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

Case Number 1477

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1477

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In the Matter of the Estate of A. M. Horne, Deceased.	In the Co. Court of Dallas County, Texas.

Now comes MRS. L. J. EARNEST, and by leave of the Court amends her opposition heretofore filed on the _____ day of _____ 1892, to the application of Mrs. Clara O. Horne, for an allowance of One Thousand Dollars for one year; and the said opponent, Mrs. L. J. Earnest, says: That such allowance ought not to be made and directed to be paid out of the estate in the hands of H. H. Smith, who is acting administrator of the Estate of A. M. Horne, deceased, because; she says, that the said property now in the hands of H. H. Smith, was not the property of A. M. Horne in his life-time, but that the same was and is the property of this opponent and the heirs of Elizabeth J. Horne, who was the first wife of A. M. Horne, deceased; and for the further reason that long before the death of A. M. Horne this opponent had filed in the District Court of Dallas County a suit against the said A. M. Horne to recover the possession of all of this property; and that the said suit is now pending in said court, upon the following plea of this opponent, which plea she now makes to this Court, as follows, to wit:--

"Third: Your petitioner shows that she instituted this suit on the 21st day of June, 1889, against A. M. Horne, George C. Beeler W. M. Moon, and Arthur Moore White, and by an amendment, filed July 26th, 1889, Z. T. White was also made a party-defendant; that the purpose of said suit was to recover her distributive share in the community estate of the said A. M. Horne, and her deceased mother, Elizabeth J. Horne; and for an accounting with the said A. M. Horne, as survivor of said community estate, which had come into his hands by virtue of an inventory and appraisement and

bond as required by law, and for a partition of said estate, which had descended to her from Gan W. Horne, her deceased brother; and for an injunction restraining said A. M. Horne, from making a further sale of any prtion of said community estate; and for partition.

Fourth: That a temporary restraining order was made by the Honorable R. E. Burke, Judge of the District Court, on June 21st, 1889, which, after bond was given by your complainant, was duly served on the said A. M. Horne; that after this on the 20th day of August, 1889, the defendant, A.M.Horne, by his attorneys, signed a stipulation in this case that the restraining order granted by the Honorable Court, should continue in force until the 15th day of September, 1889, and until a further order of the court thereafter; that this case be postponed until the time for hearing in Chambers. In consideration of said postponement said A. M. Horne further agreed that he would not sell, mortgage, or in any wise encumber or alienate any portion of the property described in Plaintiff's First Amended Original Petition, filed July 26th, 1889; that after this a further stipulation was signed by the attorneys of A. M. Horne, and filed in this case, on June 17th, 1891, by which it was agreed that the case should not be called for trial, in Chambers, upon application for injunction, until after the first day of August, 1889; and that the restraining order theretofore granted should continue in force until the case should be heard after that fate, and the said case has never been heard, and said restraining order is still in full force and effect; and that said property has since said 21st day of June, 1889, been under the control, and subject to the disposition of the Court, by reason of said restraining order of the Honorable District Court of Dallas County, Texas.

Fifth: And for cause of complaint against the said defendants herein your petitioner, Mrs. L. J. Earnest, respectfully shows to the Court, that A. M. Horne, one of the original defendants in this case, intermarried with Elizabeth J. Johnson, in the year 1842 in the state of Missouri; that said Elizabeth J. Horne, nee Johnson, departed this life intestate in the county of Dallas, Texas, on the 18th day of June, 1874; that after her death said A. M. Horne on, to-wit: about the 15th day of February, 1875, intermarried with Miss Ruth Ann Ross, in the County of Dallas, in the State of Texas, that said Ruth Ann Ross, departed this life intestate, and without issue in the County of Dallas, on the first day of March, 1891; that said A. M. Horne, after this, to-wit: On the 2nd day of december, 1891, intermarried with Miss Clara Ramsey, in the county of Dallas, Texas; and that afterwards, to-wit: On January 31st, 1892, said A. M. Horne departed this life in the County of Dallas, Texas, intestate and that H. H. Smith, a citizen of Dallas County, has been appointed, and is now the qualified and acting administrator of said estate of A. M. Horne, deceased.

Sixth: Your petitioner shows further that when Elizabeth J. Horne departed this life on the 16th day of June, 1874, she left surviving her, her husband, A. M. Horne, and the following named children, the issue of her marriage with A. M. Horne, co-wit: Your Petitioner, Mrs. L. J. Earnest, then the wife of J. R. Earnest, who died in the year 1875, and Gan W. Horne, a son, who died in the year 1876, unmarried without issue, and intestate; and Dora Horne, who at the death of her mother was a minor, but afterwards grew to woman-hood, and intermarried with the defendant, Z. T. White, and bore him two sons, the defendant Arthur Moore White and Z. T. White, Jr that after the birth of her son, Z. T. White, Jr., to-wit: on July,

20th, 1881, the said Dora White, died in the county of Dallas, leaving her surviving, her husband, Z. T. White, and the two sons hereinbefore named--the youngest, Z.T. White, Jr., died at the age of about one and one-half years, and subsequently to the death of his mother; that Dora White died testate, leaving all of her property to her children hereinbefore named.

"Seventh: That at the death of Elizabeth J. Horne, your petitioner's mother, she and A. M. Horne, the father of your petition, were possessed of a large and valuable community estate, in the county of Dallas, in the State of Texas, described in the inventory and appraisement, a copy of which is hereto attached, and made a part of this petition; that said community estate consisted of lots, lands and personal property, as described in said inventory, and was appraised on the 14th day of July, 1874, and was then of the estimated value of $11,615.00, and was at that time, as your petitioner is informed and believes of the real value of more than $30,000.00; that said property afterwards greatly appreciated in value, and is now of the value of more than $75,000.00.

"Eighth: Your petitioner shows that at the death of her mother there was no community debts against said estate; and that there was then on hand, and in the possession of the surviving husband, A. M. Horne, money, notes, accounts, and other personal property of great value, to-wit: of the value of more than $2,000.00.

"Ninth: That on the death of Elizabeth J. Horne, her one-half interest in the community estate hereinbefore described, descended to and vested in equal parts in your petitioner, and Gan W. Horne, and Dora Horne, each being entitled to an undivided one-sixths of said estate; that said A. M. Horne, was then entitled to the remaining three-sixths of said estate-undivided.

Tenth: That when Gan W. Horne died in the year, 1876, as afore said, his undivided one-sixths interest in said estate descended to and vested one-half thereof to his father, A. M. Horne, and the other half in equal parts to your petitioner and her sister, Dora Horne; that when Dora White, nee Dora Horne, died in 1881, her interest in said estate descended and vested, by her will, in her two children, Arthur Moore White and Z. T. White, Jr.; that upon the death of Z. T. White, Jr., as hereinbefore said, his estate so inherited from his mother, Dora White, descended to and vested in equal parts in his father, Z.T. White, and his brother Arthur Moore White, the defendants herein---so that by reason of the deaths and descents as aforesaid, the said community estate of A. M. Horne and Elizabeth J. Horne, has descended and was vested as follows, to-wit: An undivided 28/48ths of said estate belonged to A. M. Horne, surviving husband; 10/48ths thereof belonged to your petitioner; 7 1-2/48ths thereof belonged to Arthur Moore White; while 2 1-2/48 thereof belonged to the defendant, Z. T. White. Your petitioner shows that all of said community property was held by your petitioner and the defendants as above stated, as tenants in common, in the proportions just named.

"Eleventh: Your petitioner shows that after the death of her mother, Elizabeth J.Horne, to-wit: On the 14th day of July, 1874, said A. M. Horne, filed the inventory and appraisement of the community estate of himself and his deceased wife, Elizabeth J., in the District Court of Dallas County, Texas, as required by law, and on the same day executed and delivered to A.Haywood, Clerk of the District Court of Dallas County, and his successors in office a bond in the sum of $12,000.00, conditioned that the said A. M.

Horne, would faithfully administer on the community estate of himself and his deceased wife, Elizabeth J. Horne, and pay over, finally the surplus of the same, after the payment of the debts with which the whole is properly chargeable to such person or persons as shall be entitled to receive it; that the defendants, George C. Beeler, and W. M. Moon, signed, executed and delivered the bond as sureties for A. M. Horne, as will more fully appear from a copy of said bond hereto attached and made a part of this petition; that upon the filing of said inventory, appraisement, and the bond as aforesaid, said A. M. Horne, qualified, under the law to manage said community estate, as surviving husband of Elizabeth J. Horne, and as trustee for your petitioner and the other heirs of said community estate, as they then existed and now exist.

"Twelfth: Your petitioner shows further that said A. M. Horne did not keep and perform, and has not kept and performedthe conditions of said bond; and that he has broken the same in this: That there being no community debts, and no necessity for a sale of any of the community property, the said A. M. Horne, did, in fraud of the rights of your petitioner and the other heirs, and without necessity, sell and convert to his own use, much the larger portion of said community estate, in this: That said A. M. Horne, out of the homestead tract of five acres has sold and disposed of more than 3 acres, and has remaining on hand less than 2 acres thereof, unsold out of the five acre homestead tract.

"Thirteenth: Your petitioner shows that out of the community property so inventoried as aforesaid by A. M. Horne, and after the making of said inventory, and without any necessity for such sales the said A. M. Horne, sold and conveyed a portion of said property

to W. D. Williams, Jno. E. Boyer; W. B. Bowen; James Elsby; R.B.Sesy E. L. Gage; Chas. Behrens; Meyer & Connor; W. H. Gaston and J. L. Leonard; J. J. and W. F. Lavender; C. D. White and J. A. Bennett; that each of said tracts of land so sold and conveyed by said A. M. Horne, together with the date of sale and price received are fully setforth and described in "Exhibit A", hereto attached and made part of this petition.

"Fourteenth: That said portions of the land in the five acre tract so sold as aforesaid by A. M. Horne, largely exceed the portion now remaining unsold.

"Fifteenth: That although the said A. M. Horne, sold and conveyed largely more than his interest in said community estate during his life-time, he wholly failed to account to your petitioner, or his other tenants in common in said community estate for any part thereof--but did, in fraud of the rights of his said tenants in common and joint owners, wrongfully convert the proceeds of said sales to his own use and benefit, except that he invested a portion of the money arising from the sale of some of said community estate hereinbefore named in a piece of property in the City of Dallas, Dallas County, Texas, described as 192 x 200 feet of ground, being a part of Block 786, at the East corner of Junius and Adair Streets, being the west part of said Block 786, and fronting 192 feet on Junius Street. and running back, between equal and parallel lines along the line of Adair Street 200 feet. Your petitioner charges that this piece of property, the title to which was taken in the name of A. M. Horne, was purchased with money arising out of the sale of the community estate of A. M. Horne and Elizabeth J.Horne, deceased and that this property remains a part of said community estate, as it exists to-day. She shows that in addition to this piece of property in East Dallas, out of said community estate

there remains unsold, only the following described portion, to-wit:

One Block of land in Block 523, fronting 225 feet on Masten Street, in the City of Dallas, and running back along the line of Trinidad Street 293 feet; thence eastwardly on a line parallel with Masten Street 200 feet; Thence in a straight line to North Harwood Street, 25 feet; thence on a line of division between said tract and Randall tract to Masten Street. And another tract in Block 524, being 120 by 160 feet, with a strip of land 20 feet wide to connect said piece of land on Trinidad Street, and being the premises now used by A. M. Horne as a horse lot. Also one block of land 89 by 200 feet in Block 526, fronting 89 feet on North Harwood Street, and running back between equal and parallel lines 200 feet,-which is the same land described in the inventory and appraisement of property--real and personal--belonging to the estate of A. M. Horne, and filed in the County Court of Dallas County, by H. H. Smith, administrator of A. M. Horne, June 7th, 1892, a copy of which is hereto attached and marked "Exhibit "C", and made a part of this petition.

"Sixteenth: Your petition shows that she does not know the exact amount of money received by ~~xxxx~~ by said A. M. Horne for all of the community property conveyed by him; nor does she know the exact amount of rents received and collected by him, during his management of said community estate--but she shows and charges that more than $30,000. came into the hands of said A. M. Horne as the proceeds of said community estate, except the pieces of property in EastvDallas, hereinbefore described; and that that piece of property is not worth at this time more than four or five thousand dollars.

"Seventeenth: Plaintiff charges that said A. M. Horne, during his life-time, and after the death of plaintiff's mother, Elizabeth J. Horne, received and converted to his own use largely more than his interest in said community estate; and that at the time of his death he was in possession of notes amounting to several thousand dollars, which had been given to him for the purchase money of certain portions of said community estate--the exact amount of which is unknown to your petitioner--But a partial list of which, amounting to $4109.00, comprises a portion of the inventory and appraisement filed by M. H. Smith, and hereinbefore referred to as a part of this petition.

"Eighteenth: Your petitioner further charges that the community property on hand, including the piece of property in East Dallas, hereinbefore described, at the time of the death of A. M. Horne was insufficient to satisfy the fair and equitable demands of your petitioner; and the other heirs at law of Elizabeth J. Horne, and their interest in said community estate.

"Nineteenth: Plaintiff further charges that said A. M. Horne, at the time of his death, or at the time of the death of Elizabeth J. Horne, possessed no separate estate whatever; and that a part from said community estate and the proceeds thereof in his hands at the time of his death, he had no estate out of which any demands of your petitioner or the other heirs of Elizabeth J. Horne could be satisfied.

"Twentieth: Your petitioner shows that the bond for $12,000.00 executed by said A. M. Horne is insufficient to satisfy the demands of your petitioner and the other heirs of her deceased mother, Elizabeth J. Horne; and that in addition to the inadequacy of said bond, the sureties thereon, to-wit: W. M. Moon and George C. Beeler

are wholly insolvent.

"Twenty-First: Plaintiff further shows that the homestead of A. M. Horne and Elizabeth J. Horne, at the time of the death of the said Elizabeth J Horne, was situated on McKinney Road, and consisted of the property and the homestead-house, described in the deed of conveyance made by A. M. Horne to J. A. Bennett, on July 17th, 1889.

"Twenty-Second: Your petitioner further shows that nearly all of the said community real-estate, as will appear from the inventory is situated on, and consists of a part of what is known as the John Grigsby League of land in Dallas County, Texas. That after the same became the community property of A.M.Horne and Elizabeth J. Horne, dec'd, a suit was instituted by _____ Grigsby and others, as heirs at law of said John Grigsby, to-wit: on the ___ day of ____ _____ 1874, against the occupants of said land, for the purpose of establishing title to 3/18ths interest in said land, and for a perfection thereof; that said A M. Horne was a defendant in said suit, and the community lands aforesaid in said Grigsby League, were included therein. That said suit as to said A M. Horne, to the community lands aforesaid, is stillpending in the District Court of Dallas County, Texas, and undisposed of,-the same never having been finally tried, nor otherwise disposed of; that said A.M.Horne during the administration of said community estate of himself and his deceased wife, Elizabeth J. Horne, often represented and stated to your petitioner and her co-heirs, that said community estate could not be partitioned amongst the heirs during the pendency of said suit, as the extent of value of said community estate could not be known and ascertained until the claim of said Grigsby heirs had been adjusted and settled; and the said A. M. Horne often-times h

repeated to your petitioner that as soonas said Grigsby suit could be settled, he was willing to and would make a fair partition of said community estate, between himself and your petitioner, and her co-heirs, and would have a fair accounting and settlement of his acts and doings as such trustee. And plaintiff further shows and avers that since the institution of this present suit, and before the death of said A. M. Horne, he often repeated these reasons so assigned, and expressed to your petitioner not only a willingness, but a determination to settle and partition said estate as soon as said Grigsby suit could be disposed of and settled.

"Twenty-Third: Your petitioner further shows that when the said A. M. Horne died, as hereinbefore stated, the said Grigsby suit was still pending and undisposed of; and that the said A. M. Horne was in the possession of the community estate of himself and deceased wife, Elizabeth J. Horne; and that he was occupying as a home a certain valuable piece of property, on the corner of Masten and Trinidad Streets in the City of Dallas; that the title of the said property was in the community estate of himself and Elizabeth J. Horne; that by reason of the fact that said A. M. Horne had sold and converted largely more than his interest in said community estate to his own use, he had no title to said property upon which he lived as a homestead at the time of his death. She shows that the present surviving widow of said A. M. Horne, to wit: Clara Ramsey Horne, is now in possession of said property at the corner of Masten and Trinidad Streets aforesaid, and that the same is largely more than one-half in quantity and value of the community estate of said A. M. Horne and Elizabeth J. Horne, remaining unsold at the time of the death of said A. M. Horne.

"Twenty-Four: Petitioner further shows that there are no heirs of the said A. M. Horne and Clara Ramsey Horne either in esse or in expectancy; that upon an accounting and fair partition of the original community estate of Elizabeth J. Horne and A. M. Horne, between the heirs of said Elizabeth J. Horne and A. M. Horne, charging said A. M Horne with that portion of the property held by him and your petitioner and the other heirs of Elizabeth J. Horne in common, there will not be enough of said community estate left unsold to satisfy the fair demands of your petitioner and her co-heirs; so your petitioner says that said A. M. Horne at the time of his death had no interest whatever in any of said original community estate, unless it was that owned as his separate es--tate by inheritance-that portion of Gan W. Horne's interest in said community property, which descended to him, as the farther of Gan W. Horne, upon Gan W. Horne's death; and that the said Clara Ramsey Horne cannot and ought not to assert any title or interest in any portion of said property, until after the just claims of your petitioner and the other heirs of Elizabeth J.Horne and A. M. Horne have been fully satisfied and discharged.

Twenty-Fifth: Your petitioner shows if upon the settlement of the community estate betw en A. M. Horne and the heirs of Elizabeth J.Horne, it shall appear that A. M. Horne had any separate interest, or any interest belonging to him in any portion of said community estate, that then said A. M. Horne died intestate as aforesaid, and all of his estate descended and passed in equal portions to your petitioner and Arthur Moore White and to Annie Kelly, who are the children and grand-children of the said A. M. Horne, subject, however, to a life-estate in favor of said Mrs. Clara Ramsey Horne, as it shall be ascertained to exist after the

settlement with your petitioner and her co-heirs. And your petitioner says that said Clara Ramsey Horne is wholly insolvent, as she is informed and believes, and has no separate estate whatever, out of which she will be able to respond to your petitioner, for any money coming into her hands as the proceeds of rents of said community estate, or for the rent, use and occupation of the same.

"Twenty-Sixth: Your petitioner furthat says that after the death of her mother, Elizabeth J. Horne, in 1874, her father A. M. Horne was not engaged in any lucrative business whatever up to the date of his death in the year 1892; that during all this time, he surpported himself and his family, consisting of his second wife, Mrs. Ruth ANn Horne, and after her death consisting of himself and his third wife, Clara Ramsey Horne, out of the sales of the commu--nity property belonging to A. M. Horne and Elizabeth J. Horne, and out of the rents arising from said Community estate; that after the death of her mother, Elizabeth J. Horne, and after A. M. Horne had qualified as survivor of said community estate, he received from the sale of community property, upon the dates hereinafter named, the following sums of money, to-wit:

July 15th, 1874,	W.D.Williams,	$187.50
July 15th, 1874,	Jno. E. Boyer	187.50
Dec.12th, 1874,	H. B. Bowen	2000.00
Mar. 8th, 1876,	R. B. Seay	200.00
Jan'y 31st, 1878,	Jas. Elsby	1400.00
Feb'y 5th, 1880,	Gaston & Leonard	3000.00
Apr. 29th, 1880,	J.J. and W.F.Lavender	1500.00
July 16th, 1881,	E. L. Gage	580.00
Oct. 5th , 1883,	C. D. White	2600.00
Oct. 14th, 1883,	Chas. Behrens	4000.00
Feb'y 9th, 1884,	Meyer & Connor	2650.00
June 17th, 1889,	J. H. Bennett	4000.00
		$21655.00

aggregatin in amount, exclusive of interest, the sum of $21,655.00

that at the date of said sales and the receipt of the several sums of money above set forth, there were no debts against said community estate, and there was no necessity for making such sales; that when A. M. Horne received these several sums of money on the dates aforesaid, he received them in his fiduciary capacity, as surviving husband of the community estate of his deceased wife, and it then became his duty to invest or lend out said community funds for the benefit of the children of said Elizabeth J. Horne, and himself; that he utterly failed to do this, and thereby, as trustee, he became liable and bound to account to your petitioner and the other heirs of said Elizabeth J. Horne for interest on said funds; and said A. M. Horne ought to be charged with 12% interest upon all of said sums of money from the date the same was received by him,-but if your petitioner is mistaken in the law, and there is no provision for charging the highest legal rate of interest for the use of the money so received by said A. M. Horne, which she charges and avers, he took to hisown account, and applied to his own use except the sum re-invested in the property at the corner of Junius and Adair Streets in the City of East Dallas, then she says that said A. M. Horne and his estate, and all persons claiming under him ought to be held to account to the heirs of Elizabeth J. Horne for interest on said money at the rate of 8% per annum, computed from the respective dates said money was received, up to the time of the trial of this cause.

"Twenty Seventh: Your petitioner shows that Lots One, Two and Eight in Block Fifteen in the City of Dallas, consisted a part of the community estate at the death of her mother; and that the same was improved property, and was bringing a monthly rent of Fifty Dollars; that the said A. M. Horne from the death of her mother in

June 1874, to February 5th, 1880, the date at which he sold said lots three named lots, received in rents for said property the sum of Three Thousand, Six Hundred Dollars; that said rents were collected in monthly installments at the rate of $600. per year, and that the said A. M. Horne received said rents and appropriated the same to his own use; and thereby became liable and bound to pay and account to the heirs of Elizabeth J. Horne for their interest in said rents, together with interest thereon at the rate of either 12 or 8% per annum, as the court shall determine the law to be.

"She shows that there was a house on the lot at the corner of Phelps and Caruth Streets in the City of Dallas, which was rented by said A. M. Horne from the year 1874, to the year 1890 at the rate of $120. per year; that said A. M. Horne for the period of sixteen years received said sum of $120. per year from this property; that the same was a portion of the community estate; and that said A. M Horne applied the same to his own use, to-wit: the sum of $1920., derived from this property; that when said Horne sold lots one, two and eight in Block 15 aforesaid, he reserved the improvements thereon, which consisted of a dwelling house, and that in the year 1888, he removed said house from said lots, and rebuilt it on a lot belonging to said community estate, at the corner of Harwood and Caruth Streets, and from the year 1880 to the year 1892, he received from this property rent amounting to $180. per year, which for the period of twelve years amounted to $2,160., which said A.M.Horne received from the rent of this community estate, and applied the to his own use; and thereby became liable to account to the heirs of Elizabeth J.Horne for their interest in said sum of money, together with interest thereon at the rate of eight or twelve per cent per annum, as the court shall consider to be the law.

She shows that there was another house belonging to said community estate situated on Trinidad Street, which house said A. M. Horne rented at $150.00 per year, for the period of ten years, receiving thereon $1500.00, which she also avers said A. M. Horne applied to his own use; and thereby became liable and bound to account to the heirs of Elizabeth J. Horne for said sum of money, together with interest thereon.

That said A. M. Horne after the death of Elizabeth J. Horne, rentd the home-place on McKinney Road for the priod of fifteen years from the year 1874 to the year 1889, at which time he sold said place to J. A. Bennett; that he received for the rent of said Homestead place the sum of $250.00 per year, aggregating $3,750., for which he became liable to account to your petitioner and the other heirs of Elizabeth J. Horne, together with interest thereon at the rate of either twelve or eight per cent per annum, as the court shall determine.

That in the year 1888 or 1889, said A. M. Horne, removed the house in which he lived as a homestead with his second wife, Ruth Ann Horne, to a back part of the lot at the corner of Masten and Trinidad Streets; that he rented this house for the period of two years at an annual rental of $240.00, receiving the money thereof, and appropriating the same to his own use.

She shows that there was belonging to said community estate, the North half of Lot 8, Block 1, situated on the Public Square, of the City of Dallas; and that said A. M. Horne sold and disposed of that property in the year 1875, but prior to said sale he received in rent therefor the sum of $50.00 per month, aggregating $300.00

"That from the rents of said community estate said A. M. Horne has received the sum of Thirteen Thousand, Seven Hundred and Ten Dollars ($13,710.00) in annual and monthly rents, as herein stated, all of which he applied to his own use; and for her interest in which plaintiff sues, and prays for an accounting, and have interest thereon at the rate of either twelve or eight per cent. per annum, as the law shallmdirect and require.

"Twenty Eight: Your petitioner further shows that since H. H. Smith has been appointed administrator of the Estate of A. M. Horne deceased, he has paid off and discharged the funeral expenses, and the expenses of the last illness of said A. M. Horne, out of the moneys which came into the hands of said administrator from this Estate, which she avers to be the property of herself and the other heirs of Elizabeth J. Horne; that there are now no debts or demands against the Estate of A. M. Horne; and that there are no debts or demands against the said A. M. Horne in his fiduciary capacity, as survivor of the community estate of himself and Elizabeth J. Horne except the demands of your petitioner and the other heirs of Elizabeth J. Horne named;

"That since the appointment of H. H. Smith, as administrator, Mrs. Clara Ramsey Horne, surviving widow of A M. Horne, has filed an application in the County Court of Dallas County for an allowance for one year as said surviving widow, and asks that the same be allowed for the sum of One Thousand Dollars, to be paid out of the property in litigation in this suit,--it being the same property inventoried by H. H. Smith, administrator, as belonging to the Estate of A. M. Horne.

"She shows that said A. M. Horne in his life-time appropriated largely more than his interest in the community estate of himself and Elizabeth J. Horne, and that at the date of his death he held in trust all of the unsold property belonging to said community estate for the benefit of the heirs at law of Elizabeth J. Horne; that upon the death of A. M. Horne, he was under an injunction, issued in this suit, which prohibited him from selling, or in anywise disposing of any part of said community estate; that said H.H. Smith, administrator is the representative of said A M.Horne, and ought to be and he is bound and restrained by said writ of injunction against making another sale, or disposing of any portion of said community estate.

Twenty-Ninth: Your petitioner shows that Clara Ramsey Horne, has no interest, claim, or right to any portion of the property involved in this suit, except as a surviving widow of A. M Horne, deceased; that said A. M. Horne owned no portion of said property at the time of his death, but that the same belonged to the heirs of Elizabeth J. Horne, as hereinbefore stated; that the said Clara Ramsey Horne is insolvent, and that it would be unequitable and unjust to pay to her any sum of money, as a yearly allowance out of the supposed estate of A. M. Horne, until the trust in said estate, assumed by him in 1874, as survivor of the community estate, shall have been fully determined and settled; or an accouting had between the representatives of A. M. Horne and the beneficiaries in the trust-estate of A. M. Horne and Elizabeth J. Horne, which had been managed by said A. M. Horne in his life-time;

That since the death of A. M. Horne, his surviving widow, Clara Ramsey Horne, has been occupying the most valuable part of said community estate, situated at the corner of Masten & Trinidad

Streets, which is of the monthly rental value of $50.00; that said property is a portion of the unsold community estate of A. M. Horne and Elizabeth J. Horne, and it will become necessary and indispensable to set the same apart to the heirs of Elizabeth J. Horne;

"That if the said Clara Ramsey Horne has any interest in any portion of said property, it is the interest of a surviving widow, in the separate estate of her deceased hus band; and that said interest is limited to such portion of the Estate as A. M. Horne inherited from his son, Gan W. Horne, who died at the time and in the manner hereinbe fore stated; and that such interest being an undivid -ed portion of said community estate, said A. M. Horne ought to be charged with all sales made out of said estate by him, and if it shall appear herein before final trial that there is not enough of the original community estate left to satisfy the just claims and demands of your petitioner and the other heirs of Elizabeth J. Horne, then she says that A. M. Horne had no separate estate in any portion of said community property, for he sold, after the death of Gan W. Horne largely more of said community estate than he inherited from his son, Gan W. Horne; and that before any allottment of property or any allowance for a year's support can be made to the said Clara Ramsey Horne, the rights and equities betwem your petitioner and the other heirs of Elizabeth J. Horne, deceased, in this property, shoudl be ascertained and adjusted, for your petitioner states that her rights in this property, as heir at law of her deceased mother, is prior and superior to any supposed rights of Clara Ramsey Horne, surviving widow; that if upon settle-

-ment and adjustment between your petitioner and the other heirs of Elizabeth J. Horne, and the representatives and surviving widow of A. M. Horne, it shall appear that A. M. Horne died possessed of any interest in the property described herein, and in the inventory made by H H. Smith, administrator, then said property so belonging to A. M. Horne, at the date of his death descended to your petitioner, who is a daughter and an heir at law of A. M. Horne and Arthur Moore White, a grand-son of A. M. Horne, being the child of Dora Horne, and being the, deceased, and to Annie Kelly, also a grand-daughter of A. M. Horne, and being the daughter of his deceas-ed child, who married _____Kelly,, as hereinbefore stated; and who died prior to the death of your petitioner'smother,Elizabeth J. Horne, and to Clara Ramsey Horne, surviving widow of A. M. Horne; that said Clara Ramsey Horne is entitled to a life-estate of one-third of the separate real estate of which A.M.Horne died possessed; while your petitioner, Arthur Moore White, and Annie Kelly are entitled in equal portions to the remainder of such estate.

Thirty: PREMISES considered, your petitioner prays that Clara Ramsey Horne, H. H. Smith, administrator and Arthur Moore White, citizens of Dallas County, Texas, be made parties-defendant herein; and be cited to appear and answer this petition; and that Annit Kelly,who is a feme sole, more than twenty-one years of age, and who isa citizen of the State of Colorado, residing at Colorado City, County of El Pasi, State of Colorado,be also made a party defendant and cited to appear and answer this petition.

She prays that the injunction heretofore granted against A. M. Horne be continued and perpetuated, and that the same be extended so as to enjoin, restrain and prohibit, Clara Ramsey Horne, from

demanding or receiving any portion of the estate in the hands of H. H. Smith, administrator of the estate of A M. Horne; and that said injunction be also extended to apply to H. H. Smith, administrator, and to all other persons; and that they be restrained from selling or disposing of any portion of said real estate heretofore described, and from paying out any prtion of the money which has been or shall be received by said H. H. Smith, administrator, for rents etc. of the property hereinbefore described; that upon final trial it be adjudged that your petitioner and the defendants who are the heirs of Elizabeth J. Horne be decreed to be the owners of all the property hereinbefore described; and that she have judgment for her interest therein, with a decree of partition.

She prays that if it shallbe determined upon the trial of this cayse, that any portion of the property herein described was the separate estate of A. M. Horne at the date of his death, that then such portion be partitioned amongst the heirs of A.M.horne, as the law shall direct; that upon the trial of this cause, if it shall be determined that A. M. Horne owned a separate estate at the date of his death, that then the value of the life-estate in said separate estate descending to Clara Ramsey Horne, be ascertained and set apart to her; and that the remainder of the property be divided between the heirs of A. M. Horne, as hereinbefore stated.

"Your petitioner alleges that Arthur Moore White is a minor, and that when he shall have been duly served herein, she prays for the appointment of a guardian ad litem to represent his interest in this behalf.

"She prays that the rent-value of the property occupied by Clam Ramsey Horne, since the death of A. M. Horne, be ascertained, and that the use and occupation of said property be set off against

any interest she may be decreed to have in the separate estate of A. M. HORNE."""

THE PREMISES CONSIDERED, your opponet prays the court not to make any allowance to Mrs. Clara Ramsey Horne upon her application until the title to the Estate in the hands of H. H. Smith, can be adjudicated and determined in the District Court of Dallas County, where the suit to ascertain the title was pending against A. M. Horne in his life-time, and where an injunction had been granted staying him from making any disposition of any portion of said estate. But if the court is of the opinion that this prayer should not be granted, then this opponet asks the Court to hear evidence upon the matters of resistance and defense set up in her answer, and to determine whether in the opinion of the court it is competent so to do that the estate in the hands of H. H. Smith does not belong to A. M. Horne, but that it was the separate property of the heirs of Elizabeth J. Horne; and to order and decree accordingly. But if the court shall be of opinion, upon the facts herein presented that the allowance, or any allowance as prayed for, should be made, then Mrs. L. J. Earnest says that the amount asked for is exhorbitant and unreasonable, and should not be allowed; and she prays the court to refuse said application.

This opponent further shows that in the suit pending in the District Court of Dallas County, to which suit Mrs.Clara Horne is a party-defendant, Z. T. White has been appointed guardian ad litem for the minor Arthur Moore White; and that before the disposition of this application by this court, the said Z.T.White, should be required to appear and defend the interest of said Arthur Moore White; or in default she prays this court to appoint a guardian ad litem here and now to represent the interest of said minor, Arthur Moore White. She prays for all such orders and decrees as

are proper and liable to be made in the premises; and for general relief and costs etc.

Crawford & Crawford

Attorneys for Mrs.L.J.Earnest,
Opponent.

"Exhibit "A"

Lands conveyed out of said community estate by A. M. Horne, as alleged in plaintiff's third amended original petition, to wit:

First: A. M. Horne to R. B. Seay, March 8th, 1876, the following described land, to wit: Lying and being situated in the City and County of Dallas, State of Texas, Beginning at the North corner of Lot No. 3 of H. F. Bones Subdivision of the City of Dallas thence North 45 East, 100 feet to a stake; thence South 45 East, 100 feet to a stake; Thence South 45 West 100 feet to the East corner of said lot No. 3; Thence North 45 Wets, with the North East line of said lot No. 3, to the place of beginning; which deed is recorded in Volume 30, page 309-Dallas County Deed Records. Consideration for said deed $200.00.

Second: A. M. Horne to W. D. Williams, July 15th, 1874, the following described land, to wit: Lying and being situated within the corporate limits of the City of Dallas, in the County of Dallas, State of Texas; and being part of a tract of ten acres deeded to A. M. Horne by Nat M. Burford, out of the original John Grigsby League survey: Beginning at the West angle of the intersection of Harwood and Streets; thence South 45° West, 90 feet, running with Cochran Street; Thence North 42° West 101 feet; thence North 45° East 90 feet to Harwood Street; Thence South 42° East 101 feet running with Harwood Street to the place of beginning; which deed is recorded in Volume "V", page 372, Dallas County Deed Records. Consideration for said deed $187.50/100.

Third: A. M. Horne to Jno. E. Boyer, July 15th, 1874, the following described land, to-wit: Lying and being situated within the corporate limits of the City of Dallas, County of Dallas, State of Texas; and being part of a tract of ten acres deeded to A. M.

Horne by Nat M. Burford, out of the original John Grigsby league survey: Beginning at a point on the South West side of Harwood Street, at the North corner of a similiar tract deeded by A.M.Horne the same date of this conveyance to W. D. Williams; thence South 45 West 90 feet to West corner of William's lot; Thence North 42 West 101 feet to street; Thence North 45 East, 90 feet, running with cross street to Harwood Street; Thence South 42 East, 101 feet running with Harwood Street to the place of beginning; which deed is of record in Volume "Y", page 373, Dallas County Deed Records. Consideration for said deed $187.50.

Fourth: A. M. Horne to H. B. Bowen, December 12th, 1874, the following described land, to wit: Lying and being situated in the City of Dallas, Dallas County, State of Texas; and known as the North half of Lot No. 8, in Block No. 1(one) in the Town of Dallas; which deed is of record in Volume "Z", page 61, Dallas County Deed Records. Consideration for said deed $2000.00.

Fifth: A. M. Horne to Jas. Elsby, January 31st, 1878, the following described land, to wit: Lying and being situated in the County of Dallas, State of Texas; and known and designated by the following metes and description, to wit: Beginning an the North side of Elm Street, 150 feet North 76° East from the South East corner of a lot deeded by J. L. Leonard, agent of M. D. Garlington, on the 19th day of February, A.D.1873; Thence North 76° East, 25 feet; thence North 14 West, 100 feet; Thence South 75 West, 25 feet; Thence South 14° East 100 feet to the place of beginning. Said lot being in Block No.60; and having a frontage of 25 feet on the North line of Elm Street, and a depth of 100 feet; and being the same lot and premises deeded by H. B. Bowen to A. M. Horne, on the 12th day of December, A.D.1874; and recorded in Book "Z", page 62 Dallas County Deed Records. Consideration for said deed $1400.00.

Sixth: A. M. Horne to E. L. Gage, Julym,16th, 1881, the fol-

-lowing described land, to wit: Lying and being situated in the county of Dallas, State of Texas, our of and a part of the John Grigsby League survey, on the corner of Bryan and Harwood Streets, and bounded as follows, to wit: Beginning at the South East angle of said streets; Thence North 45 East with the South line of said Bryan Street, 54 feet, to a stake on line of said street; thence South 45 east 118 feet; thence South45 West, 54 feet to the East line of said Harwood Street, a stake; thence North 45 West to the East line of said Harwood Street, to the place of beginning--being the same lot deeded to A. M. Horne by A. O. Carden and D. M. Carden his wife, by deed dated August 31st, 1880. Which deed is of record in Volume 52, page 279. Consideration for said deed $580.00.

Seventh: A. M. Horne to Chas Behrens, October 4th, 1883, the following described land, to-wit: Lying and being situated in the County of Dallas, State of Texas, and me ed and bounded as follows, to-wit: Beginning at the West corner of 320 acres sold to WM. Tarrant by Joel C. Lively--January 8th, 1861,a stake West side of branch, from which a hackberry 12 inches, bears South 19 East, 23 varas; Thence East with said Tarrant's North line, 1952 varas, a stake in West line of James R. Coats survey, and on the East line of 640 acres patented to J. C Lively, of which this survey is a part; thence North 221 varas to North West corner of said Coat's survey; Thence West 475 varas; Thence North 498 524 varas to stake in line of said 640 acre survey; and 58 57 chains and 34 36 links from North corner of said 640 acre survey; Thence South 89 West, 1034 4/10 varas, stake in East line of T. Thomas survey; Thence South 656 varas, stake, corner of said Thomas; Thence West 433 4/10 varas; [illegible] 63 varas to the beginning, containing 160 acres of land.

(2). Also 40 acres of land, known by the following description, to-wit: Situated in Dallas County, State of Texas, being part of a tract of _____ acres, patented in the name of R. B. Campbell, Assignee of John Danley: Beginning at South East corner of Thomas Stone survey, an elm bears North 56 West, 6 varas; Thence West 597 varas, locust bears South 76 West, 2 varas; Thence South 412 varas to corner; Thence East 481 varas; Thence North 182 varas, ash corner of boisd'arc, bears South 52 East 4 3/4 varas; Thence East 110 varas, bois d'arc 30 inches, bears West, 2 varas; Thence North 230 varas to the beginning; which deed is of record in Volume 62, page 526, record of deeds of Dallas County, Texas. Consideration for said deed $4000.00

Eighth: A. M. Horne to Meyer & Connor, February 9th, 1884, the following described land, to-wit: Lying and being situated in the City and County of Dallas, State of Texas, on Harwood and Bone Streets, and meted and bounded as follows: Beginning at the junction of Harwood and Bone Streets; Thence South 45 West 156 feet to a stake on Bone Street; Thence North 45 West, 300 feet to a stake; Thence North 48 East 175 feet to a stake on Harwood Street; Thence South 42 East, 292 feet to the place of beginning, which deed is of record in Volume 64, page 374, records of deed of Dallas County. Consideration $2600.00.

Ninth: A. M. Horne to W. H. Gaston and J. L. Leonard, February 5th, 1880, the following described land , to-wit: Lying and being situated in the County of Dallas, in the State of Texas, and known and designated by the following metes and bounds, to-wit: Known as lots Nos. 1, 2, and 3 in Block No.15, old map--new map Block 30--of the City of Dallas: Commencing on the North West of

Elm and Market Streets, running northerly with Market Street, on the East side, 200 feet to Pacific Avenue;thence Westerly with Pacific Avenue 100 feet; Thence southwardly on a line parallel with Market Street 100 feet; thence Eastwardly on a line parallel with Pacific Avenue 50 feet; thence southwardly on a line parallel with said Market Street, 100 feet to the North side of Elm Street; thence eastwardly 50 feet to the beginning; which deed is of record in Volume 47, page 495, Dallas County Deed Records. Consideration for said deed $3,000.00

Tenth: A. M. Horne to J. J. and W. P. Lavender, April 29th, 1880, the following described land, to-wit: Lying and being situated in Dallas County, State of Texas, on the waters of Ten Mile Creek, about 16 miles South 25 East from the town of Dallas; and meted and bounded as follows: Beginning at the South West corner of John Little's survey, a spanish oak bears North 5 East, 11 varas; another bears North 6 West, 11 varas; Thence South 30 East, 1344 varas a stake in timber, a spanish oak bears North 53 West, 11 varas; a walnut bears North 7 East, 6 varas; Thence North 66 East 1344 varas, another bears North 33 West 16 1/2 varas; thence North 30 West 1344 varas a stake; an elm bears North 39 East 20 1/2 varas; a hackberry bears North 86 1/2 West, 20 1/2 varas; thence South 60 West John Little's South,line, 1344 varas to the beginning. It being the same tract of land granted to Madison M. Miller, assignee of Elisha D. Little, which deed of record in Volume "49", page 305, Dallas County Deed Records. Consideration for said deed $1500.00 .

Eleventh: A. M. Horne to C. D. White, October 5th, 1883, the following described land, to-wit: Lying and being situated in the County of Dallas, State of Texas, and known and designated by the

following metes and bounds: 80 acres out of the John Johnston head-right survey, on the waters of Duck Creek; and beginning at the North East corner of said 640 acres survey; Thence South along the South East line of said survey 950 2/10 varas; Thence West 475 varas to a tract allotted to Mrs. W. S. Horne in the partition of Johnston's Estate; Thence North 950 2/10 varas to original North line of said survey; Thence East to the beginning, containing 80 acres, More or less; which deed is of record in Volume 59, page 504, Deed Record of Dallas County, Texas. Consideration for said deed $2,000.00 .

Twelfth: A. M. Horne to J. H. Bennett, June 17th, 1889, the following described land, to-wit: Lying and being situated in the City and County of Dallas, State of Texas, and being a part of Block 524 of Murphy & Kolanz Official Map of the City of Dallas; and fronting 176 feet on McKinney Avenue: Beginning at a bois d'arc stake, the North corner of R. D. Seay's lot, and the East corner of John Field's lot; Thence North 45° East, 140 feet to a stake; Thence North 42 West, 224 3/4 feet to a stake on the South East line of McKinney Avenue; Thence South 15 West, with said line 176 feet to the North East line of said Field's lot; Thence South 45 East with said Field's East line 141 feet to the beginning; which deed is of record in Volume 111, page 225, Deed Records of Dallas County, Texas. Consideration for said deed $4,000.00

STTATE OF TEXAS }
COUNTY OF DALLAS }

KNOW ALL MEN BY THESE PRESENTS, That We, A. M. Horne, as principal and Geo. C. Beeler and W. M. Moon, as security are bound unto A. Harwood, Clerk of the District Court of Dallas County, Texas and his successors in office in the sum of Twleve Thousand Dollars ($12,000.00) conditioned: That the said A. M. Horn will faithfully administer the community property of himself and his deceased wife, Elizabeth J. Horne and pay over one-half of the surplus of the same, after payment of the debts with which the whole is properly chargeable to such person or persons, as shall be entitled to receive it .

WITNESS Our Hands this 14th, day of July, A.D.1874.

(Signed) A. M. Horne
Geo. C. Beeler.
W. M. Moon.

Approved: 14th July,1874,

(Signed) A. Harwood, Clerk.

Inventory and Appraisement of the community property belonging to the Estate of A. M. Horne and his deceased wife, Elizabeth J. Horne, who departed this life intestate on the 16th day of June, A. D.1874.

REAL ESTATE

Homestead place in the City of Dallas, bought of Nat.M. Burford, consisting of about 5 acres out of the Grigsby League survey with the improvements all thereon.----------$5000.

Lots Nos.Ont (1), Two (2) and Eight (8) in Block No. 15 in the City of Dallas, Dallas County, Texas, with the im -provements thereon----------3000.

Nineteen acres of timber in Dallas County, Texas, bought of Thephilus Petty and out of the A.Hanna 640 acre sur - vey $10. per acre.----------190.

320 acres patented to W.M.Miller assignee of E.D.Little situated in Dallas County,Texas,on North Side of TenMile Creek, 4 miles S E fromLancaster,Bo't of N.R.Winneford, Sh'ff, $3.50 per acre----------7--- -- ----------1120.

North half of lot 8 in Block No.(1) One in the City of Dallas, Dallas County, Texas, and the store-house thereon---1500.

$10810.00

PERSONAL PROPERTY

Household and kitchen furniture----------$225.00

Two (2) horses---------- ----175.00
One (1) wagon and harness----------$75.
One (1) buggy and harness----------$40.
Two (2) cows at $10 each----------20.

DEBTS DUE

One note on B.F.Lacy dated Dec.26th,1873,with interest at 8 per sent. Bal. due at this date $ 150.00

One note on A.A.Young dated May 27th, 1873,due one day after date bearing interest at 12 per cent. per annum until paid, for 50.

Acc't on Rob't W. Johnson due June 15th, 1874, for 30.

Ag/personal property---$805.00

Total real and personal property $11,615.

(Signed): B. Miller,
H. P. Lantz, Appraisers.
S.S.Kingsberry,

State of Texas)
)
Dallas County.)
)

Personally appeared before me the undersigned authority A. M. Horne who being duly sworn deposes and says that the foregoing is a full inventory and description of all the real and personal property, books, papers, evidences of debt, and of all debts due ot to become due, belonging to the community estate of himself and his deceased wife, Elizabeth J. Horne, as far as he has been able to ascertain.

(Signed). A. M. HORNE.

Sworn to and Subscribed before me this 14th day of July, 1874.

(Signed) A. Harwood, Clerk.

The State of Texas)
)
Dallas County.)

Before me the undersigned authority personally appeared B. Miller, H. P. Lantz, and S.S. Kingsbery, appraisers, of the Community property of A. M. Horne and his deceased wife Elizabeth J. Horne , who being by me duly sworn depose and say that the foregoing is just and correct to the best of their knowledge and belief; and they are dis-interested parties and not of kin to said A. M. Horne, or his deceased wife, or any person interested in sadd estate.

(Signed). B. Miller,
H. Lantz.
S.S.Kingsbery.

Sworn to and subscribed before me, this 14th day of July, 1874.

(Signed) A. Harwood, Clerk.

"Exhibit "G"

Inventory and Appraisement of property--real and personal,

belonging to the Estate of A. M. Morne,--

625 x 205 feet, Lot 7, Blk. 623, Houston & Trinidad Streets, and 25 x 100 feet, Harwood - value	$15000.00
109 x 150 feet, Lot 2, Blk. 224, inside lot, and 20 x 200 feet on Trinidad - value	1000.
90 x 200 feet, Blk. [illegible], Harwood and Leath Strs. value	4000.
193 x 200 feet, Blk. 766, Jenkins and Adair Strs. value	6000.
1 Horse and buggy, value	60.
19 acres A. Hanna, value	100.

List of claims due and owing to the deceased:

NAME OF OBLIGATOR.	NATURE OF CLAIM.	AMOUNT.	DATE.	MATURITY
Worth Peak	Note	[illegible]	Oct. [illegible],1891.	Oct.5,93.
J. [illegible]	"	1000.	June.17,89	June 17,93.
F.M. [illegible] et.al	"	50.	July 5, [illegible]	Oct.3,89
F.T. [illegible]	"	21.	May 25,9[illegible]	June 27,91
C. [illegible]	"	1[illegible].	Jan.[illegible],8[illegible]	Oct.22,89
R.J. Wielsle	"	44.	Feb.1[illegible],8[illegible]	June [illegible]
J.M. Wie[illegible] and et al	"	[illegible]	Oct.1[illegible],8[illegible]	Nov.25,93.
J. Meyer & P.O. Conney	" "	1[illegible]0.	Feb.[illegible],9[illegible].	Feb.9,95.
J.M. Fishers et al	"	525.	Oct.17,86.	Feb.25,92
W. [illegible] Johnson et al	"	150.	Mar.12,8[illegible]	Mar.13,85.

(Last barred by limitations.

No. 1658

Estate of

A. M. Horn dec'd.

Deposition of Mrs. L. J. Earnest to Mrs. Clara Holmes's Application for an allowance for one year

FILED

OCT 14 1892

S. B. SCOTT, County Clerk,
By A. S. Jackson
Deputy.

CRAWFORD & CRAWFORD,
ATTORNEYS AT LAW,
255 MAIN STREET. DALLAS, TEXAS.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

ESTATE OF

#1658. A.M.HORNE, Dec'd. July 31-1899

I. Be it remembered that on this day came on to be heard the final report of H.H.Smith Administrator of the estate of the estate of A.M.Horne, deceased, and the petition for the partition and distribution of said estate among the heirs entitled thereto and for the final settlement of said estate, due notice therefor being had as required by law, and it appearing to the Court that Mrs.L.J.Ernest, Mrs.Clara Ramsey Horne, the surviving widow of A.M. Horne deceased, Anna Kelley and Arthur Moore White are the sole heirs at law of said decedent A.M.Horne.

And that the following agreed judgment has been rendered in the District Court of Dallas County, partitioning the estate of said A.M.Horne between said aforesaid heirs thereto and referred to this Court as the basis of partition of said estate, which judgment is as follows, to-wit:-

(Co.Clerk will here copy Exhibit "D" of Smith's final account filed June 6, 1893.)

It is therefore ordered and decreed by the probate court that the estate of A.M.Horne, deceased, be partitioned and distributed among the aforesaid heirs in accordance with the said judgment of the District Court of Dallas County; and that each of said heirs be and are hereby decreed the title and possession of the property awarded to them respectively by said judgment, and the title of the remaining heirs thereto be and the same is divested out of them, and invested in each party respectively in accordance with the partition and award decreed by the judgment of said District Court: and the Administrator is directed and ordered to deliver to each heir the property respectively partitioned to them, and pay the money respectively awarded to each of said heirs by said judgment.

And it is furthur ordered by the Court that after compliance with the terms of said partition decreed in said judgment that the Administrator, after the pay e t

istrator, after the payments of the debts of the estate and expense and cost of this administration, shall distribute and pay over to each of said named heirs the money of said estate remaining on hand share and share alike.

3. And it appearing from the report of said Administrator, filed herein June 6, 1893, and it being fully shown to the Court that said Administrator has collected money belonging to said estate in the sum of $4161.00, and that he has paid debts of said estate and expenses thereof in the sum of $1440.29, and that there is still due by said estate $57.00 to J.W. Simpson assessment for street paving along property of said estate and $319.41 as commissions to said Administrator not including commissions to accrue on the payment of said Simpson debt, and costs in case of Ernest vs Horne and costs in this proceeding, and that after the payment of the same together with the sum of $1019 ordered to be distributed among the heirs by the judgment of partition in said District Court, there will remain in the hands of said Administrator the sum of $1324.22 subject to distribution among the heirs of the estate, charged however with the payment of the costs in said case of Ernest vs Horne and of this proceeding and the commissions to accrue as aforesaid.

It is ordered by the Court that said Administrator's report be in all things approved, and that the same be placed of record, and that the payment of all debts and expenses therein be and the same are hereby approved, and said Administrator is ordered to pay off the debts and expenses shown in said report to be unpaid.

And it is furthur ordered that said Administrator forthwith distribute to said heirs of said estate said sum of $1324.22, after reserving therefrom a sufficient sum to pay off the debts costs and charges hereinafter recited and fully shown in said report.

4. And it is furthur ordered by the Court that upon compliance by the Administrator of said estate with the foregoing orders of the Court, and the filing of his report and vouchers showing the same that said Administrator and the sureties upon his bond be discharged from futhur and all liability to said estate, and that said estate be finally closed.

#I658. A.M.HORNE,Dec'd. Dallas County, Texas.

H.H.Smith,Administrator of the estate of A.M.Horne deceased,makes this his exhibit and report of the final settlement, partition and distribution of estate of A.M.Horne,deceased,and shows that all debts known to exist against said estate have been paid,and the money and property of said estate has been partitioned and distributed among the heirs thereof in accordance with the order of the Court,that no necessity exists for the furthur continuance of this administration and said Administrator presents this his account for the final settlement of said estate and his discharge as administrator and shows:-

I.That the property of said estate is fully shown by the inventory thereof on file here referred to as a part hereof.

2. That no sale or disposition of any property of said estate has been made,except as to notes and accounts collected fully shown in the Administrator's report filed June 6,I893,and referred to as part hereof.

3. That said Administrator has collected and received money of said estate in the sum of $4I6I.II ,and has paid out for debts and expenses of said estate including commissions due Administrator to date of last report June 6,I893,the sum of $I8I7.89 and has paid the remaining debts due by said estate as shown by said last report including the costs in the case of Ernest vs Horne in the sum of $I48.65 and of this administration to June I893 in the sum of $64.85 commissions thereon in the sum of $23.52 as fully shown by exhibit "A" hereto attached as a part hereof.

4. That out of the sum of $I324.22 remaining in the hands of the Administrator as shown by his last report,after the payment therefrom of the costs and commissions stated in §2 hereof and deducting probable costs of Court in closing said estate in accordance with the order of the Court in the sum of $25.oo there was left in cash for distribution among the heirs of said estate the sum of $1062.20 in addition to the$1019.00 ordered to be paid them in

accordance with the agreed judgment of the District Court and the order of this Court: and which money has been distributed among the heirs of the estate, and the property of the said estate delivered to them in accordance with the partition thereof and order of this Court. - exhibit "B" -hereto attached is referred to as a part hereof showing the payment and distribution of said money among said heirs and their receipts are herewith filed as vouchers there for.

5. That the heirs of said estate are Mrs. L.J.Ernest, Mrs. Clara Ramsey Horne, Arthur Moore White, who resides in Dallas County Texas and Anna Kelley, who resides in Colorado City, State of Colorado, that said named heirs are adults, except Arthur Moore White who is a minor, and Taylor White is the father of said minor, and resides in Dallas County Texas and has been appointed Guardian of his estate.

6. That no debts are due by said estate and no advancements have been made to said heirs, and the entire estate has been partitioned and delivered to said heirs in accordance with the orders of the Court

7. H.H. Smith Administrator prays that the said account and report of the final settlement and partition and distribution of said estate be in all things approved, and that he be discharged as such administrator and that he and the sureties on his bond as Administrator of said estate be relieved from all liability thereon and that said estate be finally closed as in duty bound will ever pray.

H. H. Smith

ADMINISTRATOR OF THE ESTATE OF

A.M.HORNE DEC'D

.....

I, H.H. Smith, administrator of the estate of A. M. Horne, deceased, on oath do solemnly swear, that the statements contained in the foregoing account for final settlement together with the exhibits thereto attached are true as therein stated.

H. H. Smith

Subscribed and sworn to before me this 10th day of August, 1893.

Evan Morgan

Notary Public in and for Dallas County Texas

EXHIBIT "A".

TOTAL MONEY COLLECTED	$4161.11
DEBTS PAID AS PER LAST REPORT PAID AND DUE	$1817.89
COURT COSTS CASE OF ERNEST VS HORNE	$ 148.65
COURT COSTS IN ADMINISTRATION TO Jan. '93	$ 64.85
ADMNR'S COM. ON SAME	$ 10.67
" " " " PAYMENT OF SIMPSON CLAIM FOR $57.19	$ 2.85
ADMNR'S COMMISSION ON FEE OF $200 PAID F.D.COSBY GUARDIAN ADLITEM FOR A.M.WHITE AS COSTS IN CASE ERNEST VS HORNE PAID OUT OF MINORS SHARE OF ESTATE	$ 10.00
RESERVED FOR PROBABLE COSTS OF ADMINISTRATION	$ 25.00
	$2079.91

	$4161.11
	$2079.91
	$2081.20

EXHIBIT "E".

TO CASH UNDER DECREE OF DISTRICT COURT APPROVED BY PROBATE COURT TO BE DISTRIBUTED AMONG THE HEIRS	$1019.oo
TO CASH REMAINING ON HAND FOR DISTRIBUTION AFTER PAYMENTS OF DEBTS	$ 1062.20
	$ 2081.20
CASH PAID MRS.L.J.ERNEST	$765.55
" " " " CLARA RAMSEY HORNE	$455.55
" " " " ANNIE KELLEY	$ 402.05
" " " " TAYLOR WHITE GUARDIAN OF ARTHUR MOORE WHITE	$ 258.05
CASH PAID F.D.COSBY GUARDIAN ADLITEM OF A.M.WHITE,OUT OF DISTRIBUTION SHARE OF SAID ESTATE	$200.oo
	$2081.20
	$2081.20
	$2081.20
	$00000000000

1658

Estate of
Ann Horne
Deceased

Account of H H
Smith, admr
for final Settlement

FILED
AUG 10 1893
L. H. HUGHES, County Clerk,
By C. R. Lawrence DEPUTY.

{Recorded}

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

THE STATE OF TEXAS) In the Matter of the Estate of A.M.Horne.
COUNTY OF DALLAS)

To the Honorable Dallas County Court, sitting in matters of Probate:

Now comes, Mrs. L. J. Earnest, and files her resisistance to the application of Mrs. Clara O. Horne, for an allowance for her support for one year from January 31st, 1892, and for an order for the sale of real estate to raise such allowance; and for cause Mrs.L.J.Earnest, says, that the inventory and appraisement of porperty filed in this Court June 7th, 1892, is not an inventory and appraisement of property belonging to A. M. Horne, but that the said property so inventoried and appraised, consists of a portion of the community estate of A.M.Horne and Elizabeth J.Horne, the first wife of the said A.M.Horne, which Community estate was being administered by the said A. M. Horne, under the Community Act, at the date of his death, January 31st, 1892.

And this respondent shows that the said A. M. Horne, as administrator of the community estate, a large amount of real and personal property came into his hands; and that in his life-time, he had disposed of, sold and conveyed away more than one-half of said community estate; and had failed to account to your respondent, or any of the other heirs of Elizabeth J. Horne, for their interest in said community estate; and that all of the property in the inventory filed by Henry H. Smith, administrator, was a part of said original community estate, exceptlot 192 by 200 feet, Block 786, corner of Junios and Adair Streets in East Dallas; and that as to this lot, it was acquired by the said A.M.Horne, after the death of Elizabeth J.Horne, but by and out of the proceeds of the sale of said community estate; and that the same in equity and good conscience belongs to the community estate of A.M.Horne and Eliza-

beth J.Horne;

That all of the notes on the said inventory are the proceeds of the sale of portions of the community estate of A.M. Horne and Elizabeth J. Horne; and that they will not be sufficient to answer to your respondent and the other heirs for their interest in said community estate.

Your respondent further shows that prior to the death of A.M. Horne, she had instituted suit against him to recover the said community estate in his hands; that said suit was institued in the District Court of Dallas County; and that the said A. M. Horne was enjoined and restrained, by an order of said court, from selling or in any otherwise disposing of any portion of said community estate, or of any portion of the property inventoried by the said H. H. Smith; that said injunction was in full force, according to the stipulations, at the date of the death of said A. M. Horne; that the same has never been modified, revoked, or set aside; and that the same is still in full force against the said H. H. Smith, as administrator; and that the said H. H. Smith is now a party defendant to said suit.

And further, this respondent, says, that the said A. M. Horne, in truth and in fact did not own any estate at the date of his death; and that the legal rights and equities of this respondent are superior to the claims of the said Clara O. Horne, in respect to said estate; that the the amount of one thousand dollars is largely in excess of any claim in justice that the said Clara O. Horne could make for her support.

Respondent further shows that the said Clara O.Horne, is now occupying the piece of property upon the inventory known as the property on Masten and Trinidad Streets, of the appraised value of

Fifteen Thousand Dollars; that the rental value of the house and premises occupied and used by said Clara O.Horne, is of about the value of Fifty Dollars per month; that she is in the possession and use of a horse and buggy on said inventory of the value of one hundred dollars; and of all the household and kitchen furniture in said house;

That the said property on the corner of Masten and Trinidad Streets was not the property of A. M. Horne, but was the property of the heirs of Mrs. Elizabeth J. Horne, deceased, who was the first wife of A. M. Horne; that your respondent is the daughter of Elizabeth J. Horne, and A.M.Horne;

Your respondent further shows that there is a large garden, orchard and vineyard attached to said property, which yields a large sum of money, the amount of which is unknown to your respondent but which is more than sufficient,-if the said Clara O.Horne is entitled to said estate, which respondent denies,--to support and maintain the said Clara O.Horne.

And this respondent refers to the community inventory and appraisement of said A.M.Horne on file in this Honorable Court, and makes the same a part of her resistance to said application; She also refers to the suit of L. J. Earnest vs A. M. Horne in the District Court of Dallas County, Texas , which is made a part hereof . Your petitioner prays that on the trial of this application she have a restraining order and injunction against the said A.M.Horne, his agents, attorneys and servants.

Premises considered you respondent prays that the said application by not tried in this court,at the present, but that the same be suspended and held in abeyance until the trial of the case in the District Court, and in which suit the question of title to

the property in said inventory and appraisement will be heard and settled, and in which the said H. H. Smith is a party defendant; but if the court shall refuse to suspend the trial of this case pending the litigation over the title to the property, then this respondent, denies all and singular the allegations in the application of Clara O. Horne; and prays that the court hear proof; and that upon trial that it deny the application of the said Clara O. Horne.

Respondent further shows Arthur Moore White, a minor, is one of the heirs of Elizabeth J.Horne, deceased and A. M. Horne; and that he is a proper and necessary party to this suit.

Respondent prays for all such relief as she may be entitled to receive etc.

Crawford Crawford

Attorneys for Mrs.L.J.Earnest.

No.

ESTATE OF

v.

A. M. HORNE, DECEASED.

Mrs. L. J. Earnest's resistance to Clara O. Horne's application for a years allowance.

Filed Aug 12. 1892
H B Scott Clerk
By T J Lewis Dy.

CRAWFORD & CRAWFORD,
ATTORNEYS AT LAW,
255 MAIN STREET, - DALLAS, TEXAS.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Estate of

#1658. A. M. Horn

Deceased.

In the County Court

Of Dallas County, Texas.

Nov. 18th

Be it remembered that on this day came on to be heard the account of H. H. Smith administrator of the estate of A. M. Horn deceased for the final settlement of the estate and the discharge of the administrator and the closing of said estate, and the objections of J. A. Crowdus thereto; and it appearing to the Court that due notice of said final account had been given as required by law and said final account being heard and fully understood by the Court together with the objections of J. A. Crowdus thereto, and it appearing to the Court that the claim of said J. A. Crowdus in the sum of $100.00 has been fully paid off and discharged, and that the account of the administrator is in all things correct, and that the property of said estate has been fully partitioned and delivered to the heirs of said estate in accordance with the judgment and decree of this Court, and that the money of said estate in the sum of $4161.11 has been partitioned and distributed among said heirs and in payment of the indebtedness and expense of said estate as shown by said report. The said report is in all things approved and said administrator awarded the commissions in his said final account claimed and it fully appearing that there are no further debts due to or by the said estate and no further ~~bonds~~ property or money belonging to said estate in the hands of said administrator, it is ordered, adjudged and agreed by the Court that said administrator's account and report of final settlement, partition and distribution of said estate be and the same is hereby in all things approved, and said H. H. Smith, such administrator of said estate, be discharged, and said estate be and is hereby ordered finally closed, and that said administrator and the sureties on his bond as such be and the same are hereby released and discharged from liability thereon. That such bond be and the same is hereby cancelled and annulled and that said estate be and the same is hereby finally settled and closed.

S. E. Thornley
County Judge

STATE OF TEXAS. } Dallas County Court,
}
COUNTY OF DALLAS. } May Term, 1892.

-IN THE MATTER OF THE ESTATE OF A.M.HORN,DECEASED-

To the Honorable Dallas County Court, sitting in probate:

Your petitioner, Clara O. Horn, respectfully shows to the Court that she is a resident of Dallas County, Texas, and that prior to January 31st, 1892, she was the wife of A. M. Horn of said County; that on January 31st, 1892, the said A. M. Horn leaving an estate of the value of fifty thousand dollars or more departed this life, in said County; that thereafter, to wit: on the ..... day of May, 1892, your petitioner, by written renunciation, filed in this Court, renounced her legal right to letters of administration on the estate of her said deceased husband, and that on the ..... day of May, 1892, to wit: at the last term of this Court, Henry H. Smith was, by this Court, duly appointed administrator of the estate of the said A. M. Horn, deceased.

Your petitioner further states that at the death of the said A. M. Horn, she had no separate property or estate of her own, adequate to her maintenance and support, nor has she now any separate property or estate whatever for her maintenance and support.

The premises considered, your petitioner prays that this honorable Court now fix the amount of an allowance for her support for one year, beginning at the date of her said husband's death, to wit: January 31st, 1892, and she prays that such allowance

be fixed with regard to the facts existing during the first year after the death of her said husband, and sufficient to maintain and support her in the style corresponding with the mode of life of herself and deceased husband, prior to his death; and she says that an allowance of one thousand dollars for that purpose would be reasonable and proper, considering the estate left by her said husband, and the style of living at and before his death, and that when such allowance has been fixed, that an order be entered upon the minutes of this Court, stating the amount thereof, and directing the said administrator to pay the same to your petitioner, in accordance with the law.

Petitioner further says that her said husband, at the time of his death left no minor children.

And she further prays that in case there be no funds, or not sufficient funds in the hands of said administrator to pay such allowance, or the whole amount thereof, then and in that event she prays for the Court to make all necessary and proper orders, ordering and directing said Henry H. Smith, as administrator, to sell, for cash, so much of the estate of said A. M. Horn as will be sufficient to raise the amount of such allowance; and that she have such other and further relief as she may be entitled to at law and equity.

Clara O. Horn, By Leake Sherrod Smith
Her atty

-IN THE MATTER OF THE

ESTATE OF A. M. HORN, Deceased

Widows application for
Year's allowance

- ~~ORDER~~ -

Filed June 18. 1892
J B Scott Clerk
By J. F. Lewis Dr.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Estate of
A. H. Horne

In County Court
Dallas County

Now comes H. H. Smith and answering the contest by J. A. Crowders to the approval of admrs final account, and the closing of said administration, and excepts to the sufficiency of the allegations thereof and as grounds therefor shows
1- That it does not appear therefrom that there is any liability of said estate to said Crowders, and the liability if any is to J. D. Casby as shown by the record.
2- That it does not appear from said contest how the said Crowders is entitled thereto, and it further appears therefrom that the order of the court directs the payment thereof to J. D. Casby, and no proceeding has been brought to amend or set aside said order. Wherefore said Crowders is entitled to make no contest, and has no cause of action in this proceeding.
Wherefore admr prays that his ~~said~~ exceptions be sustained.

H. H. Smith
by J. C. Muse his atty

1 And for answer said administrator shews the facts to be, that in pursuance with the order of the Court in that behalf said administrator settled with said T. D. Casby, attys fee allowed by the District Court and the Court in the sum of $200 cts and took the receipt of the said Casby therefor which is on file as a voucher herein.

2 That by some agreement between said Casby and one Taylor White said fee of $200 was to be divided between them $100 cts to each, of which fact your administrator was advised, and one half of said fee was to be paid to Taylor White and the other half to said Casby, which fact was made known to administrator subsequent to the allowance thereof by the Court.

3. That Taylor White was and is largely indebted personally to H. H. Smith this admr. and at the suggestion of said Casby said money was to be retained by said Smith as a credit upon the obligations of said Taylor White, and the creditors of the said Smith therefor, and the said Smith informed the said Casby that he would not accept any order for the interest of the said White in said fee, and would not pay the same ~~[illegible]~~ ~~[illegible]~~ ~~[illegible]~~ would not

That the said Cosby with full knowledge that the same would not be accepted and would not be paid executed an order to said Taylor White on H. H Smith this administrator for $100.00 of said fee, and which sum was then and there for the property of said White by said alleged agreement between him and said Cosby, and payment thereof to said White subject to be offset by his liabilities and obligations to said Smith. That said White as this admr is informed and believes that said order was by said White transferred to said Crowders in payment or as a credit upon an indebtedness due by said White to said Crowders, which said indebtedness was as he is informed secured by endorsement of Hon J H Head or that said order is held by said Crowders as collateral security therefor. That said Smith has never accepted said order and is not liable thereon, that said Taylor White agreed with said Smith that said $100.00 so coming to him should be retained by said Smith as a credit and indemnity to the said Smith on the indebtedness of the said White to him.

That ~~said~~ the apparent ownership to said $100 was in said Cosby, but the real ownership thereof was in said White

~~assignment aforesaid without authority~~

ownership thereof was

by virtue of the agreement aforesaid
and the said Cosby was without authority
to give said order, and if he had such
authority, the same was non negotiable
and the said Crowder took the same
with notice and charged with notice
of all the facts hereinbefore alleged
and that the said Smith was not
liable therefor upon said order or
otherwise - That the said Cosby
in pursuance of the foregoing, and
the agreement of said White accepted
said Smith for said $200 as alleged
and $100.00 was paid to him and the
remaining $100 was retained by said
Smith upon the agreement of said White
and suggestions of said Cosby aforesaid.
4. That the said claim of Crowder
constitutes no claim against said
estate or against this administrator
That if said Crowder has any claim
the same is against said White -
and if any cause of action against
said Smith, the same is as an
individual and not as administrator
of said Estate, and his remedy is by
suit and not by this contest -
5. Therefore admr prays that said contest
be dismissed, his account approved
and said Estate closed - and
Evar pray

J. C. Muse
for admr H. H. Smith

Estate of

A M Horne

deceased

Answer of admr

to Contest of

J t Crowder

FILED Sept 16 1893

L. H. HUGHES, Clerk County Court

By A J Jackson

DEPUTY

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Dallas Texas July 3-1893

A. M. Home
Dr. to J.W. Simpson

To paving 125.8 Sq yds. @ 42 cts per yd $52.84
6" Curbing 4.35
$57.19

The State of Texas
County of Dallas }

Before me L. H. Hughes Co Clerk of the County of Dallas on this day personally appeared Geo. C. Cole, who, after being by me duly sworn, stated on oath that he is the agent of J.W. Simpson and that the above and foregoing account in favor of said J.W. Simpson and against A.M. Home and aggregating the amount of Fifty Seven dollars and 19 cents is within the knowledge of the affiant, just and true, that it is due and that all just and lawful offsets, payments and credits have been allowed

Geo. C. Cole

Subscribed and sworn to before me this 3rd day of July 1893

L. H. Hughes Co Clerk
By A. L. Elliott Deputy

R. W. HAVENS
CITY ENGINEER
CITY OF DALLAS

Dallas, Texas, _____ 189_

Statement showing assessment against property of A. M. Horne for MacAdamizing Harwood Street.

Paving 1205.8 Sq yds at 45¢ per yd = $52.81
Curbing 4.35
$57.19

I hereby certify that the above is correct.
R. W. Havens
City Engr.

Dallas Texas June 2nd 1893.

1658

Estate of
A. M. Horn Decd
H. H. Smith Admr

FILED July 3 1893
L. H. HUGHES, Clerk County Court
By A. S. Jackson DEPUTY

Approved and ordered paid in due course of administration as 4th class claim this 15 day of July 1893
T. J. Nash
County Judge.
367

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

LAW OFFICE OF

E. H. BASSETT
R. G. SEAY.

The State of Texas,

County of Dallas.

To the Hon. the ~~District~~ County Court of Dallas County:

H. H. Smith, a resident of the county of Dallas aforesaid respectfully makes application for letters of administration upon the estate of A. M. Horne dec'd. and as grounds of his application he says:-

1. That said A. M. Horne, died in the city of Dallas in said county interstate about the 27th. day of January 1892.

2. That the said decedent was a resident of said county of Dallas prior to and at his death, and this court has therefore jurisdiction of his estate.

3. That the estate of said decedent consists of real estate improved and undimproved in the city and county of Dallas, some notes and accounts and a small amount of personal property, the whole exclusive of exemptions, being of the probable value of twenty thousand dollars.

4. That a necessity for administration exists for the collection of rents and other moneys due the decedent and for the payment of debts due by him and for the prosecution and defense of suits to which he was a party at and prior to his death.

5. That your petitioner is not disqualified by law to act as such administrator, and the surviving wife of the decedent has renounced her right to the administration in favor of your petitioner.

Wherefore he prays that the proper notices be given and that upon the hearing he be appointed administrator of said estate and for such further orders as may be necessary and proper, and as in duty bound he will ever pray &c.

H. H. Smith,
By Bassett, Seay & Hudson
his attorneys.

Co. Ct.

Estate of
Ed. M. Horne decd.

Application of H. H. Smith
for Letters of Administration

Filed Mar. 25. 1892
W. B. Scott Clerk
By T. T. Lewis D.

Barrett, Sears & Muse, Attys.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

The State of Texas,

County of Dallas.

This memorandum witnesseth that I, Clara Horne, surviving wife of the A. M. Horne dec'd., do hereby renounce my right to the administration of his estate in favor of H. H. Smith a resident of Dallas county.

Witness my hand, this 25th. day of March 1892.

Clara Horne

Before me, the undersigned notary public within and for Dallas county Texas, personally came this day Mrs. Clara Horne, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed. Witness my hand, and seal of office, this 12th day of April, 1892.

~~Clara Horne~~ W. E. Hadkins
Notary Public
Dallas Co.
Texas.

Estate of
A. M. Horne deceased

Surviving Wife's Renunciation
of Right to administration
in favor of H. H. Smith.

Filed May 2nd 1892
J. B. Scott Co Clk
By T. S. Jucilom Dy

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Estate of
Will Horn
Deceased

In District Court
Dallas County

Now comes H. H. Smith admr of said estate and moves the court to require J. A. Gowans suing the payment of certain money to him out of said estate as assigned by him, to give security for costs or write over pray—

H. H. Smith admr
by J. C. Muse
of Counsel

Estate of

Aill Horne

Rule to require J A Crowder to give security for costs —

FILED Sept 16 189 2

L. H. [illegible], Clerk County Court,

By A D Jackson DEPUTY

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

In the matter of the estate of A.M. Horne decd. No 1658
H. H. Smith Admr

In County Court Dallas County sitting in Probate

Now comes J.A. Crowder and objects to the account for final settlement filed herein by said Admr, and says that he is the owner of one half the claim of $200.00 allowed and ordered paid to F.D. Leahy as attorney for the minor Arthur Moore White by the District Court of the 44th Dist Texas on May 29, 1893 in the case of Mary L.J. Garnett vs A.M. Horne stat No 7452, that the same was transferred and assigned to him for value and has never been paid to him. Said Crowder states that said Admr in said account reports to this Hon Court it as one of the claims as paid off by him and for which he asks credit in said account the said sum of $200.00 so allowed to F.D. Leahy but this complainant alleges that in truth and in fact ~~the~~ the one hundred dollars of said allowance which this complainant now owns and which belongs to him has never been paid by said Admr. and he refuses to pay the same. Wherefore this complainant objects to said account of said Admr and asks for an order on said Admr requiring him to pay the same he having the money with which to pay it and that the Court require him to settle said account and complainant asks for all necessary orders in the premises

Jeffrord atty
for complainant

J.A. Crowder

Sworn to and subscribed before me by J.A. Crowders this 23d day of Sept. 1893
L.H. Hughes Clerk Co Court
By A.S. Jackson Deputy

No 1658
In the matter of the
Estate of A. M.
Horne decd
N. H. Smith Admr

Objections of J. A.
Lenoden to the ac-
count for final set-
tlement by said Admr

FILED
AUG 17 1893
L. H. HUGHES, County Clerk.
By W B Rawlins DEPUTY.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

Administrators Notice

The State of Texas.

To all Persons Interested in the Administration of the Estate of A. M. Hoard, Deceased.

M. H. Smith, Administrator, has filed, in the County Court of Dallas County, his final Account for the settlement and closing of said Estate and showing the condition of said Estate, and the partition and distribution thereof, which will be heard at the next term of said Court, commencing on the first Monday in Sept. A.D. 1893, at the Court House in the City of Dallas, at which time all persons interested in said Estate may appear and contest said Account if they see proper.

And the Sheriff of Dallas County is hereby commanded to make publication of this Citation in some Newspaper published in the County of Dallas, for at least twenty days previous to the return day hereof.

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 10th day of August, A.D. 1893.

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

By A. B. Rawlins Deputy.

No. 1658. 56

Came to hand this the 10th day of August 1893 and executed by causing citation to be published in the Dallas Daily Times a newspaper published in the city of Dallas for four consecutive weeks prior to the 1st Monday in September A.D. 1893 to wit August 10th, 17th, 24th & 31st 1893.

Also by posting a true copy of this citation at the court house door of Dallas County Texas on the first day of said month.

Ben Cabell Sheriff
By H. Corson Deputy

Estate of
A. M. Horn
Dec'd.

Notice of Filing
Annual Account.

Issued this 10th day of Aug.
1893.
L. H. Hughes Co. Clk.
By A. B. Rawlins
Deputy.

Publish 4 times
once each week in
Daily.

Sheriff Fees 1.10

Administrator's Notice

THE STATE OF TEXAS.

To all persons interested in the Administration of the Estate of A. M. Horn, Deceased.

H. J. Smith, Administrator, has filed in the county court of Dallas county, his final account for the settlement and closing of said estate and showing the condition of said estate, and the partition and distribution thereof, which will be heard at the next term of said court, commencing on the first Monday in September, A. D. 1893, at the court house in the city of Dallas, at which time all persons interested in said estate may appear and contest said account if they see proper.

And the Sheriff of Dallas county is hereby commanded to make publication of this Citation in some newspaper published in the county of Dallas, for at least twenty days previous to the return day thereof.

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 10th day of August, A. D. 1893.

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

By A. B. RAWLINS, Deputy.

NOTICE OF FILING ANNUAL ACCOUNT—[ADMINISTRATOR.]

THE STATE OF TEXAS,

To all Persons Interested in the Administration of the Estate of A. M. Horn Deceased.

H. H. Smith *Administrator, has filed, in the County Court of Dallas County his Final Account showing the condition of said Estate, and praying to be finally discharged from his Trust. which said account for final settlement will be heard at the next term of said Court, commencing on the First Monday in July A. D. 1893, at the Court House in the City of Dallas, at which time all persons interested in said Estate ~~may~~ shall appear and contest said Account if they see proper.*

WITNESS, ~~S. D. SCOTT~~ 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 6th day of June A. D. 1893*

L. H. HUGHES, ~~S. D. SCOTT~~,
County Clerk Dallas County, Texas.

By A. S. Jackson *Deputy.*

Fee #1.00 By H Carson Dy

State of Texas }
County of Dallas } I, Joe T. Green Editor & Publisher of the "Lancaster Herald" a weekly news paper published in Lancaster Dallas Co. Texas do hereby certify that the following notice was published for 20 days from June 9- 1893.

PROBATE NOTICE.

THE STATE OF TEXAS, }
COUNTY OF DALLAS. }

In the County Court, to the July term, 1893; the State of Texas, to the Sheriff or any Constable of Dallas County—greeting.

You are hereby commanded to cause to be published for twenty days previous to the return day hereof in some newspaper published in your county the following notice:

The State of Texas: To all persons interested in the administration of the estate of A. M. Horn, deceased: H. H. Smith, administrator, has filed in the county court of Dallas county, his final account showing the condition of said estate, and praying to be finally discharged from his trust, which said account for final settlement will be heard at the next term of said court, commencing on the first Monday in July, A. D. 1893, 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, Tex. { L. S. } as. Given under my hand and the seal of said Court, at office in the city of Dallas, this 6th day of June, A. D. 1893.

L. H. HUGHES, Clerk,
County Court, Dallas Co., Tex.
J. S. JACKSON, Deputy.

Joe T. Green

Sworn to and subscribed before me this 26th day of June AD 1893
A. S. Taylor N.P.
Dallas Co. Tex.

56

No. 1658

COUNTY COURT.

ESTATE OF

A. M. Horn

Deceased.

Notice of Filing Annual Account.

Issued this 6th day of June 1893

G. H. Hughes, COUNTY CLERK.

By A S Jackson Deputy.

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

Publish for at least 20 days

Came to hand June 6th 1893 and executed by causing same to be published in the Texas Farmer a weekly newspaper published in the County of Dallas for twenty days prior to Wednesday the 21st day of June A.D. 1893 the time set for the hearing of the annual account of the administrator of the estate of A. M. Horn, deceased, as shown by the affidavit of the publisher on file in this office.

Fees $1.10

Geo. H. Carroll Sheriff

By H. Carroll Deputy

LAW OFFICE OF
BASSETT, SEAY & MUSE,
325 MAIN STREET,
DALLAS, TEXAS.

G. H. BASSETT
R. B. SEAY
J. C. MUSE

Estate of
A. M. Horne dec'd March 17-1893

Be it remembered that on this day came on to be heard the application in writing of H. H. Smith administrator of the estate of AM Horne deceased for authority to settle and compromise with S. Meyer and W O Connor in the collection of their note executed by them on February 9-1884 (1887) to AM Horne for the sum of $1300.00 with interest at ten per cent from date until paid - said note reserving the vendors lien on the lot or parcel of land situated in the City and County of Dallas Texas conveyed by said AM Horne to said Meyer and Connor on February 9-1884 (1887)
Said note containing the following stipulation, to wit: "It is also agreed that the amount required to settle the Ingsby Claim is hereby retained until said Claim is settled -
~~And it appearing to the Court that the makers of said note offer and agree to compromise said note by a settlement of the Ingsby claim upon said lot by a payment of $800 in settlement and satisfaction thereof, and it appe~~
And the makers having offered to pay the sum of Seventeen hundred and thirty four Dollars ($1734.00) as a payment in full of said note, they settling the

Smith claim so that the estate of said A. M. Horne will receive this amount clear. And it appearing to the Court that this agreement is advantageous to the estate, it is ordered adjudged and decreed by the Court that H. H. Smith the Administrator of said estate is fully authorized and empowered to accept said sum of Seventeen hundred and thirty four dollars ($1734.00) payment in full of ~~bill and~~ said debt and interest, and turn over said note to the makers thereof.

T. J. Nash
County Judge

Hon S. D. Hooper
This is the document mentioned in the letter
Memorial Court House
Stephenville Texas

H. H. SMITH ADM'R.,

of estate of A. M. HORNE deceased.

Dr. To

BASSETT, SEAY & MUSE.

To attorneys' fee in taking out letters of administration, and legal services rendered in the appointment and qualification of H. H. Smith as administrator of said estate. ---------- $100.00

To attorneys' fee for services in compromise and collection of Connor & Meyers' note in the sum of $1,734.00, and order of court relating thereto. ---------- 88.70

To attorneys' fee application and order from court authorizing administrator to repair buildings. ---------- 5.00

To attorneys' fee, advice sundry matters affecting the interest of the estate. ---------- 50.00

To attorneys' fee, final account and legal services in closing estate ---------- 100.00

$341.70

Received payment in full from H. H. Smith admr of the estate of A. M. Horne deceased.
June 2/93 - Bassett Seay & Muse

LAW OFFICE OF
BASSETT, SEAY & MUSE,
325 MAIN STREET,
DALLAS, TEXAS.

W. H. BASSETT,
R. B. SEAY,
J. C. MUSE.

Estate of A. M. Horne dec'd
To Seay Cosby & Lauderdale Dr
To attys fee for representing A. M.
Horne dec'd in the case of L. J. Ernutes vs
A. M. Horne et als in 44th judicial dist. $100.00

Cr. by cash paid by A. M. Horne $250.00
" " " " H. H. Smith Adm. $250.00
$500.00
Total credits $500.00
Bal due.

The State of Texas }
Dallas County }

Before the undersigned authority personally appeared Robt B. Seay who being by me duly sworn says upon oath that the above claim is just, and that all legal off-sets payments and credits known to ~~claim~~ affiant have been allowed. Affiant further says that he was a member of the firm of Seay Cosby & Lauderdale and by an arrangement with his co-partners, the balance now due on said above account is the individual property of affiant.

Robt B. Seay

Sworn to & subscribed before me this the 22nd day of May A.D. 1893.

J. J. Elfon Notary Public
Dallas County Texas

To H. H. Smith Adm. of A. M. Horne dec'd.
I will accept one half of the above $250.00 in full of the said claim if you will allow and pay the same to me.

Respectfully
Robt B. Seay

Voucher No 13

Estate of A. M. Horne

No 1658 Decd.

H. H. Smith Admr

Filed May 23rd 1893

F. T. Hughes Colect

Approved and ordered paid in due course of administration as 2nd class claim this 2nd day of June 1893

J. T. Nash
County Judge.

June 3, 1893.
Recd of He. He. Smith Admr Two Hundred & fifty dollars ($250.00) in full of the within claim.

Robt B. Seay

I think this claim reasonable

A. T. Harris

M. L. Crutchfield

Sunshine Lodge

W. P. Clark

Filed with the exercises and allowed in the sum of Two Hundred and fifty Dollars. This the 23d day of May A.D. 1893.

H. H. Smith
Administrator of the Estate of A. M. Horne

Discharged.

No. 15—BILL OF COSTS.—A. H. DORSEY & CO., STATIONERS, PRINTERS AND BINDERS, DALLAS, TEX.

Article 1420 (A) reads: It shall be lawful for Clerks of the District and County Courts, and Justices of the Peace to demand payment of all costs due in each and every case pending in their respective Courts, up to the adjournment of each Term of said Courts.

Mrs L. J. Earnest
VS. Plaintiff.
No. 7452.
A. M. Horne et al
Defendant.

BILL OF COSTS.

M

To OFFICERS OF COURT, Dr.

To Costs accrued in above entitled cause, to adjournment of ..... Term, 189.....

To Filing & Docketing		35
" Fees & Jury		1 50
" " & Notices		3 75
" " & Jury Out & Cand to A. M. Horne		7 50
" Appr Jury Bond		1 50
" Notary Fees Taking Dep of Horne		9 00
" Fees Cl Cts		3 75
" " & Copy Pet & Amended Pet		11 00
" Cons & take Dep. Horne		75
" Ent 1 Order		75
" Fees Rec & Mspln Out.		3 00
" Shff Srd Rec		1 10
" Fees Cand & Cities Crosses & Direct		4 00
" Fees Stng Stenographer & Porter & Cases 1960 words		39 20
" Shff Cost		8 80
" Filing 54 Papers		8 10
" Ent 6 Cards		1 20
" 1 Opn		15
" Fees 3 Cits		2 25
" Shff Srd Subp.		70
" Fees & Notices		1 50
" Fees & Subp & 4 Cities		1 10
" Shff Srd Same		2 40
" Fees 1 Notice		25
Amt Fees		$124 10

THE STATE OF TEXAS,
Dallas County.

IN DISTRICT COURT.

I, J. H. STEWART, Clerk of the District Court in and for said County and State, hereby certify the above to be a correct copy of the Bill of Costs in above entitled and numbered Suit, up to this date.

WITNESS my hand and the seal of said Court, at office in the City of Dallas, this.....day of.....189.....

J. H. STEWART,
Clerk District Court, Dallas County.

By.....Deputy.

No. 15—BILL OF COSTS.—JAS. S. DORSEY & CO., STATIONERS, PRINTERS AND BINDERS, DALLAS, TEX.

☞ Article 1420 (A) reads: It shall be lawful for Clerks of the District and County Courts, and ... to demand payment of all costs due in each and every case pending in their respective Courts, up to the adjournment of each Term of said Courts.

_____ VS. _____ Plaintiff.

No. _____

_____ Defendant.

BILL OF COSTS.

M _____

To OFFICERS OF COURT, Dr.

To Costs accrued in above entitled cause, to adjournment of _____ Term, 189..

To Clerk Bill Fees	11	10
" Sheriff Levies and Etc	6	40
" Cost	4	90
" Entr Motion to set aside Judgment		75
" Report of Commissioners	5	00
" Making M & P	2	00
" Entr Judgment	6	00
" Copy Judgment to Commissioners	6	00
" 54 Writs		75
" 10 Continuances	2	00
" 3 Writs of Possession	3	00
" Sheriff Cases		70
" Taxing Cost		25
	$15	85
C R Gillespie Court	12	00
J M Stephens	12	00
J Crowdus	12	00
	$187	85
Less by Amt Rec SS Long	39	20
Rec of N. H. Smith Admr	$148	65

Rec $148.65 6/13/1893
J H Stewart Dist Clk
By A H Lane

THE STATE OF TEXAS, Dallas County. } **IN DISTRICT COURT.**

I, J. H. STEWART, Clerk of the District Court in and for said County and State, hereby certify the above to be a correct copy of the Bill of Costs in above entitled and numbered Suit, up to this date.

WITNESS my hand and the seal of said Court, at office in the City of Dallas, this 8 day of June 189 3

J. H. STEWART,
Clerk District Court, Dallas County.

By _____ Deputy.

Wm. Smith Admr

No. 7452

IN DISTRICT COURT,
DALLAS COUNTY.

BILL OF COSTS.

Of ..... Term, 189....

Mrs L. J. Garrett,

vs.

W. M. Harris et al.

Received ..... 189....

Returned ..... 189....

Satisfied in full.

.....

Sheriff ..... County.

JAS. A. DURRETT & CO., STATIONERS, PRINTERS AND BIND'RS, DALLAS, TEX.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

PROBATE FEE BILL

Estate of A. M. Horne, Dec'd

CLERK'S FEES.

Filing and Docketing Applications	15
Issuing Notices and three extra Copies	75
Entering Order of Appointment	50
Taking, Filing and Docketing Bond, with oath	1 25
Entering Order Approving Bond	50
Final Record of above	2 50
Issuing Letters	50
Entering Order Appointing Appraisers	50
Final Record of Inventory	1 10
Filing and Docketing Inventory	15
Taking 3 Affidavits to Inventory	75
Entering Order Approving Inventory	50
Taxing Costs and Copy	25
Filing and Docketing 4 Application ~~for Sale~~	60
Entering Order ~~Granting Sale~~ authorizing Repairs	50
" " " settlement note	50
Filing and Docketing Report of Sale	
Taking Affidavit of Sale	
Entering Order ~~Confirming Sale~~ Approving 6 Claims	1 50
Filing and Docketing ~~Final~~ Account	15
Taking Affidavit, 15 cents; Issuing Notice, 75 cents	90
Entering Order Approving, 50 cents; Recording 9.50	10 00
	$ 23 45

JUDGE'S FEES

Making ~~Appointment~~	50
Approving Bond	50
Appointing Appraiser	50
~~Probating Will~~ Approving Inventory	50
Granting Sale ..... Confirming Sale	
Approving ~~Final~~ Account	50
One-half per cent. com'n on $4161.11	20 80
Approving 6 Claims	3 00
Order authorizing Repairs	50
" " Compromise	50
	$ 27 30

SHERIFF'S FEES.

Posting Notices	3 00
Executing notice by Pub.	1 10
" "	4 10

RECAPITULATION.

County Judge's Fees	27 30
Clerk's Fees	23 45
Sheriff's Fees	4 10
Appraiser's Fees	8 00
Printers "	2 00
Total	64 85

THE STATE OF TEXAS
County of Dallas.

I, ~~L. H. SCOTT~~ L. H. HUGHES, County Clerk of said County, hereby certify that the above is a true and correct statement of the Costs due in the above entitled cause.

WITNESS my hand and official seal, at office in Dallas, this 12" day of June 1893

L. H. HUGHES, County Clerk.

Per A S Jackson Deputy.

$ 64 85

Received of H. H. Smith Adm Dallas, Texas, June 14 1893 of estate of A. M. Horne dec'd Sixty Four & 85/100 Dollars, in full of above Bill of Costs.

L. H. Hughes Clerk.

Per ..... Deputy.

INVENTORY AND APPRAISEMENT

Of the Property, Real and Personal, Belonging to the Estate of

A. M. Horn

225'x293' ft. Lot 7 Block 523 Masten & Trinidad Sts. and
25'x100' Harwood Val. $15000.00
100'x120' " Lot 7 Block 224 Inside Loop 20'x
200' on Trinidad Val. $1000.00
90'x200' ft Block 526 Harwood & Cochran Sts.
Val. $4000.00
192'x200' ft. Block 786 Junius & Main Sts
Val. $6000.00

1 Horse and Buggy Val. " 150.00

19 acres N. Hanna " 100.00

No. 1658

Probate Fee Bill

COUNTY COURT,

Dallas County, Texas.

ESTATE OF

A. M. Horne Decd

Judge's Fees	27 30
Clerk's Fees	23 45
Sheriff's Fees	4 10
Appraiser's Fees	8 00
Printing "	2 00
TOTAL	65 85

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

Present to Mr. Smith

FILED
JUN 7 1892
S. B. SCOTT, County Clerk,
By J. F. Lewis Deputy.

Examined and approved and ordered of Record this 29th day of Jan 1892
J. F. Nash County Judge.

9/137

THE STATE OF TEXAS. } I. H. H. Smith Administrator
COUNTY OF DALLAS.

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.

H. H. Smith

SWORN TO AND SUBSCRIBED before me, this the 6 day of June A. D. 1892

S B Scott Clerk, Co. Court.

By J F Lewis Deputy.

THE STATE OF TEXAS. }
COUNTY OF DALLAS. } BEFORE THE UNDERSIGNED AUTHORITY, this day personally appeared

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.

J. M. Strong
J. C. Woodside

SWORN TO AND SUBSCRIBED before me, this the 6 day of June A. D. 1892

S B Scott Clerk, Co. Court.

By J. F. Lewis Deputy.

ESTATE OF A. M. HORNE, DECEASED.

Now comes J. H. Smith administrator of the estate of A. M. Horne, deceased, and shows to the court that all the debts known to exist against said estate have been paid except as hereinafter stated. That the heirs of said estate by decree of the district court of Dallas County, Texas, have agreed to a partition of said estate among themselves in accordance with the terms of said decree. And that therefore there is no necessity for the further continuance of this administration, and the said J. H. Smith administrator, herewith files his account for the final settlement of said estate and shows:

1. That the property that has come into his hands as such administrator belonging to said estate is fully stated in the inventory of said estate, showing the appraised value thereof, heretofore approved by this court and using the papers of this cause. And said inventory is here referred to and prayed to be considered as a part hereof.

2. That no sale or disposition of any property of said estate has been made, and all the property mentioned in the inventory is subject to partition among the heirs of said estate, except the notes and indebtedness due the estate, collected as hereinafter shown.

3. The following debts due said estate included in said inventory, have been collected, to-wit:

Connor & Byers' note for $, dated on the 8th day of Feb. 1894, bearing ten per cent interest from date, and ten per cent attorneys' fees if placed in the hands of an attorney for collection, was placed in the hands of attorneys for collection, and said note by order of the court heretofore made, was ordered to be compromised, which compromise was made and collected in the sum of ---------- $170.00

Thomas' note and interest. ---------- 200.00

Tennett's note and interest. ---------- 1174.40

That the rents and revenues collected from the realty of said estate including $211.91 found in the bank belonging

to said estate, together with the moneys collected for said estate including the foregoing notes, as shown by exhibit "A" hereto attached and made part hereof, is in the sum of ---------- $4111.11

4. That the following debts and expenses of said estate have been paid as shown by exhibit "B" hereto attached with vouchers therefor, thereto attached is in the sum of ---------- $1490.18

5. That the debts and expenses owing by said estate exclusive of the costs of court in this proceeding, and the costs of court in case Ernest vs. A. W. Horne, adjudged against said estate, as shown by exhibit "C" hereto attached and made part hereof, is in the sum of ---------- $1884.10

6. That all the property of the estate mentioned in the inventory is still on hand except the notes compromised and collected as hereinbefore stated. That after the payment of $1012. as provided in same decree of the district court to the heirs of said estate, and the payment of the debts owing by said estate as shown in paragraph 5 hereof and exhibit "C" hereto attached, there will be on hand money of the estate in the sum of $1276.72, subject to partition among the persons entitled to said estate, less such sums therefrom as shall be necessary to pay the cost of this proceeding and the costs adjudged against said estate in said cause of Ernest vs. A. W. Horne, and the expenses of administration thereof.

7. The persons entitled to receive portions of said estate as heirs thereof are as follows, to-wit: Mrs. L. J. Ernest, Mrs. Clara Hassey Horne, Horne, Arthur Moore White, all of whom reside in Dallas city and county, Texas, Miss Annie Kelly, who resides in Colorado City, state of Colorado. That all said named persons are adults, except Arthur Moore White who is a minor, and Taylor White, the father of said minor, who resides in Dallas city and county, Texas, has been appointed guardian of the estate of said minor. That in the case of Mrs. L. J. Ernest vs. A. W. Horne, 7488, in the district court of Dallas county, Texas, 44th district, against S. E. Smith as administrator,

and all the above named heirs of said estate were made parties defendant except L. J. Ernest, who was plaintiff, a decree of partition of said estate was rendered by consent of all parties, partitioning the property of said estate in accordance with the terms of said decree. And a true copy of said decree is hereto attached, marked exhibit "D", and made part hereof.

3. That no advancements or payments have been made from the said estate of A. M. Horne by the administrator thereof, to any of the persons hereinbefore named entitled to portions of said estate.

4. The court is prayed to partition the property and money of said estate in accordance with said decree of said district court of Dallas county, made part hereof, and that the decree of this court vest title in the persons entitled to portions of said estate in accordance with the consent judgment of said district court, and that the administrator be directed and ordered to deliver the property of the estate and money thereof allotted respectively to said persons named, delivering to Taylor Smith, guardian of Arthur Moore Smith, the allotment awarded to said minor.

And it is further shown to the court that if said administrator be directed to comply with said decree there will remain in his hands after the payment of all the foregoing named debts and expenses, except the costs of this court, and in said cause of Ernest vs. Horne, the sum of $1276.72, which is prayed to be ordered divided equally, after the payment of the costs of this court, and said costs in the cause of Ernest vs. Horne, among said four foregoing named persons, adjudged entitled to portions of said estate by said decree.

5. I. H. Smith, administrator prays that his account for the final settlement of said estate be in all things approved, and that partition and distribution be decreed in accordance herewith, and that he be directed to deliver the property and pay over the money of said estate to the persons thereto entitled, and upon his compliance with such orders of the court, and the filing of proper vouchers showing the same, and the distribution of said estate, that he be discharged as such administrator, and relieved and discharged from all liability upon his bond or otherwise as

as administrator of said estate, and will ever pay so.

Administrator of the estate of
A. N. HORNE, Deceased.

THE STATE OF TEXAS,
COUNTY OF DALLAS.

Before me, the undersigned authority, on this day personall appeared W. H. Smith, administrator of the estate of A. N. Horne, deceased, who being duly sworn on oath says that the statements contained in the foregoing account for final settlement, together with the exhibits thereto attached, are true as therein stated.

EXHIBIT "A".-- Money collected from notes, rents and revenues.

1882.		
May 20.	Cash in tank, collected from American National Bank and not included in inventory.	$ 211.21
Aug. 28.	Cash in rents.	182.00
Oct. 5.	Bennett note,	1393.12
Nov. 23.	Cash Dickens note and interest.	245.60
Dec. 22.	" Rents.	108.88
1883.		
April 10.	" Myers & Conner.	1784.00
May 20.	" Rent.	284.22
		$4111.11

EXHIBIT "E".-- Debts and expenses paid.

1. General expenses, Ed. C. Smith & Bro. Voucher No. 1. $ 189.50

2. Medical bills. Dr. Bates E. McCart; Voucher No. 2.- 25.00

Dr. O. L. Carter; voucher No. 3. ---- 20.00

Dr. E. M. Grandin; Voucher No. 4. --- 15.00

4. Insurance: Harris & Co. premium on fire insurance of building on Trinidad St. Dallas; Voucher No. 5. --- 5.00

Andrews & Kaigher, premium on fire insurance of building on Bonton St. Dallas. Voucher No. 6. ---- 9.25

Tax sale, paid: H. C. Esell, City taxes for 1922. Vouchers Nos. 7 & 8. ---------- 220.94

Louis Dooly, State and county tax for 1922. Voucher No. 9. ---------- 50.42

5. Miscellaneous: E. M. Purches, county clerk, certified copy of deed. Voucher No. 10. ---------- 1.20

Seay, Seay & Fitzhugh, in attorney fees

L. J. Fraser vs. A. B. Horne, in district court, Dallas County. Voucher No. 11. ---------- 200.00

Repairs on building as per order of court to that effect. Voucher no. 12. ---------- 22.50

Claim of Seay, Dooly & Lauderdale, paid for't. L. Seay. Voucher no. 13. ---------- 200.00

To Dougett, Seay & Nunn, attorneys' fees paid for legal services in administration. Voucher No. 14. -- 241.70

$1140.57

EXHIBIT "F". -- Debts still owing to the estate.

To persons entitled to said estate in accordance with a decree of the District court in Ernest vs. Horne. ---------- $1019.00

To J. W. Simpson, assessment paying by city of Dallas on property of the estate.---------- 67.19

To commissioners due administrator in the administration of the estate, the sum of ---------- 617.91

This is exclusive of commissions to accrue in the payment of Simpson debt above, and costs in case Wilset vs. Horne and costs in this proceeding.

$1628.10

RECAPITULATION:

Cash received.		$4111.11
Debts paid.	$1430.29.	
Debts owing and to be paid.	1[illegible].10	
	$2884.39	$4111.11

~~[illegible]~~

~~Apply for leave to repair tenement house on Cochran St. between Pearl and Harwood and about exp. 00.~~

ESTATE OF A. M. HORNE DEC'D.

To the Hon. the County Court of Dallas County, Texas:

H. H. Smith, admr. of said estate, respectfully prays for an order of court authorizing him to put a new roof and other needed repairs on a certain tenement house belonging of said estate situated on Cochran between Pearl and Harwood streets, the same being in an untenantable condition, and liable to waste unless such repairs are made.

H. H. Smith, admr.,

By [illegible] his attorneys.

165d

Estate of
A. M. Horne decd.

Admr's Application
for Leave to Repair
Building.

Filed October 10, 1892
W. J. Scott Co Clerk
By J. Lewis D.

Bassett, Gray & Adams
attys.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

No. 1658

In the matter of the estate of A. M. Horne, of which H. H. Smith is administrator, pending in the County Court of Dallas County, sitting as a probate Court.

To the county judge of said County:-

I Now at this time comes Clara Ramsey Horne, by her attorney, and suggests to the court that heretofore, to wit: on the 7th day of June, 1892, H. H. Smith administrator of said estate filed in this court in this matter an inventory and appraisement of the property belonging to said estate and a list of the claims belonging to the same; and this having been done, she now prays the court to set apart for the use and benefit of herself as surviving widow of said estate, by an order entered on the minutes of the court, all such property belonging to said estate as is exempt from execution and forced sale by the constitution and laws of this state.

She says that there is the following exempt property belonging to said estate:

1- The homestead of herself and deceased husband, said A. M. Horne, the same being composed of a certain lot in the city of Dallas in Dallas County, Texas, situated at the corner of Masten and Trinidad Streets, fronting 225 feet on Masten Street and running back at right angles therewith along Trinidad Street a distance of 293 ft, excepting a small portion of said lot on the North Easterly corner thereof on which two tenement houses are situated; and also, a certain other lot 100 ft by 120 ft, same being an inside lot or piece of ground in block 224 in said city, and a strip of land 20 ft. wide, a part of said inside lot and connecting said inside lot with Trinidad Street, and fronting on said Trinidad Street. That on the first mentioned of said lots is situated the dwelling house of said A. M. Horne and of this applicant, and their orchard and garden and the out houses, improvements, and structures connected and used with said dwelling house; and that on said second mentioned lot is situated the stable and barn and horse lot, the whole of said

last named lot, with the barn and stables and improvements thereon being their home lot, used in connection with said first named lot. That at the date of the death of said Horne said two lots, with the exception of the small part thereof above mentioned, were with the houses and structures thereon ~~was~~ the home and homestead of himself and your petitioner, were then and for a long time theretofore used and occupied by him and them as such and were and are exempt from execution and forced sale.

2- The following personal property, belonging to said estate and existing in kind, viz: one horse, one buggy, one small wagon, household furniture, including carpets, and kitchen furniture, used in the dwelling house and kitchen on said first mentioned lot, one saddle, one bridle, harness for buggy and wagon, and a few implements for working said garden and orchard, one gun or pistol.

II Your petitioner further shows that there was not among the effects of said N. M. Horne, deceased, the following articles and property, so exempted by the constitution and laws of this state from execution and forced sale, viz: Five milch cows and their calves, two yoke of oxen with necessary yokes and chains, twenty hogs, twenty head of sheep, and there are only one horse, and horses are not existing of the two so exempted. And with respect to the said articles and property not existing among the effects of said estate, she says that she is entitled to a reasonable allowance ~~taken~~ in lieu thereof, which would be, she says the sum of $500.

III Your petition again comes and says, if it should be determined that the said lots and the dwelling house and other structures thereon do not and did not belong to the estate of said N. M. Horne, and that the same can not for any reason be set apart to your petitioner for a home and homestead, then she says that she will be and is, in such event, entitled to an ~~exemption~~ allowance in lieu thereof, and that such allowance should reasonably be the sum of $500.00

Wherefore your petitioner prays, first, that the

lots and structures thereon, above described, be set apart to her for a home and homestead during her natural life; and that the personal property above mentioned as being on hand as apart of said estate be set apart to her absolutely and for ever; and, second, that an allowance of $800 be made and paid to her in lieu of the personal property above mentioned as not existing in kind and belonging to said estate; and, third, she prays, in the alternative, that if said lots above mentioned should be found not to belong to the estate of said A. M. Hame, then that an allowance of five thousand dollars be made and paid to her in lieu of a homestead.

And she further prays the court to order, if necessary, the sale of so much of the property and effects of said estate as will be sufficient to raise the amount of the said allowances above prayed for, and to direct the payment of the same to her by said Administrator.

She says, in conclusion, that the family of said A. M. Hame, deceased, consisted of himself and your petitioner alone; that he left no minor children and no unmarried daughters; and that she, exclusively of all others, is entitled to said homestead, allowances, exemptions, &c.

S. C. McCormick,
Attorney for Clara Ramsey Hame.

No. 1658

Estate of A. M. Hance, Deceased —

Application of Elna Ramsey Hance, surviving widow, for the setting apart to her of homestead and final allowance in lieu of exempt property

Filed Nov. 16. 1892

H. P. Scott Co Clerk
By J. F. Lewis Dy

S. M. McCormick,
Attorney

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

LAW OFFICE OF
BASSETT, SEAY & MUSE.
[illegible] STREET.
DALLAS, TEXAS.

B. H. BASSETT
H. B. SEAY
J. C. MUSE

List of Claims due and owing to the decedent.

Name of Obligor	Nature of Claim	Amount	Date	Maturity	Whether Separate or Community
North Peak	Note	350-	Oct 5/91	Oct. 5/92	
J. A. Bennett	"	1000-	June 17/91	June 17/92	
F. D. Cosby et al	"	50-	July 21	Oct. 31/91	
F. F. Hancock	"	31-	May 2/89	Jun 27/91	
C. E. Shipley	"	131	Jan 22/89	Oct 22/89	
H. J. Nichols	"	41-	Feby 10/88	Jun 1st 1888	
J. M. Nickens et al	"	525.	Oct 17/88	Nov 25/93	
G. Meyer + H. O'Connor	"	1300	Feby 9/10	Feby 9/85	
J. M. Nickens et al	"	525	Oct 17/88	Nov 25/93	
W. B. Johnson	"	150	March 2/88	Mar. 2/88	Barred by Limitation

Estate of
A. M. Horne decd.

Inventory and Appraisement
and List of Claims.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

LAW OFFICE OF
BASSETT, SEAY & MUSE.
328 MAIN STREET.
DALLAS, TEXAS.

G. H. BASSETT
R. B. SEAY
J. C. MUSE

Estate of
A M Horn Decd

In County Court
Dallas County

To the Hon. the Probate Court of Dallas County
H. H. Smith as administrator of the Estate of A. M Horn deceased presents this application seeking authority from the Court to settle by compromise the note or claim of said Estate hereinafter stated for the reasons stated, and as grounds for said application shows
1- That on February 9-1884 Meyer and W O. Connor, executed to A M Horn their note in the sum of Thirteen Hundred $1300.00 with ten per cent interest thereon from date until paid, secured by the vendors lien on a lot in the City of Dallas in Dallas County Texas, and being for the balance of the purchase money of said lot conveyed on said date to said Meyer and Connor by said A M. Horn - Said note contained the following stipulation to wit, It is also agreed that the amount required to settle the Grigsby Claim is hereby retained until said Claim is settled.
2- That said lot so conveyed and upon which said vendors lien note was retained, was and is subject to the Claim of the Grigsby heirs, and is involved in a suit by said Grigsby heirs pending in the District Court of said Dallas -

3- That the principal and interest upon said note to March 9-1893 aggregates the sum of Two Thousand Four Hundred and Eighty ($2480) Dollars, and that no payments appear to have been made thereon-

That said Grigsby Claim on said lot can be settled for the sum of four hundred $400.00, and the makers of said note agree and offer to settle said note by a payment thereon in the sum of twenty one hundred and thirty four ($2134.00) dollars, less the said sum of $400 necessary to settle said Grigsby Claim on said lot- which they undertake to pay

That said proposition of compromise is tantamount to a settlement of said note for the sum of $1734.00 paid to the said estate thereon and the settlement of said Grigsby Claim on said lot in the sum of $400, aggregating said amount of $2134.00 which said makers of said note offer to pay in settlement thereof-

4. The makers of said note claim as a defense against said note- that they are only liable for the face of said note in the sum of $1300.00 with one years interest thereon for the reason, that said Hoon deceased having failed to settle said Grigsby Claim, that they upon the maturity of said

LAW OFFICE OF
BASSETT, SEAY & MUSE,
325 MAIN STREET,
DALLAS, TEXAS.

D. H. BASSETT.
F. B. SEAY.
J. C. MUSE.

note through their attorneys tendered to said Horn the full amount of said note with one year's interest thereon, less the sum of $500.00 necessary at that time to settle said Forgety claim on said lot - That said Horn refused the tender so made, and continuously failed to settle said Forgety claim. Wherefore the makers of said note deny their liability thereon except as above stated, and make the foregoing offer of compromise in settlement thereof.

5. That your applicant as administrator in his opinion regards the acceptance of said compromise as being to the interest of the Estate, and as avoiding the expense, delays and uncertainties of litigation thereon. That as administrator your applicant is without any personal knowledge of the facts of said alleged defense, and without reference to the merits of the same approves the acceptance of the said compromise - and requests the judgement of the Court thereon. And for the authority under the direction of the Court to make said compromise -

H H Smith -
Admr of the Est A M Horn
By his attys
Bassett Seay & Muse

Estate

A. M. Horn

deceased

Application for authority
sell note due Estate
by compromise thereof

FILED March 17 1893

L. H. HUGHES, Clerk County Court,

By A. S. Jackson DEPUTY

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

THE STATE OF TEXAS,

To all Persons Interested in the Administration of the Estate of

A. M. Horne

H. H. Smith

Deceased.

has filed in the County Court of Dallas County, an Application for letters of Administration upon the Estate of said decedent

which will be heard at the next term of said Court, commencing the First Monday in May A. D. 1892, 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 25 day of March 1892

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

By J. F. Lewis Deputy.

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

The State of Texas,

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

YOU ARE HEREBY COMMANDED to summon J. X. White and Frank X. Cosby

to be and personally appear before the Honorable County Court of Dallas County, at the Court House in the City of Dallas, County aforesaid ~~in chambers~~, on 16 Sept A. D. 1893, at 9 o'clock a. m., at the instance of the J. A. Lewis

then and there to give evidence in a certain case wherein H. H. Smith Adr. of estate of A. M. Horne dec'd ~~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 12 day of Sept A. D. 1893 L. H. Hughes

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

By ..... Deputy.

56

P.M. 1658

COUNTY COURT.

ESTATE OF

A. M. Horn

Deceased.

NOTICE OF APPLICATION FOR LETTERS OF ADMINISTRATION,

Issued this 25 day of March

A. D. 1897

S. B. SCOTT, Co. Clerk,

By J. F. Lewis Deputy

SHERIFF'S RETURN.

Came to hand the 26 day of Mch 1897, and executed the 26 day of Mch 1897, 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 H Lewis
Sheriff Dallas County

By J F Carson Deputy

PLOWMAN JOB PRINT 711 ELM ST., DALLAS, TEXAS.

Fees $3.00

SHERIFF'S RETURN.

Came to hand on this the 12 day of Sept A. D. 1897, and executed on this the 13 day of Sept A. D. 1897, by reading the within Subpoena in the hearing of J. F. Whit and Frank D Cosby

the within named witnesses.

A. D. 189

Returned on this the day of Rec & Called Co., Texas.

By J. D. Brick Deputy. Sheriff

56

No.

COUNTY COURT.

Estate of

vs. **SUBPŒNA.**

A. M. Horn decd.

Issued 12 day of Sept

A. D. 1893 L H Hughes

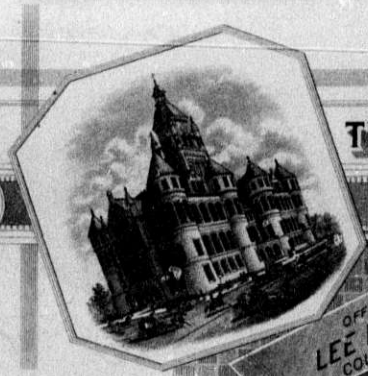
L. H. HUGHES,
Clerk County Court, Dallas Co., Texas.

By Deputy.

Fees 100
Mil 20
$120

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

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977



THE STATE OF TEXAS

COUNTY OF DALLAS

OFFICE OF LEE HUGHES, COUNTY CLERK.

Dallas, Texas May 29 1873

In matter of Estate of A. M. Horne deceased

J. C. Wardside - Two days as appraiser 2 @ - $4.00

J. M. String " " " " 2 @ 4.00

ESTABLISHED FEBRUARY 5th, 1887.

JOE T. GREEN, Editor and Proprietor.

Lancaster, Texas, July 17 1873

Mr Estate of A. M. Horn, decd, to A. Smith Admr

-:-:-IN ACCOUNT WITH-:-:-

THE LANCASTER HERALD,

COMMERCIAL JOB PRINTING MADE A SPECIALTY.

Subscription, 1.00 a Year, In Advance. WHEN I can get it. Advertising Rates Reasonable & Made Known on Application.

June 9 To Notice of Final Settlement
Pub. June 9, 16 and 23rd, with affidavit to same $2.00

Paid
Joe T. Green

ADMINISTRATOR'S BOND.

The State of Texas, } Estate of A. M. Horne, decd.
COUNTY OF DALLAS.

KNOW ALL MEN BY THESE PRESENTS, *That we,* H. H. Smith *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* Forty thousand, ($40.000) *Dollars; conditioned that the above bound* H. H. Smith *who has been appointed* administrator of the estate of A. M. Horne, decd, *shall well and truly perform all the duties required of him under said appointment.*

WITNESS *our hands and seals, this* 4th *day of* May 1892

H. H. Smith (SEAL)
R. Blanscumb (SEAL)
Henry Scott (SEAL)

I DO SOLEMNLY SWEAR that A. M. Horne, *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.*

H. H. Smith

Sworn to and subscribed before me this 4 *day of* May 1892

R. B. Scott
County Clerk, Dallas County, Texas.

By J. F. Lewis *Deputy.*

DALLAS, TEXAS, 10/ 1892

M Est. A. M. Horn

Dr. to **Addison & Burgher,** Insurance Agents,
MERCHANTS' EXCHANGE BUILDING

DATE	NUMBER	INSURANCE COMPANY	PROPERTY INSURED	AM'T OF POLICY	PREMIUM
Sept 2	513608	F. F.	on Jennie St.	1275.00	9 65
Paid Oct 1/92					

Paid A. & B. Fees
WILLIE CLARK

No. 1658

COUNTY COURT,

DALLAS COUNTY.

Administrator's Bond.

ESTATE OF

A. M. Horne, dec'd.

Filed [illegible] 5 189 2

S. B. SCOTT, Clerk.

By A. S. Jackson Deputy.

Approved this [illegible] day of [illegible] 189 [illegible]

E. Corrigan

County Judge, Dallas County.

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

Recorded

1/245

Dallas, Texas, May 12. 1892.

Mr. A. M. Horn

J. L. CARTER, M. D., Dr.

Office--Cor. Murphy and Main Sts.

Residence--413 Ross Avenue.

WORLEY PRINTER DALLAS TEXAS

				$ ¢
Jany 29	4	visits, detention & dressing injuries	ea	10 00
" 30	3	visits & detention	"	7 50
" 31	3	" "	"	7 50
				25 00

Rec'd payment in full this 8 day of Jan 1893 for J. L. Carter

State of Texas
County of Dallas

J. L. Carter being duly sworn says that the above account for $25.00 is a just claim against the Estate of A. M. Horn deceased. That all legal offsets, payments, credits known to affiant have been allowed. That said claim is for services rendered said A. M. Horn during his last sickness, affiant is the

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

The State of Texas,

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

YOU ARE HEREBY COMMANDED to summon J. F. White and A. D. Crosby

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 9 Sept A. D. 1893, at 9 o'clock a. m., at the instance of the J. A. Lerowdus then and there to give evidence in a certain case wherein J. A. Lerowdus is plaintiff, and Est of A. M. Horn dec'd. H. H. Smith Adm. ~~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 7 day of Sept A. D. 1893 L. H. Hughes

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

By ..... Deputy.

Owner & holder of soin claim
That the same is and remains
unpaid

J. L. Carter M. D.

Subscribed & sworn to before me May 12 1892
W. H. Hall
N. Notary Public Tx

A. M. Horn Est
vs
J. L. Carter M. D.
$25.00

Presented May 16/92 allowed for $25.00
H. H. Smith Administrator.
Approved and ordered paid in due course of Administration as first class claim, June 3/92
E. G. Hoffman
Cnty Jdge

Voucher No 3

S. E. SCOTT, County Clerk
By C. S. Jackson Deputy

FILED
MAY 16 1892

LAW OFFICES OF
ROBT. B. SEAY,
MERCHANTS' EXCHANGE BUILDING,
ROOMS 18 & 19

DALLAS, TEXAS,

July 5th 1892

Rec'd of H. H. Smith Administr of the Estate of A. M. Horne Deceased the sum of ($200) Two Hundred Dollars The amt of fee allowed me as Guardian ad litem of the minor Arthur Mun White in case of Ernest vrs Hornechal in the Dist Court of the 44th Judicial Dist of Texas.

W. D. Cooby

SHERIFF'S RETURN.

Came to hand on this the 7 day of Sept A. D. 189 2, and executed on this the 8 day of Sept A. D. 189 2, by reading the within Subpœna in the hearing of

and W. D. Cooby

Returned on this the 9" day of Sept A. D. 189 2

Ben Eblebell Sheriff Dallas Co., Texas.

By J. Davis Deputy.

No. 1658

COUNTY COURT.

Estate of A. M. Horne dec'd

vs. SUBPŒNA.

Issued 7 day of Sept A. D. 189 2

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

By Deputy.

2 mt 1.50
mileage 8/12

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

DALLAS CITY TAX RECEIPT.

No. 2628 Received, Dallas, Texas, May 29" 1893

of Est. A. M. Horn, $4299

in payment of Ad Valorem, Poll Tax, School Tax, Interest and Sinking Fund, and Interest and Sinking Fund East Dallas, upon the following described property: 1892

Ad Valorem Tax, 1892	2487
School Tax, 1890	
Int. & Sink. Fund, 1892	877
Int. & Sink. Fund E. Dallas	731
City's Cost	
Interest,	204
Total,	4299

No. Lot	No. Block	Street
192 x 200	786.	Junius & Adair

THE CITY OF DALLAS J. C. BOGEL, COLLECTOR. Tax Department.

J. C. Bogel Collector.
Richardson Dep'y.

Received Dallas Nov 29 th 1892
from H. H. Smith & Wife
One & 50/100 Dollars
for Certified Copy of deed from Dupont to Horne
$1.50

L. H. Hughes Cashier
By A. L. Ellinwood

NOV 29 1892 Texas National Bank

LAW OFFICE OF
BASSETT, SEAY & MUSE,
325 MAIN STREET,
DALLAS, TEXAS.

Estate of
A. M. Horne dec'd.

Oct 18. 1892. Ordered by the Court that the administrator be authorized to put a new roof and such other repairs as may be needed on the tenement house belonging to the estate, situated on Cochran between Pearl and Harwood Streets. and to charge the estate with the cost thereof in his annual account.

Dallas Tex.
July 19th 1893

$50.19

Receive of H. H. Smith Administrator of the Estate of A. M. Horne Deceased the sum of Fifty Seven and 19/100 Dollars in full for all claims against said Estate.

Geo. C. Cole
Atty in fact for
J. W. Simpson

Estate of
J. M. Horne Dec'd
Order authorizing
Repair of Building
Oct 5. 1892
Draft for
Executed copy
& delivered Oct
10/6 2-
E. B. Barr
Clerk

LAW OFFICE OF

STATE AND COUNTY TAX RECEIPT FOR 1892.

No. 5347 Received JAN 6 1893

of Ex A M Horne $ 80 60 in payment

of State and County Taxes for the year 1892, on Personal Property, Poll Tax and the following described Real Estate situated in Dallas County, Texas.

		Abstract No.	ORIGINAL GRANTEE	No. Acres	No. Lot	No. Block	VALUE
			Dallas		225x293.5	78	4000
State Advalorem Tax	1736				100x200	224	700
					90x200	526	2000
State Poll Tax,					142x200	786	3000
			56 x Atanna	19			250
County Advalorem Tax,	5324						
County Poll Tax,							
Special School Tax, Dist. No.							
Total Tax,	80 60		ersonality,				

Lou Priddy
Tax Collector, Dallas County, Texas.

By ..... Deputy.

Dallas, Texas, May 7th 1892

Mr A M Horn

To M. M. NEWSOM, Dr.

Office: 739 Main Street.

Residence: 509 Ervay Street.

Jan	Amount of medical bill during of last illness	$19.00

Presented May 13/92 and
Allowed for $19.00
H. H. Smith
Admr.

Approved and ordered paid in due course of administration as first class claim,
E. G. Bomar Judge
June 13/92

B. BLANKENSHIP, President. HENRY EXALL, Vice Prest. C. R. BUDDY, Asst Cashier. J. B. OLDHAM, Cashier.

No 3834.

NORTH TEXAS NATIONAL BANK BUILDING.

The North Texas National Bank

CAPITAL $1,000,000. SURPLUS $200,000.

DALLAS, TEXAS.

July 30th 1892

Recd of H. H. Smith Administr. of the Estate of A. M. Horn Dcd the sum of Nineteen ($19.00) Dollars in full of a/c for Medical Services as per a/c filed
M M Newsom

State of Texas }
County of Dallas } Before me J. M. Skelton. Came M M Menown who being duly sworn says upon oath that the foregoing statement is true that the debt is just and that there are no credits or offsets that should be accounted against said claim except as shown by the foregoing statement

M M Menown

Sworn to and subscribed before me this the 9th day of May 1892

J M Skelton
Notary Public
D C Tx

FILED
MAY 19 1892
S. B. SCOTT, County Clerk.
By C. B. Jackson Deputy.

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

LAW OFFICE OF
BASSETT, SEAY & MUSE,
MERCHANTS' EXCHANGE BUILDING.

B. H. BASSETT.
ROBT. B. SEAY.
J. C. MUSE.

DALLAS, TEXAS, Dec 6, 1892

A. M. Horne
To Seay Cosby & Lauderdale

Dr.

1892
Jany 1 — To first payment of fee due said Seay Cosby & Lauderdale as attys at law for services in the case of Mrs L. J. Earnest vs A. M. Horne pending in the District Court of Dallas County $500.00
By cash paid by A. M. Horne $250.00
Bal due $250.00

The State of Texas
Dallas County } I Robt B. Seay do solemnly swear that the above claim against A. M. Horne deceased is just, and that all legal off-sets, payments and credits known to affiant have been allowed.

Sworn to & subscribed before me this 8th day of Dec, 1892
Joseph J. Eckford
Nat Pub Dallas County Texas

Robt B. Seay

~~Examined and~~

Examined and allowed as a 3d Class claim & ordered paid in due course of administration
Dec 20th 1892
J. F. Rush
Co Judge

Docket No 11
Estate of A. M. Horne Dec'd
Account of Sear Cooke & Vandenhall Atty
Filed Dec 8th 1892
Probate Order
Presented to me this the 8th Day of Dec 1892 and having examined to be correct allow same
12/19/92
H. H. Smith Admr
Estate of A. M. Horne Dec'd

$520
$200

Dallas Tex Dec 20, 1892

Received of Henry H. Smith Admistrator of the estate of A. M. Horne dec'd the sum of Two Hundred & fifty dollars ($200.00) balance of the amount to be paid cash by A. M. Horne as allowed for in case of Ernest vs Horne.

Sear Cooke & Vandenhall
per R. W. B. Sear

Dallas Texas May 5 1892

Mr. A. M. Horn

Dr. DR. ISAAC A. McCARTY, Cr.

Residence 354. Masten. St. Office SHOOK, Drug store Cor. Main and Murphy. Stree

in last illness from Jan 29 to Jan 31st inclusive

For Medical Services almost Continued to date. $25.00

Received Payment.

Office Hours 11 A. M. to 1 P. M. and 3 P. M. to 4 P. M.

The State of Texas
County of Dallas } Before me the undersigned authority on this day personally appeared Dr Isaac A McCarty who after being duly sworn says that the foregoing account for $25.00 is within his knowledge just and reasonable and that all just credits and offsets has been allowed

Isaac A. McCarty. M.D.

Subscribed and sworn to before me this May 4th 1892

J R Dowlen
Notary Public
Dallas Co Texas

Approved and ordered paid in due course of Administration as first class claim June 13/1892
E. S. Lewis Co Judge

CITY OF DALLAS TAX RECEIPT FOR THE YEAR 1892.

No. 1881 Received, Dallas, Texas, May 29" 1893

of Est. A. M. Horn

$ 166 95, in payment of the City Advalorem, Special, Dallas & Wichita and Texas & Pacific R. R. Taxes, Interest and Sinking Fund Taxes for the year 1892, upon the following described property:

Ad Valorem	85 cents	on the $100
D. & W. R. R.	5 "	" " 100
T. & P. R. R.	5 "	" " 100
Int. and Sinking Fund	55 "	" " 100
TOTAL RATE	$1 50 "	" " 100

Tax for 1892,	$ 159 00
Interest	7 95
Penalty	
Costs	
TOTAL	$ 166 95

NUMBER OF LOT	NUMBER OF BLOCK	NAME OF STREET
225 x 293	523	Master & Trinidad
76 x 90	523	Norwood
100 x 120	524	Rear L. S. Garrison
90 x 200	526	Norwood Cochran & Phelps
& Personal		

THE CITY OF DALLAS J. C. BOGEL, COLLECTOR. Tax Department.

Per Richardson Deputy. J. C. Bogel Collector.

John F. Worley, Stationer, Printer and Binder, Dallas, Texas.

Received May 13/92
Allowed for $20.00
A. C. Johnson Attorney

FILED
MAY 19 1892
S. D. Smith, County Clerk,
By [illegible] Deputy.

Rec'd payment
This 9/6. [illegible]
[illegible]

TIMES, ESTABLISHED 1876. HERALD, ESTABLISHED 1886. CONSOLIDATED JAN. 1, 1888.

DAILY, PER YEAR, $6.00. WEEKLY, PER YEAR, $1.00. ADVERTISING RATES ON APPLICATION.

Dallas, Texas Sept 1 1893

M. Ben E. Cabell Sheriff
Dallas County

To THE DALLAS DAILY TIMES HERALD, Dr.

BY THE DALLAS TIMES PUBLISHING CO.,

E. G. MYERS, Manager.

All accounts payable on the first of each month unless otherwise agreed upon. No orders accepted as offset against this bill unless signed by the Manager.

Aug	31	To 4 Insertions Aug 10-17-24 + 31 3 3/4" Am Home Adm Notice				13

ESTABLISHED FEBRUARY 5th, 1887. JOE T. GREEN, Editor and Proprietor.

Lancaster, Texas, June 24 1893

M. Estate of A. M. Horne Dec'd

-:-:-IN ACCOUNT WITH-:-:-

THE LANCASTER HERALD,

COMMERCIAL JOB PRINTING MADE A SPECIALTY.

Subscription, 1.00 a Year, In Advance, WHEN I can get it. Advertising Rates Reasonable and Made Known on Application.

		To Probate notice of final settlement of said estate published as follows: June 9th, 16th and 23rd and affidavit to same			$2.50	

Dallas, Texas, June 2" 1893

Mr Horn Est

In Account with **SKELTON, RECORD & CO.,**

Real Estate, Loan, Rental & Collecting Agents,

+ + 837 MAIN STREET. + +

MOSLEY, PRINTER DALLAS, TEXAS.

TENANT	No.	Street	Time Paid for	Date Paid to	Days Vacant	Commissions, Etc. DR.	CR.
Buckets & rope			5 20 92			2 80	
Cleaning well			6 22			2 00	
Rps on Steps			8 31			1 50	
Rps By Leiper			9 12			9 65	
Rps putting on Roof			10 10			4 35	
Cleaning Well			11 17			2 00	
Rps			21			2 00	
Shingles			21			13 00	
Rps By Leiper			12 4,92			8 25	
Two Well Buckets & rope			23			1 85	
Cleaning Well		Harwood	3 30 93			2 00	
Rps & Glass			4 5 93			3 10	
						$52 50	

Dallas Texas Mar. 7, 1893

Mr H. H. Smith Administrator

In account with

Harris & Company

FIRE ACCIDENT AND PLATE GLASS INSURANCE

SECURITY MORTGAGE AND TRUST CO. BUILDING

J. D. A. HARRIS, SECRETARY.

FIRE INSURANCE NOTICE.

The insurance agents of Dallas hereby notify the insuring public that on and after Nov. 1. 1892, no fire insurance will be written except for a cash premium. This course is rendered imperative by the action of the companies in demanding prompt settlement for all business transacted.

INSURANCE AGENTS.

DATE	NO. POLICY	COMPANY	RISK	AMOUNT	AMT. OF PREM.
Mar. 2	8407	Niagara	Bldg 112 Trinidad	600	6 —

Harris & Co

Voucher No 12

Received payment in full of within acct

Record vs Jackson

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

CLARENCE E. STEWART,
ATTORNEY-AT-LAW.
OFFICE WITH BASSETT, SEAY & MUSE,
325 MAIN STREET.

DALLAS, TEXAS, July 5th 1892

$765 55

Received of H. H. Smith Administr of the Estate of A. M. Horne Deceased The sum of Seven Hundred and Sixty Five and 55/100 Dollars together with all property awarded me in the partition of the Estate of A. M. Horne deceased, by the Decree of the District and Probate Courts of Dallas County, and I hereby acknowledge the receipt of the same in full discharge of all claims and interests in said Estate.

Mrs L. J. Ernest
by Crawford & Crawford
Attys.

Recd of H. H. Smith Administr of the Est of A. M. Horne one Note signed by J. M. Nickens & Mathew Nickens for the sum of ($528.00) Five hundred and twenty five Dollars one half of the proceeds of said note is to be paid to Annie Kelly when collected, as shown by order of Court in Decree in case of Ernest vs Horne.

Mrs L. J. Ernest
by Crawford & Crawford
Attys

LAW OFFICE OF
BASSETT, SEAY & MUSE,
MERCHANTS' EXCHANGE BUILDING.

B. H. BASSETT.
ROBT. B. SEAY.
J. C. MUSE.

DALLAS, TEXAS, July 5th 1893 -

Received of H H Smith administrator of the Estate of A. M. Hoone the sum of Four Hundred and Two & 00/100 $402.00 together with all property awarded Annie Kelley in the partition of the Home Estate by the decrees of the District and Probate Courts of Dallas County. And hereby acknowledge receipt of the same in full discharge of all claims and interest in said Estate.

Annie Kelley
by her attys
Bassett Seay & Muse

Dallas, Texas May 3rd 1892

Mr A. M. Horn Est

Bought of

ED. C. SMITH & BRO.

UNDERTAKERS 1031 MAIN ST

Febry 1	To Casket & Bo	125 00
	" Burial Suit	12 50
	" Hearse	10 00
	" Grave	5 00
	" 4 Carriages @ 3 50	14 00
	" Funeral notices	3 00
		$169 50

Recd pay Ed C. Smith & Bro

No. 221—AFFIDAVIT TO AN ACCOUNT—Carried in Stock by Jas. A. Dorsey & Co., Printers, Dallas, Texas

The State of Texas

County of Dallas

BEFORE ME, C. P. Smith, a Notary Public of the County of Dallas, Texas, on this day personally appeared G. D. Smith who, after being by me duly sworn, stated on oath that he is a member of the firm of Ed C. Smith & Bro. said firm being composed of Ed C. Smith & G. D. Smith and that the above and foregoing account in favor of said firm and against Estate of A. M. Horn aggregating the amount of One hundred and sixty nine & 50/100 Dollars, is, within the knowledge of the affiant, just ~~and true, that it is due~~ and that all ~~just and lawful~~ legal offsets, payments and credits, known to affiant have been allowed.

G. D. Smith

Subscribed and sworn to before me, this 3rd day of May 1892

C. P. Smith, Notary Public

Dallas County, Texas

Voucher No 1

Presented May 12/92 and
allowed for $169.56
H. H. Smith Administrator

FILED
MAY 12 1892
S. B. SCOTT, County Clerk,
By A. S. Jackson Deputy.

Paid
Nov 14 1892
$169.56

FILMED BY THE DALLAS GENEALOGICAL SOCIETY-1977

CLARENCE E. STEWART,
ATTORNEY-AT-LAW.
OFFICE WITH BASSETT, SEAY & MUSE,
325 MAIN STREET.

$455 55/100

DALLAS, TEXAS, July 5 1893

Received of H. H. Smith Administrator of The Estate of A. M. Horne deceased The sum of Four Hundred and Fifty Five and 55/100 Dollars together with all property awarded to me in The partition of The Estate of A. M. Horne deceased, by decree of The District and Probate Courts of Dallas County, and I hereby acknowledge The receipt of The same in full discharge of all claims and interest in said Estate.

Mrs. C. O. Horne

CLARENCE E. STEWART,
ATTORNEY-AT-LAW.
OFFICE WITH BARRETT, SEAY & MUSE,
325 MAIN STREET.

25825

DALLAS, TEXAS, July 5th 1893

Recd of H. A. Smith administrator of the Estate of A. M. Horne Deceased the sum of Two Hundred and Fifty Eight and 05/100 Dollars together with all property awarded to Arthur Moore White in the partition of the Estate of A. M. Horne by the decree of the District and County Courts of Dallas County and I hereby acknowledge the receipt of the same in full discharge of all claims and interests that the said Arthur Moore White has in the said Estate.

A. M. White - Guardian

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7480
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