

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

Case Number 2691

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FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2691

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THE STATE OF TEXAS,)
COUNTY of Dallas.)
In the County Court of
Dallas County, Texas,
Sitting in Probate Matters.

To The Honorable Ed S. Lauderdale, Judge of the County Court of said
County, presiding:

Your Petitioners, W.F. Perry, W.H. Perry and Thos. Warner, resident citizens of the County of Dallas, State of Texas, respectfully represent that Alexander W. Perry, late of said County and State aforesaid, departed this life on, to-wit: May 22, 1904, in the County of Dallas, State aforesaid; that at the time of the said Alexander W. Perry's death, he was a resident citizen of Dallas County, State of Texas; that the said Alexander W. Perry, deceased, executed in writing and due form of law his last will and testament, which said will accompanies this application, and is marked 'Exhibit A', and made a part hereof; that the said will disposes of all of decedent's property which consists almost entirely of real estate and live stock, all of which is located in Dallas County, Texas; that by far the largest portion of decedent's estate consists of lands located in Dallas County, State of Texas, and that his entire estate, real and personal, is of the probable value of Twenty-five Thousand Dollars (\$25,000.00); that the said decedent in his said will hereto attached, appointed these applicants (all of whom reside in Dallas County, Texas) as executors of his last will and testament, and directed that they be not required to give bond either as executors or for the performance of the trust reposed in them by his said will, and further directed that no action be had by the Probate Court in the matter of his death other than to probate said will and testament and to file an inventory and appraisal in said estate. Said will further provides that in event of the death of either of the said executors or in the event of the failure for any cause to act as executors, then that the other two or either of them shall execute the powers conferred by his said will.

Your Petitioners further allege that neither they nor any one of them is disqualified by law from accepting letters testamentary in the estate of the said Alexander W. Perry, deceased.

Wherefore they pray that citation issue upon this application, as the law directs, and that at the next regular term of the County Court to be

commenced in and for said County on the first Monday in July, 1904, said will
be admitted to probate and that letters testamentary be granted to your
Petitioners, and for all general and special relief to which your Petitioners
may be entitled, both in law and in equity.

James G. and G. G. G.
Attys for applicants

Subst. U
"

The State of Texas }
County of Dallas }

Be it known that I, Alexander H. Perry of the County of Dallas and State of Texas being of sound and disposing mind and memory and desiring to dispose of my earthly affairs while I have strength so to do, do make and publish this my last will and testament hereby revoking all others by me at any time heretofore made, to wit:

First: I will and bequeath and devise to my beloved wife, Sarah J. Perry all the estate real, personal and mixed which I may own at the time of my death or to which I may then be entitled - to be held, managed, controlled and disposed of by her as she may think best, for and during the term of her natural life (save that said power of disposition shall include the authority to sell in fee simple); and I will and direct that should my grand daughter Louisa M. Huffman attain the age of twenty-one years, or marry during the life time of my said wife Sarah J. Perry, that she shall have set apart and conveyed to her by my said wife, those two tracts of land (should the same not then have been disposed of) described as follows to wit; situated in Dallas County Texas, conveyed to A. H. Perry by J. S. Roberts by deed bearing date March 7th 1885, and recorded in Vol. 11 page 409 of the records of deeds of Dallas County

Texas - one of said tracts being 11 acres of the
N. J. West Survey and the other being 10 acres of
the U. S. Pulliam Survey.

Second: I will and direct that the ex-
ecutors of this will and testament upon the
death of my beloved wife Sarah A. Perry - Take
charge of all my estate not disposed of by my
said wife or such proceeds thereof as shall then be
on hand and hold and manage the same until my
said grand daughter Lena M. Huffman shall at-
tain the age of twenty one years or shall marry,
at which time they shall first set aside to my said
grand daughter said five tracts of land referred
in article first of this will and Testament and con-
vey the same to her (should said tracts not already
have been disposed of on the terms of this will
and Testament); and then divide all the residue of
my estate or its remaining proceeds equally share
and share alike between my children viz. Margaret
E. Smith, W. B. Perry, Harriett M. Warner, J. A. Perry,
D. C. Perry, W. R. Perry, Lulu D. Fryke, Rox Ann But-
ler and my said grand daughter Lena M. Huffman.
Provided that should my said grand daughter Le-
na M. Huffman (should she be single and provisions
with reference to said two tracts of land are herein
made in order to make her equal to the others who
have received advancements) be unmarried before
she attains the age of twenty one, then she shall

mean under this will said properties or
I will and direct that my
share equally

never receive under this will said properties or
share in my estate and I will and direct that my
said executors shall divide said entire estate equally
between my said above named children. And provided
that if my said grand daughter Louisa
Hoffman die without leaving issue after she has
received said properties or said share in my estate
then said properties or said share shall be
divided and rest in my said children above named equally
Thirdly I hereby nominate and appoint my
sons Wm. Perry, Wm. Perry and Thomas Warner executors
of this my last will and testament and reposing full
confidence in their integrity I will and direct that
they be not required to give bond either as executors
or for the performance of the trusts herein expressed
therein; and that no action be had by the probate court
in the matter of my will or estate other than to
probate this will and testament and have an
inventory and appraisement made under same.
Fourthly In the event of the death of either
of my said executors, or his failure for any cause to
act then I will and direct that the other two of
them shall execute the powers herein conferred
in testimony whereof I hereunto set my hand
this the 14 day of October A.D. 1816 in the presence
of F. M. Cooke of C. Co. who attest the same
at my request.
Alexander W. Perry

The above instrument is now here subscribed by Alexander

I, Perry, the testator, in our presence; and we, at his request, and in his presence, and in the presence of such other sign our names here as at testing witnesses.

F. W. Leard
J. C. Cox

Will

FILED
JUN 13 1904

B. A. B. B.

254

RECORDED

Will Record

No 3619

In Matter of the Estate
of Alexander W. Perry

application for
final bill.

FILED
JUN 13 1911
R. F. Cullom

7-368

Do not use this space -- for

Cashier

36199-11-12-73 5.00

TOM E. ELLIS

County Clerk

Dallas County, Texas

REQUEST FOR CERTIFIED COPIES

Date **11-12-73**

Please prepare **1** ~~Journal Entries~~ **Plain Copy Will and Application** \$ **5.00**

Styled: **Estate: Alexander H. Perry, deceased**

Ordered by: **Mrs. W. C. Meadows**

Return to:

Address: _____ (Street) _____ (City) _____ (State)

Remarks:

By: **Geraldine Patton**, Deputy

Location of Instrument AND DETERMINATION OF FEE:

Type of Instrument **Probate Proceedings** Fee \$ **5.00**

Vol. No. _____ Page No. _____

Cause No. **3619 Disposed No. 2691**

Film No. _____

	Sent to	Dept.	Copy Prepared	Returned to C/C Section	Del'd to Cust.	Mailed
Date			11-12-73		11-12-73	
Initial			GP		GP	

No. **54269**