

Finding aid

TARO record URL:

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EAD Header

***Title Proper:** A Guide to the Magevney estate legal proceedings records, 1879--1943

Sponsor:

This EAD finding aid was created as part of the TARO New Member Initiative through grant funding provided by the Summerlee Foundation.

Collection Summary

***Creator:** Congregation of the Sacred Heart (Houston, Tex.)

***Title:** Magevney estate legal proceedings records

***Dates:** 1879-1943, Bulk 1930-1943

***Quantity:** .417 Linear feet

***Abstract:** These records consist of case documents, legal agreements, court opinions, correspondence, reports, and news clippings generated and used during the legal dispute over the estate of Kate Hamilton.

***Identification:** 00015

Location: ST-B1/6.1

***Language:** The materials are in English.

***Repository:** Dominican Sisters of Houston Archives

Biographical Sketch or Administrative History

When Kate Hamilton, the biological sister of foundress Mother Mary Agnes Magevney, died without a will in December of 1930, the fate of her late father's fortune became the subject of several court cases. Though Kate Hamilton never had biological children, she adopted a daughter, Blanche Hamilton Karsch. Initially, the courts awarded Blanche Karsch the whole of her adopted mother's fortune. However, relatives of Kate Hamilton's father, Eugene Magevney, challenged this, claiming that Blanche Karsch's adoption was never made official.

The courts found that Blanche Karsch's adoption was lawful, but later the Dominican Sisters of Houston joined the various relatives of Eugene Magevney in contesting the court's decision to award Blanche Karsch all her mother's assets. The sisters argued that half of the family fortune should pass to the congregation as Eugene Magevney's other daughter, Mother Mary Agnes Magevney, was entitled to her fair share, and she left everything to the congregation in her will.

In December of 1939, the Supreme Court of Tennessee ruled that the congregation was entitled to half of the real estate. Because the congregation signed an agreement with the Magevney heirs in 1932, they were obligated to share the inheritance with the Magevney heirs. The settlement process regarding the distribution and sale of the real estate continued through 1943.

Scope and Contents Note [Highly preferred]

These records consist of case documents, legal agreements, court opinions, correspondence, reports, and news clippings generated and used during the legal dispute over the estate of Kate Hamilton. These records are organized in two series: Trial records and news clippings. The series Trial records is divided into seven sub-series: Case documents, Court opinions, Legal agreements, Documents left by Mr. Charles Stubbs, Settlement records, Reports by Sister Veronica Groome, and Correspondence.

This first series, Trial records, consists of documents compiled by the congregations' attorneys for the trial, an agreement between the congregation and the Magevney heirs, court opinions, reports on the trial proceedings by Sister Veronica Groome, and correspondence related to case preparation, appeals, and the eventual settlement.

The series News clippings is comprised of a single folder of news clippings regarding the case and its aftermath.

Arrangement

These records are divided into two series and several sub-series:

- I. Trial records
 - a. Case documents
 - b. Court opinions
 - c. Legal agreements
 - d. Documents left by Mr. Charles Stubbs
 - e. Settlement records
 - f. Reports by Sister Veronica Groome
 - g. Correspondence
- II. News clippings

Materials are largely arranged chronologically.

Restrictions

Access Restrictions [Highly preferred]

Materials are available by appointment only. Contact the archivist for details.

Use Restrictions [\[Highly preferred\]](#)

There are no use restrictions on this collection. Publisher is responsible for complying with copyright law.

Index Terms [\[Highly preferred\]](#)**Subjects (Persons): [600]**

Karsch, Blanche Hamilton [local]
Kenney, M. Catherine, Mother [local]
O'Kane, M. Angela, Mother [local]
Magevney, Eugene [lcsh]
Magevney, Kate [lcsh]
Magevney, Mary Agnes, Mother [local]

Subjects (Organizations): [610]

Tennessee. Supreme Court [lcsh]
Adoption [lcsh]

Subjects: [650]

Sacred Heart Academy of Galveston v. Karsch, 173 Tenn. 618 (1938) [Local]
Magevney v. Karsch, 167 Tenn. 32 (1933) [Local]

Document Types: [655]

Court records [lcsh]
Depositions [lcsh]

Administrative Information***Preferred Citation**

Magevney estate legal proceedings records, 1879—1943, Dominican Sisters of Houston Archives, Houston, Texas

Acquisition Information: [\[Highly preferred\]](#)

Source of acquisition unknown. Materials were in the archives as of 2020.

Processing Information: [\[Highly preferred\]](#)

Records processed by Laura Grove, November 2022.

Accession Number:

2022-095

Detailed Description of the Collection [\[Highly preferred\]](#)

Box #	Folder #	Title/Description	Date
		Trial Records	1879-1940
		<u>Case documents</u>	1879-1940
1	1	“Foreign Corporation” resolution passed by board of directors	1879
1	2	Will of Mother Magevney	1889-1931
1	3	Annal excerpts	May 6, 1934
1	4	Statements by Sisters Evangela Donough and Veronica Groome	1934, 1936
1	5	Depositions of 11 witnesses	1935
1	6	Sacred Heart Academy Answer of Complainant and Property Settlement	Undated
1	7	List of documents loaned to Mr. Stubbs	1935-1940
		<u>Legal agreement</u>	1932
1	8	Agreement with Magevney heirs	1932
		<u>Court Opinions</u>	1932, undated
1	9	Opinion of Court of Appeals	October 28, 1932
1	10	Opinion disposing of petition of Appellee requesting extension of elaboration of original opinion	Undated
		<u>Documents left by Mr. Charles Stubbs</u>	1938-1939, undated
1	11	Lists of Documents about Memphis case left by Mr. Charles Stubbs	August 30, 1939
1	12	Statement No. I	July 31, 1939
1	13	Statement No. II	Undated
1	14	Decree of distribution	July 1939
1	15	Exhibits “A” and “B”	Undated
1	16	Total amount of receipts and expenses	Undated
1	17	Decree confirming sale, divesting, and vesting title	1938-1939
1	18	Petition of Approval and Authorization of Sale of Real estate	undated
		<u>Settlement records</u>	1941-1943, undated
1	19	Accounting with Magevney heirs	1941
1	20	Order of reference	1943
1	21	Petition of trustees submitting final settlement	1943
1	22	Order directing trustees to make final distribution	Undated
1	23	Master’s Report on Reference	Undated
1	24	Interest of Magevney heirs	Undated
1	25	Statement of additional amounts	Undated
		<u>Reports by Sister Veronica Groome</u>	1931-1939
1	26	Report of Magevney Hamilton case	November 7, 1931-December 17, 1938

1	27	Convention at Memphis	April 1, 1939
		<u>Correspondence</u>	1931-1943
1	28	Blanche Karsch and Mother Catherine Kenney	1931
1	29	Case correspondence	1931-1939
1	30	Letters of congratulations	1933
1	31	Father Raymond Meagher to Mother Catherine Kenney	1934
1	32	Settlement correspondence	1938-1943
		News clippings	1930-1939
1	33	News clippings	1930-1939