Our Society’s Great War Commemoration was a great success by every measure. Thanks to the leadership of our Chair Judge Mark Davidson, Texas Supreme Court Justice Paul Green, Texas Curator of the Capitol Ali James, and our Society’s Executive Director Sharon Sandle, the event took place on November 14, 2018 in the Historic Supreme Courtroom in the Capitol.

The Society thus marked the anniversary of the November 11, 1918 Armistice that ended the Great War on the Western Front after four years of sacrifice, brutality, and heroism that forever transformed Texas, America, and the world. The commemoration was also an experiment unprecedented in Texas: a single program that combined judicial and military history while honoring veterans.

Paul Burks’s compelling video appears on the Society’s web-page. The event began immediately after the Society’s Fall 2018 Board of Trustees Meeting. Executive Director Sharon Sandle and President Marcy Hogan Greer, as well as our Great War Commemorative Committee Chair Judge Mark Davidson and I, led the Society’s officers and Fellows from the Texas Law Center to the Third Floor of the Capitol. State Bar of Texas Video Department Director Paul Burks was there to meet us. You can watch the beautiful, one hour, 22 minute video of the Great War Commemoration Paul produced, and introduced with rousing rendition of “Over There,” on the Society’s John Hemphill YouTube Channel at https://www.youtube.com/watch?v=RBvvyBxcGSI.
Senior Justice Paul Green presided over the commemoration. Texas Supreme Court Senior Justice and our Society’s Court Liaison Paul Green entered the Capitol’s Historic Texas Supreme Courtroom. Supreme Court Clerk Blake Hawthorne’s “Oyez, Oyez, Oyez...The Texas Supreme Court. God Save the State of Texas and this Honorable Court” commenced the Special Session of the Court at 1:30 p.m. The Court’s other Justices left the next-door Robing Room and took their seats at the elliptical bench in front of the three seats where Justices conducted Supreme Court of Texas sessions from 1888 until the Court was expanded from three to nine members in 1945. The expanded Court continued to meet in that Courtroom until it moved into its current quarters in 1959.

From the outset, Justice Green proposed that the Society should honor not just the judges and governors who served during the Great War, but all veterans. He proposed that the Society should begin the event with an Honor Guard drawn from one of the Texas units in which our honorees served—and worked with U.S. Army Master Sergeant Michael W. Leslie, the 36th Infantry Division’s Senior Public Affairs Officer, to get things rolling with an Honor Guard.

The Guard arrived, entered with flags waving, and led the Court, the Society, and our guests in the Pledge of Allegiance and Star-Spangled Banner. Justice Green thanked those members of
I'd like to thank the Honor Guard that comes to us by courtesy of the historic 36th Infantry Division, also known as the Arrowhead Division or the T-Patchers, based at Camp Mabry, which we will soon learn was one of the military units that produced several of the Texas Supreme Court Justices and others being honored here today. The Honor Guard consists of Sergeant First Class Jose Alvarado, Staff Sergeant Terry Bailey, and Staff Sergeant Hugo Luna, and the National Anthem was beautifully sung by Sergeant Melissa Bosque. The Honor Guard Detail was specifically costumed for this event by Master Sergeant Michael W. Leslie. We want to thank them all...

Justice Green also acknowledged Texas State Preservation Board Director Ali James and Capitol Scheduling Planner Robert Davis for making the Historic Supreme Courtroom available to the Society and the Court.

Justice Green then acknowledged, with gratitude, Texas State Librarian Mark Smith, Texas State Archivist Jelain Chubb, and Texas Military Forces Museum Director Jeff Hunt for providing the Society with timely assistance and for loaning archival materials on display in the Courtroom and at the Texas Law Center.

Justice Green recognized distinguished guests in the audience, including former Supreme Court of Texas Chief Justice Wallace Jefferson; former Justice Dale Wainwright, who as the Society’s President appointed Judge Mark Davidson as Chair of the Society’s Great War Commemoration Committee in March of 2018; and former Justice Craig Enoch, also a former President of this Society. From the beginning, Judge Davidson and I sought to honor Judges of the Court of Criminal Appeals who served in the Great War, as well as Justices of the Texas Supreme Court. Justice Green thus recognized members of the Texas Court of Criminal Appeals Judges who attended the program, including Judges MichaelKeasler, Bert Richardson, Kevin Yeary, Mary Lou Keel, and Scott Walker, and Court of Criminal Appeals Clerk Deanna Williamson. Also recognized were Fourteenth Court of Appeals Justice Ken Wise, First Court of Appeals Justice Jane Bland, State Bar of Texas Executive Director Trey Apffel III, State Bar President Joe K. Longley, and former Texas Representative Dan Branch.

Then Justice Green turned over the podium to the Society’s President, Marcy Hogan Greer. President Greer welcomed descendants who had come to the...
Guests filled every seat in the Supreme Courtroom, while others stood by the Courtroom's open doors to watch the Commemoration. Photos by Mark Matson.
Capitol from great distances to remember those veterans who served both their country and their fellow citizens in Texas. She discussed how our Society preserves and protects the history of the Texas Supreme Court, the Texas judiciary, and the Rule of Law; noted how the Society's publication of books furthers its educational mission; and described how this Journal was playing a critical role in publishing the stories of the Great War veterans who served. She then handed over the podium to Judge Davidson.

“Why It Matters,” by Judge Mark Davidson. Judge Davidson described how the idea of a Great War Commemoration arose from his visit to the National World War I Museum and from his research about Houston lawyers and judges for the Houston Lawyer. While I advanced the slides in his PowerPoint, he explained the reason he proposed this special program. The Journal is proud to publish Judge Davidson’s words.

HONORING THOSE WHO SERVED IN THE GREAT WAR

Texas Supreme Court Historical Society
Texas Supreme Courtroom
November 14, 2018

Why It Matters

May it please the Court:

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, while 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 Journal. 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 the “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.

The soldiers and sailors of the Great War are no longer with us, but their courage, sacrifices and deaths should not be forgotten. We are here today to remember them and to give them thanks. This Court is due praise for meeting today to thank them. You honor the history of our state and of this Honorable Court by your presence.

Honoring Every Judge and Justice for Their Service and Sacrifices. Judge Davidson then turned to me. I presented a PowerPoint that examined the lives and legacies of each judge and justice who served. We showed each judge or justice in uniform, described training camps in which they prepared for war, and then examined the horrific nature of the conflict that called many of them across an ocean infested with U-boats, far from their Texas homes and families,
to confront the enemy in the storm of steel that was battle on the Western Front: Texas Supreme Court Justice Few Brewster, who served on the Court from 1945 to 1957,

(1) Texas Supreme Court Justice Frank P. Culver, Jr., who served from 1953 to 1965,

(2) Texas Supreme Court Justice A.J. Folley, who served from 1945 to 1949,

(3) Texas Supreme Court Justice Wilmer St. John Garwood, who served from 1948 to 1958,

(4) Texas Supreme Court Justice Meade F. Griffin, who served from 1949 to 1968,

(5) Texas Supreme Court Justice Robert W. Hamilton, who served from 1959 to 1970,

(6) Texas Supreme Court Justice Gordon Simpson, who served from 1945 to 1949, and

(7) Texas Supreme Court Justice Charles S. Slatton, who served from 1945 to 1947.

The Court of Criminal Appeals Judges

(1) Texas Supreme Court Justice Meade F. Griffin (1949-1968), who also served as a Special Judge on the Court of Criminal Appeals in 1969, and

(2) Commission of the Court of Criminal Appeals Judge George Christian, who served from 1927 to 1941.

A few examples of those slides appear below. The story of each man’s background, Great War training and service, and postwar contributions to the Rule of Law appeared in that slideshow and, today, remains accessible through the Fall 2018 issue of this Journal. Our authors and coauthors contributed scholarly articles, while our archivists generously shared photos, courthouse materials, and military records. The Journal’s Managing Editor Marilyn Duncan devoted enormous time and careful attention to editing this massive collection of stories, while David Kroll supplied outstanding graphics, to make the largest issue of the Journal (152 pages) the best one as well. See https://www.texascourthistory.org/Content/Newsletters/TSCHS%20Fall%202018%20for%20WEB.pdf

Justice John Devine looks on as David A. Furlow speaks from the podium. Photo by Mark Matson.
A few PowerPoint slides reflect how the Society shared the story of each judge’s war-time service.

**FEW BREWSTER (1945–1957)**

PowerPoint slides told individual stories of judges, justices, and governors, while other slides reexamined the unique nature of combat service in the Great War.

George Christian’s machine-gunners had to face experienced German machine-gun crews dug into defensive positions in the St. Mihiel Salient and in the Meuse Argonne Forest.
In addition, our Society recognized the service of each of the four African Americans who trained at Camp Logan near Houston, and then won coveted Croix de Guerre awards in recognition of their uncommon valor. They answered their country’s call, and made the world safer for democracy, despite the racially segregated nature of the American military at that time.
We also recognized the vital contributions Texas women made to the war effort at a time when the suffrage movement was waging its own battle to gain women the vote by ratification of the Nineteenth Amendment.

**WOMEN WENT TO WAR, TOO**

*Katherine Stinson and Her Aeroplane (1915).*

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Judge Davidson Paid Respect to the Governors Who Served. I then returned the lectern to Judge Mark Davidson, who presented his PowerPoint about the background, military service, and postwar record of each of the three Texas governors who took part in the Great War.

**The Governors**

1. Governor Dan Moody, who served from 1921 to 1931,
2. Governor James V “Jimmy” Allred, who served from 1935 to 1939, and
HE PROBABLY DIED OF A WAR WOUND—30 YEARS AFTER THE WAR

We now know that mustard gas leads to cardiac disease.

Captain Jester received (at least) two heavy doses of mustard gas.
Bryan A. Garner spoke and played a tape of his ancestor Meade Griffin’s recollections of the Great War. Texas Supreme Court Justice Meade Griffin’s grandson Bryan Garner discussed the Great War service of his grandfather Meade F. Griffin and Griffin’s inspiration for Garner’s writing and study of the law. Bryan provided our Journal with family photos of Justice Griffin we presented as part of our PowerPoint dedication.

Representing the descendants of Justice and veteran Meade Griffin, Bryan took the podium to share an audio recording of his grandfather and mentor Meade Griffin’s recollections of the Great War. But first, Bryan put Justice Griffin’s Great War years in context. We reprint Bryan’s speech in its eloquent entirety:

First of all, let me remark just how impressive it is that the Texas Supreme Court Historical Society is commemorating the service of the nine Justices honored here today. The ingenuity and effort that have gone into both this ceremony and the journal articles about the Justices are extraordinary. On behalf of all the descendants of the honorees, I think we all owe a hearty round of applause to David Furlow and his colleagues at the Historical Society.

The Justices honored here had unique paths that led them into World War I. They were men of great intelligence, patriotism, and bravery. Their service to our nation helped shape the lives of all who have followed.

For the descendants of Justices Brewster, Christian, Culver, Folley, Garwood, Griffin, Hamilton, Simpson, and Slatton, I can say most sincerely that we’re awed by our ancestors’ achievements and glad that they’re remembered by more than just their families.

Justice Griffin, whom my brothers and I knew as “Papa,” was proudest of his military service after World War II, when he played the role of chief drafter of the Rules of Criminal Procedure for Nazi war crimes. He based those rules principally on the Texas Rules of Criminal Procedure. But that responsibility, and that of Supreme Court Justice, lay far in the future in 1917, when he was a 23-year-old law student at UT. It was then that the United States declared war on Germany.
We shouldn’t forget that the Great War occasioned severe disruptions in the lives not only of the soldiers, but also of their families. When the time came to volunteer, young Meade Griffin was under pressure from his family in Tulia to return home from Austin to help his father on their Panhandle farm in the heart of the dustbowl. He was torn.

But I should let him tell it in his own voice. In 1972, at his home here in Austin, he recorded recollections of his life on 7 long reel-to-reel audiotapes. Here is the segment dealing with his recruitment to the First Officers Training Camp, as he recalled at the age of 78. He recounts how reluctant he was at 23, and how guilty he felt for that reluctance. But let’s hear him tell it:

“World War I came on. War was declared in the first of April—about the 7th of April (I think) 1917 [it was the 6th]—and the United States Government then decided they were going to have to train some officers. They had less than 75,000 officers and less than 200,000 men. And they knew they were going to have to have about 2 to 3 million men and about 200,000 to 300,000 officers.

“So they set up ten training camps all over the whole United States. They sent a major up here [to Austin] to interview those who wanted to go. I didn't go right at first. We knew they were coming a week or so ahead of time. I'd written my people, and my people had moved [from Cottonwood] out to Tulia in the meantime, and my father had just started large-scale wheat farming. He was farming 640 acres, which was large-scale for those days. Tractors were just beginning to come in, and he saw the economic advantage of using those tractors on that level country out there on the Plains.

“So he and mother wrote me—I’m the only son—and they didn’t want me to go into Army or into the War. They wrote me and they said we’re going to have to raise something for everybody to eat, and you come on back here and go in with your father in this farming business.

“The first week when the major was here, I didn't go. And then, by George, it just got to where every morning when I'd shave and comb my hair—I had hair in those days—why I’d just say to myself, you yellow-bellied cowardly so-and-so, you’re not going to stay out of that war. Your country needs you.

“About the third morning when I talked to myself that way, I went on down there to be examined, and was accepted.”

Garner turned the recorder off to address the audience as a friend and historian:
Patriotism is pretty much out of fashion today. We all remember that Samuel Johnson said that patriotism is the last refuge of the scoundrel. Too many forget that he was disparaging scoundrels, not patriotism. Mark Twain provided better context. He said, “In the beginning of a change, the patriot is a scarce man, and brave and hated and scorned. When his cause succeeds, the timid join him, for then it costs nothing to be a patriot.”

Our nine judicial honorees today were at the beginning of a change, and they were scarce men, and brave. They succeeded. They were patriots.

Five years before he died, Justice Griffin sent his three Garner grandsons a book about World War I and the First Officers’ Training Camp. He inscribed it in 1969, at the height of the Vietnam War. In the inscription, he wrote: “I am proud to have been part of this group of patriotic citizens [who served in World War I], and I trust you may get some thrills of patriotism for our great nation. Do not let anyone persuade you that you have no duty to defend it in its time of need.”

The men we honor here today made history. They clarified Texas law, they made Texas history, and they contributed to American history. On behalf of all the descendants, I thank the Texas Supreme Court Historical Society for remembering their unique contributions.

**Governor Beauford Jester’s descendant Alice Jester Berry spoke for the families of the three Texas governors who served in the Great War.** Alice Jester Berry spoke on behalf of her own family and the descendants of Governor Dan Moody and Governor James V “Jimmy” Allred. She spoke poignantly of family memories and the sacrifices our honorees and their families paid during, and long after the end of, the Great War:

May it please the Court,

I’m honored to be asked to address you today. My role is to speak for the families of the three governors of Texas who served during World War I. As you have already heard, I’m hear to speak on behalf of the Moody, Allred, and Jester families, and it’s because of the last name that I was asked to speak. My grandfather was Governor Beauford H. Jester, and Jester is my middle name.

At the outset, I want to thank the Texas Supreme Court of Texas, and the Texas Supreme Court Historical Society, for the idea of the Commemoration.

When a 17-year-old freshman at Rice University named James Burr V Allred signed up to join the Navy, he certainly had no idea we would be here to today remembering his service, but we are.

When young Captain Moody in the Texas National Guard resigned to serve at the bottom rank of the United States Army, he might not have thought it was something to be honored. But it was.
When my grandfather was poisoned with mustard gas, yet refused to leave the men under his command, he probably did not think it to be praise-worthy, since he was just doing his part. But it was worthy of praise and commendation.

Today we remember and honor these men, and the many men and women who were their compatriots, for which we thank you from the bottom of our hearts.

Alice Jester Berry then thanked the Court and Society on a more personal level for locating previously unpublished war records and encouraging descendants in the three families to delve into unexamined attic records and correspondence.

“In other words,” Alice explained, “the work leading up to this ceremony brought my family and me closer to my grandfather, a man I never had the privilege of meeting. I’m hopeful that all of us here today have learned from the stories of the young men who answered the call to defend freedom. If we do that, this event will be one of both remembrance and significance. I hope as well that the accomplishments of Governors Moody, Allred, and Jester can now be seen through the prism of their experiences and leadership during the Great War. Thank you again for the honor to address you today.”

**Warren Harris represented the Fellows.** As a past President of the Society and as a representative of Fellows Chair David Beck, Warren Harris took the stage to note how the Fellows support the Taming Texas judicial civics teaching program and the Taming Texas book series. Warren announced the production of the third Taming Texas book, *The Chief Justices of Texas*, thanked Texas Supreme Court Chief Justice Nathan Hecht for his support of the project, and thanked the Fellows for their generous support of the Society’s educational program.
Texas Supreme Court Justice Jeff Brown accepted the *Journal*’s Great War Commemoration Special Issue on behalf of the Court. Justice Brown thanked the Society for researching the lives and sharing stories of Texas’s Great War veterans:

On behalf of the current and past members of the Court, thank you to the Texas Supreme Court Historical Society and all of today’s presenters and organizers of this very important and impressive event.... I myself am not a direct blood descendant of any veterans of the Great War, but in a very real way, we are all their descendants because we have inherited what they left for us, what they defended for us, what they preserved for us, through their selfless service and sacrifice.

We are descendants of veterans because we are their heirs. And as their heirs we are stewards of their legacy. We fulfill that duty of stewardship by honoring their memory through efforts like this ceremony.

But more importantly, we fulfill that duty by following their example. It’s my hope that today’s event inspires all of us to rededicate ourselves to standing up for the values these brave ancestors fought to defend. Not only in their lives as soldiers and sailors, but in the lives they led before and after the war, as lawyers, judges, public servants and ordinary citizens. We should be happy to follow their lead.
Justice Brown then took possession of the print version of the Fall 2018, Great War Commemoration Special Issue of the *Texas Supreme Court Historical Society Journal* on behalf of the Court.

Senior Justice Green concluded the program by thanking Justice Brown and the Society for “putting on a remarkable program; it's obvious that quite a bit of work has gone into this.” He reminded everyone that they would “find something remarkable to see”—photos, records, and artifacts—in the Texas Law Center, then adjourned the Special Session of the Court.

The Commemoration continued with a Texas State Library and Archives Commission exhibition at the Texas Law Center. To bring to life the experience of serving in the Great War, we sought to make World War I artifacts available to everyone who attended the program. Texas State Librarian Mark Smith, Texas State Archivist Jelain Chubb, and Texas State Assistant Archivist Laura Saegert provided the Society with a collection of Great War photos, records, and artifacts. Peggy Price, the Texas State Library and Archives Commission’s Education Outreach Coordinator, brought them to the Texas Law Center where judges, justices, and our Society’s officers, trustees, and members could examine them.

Those archival records included a letter from Clark M. Mullian, of the Thirty-Sixth Division, 144th Infantry Regiment, to his mother, dated 1 December 1918, just after the Armistice, as culled from the records of the 36th Infantry Division; a 1918 “Service Over There” banner that was among the Papers of Clarence Lincoln Test, Clarence Lincoln and Nellie Donnan Test papers; George Bickler Scrapbook of clippings about Camp Bowie, 1917-1919; and a United War Work Campaign Brochure dated November 18, 2018 from the American Legion’s collection. And photographs galore.

Society Administrative Coordinator Mary Sue Miller ensured that the Society’s guests, including descendants of the honorees, enjoyed a reception that featured a wide variety of excellent catered food and beverages.

The Great War Commemoration received wide recognition in the press, on Facebook, and in the Twitterverse. The State Bar Blog covered the Great War Commemoration two days later in Adam Faderewski’s post “Texas Supreme Court holds special session to commemorate 100th anniversary of World War I armistice.”

Judge Davidson and I were honored to take part in the Society’s Great War Commemoration. It was an experiment in combining military and judicial history, a worthy way of honoring Texas veterans and Texans who honored their nation’s call in time of war.

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Texas State Librarian Mark Smith loaned Texas State Library and Archive photos, records, and artifacts to the Society for the reception following the Supreme Courtroom session in the Capitol. Left to right: Governor Beauford Jester’s great-granddaughter Janet Dundas; former Texas Supreme Court Chief Justice Wallace Jefferson; Texas Supreme Court Justice Paul Green; and Governor Beauford Jester’s granddaughter Alice Jester Berry.