

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

Case Number 987

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987

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October 12/78
Frank Calder

- 2 Irons
- 1st of Books
- 37 Mercantile
- 2 Compasses + Chain
- 4 for Books

THE STATE OF TEXAS.

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

You are hereby Commanded, to summon *H. L. Kelly and his Brother, Kelly* at *Planter's Wagon Yard, Elm St* to be and personally appear at the ^{present} term of the Honorable County Court of Dallas County, to be holden in the City of Dallas and County aforesaid, on the *Tuesday* Monday in *September 17th* A. D. 1878, then and there to give evidence in a certain case pending, wherein the State of Texas is Plaintiff, and

Notice is hereby given by the Undersigned, that letters of Administration upon the Estate of *J. M. Calder* deceased, were granted *to him* on the *11th* day of March A. D. 1878 ^{by the County Court of Dallas, Tex.} and all persons having claims against said Estate are required ~~to present~~ to present the same within the time ~~prescribed~~ prescribed by law - Said Estate is probably insolvent -
J. R. Rowley
 Administrator

You are Comman'd
 to summon George Ludwig to be and appear before the
 Hon^{ble} the District Court for said County on the first
 day of the next term thereof to be holden at the Court
 House in Dallas on the 7th Monday after the 4th
 Monday in September A.D. 1878. Then and there
 to give evidence on the part of the Plaintiff in
 a Cause transferring in said County in Texas
 Debe River State is J. A. Work & Mr. W. Miller
 vs. Geo. Ludwig. My hand this 27th day
 of September 1878
 J. A. Work
 County Judge

The State of Texas,
 COUNTY OF DALLAS.

Estate of J. H. Calder

Know all Men by these Presents, That we,

as Principal, and J. A. Work and
 as Sureties, are held and firmly bound unto A. H. Work County Judge
 of said County of Dallas, and his successors in office, in the sum of Ten
 Dollars, conditioned that the said

J. A. Work shall well and truly perform all the duties incumbent
 upon him as Administrator ^{pro tem.} of the Estate of
 J. H. Calder deceased

WITNESS our hands and seals, this 24 day of September A. D. 1878

J. A. Work SEAL

J. A. Work SEAL

J. C. McPherson SEAL

I do solemnly swear that I will well and truly perform all the duties of Administrator of the Estate of J. H. Calder deceased

J. A. Work

Sworn to and subscribed before me this 24 day of September A. D. 1878

A. Harwood
 County Clerk of Dallas County, Texas.

Per W. H. Dacker Deputy.

STATE OF TEXAS.

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

→*YOU+ARE+HEREBY+COMMANDED to notify *J. A. Rawley* Admr. of the Estate of

J. W. Laidler, deceased
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 *Final* account, showing the condition of said Estate and to show cause, if any he has, 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 *3rd* day of *March*, A. D. 188*3*

W. W. Hill Clerk.

By *D. H. Hughes* Deputy

The State of Texas To the Sheriff of said County of Dallas County Greeting

You are Commanaded to Summon *M. M. Miller* to be and appear before the Hon. the District Court for said County on the first day of the next term thereof to be holden at the Court House in the Town of Dallas on the seventh Monday after the fourth Monday in September 1880 then and there to answer the petition of *Levi McKee* et al as a sealed copy of which you will serve on said *Miller*

Witness
GIVEN to Broward Clerk of said Court and the seal thereof this *1st* day of June 188*0*

Test
GIVEN to Broward Clerk 1880

987

No. 347

Estate of J. W. Leader
 & c'd
J. R. Rowley Adm.

NOTICE TO FILE EXHIBIT

Issued 3rd day of March 1885
W. C. McKell Clerk.
 By L. H. Hughes Deputy.

Came to hand this 1st day of March 1885, and executed on the 18th day of May 1885 by reading within notice to the within named.
J. R. Rowley Sheriff.
 By W. M. Lewis Deputy.

Aldridge & Walter, Stationers, Steam Printers & Binders, Dallas, Tex

1 notice
 ml

100
10
110

Sci. McKell et al
 vs
 M. McKell

Spent \$1.50 June 1882
 to Paul C. Brown
 on

Filed in court
 1883
 E. C. Brown

Case Graham
 August 5th 1882
 J. C. Hooper
 S. H. S. S.

Executed by having
 a true copy of
 summons and
 petition with
 M. M. Miller
 on the 14th of
 August 1882
 J. C. Hooper
 S. H. S. S.

S. H. S. S. 100

202

The State of Texas }
 County of Dallas }

District Court
 Spring Term 1863

Smith Rice et al }
 vs }

Answer

Wm Miller } Now at this term of the Court comes
 the defendant in this cause by atty. and excepts
 to Plaintiffs Petition and says that the matters
 and things therein set forth and alleged are
 not sufficient for them to have and maintain
 their aforesaid action and of this pays the payment
 of the Court } B. Warren Stone atty for Def.

And for further answer in this behalf
 Defendant says that the said land claimed in
 Plaintiffs petition is not now or was it at the
 time of said supposed trespass complained of the
 land of said plaintiffs by any sufficient right
 or title, but that the same was owned by one George
 Sublette of the State of Tennessee and that defen-
 dant was licensed and permitted by said Sublette
 to take and use the timber, firewood and
 undergrowth of said tract of land, And this
 he is ready to prove

And for further answer Defendant
 denies all and singular the averments and
 allegation in Plaintiffs Petition and sets
 strict proof of the same

And for further answer Defendant says
 he is not guilty of the said supposed trespass
 mentioned and of this he puts himself
 upon the Country } B. Warren Stone
 atty for Defendant

No. 5. of 7. In the mat^r of the Est of J W Le
 D. Leo B Dec^r before R H W Judge of the Pro
 Ct of D Co in Chambers.

On this day, the Pro Ct. being in vac. Coming on
 to be heard before me in Chambers the appⁿ of
 Fred Cullen for appⁿ as adm^r pro tem of the Est of
 J W Calder, dec^d; and it appearing to the Court that the
 interest of the Est. requires the immediate appⁿ of an adm^r;

It is Con. by the Ct. that the same be granted.

And it fur. app. to the Court that Fred Cullen is
 a qualified and proper person, it is ordered by the
 Court that he be and is hereby appointed adm^r pro tem
 of the Est. of J W Calder dec^d with power to take into his posses-
 sion all of the property real and personal belonging
 to the said decedent including all stocks, bonds, notes,
 accounts, moneys, Books and papers, and also to
 institute and prosecute all suits, that may be necessary
 in collecting and preserving the estate, and also to appear
 and defend all suits, which have been or may hereafter
 be instituted against the said J W Calder or his adminis-
 trator pro tem. and to this end to employ attorneys.

It is further ordered by the Court that Geo. H. Plowman,
 C. D. Wellborn & Zack Coliver who are disinterested
 persons, Citizens of Dallas County, be and they are hereby
 appointed appraisers of the estate of the said J W Calder.

It is further ordered by the Court, that the said Fred
 Cullen, before entering upon his duties as administrator
 pro tem. enter into bond with two or more good and
 sufficient sureties, conditioned as the law directs and in the
 usual amount and that he take the oath required by law.

It is further ordered by the Court that this
 appointment continue in force until the first day
 of the next term of the Pro Ct. of D. Co. And that
 on that day the said Fred Cullen is required to file
 in Court a report of the condition of the Estate

The State of Texas Knows all men by these presents
 County of Dallas that we Fred Cullen as princi-
 pal and M. C. Cullen, C. H. Harker and
 as sureties are held and
 firmly bound unto the County Judge of Dallas County
 or his successors in office in the sum of
 Nine thousand 5000⁰⁰ dollars for the
 payment of which well and truly to be made unto
 the said County Judge we bind ourselves our heirs
 executors and administrators jointly and sever-
 ally firmly by these presents signed with our
 hands the 20th day of September A.D. 1878. The condi-
 tion of this obligation is such that whereas the
~~above~~ board Fred Cullen has been appoin-
 ted by the County Judge of Dallas County Admin-
 istrator pro tem of the estate of J. B. Cullen
 deceased. Now if the said Fred Cullen shall
 well and truly perform all the duties requir-
 ed of him under said appointment then
 this obligation shall be null and void
 otherwise to remain in full force and
 effect

Witness our hands and seals this 20th day
 of September A.D. 1878;

Fred Cullen JS

M. C. Cullen JS

C. H. Harker JS

W. J. Evans

G. H. Rowman

C. B. Wellborn

The State of Texas } In the Probate Court of
 Dallas County } Dallas County. November
 her Term AD 1878.

In the matter of the Estate of J. W. Calder dec'd

To the Hon. R. H. West Judge of said Court:
 Your petitioner Fred Cullen
 respectfully shows to the Court that J. W. Calder
 who was a resident of the said county of
 Dallas, within four years next before the
 filing of this petition, to wit on the 4th day
 of September AD 1878, died at the said coun-
 ty of Dallas, without any will leaving net
 and personal estate of the estimated value
 of twenty five hundred dollars. That the
 said J. W. Calder left no surviving wife or next
 of kin and that he was in debt at the time
 of his death, and that said debts still re-
 main unpaid and are. That your pe-
 titioner is above the age of twenty one years
 and is not disqualified from receiving
 letters of administration.

Wherefore application prays
 that he may be appointed administrator
 of said estate.
 Fred Cullen

State of Texas

To the Sheriff or any Constable of Dallas County
Greeting;

You are hereby commanded that by serving with a true copy hereof you cause Fred Chellen to proceed no further as administrator of the Estate of J. H. Calder Dec'd, pro tem. until the further order of the Court, and that he appear on Tuesday the 24th day of September A. D. 1898, before the Court in Chambers & show cause why the motion to remove him from said office filed by Jno. C. McCoy, Jno. M. McCoy, J. G. Eble & Thorne Robertson shall not be granted.

Witness my hand and seal of office
this September 21st 1898.

a Harwood Co. Clerk
By C. A. Bolanz Deputy

No. 347 (Copy)

Estate of
J. K. Balder
Feed

Citation to Fred
Cullen to show cause

Issued Sept 21st 1898
At Garwood Co. Tex.
By L. F. Bolanz Deputy

Sheriff's Fee . . .
Serving writ 100
Mileage 10
110
Paid
347

Plaintiff found on the 21st day of Sept
1898 & executed on the same day by
delivering to Fred Cullen in person
a true copy of this writ -

W. M. Moore Sheriff
by L. F. Bolanz Deputy

In the matter of the
Estate of J. W. Calder
decd. J. H. Rowley, admr
In acf with said Estate
for final settlement -

He charges himself with the
Inventory & appraisement
filed in a Cause \$164.15
He also charges himself
for difference between Inven-
tory & ^{Sale Bill} ~~Appraisement~~ 26.85
Total - \$ 191.00

He claims Credit as follows:
Sept 30/78 - By Cash pd P. W. Linskie
undertaken ~~found~~ in full of his
account duly made out, sworn to
allowed and approved by the
Court as appears of record on
p. 417 Book H. minutes of probate
Court record of said Court. - \$180.50
Dec 15/79 - By Cash pd J. A. Work
living hire, ^{can as} funeral expenses
for his wife, duly made out, sworn to
allowed and approved by the Court
as appears of record on probate mini-
utes of D Court Dec 15/79 - 10.50
\$ 191.00

He further shows to the Court that the following claims were duly presented and allowed and approved by the Court - and are still owing by the estate -

Mar 19/79	J. A. Calder or age of the Dallas Commercial - for advantage	
	ment, of aff. of administrator	\$2.75
Mar 19/79	J. A. K. Work, Genl. Adm.	50.00
June 2/80	Miley & Miley	882.00
		<u>\$934.75</u>

State of Texas }
 Dallas County }

Personally appeared before the undersigned authority J. R. Rowley, Adm. of the estate of J. W. Calder, dec'd and on his oath states that the above and foregoing is a true and correct exhibit of the condition & final disposition of all the property belonging to said estate that ever came to his knowledge or possession - He further states that the vouchers for the payment of the above claims

states that the vouchers for the
payment of the above claims

were filed by him among the
papers of said Estate, that
they were burned at the time
of the burning of the Court House
in Dallas in 1857, that ^{all} the
accounts were duly settled, paid
and allowed by the Court as
will appear from the ~~records~~
particular minutes of the records
of said Court to which reference
is here made — and as by
the above showing all of
said Estate has long since
been disposed of according
to law that said said Adm^r
asks that said Estate be
closed and he be discharged
from all further liability
pertaining to the same.

J. R. Rowley Adm^r

Subscribed and sworn to before
me this 17th day of June 1857
1857

J. M. McCoy —
Notary Public of
Dallas Co. Texas

The State of Texas ^{County} ^{Respect Court}
 County of Dallas ^{is Fall} ^{8. 1852} Term 1852
 To the Hon B. H. Martin Judge
 of the 9th Judicial District, holding
 Superior in and for the County of Dallas
 Your Petitioners Levi Reed
 who resides in the County of Cook, Edward
 H. Farrant who resides in the County of
 Ellis and Henry H. Mason who
 resides in the County of Dallas are
 plaintiffs, Complaining of Madison
 H. Miller who resides in the County
 of Dallas Defendants, of a plea
 of trespass For that the said Defendant
 on the first day of June 1852 and
 thousand Eight hundred and fifty
 and on divers other days before the
 commencement of this suit, with
 force and arms broke and entered
 a certain close of ~~the~~ the said
 plaintiffs situate in the County of
 Dallas known as the north west half
 of the League of Land located by
 Patent of the headright Certificate of
 Levi Mason on the west bank of
 the Trinity River, and then and there
 cut down prostrated and destroyed
 the trees and underwood, to wit ten
 thousand Cedar trees, ten thousand
 Oak trees and ten thousand other
 timber trees of the plaintiffs of great
 value to wit of the value of five
 thousand dollars, and the timber,
 wood, branches and bushes

thereof, coming and among themfrom,
 about one hundred wagon loads
 of lumber and one hundred cart
 loads of wood of the plaintiffs of great
 value to wit of the value of five thousand
 dollars took and carried away and
 converted and disposed thereof to his
 own use, and other wrongs to the said
 plaintiffs then and there done, against
 the peace and dignity of the State
 and to the damage of the said plaintiffs
 five thousand dollars therefore they sue

The premises considered the
 said plaintiffs pray that the said defendants
 be cited to appear at the next term of
 your Hon Court at the law and place
 appointed by law for holding the same,
 and that they have judgment against said
 defendants for the said sum of five thousand
 dollars and for general relief

Barford Reagan
 & Cravens for plff

thereof, coming and among therefrom,
 burnt one hundred wagon loads
 of lumber and one hundred cart
 loads of wood of the plaintiffs of great
 value to wit of the value of five thousand
 dollars took and carried away and
 converted and disposed thereof to his
 own use, and other wrongs to the said
 plaintiffs then and there did, against
 the peace and dignity of the State
 and to the damage of the said plaintiffs
 five thousand dollars therefore they sue

The premises considered the
 said plaintiffs pray that the said defendants
 be cited to appear at the next term of
 your Hon Court at the law and place
 appointed by law for holding the same,
 and that they have judgment against said
 defendants for the said sum of five thousand
 dollars and for general relief

Burford Reagan
 & Cravens for plff

The State of Texas by the Probate Court for
Dallas County 3 said County of Dallas

In the matter of the estate of J. W. Calder
deceased.

To the Hon R. H. West Judge of the
Probate Court in and for the County of Dallas.

Your petitioner Fred Cullen, who
is about the age of twenty one years and
who resides at the County of Dallas in
the State of Texas and who is the nowise dis
qualified from receiving letters of ad
ministration respectfully represents
and shows to your Honor that J. W. Cal
der a citizen of the State of Texas residing
at the County of Dallas departed this life
at the County of Dallas on the 4th day of
September 1878. That the said J. W.
Calder died intestate and unmarried
and that at the date of his death he owed
debts to various persons amounting to
a large sum of money. That the said
J. W. Calder died seized and possessed
of a considerable estate consisting of
stocks and evidences of debt and other
personal property the value of which is
at present unknown. That the estate
of the said J. W. Calder is now without a
legal custodian and is in great danger
of going to waste and the interest of the
estate requires the immediate appoint

ment of an administrator.

The premises considered your petition
 in prayer that he be appointed admin-
 istrator pro tem of said decedent's estate.
 That your Honor make an order upon
 your petitioner to take into his pos-
 session, all of the stocks, bonds, notes, books,
 papers, and personal property belonging
 to the said J. W. Calder decedent, and also
 to institute and prosecute all suits that
 may be necessary to be instituted and
 prosecuted, and to ~~appear~~ appear and
 defend all suits which have been or
 may hereafter be instituted against
 the said J. W. Calder or his administra-
 tor and for such other orders as may
 be proper to be made.

And your petitioner will
 ever remain yr

J. W. Calder
 by Crawford Smith attys.

Copy

Dallas, Tex. March 12th 1879

Inventory of property belonging to the Estate of
J. M. Calder, Decedent Deceased.

and appraised as follows:

	Value.
1 Gold Watch & Chain	75.
2 plain Buttons & Collar Button	1.
25 shirt studs	15
1 Seal set Ring	5.
6 Chairs	3
1 Table	25
1 Webster's Dictionary	3.
1 Desk for papers, with drawers, locks & table	5.50
1 Bureau	3.
1 Wash stand	.50
1 Writing desk	6.00
1 Single Bedstead	1.00
2 Mattresses	2
1 Lounge	2.50
2 Spillons	30
1 Letter-Press.	4.00
1 Water set. (2 tin pieces)	.50
1 " Cooler.	1.50
4 Window Curtains	2.
3 prs Blankets. (white wool)	3
1 " Col ^d "	.50
1 Bedspread.	25
3 Sheets.	1.20
1 Long Table.	25
1 Trunk for gun & stor. shovl	25
1 Barometer & Thermometer	25
3 Carpets on floor in Office	2.
1 Mosquito Net.	25
1 Leather bound trunk & contents consisting Clothing & papers	2.50
1 Trunk " " " " " "	15
2 Hand satchels	.50
2 pr Boots.	25
Amount Carried forward.	159.30

Amount brought forward

- 1 water Pitcher
- 2 surveying Rods.
- 1 Hand Ax.
- 1 Gold pen & Stalder

139 30

10

2.

25

2 50

Total Amt.

\$ 164 15

Inventory and appraisement of the personal property of the Estate of J. H. Caird, deceased

1	Office Desk	\$ 5.00
1	Table & Chest	5.00
31	Copies Marine Insurance 020 th	17.75
1	Lot of Miscellaneous Books	2.50
1	Long Writing Table	1.00
1	Wash Stand	.50
1	Letter press	3.00
1	Compass & Chain	3.00
2	" " Scales	2.00
6	Chairs	3.00
1	Stove	3.00
1	Wash Stand bowl & dishes	1.00
1	Water Cooler	.50
1	Large Single Bedstead & Bedding	11.00
2	Mattresses	4.00
1	Port folio	.50
1	Set of Scales	.50
1	Lamp	.15
2	Picture frames	.10
1	Thermometer	.10
1	Tape line	.15
1	Trying pan	.05
1	Basket & Trunk	1.00
1	Melton's Dictionary	2.00
1	Small ad. Case	.05
2	Postage Stamps	.06
2	Trunks & Contents	2.50
1	Collar Button & Stud & 2 Cuff Buttons	2.50

1	Woolen Curtains	\$ 2.00
1	Gold Box	2.50
1	Striped Carpet	2.00
2	"	15.00
1	Trunk & Contents	15.00
1	do do	5.00
1	Contents of 1 Bureau	.50
1	do do	

The State of Texas }
 County of Dallas }
 I, J. H. Calder, }
 deceased, personally appeared Fred Cullen,
 J. S. Leigh and F. M. Hammer, appraisers
 appointed by the Court in J. H. Calder's estate,
 who after being duly sworn depose, and say
 that the above and foregoing is a true and
 correct inventory and appraisement of the
 personal property belonging to the Estate of
 said J. H. Calder, and now in the possession
 of Ad Work administrator, pro tem

I, J. H. Calder, }
 deceased, }
 do hereby }
 subscribe }
 to the }
 above }
 and }
 foregoing }
 depose, }
 and say }
 that the }
 above }
 and }
 foregoing }
 is a true }
 and }
 correct }
 inventory }
 and }
 appraisement }
 of the }
 personal }
 property }
 belonging }
 to the }
 Estate }
 of }
 said }
 J. H. }
 Calder, }
 and now }
 in the }
 possession }
 of }
 Ad Work }
 administrator, }
 pro tem

J. H. Leigh
 F. M. Hammer

The State of Texas }
 County of Dallas }
 I, Ad Work, }
 administrator pro tem of the Estate of }
 J. H. Calder deceased, who being duly sworn

Says that the above, and foregoing inventory
contains a full and true statement of all
the property personal of said J. W. Caldwell's
Estate, that has come into ^{his} possession
of as Administrator, and the said
J. W. certifies that no other property
or claims of the estate has come into
his possession.

A. K. A. Work Administrator

Sworn to and Subscribed before me this
the 25th day of September, A. D. 1878.

J. H. Harwood, Co. Clerk.

By W. H. Thacker, Deputy.