

Fannin County, Texas Probate Court for Rotan and Allied Descendants

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Fannin County, Republic of Texas Probate Court, Volume A: pages 1-2
03 November 1837

On this day came **Jabez Fitzgerald** by his attorney **David Rowlett** and presented a petition setting forth that **Patrick Fitzgerald** late of the county of Fannin died intestate To wit and it appearing to the satisfaction of the Court that the said **Patrick Fitzgerald** has no legal Representative within the Jurisdiction of this Court it is therefore ordered that letters of Administration be and they are hereby granted to said **Jabez Fitzgerald** upon the estate of said **Patrick Fitzgerald** Dec'd and that the same be certified.

Fannin County, Republic of Texas Probate Court, Volume A: pages 35-36
12 November 1838

Republic of Texas } To the honorable Chief
County of Fannin } Justice of and Judge
of the Court of Probate in and for
Said county

Your petitioner **Jabez Fitzgerald** Represents that whereas he has heretofore prayed and obtained letters of Administration upon the Estate of **Patrick Fitzgerald** as the legal Representative of said deceased and by virtue of his said letters he has received and had come to his hands on Land Certificate granted by the board of Land Commissioners for the County aforesaid for one-third of one League of Land and that said Land cannot be located so as to secure to the heirs and creditors of said deceased the benefits of property of Location secured to them by the Land law of our said Republic of Texas for the want of available means where with to complete the same and further represents that his claim against said Estate is one hundred and fifty-five Dollars and 37/100 and that there are other [page 36 begins] claims to be produced which several claims cannot be paid without this sale of said decedant's Land Certificate therefore prays that the following — may be entered of Record and as in duty bound will forever pray etc

Jabaz Fitzgerald, Adm.

Fannin County, Republic of Texas Probate Court, Volume A: page 44
29 January 1839

On this day **Jabaz Fitzgerald** administrator of the Estate of **Patrick Fitzgerald**, decd, presented sundry vouchers against said estate amounting in all to Two hundred and Two Dollars and 21½/100 which vouchers was [sic] Examined by the Court of the validity of the same and found to be correct and allowed by the Court and Fitzgerald that same be filed etc.

Fannin County, Republic of Texas Probate Court, Volume A: page 52
01 March 1839

On this day **Jabez Fitzgerald** exhibited his vouchers in said administration.

Fannin County, Republic of Texas Probate Court, Volume A: page 60

01 April 1839

Hiram Sadler presented a voucher against the Estate of **Barney Clark**.

Fannin County, Republic of Texas Probate Court, Volume A: page 141

Tuesday, 31 July 1840

John R. Garnett having his petition in the Court of Probate at the August Term of said Court...

[Note: **James T. Garnett** died prior to July Term 1840 in Fannin County, Republic of Texas, since his son and executor first petitioned the probate court at that time.]

Fannin County, Republic of Texas Probate Court, Volume A: page 154

01 December 1840

This day the petition of **John R. Garnett** for letters of admr. on the Estate of **James T. Garnett** not appearing, and it appearing to the Court that notice had been given according to law & no objections having been made (,) it was ordered by the Court that letters be granted to the said petitioner according to his petition on his entering into Bond and security in double the value of said Estate – and that Scire facias issue to the said **John R. Garnett** to appear at the next Term of this Court and enter into said Bond as the Law directs.

Fannin County, Republic of Texas Probate Court, Volume A: page 156

28 December 1840

This day it was ordered by the Court that **James A. Baker** (,) **Wm R. Baker** and **Robert Kerr** be and they are hereby appointed appraisers to appraise all the property belonging to the Estate of **James T. Garnett** Deceased and make reports of the same to this Court within the time prescribed by Law according to Law etc —

Fannin County, Republic of Texas Probate Court, Volume A: pages 159-160

28 December 1840

This day **John R. Garnett** came forward into Court by order of Sciefa and entered into Bond & Security as the Law directs as the administrator of **James T. Garnett**, dec. and letters now granted him accordingly.

This day **Sarah Garnett** presented her petition for Letters of Guardianship for (page 160 begins) **James Garnett & Robert Garnett** minor heirs of **James T Garnett**, dec^d – and it was ordered by the court that notice be given and that the petitioner appear at the next Term of this Court & enter into bond.

Fannin County, Republic of Texas Probate Court, Volume A: page 161

28 December 1840

This day **Jabez Fitzgerald** adm of **Patrick Fitzgerald** dec^d came into Court to make final settlement of Said estate, when it appeared to the Court that the Estate of said decedant sold for one hundred Dollars – and that from the vouchers produced in court and admitted on behalf of said administrator, amounting to Two hundred and three Dollars 12½ /100 and it further appearing to the Court that said Adm^r had settled all the debts against said Estate, it is decreed by the Court that said Estate is indebted to said Adm. One hundred and three Dollars 12½ /100 — The admr is therefore discharged from his administration of said Estate—

Fannin County, Republic of Texas Probate Court, Volume A: pages 174-175
22 February 1841

This day appeared in open Court **Sarah Garnett** who having heretofore filed her Petition for Letters of Guardianship for the minor heirs of **James T. Garnett** Deceased and the same having been administrator as the Law directs, and no objections having been made and the said minors having chosen the said **Sarah Garnett** to be their Legal Guardian –

It is therefore ordered by the Court that the said **Sarah Garnett** be and she (is)
(page 175)

hereby appointed Guardian for **Martha J. (or I) Garnett, Nancy O. (or C) Garnett, James Garnett and Robert Garnett** minor heirs of **James T. Garnett**, Deceased, upon Condition of her entering into bond with Security in the penal sum of Three Thousand Dollars for her faithful performance as such Guardian. So when the said **Sarah Garnett** came forward and entered into bond as required by the order of the Court and Letters was [sic] ordered to be granted by the Court and that the same be certified.

Fannin County, Republic of Texas Probate Court, Volume A: page 224
29 August 1842

Margaret Baker was this day appointed Guardian of **Joseph and Stephen Jones(,)** Minor heirs of **Stephen Jones, dec^d**.

Fannin County, Texas Probate Court, Volume A: page 228
26 September 1842

W. E. Throckmorton this day presented an account of \$10 against the Estate of **Jacob Black, Decd.**

Fannin County, Texas Probate Court, Volume A: page 269
29 May 1843

This day came **John R. Garnett** adm. of the Estate of **James T. Garnett Dec^d** and presented the following report

1st there has been no demand in favor of said Estate, and

2nd that there in no demand against said estate, and

3rd that he charges nothing for his administration on said Estate and that he wishes and prays the Hon. Court here to order him to pay over the entire Estate to the Guardian of the Heirs thereof and he as is duty bound will ever pray

(signed) **D. Rowlett**, atty

Upon petition until next Term was allowed Said administrator to close the said succession.

Fannin County, Texas Probate Court, Volume A: pages 291-292
27 November 1843

To wit Letters of Administration on the Estate of **Wm Edward Throckmorton dec^d** issued this day to **Malinda and John A. Throckmorton**, they having come forward and entered into bond with security in the sum of Eight Thousand Dollars

The following appraisers were appointed by the Court to appraise said Estate

Pleasant Wilson

John Kincaid

J. C. Hodge Jr.

[page 292] **James Throckmorton** one of the minor Heirs of **Wm Edw^d Throckmorton** came this day in open court and nominated **John Throckmorton** as his Guardian who was appointed by the Court and until next term was allowed said Guardian to file his bond, and for the other minor Heirs of said Decedent of proper age to select and nominate their Guardians. [bond filed]

[Note: Between 28 December 1840 when **Jabez Fitzgerald** came into court for the final settlement of his brother's estate and 27 November 1843 when his own will came to probate, Jabez died in Fannin County, Republic of Texas.]

This day the Last Will and Testament of **Jabez Fitzgerald** Dec^d was exhibited for Probate and solemnly proven in open Court in the Words following —

Fannin County, Republic of Texas Probate Court, Volume A: pages 292-295

27 November 1843

Bois d'arc F. C.

In Probate Court } November 27, 1843

November Term 1843 }

We and each of us do solemnly swear that we saw **Jabaz Fitzgerald** sign his last Will and Testament and that the same is this day exhibited in open court and we further believe that said **Jabaz Fitzgerald** was of good mind and sound memory and discention when he signed the same.

{ Given under our hand
{ the 27th day November 1843

(signed) **Joseph P. Spence**
William Garnett

Sworn to before

Open court this 27th November 1843

(signed) John P. Sampson

Ch. Justice & Ex. Off. Judge Probate ξ

ξ

ξ

In the name of God – Amen.

In the name of God – Amen.

I, **Jabez Fitzgerald** of Fannin County, Republic of Texas, considering the uncertainty of this Mortal life and being of sound and perfect mind and memory, blessed be to Almighty God for the same, doth make and [indecipherable word] this my last will and Testament in from the following to Wit – (page 293)

First, I wish as much of my property sold as will pay my just debts. Second, I give to my beloved wife **Elizabeth** all the residue of my property consisting of Negroes, land, horses, mules, Cattle and Hogs, household & kitchen furniture and farming tools during her widowhood. Should she marry, I wish my property equally divided between her and my three children that is [sic] now single and living with me – to wit- **John, James T. and Rachel B. Fitzgerald** by sale or otherwise or the division: to take place as they may come of age and wish a division. I wish my son in laws **John R. Garnett & William Sadler** to have each of them a Negro girl about nine or ten years old as the case may be and each of them to have a horse beast to be worth about Sixty-five dollars, say the Negro girls to worth about Three Hundred Dollars each. I wish my wife to pay over the same over to the above named **John** and **William** at some future time when

she may have it in her power to do so without distressing herself. I wish as much of the property as is above named to be divided between my wife and three children to wit – **John, James T. and Rachel B. Fitzgerald** to be redeemed by my wife before any division is made of the same as will pay the amount that I wish to above named **John R. Garnett & William Sadler** to have to be paid over to them when my wife thinks proper and can do it without straining of herself. I give to my son in Law **Thomas Jenkins** and daughter **Margaret Baker** and my son **Garrett Fitzgerald** each of them Five Dollars.

(page 294) I do wish it distinctly understood that if my property should not be worth Two thousands Dollars after all my just debts are paid, I do not wish my wife to give to **John R. Garnett** and **William Sadler** the Negro girls before mentioned but to give each of them the horse beasts as mentioned. I wish my son **William R. Fitzgerald** to have one Hundred & fifty Dollars worth of Property at some time when it may be convenient for my wife to pay providing it can be done without [indecipherable word] my then married children & my wife too much, which fact I wish my wife to Judge of herself. I do hereby appoint my wife my executrix of this my last will and Testament, hereby acknowledging all former wills by me be now made void in testimony whereof I have hereunto set my hand & seal this 19th day of March 1841.

(signed) **Jabez Fitzgerald**

Attest: **J. P. Spence**
William Garnett

Court adjourned until tomorrow morning at 9 o'clock.

Tuesday morning 9 o'clock

{ Court next (28 November 1843)

This day the following codicil to the will of **Jabez Fitzgerald** was proven by the hand writing thereof in Words following –

In Probate Court – F. C.
November Term 1843

We the undersigned do solemnly swear that we are acquainted with the hand writing of the late **Jabez Fitzgerald** according to the last of our knowledge the codicil to the said **Jabez Fitzgerald** last will & Testament now filed in the 14th May Court 1843 was written by said Decedant **Jabez Fitzgerald** sworn to before ___ in open Court the 28 Nov 1843. **Thos F. Smith, John P. Simpson, Christian Thos., & Jouett**

(page 295)
Codicil

The Negro Girls and Horse Beast before mentioned that I wished to give to my son in laws **John Garnett** is hereby revoked & [instead] of the Negro & horse I give unto the said **John Garnett** five dollars. I wish my wife to give my grandson **James T. Garnett** three Hundred Dollars worth of property when he may come of age or when she may think proper – this 10th day of January 1843.

(signed) **Jabez Fitzgerald**

Filed Nov 14th 1843

Fannin County, Republic of Texas Probate Court, Volume A: pages 299-300
25 December 1843

This day came **Malinda and John Throckmorton** joint adm^r of **William E. Throckmorton** Dec^d and [page 300] presented an Inventory of property belonging to Said Estate, which by the Court was ordered to be filed.

This day came **Robert M. Throckmorton** one of the minor heirs of **William E. Throckmorton** Dec^d and made choice of **John Throckmorton** by permission of the Court for his Guardian. Said guardian was not required to give bond, until property belonging to Said minor should come into his possession.

This day came **Malinda Throckmorton** administratrix and **John Throckmorton** administrator of the estate of **William E. Throckmorton** Dec^d and presented their petition praying a decree of this court for an order to sell Perishable Property belonging to said Estate which prayer was granted by the Court. The amount of property to which the Widow of said decedant and minor heirs of said Dec^d are Entitled to by law to be set apart by the Commissioners this day appointed by the Court to apportion and set apart the above estate in accordance with the foregoing orders & make return at the next term of this Court

J. C. M. Hodge, Pleasant Wilson, John Kincaid

Fannin County, Republic of Texas Probate Court, Volume A: page 302
25 December 1843

This day came **Elizabeth Fitzgerald** Adm^x with the will annexed of the Estate of **Jabez Fitzgerald** dec^d and entered into bond with security and letters of administration were issued to said adm^x. The following persons were appointed appraisers of property belonging to said estate. **S. W. Fitzgerald A A Fitzgerald** and **E H Dodd**.

Fannin County, Republic of Texas Probate Court, Volume A: page 308
25 December 1843

Inventory of **Wm Edward Throckmorton's** estate — land: 865+320+640 acres.

Fannin County, Republic of Texas Probate Court, Volume A: page 314
10 January 1844

This day **John Throckmorton** adm^f & **Malinda Throckmorton** adm^x of the Estate of **Wm E Throckmorton** dec^d filed this report of sales of property belonging to said Estate by which it appears that sales and Heirs of property for the Term ending January 10th 1844 amounts to \$1438.43½ which report was accepted by the Court and ordered in file.

Fannin County, Republic of Texas Probate Court, Volume A: page 321
29 April 1844

John A. Throckmorton this day came forward and filed his bond as Guardian of **Robert M. Throckmorton, James W. & Nancy H. Throckmorton** in the sum of Two Thousand Dollars, and Letter was issued and granted accordingly.

Fannin County, Republic of Texas Probate Court, Volume A: page 326
30 April 1844

On motion the Court preceded to business. This day came **Elizabeth Fitzgerald** Executrix of the Will of **Jabez Fitzgerald** and presented an Inventory of the property belonging to said Decedent Estate which was received by the Court and ordered to be filed. Said Ex^f also presented an appraise bill of said Estate by which it appearing that the property belonging to the said is Totalled at \$4258.52. Which appraise bill is ordered to be filed.

Fannin County, Republic of Texas Probate Court, Volume A: page 371
24 February 1845

It appearing to the satisfaction of the Court that **John A. Throckmorton** Adm^r of the Estate of **Wm E. Throckmorton** dec^d & Guardian of the Minor Heirs of said decedent has left this Republic; it is therefore ordered that the Letters heretofore granted to said Throckmorton be hereby vacated and rendered void.

Fannin County, Republic of Texas Probate Court, Volume A: page 375
24 February 1845

This day came **Malinda Throckmorton** and entered into Bond in the sum of Two Thousand Dollars, with Mammin & Bluford Clements as Securities and Letters of Guardianship Whereupon issued to said **Malinda Throckmorton** over **Edward and Virginia Throckmorton** Minor Heirs of **William E Throckmorton** Dec^d.

Fannin County, Republic of Texas Probate Court, Volume A: page 384
31 March 1845

Petition to divide the Estate of **W. E. Throckmorton** was ordered, but heirs were not named.

Fannin County, Republic of Texas Probate Court, Volume A: page 401
30 June 1845

Elizabeth Fitzgerald required to report at next term of court.

Fannin County, Republic of Texas Probate Court, Volume A: page 405
28 July 1845

This day came **Elizabeth Fitzgerald** Adm^x of the Estate of **Jabez Fitzgerald** Dec^d and made report of her acts and doings as such adm^x up to the date whereupon it is ordered by the Court that said Adm^x report in full at the September Term of Court and make final settlement at the next January Term of this Court, and that said Adm^x be allowed until the next term of this court to give additional security for her administration
ξ Bond

Fannin County, Republic of Texas Probate Court, Volume A: page 425
30 September 1845

It is this day ordered that **Elizabeth Fitzgerald** Adm^x of **Jabez Fitzgerald** dec^d be required to make report at the next Term of this Court of her acts and doing as such administratrix, and it further ordered that...

[**Note: Elizabeth Rotan Fitzgerald** died in October or November 1845, according to the probate records of Fannin County. She was alive 30 September 1845, but **John R. Garnett** entered bond as administrator of the Estate of **Jabez Fitzgerald** on 24 November 1845 to replace Elizabeth. She may have been ill or too frail to continue, but it is probable that she died prior to the appointing of a new administrator. Certainly, she had died by January 1846 when her minor children chose their sister's husband as their guardian.]

Fannin County, Republic of Texas Probate Court, Volume A: page 437
24 November 1845

This day came **John R. Garnett** and entered into bond in accordance with Law and Letters of Administration on the Estate of **Jabez Fitzgerald** Decd issued to said **John R. Garnett**

Appraisers
John E. Standifer
James Ghane
E. H. Dodd

Fannin County, Republic of Texas Probate Court, Volume A: page 444
29 December 1845

John R. Garnett, adm^f of the Estate of **Jabez Fitzgerald** Dec^d and returned the inventory.

Fannin County, Texas Probate Court, Volume A: page 447
26 January 1846

This day came **James and Rachel Fitzgerald** Minor Heirs of **Jabez Fitzgerald** dec^d, over the age of 14 years, and made choice in open court of **William Sadler** as their Guardian and said **Sadler** having entered into Bond as the Law requires, Letters issued accordingly.

This day came **Robert Throckmorton** a Minor Heir of **Wm E. Throckmorton** Dec^d, over 14 years of age, and made choice in open Court of **John H. Wilson** as his Guardian, and said Wilson having entered into Bond, the Court preceded to issue to him Letters of Guardianship over said Robert as also over **Nancy H.**, a Minor Heir of said decedant under the age of 14 years.

Fannin County, Texas Probate Court, Volume A: page 460-462
Date not noted, probably May Term 1846

John R. Garnett's report on Estate of **Jabez Fitzgerald**. Debts in favor of Fitzgerald Estate listed.

Fannin County, Texas Probate Court, Volume A: page 470
Date not noted, but probably at May Term 1846

John R. Garnett petitioned & Court ordered Estate's Negroes hired out until 25 December 1846.

Fannin County, Texas Probate Court, Volume A: page 477
25 May 1846

It is this day ordered that **John R. Garnett** Adm^f of the Estate of **Jabez Fitzgerald** Dec^d come forward at or before the next term of this Court and give additional security on his administration bond in place of **Sarah Garnett** now deceased formerly one of his securities and that said Administrator proceed to make advertisement again and hire the Negroes belonging to said Estate in accordance with the order of this Court at the last Term thereof.

[Note: **Sarah Rotan Garnett** died at some time between 29 May 1843 when her son and executor of her husband's will asked the court to turn the estate over to her as the guardian of her minor children and 25 May 1846 in Fannin County, Texas, when the record stated she was deceased.]

Fannin County, Texas Probate Court, Volume A: page 483
28 July 1846

This day came **Jno. R. Garnett** Adm^f of the Estate of **Jabez Fitzgerald** Dec^d and filed the following report – which was appraised and ordered to be recorded – viz –

Hire of Negroes until 25th December 1846

Lem	Hired to Louinda Sowell	\$16 50/100 per month	\$ 107.25
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Ben	“ “ Jno T. Garnett	13 50/100 per month	77.75
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Mary &			
Children	hired to Wm. Sadler	5 60/100 per month	37.53

Adm^f reports that he had **Lem** in possession

4 mos & 6 days previous to Hire			43.30
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Also Ben 2 mos. 15 days at \$10 per mo.	25.76
William Sadler had Mary	(no charge)
<i>[I did not get the same total when I added the numbers.]</i>	\$360.54
Said Adm ^r reports as amending to his form report that the Estate upon settlement full in debt to Garrett Fitzgerald Junr	\$ 30.—

Fannin County, Texas Probate Court, Volume A: page 495
25 January 1847
J. R. Garnett reported on hires of the Estate of **Jabez Fitzgerald**.

Fannin County, Texas Probate Court, Volume C: page 349
21 September 1855
Estate of **Jabez Fitzgerald** Decd **John R. Garnett** Adm.

Partition and Distributions

This day came **Thomas C. Ben**, **Clinton C. Jones** and **Sylvanus Howell**, three of the commissioners appointed (to) Partition and distribute the property of said estate and made report which was approved by the court and after a careful examination of said report it appeared to the Court that the division was fairly made and in accordance with law, and no valid exceptions being made thereto the court approved the same and ordered it to be recorded. An it appearing further to the Court that the Negroes, belonging to said estate, cannot be Equitably divided, it is ordered and decreed by the Court that said Negroes to wit –

Ben
Mary
Randolph
Tom
& Tobe

be sold at the Courthouse door in the town of Bonham on the first Tuesday in November A.D. 1855, for cash to the highest bidder after giving notice as required by law.

Fannin County, Texas Probate Court, Volume C: pages 350-352
24 September 1855

Report of Commissions to partition & Distribute Estate of **J. Fitzgerald**

The State of Texas }

County of Fannin } We the undersigned commissioners duly appointed by the Hon. Probate Court of said Fannin County to make partition of and divide the property belonging to the estate of **Jabez Fitzgerald** dec^d. At the Oct Term AD. 1854 between the Heirs of said decedent make the following Report of Division of the land and Negroes 984 acres the headright of **Patrick Fitzgerald** situated in Cook County in said State of Texas.

[Plat of land] 1st **James F. Fitzgerald** is entitled to 316 acres of said land – Beginning at a stake 1461 varas West of the North East corner of said survey of one Third of a League of land thence West 936 varas to a stake Thence South 1900 varas to a stake Thence East 936 varas to a stake the South West corner of **Thomas C. Bean**, 92 acres out of said tract of land – Thence North 1900 varas to the Beginning

2nd Share—**Rachel B. Pace** is entitled to 316 acres of land for her share of said land bounded as follows: Beginning at the North West corner of **James T. Fitzgerald's** 916 varas to

stake Thence South 1900 varas to stake on 936 varas to the South West corner of said **James T. Fitzgerald's** tract – Thence North 1900 varas to the beginning containing 316 acres of land

3rd Share—**Margaret Garnett** is entitled to 70 acres of land out of said tract of land Beginning at the North West corner of said survey – Thence South 380 varas to stake – Thence East 1062 varas to **Rachel B. Pace's** 316 acres Thence West 1062 varas to the beginning containing 70 acres

4th Share—**James Garnett** is entitled to 70 acres of land out of said survey – Beginning at the South East corner of Margaret Garnett's 70 acres on the West line of **Rachel B. Pace's** 316 acres Thence West 1062 varas to the West line of said survey – Thence (page 351) South 380 varas to stake – Thence East 1062 varas to stake Thence South to the beginning containing 70 acres of land

5th Share—**Garrett Fitzgerald** is entitled to 70 acres of land out of said survey Beginning at the South East corner of **James Garnett's** 70 acres – Thence West 1062 varas to the South West corner of said 70 acres – Thence South 380 varas to stake – Thence East 1062 varas to a stake on **Rachel B. Pace's** 316 acres – Thence North 380 varas to the beginning containing 70 acres of land.

6th Share—to **Sarah Saddler** of 70 acres – Beginning at the South East corner of **Garrett Fitzgerald's** 70 acres of land Thence West 1062 varas to his S.W. corner – Thence South 380 varas to a stake – Thence East 1062 varas to a stake on the West line of **Rachel B. Pace** 316 acres thence North 380 varas to the beginning containing 70 acres of land.

7th Share—to **William R. Fitzgerald** of 70 acres – Beginning at the South East corner of **Sarah Saddler's** 70 acres – Thence South 380 varas to the South West corner of **Rachel B. Pace's** 316 acres Thence West 1062 varas to the South West corner of said third of a league of land – Thence North 380 varas to stake said Sarah Saddler's S.W. corner Thence East 1062 varas to the beginning containing 70 acres of land

The above described tract of land is valued at one dollar per acre making 984 dollars.

The following described negroes belonging to said estate **Ben** a negro man valued at Five hundred dollars – **Mary** a woman about 30 years of age 700 dollars
Randolph a negro boy about 12 years old at 650 dollars
Tom about 9 years old at 600 dollars
Tobe about 6 years old at 500 dollars
Said negroes total value 2950 dollars

It is the opinion of the undersigned commission that said negroes cannot be divided between said heirs to make an Equitable division therefore they recommend the sail [sic] of said negroes and the proceeds of said sale to be divided in accordance with the decree of said amt.

Given under our hands at Bonham (page 352)

This 24th day of September A.D. 1855

Thos C. Bean }
Clinton C. Jones } Com.
S. Howell }

Sworn and subscribed before }
me September 24th 1855 }

Witness my hand and seal of office Sepr. 24th 1855
J. F. Crawford, Chief Justice F. C.

Fannin County, Texas Probate Court, Volume C: pages 366-367
26 November 1855

Estate of **Jabez Fitzgerald** Dec^d **John R. Garnett**, Adm.

This day **John H. Garnett** one of the Distributers of said Estate came into Court and agreed to take the Negroes reported as incapable of Partition & Distribution at their appraised value viz at the sum of “3.” \$2950.00 Wherefore it is ordered and decreed by the Court that the said **John H. Garnett** take at their appraised value the said negroes, and that the title thereto be as (page 367) fully vested in the said **John R. Garnett** as the said decedent was vested therewith: and further that the said administrator pay to the several Distributees the sum to which they are entitled after deducting the sum of \$33.15 expenses of partition and distribution which amount is paid into Court – viz

To	John R. Garnett	95.14
	Margaret Garnett	158.34
	James Garnett	450.59
Heirs of	Garrett Fitzgerald	158.34
	Thos. Jenkins	4.95
	W. R. Fitzgerald	158.34
	Sarah Sadler	415.34
	Rachel B. Pace	689.53
	James T. Fitzgerald	689.53