

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

Case Number 624

Dallas Genealogical Society
Founded 1955

www.dallasgenealogy.org



FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

624

TO ALL WHOM IT MAY CONCERN.

You are hereby notified, to be and appear before the County Court of Dallas County, in the State of Texas, at the next term thereof, to be held for probate and other like purposes, at Dallas in said county, at the Court House thereof, on the last Monday in June instant, (the same being the 29th day thereof,) then and there to show cause, if any you have, why Letters of Guardianship of
the persons & Estate of J. C. & A. Stewart
Minor Children of Sam Stewart,
late of said county, deceased, should not be granted to J. H. Stewart
who has this day filed with me his application
in terms of law, praying that the same may then and there be done. This 15th day of

June A. D. 1868

J. P. Jones
Clerk of the County Court of Dallas County, Te

Herald Print, Dallas, Texas.

977

Commissioners
to make Partition
& Distribution of
Estate of Sarah A. - Irene
Co. & Albert H. Stewart
- Names - { John Henderson
 { J. L. Rhodes
 { James Dallas
 { Wm. H. Thomas C. Sams

To Albert H Steward
 Est. of Land 240 acs \$840
 1 mare 60
 1 Roan 2yr Colt 30
 1 Dallas Stock Cattle 1 mark 100.00 65 \$695
 Total valuation \$2085

The Court would respectfully submit the foregoing division of said Estate, as appearing to them as an equal division of same, and that the 9th Head of Stewards be sold to secure money to pay Court fees, that the note on Dollars be collected & applied by the Guardian in the payment of costs, &c. Respectfully Submitted

John Henderson
 J. L. Hodley
 J. D. Dollins } Amos
 W. H. Thomas

Subscribed & Sworn to before me this 9th day of October 1868.

Wm. C. Wolff
 Notary Public
 Dallas Oct 11 1868

J. H. Stewart
 Guardian
 John Stewart
 Particulars
 Witham as Secretary 20316
 Court 20316
 Filed Oct. 10 1868
 J. G. Jones clk
 Approved
 Oct 17 1868
 A. B. Black
 County Judge
 D. Co

No. PC- 29626

L. E. MURDOCH
County Clerk
DALLAS COUNTY, TEXASREQUEST FOR CERTIFIED COPIES
PROBATE DEPARTMENTDATE 3-17-77Certified Copies of Entire Guardianship ProceedingsCause No. 674 Estate of I. E. Stewart and H. A. H. Stewart
MinorsOrdered By Mrs. GarvieRemarks cash check #FEE \$ 16.00BY Barbara Sharp
Deputy

	Copy Prepared	Delivered to Customer	Mailed
Date	<u>3-17-77</u>		<u>3-17-77</u>
Initial	<u>bs</u>		<u>bs</u>

Remittance Should be Made Payable to L. E. MURDOCH, County Clerk
and Mailed to L. E. MURDOCH, County Clerk, Records Building,
Dallas, Texas 75202.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

The State of Texas } In Probate Court
 County of Dallas } 3 July Term 1870
 To the Honr Probate Court of Dallas
 County

Your Petitioner Joseph H Stewart
 Guardian of the Estates of J. C. & A.
 H. Stewart would most respectfully
 represent that he has turned over
 the property to all the heirs which they
 were entitled to receive except to A.
 H. Stewart, who is still under age,
 but who is capable of managing his own
 affairs, and the Estate nearly all
 being ready: Your petitioner finds
 that there is no necessity in running
 the said minor to additional expenses
 of Guardianship.

Your petitioner therefore prays that
 his Annual Showing be taken as
 his final Exhibit with said Estate
 and hereby tenders his resignation
 as Guardian of aforesaid & pray that
 the Court may accept it & discharge
 him from all further liability as such
 Guardian: & he will ever pray &c.

J. H. Stewart
 Guard

The State of Texas
 County of Dallas
 County Court -

You are hereby Commaunded to Cite J. E. Stewart & Albert H. Stewart, Children and heirs at law of Sam Stewart Decd to be and appear at the next term of the County Court to be holden at the Court house in the town of Dallas, on the last Monday in June A.D. 1868. And show cause if any they have why the Petition of ~~James A. Stewart~~ J. Stewart & Sarah Anne Stewart now on file in my office for Partitions & distribution of the said estate should not be granted as prayed for by said J. Stewart. And have you there & there this writ. If you fail not, but due returns make as required by law.

Gives under my hand and the Seal of the County Court, hereon this 29th day of June A.D. 1868.

J. E. Jones
 Clerk of the County Court

Jos. Stewart Esq.
 His Resignation

Recd Sam Stewart
 June July 28th 1870
 J. E. Jones

Petition Granted
 Feb. 23rd 1870
 J. M. Rawlin
 S. C. Phelps

Answer

The State of Texas,

County Court Pertaining to Estates.

DALLAS COUNTY.

June Term, 1868

To all to Whom these Presents May Come--Greeting:

KNOW YE, That *J. Joseph A Stewart* as Principal, and *John Henderson, J. S. Rhodes, & J. D. Collins* as sureties, are held and firmly bound unto the County Judge of the county of Dallas, in the sum of *Sixteen hundred* \$1600.00 Dollars, for the payment of which, well and truly to be made unto the said County Judge, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Signed with our hands, and sealed with our seals, the seals being scrolls, the _____ day of _____ A. D. 18 _____

The Condition of the above obligation is such, That whereas the above bound *Joseph A Stewart* has been appointed Guardian of *The Person and Estate of Irene Eliza Stewart and Albert A Stewart - minors* Now, if the said *Joseph A Stewart* shall well and truly perform all the duties required of *him* under said appointment, then this obligation shall be null and void, otherwise to remain in full force and effect

Joseph A Stewart SEAL
J. S. Rhodes SEAL
J. D. Collins SEAL
SEAL

County Court
To
Citation
Wirs. Sam Stewart
Issued June 29th 1868

I accept service of the
within this 29th day
of June A.D. 1868
In C. M. Coy
Guardian ad litem of
Irene E. and Albert
H. Stewart minors &c

THE STATE OF TEXAS,

s s.

DALLAS COUNTY.

I, *Joseph A Stewart* do solemnly swear that I will well and truly perform all the duties devolving upon *me* as guardian of *The Person and Estate of Irene E Stewart and Albert A Stewart minors*

Sworn to and subscribed before me, this _____ day of *July* A. D. 1868.

Joseph A Stewart
P. P. Jones
Clerk of the County Court of Dallas County, Texas.

Jo. H. Stewart
Guard

Minor Saml Stewart

Filed July 15th 1868
J. S. Jones
clerk

Approved Sept 1st 1868

J. W. Barlow
S. C. Phelps

Recorded on page 322
Record of Bonds

S. A. Stewart &
Lo. H. Stewart }

vs

Minor heirs of Saml Stewart decd

Now come Saml E. Stewart and Albert
H. Stewart, minor heirs of Samuel Stewart decd,
by Geo. C. McCoy their guardian ad litem, duly
appointed by this Court, and for answer to
the petition of Sarah A. Stewart and Joseph H.
Stewart her husband also heirs at law of
the said Saml Stewart decd. They say that
as to their rights, they are not fully advised
and ask the Court for its protection herein
They further say that so far as they are
informed and believe the Inventory filed
by said ^{H.} Stewart as guardian of S. Sam Stewart
decd. is a full inventory of all the
personal estate of said decd. - and also
of all the real estate except 240 acres
of land, a part of the same section, 400
acres of which is found upon the Inventory
That the whole amount of land, should

be Six Hundred and forty acres of land.
 They further state that they are perfectly
 willing to an equitable division of said
 property, between said Sarah A. & her husband
 and themselves. Asking that the same
 be divided into three equal shares in
 quantity & quality as near as may be
 One share to go to said Sarah A. & her husband.
 One share to go to Irene E. Stewart and the
 other share to go to Albert H. Stewart - they
 being the children and only heirs of said
 Sam Stewart dead. They ~~therefore~~ join
 said petitions in this prayer for the
 appointment of Commissioners to partition
 said Estate, as aforesaid.

Irene E. Stewart,
 Albert H. Stewart Minors
 By J. C. McCoy Guardian
 Ad Litem

The State of Texas } In. Probate Court
County of Dallas } June Term AD 1868

To The Hon. The Judge of the County Court of Dallas
County TEXAS
Your Petitioner Jo. H. Stewart a Resident citizen
of Dallas County Texas, would respectfully
represent unto your Honor - That some
Celiza Stewart and Albert Stewart heirs of
Sam Stewart dec'd, both of said county - are
minors over the age of fourteen years, that
that they have neither father nor mother, nor
any Guardian either of their person or Estate
- That they have property Real and personal
of the probable value of eight hundred dollars
and that it would be to the interest of said
minors heirs to have a Guardian appointed
both for their person and Estate - by your
honorable Court. The premises contained
Petitioner prays that said minors - be ci-
ted to appear before your honorable Court
and ~~show~~ make choice of a Guardian
for their person and Estate - and should
they neglect to appear or to choose a Guardian
after they appear - then your petitioner
prays that he may be appointed Guardian
of the person and Estate of said minors
- and as in duty bound will ever pray &c

Jo. H. Stewart
pr- J. C. Wolff
Att. for Petitioner

S. A. Stewart &
J. H. Stewart
as } answer of
Guardians ad litem
for E. Stewart &
Albert H. Stewart
heirs to Sam Stewart &c

Filed June 29. ^w 1868
J. J. Jones CLK

McCoy

Go - H - Stewart
Petition for letters
of administration
for
Per. & Ess. of
J. C. & A. Stewart
County Judge
Filed June 18th 1868
J. P. Jones clk
wants to turn over J. C.
Stewart's business

The State of Texas³ In Probate Court
County of Dallas³ June Term AD 1868

To The Hon. The Judge of the Probate Court of Dallas
County, Texas

Your Petitioners Sarah Ann Stewart and Joseph
H. Stewart her husband - who reside in Dallas county
Texas - would respectfully represent unto your Honorable
Court, that Sam^l Stewart, ancestor of said Sarah Ann
Stewart - died intestate in said County of Dallas on
the 30th day of Jan - 1868 - leaving said Sarah Ann
Stewart and her sister Irene E Stewart, and her Brother
Albert H Stewart his only heirs - Petitioners rep-
resent that said ~~decedent~~ left property both
Real and personal amounting to the probable
value of _____ dollars -

Petitioners further represent that said Irene E Stewart
and Albert H Stewart are minors, and that said
Joseph H Stewart is the Guardian of the person
and Estates of said minors - Petitioners repre-
sent that there are no debts against the intestate
Estate of said decedent - And that it will be
to the advantage and interest of said ^{by} minor
heirs as well as, these petitioners to have said
Estate partitioned and distributed - And peti-
tioners would further state that the personal Es-
tate asked to be partitioned and distributed is more
fully shown and described in the Original In-
ventory of said Estate - which is now on file in
this Court marked "Exhibit A" and prayed to
be made a part of this petition - And
that the Real Estate belonging to said Estate
is more fully shown and described by reference
to the ~~estate~~ ^{estate} ~~made to decedent and~~ ^{made to decedent and} now recorded in the office of the Clerk
of the County Court of Dallas County Texas, in Book
on page _____

And petitioner further pray for process to be issued as the law directs, and that a Guardian and Administrator be appointed to represent said minor heirs - And that after a full and final hearing - The premises considered, that Commissioners be appointed by your Honorable Court to partition said Estate among said heirs and these petitioners according to the forms of the Statute in such cases made and provided - and that the Costs be paid equally by said heirs and as in duty bound will ever pray &c

Wm C. Wolff
 Atty for Petitioners

1000
 1000

Sarah Ann Stewart
and husband
Jo-H Stewart

Petition for Part-
ition of Estate
No of Heirs of Sarah
Stewart decd

County Judge

Filed June 29th 1868
G. J. Jones clk

Approved and
W. H. Thomas,
John Henderson
F. S. Rhodes &
James Rollins
Witness

Comms^{rs} to make partition
July 29th 1868
Approved to the County
men appearing for the
John C. Rowley
G. B. Webb

J. H. Stewart Guardian of the Persons and Estates of J. E. and A. Stewart
In Annual Ac with said Wards & Estates

To Amt Property as per valuation
belonging to Maria E Stewart \$195.00
To Amt Property as per valuation
belonging to Albert H Stewart 685.00

By Amt property on hand
belonging to J. H. Stewart \$695
By ~~Amt property turned over to
Mrs. H. Stewart as per receipt
dated the 2nd day of Feb 1870~~ 809 ~~XXX~~

By amt paid I'd for Court Costs 28.50
" " Turned over to J. E. Stewart
who is of age and married 695.00
" By amount paid to W. B. Wolff
Attorneys fees. 75.00

By amount of W. H. Thomas fees
for surveying 10 of Specie = Currency = 14.00

By amount of Court Costs in the
Guardianship of Sam Stewart also in
the guardianship of the heirs of Sam Stewart
which are to be equally divided among the
three heirs. All the expenses of Guardianship are
to be borne equally by the heirs
All of which is respectfully submitted under
oath -

The State of Texas }
County of Dallas } I Joseph H Stewart Guardian of the Estates of J. E. & A. H.
Stewart do solemnly swear that the above and foregoing is a full fair and
complete showing of the condition of the said Estates to the best of my knowledge and
belief so help me God

Sworn to and Subscribed before me this 21st day of February A.D. 1870
J. J. Jones
Clerk of Dallas

J. H. Stewart
Guardian of
J. E. Stewart

Annual Showing

Friday July 28th 1870

S. S. Jones
(at)

At Monahan's place
Texas 1870

J. M. Rowles
S. C. Phelps

Present