

Chilcote, Hethcote (1821-1900) Summary of Probate Estate Records from Coffey County, Kansas

Case Number 923 in the Coffey County District Court records, Burlington, Kansas

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Direct Descendant of H. Chilcote

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Introduction

This is a report on the contents of a probate court record of the settlement of one deceased person's estate, including discussion, commentary, financial highlights, and a partial transcript. The purpose of the report is to capture a bit of family history, for the interest of future generations. The work was done by a true amateur, who by definition pursues an art or craft because he loves it, and not because he has any special skills.

Hethcote Chilcote was born in 1821 in Licking County, Ohio, possibly in McKean Township north of Granville. His family is believed to have come there from Huntingdon County in Central Pennsylvania. From Licking County, Hethcote moved to Harmony Township, in Morrow County, Ohio, probably in the early 1840s. His older brother first purchased land in Harmony Township in 1838. Hethcote is listed in the 1850 U.S. Census as residing in Morrow County.

His father, also named Hethcote, is listed in the 1840 U.S. Census as residing in McKean Township of Licking County, Ohio. The father is listed in the 1850 U.S. Census as living in Morrow County, Ohio, and died there in 1858. There is one real estate transfer recorded in Morrow County in 1854 between Hethcote Sr. and Hethcote Jr. (Deeds Volume 9, page 220).

It is not known whether the father and son moved from Licking County to Morrow County at the same time. After living for about 40 years in Morrow County, Hethcote the son migrated from Ohio to Coffey County, Kansas, around 1884. He died on January 30, 1900, outside the village of Waverly, in Rock Creek Township, Coffey County. His remains were interred at the Waverly Cemetery.

Hethcote's Kansas home stood on the north side of what is now 23rd Road Northeast between Trefoil Road NE and Underwood Road NE. The house was on an 80-acre farm described as the East Half of the Southwest Quarter of Section 25, Township 19, Range 16, East of the Sixth Principal Meridian. Hethcote is believed to have been married three times, to Mary Elizabeth Snair/Snare and then to Catherine Warner Hulse in Ohio, and to Maria J. [Bethel/Bethell?] Dodd in Kansas. Maria survived him.

Here is Hethcote's obituary from a copy in the Coffey County Library in Burlington:

H. Chilcote died at his home 2-1/2 miles south-east of Waverly at 6 o'clock p.m. Tuesday, January 30 [1900] of a complication of diseases. Hemorrhage of the lungs was the direct cause of his death, but he had been suffering a long time with dropsy of the heart and paralysis of the bladder.

Deceased was born 79 years ago in Licking County, Ohio. He came to Kansas in 1884 and settled on the farm where he died. A wife, 8 children and 7 step-children survive him and mourn the loss of a loving husband and parent. Mr. Chilcote was a popular and respected citizen and his death casts a sorrow into many lives.

The funeral services will be conducted by Rev. J.D. Smith at the M.E. Church to day (Friday) at 2 o'clock.

[Source: Waverly Obituary Notebook, pg. 157]

"Dropsy" was a term for swelling of the soft tissues, known later as edema, and possibly associated with congestive heart failure.

Hethcote was evidently a man of property, owning 120 acres of real estate at the time of his death, and having loaned money to between 50 and 60 borrowers, whose promissory notes formed a good portion of the appraised value of his estate. He had invested \$9,292.65 in both “good” and “bad” (that is, value = \$0) loans, the equivalent of approximately \$316,000 in 2018 dollars. His total appraised estate was valued at \$11,773.44, worth approximately \$400,000 in 2018 dollars.

He left both a prenuptial agreement and a last will and testament. His estate went through the Coffey County Probate Court starting just after his death, with the last documented payments being made in March 1904. It appears that his widow, Maria J. Dodd, owned separate real estate prior to and during their marriage. As her late husband’s estate was being settled and the executors had entered into a contract to sell the 80-acre farm where she lived to an Adam Emmerich, Maria filed a civil suit in Coffey County District Court (Case 4165) against the other named heirs, evidently to claim a greater share of Hethcote’s estate than the prenuptial agreement and the will had provided. This lawsuit was settled out of court and dismissed, as documented in both the estate and the civil court case records from Coffey County.

U.S. Census and other genealogical records show that Hethcote had 12 children with his first two wives. Information on his first wife, Mary Elizabeth Snair/Snare, is elusive. No record has been found of her death or burial, nor of her appearing in any census after the 1850 census in Ohio, when she was listed as Hethcote’s spouse, age 28 and with three children between the ages of 6 years (Denton) and 10 months (Mary Jane). Some informal and unverified family records indicate that Mary Elizabeth died c. 1852 to 1854.

Catherine Hulse (1826-1879), the second wife, is listed on an Ohio marriage license as having married Hethcote in 1856 (Morrow County marriages, Vol. 1, pg. 196, No. 210). More research is needed to determine which of the children were born to Mary Elizabeth and which were born to Catherine. Catherine is interred in Morrow County, Ohio. Hethcote migrated to Kansas about 5 years after she died at age 53. Eight of the 12 children lived to survive Hethcote in 1900, as shown in the unshaded rows of the table below.

| Name | Birth Yr | Death Yr | Comments |
|----------------------|-----------------|-----------------|--------------------------------|
| Denton Chilcote | 1843 | 1917 | Resided in Ohio |
| Nicodemus Chilcote | 1844 | 1848 | <i>Died ~age 4 yrs</i> |
| Susan Doty Hendrix | 1845 | 1934 | Migrated to Kansas |
| Mary Jane Chilcote | 1849 | 1854 | <i>Died ~age 5 yrs</i> |
| Nancy Corwin | 1851-53? | after 1900 | Migrated to Kansas |
| Matilda Kelly | 1854 | 1942 | Migrated to Kansas |
| Wilbert Chilcote | 1857 | 1926 | Resided in Ohio |
| Lyman/Lymon Chilcote | 1859 | 1862 | <i>Died ~age 3 yrs</i> |
| Viola Goodman | 1862 | 1906 | Migrated to Kansas |
| Martha Ulrey | 1864 | 1935 | Resided in Ohio |
| Lewis Chilcote | 1866 | 1912 | Migrated to Kansas |
| Wilson Chilcote | 1869 | 1891 | <i>Died ~age 22 yrs</i> |

As discussed below, for some reason Denton and the five youngest surviving children were treated far differently in Hethcote’s will compared to the two older daughters, Susan and Nancy. If Nancy was born in 1851 and Hethcote’s first wife Mary Elizabeth died in 1852, then all of the adult children who received

larger shares of the estate (except Denton) may have been the children of Hethcote's second wife, Catherine. It is unknown whether this potential difference has any connection to the birth mothers.

How this Report Was Prepared

The brothers Vincent J. Brown and Steven K. Brown, among others, trace their descent from Hethcote through their father Buford Brown as follows:

Hethcote Chilcote (1821-1900)

 Denton Chilcote (1843-1917)

 William Benton Chilcote (1872-1960)

 Hazel Loree Chilcote Brown (1898-1977)

 W. Buford Brown (1926-2003)

The two brothers took a brief genealogy trip in September/October 2018, to visit Fillmore Cemetery and the grave of a man believed to be Hethcote's older brother, Nicodemus Chilcote (1806-1878), north of Chesterville, Douglas County, in east central Illinois. Vincent then continued westward to Waverly and Burlington, in eastern Kansas, to visit the grave of Hethcote Chilcote. Along the way both brothers collected information from public records in courthouses, libraries, and museums.

The records on which this summary report was based are stored in digital electronic image form by the District Court in Burlington, Kansas, as Case 923. They are indexed on a computer that is available to the public, and court clerks can print copies of the records for a nominal fee. Your author obtained just over 200 pages, constituting a copy of the entire estate file. He then reviewed and transcribed almost all of the contents of these pages, omitting some lengthy sections of standard preprinted court forms with no family-related information. He then studied and combed the records again for any financial information, transcribing this information into three worksheets:

- The inventory and appraisal filed in March 1900
- Cash flows to and from the estate, as documented in annual and final executors' accounts
- Individual items such as bills and receipts, which contained greater detail on many of the expenditures and disbursements.

Only a few of the original records in this case were typewritten; the majority were handwritten in ink or pencil. The reliance on second-generation digital page images and the variation in handwriting, not to mention idiosyncratic spelling and punctuation, means that some information in this transcript is uncertain. When an entry is doubtful, a [??] symbol appears in the transcript. Likewise, the documentation is imperfect. There is not a 1:1 correspondence between each receipt or bill/slip and every entry in the annual and final accounts. The author of this transcript has attempted to weed out any double-counting and to make the cash flows as complete and accurate as possible. The purpose was not to produce a 100% airtight audit of the estate records, but rather to give a general idea of the finances of one household/estate as it went through probate court at the turn of the 20th Century.

A copy of the full transcript is provided in Appendix A, and a list of all personal names appearing in the records is provided in Appendix B. Extracts and highlights from the transcript and the financial spreadsheet appear below.

Prenuptial Agreement and Civil Suit

The widower Hethcote Chilcote and the widow Maria Jane (Bethel?) Dodd executed a prenuptial agreement on Saturday, November 12, 1887, about 3 years after Hethcote migrated from Ohio to Kansas (Item 001). Witnesses to the agreement were A.B. Hutchison and J.L. Senior. Maria may have been born in Ohio herself, but beyond some census records in Kansas, little is known about her background prior to 1887. The wedding was three days later, on Tuesday, November 15, 1887, as documented in Coffey County Book D, page 019. The groom was about 66 years of age, and the bride was about 39.

The main purposes of the agreement were threefold: (1) to clarify a financial arrangement that Hethcote made for Maria's support, and (2) to protect the separate property rights of each party, and (3) to specify the rights of each party's respective heirs upon the deaths of Hethcote and Maria. Assuming that Hethcote, being about 27 years her senior, would predecease Maria, Hethcote promised that \$1,000 of his estate would be invested by his executors, and the interest or profits from this amount were to be given to Maria annually for her use and support as long as she lived, unless she were to remarry. At her remarriage or her death, the interest payments would stop, and the \$1,000 principal would descend to Hethcote's heirs.

The agreement also specified that each spouse was to have "sole and exclusive control of all [his/her] property real and personal." The agreement seemed to indicate that Hethcote and Maria each came into the marriage with his or her own, separate property, and agreement attempted to set aside or override the usual idea of joint ownership or rights of dower. The agreement also specified that at the death of either party, except for the \$1,000 investment listed above, then his or her own separate property would descend by inheritance to only his or her own heirs, and not to the heirs of the spouse. That is, Maria's particular heirs were to have no claim upon Hethcote's separate estate after his death, and "in like manner," Hethcote's particular heirs were to have no claim upon Maria's separate estate after her death.

As one possible example of Maria's "separate property," a 1901 plat map of the area 5 miles west of Hethcote's home in Section 25 shows that an M.J. Chilcote owned 160 acres, being the northeast quarter of Section 31, Township 19 South, Range 16 East. The same parcel is shown on an 1878 plat map as belonging to J.S. Dodd, who is believed to have been a previous husband of Maria J. Dodd. On the 1901 map, this land is shown as being north of School No. 80 (to which Hethcote evidently loaned money) and northwest of the village of Halls Summit on the railway.

One apparent omission from the prenuptial agreement was an itemization or identification of the real and personal property that was considered to be the "separate property" of each party. As described below, in March 1900, two months after Hethcote's death, the executors entered an agreement to sell the 80-acre farm, where Hethcote had lived and Maria still presumably lived, to an Adam Emmerich. On May 22, 1900, Maria filed a petition in the District Court of Coffey County, identified as Case No. 4165. The original petition is nearly illegible, but from evidence in Hethcote's estate records (Items 033, 061, 063, and 064) and other documents in the civil lawsuit file, it appears that Maria sued the other heirs named in Hethcote's will for a larger share of his property. Item 033 below is a June 1900 petition from the executors to the Probate Judge, requesting permission for the estate to employ and pay legal counsel. The petition states: "...the said estate of Hethcote Chilcote Decd has been sued in the District Court of said County, said suit involving a great portion of the property belonging to and is a part of the

assets of said estate.” According to the terms of the settlement agreement that resulted in Case No. 4165 being dismissed a year later in March 1901, Maria accepted a large cash payment (Item 063).

The author of this summary received a letter written in 1977 from a Mrs. Vernon Huntsucker (maiden name Winifred Hetzel, 1922-1998). She was a native of Waverly but then residing in Oregon. Mrs. Huntsucker’s father and uncle bought the “Chilcote place” when Maria J. Chilcote died in 1929, and she said that her parents spoke of their neighbor Mrs. Chilcote many times. This suggests that Mrs. Chilcote continued to own the 80-acre farm and may also have continued to reside in the house southeast of Waverly until her death. If true, then somehow Maria was able to retain possession of the farm or at least the dwelling.

Very likely, Hethcote’s executors attempted to use the will and the prenuptial agreement to eventually evict the widow Mrs. Chilcote from her home and 80-acre farm in Section 25 so that they could sell it. (The agreement with Emmerich said that the executors were to deliver the deed and possession of the 80 acres to Emmerich 10 months later, by January 1, 1901.) This prospective sale caused Mrs. Chilcote to bring the lawsuit in May, claiming some right (for example, a dower right) to the farm because of her marriage to Hethcote. This is only speculation, but Maria may have thought that a judge or jury would protect her from being evicted by her late husband’s executors, and that her right as a resident of the farm as Hethcote’s wife (for 13 years from 1887 to 1900) outweighed the language in the prenuptial agreement about each party’s “separate” property both real and personal. Alternately, Maria and her attorneys may have argued that the home place of 80 acres was not considered Hethcote’s separate property at all, as defined in the prenuptial agreement.

This timeline is strengthened by the appearance in the estate record of certain agreements related to an Adam Emmerich/Emmerick. In late March 1900 (Item 023 below), the two Kansas executors agreed to a bond for deed with Mr. Emmerich, under which the estate agreed to sell the 80-acre Section 25 farm to Mr. Emmerich for \$2,400. In mid-January 1901, there was an agreement for probate hearing (Item 051) in the matter of Emmerich vs. Kelly and Goodman, Executors, charging that the executors had breached the 1900 bond and had not delivered possession of the farm to the intended buyer on schedule. The estate paid Mr. Emmerich \$91.85 in damages, evidently to settle this suit.

The 80-acre farm in question was appraised at \$2,400, and Mrs. Chilcote settled her own lawsuit for a payment of \$1,644.40. She agreed to waive the payment of the interest from the \$1,000 cited in the prenuptial agreement and the will, and to waive all other claims against her late husband’s estate (Items 061, 063, 064). She may have used the \$1,644.40 to help purchase the farm at its market value from the estate, because the 1902 annual account from the probate court records shows payments in July 1901 of \$50 and \$1,340 from M.J. Chilcote to the estate, and described as “Land 80 A sold to Chilcote.” Then the 1903 annual account shows another large payment of \$1,596 from M.J. Chilcote to the estate in August 1902, described only as “Chilcote note.” These three payments total \$2,986, which is close to the appraised value of the 80-acre farm in Section 25. Further research is needed in the Coffey County Courthouse land transfer records to verify what actually happened.

The Will and its Provisions for Hethcote’s Widow and His Adult Children

The will is a curious document (Item 002). It was signed and sealed on Monday, September 27, 1897. However, the prenuptial agreement made ten years earlier (in November 1887) cites an existing “Last Will and Testament which he [Hethcote] has made heretofore.” The language about Maria Chilcote

receiving the income from the \$1,000 is the first bequest, and the will incorporates the prenuptial agreement by reference as “the contract hereunto attached.”

Of the deceased’s eight surviving children, two are treated differently from the remaining six. Hethcote’s second-oldest surviving daughter **Nancy Corwin** is bequeathed \$300, with the unusual stipulation that “should she refuse to accept it, it is then my will that this sum be equally divided between her children.”

Hethcote’s oldest surviving daughter **Susan M. Hendrix** is bequeathed \$10 plus four promissory notes, which had been “executed to me [Hethcote] by E.W. Doty former husband of Susan M. Hendrix.” The total principal for all four loans was \$897. According to an affidavit sworn by J.M. Stewart as a witness (Item 122), in July 1902, more than 2 years after Hethcote’s death, the two executors met with Mrs. Hendrix at her home and tendered to her the \$10 and the four promissory notes. The affidavit is unclear on exactly who the borrowers and lenders were for these four notes. The language “executed to me” in the will could mean that all four notes represented money borrowed by Doty from Hethcote. The affidavit also says that the four notes “were given to deceased by her former husband, E.W. Doty.”

However, in the affidavit, the first and last notes are described without stating or implying the identities of the borrower or the lender. The second and third notes are described as having been “Made by said E.W. Doty to said deceased.” It is not known whether the first and fourth notes were from loans from Hethcote to his son-in-law, or were notes from loans that Doty had made to other parties, and which Doty somehow assigned to Hethcote as tokens of value.

Three of the notes were made in 1882, and the fourth in 1884. E.W. Doty died in August 1884 and was interred in the Waverly Cemetery, in Kansas. He may have migrated there from Ohio in 1882, two years before Hethcote did, and Doty borrowed the funds to finance the move to the new place.

It seems clear, from the language in the will bequeathing Susan only \$10 and four old, mostly unpaid I.O.U.s, that there may have been hard feelings between Hethcote and Susan over unpaid debts after 13 to 15 years. The total repayments toward these notes, as documented in the Stewart affidavit, were \$117.71. Interestingly, the Stewart affidavit says that the executors “tendered” the cash and the four notes to Susan, which means only that they offered them to her. The affidavit does not say whether she accepted them. Likewise the bequest of \$300 to Nancy Corwin indicates some difference in the relationship between father and daughter, compared to those of the other six siblings.

[One interesting sidelight is that the 1901 plat map of the area south of Waverly shows that a W.W. Doty (presumably Hethcote’s grandson, William W. Doty (1867-1944, who is interred in Hoyt Cemetery, Jackson County, Kansas, north of Topeka) owned the adjoining 80-acre farm to the west of Hethcote and Maria’s farm in Section 25. One wonders how the near neighbors got along.]

The other six surviving adult children, namely **Denton Chilcote, Matilda Kelly, Wilbert Chilcote, Viola Goodman, Martha Ulrey, and Lewis Chilcote**, were to divide all remaining property from the estate equally among themselves. This turned out to be a substantial amount of money for each of them, paid out in seven periodic installments between February 1901 and March 1904. These six each received the amounts shown below, most of which were timed to match the annual administrators’ accounts.

| Date | Amount, \$ |
|---------------|-------------------|
| February 1901 | \$156.66 |
| February 1902 | \$262.00 |
| February 1902 | \$360.00 |
| February 1903 | \$319.52 |
| February 1903 | \$300.00 |
| February 1903 | \$18.92 |
| March 1904 | \$21.00 |
| TOTAL | \$1,438.10 |

The Bureau of Labor Statistics offers an inflation calculator, but it extends back only to 1913. A private web site (www.halfhill.com, Tom's Inflation Calculator, JS v3.12) gives the value of \$1,438.10 in 1900 as the equivalent of **\$48,882** for each heir in 2018 dollars, based on his calculation of the Consumer Price Index. This same resource was used for all 1900 to 2018 conversions in this report.

Hethcote named his eldest son Denton and two of his Kansas sons-in-law, J.M. Kelly and Isaac T. Goodman, his executors, but Kelly and Goodman appear to have been the only executors in fact. There is an affidavit in the file (Item 074) in which J.M. Kelly swears that Denton Chilcote is a resident of Ohio and has never been a resident of Kansas. This may have been supporting Denton's having been excused from serving as executor.

Summary of Estate Valuation, February 1900

Three independent appraisers were appointed on February 15, 1900, and each was paid \$2.50 for his services: H.P. Donnell, A.P. Reed, and N. Basye (Item 021). The line items in the appraisal and inventory fall into several categories, with the valuations shown below:

| Type of Property | Appraised Value, \$ | % of Total |
|---|---------------------|-------------|
| Promissory notes for money owed to the estate ^a | \$7,464.95 | 63% |
| Personal property reserved by the widow, mainly household items | \$189.00 | 2% |
| Real estate | \$3,120.00 | 27% |
| Cash and other miscellaneous personal property | \$999.49 | 8% |
| TOTAL | \$11,773.44 | 100% |

a. This amount includes the principal value of the four "Hendrix" notes that were specified in the will as belonging to the deceased, but which were not listed in the formal appraisal of March 1900. This amount does not include the principal amounts for the "bad" loans appraised as value = \$0.

Besides the normal household furnishings and chattels included in the inventory, several items of note include: washing machine (\$8); buggy (\$10); horse, 21 years old (\$10); cow (\$25); fire proof safe (\$9); silver watch (\$6); and about \$700 in cash.

Hethcote owned two parcels of real estate at the time of his death:

- **80 Acres:** The East half of the South West Quarter of Section Twenty Five (25), Township Nineteen (19), Range Sixteen (16) East in Coffey County, Kansas. Value: \$2,400.00
- **40 Acres:** The South East Quarter of the North West Quarter of Section Thirty One (31), Township Nineteen (19), Range Seventeen (17) East in Coffey County and State of Kansas. Value: \$720.00

Section 25 is about 2 miles southeast of Waverly, and Section 31 is adjacent to and diagonally southeast of Section 25.

[Interesting sidelights not directly related to the estate or appraisal: (1) Hethcote's referenced parcel in Section 31 of Range 17 is shown in a 1901 plat map as adjoining an 80-acre parcel to the north belonging to J.T. Goodman, likely a transcription error for the name of Hethcote's son-in-law Isaac Thomas Goodman. That same plat map shows J.M. Kelly as the owner of an 80-acre parcel one mile north, in the west half of the southeast quarter of Section 19. The author of this summary has not made a careful search of these plat maps, but ran across these parcels incidentally in doing other research.]

Summary of Cash Flows Through Probate Court Settlement

Using all known financial records in the appraisal report, the annual and final accounts of administration (Items 057, 106, and 135), and any loose items (bills, receipts, etc.) that do not appear in any other record, the estate appears to have received \$12,817.96 and expended \$13,222.49. Presumably, these numbers differ by about \$400 because of errors or double-counting in the original bookkeeping, inconsistent collection and submission of written records to the court, errors in transcribing and calculating the information for this summary report, or all of the above.

The author of this summary subjectively classified each expenditure. The sum paid out by the estate for each expenditure category is shown in the table below.

| Expense Category | Amount, \$ |
|-------------------------|--------------------|
| Inheritance | \$9,200.60 |
| Court Settlements | \$1,736.27 |
| Executor | \$966.18 |
| Fees, Legal | \$608.35 |
| Tax | \$261.89 |
| Funeral | \$197.13 |
| Medical | \$91.70 |
| Fees, Court | \$79.80 |
| Misc. Services | \$35.07 |
| Fees, Land Records | \$27.25 |
| Insurance | \$12.25 |
| Unknown | \$6.00 |
| TOTAL | \$13,222.49 |

Likewise, the author subjectively classified each item of revenue (amounts paid by others) to the estate. The sum received by the estate for each income category is shown in the table below.

| Income Category | Amount, \$ |
|------------------------------|--------------------|
| Loan Repayments ^a | \$9,321.62 |
| Land Sales ^a | \$2,400.00 |
| Farm Commodity Sales | \$531.91 |
| Cash from Widow | \$343.30 |
| Rents | \$110.00 |
| Other Income | \$111.13 |
| TOTAL | \$12,817.96 |

a. Some of the loan repayments may have been for loans on the sale of the estate's land. Further research on real estate selling prices is needed to verify the correct allocations.

One other curiosity, which does not affect the cash flows, was a bill of claims for medical care and other services (Item 101), filed by the executor I.T. Goodman against the estate, namely against the other executor J.M. Kelly. Mr. Goodman's claim totaled \$1,168.25 for 35 days of nursing care, plus various damages caused by Mr. Goodman's having contracted blood poisoning while acting as nurse, with \$250 claimed for loss of time and \$500 for pain and suffering. The claim was eventually noted as "settled out of court and dismissed" in January 1902.

Funeral-Related Expenses

As a point of curiosity, here are the funeral-related expenses:

| Description | Amount, \$ |
|-----------------------|-------------------|
| Casket and Hearse | \$75.00 |
| Robe | \$5.00 |
| Embalming | \$10.00 |
| Livery at Funeral | \$1.52 |
| Digging Grave | \$3.00 |
| Death Message to Ohio | \$2.61 |
| One Granite Monument | \$100.00 |
| TOTAL | \$197.13 |

Legal and Law-Related Fees

Some of the fees shown in the table below may not have been for attorney services, but for services such as preparing legal reports/accounts or acknowledging deeds and other instruments, preparing contracts, or for services in collecting debts. Some records show James Martin and others show John Martin. These are believed to represent the same person.

| Attorney/Firm | Amount, \$ |
|----------------------|-------------------|
| Cooper, H.L. | \$389.00 |
| Martin, J. | \$185.20 |
| Arthur, C.F. | \$11.25 |
| Rolston, J. | \$10.00 |
| Metzger, J.W. | \$5.00 |
| Senior, J.L. | \$5.00 |
| Ganse & Hannen | \$2.45 |
| Unknown | \$0.30 |
| Donnell, H.P. | \$0.15 |
| TOTAL | \$608.35 |

As noted above, the estate paid another \$79.80 in court fees and \$27.25 in land record fees.

Loan Payments and Defaults

The table below lists all known promissory notes in Hethcote's possession at the time of his death, mostly from the appraisal and inventory, plus the four "Doty" notes enumerated in the last will and testament as being given to Susan M. Hendrix. The Doty notes are shown at the top of the table.

The first column shows the names of the main borrowers (shaded) and presumably any cosigners on the loans, when applicable, listed beneath each main borrower. After the Doty notes, the loans are sorted alphabetically by the main borrower's last name. The "good" loans are shown first, followed by the "bad" or value = \$0 loans at the bottom, in alphabetical order by the borrower's last name. Some loans were documented in the original records as being made, for example, to "C.H. Baugh and Wife." In such instances, when the wife's name is not recorded, only the husband's name appears in the table below.

In the second column, an X signifies that the borrower was a relative of Hethcote's. The third column shows the loan value or principal amount, followed in the fourth column by the sum of all documented repayments during the period 1900 to 1904. Loans with an appraised value of \$0 are shown with boldface cell borders. These are assumed to be writeoffs or bad debts.

An approximate interest rate is shown as calculated by dividing the repayments by the loan value and then subtracting 1 and then multiplying times 100 to yield a percent value. These should be taken with caution, because there is no way of knowing the agreed-upon rates or the terms or conditions of the loans, nor the time periods over which the repayments were made, based on the date of the original loan. That is, some loans may have been carried for several years, with interest compounding until the loans were repaid. It appears that Hethcote typically charged his family 6% interest and all others about 10% interest, possibly higher rates.

It may be that some of the interest rates (or rates of repayment) that are far higher than 10% represent extra payments for loans that were not recorded in the appraisal, for example for side debts that the same borrower owed to the estate. It may also be that some of the repayments were late by several years, during which the interest had accumulated. For example, a 10% loan made nominally for one year, if held for two years and then repaid with interest, would presumably return 20% or more. A third theory is that in some cases, Hethcote was operating as what is now called a "sub-prime lender," and loaned money to higher-risk borrowers at rates exceeding 10%.

There is one surviving promissory note in the estate record, documenting a loan from Hethcote to A.B. Brooks, with terms as follows:

One year after date I promise to pay to the order of H. Chilcote One Hundred Dollars for value received, with interest from date at the rate of 10 per cent per annum and if interest be not paid annually, to become as principal, and bear the same rate of interest.

Negotiable and payable without defalcation or discount

These terms seem to align with the interest amounts shown for most of the non-family loans in the table below. Notably, Hethcote appears to have made one zero-interest loan to a local school district, No. 80, incidentally near where Maria owned a 160-acre farm five miles to the west.

A column of notes and comments lists additional information pertaining to the loan. For example, some borrowers would pay off two loans at one time. In those cases, the loan amounts were summed per borrower, so that the interest calculations would be more accurate.

The totals shown at the bottom were calculated in several ways. If the four bad or written off “Doty” loans—whose promissory notes or I.O.U.s were returned to Susan Hendrix—are included, then Hethcote’s overall return was only about 1.5%. If the Hendrix loans are removed from the calculation altogether, then the overall return increases to about 14%. Neither of these methods takes into account the other bad loans shown at the bottom of the table, where the appraised value was \$0. This is admittedly a rough and simplistic way of summarizing Hethcote’s activity as a financier.

| Borrower(s) | Fam. | Loan Value, \$ | Total Repaid, \$ | Approx. Interest, % | Notes & Comments |
|--------------------|-------------|-----------------------|-------------------------|----------------------------|---|
| Doty, E.W. [?] | X | \$150.00 | \$18.20 | N/A | 6% interest (mostly writeoff) |
| Doty, E.W. [?] | X | \$247.00 | \$21.51 | N/A | Mostly writeoff |
| Doty, E.W. [?] | X | \$300.00 | \$0.00 | | Writeoff |
| Doty, E.W. [?] | X | \$200.00 | \$48.00 | N/A | 6% interest (mostly writeoff) |
| Adams, Geo. | | \$100.00 | \$103.75 | 3.8 | |
| Basye, N. | | \$200.00 | \$242.00 | 21 | |
| Allen, J.T. | | | | | |
| Basye, N. | | \$250.00 | \$301.20 | 20.5 | |
| Anderson, J.E. | | | | | |
| Knitzener, J.D. | | | | | |
| Brooks, A.B. | | \$100.00 | \$130.50 | 30.5 | |
| Chilcote, M.J. | X | \$100.00 | \$144.40 | 15.5 | Paying off 2 Chilcote/Dodd notes? |
| Chilcote, M.J. | X | \$25.00 | | | \$35 principal - \$10 credit |
| Christie, J.M. | | \$100.00 | \$221.20 | 10.6 | Paying off 2 Christie notes (see below) |
| Cook, Henry | | | | | |
| Christie, J.M. | | \$100.00 | | | Paying off 2 Christie notes (see above) |
| Howell, J.H. | | | | | |
| Condles, S.C. | | \$50.00 | \$55.15 | 10.3 | |
| Matheney, E.C. | | | | | |

| Borrower(s) | Fam. | Loan Value, \$ | Total Repaid, \$ | Approx. Interest, % | Notes & Comments |
|-----------------|------|----------------|------------------|---------------------|---------------------------------------|
| Cooper, H.L. | | \$100.00 | \$176.00 | 17.3 | Paying off 2 Cooper notes (see below) |
| Gross, Joe | | | | | |
| Cooper, H.L. | | \$50.00 | | | Paying off 2 Cooper notes (see above) |
| Basye, N. | | | | | |
| Corwin, J.W. | | \$250.00 | \$275.00 | 10 | Mortgage |
| Baugh, C.H. | | | | | |
| Crouse, E.W. | | \$250.00 | \$279.89 | 12 | |
| Crouse, Frank | | | | | |
| Dickey, T.M. | | \$100.00 | \$112.35 | 12.4 | |
| Dickey, Thos. | | | | | |
| Dickey, J.A. | | | | | |
| Stewart, J.W. | | | | | |
| McFadden, G.C. | | | | | |
| Dodd, C.A. | X | \$615.00 | \$705.80 | 14.8 | Paying off 2 Chilcote/Dodd notes? |
| Chilcote, M.J. | X | | | | |
| Dodd, C.A. | X | \$300.00 | \$315.00 | 5 | |
| Dodd, Lee | X | | | | |
| Chilcote, M.J. | X | | | | |
| Emerson, O.G. | | \$100.00 | \$117.04 | 17 | |
| Emerson, Louis | | | | | |
| Cook, A.C. | | | | | |
| Given, J.F. | | \$100.00 | \$111.00 | 11 | |
| Beasly, C. | | | | | |
| Goodman, I.T. | X | \$200.00 | \$227.95 | 14 | \$100 + \$100; 6% |
| Grose, Joseph | | \$687.40 | \$844.61 | 22.9 | |
| Howell, J.H. | | \$75.00 | \$201.02 | 14.9 | Paying off 2 Howell notes (see below) |
| Howell, T.M. | | | | | |
| Christie, J.M. | | | | | |
| Howell, J.H. | | \$100.00 | | | Paying off 2 Howell notes (see above) |
| Howell, T.M. | | | | | |
| Christie, J.M. | | | | | |
| Hutchison, W.T. | | \$125.00 | \$154.70 | 23.8 | |
| Baird, J.S. | | | | | |
| James, Frank | | \$100.00 | \$104.17 | 4.2 | |
| James, A.J. | | | | | |
| Kelly, J.M. | X | \$10.00 | \$10.00 | 0 | 6% interest |
| Kelly, J.M. | X | \$75.00 | \$83.75 | 11.7 | 6% interest |
| Kelly, J.M. | X | \$40.00 | \$45.69 | 14.2 | 6% interest |
| Kelly, B.L. | X | | | | |
| Kelly, Matilda | X | \$25.00 | \$28.05 | 12.2 | 6% interest |
| Kelly, B.L. | X | | | | |

| Borrower(s) | Fam. | Loan Value, \$ | Total Repaid, \$ | Approx. Interest, % | Notes & Comments |
|------------------|------|----------------|------------------|---------------------|---------------------------------------|
| Kroh, C.H. | | \$100.00 | \$114.60 | 14.6 | |
| Weaver, H.L. | | | | | |
| Logsdon, J.O. | | \$200.00 | \$226.00 | 13 | |
| Chite, S.L. | | | | | |
| Logsdon, W.D. | | | | | |
| James, A.J. | | | | | |
| Madden, Mary | | \$200.00 | \$262.25 | 31.1 | |
| Madden, D.E. | | | | | |
| McDowell, T.W. | | \$50.00 | \$54.19 | 8.4 | \$60 principal - \$10 credit |
| McDowell, J.H. | | | | | |
| McDowell, J.A. | | | | | |
| McDuffie, Geo. R | | \$100.00 | \$110.00 | 10 | |
| McDuffie, C.H. | | | | | |
| McMannis, Mary | | \$200.00 | \$220.00 | 10 | |
| Morgan, M. | | \$50.00 | \$56.70 | 13.4 | |
| Morgan, E.D. | | | | | |
| Manley, J.B. | | | | | |
| Murphy, J.P. | | \$100.00 | | | No record of repayment? See Item 149. |
| Murphy, Tim | | | | | |
| Philips, W.H. | | \$50.00 | \$119.00 | 19 | \$100 principal - \$50 credit |
| Philips, Desston | | | | | |
| Reed, A.P. | | \$200.00 | \$239.00 | 19.5 | |
| Forsyth, E.M. | | | | | |
| School Dist. 80 | | \$215.55 | \$215.55 | 0 | |
| Sharon, Alex | | \$25.00 | \$27.70 | 10.8 | |
| Sharon, J.M. | | | | | |
| Stewart, J.W. | | \$200.00 | \$234.48 | 17.2 | |
| Stewart, H.M. | | | | | |
| Ulrey, Silas | X | \$100.00 | \$113.45 | 13.5 | 6% interest |
| Ulrey, Martha | X | | | | |
| Warner, C.S. | | \$250.00 | \$263.47 | 5.4 | |
| Stucke, J.M. | | | | | |
| West, Chas. | | \$100.00 | \$115.00 | 15 | |
| West, M.E. | | | | | |
| Ligett, I.C. | | | | | |
| Zinn, J.W. | | \$100.00 | \$116.00 | 16 | |
| Craig, J.J. | | | | | |
| Alban, W.F. | | \$0.00 | \$0.00 | | \$200 principal |
| Limpin, H.C | | | | | |
| Hill, S. | | | | | |
| Brown, Mary A. | | \$0.00 | \$0.00 | | \$250 principal |

| Borrower(s) | Fam. | Loan Value, \$ | Total Repaid, \$ | Approx. Interest, % | Notes & Comments |
|---|------|-------------------|-------------------|---------------------|--|
| Brown, Sid B. | | | | | |
| White, J.F. | | | | | |
| Brown, S.B. | | \$0.00 | \$0.00 | | \$26.25 principal - \$10 credit |
| Grant, John | | \$0.00 | \$0.00 | | \$500 principal |
| Grant, Owen | | | | | |
| Grant, John | | \$0.00 | \$0.00 | | \$23.96 principal |
| Grant, Owen | | | | | |
| Hancock, O.W. | | \$0.00 | \$0.00 | | \$100 principal |
| Irey, J.W. | | \$0.00 | \$0.00 | | \$40 principal |
| Lattimer, D.W. | | \$0.00 | \$0.00 | | \$16 principal - \$15 credit |
| Matthews, Chas | | \$0.00 | \$0.00 | | \$107.09 principal |
| Matthews, D. | | \$0.00 | \$12.65 | | \$15.17 principal |
| O'Neil, Hugh | | \$0.00 | \$0.00 | | \$35 principal |
| West, A.B. | | \$0.00 | \$0.00 | | \$43 principal |
| West, Maggie | | | | | |
| White, J.F. | | \$0.00 | \$0.00 | | \$296.23 principal |
| White, I.J. | | | | | |
| Wise, C.H. | | \$0.00 | \$0.00 | | \$200 principal |
| TOTAL (Including the Doty writeoffs) | | \$7,464.95 | \$7,577.97 | 1.5% | Remaining/outstanding principal for all loans where appraised value = \$0: \$1,827.70 assumed to be written off |
| TOTAL (Excluding the Doty writeoffs) | | \$6,567.95 | \$7,490.26 | 14.0% | |

Looking across all of the loans, the average principal was \$143 and the median principal was \$100. The smallest loan was for \$10 and the largest was for \$687. It is interesting that most of the value = \$0 loans had no cosigners. This may simply mean that the appraisers knew that the notes were worthless, so there was nothing to be gained by taking the time to transcribe the names of the co-signers. Or, taken as a group, these may have been riskier borrowers to begin with, having no one to co-sign their notes.

It may be coincidental to Hethcote's career as a local financier in Kansas, but according to Wikipedia, from the panic of 1873 through 1879 or 1896, Europe and the U.S. were strongly affected by a worldwide price and economic recession, called the "Long Depression." In the U.S., from 1873 to 1879, 18,000 businesses went bankrupt. Ten states and hundreds of banks went bankrupt. This could be one factor that brought Hethcote and local borrowers together commercially.

Interestingly, of the loans outstanding at the time of Hethcote's death, six family members, namely his widow, her son or brother C.A. Dodd, and three of his sons-in-law (Goodman, Kelly, and Ulrey) had all borrowed money.

| Borrower | Loan Amount, \$ |
|-----------------|------------------------|
| Chilcote, M.J. | \$125.00 |
| Dodd, C.A. | \$915.00 |
| Goodman | \$200.00 |
| Kelly | \$150.00 |
| Ulrey | \$100.00 |
| Doty (Hendrix) | \$897.00 |

No loans were outstanding to Hethcote's daughter Nancy Corwin, nor to any of Hethcote's three surviving sons, Denton, Wilbert, or Lewis.

Appendix A. Annotated Partial Transcript from Estate Record, Case 923

This transcript was prepared in 2018 from photocopies of the originals by Vincent J. Brown, Mount Gilead, Morrow County, Ohio.

- *Items in this transcript are sorted in approximately chronological order.*
- *Items with no obvious date are placed in sequence using internal evidence, or near where they were in the copies as received from the court.*
- *Unique sequence/identifying numbers and boldface titles in square brackets above each item were added by the author of this summary, for use in tracking and cross-referencing information. These titles and numbers were not in the original records.*
- *Other information in square brackets has been added for clarity, to comment or elaborate on the contents of the record, or to indicate page breaks within the original record. Ellipses [...] indicate where information in the original source documents was omitted.*

[001 Prenuptial Agreement, 12 November 1887]

These Articles of Agreement Ante-Nuptial made and concluded this the Twelfth day of November in the Year of Our Lord One thousand and Eight hundred and Eighty Seven by and between Hethcoat Chilcote of the first part and Maria J. Dodd of the second part all of the County of Coffey and State of Kansas.

WITNESSETH That the said Hethcoat Chilcote party of the first part does by these presents for and in consideration of a marriage to be celebrated between the parties hereto in the near future and for other good considerations agree to and with the said Maria J. Dodd as follows to wit.

FIRST said party of the first part agrees that at his death leaving to survive him the said Maria J. Dodd as his widow that One thousand Dollars of the estate of the said party of the first part shall at once be invested securely by the Executor of the Last Will and Testament of said first party or the proper Administrator of his said Estate or other legal representative and the interest or profits of said investment of said One thousand Dollars shall be paid to the said (over)

[pg. 2]

Maria J. Dodd annually during the life of said Maria J. Dodd so long as she remains the widow of said party of the first part and in the event her remarriage or at her death the said principal sum of One thousand Dollars Shall then revert to and become part of the Estate of said party of the first part and descend to his heirs or legatees in the same manner as the same would have descended had this contract not been made. And the said Hethcoat Chilcote hereby declares that by this contract the Last Will and Testament which he has made heretofore shall not otherwise be modified than as above set forth but is by this contract reaffirmed and republished as modified thereby.

[Note reference to a will for H.C. prior to the 1897 last will that was probated in 1900.]

SECOND Said party of the first part for the considerations aforesaid does hereby agree that at and after the said Marriage now contemplated and the sole basis of this contract the said Maria J. Dodd shall have

sole and exclusive control of all her property real and personal during said marriage and said first party for the consid-

[pg.3]

eration aforesaid hereby waives all the rights and interests which he would acquire in the property of said party of the second part by such marriage and hereby consents and agrees that in the event he shall survive the said Maria J. Dodd that at her death then being the wife of party of the first part her estate real and personal shall descend to and be distributed amongst her heirs according to law or in any manner by her directed by her last Will and Testament free and clear of any claim or interest the party of the first part might have had in said Estate as surviving husband. And the said Maria J. Dodd party of the second part in consideration of the marriage aforementioned and the covenants of the party of the first part herein does agree as follows to-wit.

FIRST. That said Maria J. Dodd does assent to and ratify any disposition of the real and personal property now made or to be made by said Hethcoat Chilcote by a Last Will and Testament save as to the One thousand Dollars secured to her by these articles and in the event of her surviving the said Hethcoat Chilcote as his widow does agree to waive

[pg.4]

all her interests and rights as such widow in the estate of said party of the first part upon the said sum of One thousand Dollars being secured to her use as agreed upon, and agrees to file in such case in the Court of proper jurisdiction her election to accept the provisions of such last will and Testament as said party of the first part has or may execute or in the event of his dying intestate it is hereby by the party of the second part agreed that said estate shall descend to the heirs of said party of the first part free of all incumbrance or interest said party of the second part might otherwise have in said estate upon the use of the One thousand Dollars being secured and paid to her as aforesaid so long as she may survive as widow of said Hethcoat Chilcote.

SECOND Said party of the Second part hereby agrees that during said marriage the said party of the first part shall have sole and exclusive control of his separate property in like manner as she is

[pg. 5]

by these articles entitled to the control of her separate property.

It is mutually agreed by the parties hereto that in the event of the marriage aforementioned being dissolved by reason of desertion neglect of duty or unfaithfulness of either party to the marital relation that the provisions of these articles shall be null and void as to any rights acquired thereby by the party in default.

In witness whereof the parties hereto have set their hands the day and year first above written.

Signed in duplicate) Hethcoat Chilcote
in presence of—) Maria J. Dodd
A.B. Hutchison)
J.L. Senior)

[002 Last Will of Hethcote Chilcote, 27 September 1897]

Last Will
of
Hethcote Chilcote

[pg. 2]

Exhibit A

Last Will and Testament.

I, Hethcote Chilcote of Waverly Coffey County Kansas, Being aware of the uncertainty of life but in sound mind and memory,

Do make and declare this to be my last will and testament in manner and form following, to wit:

- 1- I desire that all my just debts be fully paid and that a suitable monument be erected at my grave.
- 2- I give devise and bequeath unto my wife Maria J. Chilcote the interest on one thousand dollars said interest to be paid to her annually, the said one thousand dollars shall be loaned by my executors at the highest rate of interest and paid to her each year so long as she remains my widow, and should she remarry then the payment of the said interest shall cease, and the one thousand dollars shall revert to my estate and be divided between my legal heirs as hereinafter mentioned, and the contract hereunto attached shall be and is made a part of this my last will and testament, and my executors are instructed to see that the same is fully carried out, and complied with, to wit:

[pg. 3]

- 3- I give devise and bequeath unto my daughter Nancy Corwin, the sum of \$300.00, to be paid to her by my executors, and should she refuse to accept it, it is then my will that this sum be equally divided between her children.
- 4- I give devise and bequeath unto my daughter Susan M. Hendrix the sum of \$10.00, and the following promissory notes, to wit:

One note for \$150.00 dated January 1st 1884,
one note for \$247.00 dated July 7th 1882,
one note for \$300.00 dated July 16th 1882,
one note for 200.00 dated December 7th 1882,

all the above notes bearing 6% interest from date and the same notes that was executed to me by E.W. Doty former husband of Susan M. Hendrix my daughter.

- 5- I give devise and bequeath unto my sons Denton Chilcote, Wilbert Chilcote, and Lewis Chilcote, and unto my daughters Matilda Kelly, (wife of J. M. Kelly), Viola Goodman (wife

of Isaac T. Goodman), and Martha Ulrey (wife of Silas Ulrey), all the remainder of my property of which I shall die seized of or be the owner of at the time of my death the same to be equally divided between [them], both my personal and real property.

6- I do hereby nominate make and appoint my son Denton Chilcote and my sons in law J.M. Kelly and Isaac T. Goodman executors of this my last will and testament and hereby authorizing and empowering them to collect compromise adjust and release all claims due me as to them shall seem just and best, and I also empower them to sell all my property both personal and real either at public or private sale as to them shall seem best,

[pg. 4]

and at such time or times, and at such place or places and upon such terms or credit or otherwise as they shall think proper, and of my real estate to make deeds in fee simple without any order of court so to do, and the proceeds to be divided as herein above directed.

I also direct that they be not required to give bond as such executors.

I also direct that no appraisement and inventory of my estate be made, and I hereby authorize and request that the Probate Court direct the omission of the same according to the Statute in such cases made and provided.

In witness whereof I have hereunto set my hand and seal, This 27th day of September 1897.

Hethcote Chilcote

Signed by Hethcote Chilcote as and for his last will and testament in the presents [read: presence] of us who at his request and in his presents and in the presents of each other have subscribed our names hereto as witnesses hereof.

A.P. Reed
H.L. Cooper

[pg. 5]

Recorded
Will Record 3,
page 271-274.

[003 Promissory Note from A.B. Brooks to H.C., 1 February 1898]

100

Feb 1st 1898

One year after date I promise to pay to the order of H. Chilcote One Hundred Dollars for value received, with interest from date at the rate of 10 per cent per annum and if interest be not paid annually, to become as principal, and bear the same rate of interest.

Negotiable and payable without defalcation or discount

A B Brooks

[Back of Brooks Note]

| | |
|--------------------------|--------------------------|
| Feb 1 st 1899 | Feb 1 st 1900 |
| Int pd to date | Int paid to date |

[Comment: This second payment would have been made 2 days after Hethcote died.]

[004 List of Some Heirs and Places of Residence, not dated]

Offices of.....

Judge Probate Court,
Coffey County.

Burlington, Kansas. -189.

| | |
|---------------------------|---------------------------|
| Denton Chilcote | |
| Mrs. Martha Ulry [Ulrey]. | Cardington Morrow Co Ohio |
| Wilbert Chilcote | Kelker " " |
| Maria J. Chilcote [widow] | Waverly Kan |
| Susan M. Hendrix | " " |
| Mrs. Nancy Corwin | " " |
| Louis [Lewis] Chilcote | " " |

[Note that this record does not include daughters Matilda Chilcote Kelly or Viola Chilcote Goodman, both residing in Kansas. Their respective husbands were named executors/administrators. Hethcote’s obituary in Waverly said that he was survived by eight children and seven stepchildren. Denton resided in Harmony Township, Morrow County, Ohio. Kelker is now a ghost town in Congress Township, Morrow County, near the site of Pleasant Grove Church of Christ.]

[005 Affidavit of Publication, 9 February 1900]

(First published in the Waverly Gazette Feb. 9, 1900)

STATE OF KANSAS)
Coffey County) ss. In the Probate Court of said County and State.

In the matter of the estate of Hethcote Chilcote, deceased.

Order for Hearing

NOW, on this 5th day of February, A. D. 1900, and at the regular February Term of said Court, comes one M. [H.] L. Cooper and files herein his petition praying that a certain paper purporting to be the Last Will and Testament of one Hethcote Chilcote deceased be admitted to probate; and the Court being fully advised in the premises, doth hereby order that a hearing of said petition be set for the 15th day of

February, A. D., 1900, at one o'clock p. m., and that true and proper notice of the time and place of said hearing be served upon the subscribing witnesses M. L. Cooper, A. P. Reed, to appear at that time and testify upon said hearing.

W. H. VERMILLION, Probate Judge

Printer's Fee \$2.74

Affidavit of Publication

STATE OF KANSAS)
COFFEY COUNTY) SS

O.J. Rose, of lawful age, being by me first duly sworn, says that he is publisher of the WAVERLY GAZETTE, a weekly newspaper published in the city of Waverly, county and state aforesaid, of general circulation in said county; that said newspaper has been published in said county for fifty-two consecutive weeks immediately prior to the first publication of the notice of which a true copy if hereto attached: and that said notice was published in the regular and entire issue of said newspaper for one week: the first publication being made on the 9 day of February 1900.

O.J. Rose

Subscribed and sworn to before me this 12th day of Feb. 1900.

H.L. Cooper N.P.

My commission expires Feb 6th 1903.

[006 Fee Bill for Letters of Administration, not dated]

Fee Bill for Granting Letters of Administration

AFFIDAVIT OF DEATH. [This was done 2/15/1900; see item 010 below.]

| | | | |
|---|----------------------|-------------|-------------|
| Appearance, | 25 [ç]; | | |
| oath (2) | 5ç; | [total 10ç] | |
| certificate | 25ç; | | |
| filing and entering same | (2) 5ç; | [total 10ç] | |
| orders to hear, and entering same, | 25ç; | | |
| and record _____ folios, (2) | 8ç per folio, _____; | [total 16ç] | |
| order appointing administrator, (2) | 25ç | [total 50ç] | |
| order fixing bond, 25ç; | | | |
| _____ motions filed and entered, 25ç each, _____; | | | |
| _____ affidavits sworn to and filed, 25ç each, _____. | | | 2.11 |

SPECIAL ORDERS AND FINDINGS.

[none]

BOND AND QUALIFICATION OF ADMINISTRATOR

Appearance, 25¢;
 entering and filing motion, 5¢;
 and hearing and granting motion, 25¢;
 filing, entering and approving bond, 40¢;
 order to record, 25¢;
 oath to administer, with certificate, 30¢;
 filing, entering and recording _____ folios, 8¢ per folio, 25 [?];
 granting letters, 25¢;
 issuing letters, \$1.00;
 recording _____ folios, 8¢ per folio, 3;
 indexing, 5¢;
 _____ motions filed, heard and entered, 25¢ each, _____;
 _____ affidavits sworn to and filed, 25¢ each, _____;
 recording _____ folios, 8¢ each, _____; **2.14**

OTHER SPECIAL PROCEEDINGS, WRITS AND ORDERS, 25¢ EACH:

Publication notice [,] notice order &c **0.50**

PROOF OF PUBLICATION OF LETTERS

Appearance 25¢;
 filing and entering motion, 5¢;
 and hearing same and granting order, 25¢;
 proof of publication approved, 25¢;
 filing, entering and recording _____ folios, 8¢ per folio, 16;
 _____ findings and orders, 25¢ each, _____;
 _____ affidavits sworn to and filed, 25¢ each, _____;
 _____ motions filed, heard and entered, 25¢ each, _____;
 indexing, 5¢;
 recording _____ folios, 8¢ each, _____; **1.92**

TOTAL PROBATE COURT FEES, **6.70**

[Note: This sum of \$6.70 appears to be off by 3¢. Calculated value = \$6.67.]

WITNESS FEES

| | |
|---|-------------|
| Inventory & appraisalment Record &c | 3.00 |
| Appointment of Appraisers Order Record &c | 1.50 |
| TOTAL | 4.50 |

Petition for order of Court by Executors to Employ Counsel &c Record order &c 2.50

| | |
|---|--------------|
| Fee Bill, Probate of Will &c | 16.35 |
| Sale of Real Estate &c | 4.90 |
| Inventory Appraisement &c [carried from above] | 4.50 |
| Affidavit of Death & Notice of Pub [carried from above] | 6.70 |
| TOTAL | 34.95 |

[The listed sum of \$34.95 differs slightly from the calculated value of \$34.92. The Fee Bill for Probate of Will (\$16.35) is also in Item 014 below. The Sale of Real Estate (\$4.90) is also in Item 011 below.]

[007 Order Admitting Will, 1 February 1900]

Order Admitting Will to Probate
in the matter of the estate of
Hethcote Chilcote deceased

Filed February 15th 1900
W.H. Vermillion Probate Judge

Recorded in Journal 7, Page 23 49

[pg. 2]

State of Kansas)
Coffey County) ss. In the Probate Court within and for said County and State.

In the Matter of the Estate of Hethcote Chilcote, Deceased.

ORDER ADMITTING WILL TO PROBATE.

Now, to wit, this 15th day of February A. D. 1900, the petition of J.M. Kelly praying for an order admitting to probate a certain paper purporting to be the Last Will and Testament of the said Hethcote Chilcote, deceased, coming on for hearing, and the Court having heard the evidence of H.L. Cooper and A.P. Reed the subscribing witnesses to the said Last Will and Testament, and having reduced the same to writing in open court, as provided by law, and being fully advised in the premises, doth find that said paper attached to the petition of said Instrument marked "Exhibit A," and purporting to be the Last Will and Testament of the said Hethcote Chilcote deceased, is the Last Will and Testament of the said Hethcote Chilcote deceased; that the same is duly attested and executed in all respects as provided by law; and that the testator at the time of the execution of the same, was of full age and of sound mind and memory, and not under any restraint, and that said Will ought to be admitted to probate.

It is therefore by the Court considered, ordered, and adjudged that said paper attached to the petition of the said Instrument of writing and marked "Exhibit A," is the Last Will and Testament of the said Hethcote Chilcote, deceased; that the same was executed in all respects as provided by law; and that the same be and it is hereby admitted to probate, and ordered to be filed in said Probate Court, and recorded, together with the testimony in relation thereto.

And it is further considered, ordered and adjudged that the said J.M. Kelly and I.T. Goodman named in said Will as Executors thereof—appointed by said Probate Court---be and they are hereby authorized to act as Executors of said Last Will and Testament, upon filing a bond, with sureties to be approved by the Court, in the sum of _____ Dollars, and upon taking the oath of office, as required by law.

Will provides that no bond be required.

W.H. Vermillion, Probate Judge

[008 Proof of Will, 15 February 1900]

Proof of Will
in the matter of the estate of
Hethcote Chilcote Deceased.

Affidavits of

H.L. Cooper
A.P. Reed

Filed Feb 15th 1900
W.H. Vermillion
Probate Judge

Book 3. Page 271.

[pg. 2]

State of Kansas, Coffey County, ss.
In the Probate Court of said County.

In the Matter of the Proving of the Last Will and Testament of Hethcote Chilcote Deceased.

And now, on this 15th day of February A. D. 1900, comes H.L. Cooper who being first duly sworn, upon his oath saith: My name is H.L. Cooper, my residence is Waverly, Kansas, my age is 44 years; I was acquainted with Hethcote Chilcote, a resident of Coffey County, Kansas, about 14 years in his lifetime; I was present at Waverly, Kansas on the 27th day of Sept A. D. 1897, and saw the said Hethcote Chilcote sign the foregoing instrument of writing, purporting to be the Last Will and Testament of the said Hethcote Chilcote and heard him publish and declare the same to be his Last Will and Testament, and at his request and in his presence, and in the presence of A.P. Reed I signed said instrument as a subscribing witness thereto; and the said A.P. Reed at the request of said Hethcote Chilcote and in his presence, and in my presence, signed said instrument as a subscribing witness thereto.

At the time of signing said instrument said Hethcote Chilcote was about 75 years of age; he was of sound mind and memory, and was not under any restraint or undue influence whatever.

Said Hethcote Chilcote is now dead; he departed this life on the 30th day of January A. D. 1900.

H.L. Cooper

Subscribed and Sworn to before me this 15th day of February A. D. 1900

W.H. Vermillion, Probate Judge

Also comes A.P. Reed of lawful age, who being first duly sworn, upon his oath saith: My name is A.P. Reed, my residence is Waverly, Kansas, my age is 41 years; I was acquainted with Hethcote Chilcote, a resident of Coffey County, Kansas, about 10 years in his lifetime; I was present at Waverly, Kansas on the 27th day of September A. D. 1897, and saw the said Hethcote Chilcote sign the foregoing instrument of writing, purporting to be the Last Will and Testament of the said Hethcote Chilcote and heard him publish and declare the same to be his Last Will and Testament, and at his request and in his presence, and in the presence of H.L. Cooper I signed said instrument as a subscribing witness thereto; and the said H.L. Cooper at the request of said Hethcote Chilcote and in his presence, and in my presence, signed said instrument as a subscribing witness thereto.

At the time of signing said instrument said Hethcote Chilcote was about 74 years of age; he was of sound mind and memory, and was not under any restraint or undue influence whatever.

Said Hethcote Chilcote is now dead; he departed this life on the 30th day of January A. D. 1900.

A.P. Reed

Subscribed and Sworn to before me this 15th day of February A. D. 1900

W.H. Vermillion, Probate Judge

[009 Petition for Probate of Will, 15 February 1900]

Petition for Probate of Will

Probate Court

Coffey County, Kas.

In the matter of the estate of
Hethcote Chilcote Deceased

Filed February 15 1900
W.H. Vermillion
Probate Judge

Recorded in Record 3 page 314

Will Rd [?] 3-271-274

[pg. 2]

In the probate Court within and for the County of Coffey and State of Kansas.

In the Matter of the Estate of Hethcote Chilcote, Deceased.

Petition for Probate of Will.

Comes now J.M. Kelly and respectfully represents to said Probate Court that Hethcote Chilcote, late of the County of Coffey, State of Kansas, departed this life on the 30th day of January A. D. 1900, leaving a Last Will and Testament, which said Last Will and Testament is hereto attached, marked "Exhibit A," and made a part hereof. That said Last Will and Testament has been executed [in all] respects according to law. And your petitioner further says that the said Hethcote Chilcote left surviving him as his heirs at law

Denton Chilcote
Mrs. Martha Ulry [Ulrey]
Wilbert Chilcote
Maria J. Chilcote (widow)
Mrs. Susan M. Hendrix
Mrs. Nancy Corwin
Mrs. Matilda Kelly
Louis Chilcote and
Mrs. Viola Goodman.

And your petitioner further says that at the time of the execution of said Last Will and Testament said Hethcote Chilcote was of sound mind and memory and not under any restraint.

That in said Last Will and Testament the said Hethcote Chilcote appointed as Executors of the same J.M. Kelly & I.T. Goodman of Coffey County, Kansas Executors of said Last Will and Testament.

In consideration whereof, and to the end that said Will may be proved, established, performed and admitted to probate, your petitioner prays that the Court set a time for the hearing of said petition, and that upon such hearing said Last Will and Testament may be duly admitted to probate and letters testamentary be issued to J.M. Kelly and I.T. Goodman as Executors of said Last Will and Testament of Hethcote Chilcote, deceased.

J.M. Kelly

State of Kansas, Coffey County, ss.

J.M. Kelly of lawful age, being duly sworn, upon oath says that he signed the foregoing petition; that he knows the contents thereof, and that all the statements therein contained are true.

J.M. Kelly

Subscribed and sworn to before me this 15th day of February A. D. 1900

W.H. Vermillion, Probate Judge.

[010 Affidavit of Death, 15 February 1900]

In the matter of the estate of Hethcote Chilcote Deceased

Affidavit of Death and Petition for Probate of Will

By H.L. Cooper

Filed February 15 1900

W.H. Vermillion

Probate Judge

[pg. 2]

State of Kansas, Coffey County, ss.

In the matter of the estate of Hethcote Chilcote, Late of said County, Deceased.

In the Probate Court in and for said County.

On this 15th day of February 1900, personally appeared before me, the undersigned, Judge of said Court, H.L. Cooper, who being by me duly sworn according to law, does upon his oath depose and say, that Hethcote Chilcote died on the 30th day of January 1900 testate, and a resident of said County and State, and affiant now presents an instrument, in writing, purporting to be the last will and testament of the said deceased, and asks that the same be proved and admitted to probate as and for the last will and testament of the said Hethcote Chilcote, deceased.

H.L. Cooper

Subscribed and sworn to before me, the day and year first above written.

W.H. Vermillion

Probate Judge.

[011 Fee Bill for Probate of Will, not dated]

.....

FEE BILL FOR PROBATE OF WILL, ETC. – EXECUTOR

AFFIDAVIT OF DEATH AND PRODUCTION OF WILL.

Appearance, 25¢;

oath (2), 5¢; [total 10¢]

certificate, 25¢;

and entering and filing (2), 5¢; [total 10¢]

order to hear, 25¢;

to enter and record, 25¢;

will produced and offered for probate, 25¢;

will filed and entered, 25¢;
 continuance, 25¢;
 _____ motions filed, heard and entered, 25¢ each, _____;
 _____ affidavits sworn to and filed, 25¢ each, _____;
 other special findings and orders, 25¢ each, _____; **2.15**

Petition for Probate of Will & Record **2.00**

Recording _____ folios, 8¢ each, will & contract annexed (Recording) **5.00**

PROBATE OF WILL

Each appearance (2), 25¢, 50¢;
 oath (2), 5¢; [total 10¢]
 and certificate, 25¢;
 entry and filing motion (2), 5¢; [total 10¢]
 order for hearing, 25¢;
 citations to widow, 25¢;
 and witnesses, 25¢;
 continuance, 25¢;
 appearance of widow and others, 25¢ each _____;
 order of probate, 25¢;
 entry, filing and record, _____ folios, 8¢ per folio (4); [total 32¢]
 certificate of probate, 25¢;

Citation of Seven witnesses or interested parties Record &c **0.70**

_____ citations, 25¢ each, _____;
 _____ subpoenas, issued and filed, 25¢ each, _____;
 _____ affidavits sworn to and filed (2), 25¢ each, 50 _____;
 _____ other papers and writings, filed, 5¢ each, _____;
 indexing, 5¢;
 recording _____ folios, 8¢ each, total 1.50. **2.00**

BOND AND QUALIFICATION OF EXECUTOR

Appearance, 25¢;
 filing and entering motion, 5¢;
 and hearing and granting motion, 25¢;
 making and approving bond, and justification of sureties, and entering and filing bond, 40¢;
 recording _____ folios, 8¢ per folio, _____;
 oath of executor and certificate, 25¢each;
 filing, entering and recording _____ folios, 8¢ per folio, _____;
 motion granting letters, filed and entered, 25¢;
 issuing letters, \$1.00 **1.00**

Proofs [?] oath of witnesses, Record &c **2.00**

| | |
|---|--------------|
| recording bond and letters, 1.50 folios, 10¢ each | 1.50 |
| TOTAL PROBATE COURT FEES | 16.35 |

[The value of \$16.35 was already counted as part of Item 006 above.]

[012 Oath of Administrator: J.M. Kelly, 15 February 1900]

...

I, J.M. Kelly do solemnly swear that I will faithfully perform the duties of Executor of the estate of Hethcote Chilcote late of Coffey County, state of Kansas, deceased, to the best of my ability, so help me God.

J.M. Kelly

Subscribed and sworn to before me this 15th day of February A. D. 1900

W.H. Vermillion
Probate Judge

[013 Oath of Administrator: I.T. (Isaac) Goodman, 15 February 1900]

...

I, I.T. Goodman do solemnly swear that I will faithfully perform the duties of Executor of the estate of Hethcote Chilcote late of Coffey County, state of Kansas, deceased, to the best of my ability, so help me God.

I.T. Goodman

Subscribed and sworn to before me this 15th day of February A. D. 1900

W.H. Vermillion
Probate Judge

[014 Fee Bill on Sale of Real Estate, not dated]

Fee Bill on Sale of Real Estate--Administrator

[See photocopy for details.]

FEE BILL

| | |
|---|-------------|
| SALE OF REAL ESTATE BY ADMINISTRATOR.—Petition for Sale | 1.60 |
|---|-------------|

| | |
|---------------|-------------|
| ORDER OF SALE | 1.80 |
|---------------|-------------|

APPROVAL OF BOND FOR SALE OF REAL ESTATE

REPORT OF SALE

SPECIAL PROCEEDINGS, WRITS, FINDINGS AND ORDERS

| | |
|---------------------------|--------------------|
| Record Journal | 1.80 |
| TOTAL PROBATE COURT FEES | 4.90 |
| Petition for Distribution | 1.00 |
| Order of court for " " | <u>1.00</u> |
| | 6.90 |

[Note: The amount of \$4.90 above appears to be off by 30¢. The amount of \$4.90 was already counted as part of item 006 above.]

[015 Bill #16 and Receipt for Funeral Paid by Goodman & Kelly to McDuffie, 6 March 1900]

Rec'd of Goodman and Kelly The within account of \$90.00 funeral expenses of H. Chilcote Decd. dated Mar 6 1900

C.H. McDuffie

[pg. 2]

Waverly, Kansas, Jan 31st 1900

The estate of H. Chilcote Decd.

To C.H. McDuffie, Dr. [debtor]

| | | |
|--------|-----------------------|--------------|
| Jan 30 | 1 casket & Hearse [?] | 75.00 |
| | 1 Robe | 5.00 |
| | Embalming | <u>10.00</u> |
| | | 90.00 |

Funeral of H. Chilcote

Paid Mar 6 1900

[Notarized by H.L. Cooper]

[016 Bill #15 for Labor etc. Payable to Goodman, 8 March 1900]

To: Thos Goodman

| | | |
|-------------|-----------------------|-------------|
| Jan 15 1900 | Killing Hogs | 2.50 |
| Jan 30 | Death Message to Ohio | <u>2.61</u> |
| | | 5.11 |

[Notarized by H.L. Cooper]

[017 Bill #14 for Legal Services Payable to Cooper, 9 March 1900]

To: H.L. Cooper

Feb 1st 1900 Services to Date 15.00

[Notarized by W.H. Williams J.P.]

[018 Note from Probate Judge Vermillion to H.L. Cooper, Attorney, 13 March 1900]

[Loose page?]

Filed this March 13th 1900 W.H. Vermillion Probate Judge

[pg. 2]

Burlington Kansas
Feb 16th 1900
H.L. Cooper Atty

My Dear Sir

I herewith forward your Letters of Adm.

We overlooked making out the Petition. You please have Mr. Kelly sign it where I indicated with Pencil. And return to me and I will Place it in Record.

I have saw nothing of Connell. I find I am out of Blanks giving fees for mileage &c of appraisers but it is same as would be for witnesses. The fees for services in District Court govern in our court. Hence you can have no difficulty in making out account &c. It can be reduced to another form when it arrives here if need be.

Very truly yours etc.,

W.H. Vermillion

[When the judge says "Connell," he may have meant H.P. Donnell, whose name appears several places in these records.]

[019 Affidavit of Publication, 13 March 1900]

(First published in the Waverly Gazette Feb. 16, 1900)

ADMINISTRATOR'S NOTICE

STATE OF KANSAS)
Coffey County) ss. In the Probate Court of the County of Coffey and State of Kansas.

NOTICE is hereby given, that the undersigned has been appointed Executors of the Estate of Hethcote Chilcote deceased, late of Coffey County, Kansas by the Honorable Probate Court of said county, said Letters of Administration bearing date of February 15, A. D. 1900.

Notice is hereby given to all concerned, that they must present their claims for adjustment within one year, and if not presented within three years they will be forever barred.

I.T. Goodman
J.M. Kelly

Executors of the estate of Hethcote Chilcote, deceased.

Affidavit of Publication

STATE OF KANSAS)
COFFEY COUNTY) SS

O.J. Rose, of lawful age, being by me first duly sworn, says that he is publisher of the WAVERLY GAZETTE, a weekly newspaper published in the city of Waverly, county and state aforesaid, of general circulation in said county; that said newspaper has been published in said county for fifty-two consecutive weeks immediately prior to the first publication of the notice of which a true copy is hereto attached; and that said notice was published in the regular and entire issue of said newspaper for four consecutive weeks, the first publication being made on the 16 day of February 1900.

O.J. Rose

Subscribed and sworn to before me this 13th day of March 1900.

H.L. Cooper Notary Public

My commission expires Feb 6th 1903.

[020 Bill for Publishing Notices Payable to Rose, 13 March 1900]

| | | |
|-------------|--------------------------------------|---------------|
| Feb. [1900] | Pub. order for hearing proof of will | 1.90 |
| Mch [1900] | Admin notice 4 wks | 7.03 |
| | TOTAL | \$8.93 |

O.J. Rose

[Notarized by H.L. Cooper]

[021 Inventory and Appraisement of Personal Property, 13 March 1900]

Inventory and Appraisement of Personal Property of Decedent

Estate of Hethcote Chilcote Deceased

I.T. Goodman and J.M. Kelly Executors

Filed March 13th 1900

W.H. Vermillion

Probate Judge

Book 3 Page 68

[pg. 2]

State of Kansas, Coffey County, ss.

We the undersigned, do solemnly swear that we are Executors of the last will and testament of Hethcote Chilcote deceased; that the within, foregoing and above inventory is in all respects just and true; that it contains a true statement of all the estate and property of said deceased which has come to our knowledge, and particularly of all moneys, bank bills and all other circulating medium belonging to said deceased, and of all just claims of said deceased against myself and all other persons, according to the best of our knowledge. So help me God.

I.T. Goodman & J.M. Kelly Executors

Subscribed and Sworn to before me, this 6th day of March A.D. 1900

H.L. Cooper
Notary Public
Com. expires Feb 6th 1903

Indorsements.

In the matter of the estate of Hethcote Chilcote, deceased.

...

Appraisers' fees: H.P. Donnell \$2.50 A.P. Reed \$2.50 N. Basye \$2.50
Total, \$7.50

Appointment of Appraisers

State of Kansas, Coffey County, ss.

The State of Kansas, to N. Basye, A.P. Reed, and ~~W.C. Knight~~ H.P. Donnell

You are hereby appointed to appraise, on oath, the personal estate and effects comprised in the inventory of the estate of Hethcote Chilcote deceased, at such time and place as may be designated by the Executors of said estate.

Witness my hand and seal, at Burlington, in said County, this 15th day of February A.D. 1900.

W.H. Vermillion
Probate Judge

Oath of Appraisers

<Signed by Basye and Donnell; third signature (A.P. Reed?) illegible.>

[Notarized by Cooper and certified by Vermillion.]

[pg. 3]

State of Kansas)
Coffey County) ss. In the Probate Court of said County

In the matter of the estate of Hethcote Chilcote Deceased
Inventory and appraisalment etc.

ESTIMATE AND APPRAISEMENT OF THE PERSONAL PROPERTY AND EFFECTS OF SAID ESTATE.

Statement of all goods and chattels of said estate.

| Description of Property | Estimate of Val. |
|---|------------------|
| [Column 1] | |
| T.W. McDowell P) J.H. & J.A. " P) \$60 Cr 10.00 10/28-99 Due 10/28-1900 | 50 |
| O.G. Emerson [?]) Louis " S) A.C. Cook S) \$100.00 Due 11/6-1900 | 100 |
| W.H. Philips) Desston ") 100.00 12/1-94 Cr \$50.00 5/10-99 | 50 |
| A.B. Brooks) 100.00 2/1-1900 | 100 |
| S.C. Condles [?]) E.C. Matheny) 50.00 4/18-1900 | 50 |
| J.M. Christie) Henry Cook S) 100.00 10/1-1900 | 100 |
| J.M. Christie) J.H. Howell) 100.00 10/16-1900 | 100 |

| Description of Property | Estimate of Val. |
|---|------------------|
| N. Basye) J.T. Allen) 200.00 5/24-1900 | 200 |
| T.M. Dickey) Thos. ") J.A. ") J.W. Stewart) G.C. McFadden) 100.00 11/10-1900 | 100 |
| School Dist. No. 80) 215.55 6/25-1900 | 215.55 |
| Geo. R. McDuffie) C.H. ") 100.00 8/9-1900 | 100 |
| J.F. Given) C. Beasley) \$100.00 12/15-1900 | 100 |
| J.H. Howell) T.M. ") J.M. Christie) \$75.00 8/31-1900 | 75 |
| J.W. Corwin Mtg) for C.H. Baugh & wife) 250.00 8/30-1900 | 250 |
| C.S. Warner Mtg) for J.M. Stucke & wife) 250.00 10/1-1900 | 250 |
| Joseph Grose) & wife Mtg) \$687.40 8/1-1909 | 687.40 |
| [Column 1 Subtotal] | 2530.95 |
| <i>[This sum of \$2530.95 seems to be off by \$3.00.]</i> | |
| [Column 2] | |
| I.T. Goodman) Do) 100.00 10/15-1900 6% 100.00 11/22/-1900 6% | 200 |
| M.J. Chilcote 100.00 9/12-1900 | 100 |
| C.A. Dodd) M.J. Chilcote) \$615.00 9/19-1900 | 615 |
| C.H. Wise \$20.00 Jan. 23-1892 | 00 |

| Description of Property | Estimate of Val. |
|--|------------------|
| A.B. Wests) [Werts?] Maggie ") 43.00 8/2/1900 | 00 |
| John Grant) Owen ") \$500.00 8/26/1896 | 00 |
| D. Matthews \$15.17 10/1-98 | 00 |
| W.F. Alban) H.C. Limpin) S. Hill) \$200.00 4/6-1893 | 00 |
| John Grant) Owen ") \$23.96 8/26-95 | 00 |
| Chas Matthews \$107.09 10/14-99 | 00 |
| J.F. White) I.J. White) 296.23 10/31-99 | 00 |
| [Column 2 Subtotal] | 915 |
| [From Column 1 on this page] | 2530.95 |
| [From pg. 5 below] | 1485.00 |
| [From pg. 6 below] | 1340.00 |
| [From pg. 7 below] | <u>1299.49</u> |
| Total Personal | \$7570.44 |

[pg. 4]

Property reserved by the widow, for the use of herself and children of the deceased.

| Number | Description | Appraised Value |
|--------|-----------------------|-----------------|
| 1 | Heater | 5 |
| 1 | Cook Stove | 10 |
| 1 | Ext. Table | 3 |
| 1 | Kitchen " | 1 |
| 1 | Set of Chairs | 3 |
| 1 | " Carpets | 5 |
| 1 | " Beds & Bedding | 20 |
| 1 | Clock | 2 |
| 1 | Washing Machine | 8 |
| 1 | Cupboard | 3 |
| 1 | Buggy | 10 |
| 1 | Set of single Harness | 2 |

| Number | Description | Appraised Value |
|--------|--------------------|----------------------|
| 1 | Horse 21 yrs old | 10 |
| 1 | Cow | 25 |
| 3 | Tons Hay | 9 |
| 1 | Grind Stone | 1 |
| 1 | axe | 0 |
| 1 | bbl Meat | 12 |
| 300 | bu corn 20¢ | 60 |
| | | [total is illegible] |
| | [calculated total] | [189] |

Description of Real Estate

-----80 Acres-----

The East half of the South West Quarter of Section Twenty Five (25), Township Nineteen (19), Range Sixteen (16) East in Coffey County, Kansas.

Value \$2400.00

also -----40 Acres-----

The South East Quarter of the North West Quarter of Section Thirty One (31), Township Nineteen (19), Range Seventeen (17) East in Coffey County and State of Kansas.

Value \$720.00

N. Basye)
 A.P. Reed) Appraisers
 H.P. Donnell)

I.T. Goodman)
 J.M. Kelly) Executors

[pg. 5]

ITG [initials of I.T. Goodman, Executor]

| | Appraised Value |
|---|-----------------|
| A.P. Reed) E.M. Forsyth) 200.00 10/27-1900 | 200 |
| S.L. Ulrey) Martha ") \$100.00 6% 12/6-1900 | 100 |

| | Appraised Value |
|--|-----------------|
| C.A. Dodd) Lee ") M.J. Chilcote) \$300.00 10/15-1900 | 300 |
| M.J. Chilcote) \$35.00 \$Cr 10.00 7/20-1899 5/9-99 | 25 |
| J.M. Kelly) \$10.00 6% 11/17-1899 | 10 |
| W.T. Hutchison) J.S. Baird) 125.00 1/8-1900 | 125 |
| J.O. Logsdon) S.L. Chite) W.D. Logsdon) A.J. James) 200.00 8/17-1900 | 200 |
| Chas. West) M.E. West) I.C. Ligett) 100.00 5/23-1900 | 100 |
| C.H. Kroh) H.L. Weaver) 100.00 1/4-1901 | 100 |
| Alex Sharon) J.M. Sharon) \$25.00 10/19-1900 | 25 |
| M. Morgan) E.D. ") J.B. Manley) 50.00 9/12-1900 | 50 |
| Frank James) A.J. James) 100.00 9/18-1900 | 100 |
| H.L. Cooper & Joe Gross) 100.00 8/1-1900 | 100 |
| --Do-- & N. Basye) 50.00 8/1-1900 | 50 |
| | 1485 |

[pg. 6]

ITG [initials of I.T. Goodman, Executor]

| | Appraised Value |
|---|-----------------|
| J.W. Zinn Mtg) for J.J. Craig & wife) \$100.00 11/1-1899 – Due | 100 |
| Geo. Adams Mtg) \$100.00 9/23-1900 – Due | 100 |
| Mary McMannis Mtg) \$200.00 10/3-1900 – Due | 200 |
| E.W. Crouse Mtg) Frank “) \$250.00 9/26-1900 – Due | 250 |
| Matilda Kelly) B.L. Kelly) \$25.00 6% 8/1-1900 – Due | 25 |
| J.M. Kelly) \$75.00 6% 8/22-1900 | 75 |
| J.M. “) B.L. “) 40.00 6% 3/28-1900 Due | 40 |
| J.W. Stewart) H.M. “) \$200.00 8/1-1900 Due | 200 |
| J.H. Howell) T.M. “) J.M. Christie) \$100.00 11/12-1900 Due | 100 |
| N. Basye) J.E. Anderson) J.D. Knitzener) \$250.00 7/17-1900 Due | 250 |
| | 1340 |

[pg. 7]

HLC [initials of H.L. Cooper, attorney]

| | Appraised Value |
|---|-----------------|
| J.P. Murphy) Tim ") \$100.00 Aug 25-1899-Due | 100 |
| Mary Madden) D.E. ") \$200.00 9/4-1899-Due | 200 |
| S.B. Brown) \$26.25 Cr.10.00 10/8-94 (outlawed) | 00 |
| Mary A. Brown) Sid B. Brown) J.F. White) 250.00 10/1-97 | 00 |
| D.W. Lattimer) 16.00 Cr 15.00 4/15-96 | 00 |
| Hugh O'Neil) 35.00 2/24-1890 - outlawed | 00 |
| J.W. Irely) 40.00 10/26-1890 - " | 00 |
| O.W. Hancock) 100.00 9/1/1890 - " | 00 |
| I.T. Goodman cash \$155.83 | 155.83 |
| Mrs. M.J. Chilcote cash \$343.30 | 343.30 |
| J.M. Kelly H.L. Cooper cash \$235.36 | 235.36 |
| 1 Fire Proof safe | 9.00 |
| 1200 bu. Corn .20¢ | 240.00 |
| 5 Tons of Millet Hay 2.00 per Ton | 10.00 |
| 1 Silver watch | 6.00 |
| | 1299.49 |

[The calculated sum of all credits (amounts owed to estate) and amounts owned as of this appraisal is \$10,876.44.]

[022 Bill for Digging Grave, 13 March 1900]

Feb. 2d Digging Grave 3.00

G.W. First

[Notarized by H.L. Cooper]

[023 Bond for Deed: Kelly & Goodman to Emmerick, 27 March 1900]

Bond for Deed

From

J.M. Kelly and I.T. Goodman

To

Adam Emerick

Mar 30th 1900

Rec'd on the within Bond the sum of \$180 (one hundred and eighty dollars) to go as credit on same.

I.T. Goodman

Exec of the estate of H. Chilcote, Decd

Atty H.L. Cooper

May 17th 1900

Rec'd on the within \$100 in full for the July payment hereof.

J.M. Kelley [Kelly]

Executor of the

Estate of H. Chilcote Decd

[pg. 2]

Know all Men by these Presents, That J.M. Kelly and I.T. Goodman Executors of the estate of H. Chilcote Decd of Coffey County in the State of Kansas of the first part, are held and firmly bound unto Adam Emrick of Coffey County, in the State of Kansas of the second part, in the sum of Three Hundred DOLLARS,

The Condition of this Obligation is such, That said party of the first part, have agreed to grant, sell, and convey unto said party of the second part, the following-described real estate, situated in Coffey County, and State of Kansas to wit:

The east half of the south west quarter of Section Twenty-Five (25), Township Nineteen (19), Range Sixteen (16), East of the 6th P.M.

And pay taxes due Nov. 1st 1900, and furnish 2nd party an abstract of title to same. And 1st parties are to keep the house and barn insured for 3 yrs. in the sum of \$700 the 1st party to pay 1/3 of premium, 2nd party to pay balance.

And Deed property to 2nd party in as good condition as it is now in, usual wear excepted. Loss by fire if any to be paid to 2nd party to the extent of the above policy.

for the sum of Twenty-Four Hundred DOLLARS, to be paid as follows: \$20.00 in hand paid the receipt of which is hereby acknowledged,

\$180.00 to be paid April 2nd 1900 Pd
\$100.00 to be paid July 1st 1900 May 17-00 "
\$2100.00 to be paid January 1901

Now if said party of the first part, shall, on or before the 1st day of January A.D. 1901, and upon full payment of said sum and sums of money, execute and deliver to said party of the second part, a good and sufficient Administrator’s Deed, conveying an absolute and indefeasible estate, in fee simple, with the usual covenants, in and to said tract and parcel of land, then this obligation shall be void; otherwise to remain in full force and effect as the probate court may order.

In witness whereof, the said party of the first part have hereunto set their hands, this 27th day of March A.D. 1900.

J.M. Kelly)
I.T. Goodman) Executors

Adam Emmerich

.....

[Editor’s Note: The FamilySearch web site shows an Adam Emerick residing in Waverly, Rock Creek Township, Coffey County, Kansas, as of the 1900 U.S. Census. Born in Germany and immigrated in 1869. Born February 1860. An Adam Emmerich, born in 1860, was married to Ruth Melissa Wright in Cherokee County, Kansas, on 11 June 1881. Cherokee County is in the extreme southeast corner of Kansas.]

.....

[024 Bill #12 for Hauling Corn, 30 March 1900]

Paid to I.T. Goodman

Hauling 630 bu corn 2¢ per bu 12.60

[Notarized by H.L. Cooper]

[025 Bill #13 for Insurance, 30 March 1900]

Paid to H.L. Cooper

Premium on Policy 12.95

[Notarized by W.H. Williams]

[See 057.041 Insurance on Dwelling = \$12.25. May be the same transaction.]

[026 Bill #5 (?) for Probate Court Fees, 4 April 1900]

Office of the Judge of the Probate Court, Coffey County

W.H. Vermillion, Judge

Burlington, Kansas, April 4, 1900

Fees in the matter of the estate of Hethcote Chilcote in the Probate Court up to the present date amounts all told to \$45.00.

[The value of \$45 may have some cents; nearly illegible xx/100. Item 057.052 has \$48.30.]

W.H. Vermillion

[027 Bill for Livery at Funeral, 11 April 1900]

Paid to Jas Gilman & Son

| | | |
|--------------------------|-------------------|------|
| Feb 1 st 1900 | Livery at funeral | 1.50 |
|--------------------------|-------------------|------|

[notarized by H.L. Cooper]

[028 Receipt for Witness etc. Fees Paid by Probate Court to H.L. Cooper, 21 April 1900]

\$14.30 Office of Probate Judge, Coffey County

Burlington, Kansas, April 21st 1900

Received of W.H. Vermillion P.J.

Fourteen & 30/100 Dollars

| | | |
|--------------------------|----------|--------|
| A.P. Reed Witness 5.90 + | Ap. 2.50 | \$8.40 |
| H.L. Cooper Witness | | 5.90 |

H.L. Cooper

[029 Bill for Medical and Surgical Aid #11 paid to Beasley, 23 April 1900]

Paid to Dr. C. Beasley

Medical and surgical aid rendered from Sept. 2nd 1899 to Jan. 30th 1900 \$90.50

[notarized by H.L. Cooper]

[030 Bill for Hauling Corn, 28 April 1900]

Paid to Thurman Kelly

Hauling 764.50 bu corn @ 2¢ per bu. 15.30

[notarized by H.L. Cooper]

[See 057.054, which has this as \$15.32.]

[031 Receipt #10 (?) for Legal Services Paid by Kelly to J. Martin, 28 May 1900]

\$10.00 Topeka, May 28th 1900

Recd of J.M. Kelly Executor of the estate of Heathcote Chilcote ten Dollars for advice and Council respecting said Estate.

J. [??] Martin

[032 Journal Entry to Employ Counsel, 4 June 1900]

State of Kansas)
Coffey County) ss.-----

In the Probate Court of Coffey County Kansas

In the matter of)
the Estate of) Journal Entry
Hethcote Chilcote Decd)

And now on this 4th day of June 1900, comes the Executors J.M. Kelly and Isaac T. Goodman, Executors of the estate of Hethcote Chilcote Deceased late of Coffey County Kansas, and by their Attorney H.L. Cooper, and filed their petition praying the Probate Court of said County to make an order in the above matter, authorizing the said Executors to employ necessary council in the settlement of the above estate.

It is therefore considered, ordered, and adjudged by the Court that the above named J.M. Kelly and Isaac T. Goodman Executors of the Estate of Hethcote Chilcote Decd be and they are hereby authorized and empowered to obtain and employ all necessary council in the settlement of the above named Estate, and to settle for same out of funds belonging to the said Estate,

Probate Judge

[033 Petition to Employ Counsel, 4 June 1900]

Petition
Coffey County
Probate Court

Filed June 4th 1900

W.H. Vermillion
Probate Judge

Entered in Journal
7 Page 35

Fee \$2.00

[pg. 2]

State of Kansas)
Coffey County) ss.-----

In the Probate Court in the County of Coffey, State of Kansas.

In the Matter of the Estate of)
Hethcote Chilcote Deceased) --

Petition for Authority to Employ Council

Comes now J.M. Kelly and Isaac T. Goodman Executors of the last will and testament of the said Hethcote Chilcote Decd, and respectfully represents to the said Probate Court that they the said J. M. Kelly and Isaac T. Goodman are the duly appointed and qualified Executors of the said Estate of Hethcote Chilcote Deceased.

And said Executors further represents to the said Probate Court of Coffey County, that the said estate of Hethcote Chilcote Decd has been sued in the District Court of said County, said suit involving a great portion of the property

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belonging to and is a part of the assets of said estate.

Therefore that said Executors J.M. Kelly and Isaac T. Goodman asks and requests that the said Probate Court of said County grant permission to said Executors giving to them authority to obtain and employ the necessary council in the transaction of the business of said estate in every instance wherein the said executors may deem it proper and necessary.

J.M. Kelly, Extr (H.L. Cooper Atty
(for the Executors

[034 Receipt for Legal Services Paid by Goodman to J. Martin, 7 June 1900]

John Martin Atty at Law

Topeka, June 7, 1900

Recd of Isaac T. Goodman and J.M. Kelly as Executors of the last will and testament of Hethcoat Chilcote deceased by the hands of H.L. Cooper Esqr Twenty Five Dollars (\$25.00) as a retainer fee in the Case of Chilcote vs. Chilcote et al. in the District Court for Coffey County Kansas.

J. [??] Martin

[035 Receipt for Road Taxes Paid by Kelly (?) to Road Overseer, 28 July 1900]

Coffey Co. Kansas 7/28 1900

Received of J.M. Kelly on H. Chilcote Estate 3 and 21/100 Dollars, in labor on the public highways, in his road district, number _____ in R.C. Township, in payment of road tax charged against the following described lands and personal property therein, to wit:

[The following is very hard to read, especially the description in Section 31. May say one half of tax. See similar receipt of Oct 23, 1900.]

| Description | Sec. | T. | R. | No. Acres | Amount |
|--------------------|------|----|----|-----------|--------|
| E 2 of SW 4 | 25 | 19 | 16 | 80 | 1.47 |
| E 2 of S 2 of NW 4 | 31 | 19 | 17 | 40 | .54 |
| | | | | | 2.01 |
| Personal Property | | | | | 1.20 |

Dist. No. 5

\$3.21

W. Pratt [W. P. Nutt ??] Road Overseer

[Note: The second line of real estate above, although expressed in different terms, represents the same parcel as listed in the 3/13/1900 inventory, namely the SE ¼ of NW ¼ of Section 31. That is, a half of a half equals a quarter.]

[036 Receipt for Publication Costs Paid by Vermillion to Rose, 4 August 1900]

\$8.93 Office of Probate Judge, Coffey County

Burlington, Kansas, Aug 4 1900

Received of Judge W.H. Vermillion Eight and 93/100 Dollars

Costs publication notice of appointment and Order of Hearing in Chilcote Estate

O.J. Rose

[037 Bill #4 for Road Tax and Fence, 1 September 1900]

Paid to B.L. Kelly

| | | |
|-------------|------------------|------|
| May 28 1900 | Working Road Tax | 3.21 |
| July 1900 | Repairing fense | 1.00 |
| TOTAL | | 4.21 |

[notarized by H.L. Cooper]

[038 Receipt for Appraiser's Fees Paid by Vermillion to Kelly, 4 September 1900]

\$5.00 Office of Probate Judge, Coffey County

Burlington, Kansas Sept 4th 1900

Received of W.H. Vermillion P.J.

Five and no/100 Dollars

fees of N. Basye & H.P. Donnell appraisers in the estate of H. Chilcote Decd.

J.M. Kelly

[039 Receipt for Legal Fees Paid by Kelly to J. Martin, 17 September 1900]

\$50.00 Topeka, Sept. 17th 1900

Recd of J.M. Kelly one of the Executors of the estate of Heathcote Chilcote. Fifty Dollars on account of Prof. Services in the case of Chilcote vs. Chilcote et al. no. 4165 in the District Court for Coffey Co Kansas.

J. [??] Martin

[040 Petition for Disbursement of funds, 3 October 1900]

[This petition is on a court form. See related handwritten court order below.]

In the Probate Court within and for the County of Coffey and State of Kansas.

In the matter of the estate of Hethcote Chilcote, Deceased.

Petition for Disbursement of Funds.

Comes now J.M. Kelly and Isaac T. Goodman and respectfully represents to said Probate Court that they are Executors of the estate of Hethcote Chilcote, late of the County of Coffey, State of Kansas, departed this life the 30th day of January A.D. 1900 leaving a Last Will and Testament, which said Last Will and Testament has been admitted to probate in this office. That said Last Will and Testament has been executed in all respects according to law. And your petitioner further says that the said Hethcote Chilcote left surviving him as his heirs at law

Nancy Corwin,
Susan M. Hendrix,
Denton Chilcote,
Lewis Chilcote,
Wilbert Chilcote,
Viola Goodman,
Martha Ulrey, and
Matilda Kelly.

And your petitioners further represents to the court that they have collected and have on hand the sum of \$2500 which sum they ask that the probate court order them to disburse 50% of same as is directed in his last will and testament.

That in said Last Will and Testament the said Hethcote Chilcote bequeathed to Nancy J. Corwin \$300 and Susan M. Hendrix \$10.00 the balance be equally divided between the remaining heirs.

In consideration whereof, and to the end that said Will may be complied with, your petitioner prays that the Court order 50% of the above funds disbursed as the said will directed by the Executors of said Last Will and Testament of Hethcote Chilcote, deceased.

J.M. Kelly
I.T. Goodman

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[This handwritten order below seems to be the court's response to the petition above.]

State of Kansas Coffey County. ss:

Estate of Hethcote Chilcote Deceased

Now on this 3rd day of Oct AD 1900 appeared J.M. Kelly and Isaac T. Goodman executors of the estate of Hethcote Chilcote deceased and filed this petition praying the court to order them to disburse the sum of 50% of \$2,500 now in their hands and belonging to the said estate of Hethcote Chilcote Deceased late of Coffey County and state of Kansas.

It is therefore ordered by the Court that the said Executors J.M. Kelly and Isaac T. Goodman pay to Mrs. Nancy Corwin the sum of \$300 as her full share of said estate, and that they pay to Susan M. Hendrix the sum of \$10.00 as her full share of said estate and the balance of the sum of \$1,250.00 be equally divided between Denton Chilcote, Wilbert Chilcote, Lewis Chilcote, Matilda Kelly, Viola

Goodman and Martha Ulrey, according to the direction of the last will and testament of the said Hethcote Chilcote Dec'd the same having been duly admitted to Probate in this office.

[041 Receipt for Inheritance #22 Paid by Kelly and Goodman to V. Goodman, 8 October 1900]

No. 22 Oct 8th 1900

Received of I.T. Goodman Exr On the estate of H. Chilcote Decd.

One Hundred & fifty six & 66/100 DOLLARS

My share of the distribution now by the probate court of Coffey County Kansas.

\$156.66

Viola Goodman

[Example calculation of share: $\$2,500 / 2 = \$1250 - \$300$ to Corwin - $\$10$ to Hendrix = $\$940 / 6 = \156.67 to each remaining heir.]

[042 Receipt for Inheritance #21 Paid by Kelly and Goodman to L. Chilcote, 8 October 1900]

No. 21 Oct. 8 1900

Received of I.T. Goodman On the estate of H. Chilcote Decd.

One Hundred and fifty six and 66/100 DOLLARS

My share of the distribution now ordered by probate court of Coffey County Kansas.

\$156.66

Lewis Chilcote

[043 Check for Inheritance #20 Paid by Kelly to D. Chilcote, 9 October 1900]

No. 20 Waverly, Kansas, Oct 9 1900

The Bank of Waverly

Pay to Denton Chilcote or order \$156.64

One hundred fifty six & 64/100 ----- Dollars

J.M. Kelly Ex

[044 Check for Inheritance #19 Paid by Goodman to W. Chilcote, 9 October 1900]

Waverly, Kansas, Oct 9, 1900 No. 19
The Bank of Waverly

Pay to Wilbert Chilcote or order \$156.64

One hundred Fifty-Six & 64/100 Dollars

I.T. Goodman exr
Chilcote Estate

[045 Check for Inheritance #18 Paid by Goodman to M. Ulrey, 9 October 1900]

No. 18 Waverly, Kansas, Oct 9, 1900

The Bank of Waverly

Pay to Mrs. Martha Ulrey or order \$156.64

One Hundred Fifty-Six & 64/100 Dollars

I.T. Goodman, exr
Estate of H. Chilcote

[046 Receipt for Inheritance #6 Paid by Kelly and Goodman to M. Kelly, 18 October 1900]

\$156.66 Coffey County.
Waverly, Kansas, 10-18-1900

Received of J.M. Kelly & Isaac T. Goodman Executors of the estate of Hethcote Chilcote deceased one hundred and fifty six dollars and sixty six cents.

Matilda Kelly

[047 Receipt for Half Road Taxes #4 Paid by Goodman to Road Overseer, 23 October 1900]

One half tax

Coffey Co., Kansas Oct 23, 1900

Received of I.T. Goodman

Three Dollars and 71/100 Dollars

In labor on the public highways, in his road district, Number 5 in Rock Creek Township, in payment of road tax ...

| Description | Sec. | T. | R. | No. Acres | Amount |
|-------------------|------|----|----|-----------|--------|
| E 1/2 of SW 4 | 25 | 19 | 16 | 80 | 1.23 ½ |
| SE [??] of NW 4 | 31 | 19 | 17 | 40 | .27 |
| | | | | | |
| Personal Property | | | | | 2.20 ¼ |
| | | | | | |

On Chilcote Estate

\$3.71 W.P. Nutt [??] Road Overseer

[048 Receipt for Inheritance #7 Paid by Kelly and Goodman to N. Corwin, 21 December 1900]

\$300.00 Waverly, Kansas, Dec. 21st, 1900

Received of J.M. Kelly and Isaac T. Goodman Ex of the estate of H. Chilcote Decd Three Hundred Dollars

In full for my share of the said estate according to his last will and testament which has been duly admitted to probate in Coffey County, Kansas.

Nancy Corwin

[049 Receipt #3 for Tax of 1900 Paid by Estate to County Treasurer, 22 December 1900]

No. 2720
Tax of 1900.
County Treasurer's Office.
Burlington, Coffey County, Kansas, Dec. 22, 1900

Received of Chilcote Est.
One Hundred Fifteen and 03/100 Dollars.

In full for tax of the year 1900, on the following described property:

| Description | Sec or Blk | Twp | Rng | Valuation | School Dist | Township | Part Paid | Total Tax |
|-------------------------|------------|-----|-----|-----------|-------------|----------|-----------|-----------|
| Personal Property | | | | 2524 | 79 | R Cr | all | 92.37 |
| Lot, E 2 of S 2 of NW 4 | 31 | 19 | 17 | 190 | " | " | " | 6.94 |
| E 2 of SW 4 | 25 | " | 16 | 510 | " | " | " | 18.66 |
| | | | | | | | | 117.97 |
| [subtract] | | | | | | | | 2.94 |
| | | | | | | | | 115.03 |
| | | | | | | | | |

W.M. Palen County Clerk

C. Wilson County Treasurer

[050 Receipt for Damages #9 Paid by Kelly to Emmerich, 12 January 1901 (?)]

\$91.85 Burlington, Kansas, Jan'y 12th, 1900 [sic; read 1901?]

Received of J.M. Kelly as Ex
Ninety one & 85/100 Dollars

as damages allowed by Probate Court this aforesaid date.

Adam Emmerich

[051 Agreement for Probate Hearing, 12 January 1901]

Estate of Hethcote Chilcote
Agreement for hearing

Filed this 12th day
of January 1901
W.H. Vermillion
Probate Judge
Journal 7 p. 81

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State of Kansas Coffey County ss.
In Probate Court Thereof

Adam Emmerich Plaintiff
vs.
J.M. Kelly and
I.T. Goodman

as executors of the last will & testament of Hethcote Chilcote, decd.

Agreement for Hearing

Comes now said Plaintiff and said Defendants and agree that the hearing of the above entitled cause be set for 2:00 o'clock p.m. on this the 12th day of January 1900 [sic; read "1901"].

Adam Emmerich
J.M. Kelly Co Executor

[pg. 3]

State of Kansas
Coffey County ss.

In Probate Court thereof

Adam Emmerich Plaintiff

vs.

J.M. Kelly and

I.T. Goodman

as Executors, Last Will & Testament of Hethcote Chilcote

Petition for Order and Allowance of Crt.

Comes now above named plaintiff and alleges that said Executors were duly authorized by Said Court to sell the East one half of the Southwest Quarter (E² SW⁴) Section Twenty Five (25) Township Nineteen (19) Range Sixteen (16) in Coffey County Kansas; that on the 27th day Mar 1900, said Executors in pursuance to said authority to sell entered into a contract of sale in writing with said plaintiff for the sale of said real-estate for the sum of \$2,400. That said plaintiff paid to said Executors the sum of \$300 in pursuance to said contract; that said plaintiff paid for the insurance on the bldgs of said premises for two years the sum of \$8.15; that said plaintiff disposed of his young stock to raise a part of the balance of said purchase money and arranged for a loan of a sum equal to the remainder

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and is at this date (see below) fully prepared to perform his part of said contract of sale.

Plaintiff further alleges that said Executors are not now able or ready to give possession to this plaintiff of said real estate and never have tendered to him possession of same.

That according to the terms of said contract said Executors were to deliver to him the possession and ownership of said real estate upon the First day of January AD 1901 which said Executors have ever failed to do.

Plaintiff says that by reason of said failure on the part of said executors to perform their part of said agreement he has been damaged in the Sum of Ninety one & 85/100 Dollars and the further sum of \$8.15 paid by him for insurance as aforesaid, and atty's fees in the sum of Five Dollars.

Adam Emmerich

Plaintiff

Sworn to and subscribed before me this 12th day of January 1901

W.H. Vermillion

Probate Judge

[052 Petition to Probate Court, 4 February 1901]

Estate of Hethcote Chilcote
deceased

Petition

Filed Feby 4th 1901
A.B. Moore
Probate Judge

[pg. 2]

In the Probate Court in and for Coffey County and state of Kansas.

State of Kansas)
)ss.
Coffey County)

In the matter of the estate of Hethcote Chilcote deceased)

PETITION

Now, to wit: on this 4th day of February A. D. 1901, Comes J. M. Kelly and Isaac T. Goodman executors of the last will and testament of Hethcote Chilcote deceased late of Coffey County and state of Kansas and respectfully represents to the Honorable Probate Judge in and for said county and state: that in the discharge of the duties as executors of said estate the sum of about \$2,500 due said estate has been collected and is now in the hands of said executors, the same being a part of and belonging to said estate.

Now therefore said executors pray that the Honorable Probate Judge [words crossed out here] that said executors may loan all or any of the said sum of \$2,500.00 now in their hands belonging to said estate at the highest legal rate of interest that they may be able to obtain therefor the same to be well secured and payable at any time not exceeding one year from date loaned.

Kelly & Goodman, Execs
by H.L. Cooper, Atty.

[053 Probate Court Order, 4 February 1901]

Estate of Hethcote Chilcote
Copy of order

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2/4

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~~Coffey Co.~~)
State of Kansas) ss
Coffey County

In the matter of the estate of Hethcote Chilcote deceased

And now comes J.M. Kelly and Isac [sic] T. Goodman executors of the estate of last will and testament of Hethcote Chilcote deceased late of Coffey and State of Kansas, and represents to the court that there remains in the hands of said executors about \$2,500.00 belonging to said estate, and asks the court that the said executors may loan said money to good responsible parties taking therefor gilt edge security. And the court after considering the matter and being duly advised in the premises, orders that the said \$2,500.00 or any part of it may all or any part of the said sum of \$2,500.00 now in their hands belonging to said estate at the highest legal rate of interest that they may be able to obtain therefor, the same to be well secured and payable at any time not exceeding one year

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from date loaned.

Upon due consideration it was ordered by the court that said petition be allowed.

Witness my hand and seal of said court at Burlington in said County and State this 4th day of February 1901.

(Seal) A.B. Moore
Probate Judge

[054 Journal Entry, 4 February 1901]

Estate of Hethcote Chilcote
J.E.

Journal 7
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J.E.

In the matter of the Estate of Hethcote Chilcote

Annual account of Administration.

Now on this 4th day of Feby 1901 comes J.M. Kelly and Isac Goodman Executors of the estate of the said Hethcote Chilcote deceased and presents to the court their annual account of administration, which account being examined by the court shows said executors chargeable with the sum of \$4452.74 and entitled to credits in the sum of \$2138.89 leaving a balance in the hands of the said executors the sum of \$2313.85. In said account said executors make claims for their services as such executors as follows. J.M. Kelly \$150.00 and Isac T. Goodman \$150.00, which claims for services as aforesaid are by the court allowed. And it is therefore considered ordered and adjudged by the court that said executors account be approved and is ordered filed and recorded.

Done in open court.

A.B. Moore

[055 Bill for Executor Services #21 by Goodman, 4 February 1901]

Paid to Isaac T. Goodman

Apply on services as Executor \$150.00

[Notarized by Moore]

[056 Bill for Executor Services #21 by Kelly, 4 February 1901]

Paid to J.M. Kelly

Apply on services as Executor \$150.00

[Notarized by Moore]

[057 Administrator's Account of Administration, 4 February 1901]

Record of Accounts 5 page 212

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State of Kansas, Coffey County, in the Probate Court of said County.

In the matter of the estate of Hethcote Chilcote, Deceased Partial of Final Account of Administration

Annual Account of the Administration of J.M. Kelly and Isaac T. Goodman, Exrs of Hethcote Chilcote Deceased.

Made this 4th day of February A.D. 1901

| | Cr. (credits) | Dr. (chgs) |
|---|---------------|------------|
| A.B. Brooks note, (int. on same for one year. | | \$10.00 |
| Amount rec'd for 1394 5/7 bu. corn | | 404.46 |
| C.A. Dodd note, | | 649.97 |
| J.W. Stucker note & int. | | 263.47 |
| School dist' order | | 215.55 |
| Geo. R. McDuffie note & interest | | 110.00 |
| J. Gross note (interest on same) | | 60.74 |
| T.W. McDowell note (part payment) | | 30.00 |
| C.W. Baugh note (interest on same) | | 25.00 |
| J.H. Howell note (interest on same) | | 7.50 |
| T.W. McDowell note (part payment) | | 10.00 |
| do do | | 14.19 |
| S.C. Sondles note & int. | | 55.15 |

| | | |
|----------------------------------|--|--------|
| J.M. Christy notes in full | | 221.20 |
| O.G. Emerson note (part payment) | | 17.50 |
| C.W. Baugh note in full | | 250.00 |
| J.F. Given note in full | | 111.00 |
| T.M. Dickey note in full | | 112.35 |
| Guy Dodd note in full | | 55.83 |
| Bank of Waverly | | 100.00 |
| Frank James note in full | | 104.17 |
| Geo W. First note in full | | 235.36 |

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| | Cr. (credits) | Dr. (chgs) |
|---|---------------|------------|
| Stack of Millet | | 6.50 |
| C.A. Dodd note in full | | 315.00 |
| D.E. Madden note interest on same | | 20.00 |
| Chas West note in full | | 115.00 |
| J.J. Craig note in full | | 116.00 |
| Rec'd from sale of clover hay | | 2.00 |
| E.M. Crouse note in full | | 273.15 |
| M. Morgan note in full | | 56.70 |
| Frank James for hay | | 11.25 |
| Mrs. McMannis note in full | | 220.00 |
| Mr. Sharon note in full | | 27.70 |
| J. Logsdon note in full | | 226.00 |
| Amount expended. | | |
| C.H. McDuffie funeral expenses No. 16 | \$90.00 | |
| Gilman & Son No. 1 | 1.52 | |
| G.W. First (digging grave) No. 17 | 3.00 | |
| All other funeral ex. No. 15 | 2.61 | |
| Butchering No. 15 | 2.50 | |
| H.L. Cooper bal. due Feb 1 st 1900. No. 14 | 15.00 | |
| do Insurance on dwelling No. 13 | 12.25 | |
| C. Beasley M.D. (services) No. 11 | 90.50 | |
| Hauling corn to market No. 12 | 12.60 | |
| Working road tax No. 4 | 7.42 | |
| Paid Martha Ulrey No. 18 | 156.66 | |
| " Wilbert Chilcote No. 19 | 156.66 | |
| " Lewis Chilcote No. 21 | 156.66 | |
| " Denton Chilcote No. 20 | 156.66 | |
| " Viola Goodman No. 22 | 156.66 | |
| " Matilda Kelly No. 6 | 156.66 | |
| " Nancy Corwin No. 7 | 300.00 | |
| Fees to Probate Judge No. 5 | 48.30 | |
| Releasing mortgage | 0.25 | |
| Hauling corn No. 2 | 15.32 | |

Filed March 1st 1901

A.B. Moore
Probate Judge

[pg. 2]

State of Kansas)
Coffey County) In the Probate Court of said county.

In the matter of the estate of)
Hethcote Chilcote, deceased) Petition for citation of widow.

State of Kansas)
Coffey County) ss.

To the Honorable A.B. Moore, Judge of said court.

Whereas, letters of administration in said estate were taken out on the 15th day of February 1900, by J.M. Kelly and Isaac T. Goodman as executors of the last will and testament of the said Hethcote Chilcote deceased.

And whereas, the said Hethcote Chilcote deceased left surviving him a widow, Mrs. Maria J. Chilcote, and said widow has neglected and refused to appear and elect to take under the will of the said Hethcote Chilcote deceased, according to law.

Therefore the undersigned, Executors of the said last will and testament of the said Hethcote Chilcote dec'd and interested in said estate, prays that citation be issued requiring said widow Maria J. Chilcote, at an early date to appear and make her election.

Dated March 2d 1901.

J.M. Kelly & Isaac T. Goodman
Executors

by H.L. Cooper
their Att'y.

[060 Citation to Widow to Make Election, 2 March 1901]

Original Citation to Widow to make election in matter of will.

Maria J. Chilcote
widow of
Hethcote Chilcote Deceased

State of Kansas Coffey County SS.

Received this citation on the second day of March 1901 – served the same in my court on the 6th day of March 1901 by delivering a true copy of this writ to Maria J. Chilcote personally.

W.B. Green
Shf [??]

By J. X Grennan Deputy

| | |
|-----------------|-------------|
| Service | \$.50¢ |
| <u>38 miles</u> | <u>3.80</u> |
| | \$4.30 |

[pg. 2]

... To Maria J. Chilcote, widow of Hethcote Chilcote, deceased.

You are hereby notified that the last will and testament of your said deceased husband has been duly probated in the Probate Court in and for said county of Coffey and State of Kansas, and that you are required to appear before the said court within thirty days after the service of this Citation on you, then and there to make your election, whether you will accept the provisions of the said last Will and Testament, or take what you are entitled to under the provisions of the law concerning descents and distributions.

In witness whereof, I, A.B. Moore, Judge and ex officio clerk of the Probate Court of Coffey County, Kansas, have hereunto set my hand and affixed the seal of said court, this 2nd day of March 1901.

A.B. Moore, Probate Judge

To the Sheriff of Coffey County.

[061 Journal Entry, 15 March 1901]

Hethcote Chilcote
Estate
J.E.
Page 146

3/15

[pg. 2]

In the matter of the estate of Hethcote Chilcote dec'd.

State of Kansas)
Coffey Co.) ss In the Probate Court of said County

And now on this 15th day of March 1901, comes the executors of the estate of Hethcote Chilcote dec'd, and asks permission of said probate court to pay to Mrs. Maria J. Chilcote widow of said Hethcote

Chilcote decd the sum of \$1644.40 in lieu of the interest on \$1000.00 as provided for her in the last will and testament

[pg. 3]

of the said Hethcote Chilcote decd, the same being duly admitted to probate in the Probate Court of county and state aforesaid. And when the said sum of \$1644.40 is so paid, the same shall be in full of all demands said widow may have against said estate.

The above named Executors also file an agreement in which the above facts are set forth, said agreement being signed by Maria J. Chilcote widow, Isaac T. Goodman and J.M. Kelly Executors and Witnessed by B.L. Kelly and C.A. Dodd.

The Court having duly considered the matter and being fully advised in the premises, orders, and it is hereby ordered that Isaac T. Goodman and J.M. Kelly Executors of the Last Will and Testament of Hethcote Chilcote decd, pay to

[pg. 4]

Mrs. Maria J. Chilcote widow of Hethcote Chilcote decd the sum of \$1644.40 as stipulated in said agreement, taking proper receipt therefor.

Done in open court this 15th day of March 1901.

A.B. Moore
Probate Judge

[062 Petition to Disburse, 15 March 1901]

Petition to Disburse

Estate of Hethcote Chilcote decd

Filed Mch 15th 1901

A.B. Moore
Probate Judge

[pg. 2]

In the Probate Court in and for Coffey County and state of Kansas.

In the matter of the estate of Hethcote Chilcote dec'd.
late of Coffey County and state of Kansas.

State of Kansas,)
Coffey County,) ss.

Now to wit: on this 15th day of March 1901, Comes the executors of the estate of Hethcote Chilcote dec'd, and asks permission of and from said Probate Court to may unto Mrs. Maria J. Chilcote, widow of the said Hethcote Chilcote, Dec'd the sum of \$1644.40 in lieu of the interest on \$1000.00 as provided for her in the last will and testament of the said Hethcote Chilcote Dec'd the same being duly admitted to Probate, in the Probate Court of said county and state, and when the said sum of \$1644.40 is so paid the same shall be in full of and for all claim or claims she the said widow may have against said estate.

J.M. Kelly Ex.
By H.L. Cooper Atty.

[063 Agreement, 15 March 1901]

Agreement

Filed March 15th 1901

A.B. Moore
Probate Judge

[pg. 2]

-- Agreement. —

It is agreed by and between Mrs Maria J. Chilcote party of the first part and Denton Chilcote Lewis Chilcote Wilbert Chilcote, Mrs Martha Ulrey, Mrs Viola Goodman, Mrs Matilda Kelly, , by Isaac T. Goodman and J.M. Kelly, Executors of the last will and testament of Hethcote Chilcote deceased late of Coffey County Kansas.

Witnesseth:- That whereas, the said Hethcote Chilcote died leaving a last will and that said will pr[o]vided the interest on \$1000 to be paid annually to his widow so long as she remained such, and the said widow who is party of the first part, refused to accept under the said will, and has commenced suit in the district court of Coffey County to recover the amount she claims due her,

It is therefore agreed by the party of the first part and the said executors herein, that, the said Maria J. Chilcote shall have said action in the said district court dismissed, she to pay all the costs accrued or may accrue in said action, and her council, and all and every expense occasioned by the commencement of this action in said court. And execute deed to any or all of the land belonging to said estate, and relinquish all her right to further participate in the distribution of the property of said estate, and in consideration of the agreements and covenants as above set forth the said executors bind themselves to give and pay unto the said party of the first part the sum of \$1644.40 as follows to wit: \$343.30 to be paid in advance the receipt of which is hereby acknowledged, and \$1301.10 as soon as an order can be obtained from the Probate Judge authorizing the said executors to pay the above sum, which when so paid shall be in full of and for all the claim or claims or demands of what ever nature or kind against the property of said estate either personal or real. and the sum above refer[r]ed to shall be in full satisfaction of the \$1000. provided for said widow in the said last will above refer[r]ed to. and the interest thereon.

Witness our hands this 14th day of March 1901.

Witness, B.L. Kelly
C.A. Dodd

Maria J. Chilcote, widow
Isaac T. Goodman)
J.M. Kelly) Ex's

[064 Receipt and Release, 16 March 1901]

#2
Maria J. Chilcote
\$1644.40
Mch. 16. 1901

[pg. 2]

-(RECEIPT.- and Release.--)

--For Value received in the sum of \$1644.40- (sixteen hundred forty four, and 40/100 dollars), the receipt of which is hereby acknowledged, is in full of and for all my claim or claims of what nature or kind that I may have or has had heretofore against the estate of my deceased husband Hethcote Chilcote, either against his personal property or real estate described as follows to wit:- The east half of the south west quarter of section twenty five (25), township nineteen (19), range sixteen (16), in Coffey County in the state of Kansas, and the south east quarter of the north west quarter of section thirty one (31) township nineteen (19), range seventeen (17), in said county and state. It is understood that this sum of \$1644.40 is in full settlement of the amount agreed to be paid to me by the executors of the said estate, which agreement is now on file in the office of the Probate Judge in Coffey County and state of Kansas. and also is to cover in full the sum or sums that was provided for me by the last will and testament of the said Hethcote Chilcote deceased late of Coffey County Kansas, and this shall be my acceptance under said will,

Witness
Chas. A. Dodd
H.L. Cooper

Duplicate

Maria J. Chilcote

No. 2

[065 Receipt for Legal Fees #3 Paid by Kelly and Goodman to Cooper, 9 April 1901]

3
H.L. Cooper
\$374
4-9-01

[pg. 2]

No. 3
April 9th 1901

Received of J.M. Kelly and I.T. Goodman as Executors of the last will and testament of Hethcote Chilcote deceased late of Coffey County Kansas. Three hundred and seventy four dollars (\$374.00) in full for all professional services performed by me in any matter manner or form whatever for the estate of said Chilcote as well as for all services rendered said Executors concerning said estate, including my services in the case of Maria J. Chilcote vs. Denton Chilcote and others in the District Court for Coffey County, Kansas.

H.L. Cooper

[066 Receipt #4 for Legal Fees Paid by Kelly and Goodman to Martin, 15 April 1901]

4
Jms Martin
\$100
Apl. 15 1901

[pg. 2]

Rec'd Topeka April 15th 1901. of J.M. Kelly & Isaac T. Goodman as Executors of the last will and testament of Hethcoat Chilcote deceased late of Coffey County Kansas. One hundred Dollars (\$100.00) balance in full for all professional services performed by me in any matter, manner or form whatever for the estate of said Chilcote as well as for all services rendered said executors concerning said estate, including my services in the case of Maria J. Chilcote vs. Denton Chilcote & others in the District Court for Coffey County, Kansas.

J.W. Martin

No. 4

[067 Receipt #5 for Legal Fees Paid by Kelly to Rolston, 2 May 1901]

#5
Joe Rolston
\$5.00

[pg. 2]

Joe Rolston
Attorney at Law

No. 5 Burlington, Kansas, May 2nd 1901

Rec'd from J.M. Kelly, Executor of the estate of Hethcote Chilcote, deceased, the sum of Five Dollars in full for my services as atty for said estate in re claim I.T. Goodman vs. said estate, said Five Dollars being rec'd in full for all services to date.

Joe Rolston

[068 Receipt #6 for Court Fees Paid by Kelly to Probate Court, with 23 May 1901 documents]

\$2.50

Received of J.M. Kelly, Executor

Two & 50/100 Dollars

Court fees in estate of Hethcote Chilcote deceased.

A.B. Moore, Probate Judge

No. 6

[069 Receipt #7 for Deed Fees Paid by Kelly to Senior, 23 May 1901]

No. 7 5/23 1901

Received of J.M. Kelly & I.T. Goodman Executors

One & 50/100 Dollars
for services drawing deed.

\$1.50 J.L. Senior

[070 Receipt for Land Services Paid to Rudrauff, 25 May 1901]

Burlington, Kansas, May 25th 1901
Chas N. Converse
To Wm. H. Rudrauff, Dr. [debtor]

Abstracts, Land, Loan and Insurance Agent

May 25 Abst #1135

| | |
|------------------|-------------|
| 6 Info | 3.50 |
| 2 Ctfs | 0.75 |
| <u>Copy will</u> | <u>2.00</u> |
| | 6.25 |

[071 Receipt #8 for Deed Acknowledgment Paid by Kelly and Goodman to O'Neil, 25 May 1901]

No. 8 Waverly Kans May 25 1901

.25¢ Rec'd of J.M. Kelly & I.T. Goodman Twenty five cents fee acknowledging Deed to Land conveyed to Mrs. Chilcote.

C. O'Neil

[072 Receipt for Land Deed Services Paid by Kelly and Goodman to Rudrauff, 28 May 1901]

Burlington, Kansas, May 28th 1901
Charles N. Converse
To Wm. H. Rudrauff, Dr. [debtor]

Abstracts, Land, Loan and Insurance Agent

May 28 Prob [??] Chilcote Abt \$2.00

[073 Receipt for Inheritance #9 Paid by Kelly and Goodman to L. Chilcote, 17 June 1901]

\$242.00 Waverly, Kansas, 6-17-1901

Received of J.M. Kelly & I.T. Goodman Executors
Two Hundred & Forty-two Dollars
Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Lewis Chilcote

No. 9

[074 Affidavit on D. Chilcote Place of Residence, 18 June 1901]

Filed June 18 1901
A.B. Moore, Probate Judge

Journal 7 Page 180

[pg. 2]

Affidavit.

State of Kansas,

ss.

Coffey County,

J.M. Kelly, of lawful age, being first duly sworn, on oath, says: that he has been for more than twenty years last past acquainted with one Denton Chilcote: that said Denton Chilcote, for more than twenty years last past, has been, and now is a resident of the State of Ohio and has never been a resident of the State of Kansas. That said Denton Chilcote herein referred to is the same person mentioned and named in the Last Will and Testament of Hethcote Chilcote, deceased, as one of his Executors. Further affiant saith not.

J.M. Kelly

Subscribed and sworn to before me this 17th day of June, A.D. 1901.

Chas. N. Converse
Notary Public.

My commission expires Oct 7, 1901

[075 Receipt for Inheritance #14 Paid by Kelly and Goodman to W. Chilcote, 20 June 1901]

\$262.00 Waverly, Kansas, June 20-1901

Received of J.M. Kelly & I.T. Goodman Executors

Two Hundred & Sixty-two Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Wilbert Chilcote

No. 14

[076 Receipt for Inheritance #11 Paid by Kelly and Goodman to M. Kelly, 20 June 1901]

\$262.00 Waverly, Kansas, June 20-1901

Received of J.M. Kelly & I.T. Goodman Executors

Two Hundred & Sixty two Dollars

Part payment of my share of the Estate of Heathcote Chilcote, deceased, as provided by his last will and testament.

Matilda Kelly

No. 11

[077 Receipt for Inheritance #24 Paid by Kelly and Goodman to L. Chilcote, 20 June 1901]

\$20.00 Waverly, Kansas, June 20-1901

Received of J.M. Kelly & I.T. Goodman Executors

Twenty Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Lewis Chilcote

#24

[078 Receipt for Inheritance #22 Paid by Kelly and Goodman to V. Goodman, 20 June 1901]

\$262.00 Waverly, Kansas, June 20-1901

Received of J.M. Kelly & I.T. Goodman Executors

Two Hundred & Sixty-two Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Viola Goodman

#22

[079 Receipt for Inheritance #21 Paid by Kelly and Goodman to M. Ulrey, 20 June 1901]

\$262.00 Waverly, Kansas, June 20-1901

Received of J.M. Kelly & I.T. Goodman Executors

Two Hundred & Sixty-two Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Martha Ulrey

21

[Note: The annual account Item 061 appears to be in error, saying that this amount went to Matilda Kelly. That annual account shows two payments of \$262 to M. Kelly, and no payment of \$262 to Martha Ulrey. See Item 076 above for the M. Kelly payment made at this same time.]

[080 Receipt for Inheritance #10 Paid by Kelly and Goodman to D. Chilcote, 20 June 1901]

\$262.00 Waverly, Kansas, June 20-1901

Received of J.M. Kelly & I.T. Goodman Executors

Two Hundred & Sixty-two Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

D.C. Chilcote

No. 10

[081 Receipt for Land Abstract #12 Paid by Kelly to Rudrauff, 26 June 1901]

\$1.00 June 26th 1901

Received of J.M. Kelly, Ex.

One Dollar

for abstract on E 2 of SW 4 of 25-19-16 East

No. 12 Wm. H. Rudrauff

[082 Receipt for Abstract of Land #13 Paid by Kelly and Goodman to Converse, 28 June 1901]

\$8 25/100 Waverly, Kansas June 28, 1901

Received of J.M. Kelly, Ex.

Eight & 25/100 Dollars

For Abstract Chilcote land

Chas. N. Converse

No. 13

[083 Receipt for Services #15 Paid by Kelly and Goodman to H. Ganse, 1 July 1901]

No. 15

H.E. Ganse,

\$10.00

July 1st 1901

[pg. 2]

Burlington, Kans.

July 1st 1901

Received of J.M. Kelly and I.T. Goodman Executors of the Estate of Hethcote Chilcote, deceased Ten & no/100 as in full payment for all my services to said estate, in correcting abstract and completing the records of the Probate Court in the matters of said estate,

H.N. Ganse

No. 15

[084 Receipt for Granite Monument #25 Paid by Goodman to Basye, 1 July 1901]

Waverly, Kans, July 1, 1901

Received of I.T. Goodman, Exr.

On the estate of H. Chilcote

One hundred Dollars

in full payment for one granite monument

#25

N. Basye

[085 Receipt for Attorney's Fees #8 Paid by Kelly to Metzger [?], 12 July 1901]

\$5.00

Burlington, Kansas, July 12, 1901

Received of J.M. Kelly

Five and no/100 Dollars

for atty's fees in connection with estate of Hethcote Chilcote.

J.W. Metzger [?]

[Note: This receipt may have been signed "Mekter" by Judge Vermillion. See similar handwriting on nearby Item #5. Could also be "Martin" but doubtful.]

[086 Receipt for Probate Court Fees #5 Paid by Kelly to Vermillion, 12 July 1901]

\$3.00 Burlington, Kansas, July 12, 1901

Received of J.M. Kelly

Three & no/100 Dollars
for fees in hearing of claim Adam Emmerich vs. Est of Hethcote Chilcote.

W.H. Vermillion, Probate Judge

[087 Receipt for Attorney's Fees #27 Paid by Goodman to Ganse, 25 July 1901]

#27
H.E. Ganse
3.00
July 25, 01

[pg. 2]

7/25/01

Rec'd of I.T. Goodman as one of the Executors of the Estate of H. Chilcote

Three & no/100 as fee for services in drawing contract of sale.

H.E. Ganse

[088 Receipt for Road Tax #28 Paid by Thurman Kelly to Road Overseer, 1 August 1901]

#28
Road Taxes
\$9.10
Aug 1-01

[pg. 2; sum of next two vouchers/receipts]

Waverly, Kansas, Aug 1, 1901

Received of Thurman Kelly
Four Dollars
In labor on the public highways, in his road district, Number 5, in R.C. Township,....

Personal Property of Chilcote Estate \$4.00

\$4.00

I.T. Goodman, Road Overseer

[089 Receipt for Road Tax #28 Paid by Arthur Goodman to Road Overseer, 1 August 1901]

Waverly, Kansas, Aug 1, 1901

Received of Arthur Goodman

Five and 10/100 Dollars

In labor on the public highways, in his road district, Number 5, in R.C. Township,....

| Description | Sec. | T. | R. | No. Acres | Amount |
|-------------------|-----------------|----|----|-----------|--------|
| E 2 of SW 4 | 25 | 19 | 16 | 80 | 1.53 |
| Personal Property | Chilcote Estate | | | | 3.57 |
| | | | | | 5.10 |

\$5.10

I.T. Goodman, Road Overseer

[090 Receipt for Inheritance #17 Paid by Kelly and Goodman to L. Chilcote, 12 August 1901]

\$360.00

Waverly, Kansas, Aug 12-1901

Received of J.M. Kelly & I.T. Goodman Executors

Three Hundred & Sixty Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Lewis Chilcote

No. 17

[091 Receipt for Inheritance #19 Paid by Kelly and Goodman to W. Chilcote, 12 August 1901]

\$360.00

Waverly, Kansas, Aug 12-1901

Received of J.M. Kelly & I.T. Goodman Executors

Three Hundred & Sixty Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Wilbert Chilcote

No. 19

[092 Receipt for Inheritance #16 Paid by Kelly and Goodman to D. Chilcote, 12 August 1901]

\$360.00

Waverly, Kansas, Aug 12-1901

Received of J.M. Kelly & I.T. Goodman Executors

Three Hundred & Sixty Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

D.C. Chilcote

No. 16

[093 Receipt for Inheritance #18 Paid by Kelly and Goodman to M. Kelly, 12 August 1901]

\$360.00 Waverly, Kansas, Aug 12-1901

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred & Sixty Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Matilda Kelly

No. 18

[094 Receipt for Inheritance #23 Paid by Kelly and Goodman to V. Goodman, 12 August 1901]

\$360.00 Waverly, Kansas, Aug 12-1901

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred & Sixty Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Viola Goodman

No. 23

[095 Receipt for Inheritance #20 Paid by Kelly and Goodman to M. Ulrey, 12 August 1901]

\$360.00 Waverly, Kansas, Aug 12-1901

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred & Sixty Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Martha Ulrey

No. 20

[096 Receipt for Recording Deed #26 Paid by Ganse to Coffey Co. Register, 13 August 1901]

#26
Minnie Gilman
.90¢
Aug. 13, '01

[pg. 2]

Burlington, Kansas, Aug 13, 1901

| | |
|---|-----------|
| To 35 days nursing Hethcore [sic] Chilcote during his last illness, at \$10. per day | \$350.00 |
| To damages by reason of blood-poisoning contracted from said Hethcote Chilcote, dec'd. while acting as nurse, as follows; | |
| Medicine and Physician's services | \$33.25 |
| Hospital treatment | 25.00 |
| Expenses | 10.00 |
| Loss of time | 250.00 |
| Pain and suffering | 500.00 |
| | 818.25 |
| | \$1168.25 |

State of Kansas)
Coffey County) SS.

Before me, the subscriber, a Notary Public in and for said County and State, personally came I.T. Goodman, and being by me first duly sworn, upon his oath says that the account hereto annexed is just, true and correct, and that to the best of his knowledge and belief he has given credit to the estate for all payments and offsets to which it is entitled, and that the balance claimed (\$1168.25) is justly due.

I.T. Goodman

Subscribed and sworn to before me this 21st day of January, A.D. 1902.

H.L. Cooper, Notary Public
Com. Ex. Feb 6th 1903

NOTICE

State of Kansas, Coffey County. SS.

To J.M. Kelly, Executor of the Last Will and Testament of Hethcote Chilcote, deceased, late of Coffey County, Kansas:

You are hereby notified that I will present my claim against the estate of Hethcote Chilcote, dec'd. to the Probate Judge of Coffey County and State of Kansas, on Tuesday the 4th day of February, A.D. 1902 at 1:30 o'clock P.M. and then and there ask that the same be allowed and ordered paid by the said Probate Court. Said claim or account is hereto attached and made a part of this notice. Given under my hand this 21st day of January, A.D. 1902.

I.T. Goodman

Served copy of above on J.M. Kelly this 21st day of January A.D. 1902.

I.T. Goodman

[102 Receipt for Legal Services #1 Paid by Goodman to Senior, 31 January 1902]

\$2.50 Waverly, Kansas, Jany 31, 1902

Received of I.T. Goodman Ex-

Two & 50/100 Dollars
legal services making annual report

J.L. Senior

[103 Receipt for Legal Services #2 Paid by Kelly to Rolston, 3 February 1902]

Joe Rolston
Attorney at Law

Burlington, Kansas, February 3rd 1902

5.00

Rec'd from J.M. Kelly as Executor of the Last Will and Testament of Hethcote Chilcote, deceased, the sum of Five Dollars in full for my services as attorney, for said estate, to date.

Joe Rolston

[104 Receipt for Probate Court Fees Paid by Kelly & Goodman to Probate Judge, 3 February 1902]

Office of Probate Judge, Coffey County.

\$3.00 Burlington, Kansas, Feb 3- 1902

Received of J.M. Kelly and I.T. Goodman Executors

Three & no/100 Dollars
Court fees in Annual Settlement.

A.B. Moore, Probate Judge

[105 Order Approving Administrator's Annual Settlement, 3 February 1902]

Order Approving Administrator's Annual Settlement
Estate of Hethcote Chilcote, Deceased
J.M. Kelly & I.T. Goodman, Executors

Filed Feby 3, 1902

A.B. Moore, Probate Judge

Recorded in Journal 7 page 250

A.B. Moore, Probate Judge

[pg. 2]

.....On this 3 day of February, A.D. 1902, came J.M. Kelly and I.T. Goodman Executors of the last will and testament of Hethcote Chilcote, deceased..... [T]here is in the hands of the Administrator belonging to the estate the sum of One thousand Four Hundred and Eighty-two & 09/100 Dollars.....

A.B. Moore, Probate Judge

[106 Administrator’s or Executor’s Account, 3 February 1902]

Administrator’s or Executor’s Account of Administration
in the Matter of the Estate of Hethcote Chilcote Deceased
A.B. Moore, Probate Judge

Record 5
Page 271

#1

State of Kansas, Coffey County In the Probate Court of said County.

In the matter of the estate of Hethcote Chilcote, Deceased
Partial or Final Account of Administration

2nd Annual Account of the Administration of J.M. Kelly and I. T. Goodman, Executors of Hethcote Chilcote, Deceased.

Made this 3rd day of February A.D. 1902

[Note: It appears in the account below that the “Dr. (chgs)” values were payments from others to the Executors, and that the “Cr. (credits)” values were payments made by the Executors to others.]

| | Dr. (chgs) | Cr. (credits) |
|---|------------|---------------|
| 1901 | | |
| Feb 4 To Balance on hand as per 1 st annual report | 2313.85 | |
| Mch 7 “ Acct recd Jms Howell note | 50.00 | |
| Feb 21 “ “ “ “ “ “ | 78.52 | |
| Mch 16 “ “ “ Widow Chilcote | 343.30 | |
| Mch 16 “ “ “ “ “ notes | 144.40 | |
| “ 25 “ “ “ Clover seed sold | 24.00 | |
| Apl 4 “ “ “ H.L. Cooper notes | 176.00 | |
| Apl 10 “ “ “ Rent dwelling | 5.00 | |
| May 4 “ “ “ “ “ | 5.00 | |

| | Dr. (chgs) | Cr. (credits) |
|---|------------|---------------|
| " 3 " " " J.M. Stewart on note | 100.00 | |
| " 17 " " " Adams note paid [?] | 103.75 | |
| " 23 " " " J.H. Bain for corn [?] | 80.70 | |
| " 25 " " " Hutchison note | 154.70 | |
| " " " " " Jms Howell " | 50.00 | |
| June 1 " " " "Bal. " " " | 15.00 | |
| " 17 " " " N. Basye note | 242.00 | |
| " 21 " " " C.H. Krough " | 114.60 | |
| " " " " " V. Goodman on 40 @ [acres] sold | 262.00 | |
| July 31 " " " N. Basye note | 301.20 | |
| " 22 " " " Widow Chilcote sale 80 acres | 50.00 | |
| " 27 " " " " " " " " | 1340.00 | |
| Aug 12 " " " V. Goodman sale 40 " | 360.00 | |
| " 12 " " " Int Curis note | 6.74 | |
| " 12 " " " J.M. Kelly " | 83.75 | |
| " 2 " " " Matilda Kelly note | 28.05 | |
| " " " " " J.M. Kelly " | 45.69 | |
| " " " " " " " " | 10.00 | |
| amt carried forward | 6488.25 | |

[pg. 2]

[Note: This next page is very hard to read.]

| | Dr. (chgs) | Cr. (credits) |
|----------------------------------|------------|---------------|
| amt brought forward | 6488.25 | |
| Aug 3 To acct rec'd Emerson note | 99.54 | |
| Sept 14 " " " Rec'd on " [Reed?] | 239.00 | |
| Oct 30 " " " Grao [Gross??] " | 783.87 | |
| Nov. 9 " " " Phillips [?] " | 119.00 | |
| " 25 " " " Stewart [?] note | 134.48 | |
| | 7867.14 | |

[Note: The value of \$7867.14 above appears to be off by \$3.00.]

[pg. 3]

Continued from page 1

| | Dr. (chgs) | Cr. (credits) |
|-------------------------------------|------------|---------------|
| 1901 | | |
| To acct brought down pg. 1 | 7867.14 | |
| Feb 4 By acct paid Probate Court #1 | | 7.00 |
| Mar 2 " " " Revenue stamps | | 0.02 |

| | Dr. (chgs) | Cr. (credits) |
|---|------------|---------------|
| " 16 " " " Widow Chilcote #2 | | 1644.40 |
| " 7 " " " for Exp. Depositions | | 1.00 |
| Apl 9 " " " H.L. Cooper #3 | | 374.00 |
| " 15 " " " Jms Martin #4 | | 100.00 |
| May 2 " " " Joe Rolston #5 | | 5.00 |
| " 2 " " " Probate Judge #6 | | 2.50 |
| " 23 " " " J.L. Senior #7 | | 1.50 |
| " 25 " " " C. O'Neil #8 | | 0.25 |
| June 17 " " " L. Chilcote #9 | | 242.00 |
| " 20 " " " D.C. Chilcote #10 | | 262.00 |
| " " " " " Matilda Kelly #11 | | 262.00 |
| " 26 " " " W.H. Rydrauff #12 [Rudrauff] | | 1.00 |
| " 28 " " " C.N. Converse #13 | | 8.25 |
| " 20 " " " Wilbert Chilcote #14 | | 262.00 |
| July 1 " " " H.E. Ganse #15 | | 10.00 |
| Aug 12 " " " D.C. Chilcote #16 | | 360.00 |
| " 12 " " " L. Chilcote #17 | | 360.00 |
| " " " " " Matilda Kelly #18 | | 360.00 |
| " " " " " Wilbert Chilcote #19 | | 360.00 |
| " " " " " Martha Ulrey #20 | | 360.00 |
| June 20 " " " Martha Ulrey #21 [orig. said Matilda Kelly] | | 262.00 |
| " " " " " Viola Goodman #22 | | 262.00 |
| Aug 12 " " " " " #23 | | 360.00 |
| June 20 " " " Louis Chilcote #24 | | 20.00 |
| amt carried forward | 7867.14 | 5886.92 |

[The original of the table above may contain an error. It shows two payments of \$262 being made to heir Matilda Kelly on June 20, both #11 and #21. However, it shows no payment of \$262 as expected to heir Martha Ulrey. Item 076 is the Kelly payment #11, and Item 079 is the Ulrey payment #21. The transcript above was corrected manually.]

[pg. 4]

| | Dr. (chgs) | Cr. (credits) |
|--|------------|---------------|
| By acct brt ford | 7867.14 | 5886.92 |
| 1901 | | |
| July 1 By acct paid N. Basye monument #25 | | 100.00 |
| Aug 13 " " " M. Gilman #26 | | 0.90 |
| July 25 " " " H.E. Ganse #27 | | 3.00 |
| Aug 1 " " " Road taxes #28 | | 9.10 |
| Dec 27 " " " P.P. taxes | | 76.72 |
| " " " " " for postage &c | | 0.11 |
| " " " " " Rev. stamps Deed [??] | | 0.60 |
| May 13 " " " ex/acct Act of Agreement [??] | | 0.30 |
| " 6 " " " Repair & milling. Wall paper &c | | 2.05 |

| | Dr. (chgs) | Cr. (credits) |
|--|------------|--------------------|
| " 17 " " " " fences &c | | 2.10 |
| June 20 " " " for checks & envelopes | | 0.10 |
| July 22 " " " H.P. Donnell acknowledgment | | 0.15 |
| | | [illegible entry?] |
| 1902 | | |
| Jany 31 " " " allowed J.M. Kelly Executor for services | | 150.00 |
| " " " " " " " I.T. Goodman " " " | | 150.00 |
| Court fees this settlement | | 3.00 |
| Cash to bal | | 1482.09 |
| | 7867.14 | 7867.14 |
| Bal on hand \$1482.09 | | |

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[The calculated value for balance on hand is \$1,478.55.]

[107 Receipt for Inheritance #8 (2) Paid by Kelly & Goodman to M. Kelly, 7 March 1902]

No. 2
\$319.52 Waverly, Kansas, 3-7th, 1902

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred Nineteen & 52/100 Dollars
Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Matilda Kelly

[108 Receipt for Inheritance #3 Paid by Kelly & Goodman to D. Chilcote, 7 March 1902]

No. 3
\$319.52 Waverly, Kansas, 3-7th, 1902

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred Nineteen & 52/100 Dollars
Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Denton Chilcote

[109 Receipt for Inheritance #4 Paid by Kelly & Goodman to L. Chilcote, 7 March 1902]

\$319.52 Waverly, Kansas, 3-7th, 1902

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred Nineteen & 52/100 Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Lewis Chilcote

[110 Receipt for Inheritance #6 Paid by Kelly & Goodman to V. Goodman, 7 March 1902]

\$319.52 Waverly, Kansas, 3-7th, 1902

Received of J.M. Kelly & I.T. Goodman Executors

Three Hundred Nineteen & 52/100 Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Viola Goodman

[111 Receipt for Inheritance #7 (No. 5) Paid by Kelly & Goodman to M. Ulrey, 7 March 1902]

No. 5

\$319.52 Waverly, Kansas, 3-7th, 1902

Received of J.M. Kelly & I.T. Goodman Executors

Three Hundred Nineteen & 52/100 Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Martha Ulrey

[112 Receipt for Inheritance #5 Paid by Kelly & Goodman to W. Chilcote, 7 March 1902]

\$319.52 Waverly, Kansas, 3-7th, 1902

Received of J.M. Kelly & I.T. Goodman Executors

Three Hundred Nineteen & 52/100 Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Wilbert Chilcote

[113 Receipt for Inheritance #14 Paid by Kelly & Goodman to L. Chilcote, 28 June 1902]

\$30.00 Waverly, Kansas, June 28-1902

Received of J.M. Kelly & I.T. Goodman Executors

Thirty Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

L Chilcote

[Note: In the annual accounting (135), Item 113 for \$30 and Item 118 for \$270 are summed to show one payment of \$300 to Lewis Chilcote.]

[114 Receipt for Medicine #12 Paid by H.C. Estate to Baker, 19 July 1902]

Waverly, Kans, July 19, 1902

Received of I.T. Goodman Exr
On the estate of H. Chilcote Decd
One and 30/100 Dollars

for medicine on Book account to Dr. Baker

\$1.30 Charley Rogers Agt

[115 Receipt for Inheritance #18 Paid by Kelly and Goodman to M. Kelly, 19 August 1902]

\$300.00 Waverly, Kansas, Aug 19-1902

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred Dollars
Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Matilda Kelly

[116 Receipt for Inheritance #17 Paid by Kelly and Goodman to V. Goodman, 19 August 1902]

\$300.00 Waverly, Kansas, Aug 19-1902

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred Dollars
Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Viola Goodman

[117 Receipt for Inheritance #13 (No. 7) Paid by Kelly and Goodman to D. Chilcote, 19 August 1902]

\$300.00 Waverly, Kansas, Aug 19-1902 No. 7

Received of J.M. Kelly & I.T. Goodman Executors
Three Hundred Dollars
Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

D.C. Chilcote

[118 Receipt for Inheritance Paid by Kelly and Goodman to L. Chilcote, 19 August 1902]

\$270.00 Waverly, Kansas, Aug 19-1902

Received of J.M. Kelly & I.T. Goodman Executors
Two Hundred & Seventy Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Lewis Chilcote

[Note: In the annual accounting (135), Item 113 for \$30 and Item 118 for \$270 are summed to show one payment of \$300 to Lewis Chilcote.]

[119 Receipt for Inheritance #16 (No. 8) Paid by Kelly and Goodman to M. Ulrey, 19 August 1902]

\$300.00 Waverly, Kansas, Aug 19-1902

Received of J.M. Kelly & I.T. Goodman Executors

Three Hundred Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Martha Ulrey

[120 Receipt for Inheritance #15 (#6) Paid by Kelly and Goodman to W. Chilcote, 19 August 1902]

\$300.00 Waverly, Kansas, Aug 19-1902

Received of J.M. Kelly & I.T. Goodman Executors

Three Hundred Dollars

Part payment of my share of the Estate of Hethcote Chilcote, deceased, as provided by his Last Will and Testament.

Wilbert Chilcote

[121 Receipt for Witness Services #9 (19) Paid by Kelly to Stewart, 23 August 1902]

No. 9

Waverly, Kansas. Aug 23 1902

Recd of J.M. Kelly, executor of the last will of H. Chilcote one dollar and fifty cents as witness fees in said estate.

J.W. Stewart

[122 Affidavit of Stewart Regarding Mrs. Hendricks, signed 23 August 1902]

State of Kansas)

Coffey County) ss In the matter of the estate of Hethcote Chilcote deceased

J.W. Stewart being first duly sworn, upon his oath says that he was present to the home of Mrs. J.W. Hendricks, formerly the wife of E.W. Doty and daughter of the said deceased Hethcote Chilcote, in the month of July A.D. 1902 when J.M. Kelly and I.T. Goodman, executors of the last will of said deceased tendered to her as her distributive share of the estate of said deceased ten dollars in lawful money of the United States and Four notes which were given to deceased by her former husband, E.W. Doty as follows to wit:

One note dated July 16th 1882 for two hundred and forty seven dollars and indorsed as follows:
"\$11.51 Jany 5/84 Recd on the within note Eleven & 51/100 dollars."
"March 27th 1885 Received on the within note ten dollars,"

which said note is referred to in said last will as of date July 7th 1882.

[This above is the \$247.00 note identified in the Will.]

Also one note for \$300.00 Made by said E.W. Doty to said deceased and dated July 16th 1882 on which no payment is indorsed.

Also one note for \$200.00 between said parties, dated December 7th 1882 and indorsed as follows to wit:

[pg. 2]

"Marion O. April 9th 1883 Rec'd on the within note thirty dollars,"
"May the 13 1887 Received on the within note eighteen dollars." Said note to bear 6 per cent interest.

Also one note of \$150.00 dated January 1st 1884 bearing 6 per cent interest and indorsed

"July 17th 1886 Received thirty five dollars and 20 cents,"
"Nov. 15th 1887 Received thirteen dollars, and that he saw the said J.M. Kelly and I.T. Goodman, as such executors make said tender and further he saith not.

Witness his hand this 23rd day of August 1902.

J.W. Stewart

Subscribed and sworn to before me this 23rd day of August 1902.

C.F. Arthur
Notary Public

My commission expires July 17th 1906

Filed Feb 21 1903
A.B. Moore
Probate Judge

[None of the four promissory notes were found in the inventory and appraisal of the estate. The appraisers may have known of the will and its provisions that these four promissory notes were to be bequeathed to Susan M. (Chilcote Doty) Hendrix, so the appraisers omitted them.

The loan for \$300 and for \$200 appear to represent funds from Hethcote to his son-in-law E.W. Doty. However, it is unclear whether the loan for \$247 and the loan for \$150 were also between Hethcote and E.W. Doty. The will says that all four notes were "executed to me (i.e., Hethcote) by E.W. Doty." So Mr. Doty may have been the borrower on all four notes, or he may

have given two of the notes to Hethcote as items of value, to be collected from third party borrower(s) who are unknown.

The total principal for all four loans was \$897. The total payments documented in this affidavit were \$117.71. As to the varied spelling of "Hendrix," this is the spelling on Susan's gravestone in Yates Center, Woodson County, Kansas.]

[123 Receipt for Writing Deed #20 [#11] Paid by Kelly & Goodman to Converse, 26 August 1902]

\$0 50/100 Waverly, Kansas, Aug 26 1902 No. 11

Received of J.M. Kelly & I.T. Goodman, Executors

Fifty Cents

for writing and acknowledging deed

Chas. N. Converse

[124 Receipt for Abstract Title #21 Paid by Goodman & Kelly to Converse, 1 September 1902]

\$7.25 Waverly, Kansas, 9/1/02

Received of I.T. Goodman & J.M. Kelly Administrators

Seven & 25/100 Dollars

For abstract of title to 40 acres sold to Viola Goodman

Chas. N. Converse

[125 Receipt for Approving Deed #22 Paid by Goodman to Probate Judge, 3 September 1902]

\$.50 Burlington, Kansas, Sep 3- 1902

Received of I.T. Goodman Exr

50/100 Dollars

Approving Executor's Deed

A.B. Moore

[126 Receipt for Tax of 1902 #3280 (23) Paid by H.C. Estate to Coffey Co., 31 December 1902]

Tax of 1902

No. 3280 County Treasurer's Office #23
Burlington, Coffey County, Kansas, Dec 31, 1902

Received of H. Chilcote, Est.

Forty six and 10/100 Dollars

in full for tax of the year 1902 on the following described property:

| Description | Sec or Blk | Twp | Rng | Valuation | School Dist | Township | Part Paid | Total Tax |
|-------------------|------------|-----|-----|-----------|-------------|----------|-----------|-----------|
| Personal Property | | | | 1087 | 79 | RC | All | 47.28 |
| Lot, | | | | | | | | 1.18 |
| | | | | | | | | 46.10 |

W.M. Palen County Clerk

C. Wilson County Treasurer

[127 Receipt for Legal Services #26 Paid by Goodman to Ganse & Hannen, 22 January 1903]

H.E. Ganse

I.H. Hannen

Law Office of
Ganse & Hannen
Kennedy Block

Burlington, Kansas, Jan. 22-1903

Rec'd of I.T. Goodman the sum \$2.45 for fee in securing release of Cooper & Martin Atty. fees and for clerk's fee and Probate Judge's fee in regard to the same [??]

I.T. Goodman

[It appears that Goodman sign his own receipt on behalf of Ganse and Hannen.]

[128 Receipt for Collection Services #27 Paid by Kelly to Arthur, 14 February 1903]

Waverly, Kansas. Feb 14 1903

Recd from J.M. Kelly two dollars as fee for collection from Dan Mathews due estate of H. Chilcote.

C.F. Arthur

[129 Receipt for Trip Expense Paid by H.C. Estate to M. Kelly, 21 February 1903]

Burlington, Kansas Feb 21, 1903

Estate of Hethcote Chilcote to Matilda Kelly

Expense of trip to Burlington 2.00

Rec'd payment in full

Matilda Kelly by J.M. Kelly

[Notarized by Moore]

[130 Receipt for Anderson Co. Probate Exp. #27 Paid by Estate to Goodman, 21 February 1903]

\$3.00

Burlington, Kansas, Feb 21, 1903

Received of Kelly & Goodman Executors

Three & no/100 Dollars
Expense Probate Court in Anderson Co.

I.T. Goodman, ex

[pg. 2]

Vouchers in final set Feb 21-23-1903

[Anderson County is near Waverly and adjacent to Coffey County to the east. The county seat is Garnett.]

[131 Affidavit of Publication, 21 February 1903]

Est of Hethcote Chilcote
Pub Notice

Filed
Feb 21 1903
A.B. Moore, Probate Judge

Examined and approved this.
A.B. Moore, Probate Judge

[pg. 2]

Affidavit of Publication

Final Settlement Notice

State of Kansas)
Coffey County) ss

In the Probate Court in and for said county.
In the matter of the estate of Hethcote Chilcote, late of Coffey County, deceased.
Notice is hereby given to all creditors and others interested in said estate that we intend to make final settlement as executors on the 21st [??] day of February 1903 at 1 o'clock p.m., that being the 18th day of the next term of the Probate Court.

J.M. Kelly and
Isaac T. Goodman,
Executors

STATE OF KANSAS)
Coffey County) SS

O.J. Rose, of lawful age, being by me first duly sworn, says that he is publisher of the WAVERLY GAZETTE, a weekly newspaper published in the city of Waverly, county and state aforesaid, of general circulation in said county; that said newspaper has been published in said county for fifty-two consecutive weeks immediately prior to the first publication of the notice of which a true copy is hereto attached: and that said notice was published in the regular and entire issue of said newspaper for four consecutive weeks: the first publication being made on the 23rd day of January 1903.

O.J. Rose

Subscribed and sworn to before me this 21st day of Feb. 1903.

H.P. Donnell

My commission expires Jan 8, 1906.

[132 Probate Court Continuation, 21 February 1903]

State of Kansas)
County of Coffey) ss In Probate Court

In the matter of the Final Settlement of the estate of Hethcote Chilcote deceased.

Now on this 21st day of February 1903 the above final settlement came on for hearing, and for good cause shown, said final settlement was continued to February 23rd 1903 at 1 o'clock P.M.

A.B. Moore
Probate Judge

[133 Receipt for Probate Court Fees Paid by Kelly and Goodman to Moore, 23 February 1903]

Office of Probate Judge, Coffey County

\$6.25

Burlington, Kansas, Feb 23 1903

Received of Kelly & Goodman, Executors

Six and 25/100 Dollars
Court fees in final settlement of Chilcote Est.

A.B. Moore, Probate Judge

[134 Order Approving Final Settlement, 23 February 1903]

Order Approving Administrator's Final Settlement
Estate of Hethcote Chilcote, Deceased

Filed Feb 23, 1903
A.B. Moore, Probate Judge

Recorded in Journal 7 page 381
A.B. Moore, Probate Judge

[pg. 2]

State of Kansas,)
Coffey County.) SS.

In the Probate Court of said county,
In the matter of the estate of
Hethcote Chilcote Deceased

On this 23 day of February A.D. 1903, pursuant to continuance, came J.M. Kelly and I.T. Goodman
Executors of the estate of Hethcote Chilcote deceased.....

.... there remains a balance of \$118.56 in their hands belonging to the estate.

It is therefore, now by the Court here considered, ordered and adjudged that the said final settlement
be and the same is hereby approved, and that the said balance in the hands of said Executors be paid
and distributed as follows:

| | |
|------------------|---------|
| to Nany Corwin, | \$14.82 |
| Susan M. Hendrix | \$14.82 |
| Denton Chilcote | \$14.82 |
| Lewis Chilcote | \$14.82 |
| Wilbert Chilcote | \$14.82 |
| Viola Goodman | \$14.82 |
| Martha Ulrey | \$14.82 |
| Matilda Kelly | \$14.82 |

and that upon the filing of the receipts of said distributees in this Court, the said Executors and their
bondsmen be discharged from further duty and liability in the matter of said estate.

A.B. Moore, Probate Judge

[135 Administrator's Account of Administration, 23 February 1903]

Administrator's or Executor's Account of Administration
 In the matter of the estate of Hethcote Chilcote Deceased

Filed this 23 day of Febry A.D. 1903
 A.B. Moore, Probate Judge

Record 5
 Page 335

[pg. 2]

State of Kansas,)
 Coffey County) In the probate court of said county

In the matter of the estate of Hethcote Chilcote, Deceased.) Final Account of Administration

Final Account of the Administration of J.M. Kelly and I.T. Goodman Executors of Hethcote Chilcote Deceased.

Made this 21 day of February A.D. 1903

| | Dr. (chgs) | Cr. (credits) |
|---|------------|---------------|
| 1902 | | |
| Feb 4 To Bal on hand | 1482.09 | |
| “ 25 “ B.L. Kelly for rent | 100.00 | |
| Mch 7 “ Viola Goodman on 40 a. farm [“pur” for “purchase”?] | 165.84 | |
| “ 7 “ I.T. Goodman notes | 227.95 | |
| “ 7 “ S.L. Ulrey notes | 113.45 | |
| “ 7 “ B.L. Kelly for millet | 3.00 | |
| “ 21 “ Brooks note | 120.50 | |
| May 24 “ Madden note | 150.00 | |
| Aug 16 “ M.J. Chilcote note | 1596.00 | |
| “ 19 “ Viola Goodman on 40 a pur [??] | 222.16 | |
| 1903 | | |
| Jan. 16 “ H.L. Weaver for safe pur [??] | 8.00 | |
| “ 8 “ Bal. on Maddens note | 92.25 | |
| Feb 14 “ Mathews note | 12.65 | |
| [????] accts Feb 4 1902 | 3.13 | |
| 1902 | | |
| Feb 4 By J.L. Senior for report Vouch 1 | | 2.50 |
| “ 4 “ Atty Rolston Vouch 2 | | 5.00 |
| Mch 7 “ D.C. Chilcote Vouch 3 | | 319.52 |
| “ 7 “ Lewis Chilcote Vouch 4 | | 319.52 |
| “ 7 “ Wilber Chilcote Vouch 5 | | 319.52 |

| | Dr. (chgs) | Cr. (credits) |
|---|------------|---------------|
| " 7 " Viola Goodman Vouch 6 | | 319.52 |
| " 7 " Martha Ulrey Vouch 7 | | 319.52 |
| " 7 " Matilda Kelly Vouch 8 | | 319.52 |
| " 7 " J.L. Senior, Brooks Case Vouch 9 | | 1.00 |
| May 10 " Thurman Kelly for road tax Vouch 10 | | 3.35 |
| " 12 " Arthur Goodman " " " Vouch 11 | | 2.69 |
| July 19 " Baker M.D. Co per book a/c Vouch 12 | | 1.20 |
| Aug 19 " D.C. Chilcote Vouch 13 | | 300.00 |
| Amt car'd fwd | 4297.05 | 2232.86 |

[Notes: The July 19 Baker voucher above may refer to "Mdc" for "medicine." The \$4,297.05 in the left dollars column above appears to be off by 3¢.]

[pg. 3]

| | Dr. (chgs) | Cr. (credits) |
|--|------------|---------------|
| Amts brt fwd | 4297.05 | 2232.86 |
| 1902 | | |
| Aug 19 By Lewis Chilcote V 14 | | 300.00 |
| " 19 " Wilbert " V 15 | | 300.00 |
| " 19 " Martha Ulrey V 16 | | 300.00 |
| " 19 " Viola Goodman V 17 | | 300.00 |
| " 19 " Matilda Kelly V 18 | | 300.00 |
| " 23 " J.M. Stewart, witness V 19 | | 1.50 |
| " 26 " C.N. Converse V 20 | | 0.50 |
| Sep 1 " Abstract V 21 | | 7.25 |
| " 4 " Probate Judge app. deed V 22 | | 0.50 |
| Dec 20 " P.P. Tax V 23 | | 46.25 |
| 1903 | | |
| [?????] Pd Arthur for collecting V 24 | | 9.25 |
| 1902 | | |
| Dec 13 " Goodman for expense V 25 | | 3.50 |
| 1903 | | |
| Jan 22 " Ganse and Hannen V 26 | | 2.45 |
| Feb 14 " Arthur for collecting V 27 | | 2.00 |
| Feb 21 " Matilda Kelly V 28 | | 2.00 |
| " " " O.J. Rose Pub Notice V 29 | | 2.00 |
| I.T. Goodman R.R. fare & traveling expense | | 37.68 |
| J.M. Kelly " " " " | | 41.11 |
| " " Compensation for Services | | |
| From time of appointment 408.89 | | |
| Allowed on same heretofore <u>-300.00</u> | | |
| 108.89 | | 108.89 |
| I.T. Goodman Compensation for services from time of appointment 475.00 | | |

| | Dr. (chgs) | Cr. (credits) |
|--|------------|---------------|
| Allowed on same heretofore -300.00 Bal due | | 175.00 |
| Court fees this settlement | | 6.25 |
| Cash to bal | | 118.56 |
| | 4297.05 | 4297.05 |

[The \$4,297.05 value in the right-hand column appears to be off by \$0.50. The calculated balance left is \$114.49.]

Note not collected

J.P. Murphy 100.00

[136 Receipt for Inheritance Paid by Kelly and Goodman to D. Chilcote, 24 February 1903]

\$18.92 Waverly, Kansas, Feb. 24 1903

Received of J.M. Kelly & I.T. Goodman, Executors

Eighteen & 92/100 Dollars

Payment in full of my share of the Estate of Hethcote Chilcote, deceased, as provided by his last will & testament.

Denton Chilcote

[The photocopied records have a duplicate of this receipt signed by Denton.]

[137 Receipt for Inheritance Paid by Kelly and Goodman to L. Chilcote, 24 February 1903]

\$18.92 Waverly, Kansas, Feb. 24 1903

Received of J.M. Kelly & I.T. Goodman, Executors

Eighteen & 92/100 Dollars

Payment in full of my share of the Estate of Hethcote Chilcote, deceased, as provided by his last will & testament.

Lewis Chilcote

[The photocopied records have a duplicate of this receipt signed by Lewis.]

[138 Receipt for Inheritance Paid by Kelly and Goodman to V. Goodman, 24 February 1903]

\$18.92 Waverly, Kansas, Feb. 24 1903

Received of J.M. Kelly & I.T. Goodman, Executors

Eighteen & 92/100 Dollars

Payment in full of my share of the Estate of Hethcote Chilcote, deceased, as provided by his last will & testament.

Viola Goodman

[139 Receipt for Inheritance #3824 Paid by Kelly and Goodman to W. Chilcote, 24 February 1903]

\$18.92 Waverly, Kansas, Feb. 24 1903

Received of J.M. Kelly & I.T. Goodman, Executors
Eighteen & 92/100 Dollars
Payment in full of my share of the Estate of Hethcote Chilcote, deceased, as provided by his last will & testament.

Wilbert Chilcote

[140 Receipt for Inheritance Paid by Kelly and Goodman to M. Kelly, 24 February 1903]

\$18.92 Waverly, Kansas, Feb. 24 1903

Received of J.M. Kelly & I.T. Goodman, Executors
Eighteen & 92/100 Dollars
Payment in full of my share of the Estate of Hethcote Chilcote, deceased, as provided by his last will & testament.

Matilda Kelly

[141 Receipt for Inheritance Paid by Kelly and Goodman to M. Ulrey, 24 February 1903]

\$18.92 Waverly, Kansas, Feb. 24 1903

Received of J.M. Kelly & I.T. Goodman, Executors
Eighteen & 92/100 Dollars
Payment in full of my share of the Estate of Hethcote Chilcote, deceased, as provided by his last will & testament.

Martha Ulrey

[142 Receipt for Road Tax Paid by Kelly to Road Overseer, 24 September 1903]

Coffey County, Kansas, Sept 24, 1903

Received of J.M. Kelly Ex

Three and 26/100 Dollars
in labor on the public highways, in his road district, Number 5 in Rock Creek Township.....

| Description | Sec or Blk | Twp | Rng | Valuation | School Dist | Township | Part Paid | Total Tax |
|--------------------|------------|-----|-----|-----------|-------------|----------|-----------|-----------|
| Personal Property | | | | | | | | |
| H. Chilcote Estate | | | | | | | | |
| | | | | | | | | 3.26/100 |

W.P. Nutt [??], Road Overseer

[143 Receipt for Inheritance Paid by Kelly and Goodman to M. Ulrey, 25 March 1904]

\$21.00 Waverly, Kansas, Mar. 25, 1904

Received of J.M. Kelly Executor

Twenty one Dollars

Part payment of my share of the estate of Heathcote Chilcote deceased, as provided by his last will & testament

Martha Ulrey

[144 Receipt for Inheritance Paid by Kelly and Goodman to L. Chilcote, 25 March 1904]

\$21.00 Waverly, Kansas, Mar. 25, 1904

Received of J.M. Kelly Executor

Twenty one Dollars

Part payment of my share of the estate of Heathcote Chilcote deceased, as provided by his last will & testament

L Chilcote

[145 Receipt for Inheritance Paid by Kelly and Goodman to V. Goodman, 25 March 1904]

\$21.00 Waverly, Kansas, Mar. 25, 1904

Received of J.M. Kelly Executor

Twenty one Dollars

Part payment of my share of the estate of Heathcote Chilcote deceased, as provided by his last will & testament

Viola Goodman

[146 Receipt for Inheritance Paid by Kelly and Goodman to M. Kelly, 25 March 1904]

\$21.00 Waverly, Kansas, Mar. 25, 1904

Received of J.M. Kelly Executor

Twenty one Dollars

Part payment of my share of the estate of Heathcote Chilcote deceased, as provided by his last will & testament

Matilda Kelly

[147 Receipt for Inheritance Paid by Kelly and Goodman to W. Chilcote, 25 March 1904]

\$21.00 Waverly, Kansas, Mar. 25, 1904

Received of J.M. Kelly Executor

Twenty one Dollars

Part payment of my share of the estate of Heathcote Chilcote deceased, as provided by his last will & testament

Wilbert Chilcote

[148 Receipt for Inheritance Paid by Kelly and Goodman to D. Chilcote, 25 March 1904]

\$21.00 Waverly, Kansas, Mar. 25, 1904

Received of J.M. Kelly Executor

Twenty one Dollars

Part payment of my share of the estate of Heathcote Chilcote deceased, as provided by his last will & testament

D.C. Chilcote

[149 Receipt for Collection Services (?) Paid by Kelly to Arthur, 25 March 1904]

Waverly Kansas, March 25th 1904

Received of J.M. Kelly executor of last will of H .Chilcote, deceased, \$23.37 in full of commission for collecting note from John P. Murphy and the estate of Tim Murphy, deceased, in favor of the estate of Hethcote Chilcote deceased, being 15 per cent of amount collected as heretofore agreed upon.

C.F. Arthur, attorney

[The only record of a Murphy loan (021.128) had a principal amount of \$100. The commission above, \$23.37, is 15 percent of \$155.80. There is no other record in the annual or final accounts of this amount being repaid by either J.P. or Tim Murphy.]

Appendix B. Name Index

| Last Name | First/Middle Name | Notes, Comments, Variant Spellings |
|-----------|-------------------|---|
| Adams | Geo. | |
| Alban | W.F. | |
| Allen | J.T | |
| Anderson | J.E. | |
| Arthur | C.F. | Attorney |
| Bain | J.H. | |
| Baird | J.S | |
| Baker | [?] Dr. | |
| Basye | N. | |
| Baugh | C.W. | C.H. Baugh? |
| Beasley | Dr. C. | |
| Brooks | A.B. | |
| Brown | Mary A. | |
| Brown | Sid B. | |
| Chilcote | Denton | |
| Chilcote | Hethcote | Spelled "Hethcoat" in the prenuptial agreement 11/12/1887, which was inscribed by Hutchison [?]. |
| Chilcote | Lewis | |
| Chilcote | Maria J. | |
| Chilcote | Wilbert | |
| Chite | S.L. | |
| Christy | J.M. | Christie |
| Connell | | May be Donnell? |
| Converse | Chas. N. | |
| Cook | A.C. | |
| Cook | Henry | |
| Cooper | H.L. | Attorney; newspaper Feb. 1900 says M.L. Cooper. |
| Corwin | J.W. | |
| Corwin | Nancy | |
| Craig | J.J. | |
| Crouse | E.M. | Curis |
| Crouse | Frank | Curis |
| Curis | | Page is nearly illegible, Crouse |
| Dickey | J.A. | |
| Dickey | T.M. | |
| Dickey | Thos. | |
| Dodd | Chas. A. | |
| Dodd | Guy | |
| Dodd | Lee | |
| Dodd | Maria J. | This was her married name before she married Hethcote. Unsure of her maiden name, possibly Bethel or Bethell. |
| Donnell | H.P. | |
| Doty | E.W. | |

| Last Name | First/Middle Name | Notes, Comments, Variant Spellings |
|------------------|-------------------|------------------------------------|
| Emerick/Emmerich | Adam | |
| Emerson | Louis | |
| Emmerson | O.G. | Emerson? |
| First | Geo. W. | |
| Forsyth | E.M. | |
| Ganse | H.E. | Attorney |
| Gilman | Jas. | |
| Gilman | Minnie | |
| Given | J.F. | |
| Goodman | Arthur | |
| Goodman | Isaac T. | |
| Goodman | Viola | |
| Grant | John | |
| Grant | Owen | |
| Grao | | Page is nearly illegible |
| Green | W.B. | |
| Grennan | J.X. | |
| Gross | Joseph/Joe | Grose |
| Hancock | O.W. | |
| Hannen | I.H. | Attorney |
| Hendricks | Mrs. J.W. | "Hendrix" |
| Hendrix | Susan M. | Prior married name "Doty." |
| Hill | S. | |
| Howell | J.H. | |
| Howell | Jms. | |
| Howell | T.M. | |
| Hutchison | A.B. | Witness to prenuptial agreement |
| Hutchison | W.T. | |
| Irey | J.W. | |
| James | A.J. | |
| James | Frank | |
| Kelly | B.L. | |
| Kelly | J.M. | |
| Kelly | Matilda | |
| Kelly | Thurman | |
| Knight | W.C. | Crossed out; may be unrelated. |
| Knitzener | J.D. | |
| Kroh | C.H. | Krough |
| Krough | C.H. | Kroh |
| Lattimer | D.W. | |
| Ligett | I.C. | |
| Limpin | H.C. | |
| Logsdon | J.O. | |
| Logsdon | W.D. | |
| Madden | D.E. | |

| Last Name | First/Middle Name | Notes, Comments, Variant Spellings |
|------------|-------------------|---|
| Madden | Mary | |
| Manley | J.B. | |
| Martin | James | James or John Martin? |
| Martin | John | Attorney, Topeka |
| Matheney | E.C. | |
| Mathews | Dan | |
| Matthews | Chas. | |
| McDowell | J.A. | |
| McDowell | J.H. | |
| McDowell | T.W. | |
| McDuffie | C.H. | |
| McDuffie | Geo. R. | |
| McFadden | G.C. | |
| McMannis | Mary | |
| Metzger | J.W. | Attorney |
| Moore | A.B. | Probate Judge after 1/1/1901? |
| Morgan | E.D. | |
| Morgan | M. | |
| Murphy | John P. | |
| Murphy | Tim | |
| Nutt | W.P. [?] | Road Overseer unclear; may be W. Pratt |
| O'Neil | C | |
| O'Neil | Hugh | |
| Palen | W.M. | |
| Philips | Desston | |
| Philips | W.H. | |
| Pratt | W. [?] | Road Overseer unclear; may be W.P. Nutt |
| Reed | | Page is nearly illegible |
| Reed | A.P. | |
| Rogers | Charley | |
| Rolston | Joe | Attorney |
| Rose | O.J. | |
| Rudrauff | Wm. H. | |
| Senior | J.L. | Witness to prenuptial agreement; may have been an attorney? |
| Sharon | Alex | |
| Sharon | J.M. | |
| Sondles | S.C. | Condles |
| Stewart | H.M. | |
| Stewart | J.W. | J.M. Stewart |
| Stucker | J.W. | Stucke, J.M. |
| Ulrey | Martha | |
| Ulrey | Silas | |
| Vermillion | W.H. | Probate Judge until 12/31/1900? |

| Last Name | First/Middle Name | Notes, Comments, Variant Spellings |
|------------------|--------------------------|---|
| Warner | C.S. | Wonder if this is any relation to Hethcote's second wife, Catherine Warner [Hulse]? |
| Weaver | H.L. | |
| West | Chas. | |
| West | M.E. | |
| Wests | A.B. | |
| Wests | Maggie | |
| White | I.J. | |
| White | J.F. | |
| William | W.H. | |
| Williams | W.H. [?] | |
| Wilson | C. | |
| Wise | C.H. | |
| Zinn | J.W. | |