

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

Case Number 313

Dallas Genealogical Society
Founded 1955

www.dallasgenealogy.org



FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

313

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

Wm Price's Application
Letters of Administration In District Court, Dallas
County, Fall Term, 1872.
Estate of Thos. N. Johnson,

And now at this time, comes Wm. M. Johnson
one of the lawful heirs of Thos. N. Johnson deceased and
over the age of twenty one years, by his Attorney, and per
opinion of the Court, to make himself a party, in this
cause,
W. H. Price, Attorney
Wm. M. Johnson,

Wm. M. Johnson v.
Mary Pruitt
Wm. M. Johnson's Adm.
Estate pending in
District Court Dallas
County, Fall Term
1872.
by application
of Thos. N. Johnson
at this writing

Received the with depositions of Peter [unclear]
from A. Harwood by his [unclear] [unclear]
The officer before whom she was his [unclear]
with also the same is this day filed with the
papers in said cause and has [unclear] no alter
[unclear] [unclear] all
By [unclear] [unclear]
To The Clerk District Court
Dallas County
Dallas City
Texas.

1872.

THE STATE OF TEXAS.

To the Sheriff or any Constable of Dallas County----Greeting:

YOU ARE HEREBY COMMANDED to SUPENA *Richard Britton,*
Samuel McDaniel, Sen, Jesse A. Ashby,
to appear instanter before the District Court of said County, there to give evidence for the
Defendant, in a cause there pending, in which *Wm. Pruitt is*

Plaintiff, and *W. M. Johnson is*

Defendant

WITNESS my Official Signature, this *11* day of *October* A. D. 187*2*.

J. M. Law
CLERK DIST. CT., D. C., TEXAS,

by *J. C. Coombs* Deputy.

#72

No

Mr. Smith

vs. SUBPOENA FOR

deposition

*The witnesses will appear
at Court on next Sat
Friday, the 26 of October
1872*

WITNESSES:

*Richard Gentry
Saml McDaniel Jr
J. A. Asberry*

Issued this *19* day of *Oct*

A. D. 187 *2*.

J. M. Laws
Clerk D. C. Dallas Co., Texas.

By *J. B. Chandler* Deputy.

*Came to hand same
day issued - Executed
Oct 22nd 1872 by Reading
the within subpoena to
the within named
witnesses R. Gentry
Saml McDaniel Jr
J. A. Asberry
M. M. Thompson
constable*

constables cost 3.00

THE STATE OF TEXAS.

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

Whereas, by an Order of the County Court of said County, entered on the 14th day of December A. D. 1876, W. J. Smith of the Estate of J. M. Johnson deceased is required to file an Account of said Estate, and to pay the costs, that have accrued therein, before or during the next term of said Court, to be held at the Court House, in the City of Dallas, on the Third Monday in January A. D. 1877

THEREFORE, you are hereby commanded to serve the said W. J. Smith with a copy of this notice, and due return hereof make to said term of our said County Court.

WITNESS my official seal and signature, at office in the City of Dallas, this, the 29 day of December A. D. 1876

A. Harwood
County Clerk of Dallas Co., Texas.
By W. J. Smith Deputy.



COUNTY COURT.

ESTATE OF-

Wm Johnson
Wm J Smith
Admrs

NOTICE.

Issued Dec 27th A. D. 1876.

A Harmon
County Clerk.

By *W H Thacker* Deputy.

acted on

to have on the 29th day of December 1876
that *Estimate on the 10th day of January 1877*
by returning to *Wm J Smith* in person a true
copy of this will

Shawto see
same copy
9 miles & return

1.00
90
7.90

W M Morn
Shawto of Dallas
By Est. Morn
(Check)

The State of Texas.

To all persons interested in the Estate of Johnson dec'd

W. G. Brewitt has filed in the District Court of Dallas County
 an application for Letters of Administration on
 the Estate of Johnson

deceased which will be heard at the next Term of said Court,
 commencing on the first Monday in June A. D. 1872, at the Court-House there-
 of, in the Town of Dallas, at which time all persons interested in the Estate
 of said Johnson deceased
 may appear and contest said application, if they see proper.

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

Given under my hand and the Seal of said Court, at office
 in Dallas, this 24th day of April
 A. D. 1872.

John M. Laws
 Clerk of the District Court of Dallas County, Texas.
 By Zie Cornubus Deputy.

Placed in Court to be
that the division moved by the
of the 1800 can be considered by the
the fixing this tract
G. M. Brown
Deputy Sheriff

No 777 #72
W. J. Dewett
Notice of filing
petition for Letters
Administration
Estate of
Johnson Dec'd
District Court

Issued April 24th 1872
J. M. Laws clk
By J. E. Coombes Deputy
Came to hand
Sunday issued and
executed by posting
true copies of this notice
at the Post Offices in
Dallas, Lancaster & Seymour
May 8th 1872
J. M. Brown Sheriff
By G. H. Nash Deputy
Hickford

Came to hand same
day issued and executed
May 8th By posting one
copy of the within
notice at the Court House
door in the town of
Dallas, one copy at the
door of the post office
in Lancaster and one
copy at the door of the
Post Office in Seymour
the same being three
of the most public
places in the County
May 8th 1872
J. M. Brown Sheriff
By G. H. Nash Deputy
Hickford

Wm Pruett adm of the estate
of T. N. Johnson deceased,
In District Court
for Probate to

And now comes A Johnson
one of the heirs of T. N. Johnson
deceased, heard of the Court first had
, and says that he is now about twenty
one years old, and makes himself
a party to this cause.

W. H. Prick
Atty.

W. S. Pruitt,
 District Court, and
 District Court, A. D. 1873.

And now comes, G. M. Jones as
 the next friend of the heirs of C. M. Johnson deceased,
 to-wit, H. M. Johnson, S. Johnson & E. M. Johnson, all of
 whom are minors under twenty one years of age & are
 from four to six years of age, and moves the Court, to set a
 side & revoke the order of the Court, made at the former
 term thereof, appointing, W. S. Pruitt, administrator of
 the estate of said C. M. Johnson.

2d: Because, said application, ^{for administration} was made, by said Pruitt
 with the fraudulent intent, of obtaining the possession of the
 property of said deceased, both real & personal, & applying the
 same to his own use & benefit in fraud of the rights of the
 minor heirs, &c.

3d: Because, at the time of filing his said applica-
 tion Richard Brewster, as the Guardian of said minor
 are both of the persons set aside, &c.

3d: Because, the estate of said Johnson is not im-
 pedia as alleged by the said Pruitt in his application
 for administration, and that the said Pruitt claim a
 said said estate, is in fraud of said minors, &
 is made for the express purpose of obtaining possession
 of said estate to the manifest injury of said minors.

W. S. Pruitt

Atty for Jones

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

THE STATE OF TEXAS,
COUNTY OF DALLAS.

ESTATE OF

Thomas A. Johnson, Dec'd

KNOW ALL MEN BY THESE PRESENTS, That we,

William Pruitt

as Principal, and *John A. Fisher*

and

A. C. Haught

as sureties, are held and firmly bound unto

J. A. Laws

Clerk of the Dis-

trict Court of the county of Dallas, and his successors in office, in the sum of

Three

dollars, conditioned that the said

Thomas A. Johnson, Dec'd

shall well and truly perform all the duties incumbent

upon him as *Administrator* of the *Estate*

of *Thomas A. Johnson, Dec'd*

WITNESS our hands and seals, using scrawls as *[Redacted]* this *17* day of *July*

A. D. 187*7*.

William Pruitt SEAL

John A. Fisher SEAL

A. C. Haught SEAL

Approved in open Court, this *17* day of *July*

Pete Haught, C.

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

By *G. C. Coombs* Deputy.

I do solemnly swear that I will well and truly perform all the duties of *Administrator*

of the Estate of *Thomas A. Johnson, Dec'd*

Sworn to and subscribed before me, this *17* day of *July* A. D. 187*7*.

John Mc Law

Clerk of the District Court of Dallas County, Texas,

By *H. Boll* Deputy.

Revised, Print., Dallas, Texas

THE STATE OF TEXAS,
COUNTY OF DALLAS.

} ESTATE OF *J M Johnson*

KNOW ALL MEN BY THESE PRESENTS, That we, *Wm Brewitt*
as Principal, and *A C Haught* and *Peter Haught*
as sureties, are held and firmly bound unto *J M Laws* Clerk of the Dis-
trict Court of the county of Dallas, and his successors in office, in the sum of *Three*
Thousand dollars, conditioned that the said

shall well and truly perform all the duties incumbent
upon him as *Administrator* of the *estate of J M Johnson*
deceased

WITNESS our hands and seals, using scrawls as such, this *10th* day of *June*
A. D. 187*2*

William Brewitt (SEAL)
A C Haught (SEAL)
Peter Haught (SEAL)

Approved in open Court, this *12* day of *June* A. D. 187*2*
J M Laws
Clerk of the District Court of Dallas County, Texas.

By _____ Deputy.
I do solemnly swear that I will well and truly perform all the duties of *Administrator*
of the Estate of *J M Johnson deceased*
Wm Brewitt

Sworn to and subscribed before me, this *10th* day of *June* A. D. 187*2*.
J M Laws
Clerk of the District Court of Dallas County, Texas,
By *J Clevomies* Deputy.

Revised Price, Dallas, Texas

Mr. [unclear] vs. [unclear]
District Court of Dallas County
June Term 1874

And now come the Plaintiff
Motion and move the Court
to grant him a new trial
verdict

Because - 1st
The verdict of the jury
is contrary to the Law

Because the verdict of the jury
is contrary to the evidence

Because the verdict of the jury is
contrary to the Law and the
evidence.

Wm. A. Brown
att'y for [unclear]

The State of Texas, Estate of Johnson dec'd
 County of Dallas } District Court File No. AD 117

To the Honorable District Court of said County,
 Your petitioner W. D. Pruitt respectfully
 shows unto your honor that
 J. M. Johnson died on the 10th day of
 1869 without any will, leaving
 real and personal estate in said
 County of Dallas of the estimated
 value of Fifteen Hundred Dollars,
 that said Johnson at the time of
 his death resided in said
 County of Dallas and State of Texas
 aforesaid, and that four years
 have not elapsed since his
 decease; that your petitioner is
 a creditor of said Johnson dec'd
 and that no bond for his debt
 has been given, and that therefore
 he is entitled to the administration
 of said Estate, wherefore he
 prays that he may be appointed
 administrator of said Estate

Wood & Bower
 Attys

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

No-177 #72

N. J. Pruitt

1833

District Court

Application for
Letters of Administration
in Estate

of Johnson

Filed April 24 1872

J. M. Lawler

By J. C. Coombs, Clerk

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

Wm Pruitt, admr
of the Estate of } In District Court, for
T. N. Johnson } Robert H. Grand Term
Deceased. } A. D. 1874.

State of Texas. To the Sheriff
of Dallas County, Texas;

Now whereby coman-
ded, that you summon, Wm Pruitt admr,
of the Estate of T. N. Johnson Deceased, to be
and personally appear at the present Term
of the District Court of Dallas County, Texas,
now in session, on Saturday the 13 day of June,
the same being the twelfth day of the present
Term thereof, began on the first day of June
A. D. 1874, at the Court House of Dallas County,
Texas; To show cause, if any you have, why
you, as admr, of the Estate of T. N. Johnson
Deceased should not be required, to give
a good & sufficient bond as required by law,
as such admr,

Herein fail not, but make due return
of this writ & how you have executed the
same.

Witness my official Seal and
Signature at office in the City
of Dallas this 9th day of
June A. D. 1874

A. Harwood clk
By W. A. Harwood Spt.

Wm Pruitt adms
Est Thos W Johnson
(deceased)
vs $\frac{3}{4}$ Citation

Issued 9th June 1874
A Harwood clk
By W A Harwood Sp^{rs}

Came to hand same
day issued and executed
June 11th 1874 by deliver-
ing to Wm Pruitt in
person a true copy of
within citation

Subscribed J. E. Barliff
Total ^{50c} J. F. Good
J. Barliff

N. 71.

Wm Pruitt adm

Estate of T. N. Johnson
deceased

In District Court,
3rd Term 1874

And now comes Wm W. Johnson, A. Johnson & F. M. Johnson, by their Atty W. H. Price, and moved the court to dismiss the administration in this case for the following reason or reasons, to wit:

1st. Because, it is apparent from the application of said Pruitt, that he predicated his right for administration upon the estate of T. N. Johnson deceased, upon a pretended claim, he held against said decedent, which said pretended claim was contested by the heirs of said Johnson, and the same being submitted to a jury at the instance of said Pruitt, the jury found for the heirs, the heirs of Johnson, and thereupon the said pretended claim was disapproved by the court,

2d. Because, there are & were no other claims against said Estate, and there being a Guardian of the Estate of the heirs of said Johnson, at the time said Letters of administration were granted to said Pruitt, and there being no necessity for administration, the heirs of said Johnson pray that said Administrator be discharged, the administration closed and the assets of said Estate turned over to the guardian.

W. H. Price Atty

The State of Texas
 To the Sheriff or any Constable of Dallas
 County Texas

You are hereby commanded
 that you cite W. J. Probert Administrator
 of the Estate of J. M. Johnson by
 serving him with a copy of this writ to
 be and appear before the Honorable
 District Court of said County on the
 First Monday in February 1876 to show
 cause if any he can why he has failed
 to make and file his Annual Exhibit
 and Settlement of said Estate as the
 Law requires

Obey in full not but have you then
 and therebefore said Court this writ
 with your return thereon showing how
 you have executed the same

Witness A. Harwood Clerk Dist-
 rict Court of said County

Given under my hand and the
 seal of said Court this 11th 1875

A. Harwood Clerk

By W. L. Reeves Dy

Came to hand the
 June Day sheet
 and ~~presented~~ ^{presented} ~~to~~ ^{to} ~~me~~ ^{me}
 18. 1875 by delivering
 to Mr. J. Bennett, ~~present~~ ^{present}
 of the ~~other~~ ^{other} citation
 for exhibit
 J. E. Bonfley
 Sheriff, D.C.
 by Mr. J. Bennett
 fee 140 cents
 mileage 80 ^{cts}
 220

No.
 Estate of
 J. M. Johnson
 H. J. Pruett, Adm'r
 Citation for Exhibit
 Issued 11th Novr 1875
 A. Harwood, clk
 by H. A. Harwood, 27

ATTEST

Wm. Suit. Application
 Letters of Administration. In District Court Dallas,
 Estate of Thos. N. Johnson. County, Dall. Term A.D., 1872.
 Texas.

And now comes, Wm. M. Johnson, one of
 the lawful heirs, to wit, the son of Thomas N. Johnson deceased,
 by his Attorney, and says, that the matter and allegations in
 plaintiff's petition, as therein set forth, are insufficient, in
 law, for plaintiff, to have or maintain his action aforesaid,
 and of this he prays judgment of the Court.

W. H. Price, Atty. for W. M. Johnson.

And further answering, Wm. M. Johnson by his attorney den-
 ies all and singular the allegations in plaintiff's petition and
 calls for strict proof of the same.

W. H. Price, Atty. for Wm. M. Johnson.

And still further answering, Wm. M. Johnson, by his
 Attorney, denies, that Thos. N. Johnson deceased, was indebted
 to the plaintiff, at the date of said Thos. N. Johnson's death,
 and he further denies, that the Estate of the said Thos. N.
 Johnson deceased, has become indebted to the plaintiff
 since the death of decedent; and he still further
 denies the pretended claim or claims of Plaintiff.

And further answering, Wm. M. Johnson, by his Atty,
 alleges, that Richard Winton of Dallas County Texas was
 legally appointed Guardian of Wm. M. Johnson (defendant
 herein), A. G. M. Johnson, heirs of the said Thos. N. Johnson
 deceased, both of their persons and Estates, by the Hon. Probate

County of Dallas County, ^{in Texas,} in the year 1868 or 1869, and that
 the said Wm. Pruitt, the plaintiff herein, presented his pretended
 claim against the Estate of Thos. M. Johnson, deceased for allo-
 wance, and that the said Guardian rejected said claim
 as unjust and fraudulent; And he further alleges that
 the plaintiffs claim was not duly authenticated as required
 by law, and he still further alleges, that if plaintiffs cla-
 im was duly authenticated, that plaintiffs did not int-
 itute suit against said guardian as the ^{law} requires in the
 12 months after the rejection of his pretended claim
 by the said Guardian. And he further alleges that
 if the said plaintiff ever had any claim for money against
 the Estate of the said Thos. M. Johnson deceased or his estate,
 that the plaintiffs cause of action, accrued more than two
 years, before decedents death and more than four years before
 plaintiffs application for Administration. And he further
 alleges that the said estate is not indebted and that ad-
 ministration is not necessary, and if it were, that he is entitled
 to the same, and of this he is ready to verify.

Wm. Pruitt

To Answer

Wm. H. Covert

Filed at 9/10/70

W. H. Covert

Att. Gen. Covert

W. H. Covert, Atty for W. M. Johnson

Wm Pruitt & Mary Pruitt,
 vs
 Wm. M. Johnson et al.

In Dist Court,
 Dallas County,
 Texas Feb. Term, 1844.

And now comes Wm. M. Johnson, et al.,
 by Atty, moves the Court, to require Wm
 Pruitt, the adm of the estate of J. N. Johnson
 to give a new bond as such adm, because
 the sureties of the said Wm. Pruitt, adm
 as aforesaid, are wholly insolvent, and
 were insolvent at the time said bond
 was executed, to wit, J. A. Fisher, A. G.,
 H. Knight, Peter Knight and D. H. Hunt
 et al, and this they are ready to verify
 of this they pray judgment of the
 Court.

W. H. Price, Atty,
 for W. M. Johnson, et al.

W. C. Brett, Clerk
 90
 Johnson

I am pending in the District
 Court of Dallas County Texas

The State of Texas,
 To the Sheriff or any Constable
 of Dallas County, Texas:

You are hereby commanded
 that you serve Johnson the Defendant
 in the above stated cause vs W. H. Price Esq
 Atty & Record with the accompanying
 certified copy of interrogatories propounded
 by the Plaintiff in said cause to Peter
 Harriott who resides in the County of
 Harrison but who is ~~residing~~ ^{temporarily} in Dallas
 County, in the State of Texas

Hereto fail not, but if this writ
 and how you have executed the same, make
 and return within five days after service

Witness A Harwood, Clerk of the
 District Court of Dallas County

Given under my hand and
 the seal of said Court at office in the
 town of Dallas, this 11th day of May
 A. D. 1874

Clerk Dist Court Dallas Co Texas

No. #72

New Court Addr

90 3 Receipt for
31 1/2 Price

Johnson

Issued for #74
A Harwood

Clerk
Prof. D. Harwood

Came to hand same
day issued and
received Feb 12th 1874
by delivering to the
within City 10 to
Price a fine copy
of the whole work
with the whole
work - D. E. Harwood
Feb 12/74

The Estate of Thos A. Johnson
 To
 Wm Pruitt and Mary Pruitt et al

1870 To taking care of raising boarding
 May 30 washing for his child, Thos A. Johnson
 from Nov 1861 to Nov 1st 1868 - \$700.00
 under ~~contract~~ Contract -

The State of Texas }
 County of Dallas } Personally appeared
 Wm Pruitt } before the undersigned
 authority, Mary Pruitt who is to me
 well known who upon oath
 says that the above account
 against the Estate of Thomas
 A. Johnson deceased is just;
 that nothing has been paid or de-
 livered towards the satisfaction
 of said claim; that there
 are no counter claims known
 to affiant and that the sum
 of seven hundred dollars and
 interest thereon from the 1st day of
 November 1868 - to date at 8% per
 annum is partly due
 Wm Pruitt subscribed before
 me this 11th day of March 1873

Open Pruit Adm. of Suit pending in the District
 Court of Dallas County,
 Wm. Johnson et al vs Texas.

Answers. The Depositions of Peter Knight
 to the accompanying Intro. are pro-
 pounded to him in the above matter
 Cause, taken before A Harwood Clerk
 of the District Court of Dallas County
 Texas, in accordance with the ac-
 -companying Commission.

Answer to 1st Inter. I am acquainted with Wm
 Pruitt. My Mary Pruitt was acquainted
 with Thomas N Johnson during his life
 time.

Answer to 2nd Inter. He is dead, his wife was
 dead at the time of his death. He
 left three children.

Answer to 3rd Inter. Miramus of the children are
 Moses Johnson, Albert Johnson & Francis
 Marion Johnson, to the best of my knowledge
 they were aged respectively sixteen, fourteen
 and twelve years. The two oldest Moses
 and Albert were living with their father.
 The youngest William Marion Johnson
 was living with Wm Pruitt & Mary Pruitt

Answer to 1st Inter. It was Francis Marion Johnson. I had a conversation with Thomas A. Johnson, near the graveyard in which his wife was buried. Some time in the Fall before his death ^{the} during other times before that in which he stated that Mrs Mary Pruitt had been a mother to him and his child, Francis Marion, and that he intended to pay her well for it. The circumstances were, that Thomas A. Johnson was talking about going west. He was meditating in his mind whether he could go west on account of his children.

Answer to 5th Inter.

I do know that Mary Pruitt did take care of, raise and support Francis Marion Johnson. About five or eleven years she took care of him. Her services were worth at least seven hundred dollars (\$700.00). I do know that she did raise said child, Francis Marion Johnson. That she treated ^{him} as a mother kind & attentive, that he was excusing by treachery, that her services were well worth the amount Seven Dollars

Answer to 1st Cross Inter. I do know them.
I am their son in law by marriage
& reside in Hamilton County.

Answer to 2nd Cross Inter. It was Francis Marion
Johnson. This was in the family
of Wm Pruitt wife when the child was
taken, including F.M. Johnson the
child of said Wm Pruitt at the
present time is over twenty four
and Mary Pruitt is fifty six years
of age. I did hear Mr S.M. Johnson
that he would pay William Pruitt
and Mary Pruitt for raising the said
F.M. Johnson. I had no such con-
versation with W.M. Johnson. A
Johnson and F.M. Johnson as is indicated
in cross Interrogatory the same.

Answer to 4th Cross Inter. I did have a conver-
sation with W.H. Price at the Rail
Road corner in front of Ash & Magnus
store, but not of such a nature
as is intimated in his cross in-
terrogatory the 4th. I did say
that Mary Pruitt determined to have
something for her trouble in raising
the said Francis Marion Johnson.

Answer to 5th Cross Inter. I am in this Bond
in this cause, as Surety. I possessed
at the time of giving said Bond
Eighty acres of Land in Dallas
County, 1 mule, 10 head of cattle
30 head of hogs. One m ship. at the
date of said Bond.

I own at present 100 hundred
acres of Land in Hamilton County
Texas, one Horse & five mules, Two
yoke of Oxen, 100 stock Cattle, one
ship, about 100 head of hogs in
Dallas County, State of Texas.

Peter Haught
State of Texas. J. A. Harwood Clerk of the
County of Dallas. District Clerk of Dallas County,
do hereby certify that the foregoing
answers of Peter Haught the
Witness before named, were made
before me. They were subscribed to and
sworn to before me by the said
Witness Peter Haught.

Given under my hand, the Official Seal
This the 17th day of July A.D. 1874.
J. A. Harwood Clerk.
By J. S. Andrews Deputy.

Inventry of the property belonging
to the Estate of Thos A Johnson
Deceased, returned by Wm Smith
Administrator

To 160 acres land & equipments \$1600.00

Sixteen Hundred Dollars

To 160 acres timbered land - \$400.00

four hundred Dollars

J. A. Fisher

W. R. Bennett

The State of Texas }
County of Dallas } Personally, appears
before the undersigned

authority of J. A. Fisher and W. R. Bennett
two (2) disinterested freeholders living in
Dallas County who upon oath first say that
they are not interested in the estate of
said Thomas A. Johnson, deceased, nor of
kin to any person interested therein
and that they will according to the
best of their abilities now used
appraise the personal property, to them
shown or produced of the real property de-
scribed in the Inventory - and after
taking said oath affiants say that
the sums above set opposite each
item in said Inventory is the ap-

praised value of said property or
values by them.

Summ lot subscribed before
me this 11 day of March

AD 1873

C. C. Houston

11
X
Pratt

The State of Texas } Personally appeared
Dallas County } before the undersigned
authority, Wm Pratt

Administrator of the Estate of Wm H.
Johnson, deceased, who upon oath says
that the foregoing is a true and correct in-
ventory of all the property belonging to
said Estate, so far as has come to
his hands or he has been able to ascertain,
and that affiant was not bound or
interested to the deceased in any con-
tract at the time of his death

Summ lot subscribed before me
this 12 day of March 1873

C. C. Houston

Mr. Parrott, adm. of S. St. Johnson, dec'd.
vs. the heirs of S. St. Johnson, dec'd.

San Antonio of the year.

This is a contest between Mr. Parrott, adm. of S. St. Johnson, dec'd. and the heirs of said decedent, touching the justice of a claim presented by the said administrator against the estate of his intestate - for the board and clothing of H. M. Johnson, a son of decedent. In the lifetime of the said S. St. Johnson, dec'd., from the year 1864 to 1868.

The said adm. presented his claim and filed the same to be paid in due course of administration. The heirs of said decedent contest the claim, and insist that there was a contract between the said Mr. Parrott and his intestate - the said S. St. Johnson, dec'd., whereby the said Parrott was to have the control and custody of the said H. M. Johnson, and for his services the said Parrott was to board, clothe and educate him, the said H. M. Johnson. The heirs from this insist that the said Parrott did not furnish all the clothing of the said H. M. Johnson, and that he

The said Permitt did not comply with his contract to educate the said H. M. Johnson.

If you believe from the testimony in this case that S. M. Johnson, in his life time, placed his Son, the said H. M. Johnson, in the custody of Mrs Permitt's wife and agreed to compensate them for boarding & clothing him, and you find that the said Permitt did board and cloth him - Then you will find the reasonable value ^{for the time he was so boarded & clothed} of the board & clothes furnished and return your verdict accordingly - unless you believe that the said H. M. Johnson during said time rendered services for the said Mrs Permitt that were of value and compensated the said Mrs Permitt in whole or in part for such board & clothing -

If you believe that such services were rendered - Then you will enquire the reasonable value of the same - and if you believe the value of such services equal or exceed Plaintiff's claims, then you will return your verdict for Plaintiff's benefit.

If you believe from the testimony that there was a contract

between Mrs. Peritt, or with his
 wife, which he accounted to, and
 the said J. M. Johnson, ^{fully} as by
 said contract that the said Mrs.
 Peritt was to clothe & board
 said J. M. Johnson for his
 services - then and in such case,
 you will find the terms in this
 suit -

H. B. H. H. H. H.
 George H.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

We the jury find for the Defts.

W. M. Pease
Foreman

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

The State of Texas

To the Clerk of the District Court or any Notary in and for the County of *Dallas*.

GREETING.

You are Hereby Authorized and Empowered,
to cause to come before you *Peter Haught*
Peter Haught, resident of your County, and *his* answers to take to
the accompanying interrogatories, propounded to *him*, in a certain
cause now pending in the District Court of Dallas County, wherein
Wm Pruitt & Mary Pruitt Adms
Thos A Johnson complainant
and *W. M. Johnson & al*

is defendant,

and, having reduced the said answers to writing, you will cause the said
witness to swear to and subscribe them before you, to which you will
certify officially; after which, you will seal up said answers and interro-
gatories, together with this commission, in a package directed to the Clerk of
the District Court aforesaid, conforming in all respects to the requisitions
of the Statute in such cases made and provided.

Witness, *A. Harwood*, Clerk of the District Court of Dallas
County, and the Seal of said Court, at Office, in
the City of Dallas, this the *Sixteenth* day
of *February* A. D. 1874.

A. Harwood
Clerk Dist. Court, Dallas Co., Texas.

By *J. E. Andrews* Deputy.

Wm Pruitt, Adm'r

W
Johnson

Johnson is temporarily in Dallas County

To Johnson or W.A. Price, his attorney
of Reno: -

Please take notice that your
says after service hereof we shall
apply to the Clerk of the District Court
of Dallas County for a Commission
to take the depositions of Peter Naught
a witness for ~~the~~ Adm'r to the fol-
lowing ~~depositions~~ ^{interrogatories} which
when taken will be read as
evidence on the trial hereof.

Good & Brown
Atty for Pruitt.

Int 1st Are you acquainted with Mr
Pruitt and Mary Pruitt his
wife and were you acquainted
with Thomas St. Johnson, in his
life time?

Int 2^d If said Johnson is dead please
state if his wife was living
at the time of his death, & state
if he left any children -

Int 3rd If he left no wife, but did have
children, give their names and
ages at the time of the death

of said Thomas C. Johnson, and also
state where and with whom said children
were living at the time of the death of
said Thomas C. Johnson?

Art 4. If you state that one of the children
of said Thomas, was living with and
being taken care of, by Wm Pruitt
and his wife, state which one it was
and also state any conversation you
may have had with said Johnson
in regard to the raising and taking
care of said child - Give time
place and circumstances of said
conversation

Art 5th If you know that Wm Pruitt and his
wife did take care of, raise and
support one of said children, state
which one, - how long, - and
what was it worth in money
to perform the services - State
every thing you know about the
matter. fully.

Good & Benson,
Attys for Wm Pruitt

Wm. Pruell, adms.
No. 10
W. M. Johnson, et al. of Dallas County, Texas.

Sub. pending in the District Court
Cross interrogatory
to be propounded, to Peter Heaught of Hamilton
County, Texas, but now temporarily in Dallas Coun-
ty, Texas, a witness for the Pff. Wm. Pruell, in the
above entitled cause.

Cross Int. 1st: If, you state in answer to interrogatory, first,
that you are acquainted, with Wm. Pruell and
Mary Pruell, his wife; then state, what relation
you sustain to them, and where you reside.

Cross Int. 2d: If, you state, in answer to interrogatory, fourth,
that one of P. N. Johnson's children resided with
Wm. Pruell & wife, state which one, & the number
which number, the family of said Wm. Pruell, in-
cluding the said ^{child}, also the respective ages of the said
Wm. Pruell & wife; and if you state, that you heard, P.
N. Johnson say that he was to pay the said Wm.
Pruell, anything for the time, his child was with
them; then state, if you did not state, to Wm.
M. Johnson, A. Johnson & Marion Johnson
the children of P. N. Johnson, at Seien in the
County of Dallas, ~~and~~ during the February term
of the District Court of Dallas County, Texas,
A. D. 1878 and also, during the June Term 1878,
that they were not to receive pay for the time

Maion Johnson was with them; and that the said Wm & wife, told you that if, you would bring suit, you might have all, you could make; and did you not tell the said, Wm W. Johnson, A. Johnson, & Maion Johnson, that if they would pay you two dollars & a half, & finally twenty five cents, you would have the cause dismissed, if they would pay the costs.

Cross Ex. 4th. If you state, that you heard Thomas N. Johnson say he was, to pay Wm & Mary Pruitt any thing for the time said T. N. Johnson's child was with the said Wm & Mary, in answer, to either of a 1st; then state, if you did not, state in conversation with W. H. Price, the Atty for Wm W. Johnson, state, in the Town or City of Dallas, Texas, during the term of the District Court of Dallas County, Tex., A. D. 1873, at the Rail Road corner, at Ash's & Wagons Store, in front of the door of said Store, that you knew, that Wm Pruitt, the Pff in this case or one of the Pffs, had told Thomas N. Johnson, the father of the said Maion, that, by, the said Wm Pruitt wanted the said child to remain with the said Wm & that the child had more than paid for all its troubles; and also, that the said T. N. Johnson, had more than paid him the said Wm Pruitt outside of the labor of the child.

to trouble, and also, that the said T. J. Johnson, has more than paid him the said Wm. Buck outside of the labor of the child.

But, by God, you ^{could} let, the said W. H. P. know, that the said Mary Smith, the wife of the said Wm., could have something to say about the matter and if the said Wm. has a good to keep the child or boy for his labor, that the said Mary would have pay for her trouble.

Case, Subj. State, if you are on the Bond of the said Wm. & wife, in this cause as surety, that is the bond of the Wm. & wife as admissions in this cause, and if so, then state, the number of acres of land you possess in fee simple, in the county of Dallas and State of Texas, the number of horses, cows, hogs & sheep, at the date of said bond, also the number of acres of land, horses, cattle, sheep & hogs you now own in Dallas County, Texas, or in the State of Texas.

W. H. P. Sec. Atty.
for Wm. M. Johnson et al.

10

Wm Pruet, Adm^r of
the Estate of T. N. Johnson,
Deceased,

3rd District Court,
For Probate, &c, Term
Term A. T., 1874.

vs
W. M. Johnson Ex^{or}.

And now comes W. M.

Johnson and A Johnson, the lawful heirs
of T. N. Johnson deceased, to wit, the sons of the
said T. N. Johnson deceased, and by leave of
the Court, first had & obtained, amend the ori-
ginal answer in this cause, and for themselves
and as the next friend of W. M. Johnson
who is also one of the heirs of T. N. Johnson
deceased, to wit, a son of the said T. N. Joh-
nson deceased, say that the matters and allegations
in Plff's petition, for administration, as set
forth therein are insufficient in law, & of
this they pray judgment of the Court,

W. H. Price, Atty for
W. M. & A Johnson &c,

And further answering, they say, by Atty, deny
all & singular the allegations in Plff's petition
& call for strict proof, the same,

W. H. Price atty
for W. M. & A Johnson &c,

And still further answering, They deny that
T. N. Johnson deceased was indebted to the said
Wm Pruet and Mary Pruet or either of
them, at the date of his death (T. N. Johnson),
and they further deny, that the Estate of the said
T. N. Johnson deceased, has become an debtor
to the said Wm Pruet and Mary Pruet,
or either of them, since the death of decedent,

and they further deny the pretended claim or claims, of the said Wm Pruitt & Mary Pruitt, his wife, or the claim or claims of either of them, and say that said claim or claims are unjust and unfounded & fraudulent, and that the same are set up to defend the estate of the said T. N. Johnson deceased,

And further answering they say, that the said Wm Pruitt and Mary Pruitt his wife, Agreed with T. N. Johnson deceased, that, if he the said T. N. Johnson deceased, would would let them have F. M. Johnson a child of the said T. N. Johnson, to live with them, that they would support and educate said F. M. Johnson the child of the said T. N. Johnson deceased, and take the same care and control of said child as though the said F. M. Johnson was their own child and that the said F. M. Johnson, the child of the said T. N. Johnson, should be treated by them, the said Wm & Mary, as a member of their family & supported, clothed & educated as such for the labor of said child, to wit, F. M. Johnson, the child of the said T. N. Johnson,

And they further allege, that the said Wm & Mary failed to clothe & educate the said F. M. Johnson as they had bound themselves to do, and that the labor & services of the said F. M. Johnson the child of the said T. N. Johnson, was worth, one hundred & fifty dollars now per annum

for the last five years that said F. M. Johnson remained with the said Wm & Mary their household & clothing as furnished by the said Wm & Mary, and this they are ready to verify.

And further answering, they say that Richard Brenton of Dallas County, Texas, was legally appointed Guardian of the ^{Person &} Estate of Wm. M. Johnson, Albert Johnson & F. M. Johnson, heirs of the said T. N. Johnson deceased, by the then Probate Court of Dallas County, Texas, in the year 1868 or 1869, & that the said Wm. Pruitt, herein presented his pretended claim against the Estate of T. N. Johnson, deceased, for allowance that said Guardian rejected said claim, as being unjust and fraudulent, and they further ^{alleged} that said claim was duly ^{rejected} as required by law, and that the said Wm & Mary did not institute suit on said account against said guardian within ^{the} ~~the~~ days as required by law, after the same was rejected. And further answering, they say that the pretended claim of the said Wm & Mary for money against the said T. N. Johnson, deceased, accrued more ^{and more than two years before} than two years before ^{the} ~~the~~ death, and more than four years before ^{the} ~~the~~ Pffs, that is the said Wm & Mary application for administration and they further alleged that the estate of T. N. Johnson deceased is not indebted ~~to~~; and this they are ready to verify.

W. L. Price
Atty for Wm M. A. D.
Johnson

Wm Pruett adm
Estate of P. N. Johnson deceased, In District
Court June Term
A.D. 1874,

And now come Wm M & A Johnson
for themselves, and as next friends of
P. N. Johnson, by Atty, and move
The court, to sign the said Pruett
adm, as aforesaid, to give a good bond
herein; because they say that the
Sureties on said bond are insolvent
and that said bond is not in
double the amount of the appraised
value of the estate, and this they are
ready to verify, W. H. Price Atty.

Wm Pruett adm
of the Estate of P. N.
Johnson deceased,
Matson Law
Filed June 8th 1874
Attest
By W. A. Harwood clk