

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

Case Number 316

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# 316

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We of the jury find Mr R. Kattye  
to be insane

Wm. H. Brundage  
Foreman

State of Texas } Percholly appeared before  
County of Dallas } me

Dr R A Roberts Being sworn -  
Testifies that he has been a practicing  
Physician in Dallas Co for ten years.  
That he has known Mr R Keltzore  
during that time but has not seen  
him since his attack until to day  
After examining him and from all the  
evidence he has of his case believes  
him to be of unsound mind, and agree  
with Dr Palmer as to the cause of  
his derangement

R. A. Roberts, M.D.

State of Texas }  
County of Dallas } me

Dr R A Roberts being sworn -  
Testifies that he has been a practicing  
Physician in Dallas Co for ten years.  
That he has known Mr R Kallyre  
during that time but has not seen  
him since his attack until to day.  
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him to be of unsound mind, and agree  
with Dr Palmer as to the cause of  
his derangement

R. A. Roberts, M.D.

The State of Texas, )

COUNTY OF DALLAS.

TO *L M Brown* SHERIFF OF DALLAS COUNTY—GREETING:

YOU ARE HEREBY COMMANDED. That you summons *J L McClure*  
*Guardian of the Estate of Richard Lealtype*  
to be and appear at the next term of the District Court, to be held in and for the county of Dal-  
las, at the Court House in the Town of Dallas, County of Dallas, and State of Texas, on the first  
Monday in *February*, A. D. 187*1*, then and there to file *his* Annual Return,  
in writing, and show cause, if any *he* has, for not having made said Return according to  
law.

WITNESS, John M. Laws, Clerk of the District Court  
of Dallas County. Given under my hand and the Seal of said  
Court, at office in Dallas, this *17<sup>th</sup>* day of *December*,  
A. D. 187*0*.

*J M Laws*  
Clerk of the District Court of Dallas County, Texas.

By *J E Croombes*, Deputy.

## The State of Texas.

TO ALL PERSONS interested in the Richard Kattye  
A. J. Mc Cann Guardian of the Estate of  
Richard Kattye has filed in the District Court of Dallas County  
 application for his final account of the  
Administration of the Estate of Richard Kattye  
 which will be heard at the next Term of said Court,  
 commencing on the first Monday in June A.D. 1871, at the Court-House thereof,  
 in the Town of Dallas, at which time all persons interested in the Estate  
 of said Richard Kattye  
 may appear and contest said application, if they see proper.

WITNESS: JOHN M. LAFFIN, Clerk of the District Court of Dallas County.

GIVEN UNDER MY HAND AND THE SEAL OF SAID COURT  
 at Office in Dallas, this 21 day of March  
 A.D. 1871.

John McLaws  
 CLERK DISTRICT COURT, D. C. T.  
 By J. E. Coombes Deputy

No 89

A. J. Mc Cann  
 Guardian of the Estate of  
Richard Kattye

Original Citation

Issued Decr 17<sup>th</sup> 1870  
J. M. Laws Clerk  
By J. E. Coombes Deputy  
 Came to hand Decr  
the 17<sup>th</sup> 1870  
 Eye entered by reading  
 this summons  
 to A. J. Mc Cann  
Jan the 29<sup>th</sup> 1871  
J. W. Brown  
 Sheriff  
 By J. S. Coombes  
 Deputy

Fee 4.00





THE STATE OF TEXAS.

To the Sheriff of Dallas County--Greeting:

You are hereby commanded to take the body of

Richard Kattye

if to be found in your county, and ~~keep~~ <sup>in vacation</sup> safely keep, so that you have him to be and personally appear at the next term of the County Court of Dallas County, State of Texas, to be held on ~~the first Monday~~ <sup>Saturday</sup>, the 6<sup>th</sup> day of November, 1869, at the Court House thereof in the Town of Dallas; then and there to answer the State of Texas, in a charge made by complaint and information in writing, filed in the office of the Clerk of said Court, on the 1<sup>st</sup> day of November, 1869, wherein the said Richard Kattye is charged with Larceny.

Herein fail not, but have you then and there, this writ, with your return thereon, showing how you have executed the same.

Witness my hand and Seal of Office. Done at Office in Dallas, in the County of Dallas, State of Texas, this 4<sup>th</sup> day of November, A. D. 1869.

J. J. Jones  
Clerk of the County Court of Dallas County.

<sup>2089</sup>  
W. R. Cades Et al  
vs  
Richard Kattye  
Issued Nov 4<sup>th</sup> 1869  
Mittchen  
A. B. Gage  
John Walfield  
Dr R. A. Roberts  
vs A. B. Palmer  
Carried over from  
by issued  
Accepted Nov 4<sup>th</sup>  
1869 by numerous  
A. B. Gage  
John Walfield  
Dr R. A. Roberts  
vs R. W. Thonigan  
Sheriff of the County  
4 Nov 1869  
257  
418

The State of Texas } In Probate Court  
County of Dallas } Nov. Term - 1869

To The Hon. A. Blescoe County Judge  
of said County Information is hereby given  
by the undersigned that Richard Keltz  
a resident citizen of said County is be-  
lieved to be insane, and that it is nec-  
essary for his own welfare as well as  
that of others, that he the said Richard  
Keltz be placed under restraint  
and such other and further action  
be taken by your Honor in the prem-  
ises as the law directs.

W. R. Eades  
A. J. McLean  
John Heathfield

<sup>1869</sup>  
W. R. Eades, Et al  
vs  
Richard Keltz

Issued Nov 4<sup>th</sup> 1869

Came to hand  
warrant issued  
by court  
by arresting  
Richard Keltz  
have him now  
in open  
Court

W. R. Eades  
Sheriff

Sheriff Fee 100  
Fees 300  
30 miles, 200  
400

State of Texas }  
County of Dallas } Personally appeared before  
me

Dr. A. B. Palmer Being sworn  
Testifies that he is a practicing Physi-  
cian and has been for many years in this  
County - states that he has known  
My R. K. Kalyre for seven or eight  
years. his general health has been very  
good - & his habits also good. Was called  
to see him at Mr McLean's on day before  
yesterday - I found no symptoms of serious  
sickness - except in mental derangement  
His face was haggard, his bowels costive  
and his pulse feeble - not much appetite.  
His conversation on every subject was  
sane except as to his own health - his  
evils were all imaginary. his derangement  
is what is termed Monomania, of a  
hypochondriacal order. I have done but  
little for him as yet, expected to have  
visited him again - The cause as told  
by the Patient, is onanism. I think his  
case is probably curable.

A. B. Palmer

The State of Texas }  
County of Dallas }

Before me the undersigned  
authority personally appeared W R Gades  
who being by me duly sworn deposes and  
says - "that Richard Kallyre has been  
under my treatment for about three weeks  
at the residence of A J McCar's in Dallas  
County - and that I believe he is affected with  
acute Insanity of a progressive character  
- I am a practicing physician of about eleven  
years standing - I have treated insane persons  
before this case - and give as my opinion  
that Mr. Richard Kallyre is insane"

W R Gades M D

Sworn to and Subscribed before me  
this 1<sup>st</sup> day of November 1869

J J Jones  
Clerk

The State of Texas

To the Sheriff of Dallas County Greeting

You are hereby Commauded that You  
 Summon Twelve Good and Lawful  
 men, house holders in the County or free  
 holders in the State to be and appear before  
 the Hon County Judge of Dallas County  
 in the town of Lancaster on Saturday the  
 6<sup>th</sup> day of November A.D. 1869. to serve as  
 Jurors in a certain matter wherein U R  
 Cades Et al are Plaintiffs and Richard  
 Koltze is Defendant on a charge of  
 Lunacy.

Know fail not but due return hereof  
 make as the law requires.

Witness my official Seal & Signature at  
 office in Dallas this 4<sup>th</sup> day of November  
 A.D. 1869.

J. J. Jones  
 Clerk of the Dist. Ct. of Texas

County of Tarrant  
No 3 Municipal Court

for papers in the  
Case of  
W R Godes. et al

vs  
Richard G. Godes

Came to hand some by  
issued and executed to  
by summoning the follow  
ing named parties to wit  
late Chapman Joseph Rafferty  
deceased & his estate

W M Parks, William Keightley,  
Edman Keightley, Jesse Right of Garm  
Gus Williams, Wm Rainford  
Brandtidge  
Sheriff Fee  
summons per copy  
Mudge in same

W R Godes  
Sheriff H C D

2.00  
4.00

The State of Texas  
County of Dallas

Now comes A. J. McLean guardian of the Person and Estate of R. Kalligre a person of unsound mind and says that he caused to be sold and did sell the following property belonging to the Estate of his said ward R. Kalligre at Cedar Hill in Dallas County Texas, on the 6<sup>th</sup> day of May 1870 to the highest bidder and on a credit of six months, after duly advertising and complying with the law, and the order of the Court made at the April Term 1870 - To wit the following:

Property	The Purchasers	The Price
One Ox Wagon	To. Joseph H Stewart	\$75.00
One horse	" Wm. C. Wolff	50.00
One Mare & colt	Mrs. J. G. Green	69.00
One Saddle & bridle	Jo. E. Kelly	15.00
One yoke of oxen	J B Harris	40.00
One yoke Oxen	Samuel Nhl	37.50
do do	do do	57.50
do do	do do	46.50
One lag chain	J B Harris	2.00
One lag chain	W. A. Hollingshead	1.00
One Fifth chain	Ambrase Pavers	2.00
Two sides of wagon bed	James Sprouls	1.00
one trunk	Jeff Bryson	1.00
Amount of Sales =		\$374.50

The black horse and wagon & hubs were not found in time and were not sold

The State of Texas  
County of Dallas

I appear in the undersigned authority, Personally appeared to  
I left Cedar Hill by the duty sworn deposes and says the facts  
set forth in the above and foregoing Sale Bill are true to the best of his knowledge  
and belief  
This May 15<sup>th</sup> 1870  
A. J. McLean  
John M. Laws Secy C. H. & C. Day

The State of Texas } In District Court  
 County of Dallas } Fall Term 1870

Be it remembered that R  
 Kallyre was legally declared to be a person  
 of unsound mind (a monns manias) on  
 the 1<sup>st</sup> day of Nov. 1869 - and still remains  
 as such - and that satisfactory evidence  
 being shown to the Court of such fact  
 It is ordered that the Guardians of said  
 Lunatic safely convey or cause to be  
 conveyed, said R. Kallyre to the Lunatic's  
 Asylum at Austin Texas there to undergo  
 such treatment as may be administered  
 by the Superintendent of said Asylum -  
 and it is further ordered that said  
 Guardian A. J. McLean pay out of the  
 Estate of said Kallyre as far as the  
 assets will allow for the expense and  
 maintenance of said Lunatic in the  
 Asylum - and make his report to this  
 Court at its next regular term

It is further ordered that E. P. Killebrew  
 be authorized and empowered to convey  
 said Lunatic to the Asylum -

Witness my hand and official  
 Seal - this 21<sup>st</sup> Oct. 1870

E. P. Garland  
 Judge 14<sup>th</sup> Dist. Texas

Attest

John M. Lewis  
 Clerk Dist Court  
 Dallas county Texas



The State of Texas } In Probate Court  
 County of Dallas } April Term 1870

To The Hon The Judge of the County Court Sitting for  
 Probate and other like purposes

Your petitioner A. J. McLean  
 Guardian of the person and Estate of R. Kallie a  
 person of unsound mind, would respectfully represent  
 into your Honor that his said Ward R. Kallie has  
 been growing worse and becoming more unmanageable  
 recently, and since he was declared ~~insane~~ insane, or a ma-  
no-maniac - so much so that he believes it would be  
 much to the advantage and benefit of said Kallie  
 to send him to the State Locomotive Asylum at  
 Austin, as soon as it can be ascertained that he will  
 be received into said Asylum. . . . Petitioner would  
 further represent that he has on hand funds belonging  
 to his said ward - To wit the sum of Eighty dollars  
 (\$80) collected on note against A. J. McLean - Also the  
 sum of forty dollars (\$40) received as the proceeds of the  
 sale of one yoke of Oxen sold to - Payne at private  
 sale and inventoried at the court - making the sum  
 total of one hundred and twenty dollars on hand  
 of funds belonging to his said ward - Petitioner  
 would further state that there is court costs due and  
 expenses incurred in providing for, and taking care  
 of his said ward, together with other expenses incurred  
 in the guardianship and management of said Estate  
 amounting to the sum of \_\_\_\_\_ dollars

The premises considered, and in order to meet the cur-  
 rent expenses in keeping said Kallie in the Asylum un-  
 til he shall be restored to sound mind - petitioner

prays that your honor grant him and order to sell  
the remainder of personal property on the Original  
inventory of Said Estate, to the highest bidder on  
a credit of Six months, at Cedar Hill in Dallas  
County Texas on Friday the 6<sup>th</sup> day of May AD 1870  
and in compliance with the Statute in such cases made and  
provided - and as in duty bound will ever  
pray

A. J. McLean  
Clerk

A. J. McLean  
of R. Kellum  
own copy  
Petition to sell  
personal property  
County Judge  
Filed April 25<sup>th</sup> 1870  
J. P. McRae  
County Judge  
Petition granted  
April 28<sup>th</sup> 1870  
J. P. McRae  
County Judge

January 13<sup>th</sup> 1870  
 County of Dallas State of Tex

we the under signed appraisers met accable to  
 order of the probate court of the county  
 aforesaid at the house of A. J. McLean  
 and valued the following species of <sup>property</sup> Richard  
 Kellyer of unsound mind

	D.cts
To wit	
1 Bay Horse 4 years old	65.00
1 Black Horse 5 years old	62.50
1 sound mare & colt	75.00
5 yoke of work cattle 40 dollars each	200.00
3 chains 2 dollars each	6.00
1 wagon & two whate	135.00
1 Note on A. J. McLean	80.00
2 sides of wagon bed	2.50
1 trunk	3.00
1 Bridal & saddle	18.00
Two	647.00

Asigned by the appraiser the day and

Date above named  
 we do solemnly swear that the above is a fair valuation of  
 the property of Richard Kellyer so far as the same has been shown  
 to us.

James L. Miller

Sworn to and subscribed } John Henderson  
 before me this 1<sup>st</sup> February }  
 1870 J. S. Jones  
 Notary Public

The State of Texas } J. A. McCom do  
 County of Dallas } solemnly swear that  
 the foregoing Inventory contains a full  
 and complete list of all the property  
 belonging to the Estate of R. K. Kaylor as  
 far as the same has come to my  
 knowledge

J. A. McCom  
 Guard

Inworn to and subscribed before me  
 this 28<sup>th</sup> Feby A.D. 1870

J. S. Jones  
 Notary

State of Texas } Personally appeared  
 County of Dallas } before me

A J Mc<sup>Can</sup> After being duly  
 sworn Testifies, that he has  
 known Mr R Kalltyre about <sup>three</sup> ~~two~~  
 mo<sup>3<sup>rd</sup></sup> that he has lived at his home  
 for the last twelve mo<sup>3<sup>rd</sup></sup>. He appeared  
 to be in his right mind until sometime  
 in the summer, He was a man of good  
 habits, not addicted to intemperance  
 about the middle of last summer  
 I noticed that he appeared to be  
 a good deal, and appeared to be in trouble  
 & did not sleep much, about the last of  
 September he in company with two Mr  
 Allens started to Bryan with their wagon  
 in seven or eight days Mr Allen re-  
 turned to my house with Mr Kalltyre  
 he seemed very much deranged at times,  
 and low spirited - seemed to think that  
 he was dying - or that he would soon  
 die. I called in Dr W. R Eades, who treat-  
 ed his case, five or six days, he seemed  
 better and was able to go about the neigh-  
 borhood - for several days - he returned to my  
 house in about four days, seemed worse  
 again. He says that he had prayed  
 to the Lord to send him a guide

and seeing a Buzzard said that was  
the guide sent him, and followed the  
Buzzard, one north and one south.  
The same day he returned he wanted  
me to notify the people to meet him  
at little Bethel so that he could tell  
them his troubles - I got him out  
of that notion then he wanted to go to  
Widow Nubia, said that he thought if  
he could get there he would be well -  
I had to watch and hold him nearly all  
of one night - These are some of the many  
notions he entertained - He said that  
his black horse was the cause of all his  
troubles - that he would carry him to  
his grave - While going on in this  
way he seemed rational on any bus-  
iness transaction, could make calcu-  
lations &c - knows the value of his own  
property as well as ever but at the same  
time seemed perfectly careless of his interest.  
Question by Court, Was he deranged  
on all subjects or only as to himself -  
Answer - He seemed deranged as to  
himself - His property is worth  
about six or seven hundred dollars -  
at times his appetite was good, and then  
he would not eat for several days

He is about thirty three years of age -  
Has no relatives in this Country -  
A. J. McCar

The State of Texas,

County Court Pertaining to Estates.

DALLAS COUNTY.

November Term, 1868

To all to Whom these Presents May Come--Greeting:

KNOW YE, That A. J. McLean as Principal, and J. H. Stewart & E. P. Killbuck as sureties, are held and firmly bound unto the County Judge of the county of Dallas, in the sum of twelve hundred Dollars, for the payment of which, well and truly to be made unto the said County Judge, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Signed with our hands, and sealed with our seals, the seals being scrolls, the 13 day of November A. D. 18 68

The Condition of the above obligation is such, That whereas the above bound A. J. McLean has been appointed Guardian of The Person and Estate of Richard Kalltyre a man of unsound mind Now, if the said A. J. McLean shall well and truly perform all the duties required of him under said appointment, then this obligation shall be null and void, otherwise to remain in full force and effect

A. J. McLean SEAL  
J. H. Stewart SEAL  
E. P. Killbuck SEAL  
SEAL  
SEAL

THE STATE OF TEXAS,

DALLAS COUNTY.

} S. S.

I, A. J. McLean do solemnly swear that I will well and truly perform all the duties devolving upon me as guardian of the person and Estate of Richard Kalltyre a man of unsound mind

Sworn to and subscribed before me, this 13<sup>th</sup> day of November

A. D. 18 69.

S. J. Jones  
Clerk of the County Court of Dallas County, Texas.



State of Texas }  
Dallas County }

Personally appeared before  
the undersigned authority, A. J. McCar, Guardian  
of the Estate of Richard Kattyer, non compos  
mentis, and made oath that the within  
account is a true and correct exhibit of the condition  
of the Estate of his said ward; that said  
Estate has been fully administered; that this affiant  
believes that the Estate was solvent paid out  
more money than he received; that the amount  
so unpaid amounts to \$\_\_\_\_\_ of which \$35-  
was paid to Superintendent of Lunatic Asylum  
as part of the maintenance of said ward in  
said Asylum for which he asks an order  
from the Court, in the County of said County  
to reimburse him for the same, said County  
being liable for the said maintenance;  
The Estate being fully administered petitioner  
prays that the within may be taken  
as his final exhibit, that the successin  
be finally closed and that he be discharged  
from all further responsibility - The said petitioner  
in answer to the Citation issued against him to  
appear at the Spring term of the Dist. Court for 1871 in  
said County to show cause why he had not appeared,  
seems and made an exhibit of the condition of said Estate  
says that said failure was not voluntarily in contempt  
of Court but in consequence of a misapprehension of the  
time of the sitting of the probate Court occasioned by the  
recent <sup>recent</sup> consolidation of the District and Probate Courts, wherefore  
petitioner prays that he may be forgiven from all  
contempt of Court and for such other relief as he may be entitled to  
as may appear with equity and good conscience and in  
due regard to the public interest - A. J. McCar, Guardian  
Subscribed and sworn to before me this 6<sup>th</sup> day of \_\_\_\_\_ 1871.

