

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

Case Number 1215

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THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

J. W. Merrifield deceased.

L. E. Merrifield has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of *J. W. Merrifield* deceased, and for Letters Testamentary,

which will be heard at the next Term of said Court, commencing on the *first* Monday in *February* A. D. 188*9*, 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.

[Signature]
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 *17* day of *Feb* A. D. 188*8*

[Signature]
~~W. M. C. HILL~~, County Clerk Dallas Co., Texas.
By *[Signature]* Deputy.

original 176
No. 241
COUNTY COURT.

ESTATE OF

J. W. Merrifield

Deceased.

Notice of Application for Probate
of Will and Letters

Issued this *17* day of *Dec* 188*8*.

Wm. G. Hill County Clerk.
By *J. W. Adams* Deputy.

SHERIFF'S RETURN.

Came to hand the *17* day of *Dec*
188*8*, and executed the *18* day of *Dec*
188*8*, 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. G. Hill
Sheriff, Dallas County.
By *J. W. Adams* Deputy.

A. H. ... & Co., Stationers and Steam Printers, Dallas, Texas.

Costs \$3.00

Your petitioner L E Merrifield respectfully represents, that your petitioner is a resident of the county of Dallas and State of Texas, that J W Merrifield, a resident of the county of Dallas and state of Texas, departed this life in said county on the 29th day of September 1888 leaving a willen will duly executed bearing date the 30th day of July 1873 whereby he disposed of all of his estate, and therein named your petitioner as the executrix thereof, which said will is here with filed. That said John W Merrifield died seized and possessed of real and personal property in Dallas county of the probable value of thirty five thousand dollars. That your petitioner is not disqualified from acting as executrix of said will. Wherefore your petitioner prays that due notice hereof be given as required by law, that said will be admitted to probate and for letters testamentary and for all general and special relief and as in duty bound she will ever pray.

Charles & Lewis
Attorneys for petitioner

The State of Texas In the County Court of Dallas county
County of Dallas
To the county court of Dallas county.

Know all men by these presents that I John
 W. Merrifield, of the County of Dallas and State of
 Texas, being impressed with the uncertainty of human
 life, and being desirous of disposing of my prop-
 erty as provided by the laws of the State, and
 being desirous of leaving behind me and memory
 make and publish this my last will and testa-
 ment, hereby revoking any and all other wills
 by me heretofore made

First. It is my will and desire that all my
 just debts be paid

Second. I give and bequeath unto my beloved
 wife L. E. Merrifield, all my ^{property and} effects of every
 character, both real and personal, to be by her used
 and disposed of as to her ~~own~~ ^{own} appear proper, for
 the support and maintenance of herself
 and our minor children so long as she may
 remain my widow, but in case of her marrying
 again, then my said property and effects to be
 equally divided among our children

Third. I hereby appoint my wife L. E. Merrifield
 Executor of this my last will and testament, and
 desire that she shall not be required to give bond
~~therein~~ ^{therein} and further that the Probate Court shall
 take no further action in the premises than to
 probate this will, and admit the same to record
 and receive and have recorded an inventory of
 my effects. Witness my hand this 30th day of
 July 1883 J. W. Merrifield

The foregoing will was signed by J. W. Merrifield,
 whose name will appear in our presence, and as

Subscribe our names here, as witnesses at the
 request of said Merrifield, in his presence and
 in the presence of each other, the date above
 written.

C. H. Nichols

J. J. Callins

J. H. Howard

The State of Texas }
 County of Dallas }

I do solemnly swear that
 this writing which has been offered
 for probate is the last will of John
 W. Merrifield so far as I know or
 believe and that I will well
 and truly perform all the duties of
 Executor of said Will.

J. C. Merrifield

Sworn to and subscribed before
 me this 16th day of April 1889

J. J. Callins
 Notary Public
 Dallas Co. Texas

*Inventory and Appraisement of the
Estate of John W. Merrifield Decedent
shown in court by L. E. Merrifield
Executor of the Last Will of Decd*

*Separate Estate of decedent
included one half of 320 acres Land in Dallas
County part of the Henry Clark Survey with
Community Property:*

<i>unimproved half of the 320 acres Henry Clark Survey</i>	<i>valued at</i>	<i>13.00</i>
<i>160 acres John P. Holt survey Dallas Co. val at</i>		<i>16.00</i>
<i>1/2 of 160 " " " " " " " "</i>		<i>32.00</i>
<i>160 acres Herman Bennett Survey " " "</i>		<i>15.00</i>
<i>160 " J. Powers " " " "</i>		<i>16.00</i>
<i>15 " W. W. Woolley Survey " " "</i>		<i>5.00</i>
<i>20 " Wm. Myers " " " "</i>		<i>8.00</i>
<i>8 " Land Ellis County " " "</i>		<i>4.00</i>
<i>68 Head of Horses and Mules " "</i>		<i>18.50</i>
<i>36 Head of Cattle " "</i>		<i>2.00</i>
<i>1/2 Int in Truck " "</i>		<i>.25</i>
<i>15 Head of Hops " "</i>		<i>5.00</i>
<i>Farming implements</i>		<i>1.00</i>
<i>Home hold & kitchen Furniture</i>		<i>5.00</i>
<i>Cash</i>		<i>150.00</i>

List of Claims.

The State of Texas }
County of Dallas }

J. L. E. Merrifield do Solemnly
swear that that the foregoing Inventory
and List of Claims is a full and complete
Inventory and List of the property and
Claims of her testator, ^{with all her rights and} so far as she
same have come to her knowledge

J. E. Merrifield

Executrix

Given to and subscribed before me
this 16th day of ~~April~~ ^{April} A.D. 1884.

J. J. Collins
J. Nolan, Public
Dallas Co., Texas.

The State of Texas &
 County of Dallas

We do solemnly swear
 that the figures set opposite each item
 is the appraised value thereof as made
 by us and that said appraisement
 is just and fair to the best of
 our judgment.

G. J. Kelly
 R. J. Daniel

Sworn
 before me

Sworn to and subscribed before me
 this - day of March 1889

No
Estate of John W. Merrifield. Dec'd

Be it remembered that on the 4th day of March
AD 1889. personally appeared J. M. Ferguson
who being duly sworn in open court deposed
and says that he was personally well acquain-
ted with John W. Merrifield - and would know
for more than twenty years before his death
that said John W. Merrifield is dead and
that he died in Dallas County Texas on or
about the 8th day of Sept. AD 1888. That
affiant signed the instrument to said
successor bearing date the 30th day of July
1873. and purporting to be the last will of
John W. Merrifield as a witness thereto in the
presence and at the request of said John
W. Merrifield - and in the presence of A.
Harwood - and E. H. F. Nichols - the other
subscribing witnesses and that said A. Harwood
and E. H. F. Nichols - signed said instrument
in the presence of and at the request of said
John W. Merrifield - and in the presence of
affiant - that at the time of the execution
of said instrument said John W. Merrifield
declared to affiant and said Harwood
and Nichols that said instrument was
his said John W. Merrifield's last will and
testament - that at the time of said
execution of said instrument the said
John W. Merrifield was of sound mind
and memory - and was then the age of 21 years
to wit about fifty years of age - that the
said E. H. Nichols was above the age of twenty
one years to wit about thirty years of age
and that said A. Harwood was about

fifty years of age.

J. M. Freeman

Sworn to & subscribed before me,
this 4th day of March 1889 in open
court

J. B. Scott Clerk
By J. S. Gastright Jy