

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

Case Number 1975

Dallas Genealogical Society
Founded 1955

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

1975

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

1850 May 16th 1891
 On the 16th day of May 1891 for value received we
 promise to pay to the order of Henry K. McAffee
 the sum of Eighteen & 50/100 Dollars,
 in Gold Coin, or its equivalent in the City of Dallas,
 Texas, being the interest due on 1000 Dollars,
 No. 1 1000 at the rate of twelve per cent. per annum.
 Witness Henry K. McAffee
Henry K. McAffee

1850 May 16th 1891
 On the 16th day of May 1891 for value received we
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 the sum of Eighteen & 50/100 Dollars,
 in Gold Coin, or its equivalent in the City of Dallas,
 Texas, being the interest due on 1000 Dollars,
 No. 2 1000 at the rate of twelve per cent. per annum.
 Witness Henry K. McAffee
Henry K. McAffee

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 the sum of Eighteen & 50/100 Dollars,
 in Gold Coin, or its equivalent in the City of Dallas,
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 No. 7 1000 at the rate of twelve per cent. per annum.
 Witness Henry K. McAffee
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 in Gold Coin, or its equivalent in the City of Dallas,
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 Witness Henry K. McAffee
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 in Gold Coin, or its equivalent in the City of Dallas,
 Texas, being the interest due on 1000 Dollars,
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 On the 16th day of May 1891 for value received we
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 the sum of Eighteen & 50/100 Dollars,
 in Gold Coin, or its equivalent in the City of Dallas,
 Texas, being the interest due on 1000 Dollars,
 No. 4 1000 at the rate of twelve per cent. per annum.
 Witness Henry K. McAffee
Henry K. McAffee

Dallas Tex OCT 7 1896 189

Received from Tom Erman
 One & 50/100 Dollars
 To apply on amt on note of Mrs. McAfee due Wm Dingworth
 \$1.50
 J. W. Young per C. H. Austin

Oct 15, 1895

Received of Mrs. C. McAfee
 Eighteen & 30/100 Dollars
 Interest on J. W. Young

Dallas May 17 1895

Received of Wash McAfee
 Eighteen & 50/100 Dollars
 Interest on note due Lindsay
 J. W. Young

Jan 5/90
Dallas, Texas, Dec 11 1890.

Received of C. W. McAfee Dallas,

Eleven ⁶⁸/₁₀₀

for semiannual interest on notes, one for
\$33.55 due Apr 18-91 & one note of \$200.00 due Apr 18-92
C. H. EDWARDS.

\$11.68 Int due Oct 1890 Per CHE

C. H. EDWARDS,
MUSIC DEALER,
703 & 705 MAIN ST., DALLAS, TEXAS.

Dallas, Texas, Nov. 12 1894

Received of C. W. McAfee Dallas,

Eighteen and ⁶⁵/₁₀₀

being interest month's part of on note

house No. _____ to _____ 189__

\$18.65

LINDSLEY & LINDSLEY, Agents.
PER rd

LINDSLEY & LINDSLEY,
Real Estate and Collecting Agents,
NORTHWEST COR. 5th AND ACARD STS.,
DALLAS, TEXAS.

Dallas, Texas, Apr 18 1894.

Received of C. W. McAfee Dallas,

Two

for interest for 6mo. on note

C. H. EDWARDS.

\$10.00 Per _____

C. H. EDWARDS,
MUSIC DEALER,
703 & 705 MAIN ST., DALLAS, TEXAS.

5560.75 296720
 Recd of ~~Wm~~ ~~Wm~~ #24 $\frac{55}{100}$
 on acct of ~~Wm~~ ~~Wm~~ and ~~Wm~~
 Henry D. Lindsley

CRYSTAL ICE CO.

HENRY D. LINDSLEY, MANAGER

FACTORY ON SANTA FE R. R., DAK CLIFF STATION.
DALLAS OFFICE, 105 N. POYDRAS ST.

Dallas, Texas, May 1 94
 Recd of ~~Wm~~ ~~Wm~~ \$18 $\frac{50}{100}$
 being int due May 16 94 on
 his \$370⁰⁰ note + 15 cts each
 Lindsley + Lindsley

PHILIP LINDSLEY,
INVESTMENT BANKER,
110 LINDSLEY BLOCK, POYDRAS ST.

Dealer in first-class investment securities. Place Mortgage Loans on im-
proved Dallas Real Estate, in sums from \$1,000 to \$20,000, netting
investor 8 per cent. interest. Rent semi-annual interest, and
principal without charge. Place short time Loans on Bonds,
Bank Stocks and other good collaterals. Will make purchases of
Dallas Real Estate for non residents. Have been attorney for
Dallas, 12 years in active law practice. Have been attorney for
three Dallas banks, Wells, Fargo & Co.'s Express, Pacific Express
Co., Bradstreet. For ten years revised commercial laws for Texas
for Rand, McNally & Co.'s Bankers Directory. Am director in
the North Texas National Bank of Dallas. I promise faithful
attention to the interests of my correspondents.

Dallas, Texas, Oct. 24th, 1891. 189

C. W. McAfee,
City.

Dear Sir:-

Your interest coupon No. 1, for the sum of Eighteen
Dollars and Fifty Cents (18.50), is due on the 18th of November, 1891
and is at my office for collection. Call and pay same by time it
is due.

Yours very truly,

Philip Lindsley

NO. 226 NOTE VENDOR'S LIEN (Secured by Deed of Trust) Carried in Stock by Jas. A. Dorsey & Co., Dallas.

5382 Dallas Texas, Apr. 15th 1890
One year after date I promise to pay to
C. H. Edwards or order, the sum of
thirty three & 50/100 DOLLARS,
with interest thereon from date until paid, at the rate of 10 per centum per annum, the interest payable
Semi annually as it accrues, at the office of C. H. Edwards
Dallas Texas, the same being in part payment for a certain lot or parcel of land
in the city and county of Dallas
State of Texas and being lot 2114
in block 9 of H. H. H. H. H. Addition to
the lot of Dallas fronting 50 feet on
the North side of McAfee and running
back 100 feet to an alley.
this day conveyed to the undersigned by C. H. Edwards to secure payment
of which a Vendor's Lien is reserved in said conveyance, and as additional security for this note I have this
day executed a Deed of Trust on said land above referred to.
It is agreed and understood that failure to pay this note, or any installment of interest thereon when due, shall, at the election of the
holder of them, or any of them, mature all notes this day given by C. W. McAfee
to said C. H. Edwards in payment for said property.
And it is hereby specially agreed, that if this note is placed in the hands of an attorney for collection, or if collected by suit
agree to pay TEN PER CENT. additional on full amount due, to meet attorney's fee.

Cash.	Due.
Note No 1	
" " 2	
" " 3	
" " 4	
" " 5	

C. W. McAfee
Apr 15/90

Mr. Clerk : Please give notice of this application to sell real estate in the same manner as ordinary notices to sell real estate as prescribed by the statute : Describe the land in said citation , and post it at least 30 days prior to the first day of next term of court : And also give the Administrator W. J. Emmons a citation and notice in person to appear at said first day of the term and show cause why the land should not be sold :

Notice

NOTICE.
State of Texas,
County of Dallas. }
Notice is hereby given that I, H. J. Emmins, was granted letters of administration on the estate of C. W. McAfee, deceased, on the 22nd day of July, 1897, by the County Court of Dallas county, Texas, sitting in matters of probate. That my residence is Dallas, Texas, my postoffice address Dallas, Dallas county, Texas, and all persons having claims against said estate are notified to present the same to me within the time prescribed by law.
H. J. EMMINS,
Administrator of the Estate of
C. W. McAfee.

Recorded in minutes

Dallas, Texas Dec 30 1897

minutes Adm

Wm. Warlick Proprietor

Lone Star Presbyterian. 125 MAIN STREET.

Adm' notice
McAfee 150,
Paid
Wm. Warlick
actually offered to me W. M. Warlick and

Dallas, Texas, March 1897
On Est per M. A. Fisher

IN ACCOUNT WITH
The Dallas Democrat,
135 Main Street, Opposite Court House.

*For publication of
attached notice \$2.00*

5th com. Justice of C. W. McAfee, in the County Court of Dallas county, Tex. and of Texas, a final judgment rendered in the estate of C. W. McAfee deceased, H. J. Fisher vs. C. W. McAfee, in which the said Justice of the Peace, his final account showing a condition of said estate of C. W. McAfee, was filed for his final account and discharge and to show said account which will be held at the next term of said court to be held on the 10th day of November, A. D. 1896, at the court house in the city of Dallas, as within said report and exhibit and account if they see proper to file the same with the clerk of said court, at the City of Dallas, County of Dallas, State of Texas. By J. H. Taylor, County Clerk. By J. H. Taylor, Deputy.

Dallas, Texas *Dec 30* 1897

M. H. J. Emms Adm'r

In Account With *W. M. Warlick* Proprietor

The Lone Star Presbyterian.

BRIEF PRINTING. 125 MAIN STREET.

To publishing Adm'r notice
C. W. McAfee 150,

Paid
W. M. Warlick
Personally appeared before me W. M. Warlick and

NOTICE OF FILING ANNUAL ACCOUNT-ADMINISTRATOR

no. 2374

Estate of C. W. McAfee
H. J. Ewins Administrator
By the County Clerk Dallas
County Texas
Oct 10 1898

THE STATE OF TEXAS,

To all Persons Interested in the Estate of Deceased.

C. W. McAfee
H. J. Ewins

Administrator, has filed, in the County Court of Dallas County, his final Account showing the condition of said Estate. His application for his final discharge and to close up the Estate which will be heard at the next term of said Court, commencing on the Monday in November A. D. 1898, at the Court House in the City of Dallas, at which time all persons interested in said Estate shall appear and contest said Account if they see proper.

A. S. Jackson

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 10 day of Oct A. D. 1898

A. S. Jackson
L. H. HUGHES,
County Clerk Dallas County, Texas.

By J. H. Taylor Deputy

Issued Oct 10 1898

No. 2374-Estate of C. W. McAfee, in the County Court of Dallas County, Oct. 10th, 1898. H. J. Ewins, Administrator. The state of Texas, all persons interested in the estate of C. W. McAfee deceased, H. J. Ewins, Administrator, has filed in the County Court of Dallas County, his final account showing the condition of said estate of C. W. McAfee, deceased, and his application for his final discharge and to close up the estate which will be heard at the next term of said Court, commencing on the first Monday in November, A. D. 1898, at the Court House in the City of Dallas, at which time all persons interested in said estate shall appear and contest said account if they see proper. Witness, A. S. Jackson, County Clerk of Dallas County, Texas. Given under my hand and the seal of said Court, at office in the City of Dallas, this 10th of Oct. A. D. 1898. A. S. Jackson, County Clerk, Dallas County, Texas. By J. H. Taylor, Deputy. Issued Oct. 10, 1898. A. S. Jackson, County Clerk. By J. H. Taylor, Deputy.

State of Texas Before me this day personally appeared
County of Dallas J. T. Blackwell, who by me being duly
sworn depose and say, that he is the publisher of the
Dallas Democrat a newspaper published ~~weekly~~ once
a week in the state and county aforesaid, and
that the notice on the reverse side hereof was
published in the issues of said paper of Oct
11, 18 & 25, 1898 J. T. Blackwell

Sworn to and subscribed before me this 2nd day
of Nov. 1898. As Jackson Co. Clerk
104 W. Main St

Wm E. Good Sheriff
Dallas County Tex
Nov. 15 - 104 W. Main St

Notice is hereby given that the
will of the late J. T. Blackwell
deceased is now open for probate
in the County of Dallas Texas
at the Court House in the City of
Dallas Texas on the 11th day of
November 1898. A copy of
said publication is hereto
attached.

Do. 904
COUNTY COURT.
ESTATE OF J.
Notice of Filing
Account. Deceased.
Issued this 10th day of
1898
L. H. HUGHES,
COUNTY CLERK.
Deputy.

UNIVERSITY OF CHICAGO CONFERRE
L. L. D. UPON PRESIDENT M'KIN-
LEY YESTERDAY.
—
WAS MEMORABLE OCCASION

Est of McAfee
vs. *Deed*
No. 7374

In the County Court,
Dallas County, Texas.

To the Honorable Judge of said Court:

Now comes the Clerk and, in behalf of himself, and the other officers of this Court, moves the Court to require the Plaintiff in the above entitled and numbered case to give security for costs.

A. S. JACKSON, Clerk.

By *J. H. Decker* Deputy.

Dallas, Texas,

189

Dallas County, Tex.

Ds.

August 29th 1898

Now at this time come on the petition of H. J. Erwin administrator of the estate of C. W. McAfee dec. asking for an order permitting and requiring him to pay over to W. Ellingworth, the sum of \$400.00 with interest thereon from the 6th day of September 1897, being the amount due him on a judgment rendered in this court on said day, and it appearing to the court that said judgment was a judgment on a vendor lien note to preclose some on certain property of second; and it appearing to the court that said property has been by this court ordered sold and has been sold to pay said claims, and

No. 7329

E. W. McCall
Clerk

Motion for Security
for Costs

Filed *7* day of *Dec*
A. D. 189*7*

A. S. JACKSON, Clerk.

By *J. H. Taylor* Deputy.
SHERRY PRATHER CO., DALLAS, TEX.

Filed Dec 28/97

At Jackson Co. Tex
By J. H. Taylor

that said sale was duly approved and that
the said property sold for the sum of \$2000.00
which is now in the hands of the admin-
istrator. If it appearing to the court that
there is no other claim ahead of said
claim. It that the same should be paid,
now therefore the administrator is hereby
ordered to pay to the said W. Ellingworth
the sum of \$400.00 with interest there-
on from the 6th day of Sept-1897 at the
rate of 10 per cent interest from said
date this being the amount of said
judgment.

By *W. Ellingworth*
A. S. JACKSON, COUNTY CLERK.

Filed *28* day of *Dec*
189*7*

W. Ellingworth
Co. Judge
Order
11-485

Account for
DALLAS COUNTY,
— vs. —
Fund

THE STATE OF TEXAS,

To the Sheriff or any Constable of Dallas County GREETING:

YOU ARE HEREBY COMMANDED, To notify H. C. Quinn
Administrator
of the Estate of C. M. McLaughlin

by delivering to him a true copy of this writ, that at the an Dec 21, 1897 term of the County Court of said
County an order was made In the Estate of C. M. McLaughlin Dec 21, 1897
In these words "Dec 21, 1897 Order granting
order of sale of Land Suspended"

HEREIN FAIL NOT, but of this writ make due return, showing how you have executed the same.

Witness my hand and official seal at my office, in the City of Dallas, this 23 day of

By J. S. Sauter Deputy A. S. Jackson Clerk.
D. 1897

THE STATE OF TEXAS,

To the Sheriff or any Constable of Dallas County GREETING:

YOU ARE HEREBY COMMANDED to notify H. C. Quinn
Administrator
of the Estate of C. M. McLaughlin Deceased

by delivering to him a true copy of this writ, that at the May 1899 term of the County Court of said
County an order was made in the matter of the Estate of
C. M. McLaughlin Deceased no 7329 Probate District
said Court, in these words - to wit:
"May 18-1899 Administrator is ordered to pay cost
 Kenneth Bone
Co Judge"

HEREIN FAIL NOT, but of this writ make due return, showing how you have executed the same.

Witness my hand and official seal, at my office in the City of Dallas, this 15 day of

By J. S. Sauter Deputy A. S. JACKSON, CLERK.
May A. D. 1899

21

No. 2379

ESTATE OF
Orn McKeefe
Deed

NOTICE TO *Advers*

Issued *23* day *Dec*
189*7* *A. S. Jackson* Clerk.
By *J. D. Taylor* Deputy.

Came to hand on the *23* day of
Dec 189*7* and executed on
the *27* day of *Dec* 189*7*,
by delivering a true copy of within notice to *16*
J. Adams the within named
Ben E. Cabell
Sheriff Dallas County.
By *H. Hall* Deputy.

FEES:	
Serving Notice.	\$ 1.00
Mileage.	20
Total.	\$ 1.20

73500

Walter Landon
Walter Lee
Sandy
Frank Dent
Chas. Sidney
Albert Jones
A. Humbley

C. E. Bernard

2

No. 2379

ESTATE OF
Orn McKeefe
Deed

NOTICE TO *Advers*

Issued *25* day *May*
189*9* *A. S. JACKSON*, Clerk,
By *J. D. Taylor* Deputy.

Came to hand on the *25* day of
May 189*9*, and executed on
the *14* day of *July* 189*9*
by delivering a true copy of within notice to
J. Adams the within
named *Ben E. Cabell*
Sheriff Dallas County.
By *J. D. Taylor* Deputy.

FEES:	
Serving Notice.	\$ 75
Mileage.	10
Total.	\$ 85

73500

THE STATE OF TEXAS.

To all Persons Interested in the Estate of C. W. McAfee Deceased.

W. Illingworth has filed in the County Court of Dallas County, State aforesaid, an application for letters of Administration upon the estate of said decedent

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 and State of Texas and commencing on the first Monday in July 1897, 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 29 day of May 1897

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

By A. B. Pauline Deputy.

The State of Texas, } Estate of C. W. McAfee, Deceased,
COUNTY OF DALLAS.

Know all Men by these Presents, That we, H. J. Emmins
as Principal, and W. Illingworth **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 Twelve hundred, (\$1200,00) DOLLARS;
conditioned that the above bound H. J. Emmins **who has been appointed** Administrator **, of the estate of said C. W. McAfee, shall well and truly perform all the duties required of him under said appointment.**

WITNESS our hands and seals, this 19th day of July 1897

H. J. Emmins (SEAL)
W. Illingworth (SEAL)
pro L. Boyd (SEAL)
C. W. McAfee

I DO SOLEMNLY SWEAR that C. W. McAfee deceased died without leaving any lawful will, so far as I know or believe; and that I will well and truly perform all the duties of Administrator of the Estate of said deceased.

Sworn to and subscribed before me this 22 day of July 1897

A. Jackson
County Clerk, Dallas Co., Texas.
By A. M. Skelton Deputy.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2329 204

No.

COUNTY COURT.

ESTATE OF
C. W. McAfee

Deceased.

Notice of Application for Letters
of Administration.

Issued this *29* day of *May*
A. D. 189*7*

A. S. JACKSON
L. H. HUGHES
County Clerk.

By *M. B. Purkins* Deputy.

SHERIFF'S RETURN.

Came to hand the *29* day of *May*
189*7* and executed the *29* day of *May*

189*7*, 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.

R. E. Cabell
Sheriff, Dallas County.

By *T. J. Corpan* Deputy.

Dorsey Printing Co., Dallas, Tex. 14500

Geo #300

2329

No.

County Court, Dallas County

Administrator's Bond.

ESTATE OF

C. W. McAfee, Deceased.

Filed *July 22* 18*97*
J. Jackson
W. M. C. HILL, Clerk.

By *A. K. Raulius* Deputy.

Approved this *27* day of
July 18*97*
M. H. Jones
County Judge, Dallas, County

A. D. Albritton & Co. Stationers, Printers & Binders, Dallas, Texas.

Recorded
7-27-97

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In the matter of the } In the Probate
Estate of @ W. Westfall } Court of Dallas
vs. } County Texas

Comes now the administrator
W. J. Eummons of the Defendant
Pope and demurs to
the allegations in the petition of
objections filed by Mrs. E. W. Westfall
and says the same are insufficient
to entitle her to relief, wherefore they
ask judgment of the court -

2d. They deny all and
singular the material alle-
gations contained in said
petition of said objections and
demand strict proof of the
same, wherefore they ask
judgment of the court

W. C. Krumholz
Attorney for Adminis-
trator ad defensus
Pope

They further say that the rights of
the owner and holder of the note
and deed of Trust presented in
this case and approved by the
court attached as a vendors lien
on the said property referred to
prior to any honesto right and
prior to the date of said acquisition
or said honesto by the said

C. W. Messer swears that the note
was given in lieu and in continu-
ation of a note for \$150.00 given
by E. H. Edwards to W. J. Keller
and another note of \$200.00
and accrued interest given by
the said Messer as purchase
money for said place, and said
notes were endorsed or collected
by said E. H. Edwards and
are unpaid and are here
asserted and plead as part
of said claim.

Wherefore this my
judgment of the court.
W. J. Kinsinger
attorney at law
for

In the matter of
the estate of
C. W. Messer
Dec.

James T.
Administratrix
of the estate of
C. W. Messer

FILED July 7 1891
J. S. JACKSON,
County Clerk, Dallas County, Tex.
Attest

The State of Texas } In the Probate
 County of Dallas } court of Dallas
 County Texas.

Now comes Celara W. Afee Interim
 herein and applying to answer by
 Administrator & Under herein deems
 all and singular the allegations herein
 contained and says that the same
 are not true and of this she puts
 herself upon the country

Wiley D. Turner -
 Atty for Interim

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

7279
In Re Estate of
C.W. McAfee

Interim Application

FILED *July 27 1898*
J. S. JACKSON,
County Clerk, Dallas County, Tex.
J. S. Jackson

Walter P. Turner
Atty. for Interim

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

BILL OF COSTS.

A. D. Aldridge & Co., Stationers, Printers, Blank Book Manufacturers, Dallas, Texas.

Article 1420 (A) reads: It shall be lawful for Clerks of the District and County Courts, and Justices of the Peace to demand payment of all costs due in each and every case pending in their respective Courts, up to the adjournment of each term of said Courts.

Estate of C. W. M. Ape
vs. *H. J. Emmins Adams*

No. 17073

BILL OF COSTS.

H. J. Emmins Adams
Defendant.

To OFFICERS OF COURT, Dr.

To Costs accrued in above entitled cause, to adjournment of _____ Term, 189__

<i>Apr 5/98</i>	<i>Filing & Doctery Appeal</i>	<i>50</i>
<i>" 13 "</i>	<i>Defts And Orig Ans</i>	<i>10</i>
<i>" 15 "</i>	<i>Iss subps &</i>	<i>25</i>
<i>" " "</i>	<i>Filing and pet</i>	<i>10</i>
<i>" 16 "</i>	<i>Iss, subps</i>	<i>25</i>
<i>June 15 "</i>	<i>Filing dep Lincasly</i>	<i>10</i>
<i>" 21 "</i>	<i>& Doctery motion for</i>	<i>25</i>
	<i>Reverial</i>	<i>25</i>
	<i>Entering Judgment</i>	<i>1 90</i>
	<i>Sheriff Cabell serving subps</i>	<i>1 20</i>
	<i>Taxing Cost</i>	<i>25</i>
	<i>Certified Copy of Judgment</i>	<i>1 20</i>
		<i>\$6.80</i>

THE STATE OF TEXAS,
DALLAS COUNTY.

IN DISTRICT COURT.

I, H. W. JONES, Clerk of the District Court in and for said County and State, hereby certify the above to be a correct copy of the Bill of Costs in above entitled and numbered Suit, up to this date.

Dist Court Witness my hand and seal of said Court, at office in the City of Dallas, this *28* day

of *June* 189 *8*

H. W. JONES,
Clerk District Court, Dallas County.

By _____ Deputy.

TY-1978

Claim

No. 17073

In District Court, Dallas County

BILL OF COSTS.

Of *28th June* Term, 189*8*

Estate of C. W. McAdams

vs.

N. J. Emmings Adm'r

Received 189

Returned 189

Satisfied in full.

Sheriff County.

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

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

CONFIDENTIAL

In the matter of the estate of W. McAfee Deceased :

No. *2329*

In the Probate court of Dallas County Texas .
In the County Court :

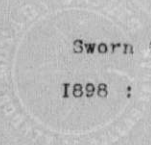
Comes now the witness -- *H.C. Cooper*

Who being by me the undersigned authority duly sworn says as follows:

I am in the real estate business in the city of Dallas and State of Texas and have been for more than five years prior to this date . I am familiar with the values of real estate in the State of Texas and in the city of Dallas : I have examined the property named and described in the report of sale in this estate filed on the ^{20th} day of December 1897 to wit: Lot No . *12* in Block No . *5* in W. J. Keller addition to the city of Dallas , as shown by said report : I am familiar with said property and have examined the same carefully since the date of said sale and say that the sum of \$500.00 is a fair price for the same and is all the property is worth and all it will bring at this time and was a fair price for the same at the time of said sale .

H.C. Cooper

Sworn to and subscribed to before me on this the *13th* day of January 1898 :



Henry McBride
Clerk of the County Court of Dallas County

I hereby certify that I know the witness whose affidavit appears above to wit : _____ and have known him for more than five years and that he is a citizen of Dallas County Texas , and is a credible and worthy citizen and worthy of belief :

Clerk of the County Court of Dallas County
Texas .

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. --- 2320
In the Matter of the
estate of C. W. McAfee
Deceased :

Proof of value of real
estate :

FILED

January 15 1990

M. P. Paulus

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

(1)

In the Matter of the estate of C. W. McAfee Dec;

In the Probete court of Dallas Co. Texas .

County Court Case No. ----- 2329

Comes now the witness -----

who being sworn testifies as follows : My name is *W. F. Daugherty*
 I am ar^{al} estate agent in the City of Dallas Texas X and have been
 engaged in said business for many years to wit : more than 4 years :
 I have seen the property described in the report of sale filed herin
 on the 20th day of December 1897 , to wit : Lot : No- / 2
 in Block No. -- 5 in W. J. Kellers addition to the city of Dallas ,
 I have examined said property since the said date and am famillior
 with is vale : The price agreed to be paid to wit : \$500.00 is a jud
 and fair price for the same at this time and was at the time
 of the said sale the property is 50 feet fronting on *Alora*
 st. and running back 150 feet has a small cottage on it in bad
 repair consisting of 4 rooms : . I think the property is well
 sold at ~~500.00~~ \$500.00. And do not think it would bring any more at this
 time or at any time in the near future :

W. F. Daugherty
 Sworn to and subscribed to before me on this the 13th day of January
 1898:

S. M. Bide
 Notary Public Dallas Co. Tex.

I hereby certify that I am acquainted with the witness -
 and he is a citizen of Dallas County and is a credible person and wor-
 thy of belief :

County Court Clerk of Dallas County Texas .

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. 2329

In the Matter of the
Estate of C. W. McAfee
Deceased :

Proof of value of prop-
erty :

FILED

Jan 15 1898
A. S. JACKSON,
Dallas County, Tex.
A. S. Jackson

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

(1)

In the matter of the estate of C. W. McAfee Deceased :
 In the County Court of Dallas Co. Texas ,
 the Probate court :

No. --- 2329

Before me the undersigned authority appeared the witness --
E. E. McDaniel who being by me duly sworn says . I am familiar
 with the lot No. 12 in Block No. 5 of the W. J. Kellers
 addition to the city of Dallas , being the lot reported as sold by
 the administrator of C. W. McAfees estate on the 20th day of December
 1897 . I have examined the property since said sale . I am a ^{Abstractor} ~~real estate~~
~~agent~~ doing business in the city of Dallas Texas and have been for
 many years . I know the value of real estate in said city and of
 the lot in question . I would say that the price \$500.00 agreed to
 be paid for the lot is a good fair just and proper sale . It is all
 the lot is worth or will bring at this time or at the time of the
 sale . The lot is 50 feet by 150 fronting on Hlove
 street in Dallas , and has on it a small cottage in bad repair and of
 little value :
E. E. McDaniel

Sworn to before me on this the 13th day of January 1898 :

This is to certify that I am acquainted with the witness above to
 wit ; and have been for years and he is a
 credible citizen and worthy of belief :

County Court Clerk of Dallas Co. Texas .

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. - 2829
In the Matter of the
estate of C. W. McAfee
Deceased .

Proof of value of real estate .

FILED
July 14 1893
A. S. JACKSON
Clerk of the Court
Dallas County, Texas

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

Clara Mc Afie County
 vs. District Court
 H. J. Emmons & H. M. Hingworth } Dallas, Co. Tex.

Personally appeared before
 me Clara Mc Afie, plaintiff in the
 above entitled cause, who first
 being duly sworn according to law,
 says that she is too poor to pay
 the cash of Court in said cause
 and unable to give security
 therefor

Clara Mc Afie

Sworn to and certified
 before me this 20th day of
 January, A.D. 1898

J. E. Wiley Notary Public
 Dallas County Texas

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2379

Estate of G. W. McFar

Affidavit of Solvency
to pay costs of
Inventory of assets

FILED Jan 6 1898

J. S. JACKSON,

CLERK OF DISTRICT COURT, TARRANT COUNTY, TEX.

BY J. H. Gault DEPUTY.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

(1)

In the Matter of the estate of C. W. McAfee dec.
In the County Court of Dallas Co. Tex. No.--

Comes now H. J. Emmons administrator by his attorney and represents to the court that on the 22d day of Feb. 1898 he filed a report of sale of the lot which he had been orderd to sel on the 6th day of Nov. 1897 setting forth tht he had sold the same to one Frank T. Payne for the sum of \$ 500.00 which report came on to be heard on the 21st day of Feb. 1898 and was in all respects confirmed by the court and the administrator odered to made the purchisad a deed upon his compliance with said sale, but the judgment of the court by mistake or accident was not written upon the minutes of the court at said term which adjourned on the 5th day of ~~Feb.~~ March 1898. He asks tht said judgment confirming the sale be now entered nunc pro tunc as of the 21st day of Feb. 1898

As he will ever pray

H. C. Timmons
att'y for admstr.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In the matter of
the estate of C. W. Mc
afee dec. No.

Motion asking judgment
confirming sale made
under the order of Nov.
6th 1897 be interred nunc
pro tunc.

FILED *Nov 7 1898*

A. S. JACKSON,
County Clerk, Dallas County, Tex.

By *J. H. Taylor*
CLERK

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

The State of Texas }
 County of Dallas }

Estate of N.W. McAfee
 in Probate Court.

Now comes Clara McAfee Intervenor,
 and moves the court that a new trial
 be granted, on her Motion to set aside
 order of Sale & Disallow account of W. Klingworth
 and to set apart to her a sum of \$1000. for
 which she assigns the following reasons
 1st Because the judgment rendered upon
 the trial of said cause by the court was
 contrary to the evidence adduced upon
 the trial of said cause.

2nd That the judgment was contrary
 to the Law governing in said cause
 Wherefore she prays that a new
 trial be granted her

Wiley P. Turner
 atty for Intervenor
 Clara McAfee

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No - 2329

In Probate Court
Estate of N. W. McGehee

Intervenor Motion
for New Trial

FILED
Feb 13 1898
A. J. WOODSON,
Clerk of Court,
Dallas, Texas.

Wiley & Turner
attys.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In the Matter of the Estate
of @-W. Meafa
No

In Probate
Court of
Dallas Co
Texas

comes now H. J. Emmmons and
moves the court to set aside
order suspending order of sale
heretofore made on Nov 24/1894
the same being made without
a hearing and without proof
and ~~was~~ said motion ~~is~~ ^{is} ~~not~~
being without merit -

as he will ever pray

W. C. Kimbrey
att for Emmmons

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In the Matter
of the estate
of C. W. Medya
deceased

No -

Motion for
set aside order
suspendin
order &
date

Filed Dec 17/1909
At Jackson Co. Ill.
By J. B. Decker

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

CITATION.

THE STATE OF TEXAS,

To the Sheriff or any Constable of Dallas County - Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

Frank J Payne

to appear before the Honorable County Court of Dallas County, State of Texas, at a regular term thereof, to be held at the Court House of said County, in the City of Dallas, on the first Monday in March 1898 then and there to answer the petition of Motion of Clara McCall

filed in said Court on the 20 day of January 1898, against the said

Frank J Payne

for suit; said suit being numbered 7379, the nature of which demand is as follows, to wit:

Motion to set aside order of sale of real estate heretofore granted to J. C. Curran administrator of the Estate of J. M. McCall. Deed and opposing confirmation of sale alleged to be void. Motion made to said Frank J. Payne. The said Clara McCall a party for citation citing said Frank J. Payne to appear and show cause why said supposed sale should not be declared null and void and report thereon not confirmed.

and you will deliver to the said

Frank J Payne

a true copy of this Citation.

Herein Fail Not, but due service and return hereof make, showing how you have executed the same.

ATTEST: A. S. JACKSON, Clerk of the County Court of Dallas County.

Given under my hand and seal of office, at Dallas, this 30 day of January 1898

A. S. JACKSON,
Clerk County Court, Dallas County, Texas.

By

J. S. Decker

Deputy.

SHERIFF'S RETURN.

Came to hand on the 21 day of Jan'y 1898, by delivering to *Frank J. Taylor* 1898, undersigned on the 20 day of Jan'y 1898.

In person, a true copy of this writ.

FEES:

Serving Copy, - - - \$ 1.50
Mileage, - - - - - \$ 60
TOTAL, - - - - - \$ 90

By *Ran B. Cabell* Sheriff
Wardson Deputy.

the within named defendant.

CITATION.

No. *2379*
COUNTY COURT,
DALLAS COUNTY, TEXAS.

Est. Co. McAfee
Deed
vs.

Issued this *20* day of *Jan'y* 1898
A. S. JACKSON, Clerk.
By *J. Taylor* Deputy.

THE STATE OF TEXAS,

To the Sheriff or any Constable of Dallas County—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *Frank I Payne*

to appear before the Honorable County Court of Dallas County, State of Texas, at a regular term thereof, to be held at the Court House of said County, in the City of Dallas, on the *20th* Monday in *March* 189*8* then and there to answer the petition of *Motion of Clara McKeefe*

filed in said Court on the *20* day of *Jan* 189*8*, against the said *Frank I. Payne*

for suit: said suit being numbered *7329*, the nature of which demand is as follows, to wit:

Motion to set aside order of sale of real Estate heretofore granted to H. J. ... administrator of the Estate of C. W. McKeefe ... and of ... conspiracy of sale alleged to have been made to said Frank I. Payne. The said Clara McKeefe prays for citation, citing said Frank I. Payne to appear and show cause why said supposed sale should not be declared null and void and report thereof not confirmed.

and you will deliver to the said

Frank I. Payne

a true copy of this Citation.

Herein Fail Not, but due service and return hereof make, showing how you have executed the same.

ATTEST: A. S. JACKSON, Clerk of the County Court of Dallas County.

Given under my hand and seal of office, at Dallas, this *20* day of *Jan* 189*8*

A. S. JACKSON,
Clerk County Court, Dallas County, Texas.

By *J. S. ...* Deputy.

SHERIFF'S RETURN.

Came to hand on the _____ day of _____ 189____, by delivering to _____ 189____, and executed on the _____

the within named defendant.

In person, a true copy of this writ.

F E E S :

Serving Copy \$
Mileage
TOTAL . . . \$ _____

By _____

Sheriff
Dallas County, Texas.

Deputy.

Copy

CITATION.

No. *9299*
COUNTY COURT,
DALLAS COUNTY, TEXAS.

E. O. McFarland
Deed

vs.

Issued this *20* day of *July* 189*8*
A. S. JACKSON, Clerk.
By *J. S. Taylor* Deputy.

See H. E. Miller

Carriage & Court, Manufacturing Stationers, Galveston. 207

*577 Elm St. 1978
Union Council*

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

THE STATE OF TEXAS,

To the Sheriff or any Constable of Dallas County—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

*H. J. Emmins, Administrator, of the
Estate of C. W. McAfee, Deceased,*

to appear before the Honorable County Court of Dallas County, State of Texas, at a regular term thereof, to be held at the Court House of said County, in the City of Dallas, on the *first* Monday in *November* 189*7* then and there to answer the petition of

W. Illingworth, a creditor of said Estate

filed in said Court on the *9th* day of *September* 189*7*, ~~against the said~~

*in the matter of the Estate of said
C. W. McAfee, Deceased, on the
Probate Docket of said Court, No. 2349.*

~~for suit; said suit being numbered~~, the nature of which demand is as follows, to wit:

*Application for an order directing
the sale of certain real estate be-
longing to said Decedent.*

*And said Administrator is
herby commanded to appear at
aforesaid, and show cause if
any he has, why such application
should not be granted.*

and you will deliver to the said

*H. J. Emmins, Adminis-
trator, as aforesaid,*

a true copy of this Citation.

Herein Fail Not, but due service and return hereof make, showing how you have executed the same.

ATTEST: A. S. JACKSON, Clerk of the County Court of Dallas County.

Given under my hand and seal of office, at Dallas, this *9th* day of *September* 189*7*A. S. JACKSON,
Clerk County Court, Dallas County, Texas.

By

H. J. Emmins
Deputy

SHERIFF'S RETURN.

Came to hand on the 15th day of September 1897, by delivering to *W. C. Cannon* and executed on the 9th day of September 1897.

In person, a true copy of this writ.

the within named defendant.

FEES:	
Serving Copy	\$ 1.50
Mileage	10
Total	\$ 1.60

By *W. C. Cannon* Sheriff
W. C. Cannon Deputy
 Dallas County, Texas

Original 204

CITATION.

No. *2329*
COUNTY COURT,
DALLAS COUNTY, TEXAS.

Estate of
C. W. McAffel
Deed,
vs.

Application of
W. S. Livingston

Issued this *9th* day of *Sept.* 189*7*

N. S. JACKSON, Clerk.
By *W. B. Paulius* Deputy.

Recorded
11-27-97.

NOTICE OF APPLICATION FOR SALE OF REAL ESTATE

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

The State of Texas,

To All Persons Interested in the Estate of

C. W. McAfee,

Deceased.

W. S. Lingworth, a creditor of said Estate, has filed, in the County Court of Dallas County, an application for the sale of certain lands belonging to said Estate, for the payment of the debts due, of the following description, to-wit:

*Lot No. 12, in Block No. 5 of
M. J. Kellus Addition to the City of
Dallas.*

which application will be heard at the next regular term of said Court, commencing on the *first* Monday in *November* A. D. 189*7*, at the Court House in the City of Dallas, at which time and place all persons interested in said Estate shall appear and contest said application, and show cause why such sale should not be made, should they choose to do so.

WITNESS: *L. S. HUGHES*, County Clerk of Dallas County, Texas.

Given under my hand and seal of said Court, at office in the City of Dallas, this *9th* day of *September* A. D. 189*7*

A. S. JACKSON
A. H. HUGHES

County Clerk Dallas County, Texas.

By *A. B. Rawlins* Deputy

Recorded 97-30-97. X 204

No. 2329

COUNTY COURT.

ESTATE OF

C. W. Mc. Afeel

Deceased.

Notice of Application for Sale of Real Estate.

Issued this 9th day of Sept. A. D. 1897

L. H. HUGHES, Co Clerk.

By W. B. Rawlin Deputy.

SHERIFF'S RETURN.

Came to hand on the 9th day of Sept. 1897 and executed the 9th day of Sept. 1897 by posting up three copies of this writ at three public places in Dallas County, one of which was the Court House door of said County, and no two of which were in the same town or city.

R. M. E. Carter SHERIFF DALLAS COUNTY.

By J. A. Snow Deputy.

D. ALBRIDGE & CO., PRINTERS, DALLAS.

Fees \$3.00

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

State of Texas .
County of Dallas .

In the County Court of Dallas County
Texas . In the Matter of the Estate of
of G. W. McAfee Dec. No. #2329.

To the Honorable Kenneth Foras , Judge of said court :

Comes now H. J. Emmins , administrator of said estate and represents to the court that heretofore in the above styled and numbered cause this Honorable ^{court} ordered your said administrator to sell certain real estate to wit : Lot No. 18 Block No/ 5 according to W. J. Sellers addition to the city of Dallas , for the purpose of paying a vendors lien claim of one W. Illingworth against said lot , that your petitioner did in accordance with said order sell said real estate to one Frank T. Payne for the sum of \$500.00 which sale has been duly confirmed as shown by order recorded in Book N. Page 416 of the minutes of this court , that said order directed your petitioner to execute deed of conveyance to said purchaser , on receipt of the said consideration to wit : \$500.00 . That said conveyance has been by your petitioner duly made and delivered to said purchaser in accordance with said order : That in consequence whereof your petitioner has now in his possession the sum of \$500.00 the proceeds of said sale which is subject to the said claim of the said W. Illingworth the owners of said vendors lien claim , which said claim has been approved and reduced to a judgment of this court by order or judgment of date , Monday Sept. 6th 1897 , and recorded in Book -- page -- of the records of this court that by the terms of said judgment there is due the said W. Illingworth the sum of \$400.00, and interest at the rate of 10 per cent interest from the said 6th day of Sept. 1897 , to this date , or to date of payment : Your petitioner represents that there are no claims having precedent to the said claim on the said sum now in the hands of your administrator , and premises considered he prays for an order of court directing him to pay to the said W. Illingworth , the said sum aforesaid now due on said judgment out of the said sum of \$500.00 now in his hands as the result of said sale aforesaid : AS HE WILL EVER PRAY :

H. J. Emmins
W. C. Kimbrough
et al.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In the matter of the
estate of H. F. McAfee
dec. No. 9389:

IN THE COUNTY COURT OF
DALLAS COUNTY TEXAS.

Petition for order
requiring administrate

or to pay claim of W. H.
Lingworth out of pro-
ceeds of sale of real,
estate

FILED

Aug 27 1898

A. S. JACKSON,
Clerk of the County Court

A. S. Jackson

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

(1)

In the Matter of the estate of C. W. McAfee Dec.

H. J. Emmons Administrator:

Pending in the
probate Court
of Dallas Co. Tex

Comes now H. J. Emmons Administrator of the estate of C. W. McAfee Deceased, and represents to the court that in pursuance to an order of this court entered and had on the 5th day of November 1897 requiring him to sell certain real estate, he did on the ^{20th} day of December 1897 sell the real estate named and described in said order to wit: Lot No. 12 in Block No. 5 of W. J. Keller's addition to the city of Dallas, for a more detailed description reference is had to a deed from C. H. Edwards to C. W. McAfee of record in Deed records of Dallas County Texas, Book 126 Page 285, selling said property at said time to one Frank T. Payne of the city of Dallas State of Texas for the sum of five Hundred Dollars (\$500.00) cash in hand. Said sale being made at private sale in accordance with the said order of this court.

H. J. Emmons

Administrator of the estate of C. W. McAfee Deceased.

Subscribed to and sworn to before me on this the 22nd day of December 1897.

*As witness each
Dallas Co. Tex
My Notarial Seal*

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2329

In the Matter of the Estate
of C. W. McAfee Dec.

Report of sale of real estate
By Administrator, in
accordance with order of
Nov. 6th 1897.

FILED

DEC 22 1897

A. S. JACKSON,
Notary Public,
Dallas, Texas.

Recorded in Minutes

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

State of Texas
County of Dallas .

In the County Court of Dallas County Texas . Setting in probate :

In the Matter of the estate of C. W. McAfee Dec.
No. ---

Comes now W. Illingworth , and represents to the court that he is a creditor of the estate of C. W. McAfee deceased , that he holds a claim against said estate secured by deed of trust lien and vendors lien for purchase money , for the following piece of real estate to wit : Lot 9 No. 12 in Block No. 5th of W. J. Keller's addition to the city of Dallas, Said claim being in the sum of \$400.02 as represented by a note of deceased , and accrued interest bearing interest at 12 per cent , That said claim has been duly presented to the Administrator of said estate H. J. Emmons on the -- day of August 1897 , and was by him approved ; and was entered on the claim docket as provided by law and was on the --- day of September 1897 , approved by the County Judge of Dallas County Texas , and classified as a 3d class claim against said estate . Your applicant represents that said property is not worth and will not sell for sufficient to pay his said note and claim aforesaid . And said property is so situated that it can not be divided . Premises considered your applicant prays that the administrator H. J. Emmons be cited to answer , and that notice be given as required by law and that on final hearing he have a judgment and decree ordering the sale of said real estate for the purpose of paying his said claim .

W. Illingworth

Sworn to and subscribed to before me on this the 4th day of September

1897 .

W. L. Kimrough
Notary Public in &
for Dallas Co., Texas

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. 2329

In the Matter of the
Estate of C. W. McAfee

In the Probate court
of Dallas, County Tex.

APPLICATION OF W. ILL-
INGWORTH a CREDITOR TO
SELL REAL ESTATE.

FILED

SEP 9 1897

A. S. JOHNSON,
Clerk, Dallas County, Tex.

W. Illingworth

11-6-97
Application &
sic vacated
granted, and
order entered
to sell apprais
sale for cash

11-5-97

Notices sent 9-9-97
dit to clerk " 9-4-97

Recorded Nov 26
97

In the Matter of the Estate of C. W. McAfee

Application for Administration.

No. 2309.

-- In the County Court
-- of Dallas Co. Tex.

Comes now H. J. Emmins, and resists the application of W. Illingworth for appointment of administrator of the estate of C. W. McAfee, and asks the court that he H. J. Emmins be appointed, instead, of said Illingworth, and he here alleges and affirms the material facts set out in said Illingworth's application, for administration filed herein, and says in addition thereto that the petitioner H. J. Emmins is not disqualified from serving as administrator, of said estate and he prays the court that he be appointed administrator of said estate.

As he will ever pray#

H. J. Emmins

Applicant for administration.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. --- 2327.
In the Matter
of the estate of C. W.
McAfee deceased.

Application for ad-
ministration by H. J.
Ermins,

FILED *July 12 1897*
S. JACKSON,
J. H. Secular

The State of Texas,
County of Dallas

Supplemental motion
of Curving Estate

In Re Estate of C.W. McFee, Dec'd to & the order of said
New James Clara McFee, widow of
C.W. McFee, Dec'd, and James Frank had
and obtained of the court, also this her
Supplemental motion to set aside order
of Sale of Real estate heretofore granted
to J.C. Emmons Administrator, and
appearing Confirmation of Sale, ^{alleged} to have
been made;

That your petitioner in addition to and
in Supplement to her petition hereto-
fore filed herein shows that the
Administrator on the 20th day of Dec.
1897, subsequent to the filing of your
petitioner's original petition filed
with the clerk of this court a certain
or called report of sale, alleging therein
a sale of the Real estate of Dec'd
C.W. McFee and your petitioner, to
one Frank T. Payne which action the
court had heretofore prohibited and
enjoined by the order duly made
up and entered, wherefore your
petitioner prays that said Frank T. Payne
be ordered to appear in
this court and show cause why said
^{supposed} sale should not be
declared null and void, ^{and report thereon be not confirmed.}

Your petitioner will ever pray, etc.

Shelby C. Turner
Attorney for petitioner

2nd And your petition further shows
that the claim and account of
J. Dillingworth set up and sought
to be maintained against the estate
of Decedent C. W. H. and filed
with the administrator on the
10th day August 1897 and allowed by him
on the 10th day Aug. 1897, is stale and
of no legal force and effect and
is barred by the Statute of Limi-
tations under the provisions of Ar-
ticle 3305 of the Revised Statute of
1880, and your petition hereby
invokes the relief of this Statute
both as to the Express account and
claim as filed in this Court as
well as to all memoranda, notes
or other evidence thereof, which may
be presented to this Court in proof
or confirmation thereof. And your
petitioner will ever pray, etc.

Attest of Turner,
attys. for Intervenor

3rd Your petition further shows
that heretofore to-wit: on the ¹⁰ day of
January 1898, she filed herein her
application asking the Court to set
apart to herself and the minor
children of herself and the Decedent
their Homestead in which she al-
leges that they moved into and
occupied her former Homestead

1 bring Sub No. 12 in Black #5 - W. J. Kellon's
2 addition to the City of Dallas, on
3 the 3rd day of June 1898 and has so
4 lived upon, occupied and reared
5 this family in and upon said
6 homestead until the death of the
7 decedent and that she and her
8 minor children have continually
9 since that time, and so now
10 so occupy and use said homestead.
11 And your petitioner further avers
12 that the claim of said W. Dillingworth
13 is no lien upon said homestead
14 valid in Law of this the said
15 judgment.

W. J. Kellon

Atty. for Intervenor.

17
18 4th Your petitioner further shows that
19 the administration and all costs
20 expenses and costs accrued in this
21 case have been at the instance
22 and demand of the said creditor
23 W. Dillingworth and that there is
24 no part thereof which should or
25 is entitled to be paid by the estate
26 of the decedent. That there is no
27 other property belonging to said
28 estate other than the homestead
29 of your petitioner (the surviving widow)
30 and the minor children of decedent.
31 Premises considered your petitioner
32 prays that the homestead be adjudged

and desired to be exempt from the
Supposed and so called Lien of Claim-
ant. and that the same be set aside
for the use of the surviving widow
and minor children and that
all costs herein accrued be taxed
against the said Claimant, and
your petition will ever pray to
Wiley A. Turner
Attys for Intervenor

2329

In Re Estate of

C. H. Mc. Hess. Decd.

Supplemental motion

set aside by order of

Filed July 20-1898

Ad. Jackson, Clerk

Wiley A. Turner
Att. for Intervenor

1 Clara Mc Afie County Clerk
 2 To vs.
 3 H. J. Summers of the Illingworth & Dallas, Co. Tex.

4
 5 To The Honorable Judge of said
 6 Court.

7 Now comes Clara Mc Afie
 8 plaintiff in the above entitled case,
 9 and says that she is the surviving
 10 widow of C. H. Mc Afie, Decd.

11 That she and her husband the
 12 said C. H. Mc Afie, were married
 13 on the - day of - mo. 1876, in
 14 Pulaski County, Arkansas, in
 15 due form of law. That she
 16 and her said husband lived
 17 together from the time of their
 18 marriage up until
 19 the death of her said husband.
 20 That on or about the 15th
 21 day of April, A. D. 1893 your petitioner
 22 and her said husband
 23 purchased of one P. H. Edwards
 24 a certain lot, tract or parcel of
 25 land as follows:

26 Lying and being situated in
 27 the County of Dallas and State
 28 of Texas and more particularly
 29 described as Lot No. 12, Block 5,
 30 J. M. Keller's addition to the City of
 31 Dallas, fronting fifty feet on the
 32 North side of Florida and being

back between parallel lines kept
to an alley. That immediately
after the purchase of said lot
your petitioner and her said
husband, with their family
of minor children moved
thereon and used and occu-
pied the same as their home
stead, and made improve-
ments thereon. Your petitioner
further says that she and
her said husband and their
family of minor children occu-
pied the aforesaid lot as their
dwelling as aforesaid up
until the death of her said
husband, and that she and
the said minor children do
now use and occupy said
lot as their dwelling.

Your petitioner further says
that her husband the said
C. H. McFee departed this life
on or about the 2nd day of Sept
1891. That he left surviving to
your petitioner Clara McFee his
widow, and Walter McFee, Ella
Florence McFee, Julia Anita McFee,
Brown Corliss McFee, Baby May
McFee all of said children being
the minor heirs of said C. H.
McFee.

1 That your petitioner and the
2 said minor children have, ever
3 since the death of her said
4 husband, occupied and used
5 the aforesaid lot as their home
6 and do now use and
7 occupy said lot as their home
8 and street. That the said lot is, was
9 the only real estate owned by
10 your petitioner and her said
11 ~~husband~~ children at ^{the time of} ~~the~~
12 the death of her said husband
13 your petitioner further says
14 that on or about the day of
15 Sep. 22, 1897, one H. J. Emmens was
16 appointed administrator of the
17 estate of the said C. D. Mc Affee,
18 and your petitioner therefor
19 on or about the day of - 1897.
20 That on or about the day of
21 1897, the estate of said C. D.
22 Mc Affee, died, was inventoried
23 and appraised, and on or
24 about the day of 1897,
25 said inventory and appraisal
26 was ~~approved~~ ^{filed} by this Hon-
27 able Court.

28 Therefore your petitioner prays
29 that this Honorable Court shall
30 grant to your petitioner and
31 her said minor children
32

The of record let for them to
own, use and occupy as
their homestead, and
Law of partition is
Duty bound with ever favor, etc.

Cara Mc A fee

Sum to and subscribed
before me this 2nd day
of January, A.D. 1898
J. E. Wiley Notary Public
Dallas County Texas

2329

Estate of C. W. Soper
Cara Mc A fee
Wife to have
the right of dower
in the above
property
J. E. Wiley
Notary Public

FILED June 6 1898
A. S. JACKSON,
County Clerk, Dallas County, Tex.
By J. H. Taylor
DEPUTY

Wiley & Taylor
Notary Public

(1)

State of Texas ;-; In the Probate Court of Dallas
County of Dallas . ;-; County, Texas .

Comes now W. Illingworth , applying for letters of administration upon the estate of C. W. McAfee represents as follows :

1st:

That C. W. McAfee late a resident citizen of Dallas County Texas , , departed this life on the 21st. day of September 1895, in the City of Dallas , Dallas County Texas .

2nd:

That prior to his death he joined by his wife Clara McAfee executed and delivered to Phillip Lindsley , Trustee their certain deed of trust of date the 16th day of May 1891, to secure a certain note for the sum of \$370.00 payable to the order of said C. W. and Clara McAfee due May 16th. 1893, bearing 10 per cent interest and 10 per cent atty fees if collected by law : said note was indorsed by said parties to Phillip Lindsley for value and by Phillip Lindsley transfer for value to W. Illingworth . That said debt is wholly unpaid and though often requested said MacAfee refuses to pay the same or any part of the same . That said note is a debt and claim against the estate of the said C. W. McAfee . That said deed of trust , is of record in Deed of trust records of Dallas Co. Texas , Book (Vol) 35 Page 444 to which reference is had ? That said deed of trust reserves a lien on certain property therein described to wit: Lot 22 in Block #5 of W. J. Keller's addition to the city of Dallas , and fronting fifty feet on the north side of Flora street , and running back between parallel lines one hundred and fifty feet to an alley . That said property is the ~~the~~ estate of the said C. W. McAfee deceased . That said deed of trust and said money was paid to extend a prior note against said property for the purchase money of the same , and a vendors lien is retained .

That there is no other funds of property of the said C. W. McAfee out of which said debt can be satisfied except out of the aforesaid property . That said property is of the probable value of \$800.00

3d:

The said C. W. McAfee died without making any will or disposition of his property by will . That your applicant W. Illingworth is a citizen of Dallas County , Texas .

4th: That your applicant is not disqualified from being appointed and serving as administrator of said estate. That said estate is indebted to him in the said sum above named, and that his only means of collecting said debt or foreclosing on said property is through the medium of the probate court of Dallas County Texas.

5th: That the said C. W. McAfee left as his only and surviving heirs at law. His said wife Clara McAfee, and five children whose names are ⁽¹⁾ Mattie : ⁽²⁾ Ella P. : ⁽³⁾ Julia : ⁽⁴⁾ Brown : and ⁽⁵⁾ Ruby May McAfee ⁽⁶⁾ That they all live with their mother and all reside on the said property herein before mentioned in the city of Dallas Texas County of Dallas. on the north side of Flora St. That said children are all minors ranging from three years old up to 17 years of age. There has been no administration on said estate. and there is no other debt or debts, owing to; or owed to said estate, or other property. Premises considered your petitioner prays for service as the law requires and directs on all of said parties and on all other persons and that on final hearing he be appointed administrator of the said estate of the said C. W. McAfee, and that he be permitted to administer the same as the law directs to the end that he may collect his said debt, and collect all other claims if any due to or by said estate as the law directs.

W. E. Kinnrough
Attorney for W. Ellingworth

In the probate court of
Dallas County Texas :

Application for letters
of administration on the
estate of C. W. McAfee,
Deceased :

W. Illingworth, Appli-
cant .

FILED

MAY 20 1897

A. B. JACKSON, Notary Public

W. M. Mauthe

W. C. Kimbrough atty .

Filed May 29 1897

INVENTORY AND APPRAISEMENT, Of the property real and personal belonging to the estate of **C. W. McAfee** deceased, together with a full and complete list of Claims due or owing to said estate produced before us, the undersigned appraisers, on the _____ day of _____ A. D. 189____, by **H. J. Emmins, Administrator** of the estate of the said **C. W. McAfee** deceased:

Real Estate, Separate property: §

Real Estate, Common Property: §

Lot No. 12, in Block No. 5, of W. J. Kellar's addition to the City of Dallas, and fronting fifty feet on the North side of Flora Street, and running back, between parallel lines one hundred and fifty feet to an alley. Being in Dallas county and State of Texas. A discription of which may be had more fully in a deed made by C. H. Edwards to said C. W. McAfee recorded in deed records of Dallas Co. Texas in Vol. 126, Page 285, in which deed a vendors lien is retain for purchase money of said lot, a refference to which is here had.

\$550 00

THE STATE OF TEXAS.

COUNTY OF Dallas

We, the undersigned, duly appointed and legally qualified Appraisers, heretofore appointed to appraise the property belonging to the Estate of C. W. McAfee Deceased, do solemnly swear that the foregoing contains a full inventory and appraisement of all the property, both real and personal belonging to said estate, together with a list of claims due or owing to said estate and exhibited to us for appraisement by H. J. Emmins Administrator of the said Estate, and that the amount set opposite each item, is a full and fair appraisement thereof.

S. M. Bolles, H. M. G. Bride, J. F. Thomas Appraisers.

Subscribed and sworn to before me this 22 day of July 1897 A. Jackson Clerk Dallas Co. Tex. J. M. Sturtevant Deputy.

THE STATE OF TEXAS.

COUNTY OF Dallas

I, H. J. Emmins, administrator of the Estate of C. W. McAfee deceased do solemnly swear that the foregoing inventory and list, is a full and complete inventory and list of the property and claims belonging to said estate, that have come to my knowledge.

H. J. Emmins Administrator Estate of C. W. McAfee Deceased. Subscribed and sworn to before me this 22 day of July 1897 A. Jackson Clerk Dallas Co. Tex. J. M. Sturtevant Deputy.

No. 2379 Estate of C. W. McAfee Deceased.

INVENTORY APPRAISEMENT AND CLAIMS OF ESTATES.

Filed July 27 1897 Estate of Clerk A. Jackson Dallas Co., Tex. By J. M. Sturtevant Deputy. Examined this July 27 1897 and approved. J. M. Sturtevant Dallas Co., Texas.

498 Recorded 7-27-97

1 Clara Mc Affee

2 No vs

3 County Court

4 H. J. Emmens Adm. of

5 the estate of C. W. Mc Affee, dec'd } Dallas County, Tex

6 H. J. Dillingworth

7 To The Honorable

8 Genl. J. J. Lee, Judge of said Court;

9 Now comes Clara Mc Affee, sur-

10 viving widow of C. W. Mc Affee,

11 deceased, complaining against

12 H. J. Emmens Adm. of the estate of

13 C. W. Mc Affee, dec'd ~~and~~ and

14 H. J. Dillingworth an alleged cred-

15 itor of said estate and respect-

16 fully shams to the Court that your

17 petitioners and the decedent were

18 married in due form of law

19 in Pulaski County, Arkansas, on

20 or about the day of - ad 1873, and

21 lived together as husband and wife

22 until the death of her said hus-

23 band on or about the day of

ad 189.

24 That on the 18th day of April ad 1890

25 your petitioners and her said hus-

26 band purchased a lot located

27 in the J. W. Keller addition to Dallas

28 and more particularly described

29 as bk No. 12, Block 5 of said J. W.

30 Keller addition to the city of

31 Dallas, fronting 50 feet on the north

32 line Florida and known as No 609 Florida

1 and that they immediately upon
 2 the purchase thereof they built and
 3 erected thereon a cottage and
 4 immediately to wit: on or about
 5 the 1st day of May, A.D. 1890, moved
 6 thereon and made and established
 7 their homestead and homestead thereon.
 8 That they and their family of minor
 9 children lived and occupied the
 10 same as their homestead until
 11 the death of said C. W. McAffee, Dec,
 12 and that she and their said
 13 minor children have since the
 14 death of their husband and father
 15 continued to live thereon and do
 16 now so live upon and occupy
 17 the said premises as their home-
 18 stead. That heretofore to wit: on or
 19 about the day of July, A.D. 1897, the said
 20 H. C. Emmens Administrator of the estate of H. C.
 21 McAffee, Dec, made application to
 22 this Honorable Court for letters of
 23 administration upon the estate of
 24 C. W. McAffee, Dec, alleging therein
 25 that said decedent left debts
 26 and obligations unpaid for which
 27 the homestead of your petitioner
 28 was bound, and thereafter to wit:
 29 on the 10th day of Aug. A.D. 1897, the
 30 alleged account of said H. Billings-
 31 worth was filed with said
 32 Administrator and allowed by him

to the amount of \$40,000, which

30 on the 10th day of May
31 alleged account of said W. Illingworth
32 worth was filed with said
Administrator and allowed by him

1 to the amount of \$440,000, which
2 claim they seek (now) to fix as a
3 lien and charge upon the home-
4 stead of your petitioner, and your
5 petitioner now comes and recites
6 said claim and account and says:
7 That said claim and account
8 are excessive and, ^{such as ought} should not be
9 allowed by this Court.

2nd 10 That the said W. Illingworth is endeavor-
11 ing to hold said claim as a charge
12 upon the homestead of your petitioner,
13 and that at the time of the making
14 and execution of the note and deed
15 of Trust referred to in our Decree
16 by C. W. McAffee ^{and} property was re-
17 ceived and used as this homestead

3rd 18 That the alleged Vendor's Lien note or
19 note of Trust, described in said Decree
20 of Trust and purporting to be extended
21 thereunder was or had been, at that
22 time, paid off and discharged and
23 was of no further force and effect
24 That sundry and various payments
25 have been made upon the account
26 and claim of said W. Illingworth,
27 none of which have been certified
28 or noted by the ^{said} Administrator, all of
29 which are hereto attached and marked
30 exhibit A, and made a part of this
31 petition.

32 Wherefore your petitioner prays that the

1 defendants herein H. J. Emmons and
2 W. Ellingsworth be cited to appear and
3 answer this petition and show upon
4 hearing, the ^{alleged} claim and account of
5 the said W. Ellingsworth be null and
6 void. That the order of sale here-
7 tofore granted defendant W. Ellings-
8 worth for the sale of the property
9 heretofore described be revoked and
10 set aside and declared to be of no
11 further force and effect, and that
12 pending the hearing of this petition
13 the most favorable writ of Injunc-
14 tion be granted, restraining the
15 said defendants H. J. Emmons and
16 W. Ellingsworth or their agents from
17 taking further action upon or un-
18 der said order of sale or otherwise
19 changing the title or interfering with
20 the rights, title or possession of your
21 petitioner, and that your petitioner
22 have such other and further relief,
23 general or special, to which she
24 may be entitled in law or equi-
25 ty, and for all costs, etc., and
26 your petitioner is in every word
27 true and correct, etc.

28 J. H. Turner, Atty for P. M.

29 Subscribed and sworn to before me this
30 The 21 day of December, A. D. 1897.
31 W. Jackson Co. Clerk Dallas Co. Texas
32 By J. H. Turner Atty

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2329

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Clara Mc Ayer

No 26-

H. G. Emmons Admin of
estate of C. W. Mc Ayer, dec'd, etc.

Plff. bring in the prob-
tion to vacate account
etc ~~order~~

FILED Dec 21 1897

A. S. JACKSON,
County Clerk, Dallas County, Tex.

A. S. Jackson
DEPUTY.

Wiley G. Turner
att'y for plff.

State of Texas
County of Dallas :

In the County Court of Dallas County
Texas , Probate Court :

IN THE MATTER OF THE ESTATE OF C. W. McAFEE DEC :

Vs: No. 2329:

Comes now the administrator of the abobe styled and numbered estate ; H. J. Emmons , and says that all the debts of the deceased C. W. McAfee as far as known to your administrator have been paid and that all the debts claims and obligations of the said estate have been paid so far as the estate in the hands of your administrator will permit ; and he hereby presents to the court his final account and settlement and represents as follows :

1st :

All the property that has come into his hands as administrator of said estate was a lot known as Lot No. 12 in Block 5 of W. J. Keller's addition to the city of Dallas Texas being 50 feet front on Flora St . running back parrellel 150 feet to an alley a description of which is contained in a deed to C. W. McAfee recorded in Book 126 P. 285 of Dallas County deed records :

2nd: Said lot was sold by order of this court to satisfy a vendors lien claim of W. Illingworth; to Frank T. Payne on the 22nd day of Dec. 1897 which sale was afterwards duly approved by this court - for the sum of \$ 500,00 paid to your administrator by said Payne:

3d:

out of the said \$500,00 your administrator has paid W. Illingworth by order of this court the sum of \$439,12 as per receipt hereto attached: Your petitioner has contracted with W. C. Kimbrough attorney to represent him in the protest filed in this case by the widow of McAfee , and the defence of said case in the District court and legal counsel to your administrator in the administration of this estate for the sum of \$80,00 which he represents as reasonable fee for the services rendered : He has paid \$3,00 for taking deposition of Henry Lindsey in said appeal case : \$2,50 for advertizing notice to creditors as the law requires : and \$2,50 for certified copies of deeds to be used in the trial of said appeal case , all necessary and proper in the defense of said cause : Your administrator attaches hereto an copy of the cost as made out by the clerk of this court agregating the sum of \$33,65 ; also receipts for the other sums paid out He says there is now in his hands money subject to the payment of said claims the sum of \$52, 85:

()

=====

4th: There are no debts and expenses still owing by the estate as far as your administrator knows except the court costs incurred in this administration: and the administrators fees as allowable by law:

5th: There is no property belonging to the estate still in the hands of the administrator, the remainder of said sum of \$500, to wit: the sum of \$25.88:

6th: There is no persons entitled to any sum now in the hands of the administrator, the said amount not being more than sufficient to pay necessary court costs, and administrators fees:

7th: No advancements or payments have been made by the administrator to any one at any time other than heretofore stated:

8th: Your administrator attaches hereto the vouchers and receipts showing the disposition is has made of all of said funds in his hands:

Your petitioner says that said estate has been fully administered, and that he knows of no other fact or facts that might be of any benefit to the proper administration of said estate: Premises considered he prays that he be allowed his legal fees to wit: 5 per cent on all money collected and paid out, or 5 per cent on \$500.00 or the sum of \$25.00 that the account for attorneys fees paid to attorney for services rendered the estate as heretofore stated be allowed and that the remainder of said money be paid towards the court costs incurred in this case: Your petitioner hereby presents to the court a statement of the cost by the clerk of this court which is made a part of this report. He further prays that upon proper citation and hearing this his final account be approved and that the estate be closed and that he be finally discharged:

As he will ever pray:

Sworn to and subscribed to before me on this the 10th day of Oct 1898:

H. E. ...
H. M. ...
Notary Public Dallas, Texas

NOTICE.
 State of Texas,
 County of Dallas,
 Notice is hereby given that I,
 H. J. Emmins, was granted let-
 ters of administration on the es-
 tate of C. W. McAfee, deceased,
 on the 22nd day of July, 1907,
 by the County Court of Dallas
 county, Texas, sitting in matters
 of probate: That my residence
 is Dallas, Texas, my postoffice
 address Dallas, Dallas county,
 Texas, and all persons having
 claims against said estate are
 notified to present the same to
 me within the time prescribed by
 law.
 H. J. EMMINS,
 Administrator of the Estate of
 C. W. McAfee.

Dallas, Texas ^{Aug} ~~Sept~~ 31, 1897

Emmins

M. Warlick Proprietor

the Lone Star Presbyterian.
 125 MAIN STREET.

photo notice
 McAfee - Aug #1.50
 10, 17, 24, 31
 Paid Wm Warlick

Estate of *W. M. McFarland*
 No. *1329*

5-297

H. J. Cummings & Co.
Attorneys.

CLERK'S FEES		COUNTY JUDGE'S FEES	
<i>Adm. & Accounting Rpt. Sale</i>	<i>15</i>	<i>Order to proceed with sale</i>	<i>50</i>
<i>Off. Report Sale</i>	<i>25</i>	<i>" Approving Rpt. Sale</i>	<i>50</i>
<i>Recording Order</i>	<i>25</i>	<i>" Appointing Admrs.</i>	<i>50</i>
<i>Recording Admin. Returns</i>	<i>50</i>	<i>" Approving Appraisers</i>	<i>50</i>
<i>Filing 5 papers</i>	<i>25</i>	<i>" " Bond</i>	<i>50</i>
<i>Subscribing</i>	<i>25</i>	<i>" " Inventory</i>	<i>50</i>
<i>Subscribing to Witnesses</i>	<i>60</i>	<i>" " Claim</i>	<i>50</i>
<i>Order Approving Sale</i>	<i>75</i>	<i>" of Sale</i>	<i>50</i>
<i>Recording Report Sale</i>	<i>50</i>		
<i>Filing & Accounting Motion</i>	<i>15</i>		
<i>Filing Admin. with Costs</i>	<i>25</i>		
<i>Recording Order</i>	<i>40</i>		
<i>Filing Costs</i>	<i>25</i>		
<i>Filing & Accounting application</i>	<i>15</i>		
<i>Posting Notice " for letters</i>	<i>75</i>		
<i>Posting Notice " for sale</i>	<i>75</i>		
<i>Posting Notice " to Admrs.</i>	<i>50</i>		
<i>Entering Order Appointing Admrs.</i>	<i>50</i>		
<i>Entering Order Approving Bond</i>	<i>50</i>		
<i>Entering Order Approving Inventory</i>	<i>50</i>		
<i>Final Report of Inventory & Bond</i>	<i>50</i>	TOTAL JUDGE'S FEES,	4 00
<i>Posting Letters</i>	<i>30</i>	SHERIFF'S FEES	
<i>Filing & Affidavit to Jury</i>	<i>85</i>	<i>Serving Citation</i>	<i>95</i>
<i>Filing & Accounting app. for sale</i>	<i>15</i>	<i>Posting Notice</i>	<i>85</i>
<i>Recording Application " " Notice</i>	<i>10</i>		<i>3 00</i>
<i>Filing & Accounting Claim</i>	<i>15</i>	<i>Serving Citation</i>	<i>3 00</i>
<i>Entering Order Approving Claim</i>	<i>25</i>		<i>1 60</i>
<i>Filing Costs Copy</i>	<i>25</i>		
		TOTAL SHERIFF'S FEES,	9 40
		RECAPITULATION	
		County Judge's Fees,	<i>4 00</i>
		County Clerk's Fees,	<i>14 25</i>
		Sheriff's Fees,	<i>9 40</i>
		Printer's Fees,	<i>6 00</i>
		<i>Appraisers fees</i>	<i>6 00</i>
TOTAL CLERK'S FEES,	14 75	TOTAL,	33 65

THE STATE OF TEXAS

COUNTY OF DALLAS.

I. A. S. JACKSON, County Clerk of said County, hereby certify that the above is a true and correct statement of the Costs due in the above entitled cause.

WITNESS my hand and official seal, at office in Dallas, this *27* day of *Aug* 189*8*.

A. S. JACKSON, County Clerk.
 Per *[Signature]* Deputy.

\$ _____
 RECEIVED of _____
 DALLAS, TEXAS, _____ 189*8*
 of estate of _____

Dollars, in full of above Bill of Costs.

A. S. JACKSON, Clerk.
 Per _____ Deputy.

SOCIETY-1978

W.C. Kumbrough

No. 2329

Probate Fee Bill

COUNTY COURT,

DALLAS COUNTY, TEXAS.

ESTATE OF

C.H. McAfee
Decd.

Judge's Fees	
Clerk's Fees	
Sheriff's Fees	
Total	53 13

DORSEY Printing Company, Grandview, Dallas

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

State of Texas
County of Dallas .

August 29th. 1898

Received of W. J. Edmins the sum of \$433.12 cents being the amount
in full of a judgment rendered in the county court on the probate
docket in my favor on the 4th day of Sept. 1897, against the estate
of C. W. McAffee dec.

W. Klingworth

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

S. H. McBRIDE,
REAL ESTATE DEALER
NOTARY PUBLIC

DALLAS, TEXAS, July 17th 1898

Received of H. J. Emmons the sum
of \$30 for taking depositions of
Henry S. Lindsey in case of McApr
vs H. J. Emmons, in 44th Dist Court
of Dallas Co. Tex.

S. H. McBride
Notary Public
Dallas Co. Tex.

Dallas, Texas, Jan 14 1898



from H. J. Emmons about
Two Dollars

Dollars

Attys Copies of 2 deeds for Estate G. W. McFarland.

\$2.00

A. Jackson Cash
H. J. Emmons atty

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In the Probate Court

No. 2529 :

In the Matter of the
estate of G. W. McAfee
Dec.

Final report of H. J.
Barnes Adams.

FILED

OCT 10 1888

A. S. J. K. S. V. Clerk,
Co. Court Dallas County.

H. J. Barnes Adams Deputy

38/ SEC 2948
Final report of
Administrators
of the estate of
G. W. McAfee
as per report of
H. J. Barnes Adams
of the 10th of Oct 1888
before me

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In the matter of the estate of C.W. McAfee, dec'd,
Mrs. Clara McAfee, surviving widow, Appellant,

Vs. No. 17073.

H. J. Emmings, et al Appellees.

In the District
Court of Dallas
County,
44th Judicial
District of Texas

-- 0 --

Entered as of June 20th 1898.

Came on at this time the above styled and numbered cause to be heard in this Court, the same being an appeal case from the Probate Court of Dallas County, Texas, to-wit: The County Court of said County, and State, and all the parties both Appellant and defendant being present in Court, in person and by attorneys, and having announced ready for trial, and all parties having in open Court waived a trial by jury, and having submitted the matters of fact as well as of law to the Court; came on to be heard the exception of the Appellant Mrs. Clara McAfee, to the amended answer of the appellees filed in this Court, and to that part of the same contained in paragraph 4th, the same being filed on the 13, day of April, 1898, wherein Appellees sets up the acquisition of the superior title to the lot in question by deed of purchase from C.H. Edwards by deed of date Feb. 2nd. 1898, and assert the same as defensive matter against the claim of said Mrs. Clara McAfee, and it appearing to the Court that the same was set up after the appeal from the County Court and that this Court is without jurisdiction in that matter the said exception is sustained, and said part of said answer is stricken out, to which action of the Court the appellees except.

And came on the general demurer of the appellees to the appellant's Amended petition filed on the 15th day of April, 1898, and to their Original Petition and petition of Intervention, and the same being heard by the Court, it is overruled, to which action of the Court the appellees excepted.

All the facts as well as the evidence and argument of counsel having ~~been~~ been submitted to the Court and the Court being fully advised of the same, the Court is of the opinion that the claim

ALL RIGHTS RESERVED BY THE AUTHOR. REPRODUCTION OF THIS DOCUMENT IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE AUTHOR IS PROHIBITED.

sued on by W. Illingworth is a vendor's lien on the lot in controversy and superior to the homestead claim of said Clara McAfee, and that same is not and was not at the institution of the suit barred by limitations and is a good and valid obligation against said estate, and it appearing to the Court that the Probate Court of Dallas County, Texas, has by order of that Court of date November 6th, 1897, ordered the administrator H.J. Emmins to sell the said lot in controversy for the purpose of satisfying the said claim of W. Illingworth, and that in compliance with said order the said administrator did on the 22nd. day of December, 1897, file in said Court ~~XX~~ his reports setting forth that he had sold the same which report is in words as follows: " In the matter of the estate of C.W. McAfee, deceased, H.J. Emmins, Admr. pending in the Probate Court of Dallas County, Texas.

Now comes H.J. Emmins, Administrator of the estate of C.W. McAfee deceased, and represents to the Court that in pursuance to an order of this Court entered and had on the 6th day of November, 1897, requiring him to sell certain real estate, he did on the 20 th, day of December, 1897, sell the real estate named and described in said order, to-wit:

Lot NO. 12, in Block No. 5 of W.J. Keller's Addition to the City of Dallas, for a more detailed description reference is here made to a deed from C.H. Edwards to C.W. McAfee, of record in Deed Records of Dallas County, Texas, Book 126, page 285, selling said property at said time to one Frank T. Payne, of the City of Dallas, State of Texas, for the sum of \$500.00 cash in hand, said sale being made at private sale in accordance with the said order of this Court.

H.J. Emmins, Administrator of the estate of C. W. McAfee, dec'd.

Subscribed to and sworn to before me, this the 22nd? day of December, 1897. A.S. Jackson, Co., Clerk, Dallas County, Texas

(L.S.) By H.M. Skelton, Not.

The Court is of the opinion that the grounds of contest in the mo-

the same

and to tion to vacate said order of November, 6th, 1897, and the opposition to, the confirmation of the sale made on the 20th of December, 1897, by the intervenor Mrs. Clara McAfee, are not well taken and have no merit in law or in fact, and the same is hereby overruled and denied by the Court; and the Court being satisfied that the sale reported by said Administrator herein set out was fairly made and in conformity with law, and with the order of the Court directing the same, it is considered and ordered and adjudged ~~and~~ decreed by the Court that the sale of said real estate as herein before set out be, and it is in all things approved and confirmed. It is further ordered by the Court that said Administrator H.J. Emins make proper deeds of conveyance of said property described in said report of sale to the purchaser thereof, Frank T. Payne, upon compliance by said purchaser with the terms of said sale. And is ordered on compliance with said sale to put said purchaser in possession of said lot and property. It is further adjudged that all costs of this appeal and all costs incurred by the said petition, objection and plea of intervention of the said Clara McAfee, be taxed against her, for all of which let execution issue and all and any such process as is necessary to carry this judgment into execution. The Clerk of this Court is hereby ordered to forthwith certify a copy of this judgment to the Clerk of the County Court of Dallas County, Texas, for the observance of the said County Court of Dallas County, Texas.

The State of Texas, /
County of Dallas. /

I, H.W. Jones, Clerk, District Courts, Dallas County, Texas, hereby certify that the above and foregoing is a true and correct copy of the judgment and decree of the Court, rendered and entered in said numbered and entitled cause, as the same now appears of record in my office, in Book 11, at page 366, Minutes of the District Court of the 44th Judicial District of Texas, Dallas County.

Given under my hand and seal of office, at Dallas, this the 28th day of June, A.D., 1898.

H.W. Jones, Clerk, Dist. Courts, Dallas County, Texas.

By John L. Hunt,
Deputy.

17073.

In the matter of the
Estate of C.W. McAfee
vs.

H.J. Emswiler

Certified Copy of
Judgment

FILED

July 6 1938
J. JACKSON
Maulius

2-416

1030

370

SECURED BY FIRST DEED OF TRUST.

No.

Real Estate Deed of Trust Coupon Note.

Know all Men by these Presents, That *W. C. N. McAfee and Clara McAfee*, of the City and County of Dallas, Tex. For value received, (money borrowed,) hereby promise to pay to the order of *ourselves* the principal sum of *Three Hundred and seventy* Dollars, in Gold Coin, or its equivalent in Currency of the United States, with exchange on New York, on the *16* day of *May* 18 *91*, at the Banking Office of Philip Lindsley, in the City of Dallas, Texas, with interest thereon from date until maturity, at the rate of *ten* per cent. per annum, payable *semi* annually, on the *16th* days of *November* and *May* in each and every year, according to the tenor and effect of *four* interest coupons of *Eighty nine and 59/100* Dollars each, of even date herewith, and attached to this note, and numbered from *one* to *four* inclusive. This Note and attached Interest Coupons to bear interest after maturity at the rate of twelve per cent. per annum until paid.

IT IS EXPRESSLY AGREED, by the maker hereof, that, in case of default in the payment of any of the said Interest Coupons, when the same shall become due and payable, or in case of failure to comply with any of the agreements and conditions set forth in the Deed of Trust given to secure this Note, then, in such case, the principal sum expressed in this Note, with all accrued interest, shall at the election of the legal holder or holders hereof, at once become due and payable without form or notice. And it is further agreed hereby that if this note is not paid when due, and is placed in the hands of an attorney for collection, we hereby agree to pay ten per cent. additional on the full amount as an attorney's fee.

This is a first deed of trust on *50 x 140 ft. on lot 10 St. Dallas, Texas*

Dated at *Dallas* County of *Dallas* Texas, this the *16th* day of *May*, A. D. 18 *91*

Witness: *Henry Lindsley*
W. C. N. McAfee
Clara McAfee

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILED BY THE DALLAS HERALD

County of DALLAS, State and County aforesaid,
We, C. W. McAffee, and Clara McAffee, his wife, of the City
of Dallas, State and County aforesaid,
for and in consideration of the sum of Ten Dollars, to us in hand paid by PHILIP LINDSLEY, Trustee, of Dallas, Texas,
hereby Grant, Bargain, Sell and Convey, and by the

The State of Texas,

NO. *270*
\$ *10.00*
Real Estate Deed of Trust Coupon Note

C. W. McAffee
TO

Dated *May 16th* 18*91*.
Due *May 16th* 18*93*

Interest *18%* ten per cent. annum
Payable *May 16th*

Sent by *Philip Lindsley*
Received by

PHILIP LINDSLEY, Banker and Broker,
110 POYDRAS STREET,
LINDSLEY BUILDING, DALLAS, TEXAS

Over thirteen years in Dallas, twelve years in active Law Practice. Dealer in State, County, City and Private Corporation Bonds and Stocks. Place Mortgage Loans for Lender and Borrower, and collect interest and principal without cost to the Lender.
John F. Westley, Printer

Received
Philip Lindsley
May 16 1891
for C. W. McAffee
the sum of Ten Dollars
and is allowed in full being the amount of
some hundred of forty Dollars at five per cent. \$10.00
Administrators of Estate of C. W. McAffee

FILED BY THE DALLAS HERALD SOCIETY-1978

State of Texas,

County of DALLAS,

Know all Men by These Presents, That

We, C. W. McAfee, and Clara McAfee, his wife, of the City of Dallas, State and County aforesaid,

for and in consideration of the sum of Ten Dollars, to us in hand paid by PHILIP LINDSLEY, Trustee, of Dallas, Texas, the receipt whereof is hereby acknowledged, have Granted, Bargained, Sold and Conveyed, and by these presents do hereby Grant, Bargain, Sell and Convey unto the said PHILIP LINDSLEY, Trustee, and to his successors in this Trust, and to his and their heirs and assigns forever, all and singular, the following described lands, situated in the County of Dallas, Dallas City, and State of Texas, to-wit:

Being Lot #12, in Block #5, of W. J. Kellar's Addition to the City of Dallas, and fronting fifty feet on the North side of Flora St., and running back, between parallel lines one hundred and fifty feet, to an alley.

The above described land was conveyed by W. J. Kellar and wife to C. H. Edwards, by deed dated March 13, 1889, recorded in Vol. 101, Records of Dallas County, Texas. In said deed a vendors lien is retain in favor of said Kellar, to secure the payment of purchase money for said land, evidenced by the note of said C. H. Edwards, payable one year from date of March 13th, 1889, for the sum of Three Hundred Dollars, with ten per cent interest, and afterwards the said C. H. Edwards conveyed said land to C. W. McAfee, by deed recorded Vol. 128, page 285, records of Dallas County. In said last deed as a part of the purchase money for said land the said C. W. McAfee assumes the purchase of said C. H. Edwards' note to said W. J. Kellar, to the amount of One Hundred and Fifty Dollars, that being the amount then unpaid on same, and the said deed of Edwards to McAfee retains a vendors' lien to secure said One hundred and Fifty Dollars, and also to secure a certain note, made by C. W. McAfee to C. H. Edwards, purchase money for said land, as follows: One note for Two Hundred Dollars, due April 18th, 1892, with ten per cent interest. There is now due to said W. J. Kellar and wife, on their vendors lien the sum of One Hundred and Seventy Dollars, and to C. H. Edwards on his vendors' lien the sum of Two hundred Dollars. And the said Kellar and Edwards have transferred said Vendors' lien notes to said Philip Lindsley, and the here in after described of said C. W. McAfee for Two Hundred and Seventy Dollars is collateral to said unpaid Kellar and Edwards' notes, and a vendors' lien on said real estate.

We hereby agree to keep the house situate on said above described premises insured to the amount of \$550.00, loss, if any, payable to Philip Lindsley, Trustee, as his interest may appear.

To Have and to Hold the herein described premises, together with all and singular, the rights, members, hereditaments and appurtenances, now or hereafter at any time before the foreclosure hereof, in any wise appertaining or belonging thereto, unto the said PHILIP LINDSLEY, Trustee, and to his successors in this Trust, and to his and their heirs and assigns forever. And *we* do hereby bind *ourselves* and *our* heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said PHILIP LINDSLEY, Trustee, and to his successors in this Trust, and to his and their heirs and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This Conveyance is intended, however, as a Trust for the better securing of *our* certain promissory Note drawn by *C. W. McAfee and Clara McAfee, his wife* bearing even date herewith, payable to the order of *themselves* for the principal sum of *Three Hundred and Seventy Dollars* payable *May 16, 1893* and said note agrees to *pay ten per cent Attorneys fees if collected by Law Attorney*

with interest thereon from date until maturity at the rate of *ten* per centum per annum; said interest being payable semi-annually, on the *16th* days of *November* and *May* in each and every year, with a special agreement in the making and delivery of said Promissory Note that if any one of said *semi-annual* installments of interest remains unpaid after maturity thereof, then, at the option of the then legal holder of said Promissory Note, the whole indebtedness secured by this deed—principal and interest then accrued—shall at once become due and payable, and the holder thereof may proceed to collect the same, by sale under this Deed of Trust or otherwise, as said holder may elect.

And, Whereas, for the better security of said Promissory Note, with all interest to become due thereon, to the legal holder thereof, *we* the said grantor *do* herein covenant with the said PHILIP LINDSLEY, Trustee, as follows: That *we* will pay the said Promissory Note, with the interest thereon, as the same becomes due and payable; that *we* have a good and perfect title in fee simple to the said property, and have the right to convey the same to the said PHILIP LINDSLEY, Trustee, and his successors in this Trust, as aforesaid; that *we* and *our* heirs and personal representatives will make and execute such other and further assurances of the premises as may be necessary for confirming the title to the same to the said PHILIP LINDSLEY, Trustee, and to his successor hereunder, and to his and their heirs and assigns; that *we* will pay all taxes and assessments and premiums of insurance now due, or which may become due, on said premises, or chargeable against said Promissory Note before the same shall become delinquent; and that *we* will keep all fences, buildings and other improvements on said premises, in good condition and repair and fully insured, and will do no act by which the value of said premises may be impaired.

And it is hereby specially agreed, between the parties hereto, that the legal holder of said Promissory Note, may pay all taxes and assessments of whatever nature, and premiums of insurance, that may from time to time fall due and be unpaid on said premises, and charge such payments, with interest at the rate of Twelve per cent, per annum from the date thereof, against said premises; and in case the legal holder of said Promissory Note, shall pay any charge of whatever nature on the property hereby conveyed, or make any advances for taxes and assessments, forthwith, with interest at the rate of twelve per cent, per annum until paid; and the legal holder of said Promissory Note shall be entitled to all the equities of the person to whom such moneys become due and payable, according to the true tenor of the said Promissory Note, and the legal holder of said Promissory Note shall be well kept and performed, then, and in the event of the foreclosure of the said Promissory Note, the legal holder of said Promissory Note shall be well

Now, Therefore, if the said Promissory Note becomes due and payable, according to the true tenor of the said Promissory Note, and the legal holder of said Promissory Note shall be well kept and performed, then, and in the event of the foreclosure of the said Promissory Note, the legal holder of said Promissory Note shall be well

And it is hereby specially agreed by the parties hereto that in any deed or deeds given by any Trustee hereunder, any and all statements of facts or other recitals therein made as to the non-payment of the money secured, or as to the time, place and terms of sale and property to be sold having been duly published, or as to any other preliminary act or thing having been duly done by said Trustee, shall be taken by any and all courts of law and equity as prima facie evidence that the said statements or recitals do state facts, and without further question shall be accepted as such.

And it is hereby specially agreed by the parties hereto that in any deed or deeds given by any Trustee hereunder, any and all statements of facts or other recitals therein made as to the non-payment of the money secured, or as to the time, place and terms of sale and property to be sold having been duly published, or as to any other preliminary act or thing having been duly done by said Trustee, shall be taken by any and all courts of law and equity as prima facie evidence that the said statements or recitals do state facts, and without further question shall be accepted as such.

And in case of the death or absence from Dallas county, Texas, or refusal or inability from any cause whatever, of the said PHILIP LINDSLEY, Trustee, from acting as such Trustee hereunder, then and in either of such events, the legal holder of said Note shall have full power to appoint a substitute, in writing, without notice to us who shall have the same powers and estate which are hereby delegated to the said PHILIP LINDSLEY, Trustee. And we the said grantor do hereby absolutely ratify and confirm any and all acts that the said Trustee or his successor in this trust may lawfully do in the premises by virtue hereof.

And it is further and lastly specially agreed by the parties hereto that in any deed or deeds given by any Trustee hereunder, any and all statements of facts or other recitals therein made as to the non-payment of the money secured, or as to the time, place and terms of sale and property to be sold having been duly published, or as to any other preliminary act or thing having been duly done by said Trustee, shall be taken by any and all courts of law and equity as prima facie evidence that the said statements or recitals do state facts, and without further question shall be accepted as such.

And it is further and lastly specially agreed by the parties hereto that in any deed or deeds given by any Trustee hereunder, any and all statements of facts or other recitals therein made as to the non-payment of the money secured, or as to the time, place and terms of sale and property to be sold having been duly published, or as to any other preliminary act or thing having been duly done by said Trustee, shall be taken by any and all courts of law and equity as prima facie evidence that the said statements or recitals do state facts, and without further question shall be accepted as such.

Witness our hand this 16th day of May A. D. 1891

Witness
W. A. Thomas
L. W. McCaskey
Charles McSpencer
mark

The State of Texas,
 County of Dallas } Before me, John S. Schleichoff
Clara McKefer Clara McKefer on this day personally appeared
C. W. McKefer & Clara McKefer his wife
both
 known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me
 that they executed the same for the purpose and considerations therein expressed, and the said
Clara McKefer having been examined by me privily and apart from her husband,
 and having the same fully explained to her, she, the said Clara McKefer
 acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes
 and consideration therein expressed, and that she did not wish to retract it.
 Given under my hand and seal of office this 22 day of May A. D. 1891

John S. Schleichoff
Notary Public
Dallas Co Tex

2647
 DEED OF TRUST.
 -10-
P. W. McKefer
 PHILIP LINDSLEY,
 TRUSTEE FOR
 The Legal Holder of Note.
 Filed for record this 22
 day of May A. D. 1891.
 at 4 o'clock P.
 By Robert M. Clark
Deputy
 Recorded in Vol. _____ Page _____
 PHILIP LINDSLEY, Broker,
 110 PONDRAIS STREET,
 DALLAS, TEXAS
 Over fourteen years in Dallas, twelve years in ac-
 tive Law Practice. Dealer in State, County,
 City and Private Corporation Bonds and
 Stocks. Place Mortgage Loans for
 Lender and Borrower, and col-
 lect interest, and principal
 without cost to the
 Lender.
 Title & Realty Division.
 1116-972391-35-444

The State of Texas, } ss.
 County of Dallas
 I HEREBY CERTIFY that the foregoing instrument, with its certificate of authentication, was filed in my office, for
 record, on the 22 day of May A. D. 1891, at 4¹⁵ o'clock P. M., and was
 duly recorded by me on the 23 day of May A. D. 1891, in Vol. 35 on
 Page 1144 of the records of Mortgages and Deeds of Trust for said County.
 County Clerk Dallas County, Texas.
 By J. M. Rankin Deputy.

The State of Texas,
County of Dallas

I HEREBY CERTIFY that the foregoing instrument, with its certificate of authentication, duly recorded by me on the
Page 1144

May 23 day of May 1897
of the records of Mortgages and Deeds of Trust for said County.
County Clerk
By J. N. Rankin
County, Texas
Deputy.

State of Texas
County of Dallas

August 9th. 1897.

Personally appeared before me the undersigned authority, the affiant W. Illingworth, who being by me first duly sworn says that the accompanying and attached claim against the estate of C. W. McAfee; being a note for the sum of \$370.00 bearing interest at the rate of 10 per cent interest from date until paid and the further sum of 10 per cent attorneys fees is just and that all legal offsets, payments and credits known to affiant have been allowed; and affiant is cognizant of the facts stated in this affidavit: That affiant is the owner and holder of the note, and that the same is secured by a deed of trust on certain property described in a certain deed of trust attached hereto, and that the said note was given for purchase money for the said lot so described and retains a vendors lien on the same for the payment of said note. The note and deed of trust attached hereto and made part of this affidavit: Total due principle: \$370.00: Interest due \$30.05: Attorneys fees \$40.00. Total amount \$440.05. due and unpaid

Sworn to and subscribed to before me on this the 9th day of August 1897.

W. C. Kimbrough
Notary Public in and
for Dallas county Texas

No. 2329
 Est of
 C. M. Mc. Afee Recd,

Claim of M. Allingworth
 \$440.00

Filed Aug 11th 1899
 At Johnson C. C. Co
 By A. H. Cannon Esq,
 Sept 6 99
 4 annuities
 approved as a
 Class Claim
 except as to the
 70 per cent at
 100 which is
 disapproved
 M. A. Cannon
 M. Co. Judge
 599

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

State of Texas

County of Dallas

This claim was presented to me on this the --- day of September 1897
and is approved in ~~the sum of~~ *the sum of* to wit \$100.⁰⁵/₁₀₀
which sum is to bear interest at the rate of 10 per cent from this
date until paid. The said note being given for purchase money, and
a vendors lien on the following property to wit: Lot No. 12, in

*Block No. 5 of W. J. Keller's addition to the city of
Dallas, State of Texas and County of Dallas.*

the claim is classified as a third class claim against the estate of
C. W. McAfee deceased so far as and to the extent of the said lot
and should said lot not sell for sufficient to pay said note,
such remainder remaining unpaid if any is classified as a fourth
class claim against said estate.

Alvord Jones

County Judge of Dallas County
Texas.

00

Wm. J. Keller & wife,

Deed:-----:To

C. H. Edwards.

The State of Texas,

County of Dallas.

Know all men by these presents, that we, Wm.J.Keller and S. C. Keller, his wife, of the County of Dallas, State of Texas, in consideration of the sum of Four Hundred 00/100 Dollars, paid and secured to be paid by C. H. Edwards, as follows: one hundred dollars cash and his note of even date herewith for three hundred dollars due and payable one year from date, with interest at ten per cent. per annum from date until paid, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said C. H. Edwards of the County of Dallas, in the State of Texas, all that certain lot, tract or parcel of land described as follows: Lying and being in the City of Dallas, State of Texas, being Lot No.12 (Twelve), in Block No.5 (Five) of Wm. J. Keller's Addition to the City of Dallas, fronting fifty feet on the north side of Flora street and running back 140 feet to an alley; together with all and singular the rights, members, hereditaments and appurtenances to the same belonging or in anywise incident or appertaining. To have and to hold all and singular the said premises unto the said C. H. Edwards, his heirs and assigns forever. And I hereby bind my heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said C. H. Edwards, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. But it is expressly agreed and stipulated that the vendor's lien is retained against the above described property, premises and improvements until the above described note and all interest thereon is fully paid according to its face, tenor and effect when this ~~deed~~ deed shall become absolute.

Witness my hand this 13th day of March, A. D. 1889.

Wm. J. Keller.

S. C. Keller.

The State of Texas,

County of Dallas:-----Before me, J. T. Downs, a Notary Public of the
County of Dallas in the State of Texas, on this day personally appeared
Wm. J. Keller and Sarah C. Keller, his wife, both known to me to be the
persons whose names are subscribed to the foregoing instrument, and
acknowledged to me that they executed the same for the purposes and
considerations therein expressed. And the said Sarah C. Keller having
been examined by me privily and apart from her husband and having the
said instrument fully explained to her, she, the said Sarah C. Keller,
acknowledged the same to be her act and deed and declared that she had
willingly signed the same for the purposes and consideration therein
expressed and that she did not wish to retract it.

Given under my hand and seal of office, this 14 day of March,
A. D. 1889.

J. T. Downs, Notary Public,

Dallas Co., Texas.

(L.S.)

Filed for record the 16 day of March, A. D. 1889, at 10:20 o'clock A.M.

S. B. Scott, County Clerk,

By T. B. Salmons deputy.

Recorded this 1st day of April, 1889.

S. B. Scott, County Clerk,

By T. F. Lewis deputy.

The State of Texas,

County of Dallas:-----:I, A. S. Jackson, County Clerk of Dallas Co.,
Texas, do hereby certify that the above and foregoing is a true and
correct copy of a certain deed from Wm. J. Keller and wife to C. H.
Edwards, as the same appears of record in the records of deeds &c of
Dallas County, Texas, in book 101, page 531.

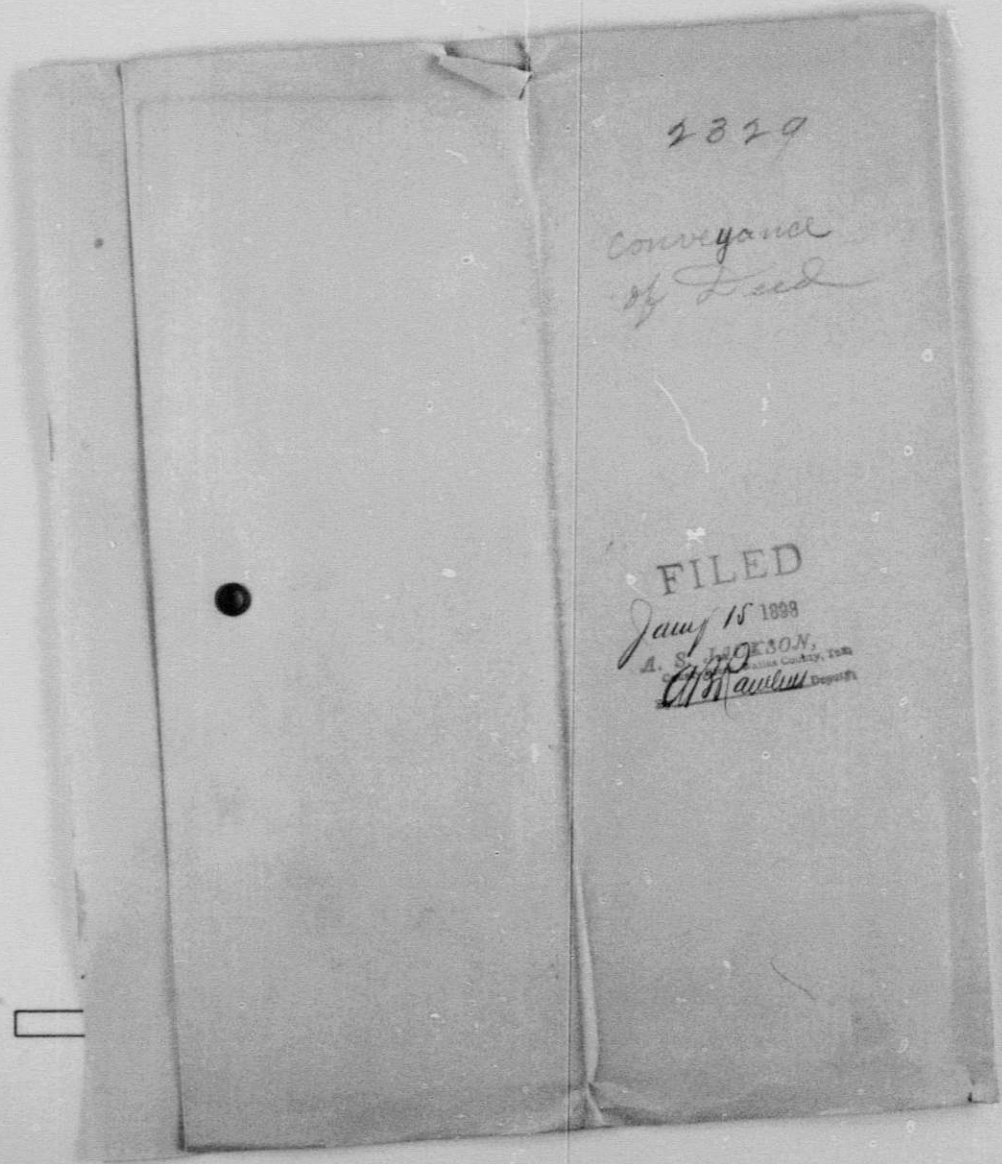
Given under my hand and seal of office, this the 14th day
of January, A. D. 1898.

A. S. Jackson, County Clerk,

Dallas County, Texas,

By *J. S. Cochran* Deputy.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978



2829

Conveyance
of Land

FILED
Jan 15 1898
A. S. JACKSON,
Notary Public, Dallas County, Tex.
A. S. Jackson

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978