

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

Case Number 676

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THE STATE OF TEXAS.

TO ALL PERSONS INTERESTED IN THE *Will, and* ~~OF THE~~
 ESTATE OF *James Thomas Deceased*
Elizabeth J. Thomas has filed in the District Court of Dallas
 County her petition praying that the will of said
 Decedent be probated & admitted to record
 which will be heard on the expiration of *ten* days from the date of this notice
 at the Courthouse thereof, 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, A. HARWOOD, Clerk of the District Court of Dallas County.

Given under my hand, and seal of said Court, at office, this

13th day of *December*, A. D. 187*5*

A. Harwood

Clerk of District Court, Dallas County, Texas.

Dallas Daily Herald Print.

No. ✓ ✓
Est of Thomas, Dec
E. J. Thomas, Exor

Notice of application
for probate of will

Issued Dec. 13, 1875

A. H. Alford

Came to hand Dec
15th 1875 and executed
same day by posting
three copies of the
within notice at
three public places
in Dallas County,
one of them being
the court house
door in the City
of Dallas.

Jo. E. Baskley
Sheriff of
Dec 20th 1875
by J. P. [unclear]
[unclear]

The State of Texas **County** of Dallas **Estate of**
James Thomas
deceased, District
Court, February Term
A. D. 1875.

To the Honorable District Court of said
county

Elizabeth J. Thomas shows that
James Thomas died on the 28th day of
November, A. D. 1875. at his residence
in said county of Dallas leaving
real and personal property of the
estimated value of (\$15,000.00) fifteen
thousand dollars. and a will duly
executed, as petitioner believes, that said
James Thomas at the time of his death
resided in the County first aforesaid
that your petitioner was named
Executor in said will & is capable of
executing letters testamentary, whereupon
she prays that notice of this application
be given by citation duly posted, and
that said will be probated and for
~~letters testamentary~~ E. J. Thomas

that each of them were at the time
of said witness and signing
over the age of fourteen years
J. M. Patterson
E. C. Smith.

Subscribed and sworn to before
me at my office in the city of
Dallas. this January 10th 1876
A. Harwood CLK

✓
✓
✓
Estate of

Jamy Thumwater

Probate of will

Filed Jan 10, 1876

A. Harwood

B-140

Rec'd

The State of Texas - Know all men by these
County of Dallas presents that I, James Thomas
of said County of Dallas and State of Texas do
make and publish this my last will and
testament.

I will First that my beloved wife
Elizabeth of Thomas for and during her
life have entire control of all the property
both real and personal of which I may
die seized and possessed, or to which I am
or may become entitled, with full power
in her to sell and dispose of the same
or any part thereof as I might do if living,
only directing that if she find it necessary
to sell real estate that she sell first the tract
on Rowlet Creek being a part of the Reason Crist
survey - and at her death the property to
go to our children share and alike -

Second That immediately after my
death my son Oliver shall have set ap-
art to him five acres off of my Homestead
tract to be cornered over of the North
West corner of said tract so as to front
(400) four hundred feet on the McKinney
road - which shall be valued at one
thousand dollars, and deducted from
his share of my estate on final division
thereof.

Third That no action be had in the
courts of the County with reference to my
estate, & except to probate this will and
revoke this will, and to receive and
approve acknowledgment and objections
thereof.

Fourth I nominate and appoint
my beloved wife Elizabeth of Thomas sole
& executrix of this my will and direct that
she be required to give no bond whatever.

Declaratory whereof I have herewith set my
hand and subscribed my name this
28th day of November A.D. 1875 in the
presence of James M. Patterson and Ed C.
Smith who sign the same as attesting wit-
nesses in my presence and at my re-
quest

James Thomas

The State of Texas }
County of Dallas }

The said James Thomas testator
herein on the said 28th day of Novemb-
er A.D. 1875 at his residence in said county
did sign, and declare ~~the~~ this instrument
to be his last will and testament

And we James M. Patterson and
Ed C. Smith, at his request, and in
his presence and in the presence of
each other, have herewith written our
names as subscribing witnesses

J. M. Patterson
Ed C. Smith

Will

Filed Dec 13, 1875

A. H. Woodward

Dec 13, 1875

Inventary and Appraisement of the Estate of James Thomas, late of Dallas County, deceased.

The common property of decedent and his wife Elizabeth Thomas is as follows, to wit,

N ^o 1. Homestead consisting of thirty nine $\frac{1}{2}$ acres of Land, lying in Dallas County Texas, valued at.	\$ 5000 00	✓
" 2. One hundred and sixty acres of Land known as the Levi Horn Survey, lying in said county, valued at.	3000 00	✓
" 3. Twenty five acres of Land bought of G W Stamps, lying in said county, valued at.	100 00	✓
" 4. An undivided one half interest in three hundred and twenty acres of Land, known as — Christ Survey, lying in said county, owned jointly with John W Thomas, valued at.	1600 00	✓
" 5. One acre of Land lying in the city of Dallas, valued at. (One thousand Dollars)	1000 00	✓
" 6. An undivided one third interest in Lots N ^o 3 & 4 in Block N ^o 2 lying in said city owned jointly with J M Patterson and W H Thomas, valued at.	300 00	✓
" 7. One lot 50 x 170 feet lying in the town of Terrell in Kaufman County, valued at.	50 00	✓
" 8. Ten Shares N ^o 185 to 194 inclusive, One hundred dollars each of Paid up Stock in the Dallas Bridge Company, valued at.	600 00	✓
" 9. One half interest in the Mercantile business of the firm of Patterson & Thomas, carried on at said city of Dallas, valued at	3000 00	✓
" 10. One horse & Buggy, valued at.		
" 11. Two Cows, valued at.	50 00	

22° 12.	One wagon,	valued at,	25 00
" 13.	one cart,	valued at,	15 00
" 14.	One Organ,	valued at,	200 00
" 15.	Household & Kitchen Furniture,	valued at,	200 00
" 16.	D W C Smith's Note of \$636.71 on Jan 1/75 @ one day, int from date 10% per annum, valued at,		1 00
" 17.	Patterson & Thomas' Note of \$318.71 on Feb 2/75 @ one day, int from date 12% per annum, valued at,		318 14
" 18.	L A B. Weston's Note of \$121.91 on Mar 16/74 @ one day, int 3% from date, valued at,		50 00
" 19.	B S Allen's Note of \$112.71 on May 1/75 @ one day, int 2% per M ^o from date, valued at,	nominal	0 00
" 20.	J J Jones' Note of \$100.00 on Apr 1/74 @ one day, int 15% per annum from date, valued at,		100 00
" 21.	J S Eckart's Note of \$85.00 on Oct 1/74 @ one day, 12% from date, valued at,		85 00
" 22.	W A Tinsley's note of \$64.80 on Aug 5/74 @ one day, int from date 12% per annum, valued at,		64 80
" 23.	B B Williams Note of \$150.00 on Dec 27/75 @ 30 days 5% p ^r M ^o after maturity, valued at,		150 00
" 24.	Charles B Meyer's Note of \$50.00 on Feb 15/75 @ 6 M ^o int 1% per M ^o from date, valued at,		50 00
" 25.	J J Graham & Harry Waller's note of \$41.27 on Aug 19/73 @ one day in 12% per annum from date, valued at,		10 00
" 26.	J W Whalley's note \$40.00 on Dec 23/72 @ 12 M ^o 12% int per annum from date, valued at,		00 00
" 27.	J R. Kerby's Note of \$45.00 on Jan 1/75 @ one day int 12% per annum from date, on Dec 24/75 \$25.00 per - valued at,		10 00
" 28.	A A Casner & A Bidell's note of \$44.00 on Dec 6/73 @ 5 days 5% per M ^o from maturity - on Dec 12/73 \$30.00, valued at,		700 00

N ^o 29.	J J Beaver's note \$52 ⁵⁰ Jan 4/75 @ our day int 12% from date, valued at.	32 50
" 30.	W C Parker's note \$26 ⁰⁰ Jan 1/75 @ our day int 12% per annum. or Jan 8/76 \$15. valued at.	10 00
" 31	Plow Judge N ^o 235 - A S & Co certificate of loan of \$20. Mar 20/75. valued at.	xx xx
" 32	William S G... note of \$30. Nov 16/75 at ... per annum. valued at	xx xx
" 33	M J Bell's note of \$15. Feb 11/75 at 5-Mo	15 00
" 34	J E Moom's note of \$15 ⁰⁰ Jan 1/75 @ our day int 12% per annum from date, valued at.	15 30
" 35-	Wesley Overend's note of \$12 ⁵⁰ Jan 1/75 @ our day. int 12% per annum. valued at.	10 00
" 36.	W A Tinsley & J S Wallace note of \$12 ⁰⁰ Sept 23/71 @ 12 Mo. 10% from maturity. valued at.	12 80
" 37.	E R Hedrick note of \$12 ⁰⁰ Feb 20/73 @ our day. int 15% from date, valued at.	xx xx
" 38	A A Whately's note of \$5. July 24/71 @ our day	xx xx
" 39.	E A Hankins' note of \$2 ⁰⁰ Jan 1/75 @ five mos int 12% per annum. valued at	xx xx
" 40.	Account of \$52.50 against W S Talley Jan 1/75. valued at.	82 50
" 41.	Account of \$78 ⁰⁰ against - demands assumed by A J Thierchein valued at	78 60
" 42.	Account of \$8.00 against W S Tinsley, valued at.	8 00
" 43	Dallas County Scribe \$21.00 valued at	10 00
" 44	Dallas County Jury Scribe (Thirty four) dollars, valued at.	15 00

The State of Texas)
)
 County of Dallas)
)
 said county of Dallas, personally came Elizabeth J Thomas

^{Executing}
 Administration of the estate of James Thomas, late of said
 county, deceased, who being duly sworn, deposes and says,
 that the above and foregoing is a full inventory and des-
 cription of all the real and personal property, books,
 papers, evidences of debt, and of all acts done or to be done
 and belonging to the estate, or for or she has been able to exe-
 cution: and that she was not bound or indebted to the
 deceased, in any contract, at the time of his death.

G. J. Thomas
 Sworn to and subscribed before me, this March 28th 1876.
 H. M. Buford
 Justice Peace Dallas Co

The State of Texas We the undersigned Commissioners
 County of Dallas do hereby certify that as far as was
 furnished to us by the ^{Executing} ~~Administration~~ the above and
 foregoing is a just and correct inventory and apprais-
 ment of the estate, both real and personal of James
 Thomas, deceased, to the best of our knowledge and
 belief, that we and each of us are disinterested
 parties and neither of us of kin to the Executing.
 this any of March 28th 1876

E. C. Smith
 H. O. Henery
 W. H. Thomas

Subscribed and sworn to before me this 28th day
 of March 1876
 H. M. Buford
 Justice Peace Dallas Co

Inventory & Appraisement
 of the Estate of
 James Thomas, dec'd
 Filed 30th March 1876
 A. Harwood, clk
 By W. A. Harwood D7

Recorded 109. 40. 41. & 42

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John Witt et al

No. 138704

R. A. Rawlins

Suit pending in Dallas-

- District Court -

The undersigned Attys for Plffs and
Def't in the above entitled cause hereby
agree to the following as a statement of
all the material facts in said cause -
saving and excepting such ^{facts} as appear of
record in the various Courts of Dallas
County - Texas - to wit: -

First - It is agreed that the Plffs in said
suit - are the only heirs of Andrew J. Witt
and Harriett Witt his wife -

Second - It is agreed that said Andrew J. Witt
is the party under whom Defendant claims
the property sued for in the above entitled
suit -

Third - It is agreed that said real estate
sued for in the above entitled suit was
a portion of the Community estate
of the said Andrew J. Witt & his said
wife Harriett Witt at the date of her
death -

Fourth - It is agreed that the said Harriett
Witt departed this life June 1st 1886 -

Fifth It is agreed that the debt is in possession
of the land sued for in this suit
under and by virtue of a regular
chain of transfers from the said
A. J. Witt

Sixth It is agreed that the paper hereto
annexed shall be deemed a part
of this statement of facts & may be
read in evidence on the trial
of the above entitled suit -

2587
522
520
233
200

The following is a full & complete inventory of the community property both real & personal owned by A. J. Witt & Harriet Witt, his deceased wife at the time of her said decease

20 Horses	Valued at	\$2000.00
4 Oxen	" "	100.00
25 head cattle	" "	150.00
14 " Sheep	" "	40.00
20 " Hogs	" "	40.00
1 Wagon	" "	100.00
1 Gun	\$10 1. pistol \$15	25.00
House & Kitchen furniture		250.00
Farmers & mechanic tools		100.00
Library		50.00
63 acres land	That Gallin original Grantee	Valued at
31 "	That Fournier " " "	" "
136 "	Levi Dixon " " "	" "
		1100.00
		3955.00

Inventory & Appraisement
 of the Community Property
 of A. J. Witt and
 Harriet Witt
 Made October 26th 1866
 Chas. S. Thomas as Clerk
 Appraised by
 J. Ellis Foreman
 Chief Justice
 1866
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The State of Texas We the undersigned Appraiser duly selected County of Dallas to appraise the Community property owned by A. J. Witt & Harriet Witt his deceased wife at the time of her said decease do solemnly swear that the above foregoing inventory embraces all the property shown to us by the said A. J. Witt and that we have appraised the said property at a fair valuation to the best of our ^{knowledge} opinion & belief

J. S. Taylor
 Appraiser

Sworn to & subscribed before me this the 26th day of October 1866.
 Chas. S. Thomas Clerk

The State of Texas & I A. J. Witt do solemnly swear
 County of Dallas, that the within inventory is a full &
 complete inventory of all the community
 property owned by myself & Harriet Witt my dear wife at
 the time of her said decease so help me God.

A. J. Witt

Sworn in to and subscribed before
 me this the 26th day of October 1886.
 Jas. P. Thomas Clerk

STATE OF TEXAS.

To the Sheriff or any Constable of Dallas County--GREETING:

**YOU+ARE+HEREBY+COMMANDED to notify

John T. Witt, Guardian
of the Estate of

Norris Witt, minor

by reading to him this Writ, that, at the last term of the County Court of said County, an order was made, requiring him forthwith to file his *Annual* account, showing the condition of said Estate and to show cause, if any he have, why a fine should not be adjudged against him for his failure to return the same at the proper time, as by law directed.

**HEREIN+FAIL+NOT, but of this Writ make due Return, showing how you have executed the same.

**WITNESS my hand and official seal, at office in the city of Dallas, this the *24th* day of *March*, A. D. 188*6*

W. M. D. Hill, Clerk.

By *L. H. Hughes*, Deputy

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1881

No. 179

Estate of *Harris Witt*
Orphans
Jno. T. Witt, Lucr^{ca}

NOTICE TO FILE EXHIBIT

Issued *2* day of *July* 1881
W. B. Cullen Clerk.
By *H. Hughes* Deputy.

Came to hand this *2nd* day of
March 1881, and executed
on the *6* day of *March* 1881
by reading within notice to the within named.

Jno. O. Will
W. H. W. Smith Sheriff.
By *W. H. Lewis* Deputy.

Aldridge & Walter, Stationers, Steam Printers & Binders, Dallas, Tex

having writ 50