

INVENTORY AND APPRAISEMENT OF ESTATE OF
P. C. WHITAKER, Dec'd.
5 Feb. 1859

Probate Minute Book A (5), Pages 230-232:

Community Property

Negroes:	Starling	450.00
	Sally his wife	400.00
	Dolly	600.00
	Rose	300.00
	Adam	1200.00
	Curry	<u>1200.00</u>
		4150.00

250 acres	Homestead	2000.00
200 "	adjoining Robertson	400.00
1 Brown Mare	Mule 8 years	75.00
1 Horse	Mule 5 "	80.00
1 Mare	Mule 8 "	80.00
1 Mouse Colored	Mare 3 "	100.00
1 Black	Colt 2 "	60.00
1 "	" 4 "	100.00
2 Cribs	Corn (Ab. 1000 bu. @ 50¢ Bu.)	500.00
3 Stacks of	Fodder ab 500 lbs 1¢ lb	50.00
1 large	road wagon	150.00
1 small "	"	50.00
1 Carriage		<u>40.00</u>
		\$3685.00

Suppose to be 300 head	hogs \$3 head(?)	600.00
6 ox yokes	at \$3 each	18.00
3 log	chains	7.50
3 turning	plows & 2 scooters	7.00
2 clivises	and grubbing hoes	2.00
1 shovel	and 2 old axes	<u>2.00</u>
		\$636.50

4 weeding	hoes at \$3 ea	12.00
4 pc	plow gears each \$1.75	7.00
Steachers	& 4 single trees	5.50
1 patent	balance	6.00
1 barrel,	head out	.75
1 surveyors'	compass & chain	50.00
3600 lbs	Forks at 5¢ lb	180.00
1 ringle	gun	20.00
1 dbl	barrel gun	20.00
2 durenge	r pistols ea 7.50	15.00
6 large	geographys & Atlases	6.00
9 readers		1.80

5 small geographs Atlases @ 50¢	2.50
8 large books	26.00
1 desk	5.00
1 table and book case	7.00
3 bed steads \$12 ea	36.00
3 common bedsteads (plain) \$3 ea	9.00
4 feather beds & bedding	120.00
1 brod axe	3.00
1 cross cut saw	3.00
1 hose(?) plain, 1 jointer, 1 jack	5.00
3 augurs	1.80
2 ovens & lids, dresser pot & wash pot	7.00
2 Men's saddles	30.00
1 steelyard	3.00
2 tables	5.00
15 bales cotton @ 9¢ - - - - -	- - - - -
1 yoke oxen	50.00
1 part keg of nails 30 lbs	3.00
1 Bay horse Colt 2 yrs	40.00

(No total in book)

Separate Property

One tract of land in Limestone County his own Headright
320 acres \$4 acre

\$1280.00

5 Feb. 1859
Filed 6 Feb. 1859
Rec: 4 July 1859

/s/ E. R. Taylor
/s/ Elijah Powers

NOTES AND ACCOUNTS belonging to Estate of P. C. Whitaker

Dec'd Feb. 1859

3 Notes \$300 each dated 17 Nov. 1857	\$900.00
1 Note on J. R. Harbot dated 1 May 1859	10.00
1 " " F. W. Capps for 56.30	56.30
(with two credits - 1 for 10.00 & 5.00 int and the other \$13.50 leaving a balance of principle)	988.00
1 Note on James B. & S. H. Bennett	132.50
1 Note on J. Brothers	50.00
1 " " S. Jones	150.00
1 " " John Powers 6 Aug 1859	5.00

	\$25.85 \$20 pd	
1 Note on Thos. P. Aycock balance		5.85
1 " " " " "		22.00
1 " D. T. (L) Taylor		54.25
1 " Wm. J. Hinton		52.00
1 R. R. Cert. Conditional for \$100.00		400.00
Central R.R.		
1 order for James West to Thos. Bennett		15.00
1 Receipt of Wm Blackburn J.P. for a		
note on W. Nolly for \$100		100.00
		<u>1771.48</u>

I find in addition to above several small accounts in his Memorandum Books. Some with dates of the year and some without dates which will have to be settled the best way that we can. Maj. Whitaker had no regular account book he properly reported as ascertained.

/s/ H. J. McKenzie
7 Feb. 1859

PROBATE MINUTE BOOK A (5) - Page 234

An Additional Inventory

A further inventory and appraisement of Community Property which has come to knowledge since making my return which was appraised by Elijah Taylor and Elijah Powers on 18 day Feb. 1859

3 turning plows \$4 ea	8.00
3 augurs 33 1/3 ea	1.00
1 frow	1.37
1 scooter plow	1.00
1 sweep plow	2.50
2 pr gear with breeching	10.00
3 club axes	<u>2.00</u>
	25.87

I find a tax title from G. W. Cox Assessor and Coll. of Limestone Co. for 1107 acres which land lies in Falls Co. 1/2 of which is claimed by James marlin and also a deed from P. C. Whitaker, Ass. and Coll. of Limestone Co. to James marlin for 1476 acres of land which lies below Big Creek and complies ? in part with the Eberly Claim which deed has the words written on it:

"The State of Texas Limestone Co.

For value received I this ~~date~~ day transfer to P. C. Whitaker 1/2 of my interest to the within described land Aug. 23, 1848 signed Jas. Marlin."

Also a deed from T. D. Reed to 1 town lot in Marlin for which he paid \$19.50.

Also a deed from Wm. Nolly to one town lot in Caddoville for which he paid \$2.00.

And lastly a deed from Rebecca J. Whitaker to P. C. Whitaker for 640 acres of land in Johnson Co.

(My daughter found this to be her first husband's Wm. Capps' headright in Johnson Co - near Cleburne I believe.)

/s/ Mrs Curtsinger

Also collected \$28.00 from H. A. Suggs and \$20.00 from W. I. Bennett.

28 Feb 1859

/s/ H. J. McKenzie

BOOK A - Page 298

Receipt of J. T. Steward

Received May 13, 1861 of H. J. McKenzie, former administrator of Est of P. C. Whitaker dec'd the following note and documents belonging to said estate.

1 deed to 250 acres of land from A. J. Morgan and wife

1 patents headright of P. C. Whitaker for 320 acres in Limestone Co.

1 deed from Rebecca J. Whitaker to 640 acres in Johnson Co. with patent to same granted Wm. B. Capps.

1 deed from Isaac H. Robertson to P. C. Whitaker to 200 acres of land on Fish Creek.

1 deed from T. D. Read to lot in Marlin # 12

1 deed from Wm Nolly to lot in Caddoville

together with all books and papers belonging to Estate. Also 1 R.R. Certificate for \$400.00 of stock in Central R.R.

/s/ J. T. Steward

Adm. of P. C. Whitaker estate

PROBATE MINUTES - Book A - Page 233

Some oxen lost between here and Houston - if not recovered Wm. Bowren responsible for 1/2 value.

2 mules not included in ventory (probably died) will be reported as soon as found.

--the greater portion of hogs are skittish and if turned out of enclosure, will probably be lost forever and they are consuming the corn, and as to other property is liable to wast I ask that an order of sale be made at earliest possible time to dispose of perishable property.

/s/ L. D. Barton

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further represent 16 bales of cotton in Galveston shipped by Maj. Whitaker in his lifetime to firm of Dean and Randle which probably is sold, there is also 15 bales on the plantation.

/s/ M. J. McKenzie

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Advertised at Court House door, Blue Ridge, Eutaw and late residence P. C. Whitaker all perishable property ordered to be sold belong to be sold belong to Est. of Sd Whitaker and sell on the 18th day of this inst. on a credit of 12 months - and at same and place, hire the negroes until 25 Dec. next - further that oxen that could not be found gotten out of the bottom, and there remains yet 2 mules and 1 pony unsold together with most of the stock of hogs. The hogs were in a pen and broke out the night before the sale. Many of them are rather shy, and it is uncertain when they can again be collected.

Articles reserved at Appraisement by Mrs. Whitaker under the Order of the Court.

Household and Kitchen furniture

4 beds and bedding
3 fine old bedsteads
3 plain "
2 tables
1 table and book case
1 desk
1 Webster's large Dictionary
1 Barrell

\$195.75

Farming tools

1 broad axe, 1 pair steel yards, 4 weeding hoes,
4 pr plw gears, stretchers and single trees,
2 turning plows, 1 scooter plow, 2 club axes,
2 clevises and grubbing hoes, 1 log chain,
1 sweet plow

\$39.75

Previous all the balance of Pork not sold and account rendered on list of property sold, 200 bu. corn \$1.00 & 1 stack of Fodder 1500 lbs.

In addition to above the family purchased the following articles:

James Whitaker	1 black horse	\$55.50
(H or R?) J. Whitaker	1 two horse carriage	44.00
R. J. Whitaker	1 pictorial history	3.25
R. J. Whitaker	hire of 2 negroes	50.00

/s/ 28 Feb. 1859
L (S) D. Barclay

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Slaves

Starlin and Sally to Rebecca .

PROBATE MINUTE BOOK 1 - Page 251

Petition of Rebecca J. Whitaker, widow of dec'd and guardian of minor heirs of said Whitaker, and of James and Mary Whitaker heirs of sd Whitaker and of Eliza Jane Steward joined by her husband J. T. Steward for Partition and Distribution granted.

1. Sd Adm. retain all notes and debts due estate.
2. Estate consists of Homestead, and adjoining lands, one town lot in Marlin, one town lot in Caddoville, 320 acres of Headright of P. C. Whitaker, Limestone Co. 640 acres in Johnson Co, Negroes Sally, Adam, Curry, Dolly, Rose, - 1/2% and 1/2% in a pony, 2 mules and a yoke of oxen that were not sold and 1/2% in stock of hogs that remained after the sale.
3. Heirs - Rebecca J. Whitaker, ~~widow~~ widow
Eliza Jane Steward
Mary Whitaker
James Whitaker
Martha Whitaker
Annie Whitaker
Henry M. Whitaker
All of Falls Co except Eliza Jane Steward of Freestone Co.
4. Division 1/3 of land and slaves shall be set apart to Rebecca J. Whitaker for her lifetime and 1/3 of remaining personal property in fee simple or full estate. After that said estate shall be divided into 6 equal parts, and 1/6 set apart for each of above named descendants.
5. To make distribution: W. C. Powers, T. M. Barton, H. J. McKenzie.

Thos. B. Jones appointed guardian instead of Rebecca J. Whitaker.

Error of 1/3 of land and negroes to Mrs Rebecca J. Whitaker (now Steward) whereas she was entitled to all common property.

(Note: The Homestead is so hard to copy. It is from a stake in the prairie to a 14 inch Post Oak to middle of Fish Creek and to a Pecan tree 24 inches in diameter and on and on - I have been there. This is last piece of land she sold. /s/ C. C.)

Miss Mattie Lake remembers her mother telling that Maj. Whitaker took an ox wagon and some slaves when he returned to Ga. His long delayed return, Rebecca's fears and grief - almost losing hope after several months - he brought back a walnut bookcase "which some of the Stewards have" and books.

Miss Mattie says he was a contemporary and friend of Sam Houston, Edward Burleson, Rufus Burleson and R. E. B. Baylor.

Abraham Whitaker of Va.

father of

Issac - Born Va. died 1838 Wilkes Co, Ga

father of

1. James M. - Born Oct. 4, 1812 S. Carolina
Killed 29 Dec. ~~1822~~ 1872
Married E. S. Edwards Nov. 9, 1841
2. P. Hardin - Born 4 March 1815
Died 29 Feb. 1856 Savannah Ga.
Census lists him as a painter.

(We didn't know to connect him to the family until we found "Papa's brother" in the margin in your Bible.)

3. Pleasant Clark - Born about 1818 S. C.
Killed Dec. 27
M - Rebecca Jane Hinton Capps

James M. farmed in Tennessee. 1850 he came to Rusk Co, Tex and 1856 to Smith Co - living in Tyler for many years. He taught school Ala, S C, Tenn, Miss & Texas.

He married Elizabeth S. Edwards. Born Dec. 10, 1823 in Troup Co, Ga, Died after 1889. Her father, Asa Edwards, was born 1798 Ga. In a letter from Ellen Whitaker she says her grandfather had been to Tyler and had gone--here's her words to her cousin Mary Worth Whitaker.

"Grandpa Edwards was at Fairfield the last of last May (written Sept. 19, 1864) to lend his money. He has been to see us since. He said if he had known you were living near Fairfield he would have gone to see you, but he did not know that you were not still living in Falls County."

James M. Whitaker's were:

1. Orren E.
2. Henry A.
3. John T. - July 6, 1845 Coosa Co, Ala
4. Pleasant C.
5. Ellen G. - one who wrote letter to Mary Worth.

They were very prominent in Tyler. He quit teaching and started the Whitaker Nursery that still was there in 1924.