to Class five.

In the matter of the estate of }
Laura E. Allerman and } First Annual Settlement filed.
Fred Allerman Minors } Suspension as to Laura E.