

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

Case Number 454

Dallas Genealogical Society
Founded 1955

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FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

4/54

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TO ALL WHOM IT MAY CONCERN.

You are hereby notified, to be and appear before the County Court of Dallas county, in the State of Texas, at the next term thereof, to be held for probate and other like purposes, at Dallas, in said county, at the Court House thereof, on the last Monday in September instant, (the same being the 28 day thereof,) then and there to show cause, if any you have, why Letters of Guardianship

of the persons & Estates of Madison M & Blanch Miller

late of said county, deceased, should not be granted to J. A. Sweatt

who has this day filed with me his application in terms of law, praying that the same may then and there be done. This 15th day of

September A. D. 1865.

J. P. Jones
Clerk of the County Court of Dallas County, Texas.

Herald Print, Dallas, Texas.

The State of Texas.

TO ALL PERSONS interested in the Estate of M M & Blanche Miller
J. A. Sweatt Guardian of the Estate of M M & Blanche Miller Minors. has filed in the District Court of Dallas County his Annual Return in writing of the Condition of the Estate of his said wards which will be heard at the next Term of said Court, commencing on the next Monday in February A.D. 1870, at the Court-House thereof, in the Town of Dallas, at which time all persons interested in the Estate of said M M & Blanche Miller Minors may appear and contest said application, if they see proper.

WITNESS: JOHN M. LAWS, Clerk of the District Court of Dallas County.

GIVEN UNDER MY HAND AND THE SEAL OF SAID COURT at Office in Dallas, this 9 day of December A.D. 1870.

J. M. Laws
CLERK DISTRICT COURT, D. C. T.
Day 9. Decembris Dept

THE STATE OF TEXAS.

TO ALL PERSONS INTERESTED in the *Guardianship*
of the Estate of *M M Muller & Blanche Miller*
L A Sweett has filed in the Dis-
trict Court of Dallas County ~~an application for~~ *his annual account*
Current with his said Wards
Estate

which will be heard at the next term of said Court, Commencing on the first Monday in
February A. D. 1873, at the Court House thereof, in the City of Dallas, at
which time all persons interested in *Said Minors Estates*
may appear and contest said application if
they see proper.

WITNESS, JOHN M. LAWS, Clerk of the District Court of Dallas County.

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

17th day of *January* A. D. 1873.

John M Laws
Clerk Dist. Court Dallas Co., Texas.

By *J C Coombes*, Deputy.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

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Notice #23.
L A Sweett
Guard
Blanche M M Miller
Filed Sept 28 1868
J. P. Jones clk

L A Sweett ¹⁸⁷² *Guardian*
M M & Blanche Miller
M M M
Original Testation on
Annual Returns.
Issued Dec 9th 1870
J M Laws clk
By *J C Coombes* Deputy
Came to hand Dec 15
1870 and executed by
posting one copy on the
Court House door &
one on the post office
door in the town of *Lyons*
& one on the post office
door in the town of
San east the same being
three of the most public
places in Dallas County
& by publishing one
copy in the Dallas Herald
a news paper published
in the County of Dallas
for three consecutive
weeks Decr 1870
J M Laws
J C Coombes

Dec 6 1870

The State of Texas
Dallas County

Now comes D. A. Sweatt, Guardian of
the persons and Estates of M. M. and Amelia B
Mills and represents to the Court that he
with ^{his wife Mary C Sweatt} are the owners of 320 acres of unimproved
land in Ellis County, the same being a part of
the Am. Plummers Hardright on Onion Creek in
Ellis County; that said minors are living with the
Guardian in Dallas County. The Guardian would further
represent that herebefore, to-wit, on the day of
18 the Honorable Probate Court
of Dallas County when sitting for Probate and other
like purposes, set apart to Emma Mills
and three minors, the said Emma being
the surviving widow and three minors,
children of, M. M. Mills, deceased
two hundred acres of the M. M.
Mills Hardright Survey in Dallas
County, as a homestead; that said
homestead is well improved and of
far greater value than the 320 acres
of unimproved land situated in
Ellis County above mentioned.
The Guardian would represent to the

*28.
D. A. Sweatt
Guardian of
M. M. & Amelia B. Mills

Annual account

Issued July 15th 1873

John McLaird

By J. C. Combes, Deputy

Came to hand some
copies of said account
by pasting a true copy of
this notice on the
Court house door
one copy on the post office
door in the town of
Law center - one copy on
the post office door
in the town of Syene
the same being three
of the most public
places in Dallas county
Jan^y The 20th 1873
J. C. Brown
Sheriff

Fee 300

Court that he can now ^{make an} arrangement by which the said ^{Said Mary C Swartz} minors can obtain a complete and perfect title to the said two hundred acres of land and all improvements thereon, by compromise; the Guardian would further represent that it will be greatly to the advantage of said minor to effect the arrangement aforesaid, but that in order to do so it will be necessary to sell lands belonging to said ward, ^{to his said wife Mary C Swartz} to pay off Court costs and to carry out said arrangement.

The Guardian now specifically represents that he is desirous of selling the 320 acres of unimproved land in Ellis County and of applying the proceeds thereof to the payment of Court costs and to the buying in and compromising with Emma Miller and M.B. Miller, her present husband, for her interest in the homestead and to acquire the same for these minors, ^{Said Mary C Swartz} and to this end he prays an order allowing him to sell the 320 acres of unimproved land

above mentioned at private sale, and that
 he be allowed to compromise with
 the said Emma and M.B. Mills, thereby
 saving to the heirs the expense, trouble
 time and delay of a long and
 vexatious law suit, and putting
 them in possession of a property
 which will at once yield them a
 handsome revenue and income,
 Wherefor the Guardian prays that an order
 be issued allowing, authorizing and
 empowering this Guardian to sell said 320
 acres of land in Ellis County and to invest
 the proceeds thereof belonging to said heirs
 in the purchase of ^{the conflicting claims to} the said 320 acres part of the M.M.
 Mills Homestead Survey and improvements
 thereon. And should said 320 acres not being
 sufficient to purchase the interest of said
 Mills surplus in said homestead, then this Guardian
 is willing to advance his own private means
 to the end said purchase may be made,
 retaining a lien ^{on said land} ~~thereon~~ however, for the amount
 so paid by him out of his own money.

D. A. Sweatt, Guard
 By Geo. H. Brist

* 28.

R A Swatts Guard
Petition for
to Ballou to Ensign

Dist. Court

Filed July 24/72
J M Saws clk
By J C Corbier atty

Recorded in Book 16
in Pages 288, 289 -
May 4th 1872 -
12

206

J. A. Sweatt Guardian of the Persons & Estate of M. M. & Blanche Miller Minors
heirs of Mary P. Miller decd.

In Annual Account Current with said minors Estate
1870

1870

To Realty as per Inventory &
Appraisement \$1344 00

By Realty as per Inventory &
Appraisement on hand 1344 00

Blanche Miller is indebted to this
Guardian for Clothing & Tuition
furnished her since his appointment
as Guardian about the sum
of Twenty Five Dollars. which
said sum has not been paid for
want of funds.

The State of Texas }
County of Dallas }

J. A. Sweatt, Guardian of the Persons & Estate of M. M. & Blanche Miller
Minors heirs of Mary P. Miller deceased do solemnly swear that the foregoing
is a true and correct account of the condition of said minors estate

J. A. Sweatt
Guardian

Sworn to & Subscribed before me this the
day of September A.D. 1870
J. M. M. Laws
Clerk Dist Court Dallas County.

L. A. Sweatt, Guardian } In Probate Court
 J. C. Coombes, Adm'r, d. b. n. } October Term 1869

Now comes The Adm'r
 de bonis non, of the estate of M. M. Miller,
 dec'd, and for answer herein denies all
 and singular the facts, allegations and
 charges in Peff's petition set forth and
 contained and calls for strict proof
 of the same,

Coombes & Bonner,
 Attys for the Adm'r,
 "

1482 *25,

L. A. Sweatt,
 Guardian Annual Exhibit
 M. M. & Blanche Miller.

Filed Sept 26th 1870

J. M. Law,
 District Clerk

Examined & found
 correct
 June 28th 1871
 J. C. Coombes
 Auditor

Recorded

The State of Texas } In the County Court of Dallas County
County of Dallas } November Term 1868

To the Honorable Dallas County Judge of Dallas County

Now comes D. A. Sweatt Guardian of the Persons and Estates of Amelia Blench and Madison McNeill's minor, respectfully represents that our property belonging to his said wards estates has as yet come to his hands, that all the property belonging to his said wards estate has been taken possession of by the Administrators of McNeill's estate and most of the same been disposed of by them, that this Guardian will be compelled to institute Decrets at law to obtain possession of said property.

Wherefore said Guardian is unable to return an Inventory and appraisement of property belonging to said estate and prays your Honor that he have time to obtain possession of his said wards estate before rendering an Inventory and appraisement thereof.

And as in duty bound he will ever pray

D. A. Sweatt Guardian re
Sworn to & subscribed before me this 10th day
of November 1868

J. P. Jones
clerk

✓ #28

D. A. Sweatt Guardian

vs } Answer

J. E. Coombs, Attorney

Filed Oct 26th 1869

J. P. Jones
clerk

State of Texas }
County of Dallas } Know all men by these
present that I Amelia B
Miller have this day received
from J A Sweatt my Guardian in full of
all my Estate decreed to me from the Estate
of Mary P. Miller deceased that has come into his
possession as follows,

my Interest in the Emma A Miller
Dower of 200 acres obtained by purchase being
a part of the M W Miller headright Dallas Co
also Interest in the N N Martin land 10 1/2 acres
obtained by deed also a part of the M S Miller head
right, also Int in the Wm Still 320 in Hill County
also Int in 160 acres part of ^{headright of the} heirs of Holt Parks
Ellis Co also Interest in 160 acres part of The
J D Arman head right Ellis Co

also my Interest in 40 acres part of the G A
Warfield head right situated on Trinity River
I hereby agree to pay my pro rata share of all
Court Cost that has accrued upon said Estate
that is now unpaid, And ~~that~~ the event the
suit now pending against the Taylors for the recovery
of the E. Baden tract should be decided against
my said Guardian that I further agree to pay my
pro rata share of ~~the~~ cost of said suit,
And that I will further hold my said Guardian
harmless in any and all claims that may come
against him in consequence of said Estate

Given under my hand & seal for
and this 28th day of July 1876

Attest
A. B. Miller

A. B. Miller

(Seal)

✓ 1882 X 28.
✓
J. A. Sweatt
Guard } Petitioner
A. B. Miller, Co. Medler Minors
Filed Nov 10th 1868
O. J. Jones
clerk
Approved
Dec 1st 1868
A. B. Medcal
County Judge
D. Co

The State of Texas
 to the Sheriff or any constable of
 Dallas County Greeting

You are hereby commanded that
 you do Q. A. Sweat Guardian of the
 Estate of M. M. Miller and Blanche
 Miller by citing serving him
 with a copy of this writ to be and
 appear before the Honorable District
 Court of said County on the first Monday
 in February 1876 to show cause if
~~any~~ any he can why he has
 failed to make and file his annual
 Exhibit and Settlement of said estate
 as the law requires

Hein fail not but have you then
 and then this writ showing how
 you have executed the same

Witness A. Harwood Clerk
 District Court of said County
 Given under my hand
 and official seal this
 Nov 10 1875

A. Harwood Clerk
 By W. L. Rice Secy

No 28

A. B. Miller
 To Receipt

Q. A. Sweat
 Guard

Fica mar 4 1876

A. Harwood Clerk

Recorded in Exp Book B
 page 203

100

Done

I accept & give receipt Nov 12 1895
D. A. Sweatt

To ✓
Estate of
M. M. Miller &
Blanche, Miller
D. A. Sweatt
Guardian
Citation for Exhibit
Issued 10th Nov 1895
A. Harwood cl
By W. A. Harwood D1

Received Dallas Texas June 16th
 A 1873 of L A Sweatt Guardian
 of my person and Estate all
 property of kind and description
 held by him as my said Guardian
 and Custody of my undivided
 interest in the lands described
 in the Inventory and Exhibits
 of said Sweatt as my Guardian
 and now on file in the office
 of the District Clerk of Dallas County
 Texas.

attest

M M Miller

G E Crombus
 J W Jackson.

Estate of A. B. Miller

And now comes L. A. Sweatt Guardian of the Estate of A. B. Miller and represents to the court that since the last term of your Honor's Court to wit on the 10th day of June A. D. 1875 his said ward became of full age; that this ward has fully settled with his said ward and turned over to her all the estate that has come to his hands belonging to his said ward.

Wherefore he prays that he may be discharged from all further liability as such Guardian & he will ever pray &c.

Good & Co. attys
attys for Petitioner

L. A. Sweatt #28
Guardian
of
A. B. Miller

Filed June 17th 1873

J. M. Laws CLK
By Dejection by

Sent three copies to
Messrs M. C. Sweatt
Harris Texas. as soon
made

752

✓ #28
Q. A. Somato Quor.

Petition for
discharge

M. M. + A. B. Miller

Filed June 17th 1873

J. M. Laws Clk.

By J. W. Jackson Dy

L. A. Sweett Guardian of the Persons & Estates of
 M. M. & Blanche Muller minors heirs of Mary P. Muller dec'd

1870 Inventory & Appraisement
 Four Fifths of 320 acres Land West half of
 640 acres Patented to M. M. Muller of
 1/2 m. Fall situated in Hill County
 Appraised at \$1 1/2 per acre 384 00
 Four Fifths of 160 acres Land West
 half of 320 acres Patented to M. M.
 Muller of J. D. Anderson situated
 in Ellis County Appraised at \$4 00
 Four Fifths of 160 acres Land West
 half of 320 acres Land Patented
 to the heirs of R. Parks situated
 in Ellis County appraised at \$4 per acre 512 50

Said minors also claim Four
 fifths of one half of the following
 tracts of Land situated in
 Dallas County. Acquired by
 M. M. Muller during the lifetime
 of Mary P. Muller dec'd

640 Acres C. Paden tract.

640 Acres M. M. Muller tract.

Suits are in progress in the Dist
 Court of Dallas County for the
 above named tracts of Land

Said minors [also claim Four fifths
 of one half ^{as their} interest in the R. Simonton 640
 tract in Dallas County]

the same interest in 160 acres
 Land Patented to Wm. Morrow
 Apogee in Ellis County. Suits have not yet

been instituted for them.

The State of Texas } I L. A. Seward Guardian of
 County of Dallas } the Person & Estates of M. M.
 & Blanche Muller minors heirs of
 Mary R. Muller deceased. do solemnly
 swear that the foregoing is a full Inventory
 and description of all the Real and Personal
 Property, Books, Papers, Evidences of debt
 and all debts due and to become due
 belonging to said Estate so far as I
 have been able to ascertain and that
 I am not bound or indebted to said
 Minors in any contract except as
 stated in the Inventory.

L. A. Seward
 Guardian

sworn to & Subscribed before me
 this the 26th day of September
 1881

J. M. Law
 Dist. Clk. Dallas County Texas

The undersigned appraisers do hereby certify
 that the amount set opposite each item
 is its appraised value

J. H. Brown
 A. W. Nichols

The State of Texas & The undersigned do solemnly swear
County of Dallas that we are not interested in the
Estate of the Minor heirs of Henry
P. Meilles deceased; that we are not of kin to
the said Minor or to any one interested
in said estate and that we will to the
best of our ability view and appraise
the Real Estate described in the foregoing
Inventory

~~Subscribed to & sworn to before me~~ ~~on~~ ~~the~~ ~~11th~~ ~~day~~ ~~of~~ ~~July~~ ~~1870~~
at ~~the~~ ~~City~~ ~~of~~ ~~Dallas~~ ~~Texas~~
J. H. Nichols
J. H. Brown

Sworn to & subscribed before
me this 20th day Oct 1870
J. M. Paul
J. H. Brown

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#28 ✓
L A Sweatt
Guard Inventory
M M B Kinke Miller

Filed Sept 26th 1870
P M Law
C M

Inventory & appraisement
approved Oct. 31st 1870
C Harland
Judge 11th Dist Texas

Record 188, 189, 190
See Book

Recording fee 1.00

1 23 21^m

The State of Texas,

DALLAS COUNTY.

County Court Pertaining to Estates.

September TERM, 1868

To all to Whom these Presents May Come--Greeting:

KNOW YE, That J. A. Sweatt as Principal, and R. A. Rawlins, J. E. Combs, Nat. Mc Purford as sureties, are held and firmly bound unto the County Judge of the county of Dallas, in the sum of Seven Thousand Dollars, for the payment of which, well and truly to be made unto the said County Judge, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Signed with our hands, and sealed with our seals, the seals being scrolls, the 28th day of September A. D. 1868

The Condition of the above obligation is such, That whereas the above bound J. A. Sweatt has been appointed Guardian of the persons and Estates of M. M. & Blanche Miller Now, if the said J. A. Sweatt shall well and truly perform all the duties required of him under said appointment, then this obligation shall be null and void, otherwise to remain in full force and effect

J. A. Sweatt (SEAL)
R. A. Rawlins (SEAL)
J. E. Combs (SEAL)
Nat. Mc Purford (SEAL)

THE STATE OF TEXAS,

DALLAS COUNTY.

} s s.

I, J. A. Sweatt do solemnly swear that I will well and truly perform all the duties devolving upon me as guardian of Madison M. & Blanche Miller heirs of M. M. Miller, dec'd

Sworn to and subscribed before me, this 28th day of September A. D. 1868.

J. P. Jones Clerk of the County Court of Dallas County, Texas.

J A Swcatt Guardian of the persons & Estate of
Madison M & Amelia B Miller Minor heirs of Mary P
Miller decd.

In annual account current with said
Wards

1872 To Realty as per Inventory and appraisement on
hand at last annual account current \$1344.00

To $\frac{2}{3}$ of 200 acres of M M Miller his right }
 $\frac{2}{3}$ " 40 " " Warfield Survey }

Credits

By Realty as per Inventory & appraisement
and now on hand \$1344.00

By $\frac{2}{3}$ of 200 acres M M Miller now on hand }
" $\frac{2}{3}$ " 40 " Warfield " " " }

" amt paid Court Cost. " 56.45

State of Texas) J A Swcatt Guardian of the
County of Dallas) persons & Estates of M M & A B Miller
minor heirs of Mary P Miller decd do solemnly
swear that the foregoing is a true and correct
account of the condition of said minors
estate

J A Swcatt Guardian

Sworn to and subscribed before me this
the 4th day of November AD 1872

J M Laws Clerk

By Geo W Laws Depty.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

1872

J A Swcatt
Guardian } Bond
Mc Kay & Blanchard Messrs

Filed Oct 26 1868

J. P. Jones
Clerk

Approved Oct
26 1868

A. H. Shaw
County Judge

Recorded

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

The State of Texas
County of Dallas

In County Court
Dallas County

Term A.D. 1868

To the Hon. A. H. Bledsoe County

Judge Dallas County

Your petitioner I Sweatt
who resides in the County of Dallas and a
State of Texas would respectfully represent
that Madison M. Miller & Blanche Miller
heirs of Madison M. Miller Deceased who
reside in the County of Dallas and a state
of Texas and is over the age of 14 years
desire your petitioner to become Guar-
dian of ~~their~~ persons and Estates
Petitioners would further represent that
said Madison M. & Blanche Miller have
~~undivided interest~~ in an Estate of the
probable value of one thousand dollars

Premises considered petitioner prays that
due notice hereof be given and that at the
next ~~regular~~ term of your Honorable
Court said minors be allowed to choose
petitioner as their Guardian and as
in duty bound he will ever pray

I. A. Sweatt

↓ J. A. Sweatt *28.
Guardian

M. M. Miller &
A. B. Miller

Filed Nov 7-1872
J. M. Laws Clk
By Geo. W. Laws Sefly

120

Recorded

1842 #28.
24. Inmate
To 3 Petition Letters
Guardianships
Harris No. No. McMillen
Filed Feb 15th 1868
J. P. Jones clk.

Granted
Sept 23rd 1868
A. B. Casar
County
Judge
J. P. Co