

To the Judge of Probate for the County of Kennebec.

The undersigned represents, that he is a surviving partner of the late firm of *Day & Co* which firm consisted of himself and *F. J. Day* and whose place of business was in *7 Success* in said County, that said *F. J. Day* died on the *24* *Twenty fourth* day of *December* 188*4*, and that your petitioner desires to retain and have control of the property of said late partnership and close up its affairs.

Calvin A. Cole

State of Maine.

KENNEBEC COUNTY.....In Probate Court, held at *Augusta*, on the *Second* Monday of *April* 188*5*.

On the foregoing petition, Ordered, that the said *Calvin A. Cole* be permitted to retain the property and close up the affairs of the said late partnership, - he first giving bond in the sum of \$ *1,000* -

H. S. Webster Judge.

To the Judge of Probate for the County of Kennebec.

The undersigned respectfully represents that *F. J. Day*
an inhabitant at the time of his
decease of *Hallowell* in said county,

died on the *23rd* day of *October* 1884,
testate, possessed of goods and estate to be administered. Wherefore your petitioner
requests that the will of the said deceased, which is herewith presented, may be proved
and allowed, and that letters testamentary may be issued to ~~the Executor~~
~~named therein.~~ *Mary L. Day as Administratrix*
with will annexed, no executor being
named in same will.

A. M. Spear,

Kennebec County—In Probate Court, held at Augusta, on the second
Monday of *November* 1884.

A certain instrument, purporting to be the last will and testament of
Francis J. Day late of *Hallowell*,
in said county, deceased, having been presented for probate:

ORDERED, That notice thereof be given three weeks successively prior to the
second Monday of *December* next, in the *Hallowell Register*
a newspaper printed in *Hallowell*, that all persons interested may
attend at a Court of Probate then to be holden at Augusta, and show cause, if any, why
the said instrument should not be proved, approved and allowed, as the last will and
testament of the said deceased.

Emory A. Bean Judge.

EXTRACT FROM THE WILL OF

Francis J. Way

PROBATE OFFICE,

KENNEBEC COUNTY,

Dec. 27 188*4*.

I hereby certify, That the last will and testament..... of
Francis J. Way late of *Hallowell*
in said county,..... deceased, was
proved, approved and allowed by the Judge of Probate for said county, at a Court held
at Augusta, on the *eighth* day of *December* 188*4*; and
that the following is a true copy of so much of said will..... as
devises real estate in the county aforesaid:

"
Item 2^d One half of the store,
Nos. 6 & 7 Kennebec Row - meaning
thereby only the real estate to go
to my son. The said Francis, he
to come into the enjoyment and
disposal, when he shall arrive
to the age of twenty one (21) years"

A true copy.

Attest:

A. Owen

Register.

STATE OF MAINE.

KENNEBEC COUNTY.—In Probate Court, held at Augusta, on the
second Monday of December 1884.

Whereas, A certain instrument, hereunto annexed, has been presented for probate,
as the last will and testament of *Francis J. Day*
late of *Hallowell* in said County, deceased, and due
notice of the time and place of the intended probate thereof has been given to all persons
interested therein, pursuant to the order of Court:—and whereas it has been satisfactorily
proved to the said Court, that the said deceased died on the *twenty third*
day of *October* 1884; that, at the time of his decease, he was an inhabi-
tant of the said County;

that the said instrument is his last will and testament, and was legally executed; and that,
at the time of the execution thereof, the deceased was of full age and of sound mind:—It
is therefore ordered by the said Court, that the said instrument be approved and allowed
as the last will and testament of the said deceased.

*It is further ordered that administration
of the Estate of said deceased with the will ven-
nexed, due notice having been given on
the petition therefor, and the facts therein
alleged having been made fully to ap-
pear, be hereby granted to Mary L.
Day of Hallowell the first*

~~And whereas it appears, that~~ of
the executor named in the said instrument, is
legally competent, it is further ordered, that letters testamentary be issued to him
giving bond in the sum of \$4000# + that *thereupon a letter*
of administration with the will annexed
come pursuant to law

Emery O. Berry Judge.

ATTEST:

A. Brown

Register.

(Letter of Adm. with the Will annexed.)

STATE OF MAINE.

Kennebec County....

By the Judge of Probate within and for said County.

To *Mary S. Day*
of *Hallowell*

Whereas, At a Court of Probate, heretofore held at AUGUSTA, within and for said County, the last will and testament of

late of *M. S. Day*
Hallowell deceased, has been proved, approved and allowed; and whereas, *no person is*

named in the said will as Exect of thereof, ~~is~~

I DO THEREFORE, by virtue of the power and authority vested in me by law, appoint you Administrat *ix* with the will annexed of the goods and estate of the deceased, and commit unto you the execution of the said will, and the administration of all the estate whereof the said deceased died possessed.

And you are to make a true and perfect inventory of the goods and estate, real and personal, of the said deceased and return the same, upon oath, to the Court of Probate, within three months; you are to pay the debts and legacies of the said deceased and administer the said estate according to law; and to render, upon oath, a just and true account of your proceedings, when thereunto lawfully required; and in all things, according to law, and in fulfilment of the trust reposed in you, faithfully to execute the provisions of the said will.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office, at AUGUSTA, this *eight* day of *December* 188*4*.



Emory O. Dean Judge.

ATTEST:

Howard Owsen Register.

Know all Men by these Presents,

THAT WE Mary L. Day

of Hallowell Principal,

and C. A. Cole

of Hallowell and

Chas E. Fuller

of Hallowell Sureties,

of the County of Kennebec.

Emory O. Bean in the State of Maine, are held and stand firmly bound unto ~~Henry K. Baker~~, Judge of Probate, in and for the County of Kennebec, in the sum of (\$ 4,000.00) four thousand dollars, to be paid to the said Judge of Probate or his successors in said office; to the payment whereof, we bind ourselves, our heirs, executors and administrators, jointly and severally, by these presents.

SEALED WITH OUR SEALS. Dated the eighth day of December in the year one thousand eight hundred and eighty-four.

The Condition of this Obligation is, that if the above bounden Mary L. Day

Administrat^{or} ni with the Will annexed of the estate of F. J. Day late of Hallowell in said County, deceased, shall make and return to the Probate Court, within three months, a true inventory of all the real estate, and all the goods, chattels, rights and credits of the deceased, which are by law to be administered, and which shall have come to ~~his~~ her possession or knowledge; shall administer according to law, and to the will of the deceased, all the goods, chattels, rights and credits of the deceased, shall render, upon oath, a just and true account of ~~his~~ her administration, within one year, and at any other times when required by the Judge of Probate; and shall account, in case the estate should be represented insolvent, for three times the amount of any injury done to the real estate of the deceased, by ~~him~~ her or with ~~his~~ her consent, between the time of the representation of insolvency, and the sale of such real estate for the payment of debts, by waste or trespass committed upon any building thereon, or on any trees standing and growing thereon, except as may be necessary for repairs or fuel for the family of the deceased, or by waste or trespass of any other kind, and also for such damages as she may recover of any other person, for the like waste or trespass committed on any such real estate; then the above written obligation shall be void, otherwise shall remain in full force.

Emory O. Bean - Judge.

EXAMINED AND APPROVED.

Signed, Sealed and Delivered in Presence of
A. M. Spear

Mary L. Day
C. A. Cole
Chas E. Fuller



State of Maine.

Kennebec County.

In Probate Court.

To Calvin A. Cole of Hallowell

GREETING:

Whereas, F. J. Way late of Hallowell in said County, deceased, was a member of the firm of Way & Co which firm consisted of F. J. Way and Calvin A. Cole

And Whereas, you have been elected to close up the affairs of said partnership, and have given bond as required by law,

I do, therefore, hereby authorize you to take possession of said property, and close up the affairs of the said partnership; and you are hereby directed to use fidelity and due diligence in the performance of your said duties; to apply said property towards payment of the partnership debts; to render an account, on oath, to the Judge of Probate, when required, of all said partnership affairs, including property owned, debts due to and from, the amount received and collected, and the amount paid; and to pay the Executor of the will or Administrator of the estate of said deceased, his proportion of any balance remaining after the settlement of said partnership affairs, within one year after the date hereof, unless a longer time shall be allowed by the Judge.

In Witness whereof, I have hereunto set my hand, and caused the seal of said Court to be affixed, at Augusta, this thirtieth day of April in the year of our Lord one thousand eight hundred and eighty-five



Attest:

Ernest B. Brown Judge. H. S. Webster

H. Owen

Register.

Know all Men by these Presents,

THAT WE C. A. Cole
of Wallowell as Principal, and Hiram Fuller
of Wallowell and Leond C. Jones of
Wallowell as Sureties, in the County of Kennebec,

in the State of Maine, are held and stand firmly bound
unto H. S. Nebelin Judge of Probate, for the County of
Kennebec, in the sum of (\$ 1000) one thousand
dollars, to be paid unto the said Judge, or his successors in said office; to the
payment whereof, we bind ourselves, our heirs, executors and administrators,
jointly and severally, by these presents.

Judge.

H. S. Nebelin

SEALED WITH OUR SEALS. Dated the thirteenth day of April
in the year one thousand eight hundred and eighty five

The Condition of this Obligation is, that if the above bounden C. A. Cole
surviving partner of the late firm of

Day & Co

which firm consisted of said C. A. Cole

and F. J. Day late of Wallowell in said County,
deceased, and whose place of business was in said Wallowell
shall use fidelity and due diligence in closing the affairs of the late partnership
aforesaid; shall apply the property thereof towards payment of the partnership
debts; shall render an account, on oath, to the Judge of Probate, when required,
of all the partnership affairs, including property owned, debts due to and from, the
amount received and collected, and the amount paid; and shall pay to the Executor
of the will, or Administrator of the estate of said deceased, his proportion of any
balance remaining after the settlement of his account, within one year after the
date of this bond, unless a longer time shall be allowed by the Judge; then the
above-written obligation shall be void, otherwise shall remain in full force.

EXAMINED AND APPROVED.

Signed, Sealed and Delivered
in Presence of

Geo. H. Wainwright jr

Calvin A. Cole
Hiram Fuller
Leond C. Jones



Wt to the Judge of Probate
& he with affirms the above bond
to be in Accord and amittis +

Mary L. Davis

I Francis J Day of Wallace County
of Kansas and State of Kansas.

This twenty second (22^d) of August 1875
(Anne Somons) being 34 1/2 (60) years old.

and as I believe of sound ^{mind} and
capable as ever to make a just and
equitable disposition of my property,
do declare this instrument to
be my last will & testament
as follows —

~~W~~ Whereas my dwelling house
& garden adjoining the premises of C. A. Cole
are already secured to my beloved
wife, Mary J Day by deed, I give
to her from my personal estate the
sum of one thousand dollars to be
paid to her by my Executors or ad-
ministrators immediately upon my decease
and all the household furniture
excepting the family clock & the Piano
the clock to go to my son Francis J Day
for as a heirloom & the Piano
to the girls my two daughters Fannie
& Lizzie

Item 2 One half of the stone Nos. 687
Kumbe Row - meaning thereby only
the Real Estate to go to my son
the said Francis, he to come into
the enjoyment & disposal, when he shall
arrive to the age of twenty-one
(21) years.

After paying all debts the balance
of my personal property - shall be
equally divided between my three
children, Fannie, Lizzie & Frank and
whenever my home after a year from
the property I own or hold in the State
of Iowa, shall be equally divided
to the same.