

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

Case Number 139

Dallas Genealogical Society
Founded 1955

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

139

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The State of Texas In the District Court
 County of Dallas } Fall Term 1862

To the Hon. J. W. Lewis Judge of the 10th
 Judicial District of the State of Texas, holding sessions
 in and for Dallas County, in said State.

Your petitioner Wade H. Webb, who resides in
 the County of Dallas and State of Texas plaintiff,
 Complains of Student J. Clark, who also resides
 in the County of Dallas and State of Texas, defendant
 in a plea of Infringement. Plaintiff would represent
 that he is the legal owner of a certain lot, tract,
 or parcel of land, situate lying and being in the
 County of Dallas and State of Texas, being a part
 of a certain Tract of 130 acres of Land, patented to one
 Edmund Cook, from the State of Texas, by patent
 Numbered 241, Volume 13, and dated on the 5th day of
 April 1856. Said Land claimed, and owned, as aforesaid
 by plaintiff, is more or less bounded as follows: To wit
 Beginning at the South West Corner of said Survey of 130 acres,
 Thence running North 37.6 varas to a stake in the West
 line of said Survey, from which a stake 4 inches in
 diameter bears N 21. E 45 varas distant, Thence East 98.5
 varas to a stake on the East line of said Survey, An
 Elm, 4 inches in diameter bears S 8. E 59 varas, Thence South
 276 varas to the South East Corner of said Survey, Thence
 West 9.85 varas ^{on the South line of said Survey} to the place of beginning, and containing
 Sixty five and a half acres of Land, The same being a
 part of the land deeded to Elizabeth E. Fisher and George Fisher
 by the District Court of Dallas ^{County} Texas, at its January Term
 1858, and partitioned to them by Commissioners appointed
 at said term of said Court, the report of said Commissioners
 returned into ^{at its July Term 1859} Court, received, approved, confirmed, adopted
 and made a part of the judgment of said Court, as aforesaid.

and the ~~best~~ full and complete ^{in them} title ~~to~~ ^{as in} said Report
 & field notes accompanying the same, set out, and ~~particulars~~
 of Patent further charge that the land herein claimed
 is the same conveyed to him by and executed by
 said Elizabeth S. Fisher and George H. Fisher, and
 dated on the 24th day of February 1860, ~~which~~
 which will more fully and at large appear by the
 said Patent and ~~Report~~, and field notes, of said
 Commissioners, and the Judgment and Decree
 of the District Court of Dallas County Texas. And also
 the deed from said Elizabeth S. Fisher and George H.
 Fisher, to this plaintiff, a reference to all of which
 documents of title is here made, and will
 be read as evidence on the trial of this ~~case~~

Plaintiff further represents, that he being so seized,
 aforesaid, and in possession of said land, the said Defen-
 -dant, hereofore Com'r for the County and State aforesaid,
 on the 11th day of June A.D. 1860, and on ~~at~~
 other days and times between that day and the institution
 of this suit aforesaid, with force and arms, broke
 and entered the said close of this plaintiff, so situated
 and described as aforesaid, and ousted said plaintiff
 of the possession of said described land, and has had
 and held the possession of the same to the present time, &
 with fellows and poes, and other implements, dug up the
 soil of said plaintiff, and with his feet, in walking, trod
 down and destroyed the grass, and herbage thereon growing
 and with scythes mowed down, and consumed the grass
 and hay of Plaintiff thereon growing, and committed the
 same to his own use and benefit, of great value
 to wit of the value of One Thousand Dollars, and committed
 damage and spoiled the earth and soil of plaintiff
 and other wrongs thus and then did to the great damage

of plaintiff, the sum of other One thousand Dollars
~~wherefore~~ wherefore he brings this suit,

Plaintiff further represents that the said defendant has
 had and held the possession of said Land from
 the said 10th day of June 1860 up to the present
 time during all which time he has used and enjoyed
 and consumed the rents and profits of said afore-
 said describe premises and Land, to his own use
 benefit and behoof, which said rents and profits
 of said Land, are reasonably worth, One thousand
 Dollars, ~~wherefore~~ wherefore Plaintiff says he is damaged
 and has sustained damage in the sum of Three
 thousand Dollars, wherefore he brings this suit
 and prays for Citation, and for Judgment for his
 said damages, for judgment ^{for} the said rents and
 profits arising from said Land, for judgment
 of satisfaction of said Land ~~of~~ of possession
~~therefore~~ therefore, for Costs, and for general relief and as
 in duty bound he will ever pray

Wade H. Hill

By J. C. McCoy his atty

The State of Texas, In Dist Court
 County of Dallas & Fall Term A.D. 1862

vs
 W. H. Witt

vs
 A. J. Clark

vs
 In papers to try titles

Now Comes the Plaintiff in the above
 Cause and denies all and singular the alle-
 gations matters and facts contained and
 set forth in the Defendants petition and says he is not
 guilty in manner or form as therein charged
 and of this puts himself on the Country

John Blood
 Atty for Plaintiff

W. H. Witt

vs
 A. J. Clark

vs
 Andrew J. Clark

Filed October 30th 1862

Ed. C. Brown, Clerk
 by W. H. Thomas, atty

This action is brought as well
 to try title, as for damages
 J. C. McCoy, atty
 for W. H. Witt

Served 30th Octo 1862
 Ed. C. Brown, Clerk
 by W. H. Thomas, atty

J. C. McCoy / 1862-1864

The State of Texas
County of Dallas

District Court
May Term 1861

Wade H. Witt
vs
G. S. Clark

To the Hon. the Judge of the 16th
Judicial District of the State of Texas

Wade H. Witt a resident citizen of
the county of Dallas and State of Texas complaining
of G. S. Clark who resides in the same sd county, represents
that he is owner of a certain tract or parcel of
land lying and being in the county of Dallas and
State of Texas on the waters of White Rock Creek, contain-
ing about 65 $\frac{1}{2}$ acres, located and patented to Edward Cook
it being the south half of a tract of land divided
by a deed of the District Court of Dallas County and
returned the heirs of Edward Cook and, and Elizabeth
Pickett & George Pickett, which sd tract of land is
more fully described by the field notes thereof,
herewith filed marked x and made a part of this
petition. Petitioner says that although he is the
owner of sd tract of land as aforesaid yet Defendant
Clark has a pretended claim to sd land and has
violently entered upon said land and destroyed the
timber and undergrowth thereon being and so hindered
the title to sd land as to prevent petitioner from
the use and enjoyment of the same in as full
and ample manner as he should of right do.
Petitioner says by the trespass above mentioned
and the pretended claims before mentioned, Petitioner
has been damaged and thousands dollars. He
therefore sues and prays that defendant be
ordered to appear &c. That he be quieted in the title
to his tract of land. The costs of suit, and general relief

Wade H. Witt
Petitioner

The State of Texas, District Court
County of Dallas; Fall Term 1862

Oral Verdict
vs
A. J. Clark

The Verdict or his atty will take
Notice that upon the trial of the above cause
I will read as evidence on behalf of the
plaintiff the following papers to wit: the original
copy of the deed from the Deputy Sheriff of Dallas
County Texas for the land in controversy
the T. C. Hays deed the
the return to Mr. H. Spring dated the
to and from said Hays & Spring to the
John Wood
attly for Hays

~~_____~~
J. C. McCoy
attly for Plaintiff

File 606

Feb 13

Mad. McMill
vs
A. J. Clark

Relation

Filed March 5th 1861

Ed. A. Decker
can

This action is brought as well to
try the title as for damages.
B. W. ...
attly for Plaintiff

Writ issued March 5th 1861

W. H. Witt & Nevada Fall Term of 1852
 J. A. Clarke & Dist Court Dallas Co Tex

It is agreed that the following is a full and complete statement of the evidence adduced on the trial of the above cause
 1st Deft introduced Talbot to Edward Clarke dated Apr 8th 1852 (See insert)
 2^d Deft of the Dallas Dist Court Aug 13th 1852 (See insert) with fulcrum & plat
 3^d Report of Commissioners Aug 1st 1859 (See insert)
 4th Deft of Dist Court Dallas Co Tex Aug 6th 1859 (See insert)

5th Deft from Elizabeth & Geo W Fisher to Deft dated & acknowledged Feb 24th 1860 Title for Nevada Aug 14th 1860 W. H. Witt Aug 30th 1860 (See insert)
 A. Clarke is in possession and exercising ownership over the land in controversy

Deft introduced 1st Deft of Dallas Dist Court (See insert - the one mentioned above)
 2^d Deft's Executions on said Deft from Apr 12th 1860 with documents of land sale (See insert)
 3^d Deft's Deed from Jas Shifford Ref Deft of Dallas Co Tex - one to Geo W Swing the other to J. C. Newby dated June 5th 1860 (See insert) from records in Dallas
 4th Deft from Newby & Swing to Deft dated Aug 22nd 1860

5th Deft's Deed from Jas Shifford that Newby & Swing were in partnership in purchase & sale of lands and he at Deft's instance and thought he had been upon and sold the interest of J. C. Newby & Geo W Swing in the land in question to Edward Clarke & Newby & Swing by Executions in favor of Fisher

& I Mr Fisher and that he has been upon and
 sold the interest of Eliz & I Mr Fisher to satisfy execution
 upon said decree in favor of A C Cook et al
 that he examined the records of the Dallas Dist
 Court in case of E & I Mr Fisher vs A C Cook et
 al with the assistance of Mrs with a view
 to a correct description of the land allotted
 to each in the tract described in Deed to Ed
 ward Cook

Dealing states on Cross examination that he sold
 by virtue of said Execution the land described
 in said Deed and having deeds from him to
 each one respectively, as they are described in the respective
 deeds, on the execution and described in the deeds -

Geo C McCoy

Attorney for Plaintiff

~~John Cook~~
 Att for Plaintiff

Examined and approved
 Nov 25th 1862.

J. M. David, Judge
 W. J. [unclear]

The State of Texas & know all men by these
 County of Dallas presents that Mr. J. C. Haape
 and M. L. Spring of the
 County and State aforesaid for and in consideration
 of four hundred dollars to us in hand paid
 by A. J. Clark of the State and County aforesaid
 the receipt of which is hereby acknowledged, have
 granted bargain and sold and by these presents
 do grant bargain sell and convey unto the
 said A. J. Clark all of the following tracts or
 parcels of Land to wit: One of said tracts
 being the N half of 131 acres patented to Edward
 Cook No 241 Vol. 13th April 1856 lying in
 Dallas County about 12 1/2 miles North of Town of
 Dallas & being Lot No 2 of said tract as partitioned
 and set apart under decree of District Court of
 Dallas County and approved at its January
 Term A.D. 1860. Beginning at the N.W. corner
 of Lot No 1. of said tract. Thence N 376 1/2 to
 the N.W. corner of the original survey. Thence
 east 985 1/2 to the original N.E. corner of said
 original survey. Thence S 376 1/2 to stake in
 the east line of the said original survey
 & the N.E. corner of said Lot No 1. of said
 survey Thence W. 985 1/2 to the Beginning
 containing 66 1/2 acres. For a more particular
 description reference is made to a deed heretofore
 executed to J. C. Haape by Jas Shippard Esq. sherr-
 iff of Dallas County dated the 5th day of June A.D.
 1860 & Recorded in Book (H) of Dallas County
 Records of Deeds Bonds &c on pages 34780.
 The other tract described as follows being one half
 of 131 acres patented to Edward Cook No 241 Vol.

13 class 3^d and being the South half of said tract set apart and partitioned to the the said A. C. Cook, Levina Cook Peter Cook & Lemmas Cook by commissioners appointed for that purpose at the January term of the District Court of Dallas County A. D. 1859 and known and designated in their report as Lot No. 1. of said tract. Beginning at the S. W. corner of the original Survey of 131 acres before described Thence North 376 vs to Stake in the West boundary of said original survey. Thence East 985 vs to Stake in the E. boundary of said survey Thence South 376 vs to the original S. E. corner of said survey. Thence West 985 vs to the place of Beginning and containing sixty five and one half acres of Land. For more particular description reference is made to a deed heretofore executed to M. L. Swing by Jas. Sheppard Esqy Sheriff of Dallas County dated 5th day of June A. D. 1860 & recorded in Book (17) of Dallas County books of Deeds Bonds &c on pages 360 & 61. To have and to hold all and singular the premises above mentioned unto the said A. C. Clark his heirs and assigns forever. And we hereby warrant and defend the title to the above described lands against every person whomsoever lawfully claiming ^{the same} by ~~title~~ or under ~~any other~~ ^{in any way} witness our hands this 5th day of August A. D. 1860.

M. L. Swing
 J. C. Hamper

Interlineations on second page done before signing.

W. H. Witt
 No. 606
 A. J. Clark
 Cost Bill.

Clerk's Summons 50¢ Copy print 2¢ Book 16¢ Filing & papers 50¢	2.45
Entry app ^{ts} 20¢ Fined 1/2 & judg ^{ts} 1/2 & Cost Bill 50¢	2.70
25¢ fa. fee	2.00
Final record	2.50
Jury fee Not paid	2.00
Sheriff's ch. Beard	1.00
	16.15
To be divided equally	9.07 1/2
Clerk's Al. Fa. fee 75¢ Cost Bill 50¢ Filing & record, ret. govt	2.15
Sheriff's W. R. Winniford / return. Fa. fee	1.75
Clerk's Al. Fa. fee	2.15
	5.05

48 Wanda & Ch. L. Spring
 1 1/2 2nd
 A. J. Clark

~~Geo. W. Laws~~
 Geo. W. Laws
 Files for Record
 1861 at 30 Oct 1861
 Geo. W. Laws Clerk

150

Filed 31st Dec 1861
 Geo. W. Laws Clerk
 By W. H. Thomas

FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

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THE STATE OF TEXAS
To the Sheriff of Dallas County---Greeting:

WHEREAS, on the 4th day of June, A. D. 1867,
W. H. Witt

recovered a judgement in the District Court
of Dallas County, against A. J. Clark

for the sum of _____
_____ Dollars, the same being the _____
and the sum of Eighty 72/100 Dollars, costs, then due
in said cause, with interest at the rate of _____ per cent. per annum from the
_____ day of _____ A. D. 1867 as of record is manifest.

THEREFORE, YOU ARE HEREBY COMMANDED, that of the Goods and Chattles, Lands
and Tenements, of the said A. J. Clark
as you have heretofore been

you cause to be made the said sum of _____
_____ Dollars, with the said _____
per cent. interest, and the said sum of Eighty 72/100 Dollars, costs, together
with the sum of Twelve 12/100 Dollars, for the costs that have accrued since
the rendition of said judgment, and also the further costs of executing this writ.

HEREIN FAIL NOT, and have you the said moneys, together with this writ, before
said Court, at the Court House in the Town of Dallas on the
16th Monday after the 2^d Monday in August 1868
next.



WITNESS: Paul Long Clerk of the
District Court of Dallas County.
Given under my hand, and the Seal of said Court, at office in
the Town of Dallas, this 24th
day of July, A. D. 1867.

Paul Long
Clerk of the District Court of Dallas County, Texas.
W. M. Sherrott Deputy
"Dallas Herald" Print, Dallas, Texas.

[EXECUTIONS]

[Faint handwritten notes at the top of the page, including names like "W. H. Will" and "A. J. Clark" and dates like "1877".]

W. H. Will *Cost Bill.*
No 606
A. J. Clark

<i>Clark's Summen 50¢</i>	<i>Copy paid 25¢</i>	<i>Dock. 15¢</i>	<i>Filing & papers 50¢</i>	<i>3.45</i>
<i>Entry app. 20¢</i>	<i>Recd. 15¢</i>	<i>2 judg. 15¢</i>	<i>2 Cost Bills 50¢</i>	<i>2.70</i>
<i>2. To. To. 30¢</i>				<i>2.00</i>
<i>Jurat record</i>				<i>3.50</i>
<i>Jury fee Not paid</i>				<i>3.00</i>
<i>Sheriff's A. Pierce</i>				<i>1.50</i>
				<i>16.15</i>
				<i>2.07 1/2</i>
<i>To be equally divided</i>				
<i>Clark's</i>	<i>Mar. To. To. 75¢</i>	<i>Cost Bill 50¢</i>	<i>filing & return, ret. 90¢</i>	<i>2.15</i>
<i>Sheriff's</i>	<i>W. R. Winniford</i>	<i>ret. To. ja</i>		<i>.75</i>
<i>Clark's</i>	<i>Plur. To. ja. 30¢</i>			<i>2.15</i>
				<i>5.05</i>
				<i>3 13.12 1/2</i>

No 606
 W. A. Witt
 vs
 J. P. Clark
 Return July 24th 1868
 J. P. Clark
 against
 J. P. Clark
 Came to hand July 29th 1868
 Executed August 15th 1868
 by levying upon 60^{acres} land
 out of a 200 acre tract surveyed
 for Elizabeth Pearson Alford
 former being the same sued
 by Clark to Scott Bank &
 Page 649 situated in the

North part of Dallas County Texas
 levied upon as the property
 of J. P. Clark left in Execution
 & advertised to be sold first Tuesday in October
 offered for sale as advertised and no bid offered
 advertised for first Tuesday in Nov. 1868
 offered for sale on the first Tuesday in Nov. 1868
 no bid offered Execution Returned Nov. 20th 1868
 without any sale being made A. R. Winfree Sheriff & C

Sheriff Cost
 Levy 150
 Advertising 150
 Re-advertising 150
 Return Execution 75
 \$525



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THE STATE OF TEXAS.

To the Sheriff of Dallas County--Greeting:

WHEREAS, on the 4th day of June A. D. 1867,
A. J. Clark recovered a judgement in the District Court
of Dallas County, against Wm. H. Witt

for the sum of _____
_____ Dollars, the same being the _____
_____ and the sum of Eight $\frac{77}{100}$ Dollars, costs, then due
in said cause, with interest at the rate of _____ per cent. per annum from the
day of _____ A. D. 1867 as of record is manifest

THEREFORE, YOU ARE HEREBY COMMANDED, *as you have heretofore often been*
and Tenements, of the said W. H. Witt

you cause to be made the said sum of _____
_____ Dollars, with the said _____
per cent. interest, and the said sum of Eight $\frac{77}{100}$ Dollars, costs, together
with the sum of Five $\frac{65}{100}$ Dollars, for the costs that have accrued since
the rendition of said judgment, and also the further costs of executing this writ.

HEREIN FAIL NOT, and have you the said moneys, together with this writ, before
said Court, at the Court House in the Town of Dallas on the
16th Monday after the 2^d Monday in August 1867
next.

WITNESS: Ben Long Clerk of the
District Court of Dallas County.

Given under my hand, and the Seal of said Court, at office in
the Town of Dallas, this 14th
day of July, A. D. 1867.

Clerk of the District Court of Dallas County, Texas.
Ben Long

Wm. M. Shevener Deputy
"Dallas Herald" Print, Dallas, Texas.

[EXECUTION]



No 606

W. H. Witt

W. E. P. P. P.

A. J. Clark

Spencer July 24th 1868

1/2 loads - \$ 13.12 1/2

Agreement

W. H. Witt

Came to hand July 29th 1868

John W. Witt
19th Nov 1868

Nov. 18th 1868 no property found in Dallas
County

A. R. Winniford Sheriff

Sheriff Fee
25 Miles Travel
Return pipe

2.50

75

3.25

THE STATE OF TEXAS.

or any Comitable
To the Sheriff of *Dallas* County---Greeting:

WHEREAS, on the *20th* day of *November* A. D. 186*2*,
Wade H. Witt
recovered a judgement in the *District* Court
of *Dallas* County, against *A. J. Clark*
for the sum of _____

_____ Dollars, the same being the _____
and the sum of *thirteen & 20/100* Dollars, costs, then due
in said cause, with interest at the rate of *8* per cent. per annum from the
day of _____ A. D. 186*2*, as of record is manifest.

THEREFORE, YOU ARE HEREBY COMMANDED, that of the Goods and Chattles, Lands
and Tenements, of the said *A. J. Clark*

you cause to be made the said sum of *thirteen dollars & twenty*
Cents (*13 & 20/100*) Dollars, with the said *8*
per cent. interest, and the said sum of _____ Dollars, costs, together
with the sum of *8 & 21/100* Dollars, for the costs that have accrued since
the rendition of said judgment, and also the further costs of executing this writ.

HEREIN FAIL NOT, and have you the said moneys, together with this writ, before
said Court, at the Court House in the Town of *Dallas* on the
16th Monday after the *2^d* Monday in *February* 186*3*
next.

WITNES: *Ben Long* Clerk of the
District Court of *Dallas* County.

Given under my hand, and the Seal of said Court, at office in
the Town of *Dallas*, this *20th*
day of *April*, A. D. 186*3*.

Ben Long
Clerk of the *District* Court of *Dallas* County, Texas.
Edy M. Thovant - Dallas Herald - Print, Dallas, Texas.
Deputy

[EXECUTION]

Sept 22. 75

#652 W.H. Will
" " " " } Fee bill
A. A. Adams

1 Bureau for	Cap. Petition of Writ 50	Books 10	Printing 10	12.75	
	2 App. 20	Cont. 10	Spec. 2	Trans. 30	120
	3 Orders of	Cost bill 25		125	521
				300	300
By:	McAdams of Mr. McShannon of			200	300
Shp.:	McAdams of Mr. McShannon of			300	500
Writ:	McAdams of Mr. McShannon of			215	1321
1 Ben Long for	Depts. filing	Printing	Printing	Cost	215
"	"	"	"	"	715.85
"	"	"	"	"	2201

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FILED BY THE DALLAS GENEALOGICAL SOCIETY

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

WHEREAS on the 25th day of November A. D. 1862,
W. H. Witt
recovered a judgment in the District Court
of Dallas County, against A. J. Clark
for the sum of

100 Dollars, the same being the
Monetary to 16
and the sum of 100 Dollars, costs, then due
in said cause, with interest at the rate of _____ per cent. per annum from the
day of _____ A. D. 186 _____, as of record is manifest.

THEREFORE, YOU ARE HEREBY COMMANDED, that of the Goods and Chattles, Lands
and Tenements, of the said A. J. Clark
you cause to be made the said sum of

100 Dollars, with the said
per cent. interest, and the said sum of 9.19 16 Dollars, costs, together
with the sum of 5.15 100 Dollars, for the costs that have accrued since
the rendition of said judgment, and also the further costs of executing this writ.

HEREIN FAIL NOT, and have you the said moneys, together with this writ, before
said Court, at the Court House in the Town of Dallas on the
10th Monday after the 2^d Monday in August 1868
next.



WITNESS: Ben Long Clerk of the
District Court of Dallas County.

Given under my hand, and the Seal of said Court, at office in
the Town of Dallas, this 24th
day of July, A. D. 1867.

Ben Long
Clerk of the District Court of Dallas County, Texas.
Wm. Thewent Deputy
"Dallas Herald" Print. Dallas, Texas.

[EXECUTION]

1-652
W. H. Witt
vs
A. J. Clark
Spencer April 20th 1868
Came to hand April 21st 68
Returned not satisfied
for want of property
upon which to make
a levy May 29th 1868
J. W. Wimmerman
By J. W. Wimmerman
Filed June 1st 1868
Wm. Long Clerk
By W. Thewent
Deputy
Shiff Fee 75

FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

FILED
 CLERK
 1871

No. 606	Witt vs Clark	Cost Bill	
Clks fees	Summons 50	Copy petition 27	3 00
	Dock 15	filing 3	45
	Ent app 20	Bond 17	1 20
	2 Judgt 17	2 Cost Bills 50	1 50
	2 J. Gas 20	2 Trial Record 250	4 50
Jury fee	Not paid		3 00
Shiffs	A Beard		1 50
Clks fee	(B.L.)	Issuing fifa 75	1 65
		fil 15	15
		Cost Bill	50
Each of the above parties has on hand			

No. 602
 M. H. Witt
 vs Ed. J. Clark
 J. P. Clark
 Given July 24th 1866
 Costs \$249

Came to hand July 29th 1866
 Executed August 15th 1866 by selling
 upon 60 acres of land out of a 200 acre
 trust surveyed for Elizabeth Pearson
 Alias Larner being the same
 Audited by Clark to Geo. R. Cook
 & Perry 49, situated in the North
 part of Dallas County Texas upon
 as the property of J. P. Clark

advertis'd to be sold on the first Tuesday, in Oct 1866
 offer'd for sale on first Tuesday, in Oct 1866, no bidders
 advertis'd to be sold on first Tuesday, in Nov 1866
 offer'd for sale on first Tuesday, in Nov 1866, no bid
 offer'd Execution Returned Nov. 20th 1866

Sheriff Cost
 Selling
 advert
 writ
 return

158
 130
 150
 78
 516

1877
 1877

THE STATE OF TEXAS

To the Sheriff of ^{or any Constable} Dallas County---Greeting:

WHEREAS, on the 14th day of June A. D. 1867,

of Dallas County, against W. H. Witt recovered a judgement in the District Court

for the sum of _____ Dollars, the same being the _____ Dollars, costs, then due and the sum of Seven _____ Dollars, costs, then due in said cause, with interest at the rate of _____ per cent. per annum from the _____ day of _____ A. D. 1867, as of record is manifest.

THEREFORE, YOU ARE HEREBY COMMANDED, ^{as you have heretofore been} that of the Goods and Chattles, Lands and Tenements, of the said A. J. Clark

you cause to be made the said sum of _____ Dollars, with the said _____ per cent. interest, and the said sum of Seven _____ Dollars, costs, together with the sum of _____ Dollars, for the costs that have accrued since the rendition of said judgment, and also the further costs of executing this writ.

HEREIN FAIL NOT, and have you the said moneys, together with this writ, before said Court, at the Court House in the Town of Dallas on the 16th Monday after the 2nd Monday in February next.

WITNESS: E. B. Spilman Clerk of the District Court of Dallas County. Given under my hand, and the Seal of said Court, at office in the Town of Dallas, this 8th day of February, A. D. 1868.

E. B. Spilman Clerk of the District Court of Dallas County, Texas.

"Dallas Herald" Print, Dallas, Texas.

[EXECUTIONS]

No. 606³ Rec
Mr. Cobble

Witt
vs
3 Cost Bills
Clark

Suma Feb 8 & 1868
beginning to transact February
the 11th AD 1868

Returned not satisfied
for want of property
upon which to make a
levy May 29th 1868
J. W. Winneford
by J. S. Longland

Filed May 29th 1868
Pen Long Clerk
By W. Howard
Deputy

App. Feb. 15

Witt
No. 606 vs Cost Bill
Clark

Clks fee	Summons 50 Copy petition 27	3 00
	Dock 15 filing 3 pap 30	45
	Ent app 20 Bond 10	1 20
	2 Judgt 10 2 Cost Bills 50	1 50
	2 Fisas 27 Final Record 250	4 50
Jury fee	not paid	3 00
Shiff	A Beard	1 50
Clks fee	(B. L.) Issuing fisa 75 fil. 15. rec. ret. 75	1 65
	Cost Bill	50
		<hr/> 15 15

Each of the above parties pay one half
of the old cost amounting to
and Pen Longs fee

7 57 1/2
2 15

9 72 1/2

606³ Rec
No. 606
W. H. Witt
vs
3 Cost Bills
Fisa
A. J. Clark
Suma Feb 8 & 1868.
beginning to transact Feb man
the 11th AD 1868
Returned not satisfied
for want of property upon
which to make a levy
May 29th 1868
J. W. Winneford
by J. S. Longland
Filed June 1st 1868
Pen Long Clerk
By W. Howard
Deputy
Shiff Aug 75

FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

THE STATE OF

To the Sheriff of ^{or any Constable} Dallas County---Greeting:

WHEREAS, on the 4th day of June A. D. 1867,

A. J. Clark recovered a judgement in the District Court of Dallas County, against W. H. Witt

for the sum of _____ Dollars, the same being the _____, and the sum of ^{57 1/2}/₁₀₀ Dollars, costs, then due in said cause, with interest at the rate of _____ per cent. per annum from the _____ day of _____ A. D. 1867, as of record is manifest.

THEREFORE, YOU ARE HEREBY COMMANDED, that of the Goods and Chattles, Lands and Tenements, of the said W. H. Witt

you cause to be made the said sum of _____ Dollars, with the said _____ per cent. interest, and the said sum of ^{57 1/2}/₁₀₀ Dollars, costs, together with the sum of ¹⁵/₁₀₀ Dollars, for the costs that have accrued since the rendition of said judgment, and also the further costs of executing this writ.

HEREIN FAIL NOT, and have you the said moneys, together with this writ, before said Court, at the Court House in the Town of Dallas on the 16th Monday after the 2nd Monday in February next.

WITNESS: E. B. Spilman Clerk of the District Court of Dallas County.

Given under my hand, and the Seal of said Court, at office in the Town of Dallas, this 8th day of February, A. D. 1868.

E. B. Spilman
Clerk of the District Court of Dallas County, Texas.

[EXECUTION]

"Dallas Herald" Print, Dallas, Texas.

The State of Texas, } To the Sheriff of Dallas County,

Greeting: You are hereby Commanded that you summon Elcana Bramblett and Wm C. McKamy to be and appear before the District Court, to be holden within and for the County of Dallas at the Court House thereof, in the town of Dallas on the 17th day of Monday in November ~~inst~~, then and there to testify in behalf of the Plffs in a suit now pending in our said court, wherein W. H. Witt

Andrew J. Clark is plaintiff and the continuethis attendance from day to day, and from term to term, until discharged by the court.

Herein fail not, but have you then and there before said court this writ, with your return thereon, showing how you have executed the same.

Witness, Ed C. Browder Clerk of the District Court of Dallas County.

Given under my hand, and the seal of said Court, at office in the town of Dallas this 12th day of Nov A. D. 1862

Ed C. Browder
Clerk of Dallas County Texas

W. H. Witt

by A. J. Clark Notices

The Dylt or his attorney will take notice that the plaintiffs will meet on evidence on the trial of the above entitled cause, the Patent from the State of Texas to Ed. Cook, to 131 acres of land embracing the land in controversy - The Report of the Comptroller appointed by the Dist Court of Dallas Co in the case of Fisher & Fisher vs the heirs of Ed Cook & its approval by said court in said case & from G. W. Fisher & Elizabeth Fisher to Plaintiff conveying to him the land in controversy -

W. H. Witt
J. C. McCoy
13y
his atty

THE STATE OF TEXAS.

To the Sheriff of Dallas County--Greeting:

You are hereby commanded to summon Andrew J. Clark to be and appear before the District Court of Dallas County, on the first day of the next Term thereof, to be held at the Court-House in the town of Dallas on the 8th Monday after the 4th Monday in Sept^r, 1862, then and there to answer the Plaintiff's petition, now filed in a cause pending in said Court, in which

Wm H Witt is
plaintiff, and
Andrew J. Clark is

defendant, a certified copy of which petition accompanies this writ.

Witness, Ed C Brown Clerk of the
District Court of Dallas County, and
the impress of the seal thereof hereon made, this
21th day of Oct^r 1862

Ed C Brown
Clerk of the District Court of Dallas County.
By W H Thomas 4pt

W. H. Witt
vs
A. J. Clark

It is admitted by the defendant
A. J. Clark, that he is in possession of the
land in controversy in this suit and has
had the same since Dec. 1st 1861 and
has used & occupied the same as his own
since 19th 1862
A J Clark

W
W. H. Witt
vs
A. J. Clark

E. Manblitt
W. C. Ramsey
Come to hand Manblitt
the 17th Nov 1862 and locate
by reading the within
Spec to the said E.
Manblitt and W. C.
W. C. Ramsey. This Nov
17th 1862.
N. O. Adams
Sheriff C.C.T.
Fee \$1

Filed 17th Nov 1862
Ed C Brown Clk
By W H Thomas 75

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N^o 652

J. H. Witt

3rd Floor Toba

A. J. Clark

Spent August 2nd 1870

Cost \$31.51

Came to hand August

the 3rd 1870

Returned Oct 3rd 1870

not satisfied

Unknown
Sheriff Dally

Sold the land herein listed
upon on 1st Jan, 1871 in same
according to law and J. C.
Hawthorn being the highest bidder,
the 2nd land was awarded
off to him at \$45.00 down
5th 1860 J. Sheppard Supt. Sheriff
D, C, T.

June 12th 1860
Rudolph Sheppard \$4.52
on this paper

E. C. P. ...

N^o 212

A. C. ...

Salas papa

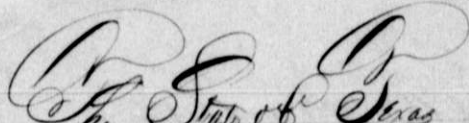
Fisher & Fisher

Cost \$35.00

Spent Apr 12/60

Came to hand same day ...
warranted by leaving on 13th acre
it being the north half of 131 acre
patented to Edward Cook No 241
Oct 13. 5th April 1858. found
in as the property of Elizabeth
Fisher & George W. Fisher on the
7th day of May 1860
J. Sheppard Supt. Sheriff
D, C, T.

John ...
E. C. P. ...
Unknown


 The State of Texas
 To the Sheriff or any Constable of Dallas County Texas;

On the 25th day of November A.D. 1862, J. S. Hall recovered a judgment in the District Court of Dallas County Against J. J. Clark for the costs of said proceeding to the sum of twenty four dollars and 70c And on the 20th day of April 1868 an Execution issued directed to the Sheriff of Dallas County, commanding him that of the goods, Chattels, Lands and Tenements of the said Clark, he should cause to be made the sum of Twenty two dollars and 70c costs of said which Execution was, by the Sheriff of Dallas County returned, endorsed thus "Not satisfied &c."

And on the 20th of April 1868 another Execution was issued by the Clerk of said Court, directed to the Sheriff of said County, commanding him as he had heretofore been commanded, that of the Goods, Chattels, Lands & Tenements of the said J. J. Clark he should cause to be made the sum of Twenty four dollars and 70c the same being the amount then due in said Court, which said Execution was, by said Sheriff, returned, to the Clerk of said Court, endorsed thus by the Sheriff as follows:

"Came to hand July 29th 1868, Executed August 15th 1868 by levying upon 60 acres of Land out of a 320 acre tract surveyed for Elizabeth Pearson Alias Garner being the same divided by Clark vs Scott Book & Page 649 situated in the North part of Dallas County Texas upon as the property of J. J. Clark.

Admitted to be sold the 1st Tuesday in October 1868 at said Court the 1st Tuesday in October 1868, No bidding. Admitted to be sold on first Tuesday in November 1868 at said Court on first Tuesday in Nov 1868, No bid at said Execution returned Nov 20th 1868 And said Execution not being satisfied by any paid thing,

You are hereby commanded as you have often heretofore been that of the Goods Chattels Land and Tenements of said J. J. Clark you cause to be made the sum of \$31.51 (the sum being the amount now due in said Court, as costs, &c.)

Under the return made of this writ with law requiring
 Writ of John M. Law, Clerk of the District
 Court of District Court of Dallas County
 & the impug of the Seal of the Court
 made this 2^d day of August
 A.D. 1871

J. M. Law
 Clerk D.C. Tex

Mr. H. Witt vs J. Clark
 No. 652 vs
 Cost Bill

Clark's Copy put in 15 Writ 50¢	2.75
Entry 2 app in 20 th Cent. 15¢	1.25
Subpoena with 2 add ⁿ names 55¢	1.85
2 Copies of Cost Bill 25¢	4.25
Juris Doc Not paid	3.00
Sh. fee Mr. Adams	1.00
Mr. Thompson	1.00
Witness W. G. McLamy	3.00
Charles Final Return	6.66 19.86
Sh. fee 75¢ Cost Bill 50¢	2.15
Al. Sh. fee 20¢	2.15
Sh. fee W. H. Minniford, returning sh. fee	1.75 5.05
	9 24.01

Sh. fee 15¢ for & recording return 1.00
 W. H. Minniford