

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

Case Number 1535

Dallas Genealogical Society
Founded 1955

www.dallasgenealogy.org



1977

#1535

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

NOTICE OF APPLICATION TO PROBATE WILL.

THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

J. B. McLeod deceased.

E. E. McLeod has filed, in the County Court of Dallas County, an Application for the Probate of the Last Will of

J. B. McLeod deceased, and for Letters Testamentary, which will be heard at the next Term of said Court, commencing on the *First* Monday in *August* A. D. 1890, 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.

WITNESSES S. B. SCOTT, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this *25th* day of *June* A. D. 1890

S. B. SCOTT,
County Clerk Dallas County, Texas.

By *J. Lewis* Deputy.

THE STATE OF TEXAS,

To all Persons Interested in the Guardianship of the Estate of the Minor

W. D. McLeod and John B. McLeod Jr.

E. E. McLeod has filed in the County Court of Dallas County, on application for Letters of Guardianship upon the estate of the above named Minor

which will be heard at the next term of said Court, commencing on the *First* Monday in *August* A. D. 1890, at the Court House in the City of Dallas, at which time all persons interested in the welfare of said Minor may appear and contest said Application if they see proper.

WITNESS, S. B. SCOTT, County Clerk of Dallas County, Texas.

Given under my hand and seal of said Court, at office in the City of Dallas, this *25th* day of *June* A. D. 1890

S. B. SCOTT,

Clerk County Court Dallas County, Texas.

By *J. Lewis* Deputy

15-

No. *1607*

COUNTY COURT.

ESTATE OF
J B M'Clord

Deceased.

Notice of Application for Probate
of Will and Letters.

Issued this *25th* day of
June 1890

S. B. SCOTT, County Clerk.

By *J Hewitt* Deputy.

SHERIFFS' RETURN.

Came to hand the *25th* day of *June*
1890 and executed the *27th* day of *June*
1890, 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. Sewis
Sheriff, Dallas County.

By *J. N. Webb* Deputy.

A. D. Aldridge & Co., Stationers and Printers, Dallas, Texas.
Sheriff's Copy
D. J. Co.
Recorded 3/4

15-

No. *1607*

COUNTY COURT.

ESTATE OF THE MINOR.

J B M'Clord, Adm
Handled and
J B M'Clord for Minor

Notice of Application for Letters of
Guardianship.

Issued this *25th* day of *June*
1890

S. B. SCOTT,
County Clerk, Dallas County, Texas.

By *J Hewitt* Deputy.

SHERIFF'S RETURN.

Came to hand the *25th* day of *June*
1890, and executed the *26th* day of
June 1890 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. Sewis
Sheriff Dallas County.

By *J. N. Webb* Deputy.

Texas Plowman Job Print, 111 Elm Street, Dallas, Texas.
Copy of J. Co.
Recorded 3/6

In matter of probat. of Will of County Clerk
 of said Will Testament of Dallas Co by
 of J. W. Hod 3 for Probate.

R. B. Ross being duly sworn
 on oath says that the testator
 J. W. Hod died in Dallas County
 Tex on the 13th day of June A. D.
 1890 which county was his place of residence at that
 time R. B. Ross

Sworn to & subscribed before me
 in open Court this 29th of August
 1890. E. G. Davis, Clerk

State of Texas
Dallas County

I W. D. W. Leod hereby advise issuance
of citation and personal service of said in
the pending no pending before the County Court
of Dallas County in the matter of Ex Parte
E. W. Leod - which is an application for the probate
of the last will and testament of J. D. W. Leod
and for her appointment as sole executrix thereof
and for her appointment as my guardian under
said will - And ~~do~~ hereby choose and
designate that she be appointed my guardian.
This 10 day of July 1880

W. D. W. Leod

Exhibit A-

State of Texas
Dallas County

I, John Brown McLeod
of the county and State aforesaid
being of sound and disposing mind and
memory and being desirous to settle my
worldly affairs and to dispose of my
property both Real and Personal with
which if has pleased God to bless me
while I have strength so to do -
do make this my last Will and Testa-
ment hereby revoking all others here
before by me made -

Item I I desire and direct that
my just debts be paid without delay
by my Executors - to be hereinafter
appointed -

Item II I give bequeath and devise
to my beloved wife Emma E McLeod
all my right title and interest in and
to all my Estate both real and personal
to be under her absolute control and
use and enjoyment during the term
of her natural life. And with full power
and authority to sell, convey, and dispose
of all or any part of the same as she may
desire or to convert the same by exchange or otherwise

Item III In case of the marriage of any
of my children My wife has full power
and authority to set apart to the one so
marrying any portion of my Estate that
she may desire -

Item IV In the event of the death of
my wife before all of my children become
of age or marry it is my desire that

any portion of my Estate remaining undisposed of shall be equally divided among my Children in such manner that all are to receive an Equal share; due reference being had to such advancements as shall have been made at the time such partition shall become necessary under this provision - and I further desire if such division should take place before the younger Children shall have been Educated that they shall have in addition to their share an amount sufficient to educate them and give them such advantages as the others have received -

Item V I desire and do hereby appoint my wife Emma E. M. Leod the Guardian of the persons and Estates of my Children and it is my desire that she shall give no bond for such guardianship or be responsible in any manner to any authority or Court for her acts doings as such Guardian nor shall she be required to file any inventory of the property or any other act required of Guardians under the law -

Item VI I do hereby constitute, nominate and Appoint Emma E. M. Leod the Executrix of my Estate. No bond is to be required of her - and it is my desire that she shall control said Estate outside of the probate Court and no other duty is to be required of her other than the probate of this my last Will and testament

J. B. 7th 1911

Signed

Court for her use
nor shall she be required to
inventory of the property or any other act
required of Guardians under the law

Item VI I do hereby constitute, nominate
and appoint Emma E McLeod the
Executrix of my estate. No bond is to be
required of her - and it is my desire
that she shall control said Estate outside
of the Probate Court and no other duty
is to be required of her other than the
probate of this my last Will and testament
J.B. McLeod

Signed, declared and published
by John Brown McLeod as his
last will and Testament in the
presence of us the attesting witnesses
who have hereto subscribed our
names in the presence of
John Brown McLeod at his
special instance and request
this the 23rd day of December AD 1866
W. S. Tomkins
G. P. Thurston
Geo. C. Hutgins

of said E. W. Ford

State of Texas In County Court Dallas
Dallas County Tex. August Term 1890

To Hon. Elmer Judge of said Court:
Your Petitioner E. W. Ford would respectfully show unto your honor that she is a resident citizen of the city of Dallas in the former state & county - that Kate E. W. Ford, Jimmie W. Ford & W. D. Ford and John B. W. Ford Jr are also resident citizens of the city & county of Dallas in the state of Texas - and that the two last named are minors without guardians that W. D. Ford is a male person aged 20 years that John B. W. Ford Jr is a male person aged 11 years that Annie McStimmet and her husband H. Stimmet are resident citizens of the city of Sherman in the county of Harrison & state of Texas - and your petitioner would further show that she is the surviving widow of John B. W. Ford deceased - that the said Kate E. W. Ford, Jimmie W. Ford, W. D. Ford, John B. W. Ford Jr and Annie McStimmet are the children of her husband and the said John B. W. Ford - that the said John B. W. Ford died on or about the 1st day of June 1890 in the city & county of Dallas in the state of Texas - that at the time of his death he was seized and in possession together with your petitioner as his wife of the following described real and personal property - the same being the community property to-wit:

One certain tract of land situated in the city of Dallas in the former state & county - ~~also one~~ ~~tract~~ situated on the south west corner of Erway & Dallas streets and one tract in the said city of Dallas situated on the North East corner

of Main & Pearl Street - also one tract in the
East City of Dallas situated on the Southeast
corner of ~~Franklin~~ ^{Franklin} & ~~Central~~ ^{Central} corners - One
tract situated in the city of Dallas on Cotton
Street - also one tract in what is known as North Dallas
One house lot in Dallas situated on Cochran
Street. The whole of said real estate is of the
probable value of \$28,000. - Also the
following described Hotel furniture, said fur-
-niture being situated in the city of Dallas in
the said Co. of Dallas in the street of ~~2nd~~ ^{2nd} and
contains the building known as the ~~W. Hotel~~
Hotel on Main Street in said city - Also
one master ten note for \$500. - Also one
vender ten note for \$100. - and cash to the
amount of about \$200. - more or less - that the
said personal property appraises in value about
\$37,500. - that the whole of said property is of
the probable value of \$65,500. -

Your petition presents and files herewith
the last will and testament of the said
John Bell Wood which will is annexed
to and attached hereto - that by the terms
of said will she is appointed the sole
devisee & legatee thereunder - and that she
is appointed the sole executrix without bond
that by the terms of said will she is
invested with the absolute title in her own
right of all the property of whatever kind
and character owned by the said John Bell Wood
at the time of his death - that by the further
provisions of said will she is to manage &
control said property outside of the probate
court - that in this order she be held
in respect to said will and the property devised
and bequeathed thereunder that she file and
probate said will and the filing of an inventory

of said property being

court - that in respect to said will and the property and bequeathed therein - she files and probates said will and the filing of an inventory

of said property herein requested thereunder in the County Court of Dallas County Tex. And your petition further says that by this further provision of said will she is appointed the sole guardian of the person and estate of the said minor children herein named - of herself and the said John B. Good - And that by said provision she is to execute and deliver no bond for said guardianship - And she further says that she is not disqualified by law from accepting letters testamentary under said will - That the said minor children herein named have no property of any kind or claims in this State right or claim - Therefore she prays for citation as required by law for the probate of wills and appointment of Executors and of guardians - That upon proper proof you have admitted the said will to probate - That she be made, constituted and appointed sole executrix of said estate - and the guardian of the person and estate of the said A. W. Good and John B. Good Jr. And that she be allowed to administer the duties as such executrix and guardian outside of the probate court as provided by said will - That she be placed in possession of said property - and that she be permitted to manage and control and dispose of said property in accordance with the provisions thereunder and for such other orders and decrees as may be necessary to carry out the provisions thereof -

P. P. Ross

Attorney at Law

Recorded Petition Record No 2 Page 239-238 & 231

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Exp. Part. E. W. Scott

3 3 3

*Application for Probate of Last
Will & Testament of J. W. Scott
and for Letters Testamentary
of Guardianship thereof*

Recorded

FILED

MAY 5 1890

S. B. SCOTT, County Clerk,
By _____ Deputy.

FILED

JUN 23 1890

S. B. SCOTT, County Clerk,
By *J. F. Lewis* Deputy.

R. P. Ross Recorded

*Jan. 24 - 90
424 - 90 - Guardianship*

In the Matter of Law County Court
the Estate of Wallace County
the Last Will Settling in Probate
and Testament
of J. B. McLeod
Deceased -

Testimony as to Execution
of said Will

W. J. Simkins being sworn
says that he is an attesting
Witness to the last Will and
Testament of J. B. McLeod
deceased that said writing
was duly signed by the Testator
in his presence and the presence
of A. D. Thornton and Geo. C. Hudgins
the other attesting witnesses
that Affiant signed said
writing by request of said
Testator and that the other
attesting witnesses also
signed said writing at the
request of the Testator and
that each signed in the
presence of the Testator and
each other - that the Testator
was of sound mind at the time
of the Execution of said last
Will and Testament that he was
over the age of twenty one years -
that each of the attesting witnesses
was over the age of fourteen
years - and that said J. B. McLeod
is now dead.

W. J. Simkins
Sworn to and subscribed before me in open Court

In Re Estate of
J. B. McLeod
Deed

Proof of Will.

Filed Aug. 29th 1890

S. B. Scott Clerk
By A. D. Jackson Esq.

Record # 137

This 29th day of August A. D. 1890.

S. B. Scott Clerk

By A. D. Jackson Esq.

In Matter of Estate of J. In County Court of
 Just Will Testamentary of Dallas County Tex
 J. B. Welch

To the Hon. Elmore County Judge
 of said county:

Now E. E. Welch independent executor
 under the aforesaid will and together with W. B.
 Prather and C. C. Carr who were appointed by your
 honor to administer the property of J. B. Welch
 deceased - come and files this their
 inventory and appraisement of the property
 real and personal owned by the said J. B.
 Welch at the time of his death. We find
 that all the property owned by the said J. B.
 Welch at that time was community
 property of himself and wife E. E. Welch and
 that he owned in his own right one
 half full of the following described
 property to wit -

No 1 One tract of land deeded by A. P. Gordon and wife
 Eva Gordon to J. B. Welch on the 16th
 day of July 1889 & recorded in vol 101 page 378 of
 deed records of Dallas county Tex on the 4th day of March
 1889 & described as follows - Situated and being in
 the city of Dallas county of Dallas state of Texas the same
 being Lot (13) situated in Block No 22 of the Houston
 and Texas Central Railroad addition to the city of Dallas
 said Lot front twenty five feet on main street
 and runs back twenty feet to an alley

No 2 An undivided one half interest in a tract of
 land deeded to J. B. Welch and J. B. Edbery
 by the Young Men Hebrew Association of Dallas Tex

On the 20th day of July 1889 & recorded in vol 101
 Page 408 of deed records of Dallas county Tex the said
 tract being described as follows - Being part of
 Block No (99) Twenty Nine according to the Official Map
 of the City of Dallas between Jackson & West streets and
 fronting (94 1/2) ninety four and one half feet on the west side
 of Erway street - Beginning at an iron pin the S.W.
 Corner of Erway at west Jackson st. - Thence South 76'
 W with south line of Jackson Street one hundred (100)
 feet - Thence in a southerly direction parallel with Erway
 st ninety four and one half (94 1/2) feet to a stake
 then N. 76° E. parallel with Jackson Street one hundred
 (100) feet to Erway at a stake - Thence Northwesterly with
 said Erway street ninety four and one half (94 1/2)
 feet to the beginning

Was also one tract decided to be returned by Sydney
 Peak on the 15th day of Dec - 1888 and recorded in
 vol 95 Page 541 of deed records of Dallas county Tex
 and described as follows - Lying and being in
 Dallas County Tex and of the John Kingsley League
 and being out of the north corner of Block 6 of the
 Map of the estate of Jefferson Peak said in east Dallas
 a well of four or more with a report of the commis-
 sioners of partition of said estate in vol 10 page
 12 & 24 of the minutes of the District Court of said
 Dallas County Tex - Beginning at the east corner
 of said block 16 and the west corner of San Jacinto
 streets & Carrall of course - Thence Southwesterly
 with the north west side line of San Jacinto Street
 32 8 feet to a corner on same - Thence Northwesterly
 parallel with the south west line of Carrall
 course 20 8 1/2 feet to a corner - Thence North Easterly

parallel with the south west line of Carroll
over 20 1/2 feet to a corner then north easterly

parallel with said line of Sen Joins Street 225
feet to a corner on said line of Carroll then
then in a south-easterly direction with the said
south west line of Carroll over 20 1/2 feet to
the place of beginning containing one & 1/2 acres
No 4 Also one tract of land deeded by Ch. Hoffman
& J. D. Wood being the same tract deeded to
Ch. Hoffman ~~and~~ by J. W. Carson wife Kate C
Carson on the 17th day of April 1866 and recorded
in book 25 page 292 of the deed records of Dallas
County Texas and more particularly described
as follows: Being Lot No 9 Block B Emin
addition to the City of Dallas - fronting 50 feet
on N.W. side of Cotton Wood Lane or Street
and running back in parallel lines 100 feet
more or less

No 5 Also the following tract of land with the exception
of the tract hereinafter described is having been
sold out of said tract by the said J. D. Wood
tenant-in-trust deeded to J. D. Wood by
J. L. & Louisa Crobiter on the 28th day of June
1866 and recorded in vol 23 page 480 of the
deed records of Dallas County Texas - situated one
half mile from the courthouse in what is
known as the McKinney road or corner and being
part of the John Brigely Leape and being a
portion of a certain two acre tract of land deeded
to ~~the~~ J. L. Crobiter by W. J. A. Chentworth wife
on the 25th day of October 1871 as per deed of record
in the office of the county ^{clerk} of the county of
Dallas - said 2 pages 622 & 623 and more particularly
described as follows - Beginning at the south corner

of said two acre tract in the center of Cochran Street
 - thence 45° E. 56 feet - thence N. 42° W. 125 feet - thence N.
 45° E. 161 feet - thence N. 45° W. 64 feet - thence N. 45° E
 7 feet - thence 76° or 145° to south east line of
 W. McKinney avenue - thence S. 14° W. with said
 line 191 feet - thence 51° E. 218 feet to beginning

We find that the said J. D. W. had owned
 all of the last mentioned tract at the
 time of his death except the following
 tract deeded to the said J. D. W. and wife out of
 said tract by deed dated 26th day of August
 1890 and recorded in vol 113 page 690 & 690
 of deed records of Dulles County Ga. and particularly
 described as follows - lying and being situated
 in the city of Dulles County of Dulles in
 the state of Ga. - out of Block No 357 according
 to the official map of the city of Dulles Ga
 beginning at the N.W. corner of J. A. Chandra's
 2 acre tract on the East line of W. McKinney
 Ave. thence S. 76° E. 145 feet a stake - thence
 S. 45° W. 7 feet a stake - thence S. 42° E. 64
 feet a stake - thence S. 45° W. 162 feet a stake - thence
 S. 30° 40' W. 55 feet a stake - thence N. 51° W. 102
 feet to the East line of W. McKinney Avenue
 thence N. 14° E. with said line 191 feet to the
 beginning.

We find that to the best of our knowledge
 and belief the various tracts of land herein
 described are of the value as follows -

Tract No. 1	herein described	\$7500.00
"	" 2 " " (this is undivided interests)	15000.00
"	" 3 " "	6000.00
"	" 4 " "	2000.00
"	" 5 " "	2000.00

And that the total value of said real estate

" " 2 " " (this to include interest)

" " 3 " "

" " 4 " "

" " 5 " "

6000.⁰⁰/₁₀₀

2000.⁰⁰/₁₀₀

2000.⁰⁰/₁₀₀

And that the total value of said real estate herein described as belonging to the said J. B. Wood & wife E. Wood at the date of his death to be (\$32,500⁰⁰) thirty-two thousand five hundred dollars.

We also find that the said J. B. Wood owned together with his wife E. Wood the following personal property or community property of himself & wife - To-wit:-

Hotel Furniture situated and being in the Hotel Hudson or "The Wood" on the west side of Main street in Dallas. Its value valued at thirty thousand dollars.

One Pearl Ring valued at \$500⁰⁰

One promissory note due Sept. 1st 1890 signed by Geo. K. Rader for one thousand dollars bearing 10 per cent interest

One promissory note due 20th day of March 1892 signed by Will M. Wooters for \$2750⁰⁰ - bearing 10 per cent interest

We also find the following described debts & equities against the said estate of J. B. Wood and owing by him at the time of his death to-wit:-

Account owing to J. B. Armstrong	\$4000-
" " " " C. Cooper	1000
" " " " Billington's Furniture Co.	1600
" " " " Sonny's Co.	1000
" " " " E. W. Wally	2200-

We find that the total value of all the property owned by J. B. Wood & wife and which is herein designated as community property - what was owned by them at the death of J. B. Wood to be of the value

of sixty-six thousand seven hundred & fifty
Dollars - (\$66,750) - that the total amount
of debt owing by the said J. B. [unclear]
& wife at the date of his death was -
Eight thousand Eight Hundred Dollars -

E. C. McLeod
W. H. Prather
J. Canell.

Sworn to and subscribed before me this
30th day of Aug^r A. D. 1890

A. C. Medvey Notary Public
Dallas Co. Texas,

State of Texas 3^d E. C. McLeod Independent Executor
Dallas County 2 under the will of J. B. [unclear] said and
mentioned herein do hereby swear that the foregoing
is a full and complete inventory and list of
all the property owned by said [unclear] at his death
which he came to my knowledge and a full
and complete list and inventory of claims of
his estate which he came to my knowledge

E. C. McLeod.

Sworn to and subscribed before me this
30th day of Aug^r A. D. 1890

A. C. Medvey Notary Public
Dallas Co. Texas

E. W. Paul E. C. Purdy

Inventory of affairs:
- ment of the estate
of E. W. Paul said
for the matter of Purdy
of last will & testament
of said E. W. Paul

Examined and approved
said of said Purdy
30/90 E. C. Purdy

Filed August 30, 1890

Attest to Clerk

By J. H. Lewis

to Clerk - with pleasure
on docket & minutes.

Recorded

1725 words
Larkin