

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

Case Number 2566

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FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

# 2566

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

THE STATE OF TEXAS.

To all Persons Interested in the Estate of William P. Overton, Deceased:

Jessie F. Overton has filed, in the County Court of Dallas County, State of Texas, an application for the Probate of the last Will of said William P. Overton deceased, and for Letters Testamentary, 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, State aforesaid, and commencing on the first Monday in July A. D. 1903, at which time and place all persons interested in said Estate shall appear and contest said application should they desire to do so.

WITNESS: ~~FRANK R. SHANKS~~ JACKSON, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this 18 day of May A. D. 1903

~~FRANK R. SHANKS~~  
~~A. S. JACKSON~~  
County Clerk, Dallas County, Texas.  
By W. B. Rawlins Deputy.

THE STATE OF TEXAS.

To all Persons Interested in the Estate of William P. Overton, Deceased:

Jessie F. Overton has filed, in the County Court of Dallas County, State of Texas, an application for the Probate of the last Will of said William P. Overton deceased, and for Letters Testamentary, 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, State aforesaid, and commencing on the first Monday in May A. D. 1903, at which time and place all persons interested in said Estate shall appear and contest said application should they desire to do so.

WITNESS: ~~FRANK R. SHANKS~~ JACKSON, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this 2 day of April A. D. 1903

~~FRANK R. SHANKS~~  
~~A. S. JACKSON~~  
County Clerk, Dallas County, Texas.  
By W. B. Rawlins Deputy.



No. 3399  
COUNTY COURT.

ESTATE OF  
*Wm P. Overton*

Deceased.

Notice of Application for Probate of Will and Letters.

Issued this *18* day of *May* 190*3*  
FRANK B. SHANKS, County Clerk,  
By *A. M. Lawless* Deputy.

SHERIFF'S RETURN.

Came to hand the *18* day of *May* 190*3*  
and executed the *18* day of *May* 190*3*  
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.

RECORDED

*J. F. Witt*  
Sheriff, Dallas County, Texas.  
By *J. F. Witt* Deputy

*Pasting 3 notices \$3.00*

*138*

No. 3399

COUNTY COURT.

ESTATE OF

*William G. Overton*

Deceased.

Notice of Application for Probate of Will and Letters.

Issued this *2* day of *April* 190*3*  
FRANK B. SHANKS, County Clerk,  
By *A. M. Lawless* Deputy.

SHERIFF'S RETURN.

Came to hand the *2* day of *April* 190*3*  
and executed the *3* day of *April* 190*3*  
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.

*J. R. Johnson*  
Sheriff, Dallas County, Texas.

By *J. F. Witt* Deputy

ERBIE HILLIARD, PRINTER, DALLAS

*Pasting 3 notices \$3.00*

# INVENTORY AND APPRAISEMENT

OF THE PROPERTY, REAL AND PERSONAL, BELONGING TO THE ESTATE OF

*Wm. P. Overton deceased*

1 Cassock stove, 30 yrs old value \$2	155 <sup>00</sup>
1 Joint Table, 57 " " " "	55 <sup>00</sup>
2 Outboards, made in 1842 " "	20 <sup>00</sup>
2 Feather beds " "	25 <sup>00</sup>
2 small Tables " "	20 <sup>00</sup>
1 Wash Pot " "	15 <sup>00</sup>
1 Or dog man, " "	5 <sup>00</sup>
1 Old knife " "	
6 cans of 20" each " "	120 <sup>00</sup>
5 Cans of 4 1/2 " " "	20 <sup>00</sup>
1 Bunk " 50" " " "	50 <sup>00</sup>
1 Yacht stern " "	75 <sup>00</sup>
1 Saw Horse saw pig " "	25 <sup>00</sup>
1 Wagon " "	100 <sup>00</sup>
3 Plows (old) " "	50 <sup>00</sup>
1 Small wash horse " "	10 <sup>00</sup>
1 Double shovel " "	15 <sup>00</sup>
1 Sweep Stick " "	10 <sup>00</sup>
Some old tools	50 <sup>00</sup>
1 Or wire stretchers	5 <sup>00</sup>
1 Old rifle & 1 revolver	120 <sup>00</sup>

No. 3399

COUNTY COURT.

ESTATE OF

*Wm C Orntan*

Inventory and Appraisement.

Filed *FILED* day of *MAY* 1903

JUL 31 1903

County Clerk.

Deputy.

By *R. G. Porter*

Examined and Approved this 19

day of *July* 1903

*Ed. Henderson*  
County Judge.

*Recorded - 7-177*

THE STATE OF TEXAS, }  
COUNTY OF DALLAS.

*Jessie F Orntan, Executor*  
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.

Sworn to and subscribed before me, this the

*17* day of *July* A. D. 1903

*R. G. Porter* Clerk County Court.  
*Notary Public, Dallas County*

THE STATE OF TEXAS, }  
COUNTY OF DALLAS.

Before the Undersigned Authority, this day personally appeared *July 27-1903.*

*Jacob Metzger, and on July 29 personally appeared Bob Sims*  
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 Appraisement of the property pointed out to them as belonging to said estate.

*Jacob Metzger*  
*Bob Sims*

Sworn to and subscribed before me, this the

*29* day of *July* A. D. 1903

*R. G. Porter* Clerk County Court.  
*Notary Public Dallas County* Deputy



No. 3399

PROOF OF WILL

THE STATE OF TEXAS, ) ESTATE OF  
County of Dallas } Wm P. Overton Deceased.  
Proof of Last Will and Testament of Wm P Overton Deceased.

This day personally appeared in open Court Chas. A. Rasbury

who, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to prove said Will, says: I was well acquainted with Wm P Overton deceased, during his lifetime; I knew the above decedent for about 14 years before his death; the signature of the said deceased to the instrument now shown to me, and offered for probate as his last Will and Testament, filed in this Court on the 1 day of April A. D. 1903 and bearing date on the 5 day of Sept A. D. 1890 was made by the deceased on said last named date at Dallas Texas in presence of myself, M V Cole and Jno Bookhout

the other subscribing witness; all of said witnesses being over the age of fourteen years. At the time of the making of said Will the testator was of sound and disposing mind and memory, and he declared the said Will so made by him to be his Last Will and Testament, and I thereupon signed my name as a witness, together with M V Cole and Jno Bookhout at the request of the said testator, in his presence and in the presence of each other. The said deceased at the time of the execution of said instrument was about 60 or 70 years of age; the said Wm P Overton departed this life on the 27 day of Jan A. D. 1903 about 13 years after making said Will, in the County of Dallas in the State of Texas, where and at which time he residence and principal estate was situated.

Sworn to and subscribed before me, this 8 day of July A. D. 1903 in open Court.

F R Hawks Clerk

County Court Dallas County, Texas.

By B F Cullom Deputy.

No. 3399

PROOF OF WILL.

THE STATE OF TEXAS,

County of \_\_\_\_\_

Term, 189\_\_\_\_\_

ESTATE OF

*Wm P. Overton*

Deceased

Filed the \_\_\_\_\_ day of

*July*

A. D. 18*93*

and recorded the \_\_\_\_\_ day

of \_\_\_\_\_ A. D. 189\_\_\_\_\_ in the

Probate Minutes of \_\_\_\_\_

County, in Volume \_\_\_\_\_ Page \_\_\_\_\_

*F R Shanks*  
County Clerk

By *B J Cullom* Deputy.

*7-447*



The Estate of  
 Wm. P. Overton  
 Deceased

} Cause pending  
 in the Probate  
 Court of Dallas  
 County Texas.

I, Jessie F. Overton, do solemnly swear that the writing which has been offered for probate is the last will of Wm. P. Overton, deceased, so far as I know or believe, and that I will well and truly perform all the duties of executor of said will of said estate of said Wm. P. Overton.

This July 17-1903. Jessie F. Overton

Sworn to and subscribed before me, this the 17 day of July 1903.

A. C. Porter  
 Notary Public, Dallas, C. T.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No 3399  
Estate of  
Wm C. Overman  
deced

Oath of Executor

FILED

JUL 31 1903

FRANK M. [Signature]

RECORDED 2/639



FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

In Re  
The Estate of  
William P. Overton, decd .

In the Probate Court  
of Dallas County, Texas.  
April Term, 1903.

To the Hon. Ed S. Lauderdale, Judge of said Court.

Your Petitioner, Jessie F. Overton respectfully represents to the Court, that William P. Overton late a citizen of Dallas County, Texas departed this life on the 27th day of Jan. 1903, and that he was at the time of his death a resident citizen of Dallas County, Texas.

Your Petitioner further shows that said William P. Overton on the 5th day of Sept. 1890 executed in writing in due form of law his last will and testament, thereby disposing of all his property of every nature, and therein appointed your petitioner sole executrix, without bond, of his said last will and testament.

That said will was signed by the said William P. Overton, and witnessed by M.V. Cole, Chas. A. Rasberry and John Bookhout.

That the estate of the said William P. Overton consist of personal property situated in Dallas County, Texas in the state aforesaid, and of the probable value of \$200.00. That your petitioner is a citizen of Dallas County, Texas, and is not disqualified by law from accepting letters testamentary.

WHEREFORE your petitioner comes and files said last will and testament, and this application for the Probate of said will, and prays that notice be given and letters testamentary thereon be issued to your petitioner and for all other proper relief, and your petitioner will ever pray & etc -

*Jessie F. Overton*  
*per R. C. Overton her atty*



State of Texas,  
County of Dallas.

In the name of God, Amen, I, William P.  
Overton, of Dallas county, Texas, being  
of sound mind and disposing memory,

and knowing the uncertainty of life, even to the young, and having  
passed the meridian of life, do hereby make this my last will and  
testament for the disposition of all of my property after my dea-  
th, hereby revoking all other wills and bequests heretofore made by  
me, but hereby expressly ratifying a certain deed heretofore execu-  
ted by me to my beloved wife, Mrs. Jessie F. Overton.

Item 1st: I will and devise that all my just debts be paid  
in full.

Item 2nd: Whereas, my oldest son, Aubrey L. Overton, has heretofore  
received from me his full share from his mother's and my estate,  
amounting to about four hundred and forty acres of land, and has ex-  
pressed to me his entire satisfaction of the amount so received, I  
hereby ratify said gift heretofore made, and in addition thereto be-  
queath to him the sum of twenty five dollars, to be paid to him by  
my executrix hereinafter named, the same to be paid in full for all  
interest either in his mother's estate or mine.

Item 3d: Whereas, my son, W. W. Overton, of Dallas county, Texas, has  
heretofore received from me about one hundred and seventy acres of  
land, situated in Dallas county, Texas, together with the improvements  
thereon, also one span of mules and a wagon, for which he has expres-  
sed his full satisfaction for all the interest he has in his moth-  
er's or my estate, I hereby ratify said gifts, and in addition there-  
to devise and bequeath to him the sum of twenty five dollars, the  
same to be paid by my executrix in full for his interest either in  
my own or his mother's estate.

Item 4th: I hereby devise and bequeath to my wife, Mrs. Jessie  
F. Overton, the sum of fifty dollars per year, to be used and expend-



2.

ed by her in the care, maintenance, support and tender treatment of my daughter, Mollie Overton, and I commend to my executrix the care and support of my said daughter, feeling sure that should said sum not be sufficient for her support and maintenance, that my said wife, Mrs. Jessie F. Overton, will supply any deficiency for her care and support and maintenance, my desire being that said Mollie Overton shall not want for any of the comforts of life.

Item 5th: I hereby will, devise and bequeath to my step-son, Joe C. Price, the sum of one hundred and fifty dollars, which amount I desire to be invested in a horse, saddle and bridle, by my executrix and the same delivered to him.

Item 6th: I will, devise and bequeath to my beloved wife, Mrs. Jessie F. Overton, of Dallas county, Texas, all the balance of my estate of whatsoever nature and description and where-ever the same may be situated, real, personal or mixed, choses in action, possession or expectancy, to have and to hold unto her in her own name forever.

Item 7th: I hereby appoint my wife, Mrs. Jessie F. Overton, sole executrix of this my last will and testament; and it is my desire that she shall not be required to give any bond, and that she shall have authority to mortgage, sell or convey any portion, or all, of my estate; and further, that no action shall be taken by the probate court in the matter of my estate other than to probate and record this my last will and testament and to return an inventory and appraisement of the same.

Witness my hand this the... 5<sup>th</sup>... day of September 1890.

*Wm J Overton*

Signed in the presence of..... each of whom signed  
..... and..... in the presence of the testator,  
all of whom were over fourteen years of age.

*M. V. Cole  
Charles A. Roberg  
Jacob K. Smith*

The last Will and Testament  
of William F. Overton.

-6-

Probated 7/8/03  
(A-396)



3399

In Re  
The Estate of  
William P. Overton, deceased.

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Application for Probate of will  
of William P. Overton, decd .

FILED

APR 1 1903

FRANK W. SHANKS, Co. Clerk  
BY *W. J. Shaw* DEPUTY.

8-356

Recd 4/1/03  
5/1/03