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The Society is having an exciting fall. In September, we held our 23rd Annual Hemphill Dinner with Chief Judge Carl Stewart of the United States Court of Appeals for the Fifth Circuit as our keynote. Chief Judge Stewart, a great storyteller and engaging speaker, shared some wonderful stories about his life and ties to Texas, including the fact that his first sitting as a federal judge was in Austin with Judges Will Garwood and Jerry Smith.

Our next big event will be the Great War Commemoration in honor of the 100th anniversary of the Armistice that ended World War I. The focus will be on the eight Texas Supreme Court Justices, two Court of Criminal Appeals Judges, and three Governors who served in the Great War. We’re co-sponsoring this important event with the Supreme Court of Texas, and it will be held on Wednesday, November 14, 2018, at 1:30 p.m. in the Historic Supreme Court Courtroom on the third floor of the Capitol.

Judge Mark Davidson researched the Great War at the National World War I Museum and Memorial in Kansas City, Missouri, and David Furlow has worked tirelessly to orchestrate the program and locate the families of the honorees—a number of them will be in attendance. We are also grateful to all the librarians, archivists, and others who helped track down the Justices’ service records and photos in various archives (their names are listed in David Furlow’s Executive Editor’s Column on page 8). Following the program, we will hold a World War I-themed reception at the Texas Law Center’s Hatton W. Sumners Conference Room. Please join us for this once-in-a-lifetime occasion.

This edition of the Journal is designed to complement and amplify the Great War Commemoration with narrative histories of the honorees. Once again, we owe a debt of gratitude to David Furlow, who has been instrumental in putting together this matchless issue of the Journal, including writing a number of the articles and locating other authors to tell the veterans’ stories. He also found an amazing array of photos and other images to add color and drama to the narratives. The stories are moving and inspiring, and I hope you will find the time to savor this important chapter of our history.

Marcy Hogan Greer is a partner in the appellate boutique of Alexander Dubose Jefferson & Townsend in Austin, Texas.
In recognizing the contributions of Texas lawyers and judges who served their country in World War I, we also have the opportunity to reflect on how different the Texas of a century ago was from today. One stark difference between Texas in 2018 and 1918 is the opportunities available to women in both the military and the law.

In the years before the start of World War I, women were only allowed to serve in the U.S. Armed Forces as nurses. These nurses were considered civilian employees without rank. At the same time, opportunities for women in the law were also quite limited. The University of Texas School of Law admitted its first female law student in 1906 and did not graduate a woman from the law school until 1914.1 Texas licensed its first female attorney, Hortense Sparks Ward, in 1910.2 And until the U.S. Constitution’s 19th amendment granting women universal suffrage was ratified in 1920, Texas women did not have the right to vote in general elections. A century ago, a woman’s ability to participate in the public sphere, whether by serving her country, acting as an advocate, or making her voice heard with her vote, was severely restricted. But in 1918, that was all about to change.

When the United States declared war in 1917, many women who wanted to serve their country found avenues for their service. Loretta P. Walsh of Pennsylvania was the first woman to officially serve in the Armed Forces. She enlisted in the U.S. Naval Reserves on March 17, 1917. During her service she eventually received the rank of chief petty officer. By the end of the war in 1918, there were over 11,000 women serving as yeomanettes (female yeomen) in the Naval Reserves, and 300 marinettes served in the U.S. Marine Corps.3 Over 400 Texas women served in the war as yeomanettes and marinettes, including two African American yeomanettes, Maude Williams and Fannie Foote.4 In addition, 450 Texas women served as nurses. Seven “Gold

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1 Ella Crim Lynch was the first woman to enter the University of Texas Law School, but she appears to have attended for only one year. Irene Gertrude Brown and Rose Zeloski became the first female graduates of the University of Texas Law School in 1914. Betty Trapp Chapman, *Rough Road to Justice: The Journey of Women Lawyers in Texas* (Austin: State Bar of Texas, 2008).


4 Texas Historical Commission, “Texas Mobilizes,” *Texas and the Great War* (Austin: Texas Historical Commission,
Star” women from the U.S. Army and Navy Nurse Corps from Texas died while serving their country in the war.\(^5\)

Pioneering Texas stunt-pilot Katherine Stinson, nicknamed the “Flying Schoolgirl,” was the fourth woman to ever earn a pilot’s license and the first person to fly an aircraft at night. Stinson flew a Curtiss JN-4D “Jenn” and a Curtiss Stinson-Special (a single seat version of the JN aircraft built to her specifications) on fundraising tours for the American Red Cross, raising $2 million. In 1915, she and her siblings Marjorie and Eddie opened an aviation school at Fort Sam Houston in San Antonio. The Stinson School of Flying operated until World War I brought a ban on civilian flying. Stinson volunteered to serve as a pilot in 1917, but the military twice rejected her application because she was a woman.\(^6\) Undaunted by the Army’s refusal to accept her as a pilot, she applied to serve as an ambulance driver for the Red Cross on the Western Front in France and was accepted. It was a role that would prove more dangerous than Stinson’s years of stunt flying, as the brutal cold, primitive front-line conditions and risky work resulted in Stinson contracting tuberculosis. Katherine Stinson’s role in making San Antonio an important part of World War I Texas aviation training\(^7\) is memorialized by San Antonio’s Stinson Municipal Airport\(^8\) and the Texas Air Museum at Stinson Field, where Stinson’s own Blériot monoplane is on display along with several World War I airplanes.\(^9\)

By 1918, just a few years after Texas licensed the first female attorney, 15 percent of the graduating class of the University of Texas School of Law were women. The novelty of women studying law did not go without comment. The Cactus, the university yearbook, included such dubious comments about the female law students as “[w]e are surprised she was able to weather

\(^{2017}\), 19; \textit{ibid.}, “Women at War,” 30; “Texans on the Western Front,” 39.


\(^7\) Texas Historical Commission, “Texas Mobilizes,” 19; \textit{ibid.}, “Women at War,” 30; “San Antonio,” 56-57.


the course in Domestic Relations. She is a good student, though, and intends to ‘sure nuff’ practice law” and “[she] goes after law work like she did after the goats on her father’s ranch.”

Nellie Gray Robertson was one of the early female law students at UT Law, entering in the fall of 1912. She and her fellow women law students at UT formed the Texas Women’s Law Association in 1915 and adopted the motto “Not what we give but what we share.” In 1918, at the age of twenty-four, Robertson became the first woman in Texas to be elected as county attorney, serving as county attorney for Hood County. This achievement was all the more groundbreaking when you consider that women did not have the right to vote in general elections at the time. But Texas women were working to change that as well.

Before the U.S. Constitution’s 19th Amendment granting women’s universal suffrage was ratified in 1920, states determined whether women could vote in local and state elections. In 1917, Hortense Sparks Ward and other suffragists lobbied the Texas Congressional delegation to support the 19th Amendment for woman suffrage. The next year they lobbied Gov. William P. Hobby to support Texas women voting in state primaries. House Bill 106, or the “woman suffrage law,” was passed by a special session of the 35th Legislature and signed by Gov. William Hobby in 1918. Hortense Sparks Ward, who would later serve as Special Chief Justice of the Texas Supreme Court, became the first woman to register to vote in Harris County on June 27, 1918. Ward’s newspaper articles were instrumental in getting over 380,000 Texas women to register in the summer of 1918. In all, 386,000 Texas women registered to vote in the first 17 days after the law went into effect.

Today, more than 36,000 Texas women are licensed

10 Chapman, Rough Road to Justice.
11 Ibid.
attorneys. Over 1,000 Texas judges are women. And Texas is home to approximately 177,500 female veterans, the most of any state. I hope that as you read through this issue of the Texas Supreme Court Historical Society Journal, you also recall the women who stepped forward a century ago to open the door for change.


Sharon Sandle, in addition to serving as the Society’s Executive Director, is Director of the State Bar’s Law Practice Resources Division and of TexasBarBooks.
One hundred years ago, the cannons were cooling down, but were not yet cold. An artillery captain who would become a prominent Houston attorney would order his men to unleash a final barrage on the German lines at 10:59 on the morning of November 11th. Two minutes later, soldiers were coming across the lines of no man’s land to shake hands with their former enemies. The wounded and sick, who were the majority of the combatants, all heaved a sigh of relief, and could start looking forward to medical treatment, warm showers, clean clothes, and, in time, a boat ride home.

Since 2014, the countries of Europe have been noting the passage of the centennials of the events of The Great War, commonly known to Americans as World War I. In America, remembrance of the war has been muted. Unlike our friends, and former enemies across the pond, the war is largely forgotten in our history classes and popular culture. Generals Patton, Eisenhower, and MacArthur and Admiral Nimitz have all been celebrated in movies and documentaries galore, Generals John J. Pershing, Tasker Bliss, and their contemporaries have not. Given the fact that The Great War has been all but forgotten in popular culture, it is fair to ask: Why does it matter? Here are three reasons:

First, the Armistice Day Centennial is a day of significance for our nation and state. It marks the 100th anniversary of the beginning of the American Century. The 19th Century and the first fourteen years of the 20th Century were a European Century. Through indoctrination, diplomacy, military conquest, and imperialism, the old world largely took over the third world and treated them as colonies. The deaths of an entire generation of young European men in the war and the mammoth financial costs left a vacuum that was filled in by the country that had stayed out of the war until the last year. The United States found itself financially and militarily powerful after the war. America had suffered a fraction of the casualties, or so we thought, and spent much fewer of our resources in the war. That led to our economy leading the world into the next hundred years, a state that would be enhanced by our late entry into World War II. Our nation’s role as a world leader therefore began one hundred years ago.

The Great War was the first war in which use of, and therefore access to, petroleum was critical to long-term success. No state in America produced more oil than Texas. The war turned us from an agricultural backwater to a major player in the world economy.

The second reason the Centennial matters is that the cauldron of military service in time of war creates leaders who have answered and will continue to answer the call of duty to one’s country. That is proven by the quality of the Judges and Governors we honor in this issue of the
Whether their service was as an officer in the front lines of battle, a quartermaster corps member providing arms and food, or those soldiers or sailors who were on their way “over there,” they became proven leaders at young ages. Among the American soldiers and sailors that would celebrate the day of the Armistice were eight young men who would come to serve on the Supreme Court. Three more would become Governor of Texas. Two would serve on the Court of Criminal Appeals. You will read about each of these men in this issue.

For the last three decades we have celebrated the accomplishments of “Greatest Generation,” the men and women who came of age in the 1940s. They are entitled to praise, but we have failed to recognize our debt to their predecessors of a generation before. When you hear about the lives and service to our state of the Judges and Governors we honor today, consider how their service made the Courts and our state better. Countless veterans would become public servants in various capacities all over our State and Nation. Each of the twelve veterans we honor today made a difference for our State, and made a difference for the better.

The third reason the Armistice Day Centennial is significant is that each of these men, and each of the millions of American men and women who answered the call to service to our nation, deserve our thanks and praise for what they did. Each of them served at a time in which the technology of weapons had advanced far more than had developments in medicine, sanitation, and the prevention of disease. Their sacrifices during the war did not make it the war to end all wars, but it was the first step in a process of ridding the world of colonialism and dictatorship and helped us evolve into a world that, for the most part, honors democracy and cares about human rights. On the Centennial of the conclusion of the war, we should be and are pausing to thank each of the members of the generation that served, for this may be the last time any ceremony is made remembering them.

Last month, I was watching a college football game that was taking place about a mile north of the State Capitol. The television announcer said that the game was being played at “Darrell K Royal Memorial Stadium, honoring the legendary Texas football coach.” I am not denigrating Coach Royal, who was a great coach and a greater gentleman. However, the word “Memorial” in the name of the stadium does not refer to the coach. When the stadium was built in 1924, it was built as a memorial to the Texans, and especially the alumni and students of the school, who gave their lives in the war. The next time you go into that stadium, please remember what the original intent of that word was. When you do so, I would suggest that a great way to honor the real purpose of the name is to say “Freedom Forever” as you enter instead of “Hook ’em Horns.” In this issue, and in the Great War Commemoration on November 14, we remember a forgotten war and judges whose works appear in cases that are seldom cited. We remember the Governors who each contributed to the modernization of our state. We owe each of them a great degree of thanks for all of their service to us. That is the greatest, and best, reason that Armistice Day matters.

**Judge Mark Davidson** served as Judge of the 11th District Court in Harris County for twenty years before his retirement in 2009. He is now serving as the Multi-District Litigation Judge for all asbestos cases in the State of Texas, being named to that position by Chief Justice Wallace Jefferson and the Multi-District Litigation Panel of the Texas Supreme Court.
Earlier this year, while beginning to research the Great War, I stumbled across a photograph of Beauford Jester, the Texas governor and judge, sitting next to a man the Portal to Texas History identified only as Eddie Rickenbacker in the State Capitol on April 16, 1947.¹ Whoa! I thought, Isn’t that U.S. Air Service ace Eddie Rickenbacker? What’s he doing in the Capitol? And what was he doing with Governor Jester?

By then I knew that Governor Jester was a veteran of the Great War, a Navy man. And that Eddie Vernon Rickenbacker, winner of the Congressional Medal of Honor, was America’s World War I ace of aces, credited with shooting down twenty-six German fighters, reconnaissance planes, and heavily-defended observation balloons by the time the Armistice was signed. For a moment in 1947, the gallantry, brutality, and swirling aerial combat of Eddie Rickenbacker and World War I’s German ace of aces, the “Red Baron,” Manfred von Richthofen, with 80 aerial victories by the time of his April 21, 1918 death, intersected with Texas politics. Thirty years after America entered World War I, two veterans shared a moment to swap war stories during a political event in the Lone Star State.² Why not? The Great War

¹ Neal Douglass, photographer, Rickenbacker visit to Austin, April 16, 1947, texashistory.unt.edu/ark:/67531/metaph62754/, University of North Texas Libraries, Portal to Texas History, crediting the Austin History Center, Austin Public Library.

ended the Red Baron’s life, while transforming those of Rickenbacker and Governor Jester. This special issue of the *Journal* explores how the Great War changed the lives of nine judges, three governors, Texas, the United States, and the world.

**This Veteran’s Day, our Society honors Texans who served in the First World War.** We do so in the historic Texas Supreme Courtroom, used by the Court between 1888 and 1959, as guests of the State Preservation Board. Together with Justice Paul Green, the Society’s liaison with the Supreme Court, and Judge Mark Davidson, Chair of our Great War Commemoration Committee, Journal editors and authors present the stories of Texans who joined the military a century ago on both sides of the Atlantic. In each instance, the story ends not with the November 11, 1918 Armistice but with the lives veterans lived after the war they fought to make the world safer for democracy.

**Why We Write.** Judge Mark Davidson’s column explains why the history of the Great War still matters a century after the guns ceased firing. Judge Davidson makes a compelling case for reading each of the stories that follow. This Great War Commemoration marks the 100th anniversary of the Armistice that began the American Century; demonstrates how wartime experience shapes and reshapes democratic institutions; and honors those who deserve to be honored for their service.

An examination of the Great War experience of judges and governors can also help us avoid repeating the catastrophic mistakes of the past by understanding lives affected by it. The war did not just “happen,” like the asteroid that ended the reign of the dinosaurs 65 million years ago. The global conflict
that resulted in the deaths of some 37 million civilians and soldiers, that toppled the thrones of
Russia, Germany, and the Austro-Hungarian monarchy, that birthed the Soviet Union, that led
to Fascism’s triumph in Italy, and that eventually handed Europe to Adolf Hitler began with a
political leader’s assassination in Sarajevo, a disaffected province of a fading empire. A diplomatic
dispute in the Balkans escalated into a global disaster because of the military miscalculations,
intelligence blunders, and hubristic arrogance of a few powerful men.

“You will be home before the leaves have fallen from the trees,” Kaiser Wilhelm II assured
German troops marching into Belgium and France in early August, 1914.³ “In two weeks we shall
defeat France,” German General Friedrich Wilhelm von Loebell predicted, “then we shall turn
round, defeat Russia and then march to the Balkans and establish order there.”⁴ “A German
officer leaving for the Western Front said he expected to take breakfast at the Café de la Paix in
Paris on Sedan Day (September 2),” Barbara Tuchman reported. “Russian officers expected to
be in Berlin about the same time; six weeks was the usual allowance.”⁵ Joseph Joffre, the general
commanding French troops, rejected any idea of manufacturing steel helmets for his soldiers in
November 1914: “[W]e shall not have time to make them. I shall tear up the Boches [Germans]
within two months.”⁶ Wrong, wrong, wrong. The dream of a quick, decisive victory was an illusion,
as it almost always is; the Kaiser’s troops did not return until Americans showed them the way in
November 1918. Military victories are rarely fast, easy, or cheap.

Given human frailties and fallibilities, how should citizens of a republic react to leaders
who promise victories swift, safe, and sure while taking a nation to war? Accept them at face
value? Or do citizens owe a duty to democratic institutions, their children and grandchildren,
and their country to demand evidence and, if necessary, protest? How do we balance the need
for national unity with respect for dissenting voices and unconventional viewpoints? World War
I raises hard questions about what can happen, and what must be done, when reason gives way
to emotion among the leaders of nations and other men.

Texas women served. In her column in this issue, our Society’s Executive Director, Sharon
Sandle, shares compelling but neglected stories of Texas women who enlisted in their nation’s
service, and contributed materially to America’s ultimate victory, during the First World War.

Training preceded soldiering. Ken Wise, Justice of the Fourteenth Court of Appeals in
Houston, examines the intense training a generation of officers received at the Leon Springs
Military Reservation outside San Antonio. Training officers to lead a rapidly expanding U.S. Army
was necessary to keep Kaiser Wilhelm II’s storm-troopers from defeating the Allies in the spring
and summer of 1918. The War Department had to transform eager young men, many fresh off
farms, ranches, and urban streets, into officers who could defeat the best soldaten, Krupp artillery,
machine-guns, chlorine gas, and potato-masher stick-grenades Prussian militarism could muster.

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⁴ Friedrich Wilhelm von Loebell, quoted in Fritz Fischer, War of Illusions: German Policies from 1911 to 1914 (London:
Chatto and Windus, 1975), 543.
⁵ Tuchman, Guns of August, 142.
How well did the Camp Leon trainers do their job? Did American armies falter or collapse into chaos? Did Texas officers commit their troops to *hey-diddle-diddle, straight-up-the-middle* charges into the chattering teeth of Maxim machine-guns? Or did they use stratagem, stealth, and surprise to compel surrenders that saved soldiers and civilians alike? Did they feign and flank to save the lives of their men? Did they soften up enemy defenses with artillery barrages and air strikes before sending their men over the top? Justice Wise’s analysis will lead you to realize the many ways officer training can lead to victory in war.

**Few Brewster, Development Officer.** The story of how American officers rose to the challenge of defeating Imperial Germany continues with Few Brewster, a Development Officer during World War I who later served on the Texas Supreme Court. He continued the scholarly and community-oriented traditions of a family that traces its origins to William Brewster, the seventeenth century *Mayflower* Pilgrim and religious leader responsible for developing Plymouth Colony from a frontier settlement into a civilized community.

In *The Great War and Modern Memory*, an intelligent examination of the First World War’s impact on literature, World War II American infantry veteran Paul Fussell showed how young men in the Victorian/Edwardian era imagined warfare as a glorious adventure.7 Young men such as Few Brewster envisioned battle in romantic terms based on the elevated, feudal language Alfred Lord Tennyson popularized in Arthurian romances and *Charge of the Light Brigade*. Idealism convinced Brewster and his contemporaries to volunteer for the U.S. Army even after reading newspapers about the realities of Great War battlefields for almost three years.

A few examples from Fussell’s Table of Equivalents reveal the spirit of the American homefront in 1917 and early 1918:

| A friend is a   | comrade          |
| A horse is a   | steed, or a charger |
| The enemy is the | foe, or the host |
| Danger is   | peril            |
| To conquer is to | vanquish        |
| To attack is to | assail          |
| To be earnestly brave is to be | gallant        |
| To be earnestly brave is to be | plucky         |
| To be stolidly brave is to be | staunch        |
| Bravery after the fact is         | valor           |
| The dead on the battlefield are the | fallen²       |

“Everyone knew what Glory was, and what Honor meant.”³

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The Great War’s poison gas, machine guns, and artillery barrages ended that kind of naivete once and for all. Eleven years after the Armistice, Ernest Hemingway’s ambulance-driver character in *A Farewell to Arms* exemplified the changes the war wrought in American minds and hearts:

I was always embarrassed by the words sacred, glorious, sacrifice and the expression in vain. We had heard them, sometimes standing in the rain almost out of earshot, so that only the shouted words came through, and had read them, on proclamations that were put up by billposters over other proclamations, now for a long time, and I had seen nothing sacred, and the things that were glorious had no glory and the sacrifices were like the stockyards at Chicago if nothing was done with the meat except to bury it....Abstract words such as glory, honor, courage or hallow were obscene beside the concrete names of the villages, the numbers of roads, the names of rivers, the numbers of regiments and the dates.¹⁰

As Paul Fussell has observed, “[i]n the summer of 1914 no one would have understood what on earth he meant.”¹¹

In 1917, Private First Class Brewster was still an idealistic young man and a natural-born teacher, so Army officers assigned him to the 165th Development Brigade to train men for battle. What did Few Brewster do in the war? Where did he go? How did he prepare young men for war? How did his wartime experience shape his postwar opportunities in the American Legion, the State Bar, and Texas courts? What memories did he preserve in the photo album he bequeathed to the State Bar? Read the article and you’ll see for yourself how a thoughtful Texas Supreme Court Justice preserved and presented the history of his own life.

**George Eastland Christian, Machine-Gunner.** In one of the most highly regarded books of the twentieth century, *The Face of Battle*,¹² Sir John Keegan urged historians to write histories that would enable readers to understand the battlefield experience of ordinary soldiers. We do as Sir Keegan suggested in several biographies as we seek to understand their experience facing German troops across battlefields in 1918. We begin with Second Lieutenant George Christian.

Christian graduated as one of the First Officers Training Camp “ninety-day wonders” Justice Wise wrote about. He steamed across the U-boat infested waters of the North Atlantic to enter combat as a leader of 344th Machine Gun Battalion, 179th Infantry Brigade, 90th Division who charged into battle during the Allies’ Hundred Day Offensive in autumn 1918. We follow

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¹² *The Face of Battle* (New York: Viking Press, 1976). Sir Keegan began this remarkable book by admitting that he had never been in a battle—an absence of experience he sought to rectify with in-depth historical research. “I have not been in a battle; not near one, nor heard one from afar, nor seen the aftermath. I have questioned people who have been in battle—my father and father-in-law among them; have walked over battlefields, here in England, in Belgium, in France and in America; have often turned up small relics of the fighting—a slab of German 5.9 howitzer shell on the roadside by Polygon Wood at Ypres...But I have never been in a battle. And I grow increasingly convinced that I have very little idea of what a battle can be like.” *Ibid.*, 13.
Christian from his disembarkation in a wartime French port to his baptism by fire in the St.-Mihiel Salient on September 12, 1918. Then we follow him and the machine-gun crews he commanded into the Argonne Forest and across the River Meuse.

How did Christian and other American soldiers stand up against the Germans? What did Christian do during the Meuse-Argonne Offensive? Did he fight or did he run? Did he earn a battlefield promotion or avoid the line of fire? Did he help liberate French and Belgian towns from their German occupiers?

We'll end by asking how George Christian's Great War experience shaped the life during the disordered years from 1927 to 1941, when he decided cases on the Commission of the Court of Criminal Appeals. This was the period during which William Butler Yeats captured the spirit of the times when he published his famous poem *The Second Coming*:

Turning and turning in the widening gyre  
The falcon cannot hear the falconer;  
Things fall apart; the centre cannot hold;  
Mere anarchy is loosed upon the world,  
The blood-dimmed tide is loosed, and everywhere  
The ceremony of innocence is drowned;  
The best lack all conviction, while the worst  
Are full of passionate intensity.

Those we honor took a different path. Although the Rule of Law collapsed in the Soviet Union, Fascist Italy, and Nazi Germany, it survived here. These governors and judges preserved such democratic institutions as free elections, a free press, and an independent judiciary.

*Frank P. Culver, Jr., Artilleryman.* Next we turn to Texas Supreme Court Justice Frank Pugh Culver, Jr., an Alabamian by birth, who distinguished himself as an artillerist. Military traditions ran in Culver family bloodlines, for both grandfathers fought in the Confederate Army. The Army made Culver a second lieutenant in Battery E of the 345th Field Artillery Regiment of the 90th Division on August 29, 1917. He graduated from the First Officers Training Camp at Leon Springs later that year. The Army promoted him to first lieutenant on January 3, 1918. As an artilleryman in France, Culver fired howitzers as the 90th Division moved forward beginning on September 12. American troops, “green” to the battlefield but well-equipped, well-armed and well-fed, soon proved that they could fight German troops, win, and occupy Germany.

*Alfred Jennings “A.J.” Folley, Reclamation.* What does it mean to serve one’s country? Alfred Jennings “A.J.” Folley, known to friends as “Jack” Folley, spent his early years on his parents’ farm near Oletha and graduated from high school in Mart, Texas, then as now a tiny townlet in Limestone and McLennan counties. When he timely responded to his draft board’s notice, he undertook a new line of work that made life better for thousands of young men who left their farms, ranches, and families behind to join a crusade for civilization. Where did he go, what did he do, and why did it matter? And how did Folley’s wartime service pave the path that eventually led him to become a Justice of the Amarillo Court of Civil Appeals, a member of the Supreme Court’s Commission of Appeals, and a Justice of the Texas Supreme Court?
Wilmer St. John Garwood, Cavalryman. U.S. Magistrate Judge Andrew Edison and I wrote this article about a privileged young man, Wilmer St. John Garwood. Garwood attended Sacred Heart School, St. Thomas College, and the Barnett School in Houston, then graduated from the elite, private Jesuit high school Georgetown Preparatory School in Washington, D.C. Then came the Zimmerman Telegram and Congress’s declaration of war. Wilmer followed his older brother Calvin into the First Texas Cavalry Brigade, received a first lieutenant’s commission, and trained at Camp Stanley on the Leon Springs Military Reservation. How did his service in the First World War enable him to become a lieutenant commander in naval intelligence in Chile from 1942 to 1945? How did his wartime experiences broaden the mind and deepen the intellect of one of the smartest men to serve on the Supreme Court of Texas?

Meade Felix Griffin, Military Administrator. First Court of Appeals Justice Russell Lloyd and I worked together and with Bryan A. Garner to write this article about Meade Griffin, who served on both the Texas Supreme Court and the Court of Criminal Appeals. Born in Cottonwood, Callahan County, Texas, his father owned a country store. He knew first-hand the limited comforts of the wood-burning stove, the coal-oil lamp, and the old-fashioned outhouse. He was a member of the senior law class which abandoned lecture halls at the University of Texas to report for duty at the First Officers Training Camp, Leon Springs, May 8, 1917. The Army made him adjutant, or executive officer, of a group of five battalions formed from the expanding ranks of his Brigade. How did the war shape his ambitions and career?

Robert W. Hamilton, Student Soldier. As a student at the University of Texas in 1918, future Texas Supreme Court Justice Robert W. Hamilton witnessed the birth of the military studies program we now know as the ROTC, or Reserve Officer Training Corps, an educational institution that now enrolls more than 20,000 cadets nationwide. It has produced approximately 60 percent of the second lieutenants who join the active Army, Army Reserve, and Army National Guard. How did the advent of war affect university students in Texas? What was it like to become a student soldier? Hamilton’s experiences shine a light on the beginning of the ROTC’s student soldier programs.

Gordon Simpson, Quartermaster. Two world wars shaped the career of Texas Supreme Court Justice Gordon Simpson, who administered justice on the Court from September 21, 1945 through March 1, 1949. An East Texan from the town of Gilmer in Upshur County, Simpson served in the Great War, participated in American Legion volunteer activities, and won election to the Texas Supreme Court in a famously contested race during World War II. Kent Rutter, long familiar with Justice Simpson’s life, joined with me to coauthor this article about Justice Simpson’s Great War experience.

Charles Stewart Slatton, Signalman. Future Texas Supreme Court Justice Slatton, the son of the Rev. J.M. Slatton, an itinerant Methodist minister, picked cotton in Wylie and Buffalo Gap before he became a corporal with Company E in the Headquarters and Supply Detachment of the 51st Telegraph Battalion, U.S. Army Signal Corps. Between the November 11, 1918 Armistice and his July 30, 1919 return to America, Slatton participated in Signal Corps operations during postwar occupation of a Germany seething with revolution and resentment. The 51st was still in Germany on July 5, 1919, although it was preparing to demobilize and return to America.
**James V “Jimmy” Allred, Sailor.** Jimmy Allred was one of three Texas governors who served in the war before they served the state. He saw no combat, but the experience marked him for the rest of his life. Regular Journal contributor Stephen Pate, a true scholar, shows how the time Allred spent as an apprentice seaman in the United States Navy affected his discharge of his responsibilities as governor, with a profound impact on the history of both Texas and the U.S.

**Beauford H. Jester, Infantry Captain.** Our Chair Judge Davidson researched the life of the governor whose solicitation of air ace Eddie Rickenbacker's friendship began this essay. He describes an ambitious young man who joined the 90th Division and took part in two of the American Expeditionary Force’s deadliest battles—the St.-Mihiel Salient and the Meuse-Argonne Offensive. Gov. Jester’s experience of being gassed personalizes the Geneva Convention’s ban on the use of poison gas in war. He survived, but the life-long injuries he incurred remind me of the poet Wilfrid Owen’s poem *Dulce et Decorum Est*:

Gas! GAS! Quick, boys!—An ecstasy of fumbling  
Fitting the clumsy helmets just in time,  
But someone still was yelling out and stumbling  
And flound’ring like a man in fire or lime.—  
Dim through the misty panes and thick green light,  
As under a green sea, I saw him drowning.

In all my dreams before my helpless sight,  
He plunges at me, guttering, choking, drowning.

If in some smothering dreams, you too could pace  
Behind the wagon that we flung him in,  
And watch the white eyes writhing in his face,  
His hanging face, like a devil’s sick of sin;  
If you could hear, at every jolt, the blood  
Come gurgling from the froth-corrupted lungs,  
Obscene as cancer, bitter as the cud  
Of vile, incurable sores on innocent tongues,—  
My friend, you would not tell with such high zest  
To children ardent for some desperate glory,  
The old Lie: *Dulce et decorum est*  
Pro patria mori.13

Such cynicism did not exist in 1914. It arose after years of relentless, brutal war.14

**Dan Moody, Ready for Action.** Governor Dan Moody dealt with another kind of poison in the 1920s—the rise of the Ku Klux Klan. His biographer, Patricia Bernstein, has written an essay about the way the Armistice ended the war before Dan Moody completed his military training in

13 The Roman poet Horace used this Latin phrase, which translates into English as, “It is sweet and fitting to die for one’s country.”

Arkansas. She discusses the way military service, or the absence of it, affected Moody's election prospects in Texas. Although he missed out on the trench warfare of the Western Front, and never went toe to toe with Kaiser Wilhelm’s German Empire, Moody was as eager for action when he rose to the challenge of battling the Klan’s Invisible Empire.

**African American Heroism at Camp Logan, Houston, and in France.** Archaeologists Louis F. Aulbach, Linda C. Gorski, and Robbie Morin tell inspiring stories of the 370th Infantry, an African American unit whose men trained at Camp Logan in Houston, then fought in France. The exploits of soldiers who suffered race-based segregation are beyond the living memory of nearly every one of us. They show how the 370th Infantry of the 93rd Division of the United States Army became one of the most decorated units in World War I.

**The General Land Office’s Save Texas History Symposium.** Our news includes the story of the G.L.O.’s celebration of the Alamo’s and San Antonio de Bexar’s 300th birthday party. *Feliz cumpleaños, San Antonio de Béxar!*

**Grateful acknowledgments.** On behalf of Judge Mark Davidson and myself, I’d like to thank everyone who contributed to this Great War Commemoration, including—

- Texas Supreme Court Chief Justice Nathan Hecht, who supported the commemoration and approved its appearance on the Court’s Calendar;
- the Hon. Justice Paul Green, our Society's Liaison on the Court, for making many valuable suggestions that contributed to the commemoration;
- the Hon. Justice Phil Johnson, for agreeing to represent the Court during the commemoration;
- the Hon. Justice Dale Wainwright (ret.) and Marcy Hogan Greer, as successive presidents of our Society, for approving this project and appointing Judge Davidson as the Chair of the Great War Commemoration Committee;
- the Hon. Justice Ken Wise, for his broad *Wise About Texas* knowledge of Texas history and his useful input about the fundamental importance of the military training received by the judges and governors we honor at training camps across the Lone Star State;
- the Society’s Executive Director Sharon Sandle, for approving this project and reserving the Texas Supreme Courtroom with me;
- all authors and co-authors who contributed this issue’s stories and delved into history to tell important life stories;
- Journal Managing Editor Marilyn Duncan, for ensuring that the Great War bios and other articles for this special issue were well edited;
- Journal Graphics Designer David Kroll, for his masterful design and production of this issue;
Warren Harris and David Beck, for lending the support of the Fellows of the Texas Supreme Court Historical Society;

Mary Sue Miller, for handling the administration and logistics of the commemoration;

Ali James, Curator of the Capitol, for allowing our Society to reserve the Texas Supreme Courtroom, and Robert Davis, Capitol Events & Exhibits Coordinator, for assisting the Society in planning the program;

Caitlin Bumford, Archivist of the State Bar of Texas and the Texas Supreme Court Historical Society, who found and shared Justice Few Brewster’s photo scrapbook, an invaluable resource, as well as State Bar materials about the Great War;

Emma Martin, State Bar of Texas Archives and Records Management Specialist, who located and shared information about judges who served in the Great War;

Paul Burks, Director of the State Bar of Texas Video Production Department, for volunteering to make a video recording of the program;

Baker Botts partner Bill Kroger and Archivist Robert Downie, for locating and sharing unpublished records regarding Justice Wilmer St. John Garwood’s work at Baker Botts and service in World Wars I and II;

Bryan A. Garner, C.E.O. of LawProse Inc., Editor in Chief of Black’s Law Dictionary, and author of many leading works on legal style, who shared his grandfather Meade F. Griffin’s original photos and records, related memories of Meade’s inspiration and guidance, and made the valuable suggestion that we consult Gus Ditmar’s They Were First for its discussion of the First Officers Training Camp on the Leon Spring Military Reservation;

Alice Jester Berry, Governor Beauford Jester’s granddaughter, who shared unpublished photos and records with us;

Jeffrey W. Hunt, Director of the Texas Military Forces Museum, for answering questions about the Great War, suggesting research databases, and agreeing to loan materials for our event;

Tiffany Shropshire Gilman, Archivist of the Texas Supreme Court, for providing valuable biographical materials about the military service of the Justices;

Tara Shockley, Houston Bar Association photographer, for searching out images of Texas Supreme Court Justices and sending them on short notice;

Mark Smith, Texas State Librarian, and Jelain Chubb, Texas State Archivist, for supporting this project and for loaning archival materials about the Great War;
Texas General Land Office Manager of Public Services for History and Archaeology James Harkins, for his support and for loaning the GLO’s Great War in Texas map for our commemoration, and Deputy Director, Archives & Research Mark Lambert;

Austin History Center Managing Archivist Michael Miller and the Texas State Historical Association’s Handbook of Texas Online contributors;

the archivists and historians of the National World War I Museum in Kansas City, Missouri, whose work helped inspire Judge Davidson; and

oh, yes, and one final thank you, to John Henry Crawford, a soldier of the Great War, and a member of the 90th Infantry Division, who died in 1971 of injuries incurred in the First World War, first from poison gas during the Battle of the Meuse-Argonne, then from that two-pack-a-day habit he acquired in wartime France. Thank you for giving me H.G. Welles’ Outline of History, and thank you for telling me about your World War I service, grandpa.

Thank you all.

DAVID A. FURLOW is an attorney, historian, archaeologist, and Executive Editor of this Journal for the past seven years.
The San Antonio, Texas area has long been a center of military activity. The first Spanish soldiers established the Presidio de Béxar in 1718.\textsuperscript{1} Since then, military activity in San Antonio has been a large part of the community. The United States has selected and trained countless of its warriors in and around the San Antonio area.\textsuperscript{2} It is no surprise that San Antonio played a large role in training soldiers for World War I.

In the decades after the Civil War but prior to the turn of the century, the U.S. Army went through significant changes. The Civil War had cut the number of troops to fewer than 25,000.\textsuperscript{3} This reduced force was charged with fighting the Indian wars, which wound down in the later part of the nineteenth century. General William T. Sherman decided to consolidate the Army as much as possible into larger garrisons.\textsuperscript{4} San Antonio would be that garrison in Texas.

Then called Post San Antonio, the future Fort Sam Houston quickly ran out of room for adequate target practice. This was due primarily to the growth of San Antonio around the post.\textsuperscript{5} The search began for land near the post that could accommodate small arms training as well as artillery practice. In the meantime, generous citizens donated various sites for temporary use as

\textsuperscript{1} “San Antonio de Béxar Presidio,” \textit{Handbook of Texas Online}, \url{http://www.tshaonline.org/handbook/online/articles/uqs02}.

\textsuperscript{2} Joint Base San Antonio supports more than 250,000 personnel. \textit{Joint Base San Antonio} website, \url{http://www.jbsa.mil/Information/Fact-Sheets/Article-View/Article/598508/joint-base-san-antonio/}.

\textsuperscript{3} John M. Manguso, \textit{Camp Bullis: Admirably Suited to All Purposes of Military Training} (San Antonio: Fort Sam Houston Museum, 1990), 1.

\textsuperscript{4} \textit{Ibid.}

\textsuperscript{5} \textit{Ibid.}, 2.
target ranges. Small arms training occurred near Leon Springs while artillery training took place near Kerrville.  

As the search for suitable land continued, so did the advance in weapons technology. Originally, a range of 1200 yards with a 60-foot bluff behind would suit the small arms instructors. A range of three miles was needed for artillery. By 1906, however, the small arms range needed to be almost 5,500 yards to accommodate the new rifles and machine guns then in use. Finally, some suitable land was located near Leon Springs.

C. Schasse started one of the first drugstores in San Antonio around 1874. He owned a ranch near Leon Springs next door to a ranch owned by Daniel Oppenheimer. Oppenheimer had immigrated to the United States from Bavaria in 1854. The Oppenheimer ranches consisted of thousands of acres around Texas, including the Leon Springs ranch. The proximity to the existing small arms range made these two parcels perfect for a new training center. The government paid $6.48 per acre for the land that was designated the Leon Springs Military Reservation.

The new reservation hosted its first training exercises in 1908. The first artillery exercises occurred in 1909. On March 17, 1911, Benjamin Foulois and Phillip Parmalee delivered a

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6 Ibid., 5.
7 Ibid., 2.
8 Ibid.
9 Ibid., 11.
10 “Commerce Stages Drama of Centuries,” San Antonio Express (November 19, 1914), https://texashistory.unt.edu/ark:/67531/metaph433084/m1/31/zoom/?q=%22C.%20Schasse%22&resolution=6&lat=3335.5&lon=2494.5.
12 Manguso, Camp Bullis, 11.
message from Fort Sam Houston to the reservation via airplane.\textsuperscript{14} That was the first Army aviation activity on the reservation.

Early twentieth-century revolutionary activities in Mexico made training at San Antonio more urgent. In 1911, the War Department ordered a practice mobilization of the regular army forces at Fort Sam Houston.\textsuperscript{15} Over 12,000 troops conducted maneuvers at Leon Springs.\textsuperscript{16}

On March 9, 1916, Pancho Villa raided Columbus, New Mexico and killed seventeen Americans.\textsuperscript{17} President Woodrow Wilson ordered U.S. Army General John J. Pershing into Mexico to pursue Villa.\textsuperscript{18} During the night of May 5, 1916, two groups of Villaistas, Mexican raiders under Rodríguez Ramírez and Natividad Álvarez, attacked the villages of Glenn Springs and Boquillas in southern Brewster County, Texas, as well as nine soldiers of the Fourteenth Cavalry stationed there to provide protection. Fierce firefight ensued, and several Americans died. President Wilson responded by federalizing the National Guard of Texas, New Mexico, and Arizona.\textsuperscript{19} These troops also trained at Leon Springs.\textsuperscript{20}

Major General Frederick Funston was the commander of the U.S. Army Southern Department, headquartered at Fort Sam Houston. He died suddenly of a heart attack in February 1917.\textsuperscript{21} He had been tapped originally to lead the American Expeditionary Force should the

\textsuperscript{14} Ibid. This plane was the first in the U.S. Army. Lieutenant Foulois was ordered to “Take plenty of spare parts and teach yourself to fly.” PowerPoint History Slide presentation, Joint Base San Antonio, May 20, 2015, http://www.jbsa.mil/Portals/102/Documents/JBSA%20History/History%20JBSA%20Slides%20thru%20May%202015.pdf.

\textsuperscript{15} Manguso, \textit{Camp Bullis}, 17.

\textsuperscript{16} Ibid.


\textsuperscript{18} Ibid.

\textsuperscript{19} Manguso, \textit{Camp Bullis}, 21.

\textsuperscript{20} Ibid.

\textsuperscript{21} Joint Base San Antonio History Slide Presentation, 22.
United States enter World War I. The Army changed the name of the Leon Springs Military Reservation to Camp Funston, in honor of the general.

On April 6, 1917, the United States declared war on Germany. Fort Sam Houston was designated one of the sites for a national army cantonment to train the newly formed 90th Division. The first to arrive at Camp Funston were the officers that would command the division. In the weeks thereafter, the population of the San Antonio area exploded with the arrival of soldiers and soon-to-be-soldiers, all training for what would come to be known as the Great War.

The government needed more land around Camp Funston, so in the fall of 1917 it leased more than 15,000 acres to the south of the camp. The Army named this area Camp Bullis, after Major

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22 Ibid.
23 Joint Base San Antonio History Slide Presentation, 22. General Funston was also in command of the Presidio of San Francisco when the great earthquake hit in April, 1906. He received the Medal of Honor for his service in the Philippines in 1899. Ibid. He is one of four people to have lain in state in the Alamo. The others are Pvt. David Barkley (W.W.I Medal of Honor winner), Antoinette Power Houston Bringhurst (daughter of Sam Houston), Clara Driscoll (DRT General), and Staff Sgt. William Bordelon (W.W.II Medal of Honor winner). “People who have lain in state in the Alamo,” San Antonio Express News (March 6, 2011), http://mysanantonio.com/list/article/people-who-have-lain-in-state-in-the-Alamo-1044595.php.
25 Manguso, Camp Bullis, 23; Major George Wythe, A History of the 90th Division (90th Division Association, 1920).
General John Lapham Bullis. The 90th Division would establish its training camp at Camp Bullis while the newly renamed Camp Stanley took on an ordinance storage and testing mission.

Texas always been regarded as land rich and the Army camps around Leon Springs proved that true. The Army had room to train infantry, cavalry, and field artillery, as well as signal and telegraph units. From 1917 to 1919, thirty-one different Army units were either organized, trained, or demobilized at the camps comprising the Leon Springs Military Reservation.

Today, Camp Bullis encompasses the old Leon Springs Military Reservation. Camp Bullis offers base operations support and training support to Joint Base San Antonio. In true Texas fashion, Joint Base San Antonio services more Department of Defense students than any other installation. It has more active runways than any other installation as well as housing the Department of Defense’s largest hospital. Countless troops have come through the area on their way to fight in Europe, the Pacific, Vietnam, Iraq, Afghanistan, and elsewhere. And it all started a little over 100 years ago on two ranches outside of San Antonio.

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28 The Army opened a camp in General Funston’s home state of Kansas and named it Camp Funston. Therefore, the camp in Texas was renamed Camp Stanley in honor of General David Stanley. General Stanley was a Medal of Honor winner for his service in the Civil War and took over command of the Department of Texas in 1884 upon the retirement of General Ranald Mackenzie. Thomas W. Cutrer, “Stanley, David Sloane,” *Handbook of Texas Online*, http://tshaonline.org/handbook/online/articles/fst12.

29 Manguso, *Camp Bullis*, 33; Joint Base San Antonio History Slide Presentation, 22.

30 Manguso, *Camp Bullis*, 41–42.


32 Ibid.


34 Ibid.

**Justice Ken Wise** was appointed to the 14th Court of Appeals by Governor Rick Perry in October 2013. Prior to his appointment, Justice Wise served as the Judge of the 334th Judicial District Court in Harris County and Judge of the 152nd Judicial District Court in Harris County. In 2011, the fifty-nine District Judges in Harris County elected Justice Wise to lead them as Local Administrative Judge. He is an adjunct professor at the University of Houston Law Center.

Return to Journal Index
The Hon. Few Brewster, an energetic man, ably served his nation, fellow lawyers, and the citizens of Texas as a soldier in the Great War, a President of the State Bar, and a Justice of the Supreme Court of Texas. Through his scholarly endeavors, fidelity to the rule of law, and service to the community, he continued the scholarly and community-oriented traditions of a family that traces its origins back to Few Brewster’s ancestor William Brewster, the Pilgrim and publisher who came to America on the Mayflower and served more than twenty years as the Elder, a religious and civil leader, of Plymouth Colony.

Born on May 10, 1889, in the village of Cornhill, in Williamson County, Texas, Few Brewster graduated from Killeen High School. He attended Howard Payne College (now Howard Payne University) and Baylor University before he transferred to the University of Texas. He earned a Bachelor of Arts degree at UT in 1913, then gained admission to the University of Texas Law School and earned an LL.M. degree there in 1916.

Less than a year later, on April 7, 1917, Congress responded to President Woodrow Wilson’s call by declaring war on Imperial Germany and its allies. When national registration began, Few Brewster answered. He joined the U.S. Army through the induction process in Temple, Texas on May 26, 1918. Army officers quickly recognized that Private First Class Brewster was a natural teacher. They assigned him to serve in the 165th Development Brigade, a unit devoted to training men to prevail in armed combat.

Because he was a college graduate, the Army commissioned Brewster to serve as a second lieutenant. The Army sent him to CCTS Camp Pike, Arkansas for officer training on July 18, 1918. The training facility was named in honor of U.S. Army Brigadier General Zebulon M.

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5 Ibid.
6 Ibid.
7 Ibid.
Pike, the discoverer of Pike's Peak, when the Army opened that camp on July 18, 1917 to train the 87th Division in 1917 and 1918.\(^8\)

Designated as infantry-replacement and training camp in April 1918, and redesignated as an infantry-training center on August 21, 1918, Camp Pike's officers prepared Americans to fight on the front lines. The training those men received made the difference between life and death on the front lines of the Western Front and afterwards. Many of those who trained at Camp Pike were Texans, including both Few Brewster and future Governor Dan Moody.\(^9\)

Brewster showed his potential for leadership while in Camp Pike. He traveled from Texas to central Arkansas, near Little Rock, to train. The Army created thirty-two cantonments across the nation to raise the millions of troops necessary to defeat an Imperial German Army about to be bolstered with millions of Eastern Front veterans after Vladimir Lenin signed the Treaty of Brest-Litovsk that took Russia out of the Great War. Each cantonment had to have the capacity to train between 40,000 and 50,000 soldiers at any time.\(^10\) The Little Rock Board of Commerce began a successful campaign to locate one such cantonment near Little Rock by April 15, 1917. Few Brewster traveled to Camp Pike to learn bayonet exercises; how to plant and detect mines; how to clean, load, fire, and reload a rifle; how to respond to a poison gas attack and when to launch one; when to conduct small-unit offensive actions and how to defend against enemy attacks; how to take prisoners


\(^9\) See Patricia Bernstein’s article in this issue of the Journal.

and where to keep them; and how to lead men as well as learn how to teach new soldiers about how to wage total war.  

The U.S. Army commissioned Brewster as a second lieutenant in charge of Company F of the 2nd Development Battalion of the U.S. Army’s 160th Division on October 14, 1918. The Army then sent him to Camp Custer, Michigan, to train troops for the duration of the war.  


13 Ibid.
The scrapbook Justice Few Brewster bequeathed to the State Bar of Texas contains mementos of his U.S. Army service during the Great War, including the calendar he marked for his service in 1917 and 1918.
Justice Brewster's scrapbook includes a photo of a special uniform, a U.S. Army identity card issued to him while he served in Camp Custer, Michigan, and an envelope reflecting his receipt of a soldier’s pay.
While Brewster was stationed at Camp Custer, soldiers created one of the largest symbols in American history: the Human U.S. Shield, 30,000 officers and men, Camp Custer, in Battle Creek, Michigan, 1918. World War I U.S. Military, public domain, Wikimedia.
Few Brewster remembered his Great War service during anniversaries and reunions, remaining active in the American Legion until the end of his life—as reflected in the American Legion cards (see above) in the photo album he donated to the State Bar of Texas. Veterans of the Great War organized the Texas branch of the American Legion in San Antonio on San Jacinto Day, April 21, 1919. They elected as the branch’s first chairman Colonel Claude V. Birkhead, former Judge of Texas’s 73rd District Court, a colonel of field artillery in the Texas National

Guard when World War I began and Colonel of the Army’s 31st Field Artillery in France during the last year of the war.\textsuperscript{15}

The American Legion lobbied the Texas Legislature and local communities to secure legal benefits for veterans, including hospitalization, physical and vocational rehabilitation, public employment, and assistance to underprivileged children. Brewster supported the Legion’s goals and agenda.

Brewster married Myra Kilpatrick of Temple in 1918.\textsuperscript{16} The couple lived together in various parts of Texas and had three children.\textsuperscript{17}

After the war, Brewster began a private practice of law.\textsuperscript{18} He practiced in Temple until 1929. Brewster served as county attorney of Bell County from 1919 to 1923, district attorney from 1923 to 1928, and district judge of the 27th District from 1929 to 1941, initially a gubernatorial appointment.

Brewster served as President of the Bell County Bar Association, then rose to become head of the Texas Bar Association Judicial Section from 1937 to 1938, and worked as the association’s Secretary from 1938 to 1939. After the Texas Bar Association became the State Bar of Texas in 1939, he served as its Vice President in 1939–40 and as President in 1940–41.\textsuperscript{19}

The Supreme Court of Texas appointed Brewster to its Commission of Appeals in 1941.\textsuperscript{20} In 1945, when the voters of Texas increased the size of the Texas Supreme Court to nine members by incorporating the six members of the Commission of Appeals, Brewster became a Justice of the Supreme Court. He won election to the Court in 1948 and again in 1954. In 1954 he published an article in favor of a racially integrated bar in the \textit{Texas Bar Journal}.\textsuperscript{21}

Brewster leavened his success as an administrator and judge with his “tension-breaking humor.” A legal scholar, he planned his work carefully and executed it skillfully. One outstanding

\begin{itemize}
\item \textsuperscript{15} Hobart Huson, “Birkhead, Claude V.,” \textit{Handbook of Texas Online}, \url{http://www.tshaonline.org/handbook/online/articles/fbi20}.
\item \textsuperscript{16} Cotner, “Brewster, Few,” \textit{Handbook of Texas Online}.
\item \textsuperscript{17} \textit{Ibid}.
\item \textsuperscript{18} \textit{Ibid}.
\item \textsuperscript{19} “Few Brewster (1889–1957),” \textit{Justices of Texas 1836-1986}, Tarlton Law Library.
\item \textsuperscript{20} \textit{Ibid}.
\item \textsuperscript{21} \textit{Ibid}.
\end{itemize}
example was the 400-page manuscript he wrote to serve as “a ready reference to the more important phases of the law relating to prohibited liquor and searches and seizures as declared in the Texas statutes and decisions.” This study included digests of cases, forms, and an overall index for ready reference. He prepared the work for publication in 1930, but after some delay and condensation, published it under the title *Search and Seizure* in 1931. Besides being a frequent speaker, he published several articles, including “Benefit of Clergy” in 1939.22

Justice Brewster resigned from the Supreme Court of Texas in 1957 because his heath was failing. He died of a heart attack on October 12, 1957. He is buried in the State Cemetery in Austin.23 His peers remembered him as a thorough and precise legal scholar and a fair and impartial judge who was a friend of young attorneys and a warm-hearted colleague. Joe R. Greenhill replaced him on the bench.24

22 *Texas Bar Journal* 2, no. 10 (October 1939): 335–45.
23 Justice Brewster’s grave can be found on Republic Hill, in Section 2, Row L, Number 6.
24 *In Memorial*, 156 Texas Reports 655 (1958).
Judge George Eastland Christian served on the Commission of the Court of Criminal Appeals from 1927 to 1941. He was born on January 17, 1888, in Burnet, the son of George H. and Juliet Johnson Christian and grandson of Brigadier General Adam Rankin Johnson and Juliet Eastland Johnson (both buried in the State Cemetery). Christian graduated from Marble Falls High School, attended Southwestern University in Georgetown, and received a BA degree from the University of Texas in 1911. He studied law at UT Law School and earned admission to the State Bar in 1912. Christian returned to his hometown of Burnet and began a private legal practice as a name-partner in the family firm of Christian, Hammond, Christian.

Soon after Congress granted President Woodrow Wilson’s request for a declaration of war against Germany and its allies in April 1917, Christian enlisted in the Army. His mature age and legal training equipped him to serve as an officer. He trained twenty miles northwest of San Antonio, at a place first named Camp Funston, after Major General Frederick Funston, the commanding general of the Southern District, who died in San Antonio in February 1917. On May 8, 1917, military officials established the First Officers Training Camp just north of Anderson Hill at the former Camp Funston, by then renamed Camp Stanley, after Brigadier General David S. Stanley, the former commander of the U.S. Army’s Department of Texas.

The U.S. Army placed George Christian in the 90th Infantry Division after President Wilson activated that unit at Camp Travis on August 25, 1917. Originally called the Texas-Oklahoma Division, represented by the letters “T & O” on the shoulder patch after its activation in France, the division’s men soon gave it several nicknames, including the “Alamo Division,” “Texas’s Own,” and the “Tough ’Ombres.” They added a khaki-colored square to their uniforms, one that superimposed a red letter “T” over a lower letter “O,” both in red.

6 Winfrey, “Ninetieth Division,” Handbook of Texas Online.
Texans, Oklahomans, and other men of the 90th Division took pride in their unit. Some members of George Christian's 344th Machine Gun Battalion, 179th Infantry Brigade, 90th Division, viewed their military experience, beginning with their training, as an exciting adventure. Lewis Neumayer, "a hard working lad" who had worked on his family's Oklahoma farm before joining the Army, later described his Army life as "something of a vacation, something I never had before."\(^8\)

Christian graduated as a second lieutenant from the Camp Travis First Officers Training Camp, or FOTC, at Leon Springs in 1918. The FOTC trained junior officers to serve in recently organized military divisions the Army was recruiting in Texas (and elsewhere) to fight the Kaiser's soldiers. Trainees who made the grade became known as the FOTC's “ninety-day wonders.” George Christian was one of those ninety-day wonders, a civilian transformed into a citizen soldier in record-setting time.

Judge Christian, a lifelong Methodist and a Mason, went overseas, and to war, at the age of 30. Commissioned as a second lieutenant, Christian left New York City on June 21, 1918 aboard the Italia, a huge, two-funnel ocean liner converted to serve as a troop ship.\(^9\) While he and other men swung from hammocks in their steamship's hold and conducted lifeboat drills, the Italia's captain guided her through waters filled with Unterseeboten—deadly U-boats of the kind that sunk the Lusitania, killing 1,198 people, among them 128 Americans, on May 7, 1915 off the coast of Kinsale, Ireland, just three years before.\(^10\)

Infantry Division (United States)#/Order of battle.


\(^10\) Regimental History and Roster, 344th Field Artillery Regiment [90th Division] (Morbach, Germany: 90th Division Association, 1919), http://www.90thdivisionassoc.org/90thDivisionFolders/mervinbooks/WWI344/WWI34401/WWI34401.htm.
The *Italia* carried Christian and other American “Doughboys” out of Hoboken, New Jersey through New York City’s harbor and on to the vast naval facilities at Halifax, Nova Scotia, where squadrons of American and British cruisers and destroyers arrived to escort them in convoy across the Atlantic. Zigzagging constantly to avoid torpedoes launched by *Kriegsmarine* submarines, the great ships steamed through fog and fear to England, then powered their way across the Channel to France, to bring American soldiers determined to end the Great War.¹¹

Commander-in-Chief of the American Expeditionary Force,\(^{12}\) observed after the end of the war.\(^{13}\)

General Pershing first deployed the unit to stop the last of the German offensives intended to end the war before American troops tipped the balance of war in favor of the Allies. In March of that year, Kaiser Wilhelm II’s military commanders in the West, Field Marshall Paul Hindenburg and General Eric Ludendorff, had launched the \textit{Kaiserschlacht} ("Kaiser's Battle"), a series of five hammer-blow offensives aimed at driving the British back to the sea and capturing Paris from the French.\(^{14}\)


\(^{13}\) Major George Wythe, “Annex 5: Commendations,” \textit{A History of the 90th Division} (Washington, D.C.: Ninetieth Division Association, 1920, digitized and transcribed by Mervin Hogg, 90th Division Association), \url{http://www.90thdivisionassoc.org/90thDivisionFolders/mervinbooks/WWI90/WWI9022/WWI9022.htm}

The last of those German offensives focused on the capture of St. Mihiel, France, where American military commander Blackjack Pershing deployed American units to stop the Germans’ final assault and save Paris during July of 1918.\(^\text{15}\) Bolstered by American troops, the Allied lines held and German attacks ground to a bloody halt, while German Field Marshall Paul von Hindenburg, Quartermaster General Erich Ludendorff, and Kaiser Wilhelm II ordered the withdrawal of German troops from where they had threatened Paris along the River Marne on July 23, 1918.\(^\text{16}\) An agitated Erich Ludendorff drew aside the Kaiser’s son, Crown Prince Wilhelm and said, “The Good Lord will, I hope, not forsake us.”\(^\text{17}\)

The pendulum of war swung as the Allies launched a massive counter-offensive in early August 1918. On August 8, 1918, the “Black Day of the German Army,” the British Army, including units of Australian and Canadian troops, attacked with 430 tanks and plowed into the German Second and Eighteenth Armies. German front-line troops broke, panic spread, the first mass surrenders ensued, and Kaiser Wilhelm II suffered a nervous collapse.\(^\text{18}\)

George Christian’s commander, General Blackjack Pershing, was already planning an American offensive seeking to drive the Kaiser’s troops out of France. He was determined to destroy the St. Mihiel Salient, a bulge sixteen miles deep and twenty-five miles wide between Verdun and Nancy in Allied lines that German forces had carved out during their headlong rush

\(^\text{16}\) *Ibid.*, 347.
\(^\text{17}\) *Ibid*.
into France in the autumn of 1914. Pershing sought to recover the salient and thus enable French trains to transfer troops and supplies from Paris to the eastern part of the Western Front.

During the first days of September 1918, Lieutenant George Christian began preparing the men of Company D of the 344th Machine Gun Battalion for combat. Soon they would play a critical role in the 179th Infantry Brigade’s fighting vanguard of the 90th Division’s Tough ’Ombres. Under the command of Major General Hunter Liggett, general of the I Corps in General Pershing’s First Army, Christian’s machine-gunners would have to advance through a nightmarish realm their German enemies had fortified for four years. As General Douglas MacArthur later recalled,

In 1914, when the great German armies first marched to conquest, they had come through the Argonne, seized it, and had never been dislodged. The terrain was so difficult, so easily defended, that the French had never attempted to attack. It was so powerfully fortified over four years that doubts existed in Allied high circles that any troops in the world could drive out the Germans. The Germans, themselves, boasted they would drown an American attack in its own blood.

The Germans...had a machine gun nest behind every rock, a cannon behind every natural embrasure. Here was the key sector of the famous Hindenburg Line.... Breach it and there would be laid bare Sedan and Mezieres, the two huge German rail centers, through which all the German armies as far away as the North Sea at Ostend were supplied. Take Sedan and every German army to the west would be outflanked.... It would mean the capture of troops running into the hundreds of thousands. It would mean the end of the war.

George Christian and his Company D machine-gunners laced their leggings, closed their wooden ammo boxes, sharpened their bayonets, and plugged swabs of cotton in their ears.

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shortly after midnight on September 12, 1918.\textsuperscript{21} Shivering in their uniforms’ green army wool as a chill, steady rain fell, they watched the sky erupt in flame as I Corps’ 2,800 big guns opened a massive artillery barrage at precisely 1:00 a.m. For the next four hours the Texans recoiled from the thundering concussion as I Corps’ big guns pounded the German positions.\textsuperscript{22} Then, at 5:30 a.m., American soldiers went over the top. German machine guns scythed the air while their own 75 millimeter guns and mortars dropped shells on the attacking Americans.

Other American soldiers, later to be famous, joined in the assault on the St. Mihiel Salient. “As dawn broke I led my assault line forward,” Douglas MacArthur declared. “I had fought the German long enough to know his technique of defense. He concentrated to protect his center, but left his flanks weak. The field of action, the Bois de la Sonnard, lent itself to maneuver, and we were able with little loss to pierce both flanks, envelop his center, and send his whole line into hurried retreat.”\textsuperscript{23}

\begin{figure}
\centering
\includegraphics[width=\textwidth]{image}
\caption{General John Pershing (second from left) decorates Brigadier General Douglas MacArthur with the Distinguished Service Cross. Major General Charles T. Menoher (left) reads out the citation. Colonel George E. Leach (second from right) and Colonel William Joseph Donovan await their medals. U.S. Signal Corps Photo SC 23728, public domain.}
\end{figure}

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\textsuperscript{22} Toland, \textit{No Man’s Land}, 418.

\textsuperscript{23} Carroll, \textit{My Fellow Soldiers}, 267.
\end{flushleft}
Nearby, German troops were giving 1st Provisional U.S. Tank Brigade Lieutenant Colonel George S. Patton and his rapidly advancing tank troops a rough time:

On leaving the town I was still sitting sidewise on top of the tank with my legs hanging down on the left side when all at once I noticed all the paint start to chip off the other side and at the same time I noticed machine guns. I dismounted in haste and got in a shell hole, which was none too large. Every time I started to get out the boshe [Germans] shot at me. I was on the point of getting scared as I was about a hundred yards ahead of the infantry and all alone in the field. If I went back the infantry would think I was running and there was no reason to go forward alone.

All the time the infernal tank was going on alone as the men [inside] had not noticed my hurried departure. At last the bright thought occurred to me that I could move across the front in an oblique direction and not appear to run yet at the same time get back. This I did listening for the machine guns with all my ears, and laying down in a great hurry when I heard them, in this manner I hoped to beat the bullets to me....

What Patton feared most was that his own men might think him scared of German machine guns.

American soldiers in Blackjack Pershing’s I Corps, including Christian’s machine-gunners, soon attacked “strong positions on the Hindenburg line immediately to the west of the Moselle River,” as General Pershing observed in an April 26, 1919 letter to Major-General Charles H. Martin, Commander of the 90th Division. In these operations it was entirely successful, mopping up the Bois-des-Rappes, occupying the town of Vilcey-sur-Trey, the Bois-de-Presle and the Forét-des-Vencheres, and advancing to a depth of 6½ kilometers. General Pershing won the Battle of the St. Mihiel Salient by the next evening, recovering ground the French lost four years earlier and taking 15,000 Germans prisoner. But the men of Pershing’s First Army suffered terrible losses: 9,000 men killed, wounded, or missing.

Death surrounded George Christian and his men as they moved forward into the Battle of the Meuse-Argonne. On September 18, 1918, Charlie T. Robie, an Oklahoman in the 344th Machine Gun Battalion, went missing in action, probably because his body disintegrated during the explosion of an air-burst German artillery shell.

Amidst the heat, rain, shellfire, and death, soldiers like George Christian could occasionally find time to reflect about their circumstances so far away from home. Ernst Jünger, a veteran German infantryman, wrote that,

24 Ibid., 270–71.
26 Ibid.
27 Persico, Eleventh Month, Eleventh Day, 274.
The nights brought heavy bombardments like swift, devastating summer thunderstorms. I would lie on my bunk on a mattress of fresh grass, and listen, with a strange and quite unjustified feeling of security, to the explosions all around that sent the sand trickling out of the walls. Or I would walk out to the fire-step to take in the mournful nocturnal scene, and the strange contrast between its heaviness and the fiery spectacle whose dance-floor it was.

At such moments, there crept over me a mood I hadn’t known before. A profound reorientation, a reaction to so much time spent so intensely, on the edge. The seasons followed one another, it was winter and then it was summer again, but it was still war. I felt I had got tired, and used to the aspect of war, but it was from this familiarity that I observed what was in front of me in a new and subdued light. Things were less dazzlingly distinct. And I felt that the purpose with which I had gone out to fight had been used up, and no longer held. The war posed new, deeper puzzles. It was a strange time altogether.29

Although Jünger was a German, and an elite infantry storm-trooper at that, his memoirs reflect the way the war changed everyone who lived through it.

George Christian advanced again with the 90th Division during the even more powerful Meuse-Argonne campaign from September 26 to October 15.30 On the evening of September 26, George S. Patton commanded a tank attack on the French village of Cheppy. “I felt a great desire to run,” Patton remembered. “I was trembling with fear when suddenly I thought of my progenitors and seemed to see them in a cloud over the German lines looking at me. I became calm at once and saying aloud, ‘It is time for another Patton to die’ called for volunteers and went forward to what I honestly believed to be certain death.”31

Patton personally led six men toward the German machine guns at Cheppy; five of them died almost immediately, while others held back. Patton led the survivor, Private First Class Joseph Angelo, forward to continue the attack—until a bullet struck Patton in the left hip. Private Angelo led Patton to a shell crater and stanched the bleeding, all while Patton kept shouting orders to his men. The wound was so serious it sent Patton to a military hospital for the rest of the war.32 Other Americans were not so lucky. Captain Walter B. Drebelbis, a 344th Battalion officer from Illinois, died in battle on September 26, 1918.33 Private Jesse James Blanton, an Oklahoman, gave his life for his country on October 7, 1918.34

30 “Order of Battle,” 90th Infantry Division (U.S.), Wikiwand.
31 Carroll, My Fellow Soldiers, 284.
32 Toland, No Man’s Land, 435.
Yet American Doughboys pushed the Germans back again and again during a devastating series of blows. Christian’s 344th Machine Gun Battalion was in the thick of the fighting, defending the 179th Infantry Brigade from German counter-attacks and laying fields of fire to cover their fellow soldiers’ advance against entrenched German infantry, artillery, barbed wire, and poisonous chlorine gas.

During the autumn of 1918, George E. Christian and the other men of the 90th Division advanced through heavy fighting. They faced lethal, criss-crossing machine-gun fire that raked the ravaged battlefields they advanced across. Artillery exploded above them. Poison gas wafted across the front into their faces. The German troops they met had four years of battlefield experience with the bayonet, the trench-club, and rifle. They confronted death and fear every day and every night, yet summoned the courage to charge into the face of machine guns and cannons.

Wythe, History of the 90th Division.
Top left: U.S. Army Instructions for Offensive Conduct of Small Units. Top right: Texas troops prepare to take the offensive. Photos from the Heritage Society of Houston's exhibition, View from the Trenches: The Oberwetter Collection. Bottom: A gun crew from Regimental Headquarters Company, 23rd Infantry, fire a 37mm gun during an advance against German entrenched positions in the Argonne Forest, autumn 1918. Department of Defense, National Archives, public domain.
The division’s men suffered heavy casualties: 1,091 men killed in action, and another 6,458 wounded in action. The First Army’s Lieutenant-General, Hunter Liggett, hailed the 90th Division’s valor. In his report to General Pershing, he wrote that “[Y]ou have not a better division; it is as good and dependable as any division in the army.” General Pershing agreed: “The 90th is one of the very best divisions sent over here. Everyone says so.” Yet the cost of that valor was high.

Today many of George Christian’s comrades in the 344th Machine Gun Battalion rest in peace in foreign soil. Some lie among the 4,000 Americans buried at the St. Miehle Military Cemetery in Thiaucourt, France. A tablet of the missing at St. Miehle commemorates the sacrifice.

36 Ibid.
37 Foreword, in ibid.
of Charlie T. Robie, the Oklahoman in George Christian’s 344th Machine Gun Battalion whose body went missing during the fierce fighting on September 18, 1918.38 Captain Walter B. Drebelbis, the 344th Battalion officer from Illinois, lies there.39 Private Jesse James Blanton, an Oklahoman, gave his life for his country on October 7, 1918.40

Other comrades from George Christian’s Battalion remain behind in the massive Meuse-Argonne American Cemetery and Memorial in Romagne-sous-Montfaucon, France. The body of Alfred F. Jennett, a private from Texas who died in the heavy fighting of November 1, 1918, lies in Plot G, Row 15, Grave 9.41 August W. Endler, another Texan and a bugler, lies nearby in Plot F, Row 18, Grave 37, commemorating his death on November 4, 1918, as the war ground to a close.42

The 130-acre Meuse-Argonne American Cemetery and Memorial in France contains the graves of 14,246 Americans and 954 tablets of the missing.

Photo from the American Battle Monuments Commission.


At the end of the war, General Pershing offered an observation about all of the young Americans who died serving their nation in 1917 and 1918: “Time will not dim the glory of their deeds.”

After the November 11, 1918 armistice, General Pershing moved the 90th Division, the 344th Machine Gun Battalion, and a recently promoted First Lieutenant George Christian into Germany to participate in post-war occupation duty. The Army sent home the division for demobilization in May 1919. The Army honorably discharged First Lieutenant Christian in 1919.

George E. Christian participated actively in Texas’s then-dominant Democratic Party, especially in the campaigns of fellow Great War veterans, including Governor Dan Moody and Governor James V “Jimmy” Allred and President Franklin D. Roosevelt, who served President Wilson as Assistant Secretary of the Navy from 1913 to 1918.

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43 Wythe, History of the 90th Infantry Division, 6 of 18.
44 Winfrey, “Ninetieth Division,” Handbook of Texas Online.
45 Ibid.
After the war, from 1919 through 1925, Christian returned to the private practice of law he had begun in Burnet from 1912 to 1917. He also served as District Attorney of the 33rd Judicial District, including Blanco, Burnet, Gillespie, Kimble, Llano, Menard, and San Saba Counties. Texas Attorney General and fellow Great War veteran Dan Moody named him Assistant Attorney General in 1925. Christian made a name for himself by managing an investigation of scandals in the Highway Department.

In 1927 Governor Dan Moody appointed Christian to serve on the recently created State Board of Pardon Advisers. Later that year, Governor Moody appointed Christian to a seat on the Commission of the Texas Court of Criminal Appeals. Christian served as a judge on that court until his death on April 15, 1941 at the age of 53. He was a proud member of American Legion Post No. 64 and the First Officers’ Training Camp Association.52

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47 Ibid.
50 Ibid.
51 Ibid.
52 Ibid.
Amongst a busy life dedicated to public service, Judge Christian raised a family. Four years after returning to Texas, on June 13, 1923, he married Ruby Scott of Burnet. They had three children, Juliet (now Mrs. Edward B. Jelks), George Eastland Jr. (who later became Press Secretary to President Lyndon Johnson), and Martha Josephine (now Mrs. Walter Babich). They made their home in Austin.

On April 17, 1941, the Texas House of Representatives passed a resolution stating that, “[i]n the passing of this distinguished and lovable gentleman, his state and community have suffered the loss of a beautiful and shining character and faithful public servant, and a true, honorable, and loyal citizen and friend.”

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Ibid.

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DAVID A. FURLOW is an attorney, archaeologist, and photojournalist.
Future Texas Supreme Court Justice Frank Pugh Culver, Jr., born September 25, 1889 in Birmingham, Alabama, distinguished himself in the artillery, that branch of the military long referred to as the “King of Battle.” His father, Frank P. Culver, Sr., was a Methodist minister, but Justice Culver later liked to emphasize that his father was the son of a distinguished military man, Major Isaac Franklin Culver, and his wife Nancy McSwain Culver, “born in the midst of the Civil War.” Military traditions ran in the Culver family. Both of his grandfathers served in the Confederate Army during the Civil War.

Justice Culver’s father moved his family from Alabama to Texas in 1911 to accept a position as president of Polytechnic College (later Texas Wesleyan College) in Fort Worth; he was also a minister in Waco, Corsicana, and Fort Worth. Culver attended Morgan Preparatory School in Fayetteville, Tennessee; Birmingham College in Birmingham, Alabama; and Vanderbilt University in Nashville, Tennessee, where he earned his undergraduate degree in 1911. An educated man who devoted his life to helping his fellow citizens, he took charge of instructing students, and taught Latin and English classes, when he was principal of Winnsboro High School in Winnsboro, Texas from 1911 to 1912.

Culver then moved to Austin to study at the University of Texas School of Law, where he earned his LL.B. degree in 1914. He gained admission to the Texas bar later that same year. He

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4 “Frank Pugh Culver, Jr.,” *Justices of Texas*, Tarlton Law Library.
5 *Ibid. See also Vanderbilt University Quarterly* XI, no. 1 (January–March 1911): 6 (“DEGREES—ACADEMIC DEPARTMENT / Bachelor of Arts / Frank Pugh Culver, Jr. / Birmingham, Ala.”), https://books.google.com/books?id=5IDOAAAAMAAJ&pg=PA234-IA14&dq=%22Frank+Pugh+Culver,+Jr.%22&hl=en&sa=X&ved=0ahUKEwi52fDSwZfeAhWG3IMKHfxaA7OO6AEILTAB#v=onepage&q=%22Frank%20Pugh%20Culver%2C%20Jr.%22&f=false.
6 “Frank Pugh Culver, Jr.,” *Justices of Texas*, Tarlton Law Library.
8 “Frank Pugh Culver, Jr.,” *Justices of Texas*, Tarlton Law Library.
practiced law privately in Fort Worth from 1914 through 1917.\(^9\) When Congress declared war on Imperial Germany in April of 1917, Frank Culver was already earning a living as an attorney with a UT law degree.\(^10\)

The War Department organized the 90th Division at Camp Travis, Fort Sam Houston, just outside San Antonio, on August 5, 1917.\(^11\) The first round of war-time drafts provided 30,540 men from Texas and 15,564 Oklahomans.\(^12\) The U.S. Army organized, trained, or demobilized 31 separate units at the camps comprising the Leon Springs Military Reservation.\(^13\)

The Army selected Culver to serve as a second lieutenant in Battery A, 34th Field Artillery, 165th Field Artillery Brigade, 90th Division on August 29, 2017. Culver graduated from the First Officers Training Camp at Leon Springs in August 1917.\(^14\) The Army promoted him to the rank of first lieutenant to command Battery E on January 3, 1918.\(^15\) As an artilleryman, he had to learn how to shoot big 75 mm. and 155 mm. cannons and howitzers, front-line mortars, and rifles. As an officer he had to learn to assemble, disassemble, clean, and shoot a Colt New Service pistol, a large frame, large caliber, double-action revolver the U.S. Army issued from 1898 until 1941.\(^16\)

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\(^10\) “Frank Pugh Culver, Jr.,” \textit{General Register of the Students and Former Students of the University of Texas, 1917} (Austin: University of Texas Ex-Students’ Association, 1917), 349.


\(^12\) Ibid.

\(^13\) Manguso, \textit{Camp Bullis}, 41–42; Frank P. Culver resume provided by Tiffany S. Gilman.


Culver sailed with other men of the 90th Division from Boston Harbor to Liverpool, England as a first lieutenant on June 1, 1918 aboard a former White Star Line Transatlantic steamship, the S.S. Persic, on June 1, 1918. By the time Culver sailed, the convoy system, an American-British venture to enhance anti-submarine protection for American and British ships crossing the Atlantic and increase risks to German submarines, had begun reducing the German U-boat threat to manageable proportions. Still, torpedoes sometimes reached their targets, so every Atlantic crossing remained a frightening experience.

The 90th Division’s artillery, divisional troops, and trains began their Atlantic crossing between June 1 and July 6, 1918 and landed in England between July 1 and July 16. After recovering, they disembarked from English ports and landed at Le Havre, France, to make their way to the Western Front. Culver went to Camp Hunt near Bordeaux to train for battle.

The Army decided that Frank Culver could serve his country best as an artilleryman. In the era after Swedish king Gustavus Adolphus's 1630 intervention in the Thirty Years War, and up through August of 1918, artillery was the most powerful branch of every army. Artillery was so important that Louis XIV's foundry-engineers molded the words Ultima Ratio Regum, “the final argument of kings,” in baroque scrollwork on his army's massive bronze 24-pounder cannons. Napoleon, whose mobile artillery commanded European battlefields for a decade, described the true basis of his nation's military prowess and power when he declared, on October 13, 1806,

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20 Clark, American Expeditionary Force, 240; Frank P. Culver resume.
that “God fights on the side with the best artillery.” 22 As the United States entered World War I, President Woodrow Wilson and Congress ordered a massive increase in the production of artillery and shells that would prove to be Ultima Ratio Republica, “the final argument of republics.”

Congress had begun preparing America for war by organizing twenty-one new field artillery regiments in the National Defense Act of 1916. 23 When the United States entered the war in April 1917, 8,000 officers and men comprised the U.S. Army’s artillery branch. By war’s end in November 1918, some 460,000 American men would be artillerymen. 24 Frank Culver was one of those men.

Heavy guns killed more soldiers than any other weapon used in the Great War. 25 Both the Germans and the Allies preceded infantry attacks with prolonged artillery barrages intended to soften up enemy forces. Both sides used artillery to stop infantry attacks dead in their tracks and to keep terrified men on the other side huddling in their trenches and bunkers for cover. As historian Spencer Tucker observed, “Even after the appearance during World War I of machine guns, tanks and attack aircraft, artillery remained the major source of firepower on the battlefield....World War I is an example of a period in which firepower technology got far ahead

24 Ibid.
of mobility technology, and the result was trench warfare.”

When shells burst overhead, their “overshock” would stun soldiers, cause their ears to bleed, their eardrums to burst, knock them to the ground, and sometimes kill them outright as waves of explosive force passed through their bodies bursting arteries and veins. When an exploding shell would catch soldiers standing or running, high-velocity shrapnel might tear them limb from limb, or turn them into that pink mist that required them to be remembered with a tablet of the missing rather than a tomb. No one was safe—especially artillerymen, who were pre-emptively targeted by the opposing side’s artillerymen, bombers, and fighter pilots. Frank Culver was never safe on any of the battlefields of Europe.

The U.S. Army assigned standard-issue 155 mm. howitzers to Culver’s 345th Field Artillery Brigade. Americans used, and beginning in 1917 manufactured, the *Canon de 155 Grande Puissance Filloux* (GPF) mle.1917, a French-designed 155 mm cannon. Culver’s battalion used 24 big guns, each weighing some 14 tons, some long-barreled, some with shorter barrels, to lob 98-pound shells up to 11 miles. Or to lob shells up to 18 kilometers, for American artillerymen had to learn the European metric system under a January 2, 1918 ordinance that required American artillerymen to learn metric measurements to fire their French-designed cannon.

To keep those big guns firing, the 90th Division’s men had to establish supply trains to ports, stretching all the way back to America. They used big Holt tractors weighing 10 tons each, with 75 horsepower engines, to pull each gun, requiring gun crews to learn how to operate, maintain, and repair these behemoth vehicles. Training continued in France and at the front.

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26 Ibid.
29 Ibid., 67.
30 Ibid.; Frank P. Culver resume.
The 90th Division and its 345th Field Artillery Brigade served in the Chaumont area under the American Third Army from August 24 to September 11, 1918, moving forward while training for battle. The American contribution to the Allies' August 1918 onslaught had not only already deprived the Germans of critical captured territory but had also begun to convince both German soldiers and their officers of the futility of further fighting.

A captured cache of letters from German 10th Division soldiers told of the despair passing through the ranks of the Kaiser's soldiers. “The Americans are said to have assembled tremendous numbers of tanks and troops on the other side,” a German corporal wrote. “In that case we are lost.” Another German lamented, “The men are so embittered that they have no interest in anything and they only want the war to end, no matter how.”

Culver's comrades in arms advanced into battle against increasingly dispirited German troops during the St. Mihiel Offensive September 12–16, 1918. American troops, “green” to the battlefield but well-equipped, well-armed and well-fed, soon proved that they could fight German troops and win. Culver earned a battlefield promotion from 1st lieutenant to captain on October 10, 1918 while leading Battery E of the 345th Field Artillery Brigade in France. Most of the division regrouped in the Puvenelle Sector of Lorraine from September 17 through October 10, 1918. The division moved up to the advancing front line near Strasbourg, France to relieve eastern France and Belgium of their German occupiers. This combined American and French Meuse-Argonne Offensive, as well as the attacks of British, Belgians, and Canadians on other fronts, devastated German forces.

In response to surging Allied armies and collapsing German armies, a new German chancellor, Prince Max of Baden, sent a message to President Woodrow Wilson seeking an armistice on the basis of the President’s Fourteen Points proposal for a negotiated peace. Negotiations for an Armistice began soon afterwards, but reached a stalemate when the Allies

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31 Clark, American Expeditionary Force, 239; Frank P. Culver resume provided by Tiffany S. Gilman.
33 Ibid.
34 Clark, American Expeditionary Force, 239.
36 Clark, American Expeditionary Force, 241–42.
advised that they would not negotiate a peace with Germany’s existing military dictatorship of Erich Ludendorff, the ruthless man whose logistical skill supported Kaiser Wilhelm’s flagging forces. To permit a German government to negotiate with the President while the war ground on, Ludendorff resigned his post as Quartermaster General, the de facto Chief of the German General Staff, on October 28, 1918.37

The process of regime change accelerated the next day as a series of mutinies, disorders, and revolutions broke out within Germany. The Socialist Party took control of the German government on November 9 and declared that Germany was a republic. Kaiser Wilhelm abdicated the next day and fled into exile in the Netherlands. A new civilian German government negotiated an armistice with Allied Commander-in-Chief Marshall Ferdinand Foch between November 7 and November 11, 1918.38 The Armistice agreement they reached at 5:00 a.m. called for the cessation of all hostilities at 11:00 a.m., the eleventh hour of the eleventh day of the eleventh month of the year 1918. After four years of bloodletting, peace would come at last to the Western Front.

The 90th Division’s men reached their prime objective, the River Meuse, between November 2 and November 6, and began crossing that important river at Sassey-sur-Meuse and later at Dun-sur-Meuse, to reach the town of Mouzay by November 10.39 The next day, the 90th’s men entered the town of Baâlon, dug in along its heights, and reached the eastern edge of Stenay, where their advance ended as the eleventh hour, eleventh day, of the eleventh month Armistice went into effect at 11:00 a.m. on November 11. Culver was then near Strasbourg.40

The 90th Division captured 2,412 German prisoners, suffered 7,277 casualties, and suffered 1,392 battlefield deaths, along with 5,885 men wounded.41 General Pershing accorded Frank Culver’s 90th Division the honor of selecting it as one of only two National Army divisions chosen for Occupation Duty in post-war Germany.42 Culver, like most soldiers in the 90th Division, probably lamented a command decision that would keep him away from home and hearth for another six months.

38 Ibid.
40 Ibid.; Frank P. Culver resume.
41 Clark, American Expeditionary Force, 238.
42 Ibid.
After work as a Firing Instructor at Saumur, France, Culver served in the Allied Occupation Army, where he served as captain of the Third Battalion. The 90th Division moved through Belgium and Luxembourg on November 24, liberating those towns from German occupation. The men of the 90th Division then moved east to occupy the Kreise of Piesport, Dhron, and Neumagen in a grape-growing region centered on the railroad town of Trier. He followed in the sandaled footsteps of Roman legionaries, who had first occupied the tribal capital of the Germanic Treveri tribe during Julius Caesar's time, and, like the men of the 90th Division, held it to control the German Rhineland. In war as in real estate, nothing matters as much as location, whether in the first century B.C. or the twentieth century A.D.

Captain Culver returned to America, along with other demobilizing soldiers, in 1919. Conflicting records offer different accounts about when and how he returned to America. One Army record states that he left for America aboard the S.S. Kentuckian, from the port of St. Nazaire, France, along with one other 345th Battalion passenger, on May 26, 1919. But a conflicting record states that he returned, along with many other veterans, aboard the steamship Leviathan, which left Brest, France on June 25, 1919 and reached Hoboken, New Jersey on July 1, 1919. The latter entry, with its larger list of returning veterans, is the more reliable record since it accords with his March 17, 1921 U.S. Army Form No. 84c-1 record, which reflects that his overseas service ended on July 5, 1919.

The Army discharged Captain Culver from further service after awarding him an honorable discharge on July 24, 1919. After he returned home, Culver resumed private law practice in Fort Worth until 1927. He was assistant district attorney in Fort Worth from 1927 to 1928. Great War veteran Gov. Dan Moody appointed him as judge of the 17th District Court in 1928, where he

43 “Frank P. Culver, Jr.,” Texas Bar Journal, 7; “Frank Pugh Culver, Jr.,” Justices of Texas, Tarlton Law Library.
49 “Culver, Frank P.,” U.S. Army Form No. 84c-1, A.G.O., March 17, 1921, LDS Family Search.
50 Ibid. Culver served as a Major of Field Artillery in the Reserve in 1920.
served until 1950, except for two years when he served his country in active duty once again.\textsuperscript{51}

Recalled to active duty during the Second World War, Culver served as lieutenant colonel in the Army's 45th Artillery Regiment, 90th Division, and then transferred to the 8th Service Command, where he served as a member of the reclassification board.\textsuperscript{52} Culver's commanding officer was Beauford Jester, another Great War veteran who would become Governor in 1947.

Culver was stationed in San Antonio, Dallas, and Texarkana before being discharged in September 1944 as Colonel of Field Artillery.\textsuperscript{53} The history of an artillery unit under General George S. Patton's command tells the story of a unit of the kind Culver originally helped lead before he retired into administrative duties involving the draft.\textsuperscript{54} After acting as President of a General Court Martial, Culver finally retired from the U.S. Army on November 30, 1954.\textsuperscript{55}

Culver was active in veterans' groups throughout his life. Fellow veterans of the Great War elected him to serve as Commander of the Bothwell Kane American Legion Post in 1921-1922.\textsuperscript{56} Lawyers who served in the Great War, and others who admired a veteran of the St. Mihiel and Meuse-Argonne campaigns, elected him to serve as President of the State Bar's Judicial Section in 1950 and 1951.\textsuperscript{57}

Culver served as judge for the Second Court of Civil Appeals in Fort Worth in 1951–52.\textsuperscript{58} Texas voters elected him to serve as a Justice of the Texas Supreme Court in November of 1952.\textsuperscript{59} He served two six-year terms on the Court,\textsuperscript{60} starting on January 1, 1953, and lasting until he retired from the bench on December 31, 1964 at the age of seventy-five.

Justice Culver died in Fort Worth, at the age of ninety, on April 10, 1980.\textsuperscript{61} Fifteen years before, at a retirement banquet in Fort Worth, then-Justice and later Chief Justice Joe Greenhill summed up his life as follows:

\begin{flushright}
51 “Frank Pugh Culver, Jr.,” \textit{Justices of Texas}, Tarlton Law Library.
52 \textit{Ibid}; “Frank P. Culver, Jr.,” \textit{Texas Bar Journal}, 7; Frank P. Culver resume.
53 “Frank Pugh Culver, Jr.,” \textit{Justices of Texas}, Tarlton Law Library.
54 345\textsuperscript{th} Field Artillery Battalion, 90th Infantry Division, \textit{Third United States Army} (Munich, Germany: F.G. Bruckman, KG, 1945), 32, \url{http://www.90thdivisionassoc.org/History/UnitHistories/PDF/WW2/345%20FA%20Bn.pdf}.
61 “Frank Pugh Culver, Jr.,” \textit{Justices of Texas}, Tarlton Law Library.
\end{flushright}
Judge Culver is my idea of a “gentleman of the old school.” He is a noble man in a democratic society. He stands tall, walks erect, and talks straight. So far as I can tell, he fears no man or group of men.

In discussing a legal matter in a judicial conference, he has the ability to brush aside unimportant camouflage and distractions, and to direct his attention to the heart of the controversy. When it came his turn to speak, he gave the Court his views with strength, clarity and conviction. He was as steady and firm as a rock.\textsuperscript{62}

Having weathered the Great War’s storm of steel, Justice Frank Pugh Culver, Jr. became a bastion of Texas Supreme Court strength.

\textsuperscript{62} “Judicial Section, Fort Worth Bar Honor Frank P. Culver,” \textit{Texas Bar Journal} 28, no. 2 (February 22, 1965): 101 and 144.

\textbf{DAVID A. FURLOW} \textit{has been Executive Editor of this Journal since 2011.}
Alfred Jennings Folley, known to his friends as “A.J.” and “Jack,” was born in Limestone County, Texas on November 28, 1896. He spent his early years on his parents’ farm near Oletha. He graduated from high school in Mart, Texas. Even today, Mart is a tiny town in Limestone and McLennan counties. Although he grew up in the smallest of small towns, he grew up well, for his earliest photos reveal a young man dressed sharply in suits and vests.

Folley’s discussion of his war years was always, at most, minimal, while his biographers wrote only that he “served in the U.S. Army during World War I,” without saying where he served or precisely what he did. So how did Folley serve his country in the Great War? What did he do?

Jack Folley answered the call of duty. President Wilson and Congress enacted the Selective Service Act of May 18, 1917 and organized a draft that required all male citizens between the ages of 18 and 30 (later extended to 45) to register for the draft. By the time the war ended, nearly 24 million Americans, including almost 1 million Texans, had registered for the draft. One young man who received a Selective Service notice was 23-year-old Alfred Jennings Folley.


4 Ibid.
Folley showed up at his draft board in June 1918, registered for the draft, and went where he was assigned: Camp Travis, northeast of San Antonio. Camp Travis came into existence when the Army expanded one of its existing bases, Camp Wilson, to allow soldiers to undergo year-round training in South Texas’s mild winter climate. Five miles northeast of downtown San Antonio adjacent to Fort Sam Houston, it first became the headquarters of National Guard troops responding to the Mexican border crisis. Army leaders renamed Camp Wilson as Camp Travis after Alamo hero William B. Travis on July 15, 1917, after it became the base for the rapidly expanding 90th (Texas Oklahoma) Division.5

A host of new friends greeted the raw recruit when he appeared at Camp Travis. Sergeants barked at him, officers asked him whether he suffered from any diseases or defects, barbers shaved his hair short, ophthalmologists tested his eyes, military doctors examined the rest of him, nurses inoculated him against disease, and orderlies weighed, measured, and questioned him, then handed him a new, ill-fitting uniform. Young Mr. Folley submitted to a battery of tests and followed orders as he was told to do.

The Army then assigned Folley to the military unit where he was to serve his nation for the duration of the war. Army officers gave him the rank of private and assigned him to the Conservation and Reclamation Branch of Camp Travis’s Quartermaster Corps the Camp

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Quartermaster had organized in the early part of 1918.\(^6\)

The Conservation and Reclamation Branch operated a Laundry and Repair Shop Section as well as a Print Shop.\(^7\) These men not only laundered clothes, but also salvaged shoes, hats, clothes, and coats.\(^8\) Salvaging produced an income of $11,978 for the Quartermaster Corps, while the clothing shop repaired 34,510 garments, and the shoe shop repaired 44,501 shoes.\(^9\) The laundry provided clean clothes not only for Camp Travis but also for Kelly Field, Brooks Field, and many other bases.\(^10\) These services may seem mundane when compared to the combat

\(^8\) *Ibid*.
\(^9\) *Ibid*.
\(^10\) *Ibid*. 

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heroics of those who crossed the seas to stop the Kaiser, but they made life bearable for tens of thousands of men, young and old alike, who left their homes, businesses, and families aside to train for war. They were all patriots.

Folley may not have considered this service as bragworthy as his peers' combat experience on the land, at sea, and in the air, but the work he and his colleagues undertook enabled the Camp Quartermaster to pay, feed, and equip 175,000 men, including two complete divisions bound for the Western Front. The Armistice on the Western Front and the peace that followed led to a demobilization that sent Folley out into the civilian world again in 1919.

Jack Folley could return to his studies. He did so, and graduated from Baylor University with a B.A. in 1921 and an LL.B. in 1925. While in law school, he taught a history course at Baylor University. After completing his law degree he practiced law for several years in Floydada and Spur, where he also served as district attorney from 1929 to 1934 and as judge of the 110th Judicial District from 1934 to 1937.

In 1937 Folley was appointed to serve as a member of the Seventh Court of Civil Appeals in Amarillo. The Texas Supreme Court appointed him to serve as a member of the Supreme Court’s Commission of Appeals in 1943.

Voter approval of a constitutional amendment in 1945 increased the size of the Texas Supreme Court from three to nine, and the six Commissioners on the Commission of Appeals became new Associate Justices of the Texas Supreme Court. Justice Folley served on the Supreme Court from 1945 until April 1949, when he resigned to resume practicing law. During his tenure he authored sixty-three opinions.

Following his service on the Supreme Court, Justice Folley practiced first with the law firm of Adkins, Madden, Folley & Adkins and then with Folley, Snodgrass & Calhoun until retiring in 1980. He also served as the 20th President of the State Bar of Texas from 1959 to 1960.

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11 Ibid., 29.
12 “Alfred Jennings Folley,” Justices of Texas, Tarlton Law Library.
13 Ibid.
14 Ibid.
15 Ibid.
His tenure as State Bar President was praised for the accomplishment of numerous initiatives, including the organization of the Bar’s Advisory Council, the adoption of a revised Code of Criminal Procedure, and the adoption of several important amendments to the State Bar Rules. He later served on the American Bar Association’s House of Delegates and on the Texas and National Commissions on Uniform State Laws.17

When called upon to do his duty, to make the world safe for democracy, Jack Folley did what his nation asked him to do. In the more than six decades of his life after his military service, Justice Folley made important contributions to the Texas bench and bar. It is fitting that we pay tribute to him during this commemoration of the Armistice.

17 President’s Bio, State Bar of Texas website, https://www.texasbar.com/AM/PrinterTemplate.cfm?Section=President_Bios&Template=/CM/HTMLDisplay.cfm&ContentID=20127&FuseFlag=1.


DAVID A. FURLOW has been the Executive Editor of this Journal for more than seven years.
Much is expected of a young man to whom much is given. Wilmer St. John Garwood, a proud son of privilege, grew into a man of extraordinary accomplishment who exceeded even his prominent family’s high expectations. Born on December 15, 1896, in Bastrop, Texas, to Hiram M. Garwood and Hettie Page Garwood, he joined a family rapidly rising in wealth and social standing. His father, a county judge and a spell-binding storyteller, served in both the Texas House and Senate, and was one of the first partners in a Houston law firm then known as Baker, Botts, Parker and Garwood. The family lived close to downtown in Houston’s Montrose neighborhood. Part of young Wilmer’s birthright, the “St. John” middle name his mother gave him in 1896, would later prove to be an election-related liability when some voters believed that it signified a secret Catholicism, but that seed would take many years to germinate.

By the time Wilmer was born, his father Hiram had made a name for himself in Texas legal circles. Hiram wrote the Texas Railroad Commission Law in 1886 and 1890, which later led to Baker Botts’s expansion into new areas of railroad law. He achieved success not only by lobbying but by winning courtroom trials and bringing the prominent and profitable Southern Pacific Railway to Houston’s oldest law firm. When Wilmer was nine years old, his father won the Legislature’s approval of the Consolidation Act that expressly approved Southern Pacific’s acquisition and the consolidation of the New York, Texas, and Mexican Railroad, the Galveston, Houston, and Northern Railroad, the San Antonio and Gulf Railroad, and the Gonzales Branch Line into a Southern Pacific subsidiary. Drawing heavily on his partners’ contacts from the piney woods of East Texas to the mountainous deserts of El Paso, Hiram Garwood’s mastery of corporate, contract, and property law transformed Baker Botts into an innovative powerhouse among Texas firms.

As his father labored in the fields of the law, young Garwood earned accolades while

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4 Lipartito and Pratt, *Baker & Botts*, 34.
receiving the best education a prominent father’s money could buy. After attending Sacred Heart School, St. Thomas College and Barnett School in Houston, Judge Garwood attended Georgetown Preparatory School in Washington, D.C. in 1911-1913. Georgetown Preparatory Academy, an elite private Jesuit high school, has prepared young men for college since 1789, including U.S. Supreme Court Justice Brett Kavanaugh, Class of 1983.

Young Garwood matriculated from Georgetown University in Washington, D.C. with a B.A. degree in 1917. A pugilist, he won the Lightweight Boxing Championship at Georgetown in 1915. The future was bright, almost limitless. And then came troubles along the Mexican border, the German High Command’s decision to unleash unlimited submarine warfare, the Zimmerman Telegram, President Woodrow Wilson’s call to action, and Congress’s declaration of war against the Kaiser’s Germany. Garwood registered to serve in the military on June 5, 1918.

Before Wilmer joined the cavalry, his older brother did so. Wilmer’s older brother Calvin Baxter Garwood enlisted in the Second Infantry Regiment of the Texas National Guard in May 1916, went into active federal service on the Mexican border, and was commissioned a second
lieutenant in the 36th Infantry Division. While serving with the 36th Division in France, Calvin earned the *Croix de Guerre* for gallantry in action at Belleau Wood. Lieutenant Calvin Garwood remained in France until the Army demobilized him in 1919.

Following his older brother's example, young Wilmer Garwood rode into his Great War service. He first served his country as a second lieutenant, then earned promotion to the rank of first lieutenant, in the First Light Cavalry Unit of the Texas National Guard. He entered the

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16 Greenhill, *Memorial Service*, 5 (“He served as a Second Lieutenant and as a First Lieutenant in World War I...”); *ibid.*, Resolution of the Supreme Court of Texas (“Justice Garwood served as a First Lieutenant in the 1st Light Cavalry, Texas National Guard, 1918-1923...”).
National Guard in 1918, and remained in it until 1923.\textsuperscript{17} He joined an equestrian unit whose warriors, steeped in Texas Ranger and Civil War cavalry traditions, could wield a Winchester while fighting as dismounted infantry, brandish a sabre like a medieval knight riding high in the saddle, or lead men forward with a Colt .45.

When Wilmer Garwood joined the First Texas Cavalry, it was a state militia unit, albeit a congressionally regulated one under the National Defense Act of 1916.\textsuperscript{18} It had a proud history that began in the earliest days of the Lone Star Republic, when its members were responsible for repelling invasions, quashing insurrections, and bringing order, often at the behest of local sheriffs and political elites. That traditional Texas way of war, and of life, changed in 1917, when President Wilson federalized it and, on August 5, 1917, drafted its men and all state National Guard units into the U.S. Army.\textsuperscript{19}

The War Department combined the soldiers of the Texas and Oklahoma units into one unit, the U.S. Army’s 15th Division, soon re-designated the 36th Infantry Division, at Camp Bowie in Tarrant County, Texas, then a part of Fort Worth, between July 18 and August 17, 1917.\textsuperscript{20} Officially the “Arrowhead” Division, the 36th acquired the nicknames “Texas Division” and “Lone Star Division” because so many Texans filled out its ranks.

Under the command of Major General Edwin St. John Greble, soldiers of Garwood’s First Texas Cavalry joined with men of many units—including the 7th Texas Infantry, the 1st and 2nd Regiments of Field Artillery, the 1st Battalion of Engineers, and other headquarters, military police, signals battalion, ambulance and sanitary companies, and field hospital units—to form a combined-arms unit capable of standing up to the German Army.\textsuperscript{21} The Army considered National Guard units of the kind Garwood joined to be undertrained and poorly equipped.\textsuperscript{22} The National Guard consisted of some 80,000 soldiers in 1917, many of whom had joined to advance themselves socially in their local communities.\textsuperscript{23}

Garwood’s First Texas Cavalry Brigade was posted at Camp Stanley, a sub-post of the

\begin{itemize}
\item \textsuperscript{17} Phillips, \textit{Memorial Service}, 12.
\item \textsuperscript{18} Bruce A. Olson, “Texas National Guard,” \textit{Handbook of Texas Online}, \url{http://www.tshaonline.org/handbook/online/articles/qnt02}.
\item \textsuperscript{19} \textit{Ibid}.
\item \textsuperscript{21} Lonnie J. White, “Greble, Edwin St. John,” \textit{Handbook of Texas Online}, \url{http://www.tshaonline.org/handbook/online/articles/fgr98}.
\item \textsuperscript{22} Gary Mead, \textit{The Doughboys: America and the First World War} (London and New York: Penguin Press, 2000), 69.
\item \textsuperscript{23} \textit{Ibid}., 69 and 225; Olson, “Texas National Guard,” \textit{Handbook of Texas Online}.
\end{itemize}
San Antonio Arsenal at Leon Springs Military Reservation twenty miles northwest of downtown San Antonio.\textsuperscript{24} It originally operated as an ammunition storage depot until the War Department redesignated it as an infantry cantonment and renamed it from Camp Funston to Camp Stanley on October 2, 1917, in honor of Brigadier General David Sloane Stanley.\textsuperscript{25}

The War Department sent the Garwoods’ 36th Infantry Division, including the First Texas Cavalry, abroad on convoys that steamed to Europe between May and August 1918.\textsuperscript{26} The Lone Star State’s cavalry elite underwent a final round of combat training in France in September 1918.\textsuperscript{27}

Under a new battlefield commander, William R. Smith, the Texas First Cavalry Division’s horse-soldiers charged into battle during General Pershing’s Meuse-Argonne campaign in October and November 1918. The U.S. Army assigned the 36th Infantry Division, and the 2nd Marine Division, to the French Army Group controlling France’s 4th Army. The 36th Division’s men engaged in particularly heavy combat on October 9-10, 1918 on their way to an important battlefield victory involving the capture of hundreds of German soldiers and artillery pieces near the French village of St. Etienne-à-Arnes.\textsuperscript{28}

When the French Army Group attack bogged down in early October 1918, 4th Army commander General Henri Gouraud called on the 2nd Marine Division, under Major General John A. Lejeune, to attack German forces defending the Argonne Forest. General Pershing rotated the exhausted men of the 36th Division out of front-line combat on October 28-29, 1918.\textsuperscript{29} The division’s men advanced 13 miles (21 kilometers), captured 549 Germans, and seized many guns. But the price the Garwoods’ comrades in the 36th Infantry Division paid for their twenty-three days of victories in the Meuse-Argonne campaign was high, for they suffered 2,584 casualties, including 600 battle deaths and 1,928 men wounded.\textsuperscript{30} The 36th Division’s other men moved to the LeMans area of central France and disembarked from the port of Brest between May 17 and 23, 1919, returned to Camp Bowie, and demobilized there by June 11, 1919.\textsuperscript{31} For the rest of their lives, Wilmer St. John Garwood and his older brother Calvin Garwood would have heard their friends’ harrowing descriptions of front-line combat on the Western Front.

\textsuperscript{26} Clark, The American Expeditionary Force, 172.
\textsuperscript{27} \textit{Ibid.}, 173.
\textsuperscript{29} \textit{Ibid.}, 174; Dawson; “Thirty-Sixth Infantry Division,” Handbook of Texas Online.
\textsuperscript{31} Clark, \textit{American Expeditionary Force}, 173.
After the war ended, Wilmer Garwood attended the University of Texas Law School from January through June of 1919. He earned admission to the Texas bar in 1919. After a year of studies at Harvard, Garwood applied to clerk at Baker Botts in Houston. “Mr. Garwood’s personality is such that to know him is to like him, and every member of the [Baker Botts] Organization extends a hearty welcome to him,” a Baker Botts memorandum about his employment noted. Baker Botts attorneys were sad to see him return to Harvard: “We regret that he is not to be with us during the Winter [sic], but feel that he has chosen wisely in deciding to return for his last year of work at Harvard.”

Garwood continued his study of law at Harvard University, where he received a LL.B. in 1922. The Texas Company, later known as Texaco, offered Wilmer a job in New York before he graduated from Harvard. Garwood accepted the offer and worked as a lawyer for Texaco in New York from 1922 to 1923, then earned admission to the New York bar in 1923 and worked in Texaco’s Legal Department.

Returning to Texas, Wilmer Garwood joined his brother Calvin in practicing law in his father’s firm, Baker Botts, in 1924. Baker Botts’ management welcomed him back to Houston: “We are happy to announce that St. John Garwood is returning from New York permanently with our Organization.” He worked there from 1924 to 1928. He married Ellen Burdine Clayton in 1927; the couple had two sons.

Like his contemporaries serving on the State Bar and on the Texas Supreme Court, Garwood maintained ties to his former Great War comrades by joining the American Legion. Garwood participated in the activities of Legion Post No. 391 in Houston. Additionally, he joined the Military Order of the World Wars and the Army-Navy Association of Texas.

34 Internal Memorandum, vol. 2, no. 14, Baker Botts Archive (September 15, 1921).
35 Internal Memorandum, vol. 2, no. 12, Baker Botts Archive (July 16, 1921). The Journal thanks Baker Botts partner Bill Kroger and archivist Robert Downie for sharing this early record of Garwood’s employment at the firm.
37 Ibid.
38 Ibid.
39 Internal Memorandum, vol. 5, no. 4, Baker Botts Archive (February 21, 1924).
Garwood worked as an attorney for Standard Oil Company in Buenos Aires, Argentina, from 1929 to 1933 before returning yet again to Texas. There he developed an interest in Spanish law that evolved into expertise by the time he served on the Texas Supreme Court. He practiced at the Houston firm of Andrews, Kelley, Kurth and Campbell from 1934 to 1942.

Wilmer Garwood’s service during the First World War paved the way for his assumption of greater responsibilities during the Second World War. He responded to the Japanese attack on Pearl Harbor by gathering a group of swimmers, golfers, tennis players, and sailors to enlist in the U.S. Navy. But there was a problem—their age. As his good friend Samuel Maurice McAshan, Jr. recalled, “We were about thirty-nine or forty years old, some older. St. John Garwood, Dudley Sharp, Jack Wray…They [the recruiting officers] weren’t ready for us. The navy turned us all down—at first. They said they had plenty of men younger than we but they might be able to use us in some civilian capacity.” Garwood was forty-six years old, well past his prime to join the Navy, but he had grit. Garwood was passionate and persistent; but he fared best of all the volunteers because he was a veteran who had served as a cavalry lieutenant in the Texas National Guard, both during the Great War and in the reserve until 1923.

Denied a combat commission in the Navy during World War II, Garwood served as a lieutenant commander in naval intelligence in Chile from 1942 to 1945. Starting him out as a lieutenant in the U.S. Naval Reserves, the Navy deployed him to Tocopilla, Chile as a U.S. Naval Liaison Officer, then transferred him to Santiago as Senior Assistant Naval Attache. The Chilean government awarded him the Orden al Merito Chile, the “Chilean Order of Merit,” before he returned to the Pentagon in Washington, D.C. After the war he returned to Houston to practice law.

Following the death of Texas Supreme Court Chief Justice James P. Alexander in 1948, Great War veteran Governor Beauford Jester appointed Justice J. E. Hickman to fill Alexander’s post, and appointed Garwood to fill the open Justice seat. When he ran for election to keep the seat later that year, he found that some voters chose not to vote for him because the name “St. John” implied a Catholic affiliation. “Attempts were made to persuade the judge to run as W.S. Garwood, and not as ‘W. St. John,’” Chief Justice Greenhill noted in Justice Garwood’s Memorial Service program. “His reply was that he was proud of his name, and that he would run on it....

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42 Ibid.
43 Johnston, Houston: The Unknown City, 343.
46 Ibid.
The ‘St. John’ on the other hand, was a real problem. People said, ‘We don’t need no saints on our supreme court;’ and ‘He’s probably Catholic.” Garwood was in fact Episcopalian. He won a close election victory but became an advocate for a merit-based process for judges, and won reelection in 1952.

When Chief Justice Hickman became ill, Garwood served from time to time as Acting Chief Justice during his absences. Garwood’s peers remembered him as being articulate and having a quick wit and dry sense of humor, and his opinions as being scholarly and painstakingly researched.

At the time Garwood served on the Court, the Justices occupied offices on the third and fourth floors of the Capitol, while an inadequate library was located on the second floor. The building was not air-conditioned. Garwood was instrumental in laying the groundwork to use the Confederate Pension Fund for the construction of a new building to house the Texas Supreme Court. By then the Pension Fund was outdated and unnecessary because of the absence of Confederate war widows to feed and clothe.

When the Justices moved into the new building on December 3, 1959, they wore black robes for the first time in Texas history, signifying the new era. “For the first time in the history of our state,” Associate Justice A.J. Folley declared, “we now have a building, a courtroom, and a justices’ chamber commensurate with the dignity and importance of this great court.” Garwood served on the Supreme Court for a full decade, from 1948 until he retired in January 1959.

Justice Garwood sought to convince a young Marine Corps veteran, James Baker, later U.S. Secretary of State, to clerk for him at the Texas Supreme Court. But Baker was twenty-seven years old and wanted to start practicing law, so he declined the clerkship offer.

Following his ten years of Texas Supreme Court service, Garwood retired and associated with the Austin law firm of Graves, Dougherty, Hearon and Moody. He taught as a visiting professor of law at Southern Methodist University and at the University of Texas. He and his wife helped found the elite St. John’s School in Houston. He acted as trustee of the University of Texas Law Foundation and served eight years as president of the Texas Civil Judicial Council, where he supported the creation of the Texas Judicial Qualifications Commission and mandatory

48 Haley, Texas Supreme Court, 285n.1.
50 Haley, Texas Supreme Court, 193-94; Greenhill, Memorial Service, 6-7.
51 Greenhill, Memorial Service, 7.
52 Haley, Texas Supreme Court, 194.
53 Greenhill, Memorial Service, 8-10; Haley, Texas Supreme Court, 249.
54 Private email from James Baker to Baker Botts partner Bill Kroger, October 24, 2018.
55 Greenhill, Memorial Service, 10.
retirement of judges at the age of seventy-five. In 1979 his son William Lockhart “Will” Garwood was appointed to the Texas Supreme Court, making the Garwoods the first (and only) father and son to serve on the Court.

At the time of his death, observers considered Garwood’s most notable opinion to be Luttes v. State, 324 S. W. 2d 167 (Tex. 1958). That opinion about the title to some 3,400 acres of land between the Texas mainland and Padre Island arose from a Mexican grant and Spanish law. Justice Garwood's legal experience in Argentina, World War II naval intelligence work in Chile, and fluency in Spanish helped the court to decide the case.

Chief Justice Robert Calvert accorded Justice Garwood the greatest possible respect, saying that,

I daresay that no Justice of the Texas Supreme Court has, during his tenure, whether of short or long duration, contributed as much of his time and talents to the over-all welfare and betterment of the Supreme Court, the judiciary generally, the jurisprudence of the State, and the lawyers at the bar, than St. John Garwood.

But it was former Chief Justice Joe Greenhill who knew him best: “Having been in two wars, Judge Garwood was a staunch advocate for peace.”

Justice Garwood died on January 15, 1987 at the age of ninety. The cavalryman of the Great War is buried in the Texas State Cemetery in Austin on Republic Hill, in Section 2.

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56 Ibid.
57 Texas Supreme Court Advisory, http://www.txcourts.gov/All_Archived_Documents/SupremeCourt/CourtNewsAndAdvisories/advisories/Will%20Garwood_071511.htm.
59 Greenhill, Memorial Service, 11.
60 Ibid., 5.

UNITED STATES MAGISTRATE JUDGE ANDREW M. EDISON serves the Galveston Division of the Southern District of Texas. He was appointed to the bench effective February 20, 2018. Judge Edison graduated from Dartmouth College with a Bachelor of Arts in Government in 1991 and from the University of Virginia School of Law in 1994, then engaged in the private practice of law.

DAVID A. FURLOW has been the Executive Editor of this Journal since 2011.
Meade Felix Griffin, who served on both the Texas Supreme Court and the Court of Criminal Appeals, was born in Cottonwood, in Callahan County, Texas, on March 17, 1894. He was the son of W. F. Griffin, the owner of a country store, and Frances Lodi (Patterson) Griffin.\(^1\) Chief Justice Robert Calvert later described Meade's early life as less than luxurious: “As a youth, he knew first-hand the limited comforts of the wood-burning stove, the coal-oil lamp, and the old-fashioned out-house,” wrote Calvert, “and he knew first-hand the agony of milking a cow by lantern-light in the freezing temperatures of a winter morning.”\(^2\) Griffin received a B.A. degree in 1915 and an LL.B. degree in 1917, both from the University of Texas.

In an editorial in favor of Justice Griffin on March 10, 1949, the *Dallas Morning News* summarized his Great War military experience as follows:

Col. Meade F. Griffin, firm-jawed, square-shooting plainsman from Hale County, has been appointed Associate Justice of the Texas Supreme Court to replace A.J. Folley, resigned.

Col. Griffin was a member of the senior law class which abandoned lecture halls at the University of Texas to report for duty at the First Officers’ Training Camp, Leon Springs, May 8, 1917. There he was quartered a short distance away from the barracks of his schoolmate, a young man named Beauford Jester.

All First Campers solemnly aver that any man who made it through the last dusty mile of the rigorous program at Leon Springs proved his mettle. However that may be, Griffin and Jester distinguished themselves in war and in peace. And when Governor Jester sought a Panhandle man outstanding as a lawyer, judge, and a man, he readily thought of Griffin. But it is barely possible that he thought of Leon Springs, too.\(^3\)

Yet before they began training together at the First Officers Training School, Griffin and Jester knew each other at the University of Texas.

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3. Ibid.
“I came to Austin to attend the University of Texas in September 1911 when I was seventeen years old,” Griffin wrote. “I entered as a freshman in the Academic Department. In that class there were several people who became quite distinguished in the State of Texas: Beauford Jester, who became the Governor of Texas; Charles I Francis, who became a distinguished lawyer and philanthropist; Robert G. Storey, who became an outstanding world authority on international law and was invited all over the world after World War II to help various countries set up democratic governments....”

Judge Griffin then described how his training at Leon Springs coincided with an event unique in the history of the University of Texas:

When the United States’ involvement in World War I began...the government decided to begin training officers. The United States military had fewer than 7,500 officers and 200,000 men total, and it needed approximately two or three million men and 200,000 to 300,000 officers.

Having been accepted as a cadet at the First Officers’ Training Camp for this part of the country, to be held at Leon Springs, I had about thirty days in the University before reporting for duty on May 8, 1917. During that thirty-day period the Army sent

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a Captain Martle and some noncommissioned officers who were at the University of Texas to give some fundamental military training to students interested in having such instruction. Those of us who graduated in 1917 and were going off to war had our degrees conferred at Leon Springs by President Robert E. Vinson in a special ceremony. This was the only time in the history of the University, I believe, that such an exception was made to allow part of the commencement exercises to be held off campus. But then the circumstances were rather exceptional.

Meade Griffin himself proved to be exceptional.

Because of his military training and study of an officer’s duties, the Army selected Griffin to serve as cadet first sergeant of his training company. He participated in drilling and instructing the raw recruits that made up his training battalion. After fifteen weeks he marched the unit to Oppenheimer Ranch, about fifteen miles east of Camp Bullis. There he participated in maneuvers which signaled the end of training. While there, the Army notified him that he had been selected as first on the list of former civilian cadets to be commissioned as a captain.

The following week, Griffin reported to Camp Travis, an addition to Fort Sam Houston in San Antonio. The post was, at the time, under the command of the 90th Division, General Henry T. Allen commanding. Griffin was assigned to the 165th Depot Brigade, which was charged with training replacements to keep the division up to strength by supplying it with trained recruits. His command of the 45th Company was so successful that he was selected to take command of a newly forming battalion, filling a slot normally occupied by a major. The battalion consisted mostly of men

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5 Ibid.

from Oklahoma and a few from Texas. Griffin’s practical and “Old Army” method of keeping his men in order is illustrated by his selection of noncommissioned officers.

One of the new recruits Griffin selected to be a sergeant was Claude Sutton, an acquaintance of his from the University of Texas. Griffin described him as “one of these rough and ready fighters from out in West Texas” and as being “tough as a cob.” Griffin told Sutton he wanted him to make sure that when he told somebody to do something, it was done, and if Claude had to take somebody behind the barracks, he would not know anything about it and would not ask questions. His tenure in command was very successful.

The Army recognized Griffin’s success as a company commander and acting battalion commander when it made him adjutant, or executive officer, of a group of five battalions formed from the expanding ranks of his Brigade. On September 13, 1918, at the age of twenty-four, Griffin received a promotion to the rank of major and was ordered to report to Camp Sheridan in Montgomery, Alabama.

On October 1, Griffin reported to the Development Battalion at Camp Sheridan to supervise the training of 800 recruits from Kentucky and Tennessee. He showed his intelligent approach to his duties—and initiative—when he went into Montgomery and recruited thirty local women to act as school teachers to help raise the literacy levels of his trainees. Major Griffin was at Camp Sheridan on Armistice Day, November 11, 1918.

The Army acknowledged with gratitude Griffin’s outstanding service when it offered him a regular commission as a captain with no loss in his date of rank, which would make him a senior captain at age twenty-five. He declined and went to Tulia, Texas to practice law. He received an
honorable discharge from the Regular Army on December 8, 1918 but remained in the Army Reserve as a major. In 1929 he was promoted to the rank of lieutenant colonel. Because of the pressures of his career he went to the inactive reserve in 1936 only to be called up in 1941 and serve his country once again after the attack on Pearl Harbor.

Griffin returned to the Army as a Lieutenant Colonel on July 27, 1942. He helped establish the trial section of the United States Army’s war crimes department at Wiesbaden, Germany, at the end of the war. Appointed to serve as the chief prosecutor in a U.S. war crimes branch of the U.S. Army in Wiesbaden, Germany in 1945, he retired as a Colonel of the Judge Advocates General Corps in 1953. Griffin rose to this position of prominence because of his service to his country during the First World War.

Another veteran of the Great War and the U.S. Army’s campaign in France, Gov. Beauford H. Jester, appointed Griffin to serve as Associate Justice of the Texas Supreme Court on April 1, 1949, after the resignation of Great War veteran A. J. Folley from the Court.

Later that same year, 1949, veterans of Leon Springs’ First Officers Training Camp met to commemorate the training they began together thirty-two years earlier, just outside of San Antonio in 1917. Justice Griffin celebrated the bonds of brotherhood forged during the Great

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8 Ibid.
War—and in the years afterward, when he helped organize the Tulia and Plainview posts of the American Legion.¹¹ He served as a Legion Commander, as reflected in a photo on the next page.

Griffin served on the Texas Supreme Court from 1949 to 1968. He earned a reputation as a gentleman scholar, a man who could propose needed reforms because he had mastered Texas’s rules of evidence, procedure, and venue. In 1969 he was appointed a special judge to the Texas Court of Criminal Appeals, thus becoming one of few judges to serve on both of the state’s highest courts. From 1969 to 1971 he served as an assistant attorney general.¹²

On January 3, 1969, Chief Justice Robert W. Calvert presided over a special session of the Texas Supreme Court to honor Justice Griffin’s retirement after twenty years on the bench.13 “He is forthright, frank, and honest in all that he says and does,” Chief Justice Calvert declared, “a person who is utterly without guile of any kind, and one who is completely loyal—loyal to this Court, to his country, to his church, to his friends, and to his own highest ideals.”

Meade Griffin died in Austin on June 3, 1974. His wife Dorothy passed away more than a decade

Yet Meade Felix—it means “Happy”—Griffin had one last legacy to bestow, and one more reason to be happy. He encouraged one of his descendants to enter law, and to master the most harmless of all professions: lexicographer. The man who always remembered training to serve his country at Leon Springs trained younger generations to love the law. When *Black’s Law Dictionary* editor Bryan A. Garner published *Garner on Language and Writing: Selected Essays of Bryan A. Garner*, he dedicated it to his five grandparents, including Dorothy Porter Griffin (1902–1985), “who opened so many doors to the offices of judges and senior officials, and who generously supported my education,” and Meade F. Griffin (1894–1974), “who, a longtime justice of the Supreme Court of Texas, inspired me to study law...”16

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15 Obituary for Meade F. Griffin, *Austin-American Statesman* (June 4, 1974); Austin History Center, World War I file.
As a student at the University of Texas in 1918, Robert W. Hamilton witnessed the birth of the military studies program we now know as the ROTC, or Reserve Officer Training Corps, an educational institution that now enrolls more than 20,000 cadets nationwide. It is an important part of American military readiness because it has produced approximately 60 percent of the second lieutenants who join the active Army, Army Reserve, and Army National Guard.

Hamilton was born in Nashville, Arkansas on March 24, 1899. The University of Texas Tarlton Law Library’s *Justices of the Texas Supreme Court 1836–1986* states that he was born on that date in Omen, Texas, in Smith County, southeast of Tyler, in a verdant region of East Texas. So does the Texas State Cemetery website, as well as the tombstone depicted on that website. But both sources are wrong. A Texas Bar Journal Memorial questionnaire reveals that Justice Hamilton was actually born in Nashville, Arkansas, on March 24, 1899, not in Omen, Texas.

Database searches using the erroneous “Omen, Texas” birth site produced almost no records of Justice Hamilton’s service during the Great War. But Emma Martin, the Archives and Records Management Specialist with the State Bar of Texas, conducted her own search among the State Bar’s records and produced a Texas Bar Journal questionnaire revealing that Justice Hamilton was born in Nashville, Arkansas rather than in Omen, Texas. That information opened new databases to research for information about Justice Hamilton’s service in the Great War.

Hamilton’s Selective Service registration card showed that he, as a nineteen-year-old man, reported to his Smith County draft board in Tyler on September 10, 1918. After attending Troup and Tyler high schools, he had graduated in 1917. He had continued his studies by attending the Alexander Collegiate Institute (later renamed Lon Morris College), in Jacksonville, Texas, during the 1917–18 school year. In response to the draft notice, Hamilton described himself as an

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2 “What is ROTC?,” University of Texas at Austin.
employee of the University of Texas, already advancing his education in Austin while earning a living there. He reported timely, as the Selective Service Act required, and proved ready to join the other 198,000 Texans when the War Department assigned him to a service, trained him in a camp, and sent him “over there,” to Europe to make the world safe for democracy.7

The questionnaire reveals that Justice Hamilton earned his military status when the U.S. Army inducted him as a “Private, S.A.T.C., Univ[ersity] of Texas,” on October 4, 1918. “S.A.T.C.” is an abbreviation for the Student Army Training Corps that arose from the National Defense Act of 1916.8 S.A.T.C. was the World War I predecessor of today’s ROTC program.

When the U.S. entered the war, President Wilson was eager to fill the ranks of the rapidly expanding U.S. Army with well-educated, well-motivated young men. To help, university officials and War Department officers created the S.A.T.C. They sought to establish “a military unit in every college that could furnish a minimum of one-hundred able-bodied men of military age.”9

The S.A.T.C. program included 157 colleges and universities by April 1918, all working “to train draftees in a variety of trades needed for the war effort, and was jointly administered by the military and the university.”10 The program enabled ambitious students such as Hamilton to become soldiers while studying military science and other subjects at the University of Texas.

By September 10, 1918, when Hamilton reported to the draft board in Tyler, Americans were fighting in the Allies’ last great push for victory in the Hundred Days Offensive, but the Great War was already beginning to wind down. After stopping the German drive on Paris at Belleau Wood in July 1918 and turning the tide of battle in August 1918, American Expeditionary Force Commander in Chief John “Blackjack” Pershing11 was on the verge of launching the AEF’s St. Mihiel Offensive, which would begin on September 12 and last until September 16.12 Just two months later, fighting on the Western Front would grind to a halt when the Armistice went into

8 “What is ROTC?,” Russell A. Steindam Department of Military Science, University of Texas at Austin, https://liberalarts.utexas.edu/arotc/index.php.
Before prospective soldiers like Robert Hamilton could fight, they had to train. Although the United States fought the American Civil War with relatively modern rifled weapons, the telegraph, and railroads, the world of war had evolved enormously by 1917. World War I was the first war in which nations made large-scale use of rapid-fire, rifled weapons with smokeless powder; deployed wire and radio communications (as well as pigeons) to plan offensives, defend ground, and communicate with troops at the front; used the internal combustion engines in troop and resupply trucks, gun-hauling tractors, armored cars, and tanks; and deployed airplanes for reconnaissance and in combat as fighters and bombers.

The Army and Marines had to prepare “green” recruits with no previous military education and experience for combat against German troops, whose longstanding Prussian military traditions had made them the best and most ferocious soldiers in the world by World War I. Between the Civil War and 1910, U.S. Army officials adhered to the belief, common among Europeans, that training a green recruit for professional military service would take a minimum of two years.

By the time America entered World War I, General Leonard Wood, Army Chief of Staff from 1910 to 1914, had introduced new systems that trained a soldier for battle in a mere six months. Even if the Smith County draft board had sent young Hamilton directly to a training camp, he could not have completed his basic training, weapons-familiarization, and specialization in less than the three months it took the “ninety day wonders” of the First Officers Training Camp to prove their merit as men ready to lead others into battle. Yet within two months of Hamilton’s registering for the draft, the Armistice would bring an end to all fighting in Europe.

Like his peers who went to Europe, Hamilton risked his life to serve his country. Training accidents occur on military bases and in ROTC programs as new recruits learn to use new weapons, machinery, and procedures. But by mid-September of 1918, when Hamilton reported to the draft board in Tyler, he faced greater danger from Spanish flu than from German submarines, machine guns, artillery, and gas. From mid-September to mid-October 1918, the flu epidemic affected over one-quarter of the Army. By November it had stopped all draft calls and practically halted training. The best estimates are that twenty-five million Americans suffered from this worldwide epidemic, and some 550,000 Americans died from it.

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15 Ibid., 4.
16 Ibid., 21–22.
During the autumn of 1918, many schools and businesses in Texas closed, many churches did not meet, and most Texans lived in fear. By late October of 1918, four hundred people had died of the Spanish flu in Texas.\textsuperscript{20} Almost one third of the young men who died in the Army during World War I, 31 percent, died of disease in the country’s thirty-seven training camps.

Hamilton was in Austin when the Armistice came. He witnessed one of the capital city’s greatest holidays. “Enthusiasm and joy were everywhere evidenced and demonstrations of various kinds reigned supreme,” the \textit{Austin American-Statesman} reported. “The State University was adjourned, as were also the public schools of the city, while businesses and customers were too busy rejoicing and commenting upon the momentous occasion to indulge in everyday affairs, which at that time seemed tame.” Surviving the great parade and the festivities that followed, Hamilton received an honorable discharge from the S.A.T.C. program on November 26, 1918, and an honorable discharge from the U.S. Army on the day it demobilized him, December 9, 1918.

After the Great War ended, Bob Hamilton’s decision to gain a college and law school education made him a man for all seasons. He taught school and coached athletics in Plainview, Texas from 1919 to 1926 to pay for law school, then attended summer law school classes at the

\textsuperscript{20} Chester R. Burns, “Epidemic Diseases,” \textit{Handbook of Texas Online}, \url{http://www.tshaonline.org/handbook/online/articles/sme01}; entries about Texas in “The Great Pandemic of 1918: State by State,” Flutrackers.com, \url{https://flutrackers.com/forum/forum/welcome-to-the-scientific-library/-1918-pandemic-data-stories-history/14750-the-great-pandemic-of-1918-state-by-state} (“Reports of pandemic fears preceded the disease into Texas by about two weeks. But by September 23, there were definite accounts of it near Austin and Dallas. On October 4th, 35 counties were reporting the presence of influenza, with anywhere from one to 2,000 cases per county.”).
University of Texas.\textsuperscript{21} It took him eight years to complete his course of legal studies at UT. He did not receive a law degree in a 1927 Sunflower Ceremony. Instead, he took the bar examination three weeks before graduation; once he received word that he had passed the bar and was a licensed attorney, he immediately hung out his shingle.\textsuperscript{22}

Fresh out of law school, Hamilton began his legal career by opening a legal practice in Tyler in 1927. Two years later he moved to Stanton, the county seat of Martin County in the Texas Panhandle. While continuing to practice as a private attorney, he became county attorney in 1929 and then won election to serve as district attorney of the 70th Judicial District until 1935. He and his wife bought a home in Stanton and appeared on the 1930 Census.\textsuperscript{23} From 1935 to 1951 he practiced law as a private attorney in Midland, where he developed a renowned expertise in the intricacies of oil, gas, and mineral law.\textsuperscript{24}

Hamilton served as a district judge for the 70th Judicial District in Midland from 1951 to

\begin{footnotesize}
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\item Texas Bar Journal Memorial Questionnaire, 1.
\item Haley, \textit{Texas Supreme Court}, 197.
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1953. Gov. Alan Shivers appointed him to serve as Chief Justice of the Eighth Court of Civil Appeals in El Paso in late 1953. As the Chief Justice of West Texas’s appellate court, he authored more than 350 opinions between 1953 and 1958, a Herculean task.

Hamilton campaigned for election to replace the retiring Justice Wilmer St. John Garwood on the Texas Supreme Court in November 1958. won that race, and earned reelection in an uncontested election in November 1964. Hamilton served first under Chief Justice John Edward Hickman, then under Chief Justice Robert W. Calvert, until he retired in 1971. Fellow Justices remembered him for his fairness, sincerity, courage, and sound knowledge of Texas law.

Judges and lawyers alike recognized that Justice Hamilton was particularly knowledgeable in mineral law, as reflected in his authorship of the Court’s landmark opinion in Atlantic Refining Co. v. Railroad Commission of Texas, usually referred to as the Normanna case. In that case, the Texas Supreme Court struck down Railroad Commission proration order for the Normanna field based on its 1/3-2/3 formula while holding that it did not allow each producer in the field to produce his share of the gas, and ruled that there was no substantial evidence presented to justify the large discrepancy in the rate of production between operators that the order occasioned.

Following his service on the bench, Hamilton took up residence in Smith, Texas, and joined the Tyler law firm of Ramsey, Flock, Hutchins, Jeffus, McClendon, and Crawford in an “of counsel” status, where he practiced law until his death. He worked with his fellow lawyers in the Midland and El Paso Bars, State Bar of Texas, American Bar Association, and American Bar Association.

25 Ibid.
27 Haley, Texas Supreme Court, 197.
28 The Archer County News (Archer City, Tex.), vol. 44, no. 32, ed. 1 (July 24, 1958), texashistory.unt.edu/ark:/67531/metapth709065/, University of North Texas Libraries, Portal to Texas History, crediting Archer Public Library.
29 Haley, Texas Supreme Court, 249.
31 Ibid.
32 346 S.W.2d 801 (1961, rhg. denied).
Judicature Society, while giving back to the community by volunteering in the Tyler Petroleum Club, Willow Brook Country Club, and Christ Episcopal Church.36

Justice Robert W. Hamilton died of a heart attack in Tyler on August 9, 1981 at the age of eighty-two.37 He and his wife Lois are buried in Section 2 (C2), Row M. Number 17 of the Republic Hill section of the Texas State Cemetery in Austin.38

36 “Robert W. Hamilton,” Texas State Cemetery.
38 Ibid.

DAVID A. FURLOW has been Executive Editor of this Journal since 2011.
Two world wars shaped the career of Texas Supreme Court Justice Gordon Simpson, who sat on the Court from September 21, 1945 through March 1, 1949. An East Texan from the town of Gilmer in Upshur County, Simpson served in the Great War, participated proudly in American Legion volunteer activities, won election to the Texas Supreme Court in a famously contested race while serving in the U.S. Army in Italy during World War II, reviewed war crimes sentences of German officers and soldiers on appeal after the war, returned to the practice of law as General Counsel of General American Oil Company, and rounded out his legal career as a partner of Thompson & Knight in Dallas.

Simpson was born to Robert Walton Simpson and Adeline (Fuller) Simpson on October 30, 1894. He graduated from Gilmer High School in 1911 and attended Baylor University from 1911 to 1913. Then he entered the University of Texas, where he earned a B.A. degree in 1915. He liked UT so much that he entered UT Law School in 1915.

Simpson’s legal studies were interrupted on April 6, 1917, when Congress declared war against the Kaiser’s German Empire. The U.S. Army began a massive expansion, increasing from 130,000 men when America entered the war to more than 4,000,000 by war’s end. Like future Texas Supreme Court Justice Meade F. Griffin and future Governor Beauford Jester, Simpson had just thirty days left at UT when he reported for duty at Camp Leon Springs, west of San Antonio, on May 8, 1917.

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1 This article includes information that Judge Mark Davidson and Kent Rutter published in *Texas Bar Journal* 65, no. 2 (February 2002) under the title “The Texas Supreme Court Goes to War: The Colonel Versus the Judge,” and later republished as “The Colonel versus the Judge,” *Journal of the Texas Supreme Court Historical Society* 6, no. 1 (Fall 2016): 111-121.
During those days of patriotic enthusiasm, the Army dispatched a captain and noncommissioned officers to UT to begin training students how to lead men into battle. Among them were Simpson, Jester, and Griffin. As Justice Griffin recalled, “Those of us who graduated in 1917 and were going off to war had our degrees conferred at Leon Springs by President Robert E. Vinson in a special ceremony.” It was “the only time in the history of the University...to allow part of the commencement exercises to be held off campus.”

When Gordon Simpson, at age twenty-three, entered the U.S. Army in 1917, he traveled southwest from Austin to Leon Springs. There, he learned how to command men in a rapidly expanding and modernizing Army at Camp Funston, later renamed the First Officers’ Training Camp. “Camp life for most was busy, exciting, sometimes boring, noisy, and occasionally lonely,” Texas Historical Commission historians have observed. “Men spent months being trained on artillery, trench warfare, and other skills while learning military protocols. For many it was the first time they had been so far from home, and in such a regimented environment.”

Simpson progressed rapidly in his training. Within three months, on August 15, 1917, he earned an appointment to serve as a second lieutenant. The Army stationed him with the Quartermaster Corps, in charge of provisioning and supplies, and promoted him to the rank of first lieutenant on August 21, 1918. His leadership was crucial, as proper logistics are essential to any successful military campaign. As Frederick the Great observed, at least in Thomas Carlyle’s biography of the Prussian king, “[a]n army, like a serpent, goes upon its belly.” Without adequate food and supply, all is lost. Simpson continued his Army service at Camp Joseph E.

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11 Ibid.
12 Thomas Carlyle, History of Frederick the Second, called Frederick the Great (New York City: Harper & Brothers, 1858), Vol. 1, Book 2, Chapter 6, 83. This maxim has also been attributed to Napoleon Bonaparte and others as “An army marches on its belly.”
Johnston, a training camp near Jacksonville, Florida, and Camp A.A. Humphreys, an engineer-training camp in Fairfax County, Virginia.

In Milton's famous words, "They also serve who stand and wait." Although more than 4,000,000 men were serving in the Army by the end of the war, only half served overseas, and Simpson was among those not sent to the bloody battlefields of the Western Front. The Army granted Simpson an honorable discharge on April 8, 1919.

After completing his military service, Simpson resumed his studies at UT Law School. He completed his degree in 1919 and launched his legal career in the West Texas town of Pecos before relocating to Tyler, in East Texas near where he grew up. He married Grace Jones on September 20, 1921 and raised two daughters who married and raised families of their own: Mary Margaret and Barbara.

A handsome young Democrat in a state controlled by the Democratic Party, Simpson won election to the House of Representatives of the 38th and 39th Texas Legislatures, where he served from January 9, 1923 through January 11, 1927. Governor Dan Moody, another Great War veteran, appointed him to fill the unexpired term of the District Judge of the Seventh Judicial District in 1930.

While practicing law and serving as a legislator and judge, Simpson dedicated himself to advancing the State Bar. He served on the Board of the Texas Bar Association from 1927 to 1939 and became its Chairman. The Supreme Court appointed him to serve as Vice Chairman of the Court’s Advisory Committee on the State Bar Act and as Interim Director of the State Bar in 1940. Simpson’s fellow attorneys elected him to serve as President of the State Bar of Texas from 1941 to 1943. Simpson's State Bar presidency followed in the footsteps of another Great War veteran, Few Brewster.

Simpson re-enlisted in the Army during World War II, although he was well beyond draft age.

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16 Texas Historical Commission, “By the Numbers,” Texas and the Great War, 20.
17 Ibid.
20 Justice Few Brewster's scrapbook, State Bar of Texas Archives.
age. He returned to military service as a major in the Judge Advocate General's Department, and by the end of the war he had attained the rank of lieutenant colonel.21

One night in 1942, while Simpson was serving in North Africa, a scene unfolded in Hillsboro, Texas that would set the stage for the remainder of his career. That night, an angry Angus Wynne, the first president of the State Bar, stormed into Andrew's Cafe after losing another case in the Texas Supreme Court.22 Wynne had lost in the Supreme Court several times as a lawyer, which was just part of the business. But this time it was personal, for Wynne was one of the parties.23 Wynne contended that his suit to try title to land could be maintained in Van Zandt County, even though the land was located in Rusk County. Wynne won in the trial court and the court of appeals, but after two mandamus proceedings and an appeal on a certified question, he lost in the Supreme Court of Texas. Wynne blamed one man for that loss: the author of the opinion, Justice Richard Critz.

Robert W. Calvert, later an Associate Justice and later yet Chief Justice of the Texas Supreme Court, was having a cup of coffee at Andrew's Cafe that evening when Wynne came in.24 “We're going to run somebody against Critz,” Wynne told Calvert.25 “And we're going to beat him.”

21 “Gordon Simpson,” American Lawyer.
22 Tide Water Oil Co. v. Bean et al., 138 Tex. 497, 160 S.W.2d 235 (1942).
23 See, e.g., Simpson-Fell Oil Co. v. Stanolind Oil & Gas Co., 136 Tex. 158, 125 S.W.2d 263 (1939); Wood v. State ex rel. Lee, 133 Tex. 110, 126 S.W.2d 4 (1939) (opinion by Critz, J.); Ex parte Henry, 132 Tex. 575, 126 S.W.2d 1 (1939) (opinion by Critz, J.); Ex parte O'Brien, 132 Tex. 579, 126 S.W.2d 3 (1939) (opinion by Critz, J.).
24 Calvert, a former Speaker of the Texas House of Representatives and Chairman of the State Democratic Executive Committee, later served as an Associate Justice on the Supreme Court of Texas from 1950 to 1961, and as Chief Justice from 1961 to 1972.
25 All quotations from Calvert in this article came from an oral history interview conducted in late 1985 and early 1986 by H. W. Brands. It is available in published form at the University of Texas Tarlton Law Library.
The “somebody” they chose was Simpson. Early in 1944, Wynne called Simpson’s wife, Grace, and asked her if her husband would be interested in coming home to serve on the Texas Supreme Court. Wynne told Mrs. Simpson that he was speaking as the unofficial spokesman for the bar and there was massive dissatisfaction with Critz. It is unknown whether it was Wynne or Mrs. Simpson who wrote to Italy and asked Simpson to run.

The last thing on Simpson’s mind was a judicial campaign, especially one against an incumbent like Critz. Critz had served on the Court since 1935, when he was appointed to fill the vacancy left when Justice William Pierson was murdered by his son. Critz had been appointed by another Great War veteran, Governor Jimmy Allred, who described him as “one of the strongest men that ever sat on either the Supreme Court or the Commission of Appeals.” According to Calvert, Simpson’s reaction to the idea of running against Critz was somewhat muted. He quoted Wynne as saying of Simpson, “Well, he was willing.”

It was a five-way race. Critz outspent the other candidates, advertised extensively, and won endorsements from newspapers and most lawyers on both sides of the docket. Because of wartime travel restrictions and gas rationing, no candidate toured the state. It is unlikely Critz would have done so in any event, since he rarely gave speeches, even when running for reelection. U.S. Representative Jake Pickle recalled, “He never talked politics. He never talked about political issues. He just assumed he’d be reelected.”

Simpson, who remained in Italy with the Fifth Army, could not return to Texas to campaign. His campaign chairman, Jim Bowmer, noted that “communications were so slow that he had no quick way of finding out if he had made it into a run-off, so I had a friend from Baylor days who was on the staff of Stars and Stripes wire Texas and find out, as a news story.”

Given the limited name identification of the Court’s justices, the race was low-key with


a runoff likely. Each candidate ran well in his home county. Simpson finished with 24 percent, running strongly in his and Wynne’s northeast Texas and poorly elsewhere. Critz finished first or second in most counties and won 38 percent of the vote—more than any other candidate, but not enough to avoid a runoff.

Simpson’s supporters, with Angus Wynne at the helm, “went negative” during an aggressive runoff campaign. Justice Critz suffered from the absence of Great War military service, something that resonated in an America at war again, and a German-sounding name at the height of anti-German nationalism in Texas. Wynne capitalized on anti-German bias among voters by creating the slogan “Stop Fritz, Beat Critz.” “Fritz” was a slang term for Germans in both world wars. This Wynne-generated slogan intentionally mispronounced “Critz” to make its point, even though Critz pronounced his name with a long i, rhyming with “Fights.”

To make sure no one missed the point about combat experience, Wynne ran ads emphasizing that “Lt. Col. Gordon Simpson” was serving his country in Italy. Elaine Folley Notestine, daughter of Texas Supreme Court Justice and Great War veteran A.J. “Jack” Folley, noted that anti-Critz ads frequently spelled his name “Richard” with a Germanic “t” at the end: “Richardt,” something she deemed to be “a worrisome event during our nation’s [World War II] battle with Germany.”30 One anti-Critz ad charged, “Behind his back, and while he can’t say one word in his own defense, [Simpson] is being made the subject of the most vicious slander, and that by men who never wore their country’s uniform.” Yet no slander appears in any newspaper account of the race or campaign material.

As in recent times, the most negative attacks came from third parties “independent” of the Simpson campaign. One typical ad stated:

On two occasions the Associate Justice now seeking re-election [Critz] held that because a mechanic working in a bakery did not have a health card he could not collect Workmen’s Compensation Insurance, otherwise due him for permanent injuries, nor could his widow, where the injuries proved fatal. Fair-minded people should resent such a technical holding by any judge.

The ad urged voters to elect Simpson, but the small print at the bottom of the ad proclaimed that, “This advertisement paid for by disinterested Houston lawyers as a public service.” That might be true, or it might be that the ads were sponsored by a single lawyer from Longview who was far from disinterested—a vengeful Angus Wynne.31

Critz’s campaign responded to the attacks with endorsements from the establishment: prominent public figures, the bar, and Texas newspapers, almost all of which endorsed Critz. One ad urged voters to “Ask Your Lawyer!” about Critz’s abilities as a judge.

The runoff election suffered from especially low voter turnout because many voters were

31 The Legislature did not enact a statute requiring disclosure of campaign contributors and of those who pay for political advertising until 1973.
serving overseas, while those at home were opening their morning newspapers to read about the Allied liberation of Paris, not a runoff election in a judicial race. Rural and suburban voters hesitated to use rationed gasoline to drive to distant polls. A total of 468,000 votes were cast in the race, compared to more than 860,000 votes in the 1940 runoff for Chief Justice of the Supreme Court.

Simpson trounced Critz, receiving 274,157 votes to Critz’s 194,937. Simpson carried 140 counties, losing only 76. He received overwhelming support in East Texas, getting 94.53 percent of the vote in Smith County. Critz did best in South Texas. He also carried, though not overwhelmingly, the counties in Central Texas with sizeable German-American populations.

Critz’s lack of political acumen cost him dearly, and Angus Wynne ran a skillful campaign for Simpson, especially in northeast Texas where Wynne’s prestige was most prominent. The State Bar leadership of Simpson and Wynne earned them many friends around the state, while Simpson’s military record in both world wars proved popular with voters, especially with
American Legion veterans of the Great War. Critz, with his German-sounding name and lack of military experience, could not compete with Simpson’s Great War experience, World War II service in the Italian theater where Americans had liberated Rome on June 5, 1944, and Anglo-American name.

Lieutenant Colonel Simpson was still serving in Italy when voters elected him to the Supreme Court of Texas. Simpson returned to take the oath of office as the Court’s Place 3 justice in January 1945. Later that year, when voters amended the 1876 Constitution to expand the Court from three to nine members, Justice Simpson held the Court’s Place 3 position. He served from September 21, 1945 through March 1, 1949. He quickly acquired a reputation as being one of the brightest and hardest-working members of the Court.

As a veteran of the Great War, Simpson was in good company as an elected official in Texas. Within twenty years after Americans went to war in 1917, American Legion veterans of the Great War held nearly every federal and state political position in the state. Veterans voted for veterans, while non-veterans voted for their heroes. Tom Clark was the U.S. Attorney General, while Tom Connally was a U.S. Senator. In 1947, nearly half of the Supreme Court of Texas—Gordon Simpson, Few Brewster, C.S. Slatton, and A.J. Foley—were Great War veterans.

Justice Simpson's service on the Supreme Court of Texas was interrupted three years after he joined the Court, when the U.S. Army called him back for duty. This time, his assignment was to serve on a judge advocate general’s commission in Dachau, Germany, which was charged with reviewing the convictions and sentences of Germans found guilty of war crimes.

Simpson upheld the convictions of Nazi officials who engineered the Holocaust, but had reservations about the convictions of noncommissioned officers who were following orders when they killed U.S. soldiers captured during the Battle of the Bulge. The prisoners had been taken to the town of Malmedy, Belgium, where they were shot on orders from German generals. The Nuremberg tribunal ordered the noncommissioned officers incarcerated for terms of up to ten years.

Justice Simpson wrote a white paper to President Truman and made a report to the World Court recommending that Wehrmacht sergeants and corporals who followed their superiors’ orders be released for time served. Having learned to follow orders in the First Officers Training Camp at Leon Springs and in
World War I as a lieutenant, and having learned what it means to command men in World War II as a major and a colonel, his view was that low-ranking soldiers who follow orders in wartime should not be held culpable. Simpson’s service on the Dachau tribunal won him praise from all sides. Today, his portrait hangs in the German courthouse where he presided over the appeals of German officers and soldiers.

Not long after Simpson returned to Texas, he resigned his seat on the Texas Supreme Court and accepted an offer to become Vice President and General Counsel of the General American Oil Company, later becoming its President. He subsequently joined Thompson & Knight, where he worked until after his ninetieth birthday.

Justice Gordon Simpson died in 1987 at the age of ninety-two. He was buried in Dallas at Sparkman Hillcrest Memorial Park, in the Grand Mausoleum in the North Skyway Crypt (CHE-D-22-C). Today’s Texans can honor Justice Simpson’s memory the next time they attend a football game at his alma mater, the University of Texas, at Darrell K Royal-Texas Memorial Stadium, erected in 1924 as a living memorial to Texas veterans of the Great War.

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33 Texas Historical Commission, “Travel Destinations,” Texas and the Great War, 41.

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**KENT RUTTER** is a partner with Haynes and Boone, LLP, in Houston. He received his J.D., cum laude, from the University of Michigan Law School and his B.A. from Duke University. He is board certified in civil appellate law.

**David A. Furlow** is a student of military and diplomatic history.
Charles Stewart Slatton was born March 13, 1895, in Scranton, a small town thirty-eight miles southeast of Abilene, in Eastland County, Texas. He was the son of the Rev. J.M. Slatton, an itinerant Methodist minister, and Maggy (Brown) Slatton. As a young man, Slatton picked cotton in Wylie and Buffalo Gap, Texas. He graduated from the Scranton Academy, a preparatory school in his hometown, in 1912. After high school, he moved to Carrizo Springs, Texas, and was living there when he answered the call to serve in the Great War.

Charles Slatton was a corporal with Company E in the Headquarters and Supply Detachment of the 51st Telegraph Battalion of the U.S. Army Signal Corps, later re-designated the 55th Telegraph Battalion. Slatton and the 51st trained at Fort Sam Houston in northeastern San Antonio, Texas. During the Great War, the Army purchased an additional 1,280 acres northeast of the fort that became the National Army Cantonment known as Fort Travis, where some 208,000 soldiers would receive training as part of their service. The Army assigned Slatton’s 51st to the American Expeditionary Force’s Fourth Corps.

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On June 27, 1918, Army officers notified Slatton’s commanding officer to begin preparations for overseas deployment. Signal Corps soldiers played an essential role in the Army’s “3C” mission of exercising the “Command, Communication, and Control” needed to defeat the Kaiser’s Army. Those who served in the Signal Corps were responsible for visual signaling; telephone and telegraph wire lines; combat telephones; combat photography; and deployment of balloons and aircraft to conduct reconnaissance over and behind enemy lines. The Signal Corps introduced early radiotelephones to the Western Front in 1918. The Corps also helped organize trains that provided American expeditionary forces with men, food, arms, ammunition, and medical supplies.

Charles Slatton, along with four companies of the 306rd Machine Gun Battalion, later trained at Camp Upton in Suffolk County, New York, on “one of the most desolate portions of Long Island” and what another soldier called “sand, scrub, and windblown oak.” Intense training was essential to the deployment of the men who prepared for war there, because fully one quarter of the men the Army sent overseas were so illiterate that they could neither read a newspaper nor write a letter home to their parents. Before those men could wield a bayonet or put on a gas mask, they had to learn how to read and understand their officers’ orders.

Slatton and his comrades traveled by train from Camp Upton to Boston to embark for Europe aboard the S.S. Karoa on August 16, 1918. Although officers had their own rooms on the Karoa, and waiters to bring them coffee and oranges every morning for breakfast, Slatton and other noncommissioned soldiers had to cross the Atlantic in the overcrowded lower decks of a vessel where men slept on cobbled together tables, on decks, and, when lucky, on hastily hung hammocks.

“There were no bunks of any sort, nor was there sufficient room in the hammocks and

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8 Ibid., 55.
10 Ibid.
12 Ibid., 35.
on the floor for all of them to lie down," another Karoa passenger, U.S. Army Captain Gary J. Clifford, wrote in his memoir about his April 1918 trans-Atlantic crossing. “The air down below could be cut with a knife. The Karoa was so small that it rocked and tossed continually, which added to the sad state of affairs below.”

Talbert M. Brewer, another doughboy who traveled in the Karoa’s lower decks during an April 1918 voyage from America to England, said that “[t]he food for the men was pretty terrible, and the process of serving it even worse….The whole ship reeked of curry.” There is no reason to believe that Slatton’s August 1918 crossing was much better than the April 1918 voyage.

The nerves of men such as Charlie Slatton remained on edge as their small ships passed through the grey seas in the middle of the Atlantic, and improved only as they came within 300 miles of Queenstown, Ireland, where British destroyer captains put to sea to make the passage of the doughboys more secure. Yet the Irish Sea could be a deadly hunting ground for U-boat captains, as the crew and the passengers of the Lusitania learned when a torpedo plunged them into that sea in 1915. “While in the Irish Sea, I was having a haircut in my cabin by the Company barber, Troina,” Karoa passenger Talbert Brewer wrote about his journey across the Irish Sea in April 1918, “when suddenly the whole ship shuddered and we heard two or

15 Ibid.
17 Ibid., 94 n.4.
three dull explosions. One of the British escorting destroyers had dropped depth-bombs on a supposed submarine about ½ mile from us.”

One passenger of the Karoa discussed the elation the American soldiers felt when they arrived in France: “All [of us] were feeling quite heroic until some wounded Tommies [British soldiers] shouted at us, ‘Where have you blokes been for the last three years?’”

Charles Slatton and his brother Private James S. Slatton served in the same Signal Corps detachment. According to Nat Hardy, author of “A Texas Portrait: Charles Stewart Slatton,” Charles Slatton fought “at the front and [was] under fire.” Primary sources differ about a few critical dates, perhaps because of the renumbering of the 51st Signal Battalion as the 55th Signal Battalion after the war. Some sources say that the 51st's men participated in the Battle of Saint-Mihiel and in the defensive sector in Lorraine from August 20, 1918 to September 11, 1918. Other military sources state that the men of the 51st only reached their French embarkation report of Le Havre, in western France, on September 8, 1918, after which they reported for duty at Remiremont in the Vosges regions of France.

Justice Slatton’s obituary states that he and his brother twice suffered poisoning from gas attacks, and that Charles participated in the occupation of Germany after the war, but it fails to

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18 Ibid.
19 Ibid., 94 n.5.
state where or when those attacks occurred. The Capitol staff of the Austin American-Statesman wrote that Slatton “served 13 months in Europe with the 51st telegraph battalion of the Signal Corps,” but those writers did not specify when or where Slatton’s battalion went into battle.

Whether Slatton confronted a poison gas attack delivered by German artillery or passed across a battlefield where it lingered like early morning fog, it must have taken all of his willpower to overcome his fear of it. Scott Parker, a Scottish officer in the British Army, described how a gas attack affected a fellow soldier:

I saw one man near me turn a sickly greenish-yellow. His eyes began to bulge from his head; froth filled his mouth and hung from his lips. He began tearing at his throat. The air wouldn't go into his lungs. He fell and rolled over and over, gasping and crying out while with his nails he tore open his throat, even wrenched out his windpipe. Then his chest heaved a time or two, and he lay still. Death had brought its blessed relief.

Sometimes exposure to gas resulted not in asphyxiation but blindness, temporary or permanent, a scene memorialized by Edwardian-era American painter John Singer Sargent’s painting Gassed. Poison gas, first banned by the Hague Convention of 1905, was a terrible weapon.

An alarm about any possible German use of gas, sometimes just a single guard beating a cookhouse frying pan, would send doughboys scrambling for their respirators during the Battle of the Meuse-Argonne. Yet the Germans devised hellish ways to make the experience worse.

24 Ibid.
25 Ibid.
27 Ibid., 47.
even combining sneezing powder that seeped through the respirators’ filters. “Even if we got just a slight smell of them it caused us to sneeze...knowing we would not be able to keep our gas masks on,” wrote Father John de Valles, a chaplain of the American 26th Division.29

Gas remained in use to the end of the war because it was an inexpensive way of killing masses of men and of denying territory to an enemy.30 By the time Americans advanced into the Argonne Forest, General Pershing was using persistent gas to attack German artillery positions, while using only non-persistent gases that would quickly dissipate on enemy infantry.31 Soldiers suffered the same symptoms whether they encountered German gas barrages or American friendly fire.

Within a week after the Armistice, the 51st moved into Germany from November 17 to December 17, 1918 to begin occupation duty. After moving up through Luxembourg City and marching past Koblenz, Germany, the 51st encamped at Kaisersesch, Germany, took an inventory of German telephones and telegraphs, and set up communications systems that enabled American soldiers to share news with Army superiors, friends, and relatives on the other side of the Atlantic.32 The men of the 51st demobilized in the Weimar Republic on May 11, 1919 and left Europe to return home two months later.33

Between the November 11, 1918 Armistice and his July 30, 1919 return to America, Slatton participated in Signal Corps operations during postwar occupation of a Germany seething with revolution and resentment. The 51st was still in Germany on July 5, 1919, although it was preparing to demobilize and return to America.34

Climax (New York: Random House, 1905), 56.

29 Ibid.
30 Ibid., 57.
33 Ibid.
After the Armistice, Slatton returned to America aboard the *U.S.S. Mongolia*. He and his comrades left the port of Brest, France on July 30, 1919 and arrived at Hoboken, New Jersey on August 9, 1919, after which they returned to Texas.\(^{35}\)

The Signal Corps that Slatton served in introduced American women to participation in modern warfare.\(^ {36}\) Two hundred twenty-three women served as telephone operators in the U.S. Army Signal Corps during World War I—the first women to ever undertake military actions in the U.S. Army in non-nursing roles. The Signal Corps women acted with honor and distinction as a vital part of the communications, command, and control network that enabled the American Expeditionary Force’s officers to work with the French and other Allied armies.

Although these women wore U.S. Army uniforms and operated under Army regulations, and despite the fact that Chief Operator Grace Banker received the Distinguished Service Medal, the Army’s third highest honor, they did not receive honorable discharges because they had to be defined as “civilians.” Soldiering was considered an all-male profession. Only in 1978, on the 60th anniversary of the end of World War I, did Congress approve veteran status/honorable discharges for the remaining “Hello Girls” who risked their lives to keep Americans in contact with the Allied command during the Great War.\(^ {37}\)

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Charles Slatton’s name appeared on the returning-passengers list identifying Texas Great War soldiers who returned from the Western Front in 1919. Ancestry.com. (arrow added)
After the war, Slatton studied telegraphy, then worked as a railroad telegrapher, dispatcher, and station agent for the San Antonio, Uvalde, and Gulf Railroad in Carrizo Springs, Jourdantown, and North Pleasanton. He joined the American Legion and the Order of Railroad Telegraphers.


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38 *Ibid. See also* Charles Stewart Slatton starting his first railroad job as a telegraph operator and agent. Ancestry.com, [https://www.ancestry.com/mediaui-viewer/tree/66582331/person/32155758727/media/93f2d90f-458c-4ced-a1a5-4ff3198e0a07?_phsrc=LjA34&_phstart=successSource](https://www.ancestry.com/mediaui-viewer/tree/66582331/person/32155758727/media/93f2d90f-458c-4ced-a1a5-4ff3198e0a07?_phsrc=LjA34&_phstart=successSource).


Slatton studied at Cumberland University in Cumberland, Tennessee, and graduated with an L.L.B. degree in 1923.\textsuperscript{41} He then returned to Texas and completed his post-graduate degree at the University of Texas Law School.\textsuperscript{42} He began his law practice in Jourdanton, the county seat of Atascosa County, Texas, thirty-three miles south of San Antonio.\textsuperscript{43} He served as county attorney for Atascosa County for two years. He won a race to become district attorney of the 81st Judicial District, and was reelected to the position twice without opposition.

In 1930, Slatton moved to San Antonio, where he practiced law.\textsuperscript{44} He married Claudia Baldwin on October 5, 1930. Governor James Allred, another Great War veteran, appointed Slatton to serve as a Justice of the Fourth Court of Appeals in San Antonio in 1937.\textsuperscript{45} Slatton showed his appreciation by naming his oldest son James Allred Slatton.\textsuperscript{46}

In 1940, the Supreme Court of Texas appointed Slatton to serve as a Commissioner of the Texas Supreme Court Commission of Appeals.\textsuperscript{47} Judge Slatton was also president of the District and Appellate Judges Section of the State Bar of Texas in 1942–43.\textsuperscript{48}

Slatton lobbied leaders and members of the Order of Railroad Telegraphers, as well as their union representatives, to support the ballot measure that proposed the expansion of the Texas Supreme Court from three members to nine at a meeting he called in Houston in 1944.\textsuperscript{49} “They said they had not known much about this amendment, and had intended to oppose it, but if he thought it was a good thing and he wanted them to support it, that out of friendship to him they would pass the word to their members to work and vote for the amendment. They kept their word, and Slatton said that the margin of victory for the constitutional amendment was just about what he estimated to be the number of votes these men could influence.”\textsuperscript{50}

When voters passed a constitutional amendment to increase the Texas Supreme Court’s size from three members to nine members in 1945, Slatton, as one of the six members of the Commission of Appeals, became an Associate Justice of the Texas Supreme Court. His eighty opinions appear in volumes 136 to 203 of the Southwestern Reporter. Along with Great War veterans Few Brewster, Gordon Simpson, and A.J. “Jack” Folley, Slatton participated in the massive, extraordinarily contentious case of \textit{Texas v. Balli},\textsuperscript{51} regarding Texas Attorney General Gerald Mann’s trespass to try title case against the heirs of Padre Nicholas Balli over the ownership of the hundred mile Padre Island and the potential oil reserves beneath it.\textsuperscript{52}

\textsuperscript{41} Park, “Crossing the Bar—C.S. Slatton,” 201. \textit{See also} Hardy, “Texas Portrait,” 883.
\textsuperscript{42} Hardy, “Texas Portrait,” 883.
\textsuperscript{43} \textit{Ibid}.
\textsuperscript{44} \textit{Ibid}.
\textsuperscript{45} Park, “Crossing the Bar—C.S. Slatton,” 201.
\textsuperscript{46} \textit{Ibid}.
\textsuperscript{47} \textit{Ibid}.
\textsuperscript{48} \textit{Ibid}.
\textsuperscript{49} Hardy, “Texas Portrait,” 884.
\textsuperscript{50} \textit{Ibid}.
\textsuperscript{51} 144 Tex. 195, 194 S.W.2d 71 (1944), \textit{pet. rhg. denied} (1945).
\textsuperscript{52} James L. Haley, \textit{The Texas Supreme Court: A Narrative History} (Austin: University of Texas Press, 2013), 181–84, 284,
While serving earlier on a panel of the Texas Commission of Appeals, Slatton joined with Commissioners Graham B. Smedley and William M. Taylor to affirm the lower courts’ decision in the case. Then, in 1945, the six new members of the Supreme Court of Texas all voted to uphold the trial court’s and San Antonio Court of Civil Appeals’ decisions for the defendant landowners and heirs of Padre Balli.

All three original members of the Texas Supreme Court as it existed in January of 1945—Chief Justice James Patterson Alexander, Justice Henry Sharp, and recently-elected Justice Gordon Simpson—dissented from the decision that Slatton and the recently-joined former Commissioners issued, affirming the lower courts’ judgments for the Balli heirs, that is, for the landowners and the oil companies interested in drilling their land.

Chief Justice Alexander never forgave Justice Slatton and the new majority for informally changing the rules governing appeals to the Supreme Court of Texas, and often dissented during his last two years on the Court.

While serving on the Supreme Court of Texas, Slatton lived on a ranch outside of Austin, where he raised livestock. The U.S. Army Signal Corps veteran resigned from the bench on October 1, 1947, to move to Dallas, where

n. 25 and 285, nn. 32–35.

Haley, Texas Supreme Court, 183.

he worked as General Counsel for Southwestern Bell Telephone Company in the booming field of telecommunications.\(^{55}\)

Justice Slatton died of a heart attack in Highland Park, Dallas on February 23, 1951, just shy of his fifty-sixth birthday.\(^{56}\) That heart attack may have resulted, at least in part, from the poison gas he ingested as a young man in World War I, since exposure to poison gas can cause heart damage.\(^{57}\)

Fellow Great War veteran and former Governor Jimmy Allred eulogized Justice Slatton as a man of great character and compassion. “Many times I remember, when I said something harsh or mean, or unforgiving, my friend Stewart would smile and offer some suggestion or explanation why the fellow was that way or why he had done the thing I thought unpardonable.”\(^{58}\)

The Texas Supreme Court conducted a memorial service for Justice Slatton in the historic Texas Supreme Courtroom in the Capitol. Slatton’s long-time San Antonio friend Carl Wright Johnson spoke there in terms common to those who served in the Great War:

\(^{55}\) Hardy, “Texas Portrait,” 884.


\(^{57}\) \textit{See, e.g.}, Reza Karbasi-Afshar, Mahyar Mohammadifard, Nahid Azdaki, Parvin Rahnana, Amin Saburi, and Mostafa Ghanei, “Sulfur Mustard Exposure and Cardiovascular Effects: A Review,” \textit{Trauma Monthly} (published online, March 2017), \url{https://cdn.neoscriber.org/cdn/dl/4b3e8e7a-395f-11e7-b553-3f25c0e4b2ed}.

\(^{58}\) Hardy, “Texas Portrait,” 885.
[Justice Slatton] had breadth and scope, resource, learning, logic, and above all, a sense of justice. He was painstaking and conscientious—anxious to know the facts, preparing for every attack, ready for every defense. He rested only when the end was reached. During the contest he neither sent nor received a flag of truce. He was always willing to give others the rights he claimed for himself. This was the foundation on which he built.59

Justice Slatton is buried in the Texas State Cemetery in Austin, Republic Hill, Section 1 (C1), Row B Number 5.60

59 Ibid.

**Sarah A. Duckers** is a partner in Sechrist Duckers, LLP, a Bellaire, Texas firm focusing on commercial litigation; wills, trusts, and probate work; and civil appeals.

**David A. Furlow** is the Executive Editor of this Journal.
James V “Jimmy” Allred (1899–1959) was one of the three Texas Governors who were veterans of World War One. He saw no combat, and his service was not long, but he was a proud veteran and the experience marked him for the rest of the life. Indeed, two famous stories about him arose from his time as an apprentice seaman in the United States Navy.

Allred was at one time renowned as the “New Deal” Governor of Texas, serving from 1935 to 1939. In 1936, during the Texas Centennial Celebrations, he—along with his horse—appeared on the cover of Time magazine. As Governor, he was responsible for the passage of a teacher retirement system, old age pensions, and education reform. He appointed Sarah T. Hughes as the first woman district court judge in Texas. Allred was the protégé of Franklin Roosevelt, and the mentor of Lyndon Johnson.

After serving as Governor for two terms, Allred was appointed a United States District Judge for the Southern District of Texas, serving from 1939 to 1942. In 1942, he resigned his judgeship to run against W. Lee “Pappy” O’Daniel for the United States Senate. After a brutal election campaign, Allred lost to O’Daniel by a small margin. In 1943 Roosevelt nominated him to a Fifth Circuit judgeship, but he failed to win Senate confirmation. He practiced law, and indeed was one of LBJ’s lawyers during the disputed 1948 Senate election. He again became a United States District Court Judge for the Southern District of Texas in 1949, serving until his early death at the age of fifty-nine. His peers in the profession regarded him as an outstanding judge.

Long before he became Governor and a federal judge, Allred grew up in Bowie, Montague County Texas, the son of a farmer and mail carrier. He worked as a shoeshine boy, newspaper boy, and soda-pop bottler. He was born on March 29, 1899 and graduated from Bowie High

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2 Time magazine (June 8, 1936).
4 Ibid., 42.
5 Ibid., 44-46.
6 Ibid., 48.
7 Ibid., 62.
8 James V. Allred Papers, Special Collections, University of Houston Libraries, Box 217.
9 Pate, “Perfect Storm,” 66.
10 “Home County of Texas Governor James V. Allred (March 29, 1899–September 24, 1959),” Texas Historical
School in May 1917, one month after President Wilson asked Congress to declare war on Germany. Allred did not immediately go to war. Instead, in September 1917, he entered Rice Institute in Houston, and worked at a gas station to make ends meet.\textsuperscript{11} In January 1918, probably because he was financially strapped, he went to work for the U.S. Customs Service in El Paso. He was working in a draft-exempt position.\textsuperscript{12}

Despite his right to avoid military service, Allred enlisted in the United States Navy as an apprentice seaman on June 14, 1918.\textsuperscript{13} He served as a Yeoman, Second Class.\textsuperscript{14} Why didn’t someone as patriotic—and as ambitious—as Allred enlist right after high school graduation? The Allreds were “dirt poor.” Free tuition at Rice Institute was not something to pass up. Later, his job at the Customs Service allowed him to send money to his parents. Moreover, Allred had two older brothers who were already serving—one overseas in the U.S. Army’s famed 90th Division—and the family was already doing its bit in the Great War.\textsuperscript{15} Since Allred gave up a draft-exempt position to go into the service, there is little doubt he was itching to get in the fight.

No one in June 1918 knew the war would be over by November. U.S. General Blackjack Pershing always maintained that the war would go on long into 1919.\textsuperscript{16} Certainly the German High Command thought so, until August 8, the “Black Day” of the German Army.\textsuperscript{17} So why did Allred choose the Navy? Anecdotal evidence indicates that he enlisted in the Navy with three

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\textsuperscript{11} Allred Papers, Box 9 1967-001; James T. Deshields, \textit{They Sat in High Places: The Presidents and Governors of Texas, from the First American Chief Executive, 1835–1836; Presidents of the Republic, 1836–1846; and Governors of the State, 1846–1939} (San Antonio: Naylor Press, 1940).

\textsuperscript{12} Walter C. Hornaday, “Allred Cites War Record in Yes Man Issue” \textit{Dallas Morning News} (August 13, 1942), 3.

\textsuperscript{13} Allred Papers, Box 9, 1967-001.


\textsuperscript{15} \textit{Ibid.}


\end{quote}
other boys from Montague County, so it appears he enlisted with friends. There must have been a special allure to these boys from a North Texas prairie to go out upon a vast ocean. When enlisting, they knew that that ocean would be infested with U-boats.

It was at his enlistment that one of the famous stories connected with this time in Governor Allred’s life arose. We know him now as “Jimmy” Allred—indeed that was how Presidents knew him. Yet growing up in Bowie, he had always been known as “Vee.” Allred’s full name was “James Burr V Allred.” He had been given three names in honor of three uncles. When he enlisted in the navy, he put the name as “James V Allred” in the enlistment paper name blank. The recruiting officer asked what the “V” stood for. When told that it was merely an initial without a name, the recruiting officer said to drop the initial, and make the name “James Allred.” Otherwise “We will never get through answering questions about the ‘V.”’18 From that day forward, Vee Allred became James Allred, and then gradually Jim, and then Jimmy.

This country boy and his friends went to California, either San Diego or San Francisco. We know that he was stationed at Camp David Farragut because there is a picture of Allred with his friends with a sign reading “Camp Farragut: Damn the Torpedoes...” against a backdrop of sandy beach and shoreline cliffs. It was probably a naval training station. There have a few naval training stations named Camp Farragut, including one on the Great Lakes, one in Idaho, and

one in San Diego. But there may have been other training centers named “Camp Farragut,” for Admiral David Farragut was a naval hero of the Union during the Civil War famous for his gung-ho statement “Damn the Torpedoes: Full Speed Ahead” at the Battle of Mobile Bay. The balance of evidence suggests that Jimmy Allred was stationed or trained at a “Camp Farragut” in San Francisco, California.

Several photos in the Allred Papers at the University of Houston reflect Jimmy Allred’s naval service. The first is the Camp Farragut photo on this page. The back of that photo reads “2/5/19,” a few names difficult to read, “USN,” and “S.F., Calif.” Those notes suggest that someone took this photo of Jimmy Allred and his friends in San Francisco, California on February 5, 1919, just a few weeks before Allred received an honorable discharge from the U.S. Navy. The next photo, which appears to have been taken at a dockyard, shows Allred with four other seamen. The last photo shows what must be the camp’s “rec room,” including a fireplace, magazine, bookshelf, and a few sailors relaxing.

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19 Jennifer A. Garey, Images of America: San Diego’s Naval Training Center (Charleston, SC: Arcadia Publishing, 2008), 7 and 117 (“Camp Farragut” buildings in San Diego); San Diego Naval Historical Association, Naval Training Center, http://www.militarymuseum.org/NTCSanDiego.html (“The shore line of San Diego Bay extended considerably further inland than at present, and the land now occupied by Preble Field, the North Athletic Area and Camp Farragut was entirely under water”) (emphasis supplied); http://www.quarterdeck.org/AreaBases/Recruit%20Training/RTC%20command_history.htm (listing Camp Decatur as a San Diego training camp); “Farragut center decommissioned,” Spokane Daily Chronicle (Washington) (June 15, 1946), 1 (a “David Farragut Naval Training Station” on Lake Pend Oreille in northern Idaho was a World War II naval training center, the second largest in the world at the time, with over 293,000 sailors receiving basic training there, which the state of Idaho later turned into Farragut State Park); Ellsworth C. French, “Giant Farragut installation rapidly being whittled away,” Spokane Daily Chronicle (Washington) (November 1, 1949), 5.

It was during his time at this camp that the other famous story about Jimmy Allred occurred. It appears that one day the four young sailors from Montague County were in the barracks room discussing what they would do after the war. One said that was going to buy a farm, one said that he was going to go into the cotton business. The third said that he would return and marry his home town sweetheart. Jimmy Allred said, “I’m going back home and run for governor.”

The Armistice was signed November 11, 1918. On February 19, 1919, Seaman Allred was honorably discharged. Unlike his brother, who had gone to France, Jimmy never went “Over there.” But he served, and that would always mean a great deal to him. After his service, he worked as a stenographer to pay his way for law school, studied law at Cumberland Law School in Lebanon, Tennessee, came back to Texas, became a District Attorney, and then Attorney General, before running for Governor.

He would use his status as a veteran in his political campaigns. In 1934, in his first campaign for Governor, Allred pointed out that while he had enlisted, his opponent Tom Hunter had stayed home and gotten rich. Hunter had chided Allred for being too young to be Governor. Allred’s reply, given at a campaign rally, was:

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I was under the draft age Mr. Hunter. You were within it. I enlisted in the navy. You did not enter the service of your country and I am not blaming you. You are ill served, sixteen years later, to say I’m too young to serve as Governor. You’re only nine years older than I...

While I was working for thirty bucks per month in the navy, Tom, you were making a fortune selling oil at $ 3.50 a barrel.\textsuperscript{23}

Allred had bitter contempt for Pappy O’Daniel, his opponent in the 1942 Senate race. Part of that contempt may have come from the fact that O’Daniel never served in World War One. When O’Daniel called Allred FDR’s “Yes Man,” Allred replied:

I am proud that I was a yes-man and not a no-man in World War I....It is no new experience for me to be called a yes-man....President Wilson called for volunteers in the other war and I enlisted....I am proud that I was a yes-man and not a no-man in that war effort and in this war.\textsuperscript{24}

The newspaper reporter who recorded these words stated that Allred was referring to his act in resigning a draft-exempt job in 1918 and by “intimation” was calling “attention to the fact that O’Daniel did not don a uniform” in World War One.\textsuperscript{25} This probably made Allred’s blood boil. The great Texas writer J. Frank Dobie, an Allred supporter, wrote an article noting that O’Daniel had been “young and vigorous” during World War One yet “somehow kept out of the army.”\textsuperscript{26}

Beyond seeking the veterans’ votes in his campaigns, Allred was a proud member of the American Legion, and often spoke at their conventions, beginning when he was Attorney General. As Governor, he sought legislation to protect veterans. As a federal judge, he continued to be an active member of the Legion. Indeed, he loved to hold naturalization ceremonies in which his fellow Legionnaires took part. His memories of his naval service shaped the way he thought of the law. While speaking at an annual conference of judges in 1955, after he moved to Corpus Christi to serve as a federal district court judge, Allred told the audience that state court judges are the “shock troops and landing parties” of the judiciary.\textsuperscript{27}

On May 10, 1937, Gov. Allred returned to sea. He did so as a guest of President Franklin D. Roosevelt, who came aboard the presidential yacht \textit{Potomac} to Texas to raise support for his plans to expand and modernize the U.S. Navy. The President wooed Texas leaders on an eleven-day fishing trip that ended in Galveston.

Gov. Allred used that occasion to introduce President Roosevelt, who had served as President Wilson’s Assistant Secretary of the Navy from 1913 through 1918,\textsuperscript{28} to an aspiring

\textsuperscript{25} \textit{Ibid}.
\textsuperscript{26} J. Frank Dobie, “O’Daniel Is Denounced for ‘War No Issue’ Attitude,” \textit{Fort Worth Star-Telegram} (July 19, 1942), 2.
\textsuperscript{28} “Franklin Delano Roosevelt—Assistant Secretary of the Navy,” \textit{Franklin Delano Roosevelt Memorial, Home of Franklin}
young congressman, Lyndon B. Johnson. Gov. Allred did so in the presence of the U.S. Navy sailors manning FDR's yacht during the fishing trip in a meeting captured on film and available for viewing today through the Texas Archive of the Moving Image. Immediately afterwards, LBJ joined the President's son, Elliott Roosevelt, in FDR's open-air touring car from Galveston to Houston. Johnson then accompanied FDR as a special guest on the President's train to Texas A&M. There the President told some three thousand graduating ROTC students that preparedness was necessary to stand up to German, Italian, and Japanese rearmament and aggression while assuring them that his proposals were “honestly made for defense and not for aggression.”

FDR then invited Johnson to join him on the next leg of his journey, a campaign trip to Fort Worth, while telling Johnson that he

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31 Ibid.
wanted “somebody from Texas that would vote for a strong Navy” on the House Naval Affairs Committee.\textsuperscript{32} Johnson, who began by suggesting the building of a U.S. naval air station near Corpus Christi, “came on like a freight train,” FDR told an aide.\textsuperscript{33} Soon after, FDR tasked one of his most powerful White House aides, Thomas G. “Tommy the Cork” Corcoran, to aid in LBJ’s efforts to join the Naval Affairs Committee—and pave the way for the Texas congressman’s rise to power.

“I’ve just met this remarkable young man,” FDR said. “I like this boy, and you’re going to help him with anything you can.”\textsuperscript{34} Gov. Allred’s Great War service in the U.S. Navy contributed to the expansion of the U.S. Navy that defeated the Italians, Germans, and Japanese during the Second World War, while initiating FDR’s partnership with Congressman Lyndon Johnson, a partnership that electrified the Hill Country and contributed to the rise of LBJ.\textsuperscript{35}

Jimmy Allred’s service in the Great War was the beginning of a life of public service. What began in the United States Navy continued when he served as a District Attorney, Attorney General, Governor, and Federal Judge (twice).\textsuperscript{36} Throughout his service the man exemplified the three finest words in the American language: Duty. Honor. Country.

\textsuperscript{32} Ibid.
\textsuperscript{33} Ibid.
\textsuperscript{34} Ibid., 161.
\textsuperscript{35} Ibid.
\textsuperscript{36} Ewing, “Allred, James Burr V,” Handbook of Texas Online.
Stephen Pate, a member of the Cozen O'Connor law firm, is a former law clerk for Judge Joe J. Fisher. He is a Fellow of the American College of Coverage and Extracontractual Counsel, where he serves on the Board of Regents. He is also a member of the American Law Institute and the American Board of Trial Advocates.

Author's note: Jimmy Allred was a man who loved history and his family's genealogy. The author, who has written on Allred before, examined Allred's genealogy in his papers held at the University of Houston while researching this article, and was delighted to find that he was the author's first cousin, four times removed.
Leadership, courage, and perseverance are virtues that we would like to see in every elected official. These traits are exemplified by the actions of U.S. Army Captain, and later Governor, Beauford Jester.

Beauford Halbert Jester was the son of Lieutenant Governor George Taylor Jester, who served from 1895 to 1899. Beauford was but six years old when his father left that position, and political office, but George Taylor was a leader in the booming oilfield town of Corsicana, owned a bank there, and served as its state senator. The apple did not fall far from the tree.

Beauford Jester attended and graduated from the University of Texas in 1915. His love of, and assistance to, the University lasted throughout his life. Oddly, however, when he selected a law school, he chose to attend Harvard University. But for the declaration of war in April of 1917, he would have graduated and could have begun a great career in the judiciary or in east coast law. Jester could have waited to be drafted. The Selective Service was not created until the month after America’s entry into the war, and did not start drafting men for several months after that. Even some people who volunteered were given several months to complete their preparations for military service, since America did not have the arms, uniforms, or training camps necessary to supply an army. Jester, however, returned to Texas and immediately enlisted. Possibly using political connections, he was allowed to report immediately and assigned to the first class of officers training camp in Leon Springs, Texas.

Most of the officers trained at Camp Funston, in Leon Springs, Texas, were assigned to the 90th Division of the U.S. Army. They were trained to lead soldiers who had not yet been drafted or had not yet reported to service. Most of the men of the 90th Division would come from either Texas or Oklahoma, since the military was transitioning from an era in which its troops were organized by the states of origin. Jester was assigned to the 179th Infantry Brigade, and, starting as a private, was named a captain six weeks later.

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The 90th Division did not leave Texas until June 5, 1918. It arrived in Aignay-le-Duc, France on July 5th. Jester and the men of his unit disembarked from Hoboken, New Jersey, aboard the steamship *Delta* on June 20, 1918. The transport ship carrying Jester and his company was attacked by German submarines on their trans-Atlantic voyage. One of Beauford Jester's letters to his mother contains this cryptic note:

Censorship forbids any disclosures relative to any events incident to the trip, but I may be able to tell you that we had a real thrill two days before we got in here. It was our first touch of the real stuff. This hint is all I can drop.

On arrival in England, Jester received an April 1918 letter from “George R.I.,” that is, George, R[ex] I[mperator], or George, King of England, addressed to him and all other American officers:

Soldiers of the United States, the people of the British Isles welcome you and your army to take your stand beside the armies of many nations now fighting in the Old World the great battle for human freedom.

The Allies will gain new hearts and spirit in your company.

I wish that I could shake the hand of each one of you and bid you God speed on your mission.

George R. I.

April 1918.

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Then things got really active. The 90th Division would take part in two of the most deadly activities in the war for the American troops—the battle for the Saint-Mihiel Salient and the Meuse-Argonne Offensive. Jester was in the thick of the action in both. The attack of the Saint-Mihiel Salient was an effort by General John J. Pershing to show that American soldiers, however untested, could attack German forces without being led by more experienced French and British officers. The demonstration was a success.

Attacking an area which the French had failed to capture the month before, the 179th Brigade would lead the attack. The 357th, in which Jester was serving, exceeded its territorial assignments. This was done at great cost. Seven of the twelve officers were killed. The area was captured against one of the best of the German divisions in the period between September 12 and 16, 1918. Unlike most of the battles that had been fought in the war, this battle was one in which the Americans did not use trench warfare. Pershing’s strategy was to attack and to use artillery and machine guns in the attack. Jester led a machine gun crew in the battle. It is known that troops under his command stopped a German counterattack. The 90th would reach the Hindenburg Line, where heavy fortifications, lack of supplies, and general exhaustion would require relief by the 9th Brigade. The trenches they occupied during this time were saturated with mustard gas left behind by the Germans.

The Meuse-Argonne offensive was the final major Allied operation of the war. Again, the replenished and reinforced 90th Division took a major role. Starting off in a second-line relief role, they were sent to the front on October 21, 1918. They were replacing a division that had suffered a 70 percent casualty rate. Their first orders were to attack on October 23 and to recapture the town of Bantheville, France. Today the town contains 132 residents in a sea of Gallic serenity. For several days in the autumn of 1918, it was shelled, gassed, attacked, and counterattacked by both sides.
The 357th, with Captain Jester in command of the First Battalion’s Company D, attacked and captured Bantheville from the sunken road lying to the town’s west, then advanced to nearby Hill 270, while German soldiers fought to stop the Americans. Casualties were reported as “light, killing only twenty.”6 On October 23rd, the Germans counterattacked, beginning with an artillery barrage of mustard gas. Jester received a heavy dose, but refused to leave his men.7 They held off the Germans until relieved the next day.

Mustard gas is not to be confused with anything that would flavor a hot dog. While fatal in only very high doses, it caused rashes, severe respiratory pain, and vomiting, as well as burning and blistering any exposed part of the body and causing temporary and permanent blindness.8 It was

also largely odorless, which meant that affected soldiers often did not know an attack had been made until it was too late. Harold Clegg, a British soldier serving in the Liverpool Rifles Regiment, detailed how it affected his life: "Blindness, deafness, loss of voice, inability to swallow, choking, difficulty breathing, and burns." Its effects were so revulsive to the combatants that, even among the horrors and atrocities of World War II, it was rarely used.

Notwithstanding his injuries, Jester remained with his troops through the Armistice on November 11, 1918. Another man he would soon know well, James A. Baker, Jr., remained in the thick of the fighting. Baker and his Company I of the 359th Infantry participated in the 90th Division’s attacks during the St. Mihiel Offensive September 12–16, 1918, and captured many German troops while on shot-gun patrol in No Man’s Land. On October 10, 1918, General Pershing withdrew his unit from the line. Baker returned to the

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9 Ibid.
11 Wythe, History of the 90th Division, 66.
12 Kate Sayen Kirkland, Captain James A. Baker of Houston, 1857–1941 (College Station: Texas A&M Press, 2012), 259–60. Baker’s son would serve as Secretary of the Treasury under President Ronald Reagan and as Secretary of State under President George H. W. Bush.
front on October 22, 1918 near Verdun, and remained in action until the Armistice. He received a commendation for valor and a promotion that made him Captain James A. Baker in December 1918.13

Baker and Jester would serve in the Army of the Occupation in Lissendorf, Germany, until May of 1919. They both returned from Saint-Nazaire, France, to America aboard a hospital ship, the SS Sherman, because Jester was recovering from the gas attack while Baker was suffering from high blood pressure.14

On arrival in New York, Baker and Jester shared a treatment room with a Spanish flu victim named Captain Ewing Werlein, Sr., who later served on the First Court of Appeals in Houston and whose son, Ewing Werlein, Jr., currently serves as a Senior U.S. District Court Judge in the Houston Division of the Southern District of Texas.15

Upon discharge, Jester did not return to Harvard Law School. He returned to Texas and received his LL.B. from the University of Texas Law School in 1920. In 1929, Governor Dan Moody appointed him to the Board of Regents of the University of Texas, and he served as Chairman of the Board for two years. In 1943, he was appointed and then elected to the Texas Railroad Commission. In 1946, Jester was elected Governor in a race in which management of the University of Texas would pay a major role. He served as Governor for only two and a half years before his untimely death on July 11, 1949. He died at the age of fifty-six of a heart attack while on a train between Austin and Houston. Today, medical studies show an association between inhalation of sulphur mustard (also known as mustard gas) and

13 Ibid., 261.
14 Ibid., 262.
15 The Spanish flu would kill almost as many American soldiers as would combat duty. Many of the victims of the flu never left the American continent. Chester R. Burns, “Epidemic Diseases,” Handbook of Texas Online, http://www.tshaonline.org/handbook/online/articles/sme01 (“During the fall of 1918 and the winter of 1919, an epidemic of Spanish influenza affected much of the civilized world. An estimated twenty-five million Americans experienced the disease; an estimated 550,000 died from the disease.”).
cardiovascular disease. It is likely that Jester died of his war injury almost thirty years after the Armistice that ended World War I.16

His term as Governor would be notable for many accomplishments. Prison reform, the beginning of the farm to market road program, and, most important, the first comprehensive school finance program in Texas history came into being on his watch and under his leadership. It could be argued that the existence of modern schools and properly paid teachers when the baby boomers started school in the early fifties can be attributable in great part to Governor Beauford H. Jester.

Today, he is not widely discussed by Texas historians.17 There is a dormitory a few blocks north of the State Capitol named after him, and a unit of the Texas Department of Corrections bears his name as well. He is remembered mostly for being the only Governor to have died in office. But there is so much more. He never boasted, in any extant campaign material, about his bravery in the Great War. Like most of the veterans of the war, when it was over, he wanted to forget about it. He remembered it in one significant way, however. At least six members of the 90th Division would be appointed judge by Governor Jester.

Beauford H. Jester’s courage and leadership, like many of his fellow doughboys, deserves to be remembered and acknowledged. He survived a U-boat attack, bullets, artillery shells, gassing, and exposure to the Spanish flu. He trained and led on the field of battle a group of soldiers who had been farmers months before the battles. He and his men fought with distinction. On the centennial of the Armistice, there is no better time to honor him and his service to the people of our nation and our state.


THE HON. MARK DAVIDSON is Judge of the state’s Asbestos Multi-District Litigation Court.
For many decades it was a truism in U.S. politics that any man (it was only men for most of our history) who sought high political office had to have a military record of some sort. He had to be able to demonstrate that he had braved danger in order to serve his country on a battlefield somehow somewhere. Twelve U.S. presidents have been generals first, most notably George Washington, Ulysses S. Grant, and Dwight D. Eisenhower.

This emphasis on military service has been less true since the debacle of the Vietnam War, but even as recently as the 2016 election, political candidates were asked about military service and, if they did not serve, they have been forced to explain why. More and more female candidates these days are taking a page from the traditional politician’s playbook and putting their own military service front and center as part of their argument that they merit serious consideration.

Dan Moody courageously fought the Ku Klux Klan in a series of trials when he was district attorney for Williamson and Travis Counties and later became the youngest governor in Texas history in 1926 at the age of 33. But he was attacked in his early political campaigns for not having served his country in the military during World War I.

In 1924, when Moody was running for Texas Attorney General, fresh from his victories over the Klan, his opponents, who undoubtedly included angry Klansmen, circulated a flyer that ridiculed his campaign slogan, “Dan’s the Man,” by taking a swipe at his lack of a record of battlefield service.

“You hear much of FIGHTING DAN,” it read, “BUT! When red battle stamped its foot and Nations felt the shock/Where, oh where, was your ‘Fighting Dan’? Invincible in Peace and Invisible in War, ‘Dan’s the Man.’” Five thousand copies of a letter signed with fake names were also mailed to Texas ministers questioning various aspects of Moody’s record, beginning with the insinuation that Moody was a coward who had not answered his country’s call during the Great War.
In point of fact, Moody had tried to enlist in the air service when the U.S. entered the war in 1917 but was placed on the deferred list because his mother was an invalid who was dependent on him. He joined the Texas National Guard instead and was given a second lieutenant’s commission, but later gave up his commission to join the Army as a private. The Army sent him to Camp Pike in Arkansas to train but the war ended before he could complete his training.

Moody angrily responded to charges that he had dodged his military duty during his campaign by explaining how he had relinquished his officer’s commission to serve in active duty as a mere private and had been honorably discharged, adding that he was the first commander of the American Legion post in his hometown of Taylor, Texas.

A group of his fellow Legionnaires also came roaring to his defense, declaring that Moody’s military record “is entirely satisfactory to us.” Further, they stated that his surrender of his commission and enlistment as a private “in the hope that he would be sent to France deserves our highest commendation rather than censure.”

That vigorous response quashed the use of Dan Moody’s military record as a battering ram in political battles. But, at the same time, it revealed the vulnerability of any political candidate in that day and age who could not demonstrate that when the government called for soldiers and he was of an age and condition to serve, he had answered the call.

**PATRICIA BERNSTEIN** is a Houston-based publicist and historian. She is the author of *Ten Dollars to Hate: The Texas Man Who Fought the Klan (College Station: Texas A&M Press, 2017)* and *The First Waco Horror: The Lynching of Jesse Washington and the Rise of the NAACP (College Station: Texas A&M Press, 2006).*
In these centennial anniversary years of World War I, the stories of the American soldiers who fought in France have been forgotten. The exploits of those soldiers are beyond the living memory of nearly every one of us. For the African American soldiers who fought on the front lines, the stories are even less likely to be remembered. And for the citizen soldiers of the 8th Infantry of the Illinois National Guard, almost nothing of their service in France is recalled today. Nevertheless, we can correct this oversight with a look at the remarkable historical record of the African American unit from Illinois that became the 370th Infantry of the 93rd Division of the United States Army, one of the most decorated units in World War I.

In the months after the United States entered World War I, President Woodrow Wilson issued a call for the mobilization of National Guard units in an effort to increase the size of the existing Army from 300,000 to approximately 3,000,000 soldiers. The 8th Infantry Regiment of the Illinois National Guard assembled on July 25, 1917 at various rendezvous stations in Illinois, including Chicago, Springfield, Peoria, Danville, and Metropolis. The entire regiment arrived at Camp Logan, Houston, Texas, by the middle of October and began an intensive training program with the 33rd Division that lasted until March 1918.

On March 4, 1918, General George Bell, Jr., presented the standard of colors to the 370th Infantry in a ceremony on their drill field. The standard of colors was a gift from the Chicago Daily News in advance of the unit's deployment to the war zone. Colonel Franklin A. Dennison, commander of the 370th, said that they were determined "to acquit themselves on the battlefield with credit to their race." General Bell presented the Daily News stand of colors to our regiment this A. M. The ceremonies were very touching. Colonel Dennison responded with eloquence and emotion such as only one with a sense of duty and a knowledge of what awaits us over there could.

Captain William S. Braddan, chaplain of the 370th Infantry, explained the situation to the congregation of his Chicago Berean Church in his letter of March 4, 1918:

General Bell presented the Daily News stand of colors to our regiment this A. M. The ceremonies were very touching. Colonel Dennison responded with eloquence and emotion such as only one with a sense of duty and a knowledge of what awaits us over there could.

* This article is excerpted from the authors’ book, Camp Logan, Houston, Texas, 1917–1919 (2014).
2 “Regiment Presented with Colors by News,” Trench & Camp (Houston), March 6, 1918, 1, no. 22, 2.
In his letter of March 15, 1918, Chaplain Braddan, with a bit of exaggeration, expressed the resolve of the men of the 370th Infantry in light of these circumstances:

I want you to bear in mind that while the rest of the Division had been in training three months longer than we, yet so thorough had been our training and disciplining, so conscientiously had the men been applying themselves to drills that they were deemed fit for foreign service five months earlier than were the rest of the Division.

Yes, we were loath to leave Houston, but we were more anxious to be on our way Over There, so that we could help in the game of strapping the Huns and get home, for we felt the quicker we got at it the sooner it would be ended.4

Having been designated as the 370th Infantry on December 1, 1917, the all African American regiment sailed for France aboard the U.S.S. President Grant on April 6, 1918. Upon their arrival in France on April 22, the 370th Infantry was attached to the 73rd Division of the French Army following General John Pershing's decision that, due to the strict segregation policies in the military at the time, African American soldiers would not be permitted to fight alongside white troops in U.S. Army units. By the middle of June, the 370th was on the front lines in the Saint-Mihiel sector. In September, the regiment joined the French Army's 59th Division in the Meuse-Argonne Offensive.5

In the difficult battle conditions of the Argonne Forest, the men of the 370th had numerous opportunities to display their valor and bravery. Individual acts of heroism in battle were recognized by decorations of honor as 71 soldiers of the 370th Infantry were awarded the French Croix de Guerre and 21 received the U.S. Army's Distinguished Service Crosses.6 A few of the individuals who were recognized for their valor on the battlefield are highlighted below.

For his unrelenting bravery and courage in the conflict, Private Arthur Johnson received both the Croix de Guerre and the Distinguished Service Cross.7

Corporal Emil Laurent of Chicago volunteered to open a passage through the electrified wire barrier near the town of Soissons. With a pair of wire cutters in one hand and his lieutenant's automatic in the other, Laurent crawled out in the dark across the field to the wire fence. With German machine guns blazing all around him, Laurent made his way along the terrain. Bullets whizzed past his head and he cried out: “Never touched me!” in defiance. For three hours, he snipped the wire and opened a huge gap in the broad line. Corporal Laurent returned to his unit unharmed. For this selfless action, Corporal Emil Laurent was awarded the Croix de Guerre.8

4 Ibid., 43.
7 Sweeney, History, 243.
8 Ibid., 231, 290.
Captain John H. Patton was the commander of the 2nd Battalion of the 370th Infantry from September 11 to November 11 during the battles of Mont des Signes and the Oise-Aisne offensive. Captain Patton’s battalion repeatedly engaged the enemy in combat during this period as the Allied armies pushed toward the Hindenburg Line and the Belgium border. For his meritorious service in these engagements, Captain Patton was awarded the French *Croix de Guerre*.9

The 3rd Battalion of the 370th Infantry, under the command of Lieutenant Colonel Otis B. Duncan, advanced one difficult kilometer at Ferme de la Riviere on September 30, 1918. Composed of men from the southern Illinois towns of Springfield, Peoria, Danville, and Metropolis, the 3rd Battalion faced relentless fire from German machine gun nests. Three previous attempts by French army units to silence the machine guns were futile, but under the leadership of Lt. Col. Duncan, the 3rd Battalion destroyed the German positions and the Allied line was able to advance.10

Prior to the war, Otis Duncan had worked at the office of the State Superintendent of Public Instruction of Illinois for over twenty years. On the battlefield, Duncan actively commanded one of the hardest-fighting battalions of the regiment, and he was recognized as a man of natural leadership, an able tactician, and “a natural military genius.” For his accomplishments, the French awarded Lieutenant Colonel Duncan the *Croix de Guerre*. He returned to the United States as the highest ranking African American officer in the American Expeditionary Force.11

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The 370th Infantry went to France with approximately 2,500 men. Sixty-five enlisted men and one officer were killed in action. Thirty soldiers died from their wounds in battle. A total of 483 men were wounded and missing. Roughly a thousand of the 370th were incapacitated by the poison gas of chemical warfare. Of the original contingent of 2,500 men, only 1,260 of the original troops of the 370th Infantry returned with the regiment.\textsuperscript{12}

General Vincendon, Commander of the 59th Division of the French Army, wrote on the departure of the 370th:

\begin{quote}
In offering to me your regimental colors as proof of your love for France and as an expression of your loyalty to the 59th Division and our Army, you have given us of your best and you have given it out of the fullness of your hearts. The blood of your comrades who fell on the soil of France mixed with the blood of our soldiers, renders indissoluble the bonds of affection that unite us.... A last time: \textit{Au revoir}.\textsuperscript{13}
\end{quote}

\textsuperscript{12} Ibid., 161.

LINDA C. GORSKI is the President of the Houston Archaeological Society and coauthor of many books, including The Public Land of Ostia Antica: A Walk Through the Land Set Aside by Gaius Caninius for Public Use (Rome in Ruins—Self-Guided Walks Book 3), Campus Martius and Its Ancient Monuments: Self-Guided Walks to the Archeological Ruins of Rome.

ROBBIE MORIN is an archaeologist, metal detectorist, and the author of Find More Silver Coinshooting Parks and Schools.
A keynote speech by the Honorable Carl E. Stewart, Chief Judge of the United States Court of Appeals for the Fifth Circuit, was one of the highlights of this year’s John Hemphill Dinner. About 380 appellate attorneys, judges, their spouses, and other members of the community filled the Grand Ballroom of the Four Seasons Hotel in Austin on Friday, September 7, to enjoy dinner and the evening’s program, which also included a memorial and two award presentations.

The dinner program began with a welcome by outgoing Society President Dale Wainwright, followed by the Pledge of Allegiance led by the Bedichek Junior Marine Corps. This is the seventh year that an honor guard from Austin’s Bedichek Middle School has led the flag ceremony at the Hemphill Dinner.

The Texas Center for Legal Ethics then presented the annual Chief Justice Jack Pope Professionalism Award to attorney and former Court of Appeals Justice David Keltner of Fort Worth. TCLE Executive Director Jonathan Smaby announced the award, which recognizes outstanding service and integrity in the field of law. Presenting the award on behalf of TCLE, Chief Justice Nathan Hecht noted that one of the nominating statements summed up the honoree’s winning qualities: “David Keltner epitomizes what every young lawyer should aspire to be—an advocate who strives to further the administration of justice in a manner that honors his clients, the attorneys that he works with and against, and the judges before whom he appears.”

Next on the program was a memorial tribute to the late Texas Supreme Court
Justice Ted Z. Robertson by the Hon. Craig Enoch. Noting that Justice Robertson served as a judge in juvenile court, probate court, district court, and court of appeals before being appointed to the Texas Supreme Court in 1982, Justice Enoch said his nonjudicial history was equally remarkable.

“Ted Z. was under-age at the beginning of World War II,” he said, “but at the urging of a friend who claimed he wouldn't be shipped overseas, Ted joined the Coast Guard in Corpus Christi. After being torpedoed and left floating for a couple of days in the Philippines harbor, he reportedly spent the rest of the war looking for his ‘friend.’”

Justice Enoch praised the breadth of Robertson’s judicial experience and observed that “fairness was his hallmark.” His proudest achievement, he said, “was helping lead the high court's move from a writ of error practice to a petition practice more similar to the discretionary review practice at the United States Supreme Court.”
David Beck, Chair of the TSCHS Fellows, reported on the Fellows’ accomplishments over the past year. Highlights were the release of the second *Taming Texas* book—*Law on the Texas Frontier*—in January 2018, and the writing of the third book, *The Chief Justices of Texas*, to be published in 2019. He also noted the continued success of the Taming Texas Judicial Civics and Court History Project in Houston and its upcoming launch in Dallas. Mr. Beck thanked the Fellows for supporting these important educational activities and invited members of the audience to join the Fellows.

Justice Wainwright then presented this year’s President’s Award for Outstanding Service to Cynthia Simms, a partner at Locke Lord in Dallas and the Society’s current Vice President. In presenting the award, Justice Wainwright listed the many contributions Ms. Simms has made as a member and officer of the Society’s Board of Trustees. Among them was her role in organizing the Spring 2018 Board Meeting in Dallas that featured a luncheon talk by former White House Counsel Harriet Miers and a subsequent tour of the George W. Bush Presidential Center.

The evening’s keynote speaker, United States Fifth Court of Appeals Chief Judge Carl Stewart, delighted the audience with an address that was by turns humorous, informative, and inspiring. In opening, he noted that we all experience certain “firsts” in life—“first car, first love, first kiss,…, and you always remember those first times.”

“Austin was my first sitting as a federal judge after I was appointed in 1994,” he said. “I came here and sat on a panel with Will Garwood, once a member of the Texas Supreme Court, and other great judges. It was one of those firsts I’ll always remember.”

In talking about the value of preserving and celebrating history, Chief Judge Stewart made special note of the Texas Supreme Court Historical Society’s Summer 2018 issue of the *Journal* on the contributions of pioneering African American judges. “It stopped me in my tracks,” he said, “and I ended up reading it cover to cover. It really was a masterpiece of contribution.”
Chief Judge Stewart commented that the issue covered a range of judges and their unique success stories. “While I wasn't familiar with their identical challenges,” he said, “my life story mirrored the challenges they had gone through, so I could identify with them.” He noted that the issue as a whole “underscores the truism that American history is African American history,” and that the stories “not only will inspire lawyers and judges throughout the Texas bar, but will also serve as a catalyst for broader, deeper research and preservation of valued artifacts and records of heroes known and unknown.”

To conclude the evening’s program, Justice Paul Green, the Society’s liaison with the Texas Supreme Court, administered the oath of office to 2018–19 Society President Marcy Greer.

President Greer then took the podium to thank Justice Wainwright for his year of outstanding leadership. She also thanked the dinner attendees for their support of the Society and gave a special thanks.
to the law firms who sponsored tables (see list of sponsors below). Ms. Greer also recognized Mary Sue Miller, the Society’s Administrative Coordinator, for handling all the logistics for the dinner and for making it a success year after year.

Top left: President Greer concludes the evening’s program by thanking members, donors, and Society staff. Top right: Society Administrative Coordinator Mary Sue Miller is recognized for her hard work in organizing the Hemphill Dinner. Bottom: Judge Jennifer Walker Elrod, who introduced Chief Judge Stewart during the program, chats with him after the dinner adjourned.
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Texas 14th Court of Appeals Justice Ken Wise, Mary Sue Miller, our Society, and I had a great time celebrating the history of the Alamo and of San Antonio at the Texas General Land Office's 9th Annual Save Texas History Symposium. Together with GLO organizer James Harkins and orchestrator Mark Lambert, we marked the 300th birthday of both San Antonio and the Alamo at the historic (1855–present day) Menger Hotel next door on September 14 and 15, 2018.

The symposium, an official San Antonio Tricentennial event, included battlefield tours of the Alamo, discussions about GLO Commissioner George P. Bush's plans for future redevelopment of the Alamo Plaza, and opportunities for attendees to acquire hands-on experience in 19th century pioneer surveying from GLO employees expert in that field.

Our Society's sponsorship of the Save Texas History symposium preserves the legal history of Texas through research, scholarship, and educational programming. Approximately 200 people attended the symposium, despite heavy rain and threats of flooding. In addition to funds raised through registrations and sponsorships, the GLO raised $2,185 in a silent auction. This time, the GLO raised enough money to conserve several historic maps in its archives. Since 2000, the GLO has made 3 million images of historic Texas maps, land grants, and archival records available online, while adding another 10,000 each month.
The Society designated one of Texas’s best historians and a long-time friend of our Society, Dr. Frank de la Teja, as our Society’s sponsored speaker in this GLO symposium. The chronicler of San Antonio’s Spanish, Mexican, and Tejano history, Frank analyzed San Antonio’s status as a military city rooted in Spain’s efforts to defend its frontier from European rivals, autonomous Indian peoples, and the United States.

Alamo Curator Bruce Winders and his colleagues, Alamo historians Machaia McClenny and Sherri Driscoll, discussed the ethnic, age, social, and linguistic diversity of the Alamo’s defenders. Those men set aside their profound differences to fight and die together. They offer examples that can inspire Americans to set aside today’s differences.

Historian Jackie Davis spoke about Texas’s first 127 years of military history—Spanish,
Mexican, and Texian—before the arrival of the U.S. Army in 1845. She examined, in turn, stories that illustrated how Spain, Mexico, and the Republic of Texas organized, uniformed, equipped, supplied, and commanded soldados and soldiers who defended the Texas frontier and brought order to the early Texas frontier.

Jake Mangum, the University of North Texas’s Project Development Librarian for the Portal to Texas History, offered an insightful guide to the Portal, a digital repository filled with historical and cultural heritage materials we used in researching the lives of the governors and judges whose stories appear in this issue. A collaboration between the University of North Texas Libraries and Portal Partners, this doorway reveals a wealth of historical knowledge garnered over the centuries by genealogical societies, museums, libraries, governmental agencies, historians,
antiquarians, and the most private of collectors.

Other historians presented papers and offered exciting blueprints for a new Alamo Plaza complex that will include a lighted cenotaph that will better illuminate the names of those who died in the Alamo’s defense in 1836 but will _not_ include the gaudy Ripley’s Believe It or Not store across from the Alamo Chapel. And descendants of Alamo defenders spoke about family traditions recorded not in books but in the heart of centuries-long family tradition.

_Feliz cumpleaños, San Antonio de Béxar!_
**Calendar of Events**

*Society-related events and other events of historical interest*

**Fall 2018**


The museum is located at 1800 Congress Ave., Austin, Texas 78701.

**Throughout 2018**

The Bryan Museum’s galleries offer artifacts and records from all periods of Texas and Southwestern history. J.P. Bryan, Jr., a descendant of Moses Austin and a former Texas State Historical Association President, founded this museum at 1315 21st Street, Galveston, Texas 77050, phone (409) 632-7685. Its 70,000 items span 12,000 years. [https://www.thebryanmuseum.org/](https://www.thebryanmuseum.org/) [https://www.thebryanmuseum.org/exhibitions-upcoming](https://www.thebryanmuseum.org/exhibitions-upcoming).

**Throughout 2018**

The Texas Historical Commission’s new Museum and Visitor Center at San Felipe de Austin State Park’s galleries present the story of the capital of Stephen Fuller Austin’s colony in Texas. The Grand Opening of this new museum occurred on April 27, 2018, the first day of a three-day Grand Opening weekend. See the News Item in this issue of the *Journal*. The San Felipe de Austin site is located at 15945 FM 1458, in San Felipe, Texas, about a mile north of I-10. For more information go to [www.visitsanfelipedeaustin.com](http://www.visitsanfelipedeaustin.com) or call 979-885-2181.

**Fall 2018 through January 27, 2019**

*Rodeo! The Exhibition*, a dynamic and comprehensive exhibition at the Bob Bullock Texas History Museum, brings the excitement of rodeos and livestock shows from around the state into the Museum. The museum is located at 1800 Congress Ave., Austin, Texas 78701. [https://www.thestoryoftexas.com/visit/exhibits/texas-rodeo](https://www.thestoryoftexas.com/visit/exhibits/texas-rodeo).

**Fall 2018 through January 27, 2019**

The Houston Museum of Fine Arts presents “Tudors to Windsors: British Royal Portraits from Holbein to Warhol.” In a sweeping survey, *Tudors to Windsors* covers the cavalcade of kings, queens, princes, and princesses who have graced the British crown. The MFAH is the only U.S. venue to host this unprecedented exhibition, part of a major partnership with the National Portrait Gallery in London. The
The American Society for Legal History will be having its 48th annual meeting in Houston, Texas, at the Hilton-Americas, at a special discounted hotel rate. http://aslh.net/upcoming-conference/.

The Alamo Tricentennial Lecture Series begins with the program, “Alamo Archaeology.” Historian and archeologist Kay Hindes, City Archaeologist for the City of San Antonio since 2003, will discuss archaeological investigations at the Alamo culminating in the Alamo Master Planning process, from 6:30 to 8:00 p.m. at the Alamo, 300 Alamo Plaza, San Antonio, TX 78205. If you’re interested, contact Machaia McClenny at 210-225-1391 or see: http://www.thealamo.org/visit/events/calendar/events/2018/lecturekay.html.

10:15 a.m. The Texas Supreme Court Historical Society’s Board of Trustees’ Fall 2018 meeting begins in the Hatton Sumners Room at the Texas Law Center, 1414 Colorado Street Austin, TX 78701.

1:30 p.m. The Texas Supreme Court Historical Society’s Great War Commemorative Committee, chaired by Judge Mark Davidson, celebrates the service and sacrifice of seven Texas Supreme Court Justices, two Court of Criminal Appeals Judges, and two Governors of Texas.

The commemoration, which marks the 100th anniversary of the November 11, 1918 Armistice that ended World War I, will take place in the Texas Supreme Courtroom on the third floor of the Capitol, 1100 Congress Ave., Austin, Texas 78705. For the location, see http://www.tspb.state.tx.us/plan/brochures/doc/in_print/capitol_brochure/capitol_brochure.pdf.

6:00 p.m. The Houston Philosophical Society invites members of the Texas Supreme Court Historical Society to attend David Furlow and Lisa Pennington’s program, “Did Women’s Work (Dairying) Save Plymouth Colony?” at the Houston Philosophical Society’s November 2018 Meeting at the Cohen House Faculty Club, Rice University Campus, 6100 Main Street, #2, Houston, TX 77005. Anyone interested in attending should contact Houston Philosophical Society President David A. Furlow at 713.202-3931 or dafurlow@gmail.com.
December 1, 2018

The Alamo Tricentennial Lecture Series presents Bill Manchester and “The U.S. Army in San Antonio,” focusing on Fort Sam Houston. Beginning in 1845, he will highlight army activities that bonded city and service. Manchester is staff historian for Air Education and Training Command at JBSA-Randolph. If interested, contact Machaia McClenny at 210-225-1391 or go to: http://www.thealamo.org/visit/events/calendar/events/2018/fortsam.html.

December 8, 2018

10:00 a.m. to noon. The Bob Bullock Texas History Museum presents an Educators’ Symposium, “New Perspectives: Comanche Culture.” Museum staff will facilitate a discussion and strategy session for incorporating information from the symposium and exhibition into classroom curriculum. The museum is located at 1800 Congress Ave., Austin, Texas 78701. https://www.thestoryoftexas.com/visit/calendar/education/new-perspectives-comanche-culture-20181208.

January 26, 2019

The Alamo offers its first Workshop Series program, “Texas History and Geography” Educator Workshop while partnering with the Texas Alliance for Geographic Education of TSU to utilize their Giant Traveling Map of Texas. Attendees will receive 4 CPE credits. Educator Workshop: Cross the Line of Curriculum: Texas History and ELA, 9:00 a.m. to 1:00 p.m. If interested, contact Machaia McClenny at 210-225-1391 or go to: education@thealamo.org.

February 22-13, 2019


February 29, 2019 through March 2, 2019

The Texas Supreme Court Historical Society will again sponsor and present a panel program at the Texas State Historical Association Annual Meeting. This year’s topic is the “History of Texas’s Constitutions, 1827 and Beyond.” The Hon. Manuel González Oropeza, Universidad Nacional Autónoma de México; Former Chief Justice, Mexican Federal Election Court (ret.), will present his paper, “The 1827 Constitution of Coahuila y Texas Blended Mexican and Anglo-American Constitutionalism.” Dr. William J. Chriss, historian, author, and a trustee of this Society will then present his paper “Six Constitutions of Texas, 1836-1876 and Beyond.” Our Society’s President Marcy Hogan Greer will introduce the panel, while Society Executive Director Sharon Sandle will serve as Commentator.
The TSHA Annual Meeting, the largest gathering of its kind for Texas history enthusiasts, will occur at the Omni Corpus Christi Hotel, 900 N Shoreline Blvd, Corpus Christi, TX 78401, (512) 392-6450.

Texas Supreme Court Historical Society’s Spring 2019 Member and Board Meeting will occur on a date and at a time yet to be determined.

Texas Supreme Court Historical Society Symposium about the History of the Texas Supreme Court. Lynne Liberato and Richard Orsinger will present a C.L.E. course in Austin focusing on the history of the Texas Supreme Court. Stand by for further details.
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TEXAS SUPREME COURT HISTORICAL SOCIETY
P.O. Box 12673
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Phone: 512-481-1840
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JOURNAL STAFF

General Editor
Lynne Liberato
lynne.liberato@haynesboone.com

Executive Editor
David A. Furlow
dafurlow@gmail.com

Deputy Executive Editor
Dylan O. Drummond
ddrummond@grayreed.com

Managing Editor
Marilyn P. Duncan
mpduncan1201@gmail.com

Production Manager & Graphic Designer
David C. Kroll
dckroll@gmail.com

DISCLAIMER

The Texas Supreme Court Historical Society (the “Society”) is a nonprofit, nonpartisan, charitable, and educational corporation. The Society chronicles the history of the Texas Supreme Court, the Texas judiciary, and Texas law, while preserving and protecting judicial records and significant artifacts that reflect that history.

The Journal of the Texas Supreme Court Historical Society welcomes submissions, but the Editorial Board reserves the right to determine what will be published in every issue. The Board does not discriminate based on viewpoint, but does require that an article be scholarly and interesting to the Journal’s readership. The Journal includes content concerning activities of public figures, including elected judges and justices, but that chronicling should never be construed as an endorsement of a candidate, a party to whom a candidate belongs, or an election initiative. Publication of an article or other item is neither the Society’s nor the Journal’s endorsement of the views expressed therein.

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The Society has added 26 new members since June 1, 2018, the beginning of the membership year. Among them are 18 Law Clerks for the Court(*) who will receive a complimentary one-year membership during their clerkships.

**REGULAR**

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Salam Abraham  
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*Complimentary one-year membership during their clerkships.
Membership Benefits & Application

**Hemphill Fellow**  $5,000
- Autographed Complimentary Hardback Copy of Society Publications
- Complimentary Preferred Individual Seating & Recognition in Program at Annual Hemphill Dinner
- All Benefits of Greenhill Fellow

**Greenhill Fellow**  $2,500
- Complimentary Admission to Annual Fellows Reception
- Complimentary Hardback Copy of All Society Publications
- Preferred Individual Seating and Recognition in Program at Annual Hemphill Dinner
- Recognition in All Issues of Quarterly *Journal of the Texas Supreme Court Historical Society*
- All Benefits of Trustee Membership

**Trustee Membership**  $1,000
- Historic Court-related Photograph
- All Benefits of Patron Membership

**Patron Membership**  $500
- Discount on Society Books and Publications
- All Benefits of Contributing Membership

**Contributing Membership**  $100
- Complimentary Copy of *The Laws of Slavery in Texas* (paperback)
- Personalized Certificate of Society Membership
- All Benefits of Regular Membership

**Regular Membership**  $50
- Receive Quarterly *Journal of the Texas Supreme Court Historical Society*
- Complimentary Commemorative Tasseled Bookmark
- Invitation to Annual Hemphill Dinner and Recognition as Society Member
- Invitation to Society Events and Notice of Society Programs
Membership Application

The Texas Supreme Court Historical Society conserves the work and lives of the appellate courts of Texas through research, publication, preservation and education. Your membership dues support activities such as maintaining the judicial portrait collection, the ethics symposia, education outreach programs, the Judicial Oral History Project and the Texas Legal Studies Series.

Member benefits increase with each membership level. Annual dues are tax deductible to the fullest extent allowed by law.

Join online at [http://www.texascourthistory.org/Membership/](http://www.texascourthistory.org/Membership/).

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