

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

Case Number 1554

Dallas Genealogical Society
Founded 1955

www.dallasgenealogy.org



FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

1554

NOTICE OF APPLICATION TO PROBATE WILL.

THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

Martha Prall deceased.

Thomas Fuld has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of Martha Prall deceased, and for Letters Testamentary, which will be heard at the next Term of said Court, commencing on the First Monday in November A. D. 1896, at the Court House in the City of Dallas at which time all persons interested in said Estate may appear and contest said Application if they see proper.

WITNESS S. B. SCOTT, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this 23 day of September A. D. 1896.

S. B. SCOTT,

County Clerk Dallas County, Texas.

By J. F. Lewis Deputy.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Estate of Martha M. Peak, Decd., /

In the County Court, Dallas
County, Texas, ¹⁸⁹⁰ term
A.D.1890.

To the Hon. County Court in and for Dallas County :

The petition of Thomas Field
shows to the court that he resides in the county of Dallas, state
of Texas ; that heretofore on or about the _____ day of July,
A.D.1890, Mrs. Matha M. Peak died in the said county of Dallas, and
who, at and before the time of her death, had her domicile in the
county and state aforesaid. That at the time of her death, the
said Martha M. Peak. was seized and possesse^d of personal property
of the probable value of 15,000 dollars, and left a written
will duly executed and herewith filed, in which your petitioner
was appointed executor without bond. The premises considered, peti-
tioner prays that notice of this application be given as required
by law, that said will be admitted to probate, that letters testa-
mentary be granted him as executor under said will, and that such
other and further orders be made as to the court may seem proper.

Thos Field

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

26

No. 1482

COUNTY COURT.

ESTATE OF
Martha Peak
Deceased.

Notice of Application for Probate
of Will and Letters.

Issued this 23 day of
September 1890

S. B. SCOTT, County Clerk.

By J. F. Lewis Deputy.

SHERIFFS' RETURN.

Came to hand the 23 day of Sept,
1890, and executed the 24 day of Sept,
1890, 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.

W. H. Lewis
Sheriff, Dallas County.

By T. P. Carson Deputy.

A. D. Aldinger & Co., Stationers and Printers, Dallas, Texas.
Fees \$13.00

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

INVENTORY AND APPRAISEMENT

Of the property, real and personal, belonging to the estate of *Martha M. Peath, de'd.*

1st. All of that certain parcel or tract of Land lying and being situate in Dallas County Texas and within the corporate limits of the City of East Dallas and being known lands described as block number 792-4 according to *Murphy & Boland* official maps of the City of Dallas except a certain lot out of the north corner of 200 ft by 200 ft deeded to *Jefferson Peath Jr* August 30th 1886

\$10,000⁰⁰

2nd. A certain lot or parcel of land situated in said County and State and within the corporate limits of said City of East Dallas and known and described as the south half of block number 791-3 of *Murphy & Boland* official maps of the City of Dallas and being a lot of land 185 feet by 656 feet.

\$6,500⁰⁰

Total valuation \$16,500⁰⁰

The State of Texas,

County of Dallas.

Thos Field Executor

of the above named Estate, do solemnly swear that the foregoing is a true, full and complete Inventory of all the property, real and personal, belonging to said Estate, that has come to my knowledge.

Thos Field

Sworn to and Subscribed before me, this the 15th day of *Mar* A. D. 189³

L. H. Hughes Clerk Co. Court,

By *A. L. Elliott* Deputy.

The State of Texas,

County of Dallas.

Before the undersigned authority, this day personally appeared

Appraisers of the above named Estate, heretofore appointed by the Court, and each being duly sworn, says that the above and foregoing is a just and true appraisalment of the property pointed out to them as belonging to said Estate.

W. McKeid
W. H. Prather

Sworn to and Subscribed before me, this 16th day of *Mar* A. D. 189³

L. H. Hughes Clerk Co. Court,

By _____ Deputy.

Inventory of Martha M. Peath, de'd.
for
probate of Will.
Filed Sept 23 1893
W. H. Prather
By S. S. Henry
Record

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

State of Texas In the estate of Martha M. Peak, deceased,
Dallas county.

Before me the undersigned authority on this day personally
appeared Thomas Field who being duly sworn on his oath says:

I do solemnly swear that the writing which has been offered for
probate is the last will of Martha M. Peak, so far as I know or believe,
and that I will well and truly perform all the duties of said will
of said estate of said Martha M. Peak.

Thomas Field

Sworn to and subscribed before me by Thomas Field
this 21st day of February..... A.D. 1891.

S. B. Scott

Clerk of county court Dallas county.

By *A. S. Jackson* Deputy.

No. 1482.

COUNTY COURT.

ESTATE OF

Martha M. Peak

deceased.

INVENTORY AND APPRAISEMENT

Filed 18 day of March
A. D. 1893

L. H. Hughes
COUNTY CLERK.

By *A. S. Jackson* Deputy.

Examined and approved this 18th
day of March 1893 and
ordered entered as of the
day of March 1893.

J. S. Nash
COUNTY JUDGE

A. D. Aldridge & Co., Stationers and Printers. 126

Recorded

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

PHILLIPS & ALLEN
Attorneys at Law
DALLAS TEXAS

In the County
Estate of Martha M. Peaske, Court Dallas County
said.

To the Hon County Judge:-

Now comes Thomas Field
of the County of Dallas State of
Texas and represents that on
the 21st day of February 1891 by
an order of this Court letters
Testamentary upon the Estate of
Martha M. Peaske dec'd. was granted
unto him and that M. H. Prather,
C. E. Bird and W. M. C. Hill were
appointed appraisors of said
Estate. Applicant further shows
that as yet no inventory
and appraisement of the mat-
ters of said Estate has been
made. Wherefore he prays
for a new appointment
either of the said, or differ-
ent, appraisors as to the Court
shall seem proper and that
the inventory and appraisement
by them returned be filed and
entered as of the day of March
1891.

H. J. Phillips
atly for Applicant.

1482
Oath of Thos Field
Excentor

Filed Feby 21st 1891
J. B. Scott Clerk
By O. S. Johnson Secy

Recorded

PHILLIPS & ALLEN,
Attorneys at Law
DALLAS TEXAS

State of Texas }
County of Dallas }

Before me this day personally R B Farwood who being by me duly sworn deposes and says upon oath that he is now and was in January 1891 and long prior thereto acquainted with the kind and character of property belonging to the Estate of Martha M. Peake died, as the same is shown by the inventory filed herein of this date, and says that said property consists of a number of vacant, unimproved and unperfected lots of land which is now and has been during the past two years wholly unproductive of any rent or revenue of any kind. R B Farwood Sworn to and subscribed before me this 18th day of March 1893.

L. H. Hughes Co. CLK
Dallas Co. TEX
By W. M. Scott Dy

1487
Recorded

Estate of Martha
M. Peake died.

application for
re-appointment
of appraisers.

FILED

MAR 13 1893

L. H. Hughes, County Clerk
By W. M. Jackson

Application granted
and W. H. Bratten
C. E. Bird & W. M. C.
Hill appointed
appraisers
Mar 13th 1893
T. J. Ansh co. Secy

In the estate of Martha M. Peak, deceased.

21st day of *July* 1891.

On this day came on to be heard the application of Thomas Field for letters testamentary on the estate of Martha M. Peak, deceased, and it appearing to the court that (1) said Martha M. Peak is dead and (2) that four years have not elapsed since her decease prior to said application and (3) that this court has jurisdiction of her estate and (4) that her will has been duly proved as prescribed by law and (5) that said Thomas Field is named in said will as executor of the same and is not required to give bond and (6) that said Thomas Field is not disqualified by law to be such executor and is entitled to be appointed such executor without bond, it is therefore ordered and decreed by the court that said Thomas Field be and he is hereby granted letters testamentary upon the estate of said Martha M. Peak, deceased, without being required to give any bond, and the clerk of this court is hereby ordered to issue said letters to him in accordance with this order when he shall have qualified according to law.

It is further ordered by the court that *W. H. Prather* and *C. E. Baird*, and *W. M. C. Hill* be and they are hereby appointed appraisers of said estate of said Martha M. Peak and they shall make and file in this court an inventory and appraisement of said estate in the manner and time required by law.

No. 1482.

Estate of *Martha M. Peak* deceased.

FILED *Mar. 18* 1893

L. H. HUGHES, Clerk County Court.

By *A. S. Jackson* DEPUTY

State of Texas County court Dallas county
Dallas county In the estate of Martha M. Peak, deceased.

On this the 21st day of July A.D. 1891, personally
appeared in open court Ed Prather, who being duly sworn,
on oath, deposes and says that on the 18th day of November 1889
he was present and saw Martha M. Peak sign the instrument filed in this
court on the 25th day of September 1890 and now shown to him, bearing
date on the 18th day of November 1889, and purporting to be the last
will of her, the said Martha M. Peak, and heard her publish and declare
the same to be her last will and testament; that at the time of signing
and publishing the same, the said Martha M. Peak was over twenty one
years of age and of sound mind; that this affiant and W. H. Prather
whose signature appears on said instrument, on said 15 day of Nov-
ember 1889, then being credible witnesses above the age of fourteen
years, subscribed their names as witnesses to the same, in the presence
and at the request of said testator, and in the presence of each other.

That afterwards on the day of July 1890 said
Martha M. Peak died in said county of Dallas Texas, in which she had
her domicile at and before her death, and without having revoked said
will so far as known to affiant.

Ed Prather.....
Sworn to and subscribed in open court before me by Ed Prather.....
this 21st day of February A.D. 1891.

S. B. Scott
Clerk of county court Dallas county Texas.

By A. S. Jackson Deputy.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

1482
Order appointing executor
+ appraiser

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

K4-572

Court in session March 18th 1893.

This day came on to be heard the application of Thomas Field, executor, submitting to the Court for examination and approval an inventory and appraisement of the property belonging to the estate of Martha M. Peake, decedent, and it appearing to the Court that said inventory contains a full and complete statement of all the property belonging to said Estate within the knowledge of said executor with a true and just appraisement of the same, it is considered by the Court that the said inventory and appraisement ought to be approved and it is so ordered, adjudged and decreed by the Court. And it further appearing to the Court that letters testamentary herein were granted unto the said executor on the day of February 1891 and that the condition of the property of said Estate remains unchanged and that in the mean time it has been unproductive of any rents or revenue, it is considered by the Court that the said appraisement ought to be approved and entered and recorded upon the minutes of this Court *nunc pro tunc* as of the date of March 18th 1891 and it is accordingly so ordered, adjudged and decreed by the Court.

1472
Applicant of Ed Prather

Filed Feb 21st 1891
W. B. Scott Clerk
By O. S. Jackson Jr

Recorded

D-171

State of Texas, Dallas County.

In the estate of Martha M. Peak, deceased.

21st day of July, 1901.

This day came on to be heard the petition of Thomas Hill for the probate of a certain instrument in writing now produced in open court, purporting and alleged to be the last will and testament of Martha M. Peak, deceased, and it appearing that service of citation as required by law has been duly made, and no contest having been filed, and the evidence, a statement of which is filed in this case, being found and fully considered by the court, and the court being satisfied from the evidence that said will should be admitted to probate, it is therefore ordered, adjudged and decreed by the court that said instrument, ^{inventory} and the same is hereby admitted to probate and record as the last will and testament of said Martha M. Peak, deceased, and it and the application ~~for~~ for the probate thereof and the testimony shall be recorded in the minutes of this court.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

order same for terms
approving inventory
and appraisement

E

K56.294

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Estate of Martha ; Lu County Court
M. Pease, dec'd. ; Dallas County Texas
;

Now comes Thomas Field executor
in the matters of the above mentioned
estate and files herewith his inventory
and appraisement and prays that the
same be examined and approved
and that he have an order entering
the same as of the 18th day of March
1891.

H. S. Phillips
atly for executor.

1482

Order Probating
Will

K4-5411

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

State of Texas County court Dallas county

Dallas county In the estate of Martha M. Peak, deceased.

On this the 21st day of February, A. D. 1891, personally appeared in open court W. H. Prather, who being duly sworn, on oath, deposes and says that on the 18th day of November 1889

he was present and saw Martha M. Peak sign the instrument filed in this court on the 23rd day of September 1890 and New shown to him, bearing date on the 18th day of November 1889, and purporting to be the last will of her, the said Martha M. Peak, and heard her publish and declare the same to be her last will and testament; that at the time of signing and publishing the same, the said Martha M. Peak was over twenty one years of age and of sound mind; that this affiant and Ed. Prather whose signature appears on said instrument, on said 18th day of Nov-

ember 1889, then being credible witnesses above the age of fourteen years subscribed their names as witnesses to the same, in the presence and at the request of said testator, and in the presence of each other.

That afterwards on the day of July, 1890 said Martha M. Peak died in said county of Dallas Texas, in which she had her domicile at and before her death, and without having revoked said will so far as known to affiant.

W. H. Prather
Sworn to and subscribed in open court before me by W. H. Prather
this 21st day of February, A. D. 1891.

S. B. Scott
Clerk of county court Dallas county Texas.

By A. S. Jackson Deputy.

No 1482.

Estate of Martha
M. Peak decd.

Application for
filing inventory
nunc Pro tunc.

FILED March 18 1893
L. H. HUGHES, Clerk County Court
By A. S. Jackson DEPUTY

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

SOUTHEAST LINE OF JUNIUS STREET ONE HUNDRED FEET N. 45 E. FROM THE WEST CORNER OF SAID BLOCK NO. 4 ; THENCE N. 45 E. WITH THE SAID LINE OF JUNIUS STREET TWO HUNDRED AND FORTY FEET ; THENCE S. 45 E. PARALLEL WITH PEAK AVENUE ONE HUNDRED AND EIGHTY FIVE FEET ; THENCE S. 45 W. PARALLEL WITH JUNIUS STREET TWO HUNDRED AND FORTY FEET ; THENCE N. 45 W. PARALLEL WITH PEAK AVENUE ONE HUNDRED AND EIGHTY FIVE FEET TO THE PLACE OF BEGINNING.

3RD : TO HERBERT FIELD, MY GRAND-SON, AND SON OF THOMAS AND FLORENCE FIELD, AN ACRE OF GROUND IN THE SOUTH CORNER OF SAID BLOCK NO. 4, BEGINNING AT THE SOUTH CORNER OF SAID BLOCK NO. 4 : THENCE N. 45 E. WITH THE NORTHWEST LINE OF WORTH STREET TWO HUNDRED AND THIRTY FIVE FEET ; THENCE N. 45 W. PARALLEL WITH PEAK AVENUE ONE HUNDRED AND EIGHTY FIVE FEET ; THENCE S. 45 W. PARALLEL WITH WORTH STREET TWO HUNDRED AND THIRTY FIVE FEET TO THE NORTHEAST SIDE OF PEAK AVENUE ; THENCE S. 45 E. ONE HUNDRED AND EIGHTY FIVE FEET TO THE BEGINNING.

4TH : TO MY GRAND-SON, GEORGE VICTOR PEAK, SON OF JUNIUS AND HENRIETTA PEAK, AN ACRE OF LAND IN THE ABOVE DESCRIBED BLOCK, BEGINNING AT THE EAST CORNER OF SAID BLOCK NO. 4. THENCE S. 45 W. WITH THE NORTHWEST LINE OF WORTH STREET TWO HUNDRED AND FIFTY SIX FEET ; THENCE N. 45 W. PARALLEL WITH CARROL STREET ONE HUNDRED AND SEVENTY FEET ; THENCE N. 45 E. PARALLEL WITH WORTH STREET TWO HUNDRED AND FIFTY SIX FEET TO CARROL STREET ; THENCE S. 45 E. WITH CARROL STREET ONE HUNDRED AND SEVENTY FEET TO THE BEGINNING.

5TH : TO THOMAS FIELD, MY SON-IN-LAW, THE SOUTH HALF OF BLOCK NO. 791-3 ACCORDING TO MURPHY & BOLANZ' OFFICIAL MAP OF THE CITIES OF DALLAS AND EAST DALLAS, TEXAS, SAID HALF BLOCK HAVING A FRONTAGE OF SIX HUNDRED AND FIFTY SIX FEET ON THE NORTH SIDE OF WORTH STREET, ONE HUNDRED AND EIGHTY FIVE FEET ON THE EAST SIDE

OF HASKELL STREET, FORMERLY ANN STREET, AND ONE HUNDRED AND EIGHTY FIVE FEET ON THE WEST SIDE OF PEAK AVENUE, FORMERLY MARTHA STREET.

6TH : I DESIRE AND DIRECT THAT ALL THE REMAINDER OF MY PROPERTY, BOTH PERSONAL AND REAL SHALL BE DISTRIBUTED TO MY TWO DAUGHTERS, SARAH A. HARWOOD AND FLORENCE C. FIELD, TO BE EQUALLY DIVIDED BETWEEN THEM.

7TH : I APPOINT THOMAS FIELD, MY SON-IN-LAW TO BE THE EXECUTOR OF THIS, MY WILL, WITHOUT BOND. I DIRECT THAT THE COUNTY COURT SHALL NOT TAKE JURISDICTION OVER MY ESTATE FURTHER THAN TO PROBATE THIS WILL AND HAVE RETURNED AN INVENTORY OF MY ESTATE.

GIVEN UNDER MY HAND THIS 18th DAY OF *Nov* A.D. 1889.

SIGNED IN THE PRESENCE

OF

W. A. Prather
J. A. Prather

Martha K. Peak

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977