

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

Case Number 2936

Dallas Genealogical Society
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#2936

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Notice of Application for Probate of Will and Letters

THE STATE OF TEXAS

To all Persons Interested in the Estate of August Furchel Deceased:

Bonnie Furchel has filed in the County Court of Dallas County, State of Texas, an Application for the Probate of the last Will of said August Furchel

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 July A. D. 1907, at which time and place all persons interested in said estate

shall appear and contest said Application should they desire to do so.

WITNESS JACK M. GASTON, County Clerk of Dallas County, Texas.

Given under my hand and seal of said Court, at office in the City of Dallas, this 29 day of Nov A. D. 1907

JACK M. GASTON,

County Clerk, Dallas County, Texas.

By R. H. Lee Deputy.

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Original
No. 4248

In the County Court

ESTATE OF

August Furche

Deceased

Notice of Application for Probate of
Will and Letters

ISSUED

This 29 day of Nov A. D. 1907

JACK M. GASTON,
County Clerk

By R. M. Lee Deputy

8-316

SHERIFF'S RETURN

CAME TO HAND THE 30 day of Nov A. D. 1907, and executed the 30 day of Nov A. D. 1907, 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.

A. L. Ledbetter
Sheriff Dallas County
By M. H. Callum Deputy

Posting 3 notices 300

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STEWART ABSTRACT COMPANY

(Successor to S. W. S. DUNCAN)

_____ day of _____ 19____ Page No. _____ Abstract No. _____

Estate of August Furdhe,) In Probate Court of Dallas County, Texas.
: Wednesday, Feby 5, 1908.
Deceased, H. C. 4248) Entered as of January 29, 1908.

ORDER APPROVING INVENTORY AND APPRAISEMENT.

This day came on to be examined the inventory and appraisement of the above named Estate, and the same being examined and it appearing to the court that same is in due form, and properly verified by affidavit, that the appraisement thereof is just and fair, and no objection or exception thereto being offered, it is considered, and so ordered, adjudged and decreed by the court that said inventory and appraisement be and same is hereby in all things approved and ordered of record

Entered in Vol. "W" p. 610, Probate Minutes of Dallas County, Texas.

Having revoked all other Wills, I, August Foahe
make and publish this my last Will as follows:-

First:- Subject to the payment of debts, I bequeath
to my beloved wife Bertha, absolutely, all property, real, personal
and mixed, of which I may die seized and possessed, wherever
situate, except, however, a certain Brick Store in Corsicana,
Texas, and three lots, each 25 x 200 feet, on Elm Street in
Dallas, Texas, and known by Ordinance designation as Nos. 363,
365 and 367; which said property is devised to my beloved wife
for her natural life, with the remainder and fee over to my grand-
children, subject to the limitations hereinafter set forth.

Second:- Subject to the life estate therein of my
said wife and certain stipulations recited later on in this will,
I bequeath to each of my grandchildren,- Bertha, Carrie and Arthur
Foahe, and William A. Saller, the children respectively of my
deceased son, and daughter,- the said Corsicana and Dallas city
property, share and share alike.

Third:- In no event is the possession or legal title
to the aforesaid property to rest in my said grandchildren until
the youngest shall have attained the age of twenty-five years.

Fourth:- Should my said wife die before said time,
then G. H. Schoelkopf and his son Hugo Schoelkopf are vested with
the legal title and possession of said property until said youngest
grandchild shall have attained the age of twenty-five, at which time
the said property is to be delivered over to my said grandchildren,
share and share alike. Should any one or more of them have died
before said time, single and without issue, then his, her or their
expectant interest is to vest in and be delivered over to the
survivor or survivors in equal parts,- and I leave it exclusively
with the judgment of the said trustees to distribute the property.

Fifth:- Should all of my said grandchildren die
before the youngest reaches the age of twenty-five, without
marriage or issue,- then I bequeath the fee in as well as the

life estate to said property to my said wife. If said grandchildren or any of them should die before the youngest reaches twenty-five years of age, leaving a wife or child or children, then such grandchild or grandchildren's interest under this will shall vest in such wife, child or children, share and share alike, conditioned, however, that the legal title and possession of all of the aforesaid property shall remain in said trustees until such time as the youngest grandchild, living or dead, would have become twenty-five years of age.

Sixth:- I have implicit confidence in the judgment and conscience of G. H. Schoelkopf and Hugo Schoelkopf in all things, and hence not only provide that no bond be exacted of them or court proceedings had in connection with their administration of the trust herein reposed in them, but also that it be left exclusively with them to say what provision shall be made for the support and education of my grandchildren. Should there be any difference of opinion between the trustees at any time, then that of the elder trustee is to prevail, and should either die before the fulfillment of this trust, then the survivor is to continue the trust alone.

Seventh:- After making annual provision for the education and support of my said grandchildren, the surplus income, if any, is to be invested in real property.

Eighth:- It is with my dear wife to say whether during her lifetime any provision be made by her for the education or support of our grandchildren. But should she undertake to provide for them, it is suggested that in no event should they be indulged with the luxuries of life. Both observation and experience teach that injury is done, both to the individual and collective body, by luxury, and that the simple, substantial life, is healthy, safe and natural.

Ninth:- My beloved wife Bertha is appointed executrix of this Will without bond or court proceedings, except the probate of this Will. At my request and in my presence and the presence of each other, Sam Yano and A. E. Daniel bear witness to my signature to this my last Will and Testament on this February 6, 1906.

Tested:-

Sam Yano
A. E. Daniel

August Furche

4248

Will of
August Furche

Filed Nov 28, 1907
Judge M. G. ...
By R. W. Lee

(363)

Estate of August Furche, }
Deceased.

Entered as of
January 8th, 1908.

On this the 8th day of January, 1908, the cause came on to be heard in open Court upon the application of Mrs. Bertha Furche for the probate of the written Will of the deceased, and it appearing to the Court that said application is in due form, and together with the Will here now in Court and offered for probate, was duly filed in this Court on the 28th day of November, 1907, that the citation issued upon said application has been served and returned in the manner and for the length of time required by law for this term of Court, and it further appearing from the evidence of A. L. Daniel, one of the subscribing witnesses to the said Will, that the testator, August Furche, on the date of the Will, the 6th day of February, 1906, signed, executed, published and declared the said instrument here now in Court to be his last Will and Testament, in the presence of the two subscribing witnesses, the said A. L. Daniel and Conn Gano, who subscribed their names thereto as witnesses at the request of the said testator in his presence and also in the presence of each other, and that said testator was at the time of executing said Will more than twenty one years of age, and of sound mind, and that he is dead, having died in this County, where he resided, on the 20th day of November, 1907, leaving an estate situated principally in this County, and no objection being made thereto, it is the opinion of the Court that said Will should be admitted to probate.

It is, therefore, adjudged and decreed by the Court that said Will be and it is hereby admitted to probate as the last Will and Testament of the said August Furche, deceased, and that the Will, together with the application for the probate thereof, and the written testimony taken in open Court, be duly recorded.

And it further appearing to the Court that under the terms of said Will, the said petitioner, the said Mrs. Bertha Furche, is appointed Independent Executrix of said Will without bond, and that she is not disqualified by law from accepting such letters, it is, therefore, ordered by the Court that independent letters issue to the said Mrs. Bertha Furche upon her taking the oath prescribed by law.

It is also further ordered that the said Executrix return into this Court an inventory and appraisal of the property of the Estate, and D. A. Templeton, S. B. Scott and H. J. Martyn be and are hereby appointed appraisers of said property.

4248
Est. of
August Furchi
Seed

Order probating
Will

(W-567)

(W-567)

LAW OFFICE OF BRYAN T. BARRY, DALLAS, TEXAS
REAL ESTATE AND LOANS

The State of Texas, }
County of Dallas. }

In the County Court of said County,

To the Honorable Hiram F. Lively, Judge of said Court.

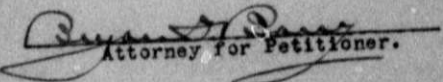
Your petitioner, Mrs. Bertha Furche, respectfully represents:

1st: That petitioner is a citizen of said County:

2nd: That August Furche, husband of petitioner and then a resident of said County, died in said County on the 20th day of November, 1907, leaving a written Will, herewith presented to the Court, dated February 6, 1906, in which your petitioner is named as Independent Executrix, and an estate worth probably \$100,000.00, consisting largely of real estate principally in said County:

3rd: That your petitioner is named as Executrix in said Will without bond, and that she is a resident of said County of Dallas, and that she is not disqualified by law from accepting letters as such Executrix.

Premises considered, your petitioner prays that notice of this application be given, that upon hearing said Will be admitted to probate as the last Will and Testament of the said August Furche, deceased, that independent letters issue to your petitioner, that appraisers be appointed, and for general relief.


Attorney for Petitioner.

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4248
Estate of
August Furchs, Deceased.
Application for Probate
of Will.

Filed Nov 28, 1907
Juel M. Gaston Clerk
By R. H. Lee Esq.

{7-482}

LAW OFFICE
BRYAN T. HARRY
DALLAS, TEXAS

FILMED BY DALLAS GENEALOGICAL SOCIETY - 1978

No. _____

PROOF OF WILL

THE STATE OF TEXAS,

ESTATE OF

County of

*Dallas**August Fursle*

Deceased

Proof of Last Will and Testament of *August Fursle* Deceased

This day personally appeared in open Court

A. L. Daniel

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 ~~am~~ acquainted with *August Fursle*deceased, during *his* lifetime; I knew the above decedent for about *2 year*before *his* death; the signature of the said deceased to the instrument now shown to me, and offered for probateas *the* last Will and Testament, filed in this Court on the *28*" day of *November* A.D. 1907and bearing date on the *6*" day of *February* A.D. 1906, was made by the deceasedon said last named date at *Dallas, Texas.* in presence of myselfand *Tom Gano*

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 saidWill so made by *him* to be *his* Last Will and Testament, and I thereupon signed my name as a witness,together with *Tom Gano* 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 saidinstrument was *about 70* years of age; the said *August Fursle*departed this life on the *20*" day of *November* A.D. 1907about *21 months* after making said Will, in the County of*Dallas.* in the State of Texas, where and at which time *his* residence and

principal estate was situated.

A. L. Daniel.

Sworn to and subscribed before me this

8 day of *July*A.D. 190*8*, in open court.*Jacob M. Gaston*

Clerk

County Court

Dallas

County, Texas.

By

W. H. Lee

Deputy

ETY - 1978

No. 4248

PROOF OF WILL

THE STATE OF TEXAS

County of

Dallas

Term, 190

ESTATE OF

Deceased

FILED

The

8

day of

July

A.D. 1908

AND RECORDED

The

day of

A.D. 190

in the Probate Minutes of

County, in

Volume

Page

Jack M. Gaston

County Clerk

By

[Signature]

Deputy

(29-365)

RETURNED BY DALLAS GENEALOGICAL SOCIETY - 1978

LAW OFFICE OF BRYAN T. BARRY, DALLAS, TEXAS
REAL ESTATE AND LOANS

Estate of August Furché, Deceased, }
Mrs. Bertha Furché, Executrix. } In the County Court of Dallas County.

To the Honorable Judge of said Court:

Now comes the Executrix of said Estate, and respectfully submits the following inventory and appraisal of the property and list of claims of said Estate:

The following property is the separate property of the Testator:

Lot No. 14 in Block No. 241 Houston & Texas Central Railroad Addition to Corsicana, Navarro County, Texas,

\$6000.00

The following property is the common property of the Testator and this Executrix:

75 feet front on the North side and known as Nos. 363, 365 and 367 Elm Street, running through to Pacific Avenue,

\$100,000.00

A lot 209 by 209 feet Southwest corner of Washington Avenue and San Jacinto Street, in Dallas, Texas,

\$11,000.00

Lots Nos. 6 and 7 in Block No. 128, Houston & Texas Central Railroad Addition to Corsicana, Navarro County, Texas,

\$100.00

Lots Nos. 7, 8 and 9, Block No. 15, Celeste, Hunt County, Texas,

\$150.00

Money on hand, with Schelskopf & Co.
Household and kitchen furniture, family residence,

\$13,889.30

6000.00

There are no claims due the Estate.

I, Mrs. Bertha Furché, executrix, do swear that the above and foregoing inventory and list is a full and complete inventory of the property and claims of my Testator that have come to my knowledge.

Bertha Furché

Sworn to and subscribed before me, this the 18th day of January, 1908.

W. C. Kinnrough
Notary Public, Dallas County, Texas.

We, the undersigned appraisers appointed in said Estate, do swear that we have appraised the property of said Estate shown in the above inventory, and have set the appraised value of each article opposite each article in the inventory.

H. J. Madigan

C. B. Scott

Sworn to and subscribed before me, this the 29th day of January, 1908.

W. C. Kinnrough
Notary Public, Dallas County, Texas.

Jan - 29, 08.
Examined and approved
Hiram R. Lind
Co. Judge.

I, Mrs. Bertha Furche, do solemnly swear that the writing which has been offered for probate is the last Will and Testament of August Furche, deceased, so far as I know and believe, and that I will well and truly perform all the duties of Executrix of said Will.

Bertha Furche

Sworn to and subscribed before me, this the 28th day of January, 1978.

H. C. [Signature]
Notary Public, Dallas County, Texas.

FILED BY DALLAS GENEALOGICAL SOCIETY - 1978

No. 4248
Records of
August Furela
Deed.
Inventory & Appraisal
and
Bond of Executors.

FILED
JAN 29 1908
JACK H. HARRISON, CLERK
R. H. Lee

FILED
JAN 29
JACK H. HARRISON, CLERK
R. H. Lee

(Recorded 3/19)

FILED BY DALLAS GENEALOGICAL SOCIETY - 1978