

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

Case Number 586

Dallas Genealogical Society
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The State of Texas
 County of Dallas
 In County Court
 April Term A.D. 1852

To the Hon.^{ble} Mr. Baltimore
 Judge of the County Court, in and for the
 County and State aforesaid, Your Petitioner
 Shelly of the County of Dallas
 and State of Texas, would most respectfully
 represent unto your Honor, that James J. Shelly
 late of the County and State aforesaid, departed
 this life on or about, the 6th day of
 Instant, leaving a will, that your Petitioner
 is the widow and Relic of said James J. Shelly
 so deceased, as aforesaid, that he left property
 to the probable amount of One Thousand Dollars
 that a full Exposition of the wishes of said
 decedent, will be found in his will, and that
 your Petitioner is anxious to have the will of
 said decedent, proven up before your Honour-
~~able~~ Court, and recorded, in the Records of your
 Honourable Court, and to do any and all things
 in the premises, as may be right, and in
 accordance with Equity, and as in duty
 bound your Petitioner will ever pray &c.

Caroline Frances Shelly

I do hereby certify that upon
 being sworn I do hereby certify that upon
 the 26th day of April 1852 personally appeared
 in open Court the under signed John Howell
 and Geo. Smith both of the Subscribing
 parties to the foregoing Last Will and Testament
 of James S. Shelly, late of the County and
 State of Texas deceased and ~~and~~
 the said Geo. Smith both that he signed said
 Shelly's name to said Last Will and Testament and the said
 Howell both that he saw the said Smith
 sign said Shelly's name at his request, affi-
 davit and further certify that said ^{Shelly} was
 at that time of sound mind and dispo-
 sition memory and acknowledged the same
 to be his own and last will and
 Testament and that we signed the same
 as witnesses at the request of said Shelly
 in his presence and in the presence of
 Geo. Dennis and Geo. Wright the other
 subscribing witnesses.

I do hereby certify that upon being sworn I do hereby certify that upon the 26th day of April 1852 personally appeared in open Court the under signed John Howell and Geo. Smith both of the Subscribing parties to the foregoing Last Will and Testament of James S. Shelly, late of the County and State of Texas deceased and the said Geo. Smith both that he signed said Shelly's name to said Last Will and Testament and the said Howell both that he saw the said Smith sign said Shelly's name at his request, affidavit and further certify that said Shelly was at that time of sound mind and disposition memory and acknowledged the same to be his own and last will and Testament and that we signed the same as witnesses at the request of said Shelly in his presence and in the presence of Geo. Dennis and Geo. Wright the other subscribing witnesses.

Wm. State of Texas,
 County of Dallas,

John Howell
 Geo. Smith

The above affidavit was sworn
 and subscribed before me
 this 26th April 1852

A. Harmon Clerk

Corduroy P. Shelly
 Petitioner to probate
 the Will of J. S. Shelly
 County of Dallas
 Filed 12th April 1852
 A. Harmon

Secured

Copy Petition & Will 20
 2 copies 10
 Locking 10
 2 coats Feby 10
 order of 10
 Recording fees 10

Probating fees 10
 10
 10

WILL #576

Know all men ~~by~~ these presents that I James S. Shelly of the county of Dallas and State of Texas knowing the uncertainty of human life and being at this time of sound mind and memory do make and ordain this my last will and Testament revoking all others in manner and form as follows

1st It is my will and desire that all my debts should be paid

2nd It is my will and desire that my beloved wife Caroline Frances Shelly should have and possess for her own use and benefit and that of our children all and singular my property of every kind and I do hereby give and bequeath the same to her according to and by these presents appoint her sole executrix of this my last will and Testament and it is my will and desire that she should act in the premises without being required to give bond and it is my will and desire that there should be no further action of the court in this matter than such as may be necessary to give to this instrument a legal bearing

Signed and sealed this 4th day of Feb'y A.D. 1852 using a Scrabble for seal in the presence James S. Shelly seal
of Andrew Merrett
mark

C. M. Knight
John Howell
Jas. A. Smith

The State of Texas
 County of Dallas To the Sheriff of said County Greeting
 Whereas at the October Term A. D. 1862 of the said County
 Court for the County aforesaid, the following order was
 passed "It is ordered by the Court that the Clerk of
 this Court issue Executions against all persons by whom
 Costs are due in this Court for the full amount of
 costs due up to the present Term. There are therefore to
 command you, that of the goods and Chattels, Lands and
 tenements, monies and effects of Caroline J. Shelly executrix
 of James S. Shelly Dec'd you cause to be made the sum of
 \$6.35 also fifty Cents for this Executions, together with
 the legal fees and commissions for collecting the same
 herein paid and due and return make according to Law.
 Given under my hand and official
 Seal this 18 day of Decr 1862.

A. Hammond Clerk
 By H. Linnis 1862

1852. *Price of Cost*
 April Filing Petition and will 20. Notices & Deed 1/2 p. 80
 2 Costs and Court fees 50. or as found 50. Lumber 1/2 p. 170
 Clerk's fees 2.00
 Chief Justice Salmer. Probating will 2.00
 Making out this Price of cost. 28
 7.47

John Salmer copy 6.00
 Order to return to Lumber same 50
 Copy to return to Shelly Return 50
 7.47
 Copy 12
 6.97

Carroll
W. B. ...
Carroll ...
John ...
John ...
 Come to hand on the
 11th of Dec. 1852
 Return to the
 W. B. ...
 11th Dec 20 the 1852
 Appointed

~~6.97~~
 6.97

Carroll & Shelly
 Care of James Shelly