

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

Case Number 2000

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Dallas Genealogical Society  
Founded 1955

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2000

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24  
K6-131

order closing  
Edn & Geo. T. P. P.

Minnie 100814

K2 Page 106

order approving  
Ans. G. Smith and  
Appraisers

40  
K6-594

Order approving  
Account acat

15  
K2-173

Order approving  
See Real Estate

16  
K3-553

Order on  
investment of  
money

5  
K2-124

order approving  
on bond

K2-167<sup>11</sup>

order to sell  
Real Estate

8  
K2-167

order approving  
bond

\$724<sup>33</sup>/<sub>100</sub>      Dallas September 15<sup>th</sup> 1890  
 after date, etc. promise to pay to the  
 order of *J. W. Rodgers* Guardian for *Jesse C. Dieckey (Minor)*  
*Seven Hundred & Twenty four* <sup>33</sup>/<sub>100</sub> Dollars,  
*Henry Lennet vs*  
 with interest from date until paid, at 10 per cent. per annum. If this note  
 is not paid at maturity and is collected by suit or attorney, etc. further  
 promise to pay ten per cent. additional for attorney's fees. Value received.  
 Due  
*Jesse C. Dieckey*

\$435<sup>00</sup>/<sub>100</sub>      DALLAS, TEXAS *Plby* ----- 1892  
 IN CONSIDERATION OF THE SUM OF \$ 435<sup>00</sup>/<sub>100</sub> TO ME CASH IN HAND  
 PAID BY J. B. ADGUE DO HEREBY TRANSFER AND ASSIGN TO SAID  
 J. B. ADGUE OF DALLAS, ALL OUR CLAIMS AND ACCOUNTS AGAINST W. A. RODGERS  
 AND RODGERS AND MARTIN AND JAMES MORONEY ASSIGNEE OF SAID W. A. RODGERS  
 AND SAID RODGERS & MARTIN, ACCOUNTS AND CLAIMS BEING DESCRIBED AS  
 FOLLOWS:-  
*One Note made to me by Rodgers & Martin*  
*dated Dallas September 15<sup>th</sup> 1890 for Seven Hundred and*  
*Twenty four <sup>33</sup>/<sub>100</sub>*  
  
*Jesse C. Dieckey*

**CUSTOMERS DRAFT**  
  
 Taylor, Texas      Feb 70<sup>th</sup> 1892  
 Pay to the order of *Jesse C. Dieckey* \$435<sup>00</sup>/<sub>100</sub> Dollars  
*City National Bank*  
 order of *James Moroney*  
 Assignee Dallas Texas  
*Jesse C. Dieckey*

Times Established 1876. HERALD ESTABLISHED 1880.  
CONSOLIDATED JANUARY 1, 1882.

DAILY, PER YEAR, \$6.00. WEEKLY, PER YEAR, \$1.00.  
ADVERTISING RATES ON APPLICATION.

1894.

Dallas, Texas,

*Mr. L. W. Hughes Co. Clerks*  
**TO THE DALLAS DAILY TIMES HERALD, DR.**

BY THE DALLAS TIMES PUBLISHING CO.

E. G. MYERS, MANAGER.

No CHECKS ACCEPTED AS PAYMENT AGAINST THIS BILL, UNLESS BACKED BY THE MANAGER.

All Accounts are Payable on the First of Each Month unless Otherwise Directed.

<i>Aug 8. To publishing Note</i>	
<i>Smith Guarantieship</i>	
<i>Note</i>	
<i>note Smith</i>	
	<i>500</i>



*J. F. House*  
Assessors Dallas

*P. M. Nelson*  
Deputy



*Dallas, Texas July 5 1888*

*The books show that on May 9<sup>th</sup> 1884  
I owe Smith paid taxes on Ellen street  
property, amounting to in check 607 \$464.54*

*J. F. House. JFH*

Dallas Texas  
Dec 3-07 888

Recd of Mr De Mito Smith  
on or about June the  
5th 1884 fifty dollars in  
part payment for medical  
services to family -  
E. L. Thomas son

N 2  
leaf  
July 1884

464.54  
154.84 1/3



Dallas Texas Jan 3<sup>rd</sup> 1888

This is to certify that D. W. C. Smith paid to me  
 the sum of One Hundred Dollars on the 5<sup>th</sup>  
 day of June 1884, on acc of funeral expenses  
 of Mrs W. C. Smith.

Ed C Smith

D. W. C. Smith paid me some time in 1884,  
 the sum of one hundred dollars for legal services  
 rendered for defendants in case of J. J. Reeks  
 v. D. W. C. Smith et al in District Court of  
 Tarrant Co. Tex.

G. W. Fearnow

The State of Texas,

COUNTY OF DALLAS.

Estate of *Katie Smith*

Know all Men by these Presents, That we, *D. W. Smith*  
as Principal, and *J. B. Richardson* and *Ed. C. Smith*  
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 *Two Thousand* Dollars;  
conditioned that the above bound *D. W. Smith*, who has  
been appointed *Guardian of the person and estate of Katie Smith*  
shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this \_\_\_\_\_ day of \_\_\_\_\_ 188\_\_

*D. W. Smith* SEAL  
*J. B. Richardson* SEAL  
*Ed. C. Smith* SEAL

I DO SOLEMNLY SWEAR that I will well and truly perform all the duties of Guardian  
of the Estate of *Katie Smith*

Sworn to and subscribed before me this *18* day of *February* 188*8*

*W. M. Hill*  
County Clerk, Dallas Co., Texas.  
By \_\_\_\_\_ Deputy.

The State of Texas,

COUNTY OF DALLAS.

Estate of *Katie Smith*

Know all Men by these Presents, That we, *D. W. C. Smith*  
and \_\_\_\_\_  
as Principal, 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 *Four Thousand and Eight Hundred* Dollars;  
conditioned that the above bound *D. W. C. Smith*, who has  
been appointed *Guardian of the person and estate of Katie Smith*  
shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this \_\_\_\_\_ day of \_\_\_\_\_ 188\_\_

*D. W. C. Smith* SEAL  
*Ed. C. Smith* SEAL  
*J. B. Richardson* SEAL

I DO SOLEMNLY SWEAR that I will well and truly perform all the duties of Guardian  
of the Estate of *Katie Smith* *neve*

Sworn to and subscribed before me this *16<sup>th</sup>* day of *May* 188*8*

*W. M. Hill*  
County Clerk, Dallas Co., Texas.  
By *D. W. Hughes* Deputy.



FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

*Record Book R-125*  
*Bond*  
~~*No 700*~~

County Court, Dallas County.

**GUARDIAN'S BOND.**

ESTATE OF  
*Kate Smith*

Filed *Feb 18<sup>th</sup>* 188*4*

W. M. C. HILL, Clerk.

By *L. H. Hughes* Deputy.

Approved this *18<sup>th</sup>* day of  
*Feb* 188*4*

*W. B. Brink*  
County Judge, Dallas Co.

Carter & Gibson Printing Co., Printers and Bookbinders, Dallas, Tex.

*Recorded*  
*186.*

*Record Book R-169*  
*Bond*  
~~*No 706*~~

County Court, Dallas County.

**GUARDIAN'S BOND.**

ESTATE OF  
*Kate Smith*  
*D. W. C. Smith & Co.*

Filed *May 16<sup>th</sup>* 188*4*

W. M. C. HILL, Clerk.

By *L. H. Hughes* Deputy.

Approved this *16<sup>th</sup>* day of

*May* 188*4*  
*R. E. Brink*  
County Judge, Dallas Co.

Carter & Gibson Printing Co., Printers and Bookbinders, Dallas, Tex.

*Recorded*  
*187*

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

THE STATE OF TEXAS.

To all Persons Interested in the Guardianship of the Estate of the Minor Kate Smith

D. W. Smith has filed, in the County Court of Dallas County, an Application for letters of Guardianship upon the Estate of the above named Minor, Kate Smith

which will be heard at the next term of said Court, commencing on the <sup>first</sup> ~~Third~~ Monday in February A. D. 1884, at the Court House in the City of Dallas, at which time all persons interested in the welfare of said Minor may appear and contest said Application if they see proper.

WITNESS, W. W. Wood 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 January A. D. 1884.

W. W. Wood  
A. WOOD, County Clerk, Dallas Co., Texas.

By H. Hughes Deputy.

GUARDIAN'S BOND.

The State of Texas, No 706  
COUNTY OF DALLAS. Estate of Kate Smith a minor

KNOW ALL MEN BY THESE PRESENTS, That we, Phil Jones  
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 Five Thousand Two Hundred Dollars; conditioned that the above bound Phil Jones who has been appointed Guardian of the Person and Estate of Kate Smith a minor shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this 20 day of September 1894

Phil Jones (SEAL)  
A. C. Hoffman (SEAL)  
W. W. Coker (SEAL)

I DO SOLEMNLY SWEAR that I will well and truly perform all the duties of Guardian of the Estate of Kate Smith a minor as the law directs.

Phil Jones

Sworn to and subscribed before me this 17 day of September 1894

J. S. Rohrbach  
Notary Public, Dallas County, Texas.

Deputy.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

105 ✓ Citations  
Original

No. 706 ✓

COUNTY COURT.

ESTATE OF THE MINOR.

Kate Smith

Notice of Application for  
letters of Guardianship.

Issued this 22<sup>nd</sup> day of

January 1884  
A. HARWOOD, County Clerk,

By L. Hughes Deputy.

SHERIFF'S RETURN.

Came to hand the 22<sup>nd</sup> day of Jan...  
1884, and executed the 23<sup>rd</sup> day of Jan...  
1884, by posting up three copies of this writ at three  
public places in Dallas County, one of which was the  
Court House Door of said County. sent at  
Lancaster and one at Richardson  
H. H. Smith  
Sheriff Dallas County.

By Jacoby Deputy.

Decs Recorded

No. 706

COUNTY COURT,  
DALLAS COUNTY.

GUARDIAN'S BOND.

ESTATE OF

Katie Smith  
minor

Filed Sept 17<sup>th</sup> 1894  
L. Hughes Clerk.

By A. Jackson Deputy.

Approved this 14<sup>th</sup> day of  
Sept 1894

J. R. Deland  
County Judge, Dallas County.

HL  
163

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

Recorded

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

STATE OF TEXAS.

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

You are Hereby Commanded to notify *D. W. Smith* of the Estate of *Kate Smith minor*

by reading to him this Writ, that, at the last term of the County Court of said County, an order was made, requiring him forthwith to file his *annual* account, showing the condition of said Estate and to show cause, if any he have, why a fine should not be adjudged against him for his failure to return the same at the proper time, as by law directed.

Herein Fail Not, but of this Writ make due Return, showing how you have executed the same.

Witness my hand and official seal, at office in the City of Dallas, this the *10* day of *Dec* A. D. 188*7*

*W. M. C. Hill* Clerk,  
By *W. A. Hudson* Deputy.

— The State of Texas —

To all Persons Interested in the Guardianship of the Estate of the Minor *Kate Smith*

*D. W. Smith* Guardian, has filed in the County Court of Dallas County, an Annual Account showing the condition of the Estate of *his* said Ward

which will be heard at the Term of said Court, commencing on the *first* Monday in *Feb* A. D. 188*8*, at the Court House in the City of Dallas, at which time all persons interested in the welfare of said Minor may appear and contest said account if they see proper.

WITNESS, W. M. C. Hill, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office, in the City of Dallas, this *10* day of *Jan* A. D. 188*8*

*W. M. C. Hill* County Clerk of Dallas County, Texas.  
By *W. A. Hudson* Deputy.

(Wm Smith) *1063*

**No. 706**

Estate of *Kate Smith Reed*

\*NOTICE TO FILE EXHIBIT\*

Issued *7* day of *Dec* 188*7*  
*Wm Hill* Clerk.  
 By *Wm Hudson* Deputy.

Come to hand this *7* day of *Dec* 188*7*, and executed  
 on the *22* day of *Dec* 188*7*  
 by reading within notice the within named  
 and cost of this notice  
*Wm Hill* Sheriff.  
 By *Wm Corson* Deputy.

A. D. Aldrich, Stationers and Printers, Dallas, Tex.

*This is*  
*seem notice* 100  
*MS* 20  
*81.20*

*Citation*  
**Originals**  
~~No. 706~~

COUNTY COURT.

ESTATE OF THE MINOR

*Kate Smith*

NOTICE OF FILING ANNUAL ACCOUNT.

Issued this *16* day of *Jan*  
 A. D. 188*8*  
*Wm Hill*  
County Clerk, Dallas Co., Texas.  
 By *Wm Hudson* Deputy.

*Comets filed Jan*  
*16/1888*  
*17/1888* By *Wm Hill*  
*at 3 o'clock*  
*in Dallas Co. and*  
*at 4 o'clock*  
*at the Court house*  
*and at the County*  
*812.40*  
 Recorded *Wm Hill*

STATE OF TEXAS.

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

You are Hereby Commanded to notify D. W. Smith  
Guardian of the Estate of  
Natie Smith minor

by reading to him this Writ, that, at the last term of the County Court of said County, an order was made, requiring him forthwith to file his Annual account, showing the condition of said Estate and to show cause, if any he have, why a fine should not be adjudged against him for his failure to return the same at the proper time, as by law directed. + pay up court costs

Herein Fail Not, but of this Writ make due Return, showing how you have executed the same.

Witness my hand and official seal, at office in the City of Dallas, this the 23 day of Dec A. D. 1881

S. J. Scott Clerk,  
By A. S. Jackson Deputy.

THE STATE OF TEXAS.

To all Persons Interested in the <sup>Guardianship</sup> Administration of the Estate of

Natie Smith Minor Deceased  
D. W. Smith Guardian

Admiral has filed, in the County Court of Dallas County, an Application for the sale of certain lands belonging to said Estate, for the payment of the debts due of the following description, to-wit:

One third interest of 20 feet x 100 on the South Side of Pacific Avenue and 37 1/2 feet by 200 on North Side of Elm Street all joining the first described lot in Dallas Texas

which will be heard at the next term of said Court, commencing on the <sup>first</sup> ~~first~~ Monday in May A. D. 1884, at the Court House in the City of Dallas, at which time all persons interested in said Estate may appear and contest said Application if they see proper.

\*\*WITNESS, W. M. C. HILL, 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 March A. D. 1884.

W. M. C. HILL, County Clerk, Dallas Co., Texas.  
By L. A. Broughton Deputy.

2000 65

No. 706

Estate of Kate Smith  
 minor  
N. W. Smith Adm.

\*NOTICE TO FILE AND EXHIBIT\*

Issued 23 day of Dec 1881  
S. B. Scott Clerk.  
 By A. S. Jackson Deputy.

Come to hand this 23 day of  
Dec 1881, and executed  
 on the 29 day of Dec 1881  
 by reading within office to the within named.  
W. H. Lewis Sheriff.  
 By A. L. Simpson Deputy.

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

Fee	1.00
ans	1.00
	<u>2.00</u>

*Citation Original*  
 116 No. 7106 10  
 COUNTY COURT.

ESTATE OF  
Katie Smith  
 Minors Deceased.

Notice of Application for Sale of Real Estate.

Issued this 18 day of  
March 1884

W. M. C. Hill, County Clerk.  
 By A. H. Hughes Deputy.

SHERIFF'S RETURN

Came to hand the 18 day of March  
 1884, and executed the 21 day of March  
 1884, by posting up three copies of this writ at  
 three public places in Dallas County, one of  
 which was the Court House Door of said County.  
W. H. W. Smith  
 Sheriff Dallas County.

By Jacoby Deputy.

A. D. Aldridge & Co., Stationers and Steam Printers, Dallas, Texas.

Fee	3.00
Recorded	

# THE STATE OF TEXAS.

To all Persons Interested in the Welfare of the Minor

*Phil Jones* *Katie Smith*  
 has filed in the County Court of Dallas County, State aforesaid, an application for Letters of Guardianship upon the *person and* estate of the above named Minor, which application will be heard and acted upon at the next term of said Court, commencing on the first Monday in *September* A. D. 189*4* at the Court House in the City of Dallas, County and State aforesaid, at which time and place all persons interested in the welfare of said Minor shall appear and contest said Application if they see proper to do so.

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

Given under my hand and seal of said Court at office in the City of Dallas, this *7th* day of *August*, A. D. 189*4*  
 L. H. HUGHES,  
 Clerk County Court, Dallas County, Texas.

By *A. Jackson* Deputy.

# THE STATE OF TEXAS,

To All Persons Interested in the Minor

*D. N. C. Smith* *Katie Smith*  
 Guardian, has filed, in the County Court of Dallas County, an Annual Account showing the condition of the Estate of *his* said Ward *Katie Smith* which will be heard at the Term of said Court, commencing on the *first* Monday in *November* A. D. 189*3*, at the Court House in the City of Dallas, at which time all persons interested in the welfare of said Minor may appear and contest said Account if they see proper.

Witness, L. H. HUGHES, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this *6th* day of *September* A. D. 189*3*  
 L. H. HUGHES,  
 County Clerk, Dallas County, Texas.

By *A. Jackson* Deputy.



FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

20 90  
No. 706  
COUNTY COURT.

ESTATE OF THE MINOR.

*Katie Smith*

NOTICE OF APPLICATION FOR LETTERS  
OF GUARDIANSHIP.

Issued this 7 day of August  
1894

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

By *A. Jackson* Deputy.

SHERIFF'S RETURN.

Came to hand the 7th day  
of August 1894  
and executed the 7th day of  
August 1894

by posting up three copies of this writ at three  
public places in Dallas County, one of which was  
at the Court House door of said County, and no  
two of which were in the same town or city.

*Ben E. Cabell*  
Sheriff, Dallas County.

By *J. H. Carson* Deputy.

Dovey Printing Co., Dallas, Texas 14500

420 #1500  
Recorded.

Fees \$5.00.

Ben E. Cabell Sheriff Dallas County Texas.  
By *J. H. Carson* Deputy.

Came to hand Sept 6th - 1893 and executed same day received by posting  
up three copies of this writ at three public places in Dallas County  
one of which was the Court House Door of said County.

90  
No. 706  
COUNTY COURT.

Estate of the Minor

*Katie Smith*

NOTICE OF FILING ANNUAL ACCOUNT.

Issued this 6 day of  
*September* A. D. 1894

L. H. HUGHES,

County Clerk, Dallas County, Texas.

By *A. Jackson* Deputy.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

# THE STATE OF TEXAS,

To all Persons Interested in the Guardianship of the

Estate of the Minor

*Kate Smith*

*D. W. C. Smith*

Guardian, has filed, in the County Court

of Dallas County, an Annual Account showing the condition of the Estate of *his* said Ward

which will be heard at the Term of said Court, commencing on the *1st* Monday in *February* A. D. 1897, at the Court House in the City of Dallas, at which time all persons interested in the welfare of said Minor may appear and contest said Account if they see proper.

Witness, S. B. SCOTT, 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 *February* A. D. 1897

S. B. SCOTT, County Clerk, Dallas Co., Texas.

By *J. F. Lewis* Deputy.

No. 809 - NOTICE - Dorsy Printing Co., Dallas, Texas.

# THE STATE OF TEXAS,

To All Persons Interested in the ~~Minor~~ Guardianship of the *minor Kate Smith,*

*D. W. C. Smith*

Guardian, has filed, in the County Court, of Dallas County, an

~~application to resign such Guardianship and has accompanied same with an account for final settlement thereof, which application and account~~ will be heard at the Term of said Court,

commencing on the *First* Monday in *September* A. D. 1897, at the Court House

in the City of Dallas, at which time all persons interested in the ~~said Guardianship~~ *said Guardianship are notified to* appear and contest

said Account if they see proper, *to do so,*

Witness, L. H. HUGHES, County Clerk of Dallas County, Texas.

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

*6th* day of *August* A. D. 1897

Issued August 6<sup>th</sup> 1897,

L. H. HUGHES,

County Clerk, Dallas County, Texas.

By

*A. Jackson*

Deputy.

No. 706  
COUNTY COURT.

Estate of the Minor  
*Katie Smith*

NOTICE OF ~~Application to resign~~  
~~guardianship~~

Issued this *6th* day of  
*August* A. D. 189*7*

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

By *A. Jackson* Deputy.

publish once a week for 3  
successive weeks

*Returns this writ to  
Sheriff's Office where  
published  
return was  
published in Daily Times  
twice on Aug 8, 10 and 11.*

*Recorded.*

NOTICE.  
The State of Texas, in all persons interested  
in the estate of the minor, Katie Smith,  
D. W. C. Smith, guardian, has caused the County  
Court of Dallas County, Texas, to issue an  
order that guardianship be sold to the com-  
petent person with the sale of a judicial sale.  
The order, which application the applicant  
will be heard at the term of said Court, to be  
held on the 1st Monday in September, A.  
D. 1897, at the Court House in the City of Dal-  
las, Texas, at 10 o'clock A. M., in presence of the  
said guardian and party entitled to appear and  
contest, and that if it is so ordered to do so  
writing to H. Hughes, County Clerk of Dallas  
County.  
Given under my hand and the seal of this  
court at Dallas, Texas, this 6th day  
of August, A. D. 1897.  
L. H. HUGHES,  
County Clerk, Dallas County, Texas.  
By A. B. JACKSON, Deputy.

*The State of Texas  
County of Dallas  
Before me the undersigned  
authority in this day person-  
ally appeared Thos. J. Jones  
known to me who upon oath  
after being by me duly sworn  
says that he is ~~Business~~  
~~Editor~~ Business Manager  
of the Dallas Times Herald  
a newspaper published in  
the City of Dallas  
that the above printed  
notice attached hereto  
was published in the  
Daily Times Herald once  
a week for three succes-  
sive weeks on the 8, 10  
& 11 day of August  
1897*

*Thos. Jones Business Mgr.  
came to my office before  
me this 4 day of August 1897  
Mr. J. Robinson Attorney  
Dallas Co*

No. 706  
COUNTY COURT.

Estate of the Minor  
*Katie Smith*

NOTICE OF FILING ANNUAL ACCOUNT

Issued this *2* day  
of *February* A. D. 189*7*

S. B. SCOTT, Co. Clerk, Dallas Co., Tex.

By *J. Harris* Deputy.

Floyd Shock & Co., Stationers, Dallas, Texas.

Came to hand Feb'y The 2nd 1892 and executed same day reviewed by  
posting up three copies of this writ at three public places in  
Dallas County Texas one of which was the Court House Door of said  
County  
W. H. Lewis Sheriff Dallas County Texas.  
BY *J. Harris* Deputy.  
Fees \$5.00.

No. 807-NOTICE TO FILE ANNUAL ACCOUNT.—Dorsey Printing Co., Dallas, Texas.

THE STATE OF TEXAS,

To the Sheriff or any Constable of Dallas County GREETING:

YOU ARE HEREBY COMMANDED, To notify

of the Estate of

*Katie Smith minor*

by delivering to him a true copy of this writ, that at the *May 1897* term of the County Court of said County an order was made *requiring him to file report showing condition of said Estate*

HEREIN FAIL NOT, but of this writ make due return, showing how you have executed the same.

Witness my hand and official seal at my office, in the City of Dallas, this *6* day of

*May* A. D. 189*7*.

By

*J. Bauler* Deputy

*L. H. Hughes* L. H. HUGHES, Clerk.

No. 807-NOTICE TO FILE ANNUAL ACCOUNT.—Dorsey Printing Co., Dallas, Texas.

THE STATE OF TEXAS,

To the Sheriff or any Constable of Dallas County GREETING:

YOU ARE HEREBY COMMANDED, To notify

of the Estate of

*Katie Smith minor*

by delivering to him a true copy of this writ, that at the *May 1897* term of the County Court of said County an order was made *requiring him to file report showing condition of said estate*

HEREIN FAIL NOT, but of this writ make due return, showing how you have executed the same.

Witness my hand and official seal at my office, in the City of Dallas, this *6* day of

*May* A. D. 189*7*.

By

*J. Bauler* Deputy

*L. H. Hughes* L. H. HUGHES, Clerk.

No. 706

ESTATE OF  
*Katie Smith*  
*Minor*

NOTICE TO *You*

Issued 6 day May  
1897 *W Jackson*  
CH. HUGHES, Clerk.

By *J. B. Taylor* Deputy.

Came to hand on the ..... day of  
..... 189....., and executed on  
the ..... day of ..... 189.....  
by delivering a true copy of within notice to.....  
the within named.....  
*W. J. Taylor* Sheriff Dallas County  
By *F. N. Tucker* Deputy.

**FEES:**

Serving Notice, ..... \$.....

Milage, ..... \$.....

Total, ..... \$.....

75840

No. 706

ESTATE OF  
*Katie Smith*  
*Minor*

NOTICE TO *You*

Issued 6 day May  
1897 *W Jackson*  
CH. HUGHES, Clerk.

By *J. B. Taylor* Deputy.

Came to hand on the ..... day of  
..... 189....., and executed on  
the ..... day of ..... 189.....  
by delivering a true copy of within notice to.....  
the within named.....

Sheriff Dallas County.

By ..... Deputy.

**FEES:**

Serving Notice, ..... \$.....

Milage, ..... \$.....

Total, ..... \$.....

75840

# The State of Texas,

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

YOU ARE HEREBY COMMANDED to summon

*C. H. Kuffman and J. B. Simpson,*

to be and personally appear before the Honorable County Court of Dallas County, at the Court House in the City of Dallas County, aforesaid, INSTANTER, on *Nov. 16* A. D. 189*5* at *9* o'clock a. m., at the instance of the

*Estate* then and there to give evidence in a certain case ~~wherein~~  
*Entitled In Re Estate of Kate Smith, minor* ~~plaintiff and~~

and remain from day to day and term to term, until discharged by the Court.

HEREIN FAIL NOT, but due service and return hereof make as the law requires.

WITNESS my hand, at office in Dallas, this *14* day of *Nov* A. D. 189*5*

L. H. HUGHES,

Clerk County Court, Dallas County, Texas.

By *Asquensen* Deputy.

NOTICE OF FILING ANNUAL ACCOUNT.

The Samuel Jones Company, Dallas, Texas.

# The State of Texas,

To All Persons Interested in the Minor

*Katie Smith*

*Phil Jones*

Guardian, has filed in the County Court of Dallas County,

an Annual Account showing the condition of the Estate of *his* said Ward

which will be heard at the term of said Court, commencing on the *first* Monday in

*July* A. D. 189*8*, at the Court House in the City of Dallas, at which time all persons interested in the welfare of said Minor may appear and contest said Account if they see proper.

WITNESS: 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 *27* day of *Apr* 189*8*

A. S. JACKSON,

County Clerk, Dallas County, Texas.

By *W. B. Paulius* Deputy.

SHERIFF'S RETURN.

Came to hand on this the 14<sup>th</sup> day of Nov A. D. 1895, and executed on this

the 16<sup>th</sup> day of Nov A. D. 1895, by reading the within subpoena in the hearing of C. F. Huffman and J. B. Simpson

the within named witnesses.

Returned on this the 16<sup>th</sup> day of Nov A. D. 1895, by Ben E. Cabell Sheriff Dallas County, Texas; F. N. Tucker Deputy.

Simpson 90

No. 706

COUNTY COURT.

In Re Estate vs. SUBPENA.

Kate Smith

Issued 14 day of Nov, A. D. 1895,

L. H. HUGHES, Clerk County Court, Dallas Co., Texas.

By [Signature] Deputy.

Fee 2 - 1.00  
Mileage 20  
1.20

Tray Stationery Co., St. Louis.

90

No. 706

COUNTY COURT.

ESTATE OF THE MINOR  
Kate Smith

Notice of Filing Annual Account.

Issued this 27 day of Apr. A. D. 1898

A. S. JACKSON, COUNTY CLERK.  
By A. B. Rawlins Deputy.

SHERIFF'S RETURN.

Came to hand the 27 day of April 1898, and executed the 27 day of April 1898, by posting up three copies of this writ at three public places in Dallas County, one of which was at the Court House door of said County, and no two of which were in the same town or city.

Ben E. Cabell Sheriff Dallas County.  
By [Signature] Deputy.

Posting notes  
Recorded 225





Inventory

6

Filed Nov 18<sup>th</sup> 1884  
Wellesley Mass  
R. S. Hughes

Recorded  
276

FILED BY THE BUREAU

FILED BY THE BUREAU

The State of Texas } County Court of Dallas Co.  
 County of Dallas } Texas - July Term 1844 -  
 To the Hon R. C. Burkh, Judge  
 of said Court -

Your petitioner D. W. Smith  
 a resident of the County of Dallas and  
 State aforesaid, do most respectfully  
 represent that he is the father of  
 Katie Smith a minor <sup>female</sup> child of the  
 age of six years, that said minor resides  
 with your petitioner, that she is the  
 owner in fee simple of the undivided  
~~one half~~ <sup>part</sup> of the following described  
 Real Estate situate in the City and  
 County of Dallas and State of Texas,  
 to wit: 25 feet by 100 feet on the South  
 Side of Pacific Avenue and 87 1/2 feet  
 by 200 on North side of Colon Street  
~~to wit~~, the first described lot and  
 both of the probable value of One  
 Thousand Dollars - Your petitioner  
 would further represent that a ~~ward~~  
 a necessity ~~of said minor~~ exists for  
 the appointment of a guardian  
 of her Estate and therefore asks  
 the Court <sup>for a guardian of the said minor and that she be</sup> to appoint <sup>you</sup>  
 petitioner as guardian of the Estate  
 of said minor, and of this he avers on oath  
 D. W. Smith  
 Atty for D. W. Smith

Petition 708

Estate of  
Katie Smith  
Minor

D. W. Smith  
Application for  
Guardianship

Filed July 19<sup>th</sup> 1884  
Wm. H. Hill  
By S. H. Hughes

App. made Feb 4/84

Recorded  
343

No  
 Guardianship of  
 Kate Smith a minor } Pending in County  
 Court Dallas Co Tex

To the Hon E. G. Bower judge of said Court

Your petitioner D. W. C. Smith guardian of the person and estate of Kate Smith a minor would respectfully show that there is in his hands about four hundred and thirty seven and 7/8 Dollars in money belonging to said ward beyond what is at present necessary for the education and maintenance of said ward, and would further show, that he has an opportunity of investing said funds in certain real estate Being the thirty acres of land now owned by John Dixon out of the Saul M. Hyde survey situated in Dallas County Texas That your petitioner deems said purchase wise and expedient and to the best interests of said ward, that said land is well worth the sum offered and is steadily increasing in value that said money is lying idle in bank and bringing in no revenue Wherefore he respectfully asks that he may be authorized to make such investment and that the Clerk be directed to give due notice of this application

D. W. C. Smith  
 Guardian

No. *Petition*  
Guardianship of

*Kate Smith minor*

Application to invest  
money

Application approved  
& guardian authorized  
to invest said sum  
of money as prayed  
for May 7/88

Filed April 13, 1888  
Wm. C. Hill Clerk  
By W. A. Anderson

E. G. Brown  
Clerk

Notice Issd  
4/14/88  
Recorded 245

Estate of Keamuk C. Smith deceased.  
Now Care of D. W. Smith Guardian of the person  
and Estate of Katie Smith A Minor daughter  
of said Keamuk C. Smith deceased and  
the said D. W. Smith and submits this  
his annual report to the County  
Judge of Dallas County Texas showing  
the condition of said Minor Estate  
at this date.

Forty Two acres of land out of the  
Samuel M. Hyde Survey in Dallas  
County Texas about 8 Miles N E  
from the City of Dallas on the bank  
of White Rock Creek Valued @  
\$50<sup>00</sup> per acre - \$2100<sup>00</sup>

2 Mans of the value of 50 <sup>00</sup> each	" 100 <sup>00</sup>
One 2 year old filly of the value of	" 25 <sup>00</sup>
one yearling Mule of the value	65 <sup>00</sup>
Four head of Stock Cattle	40 <sup>00</sup>
Three head of hogs	14 <sup>00</sup>
One Wagon harness	25 <sup>00</sup>
Farming implements	70 <sup>00</sup>
One Piano	375 <sup>00</sup>
Total amt on hand.	\$2764 <sup>00</sup>

D. W. Smith  
Guardian of the Estate  
of Katie Smith Minor

The State of Texas Before the undersigned  
County of Dallas 3 authority of D. W. Smith Guardian  
of the Estate of Katie  
Smith A Minor who being duly sworn says  
that the above and foregoing report con-  
tains a full and complete list of all the  
property of the Estate of said Minor at this  
date

D. W. Smith  
Guardian of the Estate of Katie  
Smith A Minor

22  
Annual Report  
of D. M. Smith  
Guardian estate  
of Kate Smith. Minn

Filed Jan 25. 1892  
H. Scott Co. Clk  
By J. F. Lewis, Jr.

Recorded  
H. G. Lewis.

Received & not acknowledged by me this  
15th January 1904 2287892

Mr Bennett  
Notary Public  
Dallas Texas

{ STATE OF TEXAS, COUNTY OF DALLAS }  
 { IN COUNTY COURT, DALLAS CO., TEX. }  
 AUGUST TERM 1894 )

TO THE HON. T. F. NASH, JUDGE OF SAID COURT: Your Petitioner, Phil Jones,

a resident of the County of Dallas, State of Texas, would respectfully represent that he is the brother-in-law of Katie Smith, a minor female child of the age of 16 years: that said minor resides with your petitioner: that she is the owner in fee simple of an undivided one third of the following described Real Estate, situated in the City and County of Dallas, State of Texas, to wit:

Being a part of Block #60 of said city, beginning at the S. E. Corner of a lot deeded by J. R. Bosley et al to A. C. Ardrey: said corner being on the North line of Elm Street: thence North 14° West 100 feet to Ardley's North East Corner; thence South 76° West 25 feet to Ardley's N. W. Corner; thence North 14° W 100 feet to the South line of Pacific Avenue; thence North 76° East 61 2-3 feet; thence South 14° East 200 feet to the North line of Elm Street; thence South 76° West 37 1-2 feet to the beginning. Said undivided one third of said property being of

the probable value of *Two Thousand* Dollars. Your petitioner would further represent that necessity exists for the appointment of a guardian of her estate; that her father, D. W. C. Smith, <sup>who</sup> has been acting as guardian of her estate tenders to this Court his resignation as such together with his final account of said estate. Wherefore your petitioner respectfully prays that the resignation of said guardian be accepted and that he be directed by this Court to deliver over to your petitioner the estate of said ward remaining in his possession when your petitioner shall have qualified as guardian as required by law and that citation issue, giving notice of this his application as required by law; and this he will ever pray.

Now comes Katie Smith, Minor, over <sup>the</sup> age of 14 years who joins in this application for the appointment of Phil Jones as guardian of her estate.

*Phil Jones*  
*by M. L. Robinson atty.*

*Katie Smith*



no. 29  
Estate of  
Katie Smith

Application of  
Phil Jones to be  
appointed Guardian

FILED

AUG 6 1894

L. H. BISHOP, County Clk  
BY *W. Jackson*  
Deputy

Recorded

The State of Texas } In County Court of  
 County of Dallas } Dallas County Texas

D W Smith Guardian of the Estate of  
 Katie Smith a minor whose respect-  
 fully show unto the Court that the  
 said Estate of said ward con-  
 sists of

42 Acre of land Value of \$20000	
2 Mares & Mule Calfs + 1	
yearling filly -	180 00
1 Wagon	20 00
Farming implements	15 00
2 Cows & Calves 2-2 year	
old beefers	70 00
1 Prana	375 00
Total amt	\$2660 00

State of Texas } Before me J H  
 County of Dallas } J H Plunket Notary  
 Public of Dallas County

in the State of Texas on this day  
 personally appeared D W Smith  
 Guardian of the Estate of Katie Smith  
 a minor whose being by me duly  
 sworn says upon his oath that  
 the above account is a correct  
 and complete statement of  
 the present condition of the  
 said minor estate at this date

D W Smith Guard  
 Sworn to and subscribed before  
 me this Sept 24/1893

J H Plunket Notary Public  
 Dallas Oct 4 93

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

24  
Annual Report  
of D. H. Smith  
Guardian of the  
Estate of Alice Smith  
Minor -

---

Filed Sept 4 1893  
L. H. Hughes  
My Attorney  
Recorded,

Dec 9/6.93

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

Annual Exhibit

The State of Texas  
Dallas County

County Court of Dallas County  
Sitting for Probate Purposes  
May Term A.D. 1898

To the Honorable Kenneth K. Force Judge of the County  
Court of said county & vicinity

Phil Jones Guardian of Katie Smith Minor  
Respectfully Submits to the consideration of your Honor  
the following exhibit, thereby showing the present condition  
of said estate.

Phil Jones Guardian as aforesaid

	Dr	Cr
To amount of inventory and appraisement and Schedule of Claims		\$3065.00
By 42 acres of land out of the Samuel Hyde 640 acres of Right Survey		\$2000.00
By an undivided 1/3 interest in 800 x 100 feet at the N.E. Corner of McLean & Wood Sts		\$500.00
By 1 Note Due October 1st 1898		\$30.00
By Note on farm due October 1st 1898		\$120.00
" " " "		\$75.00
" " 1 Gold watch, 1 chain, 1 gold necklace		75.00
Amount of said estate now on hand this date April 26 <sup>th</sup> A.D. 1898		\$3100.00

The State of Texas } Before me, Pink Chas as Notary Public for  
Dallas County } Dallas County, in person appeared  
Phil Jones Guardian of the estate of Katie Smith Minor who being duly  
sworn, says that the foregoing is a full, true and correct exhibit  
of the present condition of said estate.

Phil Jones  
Guardian

Given to and subscribed before me, this 26<sup>th</sup> day of April  
A.D. 1898

Pink Chas as Notary Public  
of Dallas County, Texas

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

Annual Exhibit  
of  
Phil Jones Guardian  
of Kate Smith Minor

Recorded  
FILED  
Apr 27 1898

A. S. JOHNSON,  
Notary Public  
M. Paulus

Examined and approved and  
order of court  
of Aug 1898 16 day  
Allice A. Jones  
M-464

Recorded

Issued Apr 27-98

No 706

Estate of Katie Smith minor  
D. W. C. Smith Guardian

To the Honorable Court:

Your petitioner D. W. C. Smith guardian  
of the Estate of Katie Smith minor  
presents this his resignation as  
guardian of said Estate together  
with a full & complete account of the  
creditors of said estate & of his guard-  
ianship, as controlled by him, which they are  
Property in hand belonging to said ward  
42 acres of land out of the land.

W. Hyde 640 acre approx. \$2000<sup>00</sup>

undivided 1/3 interest in 50x  
100 feet W. E. cor McClellan & Wood St.  
the 1/3 interest valued at \$500<sup>00</sup>

Personal property, consisting  
of one note dated Jan 1/94  
due Nov 1/94 & secured by lien \$190<sup>00</sup>  
1 Pearls \$375<sup>00</sup>

Value of Estate in hand. \$3065<sup>00</sup>

That the remaining personal  
property as mentioned in said  
report dated Sept 4/93, has been  
disposed of & the means derived  
therefrom used in the purchase  
of the note above mentioned for \$190<sup>00</sup>

in putting improvements in  
the 42 acres above referred to, con-  
sisting of an addition to the  
dwelling of 2 rooms & porch

car house buggy house & smoke  
house valued at \$195<sup>00</sup>  
\$285<sup>00</sup>

That there are no debts against said estate except taxes amounting to \$19<sup>82</sup>

That the above is a full true and correct statement of said estate under his management wherefore he respectfully prays that the above be accepted & that he be relieved and that his resignation be accepted & that he be discharged as Guardian of the Estate of said ward

D.W.C. Smith  
Guardian

Sworn to & subscribed before me this  
19<sup>th</sup> day of June 1894

M. L. Roberts  
Notary Public

no 706  
Estate of Walter  
Smith, minor  
D.W.C. Smith  
Guardian  
Final acct.  
Application to  
discharge

FILED

AUG 6 1894

L.H. HUGHES, Notary Pub.  
BY J. J. CANNON, Deputy

Recorded,

Dec 8/16.94

THE STATE OF TEXAS.

To all Persons Interested in the <sup>Guardianship</sup> Administration of the Estate of

*Kate Smith* <sup>minor</sup> ~~Deceased~~

*D W C Smith* <sup>guardian</sup> ~~Administrator~~, has filed, in the

County Court of Dallas County, an Application <sup>for</sup> ~~of~~ certain lands ~~belonging~~

~~to said Estate, for the payment of the debts due~~ of the following description, to-wit:

*30 acres of land owned by Joe Dixon out of the S. M. Hyde Survey in Dallas Co Texas*

which will be heard at the next term of said Court, commencing on the <sup>1<sup>st</sup></sup> Monday in *May* A. D. 1888, at the Court House in the City of Dallas, at which time all persons interested in said Estate may appear and contest said Application if they see proper.

WITNESS, W. M. C. HILL, County Clerk of Dallas County, Texas.  
Given under my hand and seal of said Court, at office in the City of Dallas, this *14* day of *April* A. D. 1888

W. M. C. HILL,  
County Clerk, Dallas County, Texas,  
By *D W C Smith* Deputy.



FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

1 Pasted in Court Record  
1888 Hill

Citation 75  
Original



COUNTY COURT.

ESTATE OF

Kate Smith  
~~minor~~

~~invest in~~  
Notice of Application for Sale of Real Estate.

Issued this 14 day of April  
A. D. 1888

W. M. C. HILL, Co. Clerk,

By W. M. C. Hill Deputy

SHERIFF'S RETURN

Came to hand the 14 day of April  
1888 and executed the 14 day of  
April 1888, by posting up three  
copies of this writ at three public places in Dallas  
County, one of which was the Court House Door  
of said County

W. M. C. Hill

Sheriff Dallas County.

By T. F. Carson Deputy

A. D. 1888

3 Copies \$3.00  
Recorded

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978



**County of Dallas**  
C. B. GILLESPIE,  
TAX COLLECTOR.

Dallas, Texas July 6 1888

This is to certify that the State and  
County Taxes of N. C. Smith for 1883 on  
property in Block No. 60 were paid  
May 23 1884 and amounted to  
\$33.27 Thirty Three & 20/100 Dollars  
Witness my official Seal & Signature  
this July 6 1888

C. B. Gillespie  
Tax Collector

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No 1  
Lata & County  
Texas 1883

37/ 3330

11.10

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

OFFICE OF  
ALEXANDER & CLARK,  
ATTORNEYS AND COUNSELORS AT LAW,  
739 MAIN STREET.

W. M. ALEXANDER,  
WM. H. CLARK.

Dallas, Texas, Jan 4<sup>th</sup> 1888

This is to certify that C. H. Huffman paid to  
me on H. Parkdale note and interest, for  
D. W. C. Smith \$551.<sup>00</sup> on May 20<sup>th</sup> 1883.  
W. M. Alexander

*[Faint handwritten notes, possibly a list of names or dates]*

Estate of Katie Smith, a Minor)

Phil Jones Guardian ) No. 706.

Pending in the County Court of Dallas County, Texas.

On this, the 16th day of Nov., 1895, coming on to be heard the motion of the Scottish American Mortgage Company, Limited, a private corporation created under and by authority of the Law of Great Britain and Ireland to enter nunc pro tunc the following judgment-- said motion having been filed in this Court on Nov. 4th, 1895. And it appearing to the Court that defendants to said motion, to wit:-- Phil Jones, Guardian of the Estate of Katie Smith, a Minor, and Katie Smith, in person, having been duly served with notice of this motion as provided by law, it is ordered by this Court that A. C. Firmin an Attorney of this Court be and he is hereby appointed guardian ad litem for ~~the said~~ said minor herein, and the said defendant, Phil Jones, as such guardian <sup>by his attorney A. E. Firmin and</sup> the said Katie Smith by and through her guardian ad litem, A. E. Firmin having appeared and filed <sup>their</sup> answers herein to the said motion. And the said Scottish American Mortgage Company, Limited and the said defendants Phil Jones and Katie Smith as aforesaid, having announced ready upon said motion the same was presented to the Court who after having heard the evidence in support of and against said motion, is of opinion that all of the facts stated in said motion are true; that said judgment ( a copy of which is attached to the motion), was actually rendered by the Probate Court of Dallas County, Texas, on the 22d day of May, 1884, approving the report of sale of land, of the Guardian, Dewitt C. Smith

(2)

filed in this Court on the 16th day of May, 1884; that said Company is the purchaser of the lands, sale of which was approved by said judgment so actually rendered and is entitled to have the same entered upon the Probate Minutes and Records of this Court, etc.

It is further ordered adjudged and decreed that the following judgment be entered nunc pro tunc upon said minutes and records and that the same be in full force and effect as if duly entered upon the minutes signed by the Judge of the Court at the time at which the said judgment was rendered, said judgment being as follows, to-wit:--

Here the Clerk will copy

judgment described as Exhibit "A".)

In the matter of the } In County Court  
 Estate of Katie Smith } Dallas County  
 minor - D. W. C. Smith, Guardian

To the County Court Dallas  
 County -

Your petitioner, D. W. C. Smith, Guardian of the Person and Estate of Katie Smith, minor, would respectfully represent that there is no personal property belonging to said estate, and that the income of his said ward's estate, is insufficient for the education and maintenance of his said ward, or to pay the debts against <sup>the</sup> estate; that a necessity exists for a sale of the real estate belonging to his said ward, for the payment of <sup>the</sup> debts, and for maintenance and education.

An exhibit of the debts against the estate of his said ward, is as follows:

Taxes State and County for five years last past on the whole of that lot of land hereafter described - \$ 600.00  
 Attorney fees for defending before trespass for try title, in Dist. Supreme Court wherein the title to the said land hereafter described is to the Real Estate of said ward, amount of \$ 300.00

Your petitioner further represents

# The whole of said said Red Estate bounded as follows: Beginning at S. E. corner of a lot divided by J. R. Bailey et al to A. G. Chisley, 50 corner line on the North line of Elm Street running then N 14° W 100 feet to a bearing of E. corner then S 76° W 25 feet to a bearing of W. corner; then S 14° 30' North line of Elm Street; then S. 76° E. 61 2/3 feet; then S. 14° E. 200 feet to North line of Elm Street; then S. 76° W. 37 1/2 feet to the beginning

that there is no other property than other than the S. Red Estate belonging to his said ward; that said Red Estate is an undivided one <sup>third</sup> in trust of 25 feet x 100 feet on the South Side of Pacific Avenue and 37 1/2 feet by 200 on North side of Elm Street adjoining the first described lot in Dallas Texas, and that a part of the income of her deceased Mother, and your petition, in which your petitioner in his individual capacity has a life estate <sup>in</sup> that said lot is not susceptible of division, without material injury to the value of the same. And that it is for the best interest of said ward, that ~~and~~ all of the interest of his said ward in said lot of ground, be sold, and the proceeds applied for the maintenance & education of his said ward payment of debts as above set forth. (Your petitioner further states that he as the Father & natural guardian of said Katie Smith has not means of his own (Exclusive of the his interest in said lot of ground) sufficient for the maintenance, & education of his said ward - that he is unable to do so, or pay the debts against said lot, ~~or~~ or the position

not an heir and legitimate heir of the Estate of said ward - Wherefore he prays for an order of sale of the all the interest his said ward may have in the lot of ground above for the purposes of said



# The whole of said land  
divided by J. R. Smith  
14 1/2 100 feet to the  
100 feet to the S. line of  
North line of Elm street

the father & natural  
guardian of said Katie Smith has  
not means of his own (exclusive of  
the trust in said lot of ground)  
sufficient for the maintenance &  
education of his said ward - that  
he is unable to do so, or pay the debts  
against said lot, ~~or~~ or the portion

that are just and legitimate claims  
the Estate of said ward - Wherefore  
he prays for an order of sale of the  
all the interest his said ward may  
have in the lot of ground above described,  
for the purposes above set forth, that  
said sale be ordered for cash at private  
or public sale, as it may appear to  
your petitioner to be most to the advantage  
of said estate, and of this he will ever pray

*John W. Coe*  
Atty for Petitioner -

D. W. Coe, Guardian of the person  
and Estate of Katie Smith, in his oath  
states that the ~~for~~ allegations of the  
above and foregoing petition are true.

*D. W. Coe*  
Subscribed and sworn to before me  
this 15<sup>th</sup> day of March A.D. 1884 -  
*W. W. L. Lusk*  
J. P. Lusk

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No 706 Relator  
Estate of Katie Smith  
D. W. Smith  
Guardian -

Application for  
Sale of Real Estate

Filed March 15<sup>th</sup> 1884  
Witnessed  
By S. H. Hughes

Let issued March  
18<sup>th</sup> 1884  
Witnessed  
By S. H. Hughes

Recorded  
644

D. W. Smith, Guardian of the  
 Estate of Kate Smith, minor  
 In case with his said ward's  
 Estate -  
 In County Court Dallas County

He charges himself with proceeds  
 of Sale of Real Estate as  
 per Report of Sale filed  
 and confirmed May 1884. -

See Report - \$2333.33 1/2

His claims Credit as follows:

Taxes paid in 1883, State & Co on property Block No 60 in city of Dallas, as per Inventory, \$33.33, one third of which, his said ward's estate liable - See V. No 1 -	\$11.10
half taxes pd. in 1884, on said property, including damages & back taxes, \$464.54 on third of which, ward liable - See V. No 2.	154.84 2/3
Jan 5/84 - Medical Bill E. L. Thompson, M. D. \$50.00 - 1/3 = No 3	16.66 2/3
Credits carried over	\$182.61 1/3

Credits not over - - - -	\$ 182	61/3
June 5/14 - By Cash pd Woods & Keach atty fees, in case of J. J. Reeks vs DeWitt & Harriet Smith on Injunct to try title on prop. Summered, \$200. - 1/3 of which was liable. See V. No 4 -	66	66/3
June 5/84 - By Cash pd Ed. C. Smith personal expenses, \$100 - 1/3 of which was liable - See V. No. 5 -	66	66/3
July 20/83 - By Cash pd <del>H. B. Borkholder</del> <sup>H. Borkholder</sup> atty fees in Injunct to try title on prop. Summered \$557 - <sup>or</sup> one third of which was liable - See V. No. 6	183	66/3
By Cash pd Geo. R. Fearn atty fee in Injunct to try title as above state, \$100, one third of which was liable. See V. No 7	33	33/3

Total credits

552 99/3

~~Balance in favor of estate~~

1800 39

Total credit

1500 39

all in favor of estate

State of Texas }  
 Dallas County } Personally appeared  
 before the undersigned authority  
 D. W. Smith, Guardian of the Estate  
 of Catherine Smith Minor, and on  
 this 10th day states that the above and  
 foregoing account is a true exhibit  
 of the receipts and disbursements  
 he has made on account of said said  
 ward's Estate, that no other property  
 has come to his knowledge belonging  
 to his said ward, ~~except as hereinafter~~  
~~stated, that~~ that there are no claims  
 against said Estate have been  
 allowed except as above, no claims  
 rejected, and that the above balance  
 of \$1500.39 belonging to his said  
 ward is on hand, & said Guardian  
 holds for the same and that the  
 said and foregoing contains a correct & complete  
 statement of the matter <sup>to which it refers.</sup> D. W. Smith  
 Guardian

Specimen to and subscribed  
 before me this 10th day 1888  
 W. H. H. Clerk  
 Cy F. Hughes

Exhibit  
Estate of # 14  
Katia Smith

A. W. Smith  
Guardian

Annual Account

Filed Jan 10  
1888

Will & exec  
C. F. Douglas

Examined & approved  
June 10/88 E. L. Smith

at 1/16/88  
Recorded, 219

Estate Kate Smith } In the County Court  
 906 }  
 Phil Jones Guardian } of Dallas Co., Texas

To the Hon. Judge of said Court;  
 Now Comes Phil Jones Guardian of the Estate  
 of Kate Smith, minor and submits his final  
 report and shows to the Court that he has  
 on hand belonging to said estate,

42 acres of land out of the S.M. Hyde survey  
 and an undivided 1/8 interest in 50x100  
 feet on the N.E. Corner of McCoy & Wood streets  
 in the City of Dallas as shown by his  
 last annual report herein filed.

That he has collected since filing his last  
 report herein, the rents for 1898 amounting  
 to \$120.<sup>00</sup> and the ~~rents~~ <sup>rents</sup> ~~for 1897~~ <sup>for 1897</sup> ~~amounting~~ <sup>amounting</sup>  
 report for \$30.<sup>00</sup> making a total of \$150.<sup>00</sup>

That he has paid out for said Estate Court  
 costs amounting to \$42.<sup>75</sup>

That there are now, no claims due by  
 said estate and none due it, and that  
 his ward has attained the age of 21 years  
 and has married one Jesse Leitchman and  
 has received the Piano and gold watch & chain  
 & gold necklace mentioned in said last report.

Wherefore your Guardian prays that this  
 report be approved and that he be di-  
 rected to turn over to his said ward  
 the remainder of said estate now in his  
 hands, and that he be finally discharged  
 from said Guardianship and for general  
 relief.

Phil Jones  
 Subscribed and sworn to before me on this  
 this 27<sup>th</sup> day of Nov. 1898  
 J. W. Johnson Notary Public  
 Dallas County, Texas

We hereby waive the issuance and service upon us of notice of the filing of the within report and we hereby acknowledge the receipt from Phil Jones Guardian of all money and property coming to Kate Smith (now Kate Hutchison) and having received in full all of said estate We hereby ask that the Court approve this report without delay and discharge said Phil Jones from said Guardianship -  
 Witness our hands this Nov. 29<sup>th</sup> 1898

Witness:  
 J. C. Blount, Attorney at Law  
 Dallas, Texas

Jesse Hutchison  
 Kate Hutchison



# 406

In Re Estate  
Kate Smith, minor

Phil Jones, Guardian.

Final account & application  
for discharge.

Filed Nov. 29<sup>th</sup> 1898

A. Jackson  
Clerk County Court.

Recorded

The written report is hereby  
approved and the Guardian  
having turned over to his  
ward all her estate in his  
hands and having paid  
all court costs herein  
said guardian is hereby  
discharged and this estate  
closed. Dated Nov. 29, 1898

Recorded  
67

THE STATE OF TEXAS, To the sheriff or any Constable of Dallas County-  
 Greeting: You are hereby commanded to summon Katie Smith, a Minor,  
 and Phil Jones, Guardian of the said Katie Smith, to be and appear be-  
 fore the Honorable County Court of Dallas County, State of Texas, at  
 a regular term thereof to be held at the County Court House of said  
 County in the City of Dallas, on the first Monday in January, A. D.  
 1896, then and there to answer the Motion of The Scottish American  
 Mortgage Company, Limited, to Enter nunc pro tunc, filed in this court  
 on the 4th day of November, A. D. 1895, against the said Katie Smith,  
 Minor, and the said Phil Jones as her guardian as aforesaid, in the  
 matter of the Estate of said minor now pending in said court as No. 706  
 on the probate docket thereof, said motion alleging in substance, that  
 on the 16th day of May, 1884, D. W. C. Smith, former guardian of said  
 estate, presented to and filed in this Honorable court his report of  
 sale of certain property belonging to said ward, to wit: an undivided  
 one-third interest of 25 feet by 100 feet on the south side of Pacific  
 Avenue and 37 1/2 feet by 200 feet on the north side of Elm Street ad-  
 joining the first described lot in Dallas, Texas, and a part of the  
 homestead of her deceased mother. (A more particular description of  
 which can be had from the certified copy of said motion hereto attach-  
 ed); that said sale was made under order of this court made on said  
 16th day of May, 1884, duly entered upon its minutes; that on the 22nd  
 day of May, 1884, said report of sale was in all things approved and  
 confirmed and deed ordered made to the purchaser on payment of the  
 purchase money; that said order of confirmation has never been entered  
 in the minutes of said court; and the Scottish American Mortgage Co.,  
 Limited, the owner of said property under said probate sale now prays  
 for citation &c and that said order be now made and entered nunc pro  
 tunc; and you will deliver to the said Phil Jones and Katie Smith each  
 in person a true copy of this citation as well as the accompanying  
 certified copy of said original motion herein filed.



90

Citation  
County Court,  
Dallas County, Texas

Estate of  
Kate Smith,  
no 706. a minor  
Phis Jones, Adm.

Issued Nov. 5, 1895.  
L. H. Hughes, Co. clk.  
By J. D. Cochran, Jy

219 Greenwood  
New Johnson

Case to hand on 5th day of Nov 1895 -  
and executed on the 5th day of Nov 1895 -  
By returning to Phil Jones's wife Smith  
the within award is by each in person a true  
copy of this writ is being made the accompanying  
certified copy of return of the Dallas County Sheriff  
John E. Calhoun

W. E. Copkin 3 00  
J. D. Cochran 3 00  
By J. D. Cochran 1895

706  
Probate.

In the Estate of  
Katie D. Smith, Minor,  
Phil. Jones, Guardian

In County Court:  
Dallas Co., Tex.  
January Term, 1895.

to the Hon. Thos. F. Nash, Co. Judge,  
Katie D. Smith a minor <sup>legally</sup> and  
now comes, Phil. Jones, Guardian of the  
Estate of Katie D. Smith, and answering the motion of  
the Scottish American Mortgage Company, Lim-  
ited, filed herein Nov 4<sup>th</sup>, 1894, respectfully  
shows:

That he excepts to the sufficiency of such motion  
and says that the same does not state facts suf-  
ficient to entitle said the Scottish American  
Mortg. Co. Lim<sup>d</sup>, to the relief herein sought:  
and of this he prays judgment.

That there is now pending in the District Court  
in and for the 44<sup>th</sup> Judicial District, Dallas  
Co., Texas, another action between the same  
parties involving the same issues herein sought  
to be determined, which action was filed in  
November, 1894; and therefore this proceeding  
should be dismissed; and of this he prays judgment.

That no final order or decree of this court can  
be made, entered or amended, after the end of  
the term at which the proceedings whereon  
the same were based were had; and of this he  
prays judgment.

That it being shown by applicant that the pro-

ceedings sought to entered, made and amended were in fact had more than eleven years before this application was made, constitute and are a stale demand as against the rights and interests of him and of his ward; and of this he prays judgment.

That the order herein sought to be entered, made or amended, cannot legally be had, because no order for the sale of the property of his ward's estate was ever made and entered for the objects and purposes contemplated by the law, and this fact appears of record in the proceedings had in this court relative to such estate, and of this he prays judgment.

That the order herein sought to be entered, made and amended cannot legally be had, because, by applicant's petition, it appears that applicant is not, and cannot now be considered, without notice of the facts in its application recited; and is not, and cannot <sup>now</sup> be considered, an innocent purchaser, of his ward's estate, forasmuch as it paid no value therefor, had notice that no order had ever been made or entered in this court confirming the pretended sale of said estate and no such order had been made for such pretended sale as the law contemplates; and of this he prays judgment.

That applicant does not show, nor aver, that it  
~~or~~ any other person ever paid into the hands  
 of the Guardian of said estate any sum or  
 sume whatever entitling the applicant to the  
 entry of any order of confirmation at any  
 time, and of this he prays judgment.

That applicant cannot now secure any amendment of the  
 minutes of this court showing what orders should or  
 should not have been made herein, or were or were not  
 intended to have been made herein, in 1884, because  
 as appears from applicant's petition  
 the law requires such orders to be entered of record  
 in the minutes of the term at which <sup>such</sup> proceedings  
 were had, which minutes ~~shall~~ be read, approved  
 and signed by the judge then presiding; and  
 that no minutes now exist of such nature that  
 this court can amend the same herein for the  
 May Term of this court held in 1884, and this  
 court cannot know whether such minutes as do  
 exist are the decrees of the court then sitting, or  
 orders entered by the clerk acting ~~pro tempore~~ as a  
 judicial officer and beyond the scope of his legal  
 power and authority. + of this thing prays judgment.

Robertson & Birmin

Attys. for Phil Jones

Red. Et. of Katie C. Smith

For further answer defendant shows that he denies each and every the allegations in applicants motion recited and contained, and of this he puts himself upon the country &c

For further answer he shows that no legal application for sale was ever made in this court for the sale of property belonging to this estate; that no legal and valid sale was made of any property belonging to this estate; nor any valid, legal or proper order was ever made for the sale of any property of this estate; nor was any true and correct report of any sale of property made to this court by the former Guardian of this estate; nor was any order of this court ever made or entered, either formally or informally upon any such report of sale, which would or could be made valid; and on this behalf he shows that the whole proceedings upon which the applicant bases this motion was an effort to wrongfully and fraudulently mortgage, encumber and dispose of the property of this estate; and to administer upon the estate of Mrs Hannah D. Smith, and charge the homestead of Katie D. Smith, which was the separate estate of Hannah C. Smith with the payment of the community debts



of Hannah C. Smith deceased, and her husband  
 Dr Witt C. Smith, which were in no way  
 a charge upon this Estate; and that all these  
 matters are now involved in a suit now  
 pending between the same parties in the  
 44<sup>th</sup> Judicial District, but that here and now  
 these things your respondent is able and  
 willing to affirm and verify, and of this he  
 puts himself upon the country.

Robertson & Girmir

Atty for Phil Jones  
 Exor. Est. of Hannah C. Smith

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. 706.

Co. Ct. Dallas Co. Prov. Pa.

2003

Annals Co. Pa.

A. B. Family

Fairleigh Co. Pa.

W. B. Co. Pa.

In Estate of  
Katie B. Smith  
Minor

Order & Minors Original  
Assured upon Motion to  
Enter Order Amicus pro tunc

FILED

NOV 17 1905

J. H. HUNTER, County Clerk,  
By W. G. Jackson  
DEPUTY

Robertson & Garrison

Attys for Order

Estate of Katie Smith, Minor. No. 706 County Court.

In the Probate Court of Dallas County, Texas.

To the Honorable Thomas Wash, Judge of said Court:--

Now comes the Scottish American Mortgage Company, Limited, and presents to the Court that heretofore, to-wit:-- On the 16th day of May, 1884, D. W. C. Smith, as guardian of the estate of Katie Smith, Minor, presented to and filed in this Honorable Court, his report of sale of the following described property, to-wit: an undivided one-third interest of 25 feet by 100 feet on the South Side of Pacific Avenue and 37 1/2 feet by 200 feet on the North Side of Elm Street adjoining the first described lot in Dallas, Texas, and a part of the homestead of her deceased mother. The whole of said real estate bounded as follows: Beginning at the S. E. Corner of a lot deeded by J. R. Bosley et al. to A. C. Ardrey, said corner being on the North line of Elm Street, running thence N. 14, W. 100 feet to Ardrey's N. E. corner. Thence S. 76 W. 25 feet to Ardrey's N. W. Corner. Thence N. 14 W. 100 feet to the S. line of Pacific Ave. Thence N. 76 E. 61 2/3 feet, Thence S. 14 E. 200 feet to the North Line of Elm Street. Thence S. 76 W. 37 1/2 feet to the place of beginning. Belonging to said estate. Said sale having been made under the order of this Honorable Court, made on the 16th day of May, 1884 and duly entered upon it's minutes. said report being duly sworn to and subscribed as required by law; that on the 22nd day of May, 1884, this Honorable Court, acting through it's then Judge, the Honorable R. E. Burke, in open Court and at the

(2)

regular term, rendered a judgment confirming and approving the sale so reported, a substantial copy of which judgment is hereto attached, marked exhibit "A" and made a part of this motion; and that at the time of rendering said judgment, the said Court made an entry upon the report so filed, as above stated, confirming said sale and directing the guardian to make a deed upon the ~~payment~~ of the purchase money; that no entry of said judgment so confirming said sale was ever entered upon any minutes of this Court, signed by the Judge as directed by law; that the Scottish American Mortgage Company, Limited, has through loans made thereon and in settlement of indebtedness due it, become legally and equitable the owner of said lands, holding title to the one-third interest described under and through the said Probate sale and are therefore interested in having full and correct minutes of the proceedings actually had before the Court; that evidence of said judgment in writing as required by law is now in existence among the records of said cause, and the said Company is entitled to have said judgment regularly entered upon the minutes duly signed by the Judge of the Probate Court.

The said Company further represents that one Phil Jones has been recently appointed guardian of said estate, in lieu of said D. W. C. Smith, who had previously resigned, and that the said guardian and minor, are the parties adversely interested herein, and that both of said parties reside in the County of Dallas, State of Texas.



THIS CASE WAS HEARD AND DECIDED BY THE COURT IN THE PROBATE COURT OF DALLAS COUNTY TEXAS ON THE 16TH DAY OF MAY 1884

(2)

EXHIBIT "A"

Estate of Katie Smith, a minor, No. 706 )

De Witt G. Smith, Guardian ) May 22nd, 1884.

In the County Court, Dallas County, Texas.

Now comes De Witt G. Smith, guardian of the Estate of Katie Smith, a minor, and presents to the Court for approval his report of sale, duly certified under oath as directed by law and filed herein on the 16th day of May, 1884, showing that, on the 16th day of May, 1884, in obedience to the order of this Court made on the said 16th day of May, 1884 and entered on pages 167 and 168 of Book Probate minutes of Dallas County on sale of property therein described, to-wit: an undivided one-third interest of 25 by 100 feet on the South Side of Pacific Avenue and 37 1/2 feet by 200 feet on North side of Elm Street adjoining the first described lot in Dallas, Texas, and a part of the homestead of her deceased mother. The whole of said property bounded as follows. Beginning at the S. E. corner of a lot deeded by J. R. Bosley et al. to A. C. Ardrey, said corner being on the North line of Elm Street, running thence North 14 W. 100 feet to Ardrey's N. E. Corner, Thence S. 76 W. 25 feet to Ardrey's N. W. Corner; Thence N. 14 W. 100 feet to the South line of Pacific Avenue; Thence N. 76 E. 61 2/3 feet; Thence S. 14 E. 200 feet to the North line of Elm Street; Thence S. 76 W. 37 1/2 feet to the beginning.

*Said property*  
*is sold* For the sum and piece of \$2333.33 1/3, to one G. H. Huffman of the County of Dallas and State of Texas X

And it appearing to the satisfaction of the Court that said sale was fairly made in conformity with the law and <sup>with</sup> ~~that~~ the order

(2) EXHIBIT "A".

of this Court heretofore made and entered upon of's minutes as herein stated; and that a fair price was realized for the property so sold, it is hereby ordered, adjudged and decreed that the said sale aforesaid be, and the same is hereby, approved and confirmed in all respects and the aforesaid report of sale is ordered to be recorded and a Deed made in accordance therewith on the payment of the said purchase money."

No. 406.

Estate of Katie Smith,  
a Minor  
Phil. Jones, Guardian

In the County  
Court, Dallas Co.,  
Texas.

Motion to enter  
judgment nunc  
pro tunc.

Filed Nov. 4, 1895.

L. L. Douglas, Clerk,

By J. D. Cochran, Esq.

2 copy + cert Nov. 5, 95