

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

Case Number 2853

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#2853

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EXECUTOR'S BOND.

THE STATE OF TEXAS,
COUNTY OF DALLAS.

Estate of *Louis Leuchard*
Deceased

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 _____ 190 _____

(SEAL)
(SEAL)
(SEAL)

I DO SOLEMNLY SWEAR that the writing which has been offered for Probate is the last Will of
Louis Leuchard deceased, so far as I know or believe;
and that I will well and truly perform all the duties of Executor of said Will.

Sworn to and subscribed to before me, this *7th* day of *Sept* 190 *6*

Mrs D Leuchard
F.R. Shanks
County Clerk, Dallas County, Texas.
By *W.R. Walden* Deputy.

Notice of Application for Probate of Will and Letters

Farmers' Printing Co. Dallas

THE STATE OF TEXAS

To all Persons Interested in the Estate of *Louis Leuchard* Deceased:
Mrs. Louise Leuchard has filed in the County Court of Dallas County, State of
Texas, an Application for the Probate of the last Will of said *Louis Leuchard*
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 *September* 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 *16* day of *Aug* A. D. 190 *6*

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

By *D. J. Cullen* Deputy

No. 4008

COUNTY COURT,
DALLAS COUNTY.

EXECUTOR'S BOND.

ESTATE OF

Louis Leuchard
Deid

Filed Sept 7th 1906

FRANK R. SHANKS, Clerk,

By W. B. Walden Deputy.

Approved _____ day of _____
190_____

County Judge, Dallas County.

WILLIAMSON & DELAP, PRINTERS, DALLAS.

56

No. 4008

In the County Court

ESTATE OF

Louis Leuchard

Deceased

Notice of Application for Probate of
Will and Letters

ISSUED

This 16 day of Aug A. D. 1906

FRANK R. SHANKS,

County Clerk

By B. J. Callow Deputy

CAME TO HAND THE
the 16 day of Aug 1906 A. D. 1906, and executed
A. D. 1906, by posting up three copies of this
no two of which were in the same town or city.

SHERIFF'S RETURN

Posting 3 copies to
Geo

By James D. Smith

Sheriff Dallas County
Deputy

A. T. Foster

INVENTORY AND APPRAISEMENT

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

Louis Louchard, Deceased.

a one-half undivided interest in following described property

one acre in City and County of Dallas Texas
one Worshipton Ave., Block 644 value \$1600⁰⁰

one lot in City and County of Dallas, Texas,
on Germania St., Block 503, size of lot
80 X 208 ft value \$800⁰⁰

Household Goods value \$100⁰⁰

Total of the interest of said estate in said
property \$1250⁰⁰

Claims in favor of said estate - None

M

No. 4008.
 COUNTY COURT.
 ESTATE OF
Louis Loughard
 Inventory and Appraisement.
 FILED
 7th day of *Sept.* 1906
F. R. Shanks
 County Clerk,
 By *W. B. Walden* Deputy.
 EXAMINED AND APPROVED
 This 7th day of *Sept* 1906
Arrian F. Finley
 County Judge.

Record 8-102
Inv + appr Recd

THE STATE OF TEXAS, }
 COUNTY OF DALLAS, } I, *my cousin Limestone, Executor*
 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.

Sworn to and subscribed before me, this the 7th day of *Sept* A. D. 1906
Louis Loughard
Sept
F. R. Shanks Clerk County Court,
 By *W. B. Walden* Deputy.

THE STATE OF TEXAS, }
 COUNTY OF DALLAS, } Before the undersigned authority, this day personally appeared
George Limestone and blank copy
 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 Appraisement of the property pointed out to them as belonging to said Estate.

Charles Copy
Geo. Loughard
 Sworn to and subscribed before me, this the 7th day of *Sept* A. D. 1906
F. R. Shanks Clerk County Court,
 By *W. B. Walden* Deputy.

No. 1008.

Estate of Louis Louchard,
Deceased.

Entered as of 7 day of Sept, 1906.

On this day came on to be heard the application of Mrs. Desiree Louchard to probate an instrument alleged to be the last will and testament of Louis Louchard, deceased; but which cannot be produced in court; and it appearing to the court that citation has issued and been served in the manner and for the length of time required by law, and that Alfred H. Louchard, William L. Louchard and George E. Louchard, who are the only heirs of the said Louis Louchard, deceased, have filed herein their acceptance of service and agreement that this application may be acted upon now.

And it appearing to the Court from the written testimony of Charles Capy and J. B. Adoue that the said decedent, Louis Louchard, executed his certain written will whereby and under the terms of which he bequeathed all of his estate unto his wife, the applicant, Mrs. Desiree Louchard, and named her as the executrix of said will without bond and directed that no action should be taken in court except to probate and record said will and that the said ^{will} ~~letter~~ was executed in the presence of two witnesses above the age of fourteen years, viz., E. Michel and Ambrose Cretin, who subscribed the same at the request of the said decedent, and that said will was executed in all other respects in due form of law and with the formalities and solemnities and under the circumstances required by law to make it a valid will; and that said subscribing witnesses are both dead, and that said will so executed by said decedent has been lost and cannot be found, and that diligent search has been made therefor; and that said will was not revoked by the decedent in his life time; and it further appearing to the court that said witnesses ~~and~~ J. B. Adoue and Charles Capy are of lawful age and are reliable and responsible witnesses, it is considered by the Court that said instrument be and the same is hereby adjudged to be the last will and testament of the said Louis Louchard, deceased; that the application for the probate of said will and the testimony in this

cause be recorded in the minutes of this Court; it is further ordered that the said Mrs. Desiree Louhard, the applicant, be and she is hereby confirmed as independent executrix of said will without bond, and that the Clerk issue to her letters testamentary upon her taking and subscribing the oath required of her by law.

It is further ordered that Desiree Louhard,
Chas O'Byrne, and W B Walden
be and they are hereby appointed appraisers to appraise the estate of said decedent.

m

ESTATE OF
LOUIS LOUCHARD,
DECEASED.

FORM OF ORDER.

*O. K.
H. A. Hardy
Co. G. L. P.*

*25
444*

Estate of Louis Louchard,
deceased.

In the county court of Dallas County,
Texas.

Now come Alfred Honore Louchard, William Louis Louchard and Geo. Baile Louchard, who are the only heirs of Louis Louchard, deceased, and agree that the last will and testament of said decedent, bequeathing all of his ^{estate} to Mrs. Desiree Louchard, may be probated in accordance with the application of the said Mrs. Desiree Louchard, and do hereby waive the issuance and service of citation, ^{and do now certify this} and agree that the application of the said Mrs. Desiree Louchard may be taken up and acted upon by the court at any time, and agree without service or notice to them that the Court may make all necessary and proper orders with respect to said application forthwith or at any time.

affidavit

Witness the signature of the parties aforesaid, this
day of August, 1906.

William Louis Louchard
Alfred Honore Louchard
Geo. Baile Louchard

4008

Estate of Louis Louchard, decest.

Waiver of Citation.

FILED

AUG 16 1906

FRANK

W. H. Crocker

Garden, Starling & Garden,

Attorneys

BOOK OF WILL

SO BEING

BOOK NO.

DATE OF DEATH

TESTATOR'S NAME

TESTATOR'S RESIDENCE

IN WITNESS WHEREOF, I have hereunto set my hand and seal at the City of New York, this 15th day of June, 1933.

D Proof of will

No 4008.

W. Walden

Recorded 9, 1933

Will Record

I, the undersigned, being a competent witness to the execution of the above and signed will, do hereby certify that the same is the true and correct will of the testator, and that he executed the same at the time and place therein expressed.

Witness my hand and seal at the City of New York, this 15th day of June, 1933.

Notary Public in and for the State of New York

No. 4008.

PROOF OF WILL.

THE STATE OF TEXAS,
County of Dallas.

Estate
Estate of Louis Louchard, deceased.

PROOF OF LAST WILL AND TESTAMENT OF Louis Louchard, deceased.

This day personally appeared in open Court Charles Cppy 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 Louis Louchard, deceased, during his lifetime; I knew the above decedent for about thirty-five (35) years before his death; the said Louis Louchard departed this life on the 19th day of April, A. D. 1906, about twenty-five (25) years after the execution of ^{the herewith mentioned} said will, in the County of Dallas and State of Texas, where and at which time his residence and principal estate were situated; that on or about the 15th day of December, 1898, affiant prepared and wrote in his own handwriting a will for the said decedent, Louis Louchard, and delivered the same to the said Louis Louchard, and the said Louis Louchard signed the same in affiant's presence; that said will recited and provided that all of the property and estate of every kind and character by the said Louis Louchard owned or should own at the time of his death should pass to and belong to his wife Mrs. Desiree Louchard; and that she should own the same free from all charges or limitations whatever in fee simple to dispose of as she should wish; that said will named as the sole executrix thereof ~~and provided that~~ the said Mrs. Desiree Louchard and provided that no bond should be required of her and that no action should be taken in any court in regard to said estate except to probate and record said will; that affiant instructed said Louis Louchard to get two disinterested witnesses to subscribe said will as witnesses and affiant was afterwards informed that F. Michel and Ambrose Gretian had subscribed the same as witnesses; affiant further says that said F. Michel and Ambrose Gretian are now dead that the original will so signed by the said Louis Louchard has been lost and cannot be found though diligent search has been made therefor; that the said decedent declared to affiant that he had executed said will as his last will and testament and affiant further says that said will ^{was} not revoked by the said decedent during his life time; that at the time of the making of said will the said

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testator was of sound and disposing mind and memory and was of the age of towit more than twenty-one years; that affiant knew the said Ambrose Gretian and the said F. Michel during their life time and knows that they were each above the age of fourteen years at the time they signed said will as witnesses and that they were each credible witnesses. Affiant further says that the instrument Marked "exhibit A" and attached to ~~with~~ the application to probate said will filed herein on towit August 16, 1906, is a true copy of said original will, said copy having been made from a form in affiant's possession.

Charles Copy

Subscribed & sworn to in open court before me
 by Charles Copy this the 7th day of Sept
 A.D. 1906,

A.R. Shanks, Clerk County
 Court Dallas County Texas
 By Walden, Deputy

A No 4008

Proof of will

FILED

SEP 7 1906

FRANK R. SHANKS, Co. Clerk.
L. W. Walden

*Recorded 9-11-06
Miss Beard*



[Faint, mirrored text from the reverse side of the page, likely bleed-through from the original document.]

STATE OF TEXAS,
COUNTY OF DALLAS.

In the County Court of Dallas County, Texas.

BEFORE THE HONORABLE HIRSH F. LIVERY, JUDGE OF THE COUNTY COURT:

Your
petitioner, Mrs. Desirée Louchard, respectfully shows to the Court
that she is a female sole and resides in Dallas County; that heretofore,
to-wit, on the 20th day of April, 1904 Louis Louchard was
a resident citizen of the County of Dallas, State of Texas; that on
the said date, while being still a resident of said county of Dallas,
state of Texas, and having his domicile therein ~~at Dallas, Texas~~

~~at Dallas, Texas~~, the said Louis Louchard departed this life; that at
the time of his death he was possessed of an estate consisting of
real estate and personal property of the probable value of, to-wit,

\$8000.00, which said estate was and is now situated in said
County of Dallas, state of Texas; that the said Louis Louchard left

a will, which said will cannot be produced in court for the reason
that same has been lost; ^{but a true copy thereof is attached hereto} that your petitioner has made diligent
search therefor, but has been unable to find the same; that said

will was duly executed and signed by the said Louis Louchard in ac-
cordance with the provisions of the statutes of the State of Texas
relating to the subject of wills; that said will was duly signed

by 2 subscribing witness^s above the age of fourteen (14) years, viz.,

F. Michel and Ambroise Cution, ~~both~~

which said witnesses attested said will at the request of the said
Louis Louchard, said witnesses being credible persons; that said

will provided in substance that your petitioner should succeed in all
the property both real and personal and mixed of which the said

Louis Louchard died possessed, and under the terms of said will the
said Louis Louchard ~~will~~, bequeathed and devised unto your petitioner

his estate in entirety; that said will named as executor thereof

*Your petitioners of his ^{and provided that no other should be had in court}
just before to save estate except to probate and accept said will;*

in said will except as hereinabove set forth.

Mrs. Desirée Louchard and her husband a joint tenant

that said Louis Louchard left surviving him his widow, your petitioner, the said Mrs. Deserée Louchard, and three(3) children, the names of said children being as follows: Alfred Honore Luchard, William Louis Louchard, and Geo. Emile Louchard, all of whom are over the age of twenty-one(21) years, and reside in the City of Dallas, in Dallas County, Texas; that the said Louis Louchard left surviving him no other heirs male and except those hereinabove named.

Your petitioner further shows to the court that she is the surviving wife of the said Louis Louchard and is not disqualified to administer on said estate or to receive letters testamentary.

Wherefore your petitioner prays that said will be admitted to probate, and that letters testamentary be issued unto her.

Mrs Desiree Louchard

STATE OF TEXAS,
DALLAS COUNTY,

Court

Before me, *Frank R. Hawks, Clerk County*

~~notar public~~ in and for Dallas County, Texas this day personally appeared *Mrs Desiree Louchard*, whom I certify to be a credible person, who being by me duly sworn deposes and says that she has read the foregoing petition, and that the matters therein stated are true in substance and in fact.

Mrs Desiree Louchard

Sworn to and subscribed before me, _____
this *16* day of *Aug*, 1906.

Frank R. Hawks, Clerk Co. Court

~~Notary Public~~, Dallas County, Texas.

By B F Calloway, Deputy

*The State of Texas }
County of Dallas }*

Charles Coffey, being duly sworn says that he with the last will and testament of Louis Luchard, the said decedent, and that the instrument hereto attached marked "Exhibit A" is a true copy thereof.

Charles Coffey

Sworn to and subscribed before me by *Charles Coffey*
this *16*th day of *August*, 1906. *F. R. Hawks, Co. Clerk*
By B F Calloway, Deputy

"Exhibit A"

STATE OF TEXAS, |
COUNTY OF DALLAS. |

I, Louis Louchard, of the County of Dallas and State of Texas, being of sound and disposing mind and memory and being desirous to settle my worldly affairs while I have strength so to do, do make this my last will and testament hereby revoking all others heretofore by me made.

Item 1st. I desire and direct that my just debts be paid without delay by my executrix to be hereafter appointed.

Item 2nd. I give bequeath and demise to my beloved wife Desiree Louchard, all my estate both real and personal of whatsoever kind it may be at my death, together with all and singular the rights members and appurtenances to the same in any manner belonging free from all charges or limitations whatever in fee simple to dispose of as she may wish.

3rd Item. I hereby constitute and appoint my beloved wife Desiree Louchard sole executrix of this my last will and testament, she is not required to give any bond, nor is any further action to be taken in the Courts of the County in regard to this will except to Probate and Record the same. In testimony whereof I have hereunto set my hand this thirteenth of December, A. D. 1879

Louis Louchard.

Signed, declared and published by Louis Louchard as his last will and testament in the presence of us, the attesting witnesses who have hereto subscribed our names in the presence of the said Louis Louchard at his special instance and request, this December thirteenth, A. D. 1879.

F. Michel

Ambrise Cretian.

STATE OF TEXAS,
COUNTY OF DALLAS.

I, Louis Louchard, of the County of Dallas and State of Texas, being of sound and disposing mind and memory and being desirous to settle my worldly affairs while I have strength so to do, do make this my last will and testament hereby revoking all others heretofore by me made.

Item 1st. I desire and direct that my just debts be paid without delay by my executrix to be hereafter appointed.

Item 2nd. I give bequeath and demise to my beloved wife Desiree Louchard, all my estate both real and personal of whatsoever kind it may be at my death, together with all and singular the rights members and appurtenances to the same in any manner belonging free from all charges or limitations whatever in fee simple to dispose of as she may wish.

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Louis Louchard.

Signed, declared and published by Louis Louchard as his last will and testament in the presence of us, the attesting witnesses who have hereto subscribed our names in the presence of the said Louis Louchard at his special instance and request, this December thirteenth, A. D. 1879.

F. Michel

_____ Cretian.

K
No. 4008

Estate of Louis Louchard, decast.

Application of Mrs. Deserec
Louchard for Probate of Will.

F I L E D
AUG 13 1906

FRANK
B. J. Callow
Recorded 9-19-06
Will Record

Gardner, Starling & Gardner,
Attorneys for applicant.

[Signature]