

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

Case Number 2840

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# 2840

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THE STATE OF TEXAS,

COUNTY OF DALLAS.

Estate of *E. N. Bennett*  
*no 3894*

KNOW ALL MEN BY THESE PRESENTS that we, \_\_\_\_\_  
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 \_\_\_\_\_ 190\_\_\_\_\_

(SEAL)

(SEAL)

(SEAL)

I DO SOLEMNLY SWEAR that the writing which has been offered for Probate is the last Will of  
*E. N. Bennett* 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 to before me, this *17* day of *January* 190*6*

*Josephine Bennett*  
*J. R. Shanks*  
County Clerk, Dallas County, Texas

By *R. H. Lee* Deputy.

THE STATE OF TEXAS

To all Persons Interested in the Estate of *E. N. Bennett* Deceased:

*Josephine Bennett* has filed in the County Court of Dallas County, State of  
Texas, an Application for the Probate of the last Will of said *E. N. Bennett*

deceased, and for Letters Testamentary, which Application will be heard and acted upon by said Court, at the next  
term thereof, to be held at the Court House in the City of Dallas, County of Dallas, State aforesaid, and commencing  
on the First Monday in *January* A. D. 190*6*, at which time and place all persons  
interested in said estate shall appear and contest said Application should they desire to do so.

WITNESS, FRANK R. SHANKS, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City  
of Dallas, this *11* day of *Dec* A. D. 190*5*

FRANK R. SHANKS,  
County Clerk, Dallas County, Texas

By *R. H. Lee* Deputy

No. \_\_\_\_\_  
**COUNTY COURT,**  
DALLAS COUNTY.  
**EXECUTOR'S BOND.**

ESTATE OF

Filed July 17 1906  
FRANK R. SHANKS, Clerk,  
By R.H. Lee Deputy.

Approved \_\_\_\_\_ day of \_\_\_\_\_  
190\_\_\_\_\_

\_\_\_\_\_  
Comm. Judge, Dallas County.

WILLIAMSON & DELAY, PRINTERS, DALLAS.

Original <sup>16</sup>  
No. 3894

In the County Court

ESTATE OF

E. M. Bennett

Deceased

**Notice of Application for Pro-  
bate of Will and Letters**

ISSUED

This 11 day of Decr A. D. 1906

FRANK R. SHANKS,

County Clerk

By R.H. Lee Deputy

SHERIFF'S RETURN

CAME TO HAND The 11 day of Decr A. D. 1906, and executed  
the 11 day of Decr A. D. 1906, by posting up three copies of this Will  
at three public places in Dallas County, one of which was at the Court House door of said County; and no two of  
which were in the same town or city.

Attest & certify By James D. Bell Deputy  
A. J. [Signature]  
Sheriff, Dallas County



The State of Texas }  
 County of Dallas } In the Name of God  
 Amen

I, E. N. Bennett of said State and County being of sound and disposing mind and being desirous of arranging my worldly affairs do make this my last will and testament hereby re-voicing any other wills heretofore made by me

First I direct that all my just debts be paid

Second I give and bequeath to each of my three sons, Milton, William and John Bennett the sum of ten Dollars each to be paid out of two notes due me by my sons William & Milton

Third I give and bequeath to my wife Josephine Bennett my portion of eight acres of land on the east side of my farm where I now reside to use as she may deem proper, to sell or retain as she may elect I also give to her the remainder of the farm (about 13 or 14 acres) where the house stands and all of my

Fourth

personal property of every sort  
 whatsoever to be used by her  
 during her life time or <sup>or marriage</sup> widowhood  
 At her death, I direct that all  
 the portions of my property held  
 by her be divided equally  
 between my three sons, Milton  
 John William Bennett

Fifth

I appoint and constitute my  
 wife Josephine Bennett executrix  
 of this my will without bond  
 and direct that no further actions  
 be had by the Probate Court on  
 my estate excepting the probating  
 of this will and the filing of an  
 inventory and appraisement of my  
 property in said Court

Witness my hand this 27<sup>th</sup> day of October  
 AD 1905

Attested by E. H. Bennett

J. C. Regel  
 W. C. Cullom

We the undersigned certify that we witnessed  
 E. H. Bennett sign the above will, at his  
 request, that we signed the same as  
 witnesses in his presence and in the  
 presence of each other J. C. Regel

W. C. Cullom

(2)

*E. M. Bennett*

2.7500  
1.7500  
1.0000  
160.00

FILED

DEC 11 1976

FRANK R. LEE  
*FRANK R. Lee*

RECORDED 9-91  
Mill Record



No. 3894

PROOF OF WILL

THE STATE OF TEXAS,

ESTATE OF

County of Dallas } E. N. Bennett Deceased

Proof of Last Will and Testament of E. N. Bennett Deceased

This day personally appeared in open Court J. C. Regel

who, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to prove said Will, says: I was well acquainted with E. N. Bennett

deceased, during his lifetime; I knew the above decedent for about twenty years before his death; the signature of the said deceased to the instrument now shown to me, and offered for probate

as his last Will and Testament, filed in this Court on the 11<sup>th</sup> day of December A.D. 1903

and bearing date on the 27<sup>th</sup> day of October A.D. 1901, was made by the deceased

on said last named date at near Mesquite, Texas in presence of myself and W. B. Bullow

the other subscribing witness; all of said witnesses being over the age of fourteen years. At the time of the

making of said Will the testator was of sound and disposing mind and memory, and he declared the said

Will so made by him to be his Last Will and Testament, and I thereupon signed my name as a witness,

together with W. B. Bullow at the request of the said testator,

in his presence and in the presence of each other. The said deceased at the time of the execution of said

instrument was about fifty-one years of age; the said E. N. Bennett

departed this life on the 1<sup>st</sup> day of November A.D. 1903

about four days after making said Will, in the County of

Dallas in the State of Texas, where and at which time he residence and

principal estate was situated.

J. C. Regel

Sworn to and subscribed before me this 17<sup>th</sup> day of January A.D. 1906, in open court.

F. R. Shauver Clerk

County Court Dallas County, Texas.

By R. H. Lee Deputy



No. 3894

PROOF OF WILL

THE STATE OF TEXAS

County of *Dallas*

Term, 190

ESTATE OF

*E. M. Bennett*

Deceased

FILED

The *17* day of *July* A.D. 190

AND RECORDED

The day of A.D. 190

in the Probate Minutes of

County, in Volume Page

*F. R. Shaudd*

County Clerk

By *C. M. Lee*

Deputy

RECORDED *9. 92*

*Will Record*

The State of Texas, } In the County  
County of Dallas } Court of said County.

To the Hon. H. A. Leavelle, Judge of said Court.  
Mrs. Josephine Bennett respectfully represents that E. N. Bennett departed this life on the 1<sup>st</sup> day of November, 1905 in Dallas County, Texas in which county he resided at the time of his death.

That he left an estate consisting of land and personal property situated in said county of the probable value of \$2000.

That said E. N. Bennett left a written will, which is filed herewith, in which he named applicant as executrix.

That applicant resides in Dallas County, Texas, is the widow of deceased and is not disqualified by law from accepting letters as such executrix.

Wherefore she prays that citation issue as required by law and that on hearing this application that said will be admitted to probate and applicant be permitted to qualify as such executrix.

Mrs. Josephine Bennett,  
Applicant  
by H. A. Keen,  
Atty.

In the Matter  
of  
the Estate of E. H.  
Bennett deceased  
Application of  
Probate Will.

FILED

DEC 11 1906

TRADE MARK  
R. H. Lee

①

Recorded  
7/130



# INVENTORY AND APPRAISEMENT

OF THE PROPERTY, REAL AND PERSONAL, BELONGING TO THE ESTATE OF

*E. M. Bennett deceased*

<i>93 acres of Land</i>	<i>\$2790</i>
<i>two head of Horses</i>	<i>\$150.</i>
<i>" " " cows</i>	<i>45.</i>
<i>" " " calves</i>	
<i>One Wagon</i>	<i>35.</i>
<i>" set of farming tools</i>	<i>75</i>
<i>" " " harness</i>	<i>11.</i>
<i>" " " Black Smith tools</i>	<i>12.<sup>50</sup></i>
	<i>\$3068.<sup>50</sup></i>

No. 3894

COUNTY COURT.

ESTATE OF

E. N. Bennett  
Deceased

Inventory and Appraisement

FILED

3 day of Feb'y 1906

J. R. Shanks  
County Clerk,

R. M. Lee  
Deputy.

EXAMINED AND APPROVED

3 day of Feb'y 1906

A. H. King  
County Judge.

Wm. Williamson, Printer, Dallas.

RECORDED  
8-31  
Inverness Recd

THE STATE OF TEXAS, }  
COUNTY OF DALLAS.

I, Josephine Bennett

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 my knowledge.

Sworn to and subscribed before me, this the 30<sup>th</sup> day of February A. D. 1906

Josephine Bennett  
J. B. Regel Notary Public  
Dallas Co Texas  
By Deputy.

THE STATE OF TEXAS, }  
COUNTY OF DALLAS.

Before the undersigned authority, this day personally appeared

J. R. Paschall and Mark's

Appraisers of the above named Estate, heretofore appointed by the Court, and each being duly sworn, say that the above and foregoing is a just and true Appraisement of the property pointed out to them as belonging to said Estate.

J. R. Paschall  
A. M. Marks

Sworn to and subscribed before me, this the 1st day of Feb'y A. D. 1906

J. B. Regel Notary Public  
Dallas Co Texas  
By Deputy.