

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

Case Number 886

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FILED BY THE DALLAS GEOLOGICAL SOCIETY - 1977

# 886

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Community Estate of }  
 Harriet Beach Decd }  
 E. Beach Survivor } Dallas Co Texas  
 1879

To the Hon County Court:

And now comes E. Beach and respectfully represents to the court that he resides in the County of Dallas State of Texas; that heretofore to wit on the 13<sup>th</sup> day of June 1879 in the County of <sup>Dallas State of Texas</sup> ~~that~~ <sup>Harriet Beach</sup> ~~she~~ <sup>as part of this</sup> ~~left~~ <sup>being at that time</sup> ~~one~~ <sup>aged</sup> ~~child~~ <sup>years</sup> ~~surviving~~ her John Victor Beach aged 8 years the issue of herself and your petitioner and who resides with your petitioner in Dallas County Texas. That there is a community estate between petitioner and his deceased wife consisting of real and personal property of about the value of forty-five hundred dollars situated in the County of Dallas State of Texas. and your petitioner asks that appraisers be appointed to appraise said estate. and that he be duly qualified as being the manager control & disposal of the same.

E. Beach

In the Community Estate of Harriet J. Black<sup>decd</sup>  
E. Beach surviving husband

The State of Texas }  
County of Dallas }

Know all  
men by these presents that the  
E. Beach surviving husband of  
Harriet J. Black as principal and  
John A. Mann M.D. Knowles, M.P.  
Armstrong J.W. Strong and A.F.  
Harold as trustees acknowledge  
ourselves bound to pay R.E. Burke  
County of Tarrant of Dallas and  
his Successors in office the  
sum of four thousand four  
hundred and forty-five dollars  
(\$4445.00) Conditioned that the  
said E. Beach will faithfully  
administer such community estate  
of himself and Harriet J. Black said,  
and pay over one-half the surplus  
thereof after the payment of the debts  
with which the whole of such property is  
properly chargeable to such person or  
persons as shall be entitled to receive  
the same. Witness our hands this the  
29 day of July 1879. E. Beach

John A. Mann  
M.D. Knowles.

"Exhibit A"  
402 ✓

Community Estate of  
Harriet J. Black  
E. Beach  
Survivor  
Application

Filed July 1879

Filed Feb 6<sup>th</sup> 1885  
W. McKillop  
Clerk

Recorded 31-2

✓ Exhibit C.

402

Community Estate of  
Harnett Blackie &

E. Blackburn

Bond

Filed & Appended

July 29, 1879

R. E. Burk  
Co. Judge Dallas  
County, Texas.

Recorded 443

Mr. D. Armstrong  
J. W. Strong  
C. F. Haver

FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

INVENTORY AND APPRAISEMENT

Of the Property, Real and Personal, belonging to the Estate of <sup>Community</sup>  
 Harriet J. Black dead and E. Black  
 surviving husband

One lot in the city and county of Dallas and described as follows: Beginning at a point 48 1/2 feet S. 45° W. of the center of San Jacinto St. and thence east at the S. Cor. of a lot owned by Lewis Peake and a north and south line thence N. 45° W. parallel with the center of Victor St. with said line 211 feet plus west cor on line of R. G. Brumby, thence S. 45° W. 59 1/2 feet to John McComas north cor. thence S. 45° E. 211 feet to said McComas East corner in the center of San Jacinto St. thence N. 45° E. with center of San Jacinto St. 59 1/2 feet to the beginning. A value at the sum of \$ 600.00

One lot 51 x 100 feet and one lot 25 x 100 feet both in Block 95 - Elm & Main Streets City of Dallas valued at \$ 2900.00

One lot 20 x 80 feet on Mycannon Street between main summer streets in Block 79/115 - City of Dallas and value at \$ 250.00

One acre in Dallas County near the fair grounds owned by J. Peck and value at \$ 300.00

One horse and buggy value at \$ 150.00

House hold and kitchen furniture value \$ 195.00

Total value \$ 4445.00

THE STATE OF TEXAS,  
 COUNTY OF DALLAS. I, E. Black surviving husband of  
 Harriet J. Black dead <sup>Community</sup>  
 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 29 day of July A. D. 1899  
 A. Farwood Clerk, Co. Court.  
 By M. H. Thacker Deputy.

THE STATE OF TEXAS,  
 COUNTY OF DALLAS. BEFORE THE UNDERSIGNED AUTHORITY, this day personally appeared  
 R. H. Rogers, W. J. Lytle & M. P. Armstrong  
 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 Appraisement of the property pointed out to them as belonging to said Estate.

R. H. Rogers  
 W. J. Lytle  
 M. P. Armstrong  
 Sworn to and Subscribed before me, this the 29 day of July A. D. 1899  
 A. Farwood Clerk, Co. Court.  
 By M. H. Thacker Deputy.

Exhibit B,  
1872  
Leon County Estates  
Harriet J. Beach  
E. Beach  
Survivor

Inventory and Appraisal

Filed July 29, 1879  
# Forwarded clerk  
by W. H. Thacker

Filed February 6, 1885  
W. McKie  
Clerk

260

Recorded

THE STATE OF TEXAS

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

\* YOU ARE HEREBY COMMANDED TO SUMMON E. Black, survivor of the estate of H. Black, decd, & Black Survivor of the estate of H. Black, decd, & Black Survivor thereof, in the City of Dallas, on the 18th day of May 1887, then and there to answer the petition of J. W. Strong & W. D. Kullback Citizens of Dallas Co Texas, and bondsmen of said E. Black as survivor

filed in said Court on the 18 day of May 1887, against the said E. Black

for suit; said suit being numbered 402, the nature of which demand is as follows to wit: To require the said E. Black to appear and give a new bond as survivor of the estate of H. Black, decd and himself

and you will deliver to the said E. Black

a true copy of this Citation.

HEREIN FAIL NOT, but have you then and there this writ, showing how you have executed the same.

WITNESS, W. M. C. HILL, Clerk of the County Court of Dallas Co.

Given under my Hand and Seal of office, at Dallas, this 18 day of May A. D. 1887

W. M. C. HILL,

Clerk County Court, Dallas Co., Texas.

By J. H. Hughes Deputy.



FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

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Original  
715 No. 402

COUNTY COURT,  
DALLAS, CO., TEXAS.

J. W. Strougal  
vs. *Respondent*  
FN. CITATION.

E. Black, Survivor

Issued this 18 day of May  
A. D. 1885

W. M. C. Hill, Clerk.  
By *W. H. Hughes* Deputy

SHERIFF'S RETURN

Came to hand the 18 day of May  
1885, and executed the 18 day of May  
1885, by delivering

*E. Black Survivor of*  
*E. Black deceased & Black*  
*Survivor*

the within named defendant in person, a true copy of this writ.

*W. H. Smith*  
Sheriff *paloo* Co  
By *W. H. Lewis* Deputy

FEES:	
Serving Copy, - - - -	\$ 150
Mileage, - - - - -	20
Total - - - - -	\$ 170

A. D. Aldridge & Co., Printers, Dallas, Texas.

# 402

Community Estate of }  
E. & Harriet Black }  
E. Black survivor }

In the County Court  
of Dallas County, In Probate  
sitting.

Now Comes J. W. Strong and  
W. D. Knaule and would  
represent to the Court that  
they are sureties on the  
Bond of E. Black as  
survivor in the Community  
Estate of himself and his  
deceased wife Harriet Black  
that since they became  
sureties on the Bond of  
said Black he has  
intermarried with another  
woman. these petitioners  
would show that since  
such marriage the  
management of the said  
Community Estate has been  
such that these petitioners  
are dissatisfied, and  
therefore they would  
respectfully ask that  
said E. Black be cited  
as the Law Direct to give  
a new Bond, and that  
on a hearing hereof  
they be relieved from  
all future and further  
liability on said old

Bound. and they will  
ever pray *J. M. Strong*

W.D. Knowles

Scanned and subscribed before me this  
the 18<sup>th</sup> day of May A.D. 1885

W.M. Hill County Clerk  
Dallas Co. Texas

Article No 2174 By the State

Filed May 18<sup>th</sup> 1885  
W.M. Hill Clerk  
Dallas Co. Texas

Received

No. 402 Community Estate of Harriet J  
Black, Decd. E. Black Survivor

Now on this day coming on to  
be heard the motion of E. Black  
Survivor to substitute the original  
Petition, Surrender & appraisement and  
Bond, in No 402 Community Estate  
of Harriet J Black Decedent, and  
it appearing to the Court that Exhibit  
A. attached and made a part of  
said motion is a substantial copy  
of the original Petition filed by  
said Survivor in this Court  
on or about the 23 day of July 1879.  
And it further appearing that  
Exhibit B. attached to and made  
a part of said <sup>motion</sup> is a substantial  
copy of the original Surrender &  
Appraisement filed in this Court  
on the 29 day of July A.D. 1879 which  
was approved and traced of record  
by the Court on said 29 day of  
July A.D. 1879 as appears from  
the Minutes of this Court Book & Page 81  
and it further appearing that  
Exhibit C. is a substantial copy  
of the original Bond which was  
filed in this Court and approved  
by July 29, 1879 Book #. Page 292  
It is therefore ordered approved  
and decreed that Exhibits A, B, & C

being respectively Substantial copies  
of the original Petition, Inventory  
& Appraisement and Bond filed  
in this case be substituted for  
their lost originals, and that  
the same be recorded as the  
law directs, and that the said  
C. Black be qualified  
as he was heretofore qualified by  
this Court on to-wit the 24th day  
of July A.D. 1879 to manage  
Control and dispose of said  
Community estate.

#402

Est- of Harriet Black second,  
E. Black survivor.

In County Court of Dallas County  
in Probate sitting.

Now comes J. W. Strong & M. D. Kivules  
survivors on the Bond of E.  
Black survivor in this cause  
and on leave of the Court  
had and obtained, presents  
the following as additional  
reasons why said survivor  
E. Black should be forced  
to give a new Bond as the  
survivor of this Community  
Estate. 1<sup>st</sup> John A. Mann  
since becoming a surety  
has died. 2<sup>nd</sup> A. J. Hardin  
another surety, since the  
approval of said Bond has  
become actually insolvent.  
Wherefore these survivors  
pray as in original  
motion.

R. E. Burke  
Atty for survivors Strong & Kivules.

In the Community Estate of  
Harriett J. Black deceased,  
E. Black surviving husband,

State of Texas  
County of Dallas,

Know all men by  
these presents that we, E. Black  
surviving husband of Harriett J.  
Black as principal and W. J.  
Williams, A. C. Reeves and W. J. Spence  
as sureties, acknowledge ourselves  
bound to pay E. S. Bowen County  
Judge of Dallas Co. and his suc-  
cessors in office the sum four  
thousand four hundred and forty  
five dollars (\$4445-00) Conditioned  
that the said E. Black will faithfully  
administer such Community Estate  
of himself and Harriett J. Black dec'd  
and pay over one-half the surplus  
thereof after the payment of all the debts  
with which the whole of such property is  
properly chargeable to such person or persons  
as shall be entitled to receive the same.  
Witness our hands this 1<sup>st</sup> day of  
June 1897

E. Black  
W. J. Williams  
A. C. Reeves  
W. J. Spence

# 402  
Community Estate  
of Harriett Black  
deceased

E. Black  
surviving

Amounted Motion  
for new Bond

Filed May 25 1897  
W. J. McKinn  
Clerk

Revised 34

In the matter of the Community Estate of  
Harriet J. Black Dec'd  
E. Black, Survivor.

In County Court  
Dallas County,  
Texas.

And now comes E. Black and respectfully represents to the Court that heretofore to-wit: on the 29<sup>th</sup> day of July A.D. 1879 he duly qualified before the Hon County Court of Dallas County Texas as the surviving husband of Harriet J. Black Dec'd, who died on the 13 day of June 1879, and your petitioner was in all things authorized by said Court to manage control and dispo<sup>n</sup> of the Community estate of himself and deceased wife situated and appraised at the sum of four thousand four hundred and forty-five dollars: That all the original papers in said cause were destroyed by fire at the burning of the Dallas County Court House on the 4<sup>th</sup> day of February A.D. 1880, and he now moves the Court to substitute the same. Your petitioner further represents that the application hereto attached and marked Exhibit A is a substantial copy of the application



filed by him on or about the 23<sup>rd</sup>  
day of July 1879 for letters of  
administration in said community  
estate and numbered 402 on the  
Docket of this Court. That on the  
26<sup>th</sup> day of July 1879 W. P. Armstrong  
R. H. Rogers & W. J. Lytle were  
appointed appraisers as appears from  
the minutes of this Court Book I  
page 14. That on the 29<sup>th</sup>  
day of July 1879 the said apprais-  
ers made their report as shown  
by the minutes of said Court Book  
I page 81. That said inventory  
and appraisement was on said  
29 day of July 1879 approved and  
ordered of record. A substantial  
copy of said inventory and  
appraisement is hereto attached  
and marked Exhibit B.

That on said 29<sup>th</sup> day of July  
1879 your petitioner filed his  
bond in the sum of \$4445. with  
John A. Mann M. D. Kewles  
W. P. Armstrong J. W. Strong and  
J. F. Hardie as sureties, which said  
bond was in all things approved  
as appears in the minutes of this  
Court Book # Page 292. A  
substantial copy of said bond  
is hereto attached and marked

exhibit to.

Wherefore your petitioner asks that exhibits A, B, & C, being respectively substantial copies of the lost Original Petition, Inventory & Appraisement, and a Bond in the Community Estate of himself and deceased wife Harriet J. Black, be substituted for their lost originals.

E. Black,

Before the undersigned authority on this day personally appeared E. Black who after being by me duly sworn says on oath that the facts set up in the above motion are true to the best of his knowledge and belief.

In testimony whereof I hereunto set my hand and seal of office this the 2. day of February 1886.

Jas. P. Hart Clerk Dist. Ct.  
- Tarrant County Texas -

402 ✓

Community Estate of  
Harriet J. Beach  
and  
E. Beach, Jr.

Motion & Substitute

Filed Feb 6<sup>th</sup> 1885  
W. McNeill  
Clerk

Revised 1931

In the matter of the  
Community Estate of  
E. and Harriett Black.  
E. Black, Survivor

In County  
Court in and  
for Dallas  
County, Tex.  
Sitting in  
Probate matters

And now comes E. Black, by his attorney, and demurs to the Petition of J. H. Strong and N. L. Knowles, the Executors on his Bond as Survivor of the above named Estate, and says that it is wholly insufficient in Law to require him to answer herein and of this he prays the judgment of the Court;  
And Specially excepting to said Petition, the said E. Black, says that the same sets forth no valid grounds to authorize this Court to make the orders therein asked, and is wholly insufficient in this;

(a) The statement therein contained that "he has intercourse with another woman" shows no such dereliction or culpable conduct on his part as would authorize this Court to require him to give a new Bond.

(b) The allegation therein contained

that under such message the man-  
agement of the Community Estate  
has been such that "these Petitioners  
are dissatisfied" is too general  
vague, uncertain and insuffi-  
cient to demand any answer from  
this Defendant, or to grant any  
order asked by Petitioners, because  
of such "dissatisfaction".

And of this he prays judgment  
of J. Williams  
Pinner & Spence  
attys for E. Black

And further concerning in case  
he above demeritor and Special  
Exceptions are overruled, Defendant  
denies that he has ever misman-  
aged or that he is now misman-  
aging the Community Estate of  
himself and his deceased wife,  
or that he has ever been guilty  
of any dereliction in regard ther-  
to, but he avers that he has at  
all times managed said Community  
affairs prudently and honestly  
and for the best interests of  
all concerned in said Estate.  
and further that he has never

quire his services on his Bond any  
 reason or valid cause to become  
 "dissatisfied" with such man-  
 agement, and that he has never  
 in any manner forfeited his  
 right to their continued society-  
 ship.

Wherefore he prays judgment  
 and that the orders all and sin-  
 gular asked in said Petition  
 be refused and overruled.

W. L. Williams  
 Pursuant to  
 order of E. Block

Recorded 33-4

In Re

The Community  
Estate of  
E. A. Herritt Block  
E. Block -  
Emission

Answers to  
Petition of  
Sisters to  
be released  
and New Bond  
given -

Filed May 27<sup>th</sup> 1885  
W. M. Kew  
By [Signature]

Permit Spiner