

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

Case Number 735

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The State of Texas

To all Persons Interested in the Guardianship of the Estate of the Minor James M. Sandifer
James M. Sandifer Guardian, has filed in the County Court of Dallas County, an Annual Account showing the condition of the Estate of his said Ward

which will be heard at the Term of said Court, commencing on the first Monday in May A. D. 1885, at the Court House, in the City of Dallas, at which time all persons interested in the welfare of said Minor may appear and contest said account if they see proper.

WITNESS, W. M. C. Hill, County Clerk of Dallas County, Texas.

Given under my hand and the seal of said Court, at office, in the City of Dallas, this 14 day of April A. D. 1885.

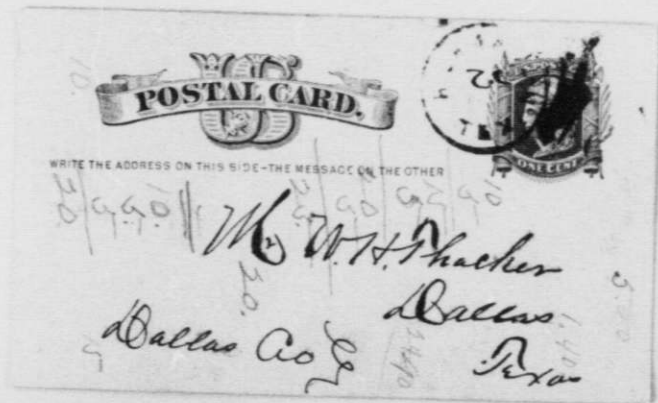
W. M. C. Hill

County Clerk of Dallas County, Texas.

By L. N. Hughes Deputy.

NOT A VALID STATE OF TEXAS INSTRUMENT UNLESS FILED IN

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James M. Sandifer
minor
Ex parte,
(Habeas Corpus)

1st app. dismissed August 3rd
2nd " - acted on " 13/80
(Child given to mother)

Aug. 3
Aug. 13 / 80

Not to be recorded

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THE STATE OF TEXAS.

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

You are hereby Commanded to summon Peter Sandifer and B. F. Sandifer (1/2 miles East of Richardson on Railroad) to appear personally before the Honorable County Court of Dallas County, at the Court House, in the City of Dallas and County aforesaid, on Friday August 13th at 11 A.M. A. D. 1880, at the instance of the Relator, then and there to give evidence in a certain case pending, wherein J. W. Sandifer is Relator Plaintiff, and Sarah Berry & J. F. Berry are Respondents, the latter holding under restraint of the Minor J. M. Sandifer Defendant, and remain from day to day, and from term to term, until discharged by the Court.

HEREIN FAIL NOT, but due Service and Return hereof make, as the law requires.

WITNESS, A. HARWOOD, Clerk of the County Court of Dallas Co., with the seal of the County Court hereon impressed, this 5th day of August, A. D. 1880.

A. HARWOOD, Clerk.

By W. H. Thacker, Deputy.

Richardson
Aug 21st 1880
Mr Thacker
Since I saw you I have
Sandifer says he told me
that he had paid all the
in the case we were talking
about the 20th the Sheriff
has to pay the 100 for me
that Judge Parker told
him that in the 1st proce-
ding there was no thing
as the proceedings
was void and said he
has to pay for me
for the 100 the 100
the look after it and
it to me as I am in need
of a little money the cost
is 100 vs. 100 a man
and hear from you by
return mail I am glad
Respectfully
W. H. Thacker

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THE STATE OF TEXAS.

To the Sheriff or any Constable of ^{Collin} Dallas County - Greeting:

You are Hereby Commanded to summon *C. P. Morris, (Plaintiff)*

to ~~come and personally~~ appear before the Honorable County ^{Judge} Court of Dallas County, at the Court ~~the town of Richardson in the~~ ^{House, in the City of Dallas} County aforesaid, on *Friday August 13th* A. D. 1880 ^{at 11 A. M.}, at the instance of the *Relator*, then and there to give evidence in a certain case pending, wherein *J. W. Sandifer is Relator* and *Sarah Berry* and *J. P. Berry* are Respondents, the latter ~~holding under restraint~~ ^{of J. W. Sandifer} and remain from day to day, and from term to term, until discharged by the Court.

HEREIN FAIL NOT, but due Service and Return hereof make, as the law requires.

WITNESS, A. HARWOOD, Clerk of the County Court of Dallas Co., with the seal of the County Court hereon impressed, this *5th* day of *August* A. D. 1880.

A. HARWOOD, Clerk.

By *W. H. Thacker* Deputy.

COUNTY COURT.

vs. SUBPENA.

J. W. Sandifer

Issued this *5th* day of *August*, 1880

A. HARWOOD, Clerk,
By *W. H. Thacker* Deputy.

SHERIFF'S RETURN.

Came to hand the *6th* day of *August* 1880, and executed the *9th* day of *August* 1880, by reading the within named Subpena to the within named *J. W. Sandifer* and *J. P. Berry*

Z. H. Moore
Sheriff Dallas County.

By *Z. H. Moore* Deputy.

A. C. Sub 2 sub - 8100
W. H. Thacker

THE STATE OF TEXAS.

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

You are Hereby Commanded to summon B. A. Sandifer, Eliza Sandifer, and C. D. Morris

to be and personally appear before the Honorable County Court of Dallas County, at the Court House, in the City of Dallas and County aforesaid, on Tuesday, August 5th, A. D. 1880, at 11 a.m. at the instance of J. J. Berry, then and there to give evidence in a certain case pending, wherein J. J. Berry is charged with illegally restraining of his liberty the Minors, J. M. Sandifer, Defendant, and remain from day to day, and from term to term, until discharged by the Court.

HEREIN FAIL NOT, but due Service and Return hereof make, as the law requires.

WITNESS, A. HARWOOD, Clerk of the County Court of Dallas Co., with the seal of the County Court hereon impressed, this 31st day of July, A. D. 1880.

A. HARWOOD, Clerk.

By W. H. Thacker, Deputy.



COUNTY COURT.

J. M. Sandifer, guardian

v.s. SUBRENA.

J. J. Berry X

Issued this 5th day of August, 1880.

A. HARWOOD, Clerk.

By W. H. Thacker, Deputy.

SHERIFF'S RETURN.

Came to hand the... of... 1880, and executed the... of... 1880, by reading the within return... to the... C. D.

New Market

Sheriff Dallas County.

By J. P. Howell, Deputy.

Free (Smith) 377

State of Texas
County of Dallas

Now comes the respondent J.
J. Berry - and for ~~such~~ answer - to the writ of
Habeas Corpus - herein - says he has not
nor nor has he at any time the custody
of J. M. Sandifer - the custody of said child
is in his mother - where the law of God
& man - have both placed it - and respondent
asks to be hence discharged
J. J. Berry

Subscribed and sworn to before me by
J. J. Berry 13th day of August 1880
R. C. Bennett
Justice

J. M. Sandifer

v.
M

Sarah M. J. J. Berry

Filed Aug. 13th 1880.

A. H. Hancock & Co. Clerk.

By W. H. Thacker, Deft.

Copy

The State of Texas,
To Sarah Berry and J. J. Berry,
Greeting: -

Whereas, upon the application of J. W. Sandifer, duly made as required by law, Com. R. E. Burke, County Judge of Dallas County, has this day granted his fiat for the issuance of a Writ of Habeas in Corpus in his behalf for the relief of his Ward, J. M. Sandifer, - said application showing that said Minor is by you illegally restrained of his liberty and he, the said J. W. Sandifer, prevented from exercising the care, custody and control of said Minor, J. M. Sandifer, as to him rightfully and legally belongs,

Therefore you are hereby commanded to appear before the said R. E. Burke, County Judge as aforesaid, at the town of Richardson in the County of Dallas, on Friday, the 13th day of August, A. D. 1880 at 11 O'clock, A. M. and to bring before said Judge the said Minor, J. M. Sandifer,

Hereof fail not, but your return and answer to this Writ also make at the time and place aforesaid as the law directs.

Witness my hand and official seal, at office in the City of Dallas, this the 5th day of August, A. D. 1880.

J. Harwood, Clerk
Co. Court, Dallas Co.
By W. H. Dracker, Dep.

L. S.

State of Texas }
County of Dallas } In Re - J. M. Sandifer
Not come the respondent Sarah

Berry - and for answer herein - says
1st she has the custody of James M. Sandifer
and has taken the said herein was served
upon her - and by the law called upon
to show by what authority - she holds the custody
of said James M. Sandifer - she says - that the
said James M. Sandifer - is her ^{infant} child - that his
father is dead - and she is by the law of
God & man entitled to the custody of her
child - and she asks to be protected in the
care and custody of the said child, and she
hereby denounces - any attempt if any she has here
before made - to remove herself of the custody of said
child - or to give the custody of said child to any
other person, respondent says if she ever signs any paper
containing - such an annulment ^{SUBJECT} of custody - ^{to} ^{the} ^{custody} ^{of} ^{the} ^{child}
arrange of - she did she intend to ^{the} ^{contents} ^{of} ^{the} ^{same}

Sarah J. Berry
Subscribed & sworn to before me by Sarah

Berry
23rd August 1880

R. E. Burke
Judge

Copy

J. M. Sandifer

vs.

Sarah as J. J. Berry

Filed Aug. 18. 1880.

S. H. Barrett, Clerk.

By W. H. Chackendoff

The State of Texas,
To Sarah Berry and J. J. Berry,

Greeting "Whereas, upon the application of J. M. Sandifer, duly made as required by Law, Cor. R. E. Burke, County Judge of Dallas County, has this day granted his fiat for the issuance of a Writ of Habeas Corpus in his behalf for the relief of his Ward, J. M. Sandifer, - said application showing that said Minor is by you illegal-ly restrained of his liberty, and he, the said J. M. Sandifer, prevented from exercising the care, custody and control of said Minor, J. M. Sandifer, as to him rightfully and legally belongs;

Therefore you are hereby commanded, to appear before the said R. E. Burke, County Judge as aforesaid, at the town of Richardson, in the County of Dallas, on Friday, the 13th day of August, A. D. 1880, at 11 O'clock A. M. and to bring before said Judge, the said Minor, J. M. Sandifer. Hereof fail not, but your return and answer to this Writ also make at the time and place aforesaid as the law directs.

Witness my hand and official seal, at office in the City of Dallas, this the 5th day of August, A. D. 1880.
A. Harwood, Clerk
Co. Court Dallas Co.
By W. H. Thacker, Deputy.

J. W. Sandifer
 vs ^{for} Wabeas Corpus
 J. M. Sandifer
 Sarah and J. J. Berry.
 Spaid Aug. 5th 1880.
 A. Harwood, Clerk.
 By W. H. Thacker, Dep't.

Return to Court
 Came to hand on
 the 7th day of August
 1880 and was execu-
 ted same day by J. W. Sandifer
 in the name of the said
 Sarah Berry and J. J. Berry
 each a true copy of the
 the original writ.

J. W. Sandifer
 Sheriff of Dallas County
 D. 50. 1. 90

State of Texas
 Dallas County
 vs the Hon. Court
 of Dallas County.

J. W. Sandifer Guardian
 of both the person and Estate of
 James M. Sandifer a minor
 returns the following as a true
 and perfect Inventory of all
 the real and personal property
 belonging to the Estate of said
 minor - to-wit

Sixty seven and a half acres improved land	\$1000 00
Ten acres timbered land	50 00
Forty acres unimproved prairie land	240 00
Personal	
Two Cotts & 1 horse.	\$100 00
Cash money on hand.	357 00
1 note on G. W. Daniel.	100 00
1 note on G. H. Blewett.	82 00
	\$1879 00

J. W. Sandifer Guardian as aforesaid further
 represents that said tract of 67 1/2 acres im-
 proved land is now in litigation before the
 Dist. Court of Dallas County, and that all
 the taxes State & County on all of said property
 are now unpaid and that Mrs Sarah
 Sandifer has a life Estate in all the

above described property equal
to one undivided one half
interest

(Signed) J. W. Sandifer

State of Tex 2
Cochran Co 3

This day came J. W. Sandifer, who is the guardian of both the person & estate of James M. Sandifer a minor, came before the undersigned authority, who who after being duly sworn depose the above and foregoing inventory and list is a full & complete inventory & list of the property and claims of said minor that have come to his knowledge and that the above and foregoing contains a correct and complete statement of the matters to which it relates -

(Signed) J. W. Sandifer

Subscribed & sworn to before me this 29th day of

AD 187

291 J
(Inventory)

Estate of
J. M. Sandifer
a Minor

Filed April 20, 1880.
A. Garwood Clerk
By J. H. Thacker Dep.

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The State of Texas }
County of Dallas }

To the Honorable
R E Burke Judge of the County
Court of Dallas County and as
such, exercising jurisdiction in the
said County of Dallas in the
State of Texas

The Petition of J W Sandifer
respectfully shows that he is
the legal Guardian of the person
and estate of J M Sandifer who
is a minor about the age of 4
years. That Mrs Sarah Berry and
J J Berry of said Dallas County,
illegally restrains said minor in his
liberties and holds and detains and
restrains the said minor from the
custody, care, control, and tuition
of your petitioner.

That although the said Sarah Berry
is the Mother and Natural guar-
dian of said minor and the said
J J Berry is the step Father of said
minor they nor either of them have
any legal authority to so hold from
your petitioner the custody, care, con-
trol and tuition of the said minor,
J M Sandifer, ~~from~~ from your
petitioner.

That your Petitioner has the

legal right to the custody, care, control
 and tuition of said minor of and by
 reason of the powers and authority
 vested in him by the letters of Guar-
 dianship &c a copy of which is here-
 to attached. Wherefore your Petitioner
 pray your Honor to grant him
 the writ of Habeas Corpus
 directed to the Sheriff or any Con-
 stable of Dallas County Texas to be
 served on the said Sarah Berry and
 her husband the said J. A. Berry who
 is prayed to be joined with the said
 Sarah Berry as defendant in this
 cause, commanding them to bring
 the said minor (J. M. Sandifer)
 together with any and every authori-
 ty they or either of them may have
 for the detention of the said
 minor J. M. Sandifer. Before your
 Honor at such time and place
 as to your Honor may seem
 fit and proper that justice may
 then and there be rendered in
 the premises and your petitioner
 will ever pray &c

James M. Sandifer
 Guardian

The State of Texas }
County of Dallas } *A. Harwood*
clerk Before me *R. E. Burke*
Judge of the County Court of
Dallas County Texas personally
came *J. W. Sandifer* who after
being by me duly sworn upon
his oath deposes and says
that the allegations in the above,
foregoing and attached petition
are true according to his best
knowledge and belief

James W. Sandifer
Guardian De

Subscribed & Sworn to before
me this 5th day of August A.D.
1880

A. Harwood
Clk. C. C. Court

The State of Texas
County of Dallas

To whom it may concern
This certifies that J M Sandifer has
been by the Hon R C Burke
County Judge in and for said
County duly appointed Guardi-
an of the person and estate
of J M Sandifer a Minor

Seal

Given under my
hand and official
Seal at my office in
the City of Dallas
this 13th May A.D. 1880

A Harwood
Co Clk Dallas Co Texas

Let the writ issue returnable
at the town of Richardson in
Dallas County at 11 o'clock
AM on Friday Aug 13th
1950.

R E Murtre
Judge

✓
To
J. W. Sandifer
~~The State of Texas~~
vs ^{Wife of} ~~Heir of~~ ^{Abel} Corpus
Sarah Berry &
J. J. Berry

Filed August 5, 1880.
J. Harwood, Clerk
By W. H. Shaetter, dep.