

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

Case Number 1276

---

Dallas Genealogical Society  
Founded 1955

[www.dallasgenealogy.org](http://www.dallasgenealogy.org)



FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

# 1276

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

No. 116-SUBPENA.-CIVIL.-A. D. Aldridge & Co., Stationers, Printers and Book Binders, Dallas.

The State of Texas, } No. \_\_\_\_\_  
Justice's Court, Precinct No. \_\_\_\_\_

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

YOU ARE HEREBY COMMANDED, that you summon S B Plummer  
Wm L D Appison and  
Jas M Shrockmorton  
to be found in your County, to be and appear before the undersigned, a Justice of  
the Peace of Coccon County, at my office McKinney  
in Precinct No. 1, in said County, on the Saturday  
A. D. 1890, at 9 o'clock 9, A. M., then and there to testify in ~~half of the~~  
Matter of probate in a suit now pending before me, wherein  
Wm L D Appison is Plaintiff,  
Jas M Shrockmorton is Defendant, and  
there remain from day to day and from term to term, until discharged by due course  
of law.

HEREIN FAIL NOT, but have you then and there, before said Court, this  
writ, with your return thereon, showing how you have executed the same.

WITNESS my official signature, at office, this 14 day of

J. M. Saugh A. D. 1890  
Justice of the Peace Coccon Co., Texas.

Received in package from the hands of the  
Post master at Dallas Texas June 17-1890 and  
filed the same June 17-1890  
Filed June 17-1890 By J. B. Salmon  
J. B. Salmon  
To J. M. Saugh  
J. M. Saugh  
J. M. Saugh  
Coccon County Texas  
Filed June 17, 1890  
in presence of J. B. Salmon  
for J. M. Saugh  
By J. B. Salmon

# THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

Nattie Reeves deceased.

E. J. Reeves has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of Nattie Reeves 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. 1888, 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. C. 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 26 day of March A. D. 1888.

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

By J. J. Lewis Deputy.

In the matter of the Probate of the Will of Nattie Reeves deceased  
vs  
The heirs of Nattie Reeves  
Disposition of Nattie Reeves' estate  
To the heirs of Nattie Reeves  
I, J. J. Lewis, County Clerk of Dallas County, Texas, do hereby certify that the above is a true and correct copy of the original as the same appears from the within deposition were taken  
J. J. Lewis  
County Clerk  
Dallas County  
Texas  
March 26 1888  
P. O.

Harrett

In the estate of Hattie Reeves } In county court  
 deceased } of Dallas county  
 Texas

This day came on to be heard  
 the application of E. F. Reeves the peti-  
 tioner for the probate of the will of  
Hattie Reeves deceased for the temporary  
 withdrawal of the will of Hattie Reeves  
 deceased on file in the above matter  
 in order that the same be exhibited  
 to the subscribing witnesses thereto to  
 prove its execution and it appearing  
 that said subscribing witnesses are  
 resident citizens of the county of  
 Collin state of Texas and that in  
 order to properly prove the execu-  
 tion of the said will that the same  
 be exhibited to said witnesses - it is  
 therefore ordered and the clerk of this  
 court is hereby directed to attach the  
 original will of Hattie Reeves to such  
 interrogatories and may be propounded  
 to the said J. W. Throckmorton & J. B. Plummer  
and D. Allison the subscribing witnesses  
 to said will, and the said clerk  
 is further ordered on the return of the  
 interrogatories and answers of the  
 said witness to detach from said  
 interrogatories the said will and  
 keep the same on file as by law  
 provided - and the said clerk  
 is further ordered before attaching  
 said will to the said interrogatories  
 to make and keep with the  
 papers in this cause a true  
 copy of said will and affix  
 his certificate + E. F. Reeves Clerk

In the matter of the estate  
of ~~Hattie~~ <sup>Harritt</sup> Reeves - No.

In county  
Court of  
Dallas County  
Texas

Now at this time comes E. J. Reeves  
the petitioner in the application for the  
probate of the will of Hattie Reeves  
deceased and represents to the court  
that J. W. Throckmorton, D. J. O. Klemmours  
Mrs L. D. Allison the subscribing witnesses to  
the will of ~~Hattie~~ <sup>Harritt</sup> Reeves deceased,  
all live in and are citizens of the  
County Collin State of Texas. That in order  
to prove the execution of the said will  
by the said subscribing witnesses it  
will be necessary to exhibit the same  
to them.

The petitioner therefore prays that the  
court grant him permission to with-  
draw said will from the records and  
file in the above matter temporarily  
and attach the same to interrogatories  
to be propounded to said witnesses

Reeves vs. Throckmorton  
Attys for Petitioner -

I hereby waive the serving of notice  
of five days <sup>and copies of copy</sup> and order that court  
shall issue immediately to  
take the deposition of the above named  
witnesses <sup>in</sup> the case of the estate  
of ~~Hattie~~ <sup>Harritt</sup> Reeves.

No 1419  
In the matter of the probate of the will  
of Harriett Reeves deceased



Case pending in the probate court of Dallas County Texas pending probate of will of Harriett Reeves deceased.  
In compliance with a commission issued to me out of the probate court of Dallas County Texas by the County clerk of said County I have this caused to appear before me J.W.Throckmorton S.J.B.Plemmons and Mrs. L.D.Allison and first duly swearing them according to law proceeded to propound the interrogatories attached to said commission and their answers were as follows.  
S.J.B.Plemmons was first sworn and answered as follows.

Ans. No 1

My name is S.J.B.Plemmons. Age 56. & Reside in the town of McKinney. Was in no way related to the deceased Harriett Reeves. I knew the deceased nearly all her life. I do not remember but think she was about 30 years old. she was married at the time of her death. She was married to E.F.Reeves and had two children.

Ans.No 2

Deceased died in the town of McKinney she was liveing in said town at the time of her death and had been for some time previous.

Ans No 3

I was present at the time the will attached to the commission was executed and believe that the date on it (Feb. 15th 1890) is correct I witnessed the execution of said will in the presence of the deceased but not at her request. There was present J.W.Throckmorton Mrs L. D. Allison and others whose names I do not now remember.  
The will hereto attached is the one I signed as a witness and purported to be the last will of Harriett Reeves. She did not request me to sign said will. I do not believe she was cocious at the time of the execution of the will or was capable of understanding anything contained therein. She made her mark in my presenet by other parties putting the pen in her hand and assisting her to do it. I was in the room where she was lying sick when I signed it but do not believe that she knew any thing about it.

Ans.No. 4

J.W.Throckmorton wrote the will. I do not know who suggested the propriety of its execution.

*S. J. B. Plemmons*

No 1419

*In the matter of the estate of Harriett Reeves deceased*

*affidavit & withdrawal will*

*Filed June 6 1890*

*W. H. South & Co*

*Notary Public*

Mrs L D Allison being duly sworn answers as follows.

Ans No 1.

My name is L D Allison, My age is 65 years, I reside in the town of McKinney Tarrant Co Tex, and in no way related to deceased. I know the deceased during her life time but not intimately, I first met the deced about 14 years ago but was not with her any more until about one year before she died. She was about 30 years of age I think. She was married to E F Rives at the time of her death and had two children.

Ans No 2

Mrs Harriett Rives lived in the town of McKinney Tarrant Co Tex at the time of her death, I know that she is dead.

Ans No 3.

I was present when the will attached to the commission was executed and I think the date (Feb 15<sup>th</sup> 1890) is correct, I signed the will as a witness in the presence of deceased but not at her request. The other witnesses were present at the time I signed the will as a witness I am not sure whether any are else was present or not. The will hereto attached is the one I witnessed and subscribed.



to be the last Will of Harriett Rums  
 I signed the Will in the room when  
 declared Mrs lying sick but not  
 at her request, Mrs Rums made her  
 mark in my presence by having  
 others to assist her, I do not think  
 she was conscious of what Mrs Rums  
 done she had been delirious that  
 morning and Mrs in no condition  
 mentally to understand the legal  
 effect of her act.

Res W H,

Gov J W Throckmorton wrote  
 the Will but I do not know  
 who suggested its execution.

L D Allison

J.W.Throckmorton being duly sworn on the 16th of June 1890.

Ans No 1

My name is J.W.Throckmorton .Age 65 years. residence M<sup>o</sup>Kinney Texas. I was the father of Harriett Reeves, and knew her duering her life I think she was about 28 years of age. she was married. Her husband was Edward F. Reeves.

Ans No 2.

Her home was at Dallas but she died in M<sup>o</sup>Kinney Texas.

Ans No 3

I was present on the 15th day of Feb. 1890 and witnessed the execution of the will made by the deceased. and signed the same in her presence and in the presence of the other subscribing witnesses who were besides myself Mrs L.D.Allison and S.J.B.Plemmons The will attached hereto was the will we signed. My signature to the will is genuine and the will is the one I signed. I cannot say that she fully understood me when I ask her if ashe wanted me and the other witnesses to sign the will. I do not believe that she was of sound mind at the time. She made her mark in my presence. I signed the will in the room wher she was but I do not believe that she could either see or distinctly hear what was going on.

Ans No. 4

I wrote the will. Her mother my wife told me that she ~~wanted to know~~ the deceased wanted the will written and I wrote it from what her Mother told me was her wishes as well as she understood them and without consulting the deceased ~~ix~~ I wrote the will as I thought she desired it. When I read it over to her I could not tell that she understood it and when it was presented to her to sign she made several efforts but could not write her name and seeing that she could not write her name ~~ix~~ her hand being on the pen I made her mark.

*J.W.Throckmorton*

The State of Texas  
Collin County

I J.R.Gough J.P.& Ex Officio Notary Public in and for said County and State do hereby certify that the foregoing answers of the witnesses S.J.B.Plemmons & Mrs L.D.Allison was taken by me on the 14th day of June 1890 and that the answers of J.W.Throckmorton was taken by me on the 16th day of June 1890 and that each of said answers were made by the witnesses in reply to the interrogatories attached to the commis sion issued to me in this cause and that said answers were sworn to and subscribed by the witnesses before me on the day and date before mentioned.

In testimony whereof I herey to sign my name and affix my seal of office on this the 16th day of June 1890

*J.R.Gough*  
*Ex Officio Notary Public*  
*Collin County Texas*

*Fees*  
*Issuing subpoena 25*      *Issuing subpoena 1.00*      # *1.85*  
*Certificate 50*      *Filing ans to inter 2.25*      # *2.75*  
*Total*                # *4.60*  
*J.R.Gough*  
*7.19*

In view of approaching death and while I still  
 have a disposing mind I make this my last will  
 and Testament - The property of which I dispose is  
 being a house and lot in the town of Dallas - the  
 most of which was acquired by me on my separate  
 means, and all my interest in our household furniture  
 and belongings I will and bequeath to my husband  
 Edward F. Reeves, to be used, controlled, and disposed of  
 by him or to him may seem best, first in the discharge  
 of any community debts we may owe, and then to the  
 support of our children - The house and lot referred to  
 above being our late residence in the city of Dallas, Texas  
 situated in Block No 29 lots 7 and 8, a part of the  
 John Gingle, George survey - I hereby appoint my  
 said husband Edward F. Reeves my sole executor  
 of this my last will and Testament, and request that he  
 shall not be required to give and bond for the performance  
 of his duties in executing my wishes or being ex parte  
 having requested my father Dr. H. H. Plummer, S. J. B.  
 Plummer and Mrs. L. D. Allen to sign the same as witnesses  
 This July 15th 1890  
 Harriette F. Reeves  
 make

The foregoing will & last testament of Mrs. Harriette  
Reynolds was signed in our presence after being read &  
explained to the testator, she making her mark and  
we the witnesses were requested by her and signed  
the same as witnesses in her presence, and we signed  
the same in the presence of <sup>each other</sup> ~~each other~~ <sup>Dr. Frank Hamilton</sup>

S. J. B. O'Leary and  
Mrs. L. D. Allison

In the matter of Harriett Reeves  
deceased, No 1419.

Case pending  
in probate court  
of Dallas county  
pending probate  
of will -

Questions to be propounded to Hon -

J. W. Throsetmorton, D. J. B. Plummer  
and Mrs Z. D. Allison subscribing  
witnesses to the will of Harriett Reeves  
concerning the execution of the same  
which will is hereto attached - The  
same to be used in probating the  
same in above case now pending in  
Probate court of Dallas county Tex -

The foregoing questions to be taken by  
some lawfully authorized person  
each by itself answer separate and  
apart from the other - Do not  
witness to be found in Collin Co Texas -  
Interrogatory -

1<sup>st</sup> What is your name, age, and  
residence - What connection do  
you bear to the deceased Harriett Reeves  
if any - did you know deceased  
Harriett Reeves during her life if so  
how long and what was her age -  
was she married or single - if  
married who was her husband  
and did she leave children if so  
how many -

2<sup>d</sup> Where did deceased live, if you say  
she lived in Dallas state where she  
died if you know and if you know  
that she is dead -

Q. were you present at any time  
 about 15<sup>th</sup> day of July 1890-  
 and witnessed the execution of a will  
 made by the deceased Harriet Reeves if-  
 so did you sign it at her request and  
 in her presence and in the presence of  
 other witnesses, if so state who and  
 how many witnesses there were present.  
 Examine the will attached hereto and  
 as if it is the will you signed as  
 witness and if it is your signature  
 attached thereto and the will of Harriet  
 Reeves - Read the same carefully and  
 say whether or not it is true as certified  
 that deceased Harriet Reeves did request  
 you to sign and witness the same for  
 her and was she of sound mind and  
 did she sign the same in your presence.  
 and did you sign it in her presence  
 \* who wrote the will and who appeared the  
 propriety of its execution

Reeves Joel S. Kimbrough  
 counsel for petitioner  
 for probate of will

The State of Texas, } Commission to take Deposition.  
COUNTY OF DALLAS.

To the Clerk of the District Court, Judge or Clerk of the County Court, or any Notary Public in and for the  
County of Collin State of Texas--GREETING:

You are hereby Authorized and Empowered to cause to come before  
you, J. W. Brockington, J. B. Plummer & Mrs. R. D. Alderson a resident of your County,  
at such time and place as you may appoint; and that you then and there carefully and fully examine  
them upon their oath, first to be taken before you, touching the annexed interrogatories:

1. That you reduce their answers, so taken, to writing, in proper form, and cause the same to be subscribed and sworn to by said witness.
2. That you certify, under your hand and seal of office, that said answers were sworn to and subscribed before you.
3. That you seal up in an envelope the answers so taken, together with the annexed interrogatories and this commission, with your name written across the seal.
4. That you endorse on the envelope the names of the parties to this suit, and the name of said witness.
5. That you direct the package to the "Clerk of the County Court of Dallas County, Dallas, Texas."
6. That if said package is sent by mail, the postmaster, or his deputy, shall endorse thereon that he received it from your hands, and sign his name thereto; or, if you entrust it to private conveyance, as provided by the statute, you will appraise the person receiving it that it must be delivered to the Clerk of this Court by himself in person; which evidence, so taken as above, is to be used on the trial of a suit now pending in the County Court of said County of Dallas, wherein  
In the matter of the probate of the Will of Harriett Reed  
plaintiff, and \_\_\_\_\_ defendant.

Herein fail not, but make due return of this writ.

WITNESS, S. B. SCOTT, Clerk of the County Court of Dallas County, and the seal  
of said Court, at office in the City of Dallas, this the 9  
day of June A. D. 1890.

S. B. Scott  
Clerk County Court, Dallas County, Texas.  
By J. F. Lewis Deputy.

LEIGHORN AND TRACT  
FROM GEO. D. BARRETT & CO.  
ST. LOUIS.

In view of approaching death and while I still have  
a disposing mind I make this my last will and testa-  
ment. The property of which I die possessed being a  
house and lot in the town of Dallas, the most of which  
was acquired by and through my separate means, and  
all my interest in our household furniture and belong-  
ings I will that I be worth to my husband Edward J.  
Reuss to be used, controlled, and disposed of by him  
as to him may seem best, first in the discharge of  
any community debts we may owe, and then to the sub-  
sistence of our children. The house and lot referred to above  
being our late residence in the City of Dallas, Texas, sit-  
uated in Block No. 23 lots 7 and 8, a part of the John  
Griffith League Survey. I hereby appoint my said hus-  
band Edward J. Reuss my sole executor of this my  
last will and testament, and request that he shall not  
be required to give any bond for the performance  
of his duties in executing my wishes as herein expressed.  
Having requested my father J. M. Woodmonter, J. B.  
Memmons and Mrs. R. D. Allison to sign the same as  
witnesses. This July 15<sup>th</sup> 1896.

Warrist <sup>her</sup> ~~and~~ Reuss



12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

The foregoing will and last testament of Mrs. Kennitt  
 Burns was signed in our presence after being read  
 and explained to the testator, she making her mark  
 and on the subscribers were requested by her and signed  
 the same as witnesses in her presence, and we signed  
 the same in the presence of each other.

J. M. Macdonald  
 J. B. Pharr  
 Mrs. R. D. Allison

The State of Texas  
 County of Dallas J. B. Scott, Clerk of the County  
 Court of Dallas County Texas, Certify that the fore-  
 going is a true Copy of the will and Testament of  
 Kennitt Burns, as the same appears on file in  
 my Office. Witness my hand and official seal of  
 office this 7th day of June A.D. 1890.

J. B. Scott, Co. Clerk  
 By J. W. Larkin Sec

Estate of Hattie Reeves } In Probate Court of  
Dallas County, Texas.

To the Honorable Court:

The Application of

E. P. Reeves, a resident of Dallas County, Texas, shows as follows: His wife, <sup>deceased</sup> Hattie Reeves, also a resident of Dallas County, Texas, died at McKinney, Tarrant County, Texas, on the 17th day of February, A. D. 1890, while on a visit in that city; she left a will as her death which is filed herewith, executed in writing and in lawful form on Feb. 15, 1890; by said will she appointed this Applicant her Executor with the request that he be not required to give bond in order to qualify; the property conveyed in said will being a house and lot situated in the city of Dallas, Dallas County, Texas, being known as lot 478 in Block 29 of the John Grigsby survey, <sup>and the household furniture therein deposited, the whole being of the value of \$1,000 and is in no way</sup> and is in no way disencumbered from taxing herein; he therefore prays that said will be admitted to probate, that citations issue to those interested, and that he be granted letters testamentary and be appointed and qualified as Executor in accordance with the terms of said will.

Reeves, J. A. & Minbrough,

Counsel for E. P. Reeves, Applicant

no. 1419

Estate of Hamie Rees

Application of E. D.  
Rees, Executor,  
for Letters

Filed March 28, 1890  
W. B. Scott Clerk  
Ray J. Lewis

See Mar 28, 90

Recorded

REEVES, JACK & KIMBROUGH, ATTORNEYS AND COUNSELORS AT LAW,  
735 MAIN STREET, DALLAS, TEXAS.

1890

Testimony of J.W. Throckmorton given by  
Deposition in the matter of the probate  
of the will of Harriet Reeves deceased  
pending in the county court of Dallas county  
Texas file No. 1419, same taken and read in open  
court on trial of said cause.

My name is J.W. Throckmorton, age 65-I am the father of Harriet Reeves  
I knew her during her life, she was 23 years old, was married to Edward  
F. Reeves at the time of her death-her home was in Dallas, but she died  
in McKinney-I was present on the 15 day of Feb. 1890 and witnessed  
the execution of the will made by the deceased, and signed the same in  
her presence and in the presence of the other subscribing witnesses  
who were L.D. Allison, and S.J.B. Plemons-The will being the same as is  
attached to my deposition-I cannot say that she fully understood me,  
when I asked her if she wanted me and the other witnesses to sign the  
will-She made her mark in my presence-I signed the will in her presence  
but I don't believe she distinctly heard what was going on-the deceased  
's mother, my wife, told me the deceased wanted to make the will, and I  
wrote it from what she told me was deceased's wishes-I wrote the will  
as I thought she desired it and read it over to her-I cannot tell  
that she understood it when presented her to sign she was not able  
to sign the same and made her mark, her hand being on the pen.

*J.W. Throckmorton*

1890  
Testimony of Edward F. Reeves given in open court in the matter of the  
probate of the will of Harriet Reeves deceased, file No. 1419-

My name is Edward F. Reeves, I am the husband of Harriet Reeves deceased  
I was present at the execution of her will on Feb. 15, 1890-I did not  
sign the same as witness-I live in Dallas County, Texas-my wife was on  
a visit to J.W. Throckmorton in McKinney, Texas when she died, ~~and~~  
~~he~~, he being her father-The will was made at the suggestion  
of ~~J.W. Throckmorton and his~~ *Harriet Reeves my wife -* I was present in the room at the time  
of its execution, saw J.W. Throckmorton question her as to how she de-  
sired her property to go, and in response to her wishes J.W. Throckmorton  
wrote the will and signed the same as a witness together with Mrs.  
L.D. Allison and S.J.B. Plemons. My wife Harriet Reeves at that time  
was weak from disease but of sound mind and perfectly conscious of  
what she was doing-she answering sometimes in the affirmative and  
sometimes in the negative to questions propounded to her by J.W. Throck-  
morton concerning the disposition of her property. After the will had  
been written and signed and after ~~the~~ *immediately* ~~decease of my wife Harriet Reeves~~  
~~on the day after the execution~~ ~~of the will~~ J.W. Throckmorton  
handed me the will and asked me to have the same probated and advised  
me that I had better probate it in McKinney, Texas, referring me to a  
law firm in said city and telling me also that S.J.B. Plemons would  
act as a witness in probating same. I had nothing to do with the making  
of the will

*J.W. Throckmorton -*

...of the ...  
...of the ...

MAIN STREET, DALLAS, TEXAS.

1890

nor was it at my request or suggestion,

*E. J. Reeves.*

*Sworn to and subscribed before me  
this June 23<sup>d</sup> 1890*

*S. B. Scott clerk  
By A. J. Jackson Dy*

*[Faint, mostly illegible text from the reverse side of the document]*

*1890 - 1891 - 1892 - 1893 - 1894 - 1895 - 1896 - 1897 - 1898 - 1899 - 1900*

Testimony of Mrs. L.D. Allison

Given by Deposition in the mat-

ter of the probate of the will of

Harriet Reeves deceased, pending in

in the county court of Dallas County

Texas, file No. 1419, same taken and read in

open court on trial of said cause.

My name is L.D. Allison, age 65. I know the deceased during her life, she died at McKinney, Texas, in the 30th year of her age, she was married to E.F. Reeves at the time of her death and had two children. She lived in McKinney, Texas at the time of her death. I was present at the making of her will which will is attached hereto, made on the 15 day of March, 1890. I signed the will in the presence of the deceased and in the presence of the other subscribing witnesses, S.J.B. Plemons, and Mrs. E.W. Throckmorton, but not at the request of the deceased. The deceased made her mark in my presence by having others to assist her. I do not think she was conscious at the time. J.W. Throckmorton wrote the will.

*J.W. Throckmorton*

In the matter of the probate of the will of  
Harriett Reeves deceased.

Case pending in the probate court of  
Dallas county Texas - No 1419.

Testimony of witness D. J. B. Plummer  
subscribing witness to the will of Harriett  
Reeves taken in open court this year  
28<sup>th</sup> 1890. witness testifying by deposition.

Duplone of D. J. B. Plummer Testimony  
my name is D. J. B. Plummer - aged 46  
& Reside in the town of McKinney -  
deceased Harriett Reeves was married  
to E. F. Reeves and had two children  
deceased died in McKinney she  
was living there at the time of her  
death.

I witnessed the execution of said  
will of Harriett Reeves at in her  
presence, signing my name in her pres-  
ence and <sup>in</sup> the presence of the other  
subscribing witnesses, J. W. Throck-  
morton & Mrs. L. D. Allison - and  
others whose names I do not recollect  
I did not sign at her request,  
she made her mark in my  
presence by other parties putting  
the pen in her hand and assist-  
ing her to do it. I do not believe  
she was conscious at the time.  
J. W. Throckmorton.