

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

Case Number 2272

Dallas Genealogical Society
Founded 1955

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FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

#2272

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

The State of Texas,

To the Sheriff or any Constable of Dallas County -- GREETING:

YOU ARE HEREBY COMMANDED, To notify

John Fagan Adams
of the Estate of *Miller Jordan Reed*

by reading to *him* this writ, that at the last term of the County Court of said County an order was made requiring him forthwith to file his *Report* account, showing the condition of said Estate, and to show cause, if any he have, why a fine should not be adjudged against him for his failure to return the same at the proper time, as by law directed.

HEREIN FAIL NOT, but of this writ make due return, showing how you have executed the same.

Witness my hand and official seal at my office, in the City of Dallas, this *11* day of *May* A. D. 1897

A. S. JACKSON, Clerk,

By *J. M. Taylor* Deputy.

ADMINISTRATOR'S BOND

The State of Texas,

COUNTY OF DALLAS.

Estate of *Miller Jordan*

KNOW ALL MEN BY THESE PRESENTS, That we, *John Fagan* as Principal, and *Geo. A. Spivey* and *B. A. [unclear]* 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 *Six Hundred* Dollars; conditioned that the above bound *John Fagan*, who has been appointed *Administrator of the Estate of Miller Jordan Reed* shall well and truly perform all the duties required of him under said appointment.

WITNESS our hands and seals, this *22^d* day of *November* 1895

Geo. A. Spivey (SEAL)

Peter Kelly (SEAL)

John Fagan (SEAL)

I DO SOLEMNLY SWEAR that *Miller Jordan* 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.

Subscribed by *John Fagan*

Subscribed before me this *27th* day of *November* 1895

Mason P. Hayes
County Clerk, Dallas County, Texas.

By *Notary Public* Deputy.
Dallas Co. Tex

No. 2078

ESTATE OF
Milly Jordan
Deed

NOTICE TO FILE EXHIBIT.

Issued 11 day of *Mar*

1897

A. S. ~~SCOTT~~ SCOTT, Clerk.

By *J. G. Taylor* Deputy.

Came to hand on the _____ day of _____ 189____, and executed on the _____ day of _____ 189____.

by reading the within notice to _____

the within named *not found in Dallas co*
Ben C Cabell
Sheriff Dallas County.

By *F. A. Tucker* Deputy.

FEE:

Serving Notice, - - - - \$ _____
Mileage, - - - - - _____
Total, - - - - - \$ _____

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

K

No.

COUNTY COURT,
DALLAS COUNTY.

Administrator's Bond.

ESTATE OF

Milly Jordan
Deed

Filed *Nov. 29th* 1895
W. B. Scott
W. B. SCOTT, Clerk.

By *A. J. Green* Deputy.

Approved this *29th* day of *Nov* - 189 *5*

W. B. Scott
County Judge, Dallas County.

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

Recorded.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

THE STATE OF TEXAS,

To all Persons Interested in the Estate of *Miller Jordan* Deceased.
John Hogan Administrator, has filed, in the County Court of Dallas County, *Final* Account showing the condition of said Estate, and his 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. 189*7*, 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, *L. H. HUGHES*, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office in the City of Dallas, this *19th* day of

November A. D. 189*5* - Issued

L. H. HUGHES,

County Clerk Dallas County, Texas.

this 19. day of Nov. 1898. *As Jackson* Deputy

THE STATE OF TEXAS.

To all Persons Interested in the Estate of *Miller Jordan* Deceased.

M. J. Morris has filed in the County Court of Dallas County, State aforesaid, an application for letters of Administration upon the estate of said decedent

Miller Jordan *and to have John Hogan* appointed such Administrator 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 and State of Texas and commencing on the first Monday in *November* 189*5*, at which time and place all persons interested in said Estate shall appear and contest said Application should they desire to do so.

WITNESS: L. H. HUGHES, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court at office in the City of Dallas, this *28th* day of *Sept* 189*5*

L. H. HUGHES,

County Clerk, Dallas County, Texas.

By *As Jackson* Deputy.

156

No. 2078

COUNTY COURT:

ESTATE OF

Miller Jordan

Deceased.

Notice of Application for Letters of Administration.

Issued this 28th day of Sept

A. D. 1898

L. H. HUGHES,
County Clerk.

By As Jackson Deputy.

SHERIFF'S RETURN.

Came to hand the 28th day of Sept 1898 and executed same by causing 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.

Ben E. Cabell
Sheriff, Dallas County.

By J. F. Carson Deputy.

1000

1000

2078 50

1906

Came to hand November the 22nd 1898 and executed same by causing same to be published in the Lone Star and Texas Presbyterian a weekly Newspaper published in the City and County of Dallas Texas, for twenty days prior to return day thereof to wit: - November the 22nd and 29th 1898 and Dec 6th 1898, a copy of said publication is hereto attached and made a part of Sheriffs return on this writ.

Ben E. Cabell Sheriff Dallas County Texas.

By J. F. Carson Deputy.

Fees 85 cents

State of Texas
County of Dallas

Personally appeared Wm Warlick
also being sworn says that he
is the publisher of the Lone Star
which is a weekly newspaper
published in Dallas County Texas and
that same was published for
20 days prior to the 22nd day of
Nov- and 6th of Dec 1898

Wm Warlick

Subscribed this 7th day of Jan 1899

A. S. Jackson Clerk

By J. F. Carson

NOTICE OF FILING FINAL ACCOUNT.
THE STATE OF TEXAS.
To all persons interested in the estate of Miller Jordan, deceased: John Espar, administrator, has filed in the County Court of Dallas County, Texas, a final account, showing the condition of said estate, and has asked 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. 1899, at the Court House in the city of Dallas, Texas, and all persons interested in said estate are hereby notified and invited to attend and file objections and contest said account if they so desire. 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 19th day of November, A. D. 1898, the 19th day of November, A. D. 1898.

A. S. JACKSON,
County Clerk, Dallas County, Texas.
By A. E. RAWLINS, Deputy.

BRIEF PRINTING

LONE STAR AND TEXAS PRESBYTERIAN.

PUBLISHERS

220 MAIN STREET

IN ACCOUNT WITH W. M. WARLICK.

Dallas, Texas,

Nov. 1896

Geo. Ferguson & Co. Miller Jordan

*To Miller Jordan
ack
300*

1/10/97

229.

SUBPENA - CIVIL - Troop Machinery Co., St. Louis.

Class 4

The State of Texas,

To the Sheriff or any Constable of Dallas County - GREETING:

YOU ARE HEREBY COMMANDED to summon

Marshall Miller

to be and personally appear before the Honorable County Court of Dallas County, at the Court House in the City of Dallas County, aforesaid. INSTANTER, on *Sat Jan. 11th*

A. D. 1896 at *9* o'clock a. m., at the instance of the *Cautela*

in the Estate of Miller Jordan, Dead, is plaintiff, and
is defendant.

and remain from day to day and term to term, until discharged by the Court.

HEREIN FAIL NOT, but due service and return hereof make as the law requires.

WITNESS my hand, at office in Dallas, this *9* day of *Jan* A. D. 1896

L. H. HUGHES,

Clerk County Court, Dallas County, Texas.

By *A. H. Raines* Deputy.

SHERIFF'S RETURN.

Cause heard on this the 10 day of Jan A. D. 1966 and accounted on this 10 day of Jan A. D. 1966 by reading the within subpoena in the hearing of

the Marsh Miller he is sick

Returned on this the 10 day of Jan 1966 by Ray E. Cabell Sheriff Dallas County, Texas.

A. L. Ledbetter Deputy.

Ledbetter 156

No. _____
COUNTY COURT.
Est. of Miller Jordan Neal
vs. **SUBPENA.**

Issued 9 day of Jan
A. D. 1966

A. B. Rawlins Deputy.
L. H. HUGHES,
Clerk County Court, Dallas Co., Texas.

1 mat
1.20
1.50
\$ 2.00

Eng Stationery Co., St. Louis

Pet. Miller Jordan & In County Court
Jno Fagan Adm. Dallas Co. Tex

Now comes Jno
Fagan Adm. of said estate and
moves the Court to return the
costs in above estate for
the following reasons. He
says that the following costs
~~incurred~~ in accruing on the
Application of A Huggins et al.
to revoke letters of Jno. Fagan
has been adjudged against
said Adm., when the same should
be taxed against said Huggins.
The ~~application~~ judgment of the
Court having been adverse
to him on said application -
Said costs being specified
as follows:

Filing Application to revoke letters etc.	15
Issuing notice application to remove etc.	50
Filing & Docketing Answer of Adm.	15
Entering order refusing to remove etc.	50
Order on App. to remove	Judge - 50
Serving notice	Shff - 3.00
Executing citation ¹⁵⁰ mileage	3.00
Serving subpoena & mileage	Shff - 2.00
Total	9.30

Therefore Pet. prays that said costs
be taxed against Math. Huggins &
Arthur Huggins - John Fagan



Est.
 Miller Jordan
 vs. Jagan
 Adm.

Motion to relax
 Costs -

FILED Sept 21 1896
 L. M. MURPHY, Clerk County Court.
 by J. P. Wash
 DEPUTY

Sept 26th 1896

The within motion
 to relax costs is sus-
 tained & the items
 of cost mentioned
 are adjudged to be
 paid by the Contestants
 Autwine & Mattie Hug-
 gins - J. P. Wash
 Leo Judge

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

No 2078
Est. Milton Jordan

Jno Fagan
Admir

Final Report

Filed the 19th day of
Nov 1898
at Dallas Court
M. Rawlins

Recorded 4/20/03

Issued Nov. 19th 1898

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1978

INVENTORY AND APPRAISEMENT

Of the property, real and personal, belonging to the estate of

Miller Jordan

*One-half Interest in 2 Acres of land
out of Gortrell homestead tract being a
part of the A. Cochran survey
about 7 1/2 miles S. E. of Grand Prairie
and being of the value of \$315.00
Three hundred and fifteen Dollars -*

The State of Texas,

County of Dallas.

I, *John Fagan Adams*

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.

John Fagan Adams
John Fagan

Sworn to and Subscribed before me, this the *27* day of *Nov* A. D. 189*5*

Mason C. Hayer Clerk Co. Court,

Mason C. Hayer
Notary Public Deputy,
Dallas County, Tex.

The State of Texas,

County of Dallas.

Before the undersigned authority, this day personally appeared *J. H. Walpenberger, J. P. Jordan & G. A. Shreve* 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.

J. H. Walpenberger
Gus A. Shreve
J. P. Jordan

Sworn to and Subscribed before me, this *27* day of *Nov* A. D. 189*5*

Mason C. Hayer Clerk Co. Court,

Mason C. Hayer
Notary Public Deputy,
Dallas County,
Texas.

Appraisers.
W. P. Jordan
G. W. Wierzbicki
G. A. Spivey

K

No.

COUNTY COURT.

ESTATE OF

William Jordan

INVENTORY AND APPRAISEMENT

Filed 29th day of November
A. D. 1895

L. H. Hughes
COUNTY CLERK

By W. J. Gowan Deputy.

Examined and approved this 29th
day of November 1895.

J. G. Smith
COUNTY JUDGE

45-1367

A. T. Aldridge & Co., Stationers and Printers. 104

{ Recorded }

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

CITATION.

The State of Texas,

TO THE SHERIFF OR ANY CONSTABLE OF DALLAS COUNTY—Greeting:

YOU ARE HEREBY COMMANDED to summon John Fagan
Administrator of the Estate of Miss Jordan
deceased

to appear before the Honorable County Court of Dallas County, State of Texas, at a regular term thereof, to be held at the Court House of said County, in the City of Dallas, on the First Monday in January 1896, then and there to answer the petition of

Mattie Ruggies joined by her husband Antonie Ruggies for themselves and as next friends of Savannah Jordan, Carrie Jordan and Charlie Jordan minors filed in said Court on the 11th day of December 1895, against the said John Fagan, Administrator of the Estate of Miss Jordan deceased.

~~_____~~ said suit being numbered 2078, the nature of which demand is as follows, to-wit: An application to revoke the letters of Administration granted to John Fagan herein and to set aside and wipe for naught all the proceedings therein, and to tax the costs thereof against the original Applicant M. J. Morris, Jr. for general relief case.
And said Administrator John Fagan is hereby cited to appear as aforesaid and show cause why such application should not be granted.

and you will deliver to the said John Fagan, Administrator,
_____ a true copy of this Citation.

HEREIN FAIL NOT, but due service and return hereof make, showing how you have executed the same.

ATTEST: L. H. HUGHES, Clerk of the County Court of Dallas County.

GIVEN UNDER MY HAND and Seal of office, at Dallas,
this 12th day of December 1895

L. H. HUGHES,
Clerk County Court, Dallas County, Texas.

By W. J. Johnson Deputy

SHERIFF'S RETURN.

Came to hand on the 12 day of Dec 1895, and
 executed on the 17 day of Dec 1895, by delivering to
John Diagan

the within named defendant in person, a

true copy of this writ. Ben E Cabell Sheriff, Dallas Co., Texas.
 By A L Liddell Deputy.

FFES: \$15.00
 Mileage: \$15.00
 TOTAL: \$30.00

John Fournier at Court 152

CITATION.

No. 2078
COUNTY COURT,
 DALLAS COUNTY, TEXAS.

In the Estate of
Miller Jordan deceased

Issued this 12th day of
December 1895

L. H. HUGHES, Clerk.

By A L Liddell Deputy.

No. Est. of Miller Jordan & In County Court,
 Sec'd. Dallas County,
 Texas.
 John Fagan } Now comes John
 Fagan Advers of the above entitled
 estate and represents to the Court that
 there are about 13 acres undivided
 belonging to said estate now in
 the possession of Antonice Keegins.
 That your petitioner prays your
 Honor, if in your judgment you
 think it to the best interest of said
 estate, to authorize and direct
 him to rent said 13 acres for the
 year 1896.

John Fagan

No

E. of Miller Jordan
Acid

John Fagan
Admin

application to
Court for permission
to rent land,

Filed

FILED

JAN 14 1939

L. B. WALKER, County Clerk,

By *W. Jackson*
DEPUTY

SCIRE FACIAS TO EXECUTOR—ADM'R—G'D'N.

THE STATE OF TEXAS,

To the Sheriff or any Constable of Dallas County—GREETING:

WHEREAS in the County Court of Dallas County, State of Texas, in the matter of the Estate of

Miller Jordan Deceased,
John Fagan Administrator
No. *2078* on the Probate Docket of said County, said *Administrator*

has failed to file an Annual Account showing the condition of said Estate, as required by law.

THEREFORE, YOU ARE HEREBY COMMANDED to summon the said

John Fagan,
to be and appear before the Honorable County Court of Dallas County, State of Texas, at the
November Term thereof, to be held at the Court House of said County, in the City of
Dallas, beginning on Monday the *7th* day of *Nov.* A. D. *1898* and ending on the *31*
day of *Dec.* A. D. *1898* and to prepare and file at said time an Annual Account in accordance
with law, and show cause for *his* failure to return such Account at the proper time.

and you will deliver to the said

a true copy of this Citation.

HERKIN FAIL, NOT, but due service and return hereof make, showing how you have executed the same.

ATTEST: A. S. JACKSON, Clerk of the County Court of Dallas County.

GIVEN UNDER MY HAND and seal of office, at Dallas, this

day of *Oct.* A. D. *1898*

A. S. JACKSON,

Clerk County Court, Dallas County, Texas.

[L. S.]

By *A. B. Rawlins* Deputy.

SHERIFF'S RETURN.

Came to hand on the 5th day of Oct A. D. 1898 and executed on the
11 day of Nov A. D. 1898 by delivering to John Tagan

in person, a true copy of this Writ

Ben O Cabell
 Sheriff
 Dallas County, Texas.
A Heddleton Deputy

FEEES
 Service \$ 75
 Mileage \$1.30
 Total \$ 2.05

Lead better
 No. 2078 156

IN RE ESTATE OF
Miller Jordan
Deed.

County Court, Dallas County,
 SCIRE VICIUS
 To John Tagan
Adm.

Issued 5 day Oct.
 189
 A. S. JACKSON, Clerk.
 By M. W. Rawlins Deputy
Jarvis G. A. Sperry.
P. A. Green
J. P. Gourakis, Atty.

Act. 2695, R. S., 1895.—If the guardian (administrator or executor) fail to return such account after being cited to do so, or fail to show good cause for failing to return such account at the proper time, he may be fined by the Court not exceeding Five Hundred Dollars, for the use of the County, and he and his sureties shall be liable for all fees imposed and damages sustained by reason of such failure.

PENALTY FOR FAILING TO RETURN ANNUAL ACCOUNT

No. 2078

In re Estate of $\frac{1}{2}$ In Probate Court
 Miller Jordan Decd $\frac{3}{4}$ of Dallas County
 Jno. Fagan Adm'r $\frac{3}{4}$

Now comes John Fagan
 Adm'r of the Estate of Miller Jordan
 deceased and represents that there
 are costs due the Estate to the amount
 of \$40 or \$45⁰⁰ that he has no
 money and has never had
 belonging to said Estate, that there
 has never ^{come} into his possession any
 property belonging to said Estate but
 that he believes he can probably
 recover possession of one horse
 which he believes belongs to
 the Estate and he therefore
 asks the Court to give him an
 order to sell said horse for
 the purpose of paying the costs
 herein incurred.

John Fagan
 Administrator

No. 7078
Estate of Miller
Jordan Deed

Application to sell
personal property

Filed Sept 19-1896
Foster Hughes
Co. Clerk

Recorded.

The within application
having been considered
the Court is authorized
to sell any horse belong-
ing to the Estate at fair
rate or public sale
for cash or on time
Sept 19 1896 J. P. Bush
M. J. Co. Judge

The State of Texas
 Dallas County & Dallas County, Tex.
 In the Hon. J. F. Nash
 Judge of said court:

The petitioner of M. J. Morris a resident of Boss Co. Texas respectfully represents that heretofore to-wit: On or about the 13th day of March 1893 in said County Miller Jordan a resident of said county departed this life intestate; that said decedent at the time of his death owned property situate in said ^{Dallas} County and State consisting of One half undivided interest in 2 1/2 acres of land out of the Cockrell survey and being a part of the Gaetzell homestead tract and being of the probable value of three hundred dollars; that decedent also at his death had several head of horses which I am informed have been disposed of by some of the heirs of decedent; that at the time of the death of said decedent he was indebted to petitioner in the sum of \$41.⁶⁵ with 12% interest thereon from March 10th 1891, said debt being evidenced by a promissory note of said date executed by decedent; that said note is still unpaid; is long since due and amounts to the sum of \$64.³⁵ principal and interest to this date; that it will be necessary to administer on said estate to enable petitioner to collect his debt. Petitioner makes this application for an Administration on

said estate as a creditor of same
 and not being a resident of Dallas
 County Texas waives his right to
 appointment as such Administrator
 in favor of John Fagan a resident
 of Grand Prairie, Dallas County Texas
 and asks that he be appointed
 Admin^r as aforesaid; That said John Fagan
 is not disqualified from acting as Admin^r of said estate.
 Therefore petitioner ^{and seven} prays that
 notice be issued as the law directs
 and that at the next regular term of
 your honor's Court that letters
 of Administration be granted to the
 said John Fagan.

M. J. Morris

Sworn to and subscribed before me
 this 28th day of Sept. 1895.

J. D. Douraker
 Notary Public
 Dallas County
 Texas

K-10-2078

appraisers
W. P. Jordan
H. W. Feinberg
G. A. Spivey

Estate of Willie Jordan
deceased
Application for
Administration

FILED

SEP 28 1895

L. N. [unclear] County Clerk
By W. A. [unclear]
[unclear]

W. A. [unclear]
Please see
on this

L-105
J. D. Fouraker
City
Dec 9/28.95

FILED BY THE DALLAS GENEALOGICAL SOCIETY-1978

Est. of Miller Jordan, In County Court,
 No 2078. decd. Dallas County,
 John Fagan, Adm'r. Texas.

Now comes the Adm'r
 John Fagan and in answer to the motion
 of Antwine Huggins to revoke the letters of
 Administration herein, and demurs to
 the same and says that said motion shows
 no reason why said letters should be revoked,
 except the allegation of the lapse of four years
 from the death of decedent to the filing of the
 application for letters, which allegation
 is denied. Wherefore he prays the judgment
 of the Court.

J.D. Furraker,
 Atty for Adm'r.

The Adm'r specially demurs to said motion
 and says that the same shows upon its face
 the necessity of an administration, in this
 it alleges that Miller Jordan owned a certain
 tract of land which was his homestead, and that
 after his death there survived him, ^{a wife and} minor
 children, ^{who make up children of the widow} who were entitled to the use of said
 homestead and that said minors had no
 guardians; which fact if true would necessitate
 an administration and setting apart of the
 homestead to the widow and minor children
 as required by law, Wherefore he prays the
 judgment of the Court.

J.D. Furraker,
 Atty for Adm'r.

And for Special Decree, said Adm. says
 1st. that it appears from said motion that the
 petitioners Antoinette and ^{Huggins} Mattie, are not
 the legal guardians of said minors, and
 therefore have not such interest in them as
 entitle them the said petitioners to claim for said
 minors their homestead rights if any exist;
 2nd that if said allegations be true, with reference
 to the homestead rights of said minors it
 furnishes no legal reason why said letters
 should be revoked.

3d That said motion asserts a homestead claim
 for Doria Jordan widow of deceased and the
 minors of Miller Jordan, that said Adm. specially
 decrees to said motion and says that the
 homestead rights of the widow must be
 claimed and asserted by her, and by her
 for the minors, or by their legally appointed
 and cannot be claimed by Antoinette & Mattie Huggins.
 guardian, that the assertion of a claim
 of homestead is no reason why letters
 of Administration should be revoked,
 Wherefore he prays the judgment of the
 Court

J. P. Fouraker
 Atty for Adm.

And further answering said Adm.
 denies all and singular the allegations
 contained in said motion
 and of this he puts himself upon the country.

J. P. Fouraker.

2078-

Est of Willie Jordan
Exec

John F. Agan
Adm

Answer of Adm
to motion to
revoke letters

FILED Jan 11 1896
L. H. HUGHES, Clerk County Court
By W. Jackson DEPUTY

In the matter of the Estate of Miller
No 20783 Gordon D^{est}

Administration pending in the
County Court of Dallas County
Texas, sitting in matters of Probate

Now comes Mattie Huggins,
joined by her husband Antoine
Huggins, and represents to the
court in this cause as follows:
That said Mattie Huggins is
one of the children and heirs
at law of Miller Gordon D^{est}
and these petitioners also come
and appear herein also as next
friends of Savana Gordon, Dace
Gordon, + Charlie Gordon, whose
ages are 12 - 14 - + 6 years respect-
ively (none of whom have
any legally appointed guardians
and who are the minor children
and heirs at law of the said
Miller Gordon D^{est}, and in their
own behalf and as next friends
as aforesaid minors pray the court
to set aside the administration,
revoke the letters herein granted
and hold the same for naught
for the following reasons viz;

Because the application herein
made for letters of administration
shows no valid reason for same;

Because, no reason is assigned why others first entitled to said letters, had not applied, or that they had refused to make application, nor that there was no surviving wife, or no one else next of kin to ~~will~~ to do so, or that they had refused to make said application, or waived their right to apply for said letters; nor that the land mentioned in said application was not the homestead of Deceased and subject to the payment of the debts of the deceased if ^{any} ~~any~~ ^{they made} nor that the person sought to ^{be made} and has been appointed, is entitled to same, or qualified to act as same; nor does said application allege facts such as to give the court jurisdiction to determine said application.

2d

These complainants say that the allegations made in said application, that said Millen Jordan died in the year 1893, is untrue in fact; that said Millen Jordan died in the month of February 1891; and they believe M. J. Morris, (who is the true applicant herein) knew said allegations to be untrue; and believe he also knew that more than 4 years

had elapsed since said Millen Jordan's death before making

also know that more than 7 years

had elapsed since said Miller Jordan's death before making this application, and that said allegation of the time of said Jordan's death was so made at his instance and direction for the purpose of getting out this administration to make his alleged debt, in utter disregard of the rights of the parties owning said estate, and in a disrespect to, and a fraud upon this Honorable Court. They further allege and believe the fact to be, that said debt so alleged by the said application to be due said Morris is barred by the statute of limitation of four years, and that if in fact it is still a subsisting debt against said Jordan's estate that said estate is not subject to same for the reasons herein after stated.

3^d

They further show that the land mentioned in said application and inventory was all the land owned by said Miller Jordan at his death, and was the homestead of himself and his family consisting of his wife Dasha Jordan (who is still alive) and the minor children above

mentioned, - said Doshka being the
step-mother of said minors.
That said family have continued
to occupy and have always claim-
ed said property as their homestead
since said Miller Jordan's death
and still cultivate and claim
the same in that capacity, nor
has said property ever been at
any time since said Jordan's
death subject to debt, being
exempt therefrom under the
laws of this state; nor is there
any other property belonging
to said estate, at this time,
nor ^{was there} at the time said application
was made, ^{any property} subject to any debt
of the estate (if any) and that
there was no necessity for any
administration. They therefore
say that said proceedings if
not void are voidable.

They further show that Miller
Jordan died as above alleged
(in the year 1891) on said land
occupying said land as the
head of a family and as his
homestead, and at his death
left the said Doshka his widow
the above named minors, and
Mattie ^{sons}, besides six
other ^{children}; that since that
time and since the 4 years
have expired after said Jordan's

death, these petitioners ~~had~~ to
 wit - Subrao and Mattel Shiggins
 have purchased the interests
 of the other heirs (who are of
 - age) paying a valuable considera-
 - tion therefor; and that if
 these administration proceed-
 - ings are allowed to continue
 and said land sold on any
 part thereof, it will cost a
 cloud upon the title of these
 petitioners as well as that of
 said minor's interests.
 They further say that they nor
 any of them knew of any
 administration pending in
 this court on this estate until
 on the 11th day of December
 1895, and for that reason could
 not appear sooner and ask
 relief herein. They therefore
 pray that said administration
 be cited or notified to answer
 herein, if the court deems
 same necessary, that the
 court also hear testimony
 as to the facts herein alleged
 and if upon hearing the
 court considers that no ad-
 - ministration should have
 been granted; then they
 pray that, said letters be
 revoked, and said proceedings

should have been granted, that said

and if upon hearing the
court considers that no ad-
ministration should have
been granted; then they
pray that, said letters be
revoked, and said proceedings

held for naught, that said
M^r Morris be taxed with the
costs of said proceeding, that
these petitioners ~~to~~ recover their
costs, and that the court
grant such other and further
relief as they may be entitled
to.

R. H. Cleaves

Attys for Petitioners
Arthur Huggins & Co

No 2078

In the Matter
of the Estate
of Miller
Genevieve Dec 11

Motion to
revoke letters
of Administration.

By _____
Attorney for _____

FILED

DEC 11 1905

L. H. HUBBARD, County Clerk
By _____

Jan 17/1906