

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

Case Number 1694

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1694

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No 1163-

In the Matter of
The Succession of
W. A. Johnson deceased
and Guardianship of
Daisy, and Lewis
Johnson minor heirs

In Dallas County,
Court Dallas Co
24 March Term
1895

To The Hon. J. J. Nash
Presiding, counsel for the Applicant
Eucha Minors and Minors, most Respectfully
beg leave to inform the court, that
he was duly employed, and represented
them, and procured from this court on
1895 an order removing
Newton Johnson as guardian and
requiring him to deposit the funds of
said Minors estates with the clerk of this
court, with which order said Johnson
has wholly failed and refused to comply,
that Eucha was appointed guardian
but has failed to qualify - that
the Minors have failed to secure a
guardian, that their relative by
Marriage Mr Hudson is
acceptable to them and hereby signifies
his willingness to accept the trust as
administrator, that it is ^{their} interest he
be appointed, that ^{the} present administrator
Newton ^{Johnson} has been removed from the State
that he be required to report and turn
over the estate if any not turned in to
the estate of the Minors - that



council found no report of administrator
and no report since 1871 as given on
on file, which report showed the guardian
to owe Daire #1836, Gilbert #1182 and
Gris #18946 in all #49223. That from
The account reported by Johnson and
from other sources of information it
appears there ought to have been in
his hands money of said estate on
January 1st 1871 to the amount of 4,481, ⁴⁰/₁₀₀
upon which amount the estate was entitled
to interest - On 12th that it appeared
it was nearly probable that Johnson had
purchased 172 acre of land with #2500⁰⁰
of said estate, which on the 3 day of Nov
1874 he sold for #4500⁰⁰ receiving #2800⁰⁰
cash, that Johnson had no other discov-
erable assets in this state, and refused
any satisfactory information as to their
estate, that his bondsmen were all dead
Sub. W. J. Hulst of Garland, that on
January 22, 1878. Council brought
suit to recover said land as part
of the estate of W. A. Anderson, for
the heirs being by next friend Eliza
Morton, and to set aside the fraudulent
sale, and have it returned into the
court as part of the estate assets -
On the 4th day after service on Johnson
he came here and stated he owed the
minors #1500⁰⁰ or #1600⁰⁰ instead of #422²³
On April 12th 1878 - The 44th dist. court -

1 Sustained a demurrer to said bill
2 for want of proper parties - and on May
3 2nd 1873 - reconsidered its ruling
4 and granted Plaintiffs a new trial
5 And it is now reasonably certain
6 The said minor will recover the
7 amount this court may adjudge
8 to be due them, be it the title to
9 said land is not in the estate it is
10 set off to executor for the debt -
11 said proceedings were, proper, necessary,
12 and did protect their property rights
13 and could not safely be delayed -
14 Counsel paid for copy of deed \$1.50 postage of
15 for service on Myers, and Johnson in
16 Kentucky, with cost of money order \$1.25 which
17 1st was returned to him by Austin -
18 He pray to be allowed the sum of
19 \$50 - as reasonable compensation for
20 his services in the county and that
21 costs

J. E. Brown

#1090

Order of
W. A. Johnson
vs
E. E. Reid

FILED

MAY 8 1895

L. R. HOFFER, County Clerk
By *[Signature]*

Newton Johnson Adm'r. having for more than
12 months absented himself from the state with-
out permission of this Court he is thereby removed
without notice and W. E. Hester is thereby
appointed Adm'r. upon giving bond in the
sum of \$3000⁰⁰

May 3d 1895 J. F. Nash Co. Judge.
N. 6-441

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END

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