

Record Book

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**July 22, 1911-
September 21, 1921
(Pages 601-640)**

May Adjourned Term - Saturday - July 22nd, A.D. 1911.

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It is therefore Adjudged by the Court that said Robert Homer Gaines is a person of unsound mind and incapable of managing his affairs, and the Court hereby appoints William D. McDonald, guardian of said Robert Homer Gaines, and it is ordered that said guardian before entering upon the duties assigned him shall enter into a bond to the State of Missouri in the sum of \$4000.00 Conditioned as required by law with such security as the Court shall approve.

Ordered that 2nd Annual Settlement of Lewis B. Gillean, Curator of Velma Day, et al minors due this Term be continued to August 1911, term.

First State Bank of Bliss Okla.
vs.

Plaintiff.

Estate of Noah Hershberger, Insane

Defendant.

Comes now Boyd Dudley Atty. and Agent for said Plaintiff and files the demand of said Plaintiff against said Noah Hershberger, and it appearing that said demand is duly verified by the affidavit of said Claimant, and that due notice has been served upon W.C. Macy, Guardian of the person and Curator of the estate of said insane person, and comes also the said W.C. Macy and by agreement of said parties, ^{the hearing of} said Cause is set for the August term 1911, of this Court.

Ordered that Court Adjourn till Court in Course.
A. C. Cook
Judge

In the Probate Court. In Vacation - Monday - July 24, 1911.

In the matter of the estate of (Administration granted - bond filed)
Maude Booth, deceased

Now this 24th day of July, 1911, Comes Claude R. Booth, and (first having made Affidavit setting forth the names and places of residence of the heirs of Maude Booth, late of Daviess County, Missouri, deceased, and stating that the said Maude Booth died in said Daviess County April 21, 1911, 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,) prays the Judge of Probate to grant him letters of Administration upon the estate of said Maude Booth deceased. And it appearing that said Maude Booth died possessed of Personal estate, in this State not exceeding in value the sum of \$2000.00 and that Applicant is a son and one of the distributees of said estate; that deceased left no husband surviving her, and that Applicant has been chosen by all the adult heirs of deceased, to administer said estate - it is therefore ordered that letters of Administration upon the estate of said Maude Booth deceased be granted, and issue to him, the said Claude R. Booth, and that before entering upon the duties of said Office he be required to enter into bond to the State of Missouri, as such Administrator, in the sum of \$4000.00 with good and sufficient security thereon and conditioned according to law.

And now comes said Claude R. Booth and files his said bond in the aforesaid sum of \$4000.00 with Nifred R. Booth, Archie D. Booth and Vivian Booth 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 W. E. Henderson and Samuel Bruce be, and they are hereby appointed witnesses to assist said Administrator in examining the books, papers and money of deceased and in making an inventory of all the property of said estate, and that said administrator publish notice of the grant of said letters according to law.

P. P. Cook

Judge of Probate

In Vacation

In the matter of the Estate of { Humphrey D. Best, deceased.
Date of Death February 5, 1911
Grace Best Administratrix } (Missouri)
In the Probate Court of Daviess County, State of
In Vacation - July 27, 1911.

Due notice having been given the parties entitled thereto, the Judge of said Court this day proceeds of his own motion to assess and fix the Cash value of the interests of the beneficiaries of this estate subject to the Collateral inheritance tax, and said Judge having heard all the evidence and proof and being fully advised, finds that said Humphrey D. Best departed this life on the 5th day of February, 1911; that the names of the beneficiaries of said estate, the cash value of their interests in the personal (there is no real) estate thereof subject to said tax, after deducting debts and expenses, said cash value and the amount of tax thereon being hereby fixed and assessed, are as follows:

Beneficiary	Value of each interest in the Personal Property -	Tax thereon
Howard D. Best	\$55.28	2.76
	55.28	2.76
	55.28	2.76

P. P. Doak,

Judge of Probate.

In the matter of the estate of
Thomas B. Henderson, deceased.
Date of Death February 4, 1911
John D. Henderson, Administrator

In Vacation July 27, 1911,

In the Probate Court Daviess County
Missouri.

Due notice having been given the parties entitled thereto, the Judge of said Court this day proceeds of his own motion to assess and fix the Cash value of the interests of the beneficiaries of this estate subject to the Collateral inheritance tax and said Judge having heard all the evidence and proof and being fully advised, finds that - said Thomas B. Henderson departed this life on the 4th day of February, 1911; that the names of the beneficiaries of said estate, the cash value of their interest in the personal (there is no real estate) estate thereof subject to said tax, after deducting debts and expenses, said cash value and the tax thereon being hereby fixed and assessed, are as follows:

Beneficiaries	Value of each interest in the Personal Property -	Tax thereon
William E. Henderson	\$657.88	32.59
John D. Henderson	303.76	65.19
W. J. Henderson	657.88	32.59
W. R. Butler	657.88	32.59

P. P. Doak
Judge of Probate

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

In the matter of the Estate of
Albert B. Scott, deceased. } July 27- 1911.
Date of Death May 8, 1911
John B. Scott, Administrator.

Due notice having been given the parties entitled thereto, the Judge of said Probate Court this day proceeds of his own motion to assess and fix the cash value of the interests of the beneficiaries of this estate subject to the collateral inheritance tax and said Judge having heard all the evidence and proof and being fully advised, finds that said Albert B. Scott departed this life on the 8th day of May, 1911; that the names of the beneficiaries of said estate, the cash value of their interest in the personal estate thereof (there is no real estate) subject to said tax, after deducting debts and expenses, said cash value and the amount of tax thereon being hereby fixed and assessed, are as follows:

Beneficiaries	Value of each interest in the said Personal Property	Tax thereon
Gordia E. Trosel	126 00	6 30
J. R. Scott	126 00	6 30
W. R. Scott	126 00	6 30
J. E. Scott	126 00	6 30
Laura L. Scott	126 00	6 30

P. P. Doak, Judge of Probate

In Vacation - August 4, 1911

In the Matter of the Estate of
L. D. Shaffer, deceased. } Report of Sale filed
John F. Oram, Admr. De bonis non

Now on this ^{4th} day of August, 1911, Comes John F. Oram, Administrator of L. D. Shaffer, deceased, and files here in his report of the sale of the real estate belonging to the estate of said deceased, made in pursuance of an order of this Court heretofore made, to-wit, at the August Term 1910, thereof, and renewed from term to term, to-wit: at November Term 1910, and February and May terms 1911, of said Court, and it is ordered that same be docketed for consideration of the Court at the August Term 1911.

P. P. Doak, Judge of Probate

In the Probate Court - In Vacation - August 4, 1911.

In the matter of the estate of (Bond filed and Recorded.
Robert Homer Gaines, Insane)

Now this 4th day of August, 1911, In vacation of the said Probate Court of Daviess County, Comes Wm. D. McDonald, and accepts the office of Guardian of the person and Curator of the estate of said Robert Homer Gaines, an insane person, to which said Guardian and Curatorship he was appointed by said Probate Court on July 22, 1911, and qualifies as such guardian and Curator, and files his bond as such, which said Bond is in Words and Figures - the following:

"We, William D. McDonald as Principal, and J. W. Meade and Homer Feurt as Securities, are held and firmly bound unto the State of Missouri, in the sum of Four Thousand (\$4000) Dollars, for the payment of which we bind ourselves and our heirs:

Upon the Condition, That, whereas, the said William D. McDonald has been appointed by the Probate Court of Daviess County, Missouri, Guardian of the Person and estate of Robert Homer Gaines of said County, a person of unsound mind.

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

In Testimony Whereof, we have hereto set our hands and affixed our seals, at Gallatin in said County, this 4th day of August A.D. 1911

William D. McDonald (Seal)
J. W. Meade (Seal)
Homer Feurt (Seal)

And it is ordered the above bond be accepted and approved, and that said Guardian proceed at once to care for his said ward and to manage and administer his said estate, and that he publish notice of his appointment to such guardianship -

R. P. Doak,
Judge of Probate

In the Probate Court in Vacation - July 31, 1911.

In the matter of the Estate of { Appeal.
Allen Conner, deceased }

Now this 31st day of July, 1911, Come Martha M. Conner, Administratrix of said Allen Conner, deceased, by her attorney and duly Authorized Agent, Lewis B. Gilligan, and files Affidavit for Appeal from the order or judgment of this Court made on the 21st day July, 1911, whereby the objections and exceptions to the final Settlement of said Administratrix, heretofore filed herein, were sustained.

And it is ordered by the Judge of Probate, in vacation, that said appeal be granted and that a transcript of the proceedings herein be certified to the Circuit Court of Daviess County, Missouri.

O. P. Doak,

Judge of Probate.

In Vacation - August 11, 1911.

In re Estate of Clarence E. Rader { Report of Sale filed,
a minor.

Comes now, Frances V. Rader, Guardian and Curator of said minor and files her report of sale of real estate belonging to the estate of said minor made pursuant to the order of this Court made at its May Adjourned Term held on July 6th 1911. And the same awaits the action of said Court at the August Term 1911.

O. P. Doak

Judge of Probate

In Vacation - August 4, 1911 -

Estate of L. D. Shaffer deceased

Now this day John F. Oran, Administrator, Debonis, of said estate files herein his report of sale of real estate belonging to said estate, made pursuant to order of the Probate Court of Daviess County, Missouri, at its August Term 1910, and renewed from term to term of said Court and said report remains on file for the approval of said Court at the August Term, 1911, thereof.

O. P. Doak

Judge of Probate

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In the Probate Court - August Term - Monday - August 14, 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 Ballatin, on Monday, the 14th day of August, A.D. 1911, there being present T. P. Doak, Judge and Ex Officio Clerk of said Court; and J. A. Blair, Sheriff of said County; the following proceedings were had and entered of record therein, to-wit: -

Ordered that the bond of Claude R. Booth as Administrator of the estate of Maude Booth, deceased, taken by the Judge of this Court in vacation, on July 24, 1911, be, and the same is hereby approved and his appointment as such Administrator is hereby ratified and approved.

Ordered that the Bond of W. D. McDonald, as Guardian of the person and estate of Robert Homer Gaines, a person of unsound mind, taken by the Judge of Probate in vacation, to-wit: August 4, 1911, be and same is hereby approved. ~~and his appointment~~

Estate of John Loney { Demand allowed
Deceased

Comes now J. S. Loney and Wife and present to the Court for allowance against said estate a demand for \$41.00 founded on account for services rendered deceased during his last illness, to-wit: 5 weeks service by the said J. S. Loney in nursing and waiting on said deceased at \$5.00 per week, and 4 weeks services by Mrs. J. S. Loney at \$4.00 per week. And Service of notice for presentation waived in writing and Affidavit and proof made it is ordered that said demand in the sum of \$41.00 be allowed against said estate, and that it be assigned to the 2nd class of demands.

Ordered that the 3rd Annual Settlement of John T. Gough, Curator of the estate of Helen Barlow and Edward Barlow, this day filed be approved and recorded.

August Term - Monday - August 14, 1911.

Daviess

Ordered that the 5th Annual Settlement of J. N. Milson, Curator of the estate of Olive Lucile Brown, a minor, this day filed, be approved and recorded.

Ordered that the first Annual Settlement of Nancy Lourie, Executrix of the last will of Mary A. Boggs, deceased, this day filed, be approved and recorded.

In the matter of the estate of } Final Settlement and discharge.
Rayar Berg, a minor

Comes now George F. Alexander, Curator of said Rayar Berg, the said minor, and submits his final settlement of his account with his said ward, who has attained the age of 21 years, and it appearing to the Court that said Curator has made and filed an Exhibit for such final settlement, and that notice thereof had been duly served on his said ward as required by law, and ^{that} said final settlement shows a balance due to said ward of the sum of Two Hundred, Sixty Eight and 98/100 Dollars. And the Court having examined said final settlement doth hereby adjudge the same to be correct and it is ordered that it be approved and recorded, and that ^{said} Curator pay over said sum of \$268.98 to his said ward and that he file his receipt for the same.

And comes now the said Rayar Berg, and enters his personal appearance, in open Court, as a party to said final settlement and says that he is of legal age. and in open ^{Court} receipts for the aforesaid balance of \$268.98 as being in full payment of all money and property due to him from his said Curator - whereupon it is ordered by the Court that said Geo. F. Alexander, be, and is hereby discharged of his said Curatorship as to the said Rayar Berg.

In the matter of the estate of } Final Settlement and Discharge
Catherine F. Boggs, deceased

Now this day comes Wm. G. Lile, Administrator and first having published notice as required by Statute, files his final settlement of the estate of said deceased, and it appearing to the Court that there was no personal estate charged to said Administrator, nor debts

due to now by said estate. it is therefore ordered and adjudged by the Court that the administration of said estate be considered closed; that said final settlement be approved and recorded, and that said Administrator be discharged.

In the matter of the Estate of (Final Settlement and discharge.
James W. Boggs, deceased.)

Comes now this day, Lloyd W. Lile Administrator of the estate of said deceased, and, first having published notice by publication according to law, files final settlement thereof, and shows to the Court that no personal estate of said deceased came into his hands; that no claims against the estate had been allowed, or exhibited for allowance, and it is ordered and adjudged by the Court that that the Administration of said estate be and same is hereby closed; that said final settlement be approved and recorded and said Administrator discharged.

In the matter of the estate of (Final Settlement and Discharge,
Chas. H. Bouton, deceased)

Comes now at this day, Samuel H. Lord, Administrator of the estate of said Chas. H. Bouton deceased, and proves to the Court that due notice has been given by publication that final settlement of said estate would be made at this term of our Probate Court, and files here in his said final settlement. And it appearing to the Court that all debts owing to said estate have been realized upon as far as may be; that all debts and claims against said estate, including the costs of administration, are fully paid except an allowed demand for \$112.⁹⁰ in favor of V. E. Foxworthy, assignee of Mrs. Grace M. McGuire and Mrs. Fannie Post, nieces, and the only and sole heirs of said deceased; that said administrator has paid the sum of \$44.⁴⁶ on said demand and has taken credit in his final settlement for the same, and said final settlement showing that there are no further, or other assets due said estate; And V. E. Foxworthy, the aforesaid assignee being by reason of said assignment the legal owner of all the real estate of which said deceased died seized and possessed, it is ordered that said final settlement be approved and recorded, and said Administrator discharged.

Monday - August 14, 1911.
In the Probate Court, Daviess County Missouri - August Term 1911

In the matter of the estate of (Report of Sale filed - Continued)
Albert Cumberly, deceased }

Comes now N. B. Macy, Public Administrator having in charge the estate Albert Cumberly, deceased, and files his report of the sale of the real estate of said deceased, for the payment of debts, made in pursuance of an order of this Court made at the May Term, 1911, thereof, and it is ordered by the Court that said report be and the same is hereby required to remain on file herein till Monday the 28th inst., at which date its approval by said Court will be considered and acted upon.

Estate of Lefa Nickerson and (Inventory filed -
Juwanita Nickerson, minors }

Comes now Isaac C. Hill Curator of the estate of said minors and files his inventory of said estate, and it is ordered by the Court that said inventory be approved and recorded.

In the matter of the estate of (Final Discharge.
S. R. Griggs, deceased }

Comes now E. L. Griggs, Executor of said deceased, and makes affidavit stating that Roxana Griggs, widow and joint tenant for, and during, her natural life to the estate of said deceased, departed this life on the 24th day of July 1911, and files his receipt for all the property, consisting of live stock, farm machinery &c which composed the balance of \$352.²⁵ due said estate on final settlement thereof, and which was by the Court ordered to be turned over to the said Roxana Griggs and E. L. Griggs and joint beneficiaries thereof under the will of said S. R. Griggs deceased, and it appearing that he the said E. L. Griggs, is by the terms of said last will the sole remainderman: it is therefore ordered by the Court ^{and adjudged} that the Administration of said estate be closed, and said E. L. Griggs as Executor thereof be discharged.

In the Probate Court August Term - Monday August 14, 1911

In the matter of the estate of } Final receipt filed and Order Discharge
Fannie Munn, deceased

Comes now James M. Blankenship, Administrator of the estate of said deceased, and files the receipt of O. O. Watkins Curator of the estate of Harley Munn, minor heir and distributee of said Fannie Munn, deceased, for the distributive share of said minor in the estate of said Fannie Munn, in the amount of \$39.67 shown to be due him by the order of final distribution made at the May term ¹⁹¹¹ of this Court. And it appearing that said estate is fully administered the assets paid out pursuant to the order of distribution and receipt for the same filed - it is ordered that said Administrator be discharged.

William A. McNeal, Plaintiff:

vs.

Agnes Pennebaker, Administratrix
of John W. Pennebaker, deceased,
and John M. Pennebaker, minor
heir of said deceased, Defendants

Order of Court for
Specific performance
of Contract for Sale
of land.

Now Comes William A. McNeal and files his petition, verified by affidavit, showing that John W. Pennebaker, deceased, entered into a Contract in writing on the 8th day of October, 1901, for the conveyance to the said William A. McNeal of the following described real estate lying, being and situate in the County of Atchison, and State of Missouri, to-wit:

Lot Number Eight of Block Number Eighteen of the Fifth Addition to the Town of Parkis, according to the recorded plat thereof, and did not execute the same in his lifetime, nor give power by will or otherwise to any other person to execute the same, and that he, the said William A. McNeal, has complied with the terms of said Contract on his part, by making the payments as provided in said Contract to be made and by otherwise fully complying with the terms of said Contract, and praying the Court to order the Administratrix to specifically execute such contract by executing to him a deed for the same.

And it appearing that notice of this application, and a copy of said petition have been served on

August Term 1911

In the Probate Court - Tuesday - August 15, 1911.

Aug

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

Ordered that first Annual Settlement of Wesley A. Culver, Administrator of the estate of Timothy Culver deceased this day filed be approved and recorded.

Ordered that the Final Settlement of R. V. Thompson, Executor of the estate of John Donohue, deceased, heretofore filed, be Continued, with Approval, till the November Term¹⁹¹¹ of this Court.

Ordered that the Fourth Annual Settlement of James H. Dutro Executor of the last will of J. S. Dutro, deceased, this day filed be approved and recorded.

Ordered that the first Annual Settlement of W. R. Etchison, Administrator of the estate of Forest R. Etchison, deceased, this day filed be approved and recorded.

Ordered that the First Annual Settlement of John R. Stanley, Administrator, de bonis non, of the estate of Benjamin F. Grimes, deceased, this day due, be Continued to the August, 1912, term of this Court.

In the matter of the Estate of { Demand allowed
Allen Burton, deceased }

Comes now Thomas O. Burton and presents to the Court for allowance against said estate a demand for \$63.⁰⁰, founded on account for money advanced on a piano purchased by deceased, and service of notice having been waived in writing and Affidavit and proof made; it is ordered that said account be, and the same is hereby allowed against in the sum of sixty-three Dollars and placed in the 6th Class of demands.

Ordered that 3rd Annual Settlement of Jonathan B. Welder Curator of Estel O. & Guy M. Dawson, Minors, this day due be continued to the November term, 1911

August Term — Tuesday — August 15, 1911

William A. McNeal, Plaintiff

Vs.

Agnes V. Pennebaker Administratrix
of John W. Pennebaker, deceased
and John M. Pennebaker, Minor
heir of said deceased. Defendants

Order for Specific Performance of Contract for Sale of Land

Now Comes William A. McNeal and files his petition, verified by affidavit, showing that John W. Pennebaker, deceased, entered into a contract in writing on the 8th day of October, 1901, for the conveyance to the said William A. McNeal of the following described real estate lying, being and situate in the County of Atchison and State of Missouri, to wit:

Lot Number Eight of Block Number Eighteen of the Fifth Addition to the town of Turkio, according to the recorded plat thereof, and did not execute the same during his life time, nor give power by will or otherwise to any other person to execute the same, and that he, the said William A. McNeal, has complied with the terms of said contract on his part, by making the payments as provided in said contract to be made and by otherwise fully complying with the terms of said contract, and praying the court to order the Administratrix to specifically execute such contract by executing to him a deed for the same. And it appearing that Notice of this application, and a copy of said petition have been served on Agnes V. Pennebaker as administratrix of the estate of John W. Pennebaker, deceased, and John M. Pennebaker, sole heir of said John W. Pennebaker, deceased, more than twenty days before the first day of the present term of this Court; that said Agnes V. Pennebaker as Administratrix of said John W. Pennebaker, deceased appears in person before this Court, and the court having heard all parties believes that specific execution of said contract ought to be made. It is therefore Ordered by the Court that said Administratrix execute said contract specifically by executing to said William A. McNeal a deed for said land saving to infants, married women, persons of unsound mind and persons absent from the United States, the term of five years after their disabilities are removed to appear and file their petition in the Circuit Court to set aside this order for fraud or otherwise.

August Term - Tuesday - August 15, 1911.

And in pursuance of the foregoing order the said Agnes V. Pennebaker, administratrix of the said John W. Pennebaker, deceased, comes now, in open Court and executes her deed, as such Administratrix, and acknowledges the same in open Court as follows, to-wit: -

State of Missouri, County of Daviess. ss.

In the Probate Court of Daviess County Missouri. August Term 1911.

On this 15th day of August, in the year of our Lord, 1911, before the Hon. P. P. Doak, Judge of the Probate Court within and for the County aforesaid, came in to open Court Agnes V. Pennebaker, personally known to the said Judge to be the same person whose name is subscribed to the foregoing instrument of writing, as having executed the same, and also known to be ~~Administratrix~~ ^{Administratrix} of the Estate of John W. Pennebaker, deceased, and known to said Judge to be the same person who executed said deed, and then and there in open Court, before said Judge, acknowledged the said instrument to be her act and deed for the purposes therein mentioned, and that as Administratrix aforesaid, acknowledged the same as her free act and deed, this certificate of said Acknowledgment being ordered by the said Court to be endorsed by the Judge and Ex Officio Clerk of said Court on this deed.

In Testimony Whereof, I, P. P. Doak, Judge and Ex Officio Clerk of our said Court have hereunto set my hand and affixed the seal of said Court, Done at Office in Gallatin, Missouri, this the 14th day of August 1911

Seal

P. P. Doak, Judge and
Ex Officio Clerk of said
Probate Court

Ordered that the Settlement of P. P. Smith, Administrator of the estate of Lydia Cummings deceased this day due be continued to the August term 1912 for final settlement

August Term - Tuesday August 15, 1911.

Ordered that the First Annual Settlement of Elizabeth A. Galyean, Administratrix of the estate of James R. Galyean, deceased, this day due be continued to the August Term 1912, for final Settlement.

In the Matter of the Estate of (Order for Partial Distribution
Timothy Culver, deceased)

Comes now Wesley A. Culver, Administrator of said estate and states to the Court that of the balance of \$6377. due said estate as shown by his first annual settlement, this day filed, that about \$4500. of the same is cash on hand, that the debts of said estate have all been paid so far as the same have been exhibited and allowed, that so far as he has knowledge there exists no other debts against said estate - he therefore asks the Court to make an order for the distribution of \$4500. among the heirs and distributees of said deceased.

Whereupon it is ordered that said sum of \$4500. be distributed as follows:

To Wesley A. Culver - a son $\frac{1}{6}$ =	\$750.00
" Elizabeth A. McBrayer, a daughter $\frac{1}{6}$ =	750.00
" Amanda J. Lynch " " $\frac{1}{6}$ =	750.00
" Henry C. Culver " son $\frac{1}{6}$ =	750.00
" Lewis C. Culver, the only child of a deceased ^{son} =	750.00
" Jas. B. Culver, " " " " " son =	750.00

and that he shall be entitled to Credit for same properly receipted in his next Annual Settlement.

August Term - Wednesday - August 16, 1911

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

Ordered that the first Annual Settlement of Arlena B. Hale, Executrix of the last will of Jasper L. Hale deceased, this day filed be approved and recorded.

Ordered that the first Annual Settlement of Mary P. Hollingsworth, Executrix of the last will of John B. Hollingsworth, deceased, this day ~~filed~~ be continued to the August term 1912 for final settlement

Ordered that the 3rd Annual Settlement of John H. Gillespie Curator of the estate of Edna and Jas. H. Irwin, minors, this day filed be approved and recorded,

Estate of Robert E. Irwin
a minor, who has attained ~~of~~ Final & Discharge his majority.

Comes now John H. Gillespie Guardian and Curator of said Robert E. Irwin, and shows to the Court that he had heretofore filed herein an Exhibit for a final settlement of his account with his said ward, and that said ward had been duly served with notice thereof as required by law, and submits to the Court his said final settlement, and the same is examined by the Court and is found to be correct, and it is therefore ordered by the Court that said final settlement be approved, and recorded. And it appearing from said final settlement that a balance of \$861.⁸⁷ is due to the said Robert E. Irwin, which said balance is by the Court ordered paid to the said Robert E. Irwin, and that he acknowledge satisfaction of the records, and now comes said Robert E. Irwin and in open Court accepts the said sum of \$861.⁸⁷ and receipts for the same as being in full of all money and property due to him by reason of the curatorship of the said John H. Gillespie, and it is ordered by the Court that said Guardian be and is hereby discharged as to said Robert E. Irwin.

August Term — Wednesday — August 16, 1911

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Ordered that the Annual Settlement of Albert Johnson, Curator of the Estate of E. R. Johnson, a minor, this day due be Continued to the May Term 1912.

In the matter of the estates of
Lewis A. Butler and

Malinda May Butler minors

} Final Settlement filed, and order to pay over.

Now comes Arch S. Youtsey Guardian of the person and Curator of the estates of said Lewis A. and Malinda May Butler, minors, who have attained the ages of 21 years and 18 years, respectively, and first having made and filed Final Settlement exhibits as required by law, and having duly ~~served~~ his said wards with a copy of said exhibit and notice that final settlement of their said accounts would be made at this term of this Court, submits his final settlement of his accounts with his said wards, which said final settlement shows a balance due Lewis A. Butler of the sum of Three Hundred and Ten & 15/100 dollars, (\$310.15) and to Malinda May Butler of One hundred, eighty two & 41/100 dollars (\$182.41) and the Court having examined said final settlement and being satisfied that same is correct it is therefore ordered and adjudged by the Court that said final settlement be and the same is hereby approved, and it is ordered that said Curator pay over to his said wards the sums due them respectively and that he file ^{herein} their receipts, duly executed, for the same. And it is further ordered that said final settlement be recorded.

Ordered that Court adjourn till 9 O'clock tomorrow morning

J. P. Doak, Judge

August Term Thursday - August 17, 1911

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

Ordered that the first Annual Settlement of Edwin A. Kesler, Administrator of the estate of Daniel Kesler, deceased, this day filed be approved and recorded.

Ordered that the 5th Annual Settlement of Tyler Adams, Curator of the estate of William Tyler Kissinger, a minor, this day filed, be approved and recorded.

Ordered that the 2nd Annual Settlement of Mary E. Miller, Curator of the estate of Dewey H. and Veturia Maude Miller, minors, this day filed be approved and recorded.

Ordered that the first Annual Settlement of B. Rowland Miller, & Curator of Paul A. and M. Mildred Miller, minors, this day due be continued to the November Term, 1911, of this Court.

Estate of Grace A. McBrayer, Minor, §

Comes now H. J. McBrayer Curator of Grace Alice McBrayer, and first having made and filed an Exhibit for final settlement, and having served notice thereof on his said ward as required by law, submits to the Court his final settlement of said estate, and now comes said Grace Alice McBrayer and enters her appearance in open Court as a party to said final settlement. And the Court having examined said final settlement and being satisfied that the same is correct doth order and adjudge the same to be approved.

And said final settlement showing a balance due to said ward in the sum of \$1128⁶⁸, which said sum represented by various notes, and cash in bank is by order of the Court turned over to the said Grace Alice McBrayer who here now in open Court receipts her said guardian for the same as being in full payment of all money and property due to her from said guardian and Curator. And it is ordered that said final settlement be recorded, and that said

A. J. McBrayer, guardian as aforesaid, be and he is hereby discharged.

Estate of Daniel Kessler, deceased }

And now comes Edwin A. Kessler, Administrator of said estate and represents to the Court that there has come to his knowledge property of which he knew nothing at the time of making his inventory of said estate heretofore filed. and it is ordered by the Court that Fred Fair and A. J. McBrayer be, and are hereby appointed witnesses to aid said Administrator to make a supplemental inventory of said property.

And comes now said Edwin A. Kessler and files said Supplemental Inventory which is by the Court examined and it is ordered that same be and is hereby approved.

August Term — Friday — August 18, 1911

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 the first annual settlement of J. W. Haines, Curator of Haze and Lois McCarty, minors, this day due be and the same is hereby continued to the November Term 1911, of this Court.

Ordered that the 2nd Annual Settlement of Frances V. Rader, Guardian and Curator of Clarence B. Rader, minor, this day filed be approved and recorded

Ordered that the 4th Annual Settlement of Jacob W. Railsback, Curator of Ward Railsback, a minor, this day filed be approved and recorded;

Ordered that the Annual Settlement of Barbara Roberts, Curator of Elvaree Roberts et al, minors this day due be continued to the November Term 1911, of this Court.

Ordered that the 3rd Annual Settlement of Alfred E. Eltz, Curator of Ralph and Agnes Royce, minors, this day filed be approved and recorded.

In the matter of the Estate of { Final Settlement filed and approved
Huldah McCaugh, deceased }

Now comes W. C. Macy, Public Administrator of Daviess County, Missouri, having in charge the estate of Huldah McCaugh, deceased, and having made proof that notice for final settlement has been given by publication in the Gallatin North Missourian, a newspaper, printed in this County, as the law directs, submits his final settlement of said estate, from which said final settlement it appears that the only asset of said estate available for administration was the real estate of said deceased which was by said Administrator sold under the order of this Court for the payment of the debts of the deceased, ^{subject to the life estate of Geo. W. McCaugh, widower & deceased;} and that the proceeds of said sale amounted to the sum of Fifty Dollars, (\$50.00). And it further appearing to the Court that the costs of Administration of said estate amount to the sum of Seventy three and 35/100 Dollars (\$73.35) and that after applying the whole of said assets which have come to the

August Term - Friday - August 18, 1911.

hands of said Administrator to the payment of said costs there still remains unpaid a balance of Twenty-three & 35/100 Dollars (\$23.35); that \$19.²⁰ of said costs are consequent upon an appeal by the said Administrator from the judgment of this Court in the matter of the Claim of N. S. Givens vs. said estate resulting against the said appellant; that \$2.85 are costs made by the said N. S. Givens prior to this administration and that \$1.30 are costs made by Geo. W. McLaugh claimant. It is therefore ordered that that said unpaid costs be against the above named parties as follows: That the sum of \$19.²⁰ be taxed against the estate of said deceased, or the said Administrator; that the sum of \$2.85 be and the same is hereby taxed against the said N. S. Givens and that the sum of \$1.30 be and is hereby taxed against the said Geo. W. McLaugh. And it is further ordered that said Final Settlement be approved and recorded and that upon the payment of the above said costs that said Administrator shall be entitled to his discharge herein.

In the matter of the Estate of { Renewal of Order of Sale.
Gabriel Ballinger, deceased }

Now this day Comes John C. Leopard, guardian of said Insane person and shows to the Court that he has not, as yet, made sale of the real estate of ^{his} said ward, in pursuance of the order of this Court made at the adjourned Session of the May term 1911, thereg, held, on the 14th day July, 1911, and prays for an order renewing said order of Sale, whereupon it is ordered by the Court that said Order for the sale of the real estate of his said ward described therein be, and it hereby in all things renewed

Ordered that Court Adjourn till tomorrow morning at 9 O'clock
P. P. Doak, Judge

Saturday, August 19, 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 { Continued to the November Term 1911,
William Smith deceased }

Comes now David Smith, Administrator of said estate and files proof of publication of Notice of final Settlement, and represents to the Court that as Administrator of said estate he now has a suit pending in the Circuit Court of Gentry County, Mo., and that by reason of said litigation it will be impossible to make final Settlement at this time. And it is ordered by the Court that said final Settlement Notice together with the final Settlement of said Administrator this day due be Continued to the November term 1911, of this Court.

In the matter of the estate of { Final Settlement and Order of Distribution
Volney B. Scott, deceased. } And Partial discharge

Comes now Martin Dowell, Administrator of said estate and proves to the Court that he has published notice of final Settlement as required by law, and submits to the Court his final Settlement of said estate. And it appearing to the Court that all claims against said estate have been fully paid and that a balance of \$1144¹⁶ is due to said estate for distribution, and the Court having examined said final Settlement finds the same to be correct and doth hereby adjudge the same to be approved, and it is ordered that distribution of said balance of \$1144¹⁶ be and the same is hereby distributed to the heirs of deceased as follows, to-wit:-

To Ella Josephine Griffith	1/4 the same being her distributive share	\$163 ⁴⁴ -
" Mary Alice Dowell	" " " " " " "	163 ⁴⁴ -
" Sarah Belle Blakely	" " " " " " "	163 ⁴⁴ -
" Rachel Violet Brown	" " " " " " "	163 ⁴⁴ -
" Jessie Floetee Scott	" " " " " " "	163 ⁴⁴ -
" Eveline May Cook, or J. R. Baker assignee	1/4	163 ⁴⁴ -
" George O. Scott,	1/4	163 ⁴⁴ -
Total amount =		\$1144 ¹⁶

and that said Administrator file properly executed receipts for the same, and it is ordered that said final Settlement be recorded.

And now Comes said Martin Dowell the afore-

said Administrator and files the receipts of the following distributees, to-wit:— The Receipts of
 Rachel Violet Brown for her distributive share = \$163.45-
 Jessie Florence Scott " " " " = 163.45-
 Ella Josephine Griffith " " " " = 163.45-
 Sarah Belle Blakely " " " " = 163.45-
 And it is ordered that he, the said Administrator be and he is hereby discharged as to said Rachel V. Brown, Jessie F. Scott, Ella J. Griffith and Sarah B. Blakely.

In the matter of the Estate of { Final & Discharge as to Opal A. (Brown) Lasher,
 Robert H. Brown, et al, minors }

And now comes Rachel V. Brown, Curator of the estate of said minors, and shows to the Court that in accordance with the requirements of the statute she has made and filed an exhibit for final settlement with Opal A. Lasher nee Brown, one of her said wards who has attained her legal age, and is married to — Lasher, and that she had served notice of the filing of such exhibit and that she would make final settlement of her account with her at this term, more than four weeks before the first day of said term.

And comes also, said Opal A. Lasher, formerly Opal A. Brown, and enters her appearance in person as a party to said final settlement which is now, here, submitted to the Court, and said Court having examined the same and being satisfied that it is correct doth order and adjudge, said final settlement to be approved, ^{as correct} and it is ordered, ^{that} the same be recorded.

And it appearing that the sum of One hundred ninety-five & 43/100 (\$195.43) dollars is due to said ward it is ordered that said amount be turned over to her and that her receipt for the same be filed herein.

Whereupon said Curator pays her said ward, who, in open Court receipts for the said sum of \$195.43 as being in full for all money and property due to her from said Curator by reason of her said Curatorship, and it is ordered that said Curator be, and she is hereby discharged as to said Opal A. Lasher, formerly Opal A. Brown.

Ordered that the 5th Annual settlement of Laura R. Melone, Curator of the estate of Harry R. Melone a minor, this day filed, be approved and recorded.

August Term — Saturday — August 19, 1911

Ordered that the 9th Annual Settlement of S. A. Wright, Curator of the estate of Goldie Prindle, a minor, this day filed be approved and recorded.

Ordered that the first Annual Settlement of Seth E. Sullivan, Administrator of the estate of William T. Sullivan, deceased, this day due, be continued to the November term, 1911, of this Court.

First State Bank, Bliss, Okla.

Claimant,

Vs.

Estate of Noah Hershberger, Insane.

Defendant.

^{this cause coming on to be heard}
Now comes W. C. Macy, Pub. Admr. and Ex Officio Pub. G & Cur. and as such, Guardian of the person and Curator of the estate of said Insane person, and shows to the Court that the Plaintiff ^{whose demand against the estate of his ward, heretofore filed herein} in said Cause, is a non-resident, and moves the Court to require said Plaintiff to give security for costs, which said motion is by the Court sustained, and said plaintiff is given till Monday, the 20th inst. in which to file such bond, and said last date is set for the hearing of said matter.

In the Probate Court - In Vacation - August 26, 1911

In the matter of the Estate of } Will Probated.
William T. Dorsey, deceased }

Now this day an instrument of writing signed by William T. Dorsey and purporting to be the last will and Testament of William T. Dorsey, deceased, (which said instrument of writing was heretofore filed herein,) is produced before the Judge of Probate to be proven and admitted to probate, and said Judge having examined said instrument of writing, and having heard the testimony of R. E. Maupin and J. D. Rader, the attesting witnesses thereto, in relation to the execution of said instrument of writing, and having reduced said testimony to writing and caused said attesting witnesses to subscribe the same under oath - and having caused to be filed herein the Affidavits of W. G. Reynolds and Dr. J. D. Dunham, the Clergyman officiating at funeral, and the attending Physician during last illness of of deceased, as to the date of death of said deceased, whereby it appears that the said William T. Dorsey departed this life on the 18th day of August, 1911, doth now, declare and adjudge said instrument of writing, bearing date June 27, 1911, to be the last will and testament of William T. Dorsey, deceased, late of Daviess County, Missouri, and it is therefore admitted to probate and ordered to be recorded.

P. P. Doak
Judge of Probate

Report of Sale of Personal Estat. At Private Sale

State of Missouri (ss. In the Probate Court (In vacation
County of Daviess } Held in and for Daviess County

Ruth J. Dunn Administrator of Charles W. Dunn, deceased, Comes and reports to this Court:

That in obedience to an order of this Court, made on July 5th A. D. 1911, directing her to sell the personal estate in said order as follows, to wit:

Fourteen Shares of the Capital Stock of the Jameson Telephone Company which said shares are designated by Certificate No. 30 containing 2 Shares, Certificate No. 67 containing 8 Shares and Certificate No. 70 containing 4 Shares belonging to said estate. I did, expose at

In Vacation - August 26, 1911.

private sale, upon the terms mentioned in said order, the personal estate above described, first having had the same duly appraised by F. M. Doty, J. W. Walls and John Croy three disinterested householders of said County, they having been first duly sworn, as appears by the affidavit of said appraisers and their certificate of appraisal herewith filed and marked exhibit A.

And Henry Hubbard was the highest and best bidder for said personal estate, at the price and sum of Five hundred Dollars, and the same was sold to him at private sale accordingly. And the said Henry Hubbard has fully complied with the terms of said sale, and has paid me the sum of Five Hundred Dollars in cash as required by said order of sale.

Ruth J. Dunn
Administratrix

State of Missouri (ss
County of Jackson) Ruth J. Dunn being sworn says that she did not directly, or indirectly purchase such personal estate, or any part thereof, or any interest therein, and that she is not interested in the property sold, except as stated in said report.

Ruth J. Dunn
Administratrix

Subscribed and sworn to before me, this
26th day of August 1911

Lewis B. Gilligan

Seal My term expires Apr 22 1914 Notary Public.

Ordered by the Judge of Probate that above report be and same is hereby approved, and said sale ratified and confirmed.

P. P. Doak
Judge of Probate

August Adjourned Term — Monday — August 28, 1911.

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

In the matter of the estate of { Judgment Establishing Will.
William T. Dorsey, deceased }

It being shown to the Court now here, that in vacation of this Court, to-wit: On the 22nd day of August, 1911, an instrument of writing purporting to be the last will and testament of William T. Dorsey, deceased, and attested by R.E. Maupin and J.D. Rader as witnesses, was produced before the Judge of this Court to be proved and admitted to record, as the last will of said William T. Dorsey, deceased, and said Judge proceeded to take the testimony of said R.E. Maupin and J.D. Rader, 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 the 26th day of August, 1911.

And the Court having inspected said will, and seen and heard the testimony of R.E. Maupin and J.D. Rader 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 T. Dorsey 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 report of sale of personal estate at private sale made by Ruth J. Dunn Administratrix of the estate of Chas. W. Dunn, deceased, heretofore filed and recorded, to-wit August 26, 1911, be approved and that said sale of property consisting of 14 shares of the Capital Stock of the Jameson Telephone Company be and the same is hereby ratified and confirmed.

August Adjourned Term - Monday August 28, 1911.

In re Estate of L. D. Shaffer, deceased. { Demand allowed.
John F. Orum, Admr. de bonis non }

Comes now W. L. Thompson and presents to the Court for allowance against said estate a demand for \$195.⁵⁹ founded on a note signed by L. D. Shaffer, dated Apr. 11, 1903. Principal \$151.⁰⁰, endorsed Apr. 11, 03, \$15; December 11, 1906, \$44.⁵⁹ - said note having been exhibited to the Administrator within the two years from the date of notice of letters. And service being waived in writing and affidavit and proof made it is ordered that said note be and the same hereby allowed against said estate in the sum of One Hundred Ninety-five & 59/100 Dollars (\$195.⁵⁹) and that it be assigned to Class Six.

First State Bank, Bliss, Okla. - Plaintiff

vs.

Noah Hershberger, Insane, { Defendant
McC. Macy Guardian }

Comes now Dudley Selby, Atty. for said plaintiff and files bond for costs in said cause, with J. W. Meade as security thereon which said bond is by order of the Court approved, and said cause is by agreement of the parties continued to the 21st day of September 1911.

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

Now at this 28th day of August, 1911, Comes John F. Orum, Administrator, de bonis non of the estate of said L. D. Shaffer, deceased and shows to the Court by his report of sale which has been and remained continuously on file herein for more than ten days last past, that he did, on Wednesday, the 2nd day of August A.D. One Thousand Nine Hundred and eleven, in obedience to the order of this Court made at the August Term, 1910, thereof sell at private sale to Julia M. Shaffer, for the sum Three Thousand Dollars in cash the real estate in said order of Court and report, particularly described, viz: The South-east quarter of the North-east quarter of Section Thirty-four (34) in Township Sixty-two (62) of Range Twenty-seven (27) in Daviess County, Missouri, and it appearing that said sale was legally and fairly conducted, pursuant to the order of the

August Adjourned Term - Monday - August 28, 1911.

Court and in accordance with the statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said Administrator is ordered to execute, acknowledge and deliver to said Julia M. Shaffer, a deed in due form of law, conveying to her, the said Julia M. Shaffer all the right, title and interest which the said L. D. Shaffer, deceased, had in the same at the time of his death.

In the matter of the estate of { Order Confirming Sale.
Albert Cubberly, deceased. }

Now at this 28th day of August, 1911, Comes William C. Macy, Administrator of the estate of Albert Cubberly, deceased, and shows to the Court by his report of sale which has been and remained continuously on file herein for more than ten days last past, that he did, on Monday, the 14th day of August, 1911, in obedience to the order of this Court made at the May Term, 1911, thereof, sell at public auction to Sue B. Cubberly Recob for the sum of Two Hundred and Eighty Dollars, in cash, the real estate in said order of Court and report, particularly described, viz:

Lots Seven (7) and Eight (8) in Block J in Brown and Wirt's Addition to the City of Gallatin, Daviess County Missouri for the sum of One Hundred and Eighty Dollars.

And that part of the South half of the South-East Quarter of Section Eighteen (18) in Township Fifty Nine (59) of Range Twenty Seven (27) lying North of the right of way of the Chicago, Rock Island and Pacific Rail Way and East of the Rock Road known as the the Old Rock Island Depot Road, being about two (2) acres, more or less, all in Daviess County, Missouri, for the sum of One Hundred Dollars, and it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and that said Administrator is ordered to execute, acknowledge and deliver a deed in due form of law, conveying to the said Sue B. Cubberly all the right, title and interest which the deceased had in the same at the time of his death.

August Adjourned Term - Monday - August 28, 1911.

In the matter of the estate of { Order Confirming Sale.
Clarence E. Rader, a minor }

Now on this 28th day of August, 1911, Comes Frances V. Rader, Guardian of the person and Curator of the estate of Clarence E. Rader, a minor, and shows to the Court by her report of Sale which has been and remained on file herein for more than ten days last past, that she did, on ~~Wednesday~~ the 9th day of August, 1911, in obedience to the order of this Court made at the May Adjourned term, 1911, thereof, sell at private sale to James R. Dixon for the sum of One hundred fifty eight and 23/100 Dollars cash in hand, the real estate in said order of Court and report, particularly described, viz:

All the undivided interest of the said Clarence E. Rader, as the son and heir of Robert Rader deceased, the same being an undivided one ninth interest in and to the North Thirty (30) acres of the South west quarter of the South East quarter of Section No. Thirty four (34) in Township Fifty nine (59) of Range No. Twenty six (26), in Daviess County, Missouri,

And it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said sale ^{be} and the same is hereby approved and confirmed, and the said Guardian and Curator is ordered to execute, acknowledge and deliver to said James R. Dixon a deed in due form of law, conveying to the ^{said} James R. Dixon all the right, title and interest which her said ward, the said Clarence E. Rader, has in said real estate

In the matter of the estate of { Final Settlement & Discharge.
L. J. Shaffer, deceased }

Now this day Comes John F. Oram, Administrator, de-bonis non of the estate of L. J. Shaffer, deceased, and first having published notice as required by Statute and files his final Settlement of said estate, and it appearing that said estate is fully administered, all the debts paid and that no balance is left in the administrator's hands to be distributed, it is therefore ordered that said final Settlement be and the same is hereby approved, and it is ordered that it be recorded and that said Administrator be discharged.

August Adjourned Term - Monday August 28, 1911

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In the matter of the estate of { Final Receipts filed. partial Discharge.
Volney B. Scott, deceased }

Now comes Martin Dowell, Administrator of said estate, and files the receipts of Mary Alice Dowell and of J. R. Baker, (assignee of Evaline May Cook one of said distributees) each for the sum of \$163.45; the same being the share of said distributees, on final settlement and distribution of said estate.

And it is ordered that said Administrator be, and he is hereby discharged as to said Mary Alice Dowell heir and distributee and as to said J. R. Baker, assignee of said Evaline May Cook, heir and distributee of said estate.

In the Probate Court - In Vacation - August 29, 1911

In the matter of the Estate of { Administration granted
William V. Vanduyke, deceased }

Comes now Lucy M. Vanduyke, - and first having made affidavit setting forth the names and places of residence of the deceased, and stating that the said William V. Vanduyke died on the 22nd day of August 1911, without a will, and that she 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, account for and pay all assets which shall come to her possession or knowledge, - makes application for letters of Administration upon said estate. And it appearing to the court that said Applicant is a suitable and competent person for such office and that she is the widow of said deceased and therefore entitled by law to administer said estate, it is ordered by the Judge of Probate that letters of Administration upon the estate of said William V. Vanduyke, deceased be granted and issue to her, the said Lucy M. Vanduyke, provided that, ^{as such Administratrix,} she enter in to bond to the State of Missouri in the sum of \$1000.00 with good and sufficient security thereon and conditioned as the law directs.

And now comes said Lucy M. Vanduyke and files her said bond in the sum of Fifteen Hundred Dollars, with John M. Fannin and James M. Vanduyke as sureties thereon and conditioned according to law, which said bond is accepted and approved. And it is further ordered that M. R. Barnett and R. R. Wynne be appointed witnesses to accompany and aid said Administratrix in examining the papers, books, money, and evidences of debt of the said deceased and to make an inventory of all the property belonging to said estate, and that said Administratrix publish notice of the grant of said letters as required by law.

O. P. Foak

Judge of Probate

In the Probate Court - In Vacation - September 4, 1911

In the matter of Estate of ~~Marshall Jones, deceased~~ } Objections to Assignment filed and recorded

Comes now Anna W Reeves, heir and distributee of the estate of the aforesaid Marshall Jones, deceased, and excepts and objects to the purported assignment of the right title and interest of the said Anna W. Reeves in and to said estate; to one J. C. Laming, filed in said Court on the following grounds and for reasons herein after stated;

First, That said Assignment is void and without validity.

Second, That said Assignment was without consideration

Third, That said Assignment was fraudulently obtained

Fourth, That the said Anna W Reeves was induced to execute said Assignment by the false and fraudulent representations of the said J. C. Laming that said assignment was to be held as security for the payment of _____ Dollars which he the said J. C. Laming agreed to loan to her the said Anna W. Reeves and H. E. Reeves her husband; that after securing said assignment the said J. C. Laming refused and still refuses to make said loan as agreed but has filed said assignment in the Probate Court of Davies County and seeks to be substituted for the said Anna W Reeves in the distribution of said estate.

Wherefore the said Anna W Reeves asks the Court to ignore said assignment in making orders of distribution of said estate and that she be accorded her distributive share in said estate and that the administrator be ordered to pay to her the said Anna W. Reeves the share in said estate to which she is entitled as heir of the said Marshall Jones, in the manner and amount as if said assignment had never been executed or filed in said Court, and that said Assignment be entirely disregarded in the settlement of said estate.

Anna W Reeves, by her
attorney Fred Fair

Filed September 4, 1911.

O. P. Doak

Judge of Probate

In the Probate Court - In Vacation - Sept 4, 1911

In the Matter of Ralph Novak (Order granting Certificate of
Deaf. Admission)

This is to certify that on the 4th day of September, 1911, the Probate Court (In Vacation) of Daviess County, upon satisfactory evidence produced, orders that it be certified to the Superintendent of the Missouri School for the Deaf that Ralph Novak is 17 years of age, is a resident of this County, is deaf and is a proper person to be admitted as a pupil of the School.

O. P. Doak
Judge of Probate

In Vacation - September 11, 1911

In re (Information Alleging Unsound ^{Mind}
Estate of A. J. Lee)

Comes now Jno. R. Lee and files information in writing alleging that A. J. Lee a resident of the County of Daviess, State of Missouri, ~~and who possesses considerable estate both real and personal~~ ^{and who possesses considerable estate both real and personal} is a person of Unsound Mind and incapable of managing his affairs and praying that inquiry be had whether said A. J. Lee be a person of Unsound mind or not. And the Judge of Probate being satisfied that there reasons for the exercise of the Jurisdiction of the Probate Court in said matter it is ordered that such inquiry be had and that Friday, the 22nd day of September 1911, and during the August Adjourned term of said Probate Court be set as the time for holding such inquiry. And that said A. J. Lee be duly served with notice of the filing of such information, and of the time and place for such inquiry.

O. P. Doak
Judge of Probate

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

In the matter of the estate of (Appointment of Guardian & Curator - Bond filed
Glenn Van Dyke, minor)

Now Comes Lucy M. Van Dyke and represents and shows to the Judge of Probate, that Glenn Vandyke a child of William V. Van Dyke late of Daviess County, Missouri, deceased, and of said Lucy M. Vandyke, is a minor of the age of nine (9) years; that he is possessed of personal estate of the value of \$1000.00, viz.: Life Insurance Policy #536587 in the order of M. W. H. and payable at the death of said William Van Dyke; that said minor has no duly appointed and legally qualified Curator of his estate and prays the said Judge of Probate to appoint her as such Curator. And said Judge of Probate having heard and considered said Application, doth therefore order that said Lucy M. Vandyke, the mother of said minor, and a suitable and competent person for such trust be, and she is hereby appointed Guardian of the person and Curator of the estate of said Glenn Vandyke, minor as afore said, and that she enter into bond to the State of Missouri for the use of said minor, in the sum of \$2000.00 with such security as the Court shall approve and conditioned for the faithful discharge of her duties according to law.

And now Comes said Lucy M. Vandyke, and files her said bond in the sum of \$2000.00 with J. M. Fannin and J. M. Van Dyke as securities thereon and conditioned as the law directs, which said bond is by said Judge of Probate accepted and approved.

R. P. DODGE,

Judge of Probate.

In the Probate Court - In Vacation - September 18, 1911.

Estate of Elias P. Morrill } Order Refusing Letters of Administration
Deceased

Now at this day comes Alice Morrill and shows to the Judge of Probate that she is the widow of Elias P. Morrill, 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.

To the end, therefore, that the said Alice Morrill, 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.

O. P. Doak, Judge of Probate

In the Probate Court - August Adjourned Term - September 21, 1911.

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

Ordered that the bond of Lucy M. Vandyk, as Administratrix of Mrs. V. Vandyk, deceased, taken by the Judge of Probate in vacation of this Court on August 29, 1911, be approved and that her appointment to said office with all the proceedings therein be ratified and confirmed.

Ordered that bond of Lucy M. Vandyk as Guardian and Curator of Glenn Vandyk, taken by the Judge of this Court in vacation thereof be approved and that her appointment to said Guardianship be ratified and confirmed.

Ordered that the 2nd Annual Settlement of L. B. Gillihan Curator of Velma Day, et al, minors, this day filed be approved and recorded.

Ordered that first Annual Settlement of John W. Meade, Guardian of Mary Hamilton, Insane, this day filed be approved and recorded.

Estate of Ralph Royse, { Final Settlement and Discharge
a minor

Now comes Alfred E. Utz, Curator of said minor, who has attained full legal age, and first having made, filed and duly served his ward with a notice of the final settlement exhibit in accordance with Statute, submits his final settlement of his account with said ward, which shows a balance of \$485.25 due to said estate. And the Court having examined said final settlement doth adjudge the same to be correct and it is ordered that said final settlement be approved and recorded, and that said balance of \$485.95 be paid over to said Ralph Royse and his receipt therefor be filed herein.

And now comes said Alfred E. Utz Curator as afore said and files the receipt of said Ralph Royse for said sum of \$485.95, the same being duly acknowledged, in which the said Ralph Royse accepts said sum so receipted as being in full for all money and property to him due from his said Curator by reason of said curatorship, and it is ordered by the Court that said Curator be and is hereby discharged of said Curatorship as to said Ralph Royse.

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Ordered that 10th Annual Settlement of Ada M Royston Curator of Gladys and Lucile Royston, minors, this day filed be approved and recorded

Ordered that first Annual Settlement of Nettie L. Goutsey, Executrix of Sanford M Goutsey, deceased, this day filed be approved and recorded

Ordered that the first Annual Settlement of Elizabeth A. Galyean, Executrix of James R Galyean, deceased, this day filed be approved and recorded

In the matter of the estate of { Order of Publication.
Dulcinea Still, deceased }

Now at this day comes J. L. Wade, Administrator of the estate of Dulcinea Still, 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 November, 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 Lock Springs Herald, a newspaper published in this County and State, for four weeks before the next term of this Court, and that personal service of this notice be made on the heirs and devisees of deceased, resident in said County, at least ten days before the next term of this Court.

In the matter of the estate of {
Wanda Roberts, Lucile Roberts } Appointment of Curator.
and Elvaree Roberts, minors }

Now this day it being shown to this Court that Wanda Roberts, Lucile Roberts and Elvaree Roberts are minors, aged respectively 17, 15 and 13 years; that ~~here before~~, to-wit: February 23, 1909,

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Barbara A. Roberts, mother of said minors, was appointed as Curator of their estate; that she, the said Barbara A. Roberts has by removal to the State of Kansas and thus becoming a non-resident of this State forfeited her right to continue to act in the capacity of Curator of said minors. It is therefore ordered by the Court that the Curatorship of the said Barbara A. Roberts be and the same is hereby revoked, and that she, the said Barbara A. Roberts proceed forthwith to make final settlement of her account with her said wards and to turn over to ^{that so soon as her successor is appointed, and qualifies} ^{so soon as one is appointed and qualifies, as such,} her successor in said Curatorship, the estate belonging to said minors, which is now in her possession and that she file herein a receipt for the same.

And said Curatorship being vacant it is ordered by the Court that Philip B. Smith, the Grand-father of said minors, be, and he is hereby appointed Curator of the estate of said Wanda, Lucile and Elvaree Roberts and that before entering upon the duties of said trust that he enter into bond to the State of Missouri for the use of said Wanda Roberts, Lucile Roberts and Elvaree Roberts in the sum of Twelve Hundred Dollars with good and sufficient security thereon and condition according to law.

And now comes said Philip B. Smith and files said Bond in the sum of \$1200.00 with A. R. Maffitt and Chas. Henry as securities thereon and Conditioned for the faithful discharge of his duties according to law. And it is ordered by the Court that said bond be, and is hereby approved, and said Curator is ordered to take charge of ^{and} administer the estate of his said wards as the law directs.

First State Bank of Bliss, Oklahoma.

Plaintiff.

vs.

Noah Herschberger, Insane, {
W. C. Macy, Guardian }

Defendant.

Now come the parties - Plaintiff by their attorneys Dudley & Selby - And said W. C. Macy, Guardian of said insane person, in his own person and by his Attorney N. G. Creger, and said cause - which is founded on a ^{promissory} note for \$300.00 payable to said bank, dated Sept. 25th 1911, due May 10, 1912, interest from date at 10% per annum, and signed by Noah Herschberger and J. B. Trooper - is by agreement of the parties submitted to the Court for trial without a jury, and the Court having heard the evidence and argument of counsel - takes the same under advisement till the November term 1911 of said court, to which said term said cause is continued.

In the matter of the Estate of { Order of Publication.
William O. Osborn deceased }

Now at this day comes Verden Dyer Osborn Executor of Last Will of William O. Osborn, deceased and presents to the Court his petition

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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 second Monday of November, 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 Jamesport Gazette, a newspaper published in this County and State, for four weeks before the next term of this Court, and that personal service of this notice be made on the heirs and devisees of deceased, resident in said County, at least ten days before the next term of this Court.

In the matter of the estate of
 Wanda Roberts, Lucile Roberts } Order of Sale
 and Elvaree Roberts, minors. }

Now this day Comes Philip B. Smith, Curator of the estate of Wanda Roberts, Lucile Roberts and Elvaree Roberts, 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 the means for the proper education, support and maintenance of said wards and to meet the demands and liabilities heretofore incurred in their behalf as set forth in said petition.

And the Court having heard and considered said petition and the evidence in relation thereto, and being fully advised and satisfied that the statements and allegations therein contained are true, and that it is right and proper and for the best interests of said minors to sell said real estate for the purposes mentioned in said petition; It is therefore ordered that the said Philip B. Smith, Curator as aforesaid, first having had the same appraised according to law, do sell at private sale, for cash in hand, the real estate mentioned in said petition and described as follows, to-wit: —

That part of Block Six (6) West and Two (2) South in the City of Gallatin, Missouri, Commencing at the North West Corner of said Block, Running thence South One Hundred and Twenty (20) feet; thence West Sixty (60) feet; thence North One Hundred and Twenty (20) feet; thence East Sixty (60) feet to place of beginning for the purposes in said petition mentioned and that within ten days after such sale he make a full report of his proceedings therein to this Court as the law directs.