

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

Case Number 2949

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# 2949

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Dallas, Texas.

190

Dallas County to

Dr.

Road, Com. Dist. No.

*for Est D W Cunningham*  
*4281* *Dr*  
*J E Cunningham*  
*for one horse* *90<sup>00</sup>*

*This claim presented to me on the*  
*25 day of July 1908 and allowed for*  
*the sum of \$90<sup>00</sup>*  
*J M Cunningham*

THE STATE OF TEXAS,  
COUNTY OF DALLAS

**AFFIDAVIT TO ACCOUNT IN PROBATE.**

BEFORE ME, the undersigned authority, on this day personally

appeared

*J E Cunningham*  
who being by me duly sworn, upon his oath deposes and says: That the attached claim in favor of

*himself*  
*D W Cunningham* *Dr* is just, true and unpaid, and that  
all legal off-sets, payments and credits, known to affiant have been allowed

Sworn and subscribed to before me this

*J E Cunningham*  
day 190



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Fund. \$ \_\_\_\_\_

**DALLAS COUNTY  
ACCOUNT**

Filed \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_

**JACK M. GASTON,**  
County Clerk  
Deputy

By \_\_\_\_\_  
day of \_\_\_\_\_ 190\_\_

and ordered paid out of \_\_\_\_\_  
Fund \_\_\_\_\_  
Road \_\_\_\_\_

Presiding Officer, Commissioners' Court

**THE STATE OF TEXAS,  
COUNTY OF DALLAS**

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_  
by **JACK M. GASTON,** County Clerk in and for the County of Dallas,  
personally appeared \_\_\_\_\_  
who being by me duly sworn, upon his oath says the account hereto attached is, within his knowledge, just and  
true, that it is due and that all just and lawful offsets, payments and credits have been allowed.

In Testimony Whereof, I hereunto set my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_  
190\_\_  
By \_\_\_\_\_ Deputy,  
**JACK M. GASTON,**  
County Clerk, Dallas County Texas

Irving, Texas, Nov. 1 1908  
M. D. W. Cunningham

In Account With

**LUCAS & JOFFRE,**

DEALERS IN

**General Merchandise**

FEED ColdDrinks ICE

1	11/1 Breads	1 00
2	11/2 flour	2 20
3	11/12 pants	2 20
4	11/12 file	20
5	11/16 coffee	3 5-
6	11/16 sugar	5 0
7	11/16 Lard	8 0
8	20 sugar	2 5-
9	21 meat	17 5-
10	21 flour	27 0
11	21	2 5-
12	22 nails	2 5-
13	28 soap	2 5-
14	28 gel	2 5-
15	28 lye	2 5-
16	30 meat	2 00
17	30 coffee	10 5
18	9 flour	13 5-
19	9 meat	6 5-
20	10 sugar	2 5-
21		
22		
		<b>\$ 184 6-</b>

THE STATE OF TEXAS,  
COUNTY OF DALLAS.

**AFFIDAVIT TO ACCOUNT IN PROBATE.**

BEFORE ME, the undersigned authority, on this day personally

appeared A. J. Joffe

who being by me duly sworn, upon his oath deposes and says: That the attached claim in favor of Lucas & Joffe, and against the estate of M. D. W. Cunningham

is just, true and unpaid, and that

all legal off-sets, payments and credits, known to affiant have been allowed

Sworn and subscribed to before me this 4<sup>th</sup>

day July 1908

Chas. Brown  
Notary Public  
Dallas, Texas

32619  
No  
28618

FILED

MAY 2 1908

JACK M. WARDEN, County Clerk  
By *R. S. Lee*

EXAMINED AND APPROVED

AS A ... CLASS CLAIM

FOR THE SUM OF \$ .....

THIS THE ... DAY OF .....

A. D. 190 .....

*Hiram Shindler*  
COUNTY JUDGE

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**THE STATE OF TEXAS,      AFFIDAVIT TO ACCOUNT IN PROBATE.**  
 COUNTY OF DALLAS,      BEFORE ME, the undersigned authority, on this day personally  
 appeared D. W. Gilbert  
 who being by me duly sworn, upon his oath deposes and says: That the attached claim, in favor of  
D. W. Gilbert and against the estate of  
Daniel Cunningham is just, true and unpaid, and that  
 all legal off-sets, payments and credits, known to affiant have been allowed

Sworn and subscribed to before me this 12 day Feb. 1908  
G. H. Shatter Notary Public  
Dallas Co. Tex

*812 St. The Hotel - 7  
 Daniel Cunningham's  
 in account with J. W. Shatter  
 Daniel Shatter & Wife Accts  
 Feb. 12 1908*

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Received of N.M. Cunningham the  
sum of \$10.00 in full settlement of  
my claim against the estate of  
S.W. Cunningham this — day of  
2-24 1908.  
Estie Cunningham

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County of Dallas  
State of Texas

H. W. Cunningham  
Administrator

For D. W. Cunningham Deced  
January 20 of 1908

I account with a bove estate as follows

Posting bills of sail .....  
Buschering Hogs ..... 1 Day  
Halling of one Load cotton & beam 1 Day  
Washing out corn ..... 1 1/2

To. Cont on Business for estate 3 days  
other trouble in setting and disposing of 3  
matters further more coming to

the a bove estate of the a bove  
Decedent left with the a bove  
Honorable Judge Lively or his  
Deputy

I file with same  
on this the 2<sup>d</sup> Day of  
March 2<sup>d</sup> 1908

H. W. Cunningham  
ad



of Hu Cunningham  
acc with  
the court Probate  
as herein

TEMPORARY ADMINISTRATOR'S BOND.

THE STATE OF TEXAS,  
COUNTY OF DALLAS.

Estate of *DW Cunningham*  
DECEASED.

Know all Men by these Presents, That we, *H. U. Cunningham*

as Principal, and \_\_\_\_\_ and \_\_\_\_\_  
as Sureties, are held and firmly bound unto the County Judge of said County of Dallas, and his successors  
in office, in the sum of: *Three Hundred* DOLLARS,

conditioned that the above bound *H. U. Cunningham* who  
has been appointed Temporary Administrator of the Estate of

*DW Cunningham* Deceased, shall well and truly perform all the  
duties required of him under said appointment.

WITNESS our hands and seals, this \_\_\_\_\_ day of *January* 190*8*

*H. U. Cunningham* [SEAL]

*D. C. Brittain* [SEAL]

*J. C. Looper* [SEAL]

I do solemnly swear that I will well and truly perform all the duties of Temporary Administrator of  
the Estate of *DW Cunningham* Deceased, in  
accordance with law, and with the order of Court appointing me such Administrator.

Sworn to and subscribed before me this \_\_\_\_\_ day of *January* 190*8*

County Clerk, Dallas County, Texas.

By \_\_\_\_\_ Deputy.



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No. 6287

COUNTY COURT,  
Dallas County.

BOND OF TEMPORARY ADMINISTRATOR.

ESTATE OF

M. W. Cunningham  
DECEASED.

Filed January 25 A. D. 1908

Jack M. Gaston Clerk,

By P. H. Lee Deputy.

Examined and Approved this 25

day of Jan A. D. 1908

Hiram P. Finch  
County Judge, Dallas County.

Wallace & DeLoe, Printers, Dallas



Est DW Cunningham } In County Court of  
4281. Decd } Dallas County Texas.

To the Hon N F Lusk Judge of said Court

Now comes R M Cunningham, Trustee and  
Administrator of the above estate and shows to  
the Court that in compliance with an order  
of this Court made herein on the 25 day of  
Jan'y 1908, he did sell at private sale  
for cash, the following described personal  
property, to-wit:

That he sold to Mr Williams 76 bu, and 67#  
of Corn @ 65¢ pr bu. 150.00

That he sold to J E Cunningham  
40 bu, at 65¢ pr bu 26.00

That he sold to Charlie Collier of Irvin  
3 head of cattle for the sum of 31.00

~~2 head of~~ head of hogs after same had been  
sketched for 67¢ cents per pound 617.56

That he sold to \_\_\_\_\_ buyer  
for the former sum at Grand Prairie 2000 of seed cotton  
at 13.50 pr hundred making a total of 270.00

This estate owning 3% interest in said  
cotton which amounted to 53.82

That he sold to J E Cunningham the  
following

Broom 30.00, Coal table & small glass 65

2 chairs 6.14, 1 lamp 4.40, 1 box 3.60, 1 tin 1.00, 1 tin 1.00

1 tin 3.30, 1 saw 3.00, 1 horse collar 1.00, 1 washing

a total of 11.80

Also one horse to J E Cunningham  
for the sum of 283.16 290.00

This administrator would show that  
the above property sold for its reasonable  
market value and that the price therefor  
was the best offer obtainable

When you he says that this Report of same  
be approved upon examination thereof as in  
duty bound he will ever pray

H W Cunningham

Given to and subscribed to for me this the  
11th day of July 1908

Jack M Gaston Co Clerk  
By R H Lee Dy



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GENEALOGICAL SOCIETY - 1978

Est. D.W. Cunningham  
4281 Dred

Report of Sale of  
Personal Property

FILED

FEB 11 1908

JACK M. [unclear]  
[unclear]

Nov. 2-08  
Examined and  
Approved  
Hiram [unclear]  
[unclear]



Est. D. W. Cunningham } In County Court  
4281. Deed } of Dallas County  
D. W. Cunningham Deed } Texas.

To the Hon. Judge of said Court

Now comes Ester Cunningham, a  
minor, 19 years of age, and shows to the Court  
that he is a son of D. W. Cunningham Deed,  
who recently died in Dallas County, Tex, and that  
an Administration is now pending upon said  
estate in this Court

This petitioner would further show to the  
Court, that though under 21 years of age, he had  
been working for and maintaining himself out of  
his own means and earning for the past 3 years

That at the time of his father's death he  
was in his father's employ receiving 15<sup>00</sup> per  
month for 2 months, and 20<sup>00</sup> per month for 1  
month and that his father was indebted to  
him for said work in the sum of \$120<sup>00</sup>

That this applicant does not claim or  
desire any portion of his father's estate other than  
the claim above mentioned and her own waives  
his right to such in favor of his brothers and  
sisters - but she prays the Court to enter an  
order directing the Temp. Administrator to pay  
him the said sum of \$120<sup>00</sup> out of the funds  
in his hands, belonging to said estate.

Said money is due, and the applicant  
avows that same is needed for this maintenance  
and support.

x Ester Cunningham  
Sworn and subscribed to before me this  
of Feb'y 1908

I H. M. Cunningham, Temporary Administrator  
of the Estate of N. W. Cunningham, Dec'd  
have examined the within claim and know  
that said amount is just, due, and unpaid -  
that said minor has been working for himself  
for the past 3 years and that he needs the  
money for his maintenance & support <sup>and</sup>  
I approve the allowance of such claim  
for the sum of \$10<sup>00</sup> and recommend that  
same be approved & ordered paid.

H. M. Cunningham  
Present and subscribed to before me this  
19 day of July 1908

R. H. Lee Notary Public  
Dallas County Texas



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Est. J.W. Cunningham  
4281 *Dist*

Affidavit & Claim  
of Est. Cunningham  
for 110<sup>00</sup>

FILED

FEB 29 1908

JACK  
BY *[Signature]*

*Granted*

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Ed. W. Cunningham } In County Court of  
 Dead } Dallas County, Texas

Now Comes E. W. Cunningham, Trust Administrator  
 of the above estate and shows to the Court that  
 the following personal property belonging to  
 said estate has come into his hands as  
 temporary Administrator of said estate -

- Two Horses.
- Two Bales of Cotton
- Two Loads
- Three Head of Cattle
- One Plow Tools
- One Buggy

One wagon - Corn,  
 and House hold & kitchen furniture.

That there is a chattel mortgage on  
 one of the horses for the sum of \$90<sup>00</sup> - that  
 the expenses of his last sickness is still  
 unpaid, and that there is no money on hand  
 with which to pay same, that the property is  
 liable to waste, or depreciate in value. And  
 prays for an order of this Court directing him  
 to sell same at private sale for cash, or  
 for part cash and part on time and due  
 report made to this Court.

H. M. Cunningham

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*Est of W. Cannon*  
*decd*  
No. \_\_\_\_\_

*Petition to sell  
Personal Property*

FILED

JUN 25 1908  
JAMES M. [unclear] CLERK  
*[Signature]*



D. W. Cunningham } In County Court  
 Decd } of Dallas County Texas

To the Hon. H. T. Surly, Judge of said Court  
 Now comes your petitioner H. W. Cunningham  
 and shows to the Court that D. W. Cunningham  
 departed this life intestate, in Dallas County  
 Texas on the 20 day of Jan'y 1908. that at  
 the time of his death he was seized and  
 possessed of an estate consisting of personal  
 property of the probable value of \$250<sup>00</sup>

That there are debts existing against said  
 estate, and that the personal property is  
 liable to waste or depreciate in value  
 and that it is necessary that same be  
 preserved pending the further orders of the  
 Court.

That the applicant herein is a brother  
 of the deceased and in no way disqualified  
 to act as Family Admin. of said estate. Wherefor  
 he prays that Court to appoint him temporary  
 Administrator of said estate, with power and  
 authority to take charge of and preserve  
 said estate pending the further orders of  
 the Court. And as in duty bound he will  
 ever pray

H. W. Cunningham



ETY - 1978

*Ed W. Cummings*

*No*

*Doc*

*Petition for app  
of Temp term*

FILED

JAN 25 1978

JACK W. GARDNER, County Clerk

*J. W. Gardner*

UNIVERSITY OF MICHIGAN SOCIETY - 1978

Esh D. W. Cunningham } In County Court of  
4281. } Decd } Dallas County Texas

To the Hon. Judge of said Court

Now comes E. W. Cunningham Temporary Administrator of the Estate of D. W. Cunningham Decd, and files his final report, and his application to be discharged herein

(1) He would show to the Court that he qualified as Temp Adm. of this estate on the 25th day of Jan'y 1908 and as such came into possession of the following personal property <sup>as</sup> ~~shown~~ attached hereto and marked Exhibit A.

(2) That under order of this Court duly entered herein on Jan'y 25, 08, he has sold all of said property, part of which is shown by report of sale filed herein on Feb'y 11, 08, and the balance is itemized and fully set out in Exhibit B. Hereto attached.

(3) The receipts from all sources derived from sale of personal property amounted to the sum of 597.78

(4) That under order of this Court he has made the following disbursements

J. E. Cunningham	190.00
Costy Cunningham	100.00
Dr John Haley	20.00
D. W. Geller	12.50
Lucas & Jaffer	18.45
<u>Contingents</u>	<u>15.70</u>
Total disbursements	266.55

Leaving a balance in the hands of this Temporary Administrator of - 326.18

(5) This Temp Adm. having given a full and complete statement of the condition of



said estate. He prays the Court to allow him the sum of \$25.00 for atty's fees herein, and such further sum as to him may seem just and reasonable, for his services herein; that he be directed to turn over the residue of the estate to the legally qualified guardian of the children of the decedent, and that he and his bondsman be discharged, and this estate closed.

x H. M. Cunningham

State of Texas }  
 County of Dallas } 3, Before me Jack M. Gaston,  
 Clerk of the County Court of Dallas County, Texas, this  
 day personally appeared H. M. Cunningham,  
 Trustee of the above estate, and being by me  
 duly sworn, deposes and says that the above  
 and foregoing final report is a true and correct  
 statement of the condition of said estate, and of  
 all matters to which it relates.

x H. M. Cunningham  
 Sworn and subscribed to before me this 2 day  
 of March 1908.

Jack M. Gaston, County Clerk  
 By A. H. Lee 29



Hu ad f Exhibit A

J. E. Cumney Ham  
 40 Bushel corn at 65 Per Bushel \$26.00  
 Brown oil can . . . . . 00 50  
 2 cheros . . . . . 00 60  
 1/2 85 coffee . . . . . 00 25  
 4 Lbs Lard . . . . . 00 40  
 36 Lbs Flower . . . . . 01.00  
 1 sifter . . . . . 00 10  
 stove . . . . . 04.00  
 33 Lbs sausage . . . . . 03.30  
 1 horse collar . . . . . 01.00

Total 38.15  
 1000<sup>00</sup> Table and small glass  
 Williamsans acc

76 Bushels corn @ 67 Lbs at 65 Per Bu 50.00

Albert Colier

2 Hogges waid 181 at 6 and 25 Prefb 17 56  
 3 head of cattle Total \$34.00  
 Total \$51.56

J. D. Duncan

1 Load dead cotton 20 50 Lbs 350 Bu 53.52

all Reads accounted to the  
 conts Budy Heenanughan  
 and Messerters

total fuel 193.18

acc with J B Burlingame			
1	maize	100.00	100.00
1	wagon	50.00	50.00
	Joseph Fugitt		
	46 1/2 lbs Land at 10 Per lb	4.65	4.65
	5 gall wine	5.00	5.00
	Kobe Fullbright		
1	set of harness	11.00	11.00
	Jack Malles		
1	G Whisc Plow	3.50	3.50
	J F Birmingham		
2	Felker Beades & Bed choc	15.00	15.00
12	Chicoms at 25 Each	3.00	3.00
3	Plowee	3.50	3.50
30	bu come at 65 Per Bushel	19.50	19.50
	H. B. Myre		
2	Gall wine	2.00	2.00
	Total	217.15	

Cash from sale of real est Potatoes.	6.60
Cont. from sale of 1 Bale of Cotton	44.90
	<hr/> 51.50



	acc	Total
acc of Terral Reuling	3.25	
1 Bead stid		
420 foot Lumber @ 2 per	\$8.40	\$11.65
acc of Jamesworth		
1 Bead stid	2.25	\$2.25
Walter Hogett		
12 cans of fruit	1.25	1.25
Victor Boyd Dallas		
12 cans of fruit	1.15	1.15

acc D. C. Bannewater		
10 qt cans of fruit	80	80
Miss Taylor		
4 cans Tomatoes	50	50
J. C. Lucas		
2 cans Apples	50	50
Olemons Byd		
2 Siggis Hamer 45 Ls	4.90	4.90
W. W. Moreland		
2 sides Bacon 77 1/2 lbs at 9	7.75	7.75
Thomas Bell		
2 shoulders of meat 35 lbs at 9c	3.15	3.15
J. E. Cunningham		
1 ackis & knives forks	76	76
John Trober		
14 1/2 Bushels corn at 45	10.75	10.75
Total	46.90	46.90



Est DW Cunningham  
1281 *Drad*

Final Report & Petition  
for discharge

FILED

MAR 2 1969

JACK W. HARRIS, County Clerk

*[Signature]*

EXAMINED AND APPROVED  
AND ORDERED OF RECORD THIS

2<sup>ND</sup> DAY OF *March*

*[Signature]*  
COUNTY CLERK

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