

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

Case Number 838

Dallas Genealogical Society
Founded 1955

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FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

838

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Est of Robert G Rogers
Deed #680

In the Probate Ct of
DCT
Ord probating will:

12-3-83.

In the matter of the last will of said decedent:-
Upon the hearing the petition of Margaret B Rogers, for the probate of a cert instr in writing, purporting and alleged to be the last will and testament of sd Robert G Rogers, decd, and now produced in open court, and for letters testamentary thereon; and upon hearing the testimony of T J Jackson, 1 of the subscribing witnesses to sd will, a statement of which is filed with the papers in this case- due and legal notice of sd appl to probate will having been given and no objection thereto being made; it is adjudged and decreed by the court that said will of the sd Robert G Rogers, decd, is hby proved and established as the last will of sd decedent and it is ord that the same be recorded, together with the testimony afd; It is further ord that letters testamentary thereon be issued to the sd Margaret B Rogers, upon taking the oath prescribed by law, no bond being required under the prov of sd will.
J S Strother, T J Jackson and J A Moore are hby apptd to view and appraise the prop belonging to sd est and to make due report to this court as the law requires.

Ent: K-2/72 Minutes of Probate Ct of DCT

THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

Robert G. Rogers deceased.

Margaret B. Rogers has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of Robert G. Rogers

deceased, and for Letters Testamentary, which will be heard at the next Term of said Court, commencing on the fourth Monday in November A. D. 1883, 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.

Allen K. Hill
WITNESS, A. 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 17th day of Nov
A. D. 1883.

A. HARWOOD, County Clerk Dallas Co., Texas,

By A. H. Hughes Deputy.

In County Court Dallas Co Tex
No 680 } Court in session

Ex parte application
of Mrs. M. B. Rogers } December 3rd A.D.
1883 - On this day personally ^{known to me} appeared Margaret Borgilla Rogers, the
person this day appointed executrix of
the last will and testament of
Robert G. Rogers deceased and the
said Margaret Borgilla ^{Rogers} after being by
me duly sworn upon oath. I do
solemnly swear that the writing which
has been offered for probate is the
last will of R. G. Rogers, so far as
I know or believe, and that I will
well and truly perform all the duties
of executrix of said will of the estate
of said R. G. Rogers. Mag. B. Rogers
Sworn to and subscribed before
me this 3rd day of December A.D. 1883.

W. M. Co. Nice Secy
By L. A. Hughes Deputy



COUNTY COURT.

ESTATE OF

Robert G. Rogers

Deceased.

Notice of Application for Probate of
Will and Letters.

Assued this 14th day of
December 1883

L. A. Hughes, County Clerk.

By L. A. Hughes Deputy.

SHERIFF'S RETURN.

Came to hand the 14th day of Dec
1883 and executed the 11th day of Dec
1883, by putting up three copies of this writ at
three public places in Dallas County, one of which
was the Court House Door of said County.

W. H. D. Smith
Sheriff, Dallas Co.

By W. H. D. Smith Deputy.

Doct & Cap 1883
Recorded

Inventory and Appraisement
of the Property, Real and Personal
belonging to the Estate of Robt. G. Rogers.
decd

| | | | |
|------|---|---------|----|
| 410 | Acres of Land out of the O. G. Collins | | |
| | 640 Acre Colonial Head right @ 720 | \$ 8200 | 00 |
| 60 | Acres out of Harrison Lusted 640 A. Surry | \$ 1200 | 00 |
| 50 | Acres out of C. A. Loring 640 A. Surry - Jmiter | \$ 600 | 00 |
| | Cash on hand | \$ 700 | 00 |
| 1 | Note due Jan. 1 st 1884 from J. F. Collins | \$ 500 | 00 |
| 1 | Note due Jan. 1 st 1885 from J. F. Collins | \$ 500 | 00 |
| 1 | Note due Jan. 1 st 1886 " J. F. Collins | \$ 500 | 00 |
| 1 | Note due Jan. 1 st 1887 " J. F. Collins | \$ 500 | 00 |
| | Money Money on interest through Jones and Kendall, Apts at Waco Texas secured by Real Estate Mortgage with 12 pct. int - | \$ 3261 | 38 |
| 1 | Note on Jeff. Hill secured by Chattel Mortgage for | 115 | 00 |
| 1 | Wagon \$30 - 1 Wagon \$20 ⁰⁰ - 1 Stack \$75 ⁰⁰ | \$ 125 | 00 |
| 1 | Buggy \$25 ⁰⁰ - 1 Set Harness \$5 ⁰⁰ | \$ 30 | 00 |
| 6 | Setto plow Gear @ 150 = \$9 ⁰⁰ | \$ 9 | 00 |
| 1 | Iron beam plow \$5 ⁰⁰ - 2 Double Shovels \$5 ⁰⁰ | \$ 10 | 00 |
| 1 | Standard Cultivator \$25 ⁰⁰ - 1 Sulky plow \$30 ⁰⁰ | \$ 55 | 00 |
| 1 | Pulverizer \$75 ⁰⁰ - 1 Cat Cutter \$5 ⁰⁰ | \$ 80 | 00 |
| 1 | Cotton Planter \$10 ⁰⁰ - 1 pr plow harness | \$ 11 | 00 |
| 1 | Half Int. in Reaper - | \$ 100 | 00 |
| | Two axes, picks &c &c | \$ 10 | 00 |
| 1 | Sulky Rake \$22 ⁰⁰ - 1 Sleigh \$2 ⁰⁰ | \$ 24 | 00 |
| 1500 | Bushels Corn @ 30ct | \$ 450 | 00 |
| 1200 | Bushels Oats @ 25ct | \$ 300 | 00 |
| 250 | Bushels Michigan Wheat | \$ 100 | 00 |
| 100 | Bushels Millet Seed @ 30cts | \$ 30 | 00 |
| 1 | Cultivator \$8 ⁰⁰ 1 Mower \$30 ⁰⁰ | \$ 38 | 00 |
| 1 | Sett Socks \$15 ⁰⁰ | \$ 15 | 00 |
| | | \$ 446 | 38 |

| | | |
|---|--|----------|
| 7 | Sheep \$25.50 - 13 Stock Hogs \$26.00 | \$573.20 |
| 4 | Killing hogs \$40.00 - 2 Cows & Calves \$110.00 | \$160.00 |
| 1 | Cow \$20.00 - 2, 2yr heifers \$30.00 | 50.00 |
| 2 | 1yr old heifers \$20.00 - 1 male yearling calf .10 | 30.00 |
| 1 | Black horse mule \$125.00 | \$125.00 |
| 1 | Gray horse mule \$100.00 | \$100.00 |
| 1 | Sand Horse \$60.00 - 1 Dun Mare 1007 | \$160.00 |
| 1 | Bay Mare \$80.00 | \$80.00 |
| 1 | Desk \$13.00 1 Set Furniture \$20.00 | \$33.00 |
| 4 | Brush Beds \$60.00 - 13 Chairs \$10.00 | \$70.00 |
| 1 | Clock \$35.00 - 1 Dining Table \$5.00 | \$8.00 |
| 1 | Table Service \$10.00 - Crockery ware \$5.00 | \$15.00 |
| 1 | Cook Stove \$30.00 - 1 Ward Robe \$30.00 | \$60.00 |
| 2 | Bed Steads \$7.00 - Bed Furniture \$32.00 | \$39.00 |
| 2 | Franklin Stoves \$35.00 - 1 Sewing Machine \$10.00 | \$45.00 |
| 1 | Safe \$3.00 - 1 Washing Machine \$10.00 | \$10.00 |
| | Total - | 852.20 |

The State of Texas
County of Dallas

J. M. B. Rogers Executor
of the above named Estate do solemnly swear
that the foregoing is a true, full and complete
Inventory of all the property real and personal
belonging to said Estate that has come to my
knowledge - Wm. B. Rogers

Sworn to and subscribed before me
this 26th day of Dec. A. D. 1888

Geo. S. Strother
Notary Public
Dallas Co
Tex

The State of Texas
County of Dallas

Before the undersigned authority
this day personally appeared J. S. Strother,
J. J. Jackson and J. C. Moore Appraisers of
the above named Estate heretofore appointed by
the Court and each being duly sworn says that the
above and foregoing is a just and true appraisal
of the property pointed out to them as belonging to
said Estate -

J. S. Strother
J. J. Jackson

Sworn to and subscribed before me
this March 22nd 1884

J. D. McNeill Clerk
By L. Hughes Dy

V 680

Inventory & Apprais-
ment of the

Estate of Robt
G. Rogers Decd

Filed March 22nd 1884

W. McNeill Clerk
By L. Hughes Dy

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4995

Recorded

kept together as aforesaid.

- IX. I make and appoint my said wife Margaret Berz Gilla Rodgus executrix of this my last will and testament with power to appoint her successor in writing.
- X. My said executrix shall have power to partition distribute and make title to my entire estate (in accordance with the requirements of this will) unto the devisees and legatees herein in such manner as she may deem necessary and proper, without the necessity of a resort to the County Court or to any other court for that purpose.
- XI. I give unto my said executrix full and complete power to sell and dispose of and make title to my entire estate real and personal and mixed, in case she may deem such sale necessary and proper, and to divide and distribute the proceeds thereof in accordance with this will, without any order or authority therefor from the County Court or judge or any other court or judge.
- XII. I wish and so will that no other action shall be had in the County Court in relation to the settlement of my estate than probating and recording this will, and the return of an inventory, appraisement and list of claims of my estate.
- XIII. I appoint my said wife the guardian of both the estate and persons of my minor children, but guardian of their estate only so long as she may remain unmarried.
- XIV. I desire that my children shall be brought up and properly trained in morals, and educated in a manner suitable to their condition and fortune in life.
- XV. I give unto my said executrix all power which shall be necessary and proper for carrying in to execution the foregoing will and testament.

XVII. No security shall be required of my said executrix, but it is my will that letters testamentary shall be issued to my said executrix without any bond being required unless she shall marry in which case bond with security shall be required as the law directs.

Witness my hand this the 13th day of October in the year of our Lord one thousand eight hundred and eighty-three.

R. G. Rogers

Signed by the testator in the presence of us the undersigned witnesses, and we attest the foregoing last Will and Testament at the request of the testator, by subscribing our names thereto in the presence of the testator and in the presence of each other.

M. L. Dye.

J. J. Jacobsen

J. Colloone

Vol. 680

Last Will and

Testament of

Robt. G. Rogers.

Exhibit A.

Filed Nov. 14th 1883

W. B. Bell

Cl. Secretary

Recorded on page 125.

The State of Texas }
County of Dallas. }

In the name of God, Amen:

I, Robert Griffin Rogers of the County of Dallas and State of Texas, being of a sound and disposing mind, make this my last Will and Testament.

I. I give and devise unto my beloved wife Margaret Barzilla Rogers an estate for her life in one-third of all my lands tenements and hereditaments, with remainder to my children Mary Griffin Rogers, Lamine Erwin Rogers, Maggie Davidson Rogers, Robert Pilder Rogers and Kate Keller Rogers and their descendants, - except 100 acres this day deeded by me to my daughter Willie Cathrine Robinson and her husband Jefferson Davis Robinson.

II. I give and bequeath unto my said wife Margaret Barzilla Rogers one thousand and forty one dollars to be paid out of my estate real or personal; on condition however that my said wife shall release ^{and all} all her right title and interest in and to any real property belonging to me in which she may claim any community interest. This bequest of one thousand and forty one dollars being in lieu of such community interest if any of my said wife.

III. I give and bequeath unto my said wife Margaret Barzilla Rogers one half of all the personal property belonging to the community estate of my said wife and myself, the same being the interest the law would give her independent of this will.

IV. I give and bequeath unto my children, Willie Cathrine Robinson, Mary Griffin Rogers, Lamine Erwin Rogers, Maggie Davidson Rogers, Robert Pilder Rogers and Kate Keller Rogers, all my personal property to be equally divided among them share and share alike after their mother's portion hereinbefore bequeathed shall have been taken from said personal property.

V I give and devise to my children Mary Griffin Rogers, Hannie Erwin Rogers, Maggie Davidson Rogers, Robert Pildue Rogers and Kate Keller Rogers all my lands tenements and hereditaments to be equally divided among them share and share alike - except 100 acres this day deeded by me to my daughter Willie Catherine Robinson and her husband Jefferson Davis Robinson. This section of my will to be governed by section I as to my said wife's one third interest for her life. VI. The said property herein devised and bequeathed consists of about six hundred and twenty acres of land upon which I now live, and of personal property consisting of about \$1371 ²⁸/₁₀₀ now on deposit in the Exch. Bank in the City of Dallas, Texas; about \$2000 in notes secured by mortgage and in said Bank; about three or four thousand dollars loaned on security by Jones and Kendall of Wood in McLelland County Texas, and cattle, mules, hogs, ~~cattle~~, farming implements and all other personal property whatsoever owned or possessed by me.

VII. I give devise and bequeath all my real or personal estate not otherwise effectually disposed of by this my last will and testament unto my said wife in trust for the maintenance of herself and for the education and maintenance of my children.

VIII. I desire and so will that my entire estate real, personal, and mixed shall be kept together and managed by my executor, hereinafter appointed, until my youngest child shall become twenty one years of age or shall marry, or until any one of said children being twenty one years of age or married shall desire his or her part to be set apart and partitioned to him or her; the portions of those children under 21 years of age ~~and~~ unmarried to be

That it is provided in said will that no other action shall be had in the County Court in relation to the petition of said Robert Griffin, or any other person, who may be admitted to the time of his death, or any other person, who may be admitted to the time of his death, or any other person, who may be admitted to the time of his death.

The State of Texas, } In County Court
County of Dallas. } November Term A.D. 1883.

To the County Court of said County:
Your petitioner, Margaret Bazilla Rogers, represents that she resides in Dallas County Texas. That heretofore to wit the 4th day of November A.D. 1883, in Dallas County, Robert Griffin, ^{Rogers} departed this life. That prior to and at the time of his death he resided in Dallas County. That the said Rogers left a written Will herewith filed and made a part of this application and marked Exhibit "A". That by said Will all the estate real, personal and mixed was disposed of. That the principal property of said testator was, at the time of his said death, and is now, situated in said County, and that his nearest kin reside in said County. That the said estate of said testator consists of about six hundred acres of land, of about \$1371⁰⁰ thirteen hundred and seventy one dollars cash on hand; about six thousand dollars loaned on Mortgage security; of cattle mules horses farming implements, and other personal property. That the probable value of said estate is about fifteen thousand dollars, ^{that there are no debts existing against said testator or his estate} That your said petitioner is the survivor and widow of said testator and was named and appointed in said last Will and Testament the executrix thereof. That she the said executrix is not disqualified by law from accepting letters testamentary. Wherefore said petitioner prays that said Will be probated and that letters testamentary be granted her without bond as is required by said Will; and that citation issue to all parties interested in said estate as the law directs.

M. L. Dyer;
Atty. for petitioner.

No 680 ✓

Ex parte Application
of Margaret B. Rogers
for Probate of Will
and letters testamentary

Filed Nov. 14th 1855

W. H. White Clerk
By L. S. Hughes Esq.

Recorded on page
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M. L. Dyer
Att'y. for Applicant.

No 680? Ex parte Application } The State of Tex as
of Margaret B. Rogers for } Dallas County, Tex
probate of the will of Robert G. } County Court November
Rogers and for letters Testamentary } her Term A.D. 1883.
Court in Session December 3rd A.D. 1883.

This day came on to be heard the above
numbered and styled Application. Where-
upon came Mrs. Margaret B. Rogers the ap-
plicant aforesaid and announced ready on
such application. Whereupon came in open
court and personally appeared J. J. Jackson
known to me to be the person whose name is
subscribed to the last will and Testament of R.
G. Rogers filed herein on the 14th day of Novem-
ber A.D. 1883 and numbered 680 ^{attached hereto and} and marked
Exhibit "A" and ~~after~~ the said J. J. Jackson
after being by me duly sworn and after having
said last will and Testament shown to him in
open court, says on oath that the same is
the last will and Testament of R. G. Rogers
that affiant is one of the subscribing wit-
nesses thereto, that affiant saw the said
R. G. Rogers sign and subscribe his name
to said last will and Testament and that
the said testator R. G. Rogers signed the same in
the presence of affiant and in the presence
of M. L. Dye and J. E. Moore and that affiant
and the said M. L. Dye and J. E. Moore signed
attested and subscribed their names as witness-
es thereto at the request of the said Testator and
in his presence and in the presence of each
other and that and that the certificate of said
affiant and said Dye and Moore in
the attesting clause and coming after the
name of said Testator is true and correct
That the said R. G. Rogers died on the
~~14th day of November 1883 and~~

4th day of November A.D. 1883 that the said Rogers died in Dallas County Texas and that the principal part of his estate is in said County and that his next of kin reside in said County. That the said Rogers at the time of executing said will ~~was~~ more than twenty one years of age and was then a married man and was of a sound mind at the time of executing said will and that such will has not been revoked that Margaret Barzilla Rogers ^{is} named as executrix in said will and that she is the surviving wife of said R.G. Rogers J. Jackson

I swore to and subscribed before me in open court this 2^d day of December A.D. 1883.

W.M. Hill, Sec. Clerk
 R.G. Hughes, Deputy

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No 680, ✓

Testimony.

Filed Dec, 31st 1863
Wm Leake & Co
By L. S. Hughes

Recorded on page
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