

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

Case Number 1956

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1956

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State of Texas.

Dallas County }

I, S. W. Keller, of the County of Dallas and State of Texas, of sound mind and memory, being sensible of the uncertainty of life and the certainty of death, and being desirous of directing the manner in which my property shall be disposed of after my death, do make and publish and declare this my last will and testament.

I give and bequeath to my wife Sarah Lornelia, one-fifth; to my daughter Annie Lacey three-tenths; to my son, William Henry three-tenths; and to my grand-daughter Margaret Lindsay Keller, one-fifth of all my Real Estate, notes, money and all personal property of every description of which I am possessed.

My bequest to my grand-daughter, Margaret Lindsay Keller, of one-fifth of my estate is made with this proviso: that her portion is to remain in the hands of my wife and my daughter, Annie Lacey (now the wife of R. B. Howard) until she arrives at the age of eighteen years, when her portion, with its increase and interest, shall be paid or conveyed to her; In the meantime, all expenses for her board, clothing, tuition &c, must be provided for, together with a fair amount of expending money, which I hope will be liberal and generous - to be paid out of the portion herein allotted to my said grand-daughter. In all matters pertaining to the management or disbursement of funds accruing to my grand-daughter, I leave to the judgment of my wife and daughter. In case of the death of my grand-daughter, Margaret, ^{previous to her having arrived at the age of eighteen years,} all the property herein bequeathed to her, I desire to be equally divided between my daughter Annie Lacey and my son, William Henry, unless my

said grand-daughter shall have married and left an issue of said marriage, in that case, I direct amount herein bequeathed her, to go to her child or children.

My mother, and my Aunt, (Margaret R. Boole) must be liberally provided for by my Executor and Executrix - paying them at least forty or fifty dollars, per month, during their life-time.

I wish it understood that all community property together with my homestead, is included with property hereby devised and bequeathed. If my wife claims our homestead and her share of the community property, then, in that case, I do not devise or bequeath her the one-fifth of my estate as above, but only will or leave to her ^{our} homestead and community property. The balance of my estate, in that event, after reserving sufficient for the other bequests herein made, shall be divided as follows: One-fifth to my grand-daughter (subject to conditions expressed hereinbefore) and two-fifths each to my son and daughter William Henry and Annie Henry. I trust, however, that my wife will accede to my wishes in this matter, and accept the one-fifth of my whole estate as hereinbefore bequeathed to her.

My Executor and Executrix are advised to work together in harmony, and not sell or dispose of any property, until after consultations with some thorough business man and friend, and then following his advice. In all matters where there is a difference of opinion as to the management or sale of any property, it is my desire that my son, William Henry, shall accede to the wishes of my wife and daughter, and that their opinion and advice in all matters be adopted as the proper course to be pursued.

that my son, William Henry, shall accede to the wishes
of my wife and daughter, and that their opinion and advice
in all matters be adopted as the proper course to be pursued.

It is my wish that my wife, my daughter Lucy and
my son William Henry act as executors and as
Executor of this my last will and testament, that they
be not required to give bond, and that the courts take
and exercise no other control of my estate than what
may be necessary to entitle this will to probate and
record.

Witness this 29th day of October 1888

W. J. Keller

W. J. Keller

The above instrument was subscribed by
W. J. Keller, the testator in our presence
and me, at his request, and in his presence,
and in the presence of each other, subscribed
our names hereto as attesting witnesses,
this 29th day of October 1888

A. C. Arden
W. H. Prather
S. L. Hay
W. H. Holland

NOTICE OF APPLICATION TO PROBATE WILL.

THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

H. J. Keller deceased.

Wm Henry Keller & Annie Lucy Harwood has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of *H. J. Keller* deceased, and for Letters Testamentary, which will be heard at the next Term of said Court, commencing on the *first* Monday in *September* A. D. 189*3*, 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 *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 *9th* day of *August* A. D. 189*3*,

L. H. HUGHES,
S. B. SCOTT,
County Clerk Dallas County, Texas.

By *W. B. Paulkins* Deputy.

EXECUTOR'S BOND

The State of Texas, }
COUNTY OF DALLAS.

Estate of *H. J. Keller*

Deceased

~~KNOW ALL MEN BY THESE PRESENTS, That~~

~~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)

*The State of Texas }
County of Dallas }*

We each DO SOLEMNLY SWEAR that the writing which has been offered for probate, is the last will of *H. J. Keller* deceased, so far as *we* know or believe; and that *I* will well and truly perform all the duties of Executor of said will.

Sworn to and subscribed before me this *18* day of *September* 189*3*.

H. C. Keller
Annie Lucy Harwood
L. H. Hughes
County Clerk, Dallas County, Texas.

By *W. B. Paulkins* Deputy.

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No. 1801.

COUNTY COURT.

ESTATE OF
W. J. Keller

Deceased.

Notice of Application for Probate
of Will and Letters.

Issued this *2nd* day of
August 189*3*

E. B. SCOTT, County Clerk.

By *A. B. Rawlins* Deputy.

SHERIFFS' RETURN.

Came to hand the *2* day of *Aug*
189*3*, and executed the *2* day of *Aug*
189*3*, 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.

Ben E. Cobble
Sheriff, Dallas County.

By *H. C. Carr* Deputy.

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

400
(Recorded)

K

No. _____

COUNTY COURT,
DALLAS COUNTY.

EXECUTOR'S BOND.

ESTATE OF
W. J. Keller
decd

Filed *Sept 18* 189*3*

E. B. SCOTT, Clerk.
E. B. Rawlins

By *H. C. Carr* Deputy.

Approved this _____ day of _____ 189 _____

County Judge, Dallas County.

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

Recorded,

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

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EXECUTOR'S BOND

The State of Texas,
COUNTY OF DALLAS.

Estate of *W. J. Keener* deceased

~~KNOW ALL MEN BY THESE PRESENTS, That~~
~~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~~
~~conditioned that the above bound~~
~~been appointed~~ _____ Dollars;

~~shall well and truly perform all the duties required of him under said appointment.~~
~~WITNESS our hands and seals, this~~ _____ day of _____ 189

The State of Texas
County of Dallas

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

Sworn to and subscribed before me this *18* day of *Sept* 189 *8*

By *N. W. Newton*
County Clerk, Dallas County, Texas.
Deputy.

NO. 217-INVENTORY AND APPRAISEMENT

Inventory and Appraisement

OF THE PROPERTY REAL AND PERSONAL BELONGING TO THE ESTATE OF

W. J. Keller, deceased.

1. Following real estate:

- (1)st = located in South Deaton Waco Co Tex. One half undivided interest to all of Block (49) (93) (93) (96) (97) & (98) also lots 1, 2, 3, & Block (54), lots 1 & 2 in Block (34), lots 1 & 2 & Block (79), lots 1, 2, & Block (86), lots 1, 2, & Block (99) lots 2, 3, & Block (101) as lots 1, 2 & Block (85). Value = 292⁵⁰
- (2)nd = located in Garland Dallas Co Tex. Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, & 15 Block (3) and lots 1, 2, 3, 4, 5, 6 & 7 & Block (4). Value = 225⁰⁰
- (3)rd = located in Knox Co Tex. being North half of Survey no. 1, of 1267 acres located in name of J. V. Brown assignee of Rebecca E. Farrow. Value = 1267⁰⁰
- (4)th = lots 2, 3 & 4 located in the town of Colorado in Tarrant Co Tex. Value = 30⁰⁰
- (5)th = lot 184 ft by 360 ft. Cor Ross Ave. and Washington St. in Block 599, according to Murphy & Boland Plat Official Map of City of Dallas Tex. Value = 15,000

2. Following Personal property:

- (1) = 50 shares of Capital stock in The Bridgeport & Deaton Coal Mining Co. Certificate nos 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50. Value = No value
- (2) = Eight shares of Capital stock in Texas State Drain & Irrigation System 3 shares dated 9th day of Dec. A.D. 1887 Certificate No. 160 signed Jas. Manning Pres. and 5 of said shares dated April 18th A.D. 1888, certificate No. 340, signed J. S. Armstrong Pres. Value = No value
- (3) = 296 shares of Capital stock in The Rosario Mining Co. Salinas State Min. Republic Mexico. Dividend by certificate Nos. 286 326 at 383. said certificates are dated respectively, Nov. 18-1887, March 13-1888 & May 23-1891. Value = No value
- (4) = Six shares of Capital stock in The Española Land & Cattle Co. of First Nat. Tex. Certificate No. 159, dated Nov. 29-1886. Value = No value

THE STATE OF TEXAS,

County of Dallas

W. H. Keller, Executor of J. C. Keller & Lucy K. Harwood

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 ^{our} knowledge.

SWORN TO AND SUBSCRIBED, Before me, this the 8th day of December A. D. 1893

J. J. Durso
Notary Public
Deputy
Dallas Co. Tex.

THE STATE OF TEXAS,

County of Dallas

BEFORE THE UNDERSIGNED AUTHORITY, This day personally appeared

Guy Sampson and H. Sidney

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, according to the best of their knowledge information & belief

SWORN TO AND SUBSCRIBED Before me, this the 26th day of A. D. January 1894

H. Sidney
Guy Sampson

No. _____

COUNTY COURT,
DALLAS COUNTY.

EXECUTOR'S BOND.

ESTATE OF

W. J. Keller
decd

Filed *Sept 18* 189 ³

E. B. Bookert, Clerk.

By *W. H. Keller* Deputy.

Approved this _____ day of _____ 189

County Judge, Dallas County.

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

Recorded,

Executors

NO. 217 INVENTORY AND APPRAISEMENT

Inventory and Appraisement

OF THE PROPERTY REAL AND PERSONAL BELONGING TO THE ESTATE OF

W. J. Keller, deceased.

1. Following real estate:

- (1)st Located in South Greter, Wise Co. Tex. One half undivided interest to all of Blocks (189), (190), (191), (192), (193), & (194), also Lots 1, 2, 3, & Block (194), Lots 1 & 2 in Block (194), Lots 1, 2, & Block (199), Lots 1, 2, & Block (200), Lots 1, 2, & Block (201), & Lots 1, 2, & Block (202). Value = 292.80
- (2)nd Located in Garland, Dallas Co. Tex. Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, & 15. Block (3). and Lots 1, 2, 3, 4, 5, 6 & 7 in Block (4). Value = 225.00
- (3)rd Located in Knox Co. Tex. One half North half of Survey no. 1, of 1267 acres located in name of J. J. Brando assignee of Rebecca E. Farrow. Value = 1267.00
- (4)th = Lots 2, 3 & 4 located in the town of Colorado - Mt. Hull, Tex. Value = 30.00
- ✓ Texas State - Lot 134 ft by 360 ft. Cor Ross Ave. and Washington St. in Block 599, according to Murphy & Boland Plat Official Map of City of Dallas Tex. Value = 15,000

2. Following Personal Property:

- (1)st 50 shares of Capital Stock in the Bridgeport & Doreen Coal Mining Co. Certificate nos 25, 225, dated 24 Sept. A.D. 1890 & signed by J. J. Lane Pres. Value = No Value
- (2)nd Eight shares of Capital Stock in Texas State Fair & Dallas Exposition 3rd shares dated 9th day of Dec. A.D. 1887 Certificate No. 150, signed Jas. Murray Pres. and 5th of said shares dated April 15 - A.D. 1888 Certificate No. 340, signed J. C. Armstrong Pres. Value = No Value
- (3)rd = 296 shares of Capital Stock in The Rosario Mining Co. Salinas Stat. Min. Republic Mexico. Divided by certificate Nos. 286, 326 and 383. said certificates are dated respectively Nov. 18 - 1897, March 13 - 1898 & May 23 - 1899. Value = No Value
- (4)th = Six shares of Capital Stock in The Española Land & Cattle Co. of Fort Worth Tex. Certificate No. 159, dated Nov. 29 - 1896. Value = No Value

THE STATE OF TEXAS,

County of Dallas

We W. H. Keller, Executor of J. R. Keller & Lucy K. Harwood

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 ^{our} knowledge.

SWORN TO AND SUBSCRIBED, Before me, this the 8th day of December A. D. 1893

J. J. Dowers Notary Public
Clerk County Court, Dallas Co. Tex.

THE STATE OF TEXAS,

County of Dallas

BEFORE THE UNDERSIGNED AUTHORITY, This day personally appeared

Guy Dumpter and M. Sidney

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, according to the best of their knowledge information & belief.

SWORN TO AND SUBSCRIBED Before me, this the 26th day of A.D. January 1894

J. J. Dowers Notary Public
Clerk County Court, Dallas Co. Tex.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

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1801

Estate of H. J. Keller
Deed

Inventories & appraisement

Inventory 3/23/94

FILED January 27 1894

By A. S. Jackson DEPUTY

Examined & approved
Jan. 27 1894

L. A. Nash
Co. Judge

45-541
Recorded

Dallas, Texas, *Augt 15 1893*

Estate of W. J. Keller

H. S. Hepburn Receiver of
IN ACCOUNT WITH **THE BANKERS & MERCHANTS NATIONAL BANK, OF DALLAS.** CR.

DR.

	Your No.		
<i>W. J. Keller</i>			
Note # 5124	323695		
Sub. to date	21713	307408	
Note 5136	584540		
Sub. to date	42517	625057	
Note 5180	26165		
Sub. to date	1504	27669	
<i>Evidence W. J. Keller</i>			
Note 5156	6060		
Sub. to date	418	7378	
Note 5137	96555		
Sub. to date	6404	103259	
		<i>11,10771</i>	

State of Texas } Personally appeared before the undersigned
Dallas County } Authority, a Notary Public in and for Dallas
 County. *Hawley S. Hepburn Receiver of the Bankers
 and Merchants National Bank, in Dallas,*
 who being duly sworn says that the claim as set forth
 in the above and foregoing account is just and that all legal
 effects payments and credits known to affiant have been
 allowed, that affiant as Receiver of said Bank is cognizant
 of the facts contained in his affidavit.

Done to before me this 19th day of August 1893.

Notary Public Dallas County Texas

No. 1801
Estate of W. Keller, Deed
Claim of H. S. Hefburn
Receiver for \$ 11,107.71

FILED

NOV 23 1893
L. H. HUGHES,
County Clerk.
By *[Signature]* Deputy.

Examined & allowed
as a 4th class claim
& ordered paid in due
course of Administration
June 27th 1894 J. S. Rush

[Signature]
W. S. Hefburn
Receiver for Hefburn

The State of Texas, Dallas County, }
vs. W. H. Keller, executor and Charles W. Keller and George
K. Howard, administrators of the estate of W. H. Keller, late of
said county, deceased, plaintiffs, against an administration of the
estate of Charles W. Keller, deceased, defendant. That the same was
adjudged in favor of said plaintiff, and following from the fact, relating thereto,
that it is just and right, having full faith to be given to a valid claim
for the full amount thereof to the effect of November 18, 1893.

W. H. Keller



Dallas, Texas

189

The State of Texas } County Court Sept. Term
 County of Dallas } A.D. 1893. In Estate of W. J. Keen
 deceased.

On this the 9th day of September, A. D. 1893 per-
 sonally appeared in open Court A. C. Ardrey, who
 being duly sworn, deposes and says, that on the 29th
 day of Oct. A. D. 1888, he was present and saw W. J.
 Keen sign the instrument filed in this Court on
 the 28th day of July A. D. 1893 and purporting to be the
 last will of him the said W. J. Keen, and heard him
 publish and declare the same to be his last will and
 testament; that at the time of signing & publishing
 the same, the said W. J. Keen was over twenty-one
 years of age and of sound mind; that this affiant &
 W. H. Prather and J. L. May and A. L. Hallam whose
 signatures appear ^{on said instrument,} on said 29th day of Oct. A. D. 1888
 then being credible witnesses above the age of 14
 years, subscribed their names as witnesses to the
 same in the presence and at the request of said
 testator and in the presence of each other.

That approved on the 9th day of Sept. A. D.



DISTRICT COURTS
OF
DALLAS COUNTY

J. NEWART, CLERK

DEPUTIES
F. R. FORTZ, F. M. HOBBS,
M. H. WILLIAMS, L. F. MOORE

JUDGE 14TH JUD. DIST. HON. R. E. BURKE.
JUDGE 44TH JUD. DIST. HON. CHAS. FRED. TUCKER.

Dallas Texas

189

1893 said W. J. Keen died in said county of Dallas
in which he had his domicile at & before his
death & without having revoked said will so
far as known to affiant.

A. C. Ardrey

Sworn to & subscribed in open court before me
this 9th day of Sept. A. D. 1893.

L. H. Hughes Clerk Co. Court
By *Abraham Deputz*

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

Estate of
W. J. Keller
Deed
Proof of will

FILED Sept 9 1892
L. H. HUGHES, Clerk County Court.
By Ad Jackson DEPUTY

Recorded

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