

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

Case Number 2584

Dallas Genealogical Society
Founded 1955

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2584

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EXECUTOR'S BOND

The State of Texas,

Estate of *Magdalena Bernier* Deed

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 _____ 189 _____

(SEAL)

(SEAL)

(SEAL)

I DO SOLEMNLY SWEAR that the writing which has been offered for probate, is the
 last will of *Magdalena Bernier*, 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 *3rd* day of *Nov* 189*2*,
Frank R. Shanks
 County Clerk, Dallas County, Texas.

By *W. H. Evans* Deputy.

Assignment Criminal Pocket, County Court,
 NOVEMBER TERM, 1905.

MONDAY, NOV. 6.

- 30,589—Ed Emerson
- 30,482—Arthur Bell
- 30,690—G. W. Brown
- 30,494—Leon Jones
- 30,684—Robert Bird
- 30,526—Charles Hinkley
- 30,541—Susie Madone
- 30,591—Frank Graham
- 30,572—L. Murchison
- 30,592—Ed Crumley
- 30,592—A. Brand
- 30,497—H. Jarred
- 30,496—J. Pascock
- 30,590—J. Pascock
- 30,586—J. Pascock
- 40,557—H. Jarred
- 30,543—Jack McDaniel
- 30,544—Will Thomas
- 30,545—H. Dunley
- 30,547—M. T. Britson
- 30,548—Rock Eston

TUESDAY, NOV. 7.

- 30,596—W. H. Levy
- 30,597—John Harrison
- 30,598—Ben Harrison
- 30,599—T. Britson
- 30,529—Charles Reeb
- 30,530—Sam Curtis
- 30,535—Earnest
- 30,536—Sam Nass
- 30,569—Max Morris
- 30,590—Sam Summers
- 30,591—Ave Evans

WEDNESDAY, NOV. 8.

- 30,592—C. H. Nichols
- 30,574—Harvey Lanza
- 30,474—Lee Ringham
- 30,475—Lee Gables
- 30,531—Sheel Brown
- 30,532—Sheel Brown

THURSDAY, NOV. 9.

- 30,476—Rudus Lee
- 30,483—Conrad Harris
- 30,485—Paul Holland
- 30,512—Mark Patton
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FRIDAY, NOV. 10.

- 30,309—R. R. Crutcher
- 30,365—D. V. Neely
- 30,367—M. K. Neely
- 30,368—H. M. Neely
- 30,409—J. M. Neely
- 30,410—J. M. Neely
- 30,411—J. M. Neely
- 30,406—Andrew Humphrey
- 30,517—Fred Hockett
- 30,525—James T. Brown
- 30,526—William T. Brown
- 30,527—F. B. Brown
- 30,528—Howard Banks

By order of the Court,
 FRANK R. SHANKS, Clerk.
 By H. F. CULLOM, Deputy.

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

(7)

No. 3484

COUNTY COURT,
DALLAS COUNTY

EXECUTOR'S ~~BOND~~

Quit

ESTATE OF

Magdalena Bernier
Deed,

Filed

Nov. 3rd 1903,

FRANK R. SHANKS
B. SCOTT, Clerk,

By

A. M. Rawlins

Deputy.

Approved this _____ day of
189 _____

County Judge, Dallas County.

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

Recorded - 3 - 220

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

NOTICE OF APPLICATION FOR PROBATE OF WILL AND LETTERS.

THE STATE OF TEXAS.

To all Persons Interested in the Estate of Magdalena Terrier Deceased:
Edward Terrier has filed, in the County Court

of Dallas County, State of Texas, an application for the Probate of the last Will of said
Magdalena Terrier 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 Nov A. D. 1903 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 13 day of Oct A. D. 1903

A. S. JACKSON,
County Clerk, Dallas County, Texas.

By A. M. Rawlins Deputy.

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No. 3484

COUNTY COURT.

ESTATE OF

Magdalena Sernier

Deceased.

Notice of Application for Probate of Will and Letters.

Issued this 13 day of Oct 1903

FRANK B. SHANKS, County Clerk.

By *W. M. Rawlins* Deputy.

SHERIFF'S RETURN.

Came to hand the 16 day of Oct 1903

and executed the 16 day of Oct 1903 by posting up three copies of this Will in 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.

J. J. [Signature]
Sheriff, Dallas County, Texas.

By *[Signature]* Deputy

JOSEB WILLIAMS, PRINTER, DALLAS

Posting 3 Notices \$3.00

In the name of Almighty God, Amen! I, Lena Bernier,
wife of Edward Bernier, of the City and County
of Dallas, in the State of Texas, being of sound mind
and body, and desiring to dispose of my estate, ^{with} in the
said condition of health, while still realizing the
uncertainty of life, and the certainty of death, do
now declare this my Last Will & Testament:

First:- I commend my soul to the God who gave it, and
instruct that out of my estate shall be paid the ex-
penses of my last sickness and of my proper and
reasonable interment.

Second:- I give, devise & bequeath unto my well beloved
husband Edward Bernier, all and every my
entire estate, both real and personal, or mixed,
including all my share and interest in and to
our entire community estate, be the same of
what amount or character it may, whether ac-
quired heretofore or hereafter; my object in this
being that he shall have, keep and enjoy the
same, with absolute power of disposition, even
as he has situated me; and this gift, devise and
bequest is without reservation.

Third:- I nominate and appoint as my executor, with
full power to do all things necessary in the
premises, my said beloved husband Edward
Bernier, and I direct that he shall not be re-
quired to give bond as such executor, and that
he shall not be subject to the control or di-

-rection of any Court of Probate, beyond
the probate of this will, but shall, and is
hereby instructed to, act in all respects inde-
pendently of such Courts of Probate.

Fourth I commend my children to the tender parental
care of my said husband in which I have in-
-tire confidence.

Public In Testimony Whereof I have herewith set my
hand at Dallas, Texas, on this the 31st day of July, 1900,
in the presence of Henry Loeb and A. E. Finin,
both of whom I called upon to witness the same.

Witness

Henry Loeb
A. E. Finin

Magdalena Bernier.

State of Texas

County of Dallas

Yo, Henry Loeb and A. E. Finin
witness to the above last Will and Testament of
Mrs Rosa Bernier, solemnly declare that in the
presence of us and each of us, that the said
Mrs Rosa Bernier declared same to be her last
Will and Testament, and called upon us to witness
same, and signed and executed same in the presence
of us and each of us.

Witness our hands at Dallas Texas July 31st 1900.

Henry Loeb
A. E. Finin

Last Vol. of *Revised*

— of —
Magdalena Bernier

— of —
Dallas, Dallas Co. Texas.

FILED

OCT 13 1903

FRANK R. BIRKINS, CLERK

F/460

The State of Texas & In County Court.

Dallas County & Dallas County Tex.

To the Hon. Ed. S. Lauderdale
Judge of said court:

The application of Edward Bernier
a resident of said County and State, respectfully
shows:

1. That Magdalena Bernier his wife departed
this life at her home in the city of Dallas, Dallas
County, Texas on the 7th day of October, 1903,
leaving a written will which is attached
to this application.
2. That she left an estate situate in Dallas
County, Tex. consisting of real estate of the
probable value of Three Thousand
dollars and personal property of the
probable value of Fifty dollars.
3. That the applicant Edward Bernier who resides
in Dallas, Dallas County, Tex. is named as executor
in said will, and said will provides that no bond
shall be required of him, and that he shall not be
subject to the control of the Probate Court, further
than to probate said will.
4. That the applicant is not disqualified by law from
acting as executor of said will, or accepting letters
if necessary.

Wherefore he prays that citation issue as the law
directs and that said will be admitted to
probate and ordered of record.

Miller & Fauraker

attys for applicant Edward Bernier

No. 3484
Estate of Magdalen Bernier
decd
Invs.
Application of Edward Bernier
for Probate of will

FILED

OCT 13 1903

FRANK J. HANCOCK, CLERK
of the Court
[Signature]

will made

8/322

INVENTORY AND APPRAISEMENT

OF THE PROPERTY, REAL AND PERSONAL, BELONGING TO THE ESTATE OF

Magdalena Bernier
deceased.

50x125 Lot 4 Bk. 193 city of Dallas	value -	700.
Lots 1 & 4 Bk. 870	" "	1400.
50x200 Lot 11. Bk. 832	" "	2400.
S. pt. lots 21 & 22. Spt. Lot 22 Bk. 827	" "	1000.
4 1/2 acres Thomas Lagoon Survey, Dallas Co.	" "	500.

Is entered in Butcher Shop consisting of
locks, counters, scales blocks etc.

this being Community property - \$ 50.
Total 6050.

No. 3484

COUNTY COURT.

ESTATE OF

Magdalen Bernier

Inventory and Appraisement.

Filed 3rd day of NOV 1903

By W. S. Ferguson County Clerk.

Examined and Approved this 4 day of Nov 1903

J. Ed Henderson County Judge.

Book for Appraisement
Recorded - 7-159

THE STATE OF TEXAS,)
COUNTY OF DALLAS.

I, Edward Bernier Executor

of the above named Estate do solemnly swear that the foregoing is a true, full and complete Inventory of all the property, real and personal, belonging to said Estate, that has come to my knowledge.

Edward Bernier

Sworn to and subscribed before me, this the 3rd day of November A. D. 1903

J. D. Fouraker Clerk County Court
Notary Public
Dallas County
Texas Deputy

THE STATE OF TEXAS,)
COUNTY OF DALLAS.

Before the Undersigned Authority, this day personally appeared

W. S. Ferguson & Claude M. McCallum

Appraisers of the above named Estate, heretofore appointed by the Court, and each being duly sworn, says that the above and foregoing is a just and true Appraisalment of the property pointed out to them as belonging to said estate.

W. S. Ferguson
Claude M. McCallum

Sworn to and subscribed before me, this the 3rd day of November A. D. 1903

J. D. Fouraker Clerk County Court
Notary Public
Dallas County
Texas Deputy

No. 3484

PROOF OF WILL

THE STATE OF TEXAS,)

ESTATE OF

County of Dallas) Magdalena Bernier Deceased.

Proof of Last Will and Testament of Magdalena Bernier Deceased.

This day personally appeared in open Court A. E. Firmin

who, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to

prove said Will, says: I was well acquainted with Magdalena Bernier

deceased, during her lifetime; I knew the above decedent for about two or six years

before her death; the signature of the said deceased to the instrument now shown to me, and offered for probate

as her last Will and Testament, filed in this Court on the 13 day of October A. D. 1903,

and bearing date on the 31st day of July A. D. 1900, was made by the deceased

on said last named date at Dallas, Texas in presence of myself

A. E. Firmin and Henry Loeb

the other subscribing witness; all of said witnesses being over the age of fourteen years. At the time of the

making of said Will the testator was of sound and disposing mind and memory, and she declared the said

Will so made by her to be her Last Will and Testament, and I thereupon signed my name as a witness,

together with Henry Loeb at the request of the said testator

in her presence and in the presence of each other. The said deceased at the time of the execution of said

instrument was over 21 years of age; the said Magdalena Bernier

departed this life on the 7th day of October A. D. 1902

about Three years after making said Will, in the County of

Dallas in the State of Texas, where and at which time her residence and

principal estate was situated. A. E. Firmin

Sworn to and subscribed before me, this 3rd day of November A. D. 1903 in open Court.

J. R. Shanks Clerk

County Court Dallas County, Texas.

By J. G. Culcom Deputy.

1978

A 178

No. 87

PROOF OF WILL.

THE STATE OF TEXAS,

County of Dallas
November Term, 1903

ESTATE OF

Magdalena Bernier
Deceased

Filed the 3 day of
Nov A. D. 1903

and recorded the _____ day
of _____ A. D. 189____, in the

Probate Minutes of _____
County, in Volume _____ Page _____

J. R. Shanks
County Clerk

By B. F. Cullow Deputy

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