

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

Case Number 2586

Dallas Genealogical Society
Founded 1955

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

#2586

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NOTICE OF APPLICATION FOR PROBATE OF WILL AND LETTERS.

THE STATE OF TEXAS.

To all Persons Interested in the Estate of John F. Caldwell Deceased:

Kal P. Howard has filed, in the County Court of Dallas County, State of Texas, an application for the Probate of the last Will of said John F. Caldwell 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 November 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~~ A. S. JACKSON, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this 22 day of Oct A. D. 1903

~~FRANK R. SHANKS~~ A. S. JACKSON,
County Clerk, Dallas County, Texas.

By B. J. Cullum Deputy.

EXECUTOR'S BOND

The State of Texas, } Estate of
COUNTY OF DALLAS.

KNOW ALL MEN BY THESE PRESENTS, That we, _____
as Principal, and _____ and _____
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 _____ Dollars;
conditioned that the above bound _____ who has
been appointed _____
shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this _____ day of _____ 189 _____

(SEAL)

(SEAL)

(SEAL)

I DO SOLEMNLY SWEAR that the writing which has been offered for probate, is the last will of John F. Caldwell deceased, so far as I know or believe; and that I will well and truly perform all the duties of Executor of said will.

K. P. Howard

Sworn to and subscribed before me this 14 day of Nov 1903

F. R. Shanks
County Clerk, Dallas County, Texas.

By A. B. Rawlin Deputy.

165

No. 3490
COUNTY COURT.

ESTATE OF

John F. Caldwell
Deceased.

Notice of Application for Probate of
Will and Letters.

Issued this 22 day of Oct 1903

FRANK N. SHANNON, A. S. JACKSON, County Clerk.

By *B. F. Cullom* Deputy.

SHERIFF'S RETURN.

Came to hand the 22 day of Oct

1903, and executed the 22 day of Oct

1903, 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. H. Johnson
Sheriff, Dallas County, Texas.

By *R. F. Witt* Deputy

JOHN HILLIARDSON, PRINTER, DALLAS.

Posting 3 notices of 3.00

No. 3490

COUNTY COURT,
DALLAS COUNTY

Oath
EXECUTOR'S BOND.

ESTATE OF

John F. Caldwell
Deceased.

Filed Nov 4 1903

H. R. Hughes
F. B. SCOTT, Clerk,

By *A. M. Rawlin* Deputy.

Approved this _____ day of

189

County Judge, Dallas County.

Recorded - 3 - 220

A. D. Aldridge & Co., Stationers, Printers and Binders, Dallas

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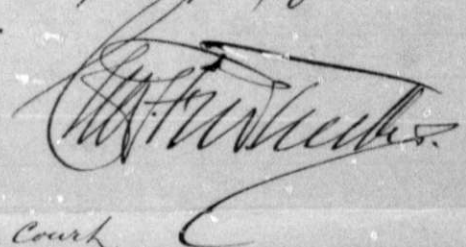
In the Matter of the Estate of John F. Caldwell dec'd.
On Probate of Will

In County Court of Dallas County
Nov. Term 1903

I, Charles Fred. Tucker do swear that I am one of the subscribing witnesses to the Will of John F. Caldwell dec'd dated Oct 19th 1903 now offered for probate in this Honorable Court; that I drafted said will and that the same was executed by the said John F. Caldwell on the day of its date in my presence and in the presence of Charles J. Green and that the said C. J. Green & I signed the same as witnesses at the request of said John F. Caldwell. The said John F. Caldwell at the time was physically too feeble to sign his name with his own hand and at his request I signed the same for him and he made his mark, the will having been previously read to him and fully approved by him. I had known the said John F. Caldwell for more than thirty years prior to his death which occurred in the City of Dallas, Dallas County, Texas on the 21st of October 1903 and I attended his funeral. At the time of the execution of said will the said John F. Caldwell was in his 76th year and was of disposing mind and memory though in very feeble health. The said witness C. J. Green and I were at the time of the signing of said will over fifty years of age.

Sworn & Subscribed before me this 2nd day of November 1903, in open Court.

Grand R. Sherrill, Clerk Co. Court
By B. F. Cullow, Deputy



No 3490
In County Court of Dallas Co.

In the Matter of the
Estate of Mrs. J. Caldwell
dec?

Proof Execution of
Will.

FILED

NOV 2 1903

FRANK R. SHANKS,
CLERK COUNTY COURT,
By B. F. Cullom
DEPUTY.

7/1/03

1970

The State of Texas In the Name of God, Amen:
 County of Dallas I, John J. Caldwell of the City of Dallas, Texas
 being in feeble health and realizing that I am soon to die, but
 being of disposing mind and memory, and desiring to make
 disposition of my estate to be made after my death do
 make and declare this to be my last Will and Testament
 hereby revoking all other wills heretofore made; that is
 to say -

Item I I hereby appoint my old friend J. Hal P. Howard
 of Dallas Texas executor of this will and do give devise and
 bequeath to him all my estate of whatsoever Character
 to be disposed of by him in the manner hereinafter
 directed.

Item II I direct that my executor shall pay first the
 expenses of my last illness and my funeral expenses,
 then to pay all my just debts if any there be: then to pay
 over to my faithful old servant Aunt Lillie Marshall
 fifty dollars as a slight reward for her faithful services

Item III I desire and direct my said executor to
 collect such debts as may be due to me and to pay

over the same in equal parts to my two sons John F. Caldwell Jr. (son of Tyler Evans) and Henry G. Caldwell (son of New Orleans) and to make like distribution of any Cash I may have on hand at the time of my death after payment of the debts, expenses, and legacy aforesaid.

Item IV I desire and direct my said executor to sell as soon as he can obtain fair and reasonable price therefor all my real estate and to pay over the proceeds thereof (after payment of expenses incident to the sale) to my said two sons in equal parts.

Item V I direct my executor, as soon as convenient after my death to distribute my personal property between my said two sons giving to each one half thereof in value according to his best judgment.

Item VI The necessary expenses of the execution of the trusts aforesaid shall be paid by my executor from the estate hereby given to him.

Item VII I direct that my said executor shall not be required to give any bond or security as executor and that the Courts of the Country shall have nothing to do with the administration of my estate save to probate this will and to receive an inventory of my estate.

Item VIII With regard to the estate devised and bequeathed to me for life by my wife Fannie Caldwell dec. with remainder to

my said two sons I beg my said sons to make an amicable
 division of the same without and legal proceedings for
 partition and that in case they shall not be able to
 agree upon a decision I request them to select mutual
 friends to make such partition and that they abide by
 the partition which may be made by them. And finally
 I express the hope that my said sons may have and
 maintain friendly and brotherly relations with each
 other.

Being too feeble to sign this will with my own hand
 I sign the same by my mark this the 19th day of
 October 1903 in the presence of the undersigned witnesses,
 whom I have requested to sign this will as witnesses thereto.

John F. Caldwell
 mark

Witnesses

[Handwritten signature]
[Handwritten signature]

FILED BY THE DALLAS ZENEALOGICAL SOCIETY - 1978

³⁴⁹⁰
Last Will & Testament
K of
John F. Caldwell
—"

FILED

OCT 22 1963

FRANK R. SHAMPEL, Co. Clerk,
B. F. Caldwell
DALLAS, TEX.

7/462

The State of Texas = In the County Court of Dallas County
County of Dallas ⁷⁵⁵ November Term 1903

To the Honorable Edwin S. Lauderdale County Judge of S. County

Your petitioner Hal. P. Howard, a resident of Dallas County Texas by his attorney respectfully represents that on the 21st day of October 1903 John F. Caldwell late a resident of said County died in said County leaving a small estate consisting of personal property in said Dallas County and of real estate of small value situate in Parker County ~~and Tarrant~~ ^{and Tarrant} County Texas. the estimated value of the entire estate, according to the information of your petitioner being about five hundred Dollars.

Your petitioner avers that the said John F. Caldwell at the time of his death was about seventy six years of age and that he left his Last Will and Testament executed on the 19th day of October 1903 providing for the disposition of his estate after his death and by said Will he appointed your petitioner sole executor of said Will and that by said Will he directed that no bond or security as executor should be required of your petitioner.

Your petitioner further avers that at the time of making said Will the said John F. Caldwell was of sound mind and qualified to make such will; and further avers that your petitioner is of full age and in no way disqualified from being appointed such executor.

Your petitioner files the said Will with this application and respectfully prays that the same be admitted to probate and be duly recorded; and that letters testamentary be directed to be issued to your petitioner and that appointment of said estate be appointed as provided by law.

Your petitioner prays for such other and further relief as may be proper in the premises and as in duty bound &c

H. P. Howard
att'y for applicant.

No 3490
In the County Court of Dallas Co.

In the Matter of the
Estate of Mrs. F. Caldwell dec.

Application for the Probate
of Will and for Letters
Testamentary

FILED

OCT 22 1903

FRANK J. SIMMS, Co. Clerk
By B. F. Cullum

8/371

Jess