

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

Case Number 1781

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Dallas Genealogical Society  
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FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

#1781

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

## THE STATE OF TEXAS,

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

YOU ARE HEREBY COMMANDED TO SUMMON

*E. A. Goldthorp,*  
 Temporary Administrator of the Estate  
 of *R. McMillen* Deceased,

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 *November* 189*7*

then and there to answer the petition of *Chas. W. Davis, Robert  
 McMillen, Jr., C. H. Paxton and George Keiston*  
 residents of *Oshkosh Wisconsin*

filed in said Court on the *8<sup>th</sup>* day of *October* 189*7* ~~against the writ~~  
 in the matter of the Estate of *R. McMillen*  
 Deceased, No. 2346, on the probate docket  
 of said court,

~~for said suit being numbered~~, the nature of which demand is as follows, to wit:

*Petitioners have filed a transcript of the  
 record in the probate Court of Winnebago Co,  
 Wisconsin, showing the appointment by said  
 Court of these petitioners as Executors of the  
 will of said R. McMillen dead, as well as  
 the order of said Court authorizing them to pay  
 the indebtedness amounting to \$4,610.74, due  
 by said estate, in the State of Texas, and to  
 take charge of and withdraw the Estate  
 of said R. McMillen dead, in Texas, from  
 administration. Petitioners allege that  
 they have paid said indebtedness and  
 pray that on hearing of their said petition  
 the temporary administration herein be closed,  
 and the estate in Texas be delivered to them,*

and you will deliver to the said

*E. A. Goldthorp,*  
 Temporary Administrator as aforesaid  
 a true copy of this Citation.

Herein Fail Not, but due service and return hereof make, showing how you have executed the same.

ATTEST: A. S. JACKSON, Clerk of the County Court of Dallas County.

Given under my hand and seal of office, at Dallas, this *11<sup>th</sup>* day of *October* 189*7*

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

By *A. S. Jackson* Deputy.

2 Original <sup>211</sup>

**CITATION.**

*Mrs Ann & Sarah C*  
12658 *Comp St*  
No. **2346**

COUNTY COURT,  
DALLAS COUNTY, TEXAS.

*Estate of*  
*R. McMillen*  
vs. *Heed.*

*Application of Executors.*

Issued this *11* day of *Oct* 189*7*

A. S. JACKSON, Clerk.

By *A. B. Guerin* Deputy.

Printer & Courts, Manufacturing Stationers, Galveston. 207

In person, a true copy of this writ.  
FEE: *150*  
Serving Copy, . . . \$  
Mileage, . . . \$  
TOTAL - \$ *100*

by *Ben & Gabriel* Sheriff  
*Spaldon* Dallas County, Texas  
Deputy

SHERIFF'S RETURN.  
Came to hand on the *12<sup>th</sup>* day of *Oct* 189*7*, by delivering to *W. H. Woodbury* the within named defendant.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW.  
Rooms 216, 217, 218 and 219 North Texas Bank Building.  
DALLAS, TEXAS.

In Re Estate, )

R. McMillen, Deceased.) THURSDAY, AUGUST 19th, 1897.

No. 2346. )  
-----

On this day coming on to be heard, the Inventory and Appraisalment of E. A. Goldthorpe, Temporary Administrator herein, and the same having been examined by the court it was ordered that the same be approved and recorded upon the minutes of the court.

*Walter G. Jones*  
Co. Judge

1000- No. 988- ATTORNEY'S RECEIPT CARD-3081000

No. 2346

vs. *R. McMillen*

I respectfully ask leave to take from the Court-house the file papers of the above mentioned suit for examination.

*active* 1897

Attorney for *HEEK*

Leave granted \_\_\_\_\_

Judge \_\_\_\_\_

Received from the Clerk the file papers of above mentioned suit. 189

Attorney for \_\_\_\_\_  
Dorsey Printing Co., Stationers and Binders, Dallas.

No. 2346.

In Re Estate of  
R. McMillen, Deceased.

-----  
ORDER APPROVING INVENTORY AND  
APPRAISEMENT.  
-----

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW,  
*Rooms 216, 216, 217, 218 and 219 North Texas Bank Building,*  
DALLAS, - TEXAS.

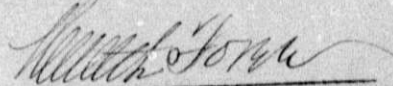
HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW,  
Rooms 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

In Re Estate of  
R. McMillen, Deceased.  
No. 2346.

)  
)  
)  
IN THE COUNTY COURT OF DALLAS  
COUNTY, TEXAS.

Saturday, Sept. 11/97.

On this day, coming on to be heard, the Application of E. A. Goldthorpe, Temporary Administrator of R. McMillen, deceased, for an extension of said administration for thirty days from this date, the court being fully advised of the premises, is of the opinion that the said extension for the period of thirty days, be and it is hereby granted, the said administrator to exercise during such extension the same rights and powers heretofore conferred upon him.

  
County Judge.

PROPERTY-1978

No. 2346.

In Re Estate of

R. McMillen, deceased.

ORDER EXTENDING TEMPORARY AD-  
MINISTRATION THIRTY DAYS.

*Edward*  
*M-610*

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW,  
Rooms 216, 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

FILED BY THE DALLAS GENERAL LEGAL SOCIETY-1978



HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW,  
Rooms 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, TEXAS.

In Re Estate of )  
R. McMillen, Deceased. ) THIS THE 13th DAY OF OCT., 1897  
No. )  
-----

On this day coming on to be heard, the petition of the executors of the estate of R. McMillen, deceased, in which E. A. Goldtherpe, temporary administrator joins, showing that all of the debts due by the said estate to citizens of Texas, have been fully paid and discharged and that all of the costs and expenses of this temporary administration have also been paid and discharged except the costs of this court which the said executors are ready to pay, and praying that this temporary administration be closed and the temporary administrator and the sureties on his bond discharged upon surrender of all of the assets of the said estate to the said executors, The court being fully advised and finding that all of the facts stated herein are true and that there is no longer any reason for the continuance of this administration, it is ordered, adjudged and decreed by the court that this temporary administration be and the same is hereby closed and the temporary administrator E. A. Goldtherpe and the sureties on his bond discharged from further liability upon the payment of the costs of this court and the filing in this court <sup>of</sup> the receipt of the executors of the said estate for all of the assets shown by his inventory and appraisement herein and that the said executors be permitted to take charge of all of the said assets accounting for the same to the home administration.

*Walter Jones*  
County Judge.

SOCIETY-1973

No.

In Re Estate of

R. McMillen, Deceased.

ORDER CLOSING TEMPORARY ADMIN-  
ISTRATION.

*Entered*  
*M-633*

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW,  
Suits 216, 218, 217, 219 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

ORDER OF THE DISTRICT COURT SOCIETY-1970

HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW,  
Rooms 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, TEXAS.

IN RE ESTATE OF )  
R. McMILLAN, DECEASED. ) IN THE COUNTY COURT OF DALLAS  
COUNTY TEXAS.  
No. -----

We hereby acknowledge that we have received from the estate of R. McMillan, deceased, the sums of money set opposite our respective names, in full settlement and satisfaction of our claims against said estate, and that we have no further claim against the said estate or interest in the continuance of this administration and that in our judgment the same could be safely closed.

*Harris Etheridge Knight \$250<sup>00</sup>*  
*The National Bank of Commerce of Dallas \$4076<sup>85</sup>*  
*Four thousand seven hundred and seventy six & 85/100 Dollars*  
*J. B. Boorman \$84<sup>00</sup>*  
*E. A. Goldthorp \$90<sup>00</sup>*  
*K. Shivers & Co. 6<sup>30</sup>*

JAL SOCIETY-1978

No.

In Re Estate of

R. McMillen, deceased.

-----  
RECEIPT FROM CREDITORS.  
-----

FILED *Oct 12 1897*

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

*J. Taylor*

*(Recorded)*  
*10-20-97*

HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW.  
Rooms 216, 218, 217, 218 and 219 North Texas Bank Building.  
DALLAS, - TEXAS.

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW,  
Rooms 216, 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

In Re Estate of )  
Robt. McMillen, Deceased.) IN THE COUNTY COURT OF DALLAS  
No. 2346. ) COUNTY, TEXAS.

-----  
This is to certify that we have received from E. A. Goldthorpe  
temporary administrator in the above cause, all of the assets be-  
longing to the estate of Robt. McMillen and described in his in-  
ventory and appraisement filed in the above cause.

Witness our hands this 13<sup>th</sup> day of October, 1897.

*C. W. Davis*  
*Ed. Patton*  
*Robt. McMillen Jr.*  
*Emy Nelson*

Executors of the Estate of Robt  
McMillen, deceased.

No. 2346.

In Re Estate of  
Robt. McMillen, Deceased.

RECEIPT OF EXECUTORS TO TEM-  
PORARY ADMINISTRATOR.

FILED *Oct 17 1907*

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

By *J. S. Scudder*  
DEPUTY

*Recorded  
10-20-97*

HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW,  
Rooms 216, 218, 217, 218 and 219 North Texas Bank Building,  
DALLAS, TEXAS.

In Re Estate of )  
R. McMillen, Deceased. ) IN THE COUNTY COURT OF DALLAS  
No. ) COUNTY, TEXAS.

Now comes E. A. Goldthorpe, temporary administrator of the estate of R. McMillen, deceased, and represents that the facts stated in the petition of the executors of the said estate, are true, and on personal knowledge further states that all of the debts due by the said estate to citizens of Texas and all of the costs <sup>and</sup> of expenses of this administration, except the costs of the officers of this court, have been fully paid and discharged and that there is no longer in the judgment of your administrator any reason or necessity for the further continuance of this receivership.

Wherefore he joins in the prayer of the executors that this receivership be closed and that he be permitted to deliver all of the assets in his possession to the said executors and that he be thereupon discharged.

*E. A. Goldthorpe*

Sworn to and subscribed before me on this 15th day of October 1897.

*J. P. Roman*  
Notary Public in  
and for Dallas  
County Texas.

No.

In Re Estate of  
R. McMillen, Deceased.

PETITION OF E. A. GOLDTHORPE  
JOINING IN THE PRAYER OF THE  
EXECUTORS.

FILED *Oct 12 1897*  
A. S. JACKSON,  
County Clerk, Dallas County, Tex.  
BY *JAG* DEPUTY

*(Recorded)*  
*10-20-97*

HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW.  
Rooms 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.



HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW,  
Rooms 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

In Re Estate of )  
R. McMillen, deceased.) IN THE COUNTY COURT OF DALLAS  
No. 2346. ) COUNTY, TEXAS.

-----  
To the Honorable Kenneth Foree, Judge of said Court:---

Your petitioner, E. A. Goldthorpe, temporary administrator of the estate of R. McMillen, deceased, respectfully represents, that Letters Testamentary have been granted to the executors of the estate of R. McMillen, deceased at his domicile at Oshkosh, Wis., and that it is the desire of the said executors to pay off and discharge all of the debts due by the said estate in the state of Texas, within the next thirty days so as to avoid the necessity for further administration in this state, thereby saving the estate considerable loss and expense, but that there are certain delays incident to this plan which could not be avoided and will require an extension of the temporary administration here in for the period of 30 days so as to enable the said executors to raise the funds and discharge the debt as aforesaid.

Your petitioner therefore prays that an order be entered herein extending the temporary administration for 30 days from this this date.

*Harris Etheridge Knight*

Attys. for E. A. Goldthorpe.

No. 2346.

In Re Estate of  
R. McMillen, deceased.

PETITION FOR THE EXTENSION OF  
THE TEMPORARY ADMINISTRATION  
FOR THIRTY DAYS.

FILED *April 11 1897*  
J. S. JACKSON,  
CLERK OF THE DISTRICT COURT,  
DALLAS, TEXAS.  
*J. S. Jackson*

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW,  
Rooms 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

In re Estate  
of  
R. McMillen.

In County Court,  
Dallas County, Texas.

I, E. A. Goldthorp, do solemnly swear that I will well and truly perform the duties of temporary administrator of the Estate of R. McMillen, deceased, in accordance with law and with the order of the court appointing me such administrator.

E. A. Goldthorp

Sworn to and subscribed before me on this the 24 day of

July A.D. 1897.

J. Clark public in  
and for Dallas County  
Clerk, County Court, Dallas  
County, Texas,

By,

Deputy.

In re Estate

of

R. McMillen.

-----  
Oath of temporary adm'r.  
-----

*Filed July 31, 1897*  
*J. A. Jackson Clerk*

*{Recorded}*  
*10-18-97*

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW,  
Rooms 216, 218, 217, 219 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

In re Estate  
of  
R. McMillen.

In the County Court,  
Dallas County, Texas.

STATE OF TEXAS.

County of Dallas.

Know all men by these presents, that we, E. A. Goldthorp,  
as principal, and the undersigned as sureties, are held and firmly  
bound unto the <sup>Judge of the</sup> County Court of Dallas County, Texas, and his  
successors in office, in the sum of Twenty five thousand dollars  
condition that the above bound, E. A. Goldthorp, who has been ap-  
pointed by the County Judge of Dallas County, Texas, temporary  
administrator of the Estate of R. McMillen, deceased, shall well  
and truly perform all the duties required of him under said appoint-  
ment.

WITNESS our hands this the 30 day of July, A.D., 1897.

E. A. Goldthorp  
Principal.  
J. W. A. Baird  
B. F. Dyer

Attest  
B. F. Dyer, <sup>agent</sup> Fidelity and Deposit Co. of Maryland  
Sureties.  
By J. M. Heary fiscal Director

July 31-97 Examined and approved  
(M-504) Alluvial Force  
Co. Judge

In re Estate  
of  
R. McMillen,

-----  
Bond of temporary adm'r.,  
-----

*Filed July 31, 1897*  
*W. Jackson Clerk*

*Approved July 31-97*  
*McMillen*  
*Co. Judge*

*Recorded*  
**HARRIS, BHERIDGE & KNIGHT**  
ATTORNEYS AT LAW  
Rooms 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, TEXAS.

HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW,  
Rooms 210, 212, 214, 216 and 218 North Texas Bank Building,  
DALLAS, TEXAS.

In re estate

of

R. McMillen.

In County Court,

Dallas County, Texas.

To the Hon. Kenneth Force,

Judge of said Court.

Your applicant, E. A. Goldthorp, who resides in Dallas County, Texas, respectfully represents, that on July 23rd, 1897, in the City of Oshkosh, Wisconsin, where he resided, R. McMillen departed this life, testate.

That at the time of his death, as aforesaid, the said McMillen was possessed of a large estate in Wisconsin, and was also engaged at Dallas, Texas, in the business of selling sash, doors, blinds, moulding, etc., under the trade name of the Texas Door & Sash Company, and had, at the time of his death as aforesaid, on hand in Dallas, Texas, goods, wares and merchandise of the above description of the nominal value of \$25,000., and also accounts payable to the said Texas Door & Sash Company of the nominal value of \$10,000.

That your applicant was at the time of the death of the said R. McMillen, Secretary and Treasurer of the said Texas Door & Sash Company, and since his death has continued to occupy the same position, and to manage and direct the said business.

Your applicant is informed and believes that the will of the said R. McMillen, for the probate of which application has been made at his domicile in Wisconsin, cannot be ~~had~~ <sup>probated</sup> earlier than August 17th, 1897, but that, at that time, the said will will be probated and your applicant is informed that thereafter, it is the purpose of the foreign executor of the said estate to file the

(1)

W. H. HOFFER  
OF  
IN THE COUNTY

DALLAS COUNTY TEXAS  
IN PROBATE COURT

said will so probated in this court for probate and to seek letters testamentary, but in the meanwhile it is necessary for a temporary administration to be granted by this court for the purpose of preserving the aforesaid property which is situated in Dallas County, Texas, and for the purpose of continuing the aforesaid business, for which provision is made in said will, and your applicant represents that ~~if~~ the said business is not continued, it will result in a great loss to the estate, for he says that orders from solvent parties are coming in daily, for goods of the kind owned by the said estate, at fair prices, and that goods ordered by the said R. McMillen, or under his authority, prior to his death, are also continually arriving, and it is necessary for some one to be authorized to receive same and pay the freight thereon and to continue the said business so as to preserve the good will thereof and realize the full value of the property on hand.

Your applicant shows that this application is made at the request of C. H. Paxton, temporary administrator of the estate at Oshkosh, Wisconsin who is acting under the direction and in the interest of the parties interested in said estate.

Your applicant further shows that he is not disqualified to receive temporary letters of administration and there is no reason known to him why he should not be appointed.

*Harris Atherton Smith*  
Attorneys for E.A. Goldthorp.

I, E.A. Goldthorp, on oath say that I am the applicant herein for temporary letters of administration and that I have read the foregoing application and that the facts stated therein are true.

*E. A. Goldthorp*

Sworn to and subscribed before me this 30th day of July, 1897 by the said E.A. Goldthorp.

*W. H. Hoffer*  
Notary Public, Dallas County, Tex.  
*W. H. Hoffer*



SOCIETY-1973

In re Estate  
of  
R. McMillen.

-----  
Application for temporary letters of administration

July 30 1973  
*J. J. [Signature]*

**HARRIS, ETHERIDGE & KNIGHT.**  
ATTORNEYS AT LAW,  
Rooms 216, 218, 217, 219 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW,  
Rooms 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

In re Estate  
of  
R. McMillen.

In County Court,  
Dallas County, Texas.  
Friday July 30th, 1897.

On this day coming on to be heard the application of E. A. Goldthorp, for temporary letters of administration on the estate of R. McMillen, the court, having heard the evidence, finds that all of the facts stated therein are true, and that there is a necessity for the immediate appointment of a temporary administrator of the said estate.

It is accordingly adjudged and considered by the court that  
..... *E. A. Goldthorp* ..... be and he is hereby appointed temporary administrator of the estate of the said R. McMillen, deceased, and that his bond as such ~~administrator~~ be fixed at the sum of <sup>*Twenty-five*</sup> ~~Seventy~~ Thousand dollars and that on the execution and approval of the said bond, and taking the oath prescribed by law, he be, and he is hereby authorized to take charge of the entire estate of the said R. McMillen, situated in the State of Texas, including the aforeaaid goods, wares and merchandise and accounts, mentioned in the application, and that, until the further order of this court, he be, and he is hereby authorized to collect the said accounts and other debts and choses in action that may belong to the said estate and <sup>*to*</sup> ~~be~~ carry on the business <sup>*of*</sup> ~~of the said R. McMillen, and it shall be his duty until the further order of this court to carry on the business~~ formerly conducted in the name of the Texas Door & Sash Company in the same manner that it was heretofore conducted and to this end he shall be authorized to receive all consignments to the said R. McMillen or to the Texas Sash & Door Company and pay the freights thereon and to

sell in due course of trade, and to pay out of any funds that may come into his hands all of the reasonable expenses of conducting such business, until the further order of this Court, to be made at the beginning of the next term hereof.

*Alfred Jones*

County Judge.

Attest: *A. S. Jackson, County Clerk*  
*By A. B. Lawrence Deputy*

State of Texas, *J. A. S. Jackson, Clerk of*  
County of Dallas, *the County Court of Dallas*  
County Texas, do hereby cer-  
tify that the above and foregoing order of  
Court, appointing *E. A. Goldthorp*, Temporary  
Administrator of the Estate of *R. McMillen*  
deceased, has been recorded in the Probate  
Minutes of said Court, and that said *E. A.*  
*Goldthorp* has given bond as in said order  
required, which has been approved by  
the Court, and the said *E. A. Goldthorp*  
having taken the oath required by law,  
is duly qualified and authorized to act  
as Temporary Administrator of said  
Estate.

Given under my hand and seal  
of office this *31<sup>st</sup>* day of  
*July*, A. D. 1897,

*A. S. Jackson, Co. Clerk*  
*Dallas County Texas,*  
*By A. B. Lawrence Deputy*

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

*No 2346.*

In re Estate  
of  
R. McMillen

Order appointing  
Temporary Ad'mr.

~~FILED~~

~~JUN 11 1897~~

~~*Harris*~~

HARRIS, ETHERIDGE & KNIGHT,  
ATTORNEYS AT LAW,  
Rooms 215, 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

DALLAS GENEALOGICAL SOCIETY-1978

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW.  
Rooms 216, 218, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

IN RE ESTATE OF )  
R. McMILLEN, DECEASED. ) IN THE COUNTY COURT OF DALLAS  
No. 2346. ) COUNTY, TEXAS.

Now comes E. A. Goldthorpe, Temporary Administrator of R. McMillen, deceased, pending in the County Court of Dallas County, Texas, and in obedience to the order of court files the following inventory and appraisement of the said estate, to-wit:

I.  
ASSETS.

The business of R. McMillen, deceased, was conducted in Dallas, Texas, under the trade name of The Texas Door & Sash Co., and consisted in the sale of sash, doors, blinds, moulding, etc., shipped to Dallas from mills owned and controlled by Mr. McMillen in Oshkosh, Wisconsin, and at the time of the appointment of temporary administrator herein, the assets of the Dallas business were as follows, to-wit:

Doors	\$9411.30
Sash	10525.10
Blinds	2228.52
Moulding	2701.12
Corner, Base & Head Blocks	338.35
Miscellaneous Mdse.	1218.43
Total Mdse.	\$26,422.82
1 Horse, 1 Wagon and 1 set Harness	225.00
Office Fixtures & furniture	353.15
Insurance (unearned)	219.25
	\$27,220.22
Cash on hand	25.25
Accounts receivable ( <i>face value</i> )	12,080.97
	\$39,326.44

Your administrator has a full complete itemized account of each and every article and item, making up the aforesaid summary, which covers 49 closely written pages of legal cap, which he will preserve in the office safe, for reference but which he will not attach hereto on account of its great length and the expense of

-:2:-

recording the same, unless so required by the court.

R. McMiller was domiciled in Wisconsin at the time of his death and he leaves a wife, Mrs. Alice McMillen, surviving him, but whether the ownership of the aforesaid property is controlled by the laws of Wisconsin or Texas and whether ~~he~~ is separate property or community, your administrator is unadvised.

## II.

### LIABILITIES.

At the time of the appointment of your administrator, the estate was indebted to creditors residing in Texas, as follows, to-wit:

National Bank of Commerce, about	\$3900.00
Labor, freights, salaries, etc., about	565.00

There were no other liabilities to parties residing in Texas known to your administrator, but the estate is indebted to non-residents but the amount and particulars of such indebtedness is unknown to your administrator.

*E. A. Goldthorpe*  
Temp. Admr. estate R. McMillen

We, E. A. Goldthorpe, Temporary Administrator of R. McMillen Estate, and J. D. Estes and W. H. O'Neill, appraisers of said estate, on oath state, that the aforesaid inventory and list of claims is a full and complete inventory of the list of property and claims of said estate that have come to our knowledge. In making the above summary use has been made of detailed, itemized inventories prepared by the said administrator with the assistance of W. H. O'Neill, which are filed in the office of the said The Texas Door & Sash Co. and to which reference is here made.

...  
...  
-13:-

-:3:-

These inventories are not attached on account of their great length and the expense ~~and~~ of recording, but are subject to the order and control of the court.

E. A. Goldthorpe

W. H. H. III

J. D. Carter

Sworn to and subscribed before me this 14<sup>th</sup> day of August,  
A. D., 1897.

D. W. Carr  
Notary Public, Dallas County, Texas.

No. 2346.

IN RE ESTATE OF  
R. McMILLEN, DECEASED.

-----  
INVENTORY AND APPRAISEMENT.  
-----

FILED

AUG 21 1897

A. S. JAMES, Dallas County, Tex.  
*A. S. James*

*Recorded*  
8-24-97

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW.  
Rooms 216, 217, 218 and 219 North Texas Bank Building.  
DALLAS, - TEXAS.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978



testate, and such as only used by myself and my family.) And upon the death of my said wife, I give and bequeath all the property described:

I, Robert McMillen, manufacturer, of the city of Oshkosh, Wisconsin, do make, publish and declare this to be my last will and testament, hereby revoking all former wills by me made.

First : It is my will that all my just debts and funeral expenses be paid in full.

Second : I give, devise and bequeath to my wife, Alice A. McMillen, the use during her natural life my former homestead on West Algoma Street in the 12th ward of the City of Oshkosh, Wisconsin, and known as McMillen's Replat of lots one (1) two (2) and three (3) of Block one hundred and one (101), and lots one (1) two (2) and four (4) of Block one hundred and two (102) of David T. Goss's Addition to Algoma in the now 12th Ward of the city of Oshkosh, Winnebago County, Wisconsin, together with the appurtenances ; and upon my said wife's death I give and devise said premises to my son Robert McMillen Jr., his heirs and assigns to have and hold absolutely and forever, said premises consisting of about <sup>four or five</sup> ~~four or five~~ acres of land.

Third : I give and bequeath to my wife Alice A. McMillen the use during her natural life of all the household effects, household furniture, library, pictures, paintings, brickbrack, silver and plate ware and other utensils contained in said above described premises, also all the household furniture, household effects and belongings, library, musical instruments, paintings and engravings, brickbrack, statuary and works of art, linens, crockery, silver, gold and plate ware of every nature and description contained in and about my present homestead premises on Algoma Street in the 5th Ward of the city of Oshkosh, Wisconsin ; also all the horses, carriages, vehicles, sleighs, cutters, harnesses, robes, whips and other property connected with my stable which are used for myself personally and my family at the time of my decease (not intending to include any of the property <sup>used</sup> in constructing my

factory, but such as only used by myself and my family. And upon the death of my said wife, I give and bequeath all the property described in this subdivision of my will to my son Robert McMillen Jr, and to his heirs and assigns absolutely and forever.

Fourth : I give and bequeath first to my wife, Alice A. McMillen and to her heirs and assigns absolutely the sum of forty thousand dollars (\$40,000.00) in addition to the life insurance upon my life.

Fifth : I give and bequeath second to my son Robert McMillen Jr his heirs and assigns absolutely the sum of twenty-five thousand dollars (\$25,000.00).

Sixth : I give and bequeath third to my executors twenty-five thousand dollars (\$25,000.00) the income thereof to be paid to my daughter Jessie McMillen Radford semi-annually during her natural life, and at her death the same to be paid equally to my adopted daughters Alice McMillen and Hazel May McMillen, natural children of my said daughter Jessie Clayton Quaw, their heirs and assigns. The said sum to be invested by my said executors in good securities during the life of my said daughter Jessie.

Seventh : I give and bequeath fourth to the guardians hereinafter named of my said adopted children Alice McMillen and Hazel May McMillen, in trust, the sum of fifty thousand dollars (\$50,000) the same to be invested in good, sound, interest bearing securities the income to be used to educate and support and maintain said Alice McMillen and Hazel May McMillen until they arrive at the age of twenty-five years respectively, one-half of said sum, together with one-half of the accumulated interest if any to be paid to each respectively as she arrives at the age of twenty-five years.

Eighth : I give and bequeath fifth to my sister Mary Jane Avery of the city of Oshkosh, Wisconsin, and to her heirs and assigns, the sum of eight thousand dollars (\$8,000.00).

Ninth : I give and bequeath sixth to the trustees of the

Algoma Street Methodist Episcopal Church of the City of Oshkosh, Wisconsin, the sum of two thousand dollars (\$2,000.00).

Tenth : I give and bequeath seventh to the Trustees of the Lawrence University of Appleton, Outagamie County, Wisconsin, the sum of twenty-five thousand dollars (\$25,000.00) to found a chair in some branch of learning, to be known as the Robert McMillen chair.

Eleventh : I further provide specifically and expressly that each and every of the foregoing bequests of money be paid in the order in which they are herein named, and that if my estate is not sufficient to pay them all in full the said legacies are to be paid in full in the order in which they are named in this will, beginning with the legacy of forty thousand dollars (\$40,000.00) to my wife, Alice A. McMillen.

Twelfth : I do further expressly and specifically provide that neither of said aforesaid legacies of money shall be come due and payable until five years after my death, unless in the sound judgment of my executors the same can be paid with safety to my estate before, in which case my said executors are authorized and empowered to pay the same at such times as they deem best.

Thirteenth : All the rest, residue and remainder of my estate real and personal and mixed wheresoever the same may be located, I give, devise and bequeath to my son Robert McMillen Jr his heirs and assigns absolutely and forever to have and to hold absolutely and forever.

Fourteenth : I further expressly and specifically provided that my executors herein named shall have the custody and care of my manufacturing establishment, sash, door and blind factory, saw-mill and lumber business at the City of Oshkosh, Wisconsin, of the firm known as R. McMillen & Company, and of all things appertaining thereto, including all stock, equipments, personal and real, appurtenances of every name and ~~xxxxxx~~ description in any way appertaining to the same, and to the firm known as R. McMillen & Co

My executors are hereby authorized and empowered and to the said business at Oshkosh, Wisconsin, and of the said firm known as R. McMillen & Co wherever located, and also of the branch business thereof conducted at Dallas, Texas, under the name of the Texas Sash & Door Company, and the said executors may carry on and continue said business at Oshkosh, Wisconsin, and all things appertaining thereto and to the same and to said business at Dallas, Texas, under the style of the Texas Sash & Door Co for the period not to exceed three years, the same as I could do if living, giving and granting them full power and authority to do all things necessary in the premises.

Fifteenth : I hereby further provide and expressly and specifically give and grant unto my said executors hereinafter named full and complete ~~authority~~, authority and power to sell, grant, and convey any and all real estate, lands and premises I may die possessed of, including my sash, door and blind factory and saw mill plant and property, giving and granting my said executors full power and authority in the premises, and authorizing and empowering them to execute, acknowledge and deliver any and all instruments, writings, deeds and conveyances, with or without covenants of warranty necessary in the premises.

Sixteenth : I nominate and appoint my son Robert McMillen Jr C.H. Paxton and George Hilton, all of Oshkosh, Wisconsin, executors of this my last will and testament, and I expressly and specifically release and relinquish them from giving bonds as such executors, and I expressly request that they be not required to give bonds as such executors.

Seventeenth : I nominate and appoint my wife Alice A. McMillen my son Robert McMillen Jr and George Hilton of Oshkosh, Wisconsin guardians of my adopted daughters Alice McMillen and Hazel May McMillen, and I request that they be not required to give any bonds as such guardians, and I release and relinquish them from giving bonds as such guardians.

Eighteenth : My executors are hereby authorized and empowered to use so much of my estate as they may deem necessary for the support and maintenance of my daughter Jessie McMillen Radford and for the support, maintenance and education of my adopted children Alice McMillen and Hazel May McMillen during the pendency of the settlement of my estate and until the legacies herein bequeathed them respectively shall be assigned them as provided in this will, not exceeding however the sum of one thousand dollars per annum for the support, maintenance and education of each of them.

All interlineations and erasures made before execution.

WITNESS my hand and seal this 3rd day of March A.D.1897.

ROBERT McMILLEN (SEAL).

Signed, sealed and declared and published by the said Robert McMillen as his last will and testament in the presence of each of us, and we, at his request and in his presence, and in the presence of each other, all being present at one and the same time, have hereunto set our names as subscribing witnesses.

C.W.Davis, Residence Oshkosh, Wisconsin.

Willard H.Titus, Residence Oshkosh, Wisconsin.

Susie D.Wilder, Residence Oshkosh, Wisconsin.

I, Robert McMillen, manufacturer, of the City of Oshkosh, Wisconsin, being of sound mind and memory, do make, publish and declare this to be a codicil to my last will and testament made on the 3rd day of March A.D.1897.

First : I hereby ratify and confirm my said will in all things except as hereafter expressly modified.

Second : I give and bequeath to my son Robert McMillen my horse known as the Little George colt, my end spring buggy made by

Clark of Oshkosh, Wisconsin, the harness, blankets and appurtenances belonging to said horse and buggy.

Third : I give and bequeath to my nephew Daniel Lindsay of the city of Oshkosh, Wisconsin, his heirs and assigns, the sum of one thousand dollars (\$1,000.00).

Fourth : I give and bequeath to my sister Mary Jane Avery of the city of Oshkosh, Wisconsin, the sum of two thousand dollars (\$2,000.00), this to be in addition to the legacy of eight thousand dollars (\$8,000.00) provided and given her under the eighth subdivision of my will.

Fifth : I give and bequeath to the trustees of the Algoma Street Methodist Episcopal Church of the City of Oshkosh, Wisconsin the sum of one thousand dollars (\$1,000.00), this to be in addition to the bequest of two thousand dollars (\$2,000.00) given to said trustees under ~~xxxxxxx~~ and by the 9th subdivision of my said will.

Sixth : I give and bequeath to the Wisconsin Conference Board of Trustees of the Methodist Episcopal Church and to their successors the sum of three thousand dollars (\$3,000.00).

Seventh : I further provide specifically that the foregoing legacies shall be payable in the following order, to-wit : that the said legacy to my nephew Daniel Lindsay shall be payable next after the payment of the legacy of my sister Mary Jane Avery, bequeathed her under the eighth subdivision of my said will. The said legacy of two thousand dollars (\$2,000.00) to my said sister Mary Jane Avery next after the payment of said legacy of my said nephew ; the said legacy of one thousand dollars (\$1,000.00) to the Trustees of the Algoma Street Methodist Episcopal Church shall be payable at the same time that the legacy of two thousand dollars (\$2,000.00) to the said trustees, given by the ninth subdivision of my said will. And the said legacy of three thousand dollars (\$3,000.00) given to the Wisconsin Conference Board

of Trustees of the Methodist Episcopal Church shall be payable next after the payment of the legacy of the trustees of the Algoma Street Methodist Episcopal Church and before the legacy to the trustees of the Lawrence University of Appleton, Wisconsin, it being my object and desire that the legacies herein given my relatives shall be payable in the order above stated, and next after the legacies given the members of my family and relatives in and by my said will, and that the charitable bequests shall be payable in the order herein stated, and that if my said estate is not sufficient to pay said legacies all in full, they shall be paid in full in the order named so far as my estate will permit.

Eighth : And I do further specifically provide that neither of said legacies of money shall be payable until five years after my death, unless in the sound judgment of my executors the same can be paid with safety to my estate before.

Ninth : I give and bequeath to my friend and clerk C.H. Paxton of the City of Oshkosh, Wisconsin, the notes and mortgages I hold against him and upon his homestead on High Street in the Fifth Ward of the City of Oshkosh, Wisconsin, said homestead being in the year of my ~~present~~ present homestead, and I authorize my said executors to release said mortgages.

Tenth : I nominate and appoint my friend Charles W. Davis of Oshkosh, Wisconsin, one of the executors of this will and one of the guardians of my children Alice McMillen and Hazel May McMillen and he is named as such executor and such guardian in addition to the executors and guardians named in said will, whose appointments are confirmed. And I do give and grant such executor and guardian Charles W. Davis, the same power and authority conferred upon any other executors and guardians, and I do hereby release and relinquish said Charles W. Davis from giving bonds as such executor and guardian.

WITNESS my hand and seal this 29th day of June 1897.

ROBERT McMILLEN (SEAL).

STATE OF WISCONSIN  
COUNTY OF MILWAUKEE

Signed, sealed, published and declared by the said testator Robert McMillen, in the presence of each of us to be a codicil to his last will and testament, and we, at his request, in his presence, and in the presence of each of us, all being present at the same time, have set our names as attesting witnesses.

Susie D. Wilder, Residence Oshkosh, Wisconsin  
Willard H. Titus, Milwaukee  
Weinfred Irish, Milwaukee

(Copy)

and of sound mind, and that said instrument was duly attested and subscribed in the presence of the witnesses by the testator thereto:  
The foregoing instrument was by the said Court duly allowed and admitted to probate.

*Robert McMillen*  
17th day of August 1917



STATE OF WISCONSIN, }  
WINNEBAGO COUNTY. } ss.

BE IT REMEMBERED, That on the 17th day of August  
A. D. 1897, at Oshkosh, in said County, pursuant to notice duly given, as required by law,  
at a regular term of the County Court of said County W. H. Sitar

subscribing witness One of the to the Last Will and Testament of and Adjunct to the mill  
late of City of Oshkosh Robert M. Miller, in said County, deceased, hereto annexed have  
been produced and duly sworn and examined.

And the proofs having been heard before said Court, and the Court having thereupon found  
that said instrument was in all things duly executed at his last will and testament by the said  
Captain Robert M. Miller and  
that he was then of full age,

and of  
sound mind, and that said instrument was duly attested and subscribed in the presence of the  
testator by the witnesses thereto;

Thereupon said instrument was by the said Court duly allowed and admitted to probate,  
as and for the last will and testament of the said Robert M. Miller  
deceased.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
the seal of the County Court of said County, at Oshkosh, this  
17th day of August  
A. D. 1897.

Peter Nelson

Register of Probate.

PROBATE  
WINNEBAGO COUNTY CO

In the Matter of the Will

ertificate of Pr

STATE OF WISCONSIN,  
WINNEBAGO COUNTY.

ss. I. PETER NELSON, Register of Probate of Win-

nebago County Court, do hereby certify that the annexed copy of *Will Codicil*  
*and Certificate of Probate of Robert M<sup>rs</sup> Miller*  
*Decedent* has been compared by me with the original  
*Will Codicil and Certificate of Probate*

now on file and of record in my office, and that the said copy is a correct transcript  
from such original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the Seal of the said County Court of said  
County on this *5<sup>th</sup>* day of *October*  
A. D. 189*7*



*I. Peter Nelson*  
Register of Probate.

In County Court - Winnebago County - Wisconsin.

-----  
In the matter of the estate of        )  
  :    In Probate.  
Robert McMillen, deceased.            )

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The petition of C.W.Davis, C.H.Paxton, Robert McMillen Jr and George Hilton, respectfully shows ;

That at the time of the death of Robert McMillen, deceased, the said deceased was conducting a business at Dallas in the State of Texas under the style of The Texas Door & Sash Company, the said Robert McMillen, deceased, being the sole owner thereof ; that at the time of the death of the said Robert McMillen, deceased, on the 23rd day of July A.D.1897, the said Texas Door & Sash Company was indebted to diverse and sundry persons, residents of the State of Texas, in the sum of        thousand six hundred and ten dollars and twenty-two cents (\$4,610.22) including accumulated interest thereon to that date ; that other than the foregoing indebtedness the said Robert McMillen was not indebted to any one in the State of Texas ; that the property of the said Robert McMillen, deceased, in the State of Texas is now being administered by E.A.Goldthorpe of Dallas, Texas, as Special Administrator ; that under and by virtue of the laws of the State of Texas by payment in full of the creditors of the said Robert McMillen, deceased, in the State of Texas, the property of the said Robert McMillen, deceased, in said State can be turned over to your petitioners as the executors of the estate of the said Robert McMillen, deceased, without further process of law and

without going through the process of administration of his said estate in the State of Texas ; that in the opinion of your petitioners it is for the benefit of the estate of the said Robert McMillen, deceased, that the indebtedness of the said Robert McMillen to his creditors in the State of Texas be paid in full and the property in said state of Texas be turned over at once to your petitioners.

Your petitioners therefore pray that by an order of this court they be authorized and empowered to pay the said indebtedness of four thousand six hundred and ten dollars and twenty-two cents (\$4,610.22) with whatever interest has accumulated thereon since the 23rd day of July A.D.1897, and take possession of the property of the said Robert McMillen, deceased, in the State of Texas, and for such other and further relief as they may be entitled in the premises.

Dated this 5th day of October A.D.1897.

*C. W. Davis*  
*C. H. Paxton*  
*Robert M. McMillen*  
*George Hilton*

State of Wisconsin )  
 Winnebago County ) :ss

C.W.Davis, C.H.Paxton, Robert Mc

Millen and George Hilton being each duly sworn on oath, each for himself and not one for the other deposes and says, that he is one of the petitioners above named ; that he has heard read the foregoing petition, knows the contents thereof and that the same is true to his own knowledge.

Subscribed and sworn )  
 to before me this 5th day )  
 of October A.D.1897. )

*William C. Bush*

Notary Public, Wis.

*C. W. Davis*  
*C. H. Paxton*  
*Robert M. McMillen*  
*George Hilton*

In County Court - Winnebago County - Wisconsin .

-----  
In the matter of the estate of     )  
Robert McMillen, deceased.         :     In Probate .  
  )

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Upon reading and filing the verified petition of the executors of the last will and testament of Robert McMillen, deceased, for leave to pay the <sup>of Robert McMillen</sup> creditors residing in the State of Texas their claims in full, and to obtain possession without further administration of the property of the said Robert McMillen, deceased, in the State of Texas, and the court being advised in the premises, it is

O R D E R E D : That the said executors be and they are hereby authorized and empowered to pay the creditors of Robert McMillen, deceased, residing in the State of Texas, not exceeding the sum of four thousand six hundred and ten dollars and twenty-two cents (\$4,610.22) with accumulated interest since July 23rd A.D. 1897, upon <sup>all</sup> the property of the said Robert McMillen, deceased, in the State of Texas being turned over to the said executors without further legal process, in the State of Texas.

Dated this 5th day of October A.D. 1897.

By the Court ,


C. D. C. [Signature]

County Judge .

State of Wisconsin )  
Winnebago County ) ss

I, Peter Nelson, Register in Probate of Winnebago County, <sup>Court</sup> State of Wisconsin, do hereby certify that the copy of the will of Robert McMillan, deceased, hereto annexed, and the certificate of the probate thereof, the copies of the petition and order to pay the debts of the said Robert McMillan within the State of Texas hereto annexed, have been compared by me with the original will, <sup>original</sup> original certificate of probate thereof, and the original petition and order aforesaid, all of said documents now on file and of record in my office and required by law to be in my custody; that said copies and each of them is a true copy of said original will, <sup>original</sup> certificate of probate and said original petition and order; and that the said copies are true copies of the originals and of the whole thereof.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of the County Court, at Oshkosh in said County this 5th day of October, A.D. 1887.

  
*Peter Nelson*  
Register of Probate,  
Winnebago County, <sup>Court</sup> Wisconsin

ORDERED that the said  
the seal of the ATTORNEY GENERAL  
of Wisconsin County, State of Wisconsin, do hereby certify  
I, Peter Nelson, Register in Probate  
Winnepesaukee County  
State of Wisconsin

State of Wisconsin }  
Winnepesaukee County } ss

I, C.D. Cleveland, County Judge of  
Winnepesaukee County, Wisconsin, do hereby certify that Peter Nel-  
son is the Register of Probate of the County Court of Winnepesaukee  
County, Wisconsin; that he is the officer in whose custody  
is the original will of Robert McMillen, deceased, the certi-  
ficate of probate thereof, the original petition and order to  
pay the debts of the said Robert McMillen, deceased, in the  
State of Texas, and I do hereby further certify that the an-  
nounced attestation is made by said Register of Probate, Peter  
Nelson, and is in due form of law.

IN TESTIMONY WHEREOF, I have hereunto set my  
hand and affixed the seal of the County  
Court, at Oshkosh, in said county, this  
fifth day of October A.D. 1897.

C. D. Cleveland

County Judge,

Winnepesaukee County, Wis.

Судебное дело  
Судебное дело  
Судебное дело  
Судебное дело  
Судебное дело

In Re Estate,  
Robt. McMillen, Deceased.)  
No. 2346.

IN THE COUNTY COURT OF  
DALLAS COUNTY TEXAS.

To the Honorable Kenneth Forge, Judge of said Court:--

Your petitioners, Chas. W. Davis, Robert McMillen, Jr., C. H. Paxton and Geo. Hilton, residents of Oshkosh, Wis., respectfully represent:

1.

That on ~~July 23~~ *July 23<sup>d</sup>* 1897, Robert McMillen of Oshkosh Wisconsin, departed this life at his residence in Oshkosh, leaving a written Will dated June 29th, 1897, which was afterwards on the 17th day of September, 1897, duly probated in the County Court of Winnebago County, Wisconsin, and your petitioners duly appointed executors pursuant to the terms and provisions thereof, certified copies of which will and judgment probating the same and appointing your petitioners as executors, being herewith filed and made a part hereof.

2.

That at the time of his death the said Robt. McMillen was conducting a business at Dallas, Texas, under the trade name of THE TEXAS DOOR & SASH COMPANY, which business had assets in the state of Texas, amounting to about \$40,000 and owed debts in the State of Texas, amounting on July 23, 1897 to the sum of \$4610.22, including interest and that except as above the said Robt. McMillen did not own any other property or owe any other debts in the State of Texas; that for the purpose of collecting the said assets and paying the said debts, at their instance and request, E. A. Goldthorpe, was on Friday July 30, 1897, appointed temporary administrator <sup>he</sup> and he thereupon duly qualified and filed the inventory and appraisement required by law showing substantially the facts



IN RE ESTATE OF ROBERT MCMILLEN  
No. 3374  
ROBERT MCMILLEN, DECEASED  
BY THE GENERAL COUNSEL OF

-12-

above set forth.

3.

Your petitioners show that the only necessity for an administration in Texas was for the purpose of collecting and liquidating the Texas assets and paying the Texas debts and that to continue such an ancillary administration for any other purpose would involve great inconvenience and expense and that they have therefore since the grant of such administration procured an order from the administration at the domicile, a certified copy of which is here with filed and made a part hereof, authorizing them to pay off and discharge all of the Texas debts and that pursuant to such order they have before the filing of this petition, discharged all of said debts, excepting costs and expenses of this administration which they are ready to pay whenever the amount of the same shall be determined; that all of the Texas assets are now in such condition as to be capable of collection and liquidation without the aid of an ancillary administration, through the administration at the domicile and that the same have been included in the inventory at the domicile as having come into the hands of your petitioners and are as fully covered and protected by such administration as any other assets of the estate.

The premises considered your petitioners pray that notice of this application be given to the temporary administrator and to the Texas creditors of Robt. McMillen, and that on the hearing the temporary administration herein be closed, and the temporary administrator and his sureties be fully discharged upon the payment by your petitioners of the costs and expenses of this administration and the surrender to your petitioners of all of the Texas assets as shown by his inventory, and they pray for such other further

general and special relief as they may be entitled to in the pre-  
mises.

*Harris Edwards Knight*  
Att'ys For Chas. W. Davis,  
C. H. Paxton, Robt. McMillen, Jr  
and Geo. Hilton.

State of Wisconsin,  
County of Winnebago.

J. H. Paxton on oath state, that I am one of  
the executors of the estate of Robt. McMillen, deceased, and one  
of the petitioners above named, that I have read the foregoing  
petition and that the facts stated therein are true.

J. H. Paxton

Sworn to and subscribed before me by the said C. H. Paxton

on this 5th day of October, 1897.

William C. Bouck  
Notary Public in and for Winnebago  
County, Wisconsin.

No. 2346.

In Re Estate of  
Robt. McMillen, Deceased

-----  
PETITION OF CHAS. W. DAVIS, ET  
AL, EXECUTORS, FOR THE DISCHARGE  
OF THE TEMPORARY ADMINISTRATOR  
AND CLOSE OF SUCH ADMINISTRATION

FILED *Oct 8 1897*  
A. S. JACKSON,  
County Clerk, Dallas County, Tex.  
By *J. H. Austin* DEPUTY.

*Recorded*  
*10-20-97*  
*Cit and Oct. 11 97 - to Admin*

**HARRIS, ETHERIDGE & KNIGHT,**  
ATTORNEYS AT LAW,  
Rooms 216, 216, 217, 218 and 219 North Texas Bank Building,  
DALLAS, - TEXAS.

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