

Record Book

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**October 4, 1910-
February 28, 1911
(Pages 401-500)**

Special Term — Tuesday — October 4, 1910

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

In the matter of the alleged
Insanity of Noah Hershberger,
Albert Trooper and Luther Townsend Informants. }

Now on this 29th day of September, 1910, Comes Albert Trooper and Luther Townsend of the County of Daviess, and gives information in writing to the Clerk of the Probate Court of said County, in vacation, that Noah Hershberger, a resident of said County, is of unsound mind and incapable of managing his affairs, and praying that an inquiry therein be had, and said Clerk being satisfied that there is good cause for the exercise of the jurisdiction of said Probate Court in said matter, now calls a Special Term of said Court to be held on the 4th day of October, A.D. 1910, for the purpose of holding an inquiry whether the said Noah Hershberger be of unsound mind or not, and orders that said Noah Hershberger, be notified of such proceedings at least five days before said Special Term of Court

Court met pursuant to the order of the Clerk in vacation for the purpose of holding an inquiry whether Noah Hershberger be of unsound mind or not, and notice to Noah Hershberger being returned by J. Atch Blais, Sheriff of Daviess County served by reading ^{the same} to and ~~and in the hearing of the~~ said Noah Hershberger, the said Noah Hershberger, now appears in open Court, and comes a jury duly summoned to wit: — Geo. Welch, A. T. Ray, M. P. Clark, W. H. Carter, W. Glen Smith, F. M. Hephurnstine, J. G. McCoy, John R. Welden, Max Venable, Jas. J. A. Carter, Hamp Creason and James M. McElaskey twelve good and lawful men, who are duly sworn, to well and truly make inquiry and determine whether the said Noah Hershberger is a person of unsound mind or not, and the jury having seen and examined the said Noah Hershberger and heard the evidence offered touching his condition retired to consider their verdict, and after due deliberation return into open Court and report that they can not agree upon a verdict.

Whereupon it is ordered by the Court that said jury be discharged and that this cause be continued until the next regular term of this Court, to be held on the 14th day of November A.D. 1910.

P. P. Doak,

Judge of Probate

In Vacation — November 3, 1910.

In the matter of the estate of { Bond filed,
William Galbreath deceased }

Now comes Robert E. Maupin, and files his bond as Executor of the last will of William Galbreath, deceased, in the sum of seven thousand (\$7000.00) dollars, with L. M. Best and D. B. Koger as Securities thereon, which said bond is by the Judge of Probate accepted and approved. And it is further ordered that Ben A. Gates and J. B. McDonald be, and are hereby appointed witnesses to assist said Executor to make an inventory of all the property belonging to said estate, and that said Executor publish notice of the grant of said letters in the Pattonsburg Call, a newspaper published at Pattonsburg in said Daviess County, Mo., as required by law.

A. P. Doak

Judge of Probate

In Vacation, November 7th, 1910.

In the matter of the Estate of { Guardian & Curator Chosen, Bond filed
Earl Pennington and Forrest Pennington }
Minor heirs of John A. Pennington, dec'd }

Now this 7th day of November, 1910, it being shown to the Judge of Probate, that Earl Pennington age 20 years and Forrest Pennington, age 16 years are the minor heirs of John A. Pennington, deceased; that they are beneficiaries in a Life Insurance Policy issued to said John A. Pennington, deceased — each of said minors having an interest of \$500.00 in said Policy; that they have no duly appointed and legally qualified Guardian and Curator or other person authorized to receive the same.

Whereupon said Judge of Probate instructs said minors to appear and choose a Curator of their said estate. And now come the said Earl Pennington and Forrest Pennington and choose Mattie L. Pennington, their mother, to be such Guardian and Curator, and said Judge of Probate approving said choice — it is ordered that she, the said Mattie L. Pennington be and she is hereby appointed Guardian and Curator of the estate of the said Earl Pennington and Forrest Pennington, minor heirs of the said John A. Pennington, deceased, and that before entering upon the duties of said Curatorship she be required to enter into bond to the State of Missouri for the use of said minors in the sum of \$2000.00, with two or more securities thereon and conditioned according to law. And now comes said Mattie L. Pennington and accepts said Curatorship, and files said bond in the sum of \$2000.00 with J. J. McBrayer and Samuel O. Venable, securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

A. P. Doak

Judge of Probate

In Vacation - November 10, 1910.

In the matter of the Estate of Will Probated. Order granting letters
Robert Wilson, deceased.

On this 10th day of November, Comes, Robert A. Wilson, and produces to the Judge of Probate an instrument in writing signed by Robert Wilson and purporting to be the last will and testament of Robert Wilson, deceased, said instrument of writing being attested by J.F. Brown, J.O. Wallace and M.E. Overstreet as witnesses; and the said Robert A. Wilson prays that the same be proved and admitted to record as the last will and testament of the said Robert Wilson. And it being shown to said Judge by satisfactory evidence that said Robert Wilson, late of the County of Daviess, died ~~at his home in~~ ^{said County} on the 27th day of October, 1910, at his home near Jameson in said County, said Judge proceeded to hear the proof of the execution and publication of said instrument as his last will. And now come J.F. Brown and J.O. Wallace, two of the said attesting witnesses, who being first duly sworn, say respectively, that they were well acquainted with Robert Wilson, late of Daviess County, deceased, in his life time. And the said instrument so produced by said Robert A. Wilson, and purporting to be the last will of said Robert Wilson being here shown to them, they each further say that they were present at the execution of said will and saw the said Robert Wilson sign it on the day of the date thereof, and heard said Robert Wilson say then and there that said instrument was his last will and testament, that they subscribed their names as witnesses thereto, as did, also, M.E. Overstreet, who was also present at the execution of said instrument, at the request of the said Robert Wilson, in his presence, and in the presence of each other, and that the said Robert Wilson was then of sound and disposing mind and memory of full age and not under any restraint, and was competent to make a will. That the testimony of said witnesses was by said Judge of Probate reduced to writing and ^{signed} by them respectively.

And it is ordered that said instrument of writing be considered proved and that it be admitted to probate and to record as the last will and testament of Robert Wilson, deceased.

And it appearing that Robert A. Wilson is named in and by said Will as the Executor of the same, it is ordered that Letters Testamentary upon the estate of the said Robert Wilson deceased be granted and issue to him the said Robert A. Wilson, and that he be required to execute a good and sufficient bond as such Executor. The same to be for the sum of \$10000.00, and conditioned as the statute directs.

P. P. Doak,
Judge of Probate.

In the Probate Court — In Vacation — November 12, 1910

In the matter of the Estate of { Will Probed.
Isaac McCulley deceased }

Now this day an instrument of writing (heretofore filed) ~~signed by~~ ^{signed by} Isaac McCulley and purporting to be the Last Will and Testament of Isaac McCulley, deceased is produced before the Judge of Probate to be proved and admitted to probate and record as the last will of said Isaac McCulley and said Judge having found that said Isaac McCulley died at Santa Rosa, Mo. on or about the 24th day of October, 1910, and having seen and examined the testimony of W.B. Stewart and Jerry Ahart the attesting witnesses to said instrument of writing, which said testimony was taken by Charles D. McBrea, a Notary Public in and for DeKalb County, Mo. pursuant to the authority vested in him by a commission heretofore issued by the Judge of this Court and which said testimony is in writing, subscribed and sworn to by said W.B. Stewart and Jerry Ahart and returned under the Seal of said Charles D. McBrea, Notary as aforesaid, wherefore the Judge of Probate doth declare and adjudge said instrument of writing to be the last will and testament of Isaac McCulley, deceased, and it is therefore admitted to probate and ordered to be recorded

P.P. Doak,
Judge of Probate.

November Term - Monday - November 14, 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 Gallatin in said County, on Monday, November 14, 1910, there being present P. P. Doak, Judge of said Court and J. Atch Blair, Sheriff of said Daviess County; When the following proceedings were had, made and entered of record, to wit: —

In the matter of the Estate of } Judgment Establishing Will:
John H. Miller deceased }

It being shown to the Court now here, that in vacation of this Court, to wit: On the 1st day of October, 1910, an instrument of writing purporting to be the last will and testament of John H. Miller, deceased, and attested by John C. Leopard and L. M. Brown as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said John H. Miller, deceased, and said Clerk proceeded to take the testimony of said John C. Leopard and L. M. Brown said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court.

And said Clerk having declared said will proved, granted a certificate of Probate on said 1st day of October, 1910. And the Court having inspected said will, and seen and heard the testimony of John C. Leopard and L. M. Brown the attesting witnesses, so taken in vacation, as to the execution of said will, and being sufficiently advised: — It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said John H. Miller deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

In the matter of the Estate of } Judgment Establishing Will
William Galbreath, deceased }

It being shown to the Court now here, that in vacation of this Court, to-wit: On the 3rd day of October, 1910, an instrument of writing purporting to be the last will and testament of William Galbreath deceased, and attested by Ben A. Yates, John T. Gough, W. D. Glasson and William Brotherton as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said William Galbreath, deceased, and said Clerk proceeded to take the testimony of Ben A. Yates, John T. Gough, W. D. Glasson

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William Brotherton said attesting witness, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a certificate of Probate on said 3rd day of October, 1910.

And the Court having inspected said will, and seen and heard the testimony of Ben A. Yates, John P. Gough, W.D. Glasson and William Brotherton 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 Galbreath deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

In the matter of the Estate of } Judgment Establishing will.
Robert Wilson, deceased

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 10th day of November, 1910, an instrument of writing purporting to be the last will and testament of Robert Wilson, deceased, and attested by J.F. Brown, J.O. Wallace, and M.E. Overstreet as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said Robert Wilson, deceased, and said Judge proceeded to take the testimony of J.F. Brown and J.O. Wallace two of said attesting witnesses, which was by the said Judge reduced to writing, and signed by them respectively, and is now here produced in Court.

And said Judge having declared said will proved, granted a certificate of Probate on said 10th day of November, 1910.

And the Court having inspected said will, and seen and heard the testimony of J.F. Brown and J.O. Wallace 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 Robert Wilson 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.

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In the matter of the Estate of { Judgment Establishing Will.
Isaac McCulley, deceased }

It being shown to the Court now here, that in vacation of this Court, to wit: —
On the 12th day of November, 1910, an instrument of writing purporting to be the last will and Testament of Isaac McCulley, deceased, and attested by N.B. Stewart and Jerry Ahart as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said Isaac McCulley deceased, and said Judge proceeded to take the testimony of N.B. Stewart and Jerry Ahart said attesting witnesses, which was by said Judge reduced to writing, and signed by them respectively, and is now here produced in court. And said Judge having declared said will proved, granted a certificate of Probate on said 12th day of November, 1910.

And the Court having inspected said will, and seen and heard the testimony of N.B. Stewart and Jerry Ahart 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 Isaac McCulley, deceased. And the said proceedings and action of the Judge in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

Ordered that the bond of Robert E. Maupin, as Executor of the Last Will of William Galbreath, deceased, taken ^{by the Judge of this Court} in vacation, on the 3rd day of November, 1910, be, and the same is hereby approved, and that his appointment as such Executor with all the proceedings therein, be ratified and confirmed.

Ordered that the bond of Mattie L. Pennington, Guardian and Curator of the estate of Earl Pennington and Forrest Pennington, minors, taken by the Judge of this Court, in vacation thereof be and the same is hereby approved, and her appointment as such Curator and all the proceedings therein are ratified and confirmed.

In the matter of the Estate of { Administration Granted.
James M. Parker, deceased }

Come now Elwood Parker and Andrew J. Parker and having made affidavit setting forth that James M. Parker died intestate on the 1st day of November, 1910, leaving his widow, Eliza A. Parker who resides in Daviess County, Missouri, and the following Children, to wit: Lucretia Doak, Daviess County, Mo.; Daniel Parker, Rifle, Colo.; A. J. Parker, Daviess County, Mo.; Elwood Parker, Daviess County, Mo.; and James Parker, Rifle, Colo. as his sole and only heirs. And it appearing to the Court that said

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James M. Parker, died seized of personal property not exceeding in value the sum of \$7000.00 and that the widow of said deceased has waived all right and claim to letters upon said estate, and it further appearing that said applicants are distributees of said estate and that they are suitable persons to administer the same: It is ordered by the Court that Letters of Administration upon the Estate of said James M. Parker, late of Daviess County, Mo., deceased, be granted, and issue to said Elwood Parker and A. J. Parker, and that they enter into bond to the State of Missouri, as such Administrators, with two or more securities thereon, in the sum of \$14000.00, and conditioned as the law directs.

And now come said Elwood Parker and A. J. Parker and file herein their said bond in the sum of \$14000.00 with Lucretia Doak, J. H. Meade, Homer Feurt and Eliza A. Parker as securities thereon and conditioned as the law directs.

And it is further ordered that J. H. Meade and Homer Feurt be and are appointed witnesses to assist in making an inventory of said estate and that Notice of the grant of said Letters be published in the Gallatin Democrat as the statute directs.

In the matter of the Estate of {
John H. Miller, late of { Order Refusing Letters of Administration
Jameson, Mo., deceased

Now at this day comes Isabella Miller and shows to the Court that she is the widow of John H. Miller late of the County of Daviess, deceased, who died, leaving at the time of his death personal property in this State, not greater in amount than is allowed by law as the absolute property of the widow of said deceased.

To the end, therefore, that the said Isabella Miller, as such widow, may be authorized and empowered to collect, sue for and retain, as her absolute property, as provided by law, it is ordered that Letters of Administration on said Estate be refused, unless on the application of Creditors or other parties interested, the existence of further or other property be shown.

Estate of Andrew J. Haggerty { Order Refusing Letters of Administration
Deceased.

Now, at this day comes Elizabeth J. Haggerty and shows to the Court that she is the widow of Andrew J. Haggerty late of the County of Daviess deceased, who died, having at the time of his death personal property in this State, not greater in amount than is allowed by law as the absolute property of the widow of said deceased. To the end, therefore, that the said Elizabeth J. Haggerty as such widow may be authorized and empowered to collect, sue for and retain said property, as her absolute property, as provided by

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by law, it is ordered that Letters of Administration on said Estate be refused, unless on the application of Creditors or other parties interested, the existence of further or other property be shown.

Ordered that the 8th Annual Settlement of Thos. E. Hamilton Curator of the Estate of Geo. O. Caldwell, a minor, this day filed be approved and recorded.

Ordered that the 7th Annual Settlement of W. E. Blackburn, Curator of the Estate of Forrest W. Blackburn, a minor, this day filed be approved and recorded.

Ordered that the first Annual Settlement of Samuel A. Lord, Administrator of the Estate of Chas. H. Burton, deceased, this day filed, be approved and recorded.

Ordered that the first Annual Settlement of Phebe Burton, Administratrix of the estate of Allen Burton, deceased, this day filed, be approved and recorded.

In the matter of the Estate of (Final Settlement and order of discharge,
Mary P. A. Carey, deceased)

Now Come George H. Carey and James H. Carey, Executors of the estate of said Mary P. A. Carey deceased, and having published notice thereof according to law, submit their final Settlement of said estate from which it appears that the debts due and owing by said estate have been paid in full by the devisees of said deceased - said indebtedness being in excess of the personal assets in the hands of said Executors by the sum of \$1104.52. And the Administration of said estate being completed according to provisions of the last will of said deceased - it is therefore ordered and adjudged by the Court that said final Settlement be approved and recorded and that said Executors be discharged.

In the matter of the Estate of (Final Settlement and distribution
Amanda Cox, deceased)

Comes now Moses Mann, Administrator of the estate of Amanda Cox, deceased, and shows to the Court that he has published notice for final Settlement of said estate, as required by law, and submits his final Settlement of said estate from which it appears that a balance of \$1932.¹⁵ is due to said estate. And it further appearing that all the debts due by said estate are paid in full - it is therefore ordered that said balance of \$1932.¹⁵ be and the same is hereby distributed to the heirs of said deceased as follows:-

To Juanita McLary (nee Cox) $\frac{1}{2}$ of said balance =	\$386.43
" Robena Graham (" ") $\frac{1}{2}$ " " " =	386. ¹⁵

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To Enoma M. Cox	1/5 of said balance	=	\$ 386.43
" Samuel M. Cox	1/5 " " "	=	386.43
" Edna M. Cox	1/5 " " "	=	386.43

and that the same be paid to said distributees and their receipts therefor be filed in this Court, and it is further ordered that said final settlement be approved and recorded.

And now comes said Moses Mann, and files the receipts of Juanita Graham and Robena Graham, and Dallas Graham her husband, each for the sum of \$386.43 their distributive shares of said estate pursuant to above order of distribution and it is ordered that he, the said Administrator be, and he is discharged as to said Juanita McClary and Robena Graham.

In the matter of the estate of (Final settlement filed and approved. Order to pay into S. T. Mary A. Carey, deceased)

Come now Geo. H. Carey and Jas. H. Carey, Executors of said deceased, and prove to the Court that ^{they} have published Final Settlement Notice as required by law, and submit their final settlement of said estate and it appearing to the Court that all debts and legacies have been fully paid by money advanced by the heirs and devisees of said deceased, except a specific legacy, which according to the provisions of the last will of said deceased is made payable to John Carey by said Executors, out of said estate.

And said Executors represent and show to the Court that a tender of said specific legacy was made to said John Carey and by him refused. Wherefore said Executors pray this Court to order the same paid into the State Treasury. And the Court having heard and duly considered said application doth order said Geo. H. Carey and Jas. H. Carey Executors as aforesaid to pay in to the State Treasury said specific legacy in the sum of (\$950) Nine & 50/100 Dollars and to ^{file} herein a receipt for the same.

And it is ordered that said final settlement be approved and recorded.

Estate of Lydia Cummings (Allowance of Demand. Deceased)

Comes now Dr. J. L. Cox and presents to the Court for allowance against said estate a demand for \$4.20 founded on a account for medical services during last illness of said deceased, and service of notice having been waived by said Administrator, who also certifies to the correctness of said claim which is duly verified by the affidavit of claimant: It is therefore ordered and adjudged

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that said demand be allowed against
against said estate in the sum of \$4⁰⁰ and that it be placed in the 2nd class of
Demands

Estate of Lydia D. Cumming } Demand allowed
Deceased }

And now comes O.P. Smith, Administrator, of said deceased and presents to the Court for allowance against said estate a Demand for \$416.⁰⁰ founded on an account for services in nursing and caring for said deceased during her last sickness, and verifies his said account by affidavit as required by law. And there being no Co-Administrator, John C. Leopard is by the Court appointed to appear and represent said estate pending the hearing of said cause, and comes now said John C. Leopard and waives service of notice for presentation of said demand, and proof being made it is ordered and adjudged by the Court that said account in the sum of Four Hundred and Sixteen (416⁰⁰) be and the same is hereby allowed against said estate as a Demand of the 2nd class.

Estate of Joel J. Long } Receipt for Distributive share filed - Partial discharge.
Deceased }

Comes now Chas. Long, Administrator of said estate and files receipt of Leona Ratliff a distributee of said estate for her distributive share thereof pursuant to final settlement and order of distribution heretofore made in this Court, and it is ordered that said Administrator be discharged as to said Leona Ratliff.

Ordered that final settlement of E.F. Deskins, Admr. of Mrs. H. Deskins, this day due be continued to the Feb'y 1911, Term of this Court

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

O. P. Doak, Judge

November Term - Tuesday - November 15 1910 - Second day of term.

Court met pursuant to adjournment; present O. P. Doak, judge and F. M. Parker, Deft. Sheriff. When the following proceedings were had, to wit:

In the matter of the Estate of } Appropriation for support.
Charles Donaldson, insane.

Now comes John Donaldson, Guardian of said insane person, and represents to the Court that his ward will not be able to do any thing during the months of winter, and asks the Court to make an order appropriating the sum of six (\$6.00) Dollars per month, to pay for his board, out of his estate. And the Court believing said amount to be a reasonable amount for said purpose - it is ordered that he, the said Guardian be, and he is hereby authorized to use said sum of \$6.00 per month, during the winter, for the support of his said ward, and that he be allowed to take credit for the same in his settlement of his account with his said ward.

In the matter of the Estate of } Bond filed and approved.
Elta M. Dains, a minor

Now comes Rollie S. Dains, and files his bond as Curator of said Elta M. Dains, minor, in the sum of Two Thousand (\$2000.00) Dollars with Nellie Dains, Owen Tierley and J. H. Cutschall as securities thereon, and conditioned for the faithful discharge of his duties as such guardian according to law, and it is ordered by the Court that said bond be approved, and that the appointment of said Rollie S. Dains as such curator be ratified and confirmed.

Ordered that the first annual settlement of S. G. Hosman, Administrator of the Estate of David Galpin, deceased, ^{this day filed} be approved and recorded.

Ordered that the first annual settlement of Sarah A. Grimes, Administratrix of the Estate of William C. Grimes, deceased, this day filed, be approved and recorded.

In the matter of the Estate of } Final settlement and discharge
Phebe Hampton, deceased

Comes now, W. R. Hampton, Executor of Phebe Hampton deceased, and having first published notice as the statute requires, submits his final settlement of said estate, from which it appears that he has paid the debts against said estate except the Collateral Inheritance Tax assessed against the Collateral heirs and which is a lien upon the real estate.

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of said deceased, and it further appearing that the balance left due said estate is less in value than is allowed by law to the widow of said deceased, and it is ordered that said Executor pay said balance of \$183.84 to W. N. Hampton, widow of said deceased, and comes now said W. N. Hampton and receipts for said balance of \$183.84, which said receipt is made a part of said settlement, and said final settlement is ordered and adjudged to be correct and is hereby approved and ordered recorded. And it is ordered that said Executor be and is hereby discharged.

Estate of James M. Parker } Demand allowed.
Deceased

Come now Pettijohn Bros. and present to the Court for allowance against said estate a demand for \$153.00 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 said sum of \$153.00 be allowed against said estate and that it be assigned to Class One.

In the matter of the Information } Continued
alleging the insanity of Noah Hershberger

Ordered by the Court that said cause be, and it is hereby continued to the February, 1911, term of this Court

Ordered that settlement of James B. Edwards Curator of Fay & Edwards, minors, now due be continued to February term 1911,

Ordered that settlement of Sadie Hamel, Curator of Clara P. Hamel, a minor this day due be continued to February term 1911, of this Court.

Ordered that settlement of Chas. Guillems, Curator of Eddie L. Guillems minor this day due be continued to Feb, 1911, term of this Court

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

November Term Wednesday November 16, 1910 - Third day of Term

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

Estate of John Loney { Demand allowed
Deceased.

Comes now Dr. C. G. McKinley and presents to the Court for allowance against said estate a demand for \$1⁵⁰ on account of visit in life time of deceased. Service waived in writing by W. S. Hutchison Adm'r, of said estate who certifies to the correctness of said account and Claimant having made affidavit to his account. it is ordered that same be allowed against said estate in the sum of \$1⁵⁰ and placed in Class five.

Estate of John Loney { Demand allowed.
Deceased

And comes John Buren and presents to the Court for allowance against said estate his Demand for \$77⁰⁰ on account of funeral of deceased, and service waived in writing and affidavit and proof made it is ordered that said account in said sum of \$77⁰⁰ be allowed against said estate, and that the same be placed in the first Class of demands.

Estate of Henry Ward { Demand allowed.
Deceased.

Comes now Dr. S. S. Jarrett, and presents to the Court for allowance against said estate a demand for \$13⁰⁰ on account of Medical attendance during last illness 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 \$13⁰⁰ be allowed against said estate, and that it be placed in the 2nd class of demands.

Estate of Henry Ward, { Demand allowed.
Deceased.

Comes now N. T. Ellis, and presents to the Court for allowance against said estate a demand for \$139⁰⁰ on account of funeral furnished deceased, And service of notice being waived in writing and affidavit and proof made, it is ordered that said account in the sum of \$139⁰⁰ be allowed against said estate and that the same be placed in class one.

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Estate of Henry Ward, } Demand allowed.
Deceased.

Comes now Dr. J. G. Parker and presents to the Court for allowance against said estate a demand for \$21⁶⁵ on account of medical services rendered deceased during last illness, Service of Notice waived in writing and affidavit and proof made it is ordered that said account in the sum of \$21⁶⁵ be allowed against said estate and assigned to the 2nd class of demands.

Ordered that the first Annual Settlement of Ruth J. Dunn, Administratrix of the estate of Chas. W. Dunn, deceased, this day filed be approved and recorded

Ordered that the first Annual Settlement of Ruth J. Dunn, Curator of the estate of Charles W. Dunn, et al, minors, this day filed be approved and recorded

Ordered that the first Annual Settlement of M. C. Macy, Curator of the estate of Bertie Grove, et al, minors, this day filed be approved and recorded.

Ordered that first Annual Settlement of J. H. De Golia, Guardian of William Clyde Hughes, insane, this day filed be approved and recorded.

Ordered that first Annual Settlement of M. C. Macy, Public Admr. having in charge estate of Marshall Jones, deceased, this day filed be approved and recorded.

Ordered that the 7th Annual Settlement of E. D. Mann Curator of the Estate of Harry M. Mann, et al, minors, this day filed be approved and recorded.

In the matter of the }
Copartnership Est. of. } Final Settlement and Discharge
Henderson & Henderson }

Come now W. E. Henderson and John W. Meade, Administrators of said Co-partnership Estate, and first having published notice for final settlement, according to law, and submit their final settlement of said estate from which it appears that said Co-partnership has been closed, the debts paid and the balance of assets paid over to the Administrator of the estate of John F. Henderson, deceased; It is therefore ordered and adjudged by The Court, that said administration be closed; that said final settlement be approved and recorded, and said Administrators discharged

November Term - Wednesday - November 16, 1910 - Third day of Term.

In the matter of the estate of { Final Settlement and Order Final Distribution
John F. Henderson, deceased }

Now at this day come W.E. Henderson and John M. Meade, Administrators of said deceased and present their accounts and vouchers for final settlement of said estate, and it appearing to the Court that notice of said final settlement has been published according to law; that all the debts due and owing by said estate have been fully paid, and the Court having examined said final settlement and finding the same to be correct it is ordered and adjudged that said final settlement be approved and recorded.

And it appearing from said final settlement that there remains in the hands of said Administrators a balance for distribution in the sum of \$2285.55. It is therefore ordered that said balance be distributed as follows, to-wit:—

To Mary E. Henderson, widow $\frac{1}{2}$ of same =	\$1142.77
To David C. Henderson, Brother, $\frac{1}{4}$ of same =	163.25
To J. J. Henderson, " " " " =	163.25
To Mrs. Ebilene Black, Sister, " " " " =	163.25
" Mrs. Dora Cromer, Niece, $\frac{1}{16}$ " " " " =	40.81
" Frank R. Henderson, Nephew, $\frac{1}{16}$ " " " " =	40.81
" Mrs. Elsie Koger, Niece, $\frac{1}{16}$ " " " " =	40.81
" Mrs. May F. Drummond, Niece, $\frac{1}{16}$ " " " " =	40.81
" J. R. Cope, Nephew, $\frac{1}{42}$ " " " " =	54.42
" J. E. Cope, " " " " " " =	54.42
" Nancy Cope, Niece, $\frac{1}{42}$ " " " " =	54.42
" Mrs. Sallie Woodruff Niece, $\frac{1}{42}$ " " " " =	54.42
" Mrs. Ella J. Fisher, Niece, $\frac{1}{42}$ " " " " =	54.42
" W.E. Henderson, Nephew, $\frac{1}{42}$ " " " " =	54.42
" Robert H. Selby, Nephew, $\frac{1}{42}$ " " " " =	54.42
" C.H. Meade, Assignee of Lloyd Selby, Nephew, $\frac{1}{42}$ " " " " =	54.42
" Fannie Selby, Niece, $\frac{1}{42}$ " " " " =	54.42

And it is ordered that said Administrators pay said distributees the sums due them respectively and file their receipts for the same, when they shall be entitled to their discharge herein.

In the matter of the Estate of { Allowance for years supportance
Chas. W. Dunn, deceased }

Now Comes Ruth J. Dunn, widow of Charles W. Dunn, deceased, and represents to the Court that the family of said Chas. W. Dunn, at the time of his death consisted of herself and four children; that three of said children were then, and are yet, minors; that there was not provided and on hands grain, meat, vegetables, ^{groceries} and other provisions

November Term — Wednesday — November 16, 1910 — Third day of Term

necessary for the subsistence of said family for the period of one year as provided by statute wherefore she, the said widow prays the Court to make an allowance out of the assets of said estate for such purpose. And the Court having heard said petition and testimony in relation thereto, and being satisfied that the sum of One Hundred and twenty (\$120.00) Dollars is a reasonable amount for said purpose doth order and adjudge that said sum of \$120.00 be and the same is allowed to said widow out of the assets of said estate, and that her receipt for said sum be allowed as a sufficient voucher in the settlement of said estate,

In the matter of the alleged Insanity of { Continued to the February Term 1911,
Noah Herschberger

The above cause being called and ^{the} parties thereto not being ready for trial it is ordered that said cause be continued to the February Term, 1911, of this Court.

Ordered that final settlement of Joseph F. Harwood, Executor of Emeline Lindsey, deceased, this day due, together with proof of Publication of final settlement Notice this day filed be continued to the February 1911, term of this Court.

Ordered that Court Adjourn till 9 O'clock tomorrow morning

P. P. Doak

Judge

November Term Thursday - November 17, 1906. Fourth day of term.

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

In the matter of the Estate of { Bond filed and approved.
Robert Wilson, deceased }

Comes now Robert A. Wilson, Executor of said estate and files his bond as such, Executor, in the sum of Ten Thousand (\$10000.00) Dollars, with J. E. Wilson, J. A. Wilson, T. S. Wilson, Alice Jenkins, Joe Jenkins, Minerva A. Poe, J. C. Poe, J. F. Harris, Henry Harris, H. B. Wood, F. F. Wood and C. E. Wilson as securities thereon and conditioned as the law directs, and it is ordered that said bond be, and it ^{is hereby} approved.

In the matter of the estate of { Demand allowed.
William Baker, deceased. }

Now Comes J. R. Baker, Administrator of said estate, and presents to the Court for allowance against said estate a demand for the sum of \$99.60, which said demand ^{is founded upon an account against said deceased and} is duly verified by the affidavit of said Claimant. And there being no Co-Administrator, W. E. Smith a suitable person is by order of the Court appointed to appear and represent said estate pending the hearing of said cause.

And now Comes said W. E. Smith and in writing waives service of Notice for presentation of said demand for allowance, and it is agreed that said cause be submitted to the Court without a jury and the Court having heard and considered the evidence in relation thereto doth find for the Claimant in the said sum of \$99.60 it is therefore ordered and adjudged that said account in the sum aforesaid be, and the same is hereby allowed against said estate, and is assigned to Class five.

In the matter of the Estate of { Allowance to Widow.
Allen Conner, deceased }

Now Comes Martha Conner and makes application for an allowance to her as widow of said deceased as provided by Section 115 Revised Statutes of Missouri, 1909, and the Court having heard and considered said petition and the testimony offered, relative thereto, doth order and adjudge the allowance against said estate of the sum of \$175.00 to be paid to the said Martha Conner, widow, as aforesaid, out of the assets in the hands of the Administratrix of said estate, and it is ordered that she, the said Administratrix, be allowed credit for the said sum of \$175.00 in her settlement of her accounts with said estate.

November Term — Thursday — November 17, 1910 — 4th day of Term

In the matter of the Estate of (Proof of Will, Order granting Letters ad.
David M. Breeden, deceased)

On this 17th day of November, 1910, Comes Albert Gibbens, and produces to the Court an instrument of writing, purporting to be the last will and testament of David M. Breeden, deceased, and attested by E. L. Walton and M. E. Wampler as witnesses; and the said Albert Gibbens prays that said instrument in writing be proved and admitted to record as the last will and testament of the said David M. Breeden. And it being shown to the Court by satisfactory evidence that said David M. Breeden, late of the County of Daviess, died on the 13th day of November, 1910, in Grand River Township, Daviess County, Missouri, the Court proceeded to hear the proof of said instrument as his last will.

And thereupon Come E. L. Walton and M. E. Wampler said attesting witnesses who being first duly sworn, say respectively, that they were well acquainted with David M. Breeden late of Daviess County, deceased, in his lifetime. And the said instrument so produced by the said Albert Gibbens purporting to be the last will of said David M. Breeden, being here shown to them they each further say that they were present at the execution of said will and saw the said David M. Breeden sign it on the day of the date thereof, and heard him say that said instrument was his last will and testament; that they subscribed their names as witnesses thereto at the request of said David M. Breeden, in his presence and in the presence of each other, and that the said David M. Breeden was then of sound and disposing mind and memory, of full age, and not under any restraint and was competent to make a will, which testimony of said witnesses was reduced to writing by the Court and signed by them respectively.

And now the Court being sufficiently advised by the evidence of said witnesses of the proper and legal execution of said will, it is ordered and adjudged by the Court, that said instrument in writing be considered proven, and the same is established and adjudged to be the last will and testament of the said David M. Breeden, late of Daviess County, deceased, and that it be admitted to record as such.

And it appearing that said will names Albert Gibbens, as Executor thereof, and the Court approving said nomination

November Term - Thursday - November 17, 1910 - Fourth Day of Term

it is therefore ordered that Letters Testamentary upon said estate be granted and issue to said Albert Gibbens, and that he enter in to bond to the State of Missouri, with two or securities to be approved by the Court, in the sum of \$6000.⁰⁰ and conditioned according to law.

Ordered that the Second Annual Settlement of Mary B. Miller, Administratrix of the estate of William G. Miller deceased this day due be and the same is hereby continued to the November Adjourned Term: December 28th, 1910.

In the matter of the estate of (Final Settlement and discharge.
Edna Ginder, Minor

Comes now George W. Ginder, Guardian and Curator of said Edna Ginder and represents to the Court that his said ward is now of legal age, and he submits his accounts and vouchers for his final settlement of said estate, from which said final settlement it appears that there is a balance due his said ward of \$494.63. And comes also the said Edna Ginder and enters her appearance in open Court as a party to said settlement, and accepts said sum of \$493.63 as in full payment and satisfaction of all money and property due to her from her said Guardian and Curator and her receipt therefor is made a part of said final settlement. And the said Edna Ginder further states in writing that she waives the filing of an exhibit for such final settlement and notice of the same, and that she attained her majority Nov. 13, 1910.

And the Court having found said final settlement to be correct, doth order and adjudge the same to be approved and recorded as a final settlement of said estate, and it is ordered that said Guardian and Curator be discharged.

Estate of Robert Wilson, deceased.

And now comes T. D. McLee, Manager of the Jameson Drug Co., and presents to the Court for allowance against said estate a Demand for \$3.35 on account for Mdse. furnished deceased in his last illness; Service of notice waived in writing by the Executor of said est. who certifies that he believes said account is correct, and affidavit made; it is ordered by the Court that said account in the sum of \$3.35 be allowed against said estate, and that it be assigned to Class Two (2)

November Term — Thursday — November 17, 1910. Fourth Day of Term.

In the matter of the Estate of { Demand allowed.
Robert Wilson deceased }

Now Comes Dr. C. P. Martin and presents to the Court for allowance against said estate a Demand for Sixty nine and $\frac{25}{100}$ Dollars. Founded on account for Medical Services rendered deceased in his last illness, 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 the same in the sum of \$69. $\frac{25}{100}$ be placed in the 2nd Class of demands.

Estate of Robert Wilson, { Demand allowed
Deceased }

Comes, also, Geo. T. Simmons, and presents to the Court for allowance against said estate a demand for \$5.00 on account for shaving deceased. And the Executor waives service of notice for presentation and certifies to the correctness of said account which is verified by affidavit of Claimant: it is therefore ordered that said account be allowed in the sum of \$5.00 as a first class demand against said estate.

Estate of Robert Wilson, { Demand allowed.
Deceased. }

Comes now Hannah B. Wood, and presents to the Court for allowance against said estate a Demand for \$5.75 on account for supplies furnished. And the Executor having service of notice and certified to the correctness of said account, which is verified by the affidavit of Claimant, it is ordered that the same, in the sum of \$5.75 be allowed against said estate, and that it be assigned to Class five

In the matter of Est. of { Demand allowed.
Robert Wilson deceased }

Come now T. B. Feurt & Son and present to the Court for allowance against said estate a Demand for \$196.00 on account for 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 One Hundred and ninety six (\$196.00) Dollars be allowed against said estate in the first class of demands.

Ordered that the first annual Settlement of C. E. Orcutt, Curator of the estate of Harry Meahl, a minor this day filed be approved and recorded

November Term — Thursday — November 17, 1910, — 4th day of Term.

In the matter of the Estate of { Final Settlement and Distribution.
John H. Miller, deceased }

Now Comes Geo. M. Markham, Administrator of said estate and submits his accounts and vouchers for his final settlement. And it appearing to the Court that notice of final settlement has been duly published according to law; that the debts of said estate have been paid in full and that a balance of \$1066.⁹⁰ is due said estate: it is therefore ordered by the Court that said balance be paid over to Mrs. Alice M. Markham, who is the sole and only heir of the said John H. Miller, deceased, and that said Administrator file her receipt for the same in order to a discharge herein.

Ordered that the 3rd Annual settlement of M.C. Gilligan and Jno. 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 Braxton King, Administrator of the estate of Sarah C. Murry, deceased this day filed be approved and recorded.

Ordered that the first Annual settlement of Laura J. McCarty, Executrix of James M. McCarty, deceased, this day filed be approved and recorded.

Ordered that the first Annual settlement of Richard M. Newton, Administrator of the estate of Kenneth A. Newton, deceased, this day filed, be approved and recorded.

Ordered that the first Annual settlement of N.C. Macy, Public Guardian, having in charge the estate of Oscar G. Pell, a minor, this day filed, be approved and recorded.

Ordered that the first Annual settlement of Ben A. Prichard, Curator of the estate of Jessie E.L. Nicholson, this day due be continued to the November Term 1911 of this Court

Ordered that the first Annual settlement of Chas. B. Murphy, Curator of Ira A. Murphy, minor this day due be continued to the November Adjourned Term, 1910, of this Court, to be held on Wednesday, the 30th inst. for final settlement. said ward having attained his majority.

November Term - Thursday - November 17, 1910. Fourth day of Term.

Ordered that settlement of Jno. C. Lefard, Guardian of Gabriel Bahlinger, insane, be continued to November adjourned term of this Court, to-wit: December 28, 1910.

Ordered that first Annual settlement of F. M. Davis, Executor of last will of T. G. Crain, deceased, now due be continued to the November adjourned term - December 28, 1910.

Ordered that Court adjourn till 9 o'clock tomorrow morning.

P. P. Doak
Judge

November Term Friday — November 18, 1910, Fifth day of term.

Court met pursuant to adjournment: present P. C. Cook, Judge, and J. Arch Blair, Sheriff: when the following proceedings were had, to-wit:—

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

Comes now Dr. M. A. Smith, and presents to the court for allowance against said estate a demand for \$40.00 and service of notice being waived in writing, and affidavit and proof made, it is ordered that said claim (founded on account for medical treatment during last illness) be and same is allowed against said estate, and assigned to Class two.

In the matter of the estate of { Order for Private Sale
William Galbreath, deceased }

Now comes Robert E. Maupin, Executor of said estate, and files his written application for permission to sell One Globe Special Stove, #216, pipe and zinc, one small clock, one dresser, one kitchen safe, one lot of dishes and table ware, three comforts, two feather pillows, one mattress, one extension table, one trunk and clothing contents, one two burner Gasoline Stove, two chairs, one quilt, and one reed and two other rocking chairs, belonging to said estate at private sale, and the court being satisfied that it will be for the best interest of the estate and not prejudicial to persons interested therein, to sell the same at such sale, it is ordered that said Executor sell said property at private sale for not less than its appraised value, for cash, and that he report the same to this Court.

In the Matter of the estate of { Final Settlement and Discharge.
Frederick E. Orcutt, deceased }

Comes now Robert V. Thompson, Administrator of said deceased, and first having published notice as the law requires, and presents his accounts and vouchers for final settlement, from which it appears that there is a balance due said estate of \$233.³² which said balance has been duly assigned to Juanita Orcutt, widow of said deceased, by Charles E. Orcutt, Tillie K. Orcutt, Relf E. Orcutt and Tracy Orcutt, Father, Mother, Brother and brother's wife of said deceased, respectively. And said balance is ordered paid to said Juanita Orcutt the aforesaid assignee. And comes now said Robt. V. Thompson and files the receipt of the said Juanita Orcutt for said sum of \$233.³² and it appearing that

November Term — Friday — November 18, 1910 — Fifth day of Term.

Said estate is fully administered, the debts paid in full, and the balance paid over pursuant to the order of this Court. it is ordered that said final settlement be approved and recorded and that said Administrator be discharged.

In the matter of the Estate of (4th Annual Settlement and Order of Suspension
Clay Warren Smith, et al minors)

Comes now Robert V. Thompson, Curator of said minors, and files his fourth annual settlement of said estate which shows a balance due his wards, of the sum of \$37. And said Curator represents to the Court that said amount is needed by Mrs. Ellen Smith, mother of said children, seven in number, for their support and to supply them with clothes, books &c and asks the Court to make an order appropriating said balance of \$37⁰⁰ for such purpose. And the Court being satisfied that the same is need for the care and maintenance of said minors, it is therefore ordered that said Curator be and is hereby authorized to pay over to said Ellen Smith said balance of \$37⁰⁰, which is hereby appropriated for the maintenance of said minors, and that the receipt of the said Ellen Smith for the same be filed herein, and now comes said Robert V. Thompson, said Curator and files the receipt of said Ellen Smith for said balance so appropriated.

And the assets of said estate being exhausted it is ordered that the curatorship of said estate be and the same is hereby suspended till upon the discovery of other or further estate the said Curator be ordered to resume the same.

Ordered that the 5th annual settlement of Robert V. Thompson, Curator of the estate of Orville R. Wells, a minor, this day filed be approved and recorded.

Ordered that the first annual settlement of Jas. R. Price, Administrator of the estate of Hatton Price, deceased this day filed be approved and recorded.

In the matter of the Estate of (Final Settlement and Discharge.
Preston G. Prindle, a minor.)

Comes now James H. Prindle, Curator of said minor, and presents his accounts and vouchers for a final settlement of said estate, his ward having attained his majority.

And now comes, also said Preston G. Prindle, and enters his personal appearance in open Court as a party to said final settlement, and waives in writing the making of an exhibit for final settlement, and service of notice of such exhibit as well as ^{previous} notice of any

November Term Friday November 18, 1910 - Fifth day of Term.

kind whatever for said final settlement, and further states that he attained his majority October 19, 1910.

And it appearing that said Curator owes his said Ward a balance of \$242.⁰⁶ and that he had spent \$100.⁰⁰ for him while in attendance at school, which said balance of \$242.⁰⁶ and said sum of \$100.⁰⁰ is by the said Preston G. Prindle receipted for and acknowledged by him to be in full payment and satisfaction of all money and property, due to him from his said Curator.

And the Court having examined said final settlement and having found the same to be correct, it is ordered and adjudged to be a final settlement of said estate and the same is approved and is ordered to be recorded, and it is further ordered that said James H. Prindle be and is hereby discharged as such Curator.

In the matter of the estate of (Final settlement and order of Distribution Jacob Ramey, deceased.)

Comes now E. M. Street, Administrator of the estate of said deceased and presents his accounts and vouchers for final settlement, and it appearing that notice thereof has been published according to law; that all debts due by said estate have been fully paid and that a balance of \$752.⁵² is due to said estate for distribution.

And it is ordered by the Court that said balance be distributed to the heirs of said deceased, as follows: -

To John W. Ramey, a son $\frac{1}{4}$	\$188. ¹⁰
" Benjamin Ramey, " " $\frac{1}{4}$	188. ¹⁰
" Mary E. Bulver a daughter $\frac{1}{4}$	188. ¹⁰
" Cora Ramey a Grand daughter $\frac{1}{20}$	37. ⁶²
" Martha Owens " " $\frac{1}{20}$	37. ⁶²
" Ollie Dillingham " " $\frac{1}{20}$	37. ⁶²
" Thomas Ramey " Son $\frac{1}{20}$	37. ⁶²
" William Ramey " Son $\frac{1}{20}$	37. ⁶²

And it is further ordered that said Administrator pay over to said distributees the amounts to them respectively and that he file their receipts for the same, and that said final settlement be approved and recorded.

In the matter of the estate of (Final settlement and discharge, Sereno M. Selby, deceased)

Comes now J. A. Selby, Administrator of said estate and submits his final settlement thereof, and it appearing that notice has been published according to law, and it appearing that the debts of

said estate are all paid and the estate fully administered, and that the assets are wholly exhausted, it is ordered that said final settlement be approved and recorded, and said Administrator be discharged

In the matter of the estate of } Allowance to widow for year's subsistence.
Hatten Price, deceased }

Comes now Elizabeth Price and represents and shows to the Court that at the time of making an inventory of the estate of said deceased that there was not on hand provided for her support for one year grain, meat, vegetables, groceries and other provisions and asks for an appropriation out of the assets of said estate the sum of \$175.⁰⁰ And the Court being satisfied that such amount will be a reasonable allowance it is ordered that the said widow be allowed said sum of \$175.⁰⁰, and that the same be paid to her by the Administrator of said estate and that the receipt of the said Elizabeth Price be allowed as a sufficient voucher for that amount

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

O. P. Doak
Judge

November Term - Saturday - November 19, 1910 - Sixth day of term.

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

In the matter of the Estate of { Order of Sale.
William R. Cole, deceased }

Now at this 19th day of November, 1910, Comes Nancy E. Cole, Executrix of the Estate of said William R. Cole, deceased, and submits proof of publication and service of notice of her application for an order to sell the real estate of said deceased, made at the August Term, 1910, of this Court, from which proof the Court finds that the notice required by law and by the order of this Court made herein on the 11th day of August, 1910, has been duly given by publication of a copy of said order for four weeks before the present term of this Court, in the Jamesport Semi-Weekly Gazette, a news-paper published in Daviess County, Missouri, and by personal service of a copy of said order on Ramus M. Cole, Rienzi J. Cole, Jesse Cole, Tina Perry and Nellie M. Fitch, more than ten days before the present term of this Court, and the said Ramus M. Cole, Rienzi J. Cole, Jesse Cole, Tina Perry and Nellie M. Fitch, being the only heirs and devisees of said deceased, other than said Executrix, who reside in Daviess County, Missouri.

Whereupon, the matter of said application coming ^{on} for determination, the Court having heard the testimony, finds: -

That the petition for the order of sale herein is sufficient in form and substance, truly sets forth the facts, and is accompanied by the accounts, lists and inventories required by law, and that the whole is duly verified by the affidavit of the executrix;

That said deceased died seized of the following described real estate, to-wit: -

The southwest quarter and the south half of the Northwest quarter of Section ten (10), and all of the Northwest quarter of Section fifteen (15), except one-half acre out of the Northwest corner thereof, used for school purposes; all in township sixty-one (61) of Range twenty-six (26), in Daviess County, Missouri; Lots four (4), five (5), six (6) and seven (7) in Block six (6) of College Addition to the City of Gallatin, in Daviess County, Missouri; And the following described tract in Harrison County, Missouri, to-wit: Commencing thirty-five (35) rods east of the Northwest corner of the Northeast quarter of Section twenty-six (26), in township sixty-two (62) of range twenty-six (26), thence South one hundred and forty (140) rods, thence East twenty-three (23) rods, thence North one hundred and forty (140) rods, thence West twenty-three (23) rods, to the place of beginning.

November Term — Saturday — November 19, 1910

That the total value of the personal estate of said deceased remaining unadministered, including cash on hand and in bank, does not exceed \$3,084.77, while the total amount of debts and demands against said estate remaining unpaid, including legacies, is not less than \$10,844.19; That the personal estate of said deceased is therefore insufficient to pay the debts and legacies of said deceased.

It is therefore ordered by the Court that the executrix sell at public or private sale the real estate above described, or so much thereof as will pay the debts and legacies of said deceased, first having had the same appraised by three disinterested householders of the County in which the land lies, and that she make full report of her proceedings herein according to law within ten days after such sale.

In the matter of the Co-partnership
Estate of F. L. & Omer L. Read,
Omer L. Read deceased } Final settlement and discharge

Comes now L. L. Read surviving partner of said Co-partnership estate and files his final settlement of the same; And it appearing that he has published notice as the law directs, and that said Co-partnership has been wound up, the partnership debts paid, and the balance due the estate of the deceased partner paid over to the administratrix of said deceased — it is ordered and adjudged by the Court that said final settlement be approved and recorded and that said F. L. Read be discharged.

In the matter of the Estate of } Final settlement and discharge.
Omer L. Read, deceased }

Comes now Rose B. Read, Administratrix of said Omer L. Read, deceased, and submits her final settlement of said estate, first having given notice by publication as required by law, from which final settlement it appears that said Administratrix has distributed the balance due said estate — paying to Rose B. Read, widow of said deceased $\frac{1}{2} = \$1266.37$ and to Rose B. Read Guardian and Curator of David Francis Read, the only child of said deceased $\frac{1}{2} = \$1266.38$ and that she has filed the receipts for the same, and it further appearing that said estate is fully administered, it is ordered and adjudged by the Court that said final settlement be ~~app~~ the approved and recorded, and that said Administratrix be discharged.

November Term - Saturday - November 19, 1910. Sixth day of term

Novem 1

Sarah J. James, Widow of
John D. James, deceased.
vs.

Ethel Etters and Edward Etters her husband,
Bessie Millsbaugh and Cornelius Millsbaugh her husband,
Lula McNeil and William McNeil her husband,
Howard James, Frank James, Oda James, Ray James,
and Leo James, and W.C. Macy, Public Administrator,
who as such, having in charge as Administrator de bonis non
the Estate of John D. James, deceased.

Petition for
the assignment
of
Homestead
and
Dower.

Now at this day this Cause coming on upon the Petition of said Sarah J. James, heretofore filed herein, and it appearing to the Court, that the summons in this behalf issued, had been duly served on all of the said defendants more than fifteen days prior to the first day of the August Term, 1910, of this Court, and it appearing that the said Frank James, Oda James, Ray James and Leo James are minors under the age of twenty-one years, and have no legal guardian, and the Court having heretofore appointed J. A. Selby, guardian ad litem for the said minors, ^{he, the said J. A. Selby,} comes now and files his answer in that behalf in the following words and figures, to-wit:-

In the Probate Court of Daviess County, Missouri,
November Term 1910.

Sarah J. James, widow
vs

Ethel Etter and Edward Etter, her husband; Bessie Millsbaugh and Cornelius Millsbaugh her husband; Lula McNeil and William McNeil, her husband, Howard James, Frank James, Oda James, Ray James and Leo James and W.C. Macy, Public Administrator as such having charge as Administrator de bonis non, the Estate of John D. James, deceased.

Comes now J. A. Selby, guardian ad litem for the minor defendants, Frank James, Oda James, Ray James and Leo James, duly qualified and acting as such guardian ad litem, by the appointment of this Court at its August Term A.D. 1910, and for his answer in behalf of said minor defendants, as such guardian ad litem, says that said minor defendants are children and heirs at law of petitioner, Sarah J. James and deceased John D. James, and, as such, they claim every right granted to them by the laws of the State of Missouri and for further answer says that he has not sufficient knowledge or information to form a belief and, therefore, prays that said Court require petitioner to make strict proof as to all the remaining allegations in her said petition contained - J. A. Selby, guardian ad litem for minor defendants Frank James, Oda James, Ray James and Leo James.

November Term — Saturday — November 19, 1910. Sixth day of Term.

and the said other defendants being three times called came not, but herein wholly make default, and due proof being made of the matters stated and charged in the petition, it is therefore considered and ordered by the Court that the petitioner, Sarah J. James, is entitled to a homestead in the following premises, to-wit: — The North half of the Southeast quarter of Section Thirty-two (32), Township Sixty-two (62) of Range Twenty-seven (27), in Daviess County, Missouri, for the benefit of herself and said minor children during their minority, and until her death, and that the same be set off to her and them (not exceeding one hundred and sixty acres in quantity and not exceeding fifteen hundred dollars in value), and that she is also entitled to dower and should be endowed of the one-third part of all the lands mentioned in the petition, less the amount of the said petitioner in the said homestead, for and during the period of her natural life.

And it is further ordered that Will Dowell, W. N. Githens and N. D. Blackburn (three discreet and disinterested persons, not of kin to any of the parties), be and they are hereby appointed Commissioners to set out the said homestead, and set off and assign dower in the premises as mentioned and claimed in said petition, who shall first ^{set} out the homestead in the premises in that behalf, and from the residue of said real estate shall set out and admeasure the dower of petitioner, but the amount of such dower shall be diminished by the amount of the interest of the petitioner in the homestead, and if her interest in said homestead shall equal or exceed one-third interest for and during her natural life, in and to all the real estate of which the said John D. James, died seized, no dower shall be assigned to her.

Ordered that the First Annual Settlement of J. W. Alexander, Executor of the last will of Hugh H. Bowers, deceased, this day filed be approved and recorded.

Ordered that the First Annual Settlement of A. D. Scott, surviving partner, administering the Co-partnership estate of Scott & Dunn, a firm composed of A. D. Scott and Chas. W. Dunn (said Chas. W. Dunn, deceased) this day filed be approved and recorded.

Ordered that the First Annual Settlement of A. D. Scott, one of the surviving partners and Administrator of the Co-partnership estate of J. R. Scott & Co., a firm composed of J. R. Scott, A. D. Scott and Chas. W. Dunn (Chas. W. Dunn, deceased), this day filed be approved and recorded.

In the matter of the estate of } Final Settlement and Discharge.
John H. Townsend, deceased }

Comes now Arbelia V. Townsend, Executrix of the last will and testament of said deceased, and first having published notice according to law, presents her accounts and vouchers for

November Term — Saturday — November 19, 1910 — Sixth day of Term

her final settlement of said estate, from which it appears that there is a balance due said estate of \$11585.98 and it appearing further, that all the debts against said estate have been paid and that under the provisions of said last will, said balance is due to Arbelia V. Townsend, widow of said deceased, to be used by her during her natural life — said use not being restricted by requiring bond or otherwise — it is therefore ordered and adjudged by the Court that said balance of \$11585.98 be turned over to said Arbelia V. Townsend. And Comes now said Executrix and files the receipt of said Arbelia V. Townsend, widow as aforesaid for said balance.

And it appearing that this Administration of said estate is completed so far as it can be during the natural life of said Arbelia V. Townsend — it is therefore further ordered that said final settlement be approved and recorded and that said Executrix be discharged.

In the matter of the Estate of } Order to pay widow all of personal estate
Peleg Vogel, deceased }

Comes now Frank P. Keplar, Administrator of said estate and shows to the Court that the whole amount of personal estate of said deceased is less than is allowed to the widow as her absolute property — the appraised value thereof being only \$422.72 — and asks that an order be made authorizing him to turn over said property to the said widow — \$400.00 of the same as her special dower, and the remainder of \$22.72 he asks to have turned over as a payment on allowance for years subsistence — and the Court doth order said Administrator to pay said widow \$400.00 as special dower, and that he pay her the remaining \$22.72 on her years subsistence and that he file her receipts for the same.

Ordered that the First Annual Settlement of Frank P. Keplar, Administrator of the estate of Peleg Vogel, deceased, this day filed be approved and recorded.

Ordered that the settlement of William Oram, Curator of James P. Ward, a minor, docketed for settlement, this day, be continued to the February Term, 1911, of this Court.

Ordered that the first annual settlement of Mary Ann West Executrix of the last Will of Ebenezer West, deceased this day filed be approved and recorded.

November Term - Saturday - November 19, 1910 - Sixth day of Term.

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

Ordered that the 6th annual Settlement of Thomas Wilson, Curator of the estate of Albert H. Wilson, a minor, this day filed be approved and recorded.

In the matter of the Estate of { Order Renewing Order of Sale.
William Baker, Sr. deceased }

Now comes J. R. Baker, Administrator of estate of ~~Wm.~~ Baker, Sr. deceased, and shows to the court that he has not as yet made sale of the real estate of said deceased pursuant to the order of this court made at its August term 1910, and prays the court to renew said order of sale, and said order of sale is by the court ordered to be in all things renewed, and said Administrator is ordered to report his proceedings to this Court within ten days after making such sale.

In the matter of the estate of { Order Renewing Order of Sale
L. D. Shaffer, deceased }

Now this day it appearing to this court that Julia M. Shaffer, Administratrix of the estate of said deceased has not as yet made sale of the real estate of said estate described in the Order of Sale by this Court made at its August term, and it is therefore ordered that said Order of Sale be, and the same is, in all things, hereby renewed.

Ordered that Court adjourn till 9 O'clock, Monday morning

P. P. Doak
Judge

November Term - Monday - November 21, 1910 - 7th day of term -

Court met pursuant to adjournment: Present P. P. Oak, Judge, and J. Atch Blair, Sheriff: When the following proceedings were had, to-wit:-

Estate of A. P. Patton
Deceased

Comes now T. B. Ford, Executor of said estate and files a motion to rule Frank Myers a Claimant against said estate to security for costs in the matter of Myers vs. A. P. Patton estate. Motion is sustained by the Court and it is ordered that he the said Frank Myers be required to file here in a bond with approved security on or before Wednesday, the 30th day of November, 1910, at which date said cause is set for trial.

In the matter of the estate of { Affidavit Alleging other and further Estate,
Andrew J. Haggerty, deceased }

Now comes James M. Haggerty and makes affidavit, ^{stating and} setting out that at the time of the death of said Andrew J. Haggerty, which occurred on the 26th day of September 1910, said Andrew J. Haggerty did have other or further property than that set forth in the petition and affidavit of the widow of said Andrew J. Haggerty, in her application for refusal of letters of Administration upon said estate for insufficiency of assets heretofore filed in this Court.

And the Court having considered said matter as set forth in said affidavit doth order that Citation, to Administer upon said estate, be served upon Elizabeth J. Haggerty widow as aforesaid.

In the matter of the estate of { Order of Sale.
Huldah McGaugh, deceased }
M. C. Macy, Administrator

Now, at this day came M. C. Macy, Public Administrator of Daviess County, Missouri, and as such the Administrator of Huldah McGaugh, deceased, and proved to the Court that the Order of publication made upon his petition at the August Term, 1910, 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 County, ten days before the present term of this Court, and moved 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 application of said Administrator for the sale of Real Estate, as in said Publication mentioned, and it being proved to the Court that there are no personal estate and effects of said deceased charged with the payment of debts, and no assets in the hands of said Administrator to pay the debts due by said estate, it is

November Term — Monday — November 21, 1910, — 11th day of Term

ordered that the said N. C. Macy the aforesaid, Administrator do on the 8th day of February next, at the South door of the Court House in the City of Ballwin and during the Session of the Circuit Court of said County, between the hours of ten o'clock in the forenoon and five o'clock in the afternoon of that day, expose to sale, at public vendue or outcry, the following Real Estate, in the Petition of said Administrator described as follows, to-wit: —

All of the following described part of the East half of the South-west quarter of Section No. Twenty (20) in Township No. Fifty-nine (59) of Range No. Twenty-seven (27). Commencing at a point Sixty-seven (67) feet East and two hundred and eighty (280) feet South of the North-west corner of a tract of land conveyed by N. P. Ogden and wife and the Burns estate, said Grantor, William Lewis, by deed dated April 29, 1890, and recorded in Deed Record, No. 60, at page 38 in the Recorder's Office of said Daviess County; Running ^{thence} South One hundred and forty-four (144) feet; thence East One hundred and four (104) feet; thence North One hundred and four (104) feet; thence East Sixteen (16) feet; thence North One hundred and sixty (160) feet; thence West One hundred and twenty (120) feet; thence South One hundred and twenty (120) feet to place of beginning, said tract lying, being and situate in the County of Daviess and State of Missouri.

And sell the same, for the purposes in said Petition mentioned, on the following terms, to-wit: For Cash in hand. First having had the same appraised, and notice of the time, terms and place of said sale published for four weeks prior thereto, in some newspaper published in this County, as directed by law, and that he make return of his proceedings to this Court within ten days after such sale.

Ordered that the 6th Annual Settlement of E. M. Foley, Jr., Curator of the estate of Clara E. Snyder, a minor, this day filed, be approved and recorded.

Ordered that the 8th Annual Settlement of E. M. Foley, Jr., Curator of the estate of Aubrey Lester Mann, a minor, this day filed, be approved and recorded.

In the matter of the Co-partnership Estate of { Agreement for Sale of Merchandise Approved,
John W. Reed, and Company.

Comes now John W. Reed, surviving partner of the Co-partnership estate of John W. Reed & Co., a firm composed of said John W. Reed, A. D. Scott and C. W. Dunn, said C. W. Dunn, deceased, and files herein the following agreement, to-wit: —

This Agreement witnesseth: That whereas, John W. Reed, Alexander D. Scott and Charles W. Dunn, the latter of whom is now dead, were heretofore Co-partners in the mercantile business at Pattonburg, Mo.

November Term Monday - November 21, 1910. 7th day of Term

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and the owners of a large general stock of goods, the said John W. Reed owning the one half interest therein, the said Alexander D. Scott owning the one fourth interest therein, and the said Charles W. Dunn, now deceased owning the remaining one fourth interest therein.

And whereas the said Charles W. Dunn left surviving him, his widow, Ruth J. Dunn; and Elsie M. Dunn, now of full age; Bulah G. Dunn, Velta P. Dunn, and Charles W. Dunn, Jr., minors; that Ruth J. Dunn has been appointed Administratrix of the estate of her husband Charles W. Dunn, and has duly qualified as such, by the Probate Court of Daviess County, Missouri, and is now acting as such administrator and has also been appointed and qualified as Guardian and Curator of her children named above and that she and her children, the said John W. Reed and Alexander D. Scott are the persons interested in said general stock of goods or who upon any contingency might or could become interested therein.

And whereas in order to Administer said Co-partnership estate John W. Reed has been duly appointed Administrator of the Co-partnership effects of said firm; and whereas in order to Administer said estate it has become necessary to sell or dispose of said stock in order to pay the debts of said firm and distribute the balance of the proceeds among said parties according to their respective rights therein and in order to do so John W. Reed has procured an order of this Court to sell said stock of goods, but was unable to do after long and diligent effort; and whereas said stock of goods were duly appraised by three disinterested householders, namely F. A. McClarey, W. R. Helms and J. W. Harris, as shown by their appraisement filed December 6th 1909, recorded in book 3 page 36 of the Probate records of Daviess County, Missouri, at the price and sum of \$14631.75 the same being 85¢ on the dollar for invoice price, to-wit: \$17213.83. And whereas said John W. Reed Administrator being unable to dispose of said stock of goods for the appraised value thereof to any one else, it is mutually agreed between the said John W. Reed and the said Ruth J. Dunn, and Elsie M. Dunn, and Ruth J. Dunn Administratrix and Guardian as aforesaid and Alexander D. Scott; that the said John W. Reed take said stock of general merchandise at the appraised value thereof viz: \$14631.75 - Cash in hand and that he account to said Alexander D. Scott for the one fourth part thereof and to the said Ruth J. Dunn Administratrix and Guardian and Curator as aforesaid and Elsie M. Dunn jointly for the one fourth part thereof and he therefore asks said Court to approve said agreement and the disposition of said stock as above set forth and will ever pray.

Given under our hands

November Term - Monday - November 21, 1910 - Seventh day of Term.

Dec. 15, 1909.

J. W. Reed
A. D. Scott
Ruth J. Dunn
Elsie Dunn

And it appearing to the Court that the Contract above set forth and the disposition, thereunder, of said stock of goods was for the best interest of the parties interested therein; that it discloses no semblance of fraud or unfairness: - It is therefore ordered by the Court that said Contract be and the same is approved, and that the disposal of said stock of general merchandise, as in said agreement provided, be ratified and confirmed.

Ordered that the first Annual Settlement of John W. Reed, surviving partner and Administrator of the Copartnership estate of John W. Reed and Company this day filed be approved and recorded.

In the matter of the estate of } Order renewing order of Sale
A. T. Patton, deceased }

Now on this day Comes Thomas R. Ford, Executor of the last will of said deceased, and represents to the Court that he has not been able to sell the real estate of said deceased, pursuant to the order of this Court made at the May Term, 1910, and renewed at the August Term, 1910, thereof, and prays the Court to again renew said order of sale.

Wherefore it is ordered by the Court that said order of sale be again renewed, and that said executor make ^a full report of his proceedings therein within ten days after such sale.

Ordered that Court adjourn till 9 O'clock Wednesday morning November 30, 1910

R. P. Cook, Judge

In the Probate Court of the County of Daviess, State of Missouri - in Vacation November 22, 1910

In the matter of the estate of { Bond filed - Witnesses appointed
David M. Breeden, deceased }

Now comes Albert Gibbens and files his bond in the sum of \$1400⁰⁰ as Executor of the last will and testament of said David M. Breeden, deceased, with N.E. Nampler, C.H. Feurt, J.H. Gillespie and J.F. Brown as securities thereon and conditioned according to law, which said bond is by the Judge of Probate accepted and approved, and it is ordered that Geo. Grant and R.E.L. Gaines be, and they are hereby 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 belonging to said estate, and that notice of the grant of letters upon said estate be published in some newspaper published in Daviess County, as the law directs -

P.O. Doak,
Judge of Probate.

In the matter of the estate of { Additional Bond filed.
Roswell O. Mann, Clinton Mann,
Veda Mann, Marion Mann and
Harry Mann, Minors. }

Now on this 22nd day of November, 1910, comes E.D. Mann, ^{Guardian and} Curator of the said minors, and files an additional bond as such Curator in the sum of \$3500⁰⁰ with Homer Feurt, J.W. Meade and Joe A. Mann as securities thereon and conditioned for the faithful discharge of his duties as such ^{Guardian and} Curator, and said bond is by the Judge of Probate accepted and approved.

P.O. Doak
Judge of Probate

November Adjourned Term - Wednesday - November 30, 1910

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 } Final Settlement - Order to pay over balance,
William J. Culver, deceased }

Now this 30th day of November, 1910, Comes Henry C. Culver, Administrator of said estate, and, having published notice as required by statute, submits his final settlement which shows a balance due the estate of \$2764.⁵², and it appearing to the Court that all the debts of the estate have been paid in full, it is ordered and adjudged that said balance of \$2764.⁵² be paid over to the Guardian and Curator of James Earnest Culver, who is the sole and only heir of said deceased, and that a receipt for said balance be filed herein, and that said final settlement be approved and recorded.

In the matter of the estate of } Final Settlement and discharge.
Ira A. Murphy, a minor }

Comes now Charles B. Murphy, Curator of said minor who has attained his legal majority and submits his final settlement of said estate which shows a balance of \$7.⁰⁰ due to said Curator, and said Ira A. Murphy having waived service of notice of a final settlement exhibit in writing - it is therefore ordered and adjudged by the Court that said final settlement be approved and recorded and that said Curator be discharged.

Estate of A. P. Patton, deceased,
Frank Myers - Plaintiff
vs.

Demand for plaintiff - Frank Myers,
presented for allowance.

Thos. R. Ford, Executor of said deceased, Defendant

Now Come the parties and the plaintiff having been required to give security for costs, makes affidavit, stating that he has a meritorious cause and that he is unable to give bond for costs and prays the Court to permit him to prosecute his suit as a poor person, and his petition being granted by the Court - he the said Frank Myers, plaintiff, presents to the Court for allowance against said estate a demand for the sum of \$276.⁰⁰ founded on an account for services rendered deceased for a period of 138 days at \$2.⁰⁰ per day,

And the plaintiff having required a jury, and the parties agreeing upon a jury of six men, now here comes the jury, to-wit: -

R. M. Barnett, John Mussetman, A. P. Ray, H. B. Miller, J. E. Harris, and John Swofford, six good and lawful men, qualified to serve as jurors, who having been duly empaneled and severally sworn to try

November Adjourned Term - Wednesday - November 30, 1910

the matter in difference between the said parties in said cause, and a true verdict give according to the law and the evidence, and having heard the evidence and argument of Counsel, after mature deliberation thereon return into Court the following verdict, viz: We, the jury find for plaintiff in the sum of \$207⁰⁰.

A. T. Ray, Foreman

It is therefore considered by the Court that the sum of Two hundred and seven dollars (\$207⁰⁰), so found as aforesaid by the jury, be allowed in favor of the plaintiff against said estate, and that the same be assigned to the Sixth class. It is further ordered that said Thomas R. Ford as such Executor, pay the costs of this proceeding out of the assets of the estate, taxed at dollars and cents.

Ordered that the bond of Albert Gibbens as Executor of the last will of David M. Breeden, taken by the Judge of this Court in vacation, November 22, 1910, be and the same is hereby approved, and his appointment, as such executor with all the proceedings therein, be ratified and confirmed.

Ordered that the Additional bond of E. J. Mann Guardian and Curator of Harry M. Mann, et al, minors taken by the judge in vacation to-wit: November 24 1910 be and same is hereby approved.

In the matter of the estate of { Final settlement and discharge.
Harriet W. Houghton, minor }

Comes now John C. Leopold, Curator of said Harriet W. Houghton, and submits his accounts and vouchers for his final settlement with his said ward, who also appears in open Court as a party to said final settlement and states that she was eighteen years of age on the 23rd day of September, 1910, and also in open Court and in writing waives the filing of an exhibit for final settlement and service of notice thereof, and accepts said final settlement as correct and receipts for the balance of the sum of One hundred and ninety-three & ⁹/₁₀₀ Dollars, the amount shown by said final settlement to be due her said estate by her said Curator as in full payment and satisfaction of all claims for money or property due to her by reason of said Curatorship. And the Court having examined said final settlement and ^{having} found the same to be correct doth order and adjudge the same to be approved, and it is ordered that the same be recorded, and that said Curator be discharged.

Ordered that Court adjourn till 9 o'clock, Wednesday morning, December 20, 1910.

A. P. Doak, Judge

In the Probate Court - County of Daviess and State of Missouri - In Vacation - December 13, 1910

In the matter of the estate of } Curator chosen.
Jesse Q. Cole, a minor }

Now at this 13th day of December, 1910, comes Jesse Q. Cole a minor fourteen years of age, and resides in County of Daviess, and is a son of William R. Cole ^{late} of said County, deceased and Nancy E. Cole who resides in said Daviess County, and it shown to the Judge of Probate, that said minor is the owner of real estate and personal property of the estimated value of \$3000.00; that he has no duly appointed and legally qualified Curator of said estate, and, having been instructed by the Court to choose a Curator of said estate - The said Jesse Q. Cole makes choice of Richard G. Griffith as such Curator, and requests said Judge to appoint him, the said Richard G. Griffith to said office. And said Judge having confidence in the ability and integrity of said Richard G. Griffith, it is ordered that he be, and is hereby appointed Curator of the estate of said Jesse Q. Cole, and before entering upon the duties of said office he is required to enter into bond to the State of Missouri for the use of said Jesse Q. Cole, with two or more securities to be approved by the Court, in the sum of \$6000.00, conditioned for the faithful discharge of his duties according to law.

P. P. Doak,
Judge of Probate

In Vacation - December 13, 1910

In the matter of the estate of } Administration granted.
Owen Sulsar, deceased }

Now comes Edward E. Sulsar and prays the Judge of Probate for letters of administration on the estate of Owen Sulsar, deceased, and having filed his affidavit required by law showing that said Owen Sulsar, died intestate December 5, 1910, leaving his widow, Lena Sulsar, and the following children, who reside in Daviess County, Missouri, to wit: Vera Sulsar, Gladys Sulsar and Hazel Sulsar, and that he will make a perfect inventory of and faithfully administer all the estate of the deceased, pay the debts, as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge. And it appearing that said Owen Sulsar died possessed of property of the probable value of \$3000.00, and Lena Sulsar, said widow having relinquished her right to letters upon said estate and requested the appointment of said Edward E. Sulsar and the Judge of Probate having confidence in his ability and integrity - it is ordered that letters of Administration upon said estate be granted and issue to the said Edward E. Sulsar, and that he enter into a bond to the State of Missouri in the sum of Six thousand (\$6000.00) dollars, with two or more sufficient securities, residents of this County, and conditioned

according to law.

And comes now said Edward E. Sulzer, and files his said bond in the sum of six thousand (\$6000⁰⁰) dollars, with Clarence Henderson, Chas. Whitley, W. D. Haines, W. P. Dowell, James Tourney and P. F. Honan 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 Sylvester Moulin and Clarence Henderson be appointed to aid said Administrator to make an inventory of the property of said estate and that notice of the grant of said letters be published in some newspaper published in this County as is by law required.

P. P. Doak

Judge of Probate

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

In the matter of the estate of { Curator appointed; bond filed
Donald M. Bernard, a minor }

Now this day comes Luther W. Bernard, and represents and shows to the Judge of Probate that he is the father of said Donald M. Bernard, a minor of the age of thirteen (13) years, and a resident of Daviess County, Missouri; that said minor is possessed of personal estate, not derived from him, of the value of Two Thousand (\$2000⁰⁰) dollars; that he has no duly appointed and legally qualified Curator of said estate, and he waives his right to be appointed as such Curator and requests said Judge to appoint Robert E. Maupin to said trust. It is therefore ordered that he, the said Robert E. Maupin, be, and he is hereby appointed Curator of the estate of said Donald M. Bernard, minor as aforesaid, and that he enter into bond unto the State of Missouri for the use of said minor, in the sum of Four Thousand (\$4000⁰⁰) dollars, with two or more securities thereon, to be approved by the Court, and conditioned for the faithful discharge of duties according to law.

And now comes said Robert E. Maupin and qualifies as such Curator and files his said bond in the sum of \$4000⁰⁰, with W. E. Smith and O. E. Reynolds, as securities thereon and conditioned for the faithful discharge of his duties according to law, which said bond is by the Judge of Probate accepted and approved.

P. P. Doak

Judge of Probate

In the Probate Court - Special Term - December 19, 1910 -

State of Missouri { In vacation of the Probate Court of said County,
County of Daviess }

In the matter of alleged insanity of
Saluda J. Sailor.

Now on this 13th day of December, A.D. 1910, Come M. N. Sailor and Elwood Culver and gave information in writing to Judge of the Probate Court of said County, in vacation, that Saluda J. Sailor a resident of said County, is of unsound mind and incapable of managing her affairs, and praying that an inquiry thereinto be had, and said Judge being satisfied that there is good cause for the exercise of the jurisdiction of said probate court in said matter, now calls a Special Term of said Court to be held on the 19th day of December A.D. 1910, for the purpose of holding an inquiry whether the said Saluda J. Sailor be of unsound mind or not, and orders that Saluda J. Sailor be notified of such proceedings at least five days before said Special Term of said Court.

Court met pursuant to the order of the Judge in vacation, for the purpose of holding an inquiry whether Saluda J. Sailor be of unsound mind or not, and notice to Saluda J. Sailor being returned by Elwood Culver, a person competent to testify in Court, which said return is duly verified by the affidavit of said Elwood Culver, ^{sworn} by delivering a copy of said notice to the ^{hands of the} said Saluda J. Sailor,

And the said Saluda J. Sailor appearing not, Comes a jury duly summoned to wit: E. J. Stephenson, Sam King, Thos. R. Ford, John Musselman, George Welch, John Wigger, William Wellman, John S. Troxel, Enoch O. Harrah, Oscar T. Weist, Robert T. Johnson and Isaac A. Robbitt, twelve good and lawful men, who are duly sworn, to well and truly make inquiry and determine whether the said Saluda J. Sailor is a person of unsound mind or not, and the jury having heard the evidence offered touching her condition retired to consider their verdict, and after due deliberation returned into Court the following verdict:

We, the jury, find that Saluda J. Sailor is a person of unsound mind and is incapable of managing her affairs.

E. J. Stephenson

Sam King

T. R. Ford

John Musselman

George Welch

John Wigger

William Wellman

John S. Troxel

E. O. Harrah
 O. P. Neist
 R. T. Johnson
 J. A. Bobbitt

It is therefore adjudged by the Court that said Saluda J. Sailor is a person of unsound mind and incapable of managing her affairs, and the court hereby appoints Moses N. Sailor guardian of said Saluda J. Sailor, and it is ordered that said guardian before entering on the duties assigned him shall enter into a bond to the State of Missouri in the sum one hundred (\$100⁰⁰) dollars, conditioned as required by law with such security as the Court shall approve.

And now Comes said Moses N. Sailor and files his said bond in the sum of One hundred (\$100⁰⁰) with John W. Meade as security thereon and conditioned as the law directs, And it is ordered by the Court that said Bond be approved.

Bond of M. N. Sailor Guardian of the Person and Estate of Saluda J. Sailor,
a Demented Person

We, M. N. Sailor as Principal, and J. W. Meade as security are held and firmly bound unto the State of Missouri, in the sum of One hundred Dollars for the payment of which we bind ourselves and our heirs:

Upon the Condition That, Whereas, the said M. N. Sailor has been appointed by the Probate Court of Daviess County, Missouri, Guardian of the person and estate of Saluda J. Sailor of said County, a person of unsound mind.

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

Approved by the Court.

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

Ordered that Court adjourn.

O. P. Doak
 Judge of Probate

In the Probate Court of the County of Daviess, Missouri - In vacation - December 19, 1910

In the matter of the estate of { Mill Probated - Ord. granting letters with will annexed
Roadham N. Miller, deceased }

Now on this 19th day of December, 1910, an instrument of writing signed by Roadham N. Miller and purporting to be the last will and testament of Roadham N. Miller, deceased is produced before the Judge of Probate, in vacation, to be proved and admitted to probate as the last will and testament of said Roadham N. Miller, deceased, and it being proven by satisfactory evidence that said Roadham N. Miller died December 10, 1910, said Judge proceeded to take the testimony of R. D. McCaskey and Clyde R. Osborn, two of the attesting witnesses to said instrument in relation to the execution of said instrument of writing and the condition of mind of said Roadham N. Miller at the time of its execution - and said Judge having examined said instrument of writing and duly considered the testimony of said witnesses doth order and adjudge said instrument of writing of date November 21, 1910, to be the last will and testament of Roadham N. Miller, deceased, and the same is admitted to probate and ordered to be recorded.

And comes now Ransom N. Reed, who is named in and by said last will as executor thereof and in writing declines to accept said executorship and waives his right to letters testamentary on said estate, and comes also Frank O. Miller, a son of said deceased, who is a resident of this State and in writing waives all claim which he has to administer upon said estate. Whereupon the application of Chas. E. West for letters of Administration with will annexed is granted and it is ordered that letters of Administration with will annexed issue to said Chas. E. West and that ^{before entering upon his duties as such Administrator} he enter into bond to the State of Missouri in the sum of \$2000.00 with two or more securities thereon and conditioned according to law.

P. P. Doak

Judge of Probate

In vacation - December 26, 1910.

Estate of Roadham N. Miller, deceased

Bond filed - witnesses

Comes now Chas. E. West and files his bond, ^{as above required,} in the sum of \$2000.00 with M. A. Edwards, Otis Johnson, J. B. Edwards Jas. A. Castor securities thereon and conditioned as the law directs, and said bond is by the Judge of Probate approved, and it is ordered that Jas. A. Castor and O. C. Emery be appointed witnesses to make inventory of said estate, and that notice of the grant of letters on said estate be published as by law directed.

P. P. Doak, Judge of Probate

November Adjourned Term — Wednesday — December 28, 1910.

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

In the matter of the Estate of Roadham N. Miller, deceased } Judgment Establishing Will.

It being shown to the Court now here, that in vacation of this Court, to wit: on the 19th day of December, 1910, an instrument of writing purporting to ^{be} the last will and Testament of Roadham N. Miller, deceased, and attested by R. T. McCaskey, Clyde R. Osborn and William Roney, as witnesses was produced before the Judge of this Court to be proved and admitted to record, as the last will of said Roadham N. Miller, deceased, and said Judge proceeded to take the testimony of R. T. McCaskey & Clyde R. Osborn two of said attesting witnesses, which was by said Judge reduced to writing, and signed by them respectively, and is now here produced in Court. And said Judge having declared said will proved, granted a certificate of Probate on said 19th day of December, 1910.

And the Court having inspected said will, and seen and heard the testimony of R. T. McCaskey and Clyde R. 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 Roadham N. Miller, deceased. And the said proceedings and action of the Judge in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

Ordered that the bond of Chas. E. West as Administrator with annexed of the estate of Roadham N. Miller, deceased, taken by the Judge of Probate in vacation December 22nd, 1910, be and the same is hereby approved, and that his appointment as such Administrator with all the proceedings therein be ratified and confirmed.

In the matter of the estate of } Final Settlement & Order to pay over
Lola A. Mason, minor }

Comes now Rollin J. Britton, Curator of the estate of said Lola A. Mason, who has attained her legal majority, and files an exhibit for final settlement upon which his said ward accepts service of the same in writing and waives service of notice thereof as required by Statute, and submits final settlement of said estate which shows a balance due his said ward, of \$141.26. And the Court having examined said final settlement— it is ordered and adjudged to be correct and it is therefore approved and ordered to be recorded,

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And it is further ordered that said Curator pay over said balance to the said Lola A. Mason, and that he file her receipt for the same with this Court.

Ordered that the 5th Annual Settlement of J. C. Leopard, Guardian of the person and estate of Gabriel Ballinger, ~~deceased~~, this day filed be approved and recorded.

Ordered that the bond of Edward E. Sulsar, as Administrator of the estate of Owen Sulsar, deceased, taken by the Judge of this Court in vacation December 13, 1910, be approved, and that his appointment as such Administrator with all proceedings therein be ratified and confirmed.

Ordered that the bond of Robert E. Maupin as Curator of the estate of Donald M. Bernard, a minor, taken by the Judge of this Court in vacation - December 19, 1910, be approved, and that his appointment to said Curatorship be ratified and confirmed.

Estate of David M. Breeden, deceased } Demand allowed

Comes now Mrs. Anna Caudy and presents to the Court for allowance against said estate a demand for \$111.⁰⁴ founded on a promissory note dated March 16, 1907 interest at 6% per annum interest paid to March 12, 1909.

And service of notice for presentation waived in writing and affidavit and proof made it is ordered that said note ^{in the sum of \$111.⁰⁴} be allowed against said estate and that it be assigned to the fifth class of demands.

Estate of Chas. A. Norden } Allowance of demand.
Deceased

Comes now The First National Bank, Ballwin, Mo., and presents to the Court for allowance against said estate, a Demand for \$40.⁰⁰ founded on a clerical error in book keeping whereby said Norden was erroneously credited with \$40.⁰⁰; Service being waived in writing and affidavit and proof made: it is ordered and adjudged by the Court that said demand in said sum of forty dollars be allowed against said estate and that it be placed in class five.

Estate of D. M. Breeden, deceased } Allowance and Classification of demand

Now comes S. C. Shaffer and presents to the Court for allowance against said estate a demand for \$111.⁶⁵ founded on account for Mdse. sold deceased

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in his lifetime and service of Notice being waived in writing, and affidavit and proof made, it is ordered that said demand in the sum of Eleven & 65/100 Dollars be and is hereby allowed against said estate and is assigned to Class five

Estate of J. M. Breeden } Demand allowed,
deceased

Comes now Frank T. Shriver and presents to the Court for allowance against said estate a demand for \$1⁰⁰ founded on acct. for Mdse. - Service waived in writing and correctness of claim certified by Executor. - it is therefore ordered that same, in sum of \$1⁰⁰ be allowed against said estate and placed in 5th Class.

Estate of Charles A. Norden } Demand allowed & classified
deceased

Comes now Rosa L. Jones and presents to the Court for allowance against said estate a demand for \$10.00, on account for credit claimed on a certain note held by deceased against said claimant, and service of Notice waived in writing and affidavit and proof made it is ordered that same in said sum of ten dollars be allowed against said estate, and that it be assigned to Class five

Estate of J. M. Breeden } Demand allowed,
deceased

Comes now Geo. T. Simmons and presents to the Court for allowance against said estate a demand for \$5⁰⁰ - having deceased, service waived in writing and correctness of claim certified by executor - it is ordered that said account in sum of five dollars be allowed against said estate and that it be assigned to Class #5.

Estate of William Galbreath } Demand allowed,
deceased

Comes now Dr. J. I. Dunham, and presents to the Court for allowance against said estate a demand for five dollars, on account of Medical services rendered deceased in last sickness - Service waived in writing and correctness of claim certified by Administrator - it is ordered that said claimant be allowed the sum of \$5⁰⁰ against said estate as a second class demand.

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Estate of D. M. Breeden } Demand allowed.
Deceased

Now comes Walter Merrifield and presents to the court for allowance against said estate a demand for \$8.00 on account of digging grave of deceased, and service waived in writing and affidavit and proof made. it is ordered that said account be allowed against said estate in the sum of Eight dollars and that it be assigned to Class Two.

Dr. Foster Claimant

vs

Estate of J. W. Pennebaker deceased Defendant

} Ordered continued.

In the matter of the estate of } 2nd Annual Settlement
Wm. T. Miller, deceased }

Comes now Mary E. Miller Administratrix of said estate and files her 2nd Annual Settlement which is approved and ordered to be recorded.

In the matter of Est. of } Demand allowed
D. M. Breeden, deceased }

And now comes J. B. Feurt & Son and present to the court for allowance against said estate a demand for \$150.00 on account of Funeral furnished for deceased. Service of notice waived in writing and affidavit and proof made - it is ordered that said account in said sum of \$150.00 be and same is allowed against said estate as a first class demand.

In the matter of the estate of } Demand allowed
William Galbreath deceased }

Comes now E. D. Garard, and presents to the Court for allowance against said estate a demand for \$15.00; And Service of Notice being waived in writing and affidavit and proof made it is ordered that same in sum of \$15.00 be allowed against said estate and assigned to the 2nd Class.

Estate of D. M. Breeden } Demand allowed.
Deceased.

Comes now the Jamison Drug Company and presents to the Court for allowance against said estate a demand for \$31.70 on acct. of Mdse. sold deceased, and service of notice being waived in writing and affidavit and proof made it is ordered that said account in sum of \$31.70 be allowed against said estate as a 5th Class demand.

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Estate of J. M. Breeden { Demand allowed
deceased

And now comes N. O. Breeden and presents to the Court for allowance against said estate a demand for \$16⁵⁵ on account for Mdse. sold deceased in his lifetime, and service of notice being waived in writing and affidavit and proof made, it is ordered that said account in sum of \$16⁵⁵ be allowed against said estate and assigned to Class five.

Estate of J. M. Parker { Demand allowed
deceased.

Come now Whitt and Chamberlain and present to the Court for allowance against said estate a demand for \$24¹¹ for fuel sold deceased in his lifetime: service waived in open Court and affidavit and proof made - it is ordered that said account in sum of \$24¹¹ be allowed against said estate and that it be assigned to Class five

Estate of David M. Breeden, { Demand allowed
deceased.

Comes now A. D. Scott and presents to the Court for allowance against said estate a demand for \$87³⁴ balance on acct. for Mdse. And service waived in writing and affidavit and proof made - it is ordered that said claim in said sum of \$87³⁴ be allowed against said estate and assigned to the 5th class

Estate of J. M. Breeden { Demand allowed.
deceased.

And now Comes Dr. J. B. Graham and presents to the Court for allowance against said estate a demand for \$297⁰⁰ a running account. And service of notice waived in writing and affidavit and proof made, it is ordered and adjudged by the Court that said balance in the sum of \$297⁰⁰ be allowed against said estate as a 5th Class demand.

Estate of J. M. Breeden { Demand allowed
deceased

Comes also this day George S. McLearty and presents to the Court for allowance against said estate a demand for \$47⁵⁰ on account for nursing deceased in last sickness. And service of notice waived in writing and affidavit and proof made - it is ordered that said account

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in the sum of \$47⁵⁰ be allowed against said estate and that it be assigned to Class Two. (2)

In the matter of the estate of } Final Receipt filed and Discharge.
William J. Culver, deceased }

Comes now Henry C. Culver, Administrator of said estate and files the receipt of Henry C. Culver, Guardian and Curator of James Earnest Culver, minor, and sole and only heir of said Wm. J. Culver, deceased, for the sum of \$2764.⁵² the same being balance due the estate of said Wm. J. Culver on final settlement thereof. And said estate being fully administered and the assets paid over pursuant to the order of this court it is ordered that said Administrator be discharged.

Estate of John Loney } Demand allowed.
deceased }

Now Comes the firm of Arnold Bros. and presents to the Court for allowance against said estate a demand for \$6⁰⁰ and the Administrator having waived service in writing and certified to the correctness of said claim which is duly verified by affidavit. it is ordered that said account in the sum of \$6⁰⁰ be allowed against said estate and that it be assigned to Class two.

Ordered that the 2nd Annual Settlement of Mary E. Miller, Admrx. of the estate of William P. Miller deceased, this day filed, be approved and recorded.

Ordered that Court adjourn till 9 o'clock a.m. Friday January 6, 1911.

O. P. Dook,
Judge

In the Probate Court In Vacation — December 29, 1910.

In the matter of the estate of
 Florence Wright and Woody O. Wright, minors. } Curator Appointed

Now this day it being shown to the Judge of said probate court in vacation — that said minors who are residents of Broken Arrow in the State of Oklahoma possess an interest in real estate in this County, and that they have no curator of said estate, that their father Seyle Wright is also a non-resident of this State it is therefore ordered that E. M. Foley, Jr. be appointed Curator of the estate of said Florence Wright aged 16 years and Woody O. Wright aged 13 years, and that he enter into bond to the State of Missouri for the use of said Florence Wright and Woody O. Wright, with such security as the Court shall approve, in the sum of \$1500⁰⁰ and conditioned for the faithful discharge of his duties according to law.

And now comes said E. M. Foley, Jr. and files said bond in the sum of \$1500⁰⁰ with H. F. Lawrence and Homer Feunt as securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

A. C. Doak

Judge of Probate

In the matter of the estate of
 Forrest Dunnington, Amanda Dunnington, } Appointment of Curator.
 Osia Dunnington and Jasper Dunnington, }
 non resident minors

Now comes E. M. Foley, Jr., and shows to the Judge of the Probate Court in vacation that Forrest O. Dunnington, aged 16 years, a resident of Mabton, State of Washington
 Amanda Dunnington " 13 " " " " " " " "
 Osia Dunnington " 11 " " " " " " " "
 and Jasper Dunnington aged 7 years " " " " " " " "
 are children of Elizabeth Dunnington, deceased, and of Joseph Dunnington who resides at Mabton in the State of Washington; that they possess an undivided interest in the estate of May Jane Tyler, late of Daviess County, deceased; that they have no duly appointed, qualified and acting Curator of said estate to look after, manage and administer the same; and that he has been solicited by the father and other friends of said minors to accept such curatorship.

Wherefore he prays the Judge of Probate to appoint him to said trust. and the Judge of Probate confiding in said applicant as a suitable person for such curatorship — it is ordered that he, the said E. M. Foley, Jr.,

In Vacation December 29, 1910.

be, and he is hereby appointed Curator of the estate of said Forrest O. Dunnington, Amanda Dunnington, Otis Dunnington and Jasper Dunnington, minors as aforesaid, and that before entering upon the duties of said trust he be required to enter into bond to the State of Missouri for the use of said minors, in the sum of \$600⁰⁰, with two or more good and sufficient securities thereon and conditioned for the faithful discharge of his duties according to law.

And comes now said D. M. Foley, Jr. and files his said bond in the sum of \$600⁰⁰, with H. F. Lawrence and Homer Feurt 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

January 6, 1911

November Adjourned Term - Friday - January 6, 1911

Nove

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

Ordered that the bond of E. M. Foley, Jr., as Curator of the estate of Florence Wright and Moody O. Wright minors taken in vacation of this Court December 29, 1910 be approved and that his appointment as such Curator be, and is hereby ratified and confirmed.

In the matter of the estate of { Bond filed and approved
Jesse Q. Cole, a minor }

And now Comes Richard G. Griffith Curator of the estate of said minor and files his bond as such Curator in the sum of \$8000.00 with R. J. Cole, R. B. Cole and R. M. Cole as securities thereon and conditions for the faithful discharge of his duties as such Curator according to law. And it is ordered that said bond be approved and that his appointment made in vacation of this Court December 13, 1910 be ratified and confirmed.

Ordered that the bond of E. M. Foley, Jr., as Curator of the estate of Jasper Dunnington, et al, minors, taken in vacation December 29, 1910, be approved, and that his appointment as such Curator be ratified and confirmed.

In the matter of the estate of { Order of Sale for Reinvestment
Jesse Q. Cole, a minor }

Now at this 6th day of January, 1911, the same being the 3rd day of the November Adjourned Term, 1910, of this Court, Comes Richard G. Griffith, the duly appointed, qualified and acting Curator of the estate of said Jesse Q. Cole, a minor, and presents his petition for an order of sale and reinvestment, wherein he alleges:-

That said minor is the owner in fee of an undivided one-ninth interest in the following described real estate in Daviess County, Missouri, to wit:-

The Southwest quarter of Section Ten (10) and the Northwest quarter of Section Fifteen (15), except one-half acre out of the Northwest corner thereof, all in Township Sixty-one (61) of range Twenty-Six (26), and subject to the homestead estate and encumbrance hereinafter mentioned;

That the mother of said minor is entitled to a homestead estate in said land, as widow of William B. Cole, deceased, who died seized thereof and from whom said minor received said one ninth interest as devisee;

That in addition to the undivided one-ninth interest aforesaid, said minor is entitled to jointly occupy said homestead with his mother during his minority, and should his mother's estate be terminated by death or re-marriage during his minority, then he will be entitled to the sole and

November, 1910, Adjourned Term — Friday — January 6, 1911.

and exclusive right to occupy the same until he becomes twenty-one years of age, to wit:

That all of said land is encumbered by a trust deed duly executed by said William R. Cole and Nancy E. Cole, his wife, during his life time, and given to secure an indebtedness of Nine Thousand Dollars, bearing interest at the rate of five and one-half per cent per annum, and due December 1, 1913, which trust deed is duly recorded in book at page

That the personal and real property of the estate of said deceased will be wholly insufficient to pay off said indebtedness and discharge the land from the lien of said trust deed;

That said William R. Cole, died seized of the following described real estate, also in Daviess County, Missouri, to wit:

The South half of the Northwest quarter of Section ten (10), in township Sixty-one (61), of range Twenty-six (26);

That said land is unincumbered, and there will be at least forty acres thereof which will not be needed to pay the debts and demands allowed against said estate;

That said minor has an undivided one ninth interest in said land also, as devisee under the will of said William R. Cole;

That it would be of benefit to said minor to sell his undivided interest in the lands first above described, and reinvest the proceeds of said sale in the outstanding eight ninths of forty acres of the last mentioned tract.

That the sale of said Undivided interest in the first mentioned tract will enable your petitioner to make said purchase and investment and said minor will be greatly benefitted thereby.

After a full examination of the matters alleged in said petition, on the oath of credible and disinterested witnesses, the Court finds:

That said petition is sufficient in form and substance, and that all the allegations thereof are true;

That it would be of benefit to said minor to sell all his right title and interest in the tract of land first described in the petition, and reinvest the proceeds of said sale in the outstanding eight-ninths of forty acres of the tract in said petition last described;

That the Court is of the opinion that the interest of said minor does not require that said Curator give additional bond, and that the giving thereof is therefore not necessary.

It is therefore ordered by the Court that all the right, title and interest of said minor in the three hundred

November, 1910, Adjourned Term - Friday - January 6, 1911.

and twenty acre tract first above described be sold by the said Curator, at private sale, subject to the provisions of the law relating to the sale of the real estate of minors, first having had the same appraised by three disinterested house holders of said County, and that he make full report of his proceedings hereunder within ten days after such sale.

And it is further ordered that the said Curator purchase said outstanding undivided eight-ninths of the southeast quarter of the Northwest quarter of section ten (10), in township sixty-one (61) of range twenty-six (26), in Daviess County, Missouri, at the fair market value thereof, first having had the same appraised by Frank Ray, Joseph R. Baker, and Abram O. Gooding, who are found by the Court to be three resident disinterested householders of said County, and that he make due report of his proceedings hereunder, duly verified, promptly upon the negotiation of said purchase.

In the matter of the estate of } Receipt for legacy paid into State Treasury - Discharge
Mary P. A. Carey deceased

Come now the Executors, Geo. H. Carey and Jas. H. Carey, of the last will of said deceased and file the receipt from the State Treasurer for the sum of \$930 the same being the amount of a specific legacy bequeathed to John Carey by said Mary P. A. Carey in her last will - and which was refused by the said John Carey - though tendered to him by said Executors.

And said estate being now fully administered and all the debts and demands allowed against it paid by the beneficiaries under the will, it is therefore ordered, ^{and adjudged by the Court} that said Administration be closed and that said Executors be discharged.

In the matter of the estate of } Final receipt filed - and discharge
Lola E. Mason, a minor

Comes now Rollin J. Britton, Curator of said minor and files the final receipt of said Lola E. Mason for the sum of \$41²⁶ the balance due from said Curator to his said ward on final settlement of said estate, which said receipt is properly executed. And it is ordered by the Court that said Rollin J. Britton be and he is hereby discharged of said Curatorship.

Ordered that Court adjourn till February 13, 1911, at 9 O'clock A.M.

P. P. Doak
Judge.

In the Probate Court in Vacation, January 7, 1911

In the matter of the estate of { Administration granted - bond filed
William W. O'Conner, deceased }

Comes now Robert O'Conner and makes application for letters of Administration upon the estate of said William W. O'Conner, and having made affidavit saying that said William O'Conner died intestate on the 8th day of November, 1909, leaving surviving him a widow, viz., Belle O'Conner who resides in the County of _____ in the State of Kansas, and that he will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge.

And it appearing to the Judge of Probate that there is a contingent estate or property due to said Belle O'Conner, as widow of said deceased: therefore to the end that the same may be collected and preserved for the benefit of said widow it is ordered that letters of Administration upon said estate be granted and issue to the said Robert O'Conner and that he be required to enter into bond as such Administrator in the sum of \$100.00 with such security as the court shall approve, and Conditioned according to law.

And Comes now Robert O'Conner and files his said bond in the sum of One Hundred Dollars with Arthur Baker and _____ as securities thereon and conditioned as the law directs, which said bond is by said Judge accepted and approved.

R. C. Doak

Judge of Probate.

In Vacation - January 12, 1911.

In the matter of the estate of { Administration granted - Bond filed.
Aaron Bashford, deceased }

Comes now James B. Drummond, and having made the required affidavit, makes application for letters of Administration upon the estate of said deceased, and it appearing that said Aaron Bashford died on the 7th day of January, 1911, without a will and that he died seized of personal property not exceeding in value \$350.00; that he left no widow or children; that David Bashford a brother residing in this County, waives his right to letters thereon and that applicant is a suitable person to administer said estate, it is ordered that letters of Administration upon the estate of said Aaron Bashford be granted and issue to said James B. Drummond and that he enter into bond to the State of Missouri in the sum of \$700.00, with two or more securities to be approved by the Court and Conditioned according to law. And now Comes said J. B. Drummond

And files his said bond in the sum of \$700⁰⁰ with J. W. Meade and J. F. Lawrence as securities thereon and conditioned as the law directs, which said bond is by the said Judge accepted and approved.

And it is ordered that O. G. Rader and Jas Dixon be appointed witnesses to assist said Administrator to make an inventory of said estate and that said Administrator publish notice of the grant of said letters in some newspaper ^{published} in this County as the law directs.

P. P. Doak

Judge of Probate

In the Probate Court in Vacation - January 19, 1911.

In the matter of the estate of { Order for Private Sale.
Aaron Bashford, deceased }

Now comes James B. Drummond, Administrator of said estate, and files his written application for permission to sell a bedstead, feather bed and bedding, an ax and seven (7) stands of bees belonging to said estate at private sale and the Judge of Probate being satisfied that it will be for the best interest of the estate and not prejudicial to persons interested therein, to sell the same at such sale, it is ordered that said administrator sell said property at private sale for not less than its appraised value, and that he report the same to this Court.

P. P. Doak

Judge of Probate

In the Probate Court - In Vacation - January 21, 1911.

Estate of Anthony First { Order Refusing Letters of Administration.
Deceased }

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

P. P. Doak

Judge of Probate

In the Probate Court - In Vacation - February 3, 1911.

In the matter of the Estate of
Herbert Harfield Davis and
Robert Feurt Davis, minors } Bond filed.

Comes now Frank M. Davis, and files his bond as Curator of the estate of Herbert Harfield Davis and Robert Feurt Davis, minor heirs of Robert Davis Deceased, in the sum of Two Thousand (\$2000.⁰⁰) Dollars, with C. J. Feurt and G. F. Feurt as securities thereon, and conditioned for the faithful discharge of his duties as such Curator according to law, which said bond is by the judge of Probate accepted and approved.

P. P. Doak

Judge of Probate

In Vacation - February 8, 1911.

In the matter of the Estate of { Administration granted.
Charles M. Estes, deceased }

Now Comes Otis Estes and files his Application for letters of Administration upon the estate of said Charles M. Estes, deceased, and having made Affidavit setting forth the names and places of residence of the heirs of said deceased, and saying that said Charles M. Estes died August 2, 1910, without a will and that he 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 his possession or knowledge.

And it appearing that said Charles M. Estes, died seized of personal estate not exceeding in value the sum of \$642.⁰⁰ and that said applicant is a son ^{of deceased} and distributee of said estate:

It is therefore ordered that Letters of Administration upon the estate of said Charles M. Estes, deceased, be granted and issue to the said Otis Estes, provided that he enter in to bond to the State of Missouri, with such security as the Court shall approve, in the sum of Thirteen Hundred (\$1300.⁰⁰) Dollars, and conditioned according to law.

And now Comes said Otis Estes and files said bond in the sum of \$1300.⁰⁰ with Homer Feurt and J. W. Meade 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 H. P. Lawrence and A. M. Richardson be and they are hereby appointed witnesses to aid the Administrator to examine the papers, books

money and evidences of debt of said deceased and to make an inventory of all the property belonging to said estate, and that notice of the grant of said letters be published according to law, in some newspaper published in this County.

O. P. Doak,

Judge of Probate

In the Probate Court—In Vacation—February 7, 1911.

In the matter of the estate of
Frances Marion Wallace, Flossie
Wallace and Mary Wallace, minors

Choice and Appointment of Curator,

Comes now Mrs. Belle J. Wallace and shows to the Judge of Probate that Francis Marion Wallace aged 15 years and 10 months, Flossie Wallace, aged 14 years the 18th day February, 1911, and Mary Wallace aged 12 years, minor heirs of Geo. W. Wallace, deceased, ^{and children of said petitioner,} possess personal property of the value of \$146⁴⁴ inherited from their deceased father, and that said minors have no duly appointed and qualified Curator of their said estate and requests that John W. Meade, a suitable person, be appointed such Curator. And it appearing that said Francis Marion Wallace and Flossie Wallace are of age to choose their own Curator, and said minors appearing in person before the said Judge and being instructed by him to make such choice, they, the said Francis Marion Wallace and Flossie Wallace declare the said John W. Meade to be their choice for such Curatorship:—it is therefore ordered that he, the said John W. Meade, be, and is hereby appointed Curator of the estate of said Francis Marion Wallace, Flossie Wallace and Mary Wallace, minors as aforesaid and that before entering upon such Curatorship he be required to enter in to bond to the State of Missouri for the use of said Francis Marion Wallace, Flossie Wallace and Mary Wallace in the sum of \$300⁰⁰ with two or more securities thereon and conditioned for the faithful discharge of his duties according to law.

And now comes said John W. Meade and files said bond in the sum of \$300⁰⁰ with H. T. Lawrence and A. M. Richardson as securities thereon and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

O. P. Doak

Judge of Probate

In the Probate Court - In Vacation - February 10, 1911.

In the matter of the estate of } Administration granted; bond filed
Dulcenia Still, deceased.

Now this 10th day of February, 1911, Comes J. L. Wade, and first having made affidavit according to law setting forth the names and places of residence of the heirs of Dulcenia Still, deceased, and showing that she, the said Dulcenia Still died on the 8th day of January, 1911, without a will, and saying that he will make a perfect inventory of, and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge. And it appearing that said Dulcenia Still died possessed of property that will be needed to pay the debts of said deceased, and that N. O. Still, R. O. Still, and E. D. Still, heirs of said deceased residing in this State have relinquished their right and claim to letters upon said estate and requested that said J. L. Wade be appointed Administrator of said estate. it is therefore ordered that letters of Administration upon the said Estate of Dulcenia Still, deceased be granted and issue to him, the said J. L. Wade, provided that he enter into bond to the State of Missouri, as such Administrator in the sum of \$500.00 with two or more good and sufficient securities and Conditioned according to Law.

And now comes said J. L. Wade and files his said bond in the sum of \$500.00, with N. F. Lawrence and Homer Furt 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. H. McLerary and A. L. Terry be, and they are hereby appointed witnesses to accompany and aid the Administrator in opening and examining the papers, money and other property of the deceased, and in making an inventory thereof, and that said Administrator publish notice of the grant of said letters as by law required.

P. P. Doak,

Judge of Probate

In the Probate Court - In Vacation - February 11, 1911.

In the matter of the alleged insanity of { Order to Bring in Party
Noah Hershberger.

Now this day the Judge of Probate makes the following order
order in relation to the above said cause, to-wit: -

State of Missouri, { ss
County of Daviess }

The State of Missouri to the Sheriff of Daviess County, Missouri,
Greeting: Whereas information has been filed in the
Probate Court of Daviess County aforesaid, that one Noah
Hershberger of and in the County of Daviess is insane and
and a person of unsound mind and incapable of manag-
ing his own affairs.

These, therefore, Command you that you bring the
said Noah Hershberger into the Probate Court aforesaid,
at the Probate Court room in the City of Gallatin, on
the 13th day of February, 1911, at 1 O'Clock P. M. of
that day, if he be found in the condition to bring
into the Court then and there to hear and answer
what may then be alleged and to abide the judg-
ment of the Court in the premises and that you cer-
tify how you executed the order

Witness my hand and the seal of the Probate Court
affixed this 11th day of February 1911.

O. P. Doak
Judge of Probate

In the Probate Court — In Vacation — Saturday February 11, 1911.

In the matter of the estate of { Administration granted.
Rufus N. Lay, deceased }

Comes now Walter L. Lay and first having made affidavit setting forth the names and places of residence of the widow and heirs of the said deceased and that the said Rufus N. Lay died on the 27th day of January 1911 without a will; that he will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge, and prays the Judge of Probate to grant him letters of Administration upon said estate. And it appearing that the widow of deceased, viz, Mary E. Lay relinquishes and renounces her right, claim and preference to administer said estate, and that the applicant is a son of deceased and a distributee of said estate and that he is competent to administer: It is therefore Ordered that Letters of Administration upon the estate of said Rufus N. Lay, deceased, be granted and issue to the said Walter L. Lay and that he enter into bond to the State of Missouri as such Administrator in the sum of \$ with two or more good and sufficient securities thereon and conditioned as the law directs.

P. P. Doak

Judge of Probate

February Term — Monday — February 13, 1911, 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 Daviess County, begun and held at the Court-house in the City of Gallatin in said County on Monday, the 13th day of February, A.D., 1911; there being present P.P. Doak, Judge of said Court, and J. Atch Blair, Sheriff of Daviess County, Missouri; when the following proceedings were had, made and entered of record therein, To wit:—

Ordered that the bond Robert O'Connor, as Administrator of William M. O'Connor, deceased taken by the Judge of this Court in Vacation thereof, to-wit January 27th, 1911, be, and the same is hereby approved and that his appointment as such Administrator, with all the proceedings therein, be ratified and confirmed.

Ordered that the bond of James B. Drummond as Administrator of the estate of Aaron Bashford, deceased, taken by the Judge of this Court in Vacation on the 12th day of January 1911, be, and the same is hereby approved and his appointment with all the proceedings therein ratified and confirmed.

Ordered that the bond of Frank M. Davis, Curator of Herbert Harfield Davis and Robert Feurt Davis, minors, taken by the Judge of this Court in vacation thereof February 3, 1911, be, and the same is hereby approved and his appointment as such Curator is ratified and confirmed.

Ordered that the bond of Otis Estes as Administrator of the estate of Chas. M. Estes, deceased, taken by the Judge of this Court in vacation thereof on February 6, 1911, be and the same is hereby approved, and his appointment as such Administrator is ratified and confirmed.

Ordered that the bond of John W. Meade as Curator of the estate of Francis M. Wallace, Flossie Wallace and Mary Wallace, minors, taken by the Judge of this Court in vacation thereof, to-wit February 7th 1911, be, and the same is hereby approved and his appointment as such Curator is ratified and confirmed.

Ordered by the Court that the bond of J.L. Wade as Administrator of the estate of Dulcinea Still, taken by the Judge of this Court, in vacation thereof, on February 10th 1911, and that his appointment as such Administrator be ratified and confirmed.

February Term - Monday - February 13, 1911, First day of term

In the matter of the estate of Donald M. Bernard, a minor } Order to Invest Funds of Estate in Real Estate

Now comes Robert E. Maupin, Curator of the estate of Donald M. Bernard, a minor and represents and shows to the Court that his said ward is thirteen years of age and is a resident of Daviess County, Missouri; That he was appointed by this Court Curator of said minor on December 19, 1910 and on said date filed his bond as such curator in the sum of \$4000.⁰⁰, with good and sufficient security, which bond was by the court accepted and approved; That since his appointment, as such curator, he has received and has now in his possession the sum of \$2000.⁰⁰, belonging to said minor, derived from a judgment in the Circuit Court of Daviess County, Missouri, against the Nabash Rail Way Company for personal injury; that said \$2000 comprises the entire estate of said minor; that said Curator believes that it would be for the best interest of said minor to invest said sum of \$2000.⁰⁰ in real estate as authorized and permitted by section 438 of the revised Statutes of Missouri, 1909; That one David Stitt, a resident of Daviess County, Mo., is the owner of forty acres of land, described as follows, to wit: the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 15, Twp. 61, R. 29 situate in Daviess County, Missouri, which said Curator can purchase for the said sum of \$2000.⁰⁰; that said land is now well worth \$2000.⁰⁰; That 24 acres of said 40 acres is bottom land and under cultivation; the balance of said forty acres being ridge land set fairly well in blue grass; That there is also a frame barn upon said land, and a good well of water; That said Curator verily believes that in the increase in the value of said land together with the yearly rental thereof, will exceed in amount the interest which could be obtained by placing said sum of \$2000.⁰⁰ at interest at the rates, at present, obtainable.

And the Court being satisfied that the matters and things set forth in the petition of said Curator are true, and that it would be for the best interest of said minor to invest said sum of \$2000.⁰⁰ in the real estate herein before described: - It is therefore ordered that he, the said Robert E. Maupin Curator as aforesaid be, and he is hereby authorized and directed to purchase the said N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 15, Twp. 61, R. 29, with the funds now in his hands as aforesaid. and

February Term - Monday - February 13, 1911 - First day of Term.

that the title to said land shall be taken in the name of his said ward - and that for that purpose he require and secure from the said David Stitt a good and sufficient General Warranty Deed conveying to said minor the real estate above described free and clear of all encumbrances - and that said Curator require from said grantor a clear abstract to said land, and further that said Curator have said land appraised by Lewis M. Best, Ben A. Yates and William C. Lowrey - three disinterested householders of Daviess County - who are hereby appointed by this Court to view and appraise the same. And it is further ordered that said Curator report his purchase and the proceedings therein to this Court.

In the matter of the estate of (Report of Sale filed - Cause continued
A. D. Patton, deceased } Additional Bond filed and approved.

Now Comes Thos. R. Ford Executor of the last will and Testament of said deceased, and files his report of the sale of real estate pursuant to the order of this Court made, on his petition, at the May term¹⁹¹⁰, thereof, and renewed at the August and November Terms 1910, respectively, by which it appears that he did on the 3rd day of February, 1911 sell to John M. Mills the real estate in said petition and order of sale described, for the sum of \$12000.00, which said report is by the Court ordered continued on file to the 23rd instant. And it appearing that the bond of said Thos. R. Ford is inadequate by reason of the aforesaid sale, it is ordered that he be required to give additional bond in the sum of \$24000.

And now comes said Thos. R. Ford and files said bond in the afore said sum of \$24000, with Benj. Steele, S. A. Johnston, Simon Grove and Wm. P. Heyser as securities thereon and conditioned according to law. And it is ordered by the Court that said bond be approved.

Ordered that the First Annual Settlement of Nancy E. Cole, Executrix of last will of W. R. Cole, deceased, this day filed be approved and recorded.

Ordered that the First Annual Settlement of M. C. Macy Admr. of Estate of Louisa Cox, deceased, this day filed be approved and recorded.

February Term - Monday - February 13, 1911. First day of Term

In the matter of the estate of
 Fay E. Edwards - now Fay E. Vipond - } Final Settlement and discharge

Comes now James B Edwards, Curator of Fay E. Edwards, now Fay E. Vipond and his said ward being 18 years of age, makes his final settlement with her, the said Fay E. Vipond, which shows the balance due said estate to be \$27.⁰⁰, and comes said Fay E. Edwards, now Fay E. Vipond and enters her appearance in open court as a party to said final settlement and gives her receipt for said sum of \$27.⁰⁰ as being in full payment and satisfaction of all money and property due to her from said Curator by reason of his said Curatorship and waives in writing the necessity of making and filing of final settlement exhibit as required by statute, and of service of notice the filing of such exhibit of of previous notice of final settlement and declares that she past the age of 18 years. And the Court having examined said final settlement doth order and adjudge the same to be approved and it is ordered to be recorded and that said Curator be discharged as to the Curatorship of said Fay E. Edwards, now Fay E. Vipond.

In the matter of the Estate of } Final Settlement order to pay demand ^(Distribution)
 Wm. H. Deskins, deceased

Comes now E. F. Deskins Administrator of said estate and files his final settlement thereof, having heretofore made proof of the publication of notice for such final settlement and it appearing that there is due the estate the sum of \$133.²⁰, and it also appearing that there still remains an unpaid demand against said estate in the sum of \$84.⁰⁰ - said demand being due to Gemina Deskins and is of the 6th class - it is therefore ordered that said final settlement be approved and recorded; that said Edward F. Deskins proceed forthwith to pay said Gemina Deskins her said demand of \$84.⁰⁰ and that the balance for distribution in the sum of \$49.²⁰ be distributed to the persons entitled thereto, to wit: -
 To Geo. F. Deskins, father, \$4.92; to Gemina Deskins, mother \$4.92; to E. F. Deskins, brother, \$4.92; to Mollie Dice, sister, \$4.92; to Addie Whitaker, sister, \$4.92; to Effie Whitaker sister, \$4.92; to Gracie Deskins, sister, \$4.92; to Ellen Deskins, sister \$4.92; to Guy Deskins, brother, \$4.92; to Rollie Deskins, brother \$4.92 and

February Term - Monday - February 13, 1911 - First day of term.

And that the receipts of said Claimant and of said distributees be filed herein to entitle said administrator to his discharge

In the matter of the alleged { Continuance.
Insanity of Noah Herschberger }

Come now Albert Grosper and Luther Townsend Informants by their Attorney Fred Fair and Defendant Noah Herschberger, by his attorney Fred E. Hudson, and at the request of said defendant said cause is continued to the 20th inst. at the cost of the said defendant.

Ordered that Court adjourn till 9 o'clock Tomorrow
Morning

P. P. Doak
Judge

February Term — Tuesday — February 14, 1911. Second day of Term.

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

Est. of Aaron Bashford, deceased. } Demand allowed.
Jas. B. Drummond, Admr.

Comes now Dr A. G. Minnick and presents to the Court for allowance against said estate a demand for \$5⁰⁰ on acct. of medical services rendered deceased, in his last sickness, and claimant having made affidavit to his claim as required by law, and said Administrator having waived service of notice on said demand and certified to its correctness: It is ordered that said account in the sum of \$5⁰⁰ be allowed against said estate and that it be placed in class two (2).

Est. of Aaron & Bashford } Demand allowed
deceased

Now comes Dr. H. E. Sanger, and presents to the Court for allowance against said estate a demand for \$12⁵⁰ on account for medical attendance during the last sickness of said 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 placed in class two (2).

Same estate as the above.

Comes now John Buren, undertaker and presents to the Court for allowance against said estate a demand for \$62⁵⁰ on account of funeral of said deceased, and service of notice being waived in writing and affidavit and proof made, it is ordered that said account in the sum of \$62⁵⁰ be and the same is adjudged against said estate and placed in the first class of demands.

And comes also Dr C. G. McKinley and presents to the Court for allowance against the estate of said Aaron Bashford a demand for \$6⁰⁰ on account of medical service rendered deceased during his last sickness. Service waived in writing and affidavit and proof made. it is ordered and adjudged by the Court that same in said sum of \$6⁰⁰ be allowed against said estate and that it be assigned to the 2nd class of demands.

February Term Tuesday — February 14, 1911. 2nd day of term

In the matter of the estate of { Demand allowed.
Aron Bashford, deceased }

Now comes Mrs. Ida Dremmond, and presents to the Court for allowance against said estate a demand for \$26⁰⁰ on account of nursing and caring for deceased during his last sickness, and service of notice being waived in writing and affidavit and proof made it is ordered by the Court that said account in said sum of \$26⁰⁰ be, and the same is hereby adjudged against said estate, and that it be allowed as a 2nd class demand.

In the matter of the estate of { Demand allowed
D. M. Breeden, deceased }

Now comes Dr C. P. Martin and presents to the Court for allowance against said estate, a demand for \$5⁵⁰ on account of Medical service rendered deceased during last sickness. And service of notice being waived in writing and affidavit and proof made. it is ordered that same be allowed against said estate in the sum of \$5⁵⁰ and that it be placed in Class Two (2).

Ordered that the 2nd Annual settlement of John R. Donaldson - guardian and Curator of Chas. R. Donaldson, insane, this day due be continued to the May Term, 1911, of this Court.

In the matter of the Est. of { Continuance
Urial W. Doty, deceased }

Comes now John W. Meade, Administrator of said estate and files proof of publication of final settlement notice, and shows to the court that he can not at this time make his final settlement by reason of a certain controversy in connection with the collection of a note due to the said estate - it is therefore ordered that said final settlement notice together with the final settlement this day due be continued to the May Term 1911, of this Court.

In the matter of the estate of { Final settlement - Distribution
S. R. Griggs, deceased }

And now comes E. L. Griggs, Executor of the last will of said deceased, and makes proof of the publication of

notice for his final settlement of said estate, and submits said final settlement to the court, from which it appears that all claims against said estate including legacies have fully paid and that a balance of \$352⁷⁵ consisting of cash, live stock and farm machinery is due to the estate which said balance is by the court ordered paid, ^{or turned over,} as directed by the last will of said deceased to the widow, Roxanna Griggs, and son E. L. Griggs, joint owners thereof, and that the joint receipt of said Roxanna Griggs and E. L. Griggs be filed herein.

In the matter of the Estate of {
Ray Berg, a minor }

Comes now Geo. H. Alexander, Curator of said Ray Berg and presents the account of C. L. Knauer, for the sum of \$24.⁷⁵ on account for clothing purchased by said minor, and asks the court to allow said account against the estate of said minor, in his hands, and it is ordered by the court that said Curator be and he is hereby authorized to pay said account out of the assets of his said ward, now in his hands, and that he be allowed credit for the same in his settlement of said minors account.

Estate of James Pilcher, { Demand allowed.
Deceased }

Comes now W. C. Gillihan and presents to the court for allowance against said estate a Demand for \$110.⁴⁵ founded on a note given by deceased in his life time, and secured by mortgage on real property. Service of notice being waived in writing and affidavit and proof made; it is ordered that same in said sum of \$110.⁴⁵ be allowed against said estate and placed in class 5.

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

P. P. Doak

Judge

February Term — Wednesday — February 15, 1911. 3rd day of term

Febru

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

Ordered that 6th Annual Settlement of Ida F. Henry, Curator of Glenna F. and Bernice A. Henry, minors this day filed be approved and recorded

In the matter of the Estate of John Kavanaugh, deceased (Final Settlement and discharge)

Comes now Marietta Kavanaugh Executrix of the last will of said John Kavanaugh, deceased, and first having published notice for final settlement as required by law, submits her final settlement of said estate from which it appears that there is due to said estate the sum of \$5104.77; and it further appearing to the Court that all debts due to the estate have been realized upon as far as may be; that the debts due by the estate are paid in full; that all legacies provided by said last will have been discharged in full, it is therefore ordered and adjudged by the Court that the administration of said estate be considered closed; that said balance of \$5104.77 be turned over to Marietta Kavanaugh, who is ^{under said will} the only and sole beneficiary of said remainder. And the said Marietta Kavanaugh here now receipts for said balance of \$5104.77 which said receipt is made a part of the said final settlement, and it is further ordered and adjudged by the Court that said final settlement be, and the same is hereby approved, and is ordered to be recorded, and said executrix is discharged.

Ordered that the 2nd Annual Settlement of Jas. H. Knott, Curator of the estate of Doyle D. Knott, a minor, this day filed be approved and recorded.

Ordered that the first Annual Settlement of Frank M. Davis Executor of the last will of Thomas J. Crain, deceased, this day filed be approved and recorded.

Ordered that the 3rd Annual Settlement of Sarah Alice Robinson, Curator of the estate of Francis M. Robinson a minor this day filed be approved and recorded

February Term - Wednesday - February 15, 1911. 3rd day of Term.

In the matter of the estate of { Final Settlement, ~~distribution~~, and Suspension
Moses T. Mallory, deceased }

Comes now James M. Mallory, Executor of the last will of Moses T. Mallory, deceased, and ^{first} having made proof of the publication of Notice of Final Settlement, submits to the Court final settlement of said estate and it appearing to the Court that all debts and legacies have been paid as provided by said last will and the agreement of the beneficiaries under said will, which said agreement was heretofore filed herein, and that a balance of \$751.93 remains in the hands of said Executor for distribution. It is therefore ordered that the same be distributed in equal shares to the remaindermen, as per the terms of said will, to wit:—

To Stephen A. Mallory	1/4 of said \$751.93 =	\$187.93
" James M. Mallory	1/4 " " " =	187.93
" Virginia Patton	1/4 " " " =	187.93
" Frances L. Rawlins	1/4 " " " =	187.93

and that the receipts of said distributees be filed in this Court, by said Executor. Ordered that said final settlement be approved and recorded. ~~And it~~

And it appearing that the Administration of said estate can not be completed during the life of Susan E. Mallory, the Life-tenant of the Homestead of said deceased, and which said last will provides shall be sold and distributed to the aforesaid Stephen A. Mallory, James M. Mallory, Virginia Patton, Children of said deceased and Frances L. Rawlins, step-daughter of deceased share and share alike. it is therefore ordered that said Administration be and the same is hereby suspended untill by order of the Court he ^{the said executor} be required to resume the same.

Ordered that Court Adjourn till 9 O'clock tomorrow morning.

P. P. Doak, Judge

February Term Thursday - February 16 1911

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 } Will Probated.
Anthony W. First, deceased

Now this day an instrument of writing ^{heretofore filed herein,} signed by Anthony W. First, and purporting to be the last will and testament of Anthony W. First, deceased, and attested by W. S. Millett and W. F. Harper, as witnesses is produced before this court to be proved and admitted to record as the last will and testament of said Anthony W. First. And it having been shown to the Court that said Anthony W. First died on the 27th day of December, 1911, the Court proceeded to examine the proof of the will taken by Seth M. Young, a notary Public within and for Caldwell County, Missouri, pursuant to the authority to him given by a Commission heretofore issued by the Judge of this Court. And it appearing to the Court from the return to said Commission that said Seth M. Young, Notary Public aforesaid, did, on the 13th day of February, A.D. 1911, Cause to come before him, at his office in the City of Hamilton, and State of Missouri W. S. Millett and W. F. Harper, who being duly sworn depose and say, that they are the subscribing witnesses to said will; that said Anthony W. First, the said testator - signed said will in their presence and published and declared the same to be his last will and testament; that at the time of signing said instrument said testator was of sound mind and of full age; that they signed their names to said instrument of writing as witnesses thereto at the request and in the presence of the testator and in the presence of each other, which said testimony, said Seth M. Young reduced to writing and caused said witnesses to sign, and is certified ^{to this Court} under the Notarial Seal of said Seth M. Young.

And now the Court being sufficiently advised by the evidence of said witnesses of the proper and legal execution of said will, it is ordered and adjudged by the Court that said instrument in writing be considered proven and the same is established and adjudged to be the last will and testament of said Anthony W. First, late of said County, deceased, and that it be admitted record as such.

February Term - Thursday - February 16, 1911 - 4th day of term.

In the matter of the estate of (Report of Sale Real Estate filed and Continued.
William R. Cole, deceased)

Comes now Nancy E. Cole, Executrix of the last will and testament of William R. Cole, deceased, and files her report of sale of real estate made pursuant to order of this Court heretofore made. And it is ordered by the Court that said report be continued to the 28th instant for approval and that mean time the same remain continuously on file in this office.

In the matter of the estate of (Report of Sale filed and Continued.
Jesse Q. Cole, a minor.)

Comes now Richard G. Griffith, Curator of the estate of Jesse Q. Cole, minor, and reports that he did on Wednesday the 8th day of February, 1911, sell the real estate of said minor, pursuant to order of this Court made on his petition at the Adjourned November term thereof. And it is ordered by the Court that said report be continued till the 28th instant, and that same remain on file till said date.

In the matter of the estate of (Guardian's Report of purchase Continued.
Jesse Q. Cole, a minor.)

And now comes Richard G. Griffith, Curator of said Jesse Q. Cole, minor of William R. Cole, deceased and files his report of the purchase of the real estate described in his petition heretofore filed, and in the Order of this Court made upon said petition, and it is ordered that said report be continued for approval till the 28th instant.

In the matter of the estate of (Order of Sale.
Florence Wright and
Woody O. Wright, minors)

Now comes E. M. Foley, Jr., Curator of the estate of Florence Wright, aged 16 years, and Woody O. Wright, aged 13 years, minors, both of said minors being residents of Broken Arrow, State of Oklahoma, and submits his petition, praying for an order to sell the real estate of said minors, in his petition described and says that his said wards are the owners of an undivided $\frac{1}{2}$ interest in North East quarter of the North West quarter of Section 36, Township 59 of Range 28, containing 40 acres, also $7\frac{1}{2}$ acres described as follows, to wit: Begin at the South East corner of said North East quarter of the North West quarter of said Section 36, Township 59, of Range 28, running

February Term Thursday - February 16, 1911 - 4th day of term

thence South 20 rods; thence West 20 rods; thence South 20 rods; then west to a small branch called Horse Branch; thence in a North easterly direction following the meanderings of said Horse Branch to the South line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section 36; Township 59 of Range 28, thence East to the place of beginning, contain in all 47 $\frac{1}{2}$ acres all of said land being in Daviess County, Missouri. And petitioner shows further that the interest of his wards in said land is so small, that they have no control of said land and derive no income therefrom; that the expenses of keeping up repairs, insurance and repairs would be burdensome; that there is danger of the owners of the greater interest in said land forcing a sale thereof under partition proceedings; that they have no funds with which to defend such suit nor with which to protect their interests in such sale; that the father of said minors is poor man and that said wards have no other means with which to defray the expense for books, clothing and other necessities. He therefore asks for an order of sale of said land land for the purpose education, support and maintenance of his said wards as provided in Section 430, R. S. 1909 and that the same be sold at private sale for cash as provided by Sections 431 and 432 said revised statutes

And the Court having heard and considered the said petition and being fully advised and satisfied that it is necessary and proper to sell said real estate for the reasons and purposes aforesaid; it is thereupon ordered that the said Curator, first having had the same appraised by three disinterested householders of the County of Daviess, sell the said real estate at private sale for not less than three fourths of its appraised value, and that he report his proceedings under this Order at the next term of this Court.

Ordered that the first Annual Settlement of W. C. Macy Curator of the Estate of Corwin B. Miller, a minor, this day filed be approved and recorded.

Ordered that Annual Settlement of A. J. McBrayer Curator of Alice McBrayer, minor this day due, be continued to May term 1911.

February Term Thursday February 16, 1911. 4th day of Term.

In the matter of the Estate of (Final Settlement and discharge
Thomas J. Muller, a minor)

Comes now Philip M. Muller Guardian and Curator of the person and estate of Thomas J. Muller, minor heir of Jacob Muller, deceased, and submits his final settlement with his said ward who has attained his legal majority, from which said final settlement it appears that a balance of \$1005.54 is due to said Thomas J. Muller by reason of said Curatorship.

And now comes said Thomas J. Muller, and enters his appearance in person as a party to said final settlement and in open Court declares that he is 21 years of age, and acknowledges the receipt of said sum of \$1005.54 as payment and satisfaction in full of all money and property due to him from his said Guardian and Curator by reason of his said Curatorship. And in writing waives the making filing and service of notice of a final settlement exhibit and of all previous notice of this final settlement.

And the Court having examined said final settlement it is ordered and adjudged approved and the same is ordered to be recorded. and it is ordered that said Guardian and Curator be discharged.

In the matter of the Estate of (Final Settlement and Order Distribution
Jas. J. McBlung, deceased)

Comes now John W. Meade, Administrator of the estate of Jas. J. McBlung deceased and files his final settlement of said estate, and it appearing that notice thereof had been published according to law, and that all the debts due by said estate have been paid in full and that a balance of \$2525.85 remains in the hands of said Administrator for distribution - it is ordered and adjudged by the Court that said final settlement be approved and recorded and that said balance be distributed as follows, to-wit: -

To James A. McBlung son $\frac{1}{4}$	=	\$631.46
" L. J. McBlung " $\frac{1}{4}$	=	631.46
" Rebecca McBlung Phipps (daughter) $\frac{1}{4}$	=	631.46
" Martha McBlung White (daughter) or her assigns $\frac{1}{4}$	=	631.47

and that said Administrator file the receipts of said distributees for said amounts to their paid in order to his discharge.

February Term - Thursday - February 16, 1911,

Ordered that 10th annual settlement of N. G. Cruzen Guardian and Curator of Jesse and Nathaniel McClure minors this day filed be approved and recorded.

Ordered that first annual settlement of W. C. Macy Public Admr & Ex Officio Pub. G. in charge of estate of Geo. Nelson, Insane, this day filed be approved and recorded.

In the matter of the estate of (Final Settlement - Partial ^{Discharge} _{of} Emeline Lindsey deceased)

Comes now Joseph F. Harwood, Executor of the Last will of said deceased and files his final settlement of said estate - having previously published notice for the same according to law.

and it appearing that said executor has paid all the debts of said estate and all legacies as provided by the said last will except specific legacy to Pearl Bently, grand daughter, in the sum of \$1⁰⁰ which said sum is placed on deposit to the credit of said legatee, in the Farmers Exchange Bank, Galatin, Mo., and the certificate of said deposit filed with the papers of said estate in charge of this court, and it further appearing that said estate is debtor to the executor in the sum of \$3²⁵ and that there are no assets to distribute it is ordered by the Court that said final settlement be approved and recorded and that said executor be discharged except as to said Pearl Bently legatee as aforesaid.

Ordered that Court adjourn till 9 o'clock to morrow morning
P. P. Drake Judge

February Term - Friday - February 17, 1911 - Fifth day of Term

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

In the matter of the estate of { Bond filed and Approved - Appointment of Witnesses,
Rufus M. Lay, deceased. }

Comes now Walter S. Lay and files his bond as Administrator of the estate of Rufus M. Lay, deceased, in the sum of \$8400⁰⁰ with A. L. Perry, S. M. Litton, Sr., B. F. Ware, B. B. Brookshire and F. M. Achauer as securities thereon, and conditioned as the law as the law directs.

And it is ordered by the Court that said bond be approved, and that F. M. Achauer and W. S. Minnick be and they are hereby appointed witnesses to accompany and aid said Administrator to examine papers, books, money and other property of deceased and in making an inventory thereof, and it is further ordered that said Administrator publish notice of the grant of letters upon said estate in some Newspaper published in this County as the law directs.

Estate of John Honey { Demand allowed.
deceased }

Comes now Dr. H. E. Sanger and presents to the Court for allowance against said estate a demand for \$9⁵⁰, on account for services rendered deceased in last illness, and having made affidavit to said demand, and the Administrator of said having waived service of notice thereon and certified to correctness of the same, it is ordered that said account be and the same is hereby allowed against said estate, in the 2nd class.

Estate of Dulcinea Still, { Demand allowed.
deceased }

Comes now F. M. Achauer and presents to the Court for allowance against said estate a demand for \$63⁰⁰ on account of funeral of deceased; service of notice being waived in writing and affidavit and proof made it is ordered that said account in the sum of \$63⁰⁰ be and same is hereby allowed against said estate, and that it be placed in Class no. one.

Estate of Dulcinea Still { Demand allowed.
deceased }

Now comes Dr. A. G. Minnick and presents to the Court for allowance against said estate a demand for \$11⁴⁰. And

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service of notice being waived in writing and affidavit and proof made it is ordered that said account in the sum of \$11.40 be and the same is hereby allowed against said estate and placed in Class No. 2.

In the matter of the estate of { Final Settlement filed and Continued.
John Donohue, deceased }

Comes now R. V. Thompson, Executor of the last will and testament of said John Donohue and files his final settlement of said estate. And it appearing to the Court that notice of final settlement has been duly published as the statute requires and that all the debts against said estate have been paid and that a balance of \$1957.48 remains in the hands of said Executor, which said sum is by the last will of said deceased made to vest in Bridget Donohue — with the after provision that she shall (as far as possible) live from the interest of money loaned and that at her death a distribution of the balance of the same is provided for — said provisions of said will together with other circumstances which have arisen in connection with said estate leaves a doubt in the mind of this Court as to the proper disposition to make of said balance.

It is therefore ordered that said final settlement be, and the same is hereby approved, and it is ordered to be recorded, and it is further ordered that the matter of the disposition of said balance be continued under the advisement of the Court till the May Term thereof.

In the matter of the estate of { Final Settlement and Discharge
Edna Roswell, a minor }

Now this day comes Robert V. Thompson curator of the estate of Edna Roswell a minor and his ward having attained the age of 18 years Nov. 15, 1910, he submits to the Court his final settlement with the said Edna Roswell, who appears in open Court as a party to said final settlement and waives the making and filing of an exhibit for such final and of service of notice of the same. And it appearing from said final settlement shows a balance due said estate, the said Edna Roswell accepts said balance and here now in open Court enters her receipt for the same as being in full payment of all money and property due

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to her from her said Curator,

And the Court having examined said Final Settlement, and finding it correct doth adjudge the same to be approved and it is ordered that the same be recorded, and that said Curator be and he is hereby discharged.

Ordered that the Annual Settlement of Barbara Roberts, Curator of the estate of Elvare Roberts and others, minors, this day due be continued to the May Term of this Court.

Ordered that the Final Settlement of Thos. R. Ford, Executor of the last will of A. T. Patton, deceased, this day due be continued to the 23rd inst.

In the matter of the Collateral Inheritance Tax { Assessment.
Upon the Estate of Mary A. Boggs, 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 309, Chapter I, Article 24, of the Revised Statutes of Missouri, 1909, the party liable therefor, and the amount of said tax, is as follows:—

Beneficiary	Address	Cash Value of Interest	Am't of Tax
Nancy A. Lowrie	Gallatin Mo	2357 00	\$117 85

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

P. P. Doak

Judge

February Term - Saturday - February 18, 1911

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

Ordered that 3rd Annual Settlement of Jas. M. McClaskey, Guardian of Anna M. Scott, incompetent this day filed be approved and recorded.

Ordered that the first annual settlement of Lewis B. Gillihan Curator of the estate of Walter and Roy Thomas, minors, this day filed be approved and recorded.

Ordered that the 2nd Annual Settlement of W. E. Wampler Curator of Lender G. Wells, this day filed be approved and recorded.

In the matter of the estate of { Final Settlement Notice filed - Continued
John R. Williams, deceased }

Now this day comes J. B. Evans Administrator of said estate and files proof of publication of Final Settlement Notice, and the same together with the said final settlement is for Cause shown ordered continued to the May term, 1911, of this Court.

In the matter of the estate of { Final Settlement and Discharge
Jas. Francis Ward, Jr.
a minor }

Comes now William Oram, Curator of the estate of said minor, who is now 21 years of age, and files his final settlement of his account with said James Francis Ward, Jr., which settlement shows a balance due to his said Ward of the sum of \$33 72. ⁷⁷/₁₀₀.

And now comes said Jas. Francis Ward, Jr. and enters his appearance in Open Court as a party to said final settlement, and accepts said balance as payment in full of all money and property due to him from said Guardian and Curator, and waives the making and filing of an exhibit for said final settlement, and also waives service of notice of such exhibit and of said final settlement.

And the Court having examined said final settlement it is ordered and adjudged to be correct and appro-

red. and it is ordered that it be recorded, and that said William Oram be and he is hereby discharged.

In the matter of the Estate of { Final Settlement and Distribution
Silas Day deceased

Now at this day comes Stephen Ira Day Executor of the last will of Silas Day, deceased, and submits his final settlement of said estate, and shows to the Court that notice of final settlement has been given by publication as required by law. And it appearing to the Court that all the debts and legacies have been as the law and said last will directs and that a balance of \$337.49 remains for distribution.

To Elizabeth A. Conaway	1/4	=	\$84.37
" Stephen Ira Day	1/4	=	84.37
" C. E. Day	1/4	=	84.37
To Wardie Day & Day	1/4	}	13.23
" Ray Day			13.23
" Ross Day			13.23
" Guy Day			13.23
" Velma Day			13.23
" Nanny Markham			18.23

And it is ordered that said sums be paid to the said distributees and that their receipts for the same be filed in this Court.

Estate of Mrs. Galbreath, deceased.

Now comes the Pattonsburg Merc. Co. and presents to the Court for allowance against said estate a demand for \$1.30 on acct. for Mdse. sold deceased - Service waived by Ex who certifies to the correctness of said acct. which is duly verified by affidavit. Ordered that same be allowed against said estate in Class five

Ordered that Court adjourn till 9 O'clock Monday morning.
P. P. Doak
Judge

February Term — Monday — February 20, 1911 — 7th day of term

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

In the matter of the estate of { Proof of Will.
Jacob Snider, deceased }

On this day comes William J. Snider of Davies County, Mo, and produces to the Court an instrument in writing, purporting to be the last will and testament of Jacob Snider, deceased, and attested by William C. Gillihan and Lewis B. Gillihan as witnesses to the said will and by L. B. Gillihan and Thos. Lewis as witnesses to a Codicil to said will, and the said William J. Snider prays that said instrument in writing be proved and admitted to record as the last will and testament of the said Jacob Snider. And it being shown to the Court by satisfactory evidence that said Jacob Snider, late of the County of Davies, died on or about the 11th day of February A.D. 1911, at his home in said County the Court proceeded to hear the proof of the execution and publication of said instrument as his last will.

Thereupon come William C. Gillihan, Lewis B. Gillihan, (who is also L. B. Gillihan), and Thos. Lewis said attesting witnesses who being ^{first} sworn, say respectively, that they were well ^{acquainted with} Jacob Snider in his life-time. And the said instrument of writing being here shown to them, they further say that they were present at the execution of said will and saw the said Jacob Snider sign it on the day of the date thereof, and heard the said Jacob Snider say then and there that said instrument was his last will and testament; that they subscribed their names as witnesses thereto, at the request of the said Jacob Snider in his presence and in the presence of each other, and that the said Jacob Snider, was then of sound and disposing mind and memory, of full age and not under any restraint, and was competent to make a will; that the testimony of said witnesses was reduced to writing and signed by them respectively.

And now the Court being sufficiently advised by the evidence of said witnesses of the proper and legal execution of said will, it is ordered and adjudged by the Court that said instrument in writing be considered proven and the same is established and adjudged to be the last will and testament of the said Jacob Snider, late of said County, deceased, and that it be admitted to record as such.

February Term — Monday — February 20, 1911. 7th day of term

And it appearing that William J. Snider is named in and by said last will as executor thereof and the Court approving said nomination, it is ordered that letters testamentary upon said estate be granted and issue to the said William J. Snider and that before entering upon the duties of said Executorship he be required to enter in to bond to the State of Missouri in the sum of \$1200.⁰⁰ with two or more securities thereon and conditioned according to law.

And now Comes said William J. Snider and files his said bond in the aforesaid sum of \$1200.⁰⁰ with Mary E. Snider and Fred Snider as securities thereon and conditioned as the law directs which said bond is by the Court ordered approved, and it is ordered that W. P. Griffin and Simon Grove be appointed witnesses to assist said Executor to examine the books, papers, money and other property and to make an inventory of said estate, and that notice of the grant of said letters be published in some newspaper published in said Daviess County as the statute directs.

In the matter of Information { Writ of Prohibition - Continuance.
Alleging Insanity of
Noah Hershberger }

And now this Cause coming on - The Court having been duly served with a writ of Prohibition issued by the Circuit Court of Daviess County - it is ordered that said Cause be Continued till the 27th instant

Estate of David Galpin { Demand allowed.
Deceased }

Comes now Dr. W. F. Aphin and presents to the Court for allowance against said estate a demand for \$4.⁰⁰, and claimant having made the required affidavit to his claim founded on account for medical service rendered deceased, and the Administrator having waived service of notice and certified to its correctness, it is ordered by the Court that said account of \$4.⁰⁰ be allowed against said estate as a 6th Class demand.

Estate of Robert Wilson { Demand allowed.
Deceased }

Comes now Robert H. Harris and presents to the Court for allowance against said estate a demand for \$19.⁶⁰ on acct for a cultivator sold deceased, service waived in writing, affidavit and proof made ordered that same be allowed against said estate; Class five

February Term - Monday - February 20, 1911 - 7th day of term

Estate of Robert Wilson, Demand allowed
Deceased

Comes now A. J. Scott and presents to the Court for allowance against said estate a demand for \$3⁵⁰ on account of Mdse. for funeral of deceased. said claim being duly verified by affidavit and Administrator certifying to its correctness, it is ordered that same in said sum of \$3⁵⁰ be allowed against said estate in Class one.

In the matter of the Est. of John M. Pennebaker, deceased } (2nd Annual Settlement - Order To pay 5th Class demands.

Comes now Agnes V. Pennebaker, administratrix of the estate of said deceased and files her 2nd Annual Settlement. And it is ordered that same be approved and recorded and that said Administratrix pay all 5th Class demands against said estate.

Ordered that 2nd Annual Settlement of Agnes V. Pennebaker, Guardian and Curator of John M. Pennebaker this day filed be approved and recorded.

Estate of Chas. M. Estes } Demand allowed.
deceased.

Comes now Herbert J. Noice undertaker, and presents to the Court for allowance against said estate a demand for \$130⁰⁰ on account for funeral of said deceased, and service of notice waived in writing and affidavit and proof made - it is ordered that said account be and the same is hereby allowed against said estate in the aforesaid sum of \$130⁰⁰ and it is placed in the first Class of demands.

In the matter of the alleged } Information filed -
Insanity of Nancy Hosman }

Comes now Moses N. Sailor and files information alleging that Nancy Hosman a person residing in Daviess County is of unsound mind and incapable of managing her affairs. And the Court being satisfied that there is reason for the exercise of its jurisdiction in said matter - doth order that enquiry be made by a jury whether the said Nancy Hosman be of unsound mind or not; that the hearing of said Mat-

February Term Monday February 20, 1911 Seventh day of term.

Ter be set for Tuesday, the 28th instant, and that said Nancy Hosman be served with notice of the filing of said information and of the time and place when such enquiry will be heard, at least five days before said 28th day of February, 1911.

In the matter of the Estate of { Appropriation for monument.
David Galpin, deceased }

Comes now S. G. Hosman, Admr. of said estate and represents and shows to the court that by an agreement of a part of the heirs of said deceased, the Gallatin Marble Works had erected a tombstone at grave of deceased at a cost of \$22.⁰⁰ and that it is the request of said heirs that said sum be paid out of said estate. And it appearing to the court that said amount may be paid for such purpose without prejudice to creditors. it is therefore ordered that said sum of \$22.⁰⁰ be allowed against said estate, and that said Administrator pay the same out of the assets in his hands, and that he be allowed credit for the same in his settlement of said estate.

Sarah J. James, widow of {
John D. James, deceased. } Plaintiff { Petition for Assignment of
V.S. Homestead and Dower, and renewal
Ethel Eppers, et al. Defendants }

This cause coming on to be heard, and it appearing to the court that the Commissioners heretofore appointed by the court to set off the Homestead and dower in the real estate of said John D. James, deceased, as prayed for in the petition of said Sarah Jane James and in the order of this court made at its November Term, 1910, have not made their report. it is therefore ordered that said order be and is hereby renewed and that said Commissioners be required to ^{proceed with} the duties assigned ^{to} them in said order, and that they report to this court at the next term thereof.

Ordered that Court adjourn till 9 O'clock Thursday morning, the 23rd inst

P. P. Doak
Judge

February Adjourned Term - Thursday - February 23, 1911.

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

Estate of Rollie S. Dains } Order Refusing Letters of Administration.
deceased

Now, at this day comes Hallie V. Dains and shows to the Court that she is the widow of Rollie S. Dains late of the County of Davies 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 of deceased.

To the end, therefore, that the said Hallie V. Dains, as such widow may be authorized and empowered to collect, sue for and retain said property, as her absolute property, as provided by law, it is ordered that Letters of Administration on said Estate be refused, unless on the application of Creditors or other parties interested, the existence of further or other property be shown.

In the matter of the estate of } Guardian and Curator appointed
Elta M. Dains, a minor

Comes now Isaac M. Haines and shows to the Court that Elta M. Dains is a minor three years of age; that her parents, viz: Rollie S. Dains and Noodie M. Dains, father and mother respectively are both dead; that said minor is possessed of a fee simple title to 80 acres of land, and considerable personal property the exact value of which is at present unknown - which said personal property consists of her undistributed share of the estate of James M. McLearty deceased, that the said Elta M. Dains has no duly appointed Guardian of her person or Curator of her estate, or other person authorized to rent and care for said real estate and to collect and preserve the rental proceeds thereof or to receive said personal estate and manage the same or the distribution thereof, neither has she any one who is legally authorized to exercise control of nor to provide for the necessities of the person of said minor. Wherefore to the end that said property may be properly conserved for said minor, said petitioner desires and requests that he be appointed as Guardian and Curator of said minor.

And the Court having heard said petition and the

testimony in relation thereto. And being satisfied that the said Isaac W. Haines, who is an uncle of said minor, is a suitable person for such Guardianship. It is therefore ordered by the Court that he, the said Isaac W. Haines be, and he is hereby appointed Guardian of the person and Curator of the estate of the said Elta M. Dains, minor, and that before entering upon such guardianship he be required to enter into bond to the State of Missouri, for the use of said Elta M. Dains, in the sum of \$6500.00, with good and sufficient security thereon, and conditioned as the law directs.

In the matter of the alleged Insanity of { Information filed.
John Herbert.

Comes now J. A. Bades and files information, in writing, alleging that John Herbert who resides in Daviess County, is a person of unsound mind and incapable of managing his own affairs and prays that inquiry into said matter be made whether he be of unsound mind or not. And the Court having heard said petition and the testimony produced is satisfied that there is good reason for the exercise of its jurisdiction in said matter doth order that enquiry be made by a jury whether the said John Herbert be a person of unsound mind or not. and that Saturday March 11, 1911, be set for the hearing of said Cause, and that said John Herbert be served with Notice of the filing of said information and of the time and place of such enquiry at least 10 days prior to said 11th day of March, 1911.

Ordered that the final settlement of Phos. R. Ford, Executor of A. T. Patton deceased. due this day be continued and reset for the 20th inst.

In the matter of the estate of { Demand allowed
Albert Cubberly, deceased }

Come now Wm. L. Recob and Wife Sue B. Recob and present to the Court for allowance against said estate a Demand for Six Hundred and three & 50/100 Dollars, founded on an itemized account for money paid out in the removal of said Albert Cubberly from Isallatin to Colorado - Car fare for themselves and said Albert - for rent of rooms, board and for

February Adjourned Term - Thursday - February 23, 1911-

a day nurse and night nurse for a period of six weeks and for the funeral expense of said deceased. And service of notice being waived in writing and Affidavit and proof being made - it is ordered and adjudged by the Court that said Claimants be allowed their said account in the sum of \$603²⁰ and it is ordered that same be allowed against said estate in the sum of \$603²⁰ and that it be placed in Class No. 2 of demands against said estate.

In the matter of the estate of } Order Confirming Sale
A. T. Patton, deceased }

Come now Thomas R. Ford, Executor of the last will and testament of A. T. Patton, deceased, and submits his report of sale, and shows to the Court that ^{said} report was filed herein February 13, 1911, and that it has remained on file ten days, to-wit: from said 13th day of February to this 23rd day of February, 1911. And it appearing from said report that he did, on Tuesday, the 3rd day of February, A.D. One thousand nine hundred and eleven, in obedience to the order of this Court made at the May Term, 1910, thereof, and renewed at the August term 1910 and again at the November term 1910, of said Court, sell, at private sale, to John M. Wills, for the sum of Twelve thousand dollars, the real estate in said Order of Court and report, particularly described, viz: The South East Quarter, and the South West Quarter of the North East Quarter of Section Thirteen (13), Township Fifty-nine (59), of Range Twenty-nine (29), in Daviess County Missouri: Containing Two Hundred Acres more or less, and it further 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 Executor is ordered to execute, acknowledge and deliver to said John M. Wills a deed in due form of law, conveying to him, the said John M. Wills all the right, title and interest which the deceased had in the same at the time of his death.

Adjournd
February Term - Thursday - February 23rd - 1911.

Comes now Permelia A. Davis, Executrix of last will of said deceased, and first having published notice as required by law, submits her final settlement of said estate, by which she shows to the court that there was no personal estate charged to her in the inventory, but that the estate consisted wholly of real estate - and it further appearing that there have been debts or demands allowed against said estate, and said executrix, who is the sole beneficiary of said estate under said will, having paid the costs of the administration thereof, as shown by said settlement and her vouchers filed therewith:

It is ordered and adjudged by the Court that said administration be and same is hereby closed; that said final settlement be approved and recorded, and said

In the matter of the estate of (Final Settlement and Discharge,
Isaac D. Davis, deceased)

Now this day comes Permelia A. Davis, Executrix of the last will and testament of Isaac D. Davis, deceased, and first having published notice as required by law, files her final settlement of said estate, and shows to the Court that there was no personal estate charged to her by the inventory thereof heretofore filed, but that the whole estate consists of real estate, and it further appears that said estate is not charged with any debts or demands. And said executrix, who is the only and sole beneficiary under the will of said deceased having paid the costs of the administration as shown by said final settlement and attached vouchers: it is therefore ordered and adjudged by the Court that said Administration be, and the same is hereby closed, said final settlement approved and ordered recorded and said Executrix hereby discharged.

Ordered that Court Adjourn till Monday the 27th inst.
at 9 O'clock A.M.

P. P. Doak
Judge

In Vacation - February 24, 1911-

In the matter of the alleged { Cause Dismissed.
Insanity of Noah Hershberger }

Albert Prosper & Luther Townsend,
vs

Informants

Noah Hershberger

Defendant

Come now this 24th day of February, 1911, the above
Informants in person and said Defendant by his
Attorney Fred S. Hudson and said Cause is by agreement
of the said parties dismissed at the Costs of said Defendant,
Noah Hershberger.

P. P. Doak

Judge of Probate

In the Probate Court, February Adjourned Term - Monday - February 27, 1911.

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

In the matter of the alleged Insanity of } Dismissed at Cost of Defendant.
Noah Hershberger

This Cause coming on and it appearing to the Court that by an agreement made in writing by and between N. A. Trosper and Luther Townsend, the Informants, and said Noah Hershberger, defendant, by his Attorney, Fred S. Hudson, whereby said N. A. Trosper and said Luther Townsend, informants as aforesaid agree to dismiss said Cause, and the said Noah Hershberger, Defendant, by his said Attorney, the said Fred S. Hudson agrees to pay all costs which have in said Cause accrued.

And it is therefore ordered and adjudged by the Court that said Cause be and the same is hereby dismissed at the cost of said Noah Hershberger, Defendant as aforesaid, which said Costs in the sum of One Hundred, forty-nine and 10/100 Dollars are by the Court adjudged against said Noah Hershberger, to be levied of his property wherever the same may be found.

In the matter of the Estate of }
Forest Dunnington, Amanda Dunnington, } Order of Sale.
Osia Dunnington, and
Jasper Dunnington, minors }

Now at this Court comes Elijah M. Foley, Jr., Curator of the estate of Forest Dunnington, Amanda Dunnington, Osia Dunnington and Jasper Dunnington of Mabton, Yachama County, Washington, minors, and presents to the Court his petition praying for an order of sale of certain real estate belonging to said wards, to enable him to procure means for the proper education, support and maintenance of said wards and the Court having heard and considered the said petition and being fully advised and satisfied that it is necessary and proper, and for the best interest of said minors, to sell said real estate for the purposes aforesaid; it is thereupon Ordered, that the said Elijah M. Foley, Jr., do at either private or public sale, sell the following real estate in the petition of said Elijah M. Foley, Jr. described, to-wit:-

The undivided (4/35) four thirtyfifths of a tract beginning at the southwest corner of the North half

February Adjourned Term - Monday - February 27th 1911.

of the South east quarter of Section 19, Township 38 of Range 26 - run thence North 53 and $\frac{1}{3}$ rods; thence East 120 rods; thence South 53 and $\frac{1}{3}$ rods; thence West 120 rods to the place of beginning - containing 40 acres more or less - situate in Dade County Missouri, and sell the same for the purposes in said petition mentioned, on the following terms, to wit: for cash. First having had the same appraised as directed by law, and that he make return of his proceedings under this order at the next term of this Court after such sale.

In the matter of the estate of { Order Renewing Order of Sale
Huldah McGaughey, deceased }

Now Comes Wm. C. Macy, Public Administrator, and as such, having charge of the estate of Huldah McGaughey deceased and represents to the Court that owing to an error in the publication of the Notice of Sale of the real estate of said deceased, that he was unable to make the sale of the real estate in the order of this Court heretofore made, to wit at the November 1910 term of said Court, and asks the Court to renew said order of sale, whereupon, it is ordered by the Court that said Wm. C. Macy Administrator as aforesaid do on Saturday the 6th day of May next, at the South door of the Court House, in the City of Gallatin, and during the session of the Circuit Court of said County, between the hours of 10 o'clock in the forenoon and 5 o'clock in the afternoon of that day, expose to sale, at public vendue or outcry the real estate in the aforesaid order of sale described, and to that end it is ordered by the Court that said order of sale be and the same ^{is} hereby renewed, and that he publish notice of the time, terms and place of said sale in the ^{Sevier} Jamesport Gazette, a newspaper published in this County, for four weeks prior to the date fixed for said sale.

In the matter of the estate of { Demand allowed.
William Selbreath, deceased }

Comes now Dr. Frank Hedges and presents to the Court for allowance against said estate a Demand for \$45.00, founded on account for medical services rendered deceased during his last sickness. And service of notice being waived in writing and affidavit and proof made - it is ordered that said account for \$45.00 be allowed against said estate in class 2.

February Adjourned Term - Monday - February 27, 1911

In the matter of the estate of (Order of Publication,
Albert Cubberly, deceased)

Now at this day Comes W. C. Macy, Administrator of the estate of Albert Cubberly, 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 1911, 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 Missouri} 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.

Ordered that 3rd Annual Settlement of O. R. Whitt, Curator of Estate of Walter J. Wheeler, minor, this day filed be approved and recorded.

Estate of Elta M Dains (Bond filed and approved.
a minor.

Now comes Isaac R. Haines and files his bond as guardian and Curator of Elta M Dains, in the sum of \$6500.00 with W. R. Hutchinson and R. V. Thompson as securities thereon and conditioned for the faithful discharge of his duties as such guardian - And it is ordered by the Court that said bond be approved.

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

P P Doak
Judge

February Adjourned Term - Tuesday - February 28, 1911.

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

In the Matter of the estate of { Approval of Sale.
William R. Cole, deceased }

Now, at this 28th day of February, 1911, Comes Nancy E. Cole, Executrix of said William R. Cole, deceased, and shows to the Court by her Report of Sale which has been and remained continuously on file herein for more than ten days last past, that she did, on February 11, 1911, in obedience to the Order of Sale made herein at the November Term, 1910, of this Court, sell, at private sale, for cash, the real estate described in said Order of Sale as follows, to-wit:

The southwest quarter of the Northwest quarter of Section ten (10) in township Sixty-one (61) of range Twenty-six (26), in Daviess County, Missouri, first having had the same appraised by Frank Ray, Joseph R. Baker, and H. O. Gooding, three disinterested householders of said County, and that Rieuzi J. Cole became the purchaser thereof at the price and sum of Three Thousand Dollars.

Whereupon, the Court finds: that said report is accompanied by the Certificate of said Appraisement, is duly verified by the affidavit of said Executrix, and is sufficient in form and substance; that it states truly the facts; that the land was not sold for less than three fourths of its appraised value; that all provisions of the Statute and of said Order of Sale have been fully complied with, and that the purchase price has been fully paid.

It is therefore Ordered that said sale be in all respects approved and confirmed, and that said Nancy E. Cole, Executrix, execute, acknowledge and deliver to said Rieuzi J. Cole, a good and sufficient deed conveying to him all the right, title and interest which said deceased had in said land at the time of his death.

In the matter of the estate of { Order of Distribution
William R. Cole, deceased }

Now at this 28th day of February, 1911, Comes Nancy E. Cole, Executrix of said William R. Cole, deceased, and shows to the Court that she now has on hands more than

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Thirty-Five Hundred Dollars which will not be needed for the payment of any matured or allowed demand against said estate, and that it would be of benefit to the distributees of said estate and not injurious to creditors, if the Court should order the executrix to pay to Tina Terry, Nellie M. Fitch and Rienzi J. Cole, severally, an amount sufficient to equalize the Five Hundred Dollar advancement for school money, mentioned in the will of said deceased, and that she also pay to each of the persons entitled to a distributive share in said estate the sum of Three Hundred Dollars.

It is therefore ordered by the Court that Nancy E. Cole, Executrix pay to Tina Terry, Three Hundred and Fifty Dollars; to Nellie M. Fitch, Fifty Dollars, and to Rienzi J. Cole, One Hundred and Seventy Five Dollars, to equalize their advancements with those of the other children of said deceased, as provided in his will, and that the Executrix pay to each of the persons entitled to a distributive share in said estate the sum of Three Hundred Dollars, as follows: To Nancy E. Cole, \$300⁰⁰; to Anson D. Cole, \$300⁰⁰; to Minnie V. Young, \$300⁰⁰; to Ramus M. Cole, \$300⁰⁰; to Tina Terry, \$300⁰⁰; to Robert B. Cole, \$300⁰⁰; to Nellie M. Fitch, \$300⁰⁰; to Rienzi J. Cole, \$300⁰⁰; and to Jesse Q. Cole, \$300⁰⁰.

In the matter of the Estate of W Order Relating to Payment of William R. Cole, deceased M Six Hundred Dollar Legacy.

Now, at this 28th day of February, 1911, Comes Nancy E. Cole, Executrix, and come also Anson D. Cole, Minnie V. Young, Ramus M. Cole, Tina Terry, Robert B. Cole, Nellie M. Fitch and Rienzi J. Cole, by their Attorney O. N. Gibson, and show to the Court that it would be of benefit to Jesse Q. Cole, minor son of said deceased, if the Six Hundred Dollar bequest required by the will to be paid to him upon his becoming of age, should be paid to his Guardian at once, and invested for his sole benefit, and that the said Nancy E. Cole, Anson D. Cole, Minnie V. Young, Ramus M. Cole, Tina Terry, Robert B. Cole, Nellie M. Fitch and Rienzi J. Cole being all of the heirs, devisees and legatees of said deceased, except the said Jesse Q. Cole, are willing and have given their consent in writing that said sum may be paid to the Guardian of said minor whenever the executrix shall have sufficient funds available for the purpose and without waiting until the said minor shall become of age.

It is therefore ordered that said Nancy E. Cole, Executrix,

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pay the said sum of Six Hundred Dollars, the legacy aforesaid, to the guardian of said Jesse Q. Cole, minor, whenever she shall have funds sufficient for the purpose which are not likely to be needed for the payment of debts.

In the matter of the estate of Jesse Q. Cole, minor. *Approval of Sale.*

Now, at this 28th day of February, 1911, Comes Richard G. Griffith, Guardian of Jesse Q. Cole, minor, and shoves to the Court by his Report of Sale which has been and remained continuously on file herein since February 16, 1911, that he did, on February 8, 1911, in obedience to the order of this Court made at its November Term 1910, sell, at private sale, for cash, all of the said minor's right, title and interest in the real estate described in said order of sale as follows, to-wit: The Southwest quarter of Section ten (10); and the North West quarter of Section fifteen (15), except one-half acre out of the northwest corner thereof; all in Township sixty-one (61) of Range twenty-six (26) in Davies County, Missouri, first having had the same appraised by Frank Ray, Joseph R. Baker, and A. O. Gooding, three disinterested householders of said County, and that Nancy E. Cole, Anson D. Cole, Minnie V. Young, Ramus M. Cole, Tina Perry, Robert B. Cole, Nellie M. Fitch and Rienzi J. Cole became the purchasers thereof at the price and sum of Two Thousand and Eighty-four Dollars and Six Cents.

Whereupon the Court finds: that said report is accompanied by the certificate of said Appraisement, is duly verified by the Affidavit of said Guardian, and is sufficient in form and substance; that it truly states the facts; that the land was not sold for less than three fourths of its appraised value; that all provisions of the statute and of said order of sale have been fully complied with, and that said purchase price has been fully paid.

It is Therefore Ordered that said sale be in all respects approved and confirmed, and that said Richard G. Griffith, Guardian, execute, acknowledge and deliver to said Nancy E. Cole, Anson D. Cole, Minnie V. Young, Ramus M. Cole, Tina Perry, Robert B. Cole, Nellie M. Fitch and Rienzi J. Cole a good and sufficient deed conveying to them all the right, title and interest of said Jesse Q. Cole in the real estate above described.

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In the matter of the estate of } Approval of Purchase
Jesse Q. Cole, Minor

Now at this 28th day of February, 1911, Comes Richard G. Griffith, Guardian of Jesse Q. Cole, Minor, and shows to the Court by his Report of Purchase, in writing, duly verified, that he did, on February 8, 1911, in obedience to the order of this Court made herein at its November Adjourned Term, 1910, purchase, subject to the approval of this Court, the outstanding undivided eight ninths of the southeast quarter of the northwest quarter of Section ten (10) in Township sixty-one (61) of range twenty-six (26) in Daviess County, Missouri, first having had the same appraised by Frank Ray, Joseph R. Baker and Abram O. Gooding, the three resident disinterested householders of said County heretofore appointed by the Court for said purpose, and that the owners of said outstanding eight ninths of said real estate, to-wit: Nancy E. Cole, Anson D. Cole, Minnie V. Young, Ramus M. Cole, Tina Terry, Robert B. Cole, Nellie M. Fitch and Riegni J. Cole, have agreed to convey the same to Jesse Q. Cole in fee, for the price and sum of Two Thousand Six Hundred and sixty-six Dollars and sixty-seven Cents.

Whereupon the Court finds: that said report is accompanied by the report of said appraisement, under oath, both of which are sufficient in form and substance and truly state the facts; that the title of said vendors has been examined and found sufficient and that all the provisions of the statutes and of the said order of purchase have been fully complied with.

It is therefore ordered that the said purchase be in all things approved and confirmed, and that the said Richard G. Griffith, Guardian, be and he is hereby authorized and empowered to accept from said vendors a good and sufficient general warranty deed in common form, conveying to said Jesse Q. Cole the outstanding undivided eight ninths of said real estate, and upon the execution, acknowledgment and delivery to him of such deed, he is hereby further authorized to pay to said vendors said purchase price of \$2,666.67.

Ordered that final settlement of Thomas R. Ford Executor of Est. of A. T. Patton, deceased, be set over to March 7, 1911.

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In the matter of the alleged } Inquisition of Insanity.
 Insanity of Nancy Hosman, }
 M. N. Sailor, Informant }

Now at this time comes M. N. Sailor, and by information in writing, heretofore filed herein, informs the Court that Nancy Hosman a resident of Daviess County is a person of unsound mind and incapable of managing her affairs, And said Nancy Hosman having been duly served with notice of the filing of such information, comes now and enters her appearance in court and comes also a jury, to-wit: Milton Barnett, Cyrus Musselman, S. B. Godman, John Swofford, R. H. Alderson, L. F. Carter, Ray Berg, William G. Lile, John Musselman, H. B. Miller, F. M. Parker and Geo Welch twelve good and lawful men, who are duly sworn, to well and truly make inquiry and determine whether the said Nancy Hosman is a person of unsound mind or not, and the jury having seen and examined the said Nancy Hosman and heard the evidence offered touching her condition retired to consider their verdict, and after due deliberation returned into court the following Verdict: —

We, the jury find Nancy Hosman to be of unsound mind and incapable of managing her affairs,

signed — — — — — R. M. Barnett

Wm. G. Lile

C. Musselman

John Swofford

R. H. Alderson

John Musselman

H. B. Miller

Geo. Welch

S. B. Godman

Ray Berg

L. F. Carter

F. M. Parker

It is therefore adjudged by the Court that said Nancy Hosman is a person of unsound mind and incapable of managing her affairs and the Court here appoints W. C. Macy, Public Administrator and Ex Officio Public Guardian, to be Guardian of said Nancy Hosman, and it is ordered that his official bond is sufficient and that he be not required to give additional bond.