

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

Case Number 2782

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#2782

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7
Estate of A. Kearney } In Probate
Dec } Court
Sallie F. Kearney, Adm'r } Dallas Co Tex

This day came on to be heard
the application of Sallie F.
Kearney, the widow, and
the minor children of
A. Kearney deceased
to have the property
mentioned and de-
scribed in the inven-
tory set apart to them
in lieu of exemp-
tion and for a
year's allowance
and also the costs
of said application

21
by the Bank
of Mesquite and
the Mesquite Co-op-
erative Association
and the evidence
and argument
of counsel being
heard, the court
is of opinion that
the basis for the
applicant's claim
as to the property
hereinafter described
it is therefore ordered
adjudged and decreed
by the Court that
the property men-
tioned in said inven-
tory be and the same
is hereby set aside

3

To said widow and children in lieu of exemption and for a year's allowance not to exceed the sum of nine hundred dollars, save and except the two mules valued at \$300 and one wagon valued at \$65⁰⁰ on which the said Bank has a purchase money lien for the sum of \$165⁰⁰ and if the said widow, Sallie J. Kearney shall pay said sum then said property shall also be included in said judgment

4
of exemption

Said property to be
held by said Sallie
H. Kearney free from
all claims of every
character and
description except
the costs of ~~this~~
Administration

MESQUITE, TEXAS

1905

Jan 1
Estate of Kearney
No. 3827

IN ACCOUNT WITH

THE TEXAS MESQUITER,

THE OLDEST NEWSPAPER PUBLISHED IN DALLAS COUNTY

JOHN E. DAVIS, EDITOR AND PUBLISHER.

To Publishing Notice of
Filing 4 months
\$ 3.00

Dallas Nov 22, 1905.

Recd of Sallie F. Kearney, Admrx Thirty five dol =
Lars in full of fees for services in the
matter of the Estate of A. Kearney, Decd

Asst Warden

W. H.

attys

Oct 28/1905 -
Recd of Sallie F. Kearney, Admrx, the
sum of Twenty five & 3/100 Dollars
for printing 5086 pounds of seed
bottles to date -

P. L. Kearney

No 2

25.43
100.00
36.03

W. A. HUDSON,
ATTORNEY-AT-LAW,
ROOM 418, TRUST BLDG.

Dallas, Texas, Oct 28 1904

Rec^d of Sallie F. Kearney, One
Hundred and Fifty five Dollars
in full of all claims held by
the First National Bank of Mesquite
against the Estate of O. Kearney
Dec^d Cram Gilbert.

No 1 -

W. N. COOMBS

COOMBS & HUDSON
LAWYERS
204 TRUST BUILDING

W. A. HUDSON

DALLAS, TEXAS, Nov 22 - 1905 -

Rec^d of Sallie F. Kearney, Adm^r. Tent⁶⁰⁰
Dollars for proking att^r

Jim Reese

No 3

NOTICE OF FILING FINAL ACCOUNT.

Est. of *A. J. Kearney* DECEASED. The State of Texas,
No. *38207*
Sallie F. Kearney Adm^r

To all Persons Interested in the Estate of *A. J. Kearney* Deceased:
Sallie F. Kearney Administrator has filed in the County Court of Dallas County her Final Account, showing the condition of said Estate, and application to be finally discharged as such Administrator and to close the administration of said Estate, which will be heard at the next term of said Court, commencing on the First Monday in *January* A. D. *1906*, at the Court House in the City of Dallas, at which time all persons interested in said Estate shall appear and contest said Account if they see proper.

WITNESS, *Frank R. Shivers* Clerk of the County Court of Dallas County, Texas. Given under my hand and the Seal of said Court, at office in the City of Dallas, this *11* day of *Dec* A. D. *1905*

~~FRANK R. SHIVERS~~ *A. S. JACKSON*
Clerk County Court of Dallas County, Texas.
By *R. H. Lee* Deputy.
Issued this the *11* day of *Dec* A. D. *1905*
~~FRANK R. SHIVERS~~, County Clerk,
By *R. H. Lee* Deputy.

[SEAL]

ADMINISTRATOR'S BOND.

THE STATE OF TEXAS, } Estate of *A. J. Kearney, Deed*
COUNTY OF DALLAS. }

Know all Men by these Presents, That we *Sallie F. Kearney* 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 *Seventeen Hundred* Dollars; conditioned that the above bound *Sallie F. Kearney*, who has been appointed Administrator of said Estate shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this *20th* day of *Sept* - *1905*

attest
J. M. Mahoney
Sworn against

Sallie F. Kearney [SEAL]
FIDELITY AND DEPOSIT CO. of MARYLAND, [SEAL]
John D. Jones [SEAL]
Attorney in Law.

I do solemnly swear that *A. J. Kearney*, deceased, died without leaving any lawful will, so far as I know or believe; and that I will well and truly perform all the duties of Administrator of the estate of said deceased.

Sallie F. Kearney

Sworn to and subscribed before me this *20th* day of *Sept* *1905*

W. A. Shedd, Notary Public,
County of *Dallas*, Dallas County, Texas.
By *Dallas Co. Texas* Deputy.

NOTICE OF FILING FINAL ACCOUNT.

Estate of A. J. Kearney, Deceased.
No. 5827.
Sally F. Kearney, Adm'r.

THE STATE OF TEXAS.

To all persons interested in the Estate of A. J. Kearney, deceased:

Sally F. Kearney, Administratrix, has filed in the County Court of Dallas County, Texas, her Final Account, showing the condition of said Estate, and application to be thereby discharged as such Administratrix and to close the administration of said Estate, which will be heard at the bank term of said court, commencing on the first Monday in January, A. D. 1906, at the Court House in the City of Dallas, Texas, and all persons interested in said Estate shall appear and contest said Account if they are proper.

WITNESS, Frank M. Shanks, Clerk of the County Court of Dallas County, Texas, given under my hand and the seal of said County, at office in the City of Dallas, this 11th day of Dec. A. D. 1905.

FRANK M. SHANKS,
Clerk.

By *Ed Better*,
Deputy Sheriff of Dallas County, Texas,
of Dec. A. D. 1905.

ED BETTER,
Deputy Sheriff.

By *Wm*,
Deputy.

Wm,
Deputy.

75-6-140

TEXAS.
L.A.S.

Before me, **J. C. Rugel, A Notary Public**,
John E. Davis,
The Texas Mesquiter,
Dallas County, Texas, and that the within notice of filing Final Account was duly published in
January 1906, and
the weeks prior to the first Monday in
December 15th, 22nd and 29th, 1905.

John E. Davis

Notary Public Dallas County, Texas,
A. D. 1906.

J. C. Rugel
Notary Public Dallas County, Texas.

No. 3827

COUNTY COURT.

ESTATE OF

A. J. Kearney

Deceased.

NOTICE OF FILING FINAL ACCOUNT.

Issued this 11 day of Dec
A. D. 1905

R. H. Lee
Clerk County Court, Dallas Co., Tex.

By *R. H. Lee* Deputy.

SHERIFF'S RETURN.

Came to hand the 11 day of Dec
A. D. 1905 and executed by causing the same to
be published in *The Texas Mesquiter*,
a newspaper published weekly in the County of Dallas,
Texas, for twenty days prior to the first Monday in
A. D. 1906, and on
Dec 15, 22, & 29, '05.

is hereto attached and made
By *Ed Better*
Sheriff Dallas County, Texas.
By *Wm* Deputy.

Ed Better
Sheriff Dallas County, Texas.
Wm Deputy.

No. 3827
COUNTY COURT,
DALLAS COUNTY.
ADMINISTRATOR'S BOND
ESTATE OF
A. J. Kearney
Deed
Filed **FILED** A. D.
Clerk,
By *R. H. Lee* Deputy.
Approved this 23rd day of Sept
A. D. 1905
Hiram F. Lively
County Judge, Dallas County

Recorded 3-312
Bond Recor

THE STATE OF TEXAS,

To all Persons Interested in the Estate of

A. J. Kearney Deceased.
Sallie A. Kearney has filed in the County Court of Dallas

County, State aforesaid, an application for Letters of Administration upon the estate of said decedent *A. J. Kearney*

which application will be heard and acted upon by said Court at the next term thereof, to be held at the Courthouse in the City of Dallas, County of Dallas and State of Texas, and commencing on the first Monday in *September* 1905, at which time and place all persons interested in said estate shall appear and contest said application should they desire to do so.

WITNESS: FRANK R. SHANKS, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this *14* day of *August* 1905

FRANK R. SHANKS,
County Clerk, Dallas County, Texas.

By *J. J. Strupper* Deputy.



TEXAS,
COUNTY OF DALLAS.

Before me, J. C. Rugel, A Notary Public,

John E. Davis,
of Dallas County, Texas, this day personally appeared *John E. Davis*,
who, being by me duly sworn, on his oath says that he is the publisher of *The Texas Mesquiter*,
a newspaper published weekly in Dallas County, Texas, and that the within notice of filing Final Account was duly published in
said newspaper for three successive weeks prior to the first Monday in *January* A. D. 1906, and
on the following dates, to-wit: *December 15th, 22nd and 29th, 1905.*

Sworn to and subscribed before me this *1st* day of *January* A. D. 1906.

J. C. Rugel
Notary Public Dallas County, Texas.

No. *3827*
COUNTY COURT.

ESTATE OF
A. J. Kearney
Deceased.

NOTICE OF FILING FINAL ACCOUNT.

Entered this *11* day of *Dec*
A. D. 1905

By *A. Jackson*
Deputy

Shirley's Return.
Came to hand the *11* day of *Dec*
A. D. 1905, and executed by causing the same to be published in *The Texas Mesquiter*, a newspaper published weekly in the County of Dallas, Texas, for twenty days prior to the first Monday in *Jan* A. D. 1906, and on the following dates, to-wit: *Dec 15, 22, 29, 05.* A copy of said publication is hereto attached and made a part of this return.

By *A. P. Robertson*
Deputy

By *M. J. Williams*
Deputy

Reprint 78 6 - 140
Revised 78 6 - 140

Original 1/24/08

No. *3827*

COUNTY COURT.

ESTATE OF

A. J. Kearney

Deceased.

Notice of Application for Letters
of Administration.

Issued *4* day of *August*
190*5*

FRANK R. SHANKS,

County Clerk, Dallas County, Texas.

By *J. J. Shupp* Deputy.

SHERIFF'S RETURN.

Came to hand the *4* day of *Aug*
190*5*, and executed the *4* day of *Aug*
190*5* at 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.

A. J. Seebetter
Recorded *8-309* Sheriff Dallas Co. Tex.
By *Miss Scott* Deputy.

Pasting 3 Copies 300

Estate of A. Kearney In Probate
3827 Deed } Court Dallas
Sallie F. Kearney, Adm'r } Co. Texas

Now comes Sallie F. Kearney in reply
to the Contest filed by the 1st Natl
Bank of Mesquite, ^{specifically} accepts thereto
for the following reasons viz:
1st Because said answer & objection
undertakes to set up that said
widow and children have a
separate estate sufficient for
their maintenance -

2nd Because Item 4 attempts to
set up a landlords lien in
favor of said Bank upon certain
property described in said Item
for rent for the year 1904 and
said allegation shows upon
its face that said Bank volun-
tarily paid said rent to J. E.
Rhodes and took and accepted
in lieu thereof security as set
out in said Item 4 thereby waiving
any landlords lien if any ever
existed which is not admitted
but denied -

Therefore applicant says that said
contestant is not entitled to its
preference lien as claimed

A. S. Hudson
W. A. Hudson
Atty for Applicant

3827

Estate of A. J. Kearney
Decd

Sally F. Kearney, Adm.

Exceptions to
Creditor's Claims

Estate of A. J. Kearney, In Probate Court
Deed } Dallas Co Texas
Sallie F. Kearney, Admrx }

Now comes Sallie F. Kearney and leave of the Court being had therefor files this her 1st amended application for allowance in lieu of homestead and other exemptions and shows to the Court,

That A. J. Kearney died June 1-1905 intestate and his estate is wholly insolvent.

That applicant has duly qualified as Administratrix of said Estate.

That applicant is the widow of deceased and that said decedent left surviving him six minor children, the oldest of whom is only 12 years of age and one of whom is an invalid. That all of said children are girls except the oldest.

That none of said children are self supporting.

Wherefore premises considered applicant prays to be allowed the sum of \$1000⁰⁰ for support and maintenance of herself & children for one year.

That the following property be set aside to her as exempt in addition to said allowance and in lieu of homestead.

That deceased left no homestead -

Said exempt property being as follows:

One span of mules & one wagon
9 hogs, 2 cows & calves,

All farming utensils & household kitchen furniture, as shown by said inventory -

And for all further relief both general

3897

Estate of A. Kearney
decd

Sallie F. Kearney
admx

~~Amended~~
Application for
allowance

reference as to the Court may seem
right of papers -

AS Hudson &
Walter Mason
Attys for applicant

FILED

SEP 30 1906

FRANKLIN COUNTY COURT,

B. J. Quinn
DEPUTY

Estate of A. J. Kearney } In County Court, Dallas
no 3827 Dec^r } County, Texas.
Sallie F. Kearney, Adms } Now comes Sallie F. Kear-
ney and respectfully
shows to the Court:

That letters of administration have been granted to your petitioner on the Estate of A. J. Kearney, Dec^r who died June 1-1905-

That said decedent left surviving him your petitioner, his widow and six minor children,

Charley	age	12	year
Jeresu	"	9	"
Bessie	"	7	"
Peure	"	4	"
Jewel	"	4	"
Minnie May	"	1	"

That all of said children are girls except Charley; that said children are too young to contribute anything to the support of themselves or your applicant

That the youngest child is very delicate + is now under treatment by physicians which is very expensive.

That said decedent left no homestead and all of his property consists of personalty of the appraised value of \$841⁰⁰ -

That \$275⁰⁰ of said property consists of cotton in the field which applicant will be compelled to hire gathered.

Wherefore premises considered your petitioner for herself and said minor children prays the Court to allow her the sum of \$900⁰⁰ for the maintenance of herself and said children for the term of one year from said June 1-1905-

(And your petitioner now here agrees to accept said personalty at its appraised value, in full settlement of said allowance,

A. J. Washburn
Atty for applicant

no 3827

Estate of A. Kearney
Dec'd
Sallie F. Kearney
Administratrix

Petition for
Allowance

FILED

SEP 23 1906
FRANK J. FRANKS, Co. Clerk,
BY *[Signature]*
Sealed

INVENTORY AND APPRAISEMENT

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

A. J. Kearney, dead

1 span mules	Value	✓ 300.00
1 span mares	Value	80.00
1 wagon	Value	✓ 50.00
9 head hogs	Value	✓ 25.00
2 cows & calves	Value	✓ 40.00
1 old wagon	Value	10.00
Farming implements	Value	✓ 15.00
Household & Kitchen furniture	value	✓ 25.00
40 bushels Corn	Value	✓ 14.00
Cotton in field (less rent)	value	✓ 275.00
1 set harness	value	✓ 7.00
Trace chains, hame &c	value	✓ 3.00

844.00

No. 3827

COUNTY COURT

ESTATE OF

O'Kearney Dec'd

Inventory and Appraisement.

FILED

20 day of Sept 1905

J. R. Hays

County Clerk,

W. H. Lee

Deputy

EXAMINED AND APPROVED

This 20th day of Sept 1905

Wm. F. Hild

County Judge

James Williamson, Printer, Dallas.

RECORDED 8-10

Swataph Reed

THE STATE OF TEXAS, }
COUNTY OF DALLAS.

I, *Sallie F. Kearney*, Adm'r

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.

Sallie F. Kearney

Sworn to and subscribed before me, this the 20th day of Sept A. D. 1905

W. H. Hudson, Notary Public
Dallas Co Texas
Deputy

THE STATE OF TEXAS, }
COUNTY OF DALLAS.

Before the undersigned authority, this day personally appeared

Dr. J. M. Armstrong, W. W. Collier

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 Appraisement of the property pointed out to them as belonging to said Estate.

Dr. J. M. Armstrong
W. W. Collier

Sworn to and subscribed before me, this the 18 day of Sept A. D. 1905

A. W. Lander Clerk County Court,

By *A. P. Dallas* Deputy

Estate of A. J. Kearney } In Probate Court
 3827 } Dec^r } Dallas Co Texas
 Sallie F. Kearney, Adm^x }

Now comes Sallie F. Kearney, Administratrix of the Estate of A. J. Kearney, deceased, and makes this her final report -

Your Administratrix shows to the Court that by judgment duly entered in said cause all of the property mentioned in the inventory was set aside to Sallie F. Kearney, the widow and the minor children of deceased, in lieu of homestead and for a year's allowance, save and except the sum of \$165.⁰⁰ which was adjudged to be a first lien on the span of mules mentioned in said inventory -

Your Adm^x would show that the cotton mentioned in said inventory has been gathered, ginned and sold and the amount realized therefor, after paying rent is \$205.10 that the cotton seed paid the expense of ginning & hauling the cotton -

Your Adm^x sold two hogs for 12.20
 Total Rec^d \$217.30

She shows that she has paid the judgment above mentioned, viz \$165.00
 as shown by voucher No 1

For picking cotton - Voucher 2 & 3 36.00
 " Atty's fees Voucher 4 35.00
 Total paid out \$236.00

Your Adm^x shows that the Court costs of said Administration is due and unpaid. That said Estate has

been fully administered.
That by the judgment aforesaid all
of said property has been with-
drawn from said administration.
Therefore having fully administered
said Estate your Adm^r prays
^{notice of} that this her final report ^{given as required by law and that} be ~~approved~~
^{and report be approved} and that she be discharged from
any further liability on her
said Bond,

Sallie F. Kearney
Administratrix

The State of Texas }
County of Dallas } Before me W. A. Hudson
a Notary Public in and
for Dallas Co Texas on this day person-
ally appeared Sallie F. Kearney, Adminis-
tratrix of the Estate of A. J. Kearney, Dec^d
who being by me duly sworn upon her
oath states that the matters & things
stated in the above and foregoing report
are true. -

Sallie F. Kearney
Sworn to & subscribed before me this
Nov 25 - 1905 -

W. A. Hudson, Notary Public
Dallas Co Texas.

no 3827

Estate of A. Kearney

Decd

Sallie F. Kearney

Adm'r

Final Report

amt \$2,730

Filed Nov 22 1905

F. R. Householder

By R. H. Leedy

July 19-06.

Examined and
approved

Hiram F. Lindy

Judge

Recorded
M. 180

sent to Texas Register

Estate of

#3827.

A. J. KEARNEY,

In County Court Dallas County, Texas,

Deceased.

pertaining to estates of decedents.

*****§§*****

Now comes the Mesquite Co-operative Company, and shows to the Court that it is a corporation organized under the laws of the State of Texas, and that it is a creditor of the estate of the deceased, A. J. Kearney, and was at the time of his death. And it now objects to the application of Sillie F. Kearney and her children named in their application for an allowance for one year's support, and objects to the setting aside of all the property belonging to said estate, as asked for therein, and to the allowance therein asked; and shows to the Court that said application does not allege that the applicants, and each of them, have not separate property adequate for their maintenance. And it further objects to said application for the following reasons:

(1) Because it shows to the Court, upon information and belief, that the said widow and children have a separate estate, consisting of \$859.00 in cash, which is more than adequate for their support and maintenance for one year.

(2) Because it says the applicants seek to have all the property of said estate set aside to them as an allowance for one year's support, and leave nothing to the creditors of said estate, or for the payment of any portion of their said claims. That this creditor has a claim aggregating the sum of \$341.70 against the said A. J. Kearney, for goods, wares and merchandise sold and delivered to him for the support and maintenance of his family, as evidenced by the proof of claim on the account and notes credited on the account proved up and presented to the administratrix herein, and for which claim this creditor holds

no security; and if all the property belonging to said estate, is set
apart for the support of the widow and children for the year, ^{and as exempt as claimed by their ascendants} as
applicant prays for, there will be nothing remaining to pay any portion
of this creditor's claim; and it further shows that the amount claimed
would be in excess of what is necessary for the support of the said widow
and children for one year, and is ~~approximately~~ the maximum sum allowed
by statute to be set apart under any circumstances, and does not take into
consideration the facts existing during the first year after the death
of such testator or intestate, nor other provision made by the deceased
for the support and maintenance of the said widow and children.
Wherefore, it prays that the allowance be not made, for the reasons
aforesaid.

Ernest G. Luthers
attys for Cooperatives Co.

#3827.

Estate of
A. J. KEARNEY,
Deceased.

.....
OBJECTIONS OF MRSQUITH
CO-OPERATIVE COMPANY
TO ALLOWANCE.
.....

FILED

SEP 20 1966
FRANK H. MALES
CLERK
B. H. [Signature]

Estate of

#3827.

A. J. KEARNEY,

In County Court Dallas County, Texas,

Deceased.

pertaining to estates of decedents.

*****§§§*****

Now comes the First National Bank of Mesquite, Texas, and shows to the Court: That it was organized under the Acts of Congress of the United States as a national bank, and as a creditor of the estate of said A. J. Kearney, deceased, and was at the time of his death. And it now objects to the application of Sallie F. Kearney and her children, whose names are given in said application, for an allowance for one year's support; and objects to the setting aside of all the property belonging to said estate as asked for therein, and to the allowance therein asked for; and shows to the Court that said application does not allege that the applicants, and each of them, have not separate property adequate for their maintenance.

And further objects to said application for the following reasons:

(1) This creditor shows to the Court, upon information and belief, that in truth and in fact the said widow and children have a separate estate, consisting of \$869.00 in cash, which is more than adequate for their support and maintenance for one year.

(2) Because it says that the applicants seek to have all the property of said estate set aside to them as an allowance for one year's support, irrespective of liens or claims thereon and thereto, when, in truth and in fact, this creditor holds a landlord's lien for \$125 on the crop grown on the place known as the "Hansford place" in Dallas County,

which indebtedness is evidenced by the note of said A. J. Kearney given to John Ferguson for the rent as his landlord, of about thirty-six acres of land therein described, for the year 1905; and that said landlord's lien is superior to the claim or right of applicants for an allowance, and that this creditor holds the said landlord's lien, and owns the note given for the rent of said land, and it is first entitled to receive its rent out of the crops grown thereon, before any allowance is paid or made to applicants therefrom. That this claim has been duly verified, presented to, and allowed by the administratrix of said estate, ^{as a debt, but rejected as a preference} as more fully appears by reference to the said claim ~~and allowance herein filed~~ ^{upon which a suit will be instituted to establish said} for said sum, ~~which is referred to and asked to be taken as a part~~ ^{claim and the lien securing same.} ~~thereof.~~

(3) Because it says it holds a landlord's lien for advances made to said A. J. Kearney, to enable him to make a crop during the year 1905, by John Ferguson as landlord of said Kearney, as evidenced by the note of said Kearney to said Ferguson for \$165.00, dated January 3, 1905, and endorsed and delivered by said Ferguson to this creditor, which note was given for part of the purchase money due the said John Ferguson as landlord, for a pair of mules and wagon asked to be set aside to them by said applicants, and contained in the inventory rendered in said estate; that this creditor's claim has been duly verified for said amount, presented to and allowed by the administratrix, ^{as to principal and interest but rejected as to all else, and such} ~~and constitutes hereinafter~~ ^{will be instituted thereon to establish as a} vendor's lien for the purchase money, and a landlord's lien in favor of this creditor, who is the owner and holder of said note on the said landlord's wagons, and also on the crops grown on the premises rented to said Kearney by said Ferguson for the year 1905, consisting of about thirty-six acres of land on the place known as the Hansford place, which lien is now owned by this creditor.

(4) Because this creditor, on February 15, 1905, paid to the landlord of decedent, viz: J. E. Rhodes, the rent due him by said Kearney for the year 1904, the sum of \$272.75, as evidenced by

the note of said Kearney given to this creditor for said sum on the date above named, which has been presented and allowed by the administratrix, to secure the payment of which debt and advances so made, the said A. J. Kearney executed and delivered a chattel mortgage on the property described thereon, on two mules, two horses, eight hogs and eighty acres of cotton to be grown during the year 1905 on the Ed Reese place and the Hansford place in Dallas County, Texas, which note and proof of claim and mortgage are here referred to for further particulars.

(5) Because it says the applicants seek to have all the property set aside to them as an allowance for one year's support, and thereby leave nothing to the creditors of said estate, or for the payment of any portion of the claims of said creditors. That this creditor has a claim aggregating the sum of \$525.25, as evidenced by its several proofs of claim herein filed against the said Kearney's estate, which are severally secured as therein stated. That if all the property belonging to said estate, is set apart for the support of the widow and children, as prayed for by the applicants, there will be nothing out of which any portion of any creditor's claim can be paid. It further shows that the amount claimed would be in excess of what is necessary for the support of said widow and children, and is ~~approximately~~ the maximum sum allowed by statute to be set aside by the Court under any circumstances, and does not take into consideration the facts existing during the first year after the death of such testator or intestate, nor other provisions made by the deceased for the support and maintenance of the said widow and children.

Wherefore, this creditor asks that the said allowance be not made, and that its claims be established and approved as preferences, and that its liens, as existing under the law and by contract, be recognized and enforced, and that the property be ordered sold for the satisfaction thereof, and for general relief, and such other and further relief and orders as it may be entitled to in law or equity.

Ernest G. Gilbert

Atty for said creditor

is claim for this amount

and exemption

and as exempt

#3927.

Estate of
A. J. KEARNEY,
Deceased.

OBJECTIONS OF FIRST NATIONAL
BANK OF MESQUITE, TEXAS,
TO ALLOWANCE.

FILED

SEP 30 1936

FRANK A. SHANKS
CLERK COUNTY COURT

B. K. ...
DEPUTY

The State of Texas } To the Probate Court
County of Dallas } of Dallas Co Texas.

To the Hon Hiram F. Lively, Judge
of said Court;

Your petitioner, Mrs Sullie
F. Kearney respectfully shows to
the Court that she resides in
Dallas County, Texas.

That A J Kearney died intestate
in Dallas Co Texas on the 1st
day of June 1905 leaving petitioner,
his widow and six children sur-
viving him, as follows:

Charley	age	12	years
Jerusa	"	9	years
Bessie	"	7	years
Pearl + Jewel, Each	"	4	years
Minnie May	"	1	year

That deceased left personal
property of the probable value
of \$400⁰⁰ situated in Dallas Co
Texas, consisting of 2 mules, 1
wagon, 2 mares, 7 hogs, 2 cows and
their calves, household & kitchen
furniture and a growing crop for
the current year situated on Dee
Kearney's farm near New Hope in
Dallas Co Texas consisting of about
fifty acres of cotton and about
Eight acres of corn

That there are various debts due
by said decedent the exact
amount and nature of which
are unknown to your petitioner
That a necessity exists for an

administration upon the estate
of said decedent and that your
petitioner is not disqualified by
law from acting as administra-
tor -

Therefore your petitioner prays
that citation issue in terms of
the law and upon hearing
hereof she be appointed
Administrator of said Estate
as she will ever pray &c

Sallie F. Kearney
By A. J. Hudson
J. W. Hudson
Attys for Petitioner

3827

Estate of
A. Kearney
Wid.

Application of
Sallie F. Kearney
for Letters of
Administration

FILED

AUG 4 1905

FRANK R. SHARPE, CLERK

BY *J. J. Shuffler*
DEPUTY

Notice given Aug 4/05

*A. J. Hudson or
W. A. Hudson
Attys. for Plaintiff*