

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

Case Number 529

---

Dallas Genealogical Society  
Founded 1955

[www.dallasgenealogy.org](http://www.dallasgenealogy.org)



FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

# 529

FILMED BY THE DALLAS GENEALOGICAL SOCIETY - 1977

Heirs of S. Phelps dec'd

1844

In age with A. Harwood Guardian

Dec 31 Do Bond of Childs 52 Wks @ 75

39-

• amt paid for clothing &c

752

\$ 46.50

Control Cr

By amt Rec'd of E.C. Browder adm't

1835-

Balance due said Guardian

\$ 2815-

All of which is respectfully submitted.

A. Harwood  
Guardian

Dallas, 31<sup>st</sup> Dec 1844

Sworn to in open Court this 31<sup>st</sup> Dec

1844-

W. H. Wood  
Chief Justice

Handwritten notes on lined paper, including "A. Harwood Guardian", "May 20th 1844", "Dum Reg 18 15 90", and "Dum Reg 18 15 90".

Heirs of Joshua O. Dille

State of Texas

County of Dallas know all men by these presents that  
Mr Alexander Harwood principal and William  
M. Lewis Mr. M. Cochran \_\_\_\_\_ at counties  
are held and firmly bound unto William H  
Hord Judge of the Probate Court of Dallas County  
Texas and to his successors in office in the full  
sum of five hundred \_\_\_\_\_ Dollars for the payment  
of which sum well and truly to be made we  
bind ourselves our heirs executors and administrators  
severally and jointly firmly by these presents sealed  
with our seals and dated this 30<sup>th</sup> day of Oct  
a 1848 Whereas the said Alexander Harwood has  
this day been appointed by the Probate Court  
for the State and State aforesaid Guardian  
of Mary Ann Phelps \_\_\_\_\_

Infant heir of Joseph Phelps late of Dallas  
County Deceased \_\_\_\_\_ Now the conditions of  
the above Bonden Alexander Harwood Well and  
truly and faithfully perform and discharge  
his several duties and trusts committed to him  
as such Guardian aforesaid to Law and  
obey all orders of said Court that may be  
entered in the premises then and in that case  
the above and foregoing obligations to be null  
and void else to be and remain in full force  
and Virtue according to Law

Taken and approved by  
the Court in open Court

A Harwood Seal  
William M. Lewis Seal  
Mr. M. Cochran Seal  
Seal

The State of Texas This day personally  
 County of Dallas I appeared Alexander  
 Harwood in Open Court & solemnly  
 I swear that he will well & truly perform  
 all the duties devolving upon him as  
 Guardian of Many Ann Childs according  
 to Law & the best of his skill & ability  
 sworn to & subscribed  
 in Open Court at Oct. 1848

A. Harwood

Wm. Guendens Bank  
 State Bank  
 Oct. 1848

Alexander Harwood

State of Texas      A County Court  
County of Dallas      October Term 1898  
To the Honorable William  
McKord Chief Justice and Judge of the  
County Court within and for the County  
of Dallas and State of Texas. in  
Court sitting

The undersigned, your petitioner  
would most respectfully Represent unto  
your Honor that one Josiah S. Phelps  
late of said County, was on about the  
10<sup>th</sup> day of April 1858, departed this  
life intestate, leaving an infant heir  
named Mary Ann Phelps. - That the  
Estate of said Decedent has since been  
administered upon by one Edward C.  
Browder - and that no Guardian has  
as yet been appointed by this Honorable  
Court for said infant - That your  
petitioner is the Brother-in-Law of said  
Decedent and the uncle to said infant.  
In view of the facts above set forth,  
your petitioner would pray your Honor  
to grant to him letters of Guardianship  
of said Mary Ann Phelps, at the Term  
of your Honors Court, and do such other  
things in the Premises as may be equitable  
and just and as in duty bound he will  
ever pray &c.

Alexander Harwood  
By E. C. Miley  
his atty

State of Texas  
Dallas County

County Court No. Term Oct. 1848

To Hon. W. L. Atkinson Chief Justice

The undersigned Plaintiff of my  
writings by reason of certain  
Articles Exhibit of the Statute of the State of  
his said writ.

A. H. Asst. Justice  
Henry D. Smith

In case with this writ  
To Law claim still in hand approved & given  
Center Co

Reg. Court of this day allowed 229.10  
Bal due Court 7 149.10

all of which is respectfully submitted this  
24th Nov 1848

Wm. H. Smith  
Pro. Atty

No 41  
Hepburn's Memoirs  
33  
County Court 1848  
Oct 17 1848  
Wm. H. Smith  
Pro. Atty

1167 - 113100  
State of Texas  
Dallas County In County Court Jan Term A.D. 1854

Now J. W. Letimer Chief Justice

The undersigned Guardian of  
Mary & Phelps, infant heir of J. S. Phelps, etc.  
would respectfully represent unto your Honor  
that he has no means on hand for the support and  
Education of said ward, or to discharge the liabilities  
already incurred wherefore he prays an order for  
the sale of the following described property belonging  
to said ward, to wit the headright survey of  
said Dec<sup>r</sup> containing two acres situated on Deer  
creek, County and State aforesaid, also an  
undivided interest of one fifth part of the  
headright survey of A. M. Brown, Dec<sup>r</sup>, con-  
taining two acres, and situated on the head of  
Merris branch, County and State aforesaid.

The premises considered your petitioner prays  
that citation issue as required by law, and that said  
order be granted, and as in duty bound will  
ever pray

A. S. Brown  
Guardian

6



Mary A Phelps  
 To A. K. Wood Guardian of  
 7 years from 4<sup>th</sup> Dec 1826 to 1 Dec '33 50-  
 Schooling, clothing & misc attendance same time 25-  
 Bal due at last settlement 229.11  
 \$304.11

Contra B.  
 13y Laws still on hand appraised at 80¢  
 Given to and calculated before me this 26<sup>th</sup> Dec 1833

State of Texas  
 Dallas County 3<sup>rd</sup> County Court Dec Term 1833

Now J. M. Lattimer Sheriff

The undersigned Guardian of Mary A Phelps  
 by leave to submit the above to his annual  
 exhibit of the condition of the Estate of said  
 ward, and pray that the same be appraised and  
 as in duty bound he will ever pray

A. K. Wood Guardian

Given to and submitted before me

J. M. Lattimer Sheriff  
 Dec 26<sup>th</sup>

A. K. Wood Guardian  
 Mary A Phelps  
 50<sup>th</sup> Division for 1833  
 County Court  
 Dec 31<sup>st</sup> Term 1834  
 J. M. Lattimer Sheriff

Sale Bill of the Property of Mary A Phelps  
 infant child of J. S. Phelps dec'd, as sold by J. T. Ham-  
 1st Aug. 54, to the highest bidder, in a crowd of 12  
 men, on Tuesday 6<sup>th</sup> Inst. Terms  
 one acre of Land, the Steadright Survey of  
 said Decedent, purchased by G. M. Ward  
 for  
 Also an undivided interest in the one acre  
 survey of J. M. Hammet dec'd - same purchased by G. M. Ward  
 for \$8400

State of Texas  
 Dallas County Personally appeared before the undersigned  
 authority, J. M. Hammet Guardian of Mary A.  
 Phelps and made oath in due form of Law that  
 the foregoing is a true and correct sale bill of the  
 property of his said ward, as therein specified

J. M. Hammet

Subscribed and sworn to before me this 6 day  
 of June 1854  
 J. W. Salinger

State of Texas  
 Dallas County County Court June Term 1854  
 To Hon. J. W. Salinger Chief Justice

The undersigned Guardian  
 Ad Litem of Mary A. Phelps begs leave to  
 exhibit the above sale bill of the property of  
 his said ward, and pray that the same be  
 approved, and court-ordered orders to be made  
 to the purchaser, the purchase money  
 having been fully paid and dis-charged,  
 and as in duty bound will ever pray &c

J. M. Hammet  
 Guardian

A. Hammet Guard  
 Mary A. Phelps  
 \$8400 Annual Exhibit  
 County Court

Filed 26<sup>th</sup> Decr 1883  
 W. M. Peck of. cl.

Mary A. Phelps  
 In a/c with A. S. Hammond Guardian  
 30415-  
 Balance due at last exhibit  
 67.00  
 Bond, Guardian medical bills & clothing  
 Bond from 1st Dec last  
 Printer fees 2 cases  
 Fees of Court  
 5 per cent Com on 384.47  
 1920

By Court Clerk  
 By amt paid to files \$384.00  
 19th Dec 1854

State of Texas County of Tarrant July Term 1854  
 Dallas County  
 To Hon J. M. Linn Chief Justice &c

The undersigned Guardian  
 of the Estate of Mary A. Phelps, do hereby  
 certify that the within and the means  
 of his said ward is fully exhausted as is shown  
 in the foregoing exhibit, & therefore you petition  
 pray that this be so as per final settlement and  
 be discharged from further liabilities as such  
 Guardian and as in duty bound will ever  
 remain &c

A. S. Hammond  
 Guardian  
 Geo. W. Baird  
 A. S. L. 17

From & are subscribed before me this 19th  
 Day of July 1854

A. S. Hammond Guardian  
 Mary A. Phelps  
 Sale Bill

Filed 20th June 1854  
 Cle. M. Longin J. P. Clerk

Approved 26 June  
 1854

W. L. Linn  
 C. L. 60

9

Record

Inventory and appraisement of the  
property belonging to Mary Ann Phelps  
infant heir of J. S. Phelps Dec'd Court

One Certificate for 320 Acres of Land obtained by  
virtue of said Phelps' Emigration and Settlement  
in Peters' Colony as a Colonist appraised at \$80.

State of Texas  
Dallas County Personally appeared before the undersigned  
authority A. Hammond Esq of Mary Phelps and  
made oath that the foregoing Inventory contains a true  
and correct list of all the property that has come into  
his hands as such Guardian  
Sworn to and subscribed before me  
this 23<sup>rd</sup> Oct 1857

J. W. Salomon  
Chf. Clk.

State of Texas  
Dallas County Personally appeared before the undersigned  
authority A. D. Rice and Asst Secy of the app-  
raisement for the estate of Mary Ann Phelps, infant heir  
of J. S. Phelps Dec'd and made oath that the above  
is a fair and impartial appraisement of the property  
of said infant as therein set forth.

Sworn to and subscribed before me  
this 23<sup>rd</sup> Oct 1857

A. Hammond Esq  
Chf. Clk.

A. Hammond Esq  
Mary A. Phelps  
Final Statement

Filed 20<sup>th</sup> June 1854

Ele. McKenzie Dpty. Clk.

Notary unimpaired  
June 1854

M. L. Salomon  
Chf. Clk.

Appraised 31<sup>st</sup> July

1854 J. W. Salomon

Chf. Clk.

70

State of Texas  
Dallas County  
County Court April Term 1857

To the Hon. Josiah Eckling, Chief Justice  
in and for said County,

The undersigned, your  
petitioner would most respectfully represent  
unto your Honor, that at the Oct Term 1856  
of your Hon. Court, he was appointed executor  
of the person and estate of Mary Ann Phelps  
infant heir of Ed Phelps dec'd. that your  
petitioner managed the estate of this said ward  
under the supervision of your Hon. Court, until  
the Jan term A.D. 1857, at which time your petiti-  
oner was discharged, from further responsibility  
therein the whole of the estate of said ward having  
which had come to his hands having been ex-  
hausted, as will appear by the final exhibit -

Your petitioner would further represent that  
since his said final settlement and discharge  
he has discovered other property belonging to  
said ward, wherefore, your petitioner respects-  
fully prays your Honor to reappoint him  
Guardian for the estate of said ward, and  
as he is duly bound he will ever pray  
A. Harwood

Inventory of the Prop-  
erty of Mrs. A. Phelps  
by A. Harwood Guard

Approved Oct 27  
1857.

Witness

Chas. W. S.

Filed 27th Oct 1857  
A. Harwood

Receives

5

State of Texas  
County of Dallas

Know all men by these presents that Mr. Alexander Harwood as Principal and Mr. M. Leonard and John W. Boyan as Sureties are held and firmly bound unto the Chief Justice of the County of Dallas in the sum of \$200 Alexander Harwood for the payment of which, well and truly to be made, we bind ourselves, our heirs, Executors and Administrators jointly and severally firmly by these presents - Signed and sealed with our seals, the seals being hereto this 29<sup>th</sup> day of April A.D. 1881 -

The condition of the above obligation is such that, whereas the above bounden Alexander Harwood has been appointed by the Chief Justice of the County of Dallas Guardian of the Estate of the mind Mary Ann Phelps -

Then if the said Alexander Harwood shall well and truly perform all the duties required of him by law under said appointment, then this obligation shall be null and void, otherwise to remain in full force and effect -

Alexander Harwood  
Mr. M. Leonard  
John W. Boyan

I Alexander Harwood do solemnly swear that I will well and truly perform the duties of Guardian of the Estate of the mind Mary Ann Phelps -

Alexander Harwood

Given to and subscribed before me this 29<sup>th</sup> day of April  
A.D. 1881 -

S. B. Wins  
C. J. D. C.

Alexander Harwood  
Petition for Reappoin-  
tment as Guardian  
of the Estate of M. A. Phelps  
County Court

Filed 14<sup>th</sup> April 1881  
A. Harwood clk

3

A. Harwood Quays  
Mary Ann Phelps  
to B. F. Bond  
Chief Justice

---

Filed 29<sup>th</sup> April 1851  
A. Harwood CLK

Approved in  
Open Court this  
29<sup>th</sup> day of April  
1851 B. F. Bond  
C. J.

4