

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

Case Number 1735

Dallas Genealogical Society
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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

1735

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THE STATE OF TEXAS.

To all Persons Interested in the Estate of J. Carter deceased:

J. B. Smith & M. M. Jaggard have this filed, in the County Court of Dallas County, State of Texas, an application for the Probate of the last Will of said J. Carter 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 May A. D. 1896, 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 13 day of April A. D. 1896

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

By J. Taylor Deputy.

EXECUTOR'S BOND

The State of Texas, }
COUNTY OF DALLAS.

Estate of J. Carter Decd.

KNOW ALL MEN BY THESE PRESENTS, That we, _____ and _____ as Principal, and _____ as Sureties, are held and firmly bound unto the County Judge of said County of Dallas, and his successors in office, in the sum of _____ Dollars; conditioned that the above bound _____ who has been appointed _____ shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this _____ day of _____ 1896

(SEAL)

(SEAL)

(SEAL)

WE DO SOLEMNLY SWEAR that the writing which has been offered for probate is the last will of J. Carter deceased, so far as we know or believe; and that we will well and truly perform all the duties of Executors of said will.

Sworn to and subscribed before me this 5 day of May 1896

L. H. Hughes
County Clerk, Dallas County, Texas.
By J. B. Smith Deputy.

171
No. 2160
COUNTY COURT.

ESTATE OF

J. Carter

Deceased.

Notice of Application for Probate of
Will and Letters.

Issued this 3 day of

April 1896

L. H. HUGHES, COUNTY CLERK.

By *J. Taylor* Deputy.

SHERIFF'S RETURN.

Came to hand the 13 day of *April*
1896 and executed the 13 day of *April*

1896, 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 B. Caswell
Sheriff, Dallas County.

By *H. Carson* Deputy.

Dorsey Printing Co., Dallas, Texas. 14600.

Fee \$3.00
Recorded -

No. 2160
COUNTY COURT,
DALLAS COUNTY.

cont
EXECUTOR'S BOND.

ESTATE OF

J. Carter *Deed*

Filed *May 5* 1896
L. Hughes
S. B. COTT, Clerk.

By *J. Stewart* Deputy.

Approved this _____ day of

189

County Judge, Dallas County.

A. D. Aldridge & Co., Stationers, Printers and Binders, Dallas.

Recorded -
357

OFFICE OF
FRANK B. FLANDERS,
COUNTY PROBATE CLERK
 OF JEFFERSON COUNTY, ARK.
 D. T. SALLES, Deputy Clerk.

Pine Bluff, Ark. 4/21 1896

We W. D. Jones Judge of the Probate
 Court and F. B. Flanders Clerk of the
 Probate Court within and for the County
 of Jefferson and State of Arkansas. Do
 hereby certify that the Letters of Guardian-
 ship issued to W. W. Ware as Guardian
 of Lewis P. Moy Child and W^m Carter Ware. Minors,
 are in due and legal form under the
 laws of the State of Arkansas

W. D. Jones
 Probate Judge
 F. B. Flanders
 Probate Clerk
 By L. J. Salles D.C.

The State of Texas, : In the County Court of Dallas
County of Dallas. : County, sitting for probate purpose

To the Honorable T.P. Nash, Judge of said Court.

Your petitioners, J.E. Bassett and M.W. Taggart, both of whom are resident citizens of Dallas County, would respectfully represent that J.L. Carter, late of Dallas County, now deceased, at his residence in the City of Dallas, Dallas County, Texas, departed this life on the 8th day of April, 1896. That the said J.L. Carter was a citizen of Dallas County, Texas, and that all of his property known to your petitioners is located in said City of Dallas, Dallas County, Texas, and within the jurisdiction of this court.

That on the 13th day of November, 1896, the said J.L. Carter, deceased, executed in writing his last will and testament, which said will accompanies this application, in which he disposed of all of his estate, both real and personal, and names therein your petitioners as executors. That said executors were by said will, appointed to take charge of his estate, and that the deceased requested that they act without bond for their due and legal performance of the said will.

Your petitioners would further show that the property of the deceased consisted of real estate, being the homestead of the family, life insurance, notes, accounts and personal property. That the probable value of said estate is \$-15,000-.

Petitioners would further represent that they are not disqualified by reason of law, to act as executors aforesaid, or from accepting letters testamentary.

Wherefore petitioners file this their application, together

Central ...
The Court of ...

In the County Court of Dallas

(2)

with said last will and testament, and pray that citation issue as the law directs, and that at the next term of this court to be commenced on the first Monday in May, 1890, in said Dallas County, that said will be admitted to probate, and that letters testamentary be issued to your petitioners.

Your petitioners pray for such other and further orders as to the court may seem just and equitable.

Alexander Clark Hall
Attorneys for Petitioners,
J.E. Bassett and M.W. Taggart.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

No. 2160

In the matter of the estate
of J.L. Carter, deceased
Application to probate will

FILED

APR 13 1896

L. C. NUNES, County Clerk
By *J.H. [Signature]*

*Settled
Recorded H-89*

LAW OFFICES OF
ALEXANDER, CLARK & HALL,
ROOMS 1, 2, 3 AND 4,
NATIONAL BANK OF COMMERCE BLDG.

W. M. ALEXANDER,
WM. H. CLARK,
W. L. HALL.

DALLAS, TEXAS.

October 3rd, 1896.

\$1577.45.

Received of M.W. Taggart and J.E. Bassett, Executors of
estate of J.L. Carter, deceased, the sum of Thirteen hundred and
seventy-seven Dollars and forty-five cents; Being the net amount

arising out of life insurance on the life of Dr. J.L. Carter, deceased
and left by the said J.L. Carter to my minor children, Louis P. Ware
Mary Emma Ware and Wm. Carter Ware, by will, which said will is of
record in the County of Dallas, State of Texas.

Witness my hand, this the 3rd day of October, 1896.

Wm. Carter Ware
Guardian for above named minors

In the matter of the estate of
J.L. Carter, deceased.

In the Probate Court of
Dallas County, Texas

May 5th, 1936

Whereas, on this date, the will of Dr. J.L. Carter was duly probated in this court, and J.E. Bassett and M.W. Taggart, who are named therein as independent executors, have complied with the law and an inventory of the property has been duly filed, and the said J.E. Bassett and M.W. Taggart, acting as independent executors under said will, have invoked the ^{Jurisdiction} jurisdiction of this court in the matter of the distribution of certain moneys that will come into their hands as such executors under such will, for the use of the minor children of Josepha Ware, the daughter of deceased J.L. Carter, which said minor children are residing with their father W.W. Ware at Pine Bluff,

Arkansas, and whose names are Louis P. Ware, Mary Edwards Ware and Wm. Carter Ware, age, nine, six and five years, respectively.

And whereas, W.W. Ware, father of the said minors, has duly qualified as guardian of said minors, in the State of ~~Arkansas~~ and has produced and filed in this court, a certified copy of the bond given and the record of his appointment as guardian, together with certificates of the clerk and Judge of the court in which such guardianship is pending;

It is now here ordered by the court that upon receipt of the moneys belonging to said minors by the executors aforesaid, they are authorized and empowered to pay the same over to said W.W. Ware, as guardian of said minors, Louis P. Ware, Mary Edwards Ware and Wm. Carter Ware. The said executors are further ordered to take receipts from said guardian and file the same with this court.

V. J. Nash
County Judge

State of Texas
County of Dallas

I know all men by their
State and County being of sound mind
and disposing memory, and being de-
sirous of settling my worldly affairs
while I have strength so to do, make
this my last will and testament
hereby revoking all other wills
heretofore by me made

Item I desire and direct that
my body be buried in a manner
suitable to my circumstances in
life.

Item II I desire & direct that all
my just debts be paid without delay
by my Executors hereinafter to be named
Ed. therein.

Item III I desire and direct that
the lot where I now reside & which is
used as my home be kept for the con-
mon use and occupancy of my
two unmarried daughters Lucy Carter
and Beatrice Carter and my daughter
Fannie Faggart her husband's wife
gast, as long as Lucy Carter & Beatrice
Carter or either of them remain
single, But if my daughter Fannie
Faggart her husband Mr. Faggart
for any reason should at any time
decide to abandon & remove from
the home and Lucy Carter & Beatrice
Carter should find it best for them

to rent out the said homestead & board
 the rents for said home is to go
 to the support of the said Lucy &
 Beatrice Carter, should my two
 single daughters Lucy & Beatrice marry
 before my death or after my death
 then it is my wish and I direct that
 my Executors sell my homestead as soon
 as the same can be done without sacri-
 fice and the proceeds arising from
 said sale is to be divided as follows
 To Lucy Carter Beatrice Carter, Eliza-
 beth Barnett, & Fannie Taggart my
 daughters one each to receive $(1/6)$ one
 sixth of the proceeds of said sale. One
 sixth is to go to my grand daughter
 Emily Edwards. The remaining $(1/6)$
 one sixth is to be equally divided be-
 tween my three grand children by my
 daughter Josephina Ware. The names of
 said grand children is as follows, Louis
 P. Ware Mary, Edwards, Ware & Wm Carter
 Ware -

Item IV. I direct that the (\$3000)
 Three thousand Life Insurance
 that I carry on my life in the order
 known as "Chosen Friends" be col-
 lected by my Executors and divided
 equally between my three daughters
 Lucy Carter Beatrice Carter and
 Fannie Taggart as this policy was
 taken out for their benefit and, in
 their favor.

their favor,

Item V I desire and direct that if
the above \$3000⁰⁰ Life Insurance be col-
lected & paid over to my three daughters
Lucy, Beatrice & Fannie, that the
(\$5000) Five Thousand Life Policy in the
Manhattan Life Insurance Co.
be collected and divided as follows:
To Elizabeth Barrett \$1600⁰⁰ To Lucy
Carter, Beatrice Carter & Fannie
Taggart \$600⁰⁰ Each. The remain-
ing \$1600⁰⁰ in this policy is to be equally
divided between my three grand-
children (heirs of Josephine Ware) namely
Louis P Ware, Mary Edwards Ware &
Wm Carter Ware. It being my pur-
pose to have each of my four living
daughters & the children of my
daughter Josephine Ware to share alike
in my insurance that is the four
living daughters to have $\frac{1}{5}$ Each
of my Life Insurance & three grand-
children to inherit the $\frac{1}{5}$ intended
for Josephine Ware had she lived. - But
if for any reason the \$3000⁰⁰ Life Insur-
ance Policy in the order of the
Chosen Friends should not be collected
and the \$5000⁰⁰ policy in the Manhattan
Life should be, the only insurance
collected I desire this policy of
\$5000⁰⁰ be divided into five portions
of \$1000⁰⁰ each so that my daughters
Lucy Carter, Beatrice Carter, Fannie Taggart
and Elizabeth Barrett shall each receive
\$1000⁰⁰ & the remaining \$1000⁰⁰ is to be equally

divided between the three children of Joseph
 were my grand children that is one third
 of said \$1000⁰⁰ to Louis P. Warr one third of
 said amount to Mary Edwards Warr
 and one third to Lou Carter Warr.

VI I desire & direct that my Executors
 hereinafter named collect all notes & accounts
 and take charge of all money I may have at my
 death and after paying my just debts to
 give my two unmarried daughters Lucy
 & Beatrice Bon^{ts} each in cash and if there
 be any money then left after paying
 my debts, ^{the said \$1000⁰⁰ to each of my said daughters} the remainder be divided
 equally between my four living daughters
 Lucy Carter Beatrice Carter Fannie
 Faggart & Elizabeth Bassett

VII I hereby constitute my sons in Law
 J. E. Bassett & W. W. Faggart of Dallas Co
 the Executors of this my Last Will & testa-
 ment without Bond for their due & legal
 performance of the same & it is my wish & I
 hereby direct that the Probate Court have
 nothing farther to do with this my last will
 than to Probate the same to give it the
 legal effect here intended.

In Testimony Whereof I hereunto set
 my hand & this the 13 day of November
 1895

J. L. Carter

Signed Sealed & Published by J. L. Carter
As his last will and Testament
in the presence of us the Subscrib-
ing witnesses who have here-
tofore subscribed our names in the
presence of J. L. Carter and at
his Special instance request
This Nov 13th 1895

J. H. Shannon
W. C. Padgett

INVENTORY AND APPRAISEMENT

Of the property, real and personal, belonging to the estate of Dr J L Carter deceased.

Real Estate	
50 x 150 ft in Block 21 on Ross av	\$ 3000.00
Life Insurance Policy in order of	
Green friends \$3000.00 Value	\$ 2200.00
Life Insurance Policy in the	
Manhattan Life Insurance Co.	\$ 5000.00
Cash in Bank	\$ 2400.00
Stock in W F Mack Co & Slovia Value	\$ 200.00
Notes & accounts & Personal Property in sum	\$ 400.00

The State of Texas,)

County of Dallas.)

M. W. Jaggard & J. Bassitt

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 ^{our} knowledge.

M. W. Jaggard Executor
J. Bassitt Executor

Sworn to and Subscribed before me, this the 5 day of May A. D. 1896

J. M. Robertson (Clerk Co. Court,
Notary Public,
City of Dallas, Texas) Deputy.

The State of Texas,)

County of Dallas.)

Before the undersigned authority, this day personally appeared W. H. Bowles & W. A. Shea 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 appraisement of the property pointed out to them as belonging to said Estate.

W. H. Bowles
W. A. Shea

Sworn to and Subscribed before me, this 5 day of May A. D. 1896

J. M. Robertson (Clerk Co. Court,
Notary Public,
City of Dallas, Texas) Deputy.

No. 7160.
COUNTY COURT.

ESTATE OF
Dr J. Leoster
Wich

INVENTORY AND APPRAISEMENT

Filed *5* day of *May*
A. D. 189*6*

L. W. Myers
COUNTY CLERK.
By *A. M. Paulin's* Deputy.

Examined and approved this *5*
day of *May* 189*6*
L. W. F. Ash
COUNTY JUDGE

A. D. Aldridge & Co., Stationers and Printers. 206

Recorded-106

In the matter of the estate
of J.L. Carter, deceased.

In the Probate Court of Dallas
County, Texas.

W.C. Padgitt, one of the subscribing witnesses to the will of J.L. Carter, deceased, being duly sworn, in open court, testified as follows:- "My name is W.C. Padgitt. I am over twenty-one years of age. I reside in the City of Dallas, Dallas County, Texas.

I knew Dr. J.L. Carter in his lifetime. I know Dr. C.H. Sherman of Dallas, Texas, who, with myself, subscribed the will here offered for probate. I know that Dr. J.L. Carter is dead. He died in Dallas Texas, at his residence on Ross Avenue, on April 8th, 1896. I signed the will offered for probate as one of the witnesses, at the request of the deceased, J.L. Carter. Dr. C.H. Sherman was also present and signed the will at the time I did, and we both signed said will in his presence, at the request of deceased. At the time deceased signed the will he was over twenty-one years of age, was a widower and of sound mind. His property, so far as I know, is all situated in Dallas County, Texas. The will here offered for probate was never to my knowledge revoked, and I believe it to be the last will and testament of J.L. Carter, deceased.

W.C. Padgitt

Sworn to and subscribed before me, this the 5th day of May, 1896

L.H. Hughes, Clerk of the Dallas County Probate Court

