

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

Case Number 2024

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2024

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The State of Texas,
County of Dallas.

I, James C. Heffington, of the County of Dallas and state of Texas, being in frail bodily health but of sound and disposing mind and memory, calling to mind the frailty and uncertainty of life, and being desirous of settling my worldly affairs and directing how the estate with which it has pleased God to bless me shall be disposed of after my decease while I have strength and capacity so to do, do make and publish this my last will and testament, hereby revoking all other wills by me heretofore made.

1. I direct that all of my just debts and funeral charges shall by my executrix hereinafter named be paid out of my estate as soon after my decease as by her shall be found convenient.

2. After payment of the ~~xxxx~~ obligations above mentioned I give and bequeath to my beloved wife, Susan A. Heffington, all money that shall be on hand at the time of my death, also all notes and other claims for money that may be due me, and also all personal property of every kind whatsoever, including household and kitchen furniture, stock, farming utensils, wagons, buggies, and, in fact, all of my personal property, except my interest in the business of J. N. Thompson & CO. which is hereinafter specially disposed of. I also give and bequeath to my said wife, the use and occupation of our homestead and all rents, incomes, and revenues to be derived therefrom during her natural life, the said homestead being composed of one hundred and sixty eight and one half (168 1/2) acres in the farm and twenty five (25) acres in the timber, deeded to me by J. E. Turner and Mollie Turner August 23rd 1886. The deed to which will be found recorded in Volume 75 page 533 Dallas County Records of Deeds, together with all the appurtenances and improvements appertaining to the said homestead. I also give and bequeath to my said wife the use, occupation, rents, and revenues of the Joe Turner place, consisting of one hundred ~~xxxxx~~ (100) acres in the farm and twelve (12) acres in the timber, purchased by me of said Joe Turner. She is to have, use, and enjoy the same until our youngest child becomes of legal age, whereupon my interest which is the community interest of one half thereof in the said Turner place is to be turned over to our said five children share and

share alike, and should any of said children have died in the meantime leaving children or grand-children, such children or grand-children shall be entitled to the share to which the deceased parent or grand-parent ~~was~~ would have been entitled.

3. I give and bequeath to the children of myself and my said wife, Susan A., to-wit: James, John, George, Leonidas, and Fanny the reversion in the homestead place consisting of one hundred and sixty eight and one half (168 1/2) acres of farm land and twenty five (25) acres of timber as hereinbefore fully described, subject to the life estate hereinbefore bequeathed to my wife, Susan A. I also give and bequeath to our said five children the reversion in the said Turner place, consisting of one hundred acres of farm and twelve (12) acres of timber as hereinbefore fully described, subject to the use and occupation hereinbefore bequeathed to my said wife during the period until our youngest child is of legal age. The said property in this clause mentioned to belong in fee simple to our said children, to-wit:- James, John, George, Leonidas, and Fanny upon the cessation of their mother's use and occupation.

4. I give and bequeath to my daughter, Molly Turner, the sum of four hundred dollars (\$400.00) to be paid out of the first money that can be spared by my executrix after the payment of my debts and funeral expenses. This bequest of four hundred dollars (\$400.00) is given her because I gave her no interest in the Joe Turner place, and is in lieu of the interest she might have had in the Turner place. I have not given to my said daughter, Mollie, any interest in the homestead place because it was so provided and agreed between us when I purchased the same from her.

5. I give and bequeath to my six children, to-wit:- Mollie Turner, James, John, George, Leonidas, and Fanny Heffington, share and share alike, my entire interest, which is a one half thereof, in the property and business of J. N. Thompson & CO. of Richardson Texas, consisting of the lots, store, and other improvements, stock of goods on hand and bills receivable belonging to the said firm of J. N. Thompson & Co. Said interest in this clause bequeathed to be subject to any debts which this firm may owe. It is my will and desire that as soon after my death as possible my interest in the said firm shall be settled up and disposed of. Such of my said children as are of age to receive their shares thereof at once. My

REVERSE SIDE OF BLANK-SPACED AND WRITING
WRITING SIDE OF BLANK-SPACED AND WRITING

wife, Susan, to take charge of the balance and turn over to each child its share free of interest as it becomes of age.

6. As I am not justly indebted in any amount to any person mentioned in this will, and as I have undertaken to make a fair distribution of my property in view of all things past and present, it is my special desire that if any one mentioned in this will shall undertake to recover and recover anything against my estate except as provided in this will, the amount so recovered shall be deducted from the bequest herein given to said person.

7. While I have undertaken in the prior clauses of this will to dispose of all property real and personal of every nature that I own or possess, still if any portion thereof is overlooked, or not included in the same, I give and bequeath any and all the rest and residue of such estate to my six children to be equally divided between them share and x share alike.

8. I nominate and appoint my wife, Susan A. Heffington, to be the executrix of this will, and direct that no security shall be required of her as said executrix.

9. It is my will that no other action shall be had in the County Court in the administration of my estate than to prove and record this will and to return an inventory and appraisement of my estate and list of claims. And I authorize and empower my said executrix, to sell and dispose of any portion of my estate real or personal at public or private sale and in the manner that may to her seem best, for the purpose of paying my just debts and the legacies herein bequeathed. Saving and excepting however from such sale and disposition the homestead and Turner place both hereinbefore described and specifically devised.

Witness my hand this the 25th day of April 1895.

J. C. Heffington

The above instrument was now here subscribed by James C. Heffington the testator, in our presence, and we at his request and in his presence sign our names hereto as subscribing witnesses. This April 25th 1895.

Robt B. Seay
Henry L. Seay
George E. Seay

Codicil

Whereas since the execution of my above will of date April 25th 1895 I have sold my entire interest in the store house and late and business of J. N. Thompson and Co. of Richardson Texas mentioned in clause No 5 of said will for the sum of \$2000.⁰⁰ and whereas \$1500.⁰⁰ of said amount has been paid in cash and I will give to my daughter Mally Turner one sixth (1/6) of that payment when she and her husband J. C. Turner receipts for the same showing in said receipt what the money was received for. It is my desire and will that she shall have no further interest in said payment of \$1500.⁰⁰.

Whereas I have taken from J. N. Thompson one note for \$500.⁰⁰ payable two years from date of said sale. If the same should not be collected before my death it is my desire that my daughter Mally Turner shall have and receive one sixth (1/6) interest of said \$500.⁰⁰ when the same is collected by my executor

Witness my hand this 4th day of October A.D. 1899
J. C. Huffington

The above Codicil was now then subscribed by J. C. Huffington the testator in our presence and we at his request and in his presence sign our names here as subscribing witnesses this the 4th day of October A.D. 1899

C. H. Bennett
W. H. Drake

2745 ✓
Last Will and
Testament of
James C. Herffington

Filed the 28 day of
Dec 1899
A. S. [unclear] Clerk of Court.
C. S. [unclear]

Recorded 5124

EXECUTOR'S BOND

The State of Texas,

COUNTY OF DALLAS.

Estate of

J. C. Keffington
Deed

KNOW ALL MEN BY THESE PRESENTS, That we,

as Principal, and _____ and _____
as Sureties, are held and firmly bound unto the County Judge of said County of Dallas, and
his successors in office, in the sum of _____ Dollars;
conditioned that the above bound _____, who has
been appointed _____

shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this _____ day of _____ 189 _____

(SEAL)

(SEAL)

(SEAL)

I DO SOLEMNLY SWEAR that the writing which has been offered for probate, is the
last will of *J. C. Keffington* deceased, so far as I know or
believe; and that I will well and truly perform all the duties of Executor ^{of} of said will.

Mrs J. C. Keffington

Sworn to and subscribed before me this *28th* day of *August* 1900

A. S. Jackson

County Clerk, Dallas County, Texas.

By *A. M. Pawlins* Deputy.

NOTICE OF APPLICATION FOR PROBATE OF WILL AND LETTERS.

1899-Dorsey Printing Co., Stationers, Dallas.

THE STATE OF TEXAS.

To all Persons Interested in the Estate of *James C. Keffington* Deceased :

Susan A. Keffington has filed in the County Court
of Dallas County, State of Texas, an application for the Probate of the last Will of said
James C. Keffington 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 *March* A. D. *1900*, at which time and place all persons interested
in said Estate shall appear and contest said application, should they desire to do so.

WITNESS: A. S. JACKSON, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court at office in the City
of Dallas, this *28th* day of *Dec* A. D. 189 *9*

A. S. JACKSON,

County Clerk, Dallas Co., Texas.

By *A. M. Pawlins* Deputy.

D-2024 ✓

No. 2745

COUNTY COURT,

DALLAS COUNTY.

Oath
EXECUTOR'S BOND.

ESTATE OF

J. C. Keffington

Filed *Aug 28* 1890
J. S. Jackson
B. SCOTT, Clerk.

By *A. B. Rawlins* Deputy.

Approved this _____ day of _____ 189__

County Judge, Dallas County.

Recorded
3-86

A. D. Altridge & Co., Stationers, Printers and Binders, Dallas

Recorded 11 85

No. 2745

COUNTY COURT.

ESTATE OF

James C. Keffington
Deceased.

NOTICE OF APPLICATION FOR PROBATE OF
WILL AND LETTERS.

Issued this *28* day of *Dec* 189*9*

J. S. JACKSON, COUNTY CLERK.

By *A. B. Rawlins* Deputy.

SHERIFF'S RETURN.

Came to hand the *30* day of *Dec*
189*9*, and executed the *30* day of *Dec*

189*9*, by posting up three copies of this Writ 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.

BEN E. CABELL, SHERIFF, DALLAS CO.

By *B. E. Cabell* Deputy.

SHERRIFF PRINTED BY DALLAS TEX.

See *25 25*

INVENTORY AND APPRAISEMENT

OF THE PROPERTY, REAL AND PERSONAL, BELONGING TO THE ESTATE OF

J. C. Huffington deceased produced before the undersigned appraisers on 4th day of May 1890 by Mrs. J. Huffington & Son.

Real Estate

168 $\frac{1}{2}$ acres in the J. W. Dismarway Survey at \$40. ⁰⁰ per acre	\$6740. ⁰⁰
100 acres in the N. H. Mallico Survey valued at \$40. ⁰⁰ " "	4000. ⁰⁰
25 acres in the H. Wilburn Survey valued at \$25. ⁰⁰ " "	625. ⁰⁰
12 " " Ed. Wilburn " " \$15. ⁰⁰ " "	180. ⁰⁰

Personal Property

Four head of Horses valued at \$40 per head	200. ⁰⁰
Four head of Cattle " " \$15 " "	60. ⁰⁰
Four head of Hogs " " \$2. ⁵⁰ " "	10. ⁰⁰
265 bushels wheat sold at .63 ⁰⁰ per bushel	166. ⁷⁵
165 bushels oats at 22 $\frac{1}{2}$ ¢ per bushel	37. ⁵⁰
128 bushels Corn said	34. ⁰⁰
About 200 bushels Corn on hand valued at 30¢ per bu	60. ⁰⁰
44 bales of lint Cotton said for	162. ⁰⁰
Farm implements valued at	50. ⁰⁰

Promissory Notes

J. G. Drake Aug 15 1895 Int. 4% to Aug 15 1899, 10 per cent Int.	100. ⁰⁰
Charlie White & M. White Mt. Stork by H. C. Jackson dated Aug 24 1897 10 per cent Int.	200. ⁰⁰
D. J. Huffington Aug 13 1894 10 per cent Int.	125. ⁸⁷
Frank Mason & C. Huffington Nov 13 1899 10 per cent Int.	200. ⁰⁰
J. N. Thompson & R. C. Thompson Sept 16 th 1899 8 per cent Int.	500. ⁰⁰
Wm. May & Wm. C. Wotton Vendor line Aug 7 1894 8 per cent Int.	1000. ⁰⁰
Wm. May & Wm. C. Wotton " " Aug 7 1899 " " "	1000. ⁰⁰
A. C. Skiles J. R. Skiles J. R. Skiles Feb 23 1895	
Face of note \$200. ⁰⁰ United Dec 24 1897, by cash \$175. ⁰⁰	25. ⁰⁰
Interest paid for first year balance due	25. ⁵⁰
J. J. Bishop March 13 1900 (renewed) 10 per cent Int.	35. ⁹⁰
Money on hand	55. ²⁷
Five Hundred & fifty Dollars	550. ⁰⁰
Deposited in the American Natl. Bank (Dallas) \$4444. ⁶⁶	

Household and Kitchen Furniture \$100.00

No. 2945-

COUNTY COURT.

ESTATE OF J. C. Hoffington deceased

Inventory and Appraisalment.

Filed 8 day of May 1900

By A. H. Bledsoe County Clerk
W. S. McHenry Deputy

Examined and Approved this 20 day of May 1900
W. S. McHenry County Judge.

Recorded 229

THE STATE OF TEXAS. COUNTY OF DALLAS.

I, Mrs. J. A. Hoffington Adm'r

of the above named Estate do solemnly swear that the foregoing is a true, full and complete Inventory of all the property, real and personal, belonging to said Estate, that has come to my knowledge.

Mrs. J. A. Hoffington

Sworn to and Subscribed before me, this the 4th day of May A. D. 1900

W. S. McHenry Notary Public, Clerk County Court,

By Dallas Co. Texas Deputy.

THE STATE OF TEXAS. COUNTY OF DALLAS.

Before the Undersigned Authority, this day personally appeared

B. F. Bowers C. C. Hoffines + W. S. Bledsoe

Appraisers of the above named Estate, heretofore appointed by the Court, and each being duly sworn, says that the above and foregoing is a just and true Appraisalment of the property pointed out to them as belonging to said estate.

B. F. Bowers
C. C. Hoffines
W. S. Bledsoe

Sworn to and Subscribed before me, this the 4th day of May A. D. 1900

W. S. McHenry Clerk County Court,
Notary Public, Dallas Co. Texas Deputy.

In Re Estate of J.C. Heffington
Deceased, No. 2745

In the county Court of Dallas
County Texas, sitting in Probate

Entered as of the 24th day of April A.D. 1900

This day came on to be heard the application of Susan A. Heffington to probate an instrument in writing purported to be the last will and testament and the codicil thereto of James C. Heffington and have letters testamentary issued to the said Susan A. Heffington. And it appearing to the court that the said James C. Heffington died in Dallas County, Texas on the 25th day of December A.D. 1899, and was on and before his death a resident citizen of Dallas County, Texas, and possessed of an estate in said county, and that he was at the time of making of said will over twenty-one years of age and of a sound mind and disposing memory and in no way un-qualified to make said will and that said will is dated the 25th day of April A.D. 1895 and the codicil to said will is dated the 4th day of October A.D. 1899, and that neither said will nor said codicil has been revoked by said testator and that due notice thereof has been given and no objections thereto have been made, and said will and codicil being proven on the testimony of Robert B. Seay and C.H. Blewett two subscribing witnesses thereto and that said will was executed by all the formalities and solemnities required by law.

It is therefore ordered, adjudged and decreed by the court that said instrument in writing, purporting to be the last will and testament of the said James C. Heffington, deceased and said instrument purporting to be the codicil to said last will and testament be, and the same ~~are~~ hereby declared the last will and testament of the said James C. Heffington, deceased, and it is ordered that said will and codicil together with the application for probate and proofs thereto be admitted to record as the last will and testament of the said James C. Heffington, deceased.

And it appearing to the Court ^{that} in said instruments of writing above referred to the said James C. Heffington nominated and appointed Susan A. Heffington Executrix of his said last will and testament without bond ^{and that said Susan A. Heffington is in all respects fit and qualified to said executrix;}

It is further ordered, adjudged and decreed by Court that the said Susan A. Heffington be and she is hereby appointed Executrix under said

will of the estate of James C. Heffington, deceased, and that letters testamentary as said executrix issued to her as required by law.

~~Inventory and appraisement of said estate be made as required by law~~
is further ordered, adjudged and decreed by the court, that G.H. Blewett, B.F. Bowser and C.C. Huffines, be, and they are hereby, appointed appraisers to appraise the property belonging to said estate and make due report of their appraisal to this court.

No. 2745

Codicil to
PROOF OF WILL

THE STATE OF TEXAS,) ESTATE OF
County of Dallas } J. C. Huffington Deceased.

Proof of Last Will and Testament of J. C. Huffington Deceased.

This day personally appeared in open Court C. H. Blewett

who, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to the codicil to prove said Will, says: I was well acquainted with J. C. Huffington

deceased, during his lifetime; I knew the above decedent for about 30 years

before his death; the signature of the said deceased to the instrument now shown to me, and offered for probate the codicil to his as a last Will and Testament, filed in this Court on the 25th day of Decr A. D. 1899

and bearing date on the 4th day of October A. D. 1899, was made by the deceased on said last named date at Richardson Texas in presence of myself and W. H. Drake

the other subscribing witness; all of said witnesses being over the age of fourteen years. At the time of the making of said Will the testator was of sound and disposing mind and memory, and he declared the said Codicil will so made by him to be a last Will and Testament, and I thereupon signed my name as a witness, together with W. H. Drake at the request of the said testator,

in his presence and in the presence of each other. The said deceased at the time of the execution of said instrument was about 70 (72) years of age; the said J. C. Huffington

departed this life on the 26th day of Decr A. D. 1899 about 3 months, Codicil to said

Dallas in the State of Texas, where and at which time his residence and principal estate was situated.

C. H. Blewett

Sworn to and subscribed before me this 24 day of April A. D. 1900, in open Court.

H. Jackson Clerk

County Comm. Dallas County, Texas.

By P. E. Bullorn Deputy.

No. 2745

PROOF OF WILL.

THE STATE OF TEXAS,

County of Dallas

March Term, 1800

ESTATE OF

J. C. Keppington
Deceased

Filed the 24 day of
April A. D. 1800

and recorded the _____ day
of _____ A. D. 189____, in the

Probate Minutes of _____

County, in Volume _____ Page _____

A. Jackson
County Clerk.

By B. J. Cotton Deputy.

Revised.

No. 2745

PROOF OF WILL.

THE STATE OF TEXAS,)

ESTATE OF

County of Dallas

J. C. Huffington Deceased.

Proof of Last Will and Testament of

J. C. Huffington Deceased.

This day personally appeared in open Court

Robt B. Seay

who, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to

prove said Will, says: I was well acquainted with

J. C. Huffington

deceased, during his lifetime; I knew the above decedent for about

twenty five years

before his death; the signature of the said deceased to the instrument now shown to me, and offered for probate

as his last Will and Testament, filed in this Court on the

28th day of December A. D. 1899

and bearing date on the 25th day of April

A. D. 1895 was made by the deceased

on said last named date at Dallas Texas

in presence of myself

Harry L. Seay

and

George E. Seay

the other subscribing witness; all of said witnesses being over the age of fourteen years. At the time of the

making of said Will the testator was of sound and disposing mind and memory, and he declared the said

Will so made by him to be his Last Will and Testament, and I thereupon signed my name as a witness,

together with Harry L. Seay & Geo E. Seay at the request of the said testator,

in his presence and in the presence of each other. The said deceased at the time of the execution of said

instrument was about 68

years of age; the said

J. C. Huffington

departed this life on the 26th day of December A. D. 1899

about 4 years and 8 months

after making said Will, in the County of

Dallas

in the State of Texas, where and at which time his residence and

principal estate was situated.

Robt B. Seay

Sworn to and subscribed before me, this

24

day of

April A. D. 1900

in open Court.

A Jackson

Clerk

County of [redacted] County, Texas.

By

B. F. Cullom

Deputy.

No. 2745

PROOF OF WILL.

THE STATE OF TEXAS,
County of *Dallas*
March Term, *1900*

ESTATE OF
J. C. Keffington
deceased

Filed the *24* day of
April A. D. *1900*

and recorded the _____ day
of _____ A. D. 189____, in the

Probate Minutes of _____
County, in Volume _____ Page _____

A. Jackson County Clerk.
By *B. F. Cullom* Deputy.

Recorded 318

FILMED BY THE DALLAS GENEALOGICAL SOCIETY

State of Texas
county of Dallas

In the estate of James C. Huffington, Deceased.

Re the Honorable County Court in and for said County, sitting in probate:

Your petitioner, Susan A Huffington says to the Court that she resides in Richardson, Dallas County, Texas; that on the ---day of December 1899, James C. Huffington who on and before his death ^{had} ~~was~~ domicile in the County of Dallas, state aforesaid, died in the said County of Dallas.

That at the time of his death the said James C. Huffington was seized and possessed of real and personal property of the probable value of \$15000.00, and left a written will duly executed, and herewith filed in which your petitioner Susan A. Huffington was appointed Executrix with -cut bond.

That there is a necessity for administration upon the estate of the said James C. Huffington for the purpose of settling the expenses of the last sickness and funeral expenses of the said James C. Huffington, the amount of which is unknown to your petitioner. That your petitioner is not dis-qualified by law from accepting letters testamentary.

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

Seay Seay

Att'y for Petitioner.

NO. 2740

In the Estate of
James C. Steffington
deceased.

Application for probate
of will, and for grant
of letters testamentary
to Susan A. Steffington,

Filed the 28 day of

Dec 1929

A. S. Jackson, Clerk Co. Court.

By M. H. Pawling, Atty.

Recorded 54