

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

Case Number 1901

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# 1901

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This the last will of  
 B. V. Berryman To my Daughters  
 Eliza Brackin and Mary F. Sullivan  
 Talitha F. Carver I give equal shares  
 to the Land I now live on called the  
 Lovyay survey of one hundred ~~acres~~  
 fifty acres also 25 acres of Timbered  
 Land lying on the east fork of Trinity  
 River in Rockwall County Deeded to me  
 by D. W. Daniels my Daughters having  
 Deeds from Blackburn and Withins  
 to a portion of the one hundred and fifty  
 acre tract and the Land that I bought  
 from McHenry heirs was paid out of  
 my Childrens money for their mother  
 and my self agreed to give the three  
 girls the balance of Land or the proceeds  
 to them for their <sup>best and good help to us both</sup>  
 the rest of the Children was given all we  
 were able to give and through her request I  
 will try to comply my beds and Steads  
 covers and belonging to be divide with  
 James and Abnera Berryman and Frank  
 of cloths



to my wife M<sup>r</sup> to I & give my claim  
 of several hundred Dollars seventy  
 -five Dollars. To her son <sup>Mr Blake</sup> of my own money  
 stating to me that her farm was bought  
 with the property Willer's father left  
 her and next same was to fence and  
 suit to defend against the Land and  
 a note to Mr Stone for over three  
 hundred Dollars ten prets then as  
 soon as all was paid against the Land  
 it was routed to her son Thomas and  
 I have not the benefit of any of the  
 crops except some Damaged hay that  
 did not pay me for riding and looking  
 after the crops. now if she will release  
 her claim on this hundred and fifty  
 acre tract then give her all the 25  
 acres on East fork and all the other  
 property of cattle and horses and  
 farming utencials belonging to me  
 in testimony whereof I hereby sign  
 my name this the 19<sup>th</sup> of May 1870  
 J. B. Barryman  
 J. B. Barryman  
 Witness W. D. Paulin

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*Filed Oct 1st 1871  
L.B. Scott Co. Clk.  
By O.S. Jackson Dy.*

*(Recorded)*

Know all men by these  
 presents that I this day deliver  
 unto my poor children Elizabeth  
 Mary F. Sullivan Tabitha Cover  
 and J. F. Berryman all of my  
 personal and real estate to the above  
 named it being agreed to by my first  
 wife and my self that they should  
 have at my death the proceeds of all  
 that might be left and the property I now  
 have was purchased with the same we  
 owned at that time and I was to have  
 the privilege of using the property as I pleased  
 and I now find that I can't use it to  
 any advantage turn it over to them  
 with the condition that the said  
 children give a good support <sup>to me</sup> while  
 I live in testimony whereof the fifteenth  
~~1890~~ of Nov 1890 B. O. Berryman  
 Test B. O. Sullivan





NOTICE OF APPLICATION TO PROBATE WILL

THE STATE OF TEXAS.

To all Persons Interested in the Administration of the Estate of

*P. V. Berryman* deceased.

*J. M. Sullivan* has filed, in the County Court of Dallas County, an Application for the Probate of the last Will of *P. V. Berryman* <sup>and executory trusts</sup> deceased, and for Letters Testamentary, which will be heard at the next Term of said Court, commencing on the *Tenth* Monday in *November* A. D. 189*7*, 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 S. B. SCOTT, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this *9th* day of *November* A. D. 189*7*.

S. B. SCOTT,  
County Clerk Dallas County, Texas

By *A. S. Jackson* Deputy.



< original > 40

No. 1598

COUNTY COURT.

ESTATE OF

*P. V. Bynum*

Deceased.

Notice of Application for Probate  
of Will and Letters.

Issued this *9<sup>th</sup>* day of  
*November* 189*1*.

S. B. SCOTT, County Clerk.

By *A. S. Jackson* Deputy.

SHERIFFS' RETURN.

Came to hand the *9* day of *Nov*  
189*1*, and executed the *9* day of *Nov*  
189*1*, 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;

*M. Lewis*  
Sherif, Dallas County.

By *M. Larson* Deputy.

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

\$300  
< recorded >

The State of Texas In the County Court  
Dallas County Dallas County  
November Term 1891

Wednesday Nov 25<sup>th</sup> 1891

Now on this day  
came on to be heard the application of  
J. M. Sullivan for the probate of two certain  
instruments in writing purporting and al-  
leged to be the last will and testament of  
B. V. Berryman and the codicil thereto  
both of which said instruments were produced  
in court and upon hearing the testimony of  
M. D. McFarlin one of the subscribing witnesses  
to the instrument of date May 18<sup>th</sup> 1890 in open  
court who testified that he was acquainted with  
the hand writing of said B. V. Berryman and  
that both the said will and the codicil were  
wholly in the hand write of said B. V. Berry-  
man and both were signed by said B. V. Berry-  
man and that the first instrument was signed by  
said B. V. Berryman in the presence of three witnesses  
and that at the request and in the presence  
of said B. V. Berryman witness signed the  
same as an attesting witness and that at  
said time said B. V. Berryman declared the  
same to be his last will and testament  
and that said B. V. Berryman at said time  
was above the age of 21 years and was of  
sound mind and wit and was above the age of  
21 years that B. V. Berryman died on or about  
the 31<sup>st</sup> day of March 1891 without revoking  
either of said instruments.

It is therefore ordered adjudged and decreed by the  
court that upon the testimony of said M. D. Mc-  
Farlin that both said will and codicil are  
heretofore proven and established as the last will and  
testament and the codicil thereto of said B. V.  
Berryman deceased and both the same



are here now ordered recorded.

It is further ordered that J.M. Sullivan  
or and he is hereby appointed administrator  
of said estate with the will annexed upon his  
qualifying and giving bond with approved  
security, conditioned as required by law in  
the sum of Four Thousand Dollars.

It is further ordered that P.J. Swain  
Mark Ellison and M.M. Colask or and  
the same are hereby appointed appraisers  
of said estate.

No 1598

Estate of  
B.V. Berryman  
deceased

J.M. Sullivan  
ad. adm.

Copy of record

Ends up in room as provided  
1. Tax court



The State of Texas  
Dallas County 3 W. D. McFarlin being  
duly sworn upon his oath deposes and  
says that he knew B. V. Berryman in his  
lifetime that he is now dead that he died  
in Denton County Texas while temporarily at the  
home of J. M. Sullivan on or about the 31<sup>st</sup> day  
of March 1891: That prior thereto the said B. V.  
Berryman made his last will and testament  
in writing the same as is offered for probate  
herein and bearing date of May 18<sup>th</sup> 1890  
That the said instrument of date May 18<sup>th</sup> 1890  
was wholly written by said B. V. Berryman  
affiant further says that he has examined the  
other instrument now offered for probate as  
a codicil to said will which bears date of  
Nov 15<sup>th</sup> 1890 and that the same is wholly writ-  
ten by said B. V. Berryman that witness is  
familiar with his hand write and that  
the body of said instrument is in the hand  
right of said B. V. Berryman and was  
signed by him. That said B. V. Berryman  
signed the first said instrument and requested  
this affiant to sign the same as an attesting  
witness and that witness signed the same  
in the presence of said B. V. Berryman  
and that said B. V. Berryman at said time  
declared the same to be his last will and  
testament and that at said time said  
B. V. Berryman was of sound and disposing  
mind and memory and at said time the  
said B. V. Berryman was above the age  
of 21 years and that this affiant was then  
and there above the age of 21 years and  
that neither of said instruments were ever  
revoked by said B. V. Berryman

Sworn to and subscribed before me  
this 25<sup>th</sup> day of Nov. 1891  
By A. S. Jackson Clerk  
W. D. McFarlin  
Dallas County Clerk Dallas Co. Tex

No 1598

Estate of

B. V. Berryman  
deced

J. M. Sullivan  
admr

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Testimony of  
M. D. McFadin

Filed Nov. 25th 1891

S. B. Scott Clerk

By A. S. Jackson Deputy

Proof

< Recorded >



Estate of B. V. Berryman

Memorandum

To Application of J. M. Sullivan for temporary administration of the estate of said B. V. Berryman. <sup>Indisputable Court</sup> <sup>Waller County</sup> <sup>3<sup>rd</sup> August Term</sup>

Thursday Oct 10<sup>th</sup> 1891

Now on this day came on to be heard the application of J. M. Sullivan for temporary letters of administration upon the estate of said B. V. Berryman. It appears according to the appearance of the court that the interests of said estate require the appointment of a temporary administrator and that J. M. Sullivan is not disqualified by law from accepting letters of administration. It is therefore ordered and adjudged and decreed by the court that the said J. M. Sullivan be and he is hereby appointed temporary administrator of said estate and that he execute and deliver in due form required by law a good and sufficient bond in the sum of Five Thousand Dollars, and that T. J. Swin, Mark Ebbison and M. W. Clark are hereby appointed appraisers of said estate. It is further ordered and decreed by the court that after the filing of said bond and his qualification as such temporary administrator that the said J. M. Sullivan as such administrator have the authority to take possession and control of all said estate real or personal by seisin or otherwise and that he hold the same subject to the further order of this court. It is further ordered that the clerk of this court do record this order or decree in the probate records of Waller County.



1598

B. V. Berryman  
Deceased

20 }

J. M. Sullivan  
Temporary Adm.

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copy record of audit

The State of Texas In the County Court  
Collin County Dallas County

Term 1891

To the Hon E. G. Bower Judge said Court:

The petition of J. M. Sullivan a resident  
citizen of Denton County Texas shows that  
B. V. Berryman late of said Dallas County  
departed this life while temporarily at the  
home of your petitioner in said Denton  
County on or about the 31<sup>st</sup> day of March  
1891, leaving an estate consisting principally  
of land situated in Dallas County Texas of  
the probable value of Two Thousand Dollars;  
That the said decedent left a written will  
and a codicil to the same which said will  
and codicil are duly and legally executed as  
your petitioner believes; That no person was  
named as executor thereof but that your  
petitioner is capable of receiving letters  
testamentary; Your petitioner would further  
show that one W. H. Jennings and J. M. Jeffries  
are indebted to said estate and that they re-  
fuse to make settlement and as your peti-  
tioner is informed are about to dispose of their  
property with a view of defeating the collec-  
tion of said debt and that to delay action  
until the probate of said will and your peti-  
tioner's qualification as administrator  
thereunder will likely result in the loss of  
said debt to the estate. Wherefore your peti-  
tioner prays the court to appoint him tem-  
porary administrator of said estate with  
such powers for the purpose above set forth  
as may to your Honor seem meet and



proper and that notice hereof be given as  
is required by law and that at a regular  
term of said Court the said will and  
its codicil be admitted to probate and  
that letters of administration with the will  
annexed be granted to your petitioner  
R. T. Shelton  
attorney for Petitioner

1598

R. T. Shelton  
E State

Application for  
Temporary and  
Permanent Letters  
of Administration

J. M. Sullivan

Sub. Oct. 7th. 1891

S. B. Sexton Co. etc

By A. J. Jackson Deputy

Recorded

Sept 11/91