

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

Case Number 1761

Dallas Genealogical Society
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1761

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Form No. 202

NIGHT MESSAGE THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED
CABLE SERVICE TO ALL THE WORLD.
21,000 OFFICES IN AMERICA.

This Company TRANSMITS and DELIVERS messages only on condition that the sender is held responsible for the accuracy of the following message. Errors are not guaranteed against delay by stopping a message back to the sending station for correction, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Night Messages, such as ordinary rates, beyond a sum equal to ten times the amount paid for transmission; nor in any case when the delay is not prevented in writing with in twenty days after the message is filed with the Company for its transmission.
This is an UNREPEATED NIGHT MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, President and General Manager.

SENT BY _____ RECD BY _____
106 NO. CH. ST. 15 Paid NIGHT 4 Extr a 189
9:50P.M. CHECK

RECEIVED at

Dated Elkin, N.C. Mch, 19, 1896

To Maxwell Williams,
Care J.F. Irwin, City Hall,
Dallas, Texas.

Make settlement as agreed we will stand to it see letters.
A.P. Woodruff & J.C. Hunt.

Western Union Telegraph Co.

PAY NO CHARGES ON THIS MESSAGE.

3-78
M. Maxwell Williams
PAID. Care of J.F. Irwin
Dallas

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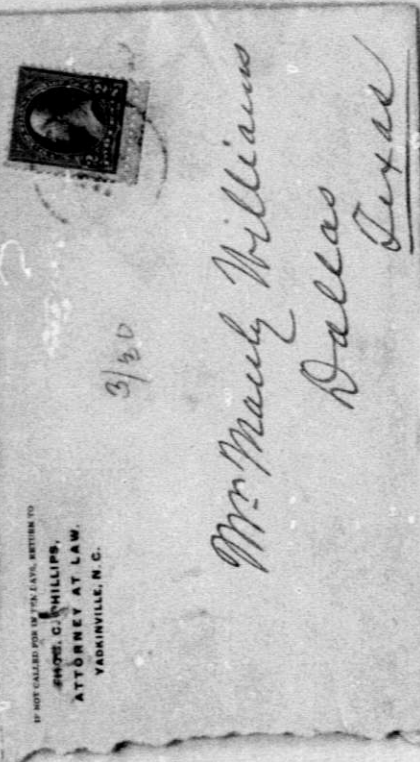
LAW OFFICE OF
THOS. G. PHILLIPS,

Yadkinville, N. C., *March 16th* 1896

Mr Mauley Williams
Dallas Texas

Dear Sir-

I saw Mr O. Woodruff
last Saturday and he told me
that you had written him that
the 2nd of this month was the
day set apart to try to Probate
the Will of Mr Isaac Carter.
Will you please write me
how the thing terminates if
it is allowed and also about
the acct. and if there will be
an adour appointed or not.
And also give me the name
of Mr Hughes the clerk his
Christian name I mean.
We want to draw ours



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Soon as possible if it is
settled, I represent as you
know four of the Hugh
Carter heirs - Please let
me hear from you and
oblige - Yours truly
Thos. C. Phillips

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2

Boonville Mo
March 27 52

Mr Williams
Dear Sir and bro
I just recd your letter
and will say I left the
papers with Mr Patton
and I will write him to
say to send them over and
them to you will I think
Mr Caldwell and every body
strange was a rebel
matter you will see that
Caldwell wants to administrate
the State and get
the President and a
Lange Larone for
up with and hold the money
than for a year

do what you want to
break them up with
I would have at them that
if with would be any
good but I don't know
are with would if you
give them to a settlement
I will come at once but
that will be more to settle
and go back on with
and the expense is
so much that I can't
afford to come this time
that be more I will see
Phillips to say and give him
to send his papers with
left his with Patton
will write and let me know
what that is a rebel matter
respectful
C. Woodruff

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4119

Boonville Mo
March 27 52

Mr Maxwell Williams
Dallas,
Texas



4/20

J. C. Rusk
of Rusk
D.C.

Mr. Manswell Williams
Dallas Texas

Rusk, D.C.
March 17, 1896

Mr. Manswell Williams
Dallas Texas coin
I received your letter
last night wishing
to know whether we
wanted to settle the
estate of Isaac Carter
see as a grand upon
when we was out there
I have been in favor
of the settlement all
the time I do not think
we could do any
better. you know I
was in favor of it
while out there if
you can make the
settlement according
to that contract

that we corrected
in Lawthers office
and send it here
for me to sign I
will sign it for
my self and all
that I represent
in the Estate which
is all the heirs of
Dicy Hurt or if it
can be done any other
way by you so as
to secure a settlement
with out additional
cost I will stick
to a settlement of
that kind and you
can have my signature
on this letter as
my obligation to do
so I have no time
now to get up the

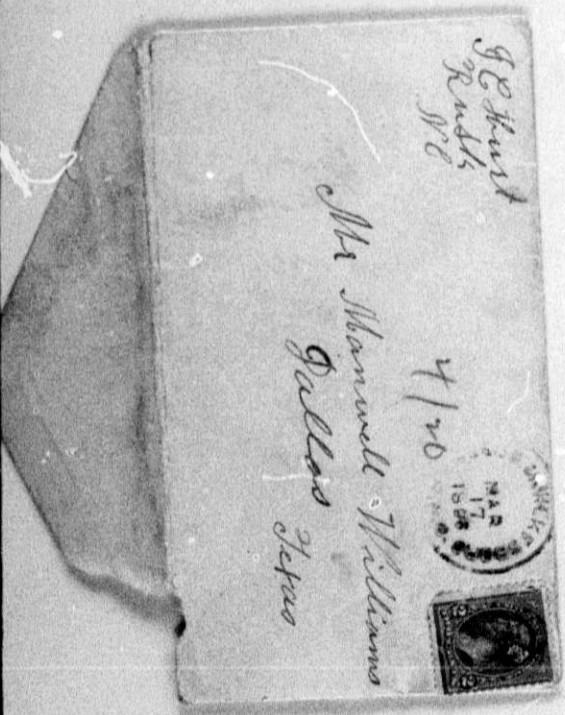
legal papers in
the case as I
have only three
days to get a
letter to you by
the time you say
it is to be settled
I will go to day
and see J Woodruff
and we will send by
telegraph what can
be done if he will
be willing to settle
that way you may
get the telegram before
this letter Mr Hutton
sent me a letter
that I received
last ^{night} without the case
he is in favor of
pressing the case to
the bar we are

J C Hurt
Rush
N.C.

4/20



Mr Maxwell Williams
Dallas
Texas



not able to do as
he says. So I hope
we will get it soon
at once let me know
soon how you get
along with it
I will come out there
if necessary but do
not wish to do so
as it is very expen-
sive to travel so far
Yours
J. C. Hunt

83 35

SHERIFF'S OFFICE, DALLAS COUNTY.

DALLAS, TEXAS, July 6th 1898

Received of *M. V. Call*

the sum of *Eighty Two and 00/100* DOLLARS,

in full of *Cash*

in Cause No. *15062* wherein *M. V. Call* Defendant

Plaintiff, and *O. P. Bowser et al* Sheriff Dallas County.

By *J. H. [Signature]* Deputy.

Dallas, Texas, July 6th 1898

RECEIVED from *M. V. Call*

One and 25/100 Dollars,

Recording fee on deed *O. P. Bowser et al* by Sheriff

to *M. V. Call*

[Signature]

\$ *1.25*

Deceased Carter

Box 11 Bell 622 West

Box 8 # 302 Publica Oberford

Box 6 # 585 Nebraska Base

Mr account

1894 July 76.53

91x 5.36

81.89

1895 Jan 198.77

8 Ave h 10 f 10 f 10 f 10 f
more forward 200.75

Total 282.24
900.75
81.89

THE STATE OF TEXAS.

To all Persons Interested in the Estate of Isaac Carter deceased:

M. V. Cole has filed, in the County Court of Dallas County, State of Texas, an application for the Probate of the ^{new-estate} last Will of said Isaac Carter deceased, and for Letters ^{of Administration} ~~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 March A. D. 1896, at which time and place all persons interested in said Estate shall appear and contest said application, should they desire to do so.

WITNESS: L. H. HUGHES, County Clerk of Dallas County, Texas.

GIVEN under my hand and the seal of said Court at office in the City of

Dallas, this 28th day of January A. D. 1896

L. H. HUGHES,
County Clerk, Dallas Co., Texas.

By A. Jaesson Deputy.

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No. *2127*
COUNTY COURT.

ESTATE OF

Isaac Carter

Deceased.

Notice of Application for Probate of
Will and Letters.

Issued this *28th* day of

January 189*6*

L. H. HUGHES, COUNTY CLERK.

By *W. J. Johnson* Deputy.

SHERIFF'S RETURN.

Came to hand the *28* day of *Janu*
189*6* and executed the *28* day of *Janu*

1896, 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.

Ben E. Cabell
Sheriff, Dallas County.

By *J. H. Carson* Deputy.

Dorsey Printing Co., Dallas, Texas.

1400.

Fee \$3.00
Recorded

In Re Estate of } Prorate Court
Prussilla Hunt, et al } Dallas County
Micoors. } Texas.
No. 2140. } April, 14th 1897.

Received of M. V. Cole, Admin. of
the Estate of Isaac Carter, with Will
annexed, as per order of the Prorate
Court of Dallas County Texas, of
date April 10th 1897, in the above
cause, the sum of Two Hundred,
Eighty Four & 08/100, (\$244.08), Dollars,
being the distributive shares of
money heretofore in his hands as
such Administrator and due the
following named minor heirs:
Prussilla Hunt, Andrew Adams,
Bealy A. Adams, Fannie Adams, Mary
Adams and Martha Carrie Adams;
this payment being made into the
registry of the Court in full set-
tlement of said heirs distributive
shares of said money, not including
however, the Choses in action still
uncontracted in the hands of said
Administrator.

As Jackson Clem Co. Court
Dallas Co Texas

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A. S. Jackson
\$244.08 per
order of the Court

\$244.08

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Dallas, Tex., Aug., 1898.

RECEIVED of M.V. Cole, Administrator with the Will Annexed of the Estate of Isaac Carter, Deceased, the sum of thirty three ⁷³ ~~73.00~~ Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said Estate, in full, as authorized and provided for in the orders of the County Court of Dallas county, Texas, of date Aug. 8th 1898, and this receipt is given in full acquittance to said administrator for the said distributive share of said money. Witness my hands, this 10th day of Aug., A.D. 1898.

Manwell Williams
Thurza M. Williams
By Manwell Williams

MCCORMICK & SPENCE.

DALLAS.

July 1 - 96

W. F. Spence

Receipt

and removed for Dallas 11/10

paid for removal of Carter

my former share of Carter

share - 2.00

paid to M. V. Cole 10.00

in full for the same time

Balance - 12.10

104.90

Received of M. V. Cole
12.10 in cash

M. V. Cole
117.00
12.10
104.90

J. M. McCORMICK.

WENDEL SPENCE.

McCORMICK & SPENCE.
ATTORNEYS.

DALLAS, TEXAS.

Sept. 9, 1897.

Mr. M. V. Cole ,
Dallas, Texas.

Dear Sir:-

As I explained to you some weeks ago, it became necessary to publish citation for some of the defendants, in your suit in behalf of the heirs of Isaac Carter vs. O. P. Bowser, et al on the notes, and to foreclose the vendor's lien on the lots near Cedar Springs Road. The citation has now been published at a cost of \$8.00, as you will see by the enclosed bill and copy of the citation. Please have the kindness, at your early convenience, to hand us this \$8.00 that we may pay the printer.

Yours respectfully,
W. Spence

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[Faded legal text, likely a court order or judgment, mentioning names like Blair, James, and others.]

Dallas, Tex., Sept 1 1897
Wm. Meas-mil & Spence
 City

IN ACCOUNT WITH
The Dallas Democrat,

N. T. BLACKWELL, Editor and Proprietor.

Job Office in Connection with
 135 Main Street, Opposite Court House.

To Publication of
 attached citation
 4 times
 Aug 10, 17, 24, 31 1897 \$8.00

Correct
Spence

Required amount of
 this bill in full
 Sept 11-97
Wm. Meas-mil & Spence
 City

J. M. MCCORMICK WENDEL SPENCE
McCormick & Spence,
ATTORNEYS.

DALLAS, TEXAS.

May 19 '98

Received of M. V. Cole the sum of
Twenty-five (\$25.-) dollars as
my fee allowed by the court
in suit of M. V. Cole vs O. P.
Bowman et al in suit of
14th Judicial District of Texas
at session.

D. A. Eldridge
Atty.

E. E. McDANIEL

Dallas, Texas.

June 1

C. F. EWING.

1896

Messrs McCormick & Spence

In Account with **McDANIEL & EWING,**
ABSTRACT OF LAND TITLES.

187 FLOOR NORTH TEXAS BANK BLDG.
1896

PHONE 608.

TERMS CASH.

may 20 To abstr 2005	for bills 9581957	34 00	
	less 10%	13 60	
			20 40

Paid M. V. Cole & Ewing.

I authorized my attys McCormick
and Spence to set up the above abstr-
act M. V. Cole

J. M. McCORMICK.
WENDEL SPENCE.
McCORMICK & SPENCE,
ATTORNEYS.

DALLAS, TEXAS. July 6/1898

Received of Mr. C. C. [unclear] agent,
one hundred and twenty-five
(\$125.-) Dollars in full
of fees for professional
services in suit of
Mr. V. C. [unclear] vs W. B. [unclear]
in Dist Court 14th Ju-
dicial District of Texas in
Dallas - having been
said suit being said
noted and lots of [unclear]
involved therein, having been
paid.

McCormick & Spence
attys

J. M. McCORMICK

WAGEL SPENCE

MCCORMICK & SPENCE
ATTORNEYS.

DALLAS, TEXAS.

(2).

Can you arrange to repay us these sums without inconvenience at the time you pay the \$25.00 for Mr. Eldridge? If no, we will take it as an accommodation.

Awaiting your reply, we are,

Respectfully,
J. M. McCormick

W. C. Spence

Dallas May 18 '98
Received of Mr. Eldridge \$25.00 in full
payment of items due us as per
above mentioned - McCormick & Spence
att.



Dallas Tex Aug 12th 1896

Received of M. V. Cole Administrator of the
Estate of Isaac Carter deceased Fifty Seven
Dollars and $\frac{85}{100}$ Dollars - my commissions
on #11570.50
J. F. Ashby Judge

Estate of Isaac Carter } M. N. Cole, Adm'r,
 No. 2177, } Deed, } Attorneys.

CLERK'S FEES		COUNTY JUDGE'S FEES	
Filing and Docketing / Applications at 15 cents,	15	Probating Will,	2 00
Issuing Notice of Application for Letters,	1 50	Appointing <u>Adm'r,</u>	50
Issuing Notice of		Appointing Appraisers,	50
Issuing Notice of		Approving Bond, (1)	1 00
Issuing Notice to		Approving Inventory,	50
Entering Order Appointing		Approving Annual Account	
Entering Order Appointing Appraisers,	50	Approving Final Account,	50
Entering Order Probating Will,	50	Approving / Claims Rejecting Claim	3 50
Taking Bond of		Order of Sale Confirmation of Sale	
Filing and Docketing Bond with Oath,	30	Order for Partition and Distribution,	
Filing and Docketing Inventory,	15	Order Report Commissioners of Partition,	
Entering Order Approving Bond of <u>Adm'r,</u>	50	Order Appointing <u>Granting withdrawal</u>	50
Entering Order Approving Inventory,	50	Order Approving	
Final Record of Will and Proof of same,	3 50	One-half per cent. Commission on \$187. ²²	93
Final Record of Inventory and Bond,	3 00		
Final Record of <u>Application Citations &c,</u>	4 00	TOTAL JUDGE'S FEES,	9 93
Issuing Letters,	50	SHERIFF'S FEES	
Taking Affidavits to Inventory,		Posting Notice	3 00
Taking Affidavits <u>(4)</u>	1 00	Posting Notice	
Filing and Docketing Application for Sale,		Posting Notice	
Filing and Docketing Application <u>to withdraw Est.</u>	15	Posting Notice	
Entering Order Granting Sale,		Serving Notice by Publication,	1 10
Entering Order <u>Granting App. to withdraw,</u>	1 50	Serving Notice <u>Unique policy Insur.</u>	5 45
Filing and Docketing Report of Sale,		Serving Notice	
Filing and Docketing <u>Agreement</u>	15	Executing	
Entering Order Confirming Sale,			
Entering Order <u>Appraising Agreement</u>	50	TOTAL SHERIFF'S FEES,	9 55
Filing and Docketing Annual Account		FEES OF APPRAISERS AND COMMISSIONERS OF PARTITION	
Filing and Docketing Final Account	15		
Filing and Docketing / Claims	50		
Entering Order Approving Annual Account			
Entering Order Approving Final Account	1 00		
Entering Order Approving / Claim	1 75		
Entering Order Rejecting Claim			
Entering Order Granting Allowance,			
Entering Order			
Entering Order			
Filing Voucher			
Taxing Costs and Copy,	25		
Order Appointing Commissioners of Partition,			
Order Report Commissioners of Partition,			
Recording <u>Final Deed,</u>	5 50		
TOTAL CLERK'S FEES,	25 50	RECAPITULATION	
		County Judge's Fees,	9 93
		County Clerk's Fees,	25 50
		Sheriff's Fees,	9 55
		Appraisers' Fees,	
		Fees of Commissioners of Partition,	
		Attorney's Fees,	
		Printer's Fee, <u>Joe S. Green,</u>	7 50
		TOTAL,	52 48

THE STATE OF TEXAS,
 COUNTY OF DALLAS.

I, L. H. HUGHES, County Clerk of said County, hereby certify that the above is a true and correct statement of the Costs due in the above entitled cause.

WITNESS my hand and official seal, at office in Dallas, this 11th day of May 1896

L. H. HUGHES, County Clerk,
 Per A. M. Maxwell Deputy.

Dallas, Texas, May 11th 1896

Received of M. N. Cole, Adm'r, of estate of Isaac Carter Deed,
Fifty Two & 48/100, Dollars, in full of above Bill of Costs.

L. H. HUGHES, Clerk,
 Per A. M. Maxwell Deputy.

No. 2127

Probate Fee Bill.

COUNTY COURT,
DALLAS COUNTY, TEXAS.

ESTATE OF
Isaac Carter
Decd.

Judge's Fees

Clerk's Fees

Sheriff's Fees

Appraisers' Fees

\$57.48

Total

Dorsey Printing Co. - Printers and Binders, Dallas, Texas.

#2127

Filed the 21 day

January 1899

at S. J. [unclear] Clerk of Court,

Revolus

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Dallas, Texas, May _____ 1896.

\$600²³

RECEIVED of M. V. Cole, Administrator with the Will Annexed of the Estate of Isaac Carter, Deceased, the sum of six hundred and 83/100 Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said Estate in full, as ~~authorized~~ authorized and provided for in the orders of the County Court of Dallas county, Texas, of date May 9th, 1896, and this receipt is given in full acquittance to said administrator for the said distributive share of said moneys, not including, however, the choses in action still uncollected in the hands of said Administrator.

Witness my hand this 16 day of May, A.D. 1896.

George Carter

John Carter

Mary E. Carter

Columbia Williams

By Thomas C. Phillips atty
in power of atty recorded.

The State of North Carolina)
County of Yadkims.)

On this day personally appeared before the undersigned authority, Thomas Phillips, known to me to be the person whose name is subscribed to the foregoing instrument in writing and he acknowledged to me that he executed and delivered the same for the purposes and considerations and in the capacity therein expressed.

Given under my hand and Seal of Office on this 16 day of May 1896.

R. E. Holton
Clerk Superior Court
Yadkin Co. N.C.

Dallas, Texas, May 1896.

\$2553.53

RECEIVED of M. V. Cole, Administrator with the Will Annexed of the Estate of Isaac Carter, Deceased, the sum of Two Thousand five hundred and fifty Three $\frac{53}{100}$ Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said Estate, in full, as authorized and provided for in the orders of the County Court of Dallas county, Texas, of date May 5th, 1896, and this receipt is given in full acquittance to said administrator for the said distributive share of said moneys, not including, however, the choses in action still uncollected in the hands of said Administrator.

Witness my hands, this 16 day of May, A. D. 1896.

J. K. Bates

Elizabeth Woodruff

Annie Ballin

Lanier Carter

A. M. Bates

THE STATE OF NORTH CAROLINA)
County of Yadkins)

By A. P. Woodruff *clerk*

On this day personally appeared before the undersigned authority, A. P. Woodruff, known to me to be the person whose name is subscribed to the foregoing instrument in writing and he acknowledged to me that he executed and delivered the same for the purposes and considerations therein stated and in the capacity therein expressed.

Given under my hand and Official Seal on this the 16 day of May 1896.

R. E. Holtz

Clerk Superior Court
Yadkin co.

etc.

72
Dallas, Texas, May 16 1896.

\$ 807.365

RECEIVED of M. V. Cole, Administrator with the Will Annexed of the Estate of Isaac Carter, Deceased, the sum of Eight Hundred and Seven 365 Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said Estate, in full, as authorized and provided for in the orders of the County Court of Dallas county, Texas, of date May 9th, 1896, and this receipt is given in full acquittance to said administrator for the said distributive share of said moneys, not including, however, the choses in action still uncollected in the hands of said Administrator.

Witness my hands, this 16 day of May, A. D. 1896.

J. C. Hurt
N. L. Nicholson
by J. C. Hurt atty
J. M. Mosley
by J. C. Hurt atty
Rich. A. Phillips
by J. C. Hurt atty
J. H. Hart
by J. C. Hurt atty
G. H. Adams
by J. C. Hurt atty
E. W. Adams
by J. C. Hurt atty
W. N. Adams
by J. C. Hurt atty

THE STATE OF NORTH CAROLINA)
County of Surrey)

Before the undersigned authority on this

day personally appeared J. C. Hurt, known to me to be the person whose name is subscribed to the foregoing instrument in writing and he acknowledged to me that he executed and delivered the same for the considerations therein stated and in the capacity therein expressed.

Given under my hand and official signature on this 16 day of May 1896.

Rough & Carlson

Notary Public in and for Surrey County,
North Carolina.



Dallas, Texas July 6th 1896
M Est of Isaac Carter
in account with
Oliver Thomas Bros.

Loans, Rents Collected, and Taxes Paid. Real Estate and Fire Insurance.
312 MAIN STREET.

2 days service as appraiser of property
in said Estate Paid 4.00
Oliver Thomas

Estate of Isaac Carter
Deceased
To Saml. Worthington Dr.

To two days service as appraiser
appraising the estate of said
Isaac Carter deceased, @ 2⁰⁰ per day 4.00

Saml. Worthington

Dallas, Tex., Aug., 1898.

\$22.70 RECEIVED of M.V.Cole, Administrator with the Will Annexed of the Estate of Isaac Carter, Deceased, the sum of Twenty two Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said Estate, in full, as authorized and provided for in the orders of the County Court of Dallas county, Texas, of date Aug., 8th 1898. and this receipt is given in full acquittance to said administrator for the said distributive share of said money.
Witness hands, this day of Aug., A.D. 1898.

Geo Carter
John Carter
Columbia Williams
Mary L. Carter
Thos. C. Phillips

THE STATE OF NORTH CAROLINA)

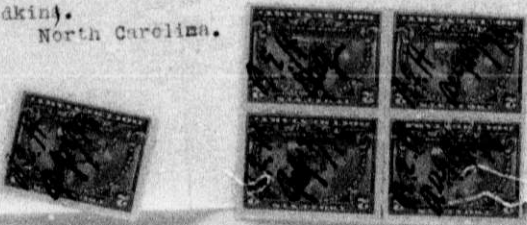
County of Yadkin)

Before the undersigned authority on this day personally appeared Thos. C. Phillips, known to me to be the person whose name is subscribed to the foregoing instrument in writing and he acknowledged to me that he executed and delivered the same for the consideration therein stated and in the capacity therein expressed.

Given under my hand and Official signature on this 18 day of Aug 1898.

R. E. Hutton
Notary Public in and for the County of

Yadkin,
North Carolina.



Dallas, Tex., Aug., 12th, 1898.

\$ 128.65

RECEIVED of M. V. Cole, Administrator with the Will

Annexed of the Estate of Isaac Carter, Deceased, the sum of *One hundred ninety eight ⁶⁵ / 100* Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said Estate, in full, as authorized and provided for in the orders of the County Court of Dallas county, Texas, of date August 8th 1898, and this receipt is given in full acquittance to said administrator for the said distributive share of said money.

Witness *my* hands, this 12th day of Aug., A.d.

1898.

J. J. Brown
.....
Gargie Brown Guardian -
for *Maggie & Mary Brown*.....

State of North Carolina
 Surry County

Before the undersigned authority on this day personally appeared J. C. Gresham known to me to be the person whose name is subscribed to the foregoing instrument and writing, and he acknowledged to me that he executed and delivered the same for the consideration there in stated and in the capacity there in expressed.

Given under my hand and official signature, on this 21st day of Aug. 1898.

Wm. H. Clark
 Notary Public





ESTABLISHED 1871
 "ELKIN WOOLEN MILLS"
 ELKIN, N. C.

#924 Received of Mr. V Cole Administrator with full powers
 of the Estate of Isaac Carter deceased the sum of \$924
 in dollars + 24c being the share of the money
 due and coming to the minor representative
 the undersigned as the distributive portion
 of said money belonging to said estate
 in full as authorized and provided in the
 orders of the county court of Dallas co
 county Texas of date Aug 8th 1898 and this
 receipt is given in full of assistance to said
 administrator for the said distributive share
 of said money witness my hand this Aug 31 1898
 J. C. Hust equating for Adolus

Dallas, Tex., Aug., 1898.

\$30.50

RECEIVED of M.V. Cole, Administrator with the Will Annexed of the Estate of Isaac Carter, Deceased, the sum of thirty Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said estate, in full, as authorized and provided for in the orders of the County Court of Dallas county, Texas, of date Aug., 8th 1898. and this receipt is given in full acquittance to said administrator for the said distributive share of said money.

Witness my hands, this 31 day of Aug., A.D. 1898.

J. C. Hurt
J. C. Hurt Atty for M. S. Phelps
J. C. Hurt Atty for J. W. Adams
J. C. Hurt Atty for J. W. Adams
J. C. Hurt Atty for J. W. Adams
J. C. Hurt Atty for J. W. Adams
J. C. Hurt Atty for J. W. Adams
J. C. Hurt Atty for J. W. Adams

THE STATE OF NORTH CAROLINA)
County of Surry)

Before the undersigned authority on this day personally appeared J. C. Hurt, known to me to be the person whose name is subscribed to the foregoing instrument in writing and he acknowledged to me that he executed and delivered the same for the consideration therein stated and in the capacity therein expressed.

Given under my hand and official signature on this 31st day of Aug 1898.

Hugh L. Cochran
Notary Public in and for the County of Sur

rey.
North Carolina.



Dallas, Tex., Aug., 1898.

§ 2648
RECEIVED of M.V. Cole, Administrator with the Will Annexed of the Estate of Isaac Carter, Deceased, the sum of Sixty Six Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said Estate, in full, as authorized and provided for in the orders of the County Court of Dallas County, Texas, of date Aug., 8th 1898, and this receipt is given in full acquittance to said administrator for the said distributive share of said money. Witness my hands, this 17 day of Aug., A.D. 1898.

[Signature]
E. R. Carter
Elizabeth Woodruff
E. D. Collins & Annie Collins
Louise Carter & A. M. Carter
My A. P. Woodruff Attorney

THE STATE OF NORTH CAROLINA

County of Yadkins

On this day personally appeared before the undersigned authority, A. P. Woodruff, known to me to be the person whose name is subscribed to the forgoing instrument in writing and he acknowledged to me that he executed and delivered the same for the purposes and considerations therein stated and in the capacity therein expressed.

Given under my hand and Official Seal on this the 17th day of Aug 1898.

A. P. Woodruff

No. 104—PROBATE—CERTIFYING JUSTICE OF THE PEACE TO ANOTHER COUNTY.—Edwards & Broughton, Printers, Raleigh.

STATE OF NORTH CAROLINA,

Yadkin County. } ss.

The foregoing Certificate of C. D. Hendricks, a Justice of the Peace of Yadkin County, is adjudged to be correct; and I, R. B. Holton, Clerk of the Superior Court of said County, do hereby certify that C. D. Hendricks was, at the time of signing the foregoing certificate, a Justice of the Peace in and for the County of Yadkin, and State of North Carolina, and that his signature thereto is in his own proper handwriting.

IN WITNESS WHEREOF, I hereunto subscribe my name and affix my official seal, this 29th day of August

A. D. 1898

R. B. Holton
Clerk Superior Court.



SOCIETY-1977

2127

No. 737

Probate Fee Bill

COUNTY COURT,

DALLAS COUNTY, TEXAS.

ESTATE OF

Isaac Carters
dec'd

Judge's Fees

Clerk's Fees *of the 21 day of*

Sheriff's Fees *Jan'y 1894*

A. S. [unclear] Dallas Co. Court
By [unclear]

Total

7.64

DORSEY PRINTING COMPANY, SEATONSVILLE, DALLAS

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

BILL OF COSTS.

Justice's Fees.		DOLLARS	CENTS	Constable's Fees.		DOLLARS	CENTS
Docketing Suit			70	Serving Citation		1	50
Issuing Citations		1	00	Serving Garnishment			
Issuing Subpoenas (names)				Laying Writ Attachment			
Issuing Venue				Serving Writ Sequestration			
Taking Bond				Serving Notice Interrogatories			
Writ Attachment				Serving Subpoena			
Writ Garnishment				Executing Distress Warrant			
Writ Sequestration				Taking Bond			
Writ Publication				Taking Bond of Indemnity			
Writ Distress Warrant				Taking Bond of Replevin			
Entering Continuance			25	Summoning Jury			
Entering Order				Executing Writ of Possession			
Entering Non-Suit				Laying Execution			
Copy Interrogatories and Notice				Advertising Sale			
Copy Interrogatories and Commission				Taking Delivery Bond			
Certificate				Endorsing Forfeiture of Bond			
Taking Oath			30	Taking care of Property			
Filing Papers				Making Title to Purchaser			
Taking Depositions				Commission on Sale			40
Swearing Witnesses				Returning Execution			
Impaneling Jury				Mileage			
Recording Verdict			50	Returning Order of Sale			
Entering Final Judgment				Returning Alias Citation			
Entering New Trial				Returning Alias Execution			
Taking Appeal Bond							
Transcript of Docket				Total Amount Constable's Cost		2	20
Issuing Writ of Restitution				Total Amount J. P. Cost		3	15
Issuing Execution			90	<i>Paid \$8.50</i>			
Recording Return Execution				<i>Ed. S. Lunderdale</i>			
Acknowledgement for Stay			10	<i>J. P.</i>			
Taxing Costs and Copy				Witness Fees			
Postage			50	TOTAL COSTS		5	85
Jury Fees							
Order of Sale	<i>as Jus</i>						
Alias Citation							
Alias Execution							
Abstract of Judgment			365				

I hereby certify that the above bill is a correct transcript from my Fee Book of the cost taxed in this case.

GIVEN UNDER MY HAND, this the 30 day of Dec 1886

Ed. S. Lunderdale

J. P. Precinct No. _____ County, Texas.

No 3-161

FEE BILL.

M. V. Leale admr

VS.

J. C. Knox

RECORDED FOR OFFICE, 108 MAIN ST., DALLAS

In the within case
no property found

Feb 25 1899

#2127

paid the 21 day of
Jan 1899
J. S. Rawlin
Clerk of Court

State of Texas,
County of Dallas.

I, *Fred Appel* of said State and County,
being duly sworn, on my oath do state that the above attached claim
for the sum of *\$225* against the estate of Isaac
Carter, deceased, is just, and that all legal offsets, payments and
credits known to affiant have been allowed; and I further state that

I am cognizant of the facts contained in this affidavit, *and that I
am a member of the firm and copartnership of Appel & Borew.*
. *Fred Appel.*

Sworn to and subscribed before me this *14th* day of *April*
1896.

Edward M. Borew
Notary Public, Dallas County, Texas.

FILMED BY

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Dallas, Texas Nov 1 1875

Mr J. Carter

In Account with **APPEL & BOREN,**
DEALERS IN

Staple & Fancy Groceries, Drugs,
CORN, OATS, HAY, BRAN, ETC.
443 and 445 MCKINNEY AVENUE.

All Bills due first of each month.

Dr to Cash \$2.25

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Wppel & Bowen.

J. Carter

8.2²⁰

FILED

APR 15 1896

L. H. NICHES, County Clerk.

J. H. Carter

FILED

JAN 8 1896

L. H. NICHES, County Clerk.

By _____

*Presented to me
this April 15-96
and examined
allowed and
approved by me.
Very truly
yours
with well wishes*

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Estate of Isaac Carter deceased

J. F. Drown & wife

Dr

- 1 To care, attention and service from Dec 1-1887 to Dec 10th 1895 =
8 years - 5 days at 300⁰⁰ pr annum 240415
 - 2 To stabling horse from Dec 1-1887 to July 19-1895 at 60⁰⁰ pr annum
7 years 7 months & 19 days 40835
 - 3 To loss of bedding and injury to furniture and room during last illness \$50.00
- \$291250

I hereby endorse item No. 1 of bill above do not think that ^{paid} a month of 300⁰⁰ a year too much for ^{care} attention and service

I also endorse item No. 3 - to wit ^{cost for} loss of bedding injury to room furniture &c.

Feb 29th /96 J. H. Gibbs
Attending Physician

State of Texas
County of Dallas } Personally appeared
City of Dallas } before the undersigned,
a notary Public in and for Dallas
County Texas. J. F. Drown known to me
to be the person whose name ^{the above}
account is ^{made} ~~made~~ and after being duly
sworn, declares the above account
against the estate of Isaac Carter deceased
is a just and true claim against
said estate and that there is no credits
on said claim.

Subscribed & sworn to before me

this the 29th day of Feb. 1896

J. F. Drown
H. J. Miller
Notary Public
Dallas County
Texas

Me
 J. F. Drinnmifer
 against Estate
 of
 Isaac Carter Decd.

2917
 Presented to me this April 15th 1890
 and Examined allowed and approved
 by me. M. V. Cole Adm^r
 With Will annexed

Dallas, Texas, Feb. 29, 1896.

Estate of Isaac Carter, Deceased, Dr. .

To John F. Irwin, and wife.

To care, attention and service, from Dec. 1, 1887,

to Dec. 5, 1895, at \$300.00 per annum, 5 yrs, 5 days. \$2404.50

To stabling horse, from Dec. 1, 1887 to July 19, 1895,

7 yrs., 7 months, 19 days, at \$60. per annum. 456.35

To loss of bedding and injury to furniture and room, during

last sickness. 50.00

Total Amount of Claim. \$2912.85

To Public

State of Texas,
County of Dallas. }

I, John F. Irwin, being duly sworn, on my oath do depose and say that the above and foregoing claim for the sum of \$2912.85 against the Estate of Isaac Carter, is just and that all legal offsets, payments and credits known to affiant have been allowed; and I further state that I am cognizant of the facts contained in this affidavit.

John F. Irwin

Sworn to and Subscribed before me this 15th day of April, 1896.

W. M. Hayes

Notary Public, Dallas Co., Texas.

Dallas, Texas, Feb. 22, 1926.

Estate of Isaac Carter, Deceased, Et al.
To John F. Irwin and wife.

To have attention and services, from Dec. 1, 1927.

To Dec. 1, 1928, at \$200.00 per annum, 3 yrs. 3 days. 1923.25

To stable horses from Dec. 1, 1927 to July 12, 1928.

\$20.00

\$20.00

\$2012.50

FILED
FEB 25 1926
J. F. Irwin

*Prover Lee G. Irwin
Died Dec 18th 1882
Wife Phannick
All property was
up for sale by 1920
Mr. U. L. Cook Albert
will call papers at*

Claim of

John F. Irwin

vs.

Estate of Isaac Carter, et al.

\$2012.50

County of Dallas, Texas, do hereby certify that the above foregoing claim for the sum of
\$2012.50 is the true and correct claim of the estate of Isaac Carter, deceased, in that all re-
quired forms, returns and credits known to exist have been allowed;
and I further state that I am cognizant of the facts contained in this
affidavit.

Sworn to and subscribed before me this 22 day of April, 1926.

Notary Public, Dallas Co., Texas.

Dallas Tex
 Dec 21 1895
 Isaac Carter to J. Phelps Jr
 for pasturage of horse for 110 months
 and 26 days, at \$150 per month 430
 J. Phelps

State of Texas,
 County of Dallas.

I, *J. Phelps* of said State and County,
 being duly sworn, on my oath do state that the above attached claim
 for the sum of \$ *4.30* against the estate of Isaac Car-
 ter, deceased, is just, and that all legal offsets, payments and
 credits known to affiant have been allowed; and I further state that
 I am cognizant of the facts contained in this affidavit.

Sworn to and subscribed before me this *15th* day of *April*.
 1896.
Charles Boyer
 Notary Public, Dallas County, Texas.

72

Presented to me
this Apr. 15th 1896.
and examined, allowed
and approved by me
W. Wade Atms
with well annexed

FILED
Apr 15 1896
L. M. BARNES
J. W. BARNES

Phelps
\$430



Dallas, Texas / 3 1896

Isaac Carter.

Abstr 1113. D Parker 60 ac. val 380.

" 275 H Couch 146 " " 880.

Personal property 3060.

Total val 4320.

Total val 4320

April school 176

Total 4496

Louis Jacoby
Collector

No. 154 - PROOF OF ACCOUNT.

A. D. Aldridge & Co., Stationers, Printers and Book Binders, Dallas, Texas.

The State of Texas,
County of Morris

Before me, M. C. Cullen a Justice of the Peace and ex-officio Notary Public, in and for the County of Morris personally appeared E. J. Lauderdale who, being by me duly sworn, upon his oath says, that the accounts hereto attached ^{legal} within his knowledge, just and true, ~~and~~ due, and that all just and lawful offsets, payments and credits ^{known to opponent} have been allowed. E. J. Lauderdale

IN TESTIMONY WHEREOF, I hereunto set my hand and seal, this 21 day of January 1896

M. C. Cullen

Justice of the Peace and ex-officio Notary Public for Morris County, Texas

FREE BILL - H. F. Verman, The Printer, Dallas, Texas.

BILL OF COSTS.

JUSTICE'S FEES.	DOLLARS	CENTS	CONSTABLE'S FEES.	DOLLARS	CENTS
Docketing Suit	10		Serving Citation	150	
Issuing Citations	100		Serving Garnishment		
Issuing Subpoenas (names)			Serving Writ Attachment		
Issuing Ventr			Serving Writ Sequestration		
Taking Bond			Serving Notice Interrogator		
Writ Attachment			Serving Subpoena		
Writ Sequestration			Executing District Warrant		
Writ Publication			Taking Bond		
Writ Distress Warrant			Taking bond of indemnity		
Entering Continuance	25		Taking bond of keeper		
Entering Order			Summoning Jury		
Entering Non-Suit			Executing Writ of Possession		
Copy Interrogatories and Notice			Laying Execution		
Copy Interrogatories and Notice			Advertising Sale		
Certificate	50		Taking Delivery Bond		
Filing Papers	30		Endorsing Forfeiture of Bond		
Taking Depositions			Taking Care of Property		
Swearing Witnesses	50		Making Title to Purchaser		
Impounding Jury			Commission on Sale		
Entering Final Judgment			Returning Execution		
Entering New Trial			Returning Order of Sale		
Taking Appeal Bond			Returning Alias Citation		
Transcript of Docket	90		Returning Alias Execution		
Issuing Writ of Restitution					
Issuing Execution					
Recording Return for Stay	10				
Acknowledgment for Stay	10				
Taking Costs and Copy					
Postage					
Jury Fees					
Order of Sale	200				
Alias Citation	90				
Alias Execution					
Abstract of Judgment	70				
			Witness Fees		
			TOTAL COSTS	10	00

I hereby certify that the above bill is a correct transcript from my Fee Book of the costs taxed in this case, GIVEN UNDER MY HAND, this the 21 day of January 1896
E. J. Lauderdale
Justice of the Peace, Precinct No. 1, Dallas Co., Texas.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

FEE BILL—H. P. Veagan, The Printer, Dallas, Texas

BILL OF COSTS.

JUSTICE'S FEES.	DOLLARS		CENTS		CONSTABLE'S FEES.	DOLLARS		CENTS	
Docketing Suit			10		Serving Citation			150	
Issuing Citations			100		Serving Garnishment				
Issuing Subpoenas (names)					Levying Writ Attachment				
Issuing Venire					Serving Writ Sequestration				
Taking Bond					Serving Notice Interrogatories				
Writ Attachment					Serving Subpoena				
Writ Garnishment					Executing Distress Warrant				
Writ Sequestration					Taking Bond				
Writ Publication					Taking Bond of Indemnity				
Writ Distress Warrant					Taking Bond of Replevin				
Entering Continuance			25		Summoning Jury				
Entering Order					Executing Writ of Possession				
Entering Non-Suit					Levying Execution				
Copy Interrogatories and Notice					Advertising Sale				
Copy Interrogatories and Commission			100		Taking Delivery Bond				
Certificate <i>C. C. A. (2)</i>					Endorsing Forfeiture of Bond				
Taking Oaths			30		Taking Care of Property				
Filing Papers					Making Title to Purchaser				
Taking Depositions					Commission on Sale			40	
Swearing Witnesses					Returning Execution				
Impaneling Jury					Mileage				
Recording Verdict			50		Returning Order of Sale				
Entering Final Judgment					Returning Alias Citation			150	
Entering New Trial					Returning Alias Execution (2)				
Taking Appeal Bond									
Transcript of Docket									
Issuing Writ of Restitution			90						
Issuing Execution									
Recording Return Execution			10						
Acknowledgment for Stay			10						
Taxing Costs and Copy									
Postage <i>Money order</i>									
Jury Fees									
Order of Sale			300						
Alias Citation									
Alias Execution					Witness Fees				
Abstract of Judgment					TOTAL COSTS			1105	
			765						

I hereby certify that the above bill is a correct transcript from my Fee-Book of the costs taxed in this case.

GIVEN UNDER MY HAND, this the 21 day of June, 1896

Ed. L. Landerdale
Justice of the Peace, Precinct No. 1, Dallas Co., Texas.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Dallas, Texas, Jan 1 1896
Mr. Isaac Carter

To Ed. C. Smith AND Bro. D.

UNDERTAKERS,

No. 150 South Ervay Street.

Dec 5 To Carter	75 00
" 20 " " " "	10 00
" 3 " " " "	10 50
" 14 " " " "	15 00
" " " " " "	5 00
" " " " " "	5 00
" " " " " "	1 50
" " " " " "	122 00

State of Texas }
County of Dallas } Personally appeared
before me the undersigned authority
G. D. Smith who after being by me duly
sworn deposes and says that he is a
member of the firm of Ed. C. Smith & Bro.
That said firm still owns ~~and~~ ^{the above} account,
and that said account is within the
knowledge of affiant just and that all
legal effects, payments and credits known
to affiant have been allowed

G. Smith

Sworn to and subscribed before me
this 3rd day of January 1896

J. J. Cook
Notary Public,
Dallas County, Texas.

||
Ed C. Smith & Bros.
Co. N.Y.
#122.

FILED

April 1896

L. R. WHEELER, County Clerk,
Dallas, TEXAS.
DEPUTY

Presented to me
this Apr. 15-96
and Examined
allowed and
approved by me
J. S. Cook Adams
with will annexed

Ent. Apr. 15-96 - 2/11

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

...Mr. Morgan, of Alabama, occupies the entire day in a narrative and historical speech. He spoke for three hours and had not concluded when the senate adjourned. A significant vote on the resolution was taken during the day. Mr. Lodge's resolution for an investigation came up and Mr. Peffer offered an amendment for a special committee. Mr. Lodge sought to have the amendment laid on the table, but his motion to this effect was defeated. Mr. Lodge's resolution was not secured, as Mr. Hill carried the debate beyond 9 o'clock. The bill postponing the widow secretary's pension at \$100 month was passed. It is rumored at Constantinople that there has been another massacre of Armenians. The government objects to this. The government objects to this. The government objects to this.

JOE T. GREEN, Editor and Proprietor.

ESTABLISHED FEBRUARY 15th 1887.

Lancaster, Texas, Feb. 29 1896

Re Estate of Isaac Carter, Deceased, M. V. Code, et al.

IN ACCOUNT WITH
THE LANCASTER HERALD.
Commercial Job Printing made a Specialty.

Subscription, \$1.00 a Year, In Advance, WHEN I can get it. Advertising Rates Reasonable and Made Known on Application.

To publication of citation in re estate of Isaac Carter, Deceased, M. V. Code, et al. per news, as follows: Feb. 7, 14, 21 and 28, 1896. \$7.50

ESTABLISHED FEBRUARY 17, 1897

No Estate of Isaac

THE DALLAS HERALD
Comm

Subscription, \$1.00 a Year, In Advance.

*In publication
 Isaac Car
 our news
 28, 1896*

CITATION OF PUBLICATION.

THE STATE OF TEXAS. To the Sheriff or any Constable of Dallas County, greeting:
 You are hereby commanded that you make publication of this Citation in some newspaper published in the County of Dallas, for four successive weeks previous to the return day hereof.
 To all persons interested in the Estate of Isaac Carter, deceased: H. V. Cole has filed in the County Court of Dallas County on, to-wit, the 25th day of January, 1896, in case No. 247 on the Probate Docket of said Court styled and entitled "In the Estate of Isaac Carter, deceased." An application to probate the non-capative will of said Isaac Carter, deceased, alleging in said application substantially the following statements: That the said Isaac Carter died in Dallas County, Texas, on the 1st day of December, A. D. 1895, that at the time of his death and prior thereto the said Isaac Carter had his domicile, in and was a resident of Dallas County, Texas; that at the time of his death he was seized and possessed of personal property of the probable value of \$25,000, that prior to his death the said Isaac Carter, to-wit, on the 24th day of November, 1895, at the hour of about 7 o'clock, p. m., at his usual habitation in said Dallas County, Texas, he then being in a state of sobriety and of sound mind, but then laboring under a fatal illness, made his last will and testament, in the form of a non-capative will, and by uttering certain testamentary words in the presence of witnesses then in attendance, he did bequeath his estate as follows, to-wit: that he devised and bequeathed one-half of all his property, real and personal, wherever situated unto of John F. Irwin, via Maggie Irwin and Mary Irwin, to share equally alike therein; the other half of his estate, real and personal, to be divided and distributed according to the laws of Texas regulating such matters. Said Carter further declared at the same time and declaration, that it was his will and desire that the father of said children should have no interest in said property thus devised, but that the said two children's estate thus devised should be managed and controlled by some competent and trustworthy guardian, to be appointed by the County Court of Dallas County until said children should arrive at their legal majority. That said non-capative will, or testamentary words, were made in the manner and under the formalities required by law and afterwards reduced in writing by the said witnesses, Dudley H. Woodson, Sam Worthington and A. E. Irwin, on the same day at, to-wit, about 8 o'clock, a. m. That the said Carter died without revoking or altering said will. That the said Isaac Carter left no heirs in the State of Texas, so far as petitioner is advised and believes, but that he did leave certain heirs at law, residing in the States of North Carolina and Missouri, whose names and exact places of residence your petitioner can not now set up. That the probate of said non-capative will, and that he be appointed administrator of said Estate with the will annexed, to which application will be heard and acted upon by said County Court at the next regular term thereof to be holden within and for said County of Dallas at the Court House of said County in the City of Dallas, on the first Monday in March, A. D. 1896, at which time and place all persons interested in the Estate of said Isaac Carter, deceased, shall appear and contest said application should they desire to do so.
 Herein full not, but have put them and there before said Court, this writ, with your return thereon, showing how you have executed the same.
 Witness, I, H. HUGHES, Clerk of the County Court of Dallas County, Texas.
 Given under my hand and the seal of said Court at my office in the City of Dallas, this 25th day of January, A. D. 1896. Issued this 25th day of January, A. D. 1896.
 H. H. HUGHES,
 Clerk County Court, Dallas County, Texas.
 By A. B. JACOBS, Deputy.

JOE T. GREEN, Editor and Proprietor.

Feb. 29 1896
M. V. Cole, et al.

HERALD

Specialty.
 Reasonable and Made Known on Application.

28
21 and \$7.50

ESTABLISHED FEBRUARY 1887

JOE T. GREEN, Editor and Proprietor.

My Estate of Isaac Carter

March 26 1896

vs. M. V. Cole, ad

HERALD
Com

HERALD

a Specialty.

Subscription, \$1.00 a Year, In Advance

Reasonable and Made Known on Application.

*To Pub
 Agency
 Herby at*

750

CITATION OF PUBLICATION.

THE STATE OF TEXAS. To the Sheriff or any Constable of Dallas County, greeting:
 You are hereby commanded, that you make publication of this Citation in some newspaper, published in the County of Dallas, for four successive weeks previous to the return day hereof.
 To all persons interested in the Estate of Isaac Carter, deceased: M. V. Cole has filed in the County Court of Dallas County on, to-wit, the 25th day of January, 1896, in case No. 2122 on the Probate Docket of said County, a petition, the Probate Court styled and entitled, "In Re the Estate of Isaac Carter, deceased." An application to probate the non-operative will of said Isaac Carter, deceased, alleging in said application substantially the following statements: That the said Isaac Carter died in Dallas County, Texas, on the 1st day of December, A. D. 1868, that at the time of his death and prior thereto the said Isaac Carter had his domicile in and was a resident of Dallas County, Texas; that at the time of his death he was seized and possessed of real and personal property of the probable value of \$15,000, the bulk of which the said Isaac Carter, prior to his death the said Isaac Carter, to-wit, on the 24th day of November, 1868, at the hour of about 7 o'clock, p. m., at his usual habitation in said Dallas County, Texas, he then being about 70 years of age and of sound mind, but then will and testament, in the form of a non-operative will, and he uttered certain testamentary words in the presence of witnesses then in attendance, he did bequeath his estate as follows, to-wit: "that he devised and bequeathed one-half of all his property, real and personal, who ever situated and of whatever description, to the two little girls of John F. Irwin, viz: Maggie Irwin and Mary Irwin, to share equally alike therein; the other half of his estate, real and personal, to be used and be distributed according to the laws of Texas regulating such matters. Said Carter further declared at the same time and place, and as a part of the same testamentary declaration, that it was his will and desire that the father of said children should have no interest in said property thus devised, but that the said two children's estate thus devised should be managed and controlled by some competent and trustworthy guardian, to be appointed by the County Court of Dallas County, until said children should arrive at their legal majority." These said non-operative will, or testamentary words, were made in the manner and under the formalities required by law and, afterwards, reduced to writing by the said witnesses Dudley W. Freeman, Sam Worthington and J. F. Irwin, on the same day at, to-wit, about 8 o'clock, a. m. That the said Carter died without revoking or altering said will. That the said Isaac Carter left no heirs in and believes, but that he did have certain heirs at law, residing in the States of North Carolina and Missouri, whose names and exact places of residence your petitioner can not now set up. Petitioner prays for citation as required by law, for the probate of said non-operative will, and that he be appointed administrator of said Estate with the will annexed. At which application will be heard and acted upon by said County Court at the next regular term thereof to be holden within and for said County of Dallas at the Court House of said County in the City of Dallas, on the first Monday next, to-wit, March, A. D. 1896, at which time and place persons interested in the Estate of said Isaac Carter, deceased, shall appear and contest said application should they desire to do so.
 Herein full met, but I see you then and there before said Court, this writ, with your return thereon, showing how you have obeyed the same. Returnable for Monday in March, A. D. 1896.
 Witness, J. H. HUGHES, Clerk of the County Court of Dallas County, Texas.
 Given under my hand and the seal of said County, at my office in the City of Dallas, this 25th day of January, A. D. 1896. Issued this 25th day of January, A. D. 1896.

J. H. HUGHES,
 Clerk County Court, Dallas County, Texas.
 By A. N. JACKSON, Deputy. 1-44

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

ESTABLISHED FEBRUARY 5th 1887

JOE T. GREEN, Editor and Proprietor

March 26 1896

Attest of Isaac Carter, Secy. M. V. Cole, ad

---IN ACCOUNT WITH---

THE LANCASTER HERALD.

Commercial Job Printing made a Specialty.

Subscription, \$1.00 a Year, In Advance, WHEN I can get it.

Advertising Rates Reasonable and Made Known on Application.

*To Pub. of Citation four weeks
Feb'y 7, 14, 21 & 28, 1896
Herb's attached*

758

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

[Small, illegible text block, possibly a stamp or a small notice.]

Carter, deceased, M. V. Cole, Administrator with

In the Probate Court, Dallas County, Texas.

All persons interested in the estate of Isaac Carter, deceased, are hereby notified that the undersigned was, on April 14th, 1896, duly appointed and qualified as administrator with the will annexed of the estate of Isaac Carter, deceased; and all persons having claims against the said estate are required to present the same to the administrator within the time prescribed by law.

The residence of the administrator is Dallas, Texas, and his Post Office address is No. 476 Mc. Kinney Avenue, Dallas, Dallas County, Texas.

M. V. Cole

Administrator with the will annexed of Isaac Carter, deceased.

Please publish 4 consecutive weeks, and keep the original copy. with copy of published notice. dates re -

Sent here to

Morton V. Cole

*Published May Apr 21-28
May 5-12 96*

State of Texas
County of Dallas

Personally before me this day appeared J. F. Blackwell, who by me being duly sworn, deposed and says that he is the publisher of the Dallas Democrat, a weekly newspaper published in the aforesaid state and county, and that the matter on the said heretofore was published in said paper on the following dates to-wit: On April 28 1896, on April 28, 1896, on May 12, 1896, and on ~~April~~ ^{May} 19, 1896.

THE DALLAS DEMOCRAT,
J. F. Blackwell
Ed. & Mgr.

Subscribed and sworn to before me this 20th day of May, 1896
J. H. Guild
County Clerk Dallas Co.

J. H. Guild Deputy

FILED
MAY 21 1896
J. H. Guild
County Clerk
Dallas Co.

Dallas, Texas, May 11th 1896.

\$1057 ⁴⁵/₁₀₀

RECEIVED of M. V. Cole, Administrator with the Will Annexed of the Estate of Isaac Carter, Deceased, the sum of One Thousand Fifty-one and ⁴⁵/₁₀₀ Dollars, being the share of the money due and coming to the undersigned as the distributive portion of said money belonging to said Estate in full, as authorized and provided for in the orders of the County Court of Dallas county, Texas, of date May 9th, 1896, and this receipt is given in full acquittance to said Administrator for the said distributive share of said moneys, not including, however, the choses in action still uncollected in the hands of said Administrator.

Witness my hand this 11th day of May, A. D. 1896.

J. M. Williams by
Marion Williams, Agt
and Atty in fact

The State of Missouri
County Clerk

List of Receipts filed by M. E. Love
 as Administrator of the Estate
 of Isaac Carter deceased with will
 annexed. Also attorney in fact:

Receipt from	\$	cts
Manuel Williams for	1651	45
" " J. C. Hurt	207	00
" " A. P. Woodruff	2553	53
" " Thomas & Phillips	600	83
" " James W. Kingston	400	00
" " A. S. Jackson Co. etc.	52	48
" " Oliver Thomas	400	00
" " J. F. Nash Confederate	57	85
" " Ed. S. Lauderdale	5	85
" " A. S. Jackson Co. etc.	75	00
" " " " " " " "	244	08
" " Mrs. Georgie Arvin	198	65
" " Thomas & Phillips	22	70
" " J. C. Hurt	30	50
" " " " " " " "	9	24
" " A. P. Woodruff	96	48
" " Manuel Williams	39	73
" " A. S. Jackson Co. etc. Co.	7	69
" " McDaniel & Ewing	20	40
" " McCormick & Spence	12	10
" " Bellas Conover	8	00
" " S. A. Eldridge atty	25	00
" " McCormick & Spence	5	50
" " " " " " attys	125	00
" " Ben E. Cabell Sheriff Co. Co.	82	35

606516

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

2127

1-34-96

Filed the 21 day of

January 1889

W. Rawlins

1889-96
Wm. C. Cook advised
having filed a
showing complete
return here in
compliance with
former order of
this court, is fur-
ther charged
from this Court

Wm. C. Cook

The State of Texas,
COUNTY OF DALLAS.

I, ED. S. LAUDERDALE, Justice of the Peace of the Justice's Court of Dallas County, Texas, do hereby certify that in the Justice Court of Dallas County, Texas, in a certain suit pending in said Court, wherein *M. V. Keale Administrator of the Estate of Isaac Carter deceased*

is plaintiff, and *J. L. Knox*

is defendant, No. *5-161*. The said plaintiff, *M. V. Keale Administrator of the Estate of Isaac Carter deceased*

recovered judgment against said defendant *J. L. Knox*

on the *14* day of *Dec* 189*6*, for the sum of *Sixty & 33/100* DOLLARS, with interest on said amount from the *14* day of *Dec* 189*6*, at the rate of *ten* per cent. per annum, and \$ *5.35* costs of suit. Said judgment is of record in Vol. *11* Page *5-161* Records of said Court. Said judgment is entitled to following credits, to-wit: *None*

There is now due on said judgment \$ *60.33*, with interest on said amount from the *14* day of *Dec*, 189*6*, at the rate of *10* per cent. per annum, and \$ *5.35* costs of suit.

GIVEN UNDER MY HAND, at Dallas, this *27th* day of

February 189*7*

E. S. Lauderdale

Justice of the Peace Precinct No. 1, Dallas County, Texas.

No. 5-161

JUSTICE COURT.

ABSTRACT OF JUDGMENT.

M. V. Leale admr
vs.
J. C. Knox

Issued 27 day of Feb
1897

E. D. Landbridge
Justice of the Peace, Precinct No. 1, Dallas Co., Tex.

Filed for record this 27th
day of February 1897, at 2:30
o'clock P. M.

A. J. Jackson County Clerk
Dallas County, Texas.

By #2157 day of
Filed for record this 27th
day of Feb 1897

J. J. Dawkins County Clerk
Dallas County, Texas.

By Deputy.

Paid
+ Ret. to
M. V. Leale

THE STATE OF TEXAS,

COUNTY OF

County Clerk of

County,

day of

I, _____ M., and was immediately recorded in Book _____

Texas, certify that this Abstract of Judgment was filed for record in my office on the _____

Page _____ Record of Judgments of _____ M., and was also at the same time entered

day of _____ at _____ o'clock _____ M., and was also at the same time entered

upon the Index to said Judgment Record, showing the names of each plaintiff and each defendant in said

judgment, and the numbers of the pages of the book upon which said abstract is recorded.

WITNESS my hand and seal of office, this _____ day of _____ 189 _____

Deputy

County Clerk,
County, Texas.

THE STATE OF TEXAS,

COUNTY OF

County Clerk of

County,

day of

I, _____ M., and was immediately recorded in Book _____

Texas, certify that this Abstract of Judgment was filed for record in my office on the _____

Page _____ Record of Judgments of _____ M., and was also at the same time entered

day of _____ at _____ o'clock _____ M., and was also at the same time entered

upon the Index to said Judgment Record, showing the names of each plaintiff and each defendant in said

judgment and the numbers of the pages of the book upon which said abstract is recorded.

WITNESS my hand and seal of office, this _____ day of _____ 189 _____

By _____ Deputy.

A. J. Jackson County Clerk,
Dallas County, Texas.

CITATION OF PUBLICATION.

The State of Texas. To the Sheriff or any Constable of Dallas County or residing:

You are hereby commanded that you make publication of this Citation in every newspaper published in the City of Dallas, for four successive weeks previous to the return day hereof.

To all persons interested in the estate of Isaac Carter deceased, you are cited to appear in the County Court of Dallas County on the 28th day of January, 1896, at noon, to wit on the Probate Docket of said Court signed and captioned "In Re the Estate of Isaac Carter, deceased. Ad. Application to declare the non-existent will of said Isaac Carter, deceased, allowing in said application substantiated the following statements: That the said Isaac Carter died in Dallas County, Texas, on the 1st day of December, A. D. 1889; that at the time of his death, and before the said Isaac Carter had his domicile in and upon a residence of Dallas County, Texas, and at the time of his death he was seized and possessed of real and personal property of the probable value of \$15,000; the bulk of which personal property is in money; that prior to his death the said Isaac Carter, to-wit: on the 24th day of November, 1889, at the age of about 70 years, of sound mind, but then about 70 years of age and of sound mind, had then made in Dallas County, Texas, a will, the last and only will, and testamentary instrument of his property, real and personal, wherever situated, and of his estate, in the presence of John F. Irwin, of Dallas County, Texas, and Mary Irwin, to share equally alike therein; the other half of his estate, real and personal, to be sold and by distributed according to the laws of Texas, transmitting such matters. Said Carter declared, at the same time and place, and as a part of the same testamentary declaration, that it was his will and desire that the father of said children should have no interest in said property then devised, but that the said two children's estate thus devised should be trustworthily guarded, to be appointed by the County Court of Dallas County, until said children should arrive at their legal majority. The said non-existent will, or testamentary words were made in the manner and under the formalities required by law and afterwards reduced to writing by the said witnesses Dudley H. Wooten, Sam Worthacker and J. F. Irwin, on the same day at noon, about a o'clock, at the residence of the said Isaac Carter, who had no heirs in the State of Texas, so far as petitioner is advised and believes, but that he did leave certain heirs in Missouri whose names and exact places of residence your petitioner can not now set up. Refuse your petitioner can not now set up. Refuse the probate of said non-existent will, and that he be appointed administrator of said Estate with the will annexed, in which application will be heard and acted upon by said County Court at the next regular County of Dallas at the Court House of said County in the City of Dallas, on the first Monday in March, A. D. 1896, at which time and place all persons interested in the Estate of said Isaac Carter, deceased, shall appear and contest said application should they desire to do so.

Witness my hand and the seal of said Court, at my office in the City of Dallas, this 26th day of January, A. D. 1896.

L. H. HUGHES, Clerk
By A. B. JAMES, Deputy.

I, Joe T. Lancaster Herald", published
do hereby certify that
day of March, 1896
four successive weeks
Monday in March, 1896
The first publication
day of February, 1896
dated the 14 day
of said paper dated
publication in the issue
To certify
citation as it is published

Sworn To
1896

the newspaper called "The
Dallas and State of Texas
came to my hand on the 31
by me once each week for
of thereof, to-wit, the first
publication being as follows:
said paper, dated the 7
in the issue of said paper
third publication in the issue
of said paper dated the 28
day of February 1896.
hereto a true copy of said
deed and I affix my signature.

J. Given
The Lancaster Herald".
I have this 26 day of March
H. H. Ogden Justice of the
Peace & Officer Notary
Public in and for Dallas Co
Tex

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Final action was not secured, as a
clock carried the debate beyond
on
at
may 31
and a more comprehensive
and a special committee
came up and Mr. Potter offered
Lodge's resolution for an investigation
Lodge's resolution during the day. Mr.
issues was taken during the recent
for an investigation of recent
A significant role on the resolution
when the senate adjourned.
three hours and had not concluded
He spoke for
and historic
situation in
persons interested in the
Court of Dallas County on
January, 1901, in case No. 21
of said Court

I, Joe T. Greene, Publisher of the Newspaper called "The
Lancaster Herald", published in the County of Dallas and State of Texas
do hereby certify that the within Citation came to my hand on the 31
day of March, 1896 and was duly published by me once each week for
four successive weeks prior to the return day thereof, to wit, the first
Monday in March, 1896, the dates of said publication being as follows:

The first publication in the issue of said paper, dated the 7
day of February, 1896, the second publication in the issue of said paper
dated the 14 day of February, 1896, the third publication in the issue
of said paper dated the 21 day of February, 1896 and the fourth pub-
lication in the issue of said paper dated the 28 day of February 1896.

To certify which I have attached hereto a true copy of said
citation as it is published in said Newspaper and I affix my signature.

Joe T. Green
Publisher of "The Lancaster Herald".

*Swear to & Subscribe before me this 20 day of March
1896
H. H. Campbell Justice of the
Peace & Officer Notary
Public in and for Dallas Co
Tex*

STATE OF TEXAS,)
)
County of Dallas.)

THIS MEMORANDUM OF AGREEMENT, WITNESSETH, That

WHEREAS, it is desired by the heirs, devisees and legatees of Isaac Carter, deceased, to settle up his estate and to apportion to said heirs, devisees and legatees their several shares of the property of said estate, in the speediest and least expensive manner possible, with due regard for the rights and interests of all concerned :

NOW THEREFORE, this is to evidence that the undersigned, who have interests at law as heirs, devisees and legatees of said Isaac Carter, deceased, have agreed to the following basis and method of settling said estate and partitioning the shares of all parties concerned, to-wit :-

1. All debts of said estate shall be first paid in full, including said Carter's proportionate share of the costs and attorney's fees (not exceeding the sum of \$135.00) that have accrued to date in certain litigation pending in the State of Virginia over the will and estate of Thomas Carter, deceased, but not including the claim of John P. Irwin of Dallas, Texas, against the estate of said Isaac Carter, deceased.

2. Said claim of John P. Irwin is to be paid off, satisfied and extinguished by the transfer to him of three certain promissory notes belonging to the estate of said Isaac Carter, deceased, two for the sum of \$1000.00 and \$200.00 respectively, given by Robert B. Seay, Ed. S. Lauderdale and Emily Rowe, dated April 19, 1895, and one for the sum of \$1000.00, dated Oct. 3, 1895, given by Wm. C. Mc. Kamy and M. L. Mc. Kamy, and now valid claims against the parties and in favor of said estate of Isaac Carter, deceased.

3. The nuncupative will of said Isaac Carter, deceased, is to be probated and accepted as valid according to its legal tenor and effect, and the pending application for the probate of said will is to be granted without contest, and the application for letters of permanent administration with said will annexed shall be allowed to be granted, so as to put the same within the jurisdiction of the probate court to the end of carrying the terms of this agreement into effect.

4. The estate of said Isaac Carter, deceased, shall then be divided and settled in this wise, to-wit: One half of the personal property and effects of said Carter shall go to the two children of said John P. Irwin, named in said will, Maggie Irwin and Mary Irwin, to be held by them as provided in said will, and the other half of said personal property and all the real property of said Isaac Carter, deceased, is to vest in and be divided between the heirs of said Carter as they may be entitled by law. The said Irwin children's half interest in said personal property shall be delivered to them free from all costs and expense incident to the division of the other property among the other heirs.

This agreement is to be carried into effect and the same shall be embodied in proper orders and entries of the probate court as soon as the same can be done by law.

IN TESTIMONY of all of which, we have hereunto set our hands, in triplicate, this . 21st . . . day of . . . March . . . 1896.

J. M. Williams
By *Frederick Williams atty*
J. P. Irwin
J. C. Hart

John Carter
By O.C. Phillips att in fact

Geo. Carter
By O.C. Phillips att in fact

Columbia Williams
By O.C. Phillips att in fact

Mary E. Carter
By O.C. Phillips att in fact

John H. Carter
By A.P. Woodruff att in fact

Elizabeth Woodruff
By A.P. Woodruff att in fact

Annis Collins
By A.P. Woodruff att in fact

Louisa Carter
By A.P. Woodruff att in fact

J. M. Carter
By A.P. Woodruff att in fact

Mella Hunt by
J. Richardson
Guerran

Andrew Adams by
J. Richardson
Guerran

Calv Adams by
J. Richardson
Guerran

Fannie Adams by
J. Richardson
Guerran

Keata Adams by
J. Richardson
Guerran

Carrie Adams by
J. Richardson
Guerran

By J. M. Woodruff
By J. C. Smith att
By A. Phillips
By J. C. Smith att
By J. M. Woodruff att

J. Richardson
Guardian
Carrie Adams by
J. Richardson
Guardian

M. S. Nicholson
By J. C. Hurt atty
M. M. Massey
By J. C. Hurt atty
Piez. A. Phillips
By J. C. Hurt atty
J. H. Hurt
By J. C. Hurt atty
J. H. Adams
By J. C. Hurt atty
E. W. Adams
By J. C. Hurt atty
Wm. Adams
By J. C. Hurt atty
Andrew Adams
By J. C. Hurt guardian
Ella Adams
By J. C. Hurt
Fannie Adams
By J. C. Hurt guardian
Carry Adams
By J. C. Hurt guardian
Vada Adams
By J. C. Hurt guardian
Drazila Hurt
By J. C. Hurt guardian

Examined and approved April
27th 1896

J. F. Nash
Co Judge

K

In the Matter of the
Estate of Isaac Carter,
deceased.

.....
Agreement for Settlement
and Partition of the
Estate.

FILED *April 27* 189*1/2*
L. H. HUGHES, Clerk County Court.
By *J. H. Taylor* Deputy

To be read
in Minutes

(Recorded)

In the Matter of the Estate of) No. 2127. PROBATE COURT,
) Dallas County, Texas.
 ISAAC CARTER, Deceased.) Permanent Administration with
 Will Annexed.

Monday, April 27, 1896.

Now on this day, in open court and at a regular session of said court for the transaction of Probate business, came on to be heard and for approval the following accounts and claims against the said estate of Isaac Carter, deceased, to-wit :-

<u>1st Class</u>	1. Ed C. Smith, funeral expenses.	\$122.00
<u>2nd Class</u>	2. Louis Jacoby, Tax collector, State and County Taxes.	44.90
<u>3rd Class</u>	3. Ed S. Lauderdale, J. P. Cost Bill in case of Isaac Carter vs. S. V. Cawthorn, No. 3286 Justice's Court, Precinct No. 1, Dallas County, Texas.	11.05
<u>3rd Class</u>	4. Ed S. Lauderdale, J. P., Cost Bill in case of Isaac Carter vs. W. T. Lambert, same court...	10.00
<u>3rd Class</u>	5. J. Phelps, Bill for pasturage of horse.	4.80
<u>2nd Class</u>	6. City Taxes for the year 1894 and Interest.	81.89
" "	7. City Taxes for the year 1895 with interest.	200.75
<u>3rd Class</u>	8. Claim of John F. Irwin and wife, for attention and board, keeping horse, etc, for 5 to 7 yrs, to deceased, lost goods, expenses, etc.	2912.50
<u>3rd Class</u>	22.9. Appel & Boren, feed for horse of deceased.	2.25

Total of Claims to date as presented . \$3344.74

And the court having examined and considered the foregoing accounts and claims against said estate, is of the opinion that the same are just and valid claims against the same and ought to be allowed and paid, and it further appearing to the court that said accounts and claims have been duly presented to and allowed by the Administrator herein within the time required by law, that none of said claims are barred or in any manner objectionable as just and valid claims against said estate, and that they have all been duly filed and entered on the claim docket in the manner and within the

ESTATE OF JOHN F. IRWIN
ADMINISTRATOR V. ADMINISTRATOR WITH
BEING GORNER, LORON,
AND OTHERS
IN THE UNITED STATES DISTRICT COURT

time required by law and that all the legal requisites have been com-
plied with authorizing said claims to be approved and paid at this
time : It is therefore considered, ordered and adjudged by the court
that said claims above named and the allowance thereof by the admin-
istrator with the will annexed be and the same are hereby approved,
and it appearing to the court that said Administrator has in his
hands funds sufficient to meet and pay said claims in full, as well
as all other claims that may hereafter be presented against said
estate, it ordered that the said Administrator at once pay off and
discharge in full the aforesaid claims in the several amounts stated
and to the persons named. ^{Keep that} It is further ordered that the claim of
John F. Irwin, above named, be paid and satisfied in full by the
transfer to him of the ~~xxx~~ three (3) certain promissory notes named
and described in the written agreement of settlement on file herein,
to-wit : Two notes belonging to said Estate for the sum of \$1000.00
and \$200.00 respectively, given by Robert B. Seay, Ed S. Lauderdale
and Emily Rowe, dated April 20, 1898, and One note for \$1000.00, da-
ted Oct. 3, 1898, given by Wm. C. McKamy and J. L. McKamy, ~~with~~
all of which notes are just claims against said estate ; and the Ad-
ministrator is authorized and instructed to duly transfer and convey
said above mentioned notes to said Irwin in full satisfaction of his
said claim, exacting and receiving from him a receipt and release
of said claim in full.

5519 dv

Apr. 27 1896

J. P. Wash
Co. Judge

K No 2127.

Estate of Isaac Carter

Order approving
Claims against the
Estate and ordering
Same paid.

To be entered as of
Apr. 27 1856.

Approved Apr -
27 1856
J. H. Wash
Clerk Judge
2/10/57

THE STATE OF TEXAS

To the sheriff or any constable of Dallas County--Greeting:
You are hereby commanded, that you make publication of this citation in some newspaper, published in the County of Dallas, for four successive weeks, previous to the return day hereof:

To all persons interested in the Estate of Isaac Carter, Deceased M. V. Cole has filed in the County Court of Dallas County, on to wit: the 30th day of January, 1896, in case No. 2127 on the Probate Docket of said Court styled and entitled "In Re the Estate of Isaac Carter, deceased." An Application to probate the non-ocupative will of said Isaac Carter, deceased, alleging in said application substantially the following statements:

That the said Isaac Carter died in Dallas County, Texas, on the 1st day of December, A. D. 1895; that at the time of his death and prior thereto the said Isaac Carter had his domicile in and was a resident of Dallas County, Texas, that at the time of his death he was seized and possessed of personal property of the probable value of \$15,000.00, the bulk of which personal property is in money; that prior to his death the said Isaac Carter, to wit: on the 24th day of November, 1895, at the hour of about 7 o'clock A. M., at his usual habitation in said Dallas County, Texas, he then being about 70 years of age and of sound mind, but then languishing under a fatal illness, made his last will and testament, in the form of a non-ocupative will, and by uttering certain testamentary words in the presence of witnesses then in attendance, he did bequeath his estate as follows, to wit: "that he devised and bequeathed one half of all his property, real and personal, wherever situated and of whatever description, to the two little girls of John F. Irwin, viz: Maggie Irwin and Mary Irwin, to share equally alike therein; the other half of his estate, real and personal, to descend and be distributed according to the laws of Texas regulating such matters. Said Carter further declared at the same time and place, and as a part of the same testamentary declaration, that it was his will and desire that the father of said children should have no interest in said property thus devised, but that the said two children's estate thus devised should be managed and controlled by some competent and trustworthy guardian, to be appointed by the County Court of Dallas County, until said children should arrive at their legal majority." That said non-ocupative will, or testamentary words were made in the manner and under the formalities required by law and afterwards reduced to writing by the said witnesses Dudley G. Wooten, Sam Worthington and J. F. Irwin, on the same day at to wit: about 8 o'clock A. M. That the said Carter died without revoking or altering said will. That the said Isaac Carter left no heirs in the State of Texas, so far as petitioner is advised and believes, but that he did leave certain heirs at law, residing in the States of North Carolina and Missouri, whose names and exact places of residence your petitioner can not now set up. Petitioner prays for citation as required by law, for the probate of said non-ocupative will, and that he be appointed Administrator of said Estate with the will annexed &c; which application will be heard and acted upon by said County Court at the next regular term thereof, to be holden within and for said County of Dallas at the Court House of said County in the City of Dallas, on the first Monday in March, A. D. 1896, at which time and place all persons interested in the Estate of said Isaac Carter, deceased, shall appear and contest said application should they desire to do so.

Herein fail not, but have you then and there before said court, this writ with your return thereon, showing how you have executed the same. *Returnable First Monday in March A. D. 1896.*

Witness, L. H. HUGHES, Clerk of the County Court of Dallas County, Texas. Given under my hand and the seal of said Court at my office in the City of Dallas, this the 30th day of January, A. D. 1896.
Issued this 30th day of January, A. D. 1896.

L. H. Hughes, Clerk County Court,
Dallas County, Texas.

By... *A. Jackson*Deputy.

Isaac Carter Estate -

In the application to probate
a supposed instrument
will of deceased Isaac Car-
ter. Now comes Thurey M.
Williams, sister, some of the
heirs at law of deceased
Isaac Carter, joined by her
husband John N. Williams
both citizens resident in Cass
County of State of Missouri
& says she objects to the said
Application because it is
not sufficient in law to
invoke the action of this
court. And she objects spe-
cially to said application
because it does not set out
the name or words of said
deceased by which it is
claimed he disposed of his
estate or any part thereof.
2 Because the will, so called,
is not filed with said
application, nor is it, or has
it ever been in custody of
this court or its clerk, or
any writing, writing paper or
thing to contain the testament
any words or lines on.
And for answer to said
application this court says

say said defendant advised
now never made the suppose
will proceed to this point
or any other never spoke
the statements were
attributed to him or any
other words by which he
by neither or else vice his
state or any part thereof.
Thompson & Sumner
Attys. for said defendant.

James Center
Roberts
Ananias
Jill Williams
et al. vs
Philipston Hill
Plaintiff

Filed March 7th 1896
L. S. Hughes Clerk
By A. L. Green

Withdrawn
by Contestant
March 21/1896

Estate of Isaac Carter, dec'd.,
M.V.Cole, Administrator with Will
Annexed.

In the Probate Court of Dallas
County, Texas.

Now comes M.V.Cole, administrator of the estate of Isaac Carter, deceased, with will annexed, and makes this his final report, showing the disposition made by him of the property of said estate left in his hands at the date of his last report herein filed, and showing the present condition of said estate, to-wit:

Said administrator, etc., reports:

1. That since his last report he has sold an old watch, one old buggy, two old guns, one pistol, and certain old books and other household goods, realizing therefor the sum of \$40.00.

2. That he has collected on notes the following amounts, to-wit:

The note of W.W.Ross in full, the sum of-----	\$222.50
The note of E.P.Turner, in full, the sum of-----	333.73
The note of W.H.Butler, in full, the sum of-----	46.00
Balance on note of W.Y. & Geo.Hughes note-----	77.38
Total collected on said notes-----	\$679.48

3. That pursuant to the order of this court made on the 6th of July, 1898, the administrator advertised a public sale of all of the remainder of the notes belonging to said estate, except those on which suit had been brought, and after proper and due advertisement did make sale thereof at public outcry, in front of the courthouse door of Dallas County, on the 21st day of July, 1898, at which sale W.C.Wolf bid for said old notes the sum of \$30.00, and he being the highest and best bidder therefor, the same were struck off and delivered to him upon his payment to the administrator of the said sum of \$30.00. A true list of said notes so sold to said Wolf is attached hereto, marked Exhibit A, as a part of this report.

4. That the total amount of receipts from all sources, as above shown, since the administrator's last report is the sum of \$749.48.

5. The administrator further reports that the note made by J.C. Knox in the principal sum of \$40.00, was by the administrator sued upon and reduced to judgment in Ed.S.Lauderdale's J. P. Court, precinct No. 1, Dallas County, Texas, said judgment being rendered in suit No.5161 on said

docket, and said judgment being dated the 27th day of February, 1898.

6. That since the administrator's last report there came into his hands, two certain notes secured by vendor's lien, made by Bowser & Lemmon to the order of North Dallas Improvement Co., and which were the property of Isaac Carter at the date of his death, said notes not being received by M.V.Cole as administrator of the estate of Isaac Carter, deceased, with will annexed, but as the agent of the heirs and legatees of said Carter's estate; and by due authority from them said notes were sued upon, and judgment obtained in District Court of the Fourteenth Judicial District of Texas, at Dallas, in cause No.15062, styled M.V.Cole vs. O.P.Bowser et al. on the docket of said court; and by said judgment the vendor's lien on 13 lots of the North Dallas Improvement Company's addition to Dallas City, Texas, was foreclosed, and under proper order of sale issued on said judgment the same were sold and were bid in by M.V.Cole, as agent for the heirs and legatees of said estate.

7. Since the administrator's last report he has paid out of the moneys collected by him as aforesaid the following items:

- (1) As costs due the officers of court in the matter of this estate, and also the costs of Justice court incurred in obtaining the judgment against J.C.Knox, including the cost of filing and recording an abstract of said judgment, the sum of-----\$ 72.45
- (2) The administrator has retained as his commissions five per cent. of the amounts realized and paid out as herein shown, said commissions amounting to the sum of----- 41.09
- (3) The court costs for obtaining the judgment in the suit of M.V.Cole vs. O.P.Bowser et al, No.15062, in the District Court of the Fourteenth Judicial District, including the cost of sheriff's sale and deed to the lots above mentioned, including attorney's fees as well as five per cent. upon the estimated value of the properties bought in for said heirs and legatees, amount used to pay cost... 230.95.

which sum was paid out of the receipts aforesaid.

the total amount paid on being \$ 344.49

Deducting the aforesaid disbursements from the said receipts leaves a balance of \$404.99, which is held by M.V.Cole for the benefit of the heirs and legatees of the estate of Isaac Carter, deceased, as they may be

found to be respectively entitled thereto.

And now having fully reported, the said M.V. Cole asks to be now finally discharged as administrator with the will annexed of the estate of Isaac Carter, deceased, and that his bond be discharged and the sureties thereon released, the said M.V. Cole as administrator etc., being ready to pay whatever balance of court costs may be properly taxed in this proceeding.

All of which is respectfully submitted.

*M. V. Cole Admin
of the Estate of Isaac Carter
Exec Will Annexed*

Personally appeared before the undersigned authority on this day M. V. Cole, administrator with the will annexed of said estate of Isaac Carter, deceased, and upon oath states that the matters contained and set out in the above his final report are true in substance and in fact.

Sworn to and subscribed before me this 28 day of July, 1898.

~~A. Jackson~~
A. Jackson County Clerk of
Dallas County Texas
By J. H. Bunker

BY ORDER OF THE COUNTY
 COURT OF DALLAS COUNTY TEXAS I WILL
 ON THURSDAY THE 21ST DAY OF JULY 1888
 AT 2⁰⁰ O'CLOCK P.M. SELL AT PUBLIC AUCTION
 AT THE COURT HOUSE DOOR IN DALLAS TEX
 TO THE HIGHEST BIDDER THE FOLLOWING
 DESCRIBED NOTES: said notes being the property of and belonging
 to the Estate of Isaac Carter deceased.

Date of notes.	Description	Amount	Checkmark
April., 25, 1889.	1 note given by J.B. Goode to H.C. Clark for three years.	\$ 1,500.00	✓
April., 25, 1889.	1 note given by J.B. Goode to H.C. Clark for two years.	1,500.00	✓
May. 3rd, 1883.	1 note given by W.D. Woodruff to Isaac Carter, no time given.	100.00	✓
Oct., 16, 1889.	1 note given by H.C. Clark to Isaac Carter for one year (payment of \$9,000.00) for	10,000.00	✓
Aug., 23, 1890.	1 note given by Bowser & Lemmon to Isaac Carter for two years.	5,000.00	✓
Sept., 1st, 1893.	1 note given by Jhon H Cochran to Isaac Carter, due Sept 2, 1st, 1898.	1,000.00	✓
March, 14, 1896.	1 note given by J.S. Daugherty to M.V. Cole Admr- for one year.	2,200.00	✓
Oct., 17, 1895.	1 note given by M. Brown to Isaac Carter for one year.	461.50	✓
Jan., 23, 1890.	1 note given by Aaren Cox to Isaac Carter one day after date.	37.30	✓
Aug., 31, 1886.	1 note given by J.D. Marsh, and G.C. Merrell to Isaac Carter, for one year, reported paid in full to Isaac Carter, by J.D. Marsh.	450.00	✓
Oct., 19, 1880.	1 note given by J.S. Reynolds to Isaac Carter 10 days after date.	30.00	✓
Nov., 24, 1882.	1 note given by Plin Clinton, q and Mack Stanton to Isaac Carter due Oct., 1883.	35.00	✓
May. 26, 1881.	1 note given by C. Chalmers to Isaac Carter one day after date.	25.00	✓
June. 5, 1890.	1 note given by B.P. Wallace, and Ed C Smith to Isaac Carter, for one year.	1,000.00	✓
Oct., 18, 1889.	1 note given by Bowser & Lemmon to Isaac Carter, due Oct., 18, 1890.	5,000.00	✓
April., 2, 1881.	1 note given by Jhon M Lewis to Isaac Carter one day after date.	100.00	✓
July. 1, 1880.	1 note given by Mathews & Berry to Isaac Carter one date.	15.00	✓
June. 7, 1882.	1 note given by J.W. Meaders to Isaac Carter one day after date.	\$ 323.21	✓
May. 28, 1881.	1 note given by F.P. Herd to Isaac Carter for one year.	100.00	✓
July. 19, 1878.	1 note given by Harlbert & Barwine to Isaac Carter, credit \$ 25.00, for 30 days.	50.00	✓
Dec., 30, 1878.	1 note given by A.M. Cochran to Isaac Carter for three months.	150.00	✓
Oct., 28, 1878.	1 note given by J.D. Marsh, and J. Brown to Isaac Carter, due Oct., 18, 1878.	500.00	✓
June. 13, 1884.	1 note given by J.D. Marsh, reported paid. to Isaac Carter, for one year.	500.00	✓
June. 13, 1890.	1 note given by M.L. Dye, to Isaac Carter for one year.	500.00	✓

This July 9th 1888.
 M. V. Cole
 Administrator of the
 Estate of Isaac Carter

2 1761
No. 2127.

.....
Estate of Isaac Carter,
deceased,
M.V. Cole, administrator with
will annexed.
.....

Final Report.

.....
FILED

July 18 1898
A. S. JACKSON
Notary Public

Aug 8-98

Final Report of M.V. Cole
M.V. Cole executor
and approved
and he is finally
discharged upon
payment of costs
M. McCallister
Co. Judge
343
Recorded.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

119

In the Matter of the
Estate of Isaac Cortis
deceased
Applicant to Probate
Nuncupative Will.

In Probate
Court of
Dallas County
Texas.

- On this day upon the hearing of the application to probate the Nuncupative Will of Isaac Cortis deceased personally appeared before the Clerk of said Court the undersigned, Sam H. Worthington who being by me duly sworn deposes and says:
1. That he is now about 23 years of age and resides in Dallas County Texas -
 2. That he knew personally Isaac Cortis in his life time, who at and at the time of his death resided in Dallas County Texas
 3. That said Isaac Cortis is dead. That he ^{said Cortis} died at his usual place of residence and abode in Dallas County Texas, on the 4th day of December 1895:
 4. That on the 24th day of November during his last sickness said Cortis called in applicant to take notice that

SOLE BY
GORSY PRINTING COMPANY
DALLAS

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He wished to make his Will, and
said Carter then and there in
the presence of appraiser and of
Dudley H. Norton and of John
J. Swain, all residents of
Dallas County Texas, did speak
in substance the following
testamentary words to wit:
That he said Carter bequeathed
and devised all back of all his
property real & personal wherever
situated and of whatever
description to the two little
girls of J. J. Swain viz;
Maggie Swain and Mary Swain
to have equally and alike sharing
the other half of his Estate real
& personal to descend and be
distributed according to the
Law of Texas regulating such
matters. That it was his
will and desire that the
Tutors of said minors, children,
should have no interest in said
property thus devised, but that
said two children's Estate
thus devised should be managed
and controlled by some competent
and trustworthy Guardian to be
appointed by the County Court
of Dallas County until said
children shall come of their

Legal majority".

That after the speaking of said
testamentary words the same
were in the afternoon of the
same day reduced to writing
by one of the witnesses thereto
Dudley G. Norton, in the
presence of affiant and of
the other witness, Jno F.
Dunn, and such statement
when so written out, was
then subscribed by said
witnesses, affiant, Jno F.
Dunn and Dudley G. Norton,
which writing so subscribed
is now to be exhibited to the
court.

That said Carter thereafter
continued to languish under
the same illness with
which he was then suffering
until December 4th 1895 -
when on that date he died,
at his usual place of abode
in Dallas County Texas where
said testamentary words
had been dictated.

That said testamentary words were
never reviewed so far as
witness affiant knows.

SOLD BY
DORSEY PRINTING COMPANY,
DALLAS.

6. That said Carter when he spoke
said words, was an able
man over 21 years of age
and he was of sound mind.

7. That said Carter left an
Estate in Dallas County Texas
but left no heirs in Dallas
County nor in Texas, so
for a. Witness, affiant, knows.

Sam V. Worthington
Magistrate Court
Snow, and subscribed before me this 21 day of March
1896. At Hughes Co. Court Room Tex
By J. B. Cantor Dy

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D
W
In witness of the
Judge of above
Court and
affiant of
Sam V. Worthington
upon application
to produce the
Affidavit
filed.

FILED March 21 1896

L. H. HUGHES, Clerk County Court

By

Recorded
see Minutes.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

*to be signed in
presence*

In the Matter of the Estate
of Isaac Carter,
Deceased.

Bond to withdraw Estate from
Administration.

FILED *May 4 1977*
L. A. [unclear] Clerk of Court
BY *J. [unclear]* [unclear]

9-430

Received

In the Matter of the Estate of Isaac Carter,) Pending in the Probate
deceased, No. _____) Court of Dallas County,
M. V. Cole, Administrator; with the will) Texas.

annexed.
KNOW ALL MEN, that we, the undersigned Manuel Williams
and Elizabeth Woodruff, J. C. Hunt & J. K. Carter as principals, being persons
entitled to portions of the above named estate, and _____

and _____
as their sureties, are held and firmly bound unto the Honorable T. F.
Nash, County Judge of Dallas County, Texas, and to his successors in
office, in the sum of \$50,000 Fifty Thousand Dollars being double the
appraised value of said estate as ascertained by the Appraisalment and
list of claims returned:-

Conditioned, that the said Manuel Williams, Elizabeth Woodruff
J. C. Hunt and J. K. Carter principals as aforesaid shall pay all the
debts against the said estate not paid that have been allowed by the said
Administrator cum annexo testamento and approved by the said County Judge
Judge, or that have been established by suit, or that may be established
by suit against said estate; and that they will pay to the said Adminis-
trator, M. V. Cole, any balance that may be found to be due him by the
judgment of the Court on his exhibit herein.

In testimony of which witness the hands of the parties hereto
subscribed, this the 10th day of March, 1896.

J. M. Williams B. Manuel Williams her atty in fact
M. V. Cole Shanty - J. H. Ferrin County -
Witness J. D. Woodruff, Elizabeth Woodruff
M. V. Cole Georgia J. C. Hunt
Maggie Cole Mary Carter J. K. Carter

Examined approved and ordered filed, this the 9 day of May
J. F. Nash
County Judge of Dallas County, Texas.

1896.

In the Matter of the Estate of } No. 2127. COUNTY COURT OF
ISAAC CARTER, Deceased. } DALLAS COUNTY, TEXAS.

To the Honorable Judge of Said Court :

Come now into open court the undersigned heirs at law and devisees and legatees of the said Isaac Carter, to-wit :
T. M. Williams by her agent and attorney in fact Maxwell Williams,
J. C. Hurt, John Carter by his agent and attorney in fact T. C. Phillips,
George Carter by his agent and attorney in fact T. C. Phillips,
Columbia Williams by her agent and attorney in fact T. C. Phillips,
Mary E. Carter by her agent and attorney in fact T. C. Phillips, J.
K. Carter by his agent and attorney in fact A. P. Woodruff, Elisabeth
Woodruff by her agent and attorney in fact A. P. Woodruff, Annis Col-
lins by her agent and attorney in fact A. P. Woodruff, Louisa Carter
by her agent and attorney in fact A. P. Woodruff, A. M. Carter by
agent and attorney in fact A. P. Woodruff, the minors Drusilla Hurt,
Andrew Adams, Gealy Adams, Fannie Adams, Nevada Adams and Carrie Ad-
ams by their duly appointed and qualified guardian of their estates
S. Q. Richardson, the minors Maggie Cole Irwin and Mary Letitia Ir-
win by their duly appointed guardian of their estates M. V. Cole, H.
L. Nicholson by agent and attorney in fact J. C. Hurt, T. M. Mosely
by agent and attorney in fact J. C. Hurt, Dickey A. Phillips by her
agent and attorney in fact J. C. Hurt, T. F. Hurt by agent and attor-
ney in fact J. C. Hurt, J. H. Adams by agent and attorney in fact J.
C. Hurt, E. W. Adams by agent and attorney in fact J. C. Hurt, William
Adams by his agent and attorney in fact J. C. Hurt, all of whom own
shares in the aforesaid estate as devisees and legatees under the
last will and testament of said Isaac Carter and as sole heirs at law
of said Carter ; and they respectfully show to the court the follow-
ing facts, to-wit :-

1. That by the terms of the last will and testament of said
Isaac Carter, which has been duly admitted to probate herewith and the

administration of which is now in progress in this cause and court, M. V. Cole being the duly appointed and qualified administrator of said estate with the will annexed, one-half of all the personal property belonging to said estate is bequeathed to the said minors Maggie Cole Irwin and Mary Letitia Irwin, and the other half of said personal property and all of the real property belonging to said estate is bequeathed and devised to the other heirs above named to be shared and distributed among them as the law of descents and distribution of the State of Texas shall declare and provide; that said personal property consists of a sum of money amounting to about \$11,494.00, now deposited in the hands of said administrator with the will annexed, and also certain notes and claims due said estate of the aggregate face value of about \$86,879.59, many of which however your petitioners are informed are of doubtful value, and certain articles of personal property of the estimated value of about \$24.00. The aforesaid personal property and money is subject, however to a reduction to cover the expenses of this administration and the several claims against the estate which have been allowed and paid by the administrator, but your petitioners are informed and believe that all claims and debts against the estate have been presented, allowed and paid except the court costs, expenses of administration in the way of the administrator's compensation and his fees to his attorneys, the exact amount of which is not now known to the petitioners. There therefore remains no reason why this estate should not be withdrawn from administration, the administration closed, the money and personal property distributed among those entitled thereto, and the real estate managed by the petitioners until such time as they may agree upon partition or apply to the court for the same.

2. Your petitioners represent to the court that their several interests and shares in said estate, except those of the minors Maggie Cole Irwin and Mary Letitia Irwin and T. M. Williams, are as exhibited and shown by the sworn proof of heirship and statement of said several shares, sworn to by A. P. Woodruff, hereto attached and made and prayed to be taken as part hereof. The said T. M. Williams owns and is entitled to a one-fifth interest in said estate, and

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the said minors Maggie Cole Irwin and Mary Letitia Irwin are entitled to one-half each of one-half of the personal property belonging to said estate.

8. The condition of the estate as to the property belonging to the same, the claims and debts due to it, and the claims that have been allowed and paid, up to date April 14, 1896, together with the administrator's inventory and appraisal of the same, are already of record in this cause and in the cause of the guardianship of the aforesaid minors, Maggie Cole Irwin, Mary Letitia Irwin, Drusilla Hart, Andrew Adams, Fannie Adams, Gealy Adams, Nevada Adams, and Carrie Adams, and the administrator with the will annexed is not required nor cited to render any but an additional exhibit showing the condition of the estate since said April 14, 1896, and containing an additional statement of claims allowed and paid by him since that date and of the expenses, costs, commissions, fees and other liabilities incurred by him in the administration, the payment of which will render the present condition of the estate such as to enable a full and accurate distribution of the money and personal property in his hands free from all debts, liens and expenses incurred to date.

Premises considered, your petitioners herewith file their bond for the withdrawal of this estate from administration in accordance with the law in such cases made and provided, ask the court to approve the same and to order the administrator with the will annexed, after he shall have rendered into court the additional exhibit aforesaid, to pay off and discharge in full all court costs, attorneys fees, commissions and compensation to himself and all other expenses and claims now due and which have been presented, allowed and approved, and to pay over the balance of the money on hand and deliver the personal and real property in his hands to the aforesaid petitioners in the several amounts and shares to which they may be entitled as aforesaid, or to such persons for them as they may duly authorize and empower to collect and receive the same; and that upon delivery and distribution said administrator be finally discharged

copy of the will of the deceased Elizabeth Reynolds to
be one-half each of one-half of the balance hereof payable to
the said widow until she shall die and then the same

from this administration, the administration be declared closed and
the administrator with the will annexed be discharged with his sure-
ties on his administrator's bond from all further liability herein.

In the event the aforesaid petitioners who are interested in the
real property belonging to said estate do not decide to at once di-
vide and partition the same among themselves in the several shares
to which they may be entitled, then the court is prayed to authorize
and empower the said administrator to deliver the same to such agent
and attorney in fact as said petitioners may duly appoint and author-
ize to receive and handle the same until such time as they may di-
vide said property or apply for the partition and distribution of
the same by law, and that such delivery by the administrator shall
operate to relieve and discharge him from any and all further liabil-
ity for the management and custody of said real estate.

And your petitioners further pray for such other and further
relief and orders herein, general and special, legal and equitable,
as to the court shall seem meet or the law permit and authorize in
the premises.

J. M. Williams By A. Williams
Att in fact
Wm. S. Cole, Executor of the Estate
of Mrs. C. and Maggie S. Davis, Minors.
D. J. Richardson, Executor of the
Estate of Michael S. Davis, Andrew W. Davis,
Charles W. Davis, Thomas W. Davis, Nevada W. Davis
and Cassi W. Davis, Minors.
Walter McG. Thomas
for the heirs herein above
named.

Exhibit A. to Application
Widow's Estate per
minutes.

State of North Carolina }
Yadkin County } J. A. P.

Woodruff of the County of Yadkin
in the State of North Carolina do
certify that I was well acquainted
with Isaac Carter who died in
Dallas Texas on the day of 1895
and that the following are his
lawful heirs. together with the
interests each is entitled to in
said estate. to wit.

Widow of Isaac Carter dec'd
Elizabeth Woodruff to one fifth
Part office Roaring Gap. Represented
by atty A. P. Woodruff. Booneville N.C.

Widow of Isaac Carter dec'd
Mrs K. Carter one fifth. P. O. Spillman
Represented by A. P. Woodruff atty
Booneville N.C.

Children of Hugh Carter Bro of Isaac Carter
Annis Collins one thirty fifth
Represented by A. P. Woodruff atty
Booneville N.C.

A. M. Carter one thirty fifth represented
by atty A. P. Woodruff Booneville N.C.

Louise Carter one thirty fifth
 Represented by A.P. Woodruff atty
 Booneville n.c.

John Carter one thirty fifth P.O.
 Yorkville n.c. Represented by Thos
 C. Phillips atty Yorkville n.c.

Geo Carter one thirty fifth represented
 by Thos. C. Phillips atty Yorkville n.c.

Columbia Williams one thirty fifth
 represented by Thos. C. Phillips atty
 Yorkville n.c.

Mary E. Carter one thirty fifth
 Represented by Thos. C. Phillips atty
 Yorkville n.c.

Dicy Hurk sister of Isaac Carter her children
 Mrs. N.L. Nicholas Alanthus Groves Mo.
 1/35. J.M. Mosley, Rusk n.c. 1/35

J.C. Hurk Rusk n.c. 1/35

D.A. Phillips Tracadia n.c. 1/35

J.F. Hurk Rusk n.c. 1/35

Ducilla Hurk. Rusk, n.c. 1/35

J.H. Adams Winston n.c. 1/280

E.W. Adams Represented by J.C. Hurk
 Rusk n.c. 1/280

E.W. Adams Represented by
Rusk n.c. 1/280

H.M. Adams Rusk n.c. 1/280

Andrew Adams Rusk n.c. 1/280

Celia Adams Elkin n.c. 1/280

Fannie Adams Elkin n.c. 1/280

Carrie Adams Tracadia n.c. 1/280

Nevada Adams Rusk n.c. 1/280

A.P. Woodruff being duly sworn
says that the above is a true list
of the heirs at law of Isaac Costin
deceased and the interest each is
entitled to in the distribution of
said estate, and that he is acquainted
with said parties and know them
to be the persons represented to be.

Sworn subscribers to
before me Mch 31-1896.

R.E. Hutton c/o
by E.D. Farrington de

A.P. Woodruff

To be copied in Minutes

No. 2127

In the Matter of the Estate of
ISAAC CARTER, Deceased.

Application of Heirs and Devisees
to Withdraw Estate from Admin-
istration, and Distribute
the same.

*May 9th 1896 This
application is
granted*

J. G. Wash
C. G. Judge
FILED *M. Carter* 1896

L. H. HUGHES, Clerk County Court.

L-480
(Recorded)

J. M. W. ...

Handwritten signature



John F. Irwin, Esq.,
Dallas, Texas

Dear Sir:--

Pursuant to

Isaac Carter, deceased, can of the Probate Court, we ha the estate cannot now lit th ment all persons interested As the ^{case} certain r essential that they be repr

parties, when here, to hav tates.

As soon as we le shape for settlement at t an application for guardi law requires, however,

years of age or over. We have not been able to get such service.

Now it may be possible that at some time during the March Term arrangements can be made to take the matter up for settlement, as the non-resident minors, if over 14 years of age may waive the issuance of citation and themselves make choice of a guardian. Unless this is done, then the estate must go over until the May term of the Court.

In any event, we think the non-resident parties at interest should be notified that a trip here at the beginning of the March term

CITATION OF PUBLICATION.
THE STATE OF TEXAS. To the Sheriff of said County of Dallas: You are hereby requested, that you make publication of this citation in some newspaper, published in the County of Dallas, for four successive weeks previous to the 7th day hereof.
To all persons interested in the Estate of Isaac Carter, deceased: M. V. Cole has filed in the County Court of Dallas County on the 25th day of January, 1906, in case No. 7127 on the Probate Docket of said County signed and certified, to be the Estate of Isaac Carter, deceased. An application is made for the appointment of an administrator of said estate, and the following statement is made: That the said Isaac Carter died in Dallas County, Texas, on the 1st day of December, A. D. 1898, and Isaac Carter had his domicile in and was a resident of Dallas County, Texas; that at the time of his death he was seized and possessed of real and personal property of the value of \$25,000, that prior to his death the said Isaac Carter, deceased, on the 24th day of November, 1900, at the hour of about 7 o'clock A. M. at his usual habitation in said Dallas County, Texas, he then being in a feeble state of mind, but then of legal age and sound mind, made the last will and testament, in the form of a non-cumulative in the presence of witnesses then in attendance, the said witnesses in their testimony declare that he devised and bequeathed one-half of all and several, real and personal, wherever situated, other half of his estate, to the said M. V. Cole, and further declared at the same time and place, and as a part of the same testamentary declaration, that it was his will and desire that the father of said children, should have no interest in said property then devised, but that said two children's estate thus devised should be managed and controlled by some competent and trustworthy guardian, to be appointed by the County Court of Dallas County, until said children should arrive at their legal majority. That such guardian, to be appointed by the County Court, should be one of the persons named and under the formalities required by law at a afterwards reduced to writing by the said M. V. Cole, Harry B. Weston, Sam Wortham, and J. H. Irwin, on the same day at, about 2 o'clock P. M. That the said Isaac Carter left no heirs in the State of Texas. The said M. V. Cole is advised by law, that he is to be appointed guardian of said estate, with the will annexed, as which application will be heard and acted upon by said County Court at the next regular term thereof, to be holden within and for said County in the City of Dallas, on the first Monday in March A. D. 1906, at which time and place all persons interested in the Estate of said Isaac Carter, deceased, will appear and contest said application should it please to do so.
Given under my hand and the seal of said County Court, Dallas County, Texas, this 25th day of January, A. D. 1906.
L. H. HUGHES,
Clerk County Court, Dallas County, Texas.

2/26/96.

you if the estate of the ensuing March Term that it appears best led. Before settlement of N. Carolina it is t by guardian.

t on the minor heirs es- ed to get the case in ves preparing and filing ate of said minors. The personally served with

if the minors be 14

...to have the amend...
...and a more comprehensive inquiry...
...amendment for a special committee...
...came up and Mr. Puffer offered...
...Lodge's resolution for an investigation...
...Lesson was taken during the day...
...for an investigation of recent...
...A significant vote on the resolution...
...when the senate adjourned...
...three hours and had not concluded...
...and historical speech. He spoke for...
...almost the entire day in a narrative...
...Mr. Morgan, of Alabama, occupied...
...three being present...
...Brazil, Hawaii and several other countries...
...ed the largest...



Dallas, Texas

2/26/96.

John F. Irwin, Esq.,
Dallas, Texas.

Dear Sir:--

Pursuant to your request to notify you if the estate of Isaac Carter, deceased, can be finally settled at the ensuing March Term of the Probate Court, we have now to inform you, that it appears that the estate cannot now at the ensuing term, be settled. Before settlement all persons interested must, of course, be before the Court.

As the ^{case} certain minor heirs in the State of N. Carolina it is essential that they be represented before the Court by guardian.

parties, when here, to have guardianship taken out on the minor heirs estates.

As soon as we learned this, we endeavored to get the case in shape for settlement at the March term by ourselves preparing and filing an application for guardianship of the Texas estate of said minors. The law requires, however, that the minors shall be personally served with citation to appear and answer said application, if the minors be 14 years of age or over. We have not been able to get such service.

Now it may be possible that at some time during the March Term arrangements can be made to take the matter up for settlement, as the non-resident minors, if over 14 years of age may waive the issuance of citation and themselves make choice of a guardian. Unless this is done, then the estate must go over until the May term of the Court.

In any event, we think the non-resident parties at interest ~~should~~ be notified that a trip here at the beginning of the March term

Dallas, Texas

would be useless. You can further notify them that if snall hereafter any appear during the March Term of Court that the estate is in shape for settlement, you will give them notice in time to be present.

Very truly,

Wooten & M. Coy
Attorneys at Law

Mr Williams

As per your request I herewith submit opinion of my attorneys, as to the probability of closing up the estate of Isaac Carter deceased - during the march term of probate Court - I trust you will take an early opportunity of forwarding to balance of heirs, that they may be saved an unnecessary trip - with regards

Isaac Carter, Estate.
Manwell Williams, son & agent
of Thurey M. Williams, on death
of Isaac Carter. Appiant's sister mother is
sister of one of the heirs at law,
of decedent Isaac Carter. &
Appiant has authority to represent
her in contesting the probate
of the writing of Isaac Carter
the unreceptive Will of Isaac
Carter. Appiant's sister mother
has filed an amendment to the applica-
tion for probate of Isaac Will,
denying that it is the Will of
decedent, but she is not necessary
for the hearing of Isaac contest
for reasons following.

Isaac Carter had five brothers
& sisters who were his only heirs
at law two of whom reside in
North Carolina & the children of
three of whom reside in the
same State about 400 miles
from Dallas, while Appiant's
mother resides in the State of
Missouri at about the same dis-
tance. Three of Isaac's heirs at law
are dead leaving as their heirs
the N. Carolina children above
named.

Appiant & the atty. agents of
Isaac N. Carolina parties came
to this city after the death of Isaac
Carter & held a conference with
the atty. & the beneficiaries in the
supposed Will now proposed
for probate in reference to the
Will & a claim of over \$24,000.

presented to the temporary administrator against the estate in question, ^{of which father} and their agents believing said claim to be wholly unfounded & fraudulent that informant said father Irwin that the Will, or put in deed will in favor of his two daughters would certainly be contacted unless he ceased to press said fraudulent claim. Since their agents were then informed by said Irwin & his atty, or the atty of his children, that nothing could be done in the matter of said estate at the former term of this court thus pending but they would endeavor to bring the necessary situations published to bring in minor heirs by the former term of this court if any thing occurred so they could not take the necessary orders to dispose of the estate they would give notice to seize heirs in Missouri & Kentucky. There were pending negotiations for the settlement & distribution of the estate, which is of the value of about \$20,000. with no debts except expenses of administration, unless the claim set up by said Irwin be a debt. While the heirs are informed & fully believe that the said Will is fraudulent & never received by accident, & that said \$20,000 claim is of like nature, they were willing

to give something

to give something by way of
compromise, in view of the
distance of their place of residence,
& hope when the necessary
notice were given to bring
said minor heirs into court,
that terms of settlement might
be made. But in Feb. last
they had a communication
from said J. W. & his attys.
informing them that there
been some neglect in the matter
of service notices & the matters
could not be proceeded with
at the March term of this court,
& in consequence the statement
that a trip ^{had} ~~out~~ the beginning of
the March term by the non-attendance
of parties at interest would be used.
This communication was received
by affiant & sent to the D. C. Clerk
via affiant in substance, & is here
attached to this affidavit & all
sent hereof.
Affiant & to this to mean &
he knows that the D. C. Clerk
parties understood it the same
way, that nothing would be
done in the matters of the
estate to the prejudice of the
said non-attendants till after
March or till the May term.
But to see the exact status of
matters & to learn whom attendance
would be necessary at present
came to Dallas, the non-attendants,
the matters of the Will & of the \$2900
claim both present, in the absence

In the Matter of the Estate of
Deceased. No. 2127

) Dallas County

TO THE HONORABLE JUDGE OF SAID COURT:-

Now comes M. V. Cole, the Administrator with the Will annexed of
of the Estate of Isaac Carter, deceased, and he accepts notice of the ap-
exhibit of the condition of said estate as required by the Administration,

of the N. Carolina parties & their
 ally. & when applicant has been no
 time to look for or obtain evidence
 to sustain the rights of the heirs
 at law, &c. But A. G. Bolton
 resident in North Carolina are
 material witnesses for contestants
 in the contest of said Will but
 are not here for the reasons stated,
 they being some of the parties inten-
 ding to be here to represent their
 in their state. Their atty. is absent
 for the same reason & cannot
 file contest of said Will on
 for his clients. Applicant says
 all the heirs & their representatives
 have been misled & it may
 be unintentionally by said Grant
 & atty. for promoters of the
 will. And believing as applicant
 & all said heirs certainly & that
 said Will will never be admitted
 & ought not to be
 probated, they will suffer griev-
 ous wrong if forced into a
 hearing of this contest. Applicant
 telegraphed at once to the N. Car.
 other parties to come with all
 speed when he learns the status
 of affairs & he expects them here
 within a week. He prays for
 a postponement of execution in
 the estate both as to the Will &
 other orders till such reasonable
 time as will enable the parties to
 go into the contest with all their
 opportunity to bear their rights.

Marshall Williams

Sworn to and subscribed before me this 9th day of March 1896
 J. H. [unclear] Clerk
 No. 111 [unclear] St.

Quae Center
Excell.

Affidavit for
Abandonment

Filed March 9th 1896
L. H. Hughes
Clerk
Dist. Court for Pa

In the Matter of the Estate of Isaac Carter) In the Probate Court of
 Deceased. No. 2127) Dallas County, Texas.

TO THE HONORABLE JUDGE OF SAID COURT:-

Now comes M. V. Cole, the Administrator with the Will annexed of the Estate of Isaac Carter, deceased, and he accepts notice of the application to make an exhibit of the condition of said estate as prayed for by the application to withdraw the same from the Administration, herein filed on the 9th day of May, 1896 and waiving service of citation, time, etc., he agrees to the said application and in accordance therewith and with the law in such cases made and provided, submits to the Court the following

EXHIBIT OF THE CONDITION OF THE ESTATE:

1st: By the inventory, appraisement and list of claims of said estate heretofore filed herein on April 14th, 1896 the Administrator showed the property and claims belonging to the said Estate, a summary of which is now given as follows, to-wit:

Various Real Estate in Dallas County, Texas, fully described in the said inventory, appraised at.....\$9223.33

Money belonging to the estate other than that deposited in Bank and remaining on hand at the date of said inventory.... 76.50

Personal Property other than money and choses in action
 Choses in action, fully described in said inventory, appraised at..... 24.00

Cash on deposit in the American National Bank of Dallas, possession of which has been obtained by the Administrator 11494.00

Claims belonging to the estate less the credits, all as itemized in the original inventory, appraisement and list of claims herein returned \$26733.59, but of those claims as was shown in the said original inventory, appraisement and list there are only certain claims considered of value to the amount of 3850.00

Total value of the estate including all items above enumerated and more specifically described in the original inventory, appraisement and list of claims.....\$24667.63

Since the making out of the said inventory, etc., the Administrator has collected the following additional items, to-wit:

	Brought forward	\$24667.83
To amount collected of S. L. Hicks, tenant, as rents of the premises on the corner of Burford and Juliet Streets,		7.75
To amount collected from W. Lape as rents for premises on the corner of Boll and Hibernia Streets.....		15.00
To amount collected on note due the estate from W. Y. and George Hughes.....		100.00
To amount collected from D. M. Oldham by suit, as rent for premises known as No. 280 Annex Ave.,		40.00
To amount <u>Collected from W. Lape as rents for premises on cor. of Boll & Hibernia Sts</u>		16. ⁰⁰
To amount <u>Collected from R. G. Tanner as postage of Carriage on Bonds of Estate</u>		10. ⁰⁰
Total		\$24800. ⁸³

Disbursements of moneys by the Administrator, viz:

By amount paid as attorneys fees under order of Court in Temporary Administration.....	\$ 50.00
By amount Temporary Administrator for his services in full under order of Court.....	150.00
By amount paid Court costs of Temporary Administration, in full.....	13.50
By amount paid State and County Taxes upon property of the estate for the year 1895.....	44.96
By amount paid as city taxes on property of the estate for the year 1894.....	53.41
By amount paid City as taxes on property of the estate for the year 1895.....	303.73
By amount paid Appel and Boren, claim allowed by Court.....	2.25
By amount paid Ed C. Smith and Brother, funeral expenses, claim allowed by Court.....	122.0000
By amount paid to Ed. S. Lauderdale, Justice of the Peace as costs accrued in certain suits of Isaac Carter, deceased, claims allowed by the Court.....	21.05
Carried forward	\$690.90

Brought Forward \$390.90

By amount paid J. Phelps, claim allowed by the Court..... 4.30

By amount paid "Dallas Democrat" newspaper, publishing notice of appointment of Administrator, as required by law..... 3.00.

In addition of the above disbursements, the Administrator in accordance with an agreed settlement of the claim of John F. Irwin, as approved by the Court, paid to the said J. F. Irwin the two notes fully described in the original list of claims executed by Robt. B. Seay, Ed S. lauderdale and Emily Rowe, aggregating exclusive of interest the sum of \$1200.00, and also one note fully described in the said list of claims, executed by W.C. ~~Seay~~ and J. L. McComamy, for the principal sum of \$1000.00, the said three notes in said settlement being treated as so much cash and aggregating, exclusive of interest..... 2200.00

Total disbursements \$ 2598.20

Balancing the above itemized cash receipts, and cash disbursements with the cash above shown as received, there remains in the hands of the Administrator on this date in cash, the net balance of \$10,917.02

The Administrator shows that in the administration of the said estate he has necessarily incurred Attorneys fees to his attorneys McCormick and Spence, as shown in the itemized account thereof presented by said Attorneys, which is approved by the Administrator as just and reasonable and which the Court is asked to allow, in the sum of \$250.00

The administrator shows that his commissions as allowed by law on money collected, towit, 5% on \$162.75, viz. \$8.13

And he is entitled to commissions on moneys and items treated as moneys disbursed as above shown, towit, 5% on \$2698.20, viz..... \$134.90

The Administrator shows that he has expended much time in the care, management and preservation of the estate and for his services in managing the

Brott Pwd. \$145.03

said estate, renting and repairing the property thereof, instituting suits and collecting rents he is entitled to his reasonable compensation, which he prays the Court to allow in the sum of100.00

The Court costs of this Administration to this date *have not been* reported to administrator by the Clerk of this Court, ~~.....~~

Total to be paid in closing this Administration *by closure of Court costs not yet listed* \$483.03
The last named amount, if said item shall be allowed by the Court and ordered paid will further reduce the amount of cash on hand subject to distribution to the sum of\$10423.99

The personal property other than money and choses in action as shown by original inventory and appraised therein at \$24.00 is still in the possession of the administrator and he submits that it is to the interest of the estate and of those concerned that the same should, at once, be sold and the proceeds divided among those entitled to receive it:

The real property belonging to the said estate has been kept rented as far as practicable and its condition is the same as shown in his final report as Temporary Administrator.

The Administrator has not yet obtained title from W. H. Thomas of the interest and part of that tract of land known as the "Howell Place" and fully described in the original inventory herein, but the Administrator has been assured by the said W. H. Thomas that he recognizes the said interest and estate in said tract of land as belonging to the estate of Isaac Carter, Deceased, and the Administrator states on information and belief that the said Thomas will make proper deed upon request.

The claims due to the estate as above mentioned have been reduced by the transfer of the notes above mentioned, aggregating \$2200.00 to J. F. Irwin, leaving the present value of the remainder of the claims as estimated and believed to be of any worth \$1650.00.

The Administrator shows that all of said claims are evidenced by notes payable to the said Isaac Carter, Deceased, and the Administrator in view of the large number of persons, some of whom are minors, who are distributees of the said estate, submits that it is to the best interest of all concerned that he be authorized to collect the obligations

as fast as practicable and pay the proceeds to those entitled to receive the same from time to time as collections are made, it being impossible to distribute the said notes in kind among the distributees unless the said distributees shall, before the collection of said notes, agree among themselves as to a distribution in kind.

The premises considered the Administrator joins in the application of the heirs and legatees to withdraw this estate from the administration. He shows that under the terms of the will, duly probated herein, he as guardian, duly qualified, of the minors, Maggie Cole Irwin and Mary Letitia Irwin, is entitled to the distributive share of said minors in the personal property of said estate, viz. to one-half thereof, and the legal heirs of the estate of Isaac Carter, deceased, whose names are given in connection with the application to withdraw this estate from the Administration, are entitled to the other one-half of said personal property ^{and all Real Property} belonging to the said estate.

The Administrator now prays that this, his final exhibit, of the condition of the estate, be in all things approved, and his compensation and all of his attorneys fees in amounts above stated be now by the Court allowed and that he be by the proper order of this Court upon the approval of the bond for withdrawal of this estate from administration authorized and empowered to deliver all the property belonging to the said estate to the persons entitled thereto or to their duly empowered agents and Attorneys in fact; that by the order of this Court, however, he be authorized to collect the said choses in action belonging to to the said estate and pay over the collection to those entitled to receive it in due and proper proportions; and that the Administrator, upon payment of the costs of this Administration, be finally discharged and his bond as Administrator with the will annexed, of said estate be discharged and cancelled and this administration be finally closed, and the Administrator prays for any and all further orders and relief at law and in equity, general and special, as to the Court may seem meet and proper in the premises.

M. V. Cook

Administrator with the Will Annexed of
the Estate of Isaac Carter, Deceased

The above report was subscribed and sworn to before me by
M. V. Cole, this the 9th day of May, 1896.
As witness my hand and Official Seal, on the day and date
last before written.

L. H. Hughes Clerk of Court Dallas Co. Tex.
By J. H. Smith Secy.
Dallas County,
Texas.

Examined and approved May 9th 1896
J. F. Nash Judge

No. 2127

In the Matter of the Estate of
Isaac Carter, Deceased.
-X-X-X-X-X-X-X-X-X-

Administrator's Final Exhibit of
Condition of the Estate.

To be copied
in minutes

FILED May 9 1896
W. HUGHES, Clerk County Court.

By J. S. Taylor

(Recorded)

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

The State of Texas, * In the matter of the estate of Isaac Carter,
 County of Dallas. * deceased, In Probate Court, Dallas Co., Texas.

To the Honorable Probate Court of said County and State :

Your petitioner, M. V. Cole, shows to the court that he resides in Dallas County, Texas; that on to-wit ; December 1st, 1895, Isaac Carter, who at and before his death, had his domicile in the County of Dallas, Texas, died in said county; that at the time of his death the said Isaac Carter was seized and possessed of personal property of the probable value of \$15,000.00, the bulk of which personal property is in money; that prior to the death of said Isaac Carter, at, to-wit; on the 24th day of November, 1895, at the hour of about 7.30 O'Clock A.M., the said Isaac Carter, at his usual habitation in said County of Dallas, then being about 70 years of age, and of sound mind, but then languishing under a fatal illness, made his last will and testament, in the form of a nuncupative will, and by uttering certain testamentary words in the presence of witnesses then in attendance, he did bequeath his estate as follows, to-wit; that he devised and bequeathed one half of all his property, real and personal, wherever situated and of whatever description, to the two little girls of John F. Irwin, viz; Maggie Irwin and Mary Irwin, to share equally and alike therein; the other half of his estate, real and personal, to descend and be distributed according to the laws of Texas regulating such matters. Said Carter further declared at the same time and place, and as part of the same testamentary declaration, that it was his will and desire that the father of said children should have no interest in said property thus devised ~~and bequeathed~~; but that the said two children's estate thus devised ~~and bequeathed~~ should be ^{managed and} controlled by some competent and trustworthy guardian, to be appointed by the County Court of Dallas County, until said children should arrive at their legal majority.

That at and before the time of uttering the said testamentary words, the said testator called upon Dudley G. Wooten, Sam G. Worthington and J.F. Irwin, then present, to notice and bear testimony that what he was about to say was his will; and said testator did then and there, in the presence of the said Dudley G. Wooten, Sam G. Worthington and J.F. Irwin, who all reside in the County of Dallas, Texas, utter the very testamentary words above cited.

That on the same day, about 8 O'Clock P.M. of said day, to-wit; the 24th of November 1895, the said witnesses, Dudley G. Wooten, Sam Worthington and J.F. Irwin, reduced the said testamentary words to writing. That the said testator, Isaac Carter, afterwards, on, to-wit; the day of December, 1895, and during said illness, died, without revoking or altering the said nuncupative will.

That the said testator appointed no executor for his said will, but your petitioner, who resides in Dallas County, Texas, is over 21 years of age, is in no way disqualified from qualifying and acting as administrator, with the said will annexed, of said estate; and that your petitioner, by order of this court heretofore entered, has heretofore duly qualified, and is acting as temporary administrator of said estate of Isaac Carter, deceased.

That the said Isaac Carter left no heirs in the State of Texas, so far as petitioner is advised and believes; but that he did leave certain heirs at law, residing in the States of North Carolina and Missouri, whose names and exact places of residence, your petitioner can not now set up.

Wherefore, your petitioner prays that citation be issued to all persons interested in said estate, as is required by law; that said will be then admitted to probate, and its terms carried out under the orders of this court; and petitioner prays for such other and further

orders to be made by this court as to it in the premises may seem proper.

M.V. Cole
.....
by his attorney
J. McConick & Spence

The State of Texas,
County of Dallas.

On this day personally appeared before the undersigned authority, Dudley G. Wooten, who being duly sworn, upon his oath, states that he is one of the witnesses to the nuncupative will of Isaac Carter, deceased, as is set out in the petitioner's application for the probate of said will; that the matters contained in said application as to the utterances of said testamentary words, and to the making of said will, and of the reduction of said testamentary words to writing, as well as the other facts stated in said will, are within affiant's knowledge true in substance and in fact. *D. G. Wooten*

Sworn to and subscribed before me this 18th day of January A. D. 1896.

Charles R. Taylor
[Signature]
Notary Public, Dallas County, Texas.



#2127

In the matter of the Estate
of Isaac Carter, deceased.

Application for Probate

of Nuncupative Will.

W. V. Caine applicant

FILED *January 20 1896*
L. M. NICHES, Clark County Court
BY *W. V. Caine* DEPUTY

Recorded 6-87-

W. V. Caine
att.

State of Texas.

County of Dallas

This memorandum witnesseth:

That, on the morning of Sunday, November 24, 1895,

at his habitation in Dallas.

at about the hour of 7:30 A.M., in the presence

of the undersigned witnesses, who were all present

in the room and at his bedside, Isaac Carter, of

said State and County, being evidently of sound

mind and disposing memory, and conscious of

approaching dissolution, but unable to make

a written will, declared his last and will and

testament to be in the following words, substantially,

to-wit: That he devise and bequeath one-half

of all his property, real and personal, wherever

situated and whatever description, to the two little

girls of Mrs. F. Lounie, viz. Maggie Lounie and

Mary Lounie, to share equally and alike therein;

the other half of his estate, real and personal, to

decease and be distributed according to the laws

of Texas regulating such matters.

Said Carter further declared in our presence

that ~~his~~ was his will and desire that the father

of said children should have no interest in said

property thus devised, but that said two children's

estate thus devised should be managed and controlled

by some competent and trustworthy guardian to be ap-

pointed by the County Court of Dallas County, until

said children shall arrive at their legal majority,

see testimony whereof. We hereunto sign our names

at the request of said Isaac Carter, the testator herein and

2127
Newwarrning The
Municipal Mill
and Deedments of
E. J. Carter.

Nov. 24 - 1895

E. J. Carter
dec

FILED *Nov 21* 1895
L. H. NICHES, Clerk County Court
By *J. H. [Signature]* DEPUTY

Recorded in
Minutes,

in the presence of each other, the members
of the Dallas Genealogical Society
Sam B. Worthington
J. H. [Signature]

110

In matter of Estate of
Isaac Cortis
deced
Upon application to pro-
bate Wills of Isaac Cortis
Will -

In Probate
Court of
Dallas
County, Tex.

In open Court upon application to
probate the Wills of Isaac Cortis
deced, personally
appeared before the Clerk of said
Court, Geo. J. Dawson, who being
duly sworn upon oath stated,

1. That he personally well knew
Isaac Cortis now dead.
That said Cortis at and before
his death resided in Dallas
County, Tex. That during his
said Cortis last sickness, and
to wit, on November 24-1898
at his usual place of residence
in Dallas County, Tex. said
Cortis called said affiant
to take notice that he wished
to make provision for his
children of his Estate. and that
said Cortis spoke the following
testamentary words in substance,
to wit, "That he desired a bequest
ed me half of all his property

MADE BY
DORCEY PRINTING COMPANY,
DALLAS, TEXAS.

" real & personal wherever situated
 " and of whatever description to
 " the two little girls of said
 " viz. Maggie Brown and Mary Irwin
 " to share equally & alike therein,
 " the other half of his estate
 " real & personal to descend and
 " be distributed according to the
 " laws of Texas regulating such
 " matters - That it was his
 " further wish & desire that
 " said children should have no inter-
 " est in said property thus
 " devised but that said two
 " children's estate thus devised
 " should be managed and controlled
 " by some competent and trustworthy
 " person to be appointed by
 " the County Court of said
 " County, Texas, until said child-
 " ren should attain a their
 " legal majority "

2. That said Carter intended to con-
 " quish under the same illness
 " with which he was
 " suffering until December
 " 4th 1895 when he died without
 " ever revoking said testamentary
 " words so far as witnessed
 " thereon believe.

3. That thereafter on the after-
noon of the same day upon which
said Woods were spoken, the
said testamentary and will were
written out by one of the
Witnesses thereto to wit: Dudley
H. Norton and said written
statement when the Completed
was subscribed by said
Dudley H. Norton and the other
Witness John H. Washington and
by affiant. Which writing so
subscribed is here exhibited to
the Court & to the Witness;
Affiant;

4. That said Carter when said
and was spoken, was an
old man, much over 21 years
of age and he was of sound
mind. That said Carter
left an estate in Dallas
County, Texas and his heirs
do not reside in Texas so
for as witness therein believe

5. That said testamentary and
were spoken in the last
sickness of said Carter, in
the presence of affiant and
Dudley H. Norton & John
H. Washington, upon all of

whom said Carter called upon
to take notice of his will
Ward and that such was
his Will -

J. J. Jordan
I read and subscribed before me ^{in open court} the 31 day of
March 1840. L. H. Hughes Clerk of Court Dallas Co Tex
By J. H. Taylor

Wm. J. Carter
James Carter
Applicant
Geo. J. Jordan
in application
to probate
Will
FILED March 21 1840
L. H. Hughes, Clerk Dallas County
BY *J. H. Taylor*

Record in Minutes

In the Matter of the estate of Isaac Carter) In the Probate Court of
 Deceased, No. 2127) Dallas County, Texas.
 M. V. Cole, Administrator, cum annexo testi-)
 mento.)

INVENTORY AND APPRAISEMENT OF THE PROPERTY OF SAID ESTATE
 produced before the undersigned appraisers on the 21st day of March,
 1896 by M. V. Cole, Administrator, cum annexo testamento of the Estate
 of said Isaac Carter deceased.

There is no community property belonging to the said estate.

Separate and individual property belonging to the said Isaac
 Carter, Deceased:

- 1st: A lot of land, together with a two story frame house and
 outhouses pertaining thereto, situated at the S. W.
 intersection or corner of 2nd and Hibernia Streets,
 in the city of Dallas, Dallas County, Texas, of the
 value of \$12,500.00
Described in Book 169 p 59 Records Dallas
- 2nd: A lot of land with a frame cottage thereon, situated
 on the corner of Cowd and Juliett Streets, Dallas City,
 Dallas County, Texas, of the value of \$4,500.00
Described in and recorded Book 147 p 581 Records Dallas
- 3rd: A certain lot of land with a frame cottage thereon, in
 the City of Dallas, Dallas County, Texas, known as
 No. 113 Watt Street, of the value of \$5,000.00
Described in and recorded Book 105 p 200 Records Dallas
- 4th: A certain lot of land with a frame cottage thereon, in
 Dallas City, Dallas County, Texas, known as No. 280
 Annex Avenue, of the value \$8,500.00
Described in and recorded in Book 147 - p 176 Records Dallas
- 5th: A certain tract of Timber land containing 140 acres
 more or less, 3 miles N. W. of Dallas City, on the
 Trinity River, in Dallas County, Texas, and more fully
 described and designated as follows:- *Being the second*

(over)

Tract of land presented in that deed
from A. Couch & Wife to Isaac
Carter dated January 1857 and
fully recorded in Book "E" of 669-
670 said records Dallas & Tex

and being of the value of.....\$700⁰⁰

5th. A certain tract of Timber land containing 50 acres, more or less
less, situated on the Elm fork of the Trinity River about 6 miles
N. W. of Dallas City, Dallas County, Texas and more particularly

described and designated as follows, to-wit:- *fully presented in*
that deed from M. D. Allen Isaac Carter
dated November 13-1868 and fully recorded
in Book "H" of 669 of said records
of Dallas County Tex. reference to
which recorded deed is for opening
road

and being of the value of.....\$15- for acc. appraising.....\$700⁰⁰

7th: 14 acres of land on Maple Ave. North of the Dallas City

Hospital in Dallas County, Texas, more fully described and desig-
nated as follows, to-wit: *That Parcel of Land presented*
in deed from G. Bowen & W. H. Lamm

--3--

by Shuttle to Isaac Carter by
and recorded in Book 174 of
203 pages of deeds of Dallas
County Texas.

and being of the value of *\$100 per acre - aggregating \$1400.00*

8th: An undivided two-thirds interest and part in 238 acres of
land in Dallas County, Texas, known as the "Howell Place", at
Elam Station on the Texas Trunk R.R., more fully described and
designated as follows, to-wit:

*In a deed made to
W.H. Thomas, of Dallas County, Texas.*

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ The other undivided interest in said
tract of land is owned by W. H. Thomas of Dallas, Texas, in whose
name the entire tract stands, but said Thomas admits the said
Isaac Carter's title to the undivided two-thirds interest therein,
the said two-thirds interest being of the value of *\$377.33*

The above is a statement and description of all of the real
estate owned by the deceased, aggregating in value, the sum of *\$9223.33*

PERSONAL PROPERTY belonging to the said deceased:

There is money belonging to the said estate ~~of~~ the sum ~~of~~
which was found among the effects of the deceased, by the Temporary
Administrator, less certain payments that have been made therefrom, as
shown by the Temporary Administrator's report, leaving a balance of
such money *\$75.50*

There is also in money deposited by the Deceased in the Ameri-
can National Bank of Dallas, Texas, the sum of *\$11494.00*

Also the following personal property:..

- One bureau of the value of.....\$2.⁰⁰
- 1 trunk of the value..... .50c
- 1 table of the value..... .25c
- 1 vase of the value of..... 25c
- 2 rifles each of the value of..... 5.00 each \$1.00
- 1 pistol of the value of..... .50
- 1 saddle of the value of..... \$1.50
- 2 watches , one of the value of \$3.⁰⁰ and the other
of the value of \$10.⁰⁰, both..... \$15.⁰⁰
- 2 pairs of gold rimmed spectacles , each of the
value of..... 25c = .50
- 1 clock of the value of..... .50 24.⁰⁰
- 1 buggy of the value of..... \$25.⁰⁰

As of The above property aggregates in value the sum of \$208.⁰⁰

We , the undersigned Appraisers do solemnly swear that the foregoing is a full, true and fair appraisalment of the estate of Isaac Carter, Deceased, produced before us by Chas M. V. Cole, Administrator sua annexo testamento on the 21st day of March, A. D. 1896.

Sam C Worthington
Appraiser
Oliver Thomas Appraiser

Sworn to and subscribed before me by Oliver Thomas and Sam C Worthington and _____, this 21st day of March, A. D. 1896.

Chas W Boyer
notary Public
Dallas Tex

Estate of Wm. C. & J. L. McCamy

Date	Name of Payee	Amount	Cr. payments on notes.
<i>given</i>			
JULY 1/1878	J. W. Payne	\$200.00	Payment Aug. 15/78 \$50.00 " Dec. 5/1878 150.00
Mch. 14, 1888	J. S. Daugherty	500.00	
Oct. 3, 1893	Wm. C. & J. L. McCamy	1000.00	
Apr. 3, 1893	E. P. Turner	300.00	
Oct. 19, 1880	J. S. Reynolds,	30.00	
July 19, 1878	(E. D. Huribut and (J. H. Barwise)	50.00 50.00	Payment Sept. 18, 1889 25.00
Apr. 2, 1881	Jno. M. Lewis	100.00	
Apr. 19, 1895	(Robert B. Seay) (Ed. S. Lauderdale)		
Apr. 19, 1895	(and Emily Rowe)	200.00	
	Same payers	1000.00	
Mch. 14, 1888	J. S. Daugherty and Merrall	500.00	
Oct. 18, 1889	O. P. Bowser, and W. H. Lemmon,	3768.13	
June 7, 1882 <i>Nov 13-1884</i> <i>Nov 20-1884</i>	J. W. Meadows, <i>J. W. Meadows</i> 300.00 300.00	323.21 300.00 300.00	<i>made paid in full Oct 13-1889</i> <i>\$350.00</i> <i>NOTE PAID BY HIM</i> <i>Oct 13-1889</i>
Dec. 30, 1878	A. M. Cochran	150.00	Payment Oct. 19, 1881 150.00
July 1, 1880	Matthews & Berry	15.00	(Paid by J. D. Marsh cont-)
Sept. 1, 1893	John H. Cochran	1000.00	(paid by J. D. Marsh cont-) (Note through Amer. N't'l. B'k.) (Paid by J. D. Marsh cont-)
Oct. 5, 1894	W. W. Ross	200.00	(Dec. 15, 1895, Re'cd. letter from J. D. Marsh, stating that he paid note through (Amer. N't'l. B'k. \$450.)
Aug. 31, 1895	J. D. Marsh & J. C. Merrall	450.00	
Dec. 8/1894	W. V. & George Hughes	150.00	
May 25, 1881	C. Caldwell	25.00	
June 5, 1890	B. P. Wallace and Ed. Smith	1000.00	
Mch. 14, 1888	J. S. Daugherty	500.00	
Oct. 17, 1895	R. M. Brown	461.50	
Dec. 24, 1882	John Clinton	35.00	
Aug. 23, 1890	Bowser & Lemmon,	5000.00	(Extended 1 yr. fr. 3/8/89)
Jan. 23, 1880	Aamon Cox	37.30	
Oct. 10, 1889	H. C. Clark	10000.00	(Payment 11/22/90 2000.00 (" " 11/11/90 3000.00
Oct. 25, 1875	J. L. Jackson,	120.00	
June 13, 1890	M. L. Dye	500.00	
	Carried	\$27965.00	\$ 5205.00

	brought forward	\$27965.00	\$5605.00
Janry 26, 1893	J. C. Knox	40.00	
May 28, 1881	F. P. Hord,	100.00	
Apr. 25, 1889	J. B. Goode	1500.00	
Apr. 25, 1889	" " "	1500.00	
Sept. 26, 1888	Jno. W. Taylor and George C. Cole	200.00) Held by R. E. L. Knight) for collection.
May 27, 1890	W.L. Tally, R. Murphy and R. W. Tally	300.00	
June 5, 1887	J. W. Spears and M. A. Cornelius	239.00)
Sept. 12, 1888	W. T. Lambert	260.00) Two Lambert notes and) Cawthorn note reduced to) judgment in Lauderdale's) Court.
Jan. 2, 1892	W. T. Lambert,	174.70	
Nov. 3, 1893	S. V. Cawthorn	59.75	
Also note for rent of the 14 acres of land on Maple Ave., given by W. H. Butler, payable to M. V. Cole Temporary Adm'r. in the sum of		46.00	
Note made by W. B. Woodruff to Isaac Carter in the sum of		100.00	
Total Amount		\$32786.59	Total payments \$5605.00
Less payments		5605.00	
Amount less payments		\$26735.59	

The Administrator, M. V. Cole, reports that to the best of his judgment, information and belief the following notes, only, of the above list are collectable, to wit:-

The note of Wm. C. & J. L. McCamy, for the sum of	\$1000.00
The note of E. P. Turner, for the sum of	300.00
The note of Robt. B. Seay, Ed. S. Lauderdale and Emily Rowe,	1200.00
The note of John H. Cochran, for the sum of	1000.00
the note of W. W. Ross, in the sum of	200.00
The note of W.Y. & George Hughes, in the sum of,	150.00
Total sum	\$3850.00

The remaining notes in said list are, in many instances, barred by limitation, others thereof are against persons absolutely insolvent.

The note for \$450.00 against J. D. Marsh and J. C. Merrell, the said debtors claim to have paid and the Administrator believes that

payment can be shown. If not paid the note is, in any event, barred by limitation.

The Administrator, therefore, reports that the utmost value of the said claims is, as stated, the sum of \$3850.00.

M. V. Cole
Admin

I, M. V. Cole, do solemnly swear that the foregoing inventory and list is a full and complete inventory, appraisement and list of the property and the claims of Isaac Carter, deceased, that have come to my knowledge.

M. V. Cole
Admin

Sworn to and subscribed before me, by M. V. Cole, this 23rd day of March, 1896. *by the said M. V. Cole.*

Edward M. Browder
Notary Public for Dallas
County, Texas.

Examined and approved Apr 14th 1896

J. F. Nash
Co Judge

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

No. 2127

In the Matter of the Estate of
Louise Carter, Deceased.

-1-2-3-4-5-6-7-8-9-0-
Inventory and Appraisement.

FILED

APR 14 1945

L. H. HUBBARD, County Clerk
By *Hubbard*
Clerk

Recd

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

In the Matter of the Estate of Isaac Carter, Deceased)
M. V. Cole, Administrator cum annexo testamento))
In the Probate Court of Dallas, County, Texas.)

KNOW ALL MEN:-

That we, M. V. Cole, as principal, and J. M. Strong
and J. F. Martin as sureties, are held and firmly
bound unto Thomas F. Nash, County Judge of Dallas County, Texas, and
to his successors in office, in the sum of Fifty Thousand (\$50000.00)
Dollars:

Conditioned, that the above bound M. V. Cole, who has been ap-
pointed Administrator, with the Will annexed, of Isaac Carter, Deceased,
by the County Judge of Dallas County, Texas, shall well and truly perform
all the duties required of him under said appointment.

Witness our hands this 22nd day of March, A. D. 1896.

M. V. Cole
J. M. Strong
J. F. Martin

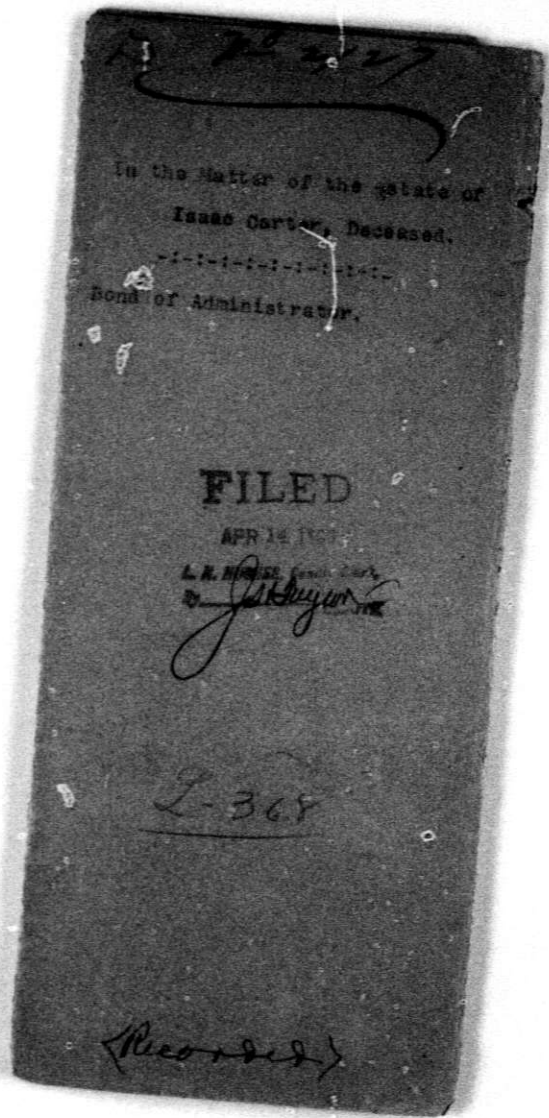
I, M. V. Cole do solemnly swear
that the foregoing Will which
has been offered for probate is
the last Will of Isaac Carter
deceased. So far as I know or believe
and that I will well & truly
perform all the duties of an
Administrator with the Will annexed of
said Estate of said Isaac Carter.

M. V. Cole

Subscribed before
me this 10th day of April 1896
at Dallas Tex. as attested by
Edward M. Browder
Notary Public in and for
Dallas County, Texas.

Examined & approved Apr. 14th
1896
Thomas F. Nash
County Judge

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977



FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

State of Texas }
County of Dallas } in the Matter of the
 } Estate of Isaac Carter, Dec.
 } de Cuius Curia. Dallas Co.

March 21st 1856.

Abby D. Writen, being duly sworn, in oath
states:

On the morning of Nov. 24. 1855: very early,
Mr. Drumm, who lives next door to my house,
came and called me to go to his house
to see Mr. Isaac Carter, who was thought
to be dying and wanted to settle his
affairs. I went over and into the room
~~where Mr. Carter lay~~ where Mr. Carter lay
in bed. I had no previous personal ac-
quaintance with him - but had of ten
seen him in the yard and around
the house at Mr. Drumm's. He knew who
I was, and when I went in and to his
bedside he indicated a desire to talk
to me alone. There were in the room
Mr. Drumm, Mr. Worthington and part of
the household Mrs. Drumm. Carter wanted
them apparently to go away from the bed,
and they went to the fireplace some feet
away, where they could not hear what
he said. He then said to me that he
was going to die and wanted to dis-
pose of his property by will; that he
wanted the Drumm family to have
his property, or the benefit of it, but did
not want Mrs. Drumm to have any
interest in or control over it. I then signed

WITNESSED BY
DORSEY PRINTING COMPANY,
DALLAS.

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Mr. Carter was at the time very weak
 physically, and could only talk in a whisper,
 but his mind was remarkably clear and
 active, and it was astonishing at the rational
 and intelligent manner in which he

discuss his affairs. When I suggested
his making a written will, he said he
could not write.

This occurred in the living room of the
late Carter at Mr. Dravin's house
in Dallas, Dallas Co. Texas, the usual
residence of Mr. Carter, and it was
his last sickness as he died about
a week after from the same sickness.
Mr. Carter also said at the same time
and place above described, that he wanted
the property which he devised to the two
children of Mrs. F. Dravin, to be managed
by a guardian appointed by the court, but
that said Mrs. F. Dravin should not be
such guardian.

I wrote the words out in the written
statement now shown me. That same
day in the evening at my house and
Mr. Worthington, Mr. Dravin and my-
self signed it -

W. J. Martin.

Witness and subscribed before me, this 21st
day of March 1890

W. J. Martin, Notary Public

Dallas, Texas

W. J. Martin

P. No.

In the Matter of the
Estate of Jesse Carter,
deceased.

Part of Will.

Sworn Statement
of Walter B. Moten

FILED Mar 21 1894
L. N. HUGHES, Clerk County Court,
By J. H. Taylor DEPUTY

Recorded in Minutes

FILED BY THE DALLAS GENERAL COUNCIL

STATE OF TEXAS,)
)
County of Dallas.)

THIS MEMORANDUM OF AGREEMENT, WITNESSETH, That
WHEREAS, it is desired by the heirs, devisees and legatees of Isaac
Carter, deceased, to settle up his estate and to apportion to said
heirs, devisees and legatees their several shares of the property of
said estate, in the speediest and least expensive manner possible,
with due regard for the rights and interests of all concerned :
NOW THEREFORE, this is to evidence that the undersigned, who have
interests at law as heirs, devisees and legatees of said Isaac Carter,
deceased, have agreed to the following basis and method of settling
said estate and partitioning the shares of all parties concerned, to-
wit :-

1. All debts of said estate shall be first paid in full, in-
cluding said Carter's proportionate share of the costs and attorney's
fees (not exceeding the sum of \$135.00) that have accrued to date in
certain litigation pending in the State of Virginia over the will
and estate of Thomas Carter, deceased, but not including the claim
of John F. Irwin of Dallas, Texas, against the estate of said Isaac
Carter, deceased.
2. Said claim of John F. Irwin is to be paid off, satisfied
and extinguished by the transfer to him of three certain promissory
notes belonging to the estate of said Isaac Carter, deceased, two for
the sum of \$1000.00 and \$200.00 respectively, given by Robert B.
Peay, Ed. S. Lauderdale and Emily Rowe, dated April 19, 1895, and one
for the sum of \$1000.00, dated Oct. 5, 1893, given by Wm. C. Mc. Kamy and
J. L. Mc. Kamy, and now valid claims against the parties and in favor
of said estate of Isaac Carter, deceased.

3. The nuncupative will of said Isaac Carter, deceased, is to be probated and accepted as valid according to its legal tenor and effect, and the pending application for the probate of said will is to be granted without contest, and the application for letters of permanent administration with said will annexed shall be allowed to be granted, so as to put the same within the jurisdiction of the probate court to the end of carrying the terms of this agreement into effect.

4. The estate of said Isaac Carter, deceased, shall then be divided and settled in this wise, to-wit: One half of the personal property and effects of said Carter shall go to the two children of said John P. Irwin, named in said will, Maggie Irwin and Mary Irwin, to be held by them as provided in said will, and the other half of said personal property and all the real property of said Isaac Carter, deceased, is to vest in and be divided between the heirs of said Carter as they may be entitled by law. The said Irwin children's half interest in said personal property shall be delivered to them free from all costs and expense incident to the division of the other property among the other heirs.

This agreement is to be carried into effect and the same shall be embodied in proper orders and entries of the probate court so soon as the same can be done by law.

IN TESTIMONY of all of which, we have hereunto set our hands, in triplicate, this . 21st . day of . March . 1896.

J. M. Williams
By Mansell Williams attorney
J. P. Irwin

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

K 2127
In the Matter of the
Estate of
Isaac Carter, decd.

Agreement for Settlement
and Partition of the
Estate.

FILED March 21 1896
L. B. HARRIS, Clerk County Court
BY J. H. Green REPORT

Recorded Nov. 29-97

McCORMICK & SPENCE.
ATTORNEYS.

In the Matter of the Estate of Isaac Carter) In the Probate Court of
Deceased. No. 2127) Dallas County, Texas.

Saturday, May 9, 1856.

Now on this day came on to be heard the application of the several heirs at law and devisees and legatees of the Estate of Isaac Carter Deceased, to-wit: T. M. Williams by her agent and Attorney in Fact, Maxwell Williams, J. C. Hurt, John Carter, by his Agent and Attorney in Fact, T. C. Phillips, ^{George Carter and} Columbia Williams by their agent and Attorney in fact T. C. Phillips, Mary E. Carter by her agent and Attorney in Fact T. C. Phillips, J. K. Carter by his agent and Attorney in fact A. P. Woodruff, Elizabeth Woodruff by her agent and Attorney in fact A. P. Woodruff, Annis Collins by her agent and Attorney in fact J. P. Woodruff, Louisa Carter by her agent and attorney in fact A. P. Woodruff, A. M. Carter by agent and attorney in fact A. P. Woodruff, the Minors, Drucilla Hurt, Andrew Adams, Gealy Adams, Fannie Adams, Nevada Adams and Carrie Adams by their duly appointed and qualified guardian of their estates S. Q. Richardson, the minors Maggie Cole Irwin and Mary Letitia Irwin by their duly appointed Guardian of their estates, M. V. Cole; N. L. Nicholson by agent and attorney in fact J. C. Hurt; Dicey A. Phillips by her agent and attorney in fact J. C. Hurt; T. M. Moseley by agent and attorney in fact J. C. Hurt; T. F. Hurt by agent and attorney in fact J. C. Hurt; J. E. Adams by agent and attorney in fact J. C. Hurt; E. W. Adams by agent and attorney in fact J. C. Hurt; and William Adams by his agent and attorney in fact J. C. Hurt, all of whom own shares in the said estate as devisees and legatees under the last will and testament of said Isaac Carter and as sole heirs at law of said Carter, to withdraw this estate from the Administration herein and for a distribution under terms of the law of the property of the said estate among those entitled to receive it. And M. V. Cole, Administrator with the Will annexed of the said Estate having waived service of citation to render an exhibit of the condition of said estate and having accepted notice of said application to withdraw, etc., and having filed herein his complete exhibit of the condition of the said estate, which has been duly examined and approved by the Court, and the said heirs, legatees, and devisees, to-wit: J. M. Williams, M. V. Cole, Guardian, Elizabeth

McCORMICK & SPENCE.
ATTORNEYS

Woodruff, J. C. Hunt and J. K. Carter as principals and M. V. Cole and J. P. Irwin as Sureties having presented to the Court their bond in terms of the law in proper amount, and conditioned as required by law to withdraw this estate from further Administration:

And it further appearing to the Court from said application and from the exhibit of the condition of said estate as made by the Administrator, that said Estate is in condition to be properly withdrawn from administration and that the interest of all parties concerned will be subserved thereby it is accordingly ordered, and so adjudged and decreed that the bond for withdrawal aforesaid be and the same is hereby approved and ordered to be filed and recorded at length in the Minutes of the Court.

And it appearing to the Court from the evidence as exhibited in said application for withdrawal and in the sworn proof of heirship accompanying the same as well as from the former proceedings in this cause that the persons legally entitled to share in the property belonging to said estate as distributees thereof and as heirs, legatees and devisees at law and under the terms of the last will and testament of Isaac Carter, deceased, ^{and} that their respective interests and shares therein are as follows, to-wit:-

Maggie Cole Irwin and Mary Letitia Irwin, minors of Dallas County, Texas, represented herein by the duly appointed guardian of their estates, M. V. Cole, own and are entitled jointly to one-half of all the moneys and personal property belonging to said estate.

Drucilla Hurt, minor of the State of North Carolina, represented herein by the duly appointed guardian of her estate, S. Q. Richardson, owns and is entitled to one-thirtyfifth ($1/35$) of all the real property belonging to said estate and one-thirty-fifth ($1/35$) of one half of all the personal property belonging to the said estate.

Andrew Adams, Gealy Adams, Fannie Adams, Nevada Adams and Carrie Adams, minors of the State of North Carolina, represented herein by the duly appointed guardian of their estates, S. Q. Richardson, each own $1/280$ part of all the real property belonging to said estate and $1/280$ part of one-half of all the personal property belonging to said estate.

T. M. Williams of the State of Missouri, represented herein by her agent and attorney in fact, Maxwell Williams, owns and is entitled to $1/5$ of all the real property belonging to the said estate and $1/5$ of

one-half of all the personal property belonging to the said estate.
✓ Elizabeth Woodruff of the State of North Carolina, represented herein by her agent and attorney in fact, A. P. Woodruff, owns and is entitled to 1/5 of all the real property belonging to said estate and 1/5 of one-half of all the personal property belonging to said estate.

✓ John K. Carter, of the State of North Carolina, represented herein by his agent and attorney in fact, A. P. Woodruff, owns and is entitled to 1/5 of all the real property belonging to said estate and 1/5 of one-half of all the personal property belonging to said estate.

✓ Annis Collins of the State of North Carolina, represented herein by her agent and attorney in fact, A. P. Woodruff, owns and is entitled to 1/35 of all the real property belonging to said estate and 1/35 of one-half of all the personal property belonging to said estate:

✓ A. M. Carter of the State of North Carolina, represented herein by agent and attorney in fact, A. P. Woodruff, owns and is entitled to 1/35 of all the real property belonging to said estate and 1/35 of one-half of all the personal property belonging to said estate.

Louisa Carter of the State of North Carolina represented herein by agent and attorney in fact, A. P. Woodruff, owns and is entitled to 1/35 of all the real property belonging to said estate and 1/35 of one-half of all the personal property belonging to said estate.
✓ John Carter of the State of North Carolina, represented herein by his agent and attorney in fact, Thomas C. Phillips, owns and is entitled to 1/35 of all the real property belonging to the said estate and 1/35 of one-half of all the personal property belonging to the said estate.

✓ George Carter of the State of North Carolina, represented herein by his agent and attorney in fact, Thomas C. Phillips, owns and is entitled to 1/35 of all the real property belonging to said estate and to 1/35 of one-half of all the personal property belonging to the said estate.

✓ Columbia Williams of the State of North Carolina, represented herein by her agent and attorney in fact, Thomas C. Phillips, owns and is entitled to 1/35 of all the real property belonging to the said estate

and $1/35$ of one-half of all the personal property belonging to the said estate.

✓ Mary E. Carter of the State of North Carolina, represented herein by her agent and attorney in fact, T. C. Phillips, owns and is entitled to $1/35$ of all the real property belonging to said estate and $1/35$ of one-half of all the personal property belonging to said estate.

✓ W. L. Nicholson of the State of Missouri, represented herein by attorney in fact, J. C. Hurt, owns and is entitled to $1/35$ of all the real property belonging to said estate and $1/35$ of one-half of all the personal property belonging to said estate.

✓ T. M. Moseley of the State of North Carolina, represented herein by attorney in fact J. C. Hurt, owns and is entitled to $1/35$ of all the real property belonging to said estate and $1/35$ of one-half of all the personal property belonging to said estate.

✓ Dacey A. Phillips of the State of North Carolina, represented herein by her agent and attorney in fact T. C. Phillips, owns and is entitled to $1/35$ of all the real property belonging to said estate and $1/35$ of one-half of all the personal property belonging to said estate.

✓ T. P. Hurt of the State of North Carolina, represented herein by attorney in fact J. C. Hurt, owns and is entitled to $1/35$ of all the real property belonging to said estate and $1/35$ of one-half of all the personal property belonging to said estate.

✓ J. H. Adams of the State of North Carolina, represented herein by attorney in fact J. C. Hurt, owns and is entitled to $1/280$ part of all the real property belonging to said estate and $1/280$ part of one-half of all the personal property belonging to said estate.

✓ W. Adams of the State of North Carolina, represented herein by attorney in fact J. C. Hurt, owns and is entitled to $1/280$ part of all the real property belonging to said estate and $1/280$ part of one-half of

all the personal property belonging to the said estate.

✓ W. M. Adams of the State of North Carolina, represented herein by attorney in fact J. C. Kurt, owns and is entitled to $1/280$ part of all the real property belonging to said estate and $1/280$ part of one-half of all the personal property belonging to said estate.

✓ J. C. Kurt of the State of North Carolina owns and is entitled to $1/35$ of all the real property belonging to the said estate and $1/35$ of one-half of all the personal property belonging to said estate.

Therefore it is now ordered by the Court and so adjudged and decreed that the persons aforesaid are respectively found and they are here declared to be entitled to the respective portions of said estate as above allotted to them. And the said Administrator, M. V. Cole, is now directed and required forthwith to deliver to said persons or to those thereunto legally authorized ^{by them} the portions of said estate to which each is entitled as aforesaid, subject to the terms, provisions and conditions of the order of this Court hereinbefore made and entered, directing the distribution of the property of the said estate, which order is to be taken and construed in connection herewith and the Administration of this estate upon the compliance by the said Administrator with the terms of the said orders be, and the same is hereby declared to be closed so far as the administration thereof ^{herein} is concerned, subject, however, to the right of the aforesaid distributees, heirs and devisees to apply to this Court under provisions of law ^{for} any further orders respecting the partition and distribution of the property belonging to said estate.

J. F. Ash
Co. Judge

No 2127
In the Matter of Estate
of Isaac Carter, dec.

Order withdrawing
Estate from Adminis-
tration. Appraiser withdrawn
Bond. Discharging
Wickham et al.

To be entered
in full in Minutes

~~FILED~~ May 7 1894

L. H. BAKER, Clerk County Court,

~~By~~ J. H. Baker

Entered

L-430 to 36,

Saturday May 9th 1886.

In the Matter of The Estate of Isaac Carter) In the Probate Court of
Deceased. No. 2127) Dallas County, Texas.

This day in response to the application of certain heirs, and devisees of the above named estate to withdraw this estate from further administration in this Court, came on to be heard the Exhibit of the Condition of this Estate as made and filed herein by M. V. Cole, Administrator with the will annexed, and the said exhibit having been examined by the Court and found to be in due form of law and to be fair, just and correct, it is therefore now by the Court ordered and so adjudged and decreed that the said exhibit showing the condition of the Estate of Isaac Carter, Deceased, be and the same is in all things hereby approved and the same shall be recorded at length in the minutes of this Court; and the said Administrator be, and he is hereby, allowed as his Attorneys fees the reasonable sum of \$25.00 in accordance with his report; and that he be, and he is hereby, allowed as his compensation for his services in the management, control and superintendence of the property of said estate the reasonable sum of \$100.00 in addition to his legal commissions as shown in said exhibit, all aggregating the sum of \$493.⁰³

And after the payment and deduction of the said sums of money from the amount now in his hands, and after the payment of the Court costs of this Administration in full to date it is further ordered and so adjudged and decreed that the said Administrator with the Will annexed do retain and keep in his possession in his capacity as the Guardian of the estates of the Minors, Maggie Cole Irwin and Mary Letitia Irwin one-half of the net balance of the remainder of moneys of the said estate, and from that time the said M. V. Cole shall be responsible as Guardian of the said minors upon his bond for the said sum of money, and the other one-half of said remaining sum of money he shall pay out to those legally entitled to receive the same, taking from them proper receipts which shall be full ~~compensation~~ ^{acquittance} for such payment or distributions to be made in the amounts and proportions as shown in the application to withdraw this estate from Administration and in accordance with the order thereupon to be entered herein.

And further, the said Administrator shall deliver to those legally entitled to receive the same, or to such person as they may appoint, all real estate, lands, and premises belonging to the said Estate of Isaac Carter, Deceased, and surrender possession thereof to such person or persons, from that date being relieved from all responsibility on that account.

And it appearing to the Court that there are a large number of claims evidenced by notes originally made payable to Isaac Carter now belonging to said estate which cannot be justly distributed in kind to those at interest, it is therefore for the best interest of those concerned that the said claims be collected by the said Administrator, and it is therefore further ordered and so adjudged that the said Administrator proceed with all possible dispatch to collect said claims and he shall pay over as collections are made the proceeds thereof to those legally entitled to receive the same in the proportions and amounts as above indicated in respect to the division and distribution of the monies now on hand, provided that if the persons entitled thereto agree among themselves for the distribution of said claims in kind then the said Administrator, M. V. Cole, shall deliver said claims to them pursuant to such agreement, properly endorsed so as to pass the title thereof, without recourse on said Administrator.

It is further ordered and so adjudged that upon compliance with the terms of this order as above set out, the Administration of this Estate be and the same is declared to be finally closed and the said M. V. Cole, Administrator with the Will annexed, is finally discharged from his duties and obligations as such administrator and his bond as such Administrator is declared satisfied and cancelled, subject, however, to his continued authority in reference to the aforesaid collection

and distribution of the proceeds of the aforesaid choses in action belonging to said estate. and to his right and authority to sell the other personal property belonging to said estate, as prayed for in his Petition.

J. H. Bush Co Judge

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

N No. 2127;
In the Matter of Estate
of Isaac Carl Re.

After Closing Admin-
istration. Discharge
Administrator and
Making Distribution
of Estate

To be entered in
Full on Minutes

FILED Mar 9 1894

L. H. HUGHES, Clerk County Court.

By J. H. [Signature] DEPUTY

Entered
L-428

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1977

No. 2127. :
 In the Matter of the Estate :
 of Isaac Carter, deceased. :

A P R I L 1 4 T H, 1 8 9 6.

Now on this day in open court the administrator, with the will annexed, presented his bond and oath as such administrator of said estate, and the same having been examined by the court and found to be in due form of law, and said bond being signed by solvent sureties in the requisite amount, the same is approved and ordered filed in court, ~~and filed in court~~ and recorded at length in the minutes, and the said M. V. Cole is hereby declared qualified as administrator, with the will annexed, of the estate of said Isaac Carter, deceased; and the clerk of this court will issue to him proper letters testamentary and of administration authorizing and empowering him to administer said estate in accordance with the law.

And further, then came the administrator with the will annexed as aforesaid and presented to the court the inventory and appraisment and list of claims of said estate as prepared by him, assisted by the duly appointed appraisers herein, Sam G. Worthington and Oliver Thomas, and the court having fully inspected and examined the same, and finding the same to be in all things in due form of law, and correct as to its statements; it is considered, ordered and adjudged that the same be approved, filed in court, and recorded at length on the minutes of the court.

No. 2127. :
 In the Matter of the Estate : Probate of Nun-cupative Will.
 of Isaac Carter, deceased. :

MARCH 21st, 1896.

Now on this day came on to be heard the application of M. V. Cole to probate the nun-cupative will of Isaac Carter, deceased, and the court having fully considered the same, and it appearing to the court that due and proper citation of the said application has been made as required by law, and the court having inspected the written memorandum of said will as made and attested by D. G. Wooten, Sam G. Worthington and J. F. Irwin, witnesses to the testamentary words therein contained, and having heard the sworn statements of said witnesses in open court to the utterance, and declaration of said testamentary words by the deceased, and being fully satisfied that the testator, Isaac Carter, deceased, at the time of declaring said testamentary words and executing the same was over 21 years of age; was of sound mind; is now dead; that this court has jurisdiction of his estate; and that, as aforesaid, citation has been served and returned in the manner and for the length of time required by law; and that said testator executed said will by ~~declaring~~ ^{declaring} said testamentary words, with the formalities and solemnities and under the circumstances required to make said words a valid nun-cupative will; and that such will has not been revoked by the testator; it is accordingly ordered that said testamentary words, evidenced as aforesaid, be recorded as part of this order, and that the sworn statements of said witnesses,

FILMED BY THE

Dudley G. Wooten, Sam G. Worthington and John F. Irwin, be likewise recorded as part hereof, together with the application for the probate of said non-cupative will, and that said testamentary words be, and the same are hereby declared the last will and testament of the said Isaac Carter, deceased; to be given effect, however, only so far as the same affects and disposes of the personal property of said testator.

And upon the application of the said M. V. Cole, it is further considered, ordered and adjudged that he, the said M. V. Cole, ~~as~~ a resident of Dallas County, Texas, in no way disqualified, be, and he is hereby appointed administrator of said estate with said will annexed, upon his taking the oath required by law, and giving bond in double the amount of the appraised value of said estate.

And it is further ordered that Sam G. Worthington, W. H. Thomas and Oliver Thomas be, and the same are hereby appointed appraisers, whose duty it shall be to make the inventory and appraisal of said estate, with the assistance of said administrator, and return the same into court in the manner and within the time required by law.

FILMED BY THE DALLAS GENEOLOGICAL SOCIETY 1977

THE STATE OF TEXAS

To the sheriff or any constable of Dallas County--Greeting:

You are hereby commanded, that you make publication of this citation in some newspaper, published in the County of Dallas, for four successive weeks, previous to the return day hereof:

To all persons interested in the Estate of Isaac Carter, Deceased, M. V. Cole has filed in the County Court of Dallas County, on to wit: the 20th day of January, 1896, in case No. 2127 on the Probate Docket of said Court styled and entitled "In Re the Estate of Isaac Carter, deceased." An Application to probate the nun-cupative will of said Isaac Carter, deceased, alleging in said application substantially the following statements:

That the said Isaac Carter died in Dallas County, Texas, on the 1st day of December, A. D. 1895; that at the time of his death and prior thereto the said Isaac Carter had his domicile in and was a resident of Dallas County, Texas; that at the time of his death he was seized and possessed of personal property of the probable value of \$15,000.00, the bulk of which personal property is in money; that prior to his death the said Isaac Carter, to wit: on the 24th day of November, 1895, at the hour of about 7 o'clock A. M., at his usual habitation in said Dallas County, Texas, he then being about 70 years of age and of sound mind, but then languishing under a fatal illness, made his last will and testament, in the form of a nun-cupative will, and by uttering certain testamentary words in the presence of witnesses then in attendance, he did bequeath his estate as follows, to wit: "that he devised and bequeathed one half of all his property, real and personal, wherever situated and of whatever description, to the two little girls of John F. Irwin, viz: Maggie Irwin and Mary Irwin, to share equally alike therein; the other half of his estate, real and personal, to descend and be distributed according to the laws of Texas regulating such matters. Said Carter further declared at the same time and place, and as a part of the same testamentary declaration, that it was his will and desire that the father of said children should have no interest in said property thus devised, but that the said two children's estate thus devised should be managed and controlled by some competent and trustworthy guardian, to be appointed by the County Court of Dallas County, until said children should arrive at their legal majority." That said nun-cupative will, or testamentary words were made in the manner and under the formalities required by law and afterwards reduced to writing by the said witnesses Dudley G. Wooten, Sam Worthington and J. F. Irwin, on the same day at to wit: about 8 o'clock A. M. That the said Carter died without revoking or altering said will. That the said Isaac Carter left no heirs in the State of Texas, so far as petitioner is advised and believes, but that he did leave certain heirs at law, residing in the States of North Carolina and Missouri, whose names and exact places of residence your petitioner can not now set up. Petitioner prays for citation as required by law, for the probate of said nun-cupative will, and that he be appointed Administrator of said Estate with the will annexed &c; which application will be heard and acted upon by said County Court at the next regular term thereof, to be holden within and for said County of Dallas at the Court House of said County in the City of Dallas, on the first Monday in March, A. D. 1896, at which time and place all persons interested in the Estate of said Isaac Carter, deceased, shall appear and contest said application should they desire to do so.

Herein fail not, but have you then and there before said court, this writ, with your return thereon, showing how you have executed the same. *Returnable First Monday in March, A.D. 1896.*

Given under my hand and the seal of said Court at my office in the City of Dallas, this the 30th day of January, A. D. 1896.
Issued this 30th day of January, A. D. 1896.

L. H. Hughes, Clerk County Court,
Dallas County, Texas.

By.....Deputy.

The State of Texas }
 County of Dallas } On this day came A. J. Hite who being duly sworn
 says that he is in the employ of Joe S. Green publisher of the
 Lancaster Herald a weekly newspaper published at Lancaster
 in Dallas County Texas and that the above and foregoing
 notice was published in said paper for four (4) successive
 weeks to wit 7, 14, 21, and 28, 1896

A. J. Hite

Sworn to and subscribed before me this July 29-1896
 J. H. H. County Clerk
 Dallas Co. Tex
 My Attestation

No. 2127
 In Re Estate of
 Isaac Carter
 Deceased

Exhibition
 3-25-96

Ex. Dec. 1896
 1896

Recorded

Case file 208 1896 and record to county
 Court to be published in the Lancaster Herald & Herald
 in Dallas County Texas and of our jurisdiction
 prior to return the same to me - July 7th
 1896 and 28th 1896 each of said publications
 in this attached and made a part of the
 record on this that
 A. J. Hite
 Dallas Co. Tex