

**IN RE POLLARD'S ESTATE, 1930-NMSC-052, 35 N.M. 33, 289 P. 597 (S. Ct. 1930)**

**In re POLLARD'S ESTATE. COMMERCE TRUST CO.  
vs.  
POLLARD'S ESTATE**

No. 3422

SUPREME COURT OF NEW MEXICO

1930-NMSC-052, 35 N.M. 33, 289 P. 597

June 06, 1930

Appeal from District Court, Eddy County; Richardson, Judge.

Proceedings by the Commerce Trust Company for the allowance of a claim against the John Pollard Estate. The claim was disallowed by the probate court, and claimant's appeal to the district court was dismissed, and, from the judgment of dismissal, claimant appeals.

**SYLLABUS**

**SYLLABUS BY THE COURT**

1. In absence of some objection or exception in the lower court, appeal presents no question for review.

**COUNSEL**

J. B. Atkeson, of Artesia, for appellant.

G. U. McCrary, of Artesia, for appellee.

**JUDGES**

Simms, J. Bickley, C. J., and Watson, J., concur. Parker and Catron, JJ., did not participate.

**AUTHOR: SIMMS**

**OPINION**

{\*33} OPINION OF THE COURT Appellant complains of the action of the trial court in dismissing its appeal from an order of the probate court disallowing its claim. The court

heard testimony and made certain findings and conclusions which appellant challenges. But the record does not disclose any objection or exception by appellant at any point in the proceedings. We have repeatedly held that such a condition of the record presents nothing here for review. {\*34} It follows that the judgment of the lower court should be affirmed and the cause remanded, and it is so ordered.