

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

Case Number 998

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998

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Oct, 11, 1885.
 Received of
 W. H. Keeney fifty
 Dollars for
 shipping Dr. Duncan
 in last ~~shipment~~
 by Post Office
 Mark mark

P. E. DAVOREN.

OFFICE OF

Wm McKee

Davoren & McKee,

DEALERS IN AND MANUFACTURERS OF

Marble and Granite Monuments,

HEADSTONES, ETC.

Dallas, Tex., Jan 6th - 1886

W. H. Keeney
 to Davoren & McKee Dr
 Jan 6, 86 To ~~Two~~ Grave Stones
 delivered at the Shop = 36⁰⁰
 one for the grave of Robt. Duncan
 + the other for the grave of Nancy C. Jimmy
 M.D.

Recd Payment in full
 Davoren & McKee

Estate of Robert Duncan deceased

It is ordered by the Court that the claim of
 W. H. Keeney Executor of the last will of Robert
 Duncan deceased herein filed on the 7th
 day of February 1886 and the sum is hereby
~~allowed~~ for the sum of Ten Dollars
 and Eleven Cents and the same is
 hereby affirmed ~~as of~~ and awarded
 in due course of administration as a
 final claim

This receipt is given in lieu of one given here before to Mr Kenney & lost by him

L. J. Backhouse
to
W. H. Kenney
amount
Paid Sept 28, 1884
with check
By Backhouse

Wm. H. Kenney

To

W. H. Kenney
Amount of
at Robt. Duncan

your bill

Ed. C. Smith
Undertaker
By Backhouse

Dallas, Texas, Sept 17, 1884.
Mr. W. H. Kenney for Dr. Duncan
To **ED. C. SMITH, D.**
UNDERTAKER,

1031 Main Street.

To Case 1304	45 00
" Robt	12 00
" Hearse	10 00
	67 00

Recd payment
Ed. C. Smith

The State of Texas,
COUNTY OF DALLAS.

Estate of

Robt. Duncan

Know all Men by these Presents, That we,

W. H. Keeney

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 Three Hundred Dollars; conditioned that the above bound W. H. Keeney, who has been appointed Temporary Administrator of said Est. shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this 6th day of November 1884.

W. H. Keeney

J. P. Hard
James Lion

SEAL
SEAL
SEAL

I DO SOLEMNLY SWEAR that

~~deceased, etc.~~

without leaving any lawful will, so far as I know or believe; ~~and~~ that I will well and truly perform all the duties of Administrator of the Estate of said deceased.

Sworn to and subscribed before me this _____ day of _____ 188 _____

County Clerk, Dallas Co., Texas.

By _____ Deputy.

THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

Robt Duncan

deceased.

William H Keeney has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of Robt Duncan deceased, and for Letters Testamentary, which will be heard at the next Term of said Court, commencing on the 6th Monday in Feby 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 19th day of Nov A. D. 1884

W. M. C. HILL, County Clerk Dallas Co., Texas.

By L. H. Hughes Deputy.

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1877

County Court, Dallas County.

Administrator's Bond.

ESTATE OF
Robt. Duncan
Deceased

Filed *November 6th* 1884

W. M. C. HILL, Clerk,

By *L. Hughes* Deputy.

Approved this *6th* day of

Nov. 1884

W. M. C. Hill
County Judge, Dallas Co.

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

Recorded on
page 95

1875 Original

No. 773

COUNTY COURT.

ESTATE OF

Robt Duncan

Deceased.

Notice of Application for Probate
of Will and Letters

Issued this *19th* day of
Nov 1884

W. M. C. HILL, County Clerk.

By *L. Hughes* Deputy.

SHERIFF'S RETURN.

Came to hand the *19th* day of *Nov*
1884, and executed the *2nd* day of *Nov*
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. Smith
Sheriff, Dallas County.

By *Louis Jones* Deputy.

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

Fas *9.20*
Recorded

1875

County Court, Dallas County.

EXECUTOR'S BOND.

ESTATE OF
Robt Duncan
Deceased

Filed *Feb 28th* 1885

W. M. C. HILL, Clerk,

By *L. Hughes* Deputy.

Approved this *16th* day of

February 1885

E. J. Bower
County Judge, Dallas Co.

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

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The State of Texas,

COUNTY OF DALLAS.

Estate of Robt Duncan, dec'd

Know all Men by these Presents, That we, William H. Keeney
as Principal, and J. R. Daniel and J. J. Ferguson
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 One Thousand Dollars;
conditioned that the above bound William H. Keeney, who has
been appointed Executor of the Estate of Robt Duncan, dec'd
shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this 2nd day of Feb. 1885.

W. H. Keeney SEAL
J. R. Daniel SEAL
J. J. Ferguson SEAL

I DO SOLEMNLY SWEAR that the writing which has been offered for probate, is
the last will of _____ deceased, so far as I 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 _____ day of _____ 1885.

County Clerk, Dallas Co., Texas.

By _____ Deputy.

The State of Texas } In the County Court
 County of Dallas } Dallas County
 } In Matters of Probate
 To the County Court of said County

Your Petitioner William Hickey respectfully represents that he is a resident of the County of Dallas and State of Texas. That Robert Duncan late of the County of Dallas and State of Texas departed this life in Dallas County State of Texas on the 7th day of September A.D. 1884 leaving a written Will whereby he disposed of all his estates and therein named your petitioner as Executor of said Will.

That the estate of said Robert Duncan is of the probable value of Five Hundred Dollars.

That your petitioner is not disqualified by law from receiving letters of Executorship upon said Decedent's estate

Wherefore he prays that due notice thereof be given as required by law and that said Will be admitted to probate and for Letters testamentary and he will ever pray &c

Wm Hickey

Estate of Robt. Duncan, Dec'd:

to

William H. Keener -- Cr.

Oct. 1st 1884 - To ^{the equity} four months board
and lodging, viz: from Sept. 17th 1882
to Sept 17th 1884, at \$15.⁰⁰ per month --- \$240.⁰⁰

Oct. 1st 1884 - To wages rent upon
our office next before Sept. 17th
1884 at \$4.⁰⁰ per month --- \$96.⁰⁰

Oct. 1st 1884 - To seven months
personal attention & care
during last sick ness --- \$75.⁰⁰

Total --- \$411.⁰⁰

The State of Texas }
County of Dallas }

Personally appeared
before me, the undersigned and
this 7th day of Feb. 1885, William
H. Keener, who is to me well
known, & who after being duly
sworn deposes and says that the above
acct. is to me & correct, that
said claim is just and all legal
effects, payments and credits
known to affiant have been allowed;
& that above amount is due him
as stated -

W. H. Keener

Sworn to and subscribed before me
this 7th day of Feb. 1885, W. C. Newcomb
By L. S. Hinkle

The State of Texas }
County of Dallas }

Estate of Robt. Hancock,
Dec'd =
= No. 773 =

Be it
remembered that
on this 2nd day of
February A.D. 1885 personally
appeared Owen Nelson
who after being duly sworn
deposes and says that
he was personally well
acquainted with Robt.
Hancock in his life time;
that the instrument in
writing bearing date the
17th day of June 1884, &
filed in this court on
Nov. 19th 1884, shown to the
witness in open court and
purporting to be the last
will & testament of said
Robt. Hancock is so far
as the witness knows the last
will and testament of said
Robt. Hancock; that
said instrument was
signed and executed by said
Robt. Hancock in the pres-
ence of affiant and Henry
Payne; that said affiant
and said Henry Payne signed
said instrument as witnesses
at the instance and in
the presence of said

Peter Klummen; that
 said Peter Klummen de-
 clared that & that ~~the~~ the
 affiant & said Henry
 Payne that that said
 instrument was his,
 said Peter Klummen's, last
 will & testament; that
 at date of said instrument
 to-wit: June 17th 1884, said
 Peter Klummen was about
 the age of twenty-one years, &
 was about the age of sixty
 years; that at said
 time affiant was above
 the age of twenty-one years,
 & was forty-one years of age;
 that Henry Payne was
 above the age of twenty-one
 years, & was about 30 years
 of age.

That at the date of
 executing said instrument
 in writing, to-wit: on June 17th
 1884, said Peter Klummen
 was, in the opinion of affiant,
 of sound and disposing
 mind.

Iven Nelson
 Sworn & subscribed
 before me this February
 2^d 1885.

W. M. Hill Clerk
 By J. A. Hughes

The State of Texas }
 County of Dallas }

To the Hon. R. E. Burke,
 County Judge of Dallas, Texas =
 Your applicant, Wm
 H. Kamey respectfully represents
 that Mr. Robt. Cannon died
 on the 17th day of Sept. 1884 in the
 County of Dallas, State of Texas;
 that - at the time of his death
 he was a resident of said county
 and state; that he left some
 property personal & real, & that
 he left debts, due now from his
 estate to various persons; that
 he left a will disposing of said
 property after his debts are paid,
 & appoints in said will your
 applicant, Wm Kamey,
 executor; that under the
 law - the Court cannot act
 upon the application to probate
 the will until the next term
 of the Court viz: the 3rd Monday
 in Nov. 1884; that there are
 debts due the estate which if not
 now collected will probably
 be lost before any legal action
 can be taken under the will;
 that the personal property is
 in danger of being injured
 unless taken in possession
 & kept by some one; that it is
 in the interest of the estate to
 appoint a temporary administrator;

& that such Temporary Admin-
 istrators have power to take ^{possession}
 & keep the personal property, to collect
 all debts due the estate & to compromise
 & settle to the best advantage
 all claims in favor of said estate
 where the same may be necessary;
 that the present language of said statute is
 "and he shall be sworn to do so"
 applicant, said Wm. H. Kenney
 may be appointed such Temporary
 ad Administrator & in making your
 prayer, he states that he is
 qualified under the law so
 to act.

W. H. Kenney

Given to and subscribed before
 me by said Wm. H. Kenney on this
 Nov. 6th 1884. Wm. Keith, Clerk

In the name of God - Amen I Robert Owen, M.D. being of sound mind and memory do hereby make, publish and declare this to be my last will and testament, making void all former wills be the at any time heretofore made.

1st I order and direct my executors as soon after my decease, as practicable to pay off and discharge all debts that exist against me here in the State of Texas, at the time of my decease. After paying my funeral expenses and other debts due here in Dallas & Texas, what may remain of my property real & personal all Monies notes & accounts shall be distributed as follows -

2nd I bequeath unto my son James A. Owen the sum of five dollars (\$5.00)

3rd I bequeath unto William Keeney ~~the~~ ^{and} wife what Monies I may leave with all notes Monies & accounts which I may leave after paying for my burial ground, Tomb Stone, or Marble Monument which is to be erected over the grave with suitable inscription thereon together with my horse saddle and bridle and harness. My Library of books to be sold at public auction or private sale, the proceeds to go to Henry Payne son of Rebecca & William B. Payne and the son of William A. Day & Rebecca his wife. I desire that my remains shall be buried in the cemetery of the city of Dallas and suitable Marble grave stones placed thereon.

4th Of the real property consisting of four thousand acres bequeathed to me by Geo. W. Scott deceased shall be divided as follows -

1st Three hundred and twenty acres I bequeath to Emery
 Payne Step Son of William Keeny and Son of Rebecca Keeny
 wife of William Keeny. 2^d Section surveyed out of the tract
 I bequeath unto William Keeny and wife four hundred and
 sixty acres out of said tract - I bequeath to my legal child
 I own the children of Francis and Carlolina Boman my sister
 if they are both alive twelve hundred acres ~~to each~~ of them
 or if one be alive then twelve hundred acres to the surviving
 one. If none are living then the land is to be sold and the
 proceeds to go to the Orphan's Home known as Rev Brothers
 Orphan's Home situated in Dallas Co near to the residence of
 William Hobbs - I bequeath to my son John Boman twelve hundred acres
 I give and bequeath to Melvina Horton of Montgomery Co Mo
 who formerly had charge of my house in this town since her name
 name mentioned to me three hundred and twenty acres of said tract.
 4th The remaining tract of nine hundred and sixty four acres I give
 and bequeath to the Orphan's Home known as Rev Brothers Orphan's
 Home situated in Dallas Co Texas.

I hereby nominate and appoint ~~William Hobbs~~ # Keeny
~~residence near the orphan's home~~ the executor of my will.

In witness whereof I have hereunto signed my name this 17th
 day of ~~April~~ ~~1854~~ June A.D. 1854
 Robert Boman M.D.

Signed Sealed and declared in presence of us at Notaries
 of the foregoing last will and testament of Robert Boman M.D.
 of Dallas Co Texas, by his request.
 Witness - Keeny, Payne
 Geo. H. Nelson

W H Keeney Executor of the Last Will of Dr
Robert Duncan decedent
In final account current with said Estate

1886	Dr
By cash in hands of decedent at date of his death	\$ 200.00
" " Collected on Claims	35.75
" " Cash received from Sale of Buggy & Harness	50.00
" Lot Miscellaneous Books not appraised	
Total Estate	\$ 285.75

Credit	
By cash paid E. A. Smith burial Expenses on 1	\$ 67.00
" " paid for burial clothing no voucher	5.00
" " " " Grave Stones voucher 2	\$ 20.00
" " " " Mrs. Keenleys for nursing decedent during his last sickness voucher 3	\$ 50.00
By cash paid Combs & Co. attys fee " 4	20.00
By amount Court Costs	
By cash paid W H Keeney on his claim	
Total	

And said executor says that the debts due from
said decedent's estate have been paid so far as
the same will permit that there is a balance
due from petitioner on his claim against said
decedent's estate of Dollars
That all the estate of said decedent that comes
to this Executor's hands is as is shown above.
That this executor has not been able to find
any other estate or property;
That by the terms of said bequest will his
books were bequeathed by said testator to
Erving & Payne and that they are now in the

names of said Emily P. Pappas mother and
 natural guardian and an of little or no
 value. That this executor attempted to sell
 same but was unable to find a purchaser

That by the terms of said decedents Will all
 his notes money accounts and buffy and
 harness were bequeathed to your petitioner &
 his wife. That

The State of Texas }
 County of Dallas } I W. H. Keeney Executor of
 do solemnly swear that the foregoing is
 a full fair and complete ^{and} exhibit of the present
 condition of said decedents estate in far as the
 same has come to my hands & knowledge
 W. H. Keeney
 Executor &c

Sworn to and subscribed before me
 this 11th day of May A.D. 1886
 Wm. Le Hill Secy
 By F. S. Hughes Dr.