

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

Case Number 1191

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

1191

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The State of Texas,
COUNTY OF DALLAS.

Estate of

A. W. Curry ^{decd}
E. R. Curry

Know all Men by these Presents, That we,
as Principal, 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 Sixteen Hundred Dollars;
conditioned that the above bound E. R. Curry, who has
been appointed Executor of the last will and testament of A. W. Curry
shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this 18th day of May 1889.

E. R. Curry SEAL

J. W. Foster SEAL

J. M. Kirby SEAL

I DO SOLEMNLY SWEAR that the ~~writing~~ ^{Municipal will} which has been offered for probate, is
the last will of A. W. Curry deceased, so far as I know or
believe; and that I will well and truly perform all the duties of Executor of said Will.

E. R. Curry

Sworn to and subscribed before me this 18th day of May 1889.

J. B. Deatt
County Clerk, Dallas Co., Texas.

By J. D. Williams Deput.

THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

A. W. Curry deceased.

E. R. Curry has filed, in the County Court
of Dallas County, an Application for the Probate of the last Will of

A. W. Curry deceased, and for Letters Testamentary,
which will be heard at the next Term of said Court, commencing on the first
Monday in May A. D. 1889, at the Court House, 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 W. M. G. Hill County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office
in the City of Dallas, this 3 day of April
A. D. 1889.

W. M. G. Hill, County Clerk Dallas Co., Texas.

By J. D. Williams Deputy.

County Court, Dallas County.

EXECUTOR'S BOND.

ESTATE OF

A. W. Curry, Deceased

Filed *May 30* 188*9*

W. M. C. HILL, Clerk.

By *J. M. H. H. Deputy.*

Approved this *30th* day of

May 188*9*

E. G. Ames

County Judge, Dallas Co.

Carter & Gibson Printing Co., Printers and Bookbinders, Dallas, Tex.

Recorded

Original (149)
COUNTY COURT.

ESTATE OF

A. W. Curry

Deceased.

Notice of Application for Probate
of Will and Letters.

Issued this *3* day of

April 188*9*.

W. M. C. Hill, County Clerk.

By *J. M. H. Deputy.*

SHERIFF'S RETURN.

Came to hand the *3* day of *April*

188*9*, and executed the *3* day of *April*

188*9* by posting up three copies of this Writ at

three public places in Dallas County, one of which

was the Court House Door of said County.

W. M. C. Hill
Sheriff, Dallas County.

By *W. M. C. Hill* Deputy.

A. D. Aldridge & Co., Stationers, Printers, etc., Dallas, Tex.

30

1191

PATTERSON & LAMBERTY
ATTORNEYS AT LAW
PRAETORIAN BUILDING
DALLAS, TEXAS 75201

TELEPHONE
AREA CODE 214
RIVERSIDE 2-8209

J. REDWINE PATTERSON
EDWIN J. LAMBERTY, JR.

October 10, 1968

JRP

Mrs. Frances L. Black
1809 South Ervay
Dallas, Texas 75215

Re: Estate of
Levi Harris, Dec'd
Our File #1191

Dear Mrs. Black:

Enclosed is a copy of a letter from Mr. Sidney Stahl to me of September 26, 1968, explaining the Farm & Home Savings & Loan Association is going to cut you off from this property by reason of their superior lien, but all they are getting out of it will be \$1,000.

By carbon copy of this letter to Mr. Stahl and to Honorable Ted Robertson, the Judge of Probate Court No. 2, I am asking them what arrangements can be made for the payment of court costs and what should be done with the \$70 rent money we have accumulated thusfar.

If you have any questions about this matter, please call me, the Judge or Mr. Stahl, the attorney for Farm & Home, so that you understand it clearly.

I think you see that we made very effort to try to press your claim to secure this property, but I am afraid it just isn't possible.

Very truly yours,

J. Redwine Patterson
J. REDWINE PATTERSON

JRP:ske
Enc

cc: Mr. Sidney Stahl
Judge Ted Robertson

P.S. According to my figures, I have been out approximately \$31.55 for court costs, together with a \$10 bond premium.

C

O

P

Y

The State of Texas, County Court of said Co.
County of Dallas, sitting for Probate purposes
July Term A.D. 1889

To the Hon E. G. Bower Judge of County
Court of said County, presiding:

The petition of E. R. Curry, a resident citizen
of said County, respectfully represents, that
A. W. Curry, a single man, late of said County
deceased departed this life in said
County on the thirteenth day of January
A.D. 1889. That the said A. W. Curry, late
deceased during his lifetime and at
the time of his death owned goods
and chattels consisting of Horses,
Mules, a well auger, Corn &c. of the
value of Eight Hundred Dollars
That before his death and during his
last sickness, to wit on the fourth
day of Januy A.D. 1889 the said
A. W. Curry deceased made his
Nuncupative will by calling on
H. C. Mills, in the presence of C. M.
Merrill, Miss Mary Flowers and
the said H. C. Mills to remember and
take notice that it was his will
and desire that his brother John

Henry Curry, who being a cripple and
 unable to support himself by manual
 labor, should have, at his death,
 all of his property of whatsoever
 description for the purpose of enabling
 his said Cripple brother John Henry
 Curry to get a sufficient education
 that he might be enabled to maintain
 himself and earn a living in some
 of the avocations not requiring physical
 exertion, and he further requested
 and desired that his other brother
 C.R. Curry ^{your petitioner} should take charge of
 his property - and apply it to the
 education of his Cripple brother
 John Henry Curry, and that his
 brother C.R. Curry ^{your petitioner} see that his wish
 and desire in this respect be fully carried
 into effect. And your petitioner
 further represents that A.C. Mills, O.M.
 Merrill and Miss Mary Flowers are
 witnesses to said emancipation
 will, that their post office address
 is Garland, Dallas County Texas,
 that A.C. Curry father of the deceased
 A.W. Curry and C.R. Curry ^{your petitioner}, Mrs Elizabeth
 Williams, and John Henry Curry
 James A. Curry & Rosa Curry

brothers and sisters of the deceased
 A. W. Curry are the legal heirs of
 the said A. W. Curry deceased
 that A. C. Curry and James A. Curry
 + Rosa Curry reside at Royce Park
 Co. Texas, that James A. and Rosa
 Curry are minors. Mrs Elizabeth
 Williams reside at Pleasant Valley
 Dallas County Texas, and E. R.
 Curry ^{your petitioner} and Robert Henry Curry reside
 at Garland Dallas County Tex.
 Your petitioner further represents that
 he is not disqualified by reason
 as law as executor. Wherefore
 your your petitioner files his application
 to gather with said will, same
 being reduced to writing and being
 the last will testament of deceased
 and your petitioner prays that citation
 issue as the law directs, and
 that said will be admitted for
 probate and that letters testamentary
 be granted to your petitioner.
 And your petitioner will
 your pray etc. E. R. Curry
 his
 State of Texas } personally
 County of Dallas } appeared before

the undersigned authority H. C. Mills
who being duly sworn deposes and
says that the facts set forth in
the foregoing application are true
N. C. Mills
Sworn to and subscribed before me
this 14th day of March A.D. 1889

J. J. Swain J. P.
and Official Notary Public
Tarrant County Texas

No. 1285

Estate of

N. W. Curry
deceased

Application for
probate of manu-
script will.

This March 6th 1889
Signed at
By J. J. Swain J. P.

Recorded

File & copy made 4/14/89

C. M. Thacker
Atty.

INVENTORY AND APPRAISEMENT

Of the Property, Real and Personal, Belonging to the Estate of

A. W. Curry deceased.

1 Bay horse 15 hands high 6 years old.	value	7500
1 Sorrel horse 4 years old 14 hands high		6000
1 Sorrel 3 yrs. old colt - 14 hands.		5000
1 1/2 yrs old colt 13 hands		4000
1 Mule 7 yrs. old 15 hands high		12500
1 wagon.		3500
1 well auger.		22500
1 Set of harness		1500
1 Promissory against E. A. Jacobs, being a balance on loan of mules		2588
Total		865088

Estate of A.W. Curry,
 next

C.R. Curry Exr.

Filed May 30, 1889
at Dallas Tex.
D. Swain

Examined & approved

May 30, 1889
E. J. Brown
Clerk

Filed May 30, 1889
at Dallas Tex.
D. Swain

Recorded 24

THE STATE OF TEXAS,
COUNTY OF DALLAS.

I, *C.R. Curry* Executor

of the above named Estate do solemnly swear that the foregoing is a true, full and complete Inventory of all the Property, real and personal, belonging to said Estate, that has come to my knowledge.

Sworn to and subscribed before me, this the *20th* day of *May* A. D. 188*9*

C.R. Curry
his mark
D. Swain Deputy
Notary Public

THE STATE OF TEXAS,
COUNTY OF DALLAS.

BEFORE THE UNDERSIGNED AUTHORITY, this day personally appeared

Chas. Tucker *Ed. Jacobs* *Chas. Spillman*

Appraisers of the above named Estate, heretofore appointed by the Court, and each, being duly sworn, says that the above and foregoing is a just and true Appraisalment of the property pointed out to them as belonging to said estate.

Sworn to and subscribed before me, this the *20th* day of *May* A. D. 188*9*

E. J. Jacobs
C. M. Tucker
C. A. Spillman
D. Swain Deputy
Notary Public

Estate of A.W. Curry of Lee County Court
Deceased of Dallas County Tex.

Testimony of Mary Flowers in the matter
of the probate of the Municipal Will of
A.W. Curry, Deceased.

My name is Mary Flowers. I am
over 14 years of age. I was at the residence
of H.C. Mills, which was also the residence
of deceased, on Friday night the 4th of
July 1889. At that time the said A.W. Curry
being in full possession of his mental fac-
ulties, called on H.C. Mills, in my presence
to remember and take notice of what he was
about to say. He then wished H.C. Mills to
understand that his will and desire was
that his brother John Henry Curry, who being
a cripple and unable to support himself
by manual labor should have at his death
all his property of whatsoever description
for the purpose of enabling his said cripple
brother John Henry Curry, to obtain an edu-
cation, to enable him to support himself without
manual labor. And he further requested and
desired that his other brother E.R. Curry, should
take charge of the property and apply it to
educating his cripple brother John Henry
Curry, and that his brother E.R. Curry see that
his wishes in this regard be fully carried into effect.
Mary Flowers

Subscribed and sworn to before me this
May, 8, 1889.

S. B. Scott Secy
J. H. Lewis D.

Record A-70

FILMED
May 8 1889
S. B. SCOTT, Clerk.
By J. H. Lewis
Deputy.

Estate of A.W. Curry of Lee County Court.
Deceased. Dallas County.

We, H.C. Mills, E. M. Merrill and Miss
Mary Flowers, state that on the night
of the 4th day of Jan'y, 1889, we were at the res-
idence of H.C. Mills which was also the
residence of A.W. Curry, deceased, the said
A.W. Curry made his nuncupative will
as follows, to wit: in the following language:
"Mr. Mills, Miss Flowers and Mr.
Merrill. I desire you to take notice
of what I am about to say. ~~At my~~
~~death~~ - I desire that at my death, that
all my property shall go to my
cripple brother John Henry Curry, he
being a cripple and unable to support
himself by manual labor, and I desire
that my said cripple brother John Henry
Curry have my property to enable
him to secure an education so that
he can make himself a living without
manual labor. And I desire that my
brother E.R. Curry, shall take charge
of my said property at my death and
apply it to the education of my said
brother John Henry Curry, and I desire
that E.R. Curry see that my wishes in this
respect be carried into effect.

H.C. Mills
Mary Flowers
E.M. Merrill

Sworn to and subscribed before me
this 18th day of May, 1889.

J. B. Scott Secy
By J. B. [Signature]

1285

Municipal Will
of A. W. Curry,
Deceased

Witnessed
By J. B. Scott Secy

Recorded A-69
1889

THE STATE OF TEXAS,

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

You are hereby Commanded to summon Mrs. Elizabeth Williams
E. A. Curry and John Henry Curry

to appear before the Honorable County Court of Dallas County, to be held at the court house thereof,
in the City of Dallas, on the first Monday in May 1889

then and there to ~~answer the petition of~~ answer the application of Albury
to probate the Nuncupative Will of A. H. Curry, Decd
should they desire so to do, which application was

filed in said Court on the 6th day of March 1889, which ap-
plication is in substance as follows: The petition of Albury a resident
citizen of said County respectfully represents that A. H. Curry a single man late
of said County departed this life in said County at 12th Jan'y 1889 that the decedent
at his death owned personal property of the value of \$500⁰⁰ That during his last sickness
to-wit: Jan'y 4th 1889 the said A. H. Curry made his nuncupative will by calling on
W. C. Mills in the presence of E. M. Merrill, Mrs. Mary Flowers & W. C. Mills, to
Remember & take note that it was his will & desire that his brother John Henry Curry
who being a cripple & unable to support himself by manual labor should have at his
death all of his property of what so ever description for the purpose of enabling his said cripple
brother to get a sufficient education that he might be enabled to maintain himself & earn a
living in one of the avocations not requiring physical exertion & he further requested &
desired that his other brother Albury should take charge of his property & apply it to the education
of his cripple brother and that his brother John Henry Curry see that his wish in this respect be fully
carried into effect, That W. C. Mills, E. M. Merrill & Mrs. Mary Flowers are witnesses thereof
Will & reside at Garland, Dallas Co. Texas. That A. C. Curry father of the decedent, A. H. Curry,
Albury, Mrs. Elizabeth Williams & John H. Curry, Jas. A. & Rosa Curry, brothers & sisters of the decedent
are the legal heirs of said Decd. That A. C., James A. & Rosa Curry reside at Bayou Rock, Dallas
Co. Texas, That Jas. A. Rosa Curry are minors, Mrs. Elizabeth Williams, W. C. Mills & J. H. Curry
reside in Dallas Co. Texas - Which application is duly sworn to.

For a fuller statement of Plaintiff's cause of action see a certified copy of Plaintiff's petition which
accompanies this writ

HEREIN FAIL NOT, but due service and return hereof make, showing how you have ex-
ecuted same.

WITNESS; S. B. SCOTT, Clerk of the County Court of Dallas County.

Given under my hand and Seal of Office, at Dallas, this 3rd

day of April 1889

S. B. SCOTT,

Clerk County Court, Dallas County, Texas.

By J. H. Scott Deputy

original (149)

No. 1785

CITATION.

COUNTY COURT.

Dallas County, Texas
In Probate Court

Estate of A. N. Curry

Issued this *9* day of *April* 188*9*

By *S. B. SCOTT*, Clerk.
James King Deputy

SHERIFF'S RETURN

Came to hand *3* day of *April* 188*9*, and executed the *2* day of *April* 188*9*, by delivering same to *Mrs Elizabeth Williams*

John Henry Curry

the within named defendant in persons, a true copy of this writ, together with the accompanying certificate of the probate court.

By *W. J. Jones* Sheriff *Dallas* Co.,
J. M. Webb Deputy.

FEEs.

Serving Copy *2* - - - \$ *30-0*
Mileage, - - - - - \$ *24-0*
Total - - - - - \$ *54-0*

Tex. & Pioneer Job Print, 111 Elm Street, Dallas, Texas.

\$55-0

Estate of A.W. Curry, In County Court
Sec'd & Dallas Co. Tex

Testimony of H.C. Merrill in the matter of the
probate of the nuncupative will of A.W. Curry,
deceased.

I, C.M. Merrill, of said County and
State, am over 14 years of age. I was
at the residence of H.C. Mills, which was
also the residence of deceased, on the Friday
night Jan'y 4th 1889. At that time the said
A.W. Curry being in full possession of his
mental faculties he called on H.C. Mills,
in my presence, to remember and take
notice of what he was about to say.

He then wished H.C. Mills to understand
that his will and desire was that his brother
John Henry Curry, who being a cripple and
unable to support himself by manual
labor, should have at his death, all his prop-
erty of whatsoever description for the purpose
of enabling his said cripple brother John
Henry Curry, to get an education, to enable
him to support himself without manual
labor. And he further requested and desired
that his other brother E.R. Curry, should take
charge of his property and apply it to educating
his cripple brother John Henry Curry, and that
his brother E.R. Curry, see that this wish be
in this regard be fully carried into effect.

Chas Merrill

Subscribed and sworn to before me
this May 18, 1889

J. B. Scott & Co
J. H. Lewis

FILED
May 18 1889
S. E. SCOTT, Clerk.
DALLAS, TEXAS

Recorded B 70511

No. 1285.

Estate of A. W. Curry, Decd. In County Court
Dallas County, Texas

Testimony of H. C. Mills in the matter
of Probate of the Nuncupative Will of A. W. Curry
deceased.

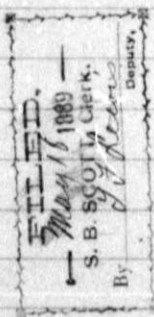
I, H. C. Mills am over 14 years of age.
I was at my residence on Friday night
Jan'y 4th 1889 my said residence being also
the residence and last habitation of A. W.
Curry, a single man late of said
County, deceased. Before his death and
during his last sickness, the said A. W.
Curry, being in full possession of his
mental faculties, he called on me to remember
and take notice of what he was about to
say. He then wished me to understand
that his will and desire was that his brother
John Henry Curry, who being a cripple and
unable to support himself by manual labor
should have at his death, all his property
of whatever description for the purpose of
enabling his said cripple brother, John Henry
Curry, to get a sufficient education to enable
him to support himself without manual
labor. And he further requested and desired
that his other brother C. R. Curry, should take
charge of his property and apply it to educa-
ting his cripple brother John Henry Curry, and
that his brother C. R. Curry, see that his wishes

in this regard be fully carried into effect.
Deceased said statement, was made
in my presence and in the presence
of C. W. Merrill and Mary Flowers.
The said A. W. Curry departed this life on
the 13 day of January 1859 in said
County and State.

H. C. ^{his} Mills
Mark

Subscribed and sworn to before me
this 18th day of May, 1859

R. Scott D. D. C.
J. F. Lewis



Record D. 7774

The State of Texas
of Hunt County ~ Greeting:
To the Sheriff or any Constable

You are hereby commanded that you summon, A. C. Curry, and James A. Curry and Rosa Curry, minors, if to be found in your County, to be and appear before the Honorable County Court of Dallas County, at the 1st May Term 1889 thereof to be holden on the first Monday in May 1889, at the Court House in the City of Dallas, and then and there contest the application of C. R. Curry, to probate the Nuncupative Will of A. W. Curry Deceased, should they desire so to do, which application was filed on the 6th day of March 1889, which application is in substance, as follows to wit:

The petition of C. R. Curry a resident citizen of said County respectfully represents that A. W. Curry a single man late of said County departed this life in said County on 13th January 1889, That the deceased during his lifetime and at his death owned personal property of the value of \$800⁰⁰, That during his last sickness to wit: on Jan'y 4th 1889 the said A. W. Curry, made his nuncupative will by calling on H. C. Mills, in the presence of C. M. Merrill Miss Mary Flowers and H. C. Mills to remember & take notice that it was his will and desire

That his brother John Henry Curry, who being a cripple & unable to support himself by manual labor should have at his death all of his property of whatsoever description for the purpose of enabling his said cripple brother to get a sufficient education that he might be enabled to maintain himself and earn a living in some of the avocations not requiring physical exertion, and he further requested and desired that his other brother, E. H. Curry, should take charge of his property and apply it to the education of his cripple brother John Henry Curry and that his brother E. H. Curry see that his wish & desire in this respect be fully carried into effect.

That H. C. Mills, C. M. Merrill and Miss Mary Flowers are witnesses to said Nuncupative Will that their post office address is Garland Dallas County Texas, That, A. C. Curry, father of the decedent, A. H. Curry and E. H. Curry, Mrs. Elizabeth Williams and John Henry Curry, James A. Curry & Rosa Curry, Brothers and sisters of the decedent, are the legal heirs of the said A. H. Curry, Decedent. That A. C. Curry and James A. Curry & Rosa Curry reside at Pope Rockwall Co Texas, That Jas A. & Rosa Curry are minors, Mrs. Elizabeth Williams resides at Pleasant Valley Dallas County Texas and E. H. Curry & John H. Curry reside at Garland, Dallas County, Texas. (which application is duly sworn to)

Herein fail not but have you this
Writ before the Court at its 1st May Term 1889
showing how you have executed the same.

Witness my hand and seal
of said County Court this 3rd
day of April 1889

E. B. Scott

Clerk County Court Dallas Co. Texas

By J. W. B. King

Deputy

Original
 No 1255
County Court

Estate of A. W. Curry
 Deceased

Citation

Issued this 3 day of April
 1889 Before Clerk
 By J. M. [unclear]

Came to hand on
 the 18th day of April
 1889 and executed on
 18th day of April 1889
 by delivering to A. W.
 Curry, J. A. Curry and
 Rosal Curry the within
 defendants my person
 a true copy of this
 Citation.

Fees - 3 Cents	\$ 4.50
Per 8 miles	.40
	<hr/> 4.90

S. A. Lee - Constable
 Precinct 7 Hunt Co
 Fees Paid. Texas

1285

Estate of A.W. Curry, Esq. May 16th 1889.
Dec'd 7

This day came on to be heard the application of E.R. Curry for the probate of a certain ~~instrument of writing~~ ^{will produced in court} ~~reporting to~~ ^{contain} a true statement of the "Municipative will of A.W. Curry, deceased." And the Court having heard the evidence of N.C. Mills, Miss Mary Flowers and C.M. Merrill witnesses thereto and being of the opinion that said "Municipative will was made in due and legal form It is therefore, ordered ~~decreed~~ and adjudged and decreed by the Court that said ~~instrument~~ of writing be and the same be admitted to probate as the Last will and testament of said A.W. Curry deceased, and that it together with the proof thereto be recorded in the minutes of this Court. It is further ordered by the Court that E.R. Curry be appointed Executor on giving bond in the sum of Sixteen hundred dollars, and that C.M. Tucker, Ed. Jacobs & Chas. Spillman be appointed appraisers of said estate.

J. ErAnna
Edward

Judgment

1955
E. J.
Curry,
Secy

Mr. Mills Miss Flowers & Mr. Merrill
I desire you to take notice of what
I am about to say. I desire that at
my death, that all my property shall
go to my Cripple brother John Henry Curry
he being a cripple and unable to support
himself by manual labor, and I desire that
my said Cripple brother John Henry Curry have
my property to enable him to secure an edu-
cation so that he can make himself a living
without manual labor. And I desire that my
brother E. R. Curry shall take charge of my
said property at my death and apply to the
education of my said brother John Henry
Curry. And I desire that E. R. Curry see
that my wishes in this respect be carried
into effect.

State of Texas
County of Dallas
We H. C. Mills, C. M. Merrill
and Miss Mary Flowers
were at the residence of H. C. Mills Friday night
January 2nd 1889 the said residence being also
the last habitation and residence of A. W. Curry
a single man late of said County, deceased,
before his death and during this last
sickness. The said A. W. Curry being in
full possession of his mental faculties
he called on us ~~we~~ to remember and take
notice of what he was about to say,
He then wished ~~us~~ to understand that
his will and desire was that his brother
John Henry Curry, who being a cripple and
unable to support himself by manual labor,
should have at his death, all his property
of what soever description for the
purpose of enabling his said cripple
brother John Henry Curry to get a
sufficient education that he might
be enabled to maintain himself and
earn a living in some of the avocations
not requiring physical exertion, and he
further requested and desired that his
other brother E. R. Curry should take charge
of his property and apply it to educating
his cripple brother John Henry Curry, and
that his brother E. R. Curry take that his
wishes and desires in this regard be

fully carried into effect.

In testimony whereof we have
hereunto set our hands this
15th day of February A.D. 1889

H. C. Smith

C. M. Merrill

M. R. Flower