

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

Case Number 1496

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1496

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

A. B. Smith

has filed in the County Court of Dallas

Lunatic

County, on application for Letters of Guardianship upon the estate of the above named *Mrs.*
which will be heard at the next term of said Court, Commencing *Fourth* Monday in
November A. D. 1889, at the Court House in the City of Dallas, at which
time all persons interested in the welfare of said *Mrs.* 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. 1889

S. B. SCOTT,

Clerk County Court, Dallas County, Texas.

By *J. M. Martin*, Deputy.

The State of Texas, | ESTATE OF *Mrs. C. Labatt.*
COUNTY OF DALLAS.

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, a Lunatic*,
shall well and truly perform all the duties required of him under said appointment.

Witness our hands and seals, this _____ day of 1889.

Seal

Seal

Seal

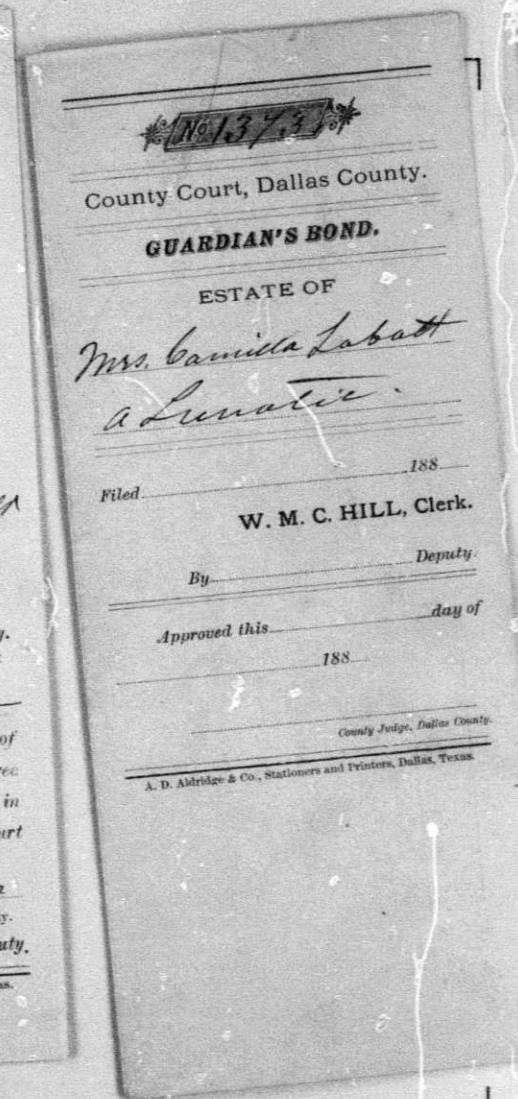
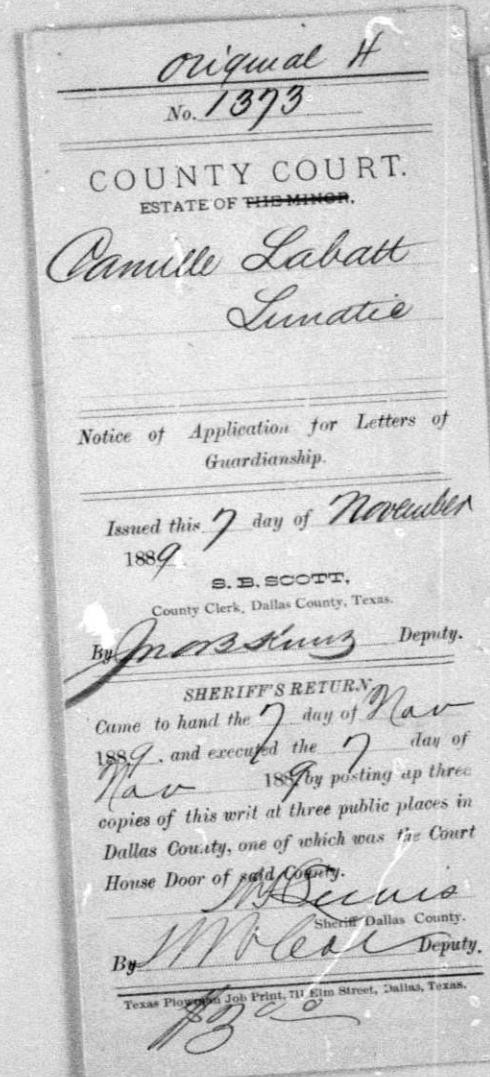
I DO SOLEMNLY SWEAR that I will well and truly perform all the duties of Guardian
of the Estate of *Mrs. Camilla Labatt, a Lunatic*.

as the law directs.

Sworn to and subscribed before me this _____ day of 1889.

County Clerk, *Dallas Co., Texas.*

By _____ Deputy.



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. Canissa Labatt
is of unsound mind, and that it is necessary for the welfare of her estate that
she self and others a guardian be appointed for her estate
be placed under restriction.

[Signed]

E. Labatt

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

J. B. Scott Clerk
County Court of Dallas County, Texas.
By James Stover 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
she self and others
be placed under restriction

These are, therefore, to command you to Arrest the body of the said Canissa Labatt
and have her before me at Constable's office on 5th
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. G. Brown
County

No. 1373

THE STATE OF TEXAS

VS

Pamela Labatt
Lunacy.

Filed the 5 day of November
18 89

S. B. SCOTT, Clerk,

By *Jesse Slung* 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,
GALVESTON, TEXAS.

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

In Probate

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

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 Baro Lee a female aged 15 years, their a male aged 13 years, Lida a female aged 10 years and Amilla 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~~ and six hundred Dollars. That she has been adjudged by this Court a person of unsound mind ~~and is a patient in the state asylum at Waco~~. 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 for said real & personal property her separate estate and also to guard & preserve said estate paying taxes insurance collecting rent paying off encumbrances &c.

Wherefore petitioner prays that citation

may issue according to law to the next term of this
Court & your petitioners ^{after due proceedings had} will ever pray &
appointed guardian of said Estate & your petitioners will ever pray
(alleged signature)

J. B. Smith

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.

(Dach signature) J. E. Labatt

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)

②

✓

No. 1868 JUDGMENT AND SPECIAL ISSUES IN LUNACY.

SEARCHED BY GEO. C. BARNARD / CO., PH., ST. LOUIS

Class I

THE STATE OF TEXAS, } *Lammillie Estelle Lunacy.*
 County of *Dallas* } *IN THE COUNTY COURT,*
5th day of *Nov* *1889*

On this *5th* day of *Nov* *1889*, came on to be heard before
Elbow Judge of the County Court of *Dallas* County,
 Texas, a complaint in writing and under oath charging *Mrs. Camille Estelle* with
 being a Lunatic, whereupon came the said *Camille 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 empanneled
 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,*
Mrs. Camille Estelle } *Dallas* County,
 LUNACY. } *5th* day of *Nov* *A. D. 1889*

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

1. Is *Mrs. Camille 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 yes, name them?

Ans.

Signed,

J W Bonner
J S Stratton
J H Moore
J H Umble
J H Walker
J Lewis

Jurors.

Whereupon, it is adjudged, that the said Carroll Sabatt 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,

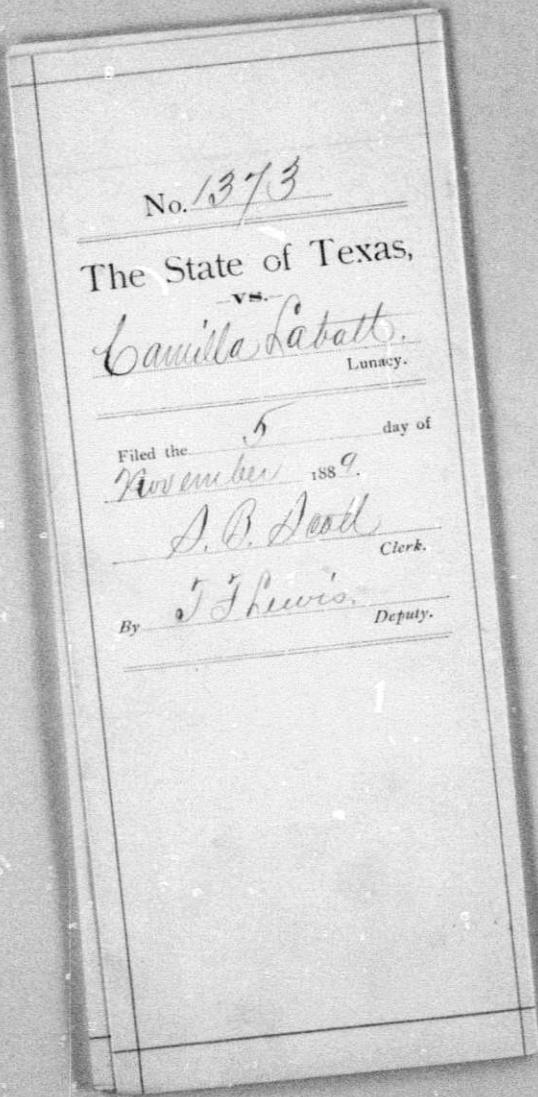
of the County Court of _____ County, Texas, hereby certify that the above and foregoing is a true and correct copy of the proceedings had in the above case.

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

ATTEST: _____ Clerk of the County

Court, _____ County, Texas.

By _____ Deputy.



Inventory of property owned
by James & Labatt of Dallas
County State of Texas.

13 acres of land near Fair Grounds
worth \$13000 due on same \$6500 =
237 acres land at Terrell worth
say \$6000 due on same \$2000 =
16 lots at Llano \$100 each \$1600 -

One 2 story house @ Oak Cliff worth
\$3500 due on same \$1150 = Two
cottage, Oak Cliff. value \$4500 =
due on same \$2500 = 5 acres of
land, 1 mile Oak Cliff = value \$2500.
due on same \$1500 = One piece of
land containing two lots more or less
Oak Cliff. value \$2000 due on
same \$1000 = One part of lot S.A. value
\$300 =

Total value property \$35000 =
" Indebtions \$15000 =

Net	\$20,000 =
1 lot St. C. add \$1200 =	
due . 600 .	600 .

4 lots in Llano.	\$400.00
3 1/2 acres Midland, Miss.	1200.00
Household property	1000.00
	<u>\$3800.00</u>

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

J. E. Labatt

Swear to & subscribe before me
this Nov. 6th. 1889.

Chas. L. Evans
J. P. Dallas Co., Texas

1373

Inventory of
Camilla Labatt's
Property

FILE

NOV 7 1888

J. E. Labatt, Clerk
By Command of
H. C. Howell

Recorded
Nov 7 1888
W. H. Howell
W. H. Howell

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.

Swear to & subscribe before
me this Nov. 6th 1889,

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

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

RECEIVED JUNE 11-1971

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 17 years.
Shortly after the birth of
her last child, about
1 year ago, she has
been showing symptoms
of mental aberration.
She has been growing con-
stantly worse all the time.
She is now of unreasoned
mind. I have had sev-
eral of the most emi-
nent physicians in
the State (among them
Dr. Herff of San Antonio)
to visit her, & they all pro-
nounce her of unreasoned
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 () This day came on to be heard the application
ESTATE OF MRS. CAMILLA ()
LABATT, LUNATIC. () of A.B. Smith for letters of guardianship upon
--No. 1573. -- ()
the estate of Mrs. Camilia 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 La-
batt, 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 \$25,300.

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. Camilia Labatt, and return such
appraisement 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.

Evans & Gooch,
LAWYERS,
805 ELM ST.
DALLAS, TEXAS.

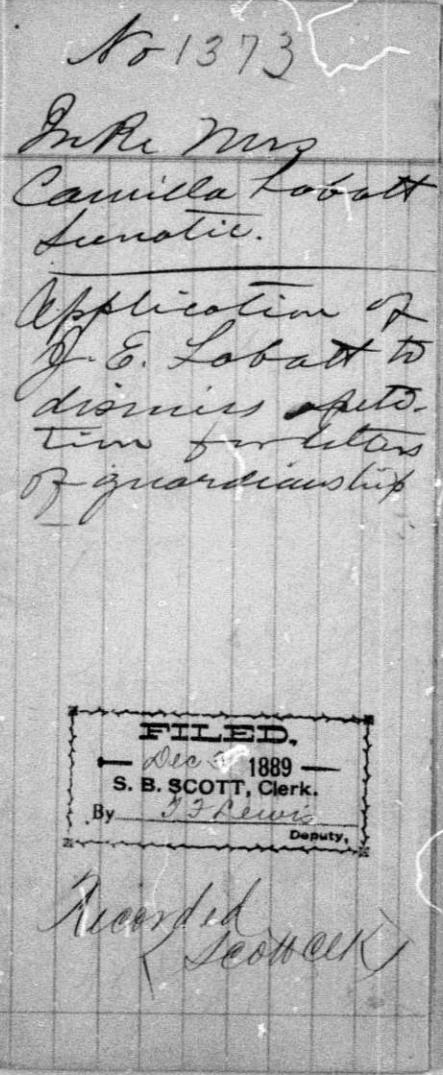
In Re Mrs Camilla Labatt, } In County
Lunatic - } Court Dallas

To the Honorable Judge of said
Court sitting in Probate Matters:
Now comes J. B. 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 1881,
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 to
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 lunatic, be rescinded
& set aside, & that said
application for letters of
guardianship be dismissed
& as in duty bound for
tithe will ever praye.

J. E. Lobatt



Evans & Good,
LAWYERS,
505 ELM STR.
DAKAS, TEXAS.

1373

In Re Mrs Camilla Sabatt, S
a Lunatic. 3 Dec. 4-84.
This day came on to be heard the
petition of J. C. Sabatt husband
of the said Mrs. Camilla Sabatt,
to set aside & vacate the order
hitherto made appointing
A.B. Smith guardian of
the estate of the said Mrs.
Camilla Sabatt, on the
ground that she has no
separate property, but has
only a community interest
in the community prop-
erty 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
~~It is therefore ordered by~~
the court being fully ad-
vised in the premises,
it is ordered that the ap-
pointment of A.B. Smith
as guardian of the estate
of said Mrs. Camilla
Sabatt a Lunatic, hitherto

~~1340~~

~~9.00~~

~~11.00~~

~~224~~
~~150~~
~~174~~

made by this court on
the day of 1884,
is hereby revoked, canceled

set aside; & that the application for letters of guardianship are hereby dismissed. It is further ordered that J. E. Labatt pay all costs of this proceeding.

No 1373
1977

In the Name
of the Plaintiff
et al.
and the
Defendant
et al.