

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

Case Number 2833

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#2833

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## THE STATE OF TEXAS

To all Persons Interested in the Estate of *Chas Wilmut* Deceased:

*Eph Wilmut* has filed in the County Court of Dallas County, State of Texas, an Application for the Probate of the last Will of said *Chas Wilmut* 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 *November* A. D. 190*5*, 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 *14* day of *Oct* A. D. 190*5*

FRANK R. SHANKS,

County Clerk, Dallas County, Texas

By

*R H Lee*

Deputy

Original 8

No. 3872

In the County Court

ESTATE OF

Chas Melnick

Deceased

Notice of Application for Pro-  
bate of Will and Letters

ISSUED

This 12 day of Oct A. D. 1905

FRANK R. SHANKS,

County Clerk

By R. H. Lee Deputy

Recorded 8-21

SHERIFF'S RETURN

CAME TO HAND THE

12 day of

Oct

A. D. 1905, and executed

the

13

day of

Oct

A. D. 1905, by posting up three copies of this Writ

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.

Sheriff, Dallas County

Deputy

Posting 3 copies \$3.00 By

J. J. [Signature]



THE STATE OF TEXAS,

IN COUNTY COURT.

County of Dallas } Dallas County, Texas.

Know all Men by These Presents:

THAT WE, \_\_\_\_\_, as Principal,  
and \_\_\_\_\_

as Sureties, are held and firmly bound unto \_\_\_\_\_ County Judge  
of the County of \_\_\_\_\_ and his successors in office, in the  
sum of \_\_\_\_\_ Dollars,

conditioned that the above bound  
who has been appointed by the County Court of \_\_\_\_\_ County, Guardian of the  
Estate of \_\_\_\_\_

minor..., will faithfully discharge the duties of Guardian of the \_\_\_\_\_ Estate of the  
said minor... according to law.

WITNESS our signatures, this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 190\_\_\_\_\_.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 190\_\_\_\_\_.

\_\_\_\_\_  
County Judge,  
County, Texas.

THE STATE OF TEXAS,

County of Dallas } I, Eph Wilmut

do solemnly swear that I will faithfully discharge the duties of Guardian of the person Estate of

Jeannette Wilmut

minor..., according to law.

[Signed] E Wilmut Guardian.

Sworn to and subscribed before me, this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 190\_\_\_\_\_.

[Signature]

GUARDIAN'S ~~BOND AND~~ OATH.

No. 3872

IN THE MATTER OF THE GUARDIANSHIP

OF  
Jeannette Milmut

Minor

Oath  
BOND OF

Eph Milmut  
GUARDIAN.

Filed the 18 day of January  
A. D. 1906, and Recorded the 6 day

of \_\_\_\_\_ A. D. 190\_\_\_\_, in the Probate

Minutes of \_\_\_\_\_ County,

in Volume \_\_\_\_\_ page \_\_\_\_\_

J. R. Shugart County Clerk.

By \_\_\_\_\_ Deputy.



In re Estate of  
Mary Jeannette Wilmut  
Eph Wilmut, Guardian. In the Probate Court of Dallas County Texas.

Now comes Eph Wilmut, guardian of the person and estate of Mary  
Jeannette Wilmut, minor, and presents this as the inventory and ap-  
praisement of all property belonging to said estate, to wit;

One half interest on 71½ x 143 ft of land in block 600 on the  
map of the City of Dallas Texas, which we value at \$2,500.00

One undivided one fourth interest in three sections of land, farm  
and pasture, in Donally County Texas, which we value at \$375.00

One fourth interest in three cows and calves, two steers and one  
horse, which we value at \$145.00

one cultivator which we value at \$6.00

one sulky plow which we value at \$10.00

one lister which we value at \$9.00

one double shovl which we value at \$6.00

Hoes and garden tools which we value at \$1.50

One fourth interest in the crop raised on the Donally County land  
during 1905, consisting of the following

about 20 tons of Kaffir corn, 6 tons of Maize, 25 bushels of corn,

12 tons of millet, 2 tons of oats in bundle, 10 tons of fodder,

all of which we value at \$90.00  
*claim against property received by Annaline Wilmut  
under the Will of Mrs. M. L. Mill.* 100.75

One Half interest in household and kitchen furniture which  
we value at \$150.00

Total

\$663.25

*Chas. F. Boland,*

*W. F. White*

*M. K. Thompson*

*Commissioners*

The State of Texas;

County of Dallas I, Eph Wilmot, guardian of the person and estate of Mary Jeannette Wilmot, do solemnly swear that the inventory annexed hereto is a true and perfect inventory and list of all the property, real, personal, and mixed, belonging to said estate, that has come to my knowledge, ~~and that there are no claims due the estate except the one above mentioned for \$100.00~~

Eph Wilmot

Sworn to and subscribed before me on this the 4<sup>th</sup> day of January 1906 by said affiant.

Geo A. Littleington  
a notary public in and for Dallas County Texas.

Before me, the undersigned authority, on this day personally appeared Chas F. Bolaw, M M Thompson & W F White

who, being by me duly sworn, depose and say that the annexed inventory comprises all the property pointed out to us by the guardian and all the property of which we have any knowledge; and that the value set opposite each article is the true and correct value thereof, according to our best knowledge and belief.

Chas F. Bolaw  
W. F. White  
M M Thompson

Sworn to and subscribed before me on this the 4 day of January 1906 by said affiants.

Geo A. Littleington  
a notary public in and for Dallas County Texas.



3872  
In re Estate of  
Charles  
James  
Wilmot  
Deed  
Esn. Wilmot Guardian.

Inventory and  
Appraisement

FILED

JAN 9 1906

FRANK & CHARLES CO. CLERK  
J. J. Staffer

Jan 1906.  
Examined and  
approved  
Heran  
C. J. [Signature]  
1/61

No. \_\_\_\_\_ PROOF OF WILL

THE STATE OF TEXAS,

ESTATE OF

County of Dallas | Charles Wilmut Deceased

Proof of Last Will and Testament of Charles Wilmut Deceased

This day personally appeared in open Court M M Thompson

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 Charles Wilmut

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 12 day of Oct A.D. 1905

and bearing date on the 13 day of May A.D. 1904, was made by the deceased on said last named date at Dallas in presence of myself

E. J. Loughborough

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 E. J. Loughborough 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 50 years of age; the said

Charles Wilmut departed this life on the 24 day of Aug A.D. 1905

about 15 months after making said Will, in the County of Dallas in the State of Texas, where and at which time his residence and ~~principal place of business~~ was situated.

M M Thompson

Sworn to and subscribed before me this 9 day of Dec A.D. 1905, in open court.

J R Shaw Clerk

County Court Dallas County, Texas.

By R H Lee Deputy

No. \_\_\_\_\_

# PROOF OF WILL

THE STATE OF TEXAS

County of \_\_\_\_\_

Term, 190 \_\_\_\_\_

ESTATE OF \_\_\_\_\_

Deceased

FILED

The 9 day of Nov A.D. 1905

AND RECORDED

The \_\_\_\_\_ day of \_\_\_\_\_ A.D. 190 \_\_\_\_\_

in the Probate Minutes of \_\_\_\_\_

County, in Volume \_\_\_\_\_

*R. W. Lee*  
Clerk

By \_\_\_\_\_ Deputy

RECORDED 9-26

*Will Record*



In re Estate of

Chas Wilmut, dec'd; In the Probate Court of Dallas County Texas;  
To the Hon Judge of said Court.

Now comes Eph Wilmut, who resides in Dallas County Texas, and would represent to the court that heretofore, to wit, on the *24th* day of *August* 1905, Chas Wilmut died in Donally County Texas; that, at the date of his death, he owned an estate in Donally and Dallas Counties Texas of the probable value of twenty thousand dollars; that said deceased left a will which is herewith filed, which said will is witnessed in due form by M.M. Thompson and E.T. Loughborough; that, by the terms of said will, the property of said estate descends <sup>*in equal portions*</sup> to Caroline Wilmut, who is the widow of deceased, and to Mary Jeannette Wilmut, who is his daughter and who is a minor; that applicant is a brother of deceased.

Applicant would further represent that he is, by said will, appointed guardian without bond of the person and estate of said minor child. Wherefore said applicant prays that notices be given of this application as required by law; that said will be ordered probated; and that he be appointed guardian of the person and estate of said minor, Mary Jeannette Wilmut, without bond, and that all other necessary and proper orders be made with reference thereto.

*E. S. Atterington*  
attorney for applicant.



In Re Estate of  
Thas Wilmut

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Application to probate  
will <sup>and</sup> for guardianship  
ship.

---

12  
R. H. Lee

Recorded  
- 9/10/09

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The State of Texas;

County of Dallas. The last will and testament of Chas Wilmut who resides in Dallas County Texas.

Realizing that life is uncertain, and desiring to arrange for a fair and just settlement of my estate in case of my death, between my wife and daughter, do hereby make and publish this my last will and testament, revoking all other wills by me made.

A small part of the property now in my possession is held by me as survivor in community of myself and my first wife, and belongs to my daughter as her separate property. It is my desire that this property be put into hotch-potch with the other property held and owned by me and in the bequests herein made, is treated as one whole.

1st;

Mary

I will and direct that my daughter, Jeannette Wilmut, have one half of the property so placed in hotch-potch, to have and to hold unto herself and for her own use and benefit, subject only to the conditions below stated.

2nd;

I will and direct that my wife, Caroline L. Wilmut, have one half of the property so placed in hotch potch, to have and to hold unto herself and for her own use and benefit, subject only to the conditions below stated.

3rd;

Should my said daughter die before she married then it is my desire that all the property that may remain in her hands unsold and unused shall vest in my said wife, if she be living. But if my said daughter marries then the bequest hereby made becomes absolute.

4th.

Should my said wife, Caroline L. Wilmut, die without having married again, then it is my desire that all the property that may remain in her hands unsold and unused shall vest in my said daughter if she be living. But if my said wife marries again then the bequest hereby made becomes absolute.

5th.

I hereby appoint my brother, Ephriam Wilmut, guardian of the person and estate of my said daughter. It is my will and desire, and it is hereby directed, that said guardian shall take full charge of her estate at my death, manage and control the same as he may think for the best interest of my child, and I hereby empower him to sell, exchange and dispose of her estate without the direction of the probate court in such manner and on such terms as he may deem best, and do direct that no bond be required of said guardian.

This will is signed on the 13<sup>th</sup> day of ~~April~~<sup>May</sup> 1904, in the presence of M M Thompson and E F Loughborough who sign the same as witnesses at my request.

Chas Wilmut

Signed in the presence of each other and

in the presence of Chas Wilmut

this the 13<sup>th</sup> day of ~~April~~<sup>May</sup> 1904

M M Thompson  
E F Loughborough



Last Will and  
Testament of  
Chas. Wilson

*W  
J*

FILED  
13 1875  
R. H. Lee

RECORDED 9-75  
Will Record