

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

Case Number 826

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

# 826

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THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of  
*P. S. Madden* deceased.

*A. S. Rathrop* has filed, in the County Court  
of Dallas County, an Application for the Probate of the last Will of *P. S. Madden*  
deceased, and for Letters Testamentary,  
which will be heard at the next Term of said Court, commencing on the Third Monday in  
*July* A. D. 188*3*, 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.

*W. H. Harwood*  
**WITNESS, W. H. HARWOOD**, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office  
in the City of Dallas, this *28<sup>th</sup>* day of *June*  
A. D. 188*3*.

*W. H. Harwood*  
**W. H. HARWOOD**, County Clerk Dallas Co., Texas,

By *L. H. Hughes* Deputy.

The State of Texas } Oscar S. Matthews per -  
 County of Dallas } - solemnly appeared before  
 me, during a regular  
 Term of the County Court of Dallas County  
 in open Court, on the 17<sup>th</sup> day of July A.D. 1883  
 and being duly sworn deposes and says  
 that he is one of the witnesses to the  
 will of P. S. Madden, deceased, dated January  
 24<sup>th</sup> 1883, which is now offered for Probate.  
 That he and the other witness to said  
 will, W. S. Vinnyedge, saw the said P. S.  
 Madden sign said will, and that they  
 signed the same as witnesses at the  
 request of the said Madden, in his presence  
 and in the presence of each other, that  
 he and the said Vinnyedge were over fourteen  
 years of age at the time they signed the  
 same as witnesses. That at the time  
 said Madden signed said will he was  
 of sound mind and disposing memory.  
 Sworn to & subscribed  
 before me in open Court this 17<sup>th</sup> day  
 of July A.D. 1883.

Oscar S. Matthews  
 R. E. Burke  
 County Clerk

1883

County of Dallas

ESTATE OF  
 P. S. Madden  
 Deceased.

Notice of Application for Probate of  
 Will and Letters.

Subscribed this 17<sup>th</sup> day of  
 July 1883  
 Oscar S. Matthews  
 County Clerk

By  
 Sheriff's Return  
 Came to hand the 17<sup>th</sup> day of July  
 1883, and executed the 17<sup>th</sup> day of July  
 1883, by posting up three copies of this Will at  
 three public places in Dallas County, one of which  
 was the Court House Door of said County.

C. A. Aldrich  
 Sheriff, Dallas Co.

W. S. Vinnyedge  
 Deputy

Recorded in Station Book







An Estimative Inventory of the Property  
 belonging to the Estate of P. S. Madden, Decd.

Lot No 9. in Block 279 1/2 in the City  
 and County of Dallas, State of Texas,  
 fronting 50 feet on Swiss Street and  
 running back 110 feet to Miranda  
 Street, together with the improvements  
 valued at \$ 1,600.00

Part of Lot No 13 in Block  
 280. in the City & County of  
 Dallas, Texas, Corner of Pacific  
 Avenue & Good Streets, fronting  
 about 142 1/2 feet on Good  
 Street & running back to Lot  
 No 12 in same block, together  
 with the improvements. Value 2,500

Also lot of land about 10 by  
 20 feet in same lot and block  
 as above, viz Lot 13, Block 280. Value 25.00

Household & Kitchen Furniture 50.00

1 Lot of Carpenters Tools. 25.00  
 \$4,200.00

The State of Texas } J. M. Hayes & A. Dyester-  
 County of Dallas } back

personally appeared  
 before me and being duly sworn depose  
 & say that the foregoing is, to the best  
 of their knowledge and belief, a correct  
 valuation of the property belonging to  
 the estate of P. S. Madden, deceased, as the  
 same was pointed out to me by A. S.  
 Lathrop the Executor of said Estate.

Sworn to & Subscribed  
 before me this the  
 21<sup>st</sup> day of July A.D. 1883

R. H. West

Notary Public Dallas Co. Texas

J. M. Hayes

A. Dyester

The State of Texas } A. S. Lathrop, Executor  
 County of Dallas } of the Estate of P. S.  
 Madden, Decd. personally

appeared before me and being duly sworn  
 depose & say that the foregoing is a full  
 and complete inventory and list of the  
 property and claims of his testator P. S.  
 Madden that have come to his knowledge

Sworn to and Subscribed before me by A. S. Lathrop

This 21<sup>st</sup> day of July 1883

R. H. West

Notary Public Dallas Co. Texas



✓ # 442

Est of P. S. Madras

Inventory

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Filed July 24<sup>th</sup> 1883

W. C. Keith

By L. S. Keith

Recorded in Inventory +  
app. Book No 2 pag 35:36

The State of Texas } To the Hon. R. E. Burke  
County of Dallas } Judge of the County Court  
Dallas County, Texas.

Your Petitioner Abram S. Lathrop, who resides in the City & County of Dallas and State of Texas, would respectfully represent unto your Honor the following, viz.

That Patrick S. Madden, late a resident of said County and State, departed this life in the County and State aforesaid on the 24<sup>th</sup> day of June 1883, leaving a last will and testament, which will is dated January 27<sup>th</sup> 1883. Said will is hereto attached, marked Exhibit A and made a part of this petition. That said Madden left considerable property both real & personal situated in said County & State, of the probable value of thirty five hundred dollars and a necessity exists for an administration on his Estate.

That in said will your Petitioner was appointed the Executor thereof, and he is not disqualified in any way from accepting letters of Executorship on said Estate. That by the terms of said will he is not required to give bond for the faithful performance of his duties as such Executor, and no further action in regard to his Estate is to be had in the Courts further than the Probate and registration of his said will, and the return by an inventory of his Estate into Court.

The Petitioner prays that due legal notice of this

Application is given, and that said will  
may be duly Probated, and your Petitioner  
Appointed Executor thereof according to the  
Terms of said will, and for all such  
other further orders that may be necessary  
in the premises, your Petitioner as in duty  
bound will ever pray.

Abner S. Lathrop

Exhibit A

The State of Texas } I know all men by  
County of Dallas } These presents that I,  
County of Dallas and State of Texas, being  
of sound mind and disposing memory  
but aware of the uncertainty of human  
life do make and constitute this my last  
will and Testament, hereby revoking all  
wills heretofore made by me.

First I desire my Executor, who is hereinafter  
named, to pay all my just debts as soon  
after my decease as he can without sacrifice  
to my property.

Second. I desire & will that my Executor  
pay to my Nephew Christopher Madden the  
sum of three hundred dollars. unless I  
pay to him said sum during my life. If  
said sum is paid to him during my life  
then he is to have nothing further from  
my Estate.

Third. I hereby will and devise all  
the residue of my property, whether real,  
personal or mixed, that I may die pos-  
sessed of to my blood Sister, Mrs Kate  
Smith, who now resides in the County of  
Calhoun, State of Texas, to be hers absolutely  
and to be free from any control in any name  
of her husband.

Fourth. It is my wish that my Executor,  
hereinafter named, shall as the same  
can be done with advantage, convert all  
my real and personal property into cash  
and for this purpose I hereby authorize and  
empower him to sell my real and personal  
property to the best advantage and to make



proper conveyances of the same to the purchaser or purchasers thereof, and to receive the purchase money of the same, and when he receives the purchase money to pay over the same to my sister Mrs Kate Smith. And in selling my said property I desire my said Executor to consult my sister Mrs Kate Smith as to the time when he shall sell said property and to be governed as near as can be by her wishes.

Fifth. Should my sister Mrs Kate Smith die before I do, or should my property not be converted into cash before she dies, then it is my desire & will that my Executor as soon as said property is converted into cash, to pay the same over to the children of my said sister Mrs Kate Smith, then living, share and share alike.

Sixth. It is my will that whatever my sister Mrs Kate Smith inherits under this will, under whatever mutations or changes it may undergo and what she has not consumed during her life, shall at her death go to her children free from any control of her husband. The said children at her death to inherit the same, share and share alike.

Reposing special confidence and trust in my friend Abner S. Lathrop of Dallas Texas, I nominate, constitute and appoint him the Executor of this my last will and Testament and I desire that no bond be required of him for the faithful performance of this trust and I desire that no further action or control of my estate

shall be had in any court further than  
the probating and reading of this will  
and the return of an inventory of my estate

In witness whereof I hereto sign  
my name this the 27<sup>th</sup> day of January 1883

P. J. Macdonald

Signed and delivered  
in presence of us, who  
signed the same as  
witnesses at the request  
of the testator in his  
presence and in the  
presence of each other  
this January 27<sup>th</sup> 1883.

M. D. Vinnyedje

Charles Matthews

Patrick S. Maddens  
Last Will

Recorded Book Page 11546

10/1/48  
Estate of P. S. Mason

The will & Appli-  
-cation for Prostate  
-tion & for Letters  
of Administration -

Filed Pursuant to AD 118  
Alvin A. Davis, Clerk  
of the Probate Court

Origin 1-244  
Landed with Court file  
2-44 + 2-48  
~~Revised & Rechecked~~