

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

Case Number 32

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#32

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Guardian Notice.

Notice is hereby given that Delila Burks has filed in my office her Petition to the San County Court of Dallas County, praying for Letters of Guardianship of the Person and Estate of Sarah J Burks minor or heir of Thos A Burks decd. which will be granted at the next term of said Court to be holden at the Court House in the town of Dallas on Monday the 31<sup>st</sup> Inst, if no legal objections are made -

Dallas Texa  
Decr 27<sup>th</sup> 1855

H. H. Prater, Clerk Co. Ct. D. C., Tex.

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The State of Texas,  
COUNTY OF DALLAS.

TO THE SHERIFF OF DALLAS COUNTY, Greeting:

YOU ARE HEREBY COMMANDED to cite Delila Burks Guardian  
of Sarah J Burks  
to be and appear before the Honorable, the County Court for the county of Dallas, at its next term, to be holden at the Court-House in the Town of Dallas, on Monday, the 25<sup>th</sup> day of February A. D. 1856; then and there to show cause, if any she can, why she has not rendered to said court a Bond, as Guardian of the said Sarah J Burks as required by law.

HEREIN FAIL NOT, but due return make, as required by law. (By order of the Court.)

GIVEN UNDER MY HAND, and Official Seal, this 30<sup>th</sup>  
day of January A. D. 1856.

H. H. Prater

Clerk Co. Ct., D. C., Texas.



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County Court  
95 ~~100~~ Citation  
~~of the Court~~  
Sarah J Burks

Issued by the Court 1856  
J. H. Peak ckr

Filed 19<sup>th</sup> Oct 1856  
J. H. Peak ckr

Original  
brought to Home  
this 20<sup>th</sup> Jan 1856  
executed by leaving  
a copy of the writ  
with Gilda Burks  
this 18<sup>th</sup> of Feb 1856

J. H. Peak

Received

The State of Texas,  
COUNTY OF DALLAS.

TO THE SHERIFF OF DALLAS COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO CITE *Gilda Burks Guardian*  
*of Sarah J. Burks*

to be and appear at the next term of the County Court, to be holden at the Court House in the town of Dallas, on the last Monday in *May*, 18*60*, then and there to show cause, if any, why *you should not be required to return to this Court, a full & complete exhibit in writing under oath of the condition of said wards Estate, and should not be required to give new Security as proper for in Petition now on file in this Office as required by Law*—  
And have you then there this writ. Herein fail not, but due return make as required by law.

Given under my hand, and seal of the County Court of Dallas

County, this the *16<sup>th</sup>* day of *May* A. D. 18*60*.

*J. H. Peak*  
Clerk of the County Court of Dallas County, Texas.  
*By Geo. W. Laws Dpt. CLK*

FILED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

County Court  
vs Citation  
Delila Burks  
Subd 16<sup>th</sup> May 1866  
W. W. Lawless  
Original

Came to hand from [unclear]  
Executed by sending a  
copy of the within cita-  
tion to Delila Burks  
on the 25<sup>th</sup> day of May  
1866. [unclear]  
W. W. Lawless  
Shoff Staff

*[Small rectangular stamp, likely a newspaper or publication notice]*

The State of Texas,  
COUNTY OF DALLAS.

Personally appeared before the undersigned authori-  
ty, *Wm. H. Kimbrell*

one of the publishers of the "DALLAS HERALD," a  
newspaper published in the town of Dallas, County  
and State above named, who makes oath, in due form  
of law, that the advertisement, of which the annexed

is a copy, was published in said newspaper for *four* successive weeks, commencing on  
Wednesday, the *16<sup>th</sup>* day of *May* A. D. 186*3*. *Wm. H. Kimbrell*  
Sworn to and subscribed before me, this *25<sup>th</sup>* day of *May* A. D. 186*3*.

Clerk County Court Dallas County, Texas.

*My position was kept*

County Court  
vs Citation  
~~Delila Burks~~  
Sarah J Burks  
James 30<sup>th</sup> Jan 1856  
W. W. Lawless

Original  
Came to hand  
the 30<sup>th</sup> Jan 1856  
Executed by sending  
a copy of the within  
with Delila Burks  
the 12<sup>th</sup> of Feb 1856  
J. C. Haughe  
Shoff  
Recorded



The State of Texas  
County of Dallas

In County Court of  
December Term 1858

Am James M. Pullman Clerk &c.

Your Petitioner  
Delia Purdy who resides in the County of Dallas  
and State of Texas would respectfully represent  
that Sarah W. Purdy is the only Child & Minor  
Child of Thomas Purdy deceased, that said  
Minor is entitled to a Distribution Share of  
Property belonging to the Estate of said  
individual in the State of Indiana Kentucky  
& that said Minor is without a Guardian  
& that your petitioner is the Mother of  
said Minor & she presents this petition &  
prays to be appointed Guardian <sup>of the Person & Estate</sup> of said  
Minor & she will ever pray  
Clerk of Court  
for Petitioner

The State of Texas County Court  
County of Dallas Vacation of 9<sup>th</sup> April 1856

Now James W. Patterson C. J.

Now comes Delilah Burke Guardian of  
Sarah D. Burke and respectfully represents  
that an property belonging to her said ward  
has come to her hands and asks the  
Court to receive this as her inventory &c  
all of which is respectfully submitted  
on oath.

Sworn to & Subscribed  
before me this the  
9<sup>th</sup> April 1856.  
J. H. Peake etc  
C. C.

Delilah Burke  
Guardian



The State of Texas County Court  
County of Dallas 3 March term 1857

Now James M. Patterson Cpx

Now Anna Delilah Burks Guardian of the  
person & Estate of Sarah J. Burks and  
respectfully represents to your Honor that  
no property as yet has come to her  
hands as said Guardian; and asks that  
this be viewed as her annual showing  
of the Condition of said Estate.

Crack. W. Guep & McKenzies  
attop

I, Delilah Burks Guardian of the person  
& Estate of Sarah J. Burks solemnly swear  
that the above is a true & correct show-  
ing of the Condition of the Estate of  
said Sarah so far as the same has  
come to my hands as Guardian  
Sworn to & subscribed by Delilah Burks  
before me this the 3rd  
day of April 1857.

Wm. H. Brundage Jcl.



1857

Delilah Johnson Guardian of Sarah J.  
Burks Minor in account  
with The County Court of Dallas County  
Tx. one note on John Hall's M. W. Spencer  
due May 10th 1858 for \$86.<sup>00</sup>/<sub>100</sub>  
Cash on hand \$15.<sup>50</sup>/<sub>100</sub>  

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\$101.<sup>50</sup>/<sub>100</sub>

Personally appeared before me  
The undersigned Justice of the Peace Delilah Johnson  
as above who makes oath that  
the above annexed report is the  
amount of all the assets she has  
on her hands of said Estate as Guardian  
Sever to & Subscribed before me this  
23<sup>rd</sup> day of February 1857  
J. M. Lawrence J.P.

The State of Texas } Know all men by  
County of Dallas } these presents that  
we Delilah Burks <sup>and Executor Johnson</sup> as prin-  
cipal and H. F. Johnson and P  
Daylan as securities are held and  
firmly bound unto the Chief Justice of  
Dallas County in the sum of one  
thousand dollars for the payment  
of which well and truly to be made, we  
herely bind ourselves our heirs Executors  
and administrators jointly and severally  
firmly by these presents signed and sealed  
with our seals the seals being screws; this  
day of A.D. 1860

The condition of the above obligation is such,  
that whereas the above bounden Delilah  
Burks has been appointed by the County Court  
of Dallas County Guardian of the Estate of  
Sarah J. Burks. Now if the said Delilah  
Burks shall well and truly perform all the  
duties required of her by Law under said  
appointment, then this obligation shall  
be null and void otherwise to be null  
remain in full force and effect

Delilah Johnson  
H. F. Johnson  
P. Daylan

Now Delilah Johnson  
I Delilah Burks do solemnly swear that I  
will well and truly perform all the duties  
of Guardian of the heirs of the estate of  
Sarah T Burks  
Delilah Johnson

Subscribed & sworn to  
this 24<sup>th</sup> day of May  
1860

J. W. Patton  
Chief Justice

Delilah Johnson  
S. E. Bond  
Chief Justice

Filed June 4<sup>th</sup> 1860  
W. M. Davis  
off. of the Chief Justice  
June 1860  
J. W. Patton  
Chief Justice

Rec'd  
X



The State of Texas }  
 County of Dallas } On this 29<sup>th</sup> of May A.D. 1858  
 Personally appears before me W. H. Brundage  
 a Justice of the Peace in and for Dallas county  
 Precinct No. 7 Delilah's Betts Esq. Guardian of  
 Sarah J. Burk and makes oath that she ~~had~~  
 Received on the 12<sup>th</sup> day of May for Sarah J. Burks  
 The sum of Eighty six and <sup>50</sup>/<sub>100</sub> dollars which is all  
 the change since my last showing which I made  
 to the county court in April last  
 sworn to & subscribed } Delilah Burks  
 before me this 29<sup>th</sup>  
 day of May A.D. 1858 }  
 W. H. Brundage J.P.

The State of Texas } In Probate Court  
County of Dallas } May Jun 1860

Now comes Delila Johnson (formerly  
Delila Burks) Guardian of the estate of Sarah J. Burks  
and respectfully sets forth the following as her annual <sup>and final</sup> ~~annual~~ <sup>and final</sup> ~~annual~~  
report of the condition of the estate of said ward for 1860.  
Said estate consists of nearly three & half acres of land  
lying & being in said County and without any improvement  
thereon. Also one promissory note, principal of said note  
being Eighty six Dollars & five cents and being on interest at  
12 per cent per annum. Said note was made by John H. Mc  
payable to said Guardian for said ward. Said money is still  
in the hands of said trustee & due said estate.

Said Guardian prays that the foregoing be read by the Hon.  
court as a complete Exhibit of the <sup>condition</sup> ~~condition~~ of said estate  
and as in duty bound &c.

Delila Johnson

Subscribed & Sworn to

This 28<sup>th</sup> May 1860

J. M. Patterson  
- Chief Justice



The State of Texas }  
County of Dallas }

Hon. James M. Pattusan  
Chief Justice of the county Court of Dallas  
County.

Your petitioners John Hall  
& Mapers M. Spencer Sureties on the Bond  
of Delila Burks would respectfully represent &  
beg your Honor to cite the said Delila Burks  
to be & appear at the next term of the court to  
be held the Last Monday in May & show cause  
why new sureties should not be appointed.  
This 30<sup>th</sup> day of April 1860



Delila Johnson, Guardian Sarah J. Burr, In Final  
Account Current with her said Ward's Estate —

To Amt of Realty as per Inventory "Docket No. 3" \$462.50	My Amt of Realty on hand as per Inventory - "A" \$462.50
Cash as per Exhibit - "B" 101.55	" Cash Paid Chief Justice 8.00
\$564.05	" " " County Clerk 7.50
	" Court Cost & Printers just paid 35.00
	" Cash Paid Schooling Clothing & Laundry 51.05
	\$564.05

To the Hon. J. M. Patterson Chief Justice —

Delila Johnson Guardian of the Person  
and Estate of Sarah J. Burr, doth leave to present the foregoing  
as her Final Exhibit of the Estate of her said Ward, and  
respectfully represent to the Court, that her said Ward is now  
of age, and that there is no property on hand except, realty  
as shown in said Final Exhibit — and doth to be discharged  
from further liabilities as such Guardian.

Delila Johnson Guardian

The State of Texas Before Me A. J. Brown Justice of the Peace  
County of Dallas In Presence of: & Personally appeared, Delila Johnson  
and being duly sworn according to Law says upon Oath that the  
above foregoing is a full & complete Final Exhibit of the Condition  
of her said Ward's Estate to the best of her Knowledge & Belief —  
Guaranty to be submitted before  
Me this 25<sup>th</sup> day of April A.D. 1863  
A. J. Brown J.P.

Delila Johnson Guardian

April 25th 1861

Delila Johnson Guardian  
of J. Ellen Berks Minor  
in account with the County  
Court of Dallas County  
Tex.

To cash on hand \$ 100. 00,  
To one half interest in  
one hundred & sixty acres  
of land off of John Halls  
Academy right Survey in  
Dallas County

The State of Texas } Delilah Johnson  
Dallas County } Personally appeared

before me A. H. Havender Justice  
of the peace for said county.

The above named Delilah Johnson  
Guardian of J. Ellen Berks Minor  
who makes oath that the above is  
a true statement of all the property  
she has in her hands of her said  
ward J. Ellen Berks

Sworn to & subscribed  
before me this 25th day  
of April 1861

A. H. Havender, J. P.



Inventory and appraisement of the property  
belonging to the estate of Thomas Ellen Burks  
ward of Delilah Johnson.

Eighty one acres of land part of the headright  
of John Hall situated in the County of Dallas  
State of Texas appraised at \$ 5 per acre \$ 400.00

Twelve and a half acres of land  
a portion of the headright of J.  
B. Richards situated in said County  
appraised at \$ 5.00 per acre

\$ 62.50  
\$ 462.50

I Delilah Johnson, Guardian of the person  
& estate of Thomas Ellen Burks solemnly  
swear that the above & foregoing is a true  
& correct inventory of the property belonging  
to said ward so far as the same has  
come to my hands or knowledge.

Sworn to & subscribed  
before me, this 21<sup>st</sup> day  
of June AD 1862.

Delilah Johnson Guardian

A. McLawrence J.P.

We the Hon. Snowles & Clement G. appraisers  
appointed by the Hon. Chief Justice for Dallas  
County Texas, solemnly swear that the above  
is a just and correct appraisement of all  
the property belonging to Thos. E. Burks so far  
as shown us by her Guardian Delilah Johnson  
Sworn to & subscribed  
before me, this 21<sup>st</sup> day  
of June AD 1862.

Appraisers  
Snowles  
Clement G. Snow

A. McLawrence J.P.






The State of Texas,  
COUNTY OF DALLAS.

KNOW ALL MEN BY THESE PRESENTS, THAT

*Delilah Burks* as principal, and *John Hall* and *W. M. Spencer*  
as sureties are held and firmly bound unto the Chief Justice of the County of Dallas,  
in the sum of *One thousand* dollars; for the payment of which, well and  
truly to be made, we hereby bind, ourselves, our heirs, executors and administrators, jointly and severally, firmly by  
these presents; signed and sealed with our seals the seals being scravels; this *7<sup>th</sup>* day of *February*  
A. D. 1856.

The condition of the above obligation is such, that whereas the above bounden *Delilah Burks*  
has been appointed by the *County Court of Dallas County*  
Guardian of the *Estate of Sarah J. Burks*

Now if the said *Delilah Burks* shall well and truly per-  
form all the duties required of *her* by law under said appointment, then this obligation shall be null and void  
otherwise to be, and remain in full force and effect.

*Delilah Burks*   
*John Hall*   
*W. M. Spencer* 

*I Delilah Burks* do solemnly swear that I will well and  
truly perform all the duties of Guardian of the ~~Estate of~~ *heirs* of the *Sarah J. Burks*  
*Execut*

Subscribed and sworn to before  
me this *7<sup>th</sup>* day of *February*  
A. D. 1856.

*W. M. Spencer* *Ch. Cl. D. Co. Jus. of the Peace*