

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

Case Number 2205

Dallas Genealogical Society
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2205

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The State of Texas, } I, Walter Caruth of the
Dallas County, } said County of Dallas, being
of sound and disposing mind and memory do make
to his my last will and testament hereby revoking
all others by me made.

Item 1st I desire and direct that my just debts
be paid without delay by my executor to be
hereafter appointed.

Item 2nd Not forgetting but remembering my
beloved children, Mattie, Walter, W. C. and
Raymond P. Caruth I give, bequeath and devise
to their mother, my beloved wife Annie
Caruth all of my property real, personal
and mixed wherever and whatever it may be
of which I shall describe and possess on the
which I may be entitled at the time of my death.

Item 3rd I desire and direct that no action
be taken in the courts concerning my
estate except to produce and record this
my said last will and testament.

Item 4th I hereby constitute and appoint
my beloved wife, Annie Caruth sole
executrix without bond of this my said
last will and testament.

In testimony whereof I have hereunto
set my hand this 11 day of September
A. D. 1889

Walter Caruth

Signed, declared and published by Walter
Caruth as his last will and testament
in the presence of us the attesting

witnesses who have hereto subscribed
our names in the presence of each other
and in the presence of the said Walter
Carroll at his special instance
and request this 11th day of September
A. D. 1889.

W. L. Williams
R. D. Bourghanour

~~Sworn to and seal~~

✓
Last Will & Testament of
Walter Carroll

2922

18

January 1901

W. L. Williams

Recorded (77)

NOTICE OF APPLICATION FOR PROBATE OF WILL AND LETTERS

THE STATE OF TEXAS,

To all Persons Interested in the Estate of *Walter Caruth*, Deceased:

Annie Caruth has filed in the County Court of Dallas County, State of Texas, an application for the Probate of the last Will of said *Walter Caruth*, deceased, and for Letters Testamentary, which application will be heard and acted upon by said Court, at the next term thereof, to be held at the Court House in the City of Dallas, County of Dallas, State aforesaid, and commencing on the first Monday in *March* A. D. 190*1*, at which time and place all persons interested in said Estate shall appear and contest said application, should they desire to do so.

WITNESS: A. S. JACKSON, County Clerk of Dallas County, Texas.

GIVEN UNDER MY HAND and the seal of said Court, at office in the City of Dallas, this *18th* day of *Jan'y*, A. D. 190*1*

A. S. JACKSON.

County Clerk, Dallas Co., Texas.

By *W. B. Rawlins* Deputy.

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No. 2099

COUNTY COURT.

ESTATE OF
Walter Caruth

Deceased.

Notice of Application for Probate of
Will and Letters.

ISSUED this 18th day of
January 1901

A. S. JACKSON, Clerk.

By *W. R. Cowley* Deputy.

SHERIFF'S RETURN.

Came to hand the 18 day of January
1901 and executed the 19th day of June
1901, by posting up three copies of this Writ at
three public places in Dallas County, one of which
was at the Court House door of said County, and no
two of which were in the same town or city.

J. R. Johnson
Sheriff, Dallas County.

By *J. P. Scott* Deputy.

JOSE WILLIAMS, PRINTER, DALLAS.

Shif's Fee 3 copies 2.25
Recorded 3/15-4

The State of Texas } County Court of said County
Dallas County } sitting for Probate and other
like purposes, March Term,
1901.

To the Honorable, the County Judge of said County.

The Petition of Annie Caruth, respectfully shows that on the 3^d day of February, 1897, Walter Caruth, late a resident citizen of said County, departed this life at his home therein, leaving an Estate consisting of real and personal property lying and situated in said County, ~~of the probate~~ and that in his lifetime, on to wit: the 11th day of September, 1889, the said Walter Caruth deceased, executed in writing, and due form of law, his last will and testament, and thereby disposed of all of his estate both real and personal, and therein named and appointed your petitioner, Annie Caruth, his wife, who resides in said County and who is not disqualified by law from accepting letters Testamentary, sole executrix of said last will and testament; therefore your petitioner comes, and files her petition 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 first Monday in March next, the said will may be admitted to probate, and letters testamentary thereof granted to your petitioner, as in duty bound your petitioner will ever pray &c.

Annie Caruth

Proof
The State of Texas, } In open Court, at the present term
Dallas County } thereof, after the required application
made, and lawful notice thereof given, it appears to the
satisfaction of the Court, same, in due time Annie Caruth,
executrix of the last will and testament of Walter Caruth,

deceased, and produced therein, for private, the said last will and testament, and the subscribing witnesses thereto, to wit: W. L. Williams and R. D. Coughanour, who being duly sworn, depose, and say, that they saw Walter Caruth, the testator, sign, declare, and publish the instrument now being shown, bearing date September 11, 1889, as his last will and testament, freely, voluntarily and of his own accord, and without any compulsion or influence whatever; that at the time of executing said will, the said testator was of sound and disposing mind and memory; that deponents signed said will, as witnesses thereto, in the presence of each other, and in the presence of the said testator, at his special instance and request.

W. L. Williams
R. D. Coughanour.

Sworn to and subscribed before me, in open Court, this 15th day of March A. D. 1911
A. Jackson, Clerk C. Court
By B. F. Cullum, Deputy

It appearing to the Court that the last will and testament of Walter Caruth, late of Dallas County, deceased, has at this term been produced in open Court, by Annie Caruth, executrix thereof, and no objection thereto being made, the same has been proven according to law by W. L. Williams and R. D. Coughanour, the subscribing witnesses thereto; and it appearing to the satisfaction of the Court that said will is in due and legal form; and that the said Annie Caruth, executrix as aforesaid, has made and filed her application, as required by law, for letters testamentary thereof to be granted to her at the present term of the Court, and that lawful notice thereof has been given, to which no objection has been made: It is therefore ordered by the Court that the said last will and testament of the said Walter Caruth, deceased, be admitted to record, and that letters testamentary thereof be granted to the said Annie Caruth, she having first taken the required oath as the law directs, and that, according to the terms of said will, no bond be required of her.

FILED Mar. 16, 1911
A. S. JACKSON,
Clerk of the District Court, Dallas County, Texas.
By B. F. Cullum, Deputy

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Minutes

Rec'd 3/1/14

I do solemnly swear that the writing which has been offered for probate is the last will of Walter Caruth late of Dallas County deceased, so far as I know or believe, and that I will well and truly perform all the duties of executor of said will.

Annie Caruth

Subscribed and sworn to before me this 15 day of March A. D. 1901

W. Jackson Clerk Co. Court
By B. F. Cullom Deputy

No 2922
Estate of
Walter Caruth, decd.

Application to
probate the will of
decedent

Proof also

18th
January 1901
W. H. Rawlins

all Recorded

~~5757~~
7/509

(Proof recorded)