

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Paper dated 19 September 1835

[At the top of the page is written in the same hand as at the very bottom:]
John McCoy Sr. gave his 2 youngest land –

[I can't make out the large writing on the first line and a half, but inside a squiggly
"cloud" is the word: seal]

1834

1835

State of Coahuila Texas

Department of Bexar

Jurisdiction of Gonzales at Gonzales the 19th day of Septem in the year of Our Lord one
thous and eight hundred and thirty five. J Bartholomew D. McClure ----- Judge of the ---
Jurisdiction Certify. That there came before me Citizen John McCoy. Senr. Of this
Jurisdiction whom I Know who voluntarily acknowledged and confessed that for and in
consideration of the natural love and affection which he bears to his two youngest
children To Wit Daniel McCoy and Louisa McCoy and in consequence of said children
not having received any lands in the country though they have sheared with him in the
suferings incident to new setters therein. He the said John McCoy Senr has given granted
renuned and relinquished, and by these presents does give, grant, renounce and
relinquish unto them the said Daniel McCoy and Louisa McCoy all and singular that
certain parcel being the lower part of that certain League of Land, which He the said John
McCoy Senr. Received in the Colony of Green DeWitt as a Setler therein by act and
Deed of the Commissioner of the State for imparting lands bearing date 24th April 1831
and which is known and distinguished as Survey No. four in Class Number one and
bounded as per refferance (sic) to the said original deed. The which certain parcel or
lower part of said league of land is and to be bounded as follows beginning at the mouth
of a Branch the only Branch or Creek which runs entirely through the said League thence
up the said Branch with its meanders to the back line of said League. Thence down the
said back line to the South East corner of said League Thence With the lower line of said
League to the Guadalupe River Thence up the said River, with its meanders to the place
of beginning, And the said John McCoy [fades out at bottom]

{ After a space there is written in another hand:]
John McCoy Sr. gave land to his 2 youngest children

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
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Paper dated: 29 May, 1838

To the Hon- Judge of the probate court for the county of Gonzales your petitioner Daniel McCoy would respectfully represent to ajrefer that he is Desirous of obtaining letters of administration on the estate of my Deceased father – John McCoy Senr- who died intestate in the winter 1838 your petitioner being one of the heirs claims the privilege having nothing in view more than the Securing the estate for the benefit of the heirs for which your petitioner will ever pray given under my hand this 29th May 1838

Mark

Daniel + McCoy

Having read the foregoing petition it is ordered that the clerk file the same in the office the clerk of Probate and give public notice in the terms of the case to the heirs and all interested persons to file their objections by the June term of the probate court or letters of administration will extend to the petitioner given under my hand office the 29th May 1838

B C. McClure Judge Probate
Cty Gonzales

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Paper dated 25 June 1838

Republic of Texas
County of Gonzales

Know all men by these presents that we Daniel McCoy Jnr as principal and Stephen Smith – William A Matthews as securities all of the county of Gonzales and Republic of Texas; are held and firmly bound unto B.D. McClure Judge of Probate in the penal sum of Five thousand dollars for the true payment of which we bind our selves our heirs Executors and administrators Jointly severly and firmly by these present sealed with our seal and dated this 25 day of June 1838. The Condition of the above obligation is such that whereas the above bound Daniel McCoy Jnr. Has been appointed administrator on the Estate of Jno McCoy Sen. Deceased by the Judge of Probate for the afod (short for aforesaid?) County of Gonzales and Republic aforesaid Now if the aforesaid Daniel McCoy Jnr. Shall well and truly do and perform all and Singular the duties required by Law. Of him the said Daniel McCoy Jnr as administrator of the aforesaid Estate of Jno McCoy Senr. Deceased then this obligation to be void Otherwise to remain in full force and virtue given under our hands and seals this day and date above written

Wm A. Matthews –seal
his
Daniel X McCoy seal
mark

Republic of Texas
County of Gonzales

Stephen Smith seal

I Daniel McCoy Jnr. Do Solemly Swear that I will truly and faithfully discharge the duties of administration on the Estate of Jno. McCoy Snr. To the best of my Skill and Judgement So help me god this 25 day of June 1838.

Daniel + McCoy Jnr

{Back of same paper reads: }

Daniel McCoy Jnr.
Bond of administration
On the Estate on Jno
McCoy Sen

June the 26th Recorded in
Probate Rec^d letter A page
27. E Williams
C.C. of the C. Gonz.

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Paper dated July 31. 1838

Republic of Texas
County of Gonzales

Receivers office July 31, 1838

Rec^d of Daniel M.Coy administrator of the estate of John M.Coy dec. Thirty four Dollars and eighty eight & half cents in full of the Government dues on one League of lands granted to the said John M.Coy as a headright in the Colony of the Empresario Green Dewitt and deeded by Jose Antonio Navarro in conformity with the Law of Colonization of the 24th of March 1825.

J.D. Clement
Recd of public monies
For the Cty of Gonzales

{Back of same paper reads: }

Daniel Mcoy
Receipt for Land
Dues \$34,88 ½
No 2

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Paper dated 31 August 1838

John McCoy Snr – Jos. S. Marten

1835 March 2	1	To 4 lb Shot	\$100	1	00
August 2 nd	½	“ ½ ditto Tea		“	88
Septmr 7	113	“ 1 Plug Tobacco	6/2	“	75
“ 11	127	“ 1 Pair Side Conbs	4/	“	50
“ “	196	“ 1 Plug Tobacco	6/2	“	75
October 20	202	“ 1 Pair Side Conbs	2/	“	25
“ “	“	1 Comb	5/	“	63
“ “	“	1 Qune(?) paper	3/	“	38
Novm 6	220	“ 2 Strings Beads	2/	”	25
“ “	“	“ “ Thread	13	“	13
“ 23	242	“ I Thimble ? ???, ? Daughters		“	6
Dec. 21	273	“ 1 Shawl	6/2	“	75
“ “	“	“ 1 Comb	6//2	“	75
“ “	“	“ 1 Ditto Side Comb	2/2	“	25
“ “	“	“ 2 Strand Beads	4/2	“	50
“ 25	277	“ 1 pair Shoes	16/2	2	50
“ “	“	1 Pair Silk Hoes(?) Loui.	20/	2	50
January 1	284	“ 1 paper pins by Louisa	2/	“	25
“ “	“	“ 1 vial calomel	4.	“	50
March 8	337	“ 1 Pair Shoes by Louisa		1	50
“ “	“	“ 1 Half (?) by Louisa	2 00	2	00
“ 9	339	“ 1 Shirt	20/2	2	50
“ “	“	“ 1 Ganzy Shirt	16/	2	50
“ “	“	“ 1 H df(?)	5/2	“	63
“ 11	340	“ 1 Pair pantaloons	20/	2	50
“ 9	341	“ 4 Rings	4/	“	50
“ “	341	“ 3 Shirts	42/	5	00
“ 15	353	“ To Order by ??B. Patnck?		16	00
“ “	353	“ 2 yds James?	4/	1	10
“ 29	366	“ 1 Bushel Salt	12/2	1	50
April 14	381	“ 6 yds Calico by Louisa	4/2	3	00
“ 16	385	“ 2 ditto do by do	4	1	00
August 1	98	“ 5 yards Brown Linnen	5/2	3	13
“ “		“8 ½ ditto Domestic	2/2	2	13
		Amt. Brot. Over		57	97

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[Page 2 reads:]

Amount Brought Over				\$57.97
Augst 1	98	To 1 Coffee Boiler	100	1 00
" 28	134	" 2 lb Tobacco	4/	1 00
Sept 22	149	" 4 yards Calico	4/	2 00
" 23	150	" 1 Handkerchief	12/	1 50
				\$63 47
		????		
March 14	...3	52 By cash from the hand of		
" 22	..3	60 Louisa McCoy	13.32	
" "	"	" By cash	6.00	\$19 32
		Balance Due		44 15
		? ? Martin By Cash Recd of D McCoy Adm		44 15
		Personally appeared before me the undersigned Judge of Probate; Jas S. Martin after being Duly sworn under oath the foregoing account is correct where unto I have caused the said Jas. S. Martin to assign this		63 47
		31 August 1838		

Joseph L Martin
 B.D McClure Judge Probate Cty Gon
 John McCoy Ser. A/c
 With Jas. S. Martin \$44.14
 No 1

2259/
2
 4538
 1129 ½
 56.67

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Paper Dated March 1839 [very water stained]

Daniel McCoy admin of John McCoy Ser To Andrew Neill het(?)
1839

March To legal ---e in District court in the case against Francis Irwin in your favor
Account recovered by you being \$1608.86 collection fees @ 10 per cent on that amount
being 160.88
1839 July 13 payt in full)

Paper Dated 30 July 1839

Received of Dan McCoy admin of John McCoy the sum of one hundred fifty-six dollars
on account of business done for said Estate sa per account in the hands of W.A. Matthews
which 156\$ will be credited thereon
Gonzales July 30, 1839

A. Neills

[On back reads:]

Neills Rect \$156.00 No 3

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Paper Dated 30 July 1839

Republic of Texas

County of Gonzales

To the Hon. Probate Court for said county

The administrator of the Estate John McCoy Senr Deceased

would respectfully present his final account on said Estate

The administrator charges himself with Amount received by ?--- of J---	\$1504.00
Cash on hand	590.00
Cash received for mill	50.00
Do. For rails	13.00
Do. For Iron	15.00
Note Collected	<u>27.--</u>
	\$2259.—

Crs to administrator

A/C of Jos Martin No 1.	44.15
Receipt for land dues No 2	34.88 ½
Atty fees as per a/c No. 3	156.00
A/C of Eggleston No 4	42.07
Court fees Judge & clerk - 5	<u>6.80</u>
	\$283.94 ½

Bal in hands of adm. \$1975.10 ½

[On Back reads:]

Which shews a balance of \$1975.10 in the hands of the administrator ready to abide the order of court when he prays an allowance of services and other court fees

Gonzales

Daniel McCoy

July 30, 1839

adm of John McCoy deceased

Daniel McCoy Adm. Of John McCoy Senr final a/c filed 30th July/39

July the 30th 1839

The Final account of Daniel McCoy is this day presented to the court of Probate and it therefore orders that the clerk give Public Notice of the same and if no Lawful objections are mad a final settlement will be made at the next term of this court with sa. McCoy as administrator on the estate of John McCoy Decd.

James Campbell Prob Ju—
Gonzales C-

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
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Paper dated 27 August 1839

Republic of Texas Gonzales County August 27, A.D. 1839

The final account of Daniel McCoy Adm. Of John M.Coy – dec.d

Together with a final settlement		Brot forward	289.86 ½
The administrator charges himself		Commissions	<u>56.67 ½</u>
With the amt. Of Judgment against			346.54
Irvin [?] this amt. Recd	1504.00	Balance in hands of	
Cash on hand	590.00	Administrator	1912.46
Cash recd for Mill	50.00		
D. Rails	13.00		
D. Iron	15.00		
D. Note Collected	27.00		
	\$2259.00		
The administrator credits himself			
With the following disbursements			
This amt. Pd T.S. Martin N.	44.15		
D. – Government fees on Land N 2	34.88 ½		
Atty. Fees as per acct N 3	152.00		
This amt pd. Eggleston N 4	42.07		
Court fees – now rendered N 5	6.80		
Court fees on final settlement	5.96		
Carried forward	\$289.86 ½		

It is therefore ordered and decreed that the above is a final settlement of said adm. With – Probate Court and that the above amount of nineteen hundred and twelve 46/100 dollars is subject to the order of the heirs of said Estate. To which settlement the said adm. In conjunction with the Probate Court subscribe this 27 th day of August A.D. 1839.

James Campbell -----
Edm. Bellinger Associate Justice

his
Daniel X M.Coy Adm.
mark

{Back of paper reads:}

Final Settlement of Daniel Mcoy adm.
Of the Estate of John
Mcoy decd.

Recorded in Probate Recd.
Letter A in Page 82.
August the 27th 1839
Ezekiel Williams
Clk Probate

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
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Undated Paper – after Aug term of Probate court ruled on Daniel McCoy's account
Republic of Texas

County of Gonzales

In the case of Daniel McCoy
Administrator

In this case W.W. T. Smith counsel for absent heirs moves the court that the account of Daniel McCoy administrator of John McCoy rendered at the August term of this court may be set aside on the grounds of fraud and because the heirs or the representaters had no notice of the final no other action on said account and consequently could not contest the same

W.W. T. Smith

Ordered that the account referred to above be set aside upon the grounds that the same is incorrect and that the parties interested had no opportunity of making their objections as the law requires.

Edm. Bellinger
Probate Judge

[Back of paper reads:]

Smith counsel for absent heirs vs Daniel McCoy

Petition to set aside the final settlement of Danl. McCoy adm. of John McCoy on the ground of fraud – no legal notice to the interested

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
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Paper dated September 1839

Republic of Texas
County of Gonzales
Probate court
Sep. term 1839

To the Hon James Campbell judge of Probate for the county of Gonzales – The petition of Adam Zumwalt guardian of the minor heirs of Sam. McCoy deceased late of the County and republic aforesaid respectfully represents unto your Hon that one John McCoy of the county and republic afore said died intestate and that his estate was administered on by Daniel McCoy also of said county and further that the same has been settled up under the superinte--- of your Hon court and your petition would further represent that the aforesaid Samuel McCoy was son and one of the heirs of the said John McCoy and that therefore the children of the said Sam McCoy will take and [?] part in the division of the estate of the said John McCoy wherefore your petitioner as guardian of the children of the said Sam McCoy prays that a ~~partition~~ division of the estate of this said John McCoy may take place and that the administrators & all the heirs may be cited to appear and shew cause if any they have or know why a ~~partition~~ division should not take place and that portion coming to the heirs of Sam McCoy should not be ---- over to your petitioner and --- --

W.W. T. Smith
For Adam Zumwalt

It ordered by the court of Probate for Gonzales county that the clerk of Probate Issue citations To the heirs of John McCoy dec^d {to wit} The heirs of Joseph McCoy decd or their legal representatives of Washington county – Daniel McCoy of Gonzales county John McCoy Thomas Matthews & his wife Louisa & Adam Zumwalt Senr. Guardian of the minor heirs of Samuel McCoy dec^d all of Gonzales County to be & appear at the court house in the town of Gonzales on the 28 day of November 1839 to attend to a Judicial partition to take power before the chief Justice of said county or to shew cause if any they have why said division shall not take place as prayed for in the foregoing petition
Oct 2nd 1839

James Campbell P.J.G.C.

Citations -----
By me E. Williams
Probate Clk
October the 8th 1839

[Sideways along the bottom of the same side of the page reads:]

Petition for division of the Estate of John McCoy
Adam Zumwalt guardian of the minor heirs of Sam McCoy vs The heirs of John McCoy

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Undated Paper –

To the Hon E. Bellinger Chief Justice of Gonzales County in Probate Court setting

Your petitioner

Administrator of John McCoy dec^d. Would represent that a judgement & execution has been obtained against him in your court & Sundry property levied upon the supposed judgment & execute on was obtained from James Campbell acting as Judge of Probate of the court over which you now preside, when in fact he was no judge or chief justice, your petitioner would therefore pray that the said judgement of execution be annuled & held for nought, as having been given illegally & by a private man.

J.M. Robinson
Atty. For Danl. McCoy
administrator of John McCoy

[Back of Paper reads:]

Petition granted & ordered to be filed.
Edm. Bellinger Probate Judge

Heirs of John McCoy vs. Danl. McCoy

Petition of def.d

Petition for the release of Judgment of Execution obtained against the said Dan. McCoy – under the direction of James Campbell. Perporting to be chief Justice protem when he was not.

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
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Paper dated: 9th Term 1840

William W.T. Smith attorney for Adam Zumwalt guardian for the minor heirs of Samuel McCoy heirs of John McCoy Senr and W.W. T. Smith attorney for absent heirs of the estate of John McCoy Senr. Makes oath and says that Daniel McCoy administrator of ~~said~~ the estate of the said Jno. McCoy is ---- [large?] indebted to the said above named heirs of said estate and that he the said Daniel McCoy has no prospects within the county of Gonzales to the knowledge of affiant his ----- [possession?] and further that said affiant has just reason to believe that Kitty McCoy, Green McCoy, Thomas Mathews and wife & John McCoy all of the county of Gonzales and republic of Texas and one Williams of the county of Jackson and republic aforesaid are indebten to the said Daniel McCoy or have effects of said Daniel McCoy in their hand or --- [possession?]

W.W. T Smith

Republic of Texas

County of Gonzales} I certify that WW T Smith has been duly --- [granted?] by me title -
----- affidant -being just and true the Best of his knowledge Term the 9th 1840

E Williams -
Probate
G.C

[On back:]

Smith Zumwalt

VS

Daniel McCoy

Affidavit in

-----{?arrishonemt?}

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Paper dated 25 February 1840

Republic of Texas

Gonzales County

Adam Zumwalt

Guardian of the heirs of Sam. McCoy dec.d

Vs

Daniel McCoy

John McCoy

Thos. Mathews & Louisa his wife

The heirs of Joseph McCoy

In the Probate Court

Feb. Term A.D. 1840

on petition of curatos(?)

for partition

Be it remembered that on this day, February twenty fifth. Anno Domine Eighteen hundred and forty. This cause came on to be heard before the Honorable Emund Bellinger Chief Justice of said county on the petition of the Counsel W. W. T. Smith, asking a partition of the estate of John McCoy dec^d upon a full examination of the premise, it appeared & was admitted that the said defendants were notified to attend the probate court of said county in November A.D. 1839. When there was no probate court holden. In December following there was no court holden, & in January following there was no court holden & the court now decided that the defendants had no notice of the pendency of said petition so as to require them to answer it at this term in as much as they were discharged without day at the November term of this court there being no court.

Therefore W.W.T. Smith counsel of aforesaid moved the court for an ali— subpoena requiring the defendants to appear at the next March Term of this court to answer the said petition, which motion the court here granted. To which last mentioned motion, & its allowance by the court Robinson Attorney for Daniel McCoy one of the heirs of said estate. & one of the parties defendant, now accepts to this last opinion & asks of this court. & prays that this his bill of excepting may be sealed & made part of the record in this cause.

~~I certify the foregoing statement to be a true statement of the facts & proceedings in the foregoing cause.~~

And the said Robinson attorney for Daniel McCoy of aforesaid moved the court here that said McCoy be now dismissed without delay & have & recover his costs in this suit expended & that the plaintiff the said counsel as aforesaid be required to commence his suit de novo, if he wishes farther to prosecute this same which last motion the court overruled to which the attorney for Danl. McCoy aforesaid excepts & tenders this his bill of exceptions. & pays that it may be sealed & made part of the record in this cause

I certify the foregoing to be a true & just statement of facts & proceedings in the cause.

Edm Bellinger Probate Judge L.S.

[On outside of one sheet reads:]

W.W. T. Smith

Counsel of the absent heirs of J. McCoy

Vs. Danl. McCoy & others

Bill of Exceptions

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Paper Dated Feb. term 1840

Republic of Texas
Gonzales County

In Probate Court

Feb. term 1840

To the Hon Edmund Bellinger chief justice of the county aforesaid
The petition of Adam Zumwalt guardian of the minor heirs of Samuel McCoy heir of John McCoy deceased and W.W. T. Smith Counsel for absent heirs of the estate of the said John McCoy respectfully represents unto your Honor that Daniel McCoy is the administrator of said estate, and Prays that your may compel the said Daniel McCoy to account at the next term of your Honor's court and pay over according to law all the money which he may be found to owe --- this representing XXX
W W. T. Smith in propria persona
And WW.T. Smith for A. Zumwalt

And your petitioners further pray in this supplemental petition that John McCoy Jun. The heirs of Joseph McCoy by this representative and one Louisa Matthews and Thomas Ma. As well as the said Daniel McCoy be cited to appear and be present at said account or to take notice of the same.

W W. T. Smith in propria persona
And WW.T. Smith for A. Zumwalt

The foregoing prayer & Supplement is granted & ordered on file

Edm. Bellinger.
Probate Judge L. S

[on Back it reads:]
Zumwalt & Smith
Vs
Daniel McCoy
Petition for account
To have the said Danl. McCoy
Adm. Of John McCoy decd & others
To be and appear in court to attend final settlement

Entered in decree Book
Or Journal of Court

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Paper Dated 26 Feb. 1840

Republic of Texas
Gonzales County

In Probate Court

Feb. term 1840

To the Hon Edmund Bellinger chief justice of Gonzales County

The petition of W.W. T. Smith counsel for absent heirs of the estate of John McCoy respectfully represents unto your Honor that there are three of the heirs of said estate in the state of Missouri in the United States of the North. Wherefore your petitioner pr[ays] that he may be allowed at the next term of your Hon. Court to establish the same and that the other heirs may be cited to appear at the next term of your Honor's court and show cause if any they have why the aforesaid absentees should not be admitted as heirs and provision made for them in the distribution of the property of the succession of the said John McCoy

And your petitioner as in duty bound will ever pray –

W.W. T. Smith

Article --- 1. Have you any brothers or sisters to your knowledge that do not live in this county or this republic? If so are any of them dear to your knowledge and, who are their representatives?

Article 2nd 2. Mention the names of all your father's children or all of them whose names you know:

W W. T. Smith Counsel for absent heirs of John McCoy requires Daniel McCoy. John McCoy. & Louisa Matthews formerly Louisa McCoy to answer the foregoing interrogations and he W.W. T. Smith says on oath that he believes answers to the above interrogations to be material in this case.

W.W. T. Smith

Sworn to and described before

Me this 26th day of Feb 1840

Edm Bellinger. Chf. Justice

L.S.

[On the back reads:]

The petition granted ordered that Daniel McCoy and Louisa Matthews be cited to appear and answer the within interrogatories and this petition be filed and that this citation be included in one already ordered by this court. Edm. Bellinger Probate Judge L.S.

Smith Counsel for absent heirs vs The heirs present of John McCoy
Petition in Probate Court Requiring the court to cite the heirs present to answer
Interrogatories.
Entered in Journal decree.

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Undated paper but is result of previous ruling

Wm. W. T. Smith Counsel March Term Probate Court
For absent heirs Gonzales County

Vs

The Heirs present of Evidence in the above case
Jno McCoy Dec^d John McCoy – sworn have you any
Brothers or sisters that do not live in this Republic to your knowledge

Answer- I have had two brothers and a sister

A. are any of them dead-

Ans. One of these brothers I believe to be dead-

Q. Who are their representatives-

A- He was a married man and I believe had two children

Q. Mention the names of all your fathers children-

Ans- Margaret-Joseph-James-John-Thomas-Timothy

Samuel-Jesse-Daniel-Louisa-

Daniel McCoy – sworn- corroborates the testimony of the former witness-

[On back reads:]

Estate of John McCoy Sen Depositions of John McCoy Jur and Dan McCoy

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Paper Dated 26 Feb. 1840

Republic of Texas
Gonzales County

In Probate Court Feb. term 1840

Be it remembered that at this term of the aforesaid court.
W.W. T. Smith counsel for the absent heirs of John McCoy Sen. & moved the court to set aside the final settlement made in the accounts of said estate by Danl. McCoy administrator, by the probate court here, on the grounds of fraud, & acct of notice, again appear by reference to his petition on file in said court. I did appear to the court here that notice was ordered to be given by the clerk of this court, which was done, in the usual way by advertisement, which the court held was not sufficient notice to the heirs. ~~in the second plan to share — a paper purporting to be — and from the journal of the docket of the or journal of the district court of a judgement then but not the record in the cause, & there was no seal, public or print of it chk to the said pretended extract, but the court here decided that no seal public or private, or other designation of the pl— mors fully appear by referm at same— file in this court~~

Robinson attorney for Daniel McCoy administrator as aforesaid & excepts to these opinions, decisions & proceedings of the said court & prays that this his bill of exceptions may be sealed by the court now – Here & made part of this

[On back of paper it reads;]

Record in this cause.

I certify the foregoing proceedings to be correct as contained in this within bill of exceptions

Feb. 26th 1840

Edm. Bellinger Probate Judge
L.S.

W.W. T. Smith Counsel for the heirs of John McCoy
Vs. Danl. McCoy adm
Bill of Exceptions

Entered

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Paper dated 31 March 1840 –

[This paper was on legal paper and in 2 columns landscape format. I am showing it as per column]

Daniel McCoy administrator of the Estate of John McCoy decd. In accept (sic) with said Estate

CR.

Judgment per (?) Jouris (?) Principal	1564.00
Interest	44.86
Cash in hand	590.00
Cash for Mill	55.00
Cash for Rails	13.00
Cash for Iron	15.00
Note	<u>27.00</u>
	<u>22508.86</u>
Cr. By Jas. S. Martin's acct.	44.15
“ Government Dues on Land	34.88 ½
“ Attorney's fees	156.00
Egglistins (?) acct	42.07

[Column 2 page 1]

Cr. By Court fees	6.80
“ Do. Do. On finial settlement	20.80
“ Administration Commission	57.72
“ Probate Judges Commission	<u>1.80</u>
	362.42 ½
“ Ballance (sic) due the Estate	<u>1940.44</u>
	<u>2308.86 ½</u>

We hereby certify that the above account was taken all the heirs being duly represented before the court except the heirs of Joseph who made default though duly cited as appears by the rcon (?) – and said account is approved by us this 31st day of March 1840

Edm. Bellinger Probate Judge –
H.G. Henderson, A.J.

[Back of paper]

[Column 1]

Daniel McCoy's account

[Column 2]

ordered on file & to be recorded.

Edm Bellinger Probate Judge

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)

Paper Dated May term 1840

Republic of Texas
Gonzales County

In Probate Court
May. term 1840

W.W. T. Smith counsel for absent heirs of the estate of John McCoy moves the court that a guardian be appointed to the minor heirs of absenties and represents and theirs unto the court that there is property belonging to the said minor heirs and that is neapany(?) that there should be a guardian to take charge of the same.

W.W. T. Smith
Counsel for absent heirs
Of the estate of John McCoy

It appears that the property alluded to in the foregoing motion consists entirely in money- That the estate of the siad John McCoy has been finally settled by the administrator- And that the law requires the dividends of minor or minors or Mast-Guardeaies (?) to be paid into the Treasury of the Republic. Therefore it appears to be unnecessary that a guardian should be appointed- The Motion is therefore overruled-

Edm. Bellinger
Judge of Probate-

[Back of paper reads:]

W.W. T. Smith's motion in court Council for the absent heirs of John McCoy d.

Paper dated 29 May 1840

The absent heirs of the estate of John McCoy Snr Dr.

To 10 percent commission on money collected for them	\$73.00
To service rendered in setting aside administration acct	10.00
To services rendered in Superintending the administration In establishing the identity of the heirs in procuring Testimony in writing to inform them of the conditions of The estate and in requiring a division etc.etc	<u>17.00</u>
	\$100.00

The account of W.W. T. Smith council for absent heirs of the estate of John McCoy Sen. Dec^d. For one hundred dollars is ordered to be filed with the papers of said Estate-
May 29th A.D. 1840

Edm Bellinger
Probate Judge

[Back of paper reads:]

Account of counsel for absent heirs of the Estate of John McCoy by W.W. T. Smith

[on side of paper is:]

973	4/973.22
	<u>243.30</u>
	\$729.92

Copies of John McCoy's Probate papers #27, Gonzales Co. Archives
(I have tried to show the format where practical)