

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

Case Number 2443

Dallas Genealogical Society
Founded 1955

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2443

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I George Capewell of the City of Chicago, in the County of Cook, and State of Illinois of the age of thirty nine years, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my last Will and testament.

1st I give devise and bequeath to my beloved wife, Milberry Capewell, all my estate and property, real and personal

2nd I hereby nominate and appoint my said beloved wife, Milberry Capewell, Executrix of this my last Will and testament and desire that my said Executrix shall not be required to give bonds.

In Witness whereof I have hereunto set my hand and seal this fourth day of February A.D. 1879. I Resign the above instrument this 21st day of April 1896

George Capewell (Seal)
George Capewell

The above instrument of writing, was at the date thereof, signed sealed published and declared by the said George Capewell in our presence, as, and for his last Will and testament, and we, in his presence, at his request, and in the presence of each other, have hereunto subscribed our names as Witnesses thereto.

Witnesses } William Van O Linda 62 29th Street Chicago Ill.
 } James A. Van O Linda " " " " "

I hereby give will & bequeath all my property whatever to my husband, Geo Capewell
Executrix of above instrument this 21st day of April 1896 Milberry Capewell
Sep 6 1894 Milberry Capewell

The above instrument of writing was on this 21st day of April 1876
signed sealed published and declared by the said George Capewell
and Hilbury Capewell as and for their last will and testament
and we at their request and in presence of each other have subscribed
our names as witnesses here to

Thomas F. King
Mary King

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K 3380
Wice

FILED

FEB 19 1903

Frank S. [unclear] Co. Clerk
by *W. H. [unclear]* Deputy

Recorded 37392

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Estate of George Capwell } In the Probate Court of
 Dallas County, Tex.

The above said cause, on this day came to be heard in open court and
 shown
 at the King being first duly sworn testified as follows: that the
 testator, George Capwell, in his presence and in the presence
 of Mary King on the 21st day of April 1899 signed and executed the will
 here offered for probate and that the said Thos. F. King and Mary King
 signed said will in each other's presence and in the presence
 of the said George Capwell and at his request as subscribing
 and witnesses thereto; that the said testator, George Capwell,
 at the time of executing the said will, was ^{married} and over
 the age of twenty-one years, and that he was, ^{at that time} of sound mind,
 and that he is now dead, and that so far as he knew said
 will has never been revoked by the testator, and that
 the said George Capwell died in April 1899, and that the said Thos. F. &
 Mary King were each over twenty-one years of age at the time they subscribed
 said will as witnesses.
 sworn to & subscribed in open court this 1st day of March, 1903
 J. R. Shanks, Clerk Co. Court, By B. F. Cullum, Deputy

NOTICE OF APPLICATION FOR PROBATE OF WILL AND LETTERS

THE STATE OF TEXAS.

To all Persons Interested in the Estate of George Capwell, Deceased:

Milberry Capwell has filed, in the County Court
 of Dallas County, State of Texas, an application for the Probate of the last Will of said
George Capwell, 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. 1903 at which time and place all persons interested
 in said Estate shall appear and contest said application should they desire to do so.

WITNESS: FRANK R. SHANKS, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of
 Dallas, this 19 day of Feb A. D. 1903

FRANK R. SHANKS,
 County Clerk, Dallas County, Texas.

By W. M. [Signature] Deputy.

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Proof

FILED

MAR 6 1903
FRANK R. SHANKS,
CLERK COUNTY COURT.

D. F. Cullom
DEPUTY.

Rec'd at 393

121

No. 3380

COUNTY COURT.

ESTATE OF

George Capwell
Deceased.

Notice of Application for Probate of
Will and Letters.

Issued this 19 day of Feb, 1903

FRANK R. SHANKS,
County Clerk.

By *W. M. Rawlins* Deputy

SHERIFF'S RETURN.

Came to hand the 19 day of Feb

1903 and executed the 19 day of Feb

03, by posting up three copies of this Writ at three
public places in Dallas County, one of which was at
the Court House door in said County, and no two
of which were in the same town or city.

W. Johnson
Sheriff, Dallas County, Texas.

By *W. W. [unclear]* Deputy

JOHN WILLIAMS, PRINTER, DALLAS.

Posting 3 notices \$3.00
4-213

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In Re Estate of } Friday March
George Capewell } 6th 1903 -
No. 3380 } Dead }

This day came on to be heard the application of Mrs Melberry Capewell for the probate of a certain instrument in writing now produced in open Court and purporting and alleged to be the last will and testament of George Capewell Dead.

And said application and the evidence thereon being heard, and it appearing to the Court that due and legal notice of said application has been given and no objection thereto offered. And it further appearing to the Court from the written testimony of Thomas J. Key, one of the subscribing witnesses to said will, that said George Capewell died in Dallas County Texas in April 1896, that he executed said instrument now produced in open Court in the presence of said Thomas J. Key and in the presence of Mary Key, - both of whom subscribed said instrument as witnesses, on the 21st day of April 1896, and intended the same to be his last will and testament. That at the time of the execution of said will as aforesaid, said testator was over the age of 21 years and of sound mind and that each of said witnesses were, at the time, over the age of 14 years. And that said will was never recorded by said

testator; that said witnesses sub-
scribed said will in the presence of
and at the request of said testator and
in the presence of each other.

It is considered by the Court
that said instrument be, and the
same is now here adjudged to be
the last will and testament of said
George Capewell deceased, and that
said will and the application
for the probate thereof and all the
testimony in this case be recorded
in the minutes of this Court

Order
Probatory Bill
JUL 6

8/147

State of Texas, } In the County Court of Dallas
 County of Dallas } County, Texas, in Probate.

Now comes Milbry Capewell and respectfully shows unto said court that on the 24th day of April 1899, George Capewell departed this life at the corner of Oak Lawn and Lemmon Avenue in ~~the County~~ Oak Lawn in the County of Dallas, Texas, that at the time of his death there was certain real estate ~~is~~ situated in the County of Dallas, Texas, which apparently was community property of the said George Capewell and Milbry Capewell, but that said property was in reality ^{separate} the property of the said Milbry Capewell, who was the wife of the said George Capewell, that said property is of the probable value of \$35000; that at the time of his death the said George Capewell left a written will which said written will is filed herewith; that in said will he appointed the said Milbry Capewell executrix ^{agent} without bond; that the said Milbry Capewell now resides at the corner of Bryan & Ervey Street in the City of Dallas, Texas; wherefore the said Milbry Capewell respectfully makes application to this court that said will be probated as the last will and testament of said George Capewell, and prays that citation therefor may issue as is provided by law. ~~by Milbry Capewell~~ by

S. Marshall
 Atty for Milbry Capewell

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Application for the
estate of the wife of
George Capewell

3380

FILED

FEB 19 1938

Frank W. Clark
Clerk
W. W. Clark
through

R 8/1/84

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