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

Case Number 2451

Dallas Genealogical Society Founded 1955



FILMED BY THE MALLAS GENEALOGICAL SOCIETY-197

#2451

FILTER TO THE DALLIS THEALOGICAL SOCIETY-1978

THE STATE OF TEXAS,

IN THE ESTATE OF PRANK BUSBY ,

DECRASED.

COUNTY OF DALLAS,

TO THE HON. COUNTY COURT OF DALLAS COUNTY, SITTING FOR PROBATE BUSINESS.

Your petitioner C. W. Busby shows to the Court that he resides in Dallas County, Texas; That on the 5th, day of April 1903 Frank Bueby, who at/before his death, had his domicile in the County of Dallas aforesaid, died in said County intestate; That he died leaving a wife and several children surviving, who are nowin living near Cedar Hill , Dellas County,

That at the time of his death, the said Frank Busby, was seized and possessed of personal property of the probable value of situated in Dallas County; That said property consists of a wagon, two horses, one cart, harness; farming implements, atools, such as plows , cultivators &c, &c, Also blacksmith shap and tools, and several head of cattle, -stock - 30 acres of wheat crop and 5 acres of oats situated on Enfayyettes; Stewart's place on Mountain Creek 4 1/2 miles of cedar Hill, Dallas County,

That there is a necessity for an immediate administration upon the said estate as some of the children are step children and about grown and are attempting to take possession of said property and dispose of same: That there are claims unpaid to-wit:

Funeral expenses que Straus & Roberte, Cedar Hill, \$41.25

To Jos Wilson, Coder Hill, Tom Medicines \$12.55

To. Dr. R. S. Payne, Cedar Hill, Medical Services, \$20.00

DR. To./C. D. Roberts , Cedar Hill, Physician' Services \$21.50.

That there are other ciains agreementing above \$500 , which your petritioner cannot now itemize.

That the necessity exists for gas some to be sutherised to be

authorized to take immediate charge of the said estate and take care of it , and administer upon said estate and pay said debts.

A DE ROLLARE DE SEVER BUILDA

That the surviving widow has waived her right to administer and requested your petitioner be appointed to act as aministrator, so she desires the debts be paid at once or as soon as possible.

Your petitioner represents that he is not disqualified by law to

aut as administrator. Wherefore petitioner prays that citation be issued to all parties interested in said estate as required by law, that letters of administration he issued to your petitioner; that in the mean time that he be appointed Temporary Administrator to take immediate control of said estate, and that such other and further orders be made as to the court may seem proper.

C W Bushy Sworn to and subscribed before no this the 24 day of April 1903

bile, Dallas County, Texas.

By B & Culion by

one Boy Mare-

No. 3x11

In the Estate
of Frank Busley,
Neceased.

Original Petition

FILED

FRANK B. SHOWN THE BEFORE

State of Texas, I County of Dallas. I

In County Court, Dallas County, Texas. May Term A.D. 1903.

In re Chas. Busby, Tem. Admr., 76 3411.

To the Honorable Ed. 3. Lauderdale, Jugge of said

Court sitting in Probate matters:
Your petitioners, Rosa Masereng Dowdell, about the age of fourteen
years now the lawful wife of Chas. Dowdell, Birdle Maserang, about the
years now the lawful wife of Chas. Dowdell, Birdle Maserang, about the
age of nine years,
age of eleven years, Mattle May Maserang, about the age of nine years,
and Maggie Busby about the age of twentytwo months, all of whom are minand Maggie Busby about the age of twentytwo months, all of whom are minor residents of the county and state aforesaid, respectfully represent
to the Court the following facts:

- 1. That our petitioners, Rosa Maserang Dowdell, Birdie Maserang, and Mattle May Maserang, are the minor and sole remaining children of Minnie Eusby by her first husband Maserang; and that Maggie Busby is a minor child of Minnie and Frank Busby; that the said Minnie Eusby, wife of said Frank Busby, departed this life on or about the 18 minus day of March A.D. 1903, leaving valuable personal property of her own separate estate, to which your politioners are the sole and legal minor heirs.
- 2. That on or about the forst Sunday in June A.D.1903 the said Frank Busby united in lawful wedlock with one Lou Darnell; that the said Frank busby died intestate on or about the 5 day of A.D. A.D. 1903; and thereupon, by disinterested parties, a just and equitable division and distribution of the estate of said Frank Busby, consisting wholly of personal property, was made and concurred in by all parties interested, each declaring himself satisfied with said division.
- a. That on the 11th day of A.D. 1903 Charles Busby was appointed Temporary Administrator of the estate of the said Frank Busby, deceased; that the bond given by the said Chas. Busby as temporary administrator of mid estate is in the very inadequate sum of two hundred and fifty dollars (\$ 250.00), while the application by the said Chas. Busby for such appointment alleges the value of said estate in the sum of five hundred dollars (\$500.00), which your petitioners aver is a just valuation of said estate; that said bond should be in the just and law-valuation of said estate; that said bond should be in the just and law-valuation of said estate; that said bond should be in the just and law-valuation of one thousand dollars (\$1000.00), and is now wholly inadequate to protect the interests of parties concerned in said estate and especially of your minor petitioners; that the sureties on said bond are creditors of the estate of Frank Busby and interested in the collection of their said debts against said estate.
- the legal and sole heirs to the separate estate left by their said the legal and sole heirs to the separate estate left by their said mother Minnie Busby, which estate was left her by her former husband the said maserang, and interested with the said Frank Busby in the increase thereof, and in the property accruing in the first communityship; that the said temporary administrator of the estate aforesaid, Char. Busby, is subjecting the aforesaid separate property of their said deceased mother, Minnie Busby, which belongs alone to the first community ship, to the separate of debts incurred by the said Frank Busby during the second communityship relation; and your petitioners aver that said separate of property of their said deceased mother is in no wise liable for the debt incurred in the second community relation and that same should not be so

Councy of Dilling. Any lors A.D. Lada.

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In F. Dire. Susby, Tons. Admrs.

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subjected, that by such acts of the said these. Busby, temporary administrator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded, and their trator, their rights in same are being wholly disregarded.

5. That your petitioners being minors are thereby precluded from coming personally into Court to see after their rights, and therefore pray your honor to appoint them a guardian Ad Litem to represent them and pro your honor trights in their property under this administration, and so test their rights in their property under this administration, and so that their may properly some before the Court to demand their lawul right

Therefore, the promises considered, your petitioners, minorage the Court take considered of his administeration between the court take considered of his administration in a sum agreeable to law as by statute provided, and furnish disinterested surities and administrate upon said cond, and that nish disinterested surities and administrate of said temporary adsaid present sureties be hold liable for the acts of said temporary administrator, chase. Busby, to the process and be not discharged therefrom inistrator, chase. Busby, to the process and be not discharged therefrom that your monor appoint a guardian Ad Litem for such of your petitioners herein as may appear proper and lawful to him, that their rights tioners herein as may appear proper and lawful to him, that their rights may be protected under this administration as in such cases provided by may be protected under this administration as in such cases provided by law, petitioners pray, and as in humble duty bound will ever pray.

Attorney for Minor petitioners.

TAL SOCIETY-1978

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one bray norse to Dr. Roberti (for mis pervices) \$50000 one oterrow for form to Den Gredinan for money affects a tompin friend One oullivner to m. L. Busby for one set of magon Homen \$20,00 One cow and out to 830 00 m. P. Busty Ten mushels of course seed & 8 butter to Bree Rietz auconst fair out. #5 00 To Daw murrell to pervices renewed in Collecting tigether the meterly of the Estate

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tone Dollar pur say dis Part head

this is to certify that i Faid aut thirty Dollars and Leanty cents fixing up the estate of Frank Budy Diceased for wich Cur Bushy has Paid me Back with are Cow and Calk and denty Cents to Be taken aff of culturari Paid him file Follars for Same Same Being a Part of brank Bushys Property with fether four & start of the start of the start of start and Roberts Cedar hil tex M. L. Bushy

CAL SOCIETY-1978 NO.3411 FILTER BY THE MALLAS THEALDSICAL SOCIETY-1978 I the recent Refort of Athly FILED

State of Texas County of Dallas. In County Court, Dallas County, Texas. May Term, A.D. 1903.

To the Hon. Ed. S. Lauderdale, Judge of said Court

sitting for Probate matters: Your petitioners, Resa Dowdell, joined by her

husband, Charley Dowdell, Birdle Masserang about the age of alaveyears, Mattle May Masserang, about the age of nine years, and Maggle Busby, about the age of twenty-two months, all of whom are residents of the County of Dallas, State of Texas, represented by their next friend the said Rosa Dowdell, bring this their supplementary priginal petition here tofore filed in this behalf on the Staay of May A.D. 1903, and in lieu of said original petition, and respectfully represents to the Court the following facts:

- That your petitioners as above named are the minor and sole remain ing heirs of Minnie Masserange Busby by her first husband Leo Masserang; and that Maggie Busby aforesaid is the infant child of Minne Masserang Busby by her second husband Frank Busby; that the said MinnieMasserang Busby departed this life on or about the 18th day of March A.D.1902, lea ving valuable personal property of her own separate estate, to which yo your petitioners are the sole an legal minor heirs.
  - 2. That on or about the first Sunday in June A. D. 1902 the said Frank Busby united in lawful wedlock with one Iou Darnell; that the sa id Frank Busby died intertate on or about the 5 day of april A. D. 1903.
  - That your petitioner's mother the said Minn.e Bushy, at the time she became married to the said Frank Busby owned in her separate right and as her separate estate the following personal property; towit: one bay mare seven years old named Maud of the value of \$50.00; one bay filly three years old named Dalsy of the value of \$100.00; one mule

NO

colt eight months old named Huldy of the value of \$65.00; one yellow be cow and long heifer of the value of \$50.00; one roan cow and long heifer of the value of \$50.00

4. Petitioner further represents that the aforesaid Maggie Busby, the said infant child of Frank and Minnis Busby is the sole surviving heir of Frank Busby deceased, and is interested to her lawful extent in the and otherwise community property of the said Frank Busby; that the said property community property of the said Frank Busby her deceased father no in cluded in the enumeration of personal property in paragraph three of this petition; that she is interested in same together with the said Lou But the surviving spouse.

wherefore, the premises considered, petitioner representing her self and the aforesaid minors, prays the Court, after full proof, that the aforesaid separate property described and emumerated in paragraph of the spetition be stricken from the inventory of the estate of the said Frank Busby deceased, and that same be declared the lawful property of your petitioners, and that passession thereof be given them, or that the proceeds and revenues as said separate property be given them in lieu thereof; and that the legal rights of the aforesaid infant Maggie Busby as heir of the estate of her deceased father Frank Busby be declared, petitioner prays on her own behalf and as next friend of the minors aforesaid, and in humble duty bound will ever pray.

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Mioner's Attorney.

aforesaid, and in humble duck bound will ever pray. petitioner style on her case theres and the style renotities eberations of ydem! Masty refirst bessesob and to essise of to tied as proceeds and transmas os said scherate proposed but chem in lies pdeuti statisti piscertole of to eathir Legal off and an electronia your peristoners, and that passesses ton thereof he diven there that the Prent Bushy deceased, and thus ame be declared the Larting property of ed solitized s da ated infinite of the state of the state of the sold outstaine hele OO. COR TO OUT. WE TO TO solt eleht months old named fuldy of the value of ses. Out sellow of dow and long holter of the value of \$50.040; one work and and tone helfor Positional function and same same substant tenoisticed the plant stricken from the treestant of the estate of the selds to figeraphies in beteresting his heaterstay of mein't axed to such a rould tent tydent singly Amegarated to her lo DEPTONON MARKAGE her deceased father w to paragraph three of bine one dely redeat Tou but her

In Re Estate of Frank Busby, Dec'd. In the County Court of Dallas County, Taxas, Sitting in Probate.

Now comes Track Busby and shows to the Court that she is the surviving wife of the said Frank Busby decessed, and further shows to the Court that the temporary administrator took possession of all the property belonging to the community estate of the said Frank Busby and herself, even to all the farming tools, implements, stock etc. and left her in rather a destitute condition, unable to make any crop; that she has no seperate estate, except the one heifer claimed by her, and that has been taken by the temporary administrator. That she has not sufficient seperate property for her maintenance.

Wherefore, premises considered, she prays this Court for an order under Art.2037 et Seq./R.S.of Texas, for an allowance for the support of herself, which amount to be commensurate with the said estate, Hiram Thirty Mrs Low X Busty att for how Busty-

Lu Re Estate & Bourse and Aller and Frank Bushy, Dee'd. In he hatate of FILMED BY THE MALLAS TENEALOGICAL SOCIETY-1978 The Court that the temporary administrator took possession of the continuent administrator took possession being the the community estate of the said branch formation to make any orop; the period separate the continuent to make any orop; the period separate to make any orop; the period separate to make any orop; the separate property separates. That are maintained to make any orop; the separate separate property separates. surviving wite of the said Frank Busby decreased, and furthers MOH In the County Court of Dallas County, Taxas, Bieting in Problems Sasty and shows to the Court that

In Re Estate of ) In the County Court of Dallas County, Tex. Frank Busby, Dec'd. ) Sitting in Probate.

Now comes \_\_\_\_\_\_\_ Busby wife of the said Frank
Busby Dec'd. and shows to the Court that the temporary administrator
appointed herein has taken possession of and sold and offering to sell
a part of the seperate estate of this your petitioner, as well as all
the community estate of this petitioner and the deceased and refuses to
recognize the rights of your petitioner in the estate whatever.

Busby shows to the Court, that long prior to the death of the said Frank Busby he gave to her as her own property and to be hers, one heifer, now two years old, which the said C.W.Busby has taken possession of and is offering for sale. That at the time of the death of the said Frank Busby he left personal property which was community property of himself and your petitioner, of which one half

About 30 acres of wheat of the probable value of,
About 50 acres of oats, of the probable value of,
One mare and colt of the value of about

One oultivator of the value of

Cutton

Your pettioner further shows that the said C.W.Busby has sold the mare and colt and also the cultivator, and has appropriated the money obtained therefor without regard for the rights of the widow your petitioner.

Premises considered, your petitioner prays that an order be entered as will restrain the said administrator from disposing of her part of the community property and of ther seperate estate, and that will protect her rights in the premises, for costs etc.

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ered to believe the self notering the end niteries fills as he the tests bus estates estates rest to has varegorg vitsiumos esta to Prenisse considered, your petitioner prays that, an order be Riser. Thinks in the prestrent tor south etc.

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To canden of all Weath Juaby, Dec'd.

In the County Court of Dallas County, Tex.

In Re Estate of Frank Busby, Dec'd. C. W. Busby, Tem. Administrator.

On this the 23rd. day of May A. D. 1903, coming on to be heard the application of C. W. Busby Temporary Administrator to resign, and the Court having heard the same, and having heard the petition of Iou Busby, and the petition of Ross Dowdell, Birdle Massarang Mattie May Massarang, and Maggie Busby,

It is the opinion of the Court,

and it is hereby ordered that the Temporary Administrator's resignation be accepted, and that he be allowed the sum of \$15.00 as attorneys fees for his attorney, and that he be allowed the sum of \$1000 to cover his expenses and as remuneration for his aervices; it is further ordered by the Court that the said Temporary Administrator pay the accrued costs, and that he turn over the estate of the said Frank Busby to the heirs of said estate.

It is the opinion of the Court that the petition of Rosa Dowdell,

Little

Birdis Massarang, Mattle May Massarang, and Maggie Busby for their supports out to be granted and the property out to be granted and the property out to be granted and the property out to be stricken from the estate of Frank Busby, and it is hereby so ordered.

Stricken from the estate of Frank Busby, and it is hereby so ordered.

It further appearing to the Court that the said heirs of the said Frank Bussy had made a partition of the household goods, furniture etc, and the parties were all satisfied with said division, the Court is if the opinion that the said division ought to remain, and the said heirs take the said property as they had originally divided same.

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" Be Reests of Frank Rushy, Don'd.

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The State of Tems,

- In the matter of the Ratate of Frank
- County of Dalles,
- Busby, Deceased.

To Hon. Re S. Lauderdale , Judge of the County Court of Dallas County, Texas:

I hereby waive my right under the law to administer on the estate of my deceased, husband, Frank Busby, and consent and request that C. W. Busby be appointed administrator of said estate.

gottues the want

Love & Bushy

Sworn to an impossible before me this the 23 of April 1905.

741 35 MILES TO BUILDING BUILDING TO 151 64 12 1485

Notary Public, Dallas County, Texas.

County of Dellan, The state of Heates. FILMED BY THE DALLAS SENEALOGICAL SOCIETY-1978 To Hon. 28 8. Laude nale . Judge of the County Course of taste of the Court of the fail Notary Public, Palies County, Tems. Reserved by matacols and be we atom and not Bushy, Bersesse. . OF APELL 1905.

COUNTY OF DALLLAS. Estate of Frank Bushy  Know all Men by these Presents. That we. C. M. Bushy  Know all Men by these Presents. That we.	
Know all Men by these Presents, That we.  as Principal, and D. B. Roberto and C. D. Roberto as Principal, and D. B. Roberto and C. D. Roberto as Sureties, are held and firmly bound unto the County Judge of said County of Dalax Sureties, are held and firmly bound unto the County Judge of said County of Dalax Sureties, are held and firmly bound unto the County Judge of said County of Dalax Sureties, are held and firmly bound unto the Surety Administrator of the Estate of Fruit Bushy who has conditioned that the above bound C. W. Bushy perform all the Deceased, shall well and truly perform all the Deceased, shall well and truly perform all the Deceased, shall well and truly perform all the Seal Surety Seal Seal Seal Seal Seal Seal Seal Seal	TEMPORARY ADMINISTRATOR'S BOND.
WITNESS our hands and seals, this  WITNESS our hands and seals, this  ON Bushy  (SEAL)  (SEAL)  (SEAL)  (SEAL)  (SEAL)  (SEAL)  (SEAL)  (SEAL)  (Administrator of the Estate of Javansk Bushy  Administrator of the Estate of Court appointing me such Administrator.  accordance with law, and with the order of Court appointing me such Administrator.  (CM, Rushy  Sworn to and subscribed before me this  (SEAL)	Know all Men by these Presents, That we. A. Roberto as Principal, and D. B. Roberto and C. D. Roberto as Principal, and D. B. Roberto and C. D. Roberto as Sareties, are held and firmly bound unto the County Judge of said County of Dalas Sareties, are held and firmly bound unto the County Judge of said County of Dalas Sareties, are held and firmly bound unto the County Judge of said County of Dalas Sareties, are held and firmly bound as Sareties, and his successors in office, in the sum of Love Show and Love who has conditioned that the above bound C. W. Busby Freick Busby been appointed Temporary Administrator of the Estate of Freick Busby been appointed Temporary Administrator of the Estate of Principal Said Said Said Said Said Said Said Said
Administrator of the passed and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames according to the law accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames accordance with law, and with the order of Court appointing me such dames according to the law accordance with law, and with the order of Court appointing me such dames according to the law accordance with law accord	duties required of him under said appointment.  WITNESS our hands and seals, this  C. W. Bully  [SEAL]  [SEAL]  [SEAL]
Ay -	I do solemnly swear that I will well and truly perform all the duties of Temporary Deceased, in Administrator of the Estate of Frank Bushy accordance with law, and with the order of Court appointing me such Administrator.  CMBushy Sworn to and subscribed before me this
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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

3411

COUNTY COURT, DALLAS COUNTY.

BOND OF TEMPORARY ADMINISTRATOR.

ESTATE OF

Frank Bucky DECEASED

Examined and Approved this 2.

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