

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

Case Number 1790

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FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

# 1790

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The State of Texas, No 2775 Estate of Elias R. Parks

COUNTY OF DALLAS.

KNOW ALL MEN BY THESE PRESENTS, That we, [Signature] as Principal, and [Signature] and [Signature] 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 [Signature] Dollars; conditioned that the above bound [Signature] who has been appointed [Signature] shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this [Signature] day of [Signature] 189 [Signature]

(SEAL)
(SEAL)
(SEAL)

I DO SOLEMNLY SWEAR that the writing which has been offered for probate, is the last will of [Signature] 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 [Signature] day of [Signature] 189 [Signature]
[Signature]
County Clerk, Dallas County, Texas.

By [Signature] Deputy.

THE STATE OF TEXAS.

To all Persons Interested in the Estate of Elias R. Parks Deceased: [Signature] and [Signature] has filed, in the County Court of Dallas County, State of Texas, an application for the Probate of the last Will of said Elias R. Parks, deceased, and for Letters Testamentary, which application will be heard and acted upon by said Court, at the next term thereof, to be held at the Court House in the City of Dallas, County of Dallas, State aforesaid, and commencing on the first Monday in [Signature] A. D. 189 [Signature], at which time and place all persons interested in said Estate shall appear and contest said application, should they desire to do so.

WITNESS: A. S. JACKSON, County Clerk of Dallas County, Texas.
Given under my hand and the seal of said Court at office in the City of Dallas, this [Signature] day of [Signature] A. D. 189 [Signature]

A. S. JACKSON,
County Clerk, Dallas Co., Texas.
By [Signature] Deputy.



No. 2275

COUNTY COURT,  
DALLAS COUNTY.

*Cath*  
~~EXECUTOR'S BOND.~~

ESTATE OF  
*Elias R. Parks,*

*Deid.*

Filed *March 26* 189*7*

*A. S. Jackson* S. B. SCOTT, Clerk.

By *A. W. Rawlins* Deputy.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 189\_\_\_\_\_

County Judge, Dallas County.

A. D. Altridge & Co., Stationers, Printers and Binders, Dallas.

*Recorded*

2275 <sup>191</sup>

No.

COUNTY COURT.

ESTATE OF  
*Elias R. Parks*

Deceased.

NOTICE OF APPLICATION FOR PROBATE OF  
WILL AND LETTERS.

Issued this *21* day of *January* 189*7*

*A. S. Jackson* A. S. JACKSON, COUNTY CLERK.  
By *A. W. Rawlins* Deputy.

SHERIFF'S RETURN.

Came to hand the *21* day of *Jan*  
189*7*, and executed the *21* day of *Jan*

189*7*, by posting up three copies of this Writ at three public places in Dallas County, one of which was at the Court House door of said County, and no two of which were in the same town or city.

SENE. O'BELL, SHERIFF, DALLAS CO.

By *J. P. Lanson* Deputy.

*4 us \$ 300*  
*Recorded*

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1973

EXECUTOR'S BOND

The State of Texas, No. 2275  
County of Dallas, Estate of Elias R. Parks Deed

~~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 \_\_\_\_\_ 189\_\_\_\_  
(SEAL)  
(SEAL)  
(SEAL)

I DO SOLEMNLY SWEAR that the writing which has been offered for probate, is the  
last will of Elias R. Parks 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 25 day of March 1897  
Asquith County Clerk, Dallas County, Texas.

By \_\_\_\_\_ Deputy.



FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No. 2276

COUNTY COURT,  
DALLAS COUNTY.

*oath*  
EXECUTOR'S ~~BOND~~

ESTATE OF

*Elias R. Parks,*

*Deed*

Filed *March 15* 189*7*

S. B. SCOTT, Clerk,

by *A. Jackson,*  
*W. M. Rawlins* Deputy.

Approved this \_\_\_\_\_ day of

189

County Judge, Dallas County.

A. D. Aldridge & Co., Stationers, Printers and Binders, Dallas.

*Recorded*

No  
2275

The Estate of Elias Parks In County Court sitting in Probate.

Proof of Will.

In open court personally appeared D. M. Waters one of the subscribing witnesses of the will of Elias Parks herein propounded for probate, who being duly sworn on oath says that said Elias Parks died in Lancaster, Dallas County, Texas, on the 19 day of Jan. A.D. 1897, at about the age of 71 years, and that he left an estate situate in said County; that his name is subscribed as a witness to the will now here propounded as the last will and testament of Elias Parks, Decd.; that he saw said Elias Parks subscribe said will in the Office of Williams & Turney in the city of Dallas, Dallas Co. Texas and heard him declare it to be his last will and testament, at the date of said will; that he and J. R. Smith, the other subscribing witness of said will, signed said will as witnesses at the request of said Elias Parks in the presence of said Elias Parks and of each other; and that said Elias R. Parks and said subscribing witnesses were each over 21 years of age when will was made and witnessed as aforesaid; and affiant further says said will was never within his knowledge revoked by said testator during his lifetime, and said testator was of sound mind when he made said will.

D. M. Waters  
I am to and subscribed before me in open  
Court on this the 17<sup>th</sup> day of March 1897

As Justice of said County Court

Dallas County Texas

By J. A. Taylor Jy

FILED March 17 1897  
A. S. JACKSON,  
County Clerk, Dallas County, Tex.  
J. A. Taylor  
DEPUTY



No. 2275

Estate E. H. Parks

Proof of Will

{Recorded}



The State of Texas } In County Court, sitting in  
 County of Dallas } Probate, Dallas County, Texas.  
 Hon. Judge of said Court.

Your applicants, Cyprisa J. Parks and John A. Parks, of said county and state, represent that Elias R. Parks died in Dallas County, Texas, on January 19th, 1897, testate, and leaving an estate of real and personal property, all situate in said county, of the probable value of \$  
 Said deceased's will nominates your applicants executor and executrix thereof, and your said applicants reside in said County, and are not disqualified by law from accepting letters. Your applicants are by said will exempted from giving bond, and no necessity exists for an allegation of the value of said estate, other than what may appear in inventory, list of claims etc. to be filed. J. R. Smith and D. M. Waters are the witnesses of said will and reside in said County; and said will is here tendered for probate.

Primes considered, your applicants here offer said will for probate, and pray that due citation be issued and served as required by law, and upon proof required by law, that said will be probated.

Thomas A. Turney attorney  
 for proponents of will.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No 2276

Estate of

Elias R Parks

Deceased

Application to Probate  
will

FILED

JAN 21 1897

A. J. JOHNSON  
Notary Public  
M. R. Paulus

<Recorded>

Sealed Jan 21 - 1897

Thomas & Turney

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978





Inventory and Appraisement  
of the Estate of  
E. P. Parker died

256  
FILED

APR 27 1897

W. H. R. R. Co.  
Notary Public

17 Aug 7  
M. W. Stone  
Co. Judge

(Recorded)  
8-31-97



slc

M/258 Prob

ORDER PROBATING

IN RE ESTATE OF ELIAS R. PARKS, Deed. : Saturday, March 13<sup>th</sup> 1897.  
#2275

This day came on to be heard the application of Cyprisa J. Parks and John A. Parks, for the probate of a certain instrument in writing now produced in open Court, and purporting and alleged to be the last will and testament of Elias R. Parks, Deed.

And said application and the evidence thereon being heard, and it appearing to the Court that due and legal notice of said application has been given, and no objection thereto offered.

And it further appearing to the Court from the written testimony of D. M. Waters, one of the subscribing witnesses to said will that said Elias R. Parks died in Dallas County Texas, on the 19<sup>th</sup> day of January, 1897, that he executed said instrument now produced in open Court in the presence of said D. M. Waters and J. R. Smith the other subscribing witness to said will, and declared the same to be his last will and testament; that at the time of the execution of said will as aforesaid said testator was over the age of 21 years, and of sound mind and that each of said witnesses were at the time over the age of 21 years. And that said will was never revoked by said testator, that said witnesses subscribed said will in the presence of and at the request of said testator and in the presence of each other.

It is considered by the Court that said instrument be, and the same is now here adjudged to be the last will and testament of said Elias R. Parks, deceased, and that said will together with all the testimony in this case be recorded in the minutes of this Court.

It is further ordered that Mrs. Cyprisa J. Parks and John A. Parks be and they are hereby appointed Executrix and Executor respectively of said will without bond, and that the Clerk issue to them letters testamentary upon their taking and subscribing the oath required by law.

It is further ordered by the Court that W Y Perry, John Besh and Barney Johnson, be and they are hereby appointed appraisers to appraise the estate of said decedent.

Rec vol 2 page 258 Minutes Probate Court, DCT

The State of Texas  
County of Dallas

I, Elias R. Parks  
of said County and State, 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 by me  
made.

Item 1st. I desire and direct that my  
body be buried in a decent Christian  
like manner, suitable to my circum-  
stances and condition in life.

Item 2nd.

I desire and direct that my  
just debts be paid without delay,  
by my executor and executor to be  
hereinafter appointed.

Item 3d.

I give, bequeath and demise  
to my beloved wife, Cyprisa J. Parks  
all my estate both real and personal,  
for and during her natural life, except  
a 26 acre tract in the Billy Wilson sur-  
vey, all of which I am now seized  
being my separate estate.



Item 4th.

At the death of my said wife I desire and so bequeath to her three children, James M. Parks, George J. Parks and William B. Parks, our home stead equally between the above named children together with a piece of timbered land, lying on Ten Mile creek in the Crawford survey, except about 10 acres in said survey, on West side of Manard creek. Also all the personal estate on hand at her death to be equally divided between them as aforesaid.

Item 5th.

I desire and so will bequeath, and demise unto my nephew Edw. C. Parks at my death, the 26 acres of land in the Billy Wilson survey, excepted in item three of this will.

Item 6th.

It is my desire and I so will bequeath and demise at the death of my wife, that my daughter Susan C. McFall, the ten acres of land, more or less in the Crawford survey on West side of Manard Creek, excepted in the 4th item of this my last will, and testament, and also will and direct that

James M. Parks, George T. Parks and William B. Parks, legatees herein pay over to my said daughter, Susan C. M. Falls, the sum of Three hundred \$300 dollars, out of their estates as soon after the death of my said wife as they can do so, - reserving to them the right to have time to perform this obligation without embarrassment to their estates. Having already given to my said daughter a portion of my estate, I feel that this item will make up her full share of said estate.

Item 7.

It is understood, and so intended by this will that in the partition of my homestead that at the death of my said wife, that James M. Parks, George T. Parks and William B. Parks take equal shares in the homestead less the (57½) fifty seven and one half acres of land already deeded to J. M. Parks which is to be considered as a part of said division and partition.

Item 8.

It is also my desire that in the partition and division of said estate that George T. Parks be allotted the



homestead, buildings &c to an amount of equal value with James M. Parks and William B. Parks regardless of value.

Item 9.

I hereby constitute and appoint my beloved wife, Cyprisa J. Parks, my executrix, and John A. Parks, executor of this my last will and testament without bond for the <sup>due</sup> performance of the same. In testimony whereof I have hereto set my hand this 31<sup>st</sup> day of March A.D. 1887.

Elias R. Parks

Signed, declared, and published by Elias R. Parks, as his last will and testament, in the presence of us, the attesting witnesses, who have hereto subscribed our names in the presence of said Elias R. Parks, at his special instance and request, this 31<sup>st</sup> day of March A.D. 1887.

J. R. Smith  
D. M. Parks

dist. C. 1897

5095

Last Will & Testament

FILED

JAN 21 1887

A. S. JACKSON,  
Dallas County, Tex.  
Attorney at Law

Rehearsal

The State of Texas }  
 County of Dallas }

I, Elias R. Parks  
 of said County and State, 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 by me  
 made.

Item 1st. I desire and direct that my  
 body be buried in a decent Christian  
 like manner, suitable to my circum-  
 stances and condition in life.

Item 2nd.

I desire and direct that my  
 just debts be paid, without delay,  
 by my executor and executor to be  
 hereinafter appointed.

Item 3d.

I give, bequeath and demise  
 to my beloved wife, Cyprisa J. Parks,  
 all my estate both real and personal,  
 for and during her natural life, except  
 a 20 acre tract in the Billy Wilson sur-  
 vey, all of which I am now seized  
 being my separate estate.



Item 4th.

At the death of my said wife I desire and so bequeath to her three children, James M. Parks, George F. Parks, and William B. Parks, each one share equally between the above named children together with a piece of timbered land, lying on Ten Mile creek in the Crawford survey, except about 16 acres in said survey on west side of Manard creek. Also all the personal estate, on hand at her death to be equally divided between them as aforesaid.

Item 5th.

I desire and so will, bequeath, and demise unto my nephew Abert E. Parks at my death, the 26 acres of land in the Billy Wilson survey, excepted in item three of this will.

Item 6th.

It is my desire and I so will bequeath and demise at the death of my wife that my daughter Susan C. McFall, the ten acres of land, more or less in the Crawford survey on west side of Manard Creek, excepted in the 4th item of this my last will, and testament, and also will and direct that

James M. Parks, George T. Parks and William B. Parks, legatees herein pay over to my said daughter, Susan C. M. Falls, the sum of Three hundred \$300 dollars, out of their estates, as soon after the death of my said wife as they can do so. - reserving to them the right to have time to perform this obligation without embarrassment to their estates. Having already given to my said daughter a portion of my estate, I feel that this item will make up her full share of said estate.

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homestead, buildings &c to an amount of equal acre with James M. Parks and William B. Parks regardless of value.

Item 9.

I hereby constitute and appoint my beloved wife, Cyprisa J. Parks, my executrix, and John A. Parks, executor of this my last will and testament without bond for the <sup>due</sup> performance of the same. In testimony whereof I have hereto set my hand this 31<sup>st</sup> day of March A.D. 1887.  
Elias R. Parks

Signed, declared, and published by Elias R. Parks, as his last will and testament, in the presence of us, the attesting witnesses, who have hereto subscribed our names in the presence of said Elias R. Parks, at his special instance and request, this 31<sup>st</sup> day of March A.D. 1887.

J. R. Smith  
J. M. Miles

dist. C

2075

Last Will & Testament

FILED

JAN 21 1897

A. S. JONES, Notary Public in and for the State of Texas  
Dallas County, Texas

Recorded