

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

Case Number 861

Dallas Genealogical Society
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FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

861

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The State of Texas, } Estate of *H. Barksdale* died
COUNTY OF DALLAS.

Know all Men by these Presents, That we,
as Principal, and _____ and _____
as Sureties, are held and firmly bound unto the County Judge of said County of Dallas, and
his successors in office, in the sum of _____ Dollars;
conditioned that the above bound _____, who has
been appointed _____
shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this _____ day of _____ 188_____.

SEAL
SEAL
SEAL

I DO SOLEMNLY SWEAR that the writing which has been offered for probate, is
the last will of *H. Barksdale* deceased, so far as I know or
believe; and that I will well and truly perform all the duties of Executor of said Will.

Sworn to and subscribed before me this *30th* day of *June* 188*5*.
H. Barksdale
W. M. C. Hill
County Clerk, Dallas Co., Texas.
By *L. Hughes* Deputy.

THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

H. Barksdale deceased.

Mrs. Annie Barksdale has filed, in the County Court
of Dallas County, an Application for the Probate of the last Will of *H. Barksdale*
deceased, and for Letters Testamentary,
which will be heard at the next Term of said Court, commencing on the *first*
Monday in *August* A. D. 18*84*, at the Court House, in the City of Dallas,
at which time all persons interested in said Estate may appear and contest said
Application if they see proper.

WITNESS *W. M. C. Hill*, County Clerk of Dallas County, Texas.
Given under my hand and the seal of said Court, at office
in the City of Dallas, this *30th* day of *May*
A. D. 188*4*

W. M. C. Hill, County Clerk Dallas Co., Texas.
By *L. Hughes* Deputy.



County Court, Dallas County.

John A. Arant
EXECUTOR'S BOND.

ESTATE OF

H Parksdale
Deed

Filed *Gunsow* 188*5*
W. M. C. HILL, Clerk,

By *L. Hughes* Deputy.

Approved this _____ day of _____ 188*5*.

County Judge, Dallas Co.

Carter & Gibson Printing Co., Printers and Bookbinders, Dallas, Tex.

Gray

No. 738

COUNTY COURT.

ESTATE OF

H Parksdale

Deceased.

Notice of Application for Probate
of Will and Letters

Issued this *30th* day of
May 188*4*

W. M. C. HILL, County Clerk.
By *L. Hughes* Deputy.

SHERIFF'S RETURN.

Came to hand the *30* day of *May*
188*4*, and executed the *30* day of *May*
188*4*, by posting up three copies of this Writ at
three public places in Dallas County, one of
which was the Court House Door of said County.
at East Dallas

W. W. Smith
Sheriff, Dallas County.
By *W. H. Lewis* Deputy.

A. D. ... & Co., Stationers and Steam Printers, Dallas, Texas.

Shff. fee *300*
Recorded

mlc

Mr Lopy

NAT B BARKSDALE
TO: AFFIDAVIT

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME the undersigned authority on this day personally appeared Nat B Barksdale, and after being duly sworn deposes and says that Mrs. Nannie B Barksdale was his mother and that she was on June 6, 1887, a widow and that she never thereafter married

Nat B Barksdale

Sworn and subscribed to before me this the 10th day of April A.D. 1923.

Max R Rosenfield

LS

Notary Public, Dallas County, Texas.

Filed: April 13, 1923

Recorded in vol 1002 page 350 Deed Records, Dallas County, Texas

mlc

ESTATE OF H BARKSDALE
NO 738 DECEASED

Entered as on June 3rd 1985
by order of court

This day came on to be heard the motion to allow Mrs Nannie Barksdale to qualify as Executrix of the above estate nunc pro tunc, and the argument of counsel having been heard and fully understood. It is therefore considered by the court that said motion be sustained and Mrs Nannie Barksdale allowed to qualify as Executrix of the Estate of H Barksdale deceased which is accordingly done and letters ordered issued to her
Entered in vol K-2 page 425 Minutes of Probate Court, Dallas County Texas

Turill Texas Aug 1st 1884

Mr J. H. Lawler
Dallas

Dear Sir -

Replying to your favor saying it would be necessary for us to appear in Court and accept Service in the Case of the Judge Will to Mr. would say you can appear and we authorize you to do so by these presents and accept Service for us
Very truly yours

J. M. Oldham
Dallas B. Oldham

I hereby accept service as
above Aug 12th 1884

Just Lawler

We the subscribers herof, hereby waive
the legal notice of five days and accept
service in the case of proof of Will of
H. Barksdale, dec'd; to Nannie Barksdale
sole beneficiary and executrix in and under
said Will.

James T. Sawder
Mrs J. T. Sawder

Estate of H. Baskinall, In County Court
deceased. Namie } for Dallas Co.
Baskinall Executor } Texas. May Term
1885.

Came Namie Baskinall executor
named in the last will and testament
of H. Baskinall deceased, and informs
the court that the will of the said
deceased was duly probated in this
court on the day of 1884,
that petition was named as sole
legatee and executor in said
will and by the terms thereof was
not required to execute bond;
that petitioner omitted to qualify
by taking the oath as required
by law as executor, wherefore
petitioner prays that she may
be permitted to take said oath
and qualify under said will.
James Simpson
Att'y for petitioner

Ms

H Baskinall

2

Namie Baskinall

In case of
services of
all courts

Filed August 14th 1885

W. M. B. W. Bell

By J. H. Hargrave

W. M. B. W. Bell
Att'y for
Mrs Baskinall

The State of Tex In County Court
County of Dallas & Dallas County
Sitting in Probate

This day personally appeared
L. H. Fitzhugh & Lafayette Fitzhugh
both over the age of Twenty
one years who being duly
sworn state under oath
that they were present at
the Residence of H. Barksdale
near the Fair Grounds in
East-Dallas on the 14th day
of May A.D. 1884 The
said H. Barksdale departed
this life on that day
that at the request of the
said H. Barksdale they
were called upon to witness
an instrument purporting
to be his last-will & testament
that they did accept the said
last-will & testament as
his special instance and
request that the instrument
presented in open Court
on this day is the same
that they were called upon
by said H. Barksdale now dead
to accept that the said Barks
dale was at the time of
sound and disposing
mind.

L. H. Fitzhugh
Lafayette Fitzhugh
Subscribed & Sworn to this 11th day
of August A.D. 1884
W. M. LeHeill Clerk
By T. H. Keegan

Estate of H. Barksdale
Nannie Barksdale
Executrix

Motion to permit
executrix to
qualify same
pro tunc

Filed June 30, 1885
W. M. LeHeill Clerk
By T. H. Keegan

The State of Texas }
 County of Dallas }

Nannie Barksdale
 Executor

H. Barksdale

Executrix

of the County Court

Dallas County

Texas

To Hon. P. E. Burke Judge of said
 Court, sitting in Probate

Your appraisors in
 the Matter of Nannie Barksdale executrix
 of the last will & Testament of H.
 Barksdale Deceased, would respectfully
 report the following property on hand
 coming to their knowledge now in the
 hands of the Executor & of the following
 value - for the undersigned were appointed
 on the day of AD 1884 as shown
 by Order of your honor on Probate Minutes
 of Dallas County

One Horse named Barney	100.00
" Buggy -	100.00
" Cow and Calf -	50.00
Hardware & Kitchen Furniture	150.00
one Lot bounded on Guston Avenue in East Dallas (Horn Stead) as shown by deed from Jno C Maloy to H Barksdale recorded in Book 57 Page 39. Dallas County Records. D. D. 200 p. 5 pane 600.00	
cash	1000.00
Total	\$ 2400.00

No. 738
 Estate of H.
 Barksdale
 Deceased
 Nannie Barksdale
 Executrix

Proof of Will

Filed Aug 14 1884
 Will of H. Barksdale
 By L. H. Hughes

Recorded with
 will

	Cont. Hows	\$ Col. 00
The following claims due Barksdale & Williams as reported by D.A. Williams of being		
1852	Due to H Barksdale deceased	
July	Open acct. against Gen. Wain 2/25.00	12.50
Mich	C. B. Melbarn open acct 2/25.00	12.50
Mich	John Heath " " 2/100.00	50.00
Apr	J.R. Johnson " " 2/200.00	10.00
"	In judgment vs D. J. Rice Road Co. 1/187.50	93.75
"	Must Bars open acct - 2/20.00	70.00
"	H. A. Summels " " 2/30.00	10.00
"	C. L. Complain " " 2/25.00	10.00
"	R. C. Sorbert " " 2/10.00	5.00
"	Doc Boyd " " 7.80.00	15.00
"	J. G. Banthead " " 2/36.30	18.15
"	J. B. Lygo " " 5.00.00 as his	58.00
		\$6676.90

The above is a true list of all the property and claims due decedent as far as we were informed and the valuation is correct according to our information. We learn further that Mrs. Nannie Barksdale had in her own right twenty five hundred dollars in cash which went into the improvement of the lot mentioned as above. We are informed that all the remainder is the common property of H Barksdale used and his surviving wife Nannie Barksdale.

L. W. Fitzhugh
 Fayette Fitzhugh

The State of Texas
County of Dallas

Before me D A Williams a Notary
public within ^{and} for Dallas County person
ally appears, L H Fitzhugh ^{and} L Fitz
hugh - Appraisers ^{and} after being duly sworn
says that the above inventory ^{and}
appraisement of the Estate of ~~W B~~ ^{W B} ~~W B~~
deced is true to the best of their know
ledge ^{and} belief ^{and} that the above contains
all the property ^{and} claims coming to
their notice from the executor ^{and} the
report of D A Williams who held the ^{part}
nership claims as above reported ^{and}
that the statement set forth in the
above report of inventory & apprais
ment are true to the best of their
knowledge ^{and} belief ^{and} sense of office

Given under ^{my} ~~our~~ hands ^{and} this the
16th day of September A D 1884

L H Fitzhugh
L Fitzhugh
D A Williams
Notary Public
Dallas County
Tex.



The State of Texas }
 County of Dallas }

I H. Barksdale of said
 County of Dallas, being of sound ^{and}
 disposing mind ^{and} memory, ^{and} being
 desirous to settle my worldly affairs
 while I have strength so to do, do
 make this my last will ^{and} testament,
 hereby revoking all others heretofore
 made by me
 Item 1st.

I desire ^{and} direct, that my body be
 buried in a decent ^{and} christian-like
 manner, suitable to my circumstances
^{and} condition in life.

Item 2nd

I give, bequeath ^{and} demise to my
 beloved wife Nannie Barksdale all
 my property Real personal or mixed
 whomever ^{and} situate together with all ^{and}
 singular the rights, members, ^{and} appur
 tenances to the same in any manner
 belonging, free from all charges or
 limitations whatever, in fee simple,
 to dispose of as she may wish, without
 remainder to any one whomsoever

Item 3rd

I hereby constitute ^{and} appoint my

No 75

Nannie Barksdale
 Executrix

H. Barksdale
 Teste

Inventory & Apprais
 = ment.

Filed Sept. 20th 1884
 W. M. L. Hill, Clerk.
 By L. H. Hughes Dy.

Recorded
 Book No 7
 Pages 54 & 55
 Nov 19 / 1884

beloved wife Rannic Burksdale sole
 executrix of his my last will ^{and}
 testament

Item 4th

My said executrix is fully authorized
 and empowered to make settlements
 with all parties with whom I had
 transactions, which are yet un-
 settled and to collect all outstanding
 debts due me, and becoming due
 and to pay off and discharge all
 my just debts in such manner
 and at such times as she may determine

In testimony whereof I have hereto
 set my hand this 14th day of
 May ad 1884

Signed by J. A. Williams
 at the request of H. Burksdale
 May 14/1884

H. Burksdale

Signed, declared, and published by
 H. Burksdale, as his last will
 and testament, in the presence of
 us, the attesting witnesses who
 have hereto subscribed our names,
 in the presence of the said H. Burksdale
 at his special instance and request,
 this the 14th day of May ad 1884

L. Fayette Fitzhugh
 L. H. Fitzhugh
 C. S. Ballard

The State of Texas }
County of Dallas }

Ex parte }
vs }
W. Barksdale }
decd }
County Court }
Dallas County }
Texas }

To Honorable Judge of said
Court, your petitioner Mrs. Annie
Barksdale would respectfully repre-
sent to the Court

That W. Barksdale departed this
life on the 14th day of May ad
1884 at his residence on Gaston
avenue in East Dallas, in the
County of Dallas and State of Texas
that he was a resident citizen of
said County and State and that his
homestead and the principal portion
of his property and effects are in
said County and State

That the said Testator died leav-
ing his homestead as aforesaid
of the probable value of eight
thousand dollars, that he had
personal property of the probable
value of fifteen hundred dollars
and out-standing debts, Chases in

No. 738

W. Barksdale

To }
3 }

Last-Will & Testament

Filed May 24th 1884

W. H. Hill Clerk
By D. H. DeGlen

Recorded Book "le"
Pages 159 + 160

of the probable value of five
hundred dollars

That he departed this life leaving
a "will" in which he ^{made} appointed
his surviving wife Minnie Burks
sole his sole beneficiary and Legatee
to all of said property Real, personal
or Mixed and appointed her as executor
of said last will and Testament
that said executor is not disquali-
fied from accepting letters testa-
mentary

That the testator departed this life
leaving seven children as follows

John Burks date age 25 years

Katie Oldham deceased married to D^m Oldham

Annie Lawder " " " J. F. Lawder

Richard Burks date Minor

H. B. " Minor

Abner G. " "

Mieie H. " "

Wherefore your petitioner asks that
all parties be be cited to appear and
show cause if any they have
why said will shall not be
probated according to law for
which she will ever pray

Minnie, Burks date

Subscribed and sworn to this
the 20th 1884.

W. W. Leitch clerk
By L. H. Hughes atty

No. 738

Ex parte

vs

H. Barksdale

Application to
Probate will

Filed May 24th 1884

Wm. H. Bell
By L. H. Hughes

Recorded
Williams & Lumsden

~~Not to be used~~
Atty for Application