

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

Case Number 811

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118

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THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of Wm D. Porter deceased.

Thomas V. Porter has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of Wm D. Porter deceased, and for Letters Testamentary, which will be heard at the next Term of said Court, commencing on the Third Monday in May 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.

Wm D. Porter
WITNESS, Wm D. Porter County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this 4th day of April A. D. 1883.

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

By S. M. Hughes Deputy.

Found at the request of
Beverly Hunt, attorney for
the estate of Wm D. Porter
1883
Wm D. Porter
By S. M. Hughes
Wm D. Porter
Beverly Hunt
Public
Co. Rep

53 // Original



COUNTY COURT.

ESTATE OF

Wm D Porter

Deceased.

Notice of Application for Probate of Will and Letters.

Issued this 4th day of June 1883

By *A. Herwood* County Clerk,

By *W. H. H. H. H.* Deputy.

SHERIFF'S RETURN

Came to hand this 4th day of June 1883 and executed the 4th day of June 1883 by posting up three copies of this Will at three public places in Dallas County, one of which was the Court House Door of said County.

A. W. McWhitt Sheriff, Dallas Co.

By *C. L. Hays* Deputy.

Filed for Record

Belated of Wm D Porter dead Probate of will

depositions of J. H. Bradley, J. H. Puley & J. H. Johnson

Recd this package from the hands of W. H. Hays Notary Public of Baylor County Texas James McWhitt Postmaster at Dallas Tex

Filed for record June 1883

Received this package of Postmaster at Dallas Dallas this the 8th day of June 1883 of McWhitt County Tex

The Clerk of the County of Dallas Texas Dallas Texas

State of Indiana }
County of Vanderburgh

Whereas on the 20th day of
January 1883 William D. Porter made and
executed his last will and testament
in the County of Brazos State of Texas,
and in said last will and testament made
certain provisions for Eliza A. Porter
his wife in line and instead of her por-
tion of his estate under the laws of the
State of Texas, and whereas on the ~~5th~~^{5th}
day of February 1883 Wm. D. Porter departed
this life leaving said writing testamentary
unrevoked and as his last will and testa-
ment, and on the 2nd day of June 1883
said last will and testament was duly
admitted to probate in the County
Court of Dallas Co Texas a Court of
competent jurisdiction. Now therefore
I Eliza A. Porter wife of said Wm. D.
Porter do hereby fully accept the
provisions of said will each and all of
them made for my benefit, and shall do
take under said will hereby relinquishing
all claim or right in or to said Wm. D.
Porter's estate except as in said will
provided, being under my hand this
Ninth day of February 1884

Eliza A. Porter

State of Indiana }
County of Vanderburgh

Before me Clerk of the Circuit Court the
undersigned authority personally appeared

Coliga & Porter known to me to be the person
whose name is signed in the foregoing in-
strument in writing, who acknowledged that
the signed said instrument for the purpose
and consideration therein expressed

Witness the Clerk and the seal
of said Court this 9th day of
January 1884
Jesse W Walker Clerk
of the Vanderburgh Co Court

Filed Jan'y 9th 1884
W. M. B. Clerk
By, Attesting body

State of Texas } In County Court of
 County of Dallas } Dallas Co. for term 1883
 Do the Hon R. C. Burke Judge of
 the Dallas County Court

Your Petitioner Thomas
 V. Porter a resident of Coarsville Indiana
 represents that he is the Executor appointed
 by the last will and testament of Wm. J.
 Porter who departed this life in San An-
 tonio Bexar County Texas on or about
 the 16th day of February 1883 That said
 testator was a resident of Dallas County
 Texas and had real and personal estate
 in said County and State of the prob-
 able value of Five Thousand dollars
 (\$5,000), That said Thomas V. Porter
 executor aforesaid is not disqualified
 by law from accepting letters ^{Testamentary}
~~administrative~~ ^{and is more than 21 years of age}
 under said will, said will
 is herewith ~~filed~~ offered for probate
 Wherefore petitioner prays that citation be
 issued against all persons interested in
 said estate to appear and contest this
 application if they so desire, and on final
 hearing hereby that said last will and
 testament be admitted to probate and
 that letters of ^{Testamentary} ~~administration~~ be granted
 petitioner in accordance with the provisions

The State of Texas,
 COUNTY OF DALLAS.

I, W. M. Hill, County Clerk in and for said County, hereby certify that, on the

2nd day of June A. D. 1883, by the County Court of said County,

having exclusive jurisdiction of Probate matters, Thomas V. Porter

was appointed Executor of the Estate of

William D. Porter dec'd without bond - the will of said William D. Porter, having on that day been fully proved and probated in this Court and by the terms of said will ~~no cash bond~~ it is expressly declared that except the probate of said will - no Court shall make further requirement of said Thomas V. Porter

And that, on the _____ day of _____ A. D. 188____, the Bond of the said _____ in the sum of _____ DOLLARS,

was approved by said Court; and the said _____ having taken the oath prescribed by law, he is duly qualified and fully and legally authorized and empowered to act as the _____ of the above named Estate.

WITNESS MY HAND and Official Seal, at Office, in the City of Dallas, this the _____ day of _____ A. D. 188____.

County Clerk, Dallas County.

By _____ Deputy.

The State of Texas } County Court of Dallas County
 County of Dallas } Texas

Whereas on the 2nd day of June 1883
 in the Honorable County Court of Dallas County Texas
 a court having exclusive jurisdiction of probate
 matters in said County - the will of William D. Porter
 deceased, a resident ^{at the time} of Dallas County Texas
 was fully proved and established, ~~at~~ upon the petition of
 Thomas V. Porter, the person named as Executor in said will -
 and whereas by the terms of said will it is declared
 by the testator that no further ~~action~~ action by the
 Court be taken or other requirement than the probate
 of said will be made of said Executor -

Now ^{it is ordered} therefore, in accordance with the provisions of said
 will, ^{that} said Thomas V. Porter ~~be~~ and he is hereby appointed
 Executor of the said will of William D. Porter deceased - and
 that he have full power of control and disposition over
 said ~~estate~~ estate, according to the terms and provisions of said will
 and that he be required to give no bond, file no oath nor
 do any other or further act herein - ~~and it is further ordered~~
~~that a certified copy of this order shall be better copied on~~
~~the letters testamentary ^{to} issued to said Thomas V. Porter~~
 Witness my hand and seal of office this 5th day of
 June 1883



ESTATE OF

LETTERS TO

Issued.

188

Clerk.

By

Deputy.

CLAYTON & BROWN, PRS. DALLAS.

State of Texas } ss
 Bexar County }

In the name of God Amen.

This is the last Will and Testament of William D. Porter of the Town of Hutchins in the County of Dallas and State of Texas, Intestate that I W^m D. Porter being now in feeble health but sound in mind having in mind the uncertainty of life and the certainty of death do hereby make this my last and only Will and Testament.

In the beginning I hereby select, appoint, and empower, my brother Thomas D. Porter of Cranville Indiana my sole Executor of my entire estate both personal and real and of all property of every description whatever and in view of the implicit confidence I have in my brother Thomas D. Porter and of his ability & integrity to perform my wishes and comply with this will, It is therefore my request that said Thomas D. Porter shall not be required to give or make any bond, but charge him here to ever be true to this last testament and to obey and carry out my last request accordingly.

In the first place after my death it is my will and desire that Thomas D. Porter, collect all claims of every description that is due me, or that may hereafter become due me, (he having knowledge now about most of my business) and as said debts are collected for him to take money and use as hereafter directed. I also desire to have my Cotton gin near the town of Hutchins sold, also desire him to sell my farm in Dallas County Texas near the town of Hutchins, being the farm I got from F. B. Bludson and wife as deeded to me by said F. B. Bludson and wife sometime on or about the 1st day of June A. D. 1851 (This being to the west of my settlement) containing about 306 1/2 acres

of what is known as the prairie land and being the farm
 where J. J. Ball now resides and about 25 ^{acres} of timber land
 lying within about one fourth of a mile east of said main
 tract. For a better description of said lands see G. B. Hudson
 deed to John B. Porter on Records of Dallas Co. Texas, as to the
 time and price of said lands and custom give to do as
 said Thomas V. Porter best judgment dictates, that is should it
 seem best to hold for a better market or to sell immediately
 after my death to do as he should best. But of the proceeds
 of what is first collected out of all my personal property
 meaning principally notes which I have ^{coming} to me. Louisiana in
 'provision for my beloved wife Eliza A. Porter first, in the
 following manner to wit, that my brother Thomas V. Porter
 shall take the first \$6000 Six Thousand dollars and keep it
 for her during his life at six per cent interest (6%) and to
 pay said interest to my beloved wife semi-annually.
 I believe and my wife concurring that by this means that the
 perpetual interest will make my wife a comfortable main-
 tenance and have confidence in placing it with Thomas
 V. Porter as the safer plan. I also will & bequeath to
 my beloved wife Eliza A. Porter all our household goods
 including our organ to use and dispose of as she may see
 proper - said property now being in charge of J. H. Kin-
 non at Hutchins Tex -
 I next will & bequeath to Warren K. Beathem my brother in law
 and to his wife Amelia Beathem my sister, they living in
 New Braunfels Tex. The tract of land deeded to me by
 David Porter and Pingah Porter (being my father & mother)

in the year A.D. 1890 and during the months of July or Aug
 known as part of the James H. Cook land farm in Pulaski County
 Ill, containing (50) Eighty acres more or less for a better
 description of said land see my deed on record in Pulaski
 County Illinois, ^{for the true and correct} I have for them
 I must owe & be paid to my brother Thomas V. Porter the amount
 of this sum (\$1000⁰⁰) One Thousand dollars to be the same money
 taken out of proceeds of my estate, after making provision for the
 said Thomas above named there was set apart to be used for
 benefit of my beloved wife as named above and the interest on
 said money then named for my wife's benefit is to begin
 at my death. The remainder of the proceeds of my estate arising
 after collecting debts & selling out my real estate (Farm)
 gin house and all appliances thereunto belonging, together
 with proceeds of sale of lands aforesaid, shall be disposed
 of as follows. First is the payment of all my debts that I
 may owe at my death, and next all of the expenses of Thomas
 V. Porter in settling up my estate, this means every
 legitimate expense that Tho. V. Porter may be at of any description
 whatever in winding up and settling up said estate and
 during the years of his executorship then the remainder to
 be disposed of as follows. One half of the remainder I owe
 & bequeath to my beloved mother Mrs. Elizabeth Porter of Kansas
 ville Ind, and the other half of the remainder of said estate I owe
 & bequeath to be used for my beloved wife's benefit by my
 brother Thomas V. Porter that is he shall take same and pay the
 4% interest on this amount from the time it is collected or
 comes into his hands in the same manner as on the said
 One Thousand dollars - during his life time should die

my widow, and then should said Eliza & her in die my widow
 It is my request that all the share of this estate set apart to
 provide for her during her life time, be given to my mother
 Sijah J. Porter or in the event she should be dead be given
 to my brothers & sisters equally (and should a brother or sister
 die in the meantime and leave children or a child) said child or
 children to receive what its parents share would have been alive,
 Now said Thomas V. Porter is to pay, Eliza J. Porter 4 1/2 % interest on
 all money set apart for that purpose during all the years that she
 is my widow and may pay her part of the principal should
 he see ^{cause} ~~cause~~ or proper to do so, but should my wife Eliza
 J. Porter become the wife of another man, then in such case
 I hereby will & bequeath to her and of the foregoing amount
 set apart to be used for her while she is my widow = (\$8,000.00)
 Three thousand dollars to be paid to her by my brother Thomas
 V. Porter on or before ninety (90) days after said marriage and
 that to be her share in full of all set apart for her in this
 will & the remainder to go to my mother if she is alive
 alive but if dead to my brothers and sisters equally or
 their heirs as in the manner above prescribed, that is
 for a child or children to receive its parents share as
 though its Mother or Father was alive,
 Now it is my further wish and request that should my
 brother Thomas V. Porter die before or during the time he
 is executing this will that in such event my wife
 Eliza J. Porter and my mother Sijah J. Porter and my
 brother in law Barnum K. Porter select from their own
 number or whomsoever they may see proper as said

Thomas V. Porter's successor, should said successor be any other person than one of the above named then it is that said successor to make satisfactory bond to them or in the courts for the faithful execution of this will in the manner directed in the foregoing. It is my request that the settlement & management of this will be done at the least expense necessary and therefore that it be conducted and managed without running the same through any courts or lawyers.

Wm. D. Porter

San Antonio Tex January 24th 1888.

Witnessed by

J. H. Bradley

P. H. Petty

Juan C. Barera

San Antonio Tex Jan'y 24th 1888

Thomas V. Porter

Executor of foregoing will to wit: Since making the foregoing will I hereby desire to make another provision for my wife Eliza Porter that is that if the interest on the money set apart for her use does amount to the foregoing does not amount to \$600⁰⁰ per year, that you shall pay her that much to wit: her hundred dollars per annum and that the interest lack of making said amount to be taken out of principal

Wm. D. Porter

State of Texas

Bexar County

I Eliza Porter wife of Wm. D. Porter the testator or maker of the foregoing will having carefully read the same do hereby accept the provisions made for me as his wife or widow in the event of his death

and accept all the provisions therein made and appoint
Thomas J. Porter as named by my husband as executor of this will
and it is my will that everything herein be managed as directed
by my husband Wm. D. Porter

San Antonio Tex January 24th A.D. 1898

Witnessed by Elizabeth Porter

J. W. Bradley

P. H. Petty

State of Texas }
Bexar County } 28

I Thomas J. Porter being shown by my
brother Wm. D. Porter and his wife Elizabeth Porter executor of
the foregoing last will and testament do hereby accept
said trust, and hereby pledge upon honor to show that
I will ever carry out or execute said trust exactly in
the best of my ability

San Antonio Tex January 24th A.D. 1898

Witnessed by Thomas J. Porter

J. W. Bradley

P. H. Petty

State of Texas
County of Dallas

I J. W. Child clerk of the
Dallas County Court do hereby certify that the
above and foregoing is a true and correct
copy of a certain instrument in writing pur-
porting to be the last will and testament of
Wm. D. Porter, and all the writings and agreements

attached to said writ, filed in this office
 on the 21st day of April 1888 and which said
 writ, is by leave of court this day
 withdrawn.

Given under my hand and seal of office
 this 23rd day of May 1888

W. W. Leslie, Clerk,
 By L. S. Hughes, D.C.

In the last of my recollections concerning

The State of Texas } County Court Dallas County
County of Dallas } Essay Term 1883
Estate of W^m D. Porter.

To all persons interested
in the administration of the estate of W^m D. Porter dead.
You will take notice that five days after the service
hereof Thomas V. Porter applicant for letters testamentary
in the above entitled cause and for the probate of
the last will and testament of W^m D. Porter deceased
will apply to the County Court of Dallas County, Texas,
for a Commission to take the answers of J. W. Bradley,
P. H. Pettig and Juan Borsera to the interrogatories hereto
attached, to be used as evidence for applicant in the
above entitled cause. Each and all said witnesses reside
in the city of San Antonio Texas County, Texas.

Bowers & Busby Attys for
Thos V. Porter

Interrogatories to be propounded to J. W. Bradley
P. H. Pettig and Juan Borsera.

- July 1st State your name, age and residence and whether or not
you were acquainted with W^m D. Porter.
- July 2nd If you say in answer to Interrogatory No 1 you were
acquainted with W^m D. Porter, state if he is dead and
the time of his death and where he died?
- July 3rd State if you were present at the signing of the
accompanying paper purporting to be the last will
and testament of W^m D. Porter?
- July 4th If in answer to interrogatory No 3 you say you were
present at the signing of such paper, state whether or
not W^m D. Porter signed said paper as his last will and
testament in your presence and whether or not W^m
D. Porter was at that time 21 years of age or was married
and was of sound mind? File such paper as part of your
deposition.
- July 5th State whether or not you signed such paper as
subscribing witness thereto in the presence of W^m
D. Porter, and if any others signed such paper as

subscribing witnesses in the presence of Wm D. Porter and
 how many. Give the names of the subscribing witnesses?
 Quty 6th State if you know whether or not such last will
 and testament was revoked by W.D. Porter?
 Quty 7th State any other fact you may know material to
 this cause?

The Seal of the County of Dallas
 I, W. W. Ullrich, Clerk of the County Court
 of Dallas County, Texas, do hereby certify that the above
 and foregoing is a true and correct copy of the
 original Interrogatories, in the above entitled cause
 now on file in this office.

Witness W. W. Ullrich, Clerk of County Court Dallas County
 shown under my hand and seal of office
 at office in City of Dallas, Texas, this
 May 24th A.D. 1883 -

W. W. Ullrich, Clerk,
 By L. H. Hughes Del.

The State of Texas, } Commission to take Deposition.
 COUNTY OF DALLAS.

To the Clerk of the District Court, Judge or Clerk of the County Court, or any Notary Public in and for the County of
Dexas State of Texas,---GREETING:

You are Hereby Authorized and Empowered to cause to come before you
J. W. Bondy, P. H. Pitney and Juan Bariera, a resident of your county,
 at such time and place as you may appoint; and that you then and there carefully and fully
 examine *them* upon *their* oath first to be taken before you, touching the annexed
 Interrogatories:

1. That you reduce *their* answers, so taken, to writing, in proper form, and cause the same to be subscribed and sworn to by said witness.
2. That you certify, under your hand and seal of office, that said answers were sworn to and subscribed before you.
3. That you seal up in an envelope the answers so taken, together with the annexed interrogatories and this commission, with your name written across the seal.
4. That you endorse on the envelope the names of the parties to this suit, and the name of said witness.
5. That you direct the package to the "Clerk of the County Court of Dallas County, Dallas, Texas."
6. That if said package is sent by mail, the postmaster, or his deputy, shall endorse thereon that he received it from your hands, and sign his name thereto; or, if you entrust it to private conveyance, as provided by the statute, you will apprise the person receiving it that it must be delivered to the Clerk of this Court by himself in person; which evidence, so taken as above, is to be used on the trial of a suit now pending in the County Court of said County of Dallas, wherein *in the estate of Wm. D. Porter, Deceased* plaintiff, and *to probate will &c,* defendant.

Herein fail not, but make due return of this writ.

WITNESS, *Wm. Harwood*
 W. Harwood, Clerk of the County Court of Dallas County,
 and the seal of said Court, at office in the City of Dallas, this the
24th day of *May* A. D. 188*7*.

Wm. Harwood
 Clerk County Court, Dallas Co., Texas.

By *L. H. Hughes* Deputy.

State of
 Wm D. Porter dec'd } In County Court
 } Dallas Co Texas
 }
 }

The answers and depositions of J. W. Bradley, Juan Barrera and P. A. Petty, witnesses in the above styled cause, who reside in the County of Bexar State of Texas, in answer to the accompanying interrogatories propounded to them in said cause taken before me W. W. Sheron Notary Public of Bexar County in accordance with the accompanying Commission.

Answers of the witness J. W. Bradley.

To the 1st he answers: My name is J. W. Bradley. My age is fifty years. I live in San Antonio Texas. I was introduced to Wm D. Porter, at Petty's house, and witnessed the execution of a will by the said Porter.

To the 2nd he answers: I have heard that Wm D. Porter is dead but I do not know whether he is or not. Nor do I know when or where he died if he is dead.

No Int 3rd he answers: Yes I was.

No Int 4th he answers: The said com & Porter signed said paper as his last will and testament in my presence. He appeared to be of age, and he was married, and he appeared to me at the time to be of sound mind. He looked like he was of sound mind and talked as if he was, and I certainly thought that he was. I then with file said paper purporting to be his last will and testament of Wm D Porter and make the same a part of my deposition and mark the same exhibit A-A.

No Int 5th he answers: I subscribed such paper as a witness thereto in the presence of the said Wm D Porter, and O. H. Petty also signed the said paper in the presence of ~~the presence of~~ said Porter. Petty and myself were the only persons who signed said paper as subscribing witnesses in his presence at the time when I signed.

No Int 6th he answers: I do not know -

To the 7th he answers: I do not know
anything else to state that I think is
material to this cause.

J. W. Bradley.

Subscribed and sworn to before me this
31st day of May A.D. 1883.

W. W. Henson
Notary Public Bexar Co Tex

The State of Texas }
County of Bexar } I, W. W. Henson Notary
Public of Bexar County do hereby certify
that the above and foregoing an-
swers to interrogatories were by the
said witness J. W. Bradley sub-
scribed and sworn to before me.

Given under my hand and
seal of office this 31st day
of May A.D. 1883.

W. W. Henson
Notary Public Bexar Co Tex

Answers of the witness P. H. Petty

To the 1st he answers: My name is P. H.
Petty, I am nearly forty six years old.
I live in San Antonio Bexar Co Texas
I was acquainted with W. D. Porter

To Sub 2nd he answers. The said Wm D Porter is dead. He died on the 5th day of February 1883 in my house in the City of San Antonio County of Bexar Texas

To Sub 3rd he answers. I was.

To Sub 4th he answers. The said Wm D Porter did sign such paper as his last will and testament in my presence. I should judge that at the time the said Wm D Porter was 21 years of age, in fact I know that he was over 21 years of age. His wife told me that he was 27 years of age when he died. He was married at the time of his death. He acted at all times during his stay at my house like his mind was sound, and the evening before he died I talked with him and he talked rationally and this was some days before he made his will. I hereto attached said paper to my answers as a part of my deposition, the said paper having already been marked Exhibit "A"

To Sub 5th he answers; I signed said witness paper as a subscribing

witness in the presence of said wife
 & Porter, and J W Bradley also signed
 said paper as a subscribing witness
 in the presence of said Porter. The said
 Bradley and my self were the only
 witnesses to said paper.

To said 6th he answers: I do not know.

To said 7th he answers: I do not know
 of any other facts that I think would
 be material, unless the fact that after
 the said Porter died at my house
 or already dead, that his remains
 were taken away from here by his
 wife Mrs Eliza A Porter
 D. H. Petty

Subscribed and sworn to before me
 this 31st day of May AD 1853
 W. W. Henson

Notary Public Bexar Co Tex

The State of Texas }
 County of Bexar } I W. W. Henson
 Notary Public of Bexar Co. Texas, do hereby
 certify that the above and foregoing
 answers were by the said witness
 subscribed and sworn to before

James J. Galt from J. W. Henson and wife as directed

Given under my hand and seal
of office this 31st day of May
A.D. 1883,

W. W. Heron
Notary Public Texas & Mex

Answers of an witness Juan Borner

No Int 1st he answers. My name is
Juan E. Borrera. I am fifty years
of age. I live in San Antonio Texas &
Texas. I was introduced to Wm D. Por-
ter and Mr Petty's house, and saw
him only once.

No Int 2nd he answers: I do not
know anything about this. I have
not heard of him since I saw him, at
the time of the execution of the will.

No Int 3rd he answers. I was not
present when the said Wm D. Porter
signed said will, but after the
said Porter had signed said will
he admitted to me that he had
signed it and he asked me to witness
the fact that he admitted it to be

his last will and testament, and I signed the same as a witness at the request of the said Wm D Porter, after the other two witnesses had signed their names to the same.

No. 4th he answers: The said Porter admitted to me that he had signed the said paper as his last will and testament and he asked me to sign the same as a witness. He was at the time over 21 years of age. I do not know whether he was married or not. He seemed from his actions and conversation to be of sound mind and I think that he was of sound mind.

No. 5th he answers: I signed the said paper as a witness thereto in the presence of the said Porter and at his request. I do not know whether the other subscribing witnesses signed the same in the presence of the said Porter or not as I did not see them sign the same. The names of the other subscribing witnesses are J. W. Bradley and O. H. Pelly.

same I got from F. G. Blanton and wife, as stated

No Que 6th he answers: I do not know

No Que 7th he answers: I know nothing
 else. I went to Mr Petty's home to take
 an acknowledgment of some one to
 some kind of an instrument, and
 while there I was introduced to Mr
 Wm D Porter and he asked me to
 his witness his signature to a
 paper purporting to be his last will
 and testament.

Juan C. Barrera
 Subscribed and sworn to before me
 this 31st day of May A.D. 1883

W. W. Herron
 Notary Public Bexar Co Tex

The State of Texas
 County of Bexar I W. W. Herron
 Notary Public of Bexar County do
 hereby certify that the above and
 foregoing answers of said witness
 Juan C. Barrera, to interrogatories
 were by the said witness subscribed
 and sworn to before me.

Given under my hand
 and seal of office this
 31st day of May A.D. 1883
 W. W. Herron
 Notary Public Bexar Co Tex

State of Texas)
 Doxar County) ss

Exhibit "A"

In the name of God amen,
 This the last Will and testament of William H. Porter
 of the town of Hutchins in the County of Dallas and
 State of Texas. Witnesseth that I, Wm H. Porter, being now
 in feeble health, but sound in mind, having in view
 the uncertainty of life, and the certainty of death, do make
 this my last and only Will and testament,

In the beginning I hereby select, appoint, and empower, my
 brother Thomas V. Porter of Evansville Indiana, my sole
 Executor of my entire estate both personal and real
 of all property, of every description, whatever, and
 in view of the implicit confidence, I have in
 my brother Thomas V. Porter and of his ability & integrity
 to perform my requests, and comply with this Will.
 It is therefore my request that said Thomas V. Porter
 shall not be required to fill or make any bonds. But
 charge him here to ever be true to this trust and to obey
 and carry out my last requests secretly.

In the first place after my death, it is my will
 and desire that Thomas V. Porter, collect all claims of
 every description that is due me, or that may hereafter
 become due me, (he having knowledge now about most of
 my business) and as said debts are collected for him
 to take money and use as hereafter directed, I also
 desire to have my Cotton gin, near the town of
 Hutchins sold, also desire him to sell my farm in
 Dallas Co. Texas near the town of Hutchins, being the
 farm I got from F. G. Blount and wife as detailed

to me by said J. G. Blalock and wife sometime on or about the 1st day of June A. D. 1881. (This being to the best of my recollection) Containing about 356 1/2 Acres of what is known as the Prairie land and being the farm where J. J. Hall now resides, and about 25 acres of Timber land lying within about one fourth of a mile east of said Prairie tract. For a better description of said lands see J. G. Blalock deed to Wm. H. Porter on Records of Dallas Co. Texas. As to the time and price of said lands and other things to do as said Thomas T. Porter's best judgment dictates. That is should it seem best to hold for a better market or to sell immediately after my death to do as he deemed best. Out of the proceeds of what is first collected out of all my personal property ~~principally~~ ^{principally} notes, stocks & other things to ~~me~~ I desire to provide for my beloved wife Eliza A. Porter first, in the following manner, to wit: That my brother Thomas T. Porter shall take the first \$6000 Six Thousand Dollars and keep it for her during his life at six per cent interest (6%) and to pay said interest to my beloved wife semi-annually. I believing and my wife consenting that by this means that the perpetual interest will make my wife a comfortable maintenance and have confidence in placing ^{it} with Thomas T. Porter as the safest plan. I also will & bequeath to my beloved wife Eliza A. Porter - all her personal and real effects including her Organ to use & dispose of as she may see proper - said property ~~may~~ ^{is} being in charge of J. G. Kimmery at Hutchins Dept. I must will & bequeath ~~to~~ ^{to} ~~Thomas T. Porter~~ ^{to} my brother in law ~~to~~ ^{to} his wife Annie Northover my sister, they living in New Grand Prairie Ills. The tract of land deeded to me by Abner Porter and Sigeah Porter (being my father & mother) in the

...
I also will & bequeath to my beloved wife Eliza
A. Porter - all her personal effects including
our Organ to use & dispose of as she may see
proper - Said property ^{being in charge of}
J. A. Kinnaman at Hutchinson, Kan.
I must will & bequeath ^{to} my brother
my brother in law ^{and} to his wife Annie Barthelemy
my sister, they living in New Grand Chain Ills.
The tract of land deeded to me by Abigail Porter
and Simeon Porter (being my father & mother) in the
Year A.D. 1880. and during the month of July or Aug
known as part of the James M. Lepland farm in
Pulaski County Ills. containing (80) Eighty acres more or
less for a better description of said land see my
deed or Record in Puffel's County Illinois ^{for the}
hope and affectionate love for them,
I must will & bequeath to my brother Thomas V.
Porter, the executor of this will - \$1000^{xx}
One thousand Dollars. to be the next money
taken out of proceeds of my estate, after making
provisions for the Six thousand above named
that was set apart to be used for benefit of
my beloved wife as named above, ^{and the}
interest on said money above named for my
wife's benefit is to begin at my death,
The remainder of the proceeds of my estate
arising after collecting debts & selling out the grain
with engine (stump) ginhouse and all appliances
thereunto belonging, together with proceeds of sale
of lands above, shall be disposed of as follows:
First to the payment of all my debts that I
may owe at my death, and next all of the
expenses of Thomas V. Porter in settling up
my estate, this means every legitimate expense
that Thos V. Porter may be at of any description
whatsoever in winding up ^{and} settling up said
estate and during the years of his executorship
then the remainder to be disposed of as follows

One half of the remainder, I will & bequeath to my
 beloved Mother, Mrs. Sarah J. Porter of Crossville Tenn,
 and the other half of the remainder of said estate,
 I will & bequeath to be used for my beloved
 wife benefit by my brother Thomas V. Porter
 that is that he shall take same and pay her
 6% interest on this amount from the time it
 is collected or comes into his hands in the same
 manner as ^{on the} Six Thousand Dollars - during
 her life time should she die my widow, ^{and}
 then should said Eliza A. Porter die my widow, it
 is my request that all the share of this estate set
 apart to provide for her during her life time, be
 given to my another Sarah J. Porter or in the
 event she should be dead to be given to my
 brothers & sisters equally, (and should a brother or sister
 die in the meantime and have a child or a child,
 said child or children to receive what its parent's share
 would have been alive, Now said Thomas V. Porter to pay
 Eliza A. Porter 6% interest on all money set apart
 for that purpose during all the years of that she is
 my widow and may pay her part of the principal if
 should be see cause or proper to do so. but should my
 wife Eliza A. Porter become the wife of another man
 then in such event, I give by Will & bequeath to her out of
 the foregoing amount set apart to be used for her while she
 is my widow - (\$3000⁰⁰) Three Thousand Dollars, to be paid to
 her by my brother Thomas V. Porter Executor ^{within} ninety (90) days after
 said marriage and that to be her share in full of all set
 apart for her in this Will & the remainder to go to my another
 if she is still alive but if dead to my brothers and
 sisters equally or their heirs as in the manner above
 prescribed that is for a child or children to receive it's

Parents share as though said Mother or Father was alive.
 Now it is my further Will and request that
 should my brother Thomas V. Porter die before or
 during the time he is executing this will that
 in such event my wife Eliza A. Porter and
 my nephew George J. Porter and my brother-
 in-law Warren H. Bartholomew select from
 their own numbers or whomsoever they may
 see proper as said Thomas V. Porter's successor.
 Should said successor be any other person than
 one of the above named three, then in
 that event said successor to make satis-
 factory bond to them or in the Courts
 for the faithful execution of this will in
 the manner directed in the foregoing.

It is my request that the settlement & man-
 -agement of this Will be done at the least
 expense necessary and therefore that
 it be conducted and managed without
 running the same through any Court or
 Courts.

Wm. D. Porter
 San Antonio Tex. January 24th A.D. 1883

Witnessed by
 J. H. Malley
 P. H. Pettigrew
 Juan C. Barrera

San Antonio Tex. June 29th 1883
 Thomas V. Porter
 Executor of foregoing Will &c. Sir: Since making the foregoing will I have by
 choice to make another provision for my wife Eliza A. Porter
 that is that if the interest on the money set apart for her
 use and benefit as in the foregoing does not amount to \$100⁰⁰
 per year, that you shall pay her that much to wit - Six hundred
 dollars per annum, and as but the interest - funds of ailing said
 amount to be taken out of principal of Wm. D. Porter

State of Texas) ss J. Eliza A. Porter wife of ~~Wm~~ Porter
 Box or County)
 the testator or maker of the foregoing Will. Having
 Carefully read the same do hereby accept the
 provisions made for me as his wife or widow
 in the event of his death and accept all the
 provisions therein made and appoint Thomas V. Porter
 as named by my husband as executor of this will
 and at my Will that everything herein be managed
 as requested by my husband Wm D. Porter
 San Antonio Tex January 24th A. D. 1883
 Witnessed by J. W. Madley. Eliza A. Porter.

~~P. H. Pettley~~
 State of Texas) ss J. Thomas V. Porter being chosen by
 Borden County) my brother Wm D. Porter and his wife Eliza A
 Porter executor of the foregoing last Will and
 testament, do hereby accept said trust, and
 hereby pledge upon honor to them that I will
 ever run out or execute said trust sacredly to
 the best of my ability
 San Antonio Tex January 24th 1883
 Witnessed by J. W. Madley Thomas V. Porter
 P. H. Pettley

Filed Apr 21st 1883
 New York City
 Com. K. S. ...
 One half of the remainder of will & be made to me

No 612

State of Texas } County Court Dallas
 County of Dallas } County, Texas 1888
 Estate of }
 Wm D Porter }

Be all persons interested in
 the administration of the estate of Wm D Porter,
 you will take notice that five
 days after the ~~day of~~ ^{day of} ~~1888~~, Thomas
 D. Porter applicant for letters testamentary
 in the above entitled cause and for the pro-
 pats of the last will and testament of Wm D.
 Porter deceased will apply to the County Court
 of Dallas County Texas for a commission to
 take the answers of J. H. Bradley, P. H. Petty and
 Juan Camero to the interrogatories hereto
 attached, to be used as evidence ^{for applicant} in the above
 entitled cause. Doct and get said witnesses
 sworn in the city of San Antonio Texas
 County Texas. Dower & Cashy Atty for
 Thomas D Porter.

Interrogatory to be propounded to
 J. H. Bradley, P. H. Petty and Juan Camero
 Qnt 1st State your name age and residence, and
 whether or not you were acquainted with
 Wm D Porter.

Qnt 2nd If you say in answer to Interrogatory No 1
 you were acquainted with Wm D Porter
 state if he is dead and the time of his

death and where he died?

Int 3rd

State if you were present at the signing of the accompanying paper purporting to be the last will and testament of Wm. S. Porter

Int 4th

If in answer to Interrogatory No 3 you say you were present at the signing of such paper state whether or not Wm. S. Porter signed said paper as his last will and testament in your presence and whether or not Wm. S. Porter was at that time 21 years or age or was married, and was of sound mind? File such paper as part of your deposition.

Int 5th

State whether or not you signed such paper as subscribing witness thereto in the presence of Wm. S. Porter, and if any others signed such paper as subscribing witnesses in the presence of Wm. S. Porter and how many, list the names of the subscribing witnesses?

Int 6th

State if you know whether or not such last will and testament was revoked by Wm. S. Porter?

Int 7th

State any other fact you may know material to this cause.

No 812

Order

of

Wm. G. Porter

Notice of Sale

Intestates

Filed May 16th 1883

In witness whereof
By W. M. Moor

deane to hand on the 15th day of May 1883 and executed
on the same day by posting a true copy of this notice and
intestates at the door of the courthouse in the County of
Dallas

Sherriff Hill
true copy \$100

W H W Smith
Sherriff Dallas County
By W M Moor

State of Illinois
Pinalaskie County

Whereas on the 24th day of January A.D. 1883, William S. Foster made his last will and testament, in the County of Bexar State of Texas, and therein made certain provisions, for Eliza A. Foster, his wife and named his brother Thomas V. Foster as the executor of said last will and testament, and whereas on the 5th day of February A.D. 1883, William S. Foster departed this life, leaving said last will and testament unrevoked, which was on the 2nd day of June A.D. 1883, admitted to probate in the County Court of Dallas County Texas, (said William S. Foster, being a resident of said Dallas County Texas at the time of his death) and said County Court of Dallas County Texas did on the 2nd day of June A.D. 1883 issue letters testamentary to Thomas V. Foster, the person named as executor of said last will and testament, whereby it was declared by said County Court, that said Thomas V. Foster have full, power of control, and disposition over said estate, according to the terms & provisions of said will, and whereas on the 9th day of January A.D. 1884, Eliza A. Foster widow of William S. Foster deceased, by her letter of relinquishment, did elect, and agree to fully accept the provisions, of said will, each and all of them, as named therein, and whereas one of the provisions of said last will, was that, should the said Eliza A. Foster, elect, to re-marry, when such event was consummated, she

Should, then be paid by Thomas V. Porter executor of
 said estate & will (\$3000⁰⁰) Three thousand dollars
 as her share in full of said estate and whereas
 Eliza A. Porter was remarried to John W. Rhine at
 Mound City Pulaski County Illinois on the 15th day of
 October a D 1890 - Therefore know all men
 by these presents, that I, Eliza A. Rhine of
 Mound City Pulaski County Illinois - have this
 day received of Thomas V. Porter executor of the
 estate of William S. Porter deceased, Three thousand
 dollars (\$3000⁰⁰) being in full of all my right,
 title, interest, or claim of any description
 whatsoever, against Thomas V. Porter individually, or
 as executor of said estate, or against said
 estate in any manner whatsoever, and be
 it known furthermore, that, I hereby certify
 that the said Thomas V. Porter, has faithfully &
 promptly, carried out, all the provisions of said
 last will and testament, and to my entire satis-
 faction in every way and thus I do release and
 discharge him in full from every responsibility
 of said estate. Given under my hand and seal
 at Mound City Illinois - this 24th day of December 1890

Signed seal and delivered in presence of
 Mrs. Jubill H. Rouse
 J. W. Rouse, Jr

Eliza A. Rhine, State

State of Illinois }
 Pulaski County } ss Before me Benjamin B. Ulin Clerk of Circuit Court
 of State and County aforesaid, this day personally appeared before me
 the Eliza A. Rhine, to me well known & whose name is subscribed
 to the foregoing instrument of writing, after being duly sworn
 State under oath, that she signed, sealed and delivered said
 instrument, voluntarily for the uses & purposes therein set forth
 this Dec 24 1890

B. Ulin Circuit Clerk
 Pulaski Co. Ill