

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

Case Number 1678

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

1678

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THE STATE OF TEXAS.

To all Persons Interested in the Estate of *John R. Figh* deceased:

*Mrs. Minnie Figh* has filed, in the County Court of Dallas County, State of Texas, an application for the Probate of the last Will of said *John R. Figh* deceased, and for Letters Testamentary, which application will be heard and acted upon by said Court, at the next term thereof, to be held at the Court House in the City of Dallas, County of Dallas, State aforesaid, and commencing on the first Monday in *July* A. D. 189*5*, at which time and place all persons interested in said Estate shall appear and contest said application, should they desire to do so.

WITNESS: L. H. HUGHES, County Clerk of Dallas County, Texas.

GIVEN under my hand and the seal of said Court at office in the City of

Dallas, this *24* day of *June* A. D. 189*5*

L. H. HUGHES,  
County Clerk, Dallas Co., Texas.

By *A. Jackson* Deputy.

THE STATE OF TEXAS.

To all Persons Interested in the Estate of *John R. Figh* deceased:

*Mrs. Minnie Figh* has filed, in the County Court of Dallas County, State of Texas, an application for the Probate of the last Will of said *John R. Figh* deceased, and for Letters Testamentary, which application will be heard and acted upon by said Court, at the next term thereof, to be held at the Court House in the City of Dallas, County of Dallas, State aforesaid, and commencing on the first Monday in *September* A. D. 189*5*, at which time and place all persons interested in said Estate shall appear and contest said application, should they desire to do so.

WITNESS: L. H. HUGHES, County Clerk of Dallas County, Texas.

GIVEN under my hand and the seal of said Court at office in the City of

Dallas, this *1st* day of *July* A. D. 189*5*

L. H. HUGHES,  
County Clerk, Dallas Co., Texas.

By *A. Jackson* Deputy.



152

No. 2046  
COUNTY COURT.

ESTATE OF

*John R. Figh*

Deceased.

Notice of Application for Probate of  
Will and Letters.

Issued this 24 day of

*June* 1895

L. H. HUGHES, COUNTY CLERK.

By *A. S. Jackson* Deputy.

SHERIFF'S RETURN.

Came to hand the 25 day of *June*  
1895 and executed the 25 day of *June*  
1895, by posting up three copies of this Writ at  
three public places in Dallas County, one of which  
was at the Court House door of said County, and  
no two of which were in the same town or city.

*Ben E. Cabell*  
Sheriff, Dallas County.

By *H. J. Carson* Deputy.

Devey Printing Co., Dallas, Texas. 14508.

*Fees \$300*

152

No. 2046  
COUNTY COURT.

ESTATE OF

*John R. Figh*

Deceased.

Notice of Application for Probate of  
Will and Letters.

Issued this 1<sup>st</sup> day of

*July* 1895

L. H. HUGHES, COUNTY CLERK.

By *A. S. Jackson* Deputy.

SHERIFF'S RETURN.

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*Ben E. Cabell*  
Sheriff, Dallas County.

By *H. J. Carson* Deputy.

Devey Printing Co., Dallas, Texas. 14508.

*Fees \$300*

*Recorded*

The State of Texas &  
 County of Dallas & Know all men by these presents  
 That I, John R. Figh of the County of Dallas, and the  
 State of Texas, do hereby make, publish and declare this  
 My last Will and Testament, hereby revoking all other wills  
 by me heretofore made.

First: I will and bequeath to my beloved wife Minnie Figh  
 all the property of every kind & description both real & personal,  
 which I now own or of which I may die seized & possessed.

Second: I hereby nominate constitute and appoint my  
 said wife Minnie Figh Executrix of this My last Will and  
 Testament, and direct that she shall not be required to give  
 any bond or security for the faithful performance of the  
 trusts herein conferred upon her.

Third: It is my Will & Request that no further action  
 be taken with my Estate than the probate of this My last  
 Will and Testament and the recording of the same

In Witness Whereof I hereto subscribe my name this  
 5<sup>th</sup> day of February A.D. 1890

John R. Figh

We subscribers our names as witnesses to the above  
 instrument at the Request, and in the presence of John R. Figh  
 the maker thereof

Witness our hands this 5<sup>th</sup> day of February, 1890

The State of Texas &  
County of Dallas & Know all men by these presents  
That I, John R. Figh of the County of Dallas, and the  
State of Texas, do hereby make, publish and declare this  
my last will and Testament, hereby revoking all other wills  
by me heretofore made.

First: I will and bequeath to my beloved wife Minnie Figh  
all the property of every kind & description both Real & Personal,  
which I now own or of which I may die seized & possessed.

Second: I hereby nominate, constitute and appoint my  
said wife Minnie Figh Executrix of this my last will and  
testament, and direct that she shall not be required to give  
any bond or security for the faithful performance of the  
trusts herein conferred upon her.

Third: It is my will & Request that no further action  
be taken with my Estate than the probate of this my last  
will and testament and the recording of the same.

In witness whereof I hereto subscribe my name this  
5<sup>th</sup> day of February, A.D. 1890

John R. Figh

We subscribe our names as witnesses to the above  
instrument at the Request, and in the presence of John R. Figh  
the maker thereof

Witness our hands this 5<sup>th</sup> day of February 1890

Geo. W. Figh

Thos. Moore

H. W. Figh



State of Texas,  
County of Dallas.

Application for Probate of Written Will attached to Application before the County Court of Dallas County, Texas, sitting in matters of Probate.

In the matter of the estate of John R. Figh, deceased, your petitioner, Mrs. Minnie Figh, shows to the Court, that she resides in Dallas County, Texas. That on the 18th day of June, 1895, John R. Figh, who at, and before his death, had his domicile in the County of Dallas and State of Texas, and who in his lifetime, was a resident citizen of Dallas County, Texas, died in the County of Mitchell, State of Texas, leaving your petitioner as his surviving widow.

That at the time of his death, the said John R. Figh was seized and possessed of real and personal property of the probable value of five thousand (\$5,000) dollars, and left a written will, duly executed and herewith filed, in which your petitioner was appointed executrix and in which she is made the sole devisee and legatee of his estate.

That the said estate and property of said deceased are, in large part, located in the County of Dallas, State of Texas, where your applicant also resides.

That there is a necessity for administration upon the estate of said John R. Figh, who, at the time of his death, was indebted to various persons in certain sums of money, the exact amount of which indebtedness is, at present, unknown to your petitioner, and there are sundry notes, accounts and choses in action belonging to said estate to be hereafter collected.

That your petitioner is not disqualified by law from accepting letters testamentary, and she desires that the said will, in writing, of said Decedent, hereto attached, be now probated and established by the proper orders of this Court. That said Decedent left children surviving him who, but for said will, would inherit portions of his estate.

That by the terms of said will, your petitioner, as executrix, is relieved from giving any bond, or any security as such.

Wherefore your petitioner prays that citation be now issued in the terms of the law to parties interested in said estate. That said will under proper notice, be admitted to probate, that letters testamentary be issued to your petitioner, and such other and further orders be made as, to the Court, may seem proper.

*Mrs Minnie Figh  
(widow)  
by her attorney  
McCormick & Spence*

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

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W 9  
No. 7046

*In re*  
Estate of J. R.  
Figh, dec'd  
Mrs Annie Figh  
Executrix

v.  
Application for  
Probate of Will  
Will produced in  
open court and  
admitted hereto

FILED  
JUN 21 1895

L. H. HUGHES, County Clerk  
By *H. H. [unclear]*

Recorded  
McORMICK & SPENCE,  
ATTORNEYS,  
DALLAS, - - - TEXAS.

Dec 6/24.95

*Recd of  
Dec 6/24.95  
M. H. [unclear]*





Estate of John R. Figh, Deceased, \*  
(No. 2046) \* September, 7, 1895.  
Mrs. Minnie Figh, Executrix. \*

In the matter of the above named estate, it appearing that the last will and testament of John R. Figh, Deceased, late of Dallas County, Texas, has, at this term, been produced in open Court by Mrs. Minnie Figh, Executrix thereof, and no objection thereto being made, and that same has been proved according to law by \_\_\_\_\_

\_\_\_\_\_ one of the subscribing witnesses thereto; and it appearing to the satisfaction of the Court that said will is in due and legal form, and that Mrs. Minnie Figh, executrix as aforesaid, has duly filed her application, in terms of the law, for letters testamentary thereof to be granted to her, and that lawful notice thereof has been given and no objection being made,

It is, therefore, now ordered, and so adjudged and decreed by the Court that the said last will and testament of said John R. Figh, deceased, be, and the same is hereby, admitted to probate and record. And inasmuch as the said testator, by the terms of his will, has provided that no bond, as executrix, be required of said Mrs. Minnie Figh, and that no other action be taken in this Court in the settlement of his estate than the probate of his said will and the return of inventory, appraisement and list of claims of his estate,

It is, therefore, now further ordered that no bond as executrix be required of said Minnie Figh, and that letters testamentary be granted to her upon her taking the oath required by law.



Estate of John R. Figh, Deceased, \*  
(No. 2046) \* September, 7, 1895.  
Mrs. Minnie Figh, Executrix. \*

It appearing to the Court in the matter of the above named estate, that the executrix, named in the will of said Decedent, has taken and filed her oath as executrix of said will and of said estate, as required by law,

It is, therefore, now ordered by the Court that Mrs. Minnie <sup>m</sup>Figh be, and she is hereby, confirmed and recognized as executrix of said will and estate, and that letters testamentary do issue to her.

And it further appearing that J. M. Hoary and E. M. Perry and W. M. Hoell, all citizens of Dallas County, Texas, are in no wise interested in the estate of John R. Figh, Deceased.

It is, therefore, now ordered by the Court that said \_\_\_\_\_ and \_\_\_\_\_ be, and they are hereby, appointed appraisers of the estate of John R. Figh, deceased, and they are hereby authorized and required, with the assistance of the executrix, Minnie <sup>m</sup>Figh, to appraise and inventory the estate of said Decedent as the <sup>will</sup> directs, and to return into this Court their report of said appraisement and inventory, within the time prescribed by law.



Estate of John R. Figh, Deceased, \*  
(No. 2046) \*  
Mrs. Minnie Figh, Executrix. \*

On this the 7th. day of September, 1895, in the matter of the  
above named estate, personally appeared in open Court Thos. Moore  
Moore who being duly sworn, deposes and says that on the 5th.  
day of Feb'y, 1890, he was present and saw John R. Figh sign the in-  
strument filed in this Court on the 22nd. of June, 1895, and now  
shown to him, bearing date on the said February, 5, 1890, and purport-  
ing to be the last will and testament of him, the said John R. Figh,  
and affiant heard him publish and declare the same to be his last will  
and testament; that at the time of signing and publishing the same  
the said John R. Figh was over twenty-one years of age, and of sound  
mind; that this affiant, and Geo. M. Figh, and W. M. Figh  
Figh, whose respective signatures appear on said instrument,  
on said February, 5, 1890, then and there being credible witnesses  
above the age of 14 years, subscribed their names as witnesses to  
the same, in the presence of, and at the request of, said testator,  
and also in the presence of each other; that afterwards, on the  
18th day of June 1895, the said John R. Figh died in the  
County of Mitchell State of Texas, that he had his domicile at  
in Dallas, in Dallas County, Texas, under his last will, as returned  
and before his death, and without having revoked said will, so far as  
is know to the affiant.

Sworn to and subscribed in open Court before me this the 7th.  
day of September, 1895, as witness my hand and official seal.

L. H. Hughes Clerk Co Court  
Dallas Co. Texas,  
By Jackson Deputy,





Estate of John R. Figh, Deceased, \* In the Probate Court of Dallas  
(No. 2046) \* County, Texas.  
Mrs. Minnie Figh, Executrix.

I, the undersigned, do solemnly swear that the writing, which has been offered for probate herein, is the last will of John R. Figh, deceased, so far as I know and believe. And I will well and truly perform all the duties of executrix of said will and of the estate of the said John R. Figh, deceased.

*Mrs Minnie M Figh  
Executrix.*

Sworn to and subscribed before me by the said Minnie Figh, executrix, on this the 7th. day of September, 1895, as witness my hand and official seal.

*Edward M. Browder  
Notary Public in and for  
Dallas County, Texas.*



Estate of John R. Figh, Deceased, \*  
( No. 2046) \* Sept. 7, 1895.  
Mrs. Minnie Figh, Executrix. \*

This day came on to be heard the petition of Mrs. Minnie <sup>M</sup>Figh for the probate of a certain instrument in writing now produced in open Court, and purporting, and alleged, to be the last will and testament of John R. Figh, deceased; and the evidence, a statement of which is filed in this cause, being heard and fully considered by the Court, it is, therefore, now ~~considered by~~ <sup>ordered by</sup> the Court, and ~~now~~ <sup>so</sup> adjudged and decreed, that said instrument in writing, be, and same is hereby, admitted to probate and recorded as the last will and testament of said John R. Figh, deceased. And it is ordered that the application to probate said will, together with the will itself, and the testimony herein given, shall be recorded at length in the minutes of this Court.



Estate of John R. Figh, Deceased, \*  
( No. 2046) \* In the Probate Court of Dallas  
Mrs. Minnie Figh, Executrix. \* County, Texas.

Inventory and Appraisalment of the Estate of John R. Figh, Deceased, produced before the undersigned appraisers on the 7th. day of September, 1895, by Minnie Figh, executrix of the last will and of the estate of said John R. Figh, Deceased.

Separate property of said Deceased:

*There is no separate property of said Estate.*

Community Property of Said Estate.

1. That certain lot of land in Dallas Co. in State of Texas, being 72 feet on North Howard St running east in depth between corner lines 174 ft x 2 inches, and being same property conveyed to Mrs R. Figh by W.V. Connor et al by deed dated May 19, 1882 and recorded in Book 67 of 111-112 deed records Dallas Co. Tex, on which lot there is situated a 6 room Cottage servants House etc. All Valued at \$3500.<sup>00</sup>
2. One horse about 12 years old, about 15 hands high, branded Y.W. on left hip and shoulder. Value \$50.<sup>00</sup>



3. Monies on hand <sup>(2)</sup> and in Bank. \$146.<sup>25</sup>

Total Value \$3696.<sup>75</sup>

We, the undersigned appraisers do solemnly swear that the foregoing is a full and fair <sup>inventory and</sup> appraisement of the estate of John R. Figh, Deceased, produced before us by Minnie Figh, executrix of said estate.

W. M. Perry  
M. M. Hall, Appraisers

Sworn to and subscribed before me by Geo. M. Perry and W. M. Hall and \_\_\_\_\_, respectively, this 7th. day of September, 1895, as witness my hand and official seal.

Edward M. Browder  
Notary Public for Dallas County, Texas

List of Claims belonging to the Estate of John R. Figh, Deceased, and Community Property.

1. One note made by J. M. Harry and D. M. C. Harry to order of J. R. Figh, dated March 1<sup>st</sup> 1895 for sum of \$2500.<sup>00</sup> due on or before twelve months without grace after its date with interest from date at 8 per cent per annum, and premium for 10% additional as atp fees if accented by attorney etc.
2. One note made by N. H. Baker, to order of Geo. M. Perry, dated Sept 25-1891 for the sum of \$250.<sup>00</sup> with interest at 12% from date and 10% atp fees etc, due 90 days after its date.
3. One note made by Baker Bros, dated Jan'y 1<sup>st</sup> 1893 for the sum of \$440.<sup>00</sup> due 12 months after its date, premium for 10 per cent atp fees etc, payable to order of J. M. Harry etc and endorsed by said parties, without recourse.

4. One note made by W. M. High and H. J. Bull, dated June 20<sup>th</sup> 1898 - due at 12 months after date, for \$216.02, with interest from date at 10% and premium for 10% - interest is atyp. fees - payable to Mrs. J. P. High or order. This note whenever was given by the parties to close an account due to J. P. High, and hence is listed as property of said estate -

5. An open account in the sum of \$421.40 due and owing by Geo. M. High, bearing interest at 6 per cent per annum from Feb 20<sup>th</sup> 1894 -

6. A Trust deed securing a note of \$1283.00 dated July 17 1891 due 6 months after its date bearing interest at 10 per cent per annum from date and 10 per cent atyp. fees - Said note payable to J. P. High or order. Said Trust deed covering Lot 112 of Block 95 - "Oak Cliff" as per map recorded in Vol 89, pp 1-2-3-14 of Deed Records Division S.D.P.

I, Minnie Figh, executrix of the above named estate, do solemnly swear that the foregoing inventory and list is a full and complete inventory of the property and list of the claims belonging to the estate of John R. Figh, Deceased, that have come to my knowledge.

*Minnie Figh*  
*executrix*

Sworn to and subscribed before me by Minnie Figh, executrix, etc. this 7th. day of September, 1895, as witness my hand and official seal.

*Edward M. Browder*  
*Notary Public for Dallas*  
*County, Texas.*



FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

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No 2046

Iron Pipe  
Road

Inventor of  
proachment and  
List of claims  
under

Sept 7 5  
L. H. Jackson  
Ad Jackson

Approved Sept 7 1845

J. H. Ash  
Co Judge

Pl  
638

Recorded,  $\frac{3}{345}$