

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

Case Number 198

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FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

# 198

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The State of Texas,  
COUNTY OF DALLAS.

TO THE SHERIFF OF DALLAS COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO CITE *John Sewcard*  
*Administrator of the Estate of M H Graham Just*

to be and appear at the next term of the County Court, to be holden at the Court House in the town of Dallas, on the last Monday in *December*, 1858, then and there to show

cause, if any, why *why he should not be required to pay the*  
*claims accepted & approved against said Estate*  
*& to finally close the same as required by Law*

And have you then there this writ. Herein fail not, but due return make as required by law.

Given under my hand and seal of the County Court, of Dallas  
County, this the *6th* day of *Decr* A. D. 1858.

*W. K. Masten*

Clerk of the County Court of Dallas County, Texas.

The State of Texas,  
COUNTY OF DALLAS.

TO THE SHERIFF OF DALLAS COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO CITE *John Sewcard*  
*Admr of the Estate of M H Graham De D*

to be and appear at the next term of the County Court, to be holden at the Court House in the town of Dallas, on the last Monday in *November*, 1858, then and there to show

cause, if any, why *the claim of E P McKealeen, & others together*  
*with Court Costs should not be paid*

And have you then there this writ. Herein fail not, but due return make as required by law.

Given under my hand, and seal of the County Court of Dallas  
County, this the *27th* day of *October* A. D. 1858.

*W. K. Masten*

Clerk of the County Court of Dallas County, Texas.

Administration Notice  
 John Seward has filed in my office his  
 petition praying for letters of administration  
 upon the estate of Milton S. Graham do.  
 There are therefore to notify all persons inter-  
 ested, to come forward at the next term  
 of the Honorable County Courts to be holden  
 at the Court House in the Town of Dallas  
 on the next Monday in April 1857 at  
 which time said letters will be granted if  
 no legal objections are made,  
 This the 15<sup>th</sup> April 1857 W. K. Maston C. C. S. D. C. S.

County Court  
 To Citations  
 alias  
 John Seward

Original

Issued Dec 6<sup>th</sup> 1858,  
 W. K. Maston C. C.

Came to hand 6<sup>th</sup> Dec 1858  
 Returned John Seward  
 not found in this county  
 this 6<sup>th</sup> Dec 1858

W. K. Maston  
 546

County Court  
 To Citations  
 John Seward

Issued Oct 27<sup>th</sup> 1858  
 W. K. Maston C. C.  
 Came to hand Nov 6<sup>th</sup> 1858

Original

Not found in the county  
 this 22<sup>nd</sup> Nov 1858  
 J. S. Sheppard Supt. Dep. D. C. S.

Filed Nov 22<sup>nd</sup> 1858  
 W. K. Maston C. C.

**Final Settlement.**

THE STATE OF TEXAS,  
COUNTY OF DALLAS.

JOHN SEWARD Adm'r of the estate of Milton H. Graham late of Dallas county Texas dec'd has filed in my office his final account current with said estate, together with his petition praying for final discharge. These are therefore to notify all persons interested to be and appear at the next term of the Honorable County Court of said county to be holden at the Court House in the town of Dallas on the last Monday in August and contest the same if they think proper.  
W. R. MASTER, c. c. c. s. c. T.  
July 31st 1858—C. 37.

The State of Texas }  
County of Dallas }

Personally appeared before the undersigned at authority Mr. H. Simdells, one of the publishers of the Dallas Herald, a newspaper published in the town of Dallas County and State above named, who makes oath in due form of law that the annexed printed notice was published in said newspaper for three successive weeks from August 7, 1858.  
Mr. H. Simdells

Sworn to & subscribed  
before me this 30<sup>th</sup> August—  
1858. W. R. Master C. C.

\$7<sup>00</sup>/<sub>100</sub>

On demand I promise to pay to Seward & Simdells, Seven Dollars, for value received.  
This June 27. 1859. John Seward

The State of Texas } In County Court  
County of Dallas } April Term 1857.

To the Hon. J. W. Patterson Chief  
Justice of Dallas County

The undersigned would respectfully represent  
unto your Honor that Milton W. Graham, late of  
County and State aforesaid, on the 23<sup>rd</sup> day of March  
AD 1857, in the County of Dallas and State of Texas  
departed this life intestate, that there is property  
belonging to said decedent's estate to the probable  
value of six hundred dollars, that petitioners  
there are debts due from said Estate, that  
petitioner is the father in Law of said deced. and  
that it is the wish and desire of the widow of  
said deced that your petitioners should administer  
on said Estate.

The premises considered, petitioner would  
pray for Letters of Adm<sup>n</sup> to be granted to him  
on the Estate of said decedent, and that  
your Honors Court make such other orders  
in the premises as may be necessary &c.  
And as in duty bound he will ever pray to

J. C. M. Coyle att<sup>o</sup>

To the Hon<sup>ble</sup> J<sup>r</sup> Patterson Chief Justice  
of Dallas County Texas

I hereby relinquish my right and  
privilege, as the widow of Milton H<sup>er</sup> Grayson  
Deed, to administer upon his said Estate  
in favour of my father John Seaward, and  
fully and entirely consent to, <sup>and desire</sup> the appointment  
of said John Seaward, as Adm<sup>r</sup>. of the Estate  
of said Milton H<sup>er</sup> Grayson Deed -  
Dallas Texas April 27<sup>th</sup> 1857 - Debra B. Graham

John Seaward  
W<sup>ill</sup> Petition for  
Letters of adm<sup>n</sup>  
Estate of Milton H<sup>er</sup> Grayson

Filed March 30<sup>th</sup> 1857  
CCK

appoint appraisers  
Hudson  
Garner  
James Bentley

MS

The State of Texas,  
COUNTY OF DALLAS.

Know all men by these presents, THAT we John Seaward as principal, and William Carr and William Honey as sureties, are held and firmly bound unto the Chief Justice of the county of Dallas, in the sum of Twelve hundred dollars, for the payment of which, well and truly to be made, we hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents, signed and sealed with our seals, the seals being serawls, this 27<sup>th</sup> day of April A. D. 1857.

THE CONDITION OF THIS OBLIGATION is such, that, whereas, the above bounden John Seaward has been appointed Administrator of the estate of Milton H Graham Reed Now, if the said John Seaward shall well and truly perform all the duties required of him by law, under said appointment, then this obligation shall be null and void; otherwise, to be and remain in full force and effect,

John Seaward  
Wm Carr  
Wm Honey



I John Seaward do solemnly swear, that ~~the~~ which has ~~been offered for probate is the last will and testament of Milton H Graham deceased and without having any will and the~~ as far as I know or believe - ~~is~~ that I will well & truly perform all the duties of Administrator of the estate of the said Milton H Graham deceased to the best of my skill & ability according <sup>to law</sup> to help me  
Sworn to and subscribed }  
before me, this 27<sup>th</sup> day of } John Seaward  
April A. D. 1857. }  
N. K. Maston }  
Clerk Co. Ct., D. C., Texas.



To the Honorable the Probate Court of the  
 County of Dallas and State of Texas April 16<sup>th</sup> 1888  
 The undersigned Widow of Milton H.  
 Graham deceased late of the County and State  
 aforesaid wishes hereby to state to your  
 Honors her intentions and desire with your  
 honors approbation and decree, to ~~receive~~ have  
 and to hold all of the property <sup>belonging</sup> to the said  
 Milton H. Graham, at the time of his death, (he  
 being <sup>her</sup> lawful husband at the time of his de-  
 cease) both Real and personal, but therefore  
 sets up claims to the said property as her dower  
 which if allowed her at the appraised value  
~~would~~ <sup>will</sup> not be more than she ~~is~~ is entitled  
 to by Law, she therefore prays that an allowance  
 be made to that effect, viz all of the aforesaid  
 property at the appraised value specified in  
 the appraisement bill which is herewith  
 submitted, and would further ask that the Administra-  
 -tor ~~be~~ <sup>be</sup> released from further admin-  
 -istration Respectfully Rebecca Ann. Graham

John Seaward, Adm'r  
 In life account with estate of Milton H. Seaward.  
 Local property in hand as per inventory \$ 530.00  
 " " " " " " " " " " 361.25  
 Total. \$ 891.25

Said Adm'r would show to the Court, that  
 from the return of the Inventory of said estate  
 the following claims have been presented  
 to said Adm'r & accepted by him. To wit:

NOTE E. P. Nicholson	\$ 35.00
" Am. S. Hughes	34.91 1/2
Life do do	34.15 3/4
" Four Rydacks	6.00
" James W. Wright	21.00
" St. M. Wilson	13.00
" W. Caruth	17.35
" J. Ellis Coomber	129.00 32.00
" J. C. Reid	22.15

The following is rejected -  
 Life J. W. Browder's Ass'n \$ 5.60

Said Adm'r has paid  
 James W. Wright's life for last six months \$ 31.00  
 Am. S. Hughes funeral expenses 8.35

All of which is submitted in road.  
 Given to & subscribed John Seaward  
 before me this 31st May 1858.  
 W. K. Alderton etc

Said Admrs would ask the Court to set  
aside the order and the property except  
from final sale & to order a sale of a suf-  
ficiency of the remainder to pay off the  
debts against the estate, on a credit of  
6 months

John Seward  
By Geo. C. Buckley

The undersigned is the attorney for the  
said estate and is authorized to file this  
petition and to ask the Court to set aside  
the order and to order a sale of a sufficiency  
of the remainder to pay off the debts against  
the estate, on a credit of 6 months.

- 1. The B. B. ...
- 2. The B. B. ...
- 3. The B. B. ...
- 4. The B. B. ...
- 5. The B. B. ...
- 6. The B. B. ...
- 7. The B. B. ...
- 8. The B. B. ...
- 9. The B. B. ...
- 10. The B. B. ...

The undersigned is the attorney for the  
said estate and is authorized to file this  
petition and to ask the Court to set aside  
the order and to order a sale of a sufficiency  
of the remainder to pay off the debts against  
the estate, on a credit of 6 months.

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63  
John Seward  
Geo. C. Buckley  
Attorneys

FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

The State of Texas In County Court  
County of Tarrant October Term, 1858.

Hon. J. M. Patterson Chief Justice of  
Tarrant County.

Your petitioner, E. P. Nichol-  
son who resides in the county of Tarrant &  
State of Texas, would respectfully represent  
unto your Honor, that the estate of  
H. Bryson is indebted to him in the sum of  
Twenty five dollars with interest on the same  
at the rate of 10 per cent from the day  
of acceptance by John Seaward Administrator  
of said estate, & approved by the Chief Jus-  
tice as the law requires. That said Adminis-  
trator has not paid the same or any part  
thereof, although he has been often re-  
quested so to do, & although said claim has  
long been due. Wherein your petitioner  
prays that said Administrator be cited to ap-  
pear at the next term of this court, & show  
cause, if any he can, why an order of sale of  
so much of the property of said estate, as will  
be sufficient to satisfy said debt, should  
not be made; and further prays for his  
costs & for general relief, & as in duty  
bound, he will ever pray E. P. Nichol-  
son

By Geo. W. Camp -

Inventory and appraisement  
of the Property of the Estate of Milton  
H. Grayson dec'd, real and personal to wit

		appraised to \$
To	150 of Land valued three dollars per acre	540.00
"	1 Steer	15.00
"	3 <del>log chains</del>	4.00
"	1 waggon	20.00
"	1 weeding hoe	.75
"	1 axe	1.00
"	1 crack	15.00
"	1 set of cupboard furniture	1.25
"	1 box of old iron	2.00
"	1 pair of gears	1.00
"	3 shingle hammers square squre &c	1.50
"	1 bucket & coffee pot &c	1.50
"	1 coffee mill 20 to 1 flat iron 75	1.00
"	1 water bucket	.35
"	1 Revolving pistol and hunting knives	5.00
"	1 Tar bucket	.25
"	1 set of cooking utensils	3.00
"	1 Churn	.50
"	1 Bed and bed clothing	12.00
"	1 waggon sheet	3.00
"	1 Looking glass	.50
"	1 square table and 3 chairs	3.00
"	1 Bedstead	.75
"	1 Saddle horse	50.00
"	1 Saddle bridle & blanket	4.00
"	3 Yokes of Oxen at \$40	120.00
"	"	1.00
		\$801.35

I, ~~the undersigned~~ <sup>myself</sup> ~~do hereby~~ <sup>do hereby</sup> swear that the above is a true  
 evaluation of all the property of Milton H. -  
 Graham deceased so far as has been shown as  
~~subscribed to & assets~~ <sup>subscribed to & assets</sup>  
 - asited before me  
 this 27<sup>th</sup> day of May  
 A. D. 1857 J. B. Hudson  
 J. B. Turner

The State of Texas Personally appeared before the undersigned  
 Dallas County Authority, John Seaward Adm<sup>r</sup> of the Estate of  
 Milton Grayham Deed, and made oath that the within  
 contains a full and perfect inventory of all the property  
 belonging to the Estate of said Deed, so far as the same has come  
 to his hands or knowledge

John Seaward Adm<sup>r</sup>  
 Given to & subscribed before me this 27<sup>th</sup> day of June A.D. 1857  
 N. H. Maston — Clerk

John Seaward Adm. of the Estate of Milton G. Graham dec'd.  
In final of current with said Estate.

1857. To Acct of personal property as per Inventory of June 27 1857	}	\$ 261.25
To Acct of real Estate (180 acrs) as per Inventory of 27 <sup>th</sup> June 1857		
		\$ 540. -
	Total	\$ 801.25
Amount due Administrator		
Total		

1857. By Land (180 acrs) at apart to widow as homestead by order of Court (appraised to)	}	\$ 540. -
By personal property taken by widow at appraised value, on order of allowance & exemption & made by Court		
By Acct P. St. Wright of Physicians bill		21. -
By - - - W. S. Hughes (part funeral expenses)		5.25
By - - - Attorneys fee		
By - - - Costs of Court		
By - - - Adm <sup>n</sup> account		
	Total	

The State of Texas  
Dallas County } Personally appeared before open Court John Seaward administrator of the Estate of Milton G. Graham dec'd and made oath that the above contains a correct exhibit of the true situation of the Estate of said dec'dent so far as the same has come to his hands or knowledge and asks that the same be taken as his final settlement of the same & he is discharged from further responsibility as Adm<sup>n</sup> as aforesaid.

Sworn to and subscribed in open Court this 27<sup>th</sup> day of July AD 1858 John Seaward  
P. K. Masten Clerk of Dallas Co Texas