

JOHN DENNIS PHELAN

Associate Justice - 1852-1854 and 1864-1866

BORN: March 23, 1809; New Brunswick, New Jersey
*DIED: September 10, 1879; Marion, Alabama**

Originally from New Jersey, John Dennis Phelan grew up in Huntsville, Alabama, and attended the University of Nashville. He studied law in Virginia and was admitted to that bar in 1830 but soon returned to Alabama. In 1832, he became editor of the **Huntsville Democrat**, and in 1837, he was admitted to the Alabama bar.

In 1834 and 1835 Phelan represented Madison County in the state legislature. Two years later the legislature elected him attorney general, and he moved to Tuscaloosa. In 1838, he resigned but was elected the next year to the legislature and chosen speaker of the House.

Phelan was a circuit judge from 1841 until 1851. When the Supreme Court was expanded to five members in 1851, the legislature elected Phelan to one of the new positions. In 1853, however, the size of the court was reduced to three; Phelan lost his post but was appointed clerk of the court. Then, in 1864, he was appointed to the court to succeed Richard W. Walker. Again displaced in January, 1866—this time by the provisional government—he resumed his duties as clerk until 1868 when he was disqualified from office by Congressional Reconstruction legislation. He then moved to Sewanee, Tennessee, where he built a large home and frequently lectured at the University of the South.

In 1836, John Dennis Phelan married Mary Ann Harris of Limestone County. They had twelve children. He married Maria Shelby in 1872.

*Although Sewanee was his permanent residence, he died while on a visit to Alabama.