

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

Case Number 2091

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FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

# 2091

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NOTICE OF APPLICATION FOR PROBATE OF WILL AND LETTERS.

1000-Dorsey Printing Co., Stationers, Dallas.

THE STATE OF TEXAS.

To all Persons Interested in the Estate of

*W. B. Miller* Deceased:

*J. H. Miller*  
*W. B. Miller*

of Dallas County, State of Texas, an application for the Probate of the last Will of said deceased, and for Letters Testamentary, which has filed, in the County Court 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, State aforesaid, and commencing on the first Monday in *September* A. D. 189*9*, at which time and place all persons interested in said Estate shall appear and contest said application, should they desire to do so.

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 *22* day of *July* A. D. 189*9*

A. S. JACKSON,  
County Clerk, Dallas Co., Texas.  
By *W. M. Rawlins* Deputy.

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No. 2648

COUNTY COURT.

ESTATE OF

*H. B. Miller*

Deceased.

NOTICE OF APPLICATION FOR PROBATE OF  
WILL AND LETTERS.

Issued this *22<sup>nd</sup>* day of

*July* 189*9*

A. S. JACKSON, COUNTY CLERK.

By *A. M. Rawlins* Deputy.

SHERIFF'S RETURN.

Came to hand the *22<sup>nd</sup>* day of *July*  
189*9*, and executed the *22<sup>nd</sup>* day of *July*

189*9*, 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.

BEN E. OABELL, SHERIFF, DALLAS CO.

By *B. E. Oabell* Deputy.

RECORDED *4/27/98*  
*5-1 256*

PROOF OF WILL.

THE STATE OF TEXAS, } IN RE ESTATE OF  
COUNTY OF Dallas } Wm B. Miller

Proof of Last Will and Testament of Wm B Miller Deceased.

This day personally appeared in open Court J. M. Patterson  
who, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to prove said  
Will, says: I was well acquainted with Wm B. Miller deceased,  
during his lifetime; I knew the above decedent for about Fifty years  
before his death; the signature of the said deceased to the instrument now shown to me, and offered for probate  
as his last Will and Testament, filed in this Court on the 22 day of July A. D. 1899  
and bearing date 30 day of April A. D. 1881, was made by the deceased on said last  
named date at Dallas, Texas

in presence of myself W. H. Thomas, Thomas Walker and  
J. E. Coombs the other subscribing witnesses, all of  
said witnesses being over the age of fourteen years. At the time of the making of said Will the testator was of sound and

disposing mind and memory, and he declared the said Will so made by him to be his last Will and

Testament, and I thereupon signed my name as a witness, together with W. H. Thomas, Thomas Walker  
and J. E. Coombs I am not distressed in my recollection, as to J. E. Coombs being present at the time  
at the request of the said testator, in his  
presence, and in the presence of each other. The said deceased at the time of the executing of said instrument was

over the age of 21 years ~~the said Wm B. Miller~~

departed this life on the 4 day of January A. D. 1897 about

~~the said Will in the County of Dallas~~  
in the State of Texas, and at which time his residence and principal estate was situated.

J. M. Patterson

Sworn to and Subscribed before me, this 6 day of September A. D. 1899 in open Court.

[L. S.] U. S. Jackson Clerk,  
County Court, Dallas County, Texas.  
By J. H. Jackson Deputy.

No. 2648

IN THE COUNTY COURT.

IN RE ESTATE OF

*Mr. B. Miller*

Deceased.

PROOF OF WILL.

Filed this *6* day of *Sept* A. D. 1899

and recorded the ..... day of ..... A. D. 1.....

in Probate Minutes of ..... County, in

Volume ..... Page.....

*A. S. Jackson*

Co. Clerk.

*W. W. Warr*

County.

By

*J. H. Taylor*

Deputy.

Recorded E 453

In re Estate of Wm B. Miller } In County Court  
No 2648 } Dec 3 Dallas Co Texas.

J. H. Miller being upon oath duly sworn testified in open court.

My name is J. H. Miller I am more than twenty one years of age reside in Dallas Co Texas. I am the son of Wm B. Miller whose last will is offered for probate in this case - and his <sup>wife</sup> Emma Miller. Wm B. Miller died in Dallas County Texas Jan'y 4<sup>th</sup> 1899 aged ninety and years. The will offered for probate herein was his last will & was never revoked. His wife Emma Miller to whom he leaves his property by said will died subsequently to his death, to wit on the 17<sup>th</sup> day of March 1899 and I am the duly qualified administrator of his estate under appointment from the County Court of Dallas County Texas.

J. H. Miller

Subscribed & sworn to before me in open court this 6<sup>th</sup> day of ~~August~~ Sept 1899.

W. Jackson Clerk County Court  
Dallas County Texas  
By J. Taylor Dy

2648  
Est Mrs B. Miller  
deed

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Testimony of  
J. H. Miller in  
proof of will

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Filed Sept 6 1899

J. H. Taylor

Recorded E. 454



The State of Texas In County Court,  
Dallas County, Texas

To the Hon. Kenneth Fourn  
Judge of said Court:

Now comes J. H. Miller  
Adm of the Est. of Mrs. Emma A. Miller  
deid and shows to the Court that Wm B.  
Miller late of said County, deceased departed  
this life on the 4th day of January, 1899  
in Dallas County Texas; that the  
deceased left a lawful will, executed  
by him on the 30th day of April 1881  
which will is hereto attached as a part  
of this application: that by the terms of said  
will Mrs. Emma A. Miller wife of said  
deceased was <sup>sole</sup> appointed as executrix  
thereof without bond; that said Emma  
A. Miller is now deceased, and the applicant  
is ~~the~~ duly qualified admr of her  
estate and as such legal representative  
presents said will for probate and  
asks that he be appointed executor under  
said will; that he is not disqualified  
by law from so acting;

Wherefore he prays that Citation issue  
in accordance with law and  
that an final hearing that said  
will be admitted to probate  
and ~~that~~ this applicant be appointed ~~admr~~ <sup>admr</sup>  
~~of the Court~~ <sup>of the Court</sup> ~~and~~ <sup>that a necessary</sup> ~~and~~ <sup>will be</sup> ~~an~~ <sup>an</sup> ~~executor~~ <sup>executor</sup>  
for which he will ever pray &c.

Miller & Lorraine  
Attys for Applicant.

# 2648

In Re.  
Est. of Wm B. Miller  
Decd

Application for  
Probate of  
Will

Filed this 22 day of  
July 1939  
J. M. Rawlins

Recorded 6-574

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In Re. Estate of Wm. B. Miller, deceased, In County Court, Dallas Co., Tex.

This day came on to be heard the petition of J. N. Miller Administrator of the estate of Mrs. Emma A. Miller, deceased for the probate of that certain instrument in writing now produced in open Court purporting and alleged to be the Last Will and Testament of William B. Miller, deceased and the evidence of J. M. Patterson, a subscribing witness of said will and of J. N. Miller petitioner herein, a statement of which evidence is filed in this cause, which said evidence is to the effect, that the said William B. Miller ~~at the time he~~ executed said instrument and at the time of executing it, to-wit on the 30th day of April 1881, was over the age of 21 years, and that he was of sound mind; that he died on the 4th day of January 1899 in Dallas County, Texas, and that the said witnesses and the other witnesses signed said will ~~instrument~~ as witnesses at the request and in the presence of the said William B. Miller and in the presence of each other, and that the said William B. Miller signed said Last Will and Testament in the presence of said witnesses and declared

same to be his Last Will & Testament,  
 that said subscribing witnesses  
 were over the age of 14 years, and  
 that such will has not been revoked  
 by the said William B. Miller,  
 all of which evidence being heard  
 and fully considered by the Court  
 it is ordered, adjudged & decreed  
 that said instrument in writing  
 be and the same is hereby admitted  
 to probate and record as the last  
 Will and Testament of the said  
 William B. Miller, deceased,  
 and the Clerk is ordered to record  
 said evidence and said will  
 in the minutes of this Court.

And it further appearing to the Court  
 that Mrs. Emma A. Miller, wife  
 of said Wm. B. Miller was the  
 sole devisee of said will, that  
 she is dead; that said J. H. Miller  
 is the duly qualified Administrator  
 of her estate, and that there is no  
 necessity for the appointment  
 of an Administrator of the estate  
 of said Wm. B. Miller instead  
 of the executor in said will  
 who is dead, no appointment of  
 such Administrator is made.  
 J. F. McEuen, J. E. Turner & O. B. Gilchrist  
 are hereby appointed Appraisers  
 of said estate.

saw to his last Will & Testament,  
 that said subscribing witnesses  
 were over the age of 14 years, and  
 that such will has not been revoked  
 by the said William B. Miller,  
 all of which evidence being heard  
 and fully considered by the Court  
 it is ordered, adjudged & decreed  
 that said instrument in writing  
 be and the same is hereby admitted  
 to probate and record as the last  
 Will and Testament of the said  
 William B. Miller, deceased,  
 and the Clerk is ordered to record  
 said evidence and said will  
 in the minutes of this Court.

And it further appearing to the Court  
 that Mrs. Emma A. Miller, wife  
 of said Wm. B. Miller was the  
 sole devisee of said will, that  
 she is dead, that said J. H. Miller  
 is the duly qualified Administrator  
 of her estate, and that there is no  
 necessity for the appointment  
 of an Administrator of the estate  
 of said Wm. B. Miller instead  
 of the executor in said will  
 who is dead, no appointment of  
 such Administrator is made.

J. F. McEunio, J. E. Turner & O. B. Gillespie  
 are hereby appointed Appraisers  
 of said estate.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In Re -  
Est. Mrs. B. Miller  
deceased

Decree

©-418.

AL SOCIETY-1978

The State of Texas }  
 County of Dallas } Know all men by these presents  
 that J. Wm B Miller of the County  
 of Dallas and State of Texas being of  
 Sound and disposing mind and  
 memory do make publish and  
 declare this my Last Will and  
 Testament hereby revoking all  
 wills by me at any time heretofore  
 made

Item First

I will and bequeath to my  
 beloved wife Emma Miller all  
 the estates real personal and  
 mixed of which I may die  
 seized and possessed or to which  
 I may be entitled to have and  
 to hold unto her and her heirs  
 and assigns forever

Item Second

I hereby nominate  
 constitute and appoint my  
 beloved wife Emma Miller  
 Sole executrix of this my last  
 will and Testament

Item Third

I will and direct that  
 no further action be taken by the  
 Courts of my country having Jurisdiction

than in matters of probate than the  
probate of this my last Will and  
the return of an Inventory and  
Appraisement. That no bond be  
required of my beloved wife for  
the faithful performance of the  
trust herein reposed.  
Witness my hand this 30<sup>th</sup>  
day of April A.D. 1881  
W. B. Miller

Signed in the presence of us, Wm. H. Walker  
and W. H. Thomas, J. E. Coombes  
and we  
each sign the same in the presence  
of each other and in the presence  
of the testator W. B. Miller and at  
the request of said Miller  
on this 30<sup>th</sup> day of  
April A.D. 1881

W. H. Thomas

J. E. Coombes

Wm. H. Walker  
J. E. Coombes



FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

Mr. B. Miller

Last Will.

Filed the 22 day of

July 1899

A. S. [unclear] Clerk Co. Court.

*A. S. [unclear]* Deputy.

Recorded E. 452