

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

Case Number 1860

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#1860

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No. 2154

Estate of

H. A. Lewis, Dec.

W. C. Diamond, Admin.

No. 2154

May 7th 1898

This day came on to be heard the account for final settlement of W. C. Diamond administrator of the estate of H. A. Lewis, deceased & it appearing notice of said account has been duly published, ^{return made} as required by law & filed herein Jan. 7th 1898 at a prior term of court & it appearing no exceptions or objections have been filed to said account & it being accompanied by proper vouchers showing there is nothing in the hands of said administrator & the court having examined said account and the vouchers accompanying same, it is in all respects approved ^{is ordered that} W. C. Diamond, administrator aforesaid is discharged from his said trust & administration upon said estate is declared closed upon the payment of the costs of administration & it appearing said costs have already been paid & satisfied administration on said estate is closed & said administrator discharged and released.

Y-1978

No. 2156

Estate of
H. A. Lewis, Dec.

W. P. Seaward, Adm.

Order on Final Account

Monis & Son

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

MADE BY
DORIS W. WILSON COMPANY
DALLAS, TEXAS

JAMES C. PATTON,
Attorney-at-Law,
DALLAS, TEXAS.

IN THE RE OF THE ESTATE () IN THE COUNTY COURT OF DALLAS COUNTY
OF H.A. LEWIS, DECEASED. () TEXAS.

Now James Cassie Lewis, plaintiff herein, and leave of the
court being first had, files this her first amended petition, in *by way of Bill of Review*
in lieu of her original petition filed herein on the _____ day of _____
1896, and shows the court that plaintiff, Cassie Lewis, and defendant
W.L. Diamond both reside in the county of Dallas, Texas; that plain-
tiff is the widow of said H.A. Lewis, deceased; that said decedent
died intestate on or about the 11" day of *Jan.* 1895, leaving no
estate real or personal.

That on or about the 3 day of *april* 1896, defendant,
W.L. Diamond, applied to your honorable court for letters of admin-
istration on the estate of said decedent, and at a succeeding term
of said court letters were granted to him.

Plaintiff further shows that on or about the 25 day of
January 1896, defendant by misrepresentations, misleading, and
calculated to, and which did deceive the plaintiff, induced plain-
tiff to waive her legal right as administratrix of the estate of
her deceased husband, H.A. Lewis, and to consent to the appointment
of said defendant as administrator of said estate, as follows:

The said defendant through his attorneys, Morris & Crow, wrote a let-
ter to plaintiff while she was temporarily residing in the town
of Greenville, in Hunt County, Texas, requesting her to consent to
said waiver, a copy of which said letter is hereto attached, marked

Exhibit A and made a part of this petition, *and which waiver is correct
at all times is not rescinded with the last*
Plaintiff further represents that the object and purpose
of said letter was to induce plaintiff to waive her legal right

Plaintiff represents that she is the widow of H.A. Lewis, deceased, and that she is the administratrix of his estate.

to administer said estate for the purpose of the fraudulent allowance of a claim against said estate which would not have been allowed and permitted had your petitioner been administratrix. Namely: two notes, each of the sum of \$125⁰⁰ purporting to have been executed by your petitioner Cassie Lewis and her deceased husband, H.A. Lewis, payable to the America Investment Co. and which fact was well known to the said defendant, W.L. Diamond, or might have been known to him by the exercise of reasonable diligence and inquiry. That said notes alleged to have been executed by your petitioner, Cassie Lewis, ~~were not executed by her and her husband, H.A. Lewis, and that any one could execute any notes for her or in her name and that they were not a lien upon the property hereinafter described, all of which facts were well known to said defendant W.L. Diamond, administrator, or could have been known to him by reasonable diligence and inquiry.~~ *This claim was never proved up according to law*

That on or about the 7th day of Nov. 1896 said defendant W.L. Diamond, administrator, procured an order of court to sell in satisfaction of said notes, the following described property, well knowing that the title of said property was in this plaintiff and not in said intestate, H.A. Lewis, viz: One lot of land on the north side of Ross Avenue in the city of Dallas, Dallas Co., Texas, fronting 96 I-4 feet on Ross Avenue by 220 I-2 feet in depth and being the same lot conveyed by A.J. Rosenfield and wife to Cassie Lewis by deed dated March 26, 1890, and recorded in Vol. 131, records of deeds etc of Dallas County, Texas; said lot being the east half of an acre tract sold to H.S. Wood by Jefferson Peak, which deed is recorded in book 30, page 545, of the records of deeds of Dallas County, Texas; Beginning at a stake in the center of Ross

Avenue 96 I-4 feet N.45 E.of the east line of a ten acre tract
sold by J.H.Cole to Wm.Adams;Thence north 45 east 96 I-4 feet;
Thence W.96 I-2 feet;Thence S.45 W.96 I-4 feet;Thence S.
45 E.220 I-2 feet to the place of beginning.

That the said order and sale of said property is a cloud
upon the title of your petition of property as hersaid property
was,her separate, and is now her separate property ;that said prop-
erty was sold without the knowledge or consent of your petitioner
and without the knowledge or consent of her three children,namely;
Mrs.M.E.Rich, Lucile Lewis, and T.C.Lewis.;that said administration
is null and void because of the fraudulent representation as here
in before stated.

Your petitioner further states,as she is informed and
so charges the fact to be that the pretended owner and holder of
the said alleged notes is not the bona fide owner thereof and that
the said American investment Co. is a foreign corporation under
and by virtue of the laws of the state of Iowa, and was doing busi-
ness in the state of Texas without first having obtained a permit
to do business in the state of Texas, according to the requirements
of the statute of July 6th, 1889, and had no authority to sue in the
courts of the state of Texas on said notes; and that the pretended
assignee of the said notes for which plaintiff's property was sold
came into their possession without any consideration whatever, and
said administrator has seen fit to allow fraudulently this claim,
knowing the same to be possessed by him without consideration.

Plaintiff further shows that there was a collusion and conspiracy between said administrator, defendant herein, and said W.H. Male, the pretended owner of said notes, to procure letters of administration for said Diamond, defendant, and to foreclose on plaintiff's separate property to satisfy a fictitious and fraudulent claim against said estate of H.A. Lewis, deceased, by a transfer of said notes to the said Male without consideration and to evade the statutes aforesaid and for the confirmation of the said scheme no consideration was paid for the said notes by the said Male. Premises considered plaintiff prays that defendant be cited to answer this petition, that the order granting to him letters of administration be set aside and declared null and void, that said Diamond be removed as administrator of said estate, and that the deed executed by him to said W.H. Male be cancelled as a cloud upon the title of your petitioner to said property, and for such other aid and further relief as she may be entitled to receive either in law or equity.

J. C. Patton
Attorney for Plaintiff.

Before the undersigned authority personally appeared Mrs. Cassie Lewis, Plaintiff, herein and after being duly sworn on oath says, that the facts set out in the above and foregoing petition are true.

Mrs. Cassie Lewis

Sworn to and subscribed before me this 6 day of February, 1897.

*As Jackson County Clerk
Dallas County Tex
By J. H. Taylor*

Special Plea Plaintiff now represents to the court ^{that} the two notes herein mentioned in her petition herein were not executed by her, nor by any person authorized by her to execute them for her or in her name; wherefore she says that said writing obligatory is not her act and deed, and of this she puts herself upon the country *and prays judgment of the Court -*

Mrs. Cassie Lewis.

Before the undersigned authority personally appeared Mrs. Cassie Lewis, plaintiff, herein and after being duly sworn says under oath that the facts set out in her special plea above are true.

Sworn to and subscribed before me this the *6th* day of February 1897.

Dallas, Texas. Jan 22 1896

Mrs. Cassie Lewis,
Greenville Texas.

Dear Madam,

We have concluded that it may be necessary to have an administrator appointed by the probate court in Dallas to properly represent the interests of yourself & children in the Ross Avenue property.

It will be necessary for such administrator to give a \$5000⁰⁰ bond & we think that W. L. Diamond with our assistance can make the bond. Please sign your name (Cassie Lewis) to the enclosed waiver of your right and have same also signed by the witnesses & return to us.

Please send us the names and ages of all your children.

We will write you as to further proceedings in the matter.

Very respectfully
Morris Crow

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

IN THE RE OF THE ESTATE OF

H.A. LEWIS, DECEASED.

VS.

PLAINTIFF'S 1ST AMENDED PETITION

FILED *July 6 1897*

A. S. JACKSON,
Attorney at Law, Dallas County, Tex.

By *J. C. Patton*
DEPOT.

JAMES C. PATTON,
Attorney at Law,
211 Main Street, DALLAS, TEXAS.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. 2164

Estate of } County Court Dallas County
H. A. Lewis, Deceased } Texas

To the Hon. Kenneth Hovee Judge of said Court
W. L. Diamond, administrator of the
estate of H. A. Lewis, deceased, comes & under
oath presents to the Court his account
for final settlement of such estate as
follows:

- 1- The only property that has come into his
possession is the lot of land $9\frac{1}{4}$ feet x
 $220\frac{1}{2}$ feet on the North side of Ross Avenue
in the city & County of Dallas, Texas as shown
in the Inventory on file herein
- 2- Said property was sold to W. H. Male for
\$3281²⁰ the debt secured by Vendor's lien
on said lot & report of sale filed herein
Nov 9th 1896 & decree ^{entered} confirming said sale
of date Nov. 25th 1896 & ordering dead mode
& a further decree of date June 14, 1897 correcting
an error in the price bid for said lot of
land reducing it from \$4166⁶⁵ to \$3281²⁰
the true amount as bid
& a deed was made of date Oct 27, 1899 to W. H. Male
- 3- The debt of W. H. Male secured by a Vendor's lien on said
lot of land has been paid by a sale of said lot of
land to him - the lot being received in full
satisfaction of the debt & the only consideration of the
sale of the lot was said debt
- 4- No debts are owing by the estate & the expenses of
administration are to be paid by W. H. Male out of
the proceeds of said sale
- 5- There is no property on hand
The voucher of W. H. Male is filed herein with
showing payment & satisfaction of said debt
by the transfer & sale of said lot of land.

Wherefore said estate having been fully administered your applicant prays for citation as required by law for final hearing that he be discharged & said administration closed.

Morris Crow
Attorney for W.L. Diamond

W.L. Diamond, being duly sworn says the material allegations of the foregoing report & account for final settlement are true in substance & in fact.

subscribed & sworn to before me this Oct 28th 1897

W.L. Diamond

W.M. Mason
Notary Public
Dallas County Texas

No. 2154 B

Estate of W.L. Diamond, Dec.
W.L. Diamond, Admin.

Account for final settlement

FILED

Oct 28 1897

A. S. JOHNSON,
Notary Public,
Dallas County, Texas.

May 28

Final report given
and read approved
and action is given
by the charge & upon
payments & costs

Morris Crow
Attorney

Received
Notice for publication issued
this 27th day of Nov. 1897

Morris Crow
Attorney

Estate of
H. A. Lewis, Deceased

} County Court
Dallas, County, Texas
May Term 1897

Now comes W. L. Diamond, administrator of the estate of H. A. Lewis, deceased & shows to the court that in his report of sale of real estate filed herein Nov. 11, 1896 the consideration is stated at \$4166⁰⁰ paid by W. H. Wale when in truth & in fact said W. H. Wale only intended to bid the amount of his debt against said estate to-wit: the sum of \$2500⁰⁰ principal, ^{on two notes of \$1250. each} and two coupons of \$62⁵⁰ each, amounting to ~~\$2562⁵⁰~~ \$125. & that there is interest at 10% on said first note since its maturity March 26, 1893 to the date of said sale amounting to \$453¹⁰ and interest on the other note since March 26, 1895 amounting to \$203¹⁰ making due on said debt Nov 11, 1896 when the report of sale was made as follows:

On two notes of \$1250. each	Total principal	\$ 2500.
" two coupons on the last note		125.
Interest on the first note since maturity		453.10
" " " second " " "		203.10

Total due on said two notes \$3281.20
That the mistake of the bid was made by your applicants' attorneys

Said sum of \$3281²⁰ is the total balance due on the debt of W. H. Wale is what he intended to bid on said property & your applicant shows that W. H. Wale declines to accept deed & complete said purchase until this correction is made & this report is filed in connection with the original report of sale & the same is asked to be approved & deed ordered made for said consideration.

Wm. A. Crow
Attorneys for W. L. Diamond
Admin.

(7) No. 2136 13
Estate of H. A. Lewis Sec.

Application to Modify Report
of Sale of Real Estate &
for order to make deed

FILED June 5 1897

A. S. JACKSON,
County Clerk, Dallas County, Tex.

~~W. Taylor~~
S. P. Taylor

Application granted
and deed ordered
made upon per-
centage compliance
with terms of sale

M. H. Taylor
Co. Judge

395

Recorded in Minutes

Cassie Lewis

18524, vs.

October 26th, 1897.

W.L. Diamond.

This day, October 26th, 1897, this cause being called for trial, came each, Cassie Lewis and W.L. Diamond, by their respective attorneys, and announced ready for trial, and it being agreed the general demurrer of W.L. Diamond to the petition or complaint of Cassie Lewis, should be sustained and said agreement being made and announced in open Court, said general demurrer is in all things sustained.

It is therefore ordered, adjudged and decreed by the Court that plaintiff, Cassie Lewis, take and recover nothing of W.L. Diamond on account of her action herein and that she go hence without day and recover of said plaintiff his costs, for which execution may issue, and that this decree be certified to the County Court of Dallas County, Texas, and to the Clerk of said Court for observance as the law requires.

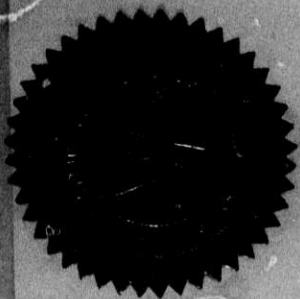
The State of Texas, /

County of Dallas. /

I, H.W. Jones, Clerk, District Courts, in and for Dallas County, Texas, hereby certify that the above and foregoing is a true and correct copy of the judgment and decree of the Court rendered and entered in said above numbered and entitled cause as the same now appears of record in my office in Book 9, page 546, Minutes of the District Court of the 14th Judicial District of Texas, in and for Dallas County.

Given under my hand and seal of office, at Dallas, this, the 27th day of October, A.D. 1897.

H.W. Jones
Clerk, Dist. Courts, Dallas Co., Tex.



No. 16524.

Cassie Lewis
vs
W. L. Diamond

[Signature]

Certified Copy
of
Judgment

Filed Oct. 27, 1897,
At Jackson Co. Court
Dallas Co. Texas,
By A. M. Rawlins Deputy

Recorded N. page 4.

MORRIS & CROW,
 LAWYERS,
 North Tex. Nat'l Bank Bld'g.
 Rooms 201 and 202.

E. L. MORRIS,
 W. M. CROW.

Dallas, Texas, Oct 27, 1897

By the sale & conveyance to me of the lot of land on which I held a Vendor's lien as described in the inventory herein I acknowledge the payment & cancellation of the debt & Vendor's lien I held against the estate of H. A. Lewis aggregating when the report of sale was made Nov. 9th 1896 \$3281²⁰ as it appears established & on file herein for my notes against H. A. Lewis & Cassie Lewis. This being the only consideration of said sale to-wit: the payment & cancellation of said debt & I agree to pay the ^{office} costs of the administration out of the proceeds of said property so bought by me but I am not to pay the costs incurred by Cassie Lewis & for which judgment is rendered against her.

Thus I do swear
 Atty for W.H. Male

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. 2156 20

Estate of
H. A. Lewis Esq.
W. L. Diamond Adm'r.

Voucher No. 1 of W. L. Diamond

FILED
Nov 8 1897

A. S. JACKSON,
Notary Public, Dallas, Texas.
A. S. Jackson

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

Estate of } County Court Dallas
H. A. Lewis, Deceased } Tarrant, Texas
No. 2156. W. L. Diamond, Adm. January Term 1897

To the Hon. Kenneth H. Hovee Judge of said Court

- 1 - Now comes W. L. Diamond & replying to the plea & complaint of Carrie Lewis, Plaintiff. Demurs generally thereto & says it is insufficient in law & shows no cause of action & of this says judgment
- 2 - Defendant excepts specially to said petition because it appears therefrom that complaint is made of the sale of a certain piece of real estate which was sold at a former term of this Court & report duly made of same which was confirmed by this Court & all orders ^{and orders made} ~~and~~ judgments concerning same are now final decrees of this Court & cannot be attacked in this way
- 3 - Defendant for answer says that Jan 25th 1896 Mrs. Carrie Lewis ^{as appears on file herein} waived in writing her right to be appointed administratrix of the estate of H. A. Lewis, deceased in favor of W. L. Diamond who afterwards on April 3rd 1896 filed his application herein to be appointed such administratrix ~~after~~ after due notice as required by law he was by this Court appointed administratrix of said estate & gave bond & took the oath all as required by law & qualified

2

as such administrator May 27th 1896

That July 15th 1896 the defendant filed herein an inventory of the property of said estate as shown herein & that there was no property belonging to said estate except the lot of land described in the plaintiff's petition & as shown in the said inventory & which was appraised at \$2200⁰⁰

That afterwards on Sept 5th 1896 W. L. Diamond Adm. approved the claim of W. H. Male - being two notes of \$1250. each - secured by trust deed & mortgage, & a part of the purchase money of said lot of land & said claim was afterwards filed in Court & on Sept 19th 1896 approved as a third class claim & a lien on said lot of land

Then Sept 25th 1896 W. L. Diamond adm. filed his application to sell said land - the proceeds to be applied to pay said claim - and on Nov 7, 1896, ^{after notice as required by law} said land was ordered sold at private sale for cash & on Nov 9, 1896 said W. L. Diamond as Adm. sold said land to

W. H. Male for \$4166⁰⁰ covering the amount of said debt, & largely more than said property was really worth & on Nov 11th 1896 report was made of said sale & it was confirmed by the Court Nov 25th 1896 & deed ordered made & which has been made.

& that all said orders & decrees are now final ^{& were not appealed from} & conclusions & cannot be thus annulled

That W. L. Diamond as administrator or otherwise cannot now further control said matters & W. H. Male is not a party to the proceeding & if there was fraud as charged neither he nor W. L. Diamond had any notice of the same.

That the sole purpose of said administration was to remove cloud from title & enforce the lien of W. H. Male against said property & as against the heirs of H. A. Lewis - that there is no other property belonging to said estate & no other debt against said estate & the said W. L. Diamond is now ready to make his final report & be discharged as there is no necessity for prolonging the administration.

That Cassie Lewis was fully advised & knew the purpose of said administration & consented thereto & afterwards by ~~for~~ during about August 1896 moved on said premises with the consent & by permission of W. L. Diamond agreeing to vacate & move out as soon as the property was sold by the administrator.

4- That prior to said administration said W. H. Male holding a trust deed given on said lot of land to secure said notes & signed by both H. A. Lewis and Cassie Lewis, procured the trustee therein to advertise said property & sell it as required by the terms of said trust deed & this all being done

at the said ^{land} W. H. Male became the purchaser whereby he acquired all the right & title of Cassie Lewis in & to said property & she ~~now~~ does not own or control any interest in the same & has no cause of Complaint - all of which ~~plaintiff~~ defendant is ready to Verify & forgo judgment.

6 - Defendant further says the issue made by the plaintiff involves the title to said lot of land & this court is without jurisdiction to hear & determine her plea of this ~~issue~~ ^{fraud} judgment and that a writ of possession issues & possession of said premises be delivered to W. H. Male or that Cassie Lewis be ordered to vacate ^{same} ~~same~~ ^{premises} & cover.

Attorneys for Defendant

16
No. 2156

Estate of

H. A. Lewis, De.

W. L. Diamond, Adm'r

Original Answer of
W. L. Diamond Adm'r to
the Petition of Cassie Lewis

FILED

JAN 14 1887

D. A. WILKSON
COUNTY CLERK
DALLAS TEXAS

Morris & Co.

MORRIS & CROW.
ATTORNEYS-AT-LAW,
SUITE 204, 206 N. TEX. ST. DALLAS, TEX.

M. L. MORRIS,
W. M. CROW.

Dallas, Texas, Nov 10, 1896.

Estate of H. A. Lewis deceased
To W. L. Diamond administrator

Dr

To amount due Morris & Crow for legal services in re said Estate	\$ 200.00
To amount due Diamond for services as administrator in lieu of commissions	\$ 100.00
	\$ 300.00

The State of Texas }
County of Dallas }
Before me the undersigned authority
on this day personally appeared W. L. Diamond who being
by me duly sworn says on oath that the above claim
is just & that all legal effects payments & credits
known to affiant have been allowed.

Sworn to & subscribed before me
this Nov 10 - 1896. W. L. Diamond

Notary Public
Dallas County Texas

(12) 2NB
 Claim of
 W. L. Diamond &
 Morris & Crow
 \$3000

Filed Nov 11 - 1896
 L. H. Sherwood Co. Clerk
 1001 J. P. Fair Ave. - Dallas
 Jan 25
 The within claims
 of Morris & Crow
 Atty. and W. L.
 Diamond claim
 approved and
 approved and
 allowed and
 ordered paid
 in due course
 of administration
 H. W. Johnson
 Co. Judge

REPORT OF SALE.

No. 2156

Estate of H. A. Lewis, Deceased

IN COUNTY COURT,

W. L. Diamond, Admstr.

DALLAS COUNTY, TEXAS.

To the Honorable County Judge of said County:

Now Comes

W. L. Diamond, Administrator of said Estate.

and respectfully shows that, in obedience to an order of said Court made on the 7th day of November A. D. 1896, he sold on the 9th day of November A. D. 1896 at Dallas Texas for Forty-one hundred & sixty-six $\frac{66}{100}$ dollars (\$4166 $\frac{66}{100}$) to W. H. Male

the property therein named, of the following description, to wit:

One lot of land on the North side of Ross Avenue in the City & County of Dallas, Texas fronting 96 1/4 feet on Ross Avenue by 220 1/2 feet in depth & being the same lot conveyed by A. J. Rosenfield & Wife to Cassie Lewis by deed dated March 26th 1890 & recorded in Vol. 126 page 131 Record of deeds etc. of Dallas County, Texas

Said lot being the East half of an acre tract sold to H. A. Wood by Jefferson Deak which deed is recorded in Book 30 page 545 of the record of deeds of Dallas County, Texas - beginning at a stake in the center of Ross Avenue 96 1/4 feet N. 45° E. of the East line of a ten acre tract sold by J. H. Cole to Sam Adams - thence N. 45° E. 96 1/4 feet - thence N. 45° W. 220 1/2 feet - thence S. 45° W. 96 1/4 feet - thence S. 45° E. 220 1/2 feet to the place of beginning

That said property was sold at a fair price for cash at private sale.

Said W. L. Diamond therefore prays that said sale so made, as aforesaid, be approved and confirmed, and that he be authorized and directed to make title to the purchaser aforesaid.

W. L. Diamond
Administrator

Sworn to and Subscribed before me, this the 10 day of Nov A. D. 1896

W. H. Row
Dallas County, Texas

No 215-6 - II

Estate of T. A. Lewis

Report of Sale

Filed Nov 11 1896

L. H. Hughes Co. exor

By J. H. Taylor, C. L.

Nov 25 - Report by -
United and appom
ed and Adm
ordered to make
dud upon ~~order~~
purchase complete
and with contract

M. J. 1896 Allstate Ford
Co. Judge

Recorded in Minutes

~~No. 2156~~

Estate of
 H. A. Lewis, Deceased } No. 2156
 W. L. Diamond, Admr. } June 5th 1897

This day this cause being called for trial on the petition of Cassie Lewis to remove W. L. Diamond as administrator & declare certain sales of real estate void & the court having heard & considered same & the general and special exceptions of W. L. Diamond thereto in connection with the record in the case & the facts as they appear therein is of the opinion that the petition of Cassie Lewis should be dismissed & that she recover nothing

It is therefore ordered, adjudged & decreed by the court that the petitioner, Cassie Lewis take and recover nothing of W. L. Diamond & that he go hence without day & recover of said Cassie Lewis his costs incurred for which execution may issue & that the officers of court have execution against Cassie Lewis for the costs by her incurred.

Wm. J. Foxe
 Judge

No. 2154

Estate of H.A. Lewis

Order Dismissing Petition
of Carrie Lewis

FILED

JUN 5 1897

A. H. HARRIS
Clerk of the District Court, Dallas
Texas

Entered M-395-

Copies Record

STATE OF TEXAS, |
: Estate of H. A. Lewis, Deceased.
COUNTY OF DALLAS. |

WHEREAS in the ~~certiorari~~ proceeding in the County Court of
Dallas County, Texas, in the estate of H.A. Lewis, deceased, at the May
Term, 1897, of said court, the following judgment was rendered, viz:—

ESTATE of H.A. LEWIS, DECEASED, | No. 2156.
W.L. DIAMOND, ADM'R. | June 5, 1897.

50
1897
6/12
This day this cause being called for trial on the petition of Cassie Lewis to remove W.L. Diamond as administrator, and declare certain sales of real estate void, and the court, having heard and considered same and the general and special exceptions of W.L. Diamond thereto in connection with the record in the case and the facts as they appear therein, is of the opinion that the petition of Cassie Lewis should be dismissed and that she recover nothing.

It is therefore ordered, adjudged and decreed by the court that the petitioner, Cassie Lewis, take and recover nothing of W.L. Diamond and that he go hence without day, and recover of said Cassie Lewis his costs incurred, for which execution may issue, and that the officers of court have execution against Cassie Lewis for the costs by her incurred. Kenneth Foree, Co. Judge.

from which judgment Mrs. Cassie Lewis has appealed to the District Court of said Dallas county and given notice of said appeal, an entry whereof has been entered of record in said County Court and the amount of bond fixed by said court at One Hundred Dollars;

NOW, THEREFORE, the said Mrs. Cassie Lewis, being too poor to give bond to appeal said case, now makes this oath:

Mrs. Cassie Lewis ^{having personally appeared before me by one} having been duly sworn on oath says that she has made diligent efforts to give the appeal bond herein, and is unable to do so by reason of her poverty.

Mrs. Cassie Lewis

Sworn to and subscribed before me this 16 day of June,
A.D. 1897.

Walter L. Lummom
Notary Public
Dallas County, Texas

① No 2156 :

In the Estate
of H. A. Lewis
deceased

Appraisal
of Mrs Cassie Lewis
in appal

FILED

JUN 18 1907

A. S. JACKSON,
Clerk

Mrs Cassie Lewis
Appraisal
of H. A. Lewis
deceased
in appal

Estate of
H.A. Lewis } No. 2156
W.L. Simmond, Adm. } June 14, 1897

This day came on to be heard the application of W.L. Simmond to correct the report of sale of real estate filed herein Nov. 11, 1896 & it appearing the bid of W.H. Male for said land was the amount of his debt & not the sum of \$4186⁶² as stated in said report & the amount of said debt being found to be \$3281²⁰ on Nov. 11, 1896 and it further appearing W.H. Male has not yet received & accepted the deed of the administrator & it further appearing said sum of \$3281²⁰ is a fair price for said land

It is ordered, adjudged & decreed by the Court that said report of sale filed herein Nov. 11, 1896 as amended in a supplemental report filed herein June 5, 1897 & the original order of the Court approving said report of sale entered herein Nov. 25th 1896 & recorded in Minute Book ¹¹ page 138 be corrected so as to ^{read} correct the consideration & make it \$3281²⁰ & as corrected that said report of sale be in all things confirmed & approved & W.L. Simmond, administrator is ordered to make deed to W.H. Male on

No. 2156

Estate of
H. A. Lewis

Order Approving Supplemental
Report of sale covering original
Report & order

Entered
M-395

Payment of his bill of \$3251.20 and
cancellation of his debt against said
estate

NOTICE OF FILING ANNUAL ACCOUNT—[ADMINISTRATOR]

THE STATE OF TEXAS,

To all Persons Interested in the Estate of
Deceased.

W. A. Lewis
M. S. Diamond

Administrator, has filed, in the County Court

of Dallas County, *his final* Account showing the condition of said Estate, *together*
with his petition to close the administration and
to be finally discharged as administrator of said
estate.

which will be heard at the next term of said Court, commencing on the *first*
Monday in *January* A. D. 189*8*, at the Court House in the City of Dallas,
at which *time* all persons interested in said Estate shall appear and contest said
Account if they see proper. *to do so.*

WITNESS, *A. S. Jackson*
H. HUGHES, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at
office in the City of Dallas, this *17th* day of

November A. D. 189*7*

A. S. JACKSON, HUGHES,
County Clerk Dallas County, Texas.

By *A. B. Rawlins* Deputy.

Issued this 17th day of Nov. 1897

[Faint, mostly illegible text, possibly a stamp or additional notice]

THIS NOTICE IS NOT VALID UNLESS IT BEES REPRODUCED IN FULL AND IS NOT TO BE REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE DALLAS COUNTY CLERK'S OFFICE.

17 Do. 2156
COUNTY COURT.
ESTATE OF
H. A. Lewis

Deceased.
Notice of Filing
Account.

Issued this 17th day of
November 1897
L. H. RICHES
COUNTY CLERK.
By [Signature] Deputy.

White & Young, Printers and Blank Book Makers, Dallas.
Came to hand No. 17, 1897 and
executed by saying same to be
published in the Dallas Democrat
a daily newspaper published in
the City and County of Dallas Texas
for twenty days prior to return of
same to the Clerk on 7th of 21st
and 25th of 1897. A copy of said
publication is hereto attached and
made a part of Sheriff's return
on this 17th
Em E. [Signature]
Dallas, Tex
Nov 18 1897
Record

State of Texas before me the say personally
County, by [Signature] appeared at [Signature], who
by me being duly sworn depose that he
is the publisher of the Dallas Democrat
a newspaper published weekly in the
City and County of Dallas, and that the no-
tice was published Dec 7, 14, 21 and 28, 1897
Dallas, Tex Jan 7, 1898 -
M. [Signature]
Overm. [Signature] and sub. called before me this
17th day of Jan'y 1898. [Signature] & Co.
[Signature] by [Signature]

The State of Texas.

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

YOU ARE HEREBY COMMANDED to SUMMON

W. L. Diamond

to appear before the Honorable County Court of Dallas County, State of Texas, at a regular term thereof, to be held at the Court House of said County, in the City of Dallas, on the *first* Monday in *January*, 189*7*, then and there to answer the petition of

Mrs. Cassie Lewis,

filed in said Court on the *9th* day of *December*, 189*6*, against the said

W. L. Diamond,

for suit; said suit being numbered *2156*, *In re Estate of W. A. Lewis Deceased,* the nature of which demand is as follows, to-wit:

Plaintiff alleges that by misrepresentations, W. L. Diamond induced plaintiff to waive her right as administratrix and to consent to the appointment of him the said W. L. Diamond as administrator of the Estate of W. A. Lewis Deceased; that defendant with fraudulent intent has sold property which was her separate estate, without her knowledge or consent, and prays that the order granting defendant letters of Administration be set aside that said Diamond be removed as Administrator of said Estate, and that the deed executed by him to M. H. Male be cancelled, and for such other and further relief as she may be entitled to, receive either in law or equity;

and you will deliver to the said

W. L. Diamond.

a true copy of this Citation.

HEREIN FAIL NOT, but due service and return hereof make, showing how you have executed the same.

ATTEST: *L. H. HUGHES*, Clerk of the County Court of Dallas County.

A. S. JACKSON

GIVEN UNDER MY HAND and Seal of office, at Dallas, this *9th* day of *December*, 189*6*

L. H. HUGHES

Clerk County Court, Dallas County, Texas.

By *M. Paulus*

Deputy.

SHERIFF'S RETURN.

Came to hand on the 7th day of Dec 1896, and executed
on the 10th day of Dec 1896, by delivering to W.L.

Prisoner
the within named defendant in person, a
true copy of this writ.

Wm E. Howell Sheriff Dallas Co., Texas.

By R.H. Murphy Deputy.

FEES: \$ 1.50
Serving Copy. \$ 10
Mileage. \$ 1.60
TOTAL. \$ 1.60

CITATION.

No. 2106

COUNTY COURT,

DALLAS COUNTY, TEXAS.

In re Estate of
W.O. Stevens
Prisoner

Issued this 9th day of

Dec 1896

By A.S. JACKSON Deputy.

W.B. Lambing Deputy.

The State of Texas,

To All Persons Interested in the Estate of

H A Lewis

Deceased.

W L Diamond administrator of said Estate,
has filed, in the County Court of Dallas County, an application for the sale of certain
lands belonging to said Estate for the payment of the debts due of the following
description, to-wit:

*One lot of land on the north
side of Ross avenue in the City and County
of Dallas Texas fronting 96 1/4 feet on Ross
avenue by 220 1/2 feet in depth and being the
same lot conveyed by A. J. Rosenfeld and wife
to Cassie Lewis by deed dated March 26, 1890
and recorded in vol. 126, page 131 Record of
Deeds of Dallas County Texas*

which application will be heard at the next regular term of said Court, commencing
on the ~~first~~ Monday in *November* A. D. 189*6*, at the Court House
in the City of Dallas, at which time and place all persons interested in said Estate
shall appear and contest said application, and show cause why such sale should
not be made, should they choose to do so.

WITNESS: L. H. HUGHES, County Clerk of Dallas County, Texas.

Given under my hand and seal of said Court, at office in the City of
Dallas, this *25* day of *Sept* A. D. 189*6*

L. H. HUGHES,

County Clerk Dallas County, Texas.

By *J H Taylor* Deputy

9/2 190

No. ~~2156~~
2156

COUNTY COURT.

ESTATE OF
W. Lewis

Deceased.

Notice of Application for Sale of Real Estate.

Issued this *25* day of *Sept*
A. D. 1896

L. H. HUGHES, Co. Clerk.

By *J. H. Larson* Deputy.

SHERIFF'S RETURN.

Came to hand on the *25* day of
Sept 1896, and executed
the *25* day of *Sept* 1896
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, and
no two of which were in the same town or city.

Ben C. Carter
SHERIFF DALLAS COUNTY.

By *J. H. Larson* Deputy.

A. D. ALPHORD & CO., PRINTERS, DALLAS.

400 \$500
Recorded



THE STATE OF TEXAS.

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

YOU ARE HEREBY COMMANDED TO SUMMON

Ray McQuinn

to be and appear before the Honorable County Court of Dallas County, Texas, to be held at the Court House of said County, instanter.

then and there to testify as witness in behalf of the *in Est. H. Lewis Reed*
in a criminal action pending in said Court wherein the State of Texas is Plaintiff and

Defendant, and there remain from day to day and from term to term until discharged by due course of law.

Herein fail not, but of this writ make due return, showing how you have executed the same.

WITNESS my official signature at this *6* day of *July* 189*7*

A. S. JACKSON, Clerk,
County Court, Dallas County, Texas.

By *J. H. Gault* Deputy.

THE STATE OF TEXAS.

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

YOU ARE HEREBY COMMANDED TO SUMMON

Thos Sheeran

to be and appear before the Honorable County Court of Dallas County, Texas, to be held at the Court House of said County, instanter

then and there to testify as witness in behalf of the *Mrs. H. Lewis Reed*
in a criminal action pending in said Court wherein the State of Texas is Plaintiff and *in the matter*

of the Estate of H. Lewis Reed Defendant, and there remain from day to day and from term to term until discharged by due course of law.

Herein fail not, but of this writ make due return, showing how you have executed the same.

WITNESS my official signature at this *6* day of *July* 189*7*

A. S. JACKSON, Clerk,
County Court, Dallas County, Texas.

By *J. H. Gault* Deputy.

170

A 1105

No.

THE STATE OF TEXAS,

Ed. McLeewis
Deed

SUBPENA.
CRIMINAL INSTANTER.

Issued 6 day of July 1897

A. S. JACKSON, Clerk.

By *J. H. Hunter* Deputy.

Came to hand 6 day of July 1897
and executed 6 day of July 1897

by reading the within Subpœna in the presence and hearing of *W. L. Diamond*

the within named Witnesses.

B. E. CABELL, Sheriff,
Dallas County, Texas.

By *W. Rawson* Deputy.

SHERIFF'S FEES.

Summoning	1	Witnesses.	...	\$	50
Milage,		miles at 5c.	...		10
Total.			...	\$	60

GIBNEY PRINTING CO., DALLAS, TEX.

170

A 1105

No.

THE STATE OF TEXAS,

Ed. McLeewis

SUBPENA.
CRIMINAL INSTANTER.

Issued 6 day of July 1897

A. S. JACKSON, Clerk.

By *J. H. Hunter* Deputy.

Came to hand 6 day of July 1897
and executed 6 day of July 1897

by reading the within Subpœna in the presence and hearing of *Thomas Shuman*

the within named Witnesses.

B. E. CABELL, Sheriff,
Dallas County, Texas.

By *W. Rawson* Deputy.

SHERIFF'S FEES.

Summoning	1	Witnesses.	...	\$	50
Milage,		miles at 5c.	...		10
Total.			...	\$	60

GIBNEY PRINTING CO., DALLAS, TEX.

Estate of / In County Court, Dallas County
H. A. Lewis, Dec'd. / Texas. Sept. term 1896.

To Hon. T. F. Nash, Judge of said Court;

W. L. Diamond administrator of the estate of H. A. Lewis deceased, would respectfully show that it is necessary to sell all the real estate of said estate as shown by the inventory heretofore filed herein, consisting of one lot of land on Ross Ave. in the City and County of Dallas, Texas and more fully described as follows: One lot of land on the North side of Ross Avenue in the City and County of Dallas, Texas, fronting 96 1/4 feet on Ross Avenue by ~~220 1/2~~ 220 1/2 feet in depth and being the same lot conveyed by A. J. Rosenfield and wife to Cassie Lewis by deed dated March 26, 1890 and recorded in Vol. 126, page 131 Record of Deeds etc., of Dallas County, Texas.

That it is necessary to sell the above land or so much as may be necessary to satisfy a first mortgage lien on same now owned by W. H. Male, and consisting of two notes ~~Notes~~ signed H. A. Lewis, Cassie Lewis and payable to American Investment Co., \$1250, each, Date 3/26/1890, and due 3/26/1893 and 3/26/1895; at 10% ^{interest} from date to maturity, and 12% after maturity, Interest payable semi-annually ~~and to draw 12% after its maturity~~, which claim has been approved by this Court as a third class claim by an order made and entered on the 19th day of Sept. 1896.

That there are no funds belonging to said estate for the payment of said claim and there is no personal property belonging to said estate.

That there are no other charges and claims against said estate that have been approved or established by suit or otherwise and none have been rejected ~~and the~~ estimated expenses of administration are \$~~300.00~~^{300.00}, and there is no property of said estate except the real estate hereinbefore described and therefore no necessity for an exhibit to be attached hereto.

Wherefore he asks that citation issue as required by law and upon hearing that an order be granted herein directing the sale of said real estate at private sale for cash.

*Subscribed & sworn to before me this 23rd Sept 1896
W. M. Lerow Notary Public
Dallas County, Texas*

W. L. Diamond

STATE OF TEXAS, 1
 : In County Court, Dallas County, Texas.
County of Dallas. 1

In the Matter of Administration on the Estate of H.A. Lewis, Dec'd.

To Said Honorable Court:-

Your petitioner, Cassie Lewis, plaintiff, complaining of
W.L. Diamond, defendant, respectfully represents that plaintiff and
defendant reside in the county of Dallas, Texas; that plaintiff is
the widow of said H.A. Lewis, deceased; that said decedent died
intestate on or about the day of 18 ,
leaving no estate, real or personal.

That on or about the day of 1896,
defendant, W.L. Diamond, applied to your honorable court for letters
of administration on the estate of said decedent, and at a succeeding
term of said court letters of administration were granted to
him.

Plaintiff further shows that on or about the day
of 1896, defendant by misrepresentations, misleading
and calculated to and which did deceive plaintiff, induced plain-
tiff to waive her legal right as administratrix of the estate of
her deceased husband, H.A. Lewis, and to consent to the appointment
of said defendant as administrator of said estate, as follows:

The said defendant through his attorneys, Morris & Crow, wrote a
letter to plaintiff while she was temporarily residing in the town
of Greenville, in Hunt county, Texas, requesting her to consent to
said waiver, a copy of which said letter is hereto attached,
marked Exhibit A. and made a part of this petition.

Plaintiff further represents that the object and purpose
of said letter was to induce plaintiff to waive her legal right

Plaintiff's husband, H.A. Lewis, was employed by the state of Texas as a clerk in the office of the Attorney General. He died in 1896, leaving a widow, Cassie Lewis, and several children. The defendant, W.L. Diamond, was a close friend of the deceased and had been employed by him. He applied for letters of administration on the estate of H.A. Lewis, and was appointed administrator. Plaintiff complains that defendant induced her to waive her legal rights as administratrix of the estate of her deceased husband, and to consent to the appointment of defendant as administrator, by misrepresentations, misleading and calculated to deceive her. Plaintiff seeks to have the appointment of defendant as administrator set aside, and to have herself appointed administratrix of the estate of her deceased husband.

to administer said estate, for the purpose of the fraudulent allowance of a claim against said estate which would not have been permitted had your petitioner been administratrix, viz: Two notes each in the sum of Twelve Hundred and Fifty Dollars, purporting to have been executed by your petitioner and her deceased husband, H.A. Lewis, payable to the American Investment Co., which fact was well known to said defendant, Diamond, or might have been known to him by the exercise of reasonable diligence; that said notes were not a lien upon the property hereinafter described, as was well known to said defendant, administrator as aforesaid.

That on or about the _____ day of _____ 18____
said defendant Diamond administrator, procured an order of court to sell in satisfaction of said notes, the following described property, well knowing that the title to said property was in this plaintiff and not in said intestate, H.A. Lewis, viz: One lot of land on the North side of Ross avenue in the city of Dallas, Dallas county, Texas, fronting 96 1-4 feet on Ross avenue by 220 1-2 feet in depth, and being the same lot conveyed by A. J. Rosenfield and wife to Cassie Lewis by deed dated March 26, 1890, and recorded in Vol. 131, records of deeds, etc., of Dallas county, Texas; said lot being the East half of an acre tract sold to H. S. Wood by Jefferson Peak, which deed is recorded in Book 30, page 545, of the records of deeds of Dallas county, Texas: Beginning at a stake in the center of Ross avenue 96 1-4 feet N. 45 E. of the East line of a ten-acre tract sold by J. H. Cole to Wm Adams; Thence N. 45 E. 96 1-4 feet; Thence N. 45 W. 220 1-2 feet; Thence S. 45 W. 96 1-4 feet; Thence S. 45 E. 220 1-2 feet, to the place of beginning.

That said order and sale of said property is a cloud upon the title of your petitioner, as said property was her separate

property; that said property was sold without the knowledge or consent of your petitioner, and without the knowledge and consent of her three children, viz: *M. E. Rich, Lucile Lewis*

and J. C. Lewis, Jr. That the entire proceedings in the court; the securing of the letters of administration by said *W. H. Diamond* and the foreclosing on her property in favor of *them* ~~the~~ *petitioner* with said administration was entirely unknown to her and her children ~~and~~ *until she was notified by said W. H. Diamond a party to the filing of the same* that said administration is null and void.

secured by fraudulent representations, as hereinbefore stated.

Your petitioner further states, as she is informed and so charges the fact to be, that the pretended owner and holder of said notes is not the bona fide owner thereof, and that the said American Investment Co. is a foreign corporation under and by virtue of the laws of the state of Iowa, and was doing business in the state of Texas without having first obtained a permit to do business in said state of Texas, according to the statute in such cases made and provided, and had no authority to sue in the courts of the state of Texas on said notes; and that the pretended assignee of said notes, *H. H. Male* for which plaintiff's property was sold, came into their possession without any consideration whatever, and said administrator has seen fit to allow fraudulently ~~the~~ *petitioner* ~~to~~ *claim*, knowing the same to be possessed by him without consideration, *and knowing the same to be a fraud.*

Plaintiff further shows that there was a collusion and conspiracy between said administrator, defendant herein, and said *W. H. Male*, the pretended owner of said notes, to procure letters of administration for said *Diamond*, defendant, and to foreclose on plaintiff's separate property to satisfy a fictitious and fraudulent claim against said estate of said *H. A. Lewis*, deceased.

Premises considered, plaintiff prays that defendant be cited to answer this petition, that the order granting to him letters of administration be set aside and declared null and void, that said *Diamond* be removed as administrator of said estate, and that the deed executed by him to said *W. H. Male* be cancelled as a

cloud upon the title of your petitioner to said property, and
for such other and further relief as she may be entitled to
receive either in law or equity.

J. C. Patton
Attorney for Plaintiff.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

2156

In re
Estate of H. A. Lewis

Mrs Cassie Lewis
vs

M. R. Diamond

Original petition
for the removal
of M. R. Diamond
administrator
of H. A. Lewis estate
& to declare certain
sales of land void.

FILED

DEC 9 1886

A. S. JACKSON,
Clerk of Court, Dallas County, Tex.

M. R. Diamond
Citation to Advers. Dec. 9, 1886.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

Dallas, Tex. Jan 5 1898

Mrs. P. Diamond
Adm. Est. H. H. Lewis

IN ACCOUNT WITH


The Dallas Democrat,
N. T. BLACKWELL, Editor and Proprietor.

Job Office in Connection
135 Main Street, Opposite Court House.

Publication of attached
Notice published
Dec 7, 14, 21 1898, 1898

4⁰⁰

Memo



FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

STATE OF TEXAS
 COUNTY OF DALLAS

Know all men by these presents, that whereas I am the surviving wife of H. A. Lewis who died intestate on *17th* day of January 1895, *in Dallas County, Texas* and am legally entitled to appointment as administratrix of the estate of my said deceased husband and whereas I desire to renounce and relinquish said right to act as administratrix in favor of W. L. Diamond of Dallas, Texas, who is legally qualified to act as administrator of said estate. Now, therefore I Cassie Lewis do hereby waive my right to appointment as such administratrix, and authorize and appoint said W. L. Diamond to act in my stead in the administration of said estate and authorize and recommend that he be duly appointed as such administrator by the Honorable *County* Court of Dallas County, Texas.

Witness my hand this *25th* day of *July* 1896.

Mrs. Cassie Lewis

*Signed & delivered in presence of
 F. M. Newton
 J. W. Whiting*

FILIED

No. 184-NOTICE OF APPLICATION FOR LETTERS OF ADMINISTRATION.

Dorsey Printing Co., Printers and Binders, Dallas, Texas.-1400

THE STATE OF TEXAS.

To all Persons Interested in the Estate of

W. A. Lewis

Deceased.

W. L. Diamond,

has filed in the County Court of Dallas County,

State aforesaid, an application for letters of Administration upon the estate of said decedent

W. A. Lewis,

which 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 and State of Texas and commencing on

the first Monday in *May* 189*6*, at which time and place all persons interested

in said Estate shall appear and contest said Application should they desire to do so.

WITNESS: L. H. HUGHES, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court at office in the

City of Dallas, this *3rd* day of *April* 189*6*

L. H. HUGHES,

County Clerk, Dallas County, Texas.

By

W. B. [Signature]

Deputy.

CLERK OF DISTRICT COURT
COUNTY OF DALLAS

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

THE STATE OF TEXAS

In witness whereof the Seal of the County Clerk of Dallas County, Texas, is hereunto set at the City of Dallas, Texas, this 3rd day of April, 1896.

2

170

No. 2156,
COUNTY COURT.

ESTATE OF
W. A. Lewis

Deceased.

Notice of Application for Letters
of Administration.

Issued this *3* day of *April*
A. D. 189*6*

L. H. HUGHES,
County Clerk.

By *A. H. Rawlins* Deputy.

SHERIFF'S RETURN.

Came to hand the *7* day of *April*
189*6* and executed the *7* day of *April*
189*6* 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 C. Cavell
Sheriff, Dallas County.

By *J. P. Larsen* Deputy.

Dooley Printing Co., Dallas, Tex. 1896

Fees \$3.00

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

INVENTORY AND APPRAISEMENT

Of the property, real and personal, belonging to the estate of

H. A. Lewis deceased

one lot of land on the north side of Ross Avenue in the City and County of Dallas Texas, fronting 96 1/2 feet on Ross Av by 220 1/2 feet in depth, and being the same lot conveyed by A. J. Bramfield wife to Cassie Lewis by deed dated March 2^d 1890 and recorded in Vol 126 page 131 record of Deeds of Dallas County Texas.

That the above described property is reasonable worth two thousand dollars.

is the community property of H. A. Lewis & his wife Cassie Lewis

The State of Texas,)

County of Dallas.)

I, W. L. Diamond administrator

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.

W. L. Diamond

Sworn to and Subscribed before me, this the 7 day of July A. D. 1896

W. M. Brown Clerk Co. Court,

By Notary Public Deputy
Dallas County Texas

The State of Texas,)

County of Dallas.)

Before the undersigned authority, this day personally appeared E. S. Lewis & B. C. Keller

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 appraisal of the property pointed out to them as belonging to said Estate.

E. S. Lewis
B. C. Keller

Sworn to and Subscribed before me, this 7 day of July A. D. 1896

W. M. Brown Clerk Co. Court,

By Notary Public Deputy
Dallas County Texas

No. 2156
COUNTY COURT.

ESTATE OF
H A Lewis deceased

INVENTORY AND APPRAISEMENT

Filed *16th* of *July*
A. D. 1896

L H Kunkles
COUNTY CLERK
By *W B Paulin* Deputy.

Examined and approved this *16*th
day of *Sept* 1896

M. S. J. Wash
COUNTY JUDGE

A. S. BROWN & Co. Stationers and Printers. 1896
Recorded

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

W. B. Paulin
W. B. Paulin

D. C. Norton
W. B. Paulin

ADMINISTRATOR'S BOND

The State of Texas,
COUNTY OF DALLAS.

Estate of *H. A. Lewis*

KNOW ALL MEN BY THESE PRESENTS, That we, *W. L. Diamond*
and *M. Thomas Edgerton*
as Principal, and *Jno. W. Roach*
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-five hundred* Dollars;
conditioned that the above bound *W. L. Diamond* who has
been appointed *Administrator of the Estate of H. A. Lewis, deceased*
shall well and truly perform all the duties required of him under said appointment.
WITNESS our hands and seals, this *19th* day of *May* 189*6*

W. L. Diamond (SEAL)
Jno. W. Roach (SEAL)
M. Thomas Edgerton (SEAL)
I DO SOLEMNLY SWEAR that *H. A. Lewis* deceased, died
without leaving any lawful will, so far as I know or believe; and that I will well and truly
perform all the duties of Administrator of the Estate of said deceased.

Sworn to and subscribed before me this *26* day of *May* 189*6*
Wm. Lewis Notary Public
Dallas County, Texas.

By _____ Deputy.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

see me 4

No. 2156

COUNTY COURT,
DALLAS COUNTY.

Administrator's Bond.

ESTATE OF

H. A. Lewis, Deceased

Filed May 27 1896
Chapman
S. B. SCOTT, Clerk.

By *J. G. Taylor* Deputy.

Approved this 27 day of
May 1896

M. J. Nash
County Judge, Dallas County.

Recorded

A. D. Attridge & Co., Stationers, Printers and Binders

THE STATE OF TEXAS /
COUNTY OF DALLAS /

In the estate of
H. A. Lewis, deceased.

TO THE HON. COUNTY COURT, IN AND FOR SAID COUNTY:

Your petitioner W. L. Diamond, shows to the Court that he resides in Dallas County, Texas. That on the 11th day of January 1895, H. A. Lewis, who at and before his death had his domicile in said County, died in said county intestate.

That at the time of his death said H. A. Lewis was seized and possessed of real estate of the value of \$3750.00 on which there is an incumbrance of \$2500.00, leaving a net value or equity of \$1250.00 belonging to said estate.

That a necessity exists for an administration on the estate of said H. A. Lewis, who at the time of his death was indebted to in the sum of Twenty Five Hundred Dollars upon his two certain promissory notes for the sum of \$1250.00 each, dated on the 26th day of March 1890 and payable to the order of the American Investment Co. on the 26th day of March 1893 and the 26th day of March 1895.

That Cassie Lewis, the surviving wife of said H. A. Lewis deceased has waived her right to appointment as administratrix of said estate in favor of your petitioner and by power of attorney duly executed has authorized your petitioner to act as administrator of said estate in her stead and recommends his appointment as such administrator by this Honorable Court

That your petitioner is not disqualified by law to act as administrator herein.

Wherefore petitioner prays that citation be issued to all persons interested in said estate as required by law; that letters of administration be issued to your petitioner and that such other of further orders be made as to the Court may seem proper.

Morris Crow
Attorney for
W. L. Diamond

Handwritten notes:
M. A. Lewis
M. L. Deason

as made as to the Court may seem proper.
right be granted to your petitioner, and that such order of partition orders
introduced in said estate be removed as set out hereinafter of said estate
Administration, petitioner Lewis first objection be heard to all persons
for heretofore.

That your petitioner is not disqualified by law to act as administrator
and heretofore, his appointment as such administrator by your honorable Court
has been confirmed to said estate as set out hereinafter of said estate in her
last of your petitioner and by order of your Court, City of Dallas, Texas
has advised her time to appointment as administrator of said estate in
said estate Lewis, his said wife of M. L. Deason deceased
has been set at 10:00 AM 1936.

0 *No* 2156 ²
Estate of
M. A. Lewis
Deed.

Application of
M. L. Deason for
Letters of Administration

FILED
APR 8 1936

L. H. BARNES, County Clerk,
Dallas, Texas

of \$1250.00 personalty as
of the estate of said
M. L. Deason
Dec 7/2/36

Dallas County, Texas. This on the 11th day of January 1936, A. Lewis,
County Clerk of Dallas
County of Dallas
in the presence of
M. L. Deason, deceased.
IN THE HOY. COUNTY COURT, IN AND FOR SAID COUNTY:

In the Estate of H. A. Lewis } In the County Court
No. 2057, } Deceased } of Dallas County Texas

I do solemnly swear that I will well and truly perform the duties of temporary administratrix of the estate of H.A. Lewis, deceased, in accordance with law, and with the order of the court appointing me such administratrix.

Mrs. Cassie Lewis

Sworn to and subscribed before me this the 18th day of July, 1895-

W. H. P. P. P.
Notary Public,
Dallas County, Tex.

The State of Texas,
County of Dallas.

Know all men by these presents: That we,

Cassie Lewis, as principal, and

and

as sureties, are held and firmly bound unto

the County Judge of the county of Dallas, and his successors in office, in the sum of Two Hundred and Fifty Dollars, conditioned that the above bound Cassie Lewis, who has been appointed by the county court of Dallas county administratrix of the estate of H.A. Lewis, deceased, shall well and truly perform all the duties required of her under said appointment.

Given under our hands this the 18th day of July 1895

Mrs. Cassie Lewis

H. D. Rice

J. A. Sorensen

No. 2057

Estate of N. A. Lewis
Deceased

Mrs. Cassie Lewis, Surv. Adm'r

Surv. Adm'r's Bond

Approved July
19th 1895

N. J. J. Nash
57th Co. Judge

Filed July 19th 1895,
L. A. Hughes clk
By A. J. Jackson
Supt

(Recorded)

GEO. H. PLOWMAN,
Attorney-at-Law,
DALLAS, TEXAS.

The State of Texas, |
County of Dallas. | In the Matter of the Estate of H.A. Lewis,
Deceased.

To the Honorable County Court of Said County, Sitting as a Court of
Probate:---

Your petitioner, Cassie Lewis, shows to the court that she resides in Farmers' Branch, Dallas County, Texas; that on the 11th day of January, 1895, H.A. Lewis, the husband of your petitioner, who, at and before his death, had his domicile in the county of Dallas aforesaid, died in said county intestate, leaving surviving him your petitioner and two daughters, viz: Mary E. Lewis, aged 21 years, Lucile Lewis, aged 19 years, and one son, viz: Theodore C. Lewis, aged 13 years.

That at the time of the death of the said H.A. Lewis, he was seized and possessed of real and personal property of the probable value of Seven Hundred and Fifty Dollars, situated in Dallas County, Texas; that said estate consisted of the family homestead, of the probable value of \$450, and a small stock of drugs of the probable value of \$300, and that said estate is insolvent.

That on to-wit: the 12th day of July, 1895, in cause styled Texas Drug Co. vs M.E. Lewis, pending in this honorable court a writ of attachment was sued out at the instance of the said Texas Drug Co. and afterwards on to-wit: the day of July, 1895, levied by the sheriff of said county on said stock of drugs by taking the same into his possession.

That at the time and before the levy of said writ of attachment the said M.E. Lewis had no interest, title or right whatever in and to said stock of drugs; that said stock of drugs was the property of said H.A. Lewis at the time of his death, and now belongs to the estate of said H.A. Lewis.

That said goods is the only fund to, which your petition-

or can look for the support and maintenance of herself and minor children, and will probably be lost, destroyed or wasted unless temporary letters of administration are granted your petitioner; that your petitioner is not disqualified by law to act as administratrix of said estate.

Therefore your petitioner says that there is a necessity for an administration upon the estate of the said H.A. Lewis, and here prays the court to grant her temporary letters of administration of said estate, and as in duty your petitioner will ever pray.

J. Mulvey
Atty for Mrs. Cassie Lewis
Petitioner.

Mrs. Cassie Lewis is this day appointed temporary administratrix of the estate of H.A. Lewis, deceased, and authorized & directed to take charge, safely keep & preserve all property, real and personal, of said estate which has heretofore or may hereafter come into her possession as such administratrix & is further authorized to bring all suits necessary to regain ^{retain} possession of all property belonging to said estate - said appointment to take effect upon the said Mrs. Cassie Lewis taking the oath & giving the bond in the time & manner required by law, in the sum of \$250

J. G. Nash
Co. Judge

166
571

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In the Matter of the Estate
of H. A. Lewis, deceased.

3057

Application for Letters of Ad-
ministration.

*Filed July 19th 1895
L. H. Keogh, Clerk,
By Asgerson
Dy*

GEO. H. PLOWMAN,
Attorney-at-Law,
233 Main Street, DALLAS, TEXAS.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

WESTERN REAL ESTATE

\$1250.00

RD. 21992

First Mortgage Coupon Bond

On the Twenty-sixth day of March Eighteen hundred and Twenty-three
For value received, I promise to pay American Investment Company
or order Two Hundred and Fifty **Dollars**
to the order of the holder or equivalent in value with interest thereon, at the rate of 10 per centum per annum
payable semi annually according to the tenor of six interest coupons hereunto attached both
Principal and Interest payable at the Office of the American Investment Company, New York City.

If any part of the Principal or Interest is not paid at maturity, it shall bear interest at the rate of 10 per cent per
annum, payable annually, and if any interest remains unpaid twenty days after due, the Principal shall become due
and collectible at once without notice, at the option of the holder.

Both Principal and Interest secured by a Mortgage on Real Estate in
Dallas County Texas valued at \$6500.00

Witness my hand and seal this 26th day of March 1923

Mrs. Cassie Lewis
H. A. Lewis

On the first day of March 1923 for value received I promise to pay 10 Dollars or order to the office of the American Investment Company, New York City, being interest due on my 100 Dollars of even date herewith. This is to have interest paid after maturity payable annually. H. A. Lewis

On the first day of March 1923 for value received I promise to pay 10 Dollars or order to the office of the American Investment Company, New York City, being interest due on my 100 Dollars of even date herewith. This is to have interest paid after maturity payable annually.

On the first day of March 1923 for value received I promise to pay 10 Dollars or order to the office of the American Investment Company, New York City, being interest due on my 100 Dollars of even date herewith. This is to have interest paid after maturity payable annually.

On the first day of March 1923 for value received I promise to pay 10 Dollars or order to the office of the American Investment Company, New York City, being interest due on my 100 Dollars of even date herewith. This is to have interest paid after maturity payable annually.

WESTERN REAL ESTATE

\$1250.00

RD. 21992



First Mortgage Coupon Bond

On the Twenty sixth day of March Dallas Texas March 26 1890
 Eighteen hundred and Twentieth
 For value received I promise to pay American Investment Company
 or order Twelve Hundred and Fifty **Dollars**
 In Gold or its equivalent in value with interest thereon, at the rate of 5 per centum per annum
 payable annually according to the tenor of ten interest coupons here attached both
 Principal and Interest payable at the Office of the American Investment Company, New York City
 If any part of the Principal or Interest is not paid at maturity it shall bear interest at the rate of 10 per cent per
 annum, payable annually, and if any interest remains unpaid twenty days after due, the Principal shall become due
 and collectible at once without notice, at the option of the holder.

Both Principal and Interest secured by a Mortgage on Real Estate in
Dallas County Texas valued at \$6000
 Attest J. A. Daley Mrs. Leasue Lewis
H. A. Lewis

March 1 Dallas March 1 1890
 On the first day of March 1890 for value received I promise to pay American Investment Company
 or order Twelve Hundred and Fifty Dollars
 at the Office of the American Investment Company, New York City.
 Having interest thereon at the rate of 5 per cent per annum payable annually
 at the Office of the American Investment Company, New York City.
 No. 21992 H. A. Lewis

September 1 Dallas Sept 1 1890
 On the first day of September 1890 for value received I promise to pay American Investment Company
 or order Twelve Hundred and Fifty Dollars
 at the Office of the American Investment Company, New York City.
 Having interest thereon at the rate of 5 per cent per annum payable annually
 at the Office of the American Investment Company, New York City.
 No. 21992 H. A. Lewis

2128

NUMBER
21992

\$150.00

FIRST MORTGAGE
BOND

Kassie Lewis 2nd
Katharine H. Lewis

TO

American Investment
of Emmetsburg, Iowa

Date March 26, 1890

Due March 26, 1893

INTEREST PAYABLE

March and September

NEGOTIATED BY
THE AMERICAN
INVESTMENT COMPANY

OF

EMMETSBURG, IOWA

EASTERN OFFICE
150 NASSAU STREET
NEW YORK CITY

*For Value Received, the holder assigns and transfers the within Bond,
together with all her interest in and all her rights under the mortgage
securing the same, to*

American Investment Company
By *[Signature]*
Secretary

Pay to the Order of
without recourse

Pay to the Order of
without recourse

Pay to the Order of
without recourse

Pay to the Order of
without recourse

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

WESTERN REAL ESTATE

2129

NUMBER
21992

\$2500

FIRST MORTGAGE
BOND

Cassie Lewis and
husband H.A. Lewis
TO
American Investment
of Emmetsburg Iowa
Date March 26 1921
Due March 26 1925

INTEREST PAYABLE

March and September

NEGOTIATED BY
THE AMERICAN
INVESTMENT COMPANY
OF
EMMETSBURG IOWA
EASTERN OFFICE
150 NASSAU STREET
NEW YORK CITY

*For Value Received, we hereby assign and transfer the within Bond,
together with all the interest in and all the other rights under the mortgage
without recourse
American Invest. Company
By [Signature]
Secretary.*

Pay to the Order of

without recourse

American Invest. Company
By [Signature]
Secretary.

Pay to the Order of

without recourse

Pay to the Order of

without recourse

Pay to the Order of

without recourse

American Invest. Company
By [Signature]
Secretary.

Texas.

Delina County Texas

Texas.

STATE OF TEXAS,
COUNTY OF DALLAS.

Before me, G. I. Evans, Jr., a Notary Public in and for Dallas County, Texas, personally appeared Thomas Shearon, who on oath deposes and says he is the agent and attorney for W.H. Male and that the foregoing ^{notes} ~~account~~ against the Estate of H.A. Lewis, deceased, as above set out, ^{are} ~~is~~ a true and just claim against said estate on the date of August 31st, 1896, and that all legal offsets, payments and credits known to affiant have been allowed.

Sworn to and subscribed before me this first day of September, 1896.

G. I. Evans, Jr.
Notary Public, Dallas County, Texas.

2156

The within claim examined and approved and allowed as a claim ^{of the third class} for the amount of the within notes together with interest unpaid and due there on according to the tenor thereof

This September 5th 1896

W. L. Diamond
 administrator
 of the estate
 of H. A. Lewis
 Deceased

FILED

SEP 9 1896

W. L. Diamond
 administrator

M-56

The within claim examined and approved and allowed as a claim of the third class against the Estate of H. A. Lewis deceased *W. L. Diamond* Administrator for the full amount thereof, or so a claim of the third class for the amount of the proceeds of the within described land and as a claim of the fourth class as to any deficiency after applying the proceeds of said property on said claim. *W. L. Diamond* Administrator

J. B. Ash

Sept 19th 1896

Co. Judge

M-56

NEW YORK CITY