

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

Case Number 1496

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1496

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

THE STATE OF TEXAS,

To all Persons Interested in the Guardianship of the Estate of ~~the Widow~~
Camille Labatt, a Lunatic

A. B. Smith

has filed in the County Court of Dallas

County, on application for Letters of Guardianship upon the estate of the above named ~~Widow~~ *Camille*

which will be heard at the next term of said Court, Commencing *fourth* Monday in

November

A. D. 188*9*, at the Court House in the City of Dallas, at which

time all persons interested in the welfare of said ~~Widow~~ *Camille* 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 seal of said Court, at

office in the City of Dallas, this *7th* day

of *November* A. D. 188*9*

S. B. SCOTT,

Clerk County Court, Dallas County, Texas.

By *J. M. [Signature]* Deputy.

The State of Texas,

COUNTY OF DALLAS.

ESTATE OF *Mrs. C. Labatt.*

KNOW ALL MEN BY THESE PRESENTS, That we, *A. B. Smith*

as Principal, and _____ 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 *Twenty three thousand three hundred* Dollars;

conditioned that the above bound *A. B. Smith* who has

been appointed guardian of the estate of *Mrs. Camilla Labatt,* shall well and truly perform all the duties required of him under said appointment.

Witness our hands and seals, this _____ day of _____ 188 _____

SEAL

SEAL

SEAL

I DO SOLEMNLY SWEAR that I will well and truly perform all the duties of Guardian of the Estate of *Mrs. Camilla Labatt, a Lunatic,* as the law directs.

Sworn to and subscribed before me this _____ day of _____ 188 _____

County Clerk, ~~Dallas~~ Co., Texas.

By *J. M. [Signature]* Deputy.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Original #

No. *1373*

COUNTY COURT.
ESTATE OF ~~THE MINOR~~

Camille Labatt
Lunatic

Notice of Application for Letters of
Guardianship.

Issued this *7* day of *November*
188*9*

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

By *J. S. Stutz* Deputy.

SHERIFF'S RETURN.

Came to hand the *7* day of *Nov*
188*9*, and executed the *7* day of
Nov 188*9* 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.

By *M. Deane* Deputy.
Sheriff Dallas County.

Texas Plaster and Job Print, 711 Elm Street, Dallas, Texas.

No. 1373

County Court, Dallas County.

GUARDIAN'S BOND.

ESTATE OF

Mrs. Camilla Labatt
a Lunatic.

Filed _____ 188__

W. M. C. HILL, Clerk.

By _____ Deputy.

Approved this _____ day of

188__

County Judge, Dallas County.

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

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

COMPLAINT AND WARRANT OF ARREST IN LUNACY.

The State of Texas,
COUNTY OF DALLAS.

I, J. E. Labatt after being
duly sworn, depose and say under oath, that Mrs. Conida Labatt
is of unsound mind, and that it is necessary for the welfare of her estate that
a guardian be appointed for her estate
~~to be placed under restraint~~

[Signed]

J. E. Labatt

Subscribed and sworn to before me, this 5 day of Nov. 1887

M. J. Scott Clerk
County of Dallas County, Texas.
By J. M. Stum Deputy

The State of Texas,

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

WHEREAS, Complaint has been made under oath, before me, by _____

charging _____ with being of
unsound mind, and alleging that it is necessary for the welfare of her estate
that a guardian be appointed
~~that be placed under restraint~~

These are, therefore, to command you to Arrest the body of the said Conida
Labatt and have her before me at Constable's
5 o'clock on
day of Nov. 1887, for trial and examination.

Herein fail not, but of this Writ make due return as the law directs.

WITNESS my hand and official seal at office, in Dallas County, Texas,

the 5 day of Nov. A. D. 1887

E. J. Rorer
County

No. 1373

THE STATE OF TEXAS

VS

Camilla Labat
Lunacy.

Filed the 5 day of November
18 89

S. B. SCOTT, Clerk,

By *J. M. Stung* Deputy.

SHERIFF'S RETURN.

Came to hand the _____ day of _____
A. D. 18____, and recorded the _____
day of _____ 18____, by _____

Sheriff,

By _____ Deputy.

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

LABATT & NOBLE,
ATTORNEYS AT LAW,
DALLAS, TEXAS.

In the County Court of Dallas County
State of Texas Term 1889

In the matter of the }
Estate of Camilla Labatt } Application for letters
a person of unsound mind } of Guardianship.

To the Honorable Judge of said Court.

The petition of Albert B. Smith who is a resident of Tarrant County and State of Texas respectfully represents, that Camilla Labatt a resident of Dallas County Texas is a person of unsound mind. That she is a female and the wife of Jack E. Labatt, the uncle of your petitioner that there are four minor children the fruits of said marriage to wit Barbee a female aged 15 years, Oscar a male aged 13 years, Lila a female aged 10 years and Camilla a female aged 5 years. That said Camilla Labatt is possessed of real & personal property her separate estate of the probable value of Eleven thousand six hundred Dollars. That she has been adjudged by this Court a person of unsound mind ~~and is a patient in the State Hospital at Dallas Texas.~~ That her said husband and minor children reside in Dallas County.

That this application for letters of guardianship is made at the request of her said husband Jack E. Labatt. That it is necessary to have a guardian appointed for such Estate that the support & maintenance of said Camilla Labatt & said minors may be had, if necessary from said real & personal property her separate estate and also to guard & preserve said estate paying taxes insurance collecting rent paying off incumbrances &c.

Wherefore petitioner prays that citation

may issue according to law to the next term of this
Court &c and your petitioners ^{after due proceedings had} shall ~~also~~ ^{be} ~~appointed~~ ^{appointed} guardian of said Estate & your petitioners will execute

(all but signature)
J. E. Labatt

I request & consent to the appointment of
A B Smith of Tarrant County as the guardian
of the Estate of my wife Camilla Labatt who
has been declared to be of unsound mind.

(I ask signature) *J. E. Labatt*
11

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

No 1373

In the County Court
Dallas County.
In Probate.

In the matter of the
Estate of C. Labatt
a person of unsound mind.

Application of A. B. Smith
for letters of Guardianship

FILED

NOV 7 1889

S. B. Scott, Clerk

Recorded
(Scott, Clerk)

©

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FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

THE STATE OF TEXAS, } *Carmilla Estelle Lunacy.*
IN THE COUNTY COURT,
County of *Dallas* } *5th* day of *Nov* 188*9*

On this *5th* day of *Nov* 188*9*, came on to be heard before
E. B. Jones Judge of the County Court of *Dallas* County,
Texas, a complaint in writing and under oath charging *Miss Carmilla Estelle* with
being a Lunatic, whereupon came the said *Carmilla Estelle* in person, and also came
a Jury of six good and lawful men of *Dallas* County, hereinafter named, who having heard
the complaint, the evidence and the charge of the said Judge (said Jury having previously been empaneled
and sworn according to law), returned their verdict in response to the Special Issues submitted as follows, to-wit:

THE STATE OF TEXAS, } COUNTY COURT,
-vs.- } *Dallas* County.
Miss Carmilla Estelle } *5th* day of *Nov* A. D. 188*9*
LUNACY. }

The following Special Issues are submitted to the Jury in the above entitled cause:

1. Is *Miss Carmilla Estelle* the Defendant of sound mind?
Ans. *yes*
2. If the Defendant is of unsound mind, is it necessary that _____ be placed under restraint?
Ans. _____
3. If you answer both the foregoing questions in the affirmative, then what is the age and nativity of the Defendant?
Ans. _____
4. How many attacks of insanity has _____ had, and how long has the present attack existed?
Ans. _____
5. Is insanity hereditary in the family of Defendant, or not?
Ans. _____
6. Is the Defendant possessed of any estate, and if so, of what does it consist and its estimated value?
Ans. _____

7. If the Defendant is possessed of no estate, are there any persons legally liable for ~~support, if you~~
~~name them?~~

Ans.

Signed,

J. W. Bowen
J. D. Stratton
J. H. Moore
S. H. Hensley
D. H. Walker
J. C. Lewis

Jurors.

Whereupon, it is adjudged, that the said *Camilla Sabath* is a Lunatic,
and it is ordered by the Court, that _____ be conveyed to the Lunatic Asylum, at _____
County of _____, for restraint and treatment, and that the costs of this proceeding be
adjudged against _____

THE STATE OF TEXAS, }

COUNTY OF _____

I, _____

Clerk,

of the County Court of _____ County, Texas, hereby certify that the above and
foregoing is a true and correct copy of the proceedings had in the above case.

Given under my hand and seal of office, this _____ day of _____ A. D. 188 _____

ATTEST: _____ Clerk of the County

Court, _____ County, Texas.

By _____ Deputy.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

No. 1373

The State of Texas,

vs.

Camilla Latatt.
Lunacy.

Filed the 5 day of

November 1889.

A. B. South

Clerk.

By

J. Lewis

Deputy.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Inventory of property owned
by Samuel Labatt of Dallas
County State of Texas.

13 acres of land near Fair Grounds
worth \$13000⁰⁰ due on same \$6500⁰⁰
237 acres land at Terrell worth
\$6000⁰⁰ due on same \$2000⁰⁰
16 lots at Lane \$100 each \$1600⁰⁰
One 2 story House @ Oak Cliff worth
\$3500⁰⁰ due on same \$1150⁰⁰ = Two
cottages, Oak Cliff. value \$4500⁰⁰
due on same \$2500⁰⁰ = 5 acres of
land 1 mile Oak Cliff = value \$2500⁰⁰
due on same \$1500⁰⁰ = One piece of
land containing two lots more or less
Oak Cliff. value \$2500⁰⁰ due on
same \$1000⁰⁰ = One part of lot D.A. value
\$300⁰⁰

Total value property \$35000⁰⁰
" Indebted 15000⁰⁰

Nett	\$20,000 ⁰⁰
1 lot Stat. add ⁰⁰	\$1200 ⁰⁰
due	600 ⁰⁰
	<u>600⁰⁰</u>
	\$20600 ⁰⁰
4 lots in Lane	400 ⁰⁰
320 acres Midland, nett	1200 ⁰⁰
Household property	1000 ⁰⁰
	<u>3300⁰⁰</u>

J. J. E. Labatt being duly sworn
on oath deponee says that the fore-
going is a true list of the com-
munity property of his wife Mrs
Camilia Labatt, & that the
values annexed thereto are
approximately true to the
best of his knowledge &
belief.

J. J. E. Labatt

Sworn to & subscribed before me
this Nov. 6th. 1889.

Chas. L. Evans
N. P. Dallas Co. Texas

1373

Inventory of
Camilia Labatt's
Property

FILED

NOV 7 1889

S. B. Scott, Clerk
By J. W. [unclear]

Recorded
Nov 21 1889

EVANS & GOOCH,
LAWYERS,
DALLAS, TEXAS.

STATE OF TEXAS

() Statement of Dr. J. S. Letcher.

vs.

()

Mrs. CAMILLA LABATT.

()

()

()

I graduated in medicine in 1872. Have been practising consecutively since. Have had considerable experience in the treatment of diseases of the mind. I first saw Mrs. Labatt three weeks ago. Found her mind very materially impaired. I was informed that it had been in that condition for six weeks. Has been in that condition since that time. I am of the opinion that the probabilities are it will be permanent. Her physical condition is also very much impaired.

J. S. Letcher M.D.

Sworn to & subscribed before me this Nov. 6th 1889.

*Chas. J. Evans
Notary Public
Dallas Co. Texas.*



Evans & Gooch,
LAWYERS,
805 FLM STR.,
DALLAS, TEXAS.

The State of Texas
v,
Mrs. Camilla Lobatt.

Testimony of J. E. Lobatt
on the hearing of the above
case:

I am the husband of Mrs.
Camilla Lobatt. We have
been married 14 years.
Shortly after the birth of
our last child, about
1 year ago, she had
been showing symptoms
of mental aberration.
She has been growing con-
stantly worse all the time.
She is now of unsound
mind. I have had sev-
eral of the most pre-
minent physicians in
the State (among them
Dr. Herff of San Antonio)
to visit her & they all pro-
nounce her of unsound
mind.

I hereby certify that the
above is substantially
the testimony of J. E. Lobatt
in above case

County Judge
of Dallas Co. Texas.

EVANS & GOOCH,
LAWYERS,
DALLAS, TEXAS.

IN THE MATTER OF THE ESTATE OF MRS. CAMILLA LABATT, LUNATIC. --No. 1373.--

This day came on to be heard the application of A. B. Smith for letters of guardianship upon the estate of Mrs. Camilla Labatt, a person of unsound mind, wife of J. E. Labatt, and it appearing to the satisfaction of the court that the said Mrs. Camilla Labatt is a person of unsound mind, that she resides in the county of Dallas, State of Texas, and that this court has jurisdiction of the case; and that the said A. B. Smith is not disqualified to act as such guardian and is entitled thereto, the said J. E. Labatt, the husband of the said Mrs. Camilla Labatt, having waived his rights in favor of the said A. B. Smith, it is therefore ordered, adjudged and decreed by the court that the said A. B. Smith be, and he is hereby appointed guardian of the estate of the said Mrs. Camilla Labatt.

It is further ordered that the said A. B. Smith enter into a bond conditioned as required by the law, for the faithful performance of his duties as such guardian, in the sum of \$23,300.

It is also ordered by the court that George Loomis, G. L. Franklin, and Charles H. Cooper, be, and they are hereby appointed appraisers to appraise the estate of the said Mrs. Camilla Labatt, and return such appraisal into this court; and when the said A. B. Smith shall have qualified according to law as guardian of such estate, the clerk of this court shall issue to him the proper letters of guardianship.

In Re Mrs Camilla Labatt, } In County
Lunatic - } Court Dallas Co

To the Hon the Judge of said
court sitting in Probate Matters.
Now comes J. C. Labatt and
shows to your honor that he
is the husband of the said
Mrs. Camilla Labatt. That
A. B. Smith, who was on the
- day of 1889,
appointed guardian of the
estate of the said Mrs. Camilla
Labatt, refuses to qualify
as such guardian; that the
object of petitioner in having
such guardian appointed, was
to sell & make legal convey-
ances of a part of the com-
munity property of himself
his said wife, in order to
raise means with which
to procure medical ser-
vices & attention & treatment
for his said wife, & to sup-
port & educate the children
of himself & his said wife.
Petitioner says that he is now
informed by his counsel
that he, as the head of such
community, may legally
sell & convey any of the
community property of
himself & his said wife, ex-
cept the homestead, without

any such guardianship,
& as all the property owned
by his said wife is her
interest in community
property, therefore he is ad-
vised that no necessity
exists for such guardian-
ship.

Wherefore he prays that
the order of this court
heretofore made on the

day of _____ 1889, ap-
pointing said A. B. Smith
guardian of the estate
of the said Mrs. Camilla
Lobatt a function be revoked
& set aside, & that said
application for letters of
guardianship be dismissed
& as in duty bound pe-
titioner will ever pray.

J. E. Lobatt

No 1373

In Re Mrs
Camilla Lobatt
Senatic.

Application of
J. E. Lobatt to
dismiss appo-
intment for letters
of guardianship

FILED.
Dec 5 1889
S. B. SCOTT, Clerk.
By J. J. Lewis
Deputy.

Recorded
Scott Clerk

Evans & Gooch,
LAWYERS,
808 ELM STR.,
DALLAS, TEXAS.

1373

In Re Mrs Camilla Lobatt, 5 Dec. 11-89.
a Lunatic.

This day came on to be heard the petition of J. E. Lobatt husband of the said Mrs. Camilla Lobatt, to set aside & vacate the order heretofore made appointing A. B. Smith guardian of the estate of the said Mrs. Camilla Lobatt, on the ground that she has no separate property, but has only a community interest in the community property of herself & her said husband; & therefore there exists no necessity for such guardian, as her said husband has full power & authority under the law, to preserve, care for & sell & convey the same; and this therefore ordered by the court being fully advised in the premises, it is ordered that the appointment of A. B. Smith as guardian of the estate of said Mrs. Camilla Lobatt a Lunatic, heretofore

~~13.10~~

~~9.00~~

~~2.20~~

224

50

174

made by this court on the day of 1889, is hereby revoked, cancelled

set aside; & that the ap-
 plication for ^{and} letters of
 guardianship are hereby
 dismissed; it is further
 ordered that J. E. Labatt
 pay all costs of this pro-
 ceeding.

101373

1-14-85

In Re Mm

Camilla Labatt

a female

judgment

Wm