

Dallas County, Texas Probate Cases 1846 – Early 1900's

Case Number 2802

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#2802

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The Master of Court
Robert Young
Deceased

DEPOSITION

Rev. L. C. [unclear]
[unclear]

Witness
received this package on the 7th day of
May 1906, from the hands of
[unclear]

before whom the deposition was taken, and forwarded same
7 day of May 1906, by due
of mail as directed.

Postmaster at J. J. Stevens
by J. J. Stevens
Deputy Postmaster at J. J. Stevens
J. J. Stevens
Dallas

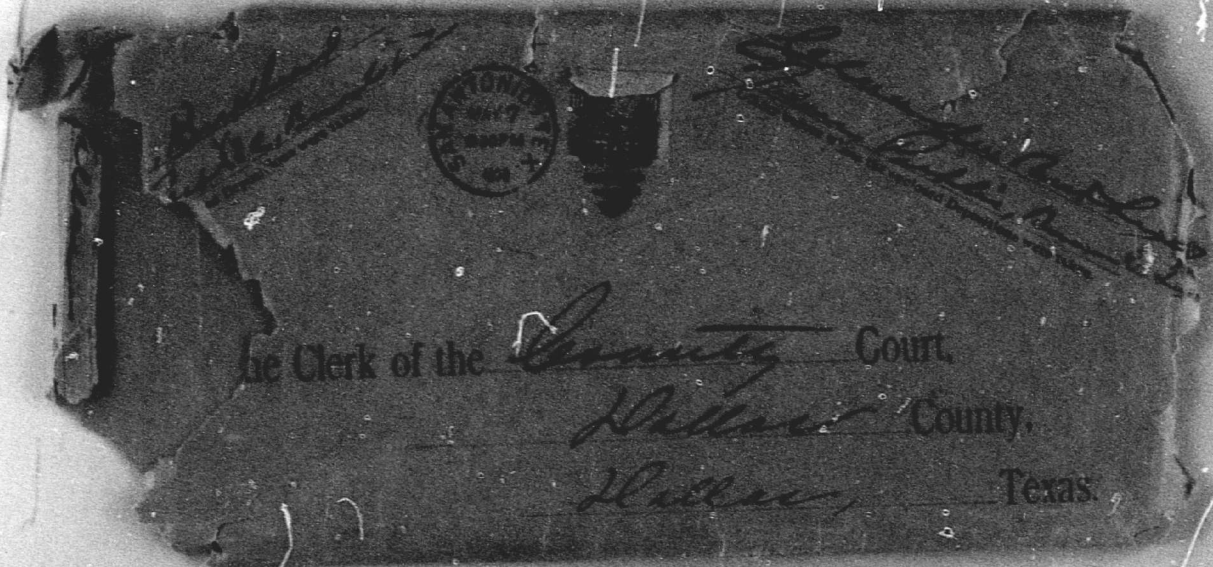
received this package from the Postoffice at Dallas
Texas, on the 9 day of
May 1906, and filed the same on the 9

May 1906
J. J. Stevens
Clerk
County, Dallas
By J. J. Stevens
Deputy

Package is opened the 12 day of May
at the request of J. J. Stevens

for the [unclear]
County, Texas

FILMED BY DALLAS GEOLOGICAL SOCIETY - 1978



The Clerk of the County Court,
Dallas County,
Dallas, Texas.

State of Texas, *
County of Bexar * Know all men by these presents:

That I, Rebecca Young, of Dallas, in the County of Dallas, Texas, being in good health and of sound and disposing mind and memory, do make and publish this my last will and testament, hereby revoking all wills by me at any time heretofore made.

1st. I direct that all of my just debts be paid, and that the legacies hereinafter given shall, after the payment of said debts, be paid out of the personal property of my estate.

2nd. I give and bequeath to my beloved grandson, Arthur Hart, the sum of (\$100.) One Hundred Dollars.

3rd. I give and bequeath to my beloved grandson, Jesse Lillingworth, the sum of (\$10.) Ten Dollars.

4th. I give and bequeath to my beloved grandchildren, Whitney, Cora, Roberta and Dulcie Lee, children of my son Lee Patrick, all of the residue of my estate remaining after the payment of the above legacies, debts, etc., share and share alike. Said estate now consisting of my residence at 485 Browder St., Dallas, Texas, and other property real, personal and mixed.

5th. I constitute and appoint my daughter, Mrs. Cora Patrick, of San Antonio, Bexar Co., Texas, as sole executrix of this my last will and testament.

6th. I direct that no action be had in the County Court save and except to prove and record this will and to

Page 1. Will of Rebecca Young.

return an inventory and appraisement of the estate and a list of claims, and I further direct that the Executrix named herein shall be required to give no bond.

IN WITNESS WHEREOF I have hereunto set my hand on this the 25th day of December, A. D. 1905, in the presence of *Wm Lay* and *Thos. L. Russell*, who attest the same at my request.

Mrs. Rebecca Young

The above instrument was now here subscribed by *Rebecca Young*, the testator, in our presence; and we, at her request, in her presence, sign our names hereto as attesting witnesses.

Wm Lay
Thos. L. Russell

Last Will and Testament of
Mrs. Rebecca Young.

FILED

APR 4 1906
YEAR 1888

[Handwritten signature]

[Handwritten initials]

In the County Court of)
In the Matter of the Estate

In the County Court of
Dallas County, Texas,
Sitting in Matters of
Probate.

In the Matter of the Estate
of Rebecca Young, Deceased

Now comes Cora Patrick, Executrix, and propounds
the following interrogatories to R. W. Lay and Thomas L.
Peacock, witnesses to the will offered for probate herein,
both of whom reside in Bexar County, Texas, the answers
and depositions of said witnesses in response to said
interrogatories to be used on the probate of said will
as evidence on behalf of the proponent.

J. W. Conrad
Attorney for Cora Patrick,
Proponent of the Will.

INTERROGATORIES PROPOUNDED BY CORA PATRICK, PRO-
PONENT, TO R. W. LAY and THOMAS L. PEACOCK,
WITNESSES FOR THE PROponent, WHO RESIDE
IN BEXAR COUNTY, TEXAS.

1.

Please state where you reside, how long you
have resided there, and your age and occupation.

2.

Did you know Rebecca Young? If so, please
state how long you knew her, and where you knew her. Please
state if you are one of the persons who witnessed the
last will and testament of Rebecca Young dated December
26, 1906, and if you are, please state the circumstances
under which you became a witness to said will?

3.

Please examine the instrument which will be
handed to you by the officer who takes this deposition,

(2)

and state whether or not you signed the same as a witness, and whether or not you signed the same as a witness in the presence of Rebecca Young, and who else, if anyone, was present when you signed the same as a witness, and state what other person, if any, signed the same as a witness in your presence, and state whether Rebecca Young was also present when such other person signed said will?

4.

If you have testified in reference to signing as a witness a paper handed you by the notary who takes this deposition, please write your initials on the back of said paper and hand the same to the notary and ask him to attach said paper to your answers hereto, and state whether you have done so?

5.

About how old was Rebecca Young at the time you signed as a subscribing witness her will about which you have testified? What was her mental condition at the time, and give your means of observation, and on which you base your answer as to her mental condition?

6.

Is the said Rebecca Young now living or dead, and if she is dead, in what county did she reside at the time of her death?

7.

To your knowledge, has the will about which you have testified been revoked by said Rebecca Young?

8.

Please state where each of the subscribing witnesses to the will about which you have testified reside?

9.

Was the will about which you have testified signed by Rebecca Young in your presence?

10.

At whose request, if anyone's, did you subscribe the will of Rebecca Young as a witness?

J. W. Connick
Attorney for Cora Patrick,
Proponent.

Now comes Cora Patrick, proponent of the will of Rebecca Young, which has been filed herein and shows to the Court that all of the witnesses to said will are non-residents of Dallas County, and that it is necessary to prove said will by the testimony of the said witnesses taken by deposition. That said will is on file in the office of the County Clerk of Dallas County, Texas. That it is necessary to have said will before the said witnesses in order that they may testify as to their signatures thereto and identify the instrument.

Wherefore, proponent prays that an order be made directing the clerk of this court to attach said original will to the commission which shall issue on these interrogatories.

J. W. Connick
Attorney for the Proponent.

The above motion coming on to be heard, and it appearing to the Court that the same should be granted, it is therefore ordered that the clerk of this court attach to the commission to be issued on the foregoing interrogatories the original will of Rebecca Young, filed herein for probate. This 2 day of May, A. D., 1906.

Hiram J. Livelsy
County Judge, Dallas County, Texas.

In the Matter of the
Estate of Rebecca Young, Deceased.

Interrogatories Propounded by
Proponent to E. W. Lay and Thos.
I. Peacock, Witnesses to the Will
Motion that the Original Will
be Attached to the Interrogator-
ies, and Order Granting the
Motion.

FILED

MAY 2 1906

BRANK & SILANAL, Co. Clerk.

~~BY~~ ~~RECORDED~~ ~~INDEXED~~

Esso (Admiral Excelsior)
of *Palmer*
County.

Wm. Young
3909 - 1st St
Core Patner Executive

PENDING
In the County Court
of Dallas County.

THE STATE OF TEXAS

To the Clerk of the District Court, Judge or Clerk of the County Court, or any Notary Public in and for the County of Brewer State of Texas—GREETING:

You are hereby commissioned that you summon W. Lay and Thomas L. Patrick resident of your County, to be and appear before you at such time and place as you may name, giving the day and hour that the taking of testimony will begin, and that upon the appearance of said witness you execute this Commission and return it to the Clerk of this Court as herein provided.

1st. That upon receipt of this commission you give the parties to the above entitled cause or their attorneys of record five days notice of the time and place when and where the deposition of said witness are to be taken, giving the particular address and day and hour when the taking of such testimony will begin.

2nd. That you execute this commission by propounding to the witness the interrogatories accompanying the commission in numerical order beginning with the first interrogatory and continuing until all the direct and cross-interrogatories have been propounded and answered.

3rd. The answers of the witness to each interrogatory and cross-interrogatory shall be reduced to writing and then read over to the witness at the time it is made and before the next succeeding interrogatory shall be propounded to the witness; and the witness shall not be advised of the contents of said interrogatories or cross-interrogatories until the same are severally propounded to the witness by you.

4th. When the answers of the witness have been so made and reduced to writing in this due order they shall be signed and sworn to by the witness; and you shall certify over your signature and seal of office that such answers are made; reduced to writing, and read over to the witness in the due order of such interrogatories and cross-interrogatories.

5th. And when the same have been signed and sworn to before you, you shall seal them up in an envelope, together with the commission and interrogatories and the cross-interrogatories, if any, and write your name across the seal and endorse on the envelope the names of the parties to the suit and of the witness, and direct the package to "The Clerk of the County Court of Dallas County, Dallas Texas."

6th. You are instructed that it is lawful for either party, his agent or attorney, to be present and make such notes of the proceedings as he or they may desire, but it shall be unlawful for either party, his agent or attorney, to make any suggestion to the witness or yourself in regard to such deposition while said depositions are being taken.

7th. It is not lawful for the witness, while answering direct or cross-interrogatories, to use or refer to any memorandum or writing, except such as under the rules of evidence he would be permitted to use and refer to if testifying as a witness in open court, and in case of the use of any such, the same or a certified copy thereof, properly marked by you for identification, shall be attached to and returned with said answers.

8th. If said package so sealed and endorsed by you as aforesaid be sent by mail, the postmaster or his deputy shall endorse thereon that he received the same from your hands and signed the same officially; or if you entrust it to private conveyance, you will apprise the persons receiving it that it must be delivered to the Clerk of this Court by himself in person; which evidence so taken as above is to be used on the trial of the above entitled cause.

HEREIN FAIL NOT, but make due return of this Writ as the law directs.

Given under my hand and seal of office at Dallas Texas, this 3rd day of May A. D. 1906

Frank R. Shouse
Clerk of the County Court

By R. W. Lee Deputy of Dallas Co., Texas.

No. 3949
Dallas County Court of
Dallas County,
Term, A. D. 19

PERSON TO TAKE DEPOSITION
OF RESIDENT WITNESS
WRITTEN INTERROGATORIES.

and 3 day
May, A. D. 1906
R. Shanks
Clerk.
R. H. Lee
Deputy.

del. _____ day
_____ 19
Clerk.

File No. _____

Court,
County, Texas.

vs.

Deposition of _____

Witness _____

Received this package on the
day of _____ 19
from the hands of _____

the officer before whom they were taken,
and forwarded same the
day of _____ 19
by due course of mail as directed.

Postmaster at _____
By _____
Deputy Postmaster at _____

FRONT OF ENVELOPE.

BACK OF ENVELOPE.

Officer before whom the enclosed Depositions were taken.

Officer before whom the enclosed Depositions were taken.

To the Clerk of the _____ Court
of _____ County,
Texas.

Fees _____

No. 100
100
ON
FEB
CITY

In the Matter of the Estate
of
Rebecca Young, Deceased.
Application to Probate Will

In the County Court of
Dallas County, Texas

I hereby waive notice of the time and place of
taking the depositions of R. W. Lay and Thomas L. Peacock
and consent that the depositions of said witnesses may be
taken by the notary without notice of the taking thereof.

Jessie Cornett
Attorney for Cora Patrick,
Proponent.

No. 3949.

In The County Court of *
Dallas County, Texas, * In the matter of the Estate of
Sitting in Probate. * Rebecca Young, Deceased.

Answers and depositions of Thomas L. Peacock and R. W. Lay,
of San Antonio, Bexar County, Texas, to the accompanying direct
interrogatories propounded to them in the above styled and num-
bered cause, taken before Claude V. Birkhead, a Notary Public in
and for Bexar County, Texas, in accordance with the accompanying
commission and waiver.

ANSWERS OF WITNESS R. W. LAY TO INTERROGATORIES PROPOUNDED
TO HIM IN THE MATTER OF THE ESTATE OF REBECCA YOUNG,
DECEASED.

To Interrogatory No. 1 Witness answers:

R. W. Lay. I reside in San Antonio, Bexar County, Texas. Have
been here about four years. Occupation, Insurance Agent.

To Interrogatory No 2 Witness Answers:

Yes I knew Rebecca Young. I met her at Mr. Birkhead's office,
at which time I was introduced to her by Mr. Birkhead and Mrs.
Cora Patrick. I was one of the persons who witnessed the last
will and testament of Rebecca Young, dated December 26th, 1905,
being the same will that is now produced to me and which is
attached to these interrogatories. I became a witness to the
will at the request of Mrs. Young to whom I was introduced by
Mr. Birkhead and Mrs. Patrick. This occurred in the offices of
Claude V. Birkhead in the Alamo Bank Building, San Antonio, Texas.

To Interrogatory No. 3 Witness Answers:

I have examined the instrument referred to in these interrogatories
and I signed the same as a witness at the request of and in the
presence of Mrs. Rebecca Young and of Thomas L. Peacock, who
also signed the will as a witness. Mr. Claude V. Birkhead and
Mrs. Cora M. Patrick were also present.

To Interrogatory No. 4 Witness Answers:

I have written my initials on the back of the paper and have
handed same to the Notary taking these depositions and have
requested him to attach the papers to my answers.

To Interrogatory No. 5 Witness Answers:

I should judge that Rebecca Young, at the time I subscribed
her will, as being between fifty and sixty years of age. I
considered, from what I saw of her, that her mental condition
was good. I, however, did not hold any conversation with her
as I only saw her for a few minutes at the time of the execution
of her will.

To Interrogatory No. 6 Witness Answers:

I understand that Rebecca Young is now dead. I have heard that
she died at her residence in Dallas County about a month ago.

To Interrogatory No. 7 Witness Answers:

No.

To Interrogatory No. 8 Witness Answers:

Both reside in San Antonio, Bexar County, Texas.

To Interrogatory No. 9 Witness Answers:

It was.

To Interrogatory No. 10 Witness Answers:

At the request of Rebecca Young.

Subscribed and sworn to before me this the 7th day of May, A. D.
1906.

R. W. Lay
Claude V. Birkhead
Notary Public In and for Bexar Co., Tex.

ANSWERS OF WITNESS T. L. PEACOCK TO INTERROGATORIES PRO-
FOUNDED TO HIM IN THE MATTER OF THE ESTATE OF
REBECCA YOUNG, DECEASED.

To Interrogatory No. 1 Witness Answers:

I have resided in San Antonio, Texas, since March 6th, 1906.
Age 28. Occupation, Fire Insurance Agent.

To Interrogatory No. 2 Witness Answers:

I knew Mrs. Rebecca Young. I met her upon the day that her will was signed and witnessed. I met her in Mr. Birkhead's office at which time I was introduced to her by Mr. Birkhead and Mrs. Cora Patrick. I was one of the persons who witnessed her last will and testament which was dated December 26th, 1906. I became a witness to the will at the request of Mrs. Young. This occurred at the offices of Claude V. Birkhead in San Antonio, Texas.

To Interrogatory No. 3 Witness Answers:

I have examined the instrument referred to in these interrogatories and I signed the same at the request of Mrs. Rebecca Young as witness. The will was signed in her presence and in the presence of Mr. R. W. Lay, who also signed the will as a witness. Mrs. Patrick and Mr. Claude V. Birkhead were also present.

To Interrogatory No. 4 Witness Answers:

In response to this interrogatory I have examined the will which has been handed to me by the Notary and have placed my initials on the back and requested him to attach the same to my answers to these interrogatories.

To Interrogatory No. 5 Witness Answers:

I took her to be about sixty years of age. Her mental condition was apparently good. I met Mrs. Young at the time her will was signed but did not hold any conversation with her. She was, however, during the time that I was present at the signing of the will, conversing with Mrs. Patrick and Mr. Birkhead and seemed to be perfectly rational and I saw nothing to indicate that she was not in sound condition mentally.

To Interrogatory No. 6 Witness Answers:

I have heard that she died about a month or a little more ago at her residence in Dallas County.

To Interrogatory No. 7 Witness Answers:

It has not.

To Interrogatory No. 8 Witness Answers:

Both reside at San Antonio, Bexar County, Texas.

To Interrogatory No. 9 Witness Answers:

It was.

To Interrogatory No. 10 Witness Answers:

At the request of Mrs. Young.

Subscribed and sworn to before me this the 7th day of May, A. D. 1906.

T. L. Peacock
Claude V. Birkhead
Notary Public in and for Bexar Co. Texas.

STATE OF TEXAS, *
*
COUNTRY OF MEXAR. *

I, Claude V. Birkhead, a Notary Public in and for Bexar County Texas, do hereby certify that the foregoing answers of R. W. Lay and Thomas L. Peacock, the witnesses before named, were made before me and were sworn to and subscribed before me on the 7th day of May, A. D. 1906, by each of said witnesses.

Given under my hand and official seal this the 7th day of May, A. D. 1906.

Claude V. Birkhead
Notary Public in and for Bexar Co., Texas.

11 Pages 572 512
10
600

No. 3949.

In the Estate of
Rebecca Young, Deceased.

Depositions of
F. W. Lay and Thomas L. Pascock.

CLARENCE V. BROWN
PUBLISHER
NEW YORK, N. Y.

State of Texas, §
 §
County of Bexar. §

KNOW ALL MEN BY THESE PRESENTS:

That I, Rebecca Young, of Dallas, in the County of Dallas, Texas, being in good health and of sound and disposing mind and memory, do make and publish this my last Will and Testament, hereby revoking all wills by me at any time heretofore made.

1st: I direct that all of my just debts be paid, and that the legacies hereinafter given shall, after the payment of said debts, be paid out of the personal property of my estate.

2nd: I give and bequeath to my beloved grandson, Arthur Hart, the sum of (\$100.00) One Hundred Dollars.

3rd: I give and bequeath to my beloved grandson, Jesse Illingsworth, the sum of (\$10.) Ten Dollars.

4th: I give and bequeath to my beloved grandchildren, Whitney, Cora, Roberta and Dulcie Lee, children of my son Lee Patrick, all of the residue of my estate remaining after the payment of the above legacies, debts, etc., share and share alike. Said estate now consisting of my residence at 485 Browder st., Dallas, Texas, and other property real, personal and mixed.

5th: I constitute and appoint my daughter, Mrs. Cora Patrick, of San Antonio, Bexar Co., Texas, as sole executrix of this my last will and testament.

6th: I direct that no action be had in the County Court save and except to prove and record this will and to (Page 1. Will of Rebecca Young.) return an inventory and appraisement of the estate and a list of claims, and I further direct that the Executrix named herein shall be required to give no bond.

In Witness whereof I have hereunto set my hand on this the 26th day of December, A. D. 1908, in the presence of R. W. Lay and Thos. L. Peacock, who attest the same at my request.

Mrs. Rebecca Young.

The above instrument was now here subscribed by Rebecca Young, the testator, in our presence; and we, at her request, in her presence, sign our names hereto as attesting witnesses.

R. W. Lay,
Thos. L. Peacock.

Filed Apr. 4, 1906.

Frank R. Shanks, Co. Clerk,
By J. J. Strupper, Deputy.

The State of Texas,
County of Dallas.

I, Frank R. Shanks, Clerk of the County Court
in and for the County of Dallas, State of Texas, do hereby certify
that the above and foregoing is a true and correct copy of the
Last Will and Testament of Mrs. Rebecca Young, ^{No 3747} as the same now ap-
pears from the original now on file in my office.

Witness my hand and seal of office this the 2nd day of May,
A. D. 1906.

Frank R. Shanks, County Clerk,
By *W. S. Shiles*, Deputy

THE STATE OF TEXAS

To all Persons Interested in the Estate of *Rebecca Young* Deceased:
Cora Patrick has filed in the County Court of Dallas County, State of Texas, an Application for the Probate of the last Will of said *Rebecca Young* deceased, and for Letters Testamentary, which Application will be heard and acted upon by said Court, at the next term thereof, to be held at the Court House in the City of Dallas, County of Dallas, State aforesaid, and commencing on the First Monday in *May* A. D. 190*6*, at which time and place all persons interested in said estate shall appear and contest said Application should they desire to do so.

WITNESS FRANK R. SHANKS, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this *4* day of *April* A. D. 190*6*


FRANK R. SHANKS,

County Clerk, Dallas County, Texas

By *J. J. Stuffer* Deputy

COMMISSION CO. (INC.)

LEE PATRICK
 RECEIVER-SHIPPER
 GENERAL COMMISSION
 SAN ANTONIO, TEX.



STORAGE FACILITIES ALL TRACKS
 LIBERAL ADVANCES ON CONSIGNMENTS PROMPT SETTLEMENTS
 PRIVATE TELEGRAPH WIRES IN OFFICE
BOTH PHONES 1-2-3-4
 428 MOORE BUILDING

QUOTATIONS SUBJECT TO CONFIRMATION

WIRE US FOR MARKET CONDITIONS REPRESENTED IN ALL IMPORTANT MARKETS TEXAS PRODUCTS OUR SPECIALTY

REFERENCES: **W. A. TADDT, RECY. & GEN. M. A.**

SAN ANTONIO, TEXAS, 5/23/06.

County Clerk,
 Dallas Co.,
 Dallas, Texas.

Dear Sir,--
 Upon receipt of this please furnish Mr. J. B. Adou of The First National Bank a certified copy of oath sworn to by my-self as executrix of the estate of Mrs. W. L. Young. He will pay charges if there are any and I will remit to him.

Thanking you for this favor and your prompt attention to same in advance, I remain,

Yours truly,
 CORA PATRICK

CRP/BG

original 36

No. *3949*

In the County Court

ESTATE OF

Rebecca Young

Deceased

Notice of Application for Probate of Will and Letters.

ISSUED

This *4* day of *April* A. D. 190*6*

FRANK R. SHANKS,

County Clerk

By *J. J. Stuffer* Deputy

\$2.00
Recorded 8-34

SHERIFF'S RETURN

CAME TO HAND *1* day of *April* A. D. 190*6*, and executed the *1* day of *April* A. D. 190*6*, by posting up three copies of this Write at three public places in Dallas County, one of which was at the Court House door of said County, and no two of which were in the same town or city.

By *A. J. [Signature]* Sheriff Dallas County
R. H. [Signature] Deputy

Hudson

Rebecca Young 2802 Papers

All mine except O L & A, 9/156 +
© and 4/11 of L & A 2/29/1,

if there are no other statements
estate books, we will copy

JH

IN THE COUNTY COURT OF DALLAS COUNTY, TEXAS.

No. 3949.

Estate of
Rebecca Young, Deceased.

IN PROBATE.

Oath of Executrix.

I, Cora M. Patrick, do solemnly swear that the writing which has been offered for probate in the above cause is the last will of Rebecca Young, deceased, so far as I know or believe, and that I will well and truly perform all the duties of executrix of the estate of said Rebecca Young, deceased.

Cora M. Patrick

Sworn to and subscribed before me on this the 15 day of February 1907.

D. H. Ridgway

Notary Public, Bexar County, Texas.

ATTORNEY'S RECEIPT CARD.

No. 2802

Rebecca Young
-VS-
Estate

Presenting
for
Estate

Received from the Clerk the above papers of above mentioned suit.
3/30 1907
Blaker & Butler
Attorneys for
Estate

Jose Williams, Printer, Dallas

No. 3949.

Estate
of
Rebecca Young, Dec.

Oath of Executrix.

FILED

MAR 16 1907

JACK W. GARDNER

CLERK

780

In the Matter of the Estate of
Mrs. Rebecca Young,
Deceased.

In the County Court of
Dallas County, Texas.

IN WITNESS WHEREOF,
I, Notary Public,
Dallas County, Texas,
do hereby certify that
the foregoing is a true
and correct copy of
the original as the same
is on file in my office
in the County Court of
Dallas County, Texas.

Estate of Mrs. Rebecca Young, Deceased, Mrs. Cora
Patrick, Executrix,

To J. D. Robinson and A. B. Lacy,
Appraisers, Dr.

To appraising the estate of Mrs. Rebecca Young,	\$2.00 each	- - - - -	\$4.00
To \$5.00 paid by each appraiser to Notary for swearing appraisers to report,	- - - - -	- - - - -	.50
Total,	- - - - -	- - - - -	\$4.50

8949

In the County Court of
Dallas County, Texas,
In Probate.

In the matter of the Estate of

Mrs. Rebecca Young,

Deceased.

In the Matter of the Es-
tate of
Mrs. Rebecca Young
Deceased.

Account of J.D. Robinson
and A.B. Macy, Appraisers

In the County Court of
Dallas County, Texas.

Mrs. Rebecca Young,

J.D. Robinson and A.B. Macy,
Appraisers.

Pl.

\$4.00

20

\$4.00

THE STATE OF TEXAS
COUNTY OF DALLAS.

} County Court, May Term, A.D. 1906.
} In the Estate of Rebecca Young, Deceased

On this, the 16th day of May, A D., 1906, on the hearing of the application to probate the will of Rebecca Young, deceased, was read in open court the deposition of R. W. Lay, one of the subscribing witnesses to said will, and who testified substantially as follows: My name is R. W. Lay. I reside in San Antonio, Bexar County, Texas, and have resided there about four years. My occupation is insurance agent. I knew Rebecca Young. I was one of the persons who witnessed the last will and testament of Rebecca Young, dated December 26, 1905, which is the same will that is now produced to me and attached to the interrogatories propounded to me. I became a witness to the will at the request of Mrs. Young, to whom I was introduced by Mr. Birkhead and Mrs. Patrick. This occurred in the office of Mr. Claude V. Birkhead in the Alamo Bank Building, San Antonio, Texas. I have examined the will above mentioned, and I signed the same as a witness at the request of and in the presence of Mrs. Rebecca Young, and in the presence of Thomas L. Peacock, who also signed the will as a witness. I have written my initials on the back of the will, and have handed the same to the notary taking these depositions and have requested him to attach the same to my answers. Mrs. Rebecca Young, at the time when I subscribed her will, was between fifty and sixty years of age, and of sound mind. Mrs. Rebecca Young is now dead, having died in her residence in Dallas County, about April 1, 1906. Rebecca Young signed the will about which I have testified in my

(2)

presence and I subscribed the same as a witness at the request of Rebecca Young. The said will has not been revoked.

And also, on the hearing of the above matter, was read in open court the deposition of Thomas L. Peacock, one of the subscribing witnesses to said will, who testified substantially as follows: I have resided in San Antonio, Texas, since March 6, 1906. Am 28 years of age and by occupation am a fire insurance agent. I knew Mrs. Rebecca Young. I was one of the persons who witnessed her last will and testament which was dated December 26, 1905. I became a witness to said will at the request of Mrs. Young. This occurred at the office of Claude V. Birkhead in San Antonio, Texas. I have examined the instrument referred to in these interrogatories, and I signed the same at the request of Mrs. Rebecca Young as a witness. The will was signed in her presence and in the presence of R. W. Lay, who also signed the will as a witness. Mrs. Patrick and Claude V. Birkhead were also present. Mrs. Young signed the said will in my presence and in the presence of R. W. Lay, and said R. W. Lay and myself signed the same as witnesses in the presence of Mrs. Rebecca Young and at her request. Mrs. Young died at Dallas, Texas, about April 1, 1906. Both the witnesses to said will reside at San Antonio, Bexar County, Texas. The will has not been revoked by Mrs. Young.

The depositions of said R. W. Lay and Thomas L. Peacock were taken by Claude V. Birkhead, a Notary Public in and for Bexar County, Texas, on the 7th day of May, A. D., 1906, and the depositions were subscribed

(5)

(3)

respectively by said Thomas L. Peacock and R. W. Lay before said Claude V. Birkhead and the said depositions were returned into this Court on the 9th day of May, A. D., 1906.

No. _____

In the Estate of Rebecca Young
Deceased.

SUBSTANCE OF THE TESTIMONY BY
DEPOSITION OF R. W. LAY AND
THOMAS L. PEACOCK, SUBSCRIBING
WITNESSES TO THE WILL.

*Recorded 9-153
Will Record*

8/27 - 117000

In the Matter of the
Estate of Rebecca Young,
Deceased.

In the County Court of Dallas
County, Texas.
May Term, A. D. 1906.

I do solemnly swear that the writing which has
been offered for probate is the last will of Rebecca Young
so far as I know or believe, and that I will well and
truly perform all the duties of Executrix of said will
of the estate of Rebecca Young, deceased.

Cora Patrick

Subscribed and sworn to before me by Mrs. Cora
Patrick on this the 11 day of May, A. D., 1906.

Given under my hand and seal of office on the day
last before written.

Charles B. ...
Notary Public in and for Bexar
County, Texas.

In the Matter of the
Estate of Rebecca Young,
Deceased.

OATH OF MRS. CORA PATRICK,
EXECUTRIX.

FILED

MAY 14 1915
CLERK OF THE COURT
DEPT. OF REVENUE
TREASURY

THE STATE OF TEXAS
COUNTY OF DALLAS.

} County Court, May Term, A. D., 1906.
} In the Estate of Rebecca Young, Deceased.

16th day of May, A. D., 1906.

This day came on to be heard the petition of Mrs. Cora Patrick for the probate of a certain instrument in writing now produced in court, purporting and alleged to be the last will of Rebecca Young, deceased, and the evidence by deposition of R. W. Lay and Thomas L. Peacock, subscribing witnesses to the will, the substance of which is filed in this case, being heard in open court and fully considered by the court, it is ordered, adjudged and decreed that said instrument in writing is hereby admitted to probate and record as the last will, ^{and testament} of said Rebecca Young, deceased, and said will and said statement of the testimony shall be recorded in the minutes of this Court. And it appearing from said will that Mrs. Cora Patrick is appointed Executrix thereof without bond, it is ordered that said Mrs. Cora Patrick be recognized and confirmed as independent Executrix without bond of said will according to the terms and provisions thereof, and that she receive letters testamentary upon taking the oath as prescribed by law.

It is further ordered that W. Illingworth, J. D. Robinson and A. B. Lacy, citizens of Dallas County, be and they are hereby appointed appraisers to appraise the estate of the deceased.

No. _____
In the Estate of Rebecca
Young, Deceased.

ORDER OF COURT PROBATING WILL,
GRANTING LETTERS AND APPOINT-
ING APPRAISERS.

O.K.
H.F. Kivily
co judge

v 206

THE STATE OF TEXAS
COUNTY OF DALLAS.

In the Estate of
Rebecca Young, Deceased.

--:000--

TO THE HONORABLE COUNTY COURT

IN AND FOR SAID COUNTY:

Your petitioner, Cora Patrick, shows to the Court that she resides in Bexar County, Texas; that on to-wit, the first day of April, 1906, Rebecca Young, who at and before her death had her domicile in the County of Dallas, aforesaid, died in the said County of Dallas.

That at the time of her death the said Rebecca Young was seized and possessed of real and personal property of the probable value of Ten Thousand Dollars, and left a written will, duly executed and herewith filed, in which your petitioner was appointed sole executrix.

That your petitioner is not disqualified by law from accepting letters testamentary.

Wherefore, your petitioner prays that citation be issued to all parties interested in said estate, as required by law; that said will be admitted to probate, and that letters testamentary be issued to your petitioner, and that such other and further orders be made as to the Court may seem proper.

Cora Patrick

J. M. McComick

Attorney for Petitioner.

In the Matter of the
Estate of Rebecca Young, De-
ceased.

XX

APPLICATION OF CORA PATRICK
FOR PROBATE OF LAST WILL AND
TESTAMENT.

XX

Recorded
9/196

FILED

APR 4 1966

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14
J. J. [Signature]

*Notice issue
April 4/66*