

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

Case Number 2008

---

Dallas Genealogical Society  
Founded 1955

[www.dallasgenealogy.org](http://www.dallasgenealogy.org)



FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2008

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

State of Texas }  
County of Dallas }

The last will and testament of  
Mary A. Underwood of the City of Dallas  
and State of Texas:

Whereas: I Mary A. Underwood being  
desirous of dividing my property after my  
death among my own children and  
Grand Children only, do hereby make  
this my last will and testament and  
hereby make and declare and publish this  
my last will and intentions in regard  
to my said property.

First: It is my desire that after  
my death that my Grand Son  
Janus Franklin Cobb only child of my  
daughter Luella now deceased  
shall have one fifth interest in my  
whole and entire Estate and property  
both Separate and Community when  
ever detached and in every character  
belonging to me at the time of my death  
and the balance of all my said  
property and Entire Estate both Separate  
and Community when ever detached and  
in every character belonging to me at the  
time of my death shall be equally  
divided among my four Sons

Namely, Isaac Eugin, Edgar  
Clarance, Henry Krautlin and  
Robert Oscar, and doath of  
the said Mary A Underwood so will  
bequeath and devise

Second: And in case that my  
Grand Son James Krautlin both  
should die before his marriage or  
becomes twenty one year of age  
then this one tenth interest in  
all my Estate will be to him as above  
specified in this my will. Shall re-  
turn and revert back to my four  
Sons above named and shall be  
equally divided among of them and  
doath of Mary A Underwood  
will bequeath and devise

Third: It is my will that at my  
death my Sons Isaac Eugin and  
Edgar Clarence shall be all man-  
-trators of my Estate and doath of  
Mary A Underwood so will bequeath  
and devise

Fourth: It is my will that after  
my death, that this will shall be  
probated in the proper Courts as my  
last will and testament and that there  
shall be filed in said Court an

Inventories and appraisement of all  
the property owned by me or in which  
I shall have an interest at the time  
of my death and that my Administra-  
tors after giving Bond and  
qualifying as Said Administrators  
as the Law requires in such cases  
and shall at the proper time divide  
Said ~~land~~ Estate as above specified  
and they shall hold the same  
unto them in fee Simple forever.  
In witness where of I have  
hereunto set my hand this the 10<sup>th</sup> day  
of June A.D. 1886 in the presence of  
the undersigned Witnesses -

Mrs M A Underwoods

Signed declared and published by  
Mary A Underwood as her last will  
and testament in the presence of us  
the attesting witnesses who have  
hereunto subscribed our names in  
the presence of the said Mary A Under-  
wood at her special instance and  
and request this the 10<sup>th</sup> day of June  
A.D. 1886

W. J. Baggett  
E. R. Williams  
P. H. Gardner & Co

✓  
Hill

FILED

SEP 16 1893

L. E. ...  
Director

Recorded

See Book 2 pp 344

# THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

Mary A. Underwood deceased.

Edgar C. Underwood has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of said Mary A. Underwood deceased, and for Letters Testamentary, which will be heard at the next Term of said Court, commencing on the First Monday in November A. D. 1892, at the Court House in the City of Dallas at which time all persons interested in said Estate may appear and contest said Application if they see proper.

**WITNESS** L. H. Hughes County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this 18<sup>th</sup> day of September A. D. 1892

**L. H. HUGHES**  
**S. B. SCOTT**  
County Clerk Dallas County, Texas

By Ed Jackson Deputy.

# THE STATE OF TEXAS,

To all Persons Interested in the Estate of

Mary A. Underwood ~~deceased~~ Deceased.

H. F. Underwood Robt & Oscar Underwood <sup>have</sup> ~~has~~ filed, in the County Court of Dallas County, This ~~Account~~ Account showing the condition of said Estate,

Application for partition and distribution of said Estate

which will be heard at the next term of said Court, commencing on the First Monday in May A. D. 1895, at the Court House in the City of Dallas,

at which time all persons interested in said Estate shall appear and ~~contest said~~ Account if they see proper Show Cause why such partition and distribution should not be made

**WITNESS**, L. H. HUGHES, 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<sup>th</sup> day of March A. D. 1895

**L. H. HUGHES**  
County Clerk Dallas County, Texas.

By Ed Jackson Deputy.

92

No. 1820

COUNTY COURT.

ESTATE OF

Mary A. Underwood

Deceased.

Notice of Application for Probate of Will and Letters

Issued this 18<sup>th</sup> day of September 1895

L. H. Hughes, County Clerk.

By A. Jackson Deputy.

SHERIFFS' RETURN

Came to hand the 18 day of Sept 1895 and executed the 18 day of Sept 1895 by posting up three copies of this writ at three public places in Dallas County, one of which was the Court House Door of said County.

B. B. Cabell Sheriff, Dallas County.

By J. F. Carran Deputy.

A. D. Aldridge & Co., Stationers and Printers, Dallas, Texas.

Fees \$3.00  
Recorded

94

No. 1820

COUNTY COURT.

ESTATE OF

Mary A. Underwood Deceased.  
Notice of Filing Application for partition ~~Account~~ <sup>Account</sup> Distribution

Issued this 4 day of March 1895

L. H. HUGHES, COUNTY CLERK

By A. Jackson Deputy.

White & Vestgan, Printers and Blank Book Makers, Dallas.

Simon James Franklin Cook personally

One milage 50  
10  
60

Came to hand on the 4<sup>th</sup> day of March 1895 and executed on the 5<sup>th</sup> day of March 1895 by depositing same in the hands of James Franklin Cook with a true copy of this notice of filing application for partition and distribution of said estate

B. B. Cabell  
Sheriff of Dallas County  
By J. F. Carran Deputy



State of Texas } Before me L. H. Hughes Co. Clerk in and for said Co.  
County of Dallas } State, on this day, personally appeared J. J. [unclear]

NOTICE OF FILING FINAL ACCOUNT.

The State of Texas, to all persons interested in the estate of Mary A. Underwood, deceased: E. C. Underwood, Executor, has filed in the County Court of Dallas County, his final account showing the condition of said estate, application for discharge as Executor and his application for partition and distribution of said estate, which will be heard at the next term of said Court, commencing on the first Monday in May, A. D. 1895, at the Court House in the City of Dallas, at which time all persons interested in said estate shall appear and contest said account if they see proper, and show cause why such partition and distribution should not be made.

and duly sworn says that the notice hereto published in the Leucost. Herald on the dates above to wit, March 8, 10<sup>th</sup> and 22<sup>nd</sup> 1895

for J. J. [unclear] and subscribed before me this 8<sup>th</sup> day of April L. H. Hughes Co. Clerk By A. Jackson

WITNESS, L. H. Hughes, County Clerk of Dallas County, Texas: Given under my hand and the seal of said Court, at office in the City of Dallas, this 4th day of March, A. D. 1895. Issued this March 4, 1895. L. H. HUGHES, County Clerk Dallas County, Texas. By A. S. JACKSON, Deputy.

which will be heard at the next term of said Court, commencing on the First Monday in May A. D. 1895, at the Court House in the City of Dallas, at which time all persons interested in said Estate shall appear and contest said Account if they see proper, and show cause why such partition and distribution should not be made.

WITNESS, L. H. HUGHES, 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<sup>th</sup> day of March, A. D. 1895. Issued this March 4, 1895 L. H. HUGHES, County Clerk Dallas County, Texas.

By A. Jackson Deputy.

The State of Texas }  
County of Dallas }

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

E. C. Underwood

Sworn to and subscribed before me this 28<sup>th</sup> day of November 1893

L. H. Hughes

County Clerk, Dallas County, Texas.

By A. Jackson Deputy.

(SEAL)  
(SEAL)  
(SEAL)

Came to hand March 14th 1895 and executed  
 by carrying same to be published in the Lancaster  
 Herald paper, was paper published in the  
 town of Lancaster, Capital of Texas, State of Texas  
 for twenty days, not to return day, turned  
 to Mr. H. H. Hughes, 16th and 27th 1895, a copy  
 of which by H. H. Hughes, attached and made a  
 part of Sheriff's return on this writ  
 Geo. H. H. C. Ben E. Labee Shiff  
 By J. F. Carson Dy

94  
 No. 1840

COUNTY COURT.

ESTATE OF

Mary A. Underwood Deceased.

Notice of Filing of <sup>affidavit for dis-</sup>  
<sup>charge of</sup> Account, <sup>and for</sup> <sup>final</sup>  
 distribution

Issued this 4 day of  
 March 1895

L. H. HUGHES,

COUNTY CLERK.

By As Jackson Deputy.

White & Yeager, Printers and Blank Book Makers, Dallas.

publish for 30 days  
 J. F. Carson

15

No. 1820

COUNTY COURT,

DALLAS COUNTY.

EXECUTOR'S <sup>Oath</sup> ~~oath~~

ESTATE OF

Mary A. Underwood  
 Deed

Filed Nov 28 1895  
 L. H. Hughes  
 County Clerk.

By As Jackson Deputy.

Approved this \_\_\_\_\_ day of  
 189

County Judge, Dallas County.

Recorded

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

THE STATE OF TEXAS,

To all Persons Interested in the Estate of

*Mary A. Underwood*  
*E. C. Underwood* Executor Administrator, has filed, in the County Court of Dallas County, his Annual Account showing the condition of said Estate, of said *Mary A. Underwood*, deceased,

which will be heard at the next term of said Court, commencing on the *First* Monday in *January* A. D. 189*5*, at the Court House in the City of Dallas, at which time all persons interested in said Estate shall appear and contest said Account if they see proper.

WITNESS, L. H. HUGHES, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this *1st* day of *December* A. D. 189*4*

L. H. HUGHES,  
County Clerk Dallas County, Texas.

By *A. Jackson* Deputy.

State of Texas } Before me L. H. Hughes Co. Clerk in and for said Co.  
County of Dallas } State, on this day personally appeared *Joe L. Green*,  
a man who being duly sworn says that the notice hereto  
attached was published in the *Lancet and Herald* on the dates  
as set forth above to wit, *March 8<sup>th</sup>, 15<sup>th</sup> and 22<sup>nd</sup>* 189*5*

*Joe L. Green*  
I, *Joe L. Green* and subscriber, before me this *8<sup>th</sup>* day of *April*  
189*5* L. H. Hughes Co. Clerk By *A. Keelatt*

which will be heard at the next term of said Court, commencing on the *First* Monday in *May* A. D. 189*5*, at the Court House in the City of Dallas, at which time all persons interested in said Estate shall appear and contest said Account if they see proper, and show cause why such partition and distribution should not be made

WITNESS, L. H. HUGHES, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this *1<sup>st</sup>* day of

*March* A. D. 189*5*, Issued  
this *March 4<sup>th</sup>*, 189*5* L. H. HUGHES,  
County Clerk Dallas County, Texas.

By *A. Jackson* Deputy.

without interruption.  
ports and exports of merchandise the month of February to ports, \$56,308,633; imports, 357; balance in our favor, \$2  
Treasury Balances.  
WASHINGTON, March 19.  
day's statement of the country the treasury shows: Available balances \$184,027,259, gold

Come to hand Dec 4<sup>th</sup> 1894 and executed same  
day received by paying up three copies of this writ  
at three public places in Dallas County one of which  
was the Court House door of said County and the two  
of the others at the same Governor City

But Cabell Sheriff  
Dated as Texas  
By T. G. Carson Dy

Geo \$3.00

No. 1890 94

COUNTY COURT.

ESTATE OF

*Mary A. Underwood*

Deceased.

Notice of Filing Account

Account.

Issued this 1st day of

December 1894

L. H. HUGHES,

COUNTY CLERK.

By *L. H. Hughes* Deputy.

White & Sons Printers and Blank Book Makers Dallas.

### THE STATE OF TEXAS,

To all Persons Interested in the Estate of

*Mary A. Underwood* Deceased.

*E. C. Underwood* Executor ~~Administrator~~ <sup>Application for discharge as Executor</sup> has filed, in the County Court of Dallas County, his final Account showing the condition of said Estate and his Application for partition and distribution of said estate

which will be heard at the next term of said Court, commencing on the First Monday in May A. D. 1895, at the Court House in the City of Dallas, at which time all persons interested in said Estate shall appear and contest said Account if they see proper, and show cause why such partition and distribution should not be made

WITNESS, L. H. HUGHES, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this 1<sup>st</sup> day of

March A. D. 1895. Issued  
this March 4<sup>th</sup> 1895 L. H. HUGHES,

County Clerk Dallas County, Texas.

By *L. H. Hughes* Deputy.

Dallas Texas ~~11~~ of Aug 1894  
 The Estate of Mary A. Underwood  
 deceased

To ser  
 To roofing house belonging  
 to said Estate \$ 27.00

Received of E. C. Underwood  
 Executor of said Estate twenty  
 seven dollars in payment of  
 said account, this 16<sup>th</sup> day of Aug  
 1894  
 Dougherty & Buckner

No FILED  
FEB 9 1895  
L. H. WALKER, County Clerk,  
DALLAS, TEXAS

Claim of Doughterty & Puchler  
vs  
The Estate of Mary  
A. Underwood  
deceased

---

Voucher No 4

The Estate Mary A. Underwood dec'd  
To  
For Board of G. Cobb minor  
and heir of said estate from  
1<sup>st</sup> day of ~~Aug~~ 1894 to 9<sup>th</sup>  
at \$12.50 per month (12 months) \$150.00  
This 15<sup>th</sup> Nov 1894

Recd of E. C. Underwood  
Executor of said estate one  
hundred and fifty dollars in  
payment of said account  
This 17<sup>th</sup> of Nov 1894 W. R. Barnes

ESTABLISHED FEBRUARY 5th, 1887

JOE T. GREEN, Editor and Proprietor.

Lancaster, Texas April 8 1895

Estate of Mary Underwood, dec'd,  
--IN ACCOUNT WITH-- E. C. Underwood, Ex.

THE LANCASTER HERALD.

Commercial Job Printing made a Specialty

Subscription, \$1.00 a Year. In Advance. WHEN I can get it.

Advertising Rates Reasonable and Made Known on Application.

In publication of notice of final  
settlement in Estate of Mary A. Under-  
wood, dec'd; E. C. Underwood, Executor  
for March 8, 15 and 22, 1894, three  
times as the law directs \$ 2 50

Estate of  
Mary A. Underwood

vs  
Mary A. Underwood

FILED  
FEB 9 1895  
L. E. HUGHES County Clerk  
DEPT. 11

FILED

No

FILED

FEB 9 1895  
L. E. HUGHES, County Clerk  
DEPT. 11

Claim of W. R. Barnes

vs

The Estate of Mary  
A. Underwood  
decd

Voucher No 1



Dallas Tax Feb 1-95

Rec of E C Underwood  
fifty dollars for Board for  
Frank Cobb from Nov<sup>th</sup> Feb 1  
Mrs W R Barnes

ALL TAXES DUE OCTOBER FIRST EACH YEAR. DELINQUENT JANUARY FIRST FOLLOWING.

STATE AND COUNTY TAX RECEIPT FOR 189<sup>3</sup>

No. ~~235~~

Received Dec 30 189<sup>3</sup>

of Mrs. M A Underwoods in payment of State and County Taxes for the year 189<sup>3</sup>

Personal Property, Poll Tax, and the following described Real Estate, situated in Dallas County, Texas.

	Abst. No.	ORIGINAL GRANTEE	No. Acres	No. Lot	No. Bl'k	VALUE
State Advalorem Tax	3087	Dallas		22.27 1/2 of 215		150
Tool " "	2568	"		50/206	75	800
State Poll Tax.		"		25/100	95	250
County Adv. Tax.	10989	"		27 1/2 6	39	200
County Poll Tax		"		25/100	95	250
Sp'l School Tax Dist.		"		Under 8/50	95	100
Total Tax.	16638			50/100	95	1100

Duplicate

Personality.

Louis Jacoby

Tax Collector, Dallas County, Texas.

By J. J. Ayres

Deputy.

DALLAS COUNTY, TEXAS

ALL TAXES DUE OCTOBER FIRST EACH YEAR. DELINQUENT JANUARY FIRST FOLLOWING.

STATE AND COUNTY TAX RECEIPT FOR 1894.

No. 1935

Received DEC 5 1894

1894.

Of Mrs M. A. Underwood \$ 99<sup>00</sup> in payment of State and County Taxes for the year 1894, on Personal Property, Poll Tax, and the following described Real Estate, situated in Dallas County, Texas.

	Abst. No.	ORIGINAL GRANTEE	No. Acres	No. Lot	No. Bl'k	VALUE
State Advalorem Tax,	18	Dallas		W 1/2 6	39	2500
School " "	15	"		50x200	75	8000
State Poll Tax.				N 1/4 of	215	1500
County Adv. Tax,	66					
County Poll Tax.						
Sp'l School Tax, Dist.						
Total Tax,	99 <sup>00</sup>	Personality.				
By _____		Deputy.				

Louis Jacoby  
Tax Collector, Dallas County, Texas.

Dallas Tex 28 Nov 1894  
Recd of C. C. Underwood -  
Executor of Mary A Underwood  
and fifty dollars in part  
payment of fee for propert  
not services rendered for same  
estate  
S. V. Braswell  
Atty at Law

Dallas Texas 25<sup>th</sup> of June 1894  
The Estate of Mary A. Underwood  
deceased

To Dr  
To repairing house, belonging  
To said estate 8/12, 00

Received of E. C. Underwood  
executor of said estate twelve  
dollars in payment of said  
account this 1<sup>st</sup> day of Sept 1894  
H. Shields & Co

*M*

FILED  
FEB 9 1885

L. H. HUBBES, County Clerk.  
By \_\_\_\_\_

*Blairney T. Morris*  
vs

*The Estate of Mary  
St. Henderson  
deceased*

*Tranche 129*

*17*

*1*

Dallas Tex 15 of July 1894  
The Estate of Mary A. Underwood deced  
To  
For repairing well on lot belonging to said estate \$2.00

Received of E. C. Underwood executor  
of said estate seven dollars in payment  
of said account, this 6<sup>th</sup> day of Aug, 1894  
W. H. G.

Dallas Texas 17 of Aug 1894  
The Estate of Mary A. Underwood deceased  
To  
For repairing porch of house belonging to said estate \$15.00

Received of E. C. Underwood executor  
of said estate fifteen dollars in  
payment of said account this 15<sup>th</sup> of  
Aug 1894

Mrs. L. Dean  
Mr. C. Dean

No

FILED

FEB 9 1895

L. M. HUGHES, County Clerk.

DEPT. 11

Claim of W. Heath

vs

The Estate of Mary  
A. Underwood, ~~deceased~~  
deceased

Voucher No 6

No

FILED

FEB 9 1895

L. M. HUGHES, County Clerk.

DEPT. 11

Claim of C. Dean

vs

The Estate of Mary  
A. Underwood  
deceased

Voucher No 5

Dallas county Tex 1<sup>st</sup> day of Dec 1894  
The estate of Mary A Underwood  
deceased  
To J. M. Kohn  
For the following clothing for  
F. Cobb, minor and heir of said  
estate  
Amount of E. L. Underwood E. M. Kahn & Co  
Executors of Mary A Underwood ac party Two  
dollars in the above of  
this Oct 10 1894

100

242.00

Hurst

No

FILED

FEB 9 1895

S. HUGHES, County Clerk.

RECORDED

*E. M. Kalmstedt*  
Claim of *W. R. Dames*

vs  
The Estate of *Mary*  
*A. Underwood*  
decd

Voucher No 2



# PROBATE FEE BILL

*Estate of Mary A Underwood dec'd*  
*of C. Underwood & Co*

CLERK'S FEES.		JUDGE'S FEES	
Filing and Docketing Applications.....	15	Making Affidavit.....	50
Issuing Notices and three extra Copies.....	75	Approving Bond.....	50
Entering Order of Appointment.....	50	"    Inventory.....	50
Taking, Filing and Docketing Bond, with oath.....	1 25	Appointing Appraiser.....	50
Entering Order Approving Bond.....	50	Probating Will.....	2 00
Final Record of above.....	3 00	Granting Sale..... Confirming Sale.....	
Issuing Letters.....	50	Approving Annual Account.....	
Entering Order Appointing Appraisers.....	50	One-half per cent. com'n on \$.....	
Final Record of Inventory.....	1 00		
Filing and Docketing Inventory.....	15		
Taking..... Affidavits to inventory.....	25		4 00
Entering Order Approving Inventory.....	50		
Taxing Costs and Copy.....	25		
Filing and Docketing Application for Sale.....			
Entering Order Granting Sale.....			
Filing and Docketing Report of Sale.....			3 00
Taking Affidavit of Sale.....			
Entering Order Confirming Sale.....			
Filing and Docketing Annual Account.....			
Taking Affidavit, 15 cents; Issuing Notice, 75 cents.....			
Entering Order Approving, 50 cents; Recording.....			
	9 30		
			16 30

**SHERIFF'S FEES.**

Posting Notices.....	3 00
" " " ".....	
" " " ".....	3 00

**RECAPITULATION.**

County Judge's Fees.....	4 00
Clerk's Fees.....	9 30
Sheriff's Fees.....	3 00
Appraiser's Fees.....	

**THE STATE OF TEXAS**  
 County of Dallas.

**L. H. HUGHES,**  
 I. S. B. SCOTT, County Clerk of said County.

hereby certify that the above is a true and correct statement of the Costs due in the above entitled cause.

WITNESS my hand and official seal, at office in Dallas, this 6<sup>th</sup> day of May, 1894.

L. H. HUGHES, County Clerk.  
 Per *J. M. Jackson* Deputy.

\$ 16 30  
 Received of *C. Underwood* Dallas, Texas, 11/10 1894  
*Sixteen dollars & thirty cents* of estate of *Mary A Underwood*  
 Dollars, in full of above Bill of Costs.  
*L. H. Hughes* Clerk.  
 Per *J. M. Jackson* Deputy.

Recd of Mary A. Underwood being  
 system of Mary A. Underwood being  
 cash as specified in the will of  
 Mrs. Underwood, this January 15<sup>th</sup> 1894

No AD Braswell

No. FILED

FEB 9 1895  
 Probate For Bill  
 L. N. HUGHES, County Clerk  
 DALLAS, TEXAS

COUNTY COURT,

Dallas County, Texas.

ESTATE OF

Mary A. Underwood

Voucher No 8

Judge's Fees

Clerk's Fees

Sheriff's Fees

Appraiser's Fees

TOTAL

A. D. Aldridge & Co., Printers and Binders, Dallas, Tex.

Cost due to date  
 fifteen dollars thirty  
 cents this 15<sup>th</sup> day of Jan 1894  
S. N. Braswell  
Atty

—BOUGHT OF—  
**K. SHIELDS & Co.,**

WHOLESALE AND RETAIL DEALERS IN

Wall Paper, Window Glass,

ARTISTS' MATERIALS, PICTURE FRAMES,

PAINTS, OILS AND BRUSHES.

243 ELM STREET

AND 242 AND 244 PACIFIC AVENUE.

DALLAS, TEXAS, 5/7

1895

To Oscar Underwood

1894  
Nov 10 To Papering

\$7.50

K. Shields & Co.

Dallas, Texas, Dec 21<sup>st</sup> 1893

The Estate of Mary A Underwood and  
To THE LIBERATOR, Dr.

BUSINESS OFFICE AT NATIONAL HOTEL,

Pacific Avenue, One-Half Block West of T. & P. Depot.

—SUBSCRIPTION \$1.00 PER YEAR.—

J. S. McCULLOUGH, Editor and Proprietor.

Published in the Liberator  
Notice of Administration  
Rece of E. C. Underwood Executor of  
Mary A. Underwood decedent of Three  
(\$3.00) dollars in payment of the above acct  
This 5<sup>th</sup> Jan 1894 J. S. McCullough

#612<sup>00</sup>

Dallas Tex 2/3/95

Received of E C Underwood  
Six Hundred & Twelve Dollars  
R. O. Underwood

#732<sup>00</sup>

Dallas Tex 2/11/95

Received of E C Underwood  
Seven Hundred & Sixty two Dollars  
H F Underwood

**ADDISON & BURCHER,**

...INSURANCE AGENTS...

Corner Commerce and Lamar Streets.

Dallas, Texas, Jan 31st 1894

Received of E C Underwood  
Secretary and of 100 Dollars  
1/2 Premium policy 534420 Firemans Fund  
Addison & Burcher Agents.

DALLAS, TEXAS,

3/4 1895

M. *Est of M. A. Nordwood*

Dr. to Addison & Burgher, Insurance Agents,

MERCHANTS' EXCHANGE BUILDING

DATE	NUMBER	INSURANCE COMPANY	PROPERTY INSURED	AMT OF POLICY	PREMIUM
			<i>Insurance Co of Dallas</i>	<i>1500</i>	<i>7350</i>

*PAID*  
*addison*

Dallas Texas, August 30<sup>th</sup> 1893  
 Estate of Mrs. Mary A. Underwood, deceased  
 To Ed. C. Smith & Bro  
 Undertakers and embalmers  
 142 Erway Street.

Aug 4 <sup>th</sup> 1893	To Casket & Box	150 00
" "	" Hearse	10 00
" "	" Grave	5 00
" "	" W. Carriages 250 each	21 00
" "	" Grape & gloves	1 50
		\$187 50

The State of Texas, This day in person  
 County of Dallas I came before me Ed. C.  
 Smith, one of the firm of Ed. C. Smith  
 & Brother, who being duly sworn say  
 that the foregoing claim (an account  
 of one hundred and eighty seven <sup>dollars</sup> and  
 fifty cents) bearing date August 12<sup>th</sup> 1893  
 against the Estate of Mary A. Underwood  
 deceased, is the property of Ed. C. Smith  
 and brother, and a just claim, and  
 that all legal offsets, payments, and cred-  
 its, known to affiant, have been allowed

Ed. C. Smith & Bro  
 by Ed. C. Smith

Sworn to and subscribed before me  
 to which I certify under my hand  
 and seal of office this 12<sup>th</sup> Dec. 1893

S. V. Braswell  
 Notary Public of  
 Dallas Co. Texas

Dallas, Dallas Co Texas Dec 13 1894  
The within and foregoing claim of Ed, Geo  
Smith & Bro against the Estate of Mary  
A. Underwood, late of said county, deceased  
for the sum of one hundred dollars and  
sixty five cents, this day presented, examined,  
found correct, and allowed

E C Underwood  
Executors of Mary A. Underwood dec'd

Recd of the Estate of M. A. Underwood  
the sum of One Hundred and Eighty  
seven 50 Dollars in full of a/c  
Ed Smith & Geo  
Dallas Aug 14th 1893

FILED

Claim of

Ed & Geo Smith & Bro

vs  
Estate of Mary A.  
Underwood

FILED

DEC 20 1894

L. H. BRYANT, CLERK OF DISTRICT COURT  
BY W. J. BRYANT

Examined and  
approved and  
paid as a final  
Cash Claim in  
due course of the  
ministration  
Dec 12 1895  
W. J. Bryant  
Clerk of District Court

County Court, Dallas County  
Texas, May Term, 1895.

No. 1890.

In the matter of the Estate  
of Mary A. Underwood,  
Deceased.

Monday

May 13<sup>th</sup> 1895.

On this day coming on to be heard  
the Application of E. J. Underwood,  
W. F. Underwood, and Robert Oscar  
Underwood, for the partition of the estate  
of Mary A. Underwood Deed, between  
themselves and James Franklin Cobb,  
son of E. C. Underwood, W. F. Underwood  
and Robert Underwood in person and  
by their Attorneys, and son James  
Franklin Cobb in person and by his  
Guardian ad litem John M. Marton,  
and all parties and counsel ready for  
trial and submitting the matters in  
controversy, as well of fact as of law  
to the Court. And the Court having  
heard the pleadings and evidence and  
it appearing that the debts owed by  
said estate have all been paid and  
that said estate is ready for par-  
tition and distribution, and it appear-  
ing to the Court that said Estate con-  
sists of \$90.<sup>00</sup> in money and the following  
described real estate situated in Dallas  
County, Texas, viz:

1. An undivided half interest in a lot



of land 80 ft. by 100 ft. corner of Carter  
and Collins Sts., Block No. -

2. An undivided one-fourth interest in a  
lot 25 x 100 feet on North side of Blue  
St. occupied by Weatherington and Mason.

3. An undivided half interest in a lot  
adjoining Mayers Garden on the West,  
50 x 200 feet, on North side of Blue St.

4. An undivided half interest in a lot on  
the South side of Blue St. 25 x 100 feet  
adjoining lot formerly owned by Dr.  
Stanton, in Block No. 95.

5. An undivided half interest in a lot  
75 x 100 ft. Block 95, adjoining on  
the West property formerly owned by  
Ed Smith.

6. An undivided one-half interest in four  
feet by 100 feet, Block 95, adjoining  
property formerly owned by S. Marks.

That the legatus entitled to said es-  
tate under the will of Mary A. Under-  
wood, deceased, are E. C. Underwood,  
W. F. Underwood, Robert Oscar Underwood,  
and James Franklin Cobb, a minor,  
over the age of 14 years, all residents  
of Dallas County Texas, said minor

James Franklin Cobb, being Survivor

James Franklin Cobb, being herein  
represented by his Guardian ad litem  
John M. Wharton, an Attorney at law,  
heretofore appointed by this Court to  
represent said minor herein,

And it appearing that said James  
Franklin Cobb, is entitled to a one ninth  
( $\frac{1}{9}$ ) of said estate and the other lega-  
tees E. C. Underwood, W. I. Underwood,  
and Robert Oscar Underwood, are en-  
titled to eight ninths ( $\frac{8}{9}$ ) of said Estate,  
and that said adult legatees do not  
desire partition as between themselves;

It is therefore considered, ordered  
and decreed by the Court that one  
ninth of said Estate be set apart  
to said James Franklin Cobb, and that  
the remaining eight ninths of said  
estate be set apart to said E. C. Un-  
derwood, W. I. Underwood, and Robert  
Oscar Underwood,

It is further ordered and decreed  
that Ed. C. Smith, Albert A. Jackson,  
and John W. Robertson be and they  
are hereby appointed commissioners  
to partition said estate between said  
minor, James Franklin Cobb, and  
said adults, Ed. C. Underwood,  
W. I. Underwood and Robert Oscar  
Underwood in accordance with this  
deed and said Commissioners  
are hereby ordered to report their

action to this Court at the present  
term thereof.

The State of Texas }  
County of Dallas } J. L. McHughes,  
Clerk of the County

Court of Dallas County Texas do hereby  
certify that the above and foregoing is  
a true and correct copy of an Order  
of Court, made, and entered of record,  
by said Court on May 13<sup>th</sup> 1895, as  
the same appears in Volume No. Page  
546-7-8, Probate Minutes of Dallas  
County County Court. Said order  
decrees the partition of the Estate of  
Mrs. Mary A. Underwood deceased between  
the legates entitled thereto, under her  
will and, appointing Commissioners  
to make such partition -

J. L. McHughes County Clerk  
Dallas County Texas Given under  
my hand and the Seal of said Court  
at Office in the City of Dallas  
this 13<sup>th</sup> day of May A. D. 1895

J. L. McHughes County Clerk  
By A. B. Lawless Deputy.

THE STATE OF TEXAS,

To *Ed C. Smith, Albert A. Jackson and John G. Robertson* GREETING:

YOU ARE HEREBY COMMANDED to proceed forthwith to make partition and distribution of the lands and other property described in the decree hereto attached and belonging to the estate of *Mary A. Underwood Decard*, among the part owners thereof, in accordance with said decree, and make due report of your action hereunder to the Honorable County Court, of Dallas County, Texas, at the present term thereof—you, and each of you, having been heretofore on, to-wit: the *15<sup>th</sup>* day of *May* A. D. 189*5*, duly appointed by said Court, Commissioners to make such partition and distribution.

HEREIN FAIL NOT, under Penalty of the Law.

WITNESS, L. H. HUGHES, Clerk County Court, Dallas County Texas.

GIVEN UNDER MY HAND and seal of office, this the *15<sup>th</sup>* day of *May* 189*5*

L. H. HUGHES,  
Clerk County Court, Dallas County, Texas.

By *A. S. Jackson* Deputy.

8

No. 1820

Estate of Mary A.  
Underwood, decedent

WRIT OF PARTITION.

Issued this 15 day of May  
A. D. 1895

L. H. HUGHES,  
Clerk County Court, Dallas County, Texas.

By *A. J. Johnson* Deputy.

SHERIFF'S FEES.

Serving Notices. . . . .	\$
Mileage. . . . .	
TOTAL. . . . .	\$

FILMED BY THE DALLAS GENEOLOGICAL SOCIETY-1978

No. 1826

Estate of Mary A. Underwood Decd. 3<sup>rd</sup> 20 day of May 1895

On this day came on to be heard the report of Ed. C. Smith, Albert A. Jackson and John G. Robertson Commissioners heretofore appointed to partition and distribute the Estate of Mary A. Underwood Decd. between James Franklin Cobb, a minor, and E. C. Underwood, H. F. Underwood and Robert Oscar Underwood, came said E. C. Underwood, H. F. Underwood and Robert Oscar Underwood by their Attorneys, and came also James Franklin Cobb by his Guardian ad litem John N. Whorton, an Attorney, at law hereto appointed <sup>to represent</sup> said minor herein and said Commissioners having submitted their report, which is as follows:

(Clerk Copy report in full)

And there being no exception to said report, and it appearing to the Court that said partition and division has been fairly made according to law; it is hereby ordered and decreed that said report be and is hereby in all things approved and <sup>confirmed</sup> ~~approved~~ and it is ordered that said report be read.

It is further ordered and decreed that the title in and to the following real estate, viz:

in question as that, and some to land estate against said James Franklin Cobb and that all other

Copy of this deed to be in full of the debt  
 of \$400.00 to be paid within six months  
 of 6 for cent per annum until paid

(Check here copy in full the description of the real estate set apart to James Franklin Cobb and is hereby vested in James Franklin Cobb and his heirs forever, and that all the right title interest and claim of said E. C. Underwood, H. F. Underwood and Robert Oscar Underwood <sup>in and to</sup> said undivided one half interest above described be divested out of said E. C. Underwood, H. F. Underwood and said Robert Oscar Underwood and invested in said James Franklin Cobb, his heirs executors and administrators forever.

It is further ordered that title to the following described real estate viz=

(Check here copy the description of real estate set apart to E. C. H. F. & R. O. Underwood)

be and is hereby vested in said E. C. Underwood, H. F. Underwood and Robert Oscar Underwood and their heirs forever, and that all the right title interest and claim of the said James Franklin Cobb in and to any of said <sup>above</sup> described real estate so set apart to them, <sup>said E. C. Underwood, H. F. Underwood and Robert Oscar Underwood</sup> be and is hereby divested out of said James Franklin Cobb and is vested in said E. C. Underwood, H. F. Underwood and Robert Oscar Underwood.

It is further ordered that said \$400.00 be set apart to said James Franklin Cobb and that said E. C. Underwood, H. F. Underwood and Robert Oscar Underwood pay to said James Franklin Cobb the sum of \$400.00 and that said \$400.00 be and is hereby paid as a lien upon the real estate set apart to said E. C. Underwood, H. F. Underwood and Robert Oscar Underwood.

Copy of this deed to be in full of the debt of \$400.00 to be paid within six months of 6 for cent per annum until paid

Draft of Deane  
Affirming Report of  
Comms & directors  
& investing table

---

OK  
H. H. Hedding  
Esq  
Genl Wharton  
Genl ad litem  
Genl in at - both

---

NC-473



**NOTICE.**

The State of Texas, Dallas County.—To those indebted to, or holding claims against, the estate of Mary A. Underwood, deceased: The undersigned, having been duly appointed executor of the estate of Mary A. Underwood, late of said county, deceased, by T. F. Nash, Judge of the County Court of said county, on the 11th day of November, 1897, during a regular term thereof, hereby notifies all persons indebted to said estate to come forward and make settlement, and those having claims against said estate to present them to him at No. 154 Main street, Dallas, Texas, the 9th day of December, 1897.

E. C. UNDERWOOD.

The State of Texas } Before me  
County of Dallas } This day in  
person, came J. J. Jordan, who  
being duly sworn, says he is  
publisher of The Sunny South  
Banner, a news paper published  
in the city of Dallas in said  
county and that he published  
the above and foregoing notice  
of E. C. Underwood executor  
of Mary A. Underwood deceased  
four successive weeks in said  
news paper

J. J. Jordan  
Sworn to and subscribed before  
me this 8<sup>th</sup> day of July, 1897

W. V. Braswell  
Notary Public of  
the State of Texas

No 1870

E. C. Underwood  
Executor of Mary  
H. Underwood  
and

Executors notice

Filed Jan'y 29<sup>th</sup> 1894.  
L. H. Hughes Co. Clk  
By Wm. P. Rammis Dy

W-5-542

The State of Texas, )  
 County of Dallas, )

In matter of the Estate of  
 Mary A. Underwood Deed.

*To the Hon. County Court of Dallas County, Texas:*

Your petitioners H. F. Underwood and <sup>Robert</sup> Oscar Underwood both adults and both residents of Dallas County, Texas, come now and join in the Application of E. C. Underwood executor of the Estate of Mary A. Underwood for partition of said Estate, and respectfully represent that said Estate has been fully administered, all debts owing <sup>by</sup> said Estate have been paid and said Estate is now ready for distribution among the legatees thereof. That James Franklin Cobb, a minor, without guardian, and a resident of Dallas County, Texas, is entitled to receive one-ninth of said Estate. That Edgar Clarence Underwood, Henry Franklin Underwood and Robert Oscar Underwood, all three adults and residents of Dallas County, Texas, are entitled to receive the balance of Eight-ninths of said Estate and their rights and interest in said estate are equal. Petitioners represent that they do not desire partition of said Estate among said adults, but they desire that the interest and share of said Minor James Franklin Cobb be partitioned and set apart to him and that the remainder and balance of said Estate be set apart to said adults Edgar Clarence, Henry Franklin, and Robert Oscar Underwood in bulk, and they pray for citation as the law directs and that said Estate be partitioned as above stated.

*Watts Aldredge Teekford  
 Atty. for H. F. Underwood and  
 Robert Oscar Underwood*

D

No. 1820

In the Matter of the Estate  
of Mary A. Underwood dead.

Application of H. F. Underwood & Robert Oscar Underwood for  
Partition

Filed Feb 28 - 1895  
L. H. Hughes  
Clerk  
By J. M. Hinton

The State of Texas } County Court of said county  
County of Dallas } November term 1893

Now in open Court at the present term thereof; after the required application made, and citation thereof lawfully given, as appears to the satisfaction of the court, came in due time Edgar C. Underwood, executor of the last will and testament of Mary A. Underwood late of said county, deceased, and produced therein for probate said will and testament and the subscribing witnesses thereto, to wit:

M. L. Garlington who being duly sworn day on oath, that <sup>he</sup> ~~they~~ saw Mary A. Underwood the testator, to wit, on the 10<sup>th</sup> day of June 1886 sign and heard her declare and publish the instrument in writing now being to ~~them~~ <sup>him</sup> shown, bearing date the day and year aforesaid, as her last will and testament, freely, voluntarily, and of her own accord and without any compulsion or influence whatever; that at the time of executing said will, the said testator was of sound disposing mind and memory and over twenty one years of age. That affiant signed said will as witness thereto in the presence of said testator at her special instance and request

M. L. Garlington

Sworn to and subscribed before me, in open Court, this the 11th day of November A.D. 1893.

L. N. Hines Clerk Co Court  
Dallas County Texas

By C. J. Querson Deputy

RECORD OF THE DALLAS GENEALOGICAL SOCIETY-1978

RECORD OF THE DALLAS GENEALOGICAL SOCIETY-1978

*No*

*In the matter of  
The will of Mary  
J. Underwood aka*

*Testimony of the  
witnesses to said  
will*

FILED Nov. 11 1893  
L. H. HUGHES, Clerk County Court.  
By A. Jackson DEPUTY

*Recorded  
will on 2 pp 343*

The State of Texas } County Court of Dallas  
County of Dallas } Nov Term 1893

The petitioner of Edgar C. Underwood, a resident citizen of said county, respectfully represents that Mary A. Underwood, late of said county <sup>deceased</sup> at her residence therein, on the 13<sup>th</sup> day of August 1893, departed this life, and that in her lifetime to wit, on the 10<sup>th</sup> day of June 1893, she, the said Mary A. Underwood, being then of sound disposing mind and memory, and of lawful age, executed in writing and due form of law her last will and testament, which said will and testament, accompanied this application, and thereby disposed of all her estate both real and personal, the probable value whereof is ten thousand dollars; and therein named and appointed your petitioner and Isaac C. Underwood (executors named through mistake administration) of said last will and testament; and your petitioner further represents, that the said Isaac C. Underwood departed this life before the death of said testator, and that petitioner is not disqualified by reason of the law as executor aforesaid; and petitioner further represents, that there are four legates named in said will, one of whom is a minor, and that there are outstanding credits & effects of said estate which makes an administration necessary.

Wherefore your petitioner files his application, for the probate of said will together with said will and testament, and prays, that citation be perfected as the law directs, and that at the next regular term of the county court of said county to be commenced on the first Monday in November next, said will be admitted to probate, and that letters testamentary, authorizing your petitioner to administer all the estate of <sup>deceased</sup> be granted to your petitioner and your petitioner will ever pray &c

Edgar C. Underwood  
by his Attorney S. N. Doranwell

D No 1870

County Court of Dallas Co  
November Term 1893

In the matter of the  
will of Mary A. Underwood  
deceased

FILED

SEP 16 1893

L. B. HUGHES, County Clk.

N. M. Shelton  
Deputy

{ Recorded }

Dec. 7/18.93.



### INVENTORY AND APPRAISEMENT

Of the property, real and personal, belonging to the estate of Mary A. Underwood deceased to wit: being community property  
 1/2 interest in lot corner of Garter & Collier Sts. Block 100  
 1/4 interest in house & lot on Elm St occupied by 2500.00  
H. H. Hargrave & Robert 25 x 100 ft  
 1/2 interest in lot on Elm St adjoining Myers' Garden  
 and west thereof 50 x 200 2000.00  
 1/2 interest in lot on Elm St adjoining 120  
national property 25 x 100 frontage on South Side Elm - 1000.00  
 1/2 interest on North Side Frank St 75 x 100 2000.00  
 and being last mentioned lot on South

9 1000

The State of Texas, }

County of Dallas. }

I, E. C. Underwood, 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.

E. C. Underwood

Sworn to and Subscribed before me, this the 2<sup>d</sup> day of Dec, A. D. 1893

to which I certify S. V. Braswell Notary Public Deputy

S. V. Braswell  
Notary Public of Dallas Co. Tex.

The State of Texas, }

County of Dallas. }

Before the undersigned authority, this day personally appeared W. E. Best and J. L. Peacock 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.

J. L. Peacock  
W. E. Best

Sworn to and Subscribed before me, this 2<sup>d</sup> day of Dec, A. D. 1893

to which I certify S. V. Braswell Notary Public Deputy

S. V. Braswell  
Notary Public in and for  
Dallas Co. Tex.

Inventory and Schedule of claims  
due and owing the estate of Mary  
A. Underwood, late of Dallas county  
Texas, deceased.

One note for \$1750 with a credit  
of \$245. - on the D. Garlington \$1505.00

dated Feb 10<sup>th</sup> 1891 - due  
12 months after date

One note on E. C. Smith  
for about \$1470 bearing date  
1890 or nearly one and one  
day after date - said note  
worthless - & now mistyped

The State of Texas } Before me  
County of Dallas } S. V. Braswell  
- Notary Public in and for said  
county, in presence, came E. C.  
Underwood, Executor of the last  
will and testament of Mary A.  
Underwood, late of said county  
deceased, who being duly sworn  
says, that the above and foregoing  
is a full and complete inventory  
of the property and list of claims  
of the estate aforesaid, that have  
come to his knowledge

E. C. Underwood  
Sworn to and subscribed before me  
this 2<sup>nd</sup> of Dec 1893, to which I hereby certify  
under my hand and seal of office

S. V. Braswell, Notary  
Public for Dallas Co. Tex.

No 1870

Inventory and  
Appraisement &  
List of Claims  
the estate of Mary  
A. Underwood  
deceased

approved Dec 9<sup>th</sup>  
1893 J. J. Bush  
H. S. Co Judge  
501

Filed Dec. 9<sup>th</sup> 1893  
L. H. Hughes Adm  
By J. J. Bush  
Recorded

## THE STATE OF TEXAS,

To *Ed C. Smith, Albert A. Jackson and  
John Y. Robertson*

GREETING:

YOU ARE HEREBY COMMANDED to proceed forthwith to make partition and distribution of the lands and other property described in the decree hereto attached and belonging to the estate of *Mary A. Woodward deceased*, among the part owners thereof, in accordance with said decree, and make due report of your action hereunder to the Honorable County Court, of Dallas County, Texas, at the present term thereof—you, and each of you, having been heretofore on, to-wit: the *13<sup>th</sup>* day of *May* A. D. 189*5*, duly appointed by said Court, Commissioners to make such partition and distribution.

HEREIN FAIL NOT, under Penalty of the Law.

WITNESS, L. H. HUGHES, Clerk County Court, Dallas County Texas.

GIVEN UNDER MY HAND and seal of office, this the *15<sup>th</sup>* day

of *May* 189*5*

L. H. HUGHES.

Clerk County Court, Dallas County, Texas.

By *as Jackson* Deputy.

Came to hand on the 15<sup>th</sup> day of May 1895  
 executed on same date, receipt by  
 serving Ed C Smith. About Jackson and  
~~Robt. T. ...~~ with a true copy of this writ.  
 and John G. Robertson, with the attached deers.

Ben E. Geesbell Sheriff Dallas  
 Co Texas by S. Murphy Deputy

15 *Murphy* 90

No. 1820

Estate of  
 Mary A. Underwood  
 Deceased.

WRIT OF PARTITION.

Issued this 15 day of *May*  
 A. D. 1895

L. H. HUGHES,  
 Clerk County Court, Dallas County, Texas.

By *A. Jackson* Deputy.

SHERIFF'S FEES.

Serving Notices, -	<i>3</i>	- - -	<i>200</i>
Mileage, - - - - -		- - -	<i>30</i>
Total, - - - - -		- - -	<i>\$23.30</i>

S. W. S. DUNCAN'S LAND TITLE OFFICE.

day of

189

Page No.

Abstract No.

I suppose the Estate of  
J F Cobb is what you  
want: The only orders are  
Appointing guard + Appr  
Bond + Approval of same  
Inventory and appro. same  
no application to sell or  
order to sell + There is  
no such deed as H J Underwood  
Esqr, J F Cobb

so C C Underwood filed  
2nd Sept 1895. What land

do you want + what Estate,

File 15th Mar 27 Bevan 75/20

The State of Texas } County Court of  
 County of Dallas } Dallas county  
 To the Honorable County Court of said County  
 J. C. Underwood, executor of  
 the last will and testament of Mary  
 A. Underwood, late of said county, dec-  
 eased, respectfully represents submits to the  
 consideration of your Honor, the following  
 annual exhibit, thereby showing present  
 condition of said estate.

Underwood, executor of said estate		Dr.	Cr	Money collected on claims reported in schedule
Amount of Inventory and Schedule of claims found due	1247.80			
To increase in money collected for rents as follows				
From H. Huntington Mason	300.00			
"    French Eye Works	180			
"    Mrs Cline	188.00			
Money paid out				
For board of F. Cobb, minor and heir of said estate	150.00			See voucher No 1
For clothing for F. Cobb minor	42.00			" " No 2
Repairing house of said estate	12.00			" " No 3
Roofing " " "	27.00			" " No 4 +
Repairing porch " "	15.00			" " No 5 +
" " Will " "	7.00			" " No 4 +
Insurance on two story building on Elm st	17.50			" " No 7 +
probate fees	16.80			" " No 8 +
Taxes on property of estate	166.70			" " No 9 +
Money collected on Garlington's note			250.00	
Notice of administration	3.00			" " No 11
	13148.00	2456.00		
Effects in hand - - -	12662.00			

The State of Texas & Before me  
County of Dallas, S. V. Braswell, Notary  
Public in and for said county  
This day in person appeared before  
me. Underwood executor of  
The last will and Testament of  
Mary A. Underwood, late of said county  
deceased, who being by me duly  
sworn, says that the within will  
forgoing statement is a full, true  
and correct exhibit of the present  
condition of said estate

E. C. Underwood  
Executor

This day sworn to and subscribed  
before me, to which I hereby  
certify under hand and seal of  
office, this, 2 Nov 1894

S. V. Braswell Notary  
Public in and for  
Dallas county Texas



No 1870

Annual Exhibit  
of C. C. Underwood  
Executor of Mary A.  
Underwood dead

FILED

DEC 1 1894

L. H. HUGHES, County Clk.

BY A. Jackson

Deputy

Examined and  
approved July 9<sup>th</sup> 1895.

J. F. Ash

Co. Judge

46  
378

Recorded  
Dec 1<sup>st</sup> 1894

No. 1820

In the Matter of the Estate  
of Mary A. Underwood Dece

May 13

On this day came on to be heard the application of E. C. Underwood, H. F. Underwood and Robert Oscar Underwood <sup>of Mary A. Underwood Dece</sup> for partition of this estate, between themselves and James Franklin Cobb, came E. C. Underwood, H. F. Underwood and Robert Underwood in person and by their attorneys, and <sup>came</sup> James Franklin Cobb in person and by his guardian ad litem John N. Wharton, and all parties announced themselves ready for trial, and submitted the matters in controversy, as well of law as of fact to the Court. And the Court having heard the pleading and evidence and it appearing that the debts owed by said estate have all been paid and that said estate is ready for partition and distribution, and it appearing to the Court that said estate consists <sup>of</sup> the following described real estate, situated in Dallas County, Texas:—

(Clerk her Copy in full from Exhibit attached to application for partition the items of real estate with valuation)

That the legacies entitl'd to said Estate under  
the will of Mary A. Underwood deceased  
are E. C. Underwood, H. F. Underwood Robert Os-  
car Underwood and James Franklin Cobb  
a minor over the age of 14 years, all res-  
idents of Dallas County, Texas, said mi-  
nor James Franklin Cobb, being herein rep-  
resented by his guardian Ad Litem John  
N. Wharton, an attorney at law heretofore  
appointed by this Court to represent said  
minor herein, <sup>And it appears,</sup> that said James Frank-  
lin Cobb is entitl'd to one ninth ( $\frac{1}{9}$ ) of said  
Estate and the other legacies E. C. Under-  
wood, H. F. Underwood and Robert Oscar Un-  
derwood are entitl'd to eight ninths ( $\frac{8}{9}$ ) of  
said Estate; <sup>as that said adult legacies do not desire partition as between themselves</sup> It is therefore Considered  
ordered and decreed by the Court that  
one ninth of said estate be set apart to said James  
Franklin Cobb and that the remaining eight  
ninths of said estate be set apart to said  
E. C. Underwood, H. F. Underwood and Robert  
Oscar Underwood. It is further ordered  
and decreed that Ed. C. Smith, Albert  
A. Jackson and John Y. Robertson be

and are hereby appointed Commissioners to partition said estate between said minor James Franklin Cobb and said abets Ed. C. Underwood, H. F. Underwood and Robert Oscar Underwood in accordance with the decree and said Commissioners are hereby ordered to report their action to this Court at the present term thereof.

Subsequent

May 10

K6-457

In Re

Estate of Mary A Underwood

No 1592a DuCombe County of Dallas & County Seat

Final Account

E. C. Underwood Executor of the Estate of Mrs Mary A Underwood Deceased

1st The property that came into my hands as such Executor. (Real Estate)

1. An undivided half interest in a lot of land 80ft by 100ft corner of Carter and Collins Sts Block No. Appraised at \$1,000<sup>00</sup>

2. An undivided One-fourth interest in a lot 25x100ft on North side of Elm St occupied by Heathington & Nason Appraised at \$2500<sup>00</sup>

3. An undivided half interest in a lot adjoining Maria's Garden on the West 50x200ft on North side of Elm St Appraised at \$3000<sup>00</sup>

4th An Undivided half interest in a lot on the South side of Elm St 25x100ft adjoining lot formerly owned by Dr Sutton in Block No 95 Appraised at \$1000<sup>00</sup>

5th An undivided half interest in a lot 75x100ft Block 95 adjoining on the West property formerly owned by Ed Smith Appraised \$2000<sup>00</sup>

6th. An undivided one-half interest in four feet by 100ft Block 95 adjoining property formerly owned by Woods (not returned in original inventory and not appraised)

(Personal Property)

- 1. Note of W.D. Garlington Collected \$1870<sup>00</sup>
- 2. Heathington & Nason Acct 360<sup>00</sup>
- 3 Mrs Clinch 132<sup>00</sup>

(Personal Property (Contd))

French eye works	Rent	180.00
Marble yard	"	135.00
Heathcington & Mason	"	90.
French eye works	"	20
Marble yard	"	37.50
Mrs. Lewis	"	50.00
Notes of Ed. C. Smith for about 1870 workless and steel not found.		

2. Disposition of such Property.  
 1st Real Estate above described still on hand.

3d Mts & Expenses Paid.

Funeral Expenses	\$185
Taxes 1893	16670
Taxes 1894	99

Expenses Paid

Papering house on Leaky St	750
" " Heathcington & Mason	1200
Roofing " " " "	2700
Repairing porch " " "	1500
" Well	700
Insurance on Heathcington & Mason house	1700
County liens fees	1630
Advertising notice to creditors	3
Attorneys fee to J. H. Bradwell	50
Insurance on Heathcington & Mason house	2250
Attorneys fee to Watts Aldridge & Conford	150
4th. Advances & Payments.	
Frank Cobb board Nov 93 to Nov 94	150
" " wearing apparel	42
" " board Nov/94 to Feb/95	50
Advances to H. J. Underwood	732
" " Oscar Underwood	612
" " E. C. Underwood	420

Lease on hand 90.50

5. There are no debts

5. There are no debts or expenses owing by the Estate.

6th The following persons are entitled to receive portion of such estate with their residence

1st. James Franklin Cobb minor has no guardian residence Dallas County Texas and is entitled to receive one-ninth of said estate.

Robert Oscar Underwood, An adult residence Dallas, Dallas County Texas; Henry Franklin Underwood adult residence Dallas County Texas; and Edgar Clarence Underwood adult, residence Dallas County Texas are entitled to receive the balance of said estate to be divided equally among them. The will of Mrs Mary A Underwood gives 1/9 of her property real personal and mixed as follows:- To James Franklin Cobb one-ninth and the balance to be equally divided between Isaac Eugene, Edgar Clarence, Henry Franklin and Robert Oscar Underwood. Since the probate of her said will the said Isaac Eugene Underwood departed this life unmarried and intestate and his three brothers Edgar Clarence, Henry Franklin and Robert Oscar Underwood are his sole heirs and are entitled to receive his share in said estate.

7th The advancements to said legatees are as follows and shown before in this Final Account:

James Franklin Cobb.	\$ 742.00
Edgar Clarence Underwood	420.00
Henry Franklin Underwood	732.00
Robert Oscar Underwood	612.00

Total \$ 2006.00



State of Texas )  
Dallas County ) Before me the undersigned authority on  
this day personally appeared E. C. Underwood  
who being by me first duly sworn on oath  
states that he is executor of the estate of  
Mary A Underwood deceased and that the  
foregoing final account is true and correct

E C Underwood  
Executor

Sworn to and subscribed before me this 28 day of  
February A.D. 1895  
H. K. Hughes County Clerk  
Dallas Co Tex  
By A. M. Shelton Secy

"Exhibit A"

No. 1120

Sub R

Estate of Mary A  
Underwood deceased

Final Account of E  
Underwood Executor

The State of Texas. ) In matter of the Estate of  
:-  
County of Dallas. ) Mary A. Underwood Deed.

To the Hon. County Court of Dallas County, Texas:-

Your petitioner B. C. Underwood Executor of the Estate of Mary A. Underwood ~~decedent of the estate of Mrs. A. Underwood~~ Deed, respectfully shows to the Court that administration was opened upon said estate on the 11th day of November 1893 and has been pending since that date. That all debts of every kind against said estate, known to exist, have been paid and that there now remains no necessity for keeping said administration open upon said estate. Wherefore petitioner comes and files herewith, Marked "Exhibit A" his final account showing the condition of said estate, accompanied with paper vouchers, and prays that said account be examined by the Court and approved; that citation issue as the law directs and that he be finally discharged as Executor of said estate and that said estate be adjudged closed.

Petitioner would show to the Court that the above estate of Mrs. Mary A. Underwood is ready for distribution among the legatees thereof.

That said Estate consists of the property and money as shown in said "Exhibit A" hereto attached and made part hereof. That James Franklin Cobb, a minor, without guardian and a resident of Dallas County, Texas, is entitled to one-ninth of said Estate. That Edgar Clarence Underwood Henry Franklin Underwood and Robert Oscar Underwood are entitled to the balance of said Estate to be equally divided between them, that said Edgar Clarence, Henry Franklin and Robert Oscar Underwood are all adults and residents of Dallas County, Texas,.

That it is the desire of said adult legatees that said Estate be partitioned between them and said minor. That the one-ninth part of said Estate to which <sup>said James Franklin Cobb</sup> he is entitled be set apart to him in said partition and that as to the balance of said Estate the same be not partitioned as between said adults, but that it be set apart to them in bulk.

Petitioner prays that citation issue as the law directs in partition of Estates and that the Estate of Mary A. Underwood be partitioned be-

tween said minor James Franklin Cobb and said adults Edgar Clarence,  
Henry Franklin and Robert Oscar Underwood and that in said partition said  
one-ninth interest be set apart to said minor and the balance of said  
Estate be set apart in bulk to said adults and that as between them said  
balance be not divided.

Walter Aldridge Cookford  
Attys. for E. C. Underwood, Executor  
of Estate of Mary A. Underwood Deed.

Smith County Register and the undersigned

No. 1820

In Matter of Estate  
of  
Mary A. Underwood Dec.

Executor E. C. Underwood's  
Application for per-  
tition & discharge  
& final account

Filed Feb'y 28 - 1895

L. H. Hughes  
clerk  
By W. H. Shelton

RC  
456

Recorded



No 1890

Edgar C. Underwood  
Administrator of the  
Estate of Mary A. Underwood  
deceased

Board

approved Nov  
28<sup>th</sup> 1893

J. F. Nash

Co. Judge  
K-5-491

FILED  
NOV 28 1893

L. R. HUGHES, County Clerk  
by *W. Jackson*

(Recorded)

1878

In the Estate of  
Mary A. Hedderwood deceased  
and now come the  
Minor James Franklin  
Cobb by his Guardian  
ad litem John S. Whorton  
and joins in the applicati  
for partition between him  
and applicants and  
asks the Court to grant  
said application so that  
the interest of said minor  
may be set aside to him.

James Franklin Cobb  
by his Guardian ad litem  
John S. Whorton



2

No 1820  
In the matter of  
the Estate of  
Mary A. Underwood  
decedent.

---

Answer of Miss  
James Franklin Cobb  
to App for Partition

---

FILED May 13 1895

L. H. HODGINS, Clerk County Court.

By As Jackson  
DEPUTY



NUMBER 1820.

) IN THE COUNTY COURT OF DALLAS

)

ESTATE OF MARY A. UNDERWOOD DEC'D)

COUNTY TEXAS

NOW COMES ED. C. SMITH, ALBERT A. JACKSON AND JNO. Y. ROBERTSON COMMISSIONERS APPOINTED HEREIN TO PARTITION THE ESTATE OF MARY A. UNDERWOOD DEC'D., AND REPORT TO THE COURT THAT WE HAVE SET APART TO JAMES FRANKLIN COBB THE FOLLOWING PORTION OF SAID ESTATE, VIZ:- AN UNDIVIDED ONE-HALF INTEREST IN AND TO THE FOLLOWING REAL ESTATE, DESCRIBED AS, BEING IN THE CITY AND COUNTY OF DALLAS TEXAS, PART OF BLOCK NO. 215, BEGINNING (AT THE WEST CORNER OF SAID BLOCK, THE INTERSECTION OF THE SOUTH EAST LINE OF COLLIN STREET AND THE NORTH EAST LINE OF CARTER STREET, THENCE NORTH EASTERLY WITH SAID SOUTH EAST LINE OF COLLIN STREET 100 FEET TO CORNER, THENCE EAST-WARDLY PARALLEL WITH CARTER STREET 80 FEET TO CORNER, THENCE SOUTHWARDLY PARALLEL WITH SD. COLLIN STREET 100 FEET TO CORNER (IN SAID N. E. LINE OF CARTER STREET, THENCE WESTWARDLY WITH SAID LINE OF CARTER STREET 80 FEET TO THE PLACE OF BEGINNING.) SAID PROPERTY BEING REAL ESTATE ITEM NO. 1. IN SAID ORDER FOR PARTITION, AND WE ALSO SET APART TO SAID JAMES FRANKLIN COBB THE NINETY (\$90.00) & NO/100 DOLLARS BELONGING TO SAID ESTATE, TOGETHER WITH THE SUM OF FOUR HUNDRED & TEN (\$410.00) DOLLARS: WHICH SAID ABOVE DESCRIBED LAND AND SAID FIVE HUNDRED (\$500.00) DOLLARS, WE CONSIDER HIS ONE-NINTH DISTRIBUTIVE SHARE OF SAID ESTATE AND EQUAL IN VALUE TO ONE-NINTH OF SAID ESTATE, AND WE VALUE SAID ONE NINTH SO SET APART TO SAID JAMES FRANKLIN COBB AT THE SUM OF TWO THOUSAND DOLLARS. WE FIND AND REPORT THAT THE OTHER UNDIVIDED ONE-HALF INTEREST IN SAID ABOVE DESCRIBED LOT OF LAND IS OWNED BY E. C. UNDERWOOD, H. F. UNDERWOOD AND ROBERT OSCAR UNDERWOOD, EACH OWNING ONE THIRD OF SAID UNDIVIDED HALF INTEREST.

WE SET APART TO E. C. UNDERWOOD, H. F. UNDERWOOD AND ROBERT UNDERWOOD, THE BALANCE OF SAID ESTATE, VIZ:-  
ITEM NO 2, IN SAID ORDER.

(AN UNDIVIDED ONE-FOURTH INTEREST IN AND TO THE WEST HALF OF LOT NO. 6 IN BLOCK NO. 16/39 ACCORDING TO THE OFFICIAL MAP OF THE CITY OF DALLAS, THE SAME FRONTING 25 FEET ON THE NORTH LINE OF ELM STREET & EXTENDING BACK NORTHWARDLY BETWEEN PARALLEL LINES 100 FEET, AND BEING THE SAME LAND DESCRIBED IN A DEED FROM M. D. GARLINGTON AS PRESIDENT OF THE DALLAS GRAIN SEPARATOR MFG. COMPANY TO H. F. UNDERWOOD, DATED THE 5TH. DAY OF MARCH 1878 AND RECORDED IN VOL. 39 PAGE 140, RECORDS OF DEEDS DALLAS COUNTY TEXAS.)  
ITEM NO. 3, OF SAID ORDER.

(AN UNDIVIDED ONE- HALF INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY TOWIT:- LYING AND BEING SITUATE IN THE CITY AND COUNTY OF DALLAS TEXAS, AND KNOWN AS LOTS NOS. 13 AND 27 IN BLOCK NO. 75/120, THE SAME FRONTING ON THE NORTH SIDE OF ELM STREET 50 FEET AND RUNNING THROUGH, THE WIDTH OF ITS FRONT BETWEEN PARALLEL LINES 200 FEET TO THE SOUTH SIDE OF PACIFIC AVENUE, AND BEING THE SAME PROPERTY DESCRIBED IN DEED FROM JNO. B. STONE AND WIFE TO H. F. UNDERWOOD BY DEED DATED MCH. 1ST. 1883 AND RECORDED IN BOOK 60, PAGE 166 & 7, RECORDS OF DEEDS OF DALLAS COUNTY TEXAS.)

ITEM NO. 4, OF SAID ORDER. (AN UNDIVIDED 1/2 INTEREST IN AND TO A LOT LYING AND BEING SITUATE IN THE CITY AND COUNTY OF DALLAS TEXAS, AND DESCRIBED AS FOLLOWS, TOWIT:- BEGINNING AT A POINT ON THE SOUTH SIDE OF ELM STREET 250 FEET N. 75 & 3/4 E. FROM THE JUNCTION OF THE SOUTH SIDE OF ELM STREET WITH THE EAST SIDE OF HERVAY STREET, WHICH POINT IS 25 FEET N. 75 & 3/4 E. OF THE NORTH EAST CORNER OF A LOT FORMERLY OWNED BY JOSEPH ROYER, THENCE N. 75 & 3/4 E. WITH THE SOUTH SIDE OF ELM STREET 25 FEET TO DR. W. H. SUTTONS N. W. CORNER, THENCE SOUTH 14 & 1/4 E. WITH RIGHT ANGLES WITH ELM STREET AND ON THE WEST LINE OF W. H. SUTTONS LOT 100 FEET, THENCE SOUTH 75 & 3/4 W. PARALLEL WITH

ELM STREET 25 FEET TO A CORNER, THENCE N. 14 & 1/4 W. 100 FEET TO THE PLACE OF BEGINNING, THE SAME BEING A PART OF BLOCK NO. 95 ACCORDING TO THE MAP OF THE CITY OF DALLAS).  
ITEM NO. 5, OF SAID ORDER.

(AN UNDIVIDED ONE- HALF INTEREST IN AND TO THE FOLLOWING DESCRIBED LAND, TOWIT:- LYING AND BEING SITUATE IN THE CITY AND COUNTY OF DALLAS TEXAS, AND BEING PART OF BLOCK NO. 95 ACCORDING TO THE OFFICIAL MAP OF SAID CITY, BEGINNING AT A POINT ON THE NORTH LINE OF MAIN ST. 101 FEET S. 75 & 3/4 W. FROM THE INTERSECTION, FROM THE N. LINE OF MAIN STREET WITH THE WEST LINE OF ST. PAUL STREET, WHICH SAID POINT IS THE S. W. COR. OF THE LAND FORMERLY OWNED BY ED C. SMITH- NOW OWNED BY D. H. MORROW, THENCE S. 75 & 3/4 W. WITH THE N. LINE OF MAIN ST. 75 FEET, THENCE N. 14 & 1/4 W. AT RIGHT ANGLES TO MAIN STREET 100 FT. TO CORNER, THENCE N. 75 & 3/4 E. PARALLEL TO MAIN STREET 75 FEET TO THE N. W. COR. OF THE SAID LOT FORMERLY OWNED BY ED C. SMITH, THENCE S. 14 & 1/4 E. ALONG THE LINE OF SAID LOT FORMERLY OWNED BY ED C. SMITH, 100 FEET TO THE PLACE OF BEGINNING.)  
ITEM NO. 6, OF SAID ORDER.

(AN UNDIVIDED ONE- HALF INTEREST IN AND TO 4 FEET BY 50 FEET, SITUATE IN THE CITY AND COUNTY OF DALLAS AND STATE OF TEXAS, A PART OF WHAT IS KNOWN AS BLOCK NO. 95 AS PER THE OFFICIAL MAP OF THE CITY OF DALLAS, AND BEING A PART OF 8 FEET BY 50 FEET OUT OF THE N. E. COR. OF LOT SOLD TO M. D. GARLINGTON & HENRY F. UNDERWOOD BY THE METHODIST EPISCOPAL CHURCH SOUTH, SAID 8 FEET BY 50 FEET BEING MORE FULLY DESCRIBED AS FOLLOWS, TOWIT:- BEGINNING AT THE N. W. COR. OF A TRACT OF LAND FORMERLY OWNED BY MRS. WILLAMETT, THENCE SOUTHWARDLY ALONG MRS WILLAMETT'S WEST LINE 50 FEET, THENCE WESTWARDLY AND TO ANOTHER COR. OF THE LOT FORMERLY OWNED BY MRS. WILLAMETT, 8 FEET, THENCE NORTHWARDLY PARALLEL WITH MRS. WILLAMETT'S WEST LINE 50 FEET, THENCE EASTWARDLY 8 FEET TO THE PLACE OF BEGINNING. SAID 4 FEET BY 50 FEET BEING PART OF THE 8 FEET BY 50 FEET DESCRIBED IN DEED MADE BY WM. THOMPSON SPECIAL MASTER, TO M. D. GARLINGTON AND MARY A. UNDERWOOD, DATED THE 2ND. DAY OF JULY A. D. 1890 AND APPEARS OF RECORD IN BOOK 125, PAGES 502 TO 506 RECORDS OF DEEDS DALLAS COUNTY TEXAS.) THIS LOT IS ERRONEOUSLY DESCRIBED AS 4 BY 100 FEET IN ORDER TO COMMISSIONERS.

THE ABOVE MENTIONED REAL ESTATE CHARGED WITH SAID FOUR HUNDRED AND TEN DOLLARS, BEING EQUAL IN VALUE TO EIGHT NINTHS (8/9) OF SAID ESTATE, AND WE REPORT THAT SAID EIGHT NINTHS (8/9) CHARGED AS AFORESAID IS OF THE VALUE OF SIXTEEN THOUSAND DOLLARS.

WE, ED C. SMITH, ALBERT A. JACKSON AND JNO. Y. ROBERTSON, COMMISSIONERS AS ABOVE STATED, UNDER OATH SUBMIT THE ABOVE AND FOREGOING AS A FAIR, JUST AND IMPARTIAL PARTITION AND DISTRIBUTION OF THE ESTATE OF MARY A. UNDERWOOD DEC'D, BETWEEN JAMES FRANKLIN COBB AND E. C. UNDERWOOD, H. F. UNDERWOOD AND ROBERT OSCAR UNDERWOOD, AS DIRECTED BY THE COURT.

.....*Ed C. Smith*.....  
.....*Al Jackson*.....  
.....*Jno. Y. Robertson*.....

SWORN TO AND SUBSCRIBED BEFORE ME BY ED C. SMITH, ALBERT A. JACKSON AND JNO. Y. ROBERTSON, THIS THE 20 DAY OF May A. D. 1895.

*L. H. Hough* Clerk of Court  
*Dallas Co Texas*  
*By Al Jackson deputy*

No 1820

Estate of  
Mary A. Underwood  
Deed,

Report of Commissioners  
of Partition

FILED May 30 1895

L. H. HUGHES, Clerk County Court.

By As Jackson  
DEPUTY

Recorded  
in Minutes,  
K6-473