

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

Case Number 256

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# 256

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The State of Texas  
County of Dallas County Court. August Term 1851.

To the Hon. J. W. Latimer Chief Jus-  
tice of Dallas County and state aforesaid -

Your petitioner would represent  
that Thomas B. Hewitt is a minor under the  
age of fourteen years, living in Dallas County, Texas  
and that he has no Guardian J. G. Norton has for-  
mer Guardian having been removed by your  
Hon. Court Your Petitioner would represent that  
Thomas B. Hewitt has a small Estate consisting  
of fifty eight acres of land - Your petitioner  
would pray your Hon. to grant him letters of Guar-  
-dianship of the person and estate of said minor  
at this Term of your Hon. Court and your  
petitioner as in duty bound will ever pray

J. G. Marshall

Bill of Costs

L. L. Marshall, Esq.  
 Thos. W. Hunt. } To County Court Mr

1851	To Chief Justice Eldred	1.00
Feb	For order <sup>copy</sup> <del>affid</del> 50 order citation 50	1.00
"	" return granted	50
Apr	" order court	
1851	To Chief Justice Latimer	1.50
Aug	For order <sup>appoint</sup> <del>court</del> 100. order sale 50	1.00
Oct	" " appraising sale Rice 100	50
March	" " Court 50	
1851	To County Clerk	
Feb	For filing Petition 10. Noct Peting 10. order appoint 50	70
"	" order citation to Hunt 50 issuing same 50	1.00
"	" Bond oath 100. filing same 10. order return 50 issuing same 50 =	2.10
Apr	" filing Petition 10 <del>to discharge</del> Newton 50	60
"	" order to Hanka Marshalls return	50
Aug	" filing Petition 10 notices 50 Noct Peting 10	70
"	" " Notice <del>to</del> Relinquishment of Mrs B.	30
Sept	" order Court 50 Bond 10 filing same 10	1.60
Mar	" Continuance	15
Apr	" do	15
May	" order citation 50 issuing same 50	1.00
June	" filing " 10 order court 50	60
"	" issuing first citation 50	50
July	" Continuance 15	15
Aug	" filing showing 10 order Court 50. filing 3 papers 30 =	90
"	" issuing Execution 50 Cost Rice 25.	75
"	" Entering Officers Return 50 filing Execution 10	60
Dec	" filing Execution 50 Entering Officers Return 50	1.00
Jan	" filing Execution 10 Cost Rice 25	35
Feb	" filing Execution 50 Entering Officers Return 50	1.00
	" filing same, 10. Cost Rice 25	
	T. C. Haupe serving 3 citations. 150 Return Execution 50	2.00
		\$ 22.05

The Date of Term 3

County of Dallas. To the Sheriff of said County, Greeting.

Whereas at the October Term A.D. 1852 of the  
 said County Court for the County aforesaid, the following  
 order was passed, it is ordered by the Court that the Clerk  
 of this Court issue Executions against all persons by whom  
 costs are due in this Court for the full amount  
 of costs due up to the present term.

These are therefore to command you, that of the Goods  
 and Chattels, Lands and Tenements Monies and effects  
 of L.L. Marshall Guardian of Tho. B. White or J.B. Pugh  
 and Allen Beard his Executors you cause to be made the  
 sum of \$2000 together with your legal fee and commissions  
 for collecting the same.

Herein fail not and are return make according to said  
 Given under my hand and official Seal  
 this 4<sup>th</sup> day of Feb'y A.D. 1853

Alex. Hanover Clerk  
 By W.W. Peck Deput. Clerk

County Court  
 W.B. Execution  
 L.L. Marshall Guardian  
 Tho. B. White  
 Executed 17<sup>th</sup> Aug 1853  
 W.W. Peck Deput. Clerk

~~Order for Bond  
 and return not  
 taken for party  
 named in order of  
 L.L. Marshall Guardian  
 and J.B. Pugh  
 in which the  
 above parties  
 are named  
 and for same  
 of 16<sup>th</sup> Dec 1852  
 W.W. Peck Deput. Clerk~~

W.W. Peck Deput. Clerk  
 17<sup>th</sup> Aug 1853

Notice  
 L. L. Marshall has filed in my office  
 his petition to the County Court, praying for  
 Letters of Guardianship for the persons and  
 Estate of Thomas W. Smith infant heir of  
 John White Decd, which will be granted  
 at the next term of said Court if no legal  
 objections are made.  
 A. Harwood Secy  
 Dallas 13<sup>th</sup> Aug 1851  
 Co. Ct. of Texas

Dallas Texas March 24 / 51  
 Mr L. L. Marshall  
 Do Smith & Patterson  
 Per D. Puett

March 22	to 3 1/2 yds gowns at 65 <sup>c</sup>	2.27
"	1 pr Shoes "	1.00
June 14	" 1 Palm Hat "	.85
July 13	" 1 pr Shoes "	1.21
		<hr/> 4.87

Recd Payment from L. L. Marshall  
 Smith & Patterson

July 13<sup>th</sup> 1851

State of Texas  
County of Dallas  
To the Sheriff of Meeker County

Whereas at the February Term of the New  
County Court of said County of Dallas it was

Ordered by the Court that the Clerk of this Court  
send citation to James G. Newton Guardian of the  
Estate of Thomas W. Smith to be and appear at the  
next term of said Court to be holden at the Court  
House in the Town of Dallas, on the last Monday  
in March next, then and there to shew cause, if any  
he can, why he shall not be removed from said Guardi-  
anship, his having failed to render to said Court the showing  
by law required of him as such Guardian aforesaid.

There are therefore to Command you to cite  
said Newton, Guardian aforesaid, as required in the  
above order.

Acquit fail not, and due return make  
according to law.

Given under my hand  
and official seal this 27<sup>th</sup> February  
A. D. 1881  
A. Harwood, Clk.  
C. C. H. C.

L. S. Marshall, Guardian  
 of the Estate of P. B. Marshall  
 by J. P. Boyd of Law - \$500.00

Central Co

For Amount paid Smith & Patterson, \$487  
 " " " " " " 105  
 Total \$592  
 Paid for 1830 110  
 Balance \$482

State of Texas }  
 County of Dallas } I personally appeared before me the undersigned  
 authority L. S. Marshall who being duly sworn depone  
 and says that the above showing is a true state  
 ment of the situation of the estate of said Minor  
 to W. H. Hewitt

Done to and subscribed this  
 27th day August, 1830.  
 W. H. Hewitt

L. S. Marshall,  
 Guardian  
 of the Estate of P. B. Marshall

County Court  
 of Dallas  
 by Newton Grant  
 Secy of the Court

Filed 21<sup>st</sup> Sept 1831  
 At New York

Came to hand Mark  
 The 22nd AD 1837

I accept the amount  
 of this settlement  
 March the 22<sup>nd</sup> the  
 AD 1837

By Newton  
 Executive by Deft accepting  
 witness in writing Mark  
 1837 of Comptroller Sheriff by 1836  
 by H. J. Sanson & J. H. H. 1836



~~Dr. Marshall  
to R. B. Smith  
in  
March 1872~~

A. Hammond  
Filed 31 Aug  
1862 A. Hammond  
Approved 31<sup>st</sup>  
Augt 1862  
Ch. J. [unclear]  
Ch. J. [unclear]  
1862

Drumhull

Col. Stony  
Will please  
send the drawing to Mr. Har-  
-rington and attend to the  
case when it is called next  
Monday and, Okey  
L. S. Marshall

The State of Texas,  
 County of Dallas, To the Sheriff of said County, Greeting,  
 Whereas at the October Term A.D. 1862 of the above County  
 Courts for the County aforesaid, the following order was  
 passed: "It is ordered by the Court that the Clerk of this  
 Court issue Executions against all persons by whom  
 costs are due in this Court for the full amount of  
 costs due up to the present Term." These are therefore  
 to command you that of the goods and chattels lands  
 and tenements, money and effects of J. J. Marshall  
 guardian of the <sup>estate</sup> of <sup>the said</sup> <sup>Marshall</sup> you cause to be made the  
 sum of \$18.88 also fifty cents for this Execution, together  
 with your legal fees and commissions for collecting the same.  
 If same fail not, and due return made according to law.

Given under my hand and official  
 Seal this 16 day of Dec: 1862

A. Hazen's Clerk  
 By E. James Deputy Clerk

1851 Bill of Cost

July Filing Petition & Deciding it court of appointment 20	70
Order for Citation & Return 20. Printing same 28. Bond & Cash 100	208
Filing same 10. Order for return 20. Printing same & filing Citation 10	131
ap <sup>t</sup> order to discharge. Return 20. Order to Return Marchen return 20	100
Sept Filing Petition & Deciding it court of appointment 20	120
Filing Petition & Deciding it court of appointment 20. Order of bond 20	70
Sept 20. Name 100. Filing same 10. March Continence 10. ap <sup>t</sup> Continence 10	140
May 20. Order Citation & issuing same 10. Filing same 10. Bond 10	160
June 20. Printing new Citation 20. Filing Continence 10. August filing return 10	70
Filing & papers	50
Total 7185	

~~Marchen return 10~~

Chief Justice Johnson - 1851 Aug. order appointment 100	100
March Continence 20. ap <sup>t</sup> same 50. May 10. Bond 100	170
June order for Continence 20. July same 20. Aug. showing appoin 20	160
Total 4485	

John Johnson Deputy Clerk

Chief Justice Johnson

1851	100
1852	1485
1853	50
1854	36
Total 1971	

Return satisfied by order of  
A. Woodward Aug 10<sup>th</sup> 1855  
W. H. Camp  
Duff

Return NOT  
Satisfied  
10<sup>th</sup> of  
August 1855  
W. H. Camp  
Duff

1853  
1854

Recd of L.L. Marshall Treasurer of P.B. Hewitt  
 On Account & full paid in full of his State  
 & County Tax for 1850 this the 13<sup>th</sup> day of February  
 A.D. 1852  
 Wm. N. Leonard  
 Sec. Collector

Recd of L.L. Marshall of 1.12<sup>th</sup> in full of his State  
 & County Tax for 1851 as Treasurer of P.B. Hewitt, this  
 March, 29<sup>th</sup> 1852  
 Wm. N. Leonard  
 Sec. Collector

Wm. N. Leonard  
 Sec. Collector  
 L.L. Marshall  
 Filed 26<sup>th</sup> Aug  
 1887 A. Harwood  
 Sec.

The State of Texas  
 County of Dallas

Know all men by these presents,  
 that as L. L. Marshall is principal and  
 as witness are held and firmly  
 bound unto the Chief Justice of the County of Dallas  
 in the penal sum of one thousand Dollars, for  
 the payment of which said and truly to be made, no bond  
 condition, or sureties and Administrators, jointly  
 and severally firmly by these presents, signed  
 and sealed with our seals, the seals being Scraps  
 this the 2<sup>nd</sup> day of September A.D. 1857

The condition of the above obligation is such  
 that whereas the above bounden L. L. Marshall  
 has been appointed by the Chief Justice of the  
 County of Dallas, Guardian of the person and  
 Estate of the Minor Thomas M. Smith.

Now if the said L. L. Marshall shall well  
 and truly perform all the duties required of  
 him by law under said appointment, then  
 this obligation shall be null and void, other-  
 wise to remain in full force and effect

L. L. Marshall  
 Saml. B. Poyner  
 Allen Beard

I, L. L. Marshall do solemnly swear that I will  
 well and truly perform the duties of Guardian  
 of the person and Estate of the minor Thomas  
 M. Smith -

L. L. Marshall

Given to and duly signed before  
 me this 2<sup>nd</sup> day of Sept 1857  
 A. Harmon

The State of Texas County Court  
 County of Dallas To the Hon. Smith Elkins  
 Chief Justice of Dallas County.  
 Your petitioners L. L. Marshall the friend  
 of Thomas B. Hewitt that when  
 shown years ago S. S. Norton was appointed  
 guardian of said Thomas B. Hewitt that  
 said S. S. Norton since his appoint-  
 -ment has totally neglected the guar-  
 -dianship of said T. B. Hewitt - that  
 he has never made a showing to your  
 Court of the details of said Thomas  
 and has in all things abused  
 the trust committed to him as  
 guardian as aforesaid. He has  
 abandoned his guardianship of  
 Thomas by removing to a distant  
 part of the State. Therefore your peti-  
 tioners pray your Hon. to issue Citations  
 to S. S. Norton requiring him to  
 appear before your Hon. and show cause  
 why his letters of guardianship should  
 not be revoked and your petitioners  
 pray that ~~the Court~~ said Thomas and for  
 your Hon. to make such further order  
 as to your Hon. may seem fit  
 L. L. Marshall  
 Petitioner

The State of Texas

County of Dallas

Know

all men by these presents that Mr. L. L. Marshall as principal and as sureties, and held and firmly bound unto the Chief Justice of of the County of Dallas State aforesaid in the sum of Two hundred Dollars for the payment of which he and truly to be made, in him ourselves, our heirs, executors administrators, and assigns, jointly and severally firmly by these presents, signed and sealed with our seals this the 28<sup>th</sup> day of February - 1851.

The Condition of the above obligation is such that where as the above bounden L. L. Marshall has been appointed by Smith Elkins Chief Justice of the County of Dallas Guardian of the Estate and person of the minor Thomas Benton Huitt; now if the said L. L. Marshall shall well and truly perform all the duties required of him by law under the appointment, then this obligation to be null and void otherwise to remain in full force and effect

L. L. Marshall (Seal)

James Chapman (Seal)

Allen Beard (Seal)

The State of Texas  
County of Dallas  
I, J. L. Marshall do solemnly  
swear that I will, well and truly  
perform the duties of Executor of the Estate of the  
minor Thomas B. Smith  
known to and Subscribed before me  
this 28<sup>th</sup> day of February 1857.  
J. L. Marshall  
C. C. C. C. Texas