

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

Case Number 2867

Dallas Genealogical Society
Founded 1955

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FILED BY DALLAS GENEALOGICAL SOCIETY - 1978

#2867

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LAST WILL AND TESTAMENT OF JOHN HERMAN, OF DALLAS, DALLAS COUNTY, TEXAS.

The State of Texas,
County of Dallas.

I, John Herman, of the county of Dallas, State of Texas, being in good bodily health, and of sound mind and disposing memory, and fully realizing the uncertainty of life and the certainty of death, and being desirous of settling my worldly affairs, while I possess the capacity, and strength so to do, hereby make publish and declare this my last will and testament, hereby revoking all other wills heretofore made by me, that is to say:-

First.

I direct that the expenses of my last sickness, including the expenses of my funeral, be first paid, and also any debts I may justly owe at the time of my death.

Second.

After the payment of the expenses of my last sickness, and just debts, then it is my will that the property of which I may die possessed of, shall be and it is hereby given and bequeathed to the five children of my deceased brother, Valentine Herman, the names of said children being as follows, to-wit:-

To ^{Augusta} ~~August~~ Herman, of St. Louis, Mo., I give and bequeath an undivided one fifth part of all my said estate; to Rudolph Herman, of Chicago, Illinois, I give and bequeath, an undivided one-fifth part of my said estate; to ^{Arthur} ~~otto~~ Herman, of Dallas, Texas, I give and bequeath, an undivided one-fifth part of my said estate; to Amanda Herman, I give and bequeath an undivided one-fifth part of my said estate; to Augusta Herman of St. Louis, Mo., I give and bequeath, an undivided one-fifth part of my said estate. All of the foregoing named nephews and nieces are to take each a one-fifth part of my said estate, share and share alike.

Third.

I hereby nominate and appoint my nephews, ^{Augusta} ~~August~~ Herman, of St.

Arthur
Louis, Mo., and ~~John~~ Herman, of Dallas, Texas,, the sole Executors of this
my last will and testament, and direct that no bond be required of them,
and that no action be had in the county court of Dallas, County, Texas,
sitting in probate, under this will, other than the filing for probate of
this will and the filing of an inventory and appraisalment and list of
claims if any, as required by the statutes of the state of Texas.

In Testimony of all of which, I hereunto set my hand at Dallas,
Texas, this 14th day of March, 1905, in the presence of Curtis P. Smith, and
James Joseph Collins, witnesses.

John Herman

The above and foregoing last will and testament of John Herman, is now
here at the request of the said John Herman, and in his presence, witnessed
by us in the presence of each other, and we, at the request aforesaid, here-
to subscribe our names as witnesses, in the presence of said John Herman,
and in the presence of each other.

Curtis P. Smith

James Joseph Collins

Witnesses.

(2867)

LAST WILL AND TESTAMENT OF
JOHN HERMAN, OF
DALLAS, TEXAS.

.....

FILED

11 13 1966

A. H. Lee

Recorded 4. 169
W. H. Reed

ETY

THE STATE OF TEXAS

To all Persons Interested in the Estate of John Herman Deceased:

Arthur & Gustav Herman ^{have} ~~has~~ filed to the County Court of Dallas County, State of Texas, an Application for the Probate of the last Will of said John Herman 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 July A. D. 1906, 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 13 day of June A. D. 1906

FRANK R. SHANKS,

County Clerk, Dallas County, Texas

By R. H. Lee Deputy

(Original)

46

No. 3983

In the County Court

ESTATE OF

John Perwan

Deceased

Notice of Application for Probate of Will and Letters

ISSUED

This 13 day of June A. D. 1906

FRANK R. SHANKS,

County Clerk

By *Q. H. Lee*

Deputy

Recorded 5-37

SHERIFF'S RETURN

CAME TO HAND The 103 day of June A. D. 1906, and executed the 13 day of June A. D. 1906, 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.

A. L. Lubbert

Sheriff Dallas County

By *James Berk* Deputy

Posting 3 Copies \$3.00

ED. C. SMITH
& B. SMITH

Dallas, Texas, June 7 1906

Mr. John Herman's Est

To Ed. C. Smith & Brother, Dr.

ESTABLISHED 1876

**FUNERAL DIRECTORS
AND EMBALMERS**

FINE CARRIAGES FOR HIRE
PHONE MAIN 52

124 MAIN STREET
COR. ST. PAUL

<i>June 9 To Casket</i>	<i>600 00</i>
<i>" Embalming</i>	<i>35 00</i>
<i>" Suit</i>	<i>30 00</i>
<i>" Hearse</i>	<i>10 00</i>
<i>" 5 Carriages</i>	<i>20 00</i>
<i>" Traps</i>	<i>4 00</i>
<i>" Grass</i>	<i>5 00</i>
<i>" Washing Dressing & Shaving</i>	<i>5 00</i>
	<i>709 00</i>

THE STATE OF TEXAS,

AFFIDAVIT TO ACCOUNT IN PROBATE.

COUNTY OF DALLAS.

BEFORE ME, the undersigned authority, on this day personally appeared *Ed. C. Smith* who being

by me duly sworn, upon his oath deposes and says: That the attached claim in favor of

Ed. C. Smith & Brother, and against the estate of

John Herman, deceased, is just, true and unpaid, and that all legal off-sets, payments and credits, known to affiant have been allowed

Ed. C. Smith

Sworn and subscribed to before me this

22 day *June* 1906

Frank R. Shanks - Com. Clerk
By J. J. Struffer Depty

3983
John Merriam's Est
Claim of
Ed. C. Smith & Mo

FILED

JUN 22 1906

FRANK R. BLANKS, Secy. Clerk.

W. B. Walden
Deputy

OATH OF EXECUTOR.

THE STATE OF TEXAS; We, and each of us, do solemnly swear that the COUNTY OF DALLAS. instrument of writing which has been offered for probate in the County Court of Dallas County, Texas, as the last will and testament of John Hermann, deceased, is, so far as we or either of us know or believe, the last will and testament of said John Hermann, deceased, and that we and each of us will well and truly perform all the duties of independent executors of said will of the estate of said John Hermann, deceased.

Arthur Hermann
Ernest J. Hermann

Sworn to and subscribed before me this 17 day of July, A.D. 1906.

Frank R. Shanks
Clerk County Court, Dallas County, Texas

By J. J. Sturges Deputy.

Filed: 7-17-06
Recorded 9-29-06

3983

John Herman
Deed

Oath

FILED

JUL 17 1906

FRANK R. SHANKS,
CLERK COUNTY COURT.

W. Walden
DEPUTY.

CITY -

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←
Recorded 9-297

ESTATE OF JOHN HERMANN, DECEASED, NUMBER 3983.

IN THE COUNTY COURT OF DALLAS COUNTY, TEXAS, SITTING FOR PROBATE
BUSINESS JULY TERM, 1906.

On this the 3rd day of July, A.D. 1906, came on to be heard the application of Gustave Hermann and Arthur Hermann for the probate of the last will and testament of John Hermann, deceased, now produced in court, together with the written testimony of Curtis P. Smith and James Joseph Collins, subscribing witnesses to said will, being heard, carefully considered by the court, which said statement in writing by said witnesses is filed in this case; and it appearing to the court that citation thereof has been duly made, as required by law, to which no objection has been made, and that Gustave Hermann and Arthur Hermann are appointed in said will as executors hereof, and that neither of said parties are disqualified therefor, it is therefore ordered, adjudged and decreed by the Court that the said last will and testament of the said John Hermann, deceased, is hereby admitted to probate and record, and the testimony of said subscribing witnesses shall be recorded in the minutes of this Court. It is further ordered by the Court that said Gustave and Arthur Hermann, testamentary executors in said will mentioned, are confirmed as independent executors of said will without bond, as provided by the terms of said will. And it further appearing to the Court that Charles T. Morriss, J. B. Winslett and Colby Thomas are citizens of Dallas County, Texas, and disinterested persons in said estate, it is therefore ordered that they, or any two of them, be and are hereby appointed to appraise the estate, both real and personal, of said John Hermann, deceased.

Arthur P. Lynch
County Judge, Dallas County, Texas.

V/266

No. *2983*

PROOF OF WILL

THE STATE OF TEXAS,

ESTATE OF

County of *Dallas*

John Herman Deceased

Proof of Last Will and Testament of

John Herman Deceased
James Joseph Collins

This day personally appeared in open Court *and Curtis P. Smith* who, being duly sworn as witness in the above entitled matter, and examined on behalf of the applicant to prove said Will, ~~says~~ ^{we were} well acquainted with *John Herman* deceased, during *his* lifetime; ~~we~~ ^{we} knew the above decedent for about *Ten* years before *his* death; the signature of the said deceased to the instrument now shown to ~~me~~ ^{us} and offered for probate as *his* last Will and Testament, filed in this Court on the *13th* day of *June* A.D. 1906 and bearing date on the *1st* day of *March* A.D. 1905 was made by the deceased on said last named date at *Dallas, Texas* in presence of ~~me~~ ^{us}

James Joseph Collins and *Curtis P. Smith* ~~the~~ ^{us} 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~~ ^{he} declared the said Will so made by ~~him~~ ^{him} to be *his* Last Will and Testament, and ~~thereupon signed my name~~ ^{we} as a witness ~~therein~~ ^{our} with *Curtis P. Smith* 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 69 or 70* years of age; the said *John Herman* departed this life on the *7th* day of *June* A.D. 1906 about *fifteen 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.

Curtis P. Smith
James Joseph Collins

Sworn to and subscribed before me this *3rd* day of *July* A.D. 1906 in open court.

F R Shanks Clerk

County Court *Dalla* County, Texas.

By *W B Walden* Deputy

No. 3983

PROOF OF WILL

THE STATE OF TEXAS

County of Dallas
July Term, 1906

ESTATE OF

John Kerman
Deceased

FILED

The 3 day of July A.D. 1906

AND RECORDED

The _____ day of _____ A.D. 190 _____

in the Probate Minutes of _____

County, in Volume _____ Page _____

F.R. Olanoff
County Clerk

By W.B. Warren Deputy

Recorded 4-170

Mrs. Kerman

FILMED BY DALLAS GENEALOGICAL SOCIETY

THE STATE OF TEXAS;
COUNTY OF DALLAS. }

IN THE COUNTY COURT OF SAID COUNTY SITTING IN
PROBATE: JULY TERM, 1906.

TO THE HONORABLE JUDGE OF SAID COURT:

Your petitioners, Arthur Hermann, a resident citizen of said County, and Gustave Hermann, a resident of the city of St Louis, State of Missouri, the executors named in the last will and testament of ^{said} John Hermann, respectfully represent that John Hermann, a native of said County, deceased, and a resident in the city of Dallas, Texas, departed this life on the 7th day of June, 1906, at Dallas, Texas. That during his lifetime, the said John Hermann on the 14th day of March, 1905, executed in writing and in due form of law, his last will and testament, which is attached to this application, and thereby disposed of all of his real estate and personal property, at a probable value of \$20,000.00, and in said last will and testament named and appointed as his sole executors Gustave Herman of St Louis, Missouri, and Arthur Hermann of Dallas, Texas. And your petitioners further represent that they are not disqualified by reason of law in the acting of Executors, as aforesaid, That the nature of the said estate of the said John Hermann consists of real estate situated in the City of Dallas, Texas, and County of Dallas, of the probable value of \$70,000.00, and of personal property of the probable value of \$10,000.00.

Wherefore, your petitioners file this application together with the said last will and testament of the said decedent, and pray that citation issue, as the law directs, and that at the regular term of the County Court, which convenes the first Monday in July, 1906, for civil purposes in and for said County, the will be admitted to probate and that they be appointed executors without bond of said will and testament, and that letters testamentary thereof be granted to your petitioners, as the law directs.

Arthur Hermann
Gustave Hermann
By Curtis P. Smith, their attorney

THE STATE OF TEXAS
COUNTY OF DALLAS
JULY TERM, 1906.

TO THE HONORABLE JUDGE OF SAID COURT:

Your petitioners, Arthur Hermann, a resident of town of said
County of Dallas, Texas, and John Hermann, a resident of the city of St. Louis, State
of Missouri, and executors named in the last will and testament of
John Hermann, deceased, respectfully represent that John Hermann, a native of
Germany, and a resident in the city of St. Louis, State of Missouri,
deceased on the 25th day of June, 1905, at Dallas, Texas, and
left behind him the said John Hermann of the City of Dallas,
Texas, executor in writing and in due form of law, his last will and
testament which is attached to this application, and which disposed
of all of his real estate and personal property, of a probable value
of \$20,000.00, and in said last will and testament named and appointed
as his sole executor Gustave Hermann of St. Louis, Missouri,
Arthur Hermann of Dallas, Texas. And your petitioners further represent
that they are not disqualified by reason of law in the acting as
executors, as aforesaid, that the nature of the said estate of the
said John Hermann consists of real estate situated in the City of
Dallas, Texas, and County of Dallas, of the probable value of \$10,000.00,
and of personal property of the probable value of \$10,000.00.
Wherefore, your petitioners file this application together with
the said last will and testament of the said decedent, and pray that
citation issues, as the law directs, and that at the regular term of
the County Court, which convenes the first Monday in July, 1906, for
civil purposes in and for said County, the will be admitted to probate
and that they be appointed executor without bond of said will and
testament, and that letters testamentary thereof be granted to your
petitioners, as the law directs.

BY _____, their attorney

Recorder
9/10/19

Abel Eakin, Clerk
Arthur Hermann
John Hermann

No 1183
(2067)

INVENTORY AND APPRAISEMENT, NUMBER 3983
 ESTATE OF JOHN HERMANN, DECEASED.
 IN THE COUNTY COURT OF DALLAS COUNTY, TEXAS.

Inventory and appraisement of the Estate of John Hermann, deceased, produced before the undersigned appraisers on the _____ day of July, A.D. 1906, by Gustave Hermann and Arthur Hermann, independent executors, of said will of the estate of John Hermann, deceased;

SEPARATE PROPERTY OF SAID JOHN HERMANN, DECEASED.

Cash in bank, at time of death	_____	\$ 9593.32
Collected, and deposited in bank since death	_____	\$ 470.
Claims due and owing to the estate estate;	_____	\$ 200.
<i>Due on note J. M. Leptinich Jan 9/07</i>		

Total Personal = \$ 10,263.32

Real Estate, as follows:-

One lot fronting on Bogel Street, in the city of Dallas, and described as follows:- beginning at a point on the S.W. line of Bogel Street, 250 feet N. 45W. from the west corner of Bogel & Bryan Streets; thence N.45W. said line of Bogel street 100 feet to a stake; thence S.45W. parallel with Bryan Street, 170 ft to a stake; thence S. 45E. parrallel with Bogel street, 100 ft to a stake; thence N. 45E. Bryan street, 170 ft to the beginning; thence N. 45W. parallel with _____ which real estate, is appraised at \$ 1500.00

One lot, fronting on Commerce street, in the city of Dallas, and described as follows:- beginning at the intersecting of the S. side of Commerce Street with the W. side of Akard street; thence with the W. side of Akard street, S. 14E. 100 ft; thence S. 76W. 75 ft; thence N. 14W. 100 ft to the S. side of Commerce Street; thence N. 76 E. with the S. side of Commerce st. 100 ft to the beginning; which real estate is appraised at \$ 5250.00

Total Real Estate = \$ 54,000.00

The said John Hermann was a single man at the time of his death and had never married, and there is no community property.

We, the undersigned appraisers, do solemnly swear that the foregoing is a full and fair appraisal of the Estate of John Hermann, deceased, produced before us by Gustave Hermann and Arthur Hermann, independent executors.

J. C. ...
J. B. ...

Appraisers.

Sworn to and subscribed before me, this 19th day of July, A.D. 1906.

C. Smith
Notary Public, Dallas County, Texas.

Full & Complete List of All Claims Due or Owing to Estate of John Her-
man, Deceased.

*Claims owing
by Estate*

.....
Ed C. Smith & Bros \$709-
Undertakers
Dallas C. Abbott Co - 71 -
Arthur Herman
Money on deposit with First Nat - 380 -
Dr. W. E. Brown
Last doctors 57 -
City of Dallas water rent 8 -
Dallas Electric Co. lights 1 -
\$820-
Total =

*Claims due
Estate*

Note of S. M. Leptinck
dated - due Jan 9 - 07
8% - \$200.

THE STATE OF MISSOURI
COUNTY OF ST LOUIS
CITY OF ST LOUIS.

I, one of the Independent Executors of the Estate of John Hermann, deceased, do solemnly swear that the within inventory and list is a full and complete inventory and list of the property and claims of the testator, John Hermann, deceased, that has come to my knowledge.

Arthur Hermann
Independent Executor, Estate of
John Hermann, deceased.

Sworn and subscribed to before me, this 21 day of July, 1906.

J. B. Langum
Notary Public, St. Louis County,
Missouri.

THE STATE OF TEXAS
COUNTY OF DALLAS.

I, one of the Independent Executors of the Estate of John Hermann, deceased, do solemnly swear that the within inventory and list is a full and complete inventory and list of the property and claims of the testator, John Hermann, deceased, that has come to my knowledge.

Arthur Hermann
Independent Executor, Estate of
John Hermann, deceased.

Sworn and subscribed to before me, this 25th day of July, 1906.

C. Smith
Notary Public, Dallas County, Texas.

July 26-06-

Examined and approved

Hiram F. Fisher
Judge

3983

In Re Estate of
Geo. Keumann decd

Inventory & Apprais-
ment

FILED

JUL 26 1906

FRANK N. SHANKS, CO. CLERK
By L. K. Walden
Attorney

Recorded 9-167
Inv & appr Recor



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