

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

Case Number 2308

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2308

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The State of Texas)

In County Court of Dallas County, Texas.

County of Dallas.)

To the Honorable Judge of said Court.

Your petitioner R.T. Joyce respectfully represents;

That he and the minors herein mentioned reside in said County;

That heretofore, to wit; on the 4th day of August 1900, Mrs. Lillie B. Joyce wife of petitioner died in said County, intestate and leaving surviving her petitioner and ^{Tricie M. Joyce born September 13th 1892,} four children, to wit, Robbie R. Joyce born March 8th 1895, Lillian B. Joyce born May 11th 1896, and Nellie B. Joyce born April 26th 1899, and that the said Nellie B. died August 18th 1900;

That in April 1900, the said Deceased joined by petitioner and her brothers Eugene H. Redding and J.M. Redding brought suit in the District Court of Navarro County, Texas, now pending in said Court and styled Eugene H. Redding et al. vs. W.H. Barth et al. for 50 acres of land out of the Jehu Peoples survey in said Navarro County, or plaintiffs interest therein, and that since the death of the said Mrs. ^{Joyce} ~~Redding~~ petitioner and his said co-plaintiffs have by their attorney Bryan T. Barry entered into a written agreement with the defendants in said cause compromising said suit by the terms of which plaintiffs are to have judgment for \$250.00 against the defendants which is to be paid into the said Court and that defendants have judgment for said land and all matters at issue in said suit and for costs, believing such compromise to be best for plaintiffs and all parties concerned; that the said Court in which said suit is pending is now in session but will soon adjourn not soon to meet again and that a necessity exists for the appointment by this Court of some one as receiver of the Estates of said minors to take charge of the said suit and the interests and estate of said minors so as to protect them therein and save delay and costs and the expenses and waste therein.

Premises considered, petitioner prays that some one be appointed as Receiver of said Estates of said minors which is one third of one half of said sum agreed upon in compromise of said suit, under a contract made by the deceased and petitioner and said other plaintiffs with Bryan T. Barry on the 17th day of April 1900, giving him one half of said land and the amount recovered in said suit for his services therein, less the amount thereof coming to petitioner as an heir of the said Nellie B. deceased, with

and Receiver to 2
directions to make himself a party to said suit and compromise the same according to the terms of said agreement of compromise therein and to receive the proceeds thereof coming to said minors and receipt for the same and to do such other things therein as may be legal and necessary in the premises and for general relief.

Bryan V. Barry
Bryan V. Barry
Attorney for Petitioner

In County Court of Dallas County, Texas, in Open Court, this the 24th day of April 1901.

The above petition coming on to be heard and the Court having heard the same considers that it is necessary for the preservation of the said Estates of said Minors that the prayers of the petitioner be granted, It is therefore ordered, by the Court that *R. F. Joyce* be and he is hereby appointed receiver of the Estates of said ~~Robbie~~ *Robbie* R. Joyce and Lillian E. Joyce, minors, upon his entering into a bond herein conditioned as the law directs, in the sum of *One Hundred* Dollars and taking the oath required by law, and that upon such qualification he be and he is hereby directed to take charge of the said estates of said minors and in so doing to make himself a party to the said suit pending in the District Court of Navarro County mentioned in said petition, styled Eugene H. Redding et al. vs. W. H. Barth et al. and concur in and carry out the agreement of compromise therein mentioned in said petition by the terms of which compromise plaintiffs, *together with Bryan V. Barry* take \$250.00 in full settlement of all their interests involved in said suit and the defendants a decree for the said land and all rights involved and for costs of suit, and that after paying the prorata share of all of such costs chargeable to said minors he receive and receipt for, to the officers of said court or the said defendants as such decree may be entered by the said Court, any and all money coming to said minors therein holding and reporting the same to this Court at or by the next term hereof or until a guardian of said Estates can be regularly appointed.

(Surplusage)

L. S. J.

Ed. S. Linderdale
Judge County Court Dallas County, Texas.

THE STATE OF TEXAS) I, A. S. JACKSON, Clerk of the County Court of said County,
County of Dallas,) do hereby certify, that the above and foregoing two
pages contain a true and correct transcript of the petition and order
of the Court thereon in the matter of the Receivership of the Estates of
Tricie M. Joyce,
the minors, Robbie R. Joyce and Lillian B. Joyce filed and entered in this
Court on the 24th day of April 1901,

And I, further certify, that the said *R. R. Joyce*
appointed receiver in said order has complied with the same by filing
the bond therein required *which has been duly approved by the Court* and taking the oath prescribed by law.

I also further certify, that the said ~~petition and order~~ *is* duly
recorded in the *Probate* minutes of this Court in book *Q*- pages *84*.

Given under my hand and the seal of said Court on this the *26th* day of
April 1901.

A. S. Jackson
Clerk County Court Dallas County, Tex.
By *A. B. Rawlins* Deputy.

3000.

Est. of

Robbie R. Joyce

et. al.

Minors

FILED the 24 day of

April 1961

U. S. JACKSON, City Co. Court.

By

W. R. Hawkins
Deputy.

Estates of Joyce Minors,) In County Court Dallas County, Texas.
R.T. Joyce, Receiver.)

To the Honorable Ed. S. Lauderdale Judge of said Court.

And now comes R.T. Joyce, Receiver of the said Estates by appointment of this Court ~~heretofore made~~ and respectfully represents to the Court, that in accordance with the order entered in said ~~succession~~ ^{testate} appointing him and directing him to make himself a party to the suit then pending in the District Court of Navarro County, Texas, and to compromise it as therein directed he complied with said order made himself a party to the said suit and the decree of compromise was entered therein and that he has as such Receiver received from said cause the ^{share} of the minors in said litigation amounting to Forty One Dollars and Sixty Five cents total and now has the same on hand.

That the amount is so small it would be consumed in taking out letters of Guardianship &c. in said Estates and he therefore asks that he be allowed to ~~apply~~ ^{apply} the balance remaining after payment of costs &c. in this proceeding, ~~on~~ ^{which are} the notes a lien upon the homestead ~~the~~ ^{the} community property of this receiver and his Deceased wife the Mother of said minors and in which the said minors of course take the interest of their said Mother subject to said lien. That the said land consists of a lot on the Northwest corner of San Jacinto and Peak Streets in Block 646 Dallas, Texas, 54 8/10 X 201 feet and the same described in a deed made to this receiver as an individual and during the lifetime of the said Mother of said Minors on to wit; the 11th day of June 1898, and now of record in book 224 page 494 deed records of said Dallas County. ^{and R.T. Peak} ~~the~~ consideration therefor being \$50 ~~2~~ cash and Forty notes of \$10.00 each described in said deed.

That by this application of said small balance of said fund the said minors will take an additional interest in said lot of land equal to the said balance applied thereon, ~~after the payment of said costs in this Estate.~~

And as in duty bound he will ever pray, and ~~ask that he be~~ ^{discharged and said receiver settled}

R.T. Joyce
Receiver.

Sworn to and subscribed before me this the 16 day of September 1901.

As Jackson Cash
County Clerk
Dallas County

3000.

Estate of
Joyce, Annie

R. S. Joyce,
Receiver.

Report & Application
of Receiver.

FILED the 26 day of
Sept 1901
A. S. JACKSON, Clerk Co. Court.

By A. M. Lawless
Deputy.

Sept 30th 1901 within
prayer and petition of receiver
granted and he is discharged
upon payment of costs.

G-441 J. A. Lemmendaal
County Clerk

Recorded in Minutes

Estates of Joyce minors.)
In County Court Dallas County, Texas.
R.T. Joyce receiver.)

Know all men by these presents,

That we, the undersigned R.T. Joyce as

principal and Raymond J. Barry and
Wm. McSwirth

as sureties do hereby acknowledge ourselves bound to pay to Ed. S. Lauder
Jale County Judge of Dallas County, Texas, and his successors in office,
the sum of One Hundred Dollars, Conditioned, that the said R.T. Joyce who
has been appointed Receiver of the Estates of Tricie M. Joyce, Robbie R.
Joyce and Lillian B. Joyce minors will faithfully discharge the duties
of Receiver as aforesaid according to law.

Witness our hands this the 26th day of April 1901.

R.T. Joyce

Raymond J. Barry
Wm. McSwirth

Approved April 26th 1901.

Ed. S. Lauder
of 93 County Judge

I, R.T. Joyce do solemnly swear that I will faithfully discharge the
duties of Receiver of the Estates of Tricie M. Joyce, Lillian B. Joyce and
Robbie R. Joyce minors according to law.

R.T. Joyce

Sworn to and subscribed before me this the 26th day of April 1901.

A. Jackson Coled
By Wm. McSwirth Deputy

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712 3000
Est. Joyce,
Missions
Board of Receivers

FILED on 26th day of
April 1901
A. S. JACKSON, Clerk Co. Court.

By A. S. Jackson
Deputy

Recorded 2/505

APPROVED AND FORWARDED
1901.

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