

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

Case Number 272

Dallas Genealogical Society
Founded 1955

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

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The State of Texas County Court of said County, sitting
County of Dallas for Probate within like purposes -
October Term A2 1866,

To the Honorable J. Ellis Coombes, Chief Justice of said
County presiding -

The petition of W. B. Smith respect-
fully shows, that on the 21st day of October 1866,
Nancy Harland, late a resident citizen of said
County, departed this life, and that, in her lifetime,
to-wit, on the 25th day of February 1863, the said
Nancy Harland, deceased, executed in writing
and due form of law, her last Will and Testament
and thereby disposed of all her estate, consisting
of personal property, and therein named and
appointed Francis A. Winsor sole Executor of
said Will and Testament, wherefore your peti-
tioner comes and files his application, as the
law directs, and prays that due notice thereof
may be given, and that, at the next regular
Term of this Honorable Court, to be held in and
for said County, on the last Monday in October
instant, the said Will may be admitted to
probate, and letters Testamentary thereof
be granted to said F. A. Winsor, and your
petitioner will ever pray,
W. B. Smith

Notice of Application

The State of Texas
County of Dallas

To all whom it may concern,

You are hereby notified to be and
appear before our County Court, at the next

regular Term thereof, to be held, for Probate

and other like purposes, in and for said
County, at the Court-house thereof, at Dallas,

on the last Monday in October instant, (the
same being the 31st day thereof) then and there

to show cause, if any you have, why the last
Will and Testament of Nancy Harland, late

a resident citizen of said County deceased,
should not be admitted to probate, and letters

Testamentary thereof granted to F. A. Winsor
whose application therefor, as well as for

the probate of said Will, is now on file as
the Law directs this October 15th 1866

J. Co. P. Thomas, Clk, Co. Ct, D. Co.

Inventory of the property belonging to
the Estate of Mrs Nancy Howland decd.

Two Feather beds @ 30%	50 00
1 Bed Stead	2 50
1 Leather Trunk	10 00
25 Head of Stock Cattle	150 00
2 Promisory notes given by T. A. Munn	2000 00
	\$2222, 50

Dallas County Tex
Nov 26th 1866.

The State of Texas &c the undersigned, duly appointed
brauty of Dallas and lawfully authorized commissioners
do hereby certify, that, as far as was produced to us by
the executor, the above and foregoing is a full and
correct inventory and appraisement of the estate,
both real and personal of Nancy Howland deceased
to the best of our judgment and understanding
this 27th day Nov 1866,

J. C. Lindsay
J. C. Paul

Sworn to & subscribed before me
this the 27th Nov 1866,

Jas. P. Thomas clerk

F. A. Wimer
Notice of Application

Filed Oct 30th 1866
Jas. P. Thomas clerk

H. R. Smith
Sub Petition for probate
Last Will Nancy Howland

Filed October 25th 1866
Jas. P. Thomas clerk

The State of Texas, Before me Jas P Thomas clerk of the
County of Dallas, County Court, do and for said County
personally came F A Wimer Executor of the estate of
Nancy Harband deceased, who being duly sworn, depos-
es and says, that the above and foregoing is a full
and complete inventory of the property and list of
the claims of the estate aforesaid, that have come to
his knowledge, Texas, at Wren

Sworn to & subscribed before me
this the 27th November 1866,

Jas. P. Thomas Clerk

F A Wimer Executor
Nancy Harband deceased
to F Inventory & appraisement
of said Estate

Filed Nov 27th 1866
Jas. P. Thomas Clerk

Approved Nov 27th 1866
J. Edw. Brown
Clerk of Court
1866

220-321

The State of Texas to know all men by these
County of Dallas that I Nancy Hearline of the
State and County aforesaid, in view of the uncer-
tainty of life, and the certainty, and being desirous
to dispose of my effects in a manner granted to
me by the laws of the State of Texas, I do hereby
make this my Last will and Testament as
follows To-wit, -

1st I will and bequeath that after my demise
my body be decently entred and my funeral
expenses paid, -

2nd I will and bequeath that all my property
Monies and Effects of every kind and Character
with the exceptions hereinafter specified be and
in the hands of Francis Asbussy Winn my
Nephew whom I have raised, and who has
been to me as a son,

3rd I will and bequeath to Thomas Daniel one
Cow and calf,

4th I will and bequeath to

E. W. Hearwood one Cow and calf -

5th I will and bequeath that Francis Asbussy
Winn shall be my Executor to dispose of my
Estate according to the directions of this my said will
and testament, & I will that my Estate shall not
be controlled or in any way disposed of in the
Probate Court, but that this my last will & Testament
be executed by my said Executor, without his being
required to give Bonds, or any interference of
the Courts of the County whatsoever, In witness
whereof I here set my hand and seal for real
this 7th day of Oct. 1857. A.D. 1857 hereby making all
other wills by me made

Nancy Hearline

Witness
J. W. Hearwood

The State of Texas, in open court at the present
county of Dallas Term thereof, after the required
application made and lawful notice thereof
given, as appears to the satisfaction of the
court came, in due time & a. It is who is
therein named as Executor of the last Will
and Testament of Nancy Harland deceased
and produced therein for Probate, the Last
Will and Testament and one of the subscri-
ving witnesses thereto to-wit: J. R. Smith who
being duly sworn deposes and says that he
saw Nancy Harland the Testatrix sign,
declare and publish the instrument to
him now being shown, bearing date 30th day
of February, 1865, as her last Will and Testament
freely, voluntarily, and of her own accord,
and without any compulsion or undue
influence whatever, and that at the time
of executing said Will, the said Testatrix
was of sound mind and memory, that
deponent signed said Will as a witness
thereto, in the presence of the said Testatrix,
at her special request.

The State of Texas, in open court at the present
county of Dallas Term thereof, after the required
application made and lawful notice thereof
given, as appears to the satisfaction of the
court came, in due time & a. It is who is
therein named as Executor of the last Will
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freely, voluntarily, and of her own accord,
and without any compulsion or undue
influence whatever, and that at the time
of executing said Will, the said Testatrix
was of sound mind and memory, that
deponent signed said Will as a witness
thereto, in the presence of the said Testatrix,
at her special request.

J. R. Smith

Sworn to and subscribed before me in
open court this the 30th day of October 1866,
Jas. P. Thomas, Clerk, Co., Ct., & Sec

In the name of God, Amen. I Nancy
Harland of the county of Dallas and State of
Texas being of sound mind and memory, and
considering the uncertainty of this frail and
transitory life, do therefore make, ordain, publish
and declare, this to be my last Will and Tes-
tament: That is to say,
First, It is my will, that after my death my body
be decently interred

Secondly, It is my will, that all ex'ences attending
my last sickness be fully paid

Thirdly, As I owe no debts I make no provision for
their payment

Fourthly, After the above expences are paid and a-
charged, the residue of my estate, whether con-
sisting of cattle, horses, promissory notes or mo-
ney, and any and all other property of what kind
soever, of which I may die possessed, I give and
bequeath to my beloved nephew Francis A. Harland
for his sole use and benefit.

Likewise, I make, constitute, and appoint my
said nephew Francis A. Harland to be executor of
this my last will and testament, hereby revoking
all former wills by me made

The witness whereof, I have hereunto subscribed
my name and affixed my seal, using scroll
for seal, the twenty-fifth day of February in the
year of our Lord one thousand eight hundred and
sixty three.

Nancy Harland

The above written instrument was subscribed
by the said Nancy Harland in our presence and
acknowledged by her to each of us, and she at the
same time declared the above instrument so
subscribed to be her last will and testament, and
we at the request of the testatrix, and in her presence
have signed our names as witnesses hereto, and written oppo-
site our names our respective places of abode

W. K. Smith Dallas Co. Texas
J. G. Winn Dallas Co. Texas

I F. A. Nixon do solemnly swear, that the within foregoing writing which has been offered for Probate in the last Will of Nancy Harland, late of Dallas County deceased, as far as I know or believe, and that I will well and truly perform all the duties of executor of the said Will

James A Nixon

Sworn to & subscribed before me this the 1st day of November A.D. 1866 Jas. P. Thomas, W.M., Co. Clk., D. Co.

F. A. Nixon Esq
Nancy Harland
Sub. Executrix

Filed Oct 17 - 1866
Jas. P. Thomas, W.M.

Witness to Probate
and ordered on record
J. S. Hill, Secretary
Executive of said Will

Oct 30th 1866
J. M. Lusk
Notary Public
D. Co.

Notary given Oct. 15th / 66

Recorded 1866