



Journal of the TEXAS SUPREME COURT HISTORICAL SOCIETY

Fall 2024 Vol. 14, No. 1 Editor Emerita Lynne Liberato Editor-in-Chief Hon. John G. Browning

Columns

Message from the President

By Lisa Bowlin Hobbs

As I travel, I often take a "selfie" in front of beautiful courthouses. Modern or historical, they symbolize justice and the rule of law.

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Lisa Bowlin
Hobbs

Executive Director's Column

By Sharon Sandle

The Society is proud to play a role in preserving Texas's rich legal history and in sharing it with future generations.

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Sharon Sandle

Fellows Column

By Warren W. Harris

The Society and the Fellows would like to thank David J. Beck for his many years of service as Chair of the Fellows.

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Warren W. Harris

Editor-in-Chief's Column

By Hon. John G. Browning

For most of us, "stories" and "courthouses" refer to the testimony and arguments heard in the courtrooms. But the buildings themselves, and the judicial portraits inside, have fascinating stories of their own.

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Hon. John G.
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Leads

Revisiting the Historic Texas Courthouse Preservation Program at the Margins: The Trans-Pecos and East Texas

By Bob Brinkman and Dan K. Utley

The courthouse set the future framework for the seat of government, providing a geopolitical hub from which a city with some promise of success began to emerge.

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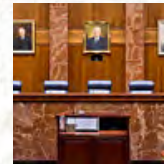
Grimes County
Courthouse

Portraits of Justice: Judicial Portraits at the Texas Supreme Court

By Matthew Kolodoski

Hanging on the walls of the courtroom of the Supreme Court of Texas are portraits of twenty-nine notable Justices from the history of the Texas Supreme Court.

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The lectern at the
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Land, Lawyers, and Gamblers: Nineteenth-Century Texas History, as Told by a Map of San Jacinto County

By Frank Mace

Woven into the lines and tiny font of county maps drawn by the Texas General Land Office you will find Texas's colorful history.

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Certificate of a
land grant

Features

The Archival Collections of the Texas Supreme Court Historical Society

By Keely Drummond and Marshanah Taylor

The TSCHS Collections comprise a range of both professional and personal records documenting the Texas Supreme Court and other legal history of the state.

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Texas Supreme
Court building

The 29th Annual Chief Justice John Hemphill Dinner: Honoring Chief Justice Nathan L. Hecht

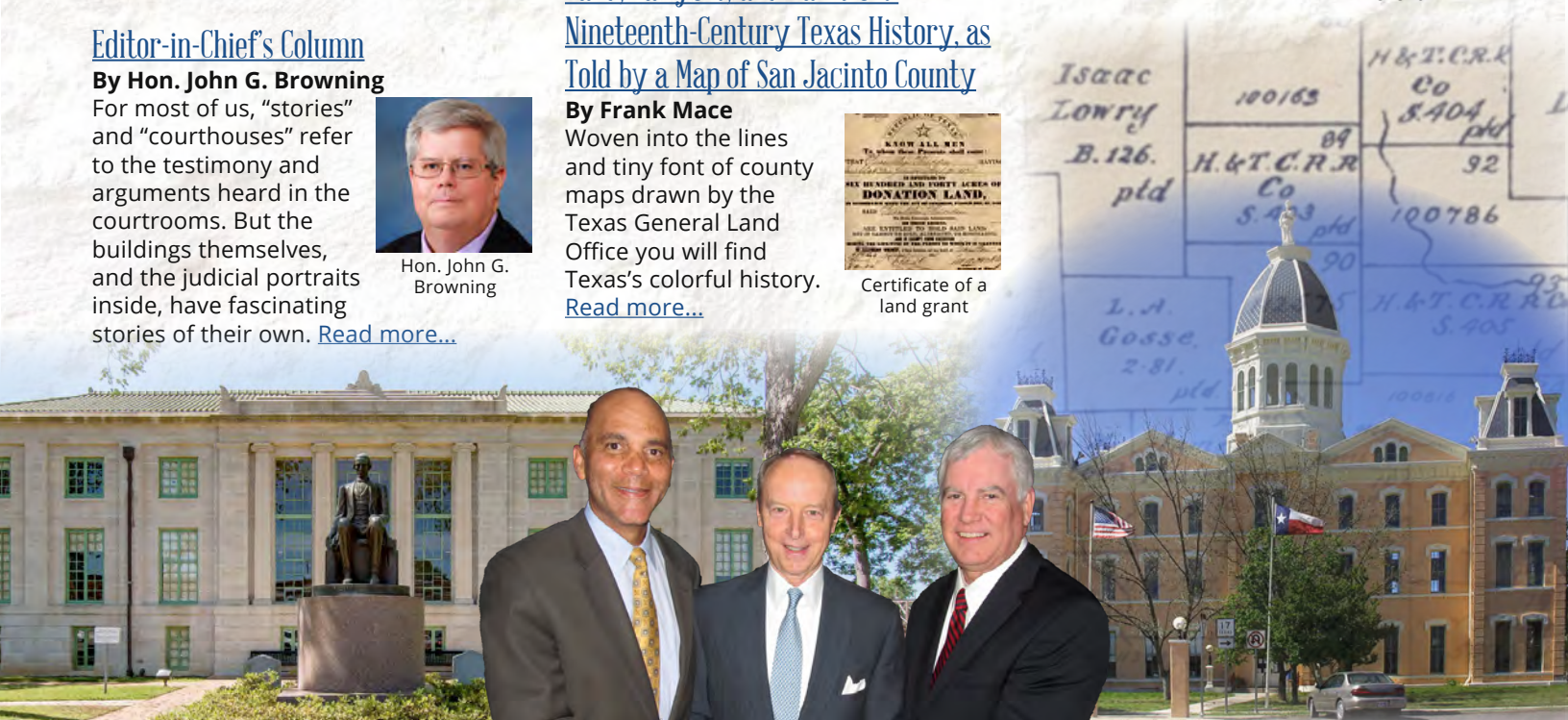
By Rose Doda, Brittany Greger, and Natasha Taylor
Photos by Mark Matson

This year's John Hemphill Dinner focused on the career and accomplishments of retiring Texas Supreme Court Chief Justice Nathan L. Hecht.

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Chief Justice
Hecht at the
event

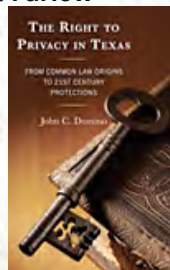


Book Review

Book Review - *The Right to Privacy in Texas: From Common Law Origins to 21st Century Protections*

Book review by David A. Furlow

Professor John Domino analyzes the right to privacy in Texas by re-examining its origins and development from common law to constitutional law to statutory enactment. [Read more...](#)



News & Announcements

Texas Law's Wide World of Sports: Your Invitation to Attend TSHA's 2025 Meeting

By David A. Furlow

The Society will present *The Thrill of Victory, the Agony of Defeat and the History of Texas Sports Law* at the Texas State Historical Association's 129th Annual Meeting in Houston. [Read more...](#)



TSHA logo

Society Members and Trustees Elevated to the Appellate Bench

Republicans won nearly all the contested appellate court races statewide. Among the newly elected justices are some with ties to the Texas Supreme Court Historical Society. [Read more...](#)

Supreme Court of Texas unveils portrait of former Chief Justice Wallace B. Jefferson

Article and photo by Will Korn

The Supreme Court of Texas honored former Chief Justice Wallace B. Jefferson by unveiling his official court portrait in the Supreme Court of Texas courtroom. [Read more...](#)



Former Chief Justice Jefferson at the unveiling

Journal Editor-in-Chief Named to ABBHS Board

The Hon. John G. Browning, was recently named to the Board of Directors of the Alabama Bench and Bar Historical Society. [Read more...](#)



Hon. John G. Browning

And the 2025 Larry McNeill Research Fellowship in Texas Legal History Goes to ... ?

Article and photo by David A. Furlow

Applications are now being accepted for the Texas State Historical Association's 2025 Larry McNeill Research Fellowship in Texas Legal History. [Read more...](#)



Larry McNeill

Membership & More

Officers, Trustees & Court Liaison

2024-25 Member Upgrades

2024-25 New Member List

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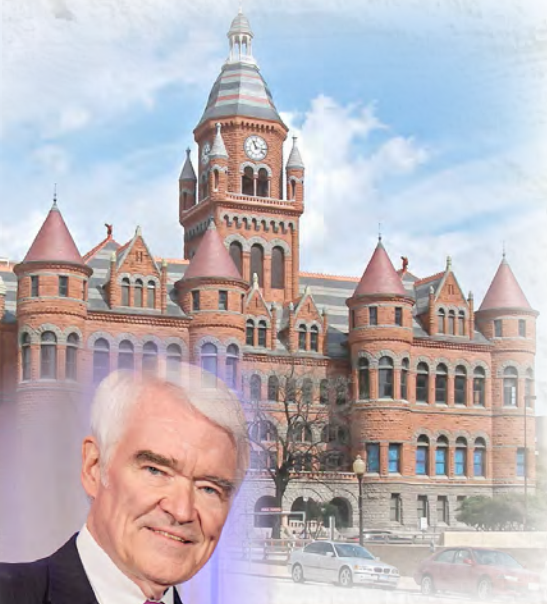


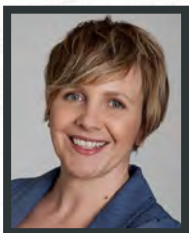
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Lisa Bowlin
Hobbs

Message from the *President*

Welcome to the Fall issue of the Texas Supreme Court Historical Society newsletter. I love an issue devoted to Texas courthouses. As I travel with my kids, we always make a stop in county seats to see the courthouse. As I travel for work, I am the first to take a picture or “selfie” in front of beautiful courthouses.

One historical courthouse, not presented in this issue, is the Shelby County courthouse. My family is from Shelby County, as is the family of Blake Hawthorne, Clerk of the Texas Supreme Court. His grandmother and my grandmother and great aunts were friends. We discovered this connection while I was the General Counsel at the Texas Supreme Court. A photograph of the Shelby County courthouse, donated by Blake’s mother Sheron Smith-Savage, hangs in the Clerk’s office today. When I see it, I’m reminded of the connection between our families.



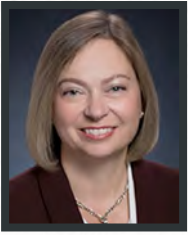
Shelby County Courthouse

Courthouses, whether modern or historical, symbolize justice and the rule of law. They are inspiring. As a lawyer, I appreciate, and gleefully yield to, the decorum expected within their walls. And I’ve witnessed clients also adhere to those elevated expectations.

I’ll admit, there is something unique about arguing in a historical courthouse. I wonder, in awe, about historically significant trials those walls have witnessed. But we should also remember that, more awesome, is the long history of smaller disputes resolved in those hallways. Take my average case. My dispute probably won’t garner media attention, much less historical archive material. Nonetheless, it’s justice. It’s important. It’s often lifechanging for our clients. Whether a historical courthouse or a modern courthouse, lives change everyday in our courthouses.

It’s fitting we celebrate their walls.

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Sharon Sandle

Archives, Courthouses, and Portraits: *Preserving Texas's Legal Legacy*

On a December night in 1842, a canon shot rang out in Austin in a most unlikely war, a war over archives. The tale begins in 1842 when Republic of Texas President Sam Houston, wary of the Mexican army marching on Austin, decided to call an emergency session of the Texas Congress in Houston. Austin's citizens, fearful that the president wanted to make Houston the capital of Texas, resisted fiercely. They formed a vigilante committee and warned government officials in Austin that any attempt to move state papers would be met with armed resistance. When Houston sent a company of Texas Rangers to Austin in December 1842 to remove the archives under cover of darkness, the citizens of Austin were caught unaware. They might have succeeded, if not for Angelina Eberly.

Hearing the commotion of wagons being loaded in the middle of the night, Eberly rushed to Austin's six-pound canon, aimed, and fired. Though the canon missed its mark, it struck the General Land Office building. The citizens quickly organized a pursuit and recovered the archives. Today, a statue of Angelina Eberly, sculpted by Australian artist Pat Oliphant, stands at the corner of 6th and Congress in Austin, honoring her pivotal role in this defining moment of Texas history.

The Archives War reminds us just how important a place can be in defining our identity. In this issue of the *Journal of the Texas Supreme Court Historical Society*, we explore the legacy of iconic Texas courthouses, majestic archives in stone that serve both as functional centers of justice and as tangible reminders of our legal history. Authors Bob Brinkman and Dan K. Utley discuss the efforts to preserve these monuments to the evolution of Texas's legal system and the communities they serve.



Angelina Eberly statue by Pat Oliphant.
Statue owned by the City of Austin
Cultural Heritage Collection.

Frank Mace's article "Land, Lawyers, and Gamblers: Nineteenth-Century Texas History, as Told by a Map of San Jacinto County" looks at the rich history preserved by the county maps

housed in the General Land Office. These maps, like the archives Eberly fought to save, offer invaluable insights into the development of Texas's legal and geographic landscape. They capture the state's expansion, the shaping of its counties, and the legal frameworks that guided its growth.

Preserving Texas history through our archival collection is an important mission of the Society. In this issue, we feature the Society's collection of portraits of Texas Supreme Court justices that hang in the Supreme Court building. These portraits provide a visual connection to the individuals who shaped Texas law. While visitors to the Tom C. Clark building in Austin can view the portraits displayed there, the Society's archives include other items of importance to researchers and historians of legal history that are less frequently on display. This edition includes an article on the Society's collection and our efforts to preserve through our archive Texas's legal identity.

The Archives War reminds us how important humble government documents can be to our identity. It reminds us how hard people will fight for a place that is important to them. And it reminds us to be fierce in our efforts to protect our history. The Society is proud to play a role in preserving Texas's rich legal history and in sharing it with future generations.

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Fellows Column

By Warren W. Harris, Chair of the Fellows



The Society and the Fellows would like to thank David J. Beck for his many years of service as Chair of the Fellows. David has always been an enthusiastic supporter of the Fellows Program and has the distinction of being our very first Fellow in 2011. He was instrumental in recruiting our Charter Fellows, most of whom remain as Fellows today. Below are some examples of the many significant contributions David has made to the Fellows Program.

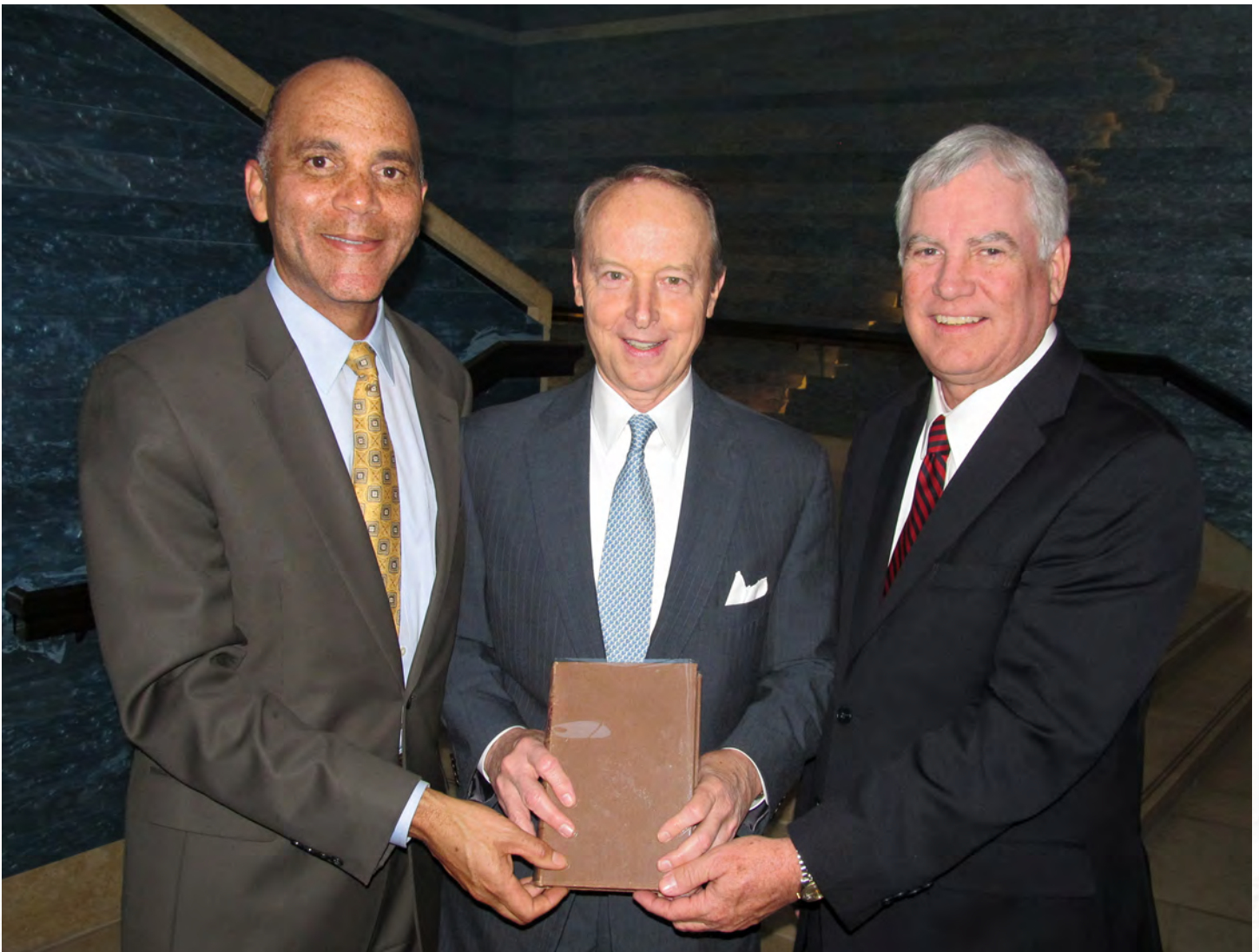
Landmark Case Reenactments: An early project of the Fellows was the reenactments of oral arguments in landmark cases. To make our state's legal history come alive, the Fellows sponsored courtroom reenactments of *Texas v. White*, *Johnson v. Darr*, and *Sweatt v. Painter*. David was active in the development of the reenactments and argued for the State in the reenactment of *Texas v. White*. This reenactment was held in conjunction with the 2012 State Bar of Texas Annual Meeting in Houston. David argued to a packed courtroom in the 1910 Courthouse before a panel consisting of Chief Justice Wallace Jefferson and Justices Dale Wainwright and Paul Green from the Texas Supreme Court, Judge Jennifer Walker Elrod from the US Court of Appeals for the Fifth Circuit, and Judge Nancy Atlas from the US District Court. Fellow Lynne Liberato argued for the opposition and former Chief Justice Tom Phillips served as the Reporter for the Court and historian to announce the decision and present a historical perspective of the case.



David Beck presenting oral argument in the reenactment of *Texas v. White* at State Bar meeting in 2012.

Fellows Dinners: David has played a critical role in our Fellows Dinners, our exclusive annual event. Each year since 2013, the Fellows gather with the Justices of the Texas Supreme Court for a collegial dinner. David has always chosen a unique Austin venue, and the locations for past dinners have included the Blanton Museum of Art, the Texas Lieutenant Governor's private dining room in the State Capitol, the Bullock Texas State History Museum, the Frank Denius Family University of Texas Athletics Hall of Fame, the Bauer House (the official home of the Chancellor of the University of Texas System), and most recently the Lyndon Baines Johnson Presidential Library. David gave the Fellows access to many venues that are not typically available for outside events. Because of the special dinner locations, the attendees always commented on the dinner's elegance, uniqueness, and fellowship.

Historical Support: To supplement the Society's historical archival holdings, the Fellows purchased an original copy of the seminal *History of the Supreme Court of the State of Texas* (1917) by Harbert Davenport. Neither the Court nor the Society owned a copy of this vital piece of the Court's history. David presented the historic book to the Texas Supreme Court in 2013 at the inaugural Fellows Dinner.



David J. Beck (center) presents a rare copy of J. H. Davenport's 1917 history of the Court to Chief Justice Wallace B. Jefferson and Justice Paul W. Green (2013).



Beck presenting *Taming Texas: The Chief Justices of Texas* book to Chief Justice Nathan Hecht at the 2020 Fellows Dinner.

Taming Texas Judicial Civics & Court History Project and Book Series: Under David's leadership, the Fellows in 2016 launched *Taming Texas*, an innovative judicial civics program that sent attorneys and judges to seventh-grade classrooms to teach an innovative curriculum on the history and workings of the Texas court system. Since then, the program has reached over 23,000 students, primarily through our partnership with the Houston Bar Association. The Dallas and Austin bars have also implemented *Taming Texas* in local schools. Additionally, the Fellows sponsored an illustrated legal history book series as part of the judicial civics course materials. The books in the series include *Taming Texas: How Law and Order Came to the Lone Star State* (2016); *Law on the Texas Frontier* (2018); *The Chief Justices of Texas* (2020); and *Women in Texas Law* (2023). The release of each of these books was at a Fellows Dinner with copies of the new book being presented to the Texas Supreme Court.

As you see from these projects, the Fellows undertake many programs including educating the bar and the public on the third branch of government and the history of our Supreme Court. David's work with the Fellows has made these projects possible and allowed them to grow. We are indebted for his service.

If you would like more information or want to join the Fellows, please contact the Society office or me.

FELLOWS OF THE SOCIETY

Hemphill Fellows

(\$5,000 or more annually)

David J. Beck*
David E. Chamberlain

Joseph D. Jamail, Jr.*
(deceased)

Thomas S. Leatherbury
Richard Warren Mithoff*

Greenhill Fellows

(\$2,500 or more annually)

Stacy and Douglas W. Alexander
Marianne M. Auld
Robert A. Black
Hon. Jane Bland and Doug Bland
E. Leon Carter
David A. Furlow
Harry L. Gillam, Jr.
Marcy and Sam Greer
William Fred Hagans
Lauren and Warren W. Harris*
Mary T. Henderson
Thomas F. A. Hetherington
Jennifer and Richard Hogan, Jr.
Dee J. Kelly, Jr.*
Hon. David E. Keltner*
Lynne Liberato*
Ben L. Mesches

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Hon. Harriet O'Neill and Kerry N. Cammack
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Leslie Robnett
Professor L. Wayne Scott* (deceased)
Reagan W. Simpson*
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Macey Reasoner Stokes
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Peter S. Wahby
Hon. Dale Wainwright
Charles R. "Skip" Watson, Jr.
R. Paul Yetter*

*Charter Fellow

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Hon. John G.
Browning

The Stories *Our Courthouses* Tell

For most of us as lawyers and judges, we associate “stories” and “courthouses” as referring to the testimony and arguments heard every day within the courtrooms. But as this issue demonstrates, the buildings themselves, and the judicial portraits that hang inside, have fascinating stories of their own.

Like many of us, I own several “coffee table” books full of photographs of historic Texas courthouses, and my former judicial chambers in Dallas’ George Allen Courthouse provided a wonderful view of Dallas County’s historic 1892 “Old Red” courthouse. This red sandstone Romanesque marvel was turned into a museum in the late twentieth century after the courts were moved to a modern building, but it will soon return to its working glory as the new home of my old court, the Fifth District Court of Appeals. Texas’ courthouses (more than 200 of which are listed as historic, including ones that have been abandoned or replaced) have always had stories to tell. In 1922, Nathan Lee became the last convicted killer in Texas to be legally hanged – in front of the Brazoria County Courthouse. And in 1948 in front of the Shelby County Courthouse, a young Texas congressman named Lyndon B. Johnson kicked off his first Senate campaign.



Dallas County’s “Old Red” courthouse

As a young lawyer handling cases in Waxahachie, I attended hearings and trials in Ellis County’s elegant 1897 Romanesque Revival courthouse (the work of architect J. Riely Gordon, who designed a staggering eighteen Texas courthouses, including those in Bexar and Brazoria Counties). Gazing upon the faces carved into the exterior columns of the courthouse, which progressed from beautiful and angelic to grotesque and twisted, I was regaled by local lawyers about the lore behind them. According to them, the English sculptor Harry Herley arrived in Waxahachie in 1895 to work on the courthouse and stayed at Hattie Frame’s boardinghouse, where he met and fell in love with her beautiful



J. Riely Gordon



Harry Herley

daughter Mabel. The smitten Herley supposedly carved Mabel's angelic face into the columns, but when she broke his heart, the bitter sculptor switched to carving uglier, twisted faces. It's a great story; sadly, however, it's not true.

Like most Romanesque-style buildings, many of Gordon's courthouses feature faces and gargoyles. And Herley, who worked for the Dallas stonemason firm of Theodor Beilharz, didn't arrive in Waxahachie until 1896. The carvings were created in Beilharz's Dallas stoneyard and shipped via rail to Waxahachie as finished pieces. Herley did, however, meet and marry a local girl named Minnie Hodges. There is no record in federal census records of Hattie Frame operating a boardinghouse. But why let the truth get in the way of a great story?

As attorney and former Houston legislator Michael Andrews noted in his book *Historic Texas Courthouses*, the courthouse was more than just a structure for Texas communities; it became "the predominant symbol of a county's life, of its culture, of its pride." You may go to Lockhart for the barbecue (trust me – you should) but stay for a visit to the 1894 Caldwell County Courthouse – a Napoleonic style building of white limestone and real Pecos sandstone that wouldn't look out of place in a European history book. Or visit the Presidio County Courthouse the next time you're in Marfa. Designed in Italianate style by famed architect Alfred Giles (who is also credited with the courthouses in Laredo and Falfurrias), the courthouse opened in 1886, when cattle outnumbered humans in Marfa by 1,000 to one.

We hope you enjoy this "places and things" – themed issue. We're proud to bring you articles by Dan Utley and Bob Brinkman on the historic courthouses of East Texas and the Trans-Pecos; by Matthew Kolodoski on the judicial portraits that adorn the Supreme Court of Texas, and by Frank Mace on what a map of San Jacinto County tells us about 19th-century Texas history. Perhaps the next time you find yourself in a historic Texas courthouse or a hearing, you'll linger a bit and enjoy some of the history.



Caldwell County Courthouse



Presidio County Courthouse

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Revisiting the Historic Texas Courthouse Preservation Program at the Margins: The Trans-Pecos and East Texas

By Bob Brinkman and Dan K. Utley
Photos from the Texas Historical Commission Files

***Authors' Note:** In 2005, during the early years of the Historic Texas Courthouse Preservation Program, an initiative of the Texas Historical Commission, the authors wrote two journal articles on the unique state-county partnership. They were: "Landmarks of Law West of the Pecos: Preserving Historic Courthouses of the Big Bend," which appeared in *The Journal of Big Bend Studies*, and "More Than Bricks and Mortar: Preserving Historic Courthouses in East Texas," in the *East Texas Historical Journal*. Almost two decades later, the two authors—still friends and writing colleagues—were asked by the Hon. John G. Browning, editor-in-chief of the *Journal of the Texas Supreme Court Historical Society* to revisit the two articles with an eye to amalgamation and updating. Herewith the result of that process. Please note that this new article draws heavily on the earlier works, where practical, and enhances them with updated information. Our thanks to Dr. Bryon Schroeder, JBBS, and Dr. Scott Sosebee, ETHJ, for their kind assistance in that regard. While contextually there are many facets to the broader story of Texas courthouses—legal, judicial, political, and otherwise—the emphasis here will be the associated history and architecture. We hope the results will provide readers with an appreciation for the value of preserving the state's vast collection—the largest of any state in the nation—of the grand old temples of justice.*

In the broad context of the Texas built environment, among the earliest determinants of community were schoolhouses and church buildings, in the form of one-room vernacular structures that served the dual functions. Early commercial institutions included stores, cotton gins, liverys, and mills. These were the structures where people gathered and where the focus of community began. When there were sufficient numbers of settlers in a given area to demonstrate a stable civilization and therefore warrant the development of government, the state legislature formed counties, some new and others as divisions of larger ones already in existence. Within the sub-context of the new judicial and political entities, the first determinant of government, both state and local, was a courthouse, usually followed in short order by a jail. It was the courthouse, though, that set the future framework for the seat of government, providing a geopolitical hub from which a city with some promise of success began to emerge. The directional footprint and siting of the county courthouse within a square literally determined where that development—even commercial development—would take place, at least in the formative years of the county seat. Early courthouses in newly organized counties were often more utilitarian and vernacular than monumental. With the relative stability of the county organization, however, the courthouse soon began to stylistically reflect such public concerns as growth, permanence, justice, and security. As architectural historian Willard B. Robinson noted, "durable architecture provided psychological security and cemented the stones of faith in posterity."¹

Much has been written about the architectural symbolism incorporated into public building design, with more than frequent comparisons to the grand community landmarks of past cultures. With that and a broad international context of public architecture in mind, Robinson viewed the

county courthouse building type as a temple of justice, representing the collective spirit of an era and a people. “Rather than focusing upon a church or a palace, as in Europe and in other countries in the Americas, society in the United States found security and organization in county courthouses.” The symbolism associated with courthouses derived from architectural themes collectively understood regardless of styles or ornamentation, or the formation of the square within the surrounding cultural landscape. The vocabulary of courthouse architecture in Texas, especially in the late 19th century and early 20th century, the heyday of the state’s courthouse construction, worked through a reliance on mass, soaring or sweeping visual lines, and progressive detailing. But the symbolic nature of courthouses was also politically inherent in that the outward reflection of design represented implied levels of self-governance, from county to state and federal, with the county borrowing symbolically from the others. Courthouses were, in effect, county Capitols, and this significant role was not lost in the architecture.²

What sometimes became lost in the translation of concepts was the fact that counties are also entities of the state, and so courthouses, in effect, belonged not only to the county, but to the people of the state as well. That was the basis and justification for early legislation in Texas that responded to a public concern for the state’s unique collection of courthouses—the largest number of historic courthouses for any state in the nation. The legislation came within a decade of the National Historic Preservation Act of 1966, which codified recognized preservation standards through such aspects of the program as a National Register of Historic Places (NRHP) and statewide historic site surveys. Both are now considered essential elements for community planning.

As the historic preservation movement began to evolve within the Texan culture, there was a growing public awareness that among the most vulnerable of landmark structures were county courthouses. Not only were they commonly subject to a lack of comprehensive maintenance planning as a result of inadequate or misguided budgets and the cyclical, political turnover of county government, but they also suffered from a relatively small pool of adequately trained preservation professionals in the state. Texas would lag behind other states in that regard for years.

A pattern of vulnerability threatening Texas courthouses became evident in the 1950s when thirteen counties demolished their landmark court buildings, in part a response to unprecedented growth in the decade following World War II. The decline slowed in the 1960s, but by the early 1970s another twelve courthouses were gone. Among those in East Texas lost during this post war era were ones in Huntsville, Walker County, and in Madisonville, Madison County. The overwhelmingly complex decisions and financial burdens counties had to face following such devastating losses were not lost on state officials, and the initial reaction, developed by legislators in conjunction with the Texas Historical Commission, the State Historic Preservation Office (SHPO), formally designated under the National Historic Preservation Act, was to formulate a proactive approach to the situation.³

In 1973, the Texas Legislature adopted section 442.008 of the Texas Government Code requiring counties to notify the THC six months prior to proposed demolition or alteration of a county courthouse considered to be historic as defined under the NRHP criteria. Essentially that meant structures at least fifty years old that retain a high degree of original architectural integrity. At the time of passage, the state legislation was unique on the national scale. The mandated review period, backed by provisions for injunctive relief and penalties, was designed to ensure

a county-state dialogue centered on preservation issues. Enforcement was problematic in the early years, but with time education efforts targeted to county officials, coupled with and further defined through case law and regulatory practice, the so-called “courthouse law” became widely accepted. The provision has proven to be effective in addressing the loss of historic courthouses. In the fifty years since its implementation, only four have been demolished: two in West Texas (Stonewall and Nolan counties) and two in East Texas (Bowie and Waller counties, with the latter being the most recent).⁴

The vulnerability of Texas’ historic public buildings gained national attention in February 1983, when a late-night fire spread quickly through the east wing of the Texas Capitol in Austin. Years of deferred maintenance and ill-planned, minimalistic interior alterations, including dropped ceilings and a virtual labyrinth of hollow frame walls and partitions in what had originally been open space, coupled with the absence of a fire suppressant system, put the 1888 structure in immediate jeopardy. Architect Vincent P. Hauser, making the association between the state’s premier public building and those temples of justice at the county level, later wrote, “The Texas Capitol, like the aging courthouses throughout the state, had been transformed into something resembling a Dagwood sandwich left in the refrigerator a bit too long.”⁵

The Texas Legislature reacted quickly in response to the fire, establishing the State Preservation Board (SPB) within weeks to oversee rehabilitation of the burned-out wing, as well as full restoration of the entire structure. The new agency was also charged with restoration of the nearby historic General Land Office Building, which would eventually serve as a visitor center for the refurbished Capitol. Central to the restoration effort was development of a master preservation plan that provided detailed analysis of the original structure, the various changes over the years, the immediacy of the restoration needs, the need for protection measures, and a plan for updating systems and spaces within the context of a historic building. Preservation master plans had long been essential elements of restoration projects, but this particular plan, highlighted in part by a bold decision to expand the Capitol by means of a massive underground extension to the north, gained the attention of the public, government officials, and the national preservation community. In so doing, it became a viable model for others to follow or consider.

Before work was complete on the state’s largest preservation effort to that time, there was another public alert, this time in Hillsboro, Hill County. On January 1, 1993, the ornate 1890 Hill County Courthouse also burned. Designed by architect W. C. Dodson of Waco, the stately building exhibited elements of Italianate, Second Empire, and Classical Revival styles. Recognized as one of the best of the state’s historic courthouses, the building was designated a Recorded Texas Historic Landmark and State Archeological Landmark and was listed in the NRHP. The results of the Hill County Courthouse fire were, in some respects, even more devastating than those sustained in the Capitol fire a decade earlier. Started as a result of faulty wiring problems, the fire began on the seldom-used third floor and quickly spread into the central bell tower, which eventually collapsed downward into the second-floor courtroom. The rusticated limestone walls of the exterior held firm, containing the blaze, but as a number of fire departments responded to the scene, the interior space suffered extensive damage from both fire and water.⁶

The near total loss of the Hill County Courthouse marked a key turning point in both public

and private perceptions of historic preservation in Texas. While the incident was devastating and dramatic, the fire occurred in a community with a proven preservation ethic, and at a time when public and government sentiment towards saving historic structures was on the rise. In 1981, Hillsboro committed to be one of the first cities in Texas, and among the earliest in the nation, to join the Main Street program, a partnership between the THC and the National Trust for Historic Preservation that promotes pragmatic commercial development and marketing in historic downtowns emphasizing historic preservation and heritage tourism. Hillsboro's early success within that new program for more than a decade helped community leaders and citizens understand both the potential and feasibility of preserving the past, and the Hillsboro town square had been dramatically rehabilitated as a result. The defining centerpiece and the focal point of the growing town for a century was the 1890 courthouse, a landmark visible for miles on the surrounding landscape of rolling prairie hills. Given the town's and county's positive view of historic preservation and the support of county officials and state leaders, there was little doubt the county would choose to restore rather than replace despite the magnitude of the undertaking. The fiscal commitment alone was staggering; estimates above and beyond the insurance settlement necessitated an additional \$8 million, a substantial sum to be raised in a county of less than 30,000 residents.

With a spirit of solidarity, the commitment to preserve the community's sense of historic place came quickly. Within days, the Hill County Historical Commission sponsored a public forum on the campus of Hill College to discuss the matter. Donations and pledges were already pouring in by the time of the meeting, which resulted in the formation of a courthouse restoration committee and the establishment of restoration accounts through local financial institutions. The staff of both the THC and the SPB provided technical assistance, and the project moved steadily forward in uncharted waters. The lack of original construction documents and related archival materials like detailed early photos hindered the development of the master preservation plan, a factor state officials would later address in courthouse preservation programs. Against great odds other counties would not have to face, the coalition of committed county and state officials, project architects, local citizens, contractors, and workers persevered, however, and the rehabilitated, refurbished, and restored courthouse opened back up to the public in 1995.

The lessons learned from the Hill County Courthouse fire directly affected public attitude toward courthouse restoration. An immediate response by the THC, with federal funding from an Intermodal Surface Transportation Efficiency Act (ISTEA, 1991) grant administered by the Texas Department of Transportation was establishment of the Texas Courthouse Alliance (TCA). The TCA brought together a THC team of trained technical preservationists, including architects and historians, that traveled the state documenting fifty-five of the most endangered historic county courthouses. Through detailed onsite inspections and analysis for thirty-one of the buildings, the TCA developed detailed reports that pointed to specific deficiencies in the historic buildings.⁷

As the TCA was well underway with its documentation effort, public awareness of the need for courthouse preservation in Texas gained momentum in an important forum. Gov. George W. Bush, then running for reelection to a second term in office, included courthouse preservation in his campaign platform. Speaking to a Beaumont gathering in early December 1997, he said, "And as we build our future, we must not forget our grand Texas heritage. I propose a joint state and local courthouse revitalization project to preserve and restore the unique and historic structures

that are a symbolic center of our Texas community: our county courthouses.” Six months later, on June 15, 1998, at an Austin press conference where the National Trust for Historic Preservation announced the historic courthouses of Texas, as a group (225 at the time), would be included in its list of Eleven Most Endangered Historic Sites for that year. Governor Bush used the occasion to also reveal further details of his proposed courthouse initiative. Over the ensuing months, an advisory group and a working group appointed by him began the process of outlining legislation necessary to implement the program. The following year, the Texas Legislature approved the Texas Historic Courthouse Preservation Program (THCPP), a nationally precedent-setting preservation effort, and Governor Bush signed it into law. That set the stage for what has been the largest preservation effort undertaken to date by a state on behalf of its county courthouses.⁸

Lessons learned in restoration work on the State Capitol and the Hill County Courthouse were incorporated into the new program. There was requisite reliance on preservation master plans, which the counties had to fund, and on community involvement throughout the process. A set of criteria addressed such concerns as the age, degree of endangerment, historical and architectural significance, life safety issues, and prior code compliance. Programmatic qualifications restricted the funding to county-owned courthouses rather than those then in private ownership, in favor of the ones that were still used for primary county court functions. The objective was to promote the viability of the buildings as functioning courthouses, rather than as museums or annexes.

In August 2000, as legislators began preparing for the upcoming session only a few months away, the state received another significant wake-up call, and this time the alarm sounded from the Piney Woods of Deep East Texas. Following the end of a regular workday, a fire started and began to spread in the upper floors of the 1902 Newton County Courthouse in Newton. Ironically and perhaps providentially, the structure had already been documented through the TCA, and consulting architects had analyzed the building for a master preservation plan in association with the THCPP. While only the master preservation plan had been undertaken, there were at least detailed records and photographic documentation, unlike the situation in Hill County seven years earlier, and that gave Newton County an advantage with regard to accurate reconstruction. But Newton County has a considerably smaller economy and population (15,000 in 2000) than Hill County, so the decision to preserve was made more difficult by those considerations. As in Hill County, the fire in Newton left the courthouse a shell of sound exterior walls with no roof and a gutted interior space. County officials weighed their options, which included construction of a tilt-wall structure on the square, but after meeting onsite with THC staff decided to continue with the courthouse preservation program. They were soon rewarded with emergency funding that provided structural stabilization and a roof system that helped enclose the ruins until full restoration could get underway.⁹

As of this writing in 2024, the THCPP has been in existence for twenty-six years and in that time has funded complete restorations of seventy-nine courthouses (that number includes some still with ongoing work), representing every region of the state. The purpose of this article is to provide an update on two of those regions, the Trans Pecos and East Texas, the west and east margins of the state. The information provided below is accurate to 2023. At the time of writing this article in June 2024, an extensive review of counties that applied for current-round funding is in process.

The Trans-Pecos

The Trans-Pecos area of far West Texas consists of nine counties lying west of the interstate Pecos River, which rises in New Mexico and flows south and southeast 900 miles before merging with the Rio Grande. Principal cities of the region include El Paso, Pecos, Fort Stockton, Fort Davis, and Alpine. It is roughly the size of South Carolina and a land of harsh climates, sparse vegetation, and dramatic scenery. According to *The Handbook of Texas Online*, “Basin and range topography offers higher elevations and greater local relief than can be found anywhere else in Texas.... The basins are elevated about 4000 feet and crossed by numerous widely spaced mountain ranges that rise an additional 2000 to 3000 feet.” The mountains include the highest point in Texas, Guadalupe Peak, at an elevation 8749 feet.¹⁰

The counties of the Trans-Pecos represent an interesting regional study within the context of the state’s historic courthouses. A comparison of the characteristics of Trans-Pecos courthouses with those in the rest of the Lone Star State as a whole indicate the region can correctly be considered a unique entity with respect to historic halls of justice. While social, political, and economic forces in the area may not be significantly distinct from those elsewhere, trends of history and historic preservation have combined to create a noteworthy collection of courthouses in the counties on the west side of the state. In this study area, nineteen buildings have served the nine counties of the big bend region. By discounting the anomaly of El Paso County, where seven buildings have served as official courthouses over a century and a half, the average drops even lower. Four counties—Culberson, Jeff Davis, Pecos, and Reeves—have had just two courthouses each, while four others—Brewster, Hudspeth, Presidio, and Terrell—are still utilizing their original temples of justice. No other contiguous area of Texas contains such results. This may be partly due to the relatively new age of the West Texas counties and relatively slow growth in population, but also might be explained in part by fiscal practicality and good preservation practices.¹¹

To date, three county courthouses in the Trans-Pecos have been fully restored through grants from the THCPP. They are, in chronological order from the earliest date of construction:

Presidio County Courthouse, Marfa, 1886

J. H. Britton of Sherman, Texas, served as the general contractor for the design of noted San Antonio architect Alfred Giles. The Second Empire style features influences of Italianate detailing. Key elements include the mansard roof, corner quoins, central pedimented bay, and a segmented dome topped by a Lady Justice statue. The original brick walls were later plastered and painted to address porosity issues. Grant funded restoration work addressed accessibility, roof repairs, rewiring, and interior woodwork refurbishing. The restored courthouse opened in 2002.¹²

Jeff Davis County Courthouse, Fort Davis, 1910

Dallas architect Leslie L. Thurmon designed the building in the Classical Revival style featuring bands of locally quarried stone, a Beaux Arts clock tower, and a massive portico atop Doric columns. Interior restoration work funded through the THCPP featured treatment of unique faux wood finishes and rehabilitation of the courtroom, including reconstruction of the balcony. The courthouse reopened in 2003.¹³



The 1886 courthouse at Marfa is the only courthouse to have ever served Presidio County and was one of the first Texas Historic Courthouse Preservation Program projects, completed in 2002.



Jeff Davis County's 1910 courthouse, one of several in Texas designed by architect Leslie L. Thurmon, reopened in 2003 following restoration.

Hudspeth County Courthouse, Sierra Blanca, 1919

The El Paso architectural firm of Buetell and Hardie designed the state's only adobe courthouse in "a Mediterranean style, reminiscent of Renaissance Revival." THCPP work included systems upgrades, foundation stabilization, accessibility issues compliance, a metal shingle roof upgrade, and the removal and replacement of exterior stuccoing. Work began in 2002 and concluded in April 2004.¹⁴

East Texas

The region known as East Texas is roughly the size of the state of Indiana. While there are state boundaries to the north and east, with the Gulf of Mexico to the south, there is no commonly agreed upon line along the western edge, which leads to conjecture about the number of counties it encompasses. Some writers equate the region with the Piney Woods, the western limit of the great Southern pine forest, but the diversity of the natural environment precludes that single qualifier. Others try to impose a built environment boundary on the western edge, using Interstate 35 as the line of demarcation, but that too is problematic. Much has been written about where the West begins, and conversely where the Old South ends, with the best description the authors have come across told by Archie P. McDonald, the longtime dean of East Texas historians, who wryly observed, "It is what it is, is about the best thing I can say." For the purposes of this study, then, the authors used their personal experiences as cultural historians and heritage travelers to select fifty-two counties.¹⁵

East Texas serves as a microcosm of the state and yet possesses significantly unique characteristics that make it a viable area of study. The designs for the forty-five historic courthouses in the region are spread among thirty-two architects and firms, with only two of these having designed more than a pair. From the time the counties in the study area were created and organized to the present, they have been home to an aggregate total of 231 courthouses, an average of more than four courthouses per county. Cass County is the most exceptional case, still using its 1859 courthouse, albeit with later additions. At the other end of the spectrum are Fannin, Galveston, and Liberty counties, each of which has called seven different buildings the seat of justice and county business. Because East Texas counties have had longer to replace deteriorated or inadequate structures and also to build new ones based on demands of growth or changes in architectural styles and tastes, the number of courthouses has changed more frequently in East Texas than elsewhere in the state.¹⁶

As of this writing, seventeen courthouses in the East Texas region have been fully funded through the THCPP. Again following a chronological order from the earliest to the latest dates of construction, they are:

Cass County Courthouse, Linden, 1859 (1865)

Charles Ames designed what is now the state's oldest courthouse in continuous use. Construction began in the antebellum era and was not formally completed until after the Civil War. The original section has been enlarged and modified significantly through the years, including the addition of a third floor, so it was restored to reflect its 1934 appearance as a Classical Revival design. The THCPP project necessitated removal of a 1980 addition and included the replication of interior furnishings. The work was finalized in 2012.¹⁷

Red River County Courthouse, Clarksville, 1885

Located outside the town's commercial district, the stately structure exhibits Italian Renaissance styling by architect William Wilson. Restoration addressed stone deterioration and water infiltration issues. The courthouse was rededicated in 2002.¹⁸

Leon County Courthouse, Centerville, 1886

The courthouse is an example of architectural salvage or recycling, as it was built on the footprint of an earlier courthouse utilizing bricks from the prior structure. Built in 1886, it is the design of William Johnson, who used elements of the Italianate style, including bracketed eaves and decorative window hood moulds. Restoration work dated to the 1909 era and included restrooms for the first time. Interior detailing features fireplaces, wainscoting, ceiling fans, and black walnut trim. Rededication of the courthouse took place in 2007.¹⁹

Fannin County Courthouse, Bonham, 1889

Restoration work resulted in one of the most dramatic makeovers in the THCPP program, as the original design had been covered up and modified (modernized) following a fire in 1929 and later encased (slip covered) with flat panels in the 1960s. The THCPP grant allowed the county to restore the structure to its Second Empire grandeur. It included full restoration of the courtroom, which had been divided, and replacement of the bell tower. Rededication occurred in 2022, marked by the ceremonial ringing of the bell. Attending the event was Mary Helen Dodson, great-granddaughter of designer W.C. Dodson.²⁰

Grimes County Courthouse, Anderson, 1893

Prominently sited on a hilltop square not much larger than the building footprint, the courthouse can be seen for long distances across the rolling landscape. F.S. Glover and Company designed the Italianate structure, which features a distinctive double stairway entry. Prominent detailing includes a central bell tower, chimneys, decorative window hood moulds, and rusticated corner quoins. Restoration work repaired termite damaged elements and addressed structural issues. The project was completed in 2002.²¹

Hopkins County Courthouse, Sulphur Springs, 1895

Master courthouse designer J. Riely Gordon of San Antonio used elements of the Romanesque Revival style in one of the grand courthouses of Texas. He used red granite and contrasting sandstone to highlight prominent features, including arches, decorative detailing, and quarter-circular entryways. Completed in 2002, the grant funded work included extensive exterior restoration and window rehabilitation.²²

Harrison County Courthouse, Marshall, 1900

Also the design of J. Riely Gordon, the Neoclassical Beaux Arts courthouse features corn yellow brick walls, pink granite columns, and detailed Lueders limestone (Jones County). Interior furnishings funded by the THCPP include a stained-glass cupola and ornamental plaster work and painting in the atrium and courtroom. As noted in the THCPP listing, the restoration "Opened porches that had been enclosed, rehabilitated windows and doors, updated the building systems, cleaned and restored brick and limestone masonry, opened the double height courtroom, and restored and recreated ornamental finishes throughout the building." Rededication occurred in 2009.²³



The 1889 appearance of the Fannin County Courthouse, obscured and altered through much of the 20th century, was painstakingly recovered and celebrated in a 2022 rededication.



The distinctive brick and stone 1893 Grimes County Courthouse was one of the first completed projects of the Texas Historic Courthouse Preservation Program, being rededicated in 2002.

Newton County Courthouse, 1902

A devastating fire in 2000 necessitated emergency funding for the courthouse, which had been left in ruins. Restoration included full replacement and replication of interior and exterior elements. The Second Empire courthouse is the design of Martin and Moodie, contractors of Comanche, Texas. It was originally constructed of locally sourced brick and featured three floors, a second-floor balcony, pedimented entryway, and central bell tower, replaced by a steel and aluminum replica manufactured in Utah. Work was completed in 2012.²⁴

Rains County Courthouse, Emory, 1908

Architect Andrew J. Bryan used the Neoclassical design, a style popular in the early twentieth century. The building features pedimented entryways, paired and tripartite window openings, and a pedimented roof with chimneys and a segmented dome. Restoration work included removal of an addition on the north side and the replacement of metal shingles on the dome. The project was completed in 2010.²⁵



J. Riely Gordon's 1900 design for the Harrison County Courthouse features an elaborately detailed rotunda which was refinished in the building's restoration completed in 2009.



A devastating fire in 2000 resulted in a full restoration of Newton County's 1902 courthouse, which was joyously rededicated in 2012.

Harris County Courthouse, Houston, 1910

The elaborate and exuberant Beaux Arts and Neoclassical design by the Dallas firm of Lang, Witchell, and Bargebaugh features a rectangular plan with a two-story rusticated raised basement, a two-story courtroom section, and arched entryways. Tall classical columns and an ornate central dome accentuated by a drum, lantern, and finial reinforce vertical sightlines that draw the eye upward from the horizontality of the base. Work on the courthouse concluded in 2011.²⁶

Franklin County Courthouse, Mount Vernon, 1912

Architect L.L. Thurmon, designer of the Jeff Davis County Courthouse in the Trans-Pecos region used similar lines in his plan for the Franklin County Courthouse. The Classical Revival style he used featured a raised basement, an extended central stairway, and a five-bay pedimented main entry flanked by classical columns. Topping the structure is an ornate segmented clock and bell tower. Rededication occurred in 2014.²⁷

Marion County Courthouse, Jefferson, 1913

Fort Worth architect E. G. Withers designed the Greek Revival building, which features a dark masonry raised basement topped by two stories of contrasting brick. The primary entry is highlighted by a three-bay inset main section with classical columns and a pedimented doorway flanked by pilasters. A stately cornice includes dentil molding and a rooftop balustrade. Restoration work included window rehabilitation, accessibility, upgraded drainage, and the addition of LED lighting and air conditioning. Work on the lengthy project concluded with a special celebration in May 2021. Cutting the ribbon that day was Marcia Thomas, great granddaughter of a county commissioner who was present at the building's dedication in 1913.²⁸

Trinity County Courthouse, Groveton, 1914

The Austin architectural firm of C.H. Page and Brother incorporated the style and structure of the existing Records Building, which became the west wing of the new Neoclassical courthouse. The result was a three-part composition design that gave the building a long slender footprint. The central portion is stepped above and in front of the others and includes classical columns and a pediment over the entryway. Restoration work included asbestos abatement, landscaping, reconfiguring of the district courtroom to the original placement, and replication of millwork and benches. The extensive project ended with a rededication in 2011.²⁹

Lamar County Courthouse, Paris, 1917

The design of the noted Fort Worth architectural firm of Sanguinet & Staats "represents an unusual fusion of Classical Revival with heavy Romanesque details, arches, and columns." Built after the devastating Paris fire of 1916, the building includes a records vault which predates the conflagration. The THCPP grant funded the removal of non-historic partitions and dropped ceilings, and allowed the courtroom to be opened to its original two-story height, complete with the balcony and intricate plaster work and stenciling. Rededication occurred in 2005.³⁰

Polk County Courthouse, Livingston, 1924

The fifth courthouse for the county, the structure features Classical Revival design with Beaux Arts influences, as drawn by the Houston firm McLelland & Fink. It originally included space for an auditorium and post office. Restoration work is currently in process.³¹

San Augustine County Courthouse, San Augustine, 1927

Lufkin (later Tyler) architect Shirley Simons designed the building in the Classical Revival style. Symmetrical in plan, it utilizes a Lueders stone (Jones County) veneer and features pilasters, distinctive small pane window treatments, and a pronounced central entry bay. New Deal photographer Russell Lee took many of his famous Farm Security Administration photos of small-town life on the square with the courthouse as a backdrop. Grant funding allowed restoration of the green tile roof, cleaning of the exterior, system upgrades and replacement, and reconstruction of the county courtroom. Rededication occurred in 2010.³²

Upshur County Courthouse, Gilmer, 1933

E. G. Withers designed the Moderne Classical structure in a traditional H-plan utilizing "geometric stepped masses" and relatively minimal ornamentation. A distinctive element is the tripartite arched entryway. Restoration work, which is currently ongoing, calls for restoration of the county courtroom and utilization of the former fifth-floor jail for office space.³³



Preservation work at the 1886 Leon County Courthouse, completed in 2007, included full restoration of the courtroom space.



The 1927 San Augustine County Courthouse, the only courthouse designed by architect Shirley Simons, was restored and rededicated in 2010.



In the Trans-Pecos and East Texas, as well as other regions, the Texas Historic Courthouse Preservation Program has proven to be a successful and innovative approach to preserving many of the state's most revered governmental icons. Through landmark legislation and landmark preservation, the program has allowed counties to retain their historic courthouses, but also to continue their use as viable centers of government operations and community activities. As such, they remain determinants of community, much as they did when they or their predecessors were originally built. The counties of the two regions boast many of the state's unique courthouses, and each in its own way serves to reflect the ideals of the past and the present, bridging the generation gap architecturally through a public trust. As enduring symbols of hope and promise, they remain determinants not only of history, but a sense of place as well.

ENDNOTES

- ¹ Willard Robinson. *The People's Architecture: Texas Courthouses, Jails and Municipal Building*, (Austin: Texas State Historical Association, 1983), 5.
- ² Robinson, 4.
- ³ Stanley O. Graves, "Justice Under the Dome: The Symbolism of Our County Courthouses," *Heritage*, Summer 1998, 9.
- ⁴ Graves, 9.
- ⁵ "Fatal Fire at State Capitol Accidental," *Fort Worth Star Telegram*, February 7, 1983, 1-2; "Vincent P. Hauser, "Learning from Hillsboro," *Cite*. Winter 1996, 37.
- ⁶ "Rising from the Ashes," *Texas Architect*, March-April 1993, 14.
- ⁷ "Texas Courthouse Alliance Project," Texas Historical Commission, final report to the Texas Department of Transportation, 1999.
- ⁸ Graves, 6; Richard L. Smith, "Bush launches campaign for re-election," *Orange Leader* (Orange, TX), Dec. 5, 1997, 1-2.
- ⁹ THCPP files for Newton County Courthouse, THC.
- ¹⁰ Robert H. Schmidt, "Trans-Pecos," *Handbook of Texas Online*, accessed June 11, 2024, <https://www.tshaonline.org/handbook/entries/trans-pecos>.
- ¹¹ THCPP files, THC.
- ¹² THCPP files, NRHP files, marker files, THC.
- ¹³ THCPP files, NRHP files, marker files, THC.
- ¹⁴ THCPP files, THC.
- ¹⁵ Archie P. McDonald. *Archie P. McDonald: A Life in Texas History*, (College Station: Texas A&M University Press, 2016), 1.
- ¹⁶ Authors' analysis using THCPP data.
- ¹⁷ THCPP files, marker files, THC.
- ¹⁸ *Ibid.*
- ¹⁹ THCPP files, THC.
- ²⁰ *Ibid.*
- ²¹ *Ibid.*
- ²² *Ibid.*; marker files, THC.
- ²³ THCPP files, THC.
- ²⁴ *Ibid.*
- ²⁵ *Ibid.*
- ²⁶ *Ibid.*

²⁷ NRHP files, THC.

²⁸ THCPP files, THC.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ Marker files, THC.

³² THCPP files, marker files, THC.

³³ THCPP files, THC.



BOB BRINKMAN *is the Coordinator of the Historical Markers Program for the Texas Historical Commission.*



DAN K. UTLEY *is the retired Chief Historian of the Center for Texas Public History at Texas State University.*

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Portraits of Justice:

Judicial Portraits at the Texas Supreme Court

By Matthew J. Kolodoski



Have you ever considered how many Justices are staring down at you as you stand at the lectern in the Texas Supreme Court? Nine of them are typically easy to spot, as they wear black robes, pepper you with questions, and perhaps make you question your arguments, ability, or sanity. They sit on the bench as members of the current Texas Supreme Court. If your answer was simply those nine Justices, your answer was incorrect. Or, at least, your answer was incomplete. Although the current Court is comprised of an esteemed group, you have missed twenty-nine others. If you take a moment to look at the walls of the courtroom, you will see them. Each advocate is making their case in front of other Justices as well. Hanging on the walls of the courtroom of the Supreme Court of Texas are portraits of twenty-nine notable Justices from the history of the Texas Supreme Court.

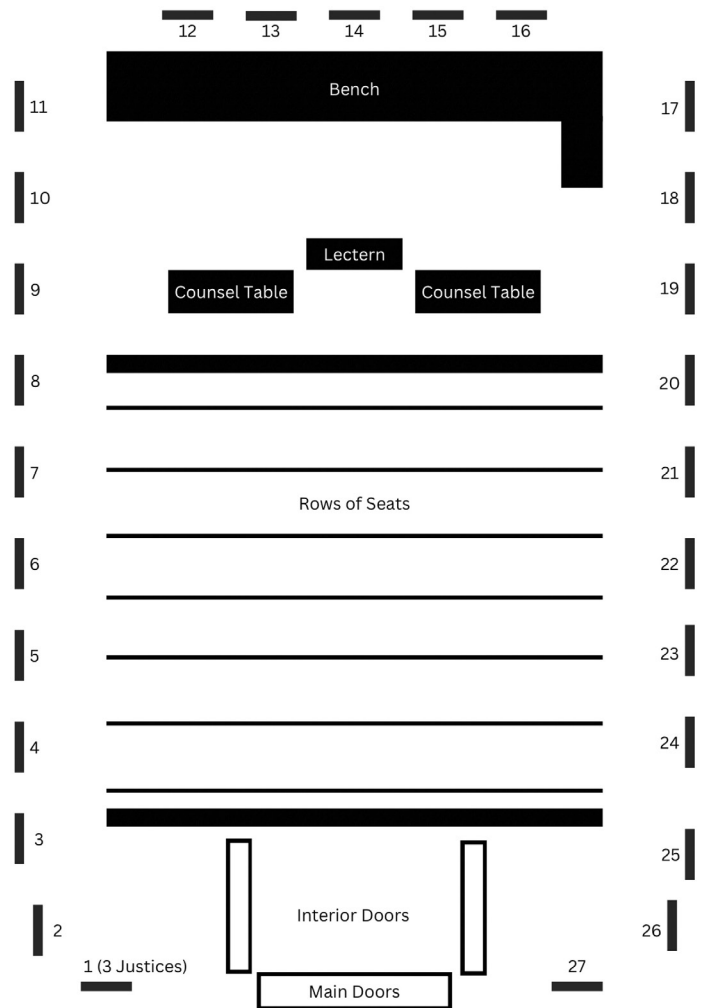
Ranging from the three members of the specially appointed All-Woman Supreme Court who were appointed as special justices to hear a single case in 1925 to Senator John Cornyn, who served as a Justice of the Texas Supreme Court between 1991 and 1997, the walls of the Texas Supreme Court are covered in history—not just Texas history but American history. The judicial portraits convey information about their subjects; however, they also convey information about how each Justice is seen either by themselves or posterity. On June 27, 2024, I had the privilege to view the judicial portraits at the Texas Supreme Court with Justice Jane Bland. This article provides an overview of the portraits on display during my visit.

I. THE COURTROOM

After you step through the main doors to the Texas Supreme Court, judicial portraits adorn the walls on your right and left.¹ For clarity, I have numbered the portraits 1 through 27 on the diagram below, starting on the immediate left of the main entry door and moving clockwise through the courtroom until the portraits circle back to the main entry door.²

Each portrait's number corresponds to the following list of Justices. I have provided dates of tenure as a Justice and/or Chief Justice for reference.

1. **All-Woman Supreme Court: Chief Justice Hortense Ward, Justice Ruth Brazzil, and Justice Hattie Henenberg** appointed by Governor Pat M. Neff in 1925 to hear the case *W. T. Johnson et al. v. J. M. Darr et al.*
2. **Will R. Wilson, Sr.** Justice: 1950-1956
3. **Clyde E. Smith** Justice: 1950-1970
4. **Zollie Steakley** Justice: 1961-1980
5. **Ruel C. Walker** Justice: 1954-1975
6. **Price Daniel** Justice: 1971-1978
7. **Michael Haygood Schneider** Justice: 2002-2004
8. **Raul A. Gonzalez** Justice: 1984-1998
9. **William L. Garwood** Justice: 1979-1980
10. **Sam Johnson** Justice: 1973-1979
11. **Ruby Kless Sondock** Justice: 1982
12. **Andrew Jackson "Jack" Pope** Justice: 1965-1982, Chief Justice: 1982-1985
13. **Robert W. Calvert** Justice: 1950-1960, Chief Justice: 1961-1972
14. **John Edward Hickman** Justice: 1945-1948, Chief Justice: 1948-1960
15. **Joe R. Greenhill** Justice: 1957-1972, Chief Justice: 1972-1982
16. **John L. Hill** Chief Justice: 1985-1988
17. **James P. Alexander** Chief Justice 1941-1948
18. **John Cornyn** Justice: 1991-1997
19. **Jack Hightower** Justice: 1989-1996
20. **Priscilla Richman** Justice: 1995-2005
21. **Meade F. Griffin** Justice: 1949-1968
22. **Thomas M. Reavley** Justice: 1968-1977
23. **Xavier Rodriguez** Justice: 2001-2002
24. **Frank P. Culver, Jr.** Justice: 1953-1964
25. **Franklin S. Spears** Justice: 1979-1990
26. **Charles W. Barrow** Justice: 1977-1984
27. **Barbara Culver** Justice: 1988



¹ For purposes of this article, all directional references will be based on facing the bench from the main entry door or lectern.

² The diagram is provided for reference and is not made to scale.



Left: Justice Bland telling Matthew Kolodoski about the importance of the judicial portraits.
 Right: Justice Bland discussing the portraits of former Chief Justices above the bench.

Twenty-six portraits have only one subject, as you would expect with a judicial portrait. On the other hand, Portrait 1 is notable because it includes all three members of the All-Woman Supreme Court—Chief Justice Hortense Ward, Justice Ruth Brazzil, and Justice Hattie Henenberg. As noted above, they were appointed as special justices by Governor Pat Neff in 1925 to hear *W. T. Johnson et al. v. J. M. Darr et al.*, since all three members of the Texas Supreme Court were disqualified from hearing the case.³

The portraits in the courtroom are arranged without a specific chronological order. And I was informed during my visit that the presiding Chief Justice selects which portraits are displayed in the courtroom. However, there are some discernable norms. First, former Justices who returned to private practice (and might therefore appear before the Texas Supreme Court) are not displayed within the courtroom. However, living former Justices who are not in private practice can be displayed in the courtroom. This is apparent with the display in the courtroom of portraits of Senator John Cornyn,⁴ Judge Priscilla Richman of the U.S. Court of Appeals of the Fifth Circuit,⁵ and Judge Xavier Rodriguez of the U.S. District Court for the Western District of Texas.⁶ Second, the five portraits immediately behind the bench are all of former Chief Justices.⁷ However, Chief Justice James P. Alexander is not displayed behind the bench. Rather, his portrait is displayed on the right wall closest to the bench.⁸ Moreover, portraits of all Chief Justices from 1945 onward are hanging in the courtroom, except for those currently in private practice.⁹

³ Portrait 1. Debbie Mauldin Cottrell, "All-Woman Supreme Court," *Handbook of Texas*, Texas State Historical Association, Nov. 25, 2019, <https://www.tshaonline.org/handbook/entries/all-woman-supreme-court>.

⁴ Portrait 18.

⁵ Portrait 20. Judge Richman was previously known during her judicial tenure as Priscilla Richman Owen and the portrait uses that name. However, as of April 14, 2022, she began serving as Priscilla Richman on the U.S. Court of Appeals for the Fifth Circuit, so that version of her name is used for consistency. "Priscilla Richman," *Federal Judicial Center*, <https://www.fjc.gov/history/judges/richman-priscilla>.

⁶ Portrait 23.

⁷ Portraits 12-16.

⁸ Portrait 17.

⁹ Thomas R. Phillips was Chief Justice from 1988 to 2004, and Wallace B. Jefferson was Chief Justice from 2004 to 2013.



Left: Justice Bland discusses the portrait of Justice Barbara Culver (Portrait 27). Right: Justice Bland, Matthew Kolodski, and Texas Supreme Court Archivist Tiffany Gilman view portraits in the courtroom.

Next, although the portraits are similar, there are some noticeable differences. First, Portrait 1 of the All-Woman Supreme Court includes all three of the Justices who were specially appointed for that case. All the other portraits are limited to only one subject. Next, some of the portraits are more realistic than others. In five of the portraits (Portraits 1, 2, 3, 14, and 17), the Justices are not wearing a judicial robe.¹⁰ However, in a majority of the portraits, the Justices do wear a judicial robe. As discussed later in connection with Chief Justice Hickman's portrait—which does not include a judicial robe—prior to the Court moving into its own building (which, unlike the Capitol building, had air conditioning) the Justices of the Texas Supreme Court did not historically wear judicial robes. Thus, we can see an example of how the portraits reflected a change in time and the norms of the Court. Some portraits also have a plain background while others are more involved, such as with the inclusion of a bookshelf, Texas or United States flag, or statue.¹¹ For example, Judge Priscilla Richman's portrait includes a statue of a horse in the background of the painting.¹² Nevertheless, each portrait is different and conveys different information about its subject. Finally, the portraits represent the work of fourteen different artists, including one artist (Brian Makepeace) who painted eight of the twenty-seven portraits on display in the courtroom.

II. SEVERAL NOTABLE PORTRAITS

Although the subject of each judicial portrait on display in the courtroom is notable in their own way, this article will next briefly consider the historic importance of several Justices on display in the courtroom.

¹⁰ Consisting of the All-Woman Supreme Court (Chief Justice Hortense Ward, Justice Ruth Brazzil, and Justice Hattie Henenberg); Justice Will R. Wilson, Sr.; Justice Clyde E. Smith; Chief Justice John Edward Hickman; and Chief Justice James P. Alexander.

¹¹ Compare Portrait 23 (Judge Xavier Rodriguez) (plain gray background) with Portrait 16 (Chief Justice John Hill) (bookshelf background) and Portrait 7 (Justice Michael Haygood Schneider) (background including a flag and scales of justice).

¹² Portrait 20.

A. JUSTICE RUBY KLESS SONDOCK

Located to the immediate right of the Justice's bench hangs the portrait of Justice Ruby Kless Sondock.¹³ Sondock was the first permanent woman to serve on the Texas Supreme Court.¹⁴ She entered the University of Houston Law Center years after marrying and raising a family with "the goal of becoming the best legal secretary."¹⁵ However, she switched career paths and graduated valedictorian of her law class.¹⁶ Sondock was admitted to the Texas bar in 1962.¹⁷ Following law school, she practiced law until Governor Preston Smith appointed her as judge of the Harris County Domestic Relations Court No. 5.¹⁸ She was later appointed by Governor Dolph Brisco to be Judge of the 234th District Court.¹⁹ She was the first woman to hold a district level judgeship in Harris County.²⁰



In 1982, Governor William P. Clements appointed her to the remainder of the unexpired term for Justice James G. Denton on the Texas Supreme Court.²¹ Justice William W. Kilgarlin had defeated Justice Denton in the primary to be placed on the November 1982 general election ballot; however, Justice Denton died prior to the general election.²² Governor Clements appointed Justice Sondock to the remainder of the unexpired term for Place 6.²³ Following her time on the Texas Supreme Court, Sondock returned to the 234th District Court and later had a very successful career as a private mediator in Houston.²⁴ She has been described as "a role model and trailblazer for every female lawyer in Texas."²⁵

¹³ Portrait 11.

¹⁴ James L. Harley, *The Texas Supreme Court: A Narrative History, 1836-1986*, 212 (Univ. of Texas Press 2013).

¹⁵ Hon. Erin Lunceford, "Hon. Ruby Sondock: A Trailblazer for Women in the Law in Every Sense of the Word," 58 *The Houston Lawyer Magazine*, (2020): 13-14.

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ Angela Dordau & Brenda Gunn, "Women in the Law: Stories of Texas Legal Trailblazers," *Texas Bar Journal*, 61 (1998): 86, 87.

¹⁹ *Ibid.*

²⁰ Lunceford, "Hon. Ruby Sondock," 13.

²¹ *Justices, Place 6, Court History*, Texas Judicial Branch, <https://www.txcourts.gov/supreme/about-the-court/court-history/justices-since-1945/justices-place-6/>.

²² *Ibid.*

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

B. CHIEF JUSTICE ANDREW JACKSON "JACK" POPE

Sitting to the far left five portraits behind the bench hangs the portrait of Chief Justice Andrew Jackson "Jack" Pope, Jr.²⁶ Pope was born on April 18, 1913 in Abilene, Texas.²⁷ He attended Abilene Christian College and then earned his law degree in 1937 from the University of Texas.²⁸ Governor Coke Stevenson appointed him Judge of the 94th District Court in 1945.²⁹ He was then elected as a Justice on the Fourth Court of Civil Appeals in San Antonio in 1960.³⁰ Pope was later elected to the Texas Supreme Court in 1964.³¹ Governor William Clements appointed him as Chief Justice in 1982.³² Pope served on the Court for thirty-eight years.³³ During that time, he worked for law reform, including initiating new procedures for handling grievances against attorneys, changing venue rules, and promulgating the Texas Rule of Judicial Education.³⁴ He also wrote the first Jury Handbook, which is given to those called to jury duty; sponsored the creation of the State Law Library; helped draft the first Judicial Code of Conduct; and became a charter member of the Texas Center of Legal Ethics.³⁵



In considering the legacy of Chief Justice Pope, Dr. William Chriss observed:

For almost forty years, as a district judge, appellate justice, Supreme Court justice, and chief justice, Jack Pope sat in an elevated place and listened to debates, and as prefigured when he was six years old in Abilene, the participants turned to him for a decision and essentially asked "who won?" And, though it stands for many noble ideals, Jack Pope's career as a common law judge may well leave as its most enduring

²⁶ Portrait 12.

²⁷ Jack Pope, *Court History, Texas Judicial Branch*, <https://www.txcourts.gov/supreme/about-the-court/court-history/justices-since-1945/chief-justices/jack-pope/> (Excerpt reproduced from the February 27, 2017 edition of the *Austin American-Statesman*).

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Ibid.*

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ *Ibid.*

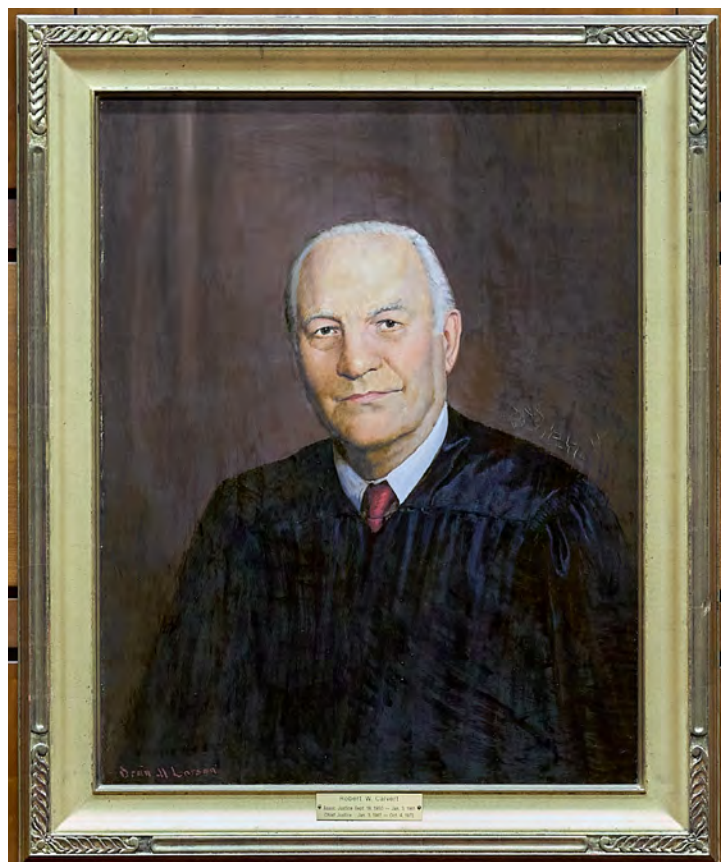
legacy the same declaration he made those many years ago as a six-year-old child in Abilene and that inhered in every decision he made thereafter, that in a republic, the pen is, and indeed must always be, mightier than the sword.³⁶

In sum, Pope's portrait leaves a long shadow on the courtroom.

C. CHIEF JUSTICE ROBERT W. CALVERT

Second from left behind the bench hangs the portrait of Chief Justice Robert W. Calvert.³⁷ Concerning Calvert it has been observed, "Little escaped [his] eagle eye. He was always respectful to counsel, but in oral argument would reduce unprepared attorneys to tears."³⁸ Calvert was born on February 22, 1905.³⁹ He attended both undergraduate and law school at the University of Texas.⁴⁰ After graduating from law school, Calvert practiced law and entered public service in Hillsboro, Texas.⁴¹ About this time, it has been observed: "As a young district attorney, Mr. Calvert was the model of what a prosecutor should be, he was fearless in his commitment to prosecute the guilty, and tireless in his commitment to protect the innocent."⁴²

Calvert served as a member of the Texas House of Representatives from 1933 through 1935.⁴³ He then served as Speaker of the House in 1937.⁴⁴ As Speaker of the House, he was described as "fair, incisive, and totally incorruptible."⁴⁵ Calvert was elected an Associate Justice of the Texas Supreme Court in 1950.⁴⁶ He served in that position until 1961 when he was elected Chief Justice.⁴⁷ Calvert served as Chief



³⁶ William J. Chriss, "Chief Justice Jack Pope and the End of the Non-Partisan Court, 1964-1985," 27 *The Appellate Advocate*, (2015): 509, 527.

³⁷ Portrait 13.

³⁸ James L. Harley, *The Texas Supreme Court*, 200.

³⁹ "Robert Wilburn Calvert," *Texas State Cemetery*, https://cemetery.tspb.texas.gov/pub/user_form822.asp?pers_id=3016.

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

Justice from 1961 until 1972.⁴⁸ During his time on the court, his opinions were “considered no-nonsense and to the point.”⁴⁹ At the end of his career, Calvert also served as Chairman of the National Council of Chief Justices.⁵⁰ Ultimately, Calvert’s life was summarized in the following way: “He was a teacher, counselor, researcher, and in all senses a legal scholar in residence. Judge Calvert had neither enemies nor critics.”⁵¹

D. CHIEF JUSTICE JOHN E. HICKMAN

Hanging at the very center of the wall behind the bench hangs the portrait of Chief Justice John E. Hickman.⁵² Hickman was born in 1883.⁵³ He attended Liberty Hill Normal and Business College and then obtained his law degree from the University of Texas.⁵⁴ Hickman then entered private practice.⁵⁵ He was elected as a Justice on the Eleventh Court of Civil Appeals at Eastland, assuming office on January 4, 1927.⁵⁶ Governor Daniel Moody appointed him Chief Justice of the Eleventh Court of Civil Appeals court on February 4, 1928.⁵⁷

In 1935, Hickman was appointed by the Supreme Court to Section A of the Supreme Court’s Commission of Appeals.⁵⁸ After the size of the Texas Supreme Court was increased to nine, he became a Justice on September 21, 1945.⁵⁹ Following the death of Chief Justice James Alexander, Governor Beauford Jester appointed him Chief Justice of the Texas Supreme Court on January 7, 1948.⁶⁰ He was elected to a full term later that year in the general election.⁶¹ Notably, in 1952 he became the first Texas jurist to serve as chairman of the National



⁴⁸ *Ibid.*

⁴⁹ James L. Harley, *The Texas Supreme Court*, 205.

⁵⁰ *Ibid.*

⁵¹ “Robert Wilburn Calvert,” *Texas State Cemetery*, https://cemetery.tspb.texas.gov/pub/user_form822.asp?pers_id=3016.

⁵² Portrait 14.

⁵³ “J. E. Hickman,” Court History, *Texas Judicial Branch*, <https://www.txcourts.gov/supreme/about-the-court/court-history/justices-since-1945/chief-justices/j-e-hickman/>.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

Conference of State Chief Justices. He was reelected in 1954.⁶² He retired from the Court in 1961.⁶³

During his tenure as Chief Justice, the Court moved from its courtroom in the Capitol to its own building immediately to the north—which has been characterized as a “pink granite strongbox.”⁶⁴ One notable change with the move to the new building was that the Justices (for the first time in Texas history) began to wear judicial robes.⁶⁵ According to Hickman, the decision to wear judicial robes was “not to satisfy our own vanity, but in recognition of the fact that [the Court] was beginning a new era in the court’s history.”⁶⁶ However, other justices attributed the change to the stifling conditions in the Capitol courtroom and the inclusion of air conditioning in the Court’s new building.⁶⁷ Nevertheless, his role in the move of the Court to a separate buildings, underscores his importance in the history of the Court.

E. CHIEF JUSTICE JOE R. GREENHILL

Second on the right behind the Justice’s bench hangs the portrait of Chief Justice Joe R. Greenhill.⁶⁸ Greenhill was born on July 14, 1914 in Houston, Texas.⁶⁹ He attended the University of Texas for college and law school, where he graduated at the top of his class.⁷⁰ Greenhill began his legal career as a briefing attorney on the Texas Supreme Court, where he worked for Chief Justice James Alexander and Associate Justices John Sharp and Richard Critz.⁷¹ After serving four years in the Navy during World War II, Greenhill worked as First Assistant Attorney General of Texas from 1948 to 1950, where he tried and handled appeals in many major cases.⁷² He also argued several cases before the United



⁶² *Ibid.*

⁶³ *Ibid.*

⁶⁴ James L. Harley, *The Texas Supreme Court*, 194-95.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ Portrait 15.

⁶⁹ “Joe R. Greenhill,” Court History, *Texas Judicial Branch*, <https://txcourts.gov/supreme/about-the-court/court-history/justices-since-1945/chief-justices/joe-r-greenhill.aspx>. (Excerpt reproduced from obituary published on February 13, 2011 of the *Dallas Morning News*).

⁷⁰ *Ibid.*

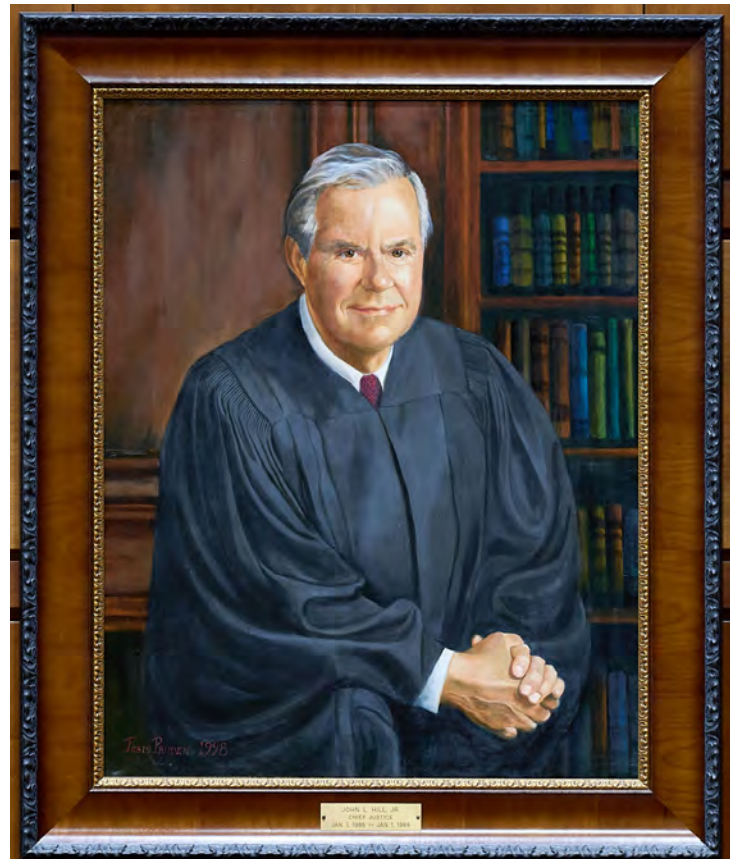
⁷¹ *Ibid.*

⁷² *Ibid.*

States Supreme Court.⁷³ Greenhill returned to private practice in Austin from 1950 to 1957, when Governor Price Daniel appointed him to the Texas Supreme Court.⁷⁴ Greenhill served as Chief Justice from 1972 to 1982.⁷⁵ In evaluating his legacy, it has been observed that “Greenhill’s years as Chief Justice of the Texas Supreme Court were distinguished by transformation in Texas negligence law, a breakthrough he engineered to allow greater alternative dispute resolution, and his championing expansion of the state’s courts of appeals’ jurisdiction to ease years of backlogs at the Texas Court of Criminal Appeals.”⁷⁶

F. CHIEF JUSTICE JOHN L. HILL

Placed at the far right of the wall behind the bench hangs the portrait of Chief Justice John L. Hill, Jr.⁷⁷ Hill was born in 1923 in Breckenridge, Texas.⁷⁸ Hill graduated from law school at the University of Texas in 1947.⁷⁹ After being admitted to the bar, Hill had a successful career as a trial lawyer in Houston before serving as Secretary of State and then six years as Attorney General of Texas.⁸⁰ While serving as Attorney General, he argued five cases before the U.S. Supreme Court.⁸¹ Hill was elected Chief Justice in 1984, succeeding Chief Justice Pope after his retirement.⁸² Hill has been described as “represent[ing] a voice for the judicial mainstream.”⁸³



G. OTHER NOTABLE PORTRAITS

As discussed above, the walls of the courtroom include other notable portraits. Among those included are Senator John Cornyn,⁸⁴ Judge Priscilla Richman of the U.S. Court of Appeals for

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

⁷⁷ Portrait 16.

⁷⁸ “John L. Hill,” Court History, *Texas Judicial Branch*, <https://www.txcourts.gov/supreme/about-the-court/court-history/justices-since-1945/chief-justices/john-l-hill/>.

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² *Ibid.*

⁸³ James L. Harley, *The Texas Supreme Court*, 215.

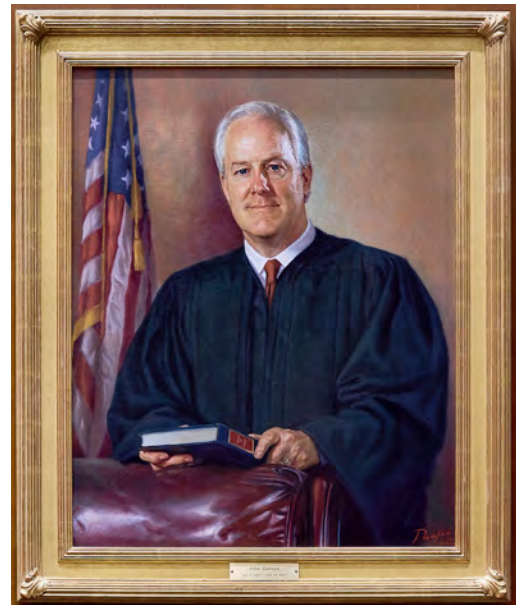
⁸⁴ Portrait 18.

the Fifth Circuit,⁸⁵ and Judge Xavier Rodriguez of the U.S. District Court for the Western District of Texas.⁸⁶ Each of these distinguished individuals served as a Justice on the Texas Supreme Court before moving onto other governmental positions.

First, Senator Cornyn served on the Texas Supreme Court from 1991 to 1997, when he resigned to run for the Attorney General of Texas.⁸⁷ Senator Cornyn served as Attorney General from 1999 until he was elected to the U.S. Senate.⁸⁸ Subsequent to his election, he was appointed to the remainder of the term left vacant by the resignation of William Philip Gramm, and took the oath of office on December 2, 2002.⁸⁹ He was reelected in 2008, 2014, and 2020.⁹⁰

Second, Judge Richman served on the Texas Supreme Court from 1995 to 2005.⁹¹ She was nominated by President George W. Bush and confirmed to the U.S. Court of Appeals for the Fifth Circuit in 2005.⁹² She served as Chief Judge for the Court of Appeals for the Fifth Circuit from 2019 to 2024.⁹³

Third, Judge Rodriguez was appointed to the Texas Supreme Court by Governor Rick Perry in 2001.⁹⁴ He did not prevail in the primary but was subsequently appointed by President George W. Bush in 2003 to the U.S. District Court for the Western District of Texas.⁹⁵



⁸⁵ Portrait 20.

⁸⁶ Portrait 23.

⁸⁷ "Justices, Place 7," Court History, Texas Judicial Branch, <https://www.txcourts.gov/supreme/about-the-court/court-history/justices-since-1945/justices-place-7/>.

⁸⁸ "John Cornyn," Biographical Directory of the U.S. Congress, <https://bioguide.congress.gov/search/bio/C001056>.

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ "Priscilla Richman," Federal Judicial Center, <https://www.fjc.gov/history/judges/richman-priscilla>.

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ "Justices," Place 5, Court History, Texas Judicial Branch, <https://www.txcourts.gov/supreme/about-the-court/court-history/justices-since-1945/justices-place-5/>.

⁹⁵ "U.S. District Judge Xavier Rodriguez," U.S. District Court, Western District of Texas, <https://www.txwd.uscourts.gov/court-staff/u-s-district-judge-xavier-rodriguez/>.

Finally, the Texas Supreme Court displays many more portraits of Justices outside of the courtroom. Again, each of these portraits is an important piece of history. Although beyond the scope of this article, I plan to return to those portraits in a future article.



Justice Bland viewing portraits outside of the courtroom.





Justice Bland telling Matthew Kolodoski about judicial portraits outside of the courtroom.











III. CONCLUSIONS





In sum, the judicial portraits at the Texas Supreme Court convey important information about their subjects and the times in which they served. The selection of portraits for display also conveys information about which Justices are considered more important or notable. However, the portraits on display at the Texas Supreme Court are far more numerous than the twenty-three portraits currently on display in the courtroom. Each Justice depicted was important, and it is important that we remember each of them and their unique contributions to the Texas Supreme Court and Texas in general.





Index of Portraits on Display in the Texas Supreme Court's Courtroom as of June 27, 2024





No.	Description	Image
1	<p>All-Woman Supreme Court: Chief Justice Hortense Ward, Justice Ruth Brazzil, and Justice Hattie Henenberg (appointed by Gov. Pat M. Neff in 1925 to hear <i>W. T. Johnson et al. v. J. M. Darr et al.</i>) Artist: Heather Edwards</p>	
2	<p>Will R. Wilson, Sr. Justice: 1950-1956 Artist: Charline Eppright</p>	
3	<p>Clyde E. Smith Justice: 1950-1970 Artist: Charline Eppright</p>	
4	<p>Zollie Steakley Justice: 1961-1980 Artist: Kenneth Wyatt</p>	




5	<p>Ruel C. Walker Justice: 1954-1975 Artist: Paul Samson</p>	
6	<p>Price Daniel Justice: 1971-1978 Artist: Brian Makepeace</p>	
7	<p>Michael Haygood Schneider Justice: 2002-2004 Artist: Dean Paules</p>	
8	<p>Raul A. Gonzalez Justice: 1984-1998 Artist: Brian Makepeace</p>	

9	<p>William L. Garwood Justice: 1979-1980 Artist: Charline Eppright</p>	
10	<p>Sam Johnson Justice: 1973-1979 Artist: Brian Makepeace</p>	
11	<p>Ruby Kless Sondock Justice: 1982 Artist: Clemente Garcia</p>	
12	<p>Andrew Jackson "Jack" Pope Justice: 1965-1982 Chief Justice: 1982-1985 Artist: Brian Makepeace</p>	

13	<p>Robert W. Calvert Justice: 1950-1960 Chief Justice: 1961-1972 Artist: Brian Makepeace</p>	
14	<p>John Edward Hickman Justice: 1945-1948 Chief Justice: 1948-1960 Artist: Victor Lallier</p>	
15	<p>Joe R. Greenhill Justice: 1957-1972 Chief Justice: 1972-1982 Artist: Brian Makepeace</p>	
16	<p>John L. Hill Chief Justice: 1985-1988 Artist: Paris Nancy Pruden</p>	

17	<p>James P. Alexander Chief Justice: 1941-1948 Artist: Seymour Stone</p>	
18	<p>John Cornyn Justice: 1991-1997 Artist: Dean Paules</p>	
19	<p>Jack Hightower Justice: 1989-1996 Artist: Kenneth Wyatt</p>	
20	<p>Priscilla Richman Justice: 1995-2005 Artist: Dean Paules</p>	

21	<p>Meade F. Griffin Justice: 1949-1968 Artist: M. Antoine</p>	
22	<p>Thomas M. Reavley Justice: 1968-1977 Artist: Gonzalo Carreto</p>	
23	<p>Xavier Rodriguez Justice: 2001-2002 Artist: Brian Makepeace</p>	
24	<p>Frank P. Culver, Jr. Justice: 1953-1964 Artist: Brian Makepeace</p>	

25	<p>Franklin S. Spears Justice: 1979-1990 Artist: M. Antoine</p>	
26	<p>Charles W. Barrow Justice: 1977-1984 Artist: Bronson Charles</p>	
27	<p>Barbara Culver Justice: 1988 Artist: Bronson Charles</p>	

[Return to Journal Index](#)

Land, Lawyers, and Gamblers:

Nineteenth-Century Texas History, as Told by a Map of San Jacinto County

By Frank Mace¹



The county maps drawn by the Texas General Land Office depict seemingly nondescript survey boundaries, names, and codes. But woven into the lines and tiny font you will find Texas's colorful history, under Spain and Mexico, as an independent nation, and ultimately as a U.S. state, and the stories of daring, entrepreneurial, or crooked (sometimes all three) Texans.

¹ This article previously appeared in the Texas Map Society's *Neatline*. Many thanks to James Harkins, President of the Texas Map Society and Deputy Director of Archives and Records at the Texas General Land Office, and Galen Greaser, former curator and translator of the Spanish Collection of the Texas General Land Office, for their generous and helpful assistance with this article.

Since the General Land Office tracked transfers of land from the public domain into private hands, General Land Office maps show the original land grantees and original surveys for each county. The maps identify only the original grantee—the person granted the right to survey and claim a set amount of acreage—and do not establish whether the named, original grantee actually lived on the land (or whether that grantee instead sold or transferred the grant to someone else, as often happened), but they still have much to say about nineteenth-century Texas. They reveal how and when each county was settled, including which lands were claimed first, which lands were claimed under each national government, how grantees acquired their grants, and how much land they could claim.

This article will study the settlement of San Jacinto County in southeast Texas using the General Land Office's map alongside the corresponding land records, which are helpfully digitized and easily searchable on the General Land Office website. Though Texas only created San Jacinto County in 1870, the San Jacinto County map includes many pre-1870 land grants that fall within the later-organized county. The journey will take us from the Mexican era to the Alamo and San Jacinto and on to the arrival of railroads and the Civil War, alongside soldiers, fraudsters, and, of course, lawyers.

The Mexican Era

The earliest and many of the largest grants on the map were made under Mexican authority between 1831 and the outbreak of the Texas Revolution in late 1835. An 1824 Mexican national colonization law and 1825 state colonization law governed the size and distribution of these grants.

Mexican Colonization Laws

After winning independence from Spain in 1821 and enduring a short-lived empire from 1822–1823, Mexico instituted a new government under its Constitution of 1824. The national legislature promptly enacted a colonization law establishing a framework for settlement of lands claimed by Mexico but not otherwise owned.²

This brief national colonization law of 1824 directed Mexican state legislatures to frame state colonization laws and set forth a few basic parameters for settlement. The law limited a single individual's land holdings to eleven leagues, equivalent to nearly 50,000 acres.³ It also prohibited settlement within twenty leagues (about fifty-three miles) of borders with foreign nations and within ten leagues (about twenty-six miles) of the coast, absent the permission of the supreme executive power.⁴

It is worth pausing here to describe the *league* unit and related unit, a *labor*. When measuring

² *Translation: Laws, Orders and Contracts on Colonization, from January 1821, up to 1829; in Virtue of Which, Col. Stephen F. Austin Introduced and Settled Foreign Emigrants in Texas*, (Borden & Moore 1837), 56–58. An Imperial Colonization Law of 1823 was briefly in effect, and only Stephen F. Austin was able to obtain an empresario contract under its terms. Texas General Land Office, *History of Texas Public Lands*, 4.

³ National Colonization Law, Art. 12.

⁴ *Ibid.*, Art. 4.

distance, a league is 5,000 *varas* (about 2 5/8 miles).⁵ When measuring land, a league is 25 million square varas, or 4,428.4 acres.⁶ A labor is a smaller unit: 1 million square varas, or 177.1 acres.⁷ A vara is a Spanish unit that notoriously varied across place and time, but surveyors in Stephen F. Austin's colony opted for 33 1/3 inches, which became the Texas standard.⁸ The 33 1/3 inch "Spanish vara" remains a recognized unit under Texas law today.⁹

As directed, on March 24, 1825, the state of Coahuila y Texas passed its state colonization law. The state colonization law filled in the nuts and bolts of settlement, including the amount of land that would be distributed, payment terms, taxes, and terms for *empresario* contracts entered with contractors seeking to arrange the settlement of families by the hundreds.¹⁰ A family that signed up with an empresario could obtain a league of land, provided that the family stated it would both cultivate crops and raise stock,¹¹ a representation that most made.¹² Single men who signed up with an empresario could obtain 1/4 of a league.¹³ If a family or single man immigrated "entirely of their own accord," the family could obtain an additional labor, and a single man could increase his grant to 1/3 of a league.¹⁴ This 1825 state colonization law "governed the issuance of most titles in Texas during the Mexican period," according to the General Land Office.¹⁵

To see these laws in action, take the grant to Robert Rankin. Rankin received a Mexican title in 1835 to the land where the San Jacinto County seat, Coldspring, sits today. Below is the first of four pages memorializing Rankin's title:¹⁶

⁵ Texas General Land Office, *History of Texas Public Lands*, 22.

⁶ *Ibid.*

⁷ *Ibid.*

⁸ Galen D. Greaser, *That They May Possess the Land: The Spanish and Mexican Land Commissioners of Texas (1720 - 1836)*, (2023), 40.

⁹ Tex. Agric. Code § 13.022(c) ("The Spanish vara contains 33 1/3 inches."); Tex. Nat. Res. Code § 21.041 ("The field notes of a survey of public land shall state . . . the land by proper field notes with the necessary calls and connections for identification, observing the Spanish measurement by varas.").

¹⁰ *Translation*, 58–67.

¹¹ *Ibid.*, Art. 14.

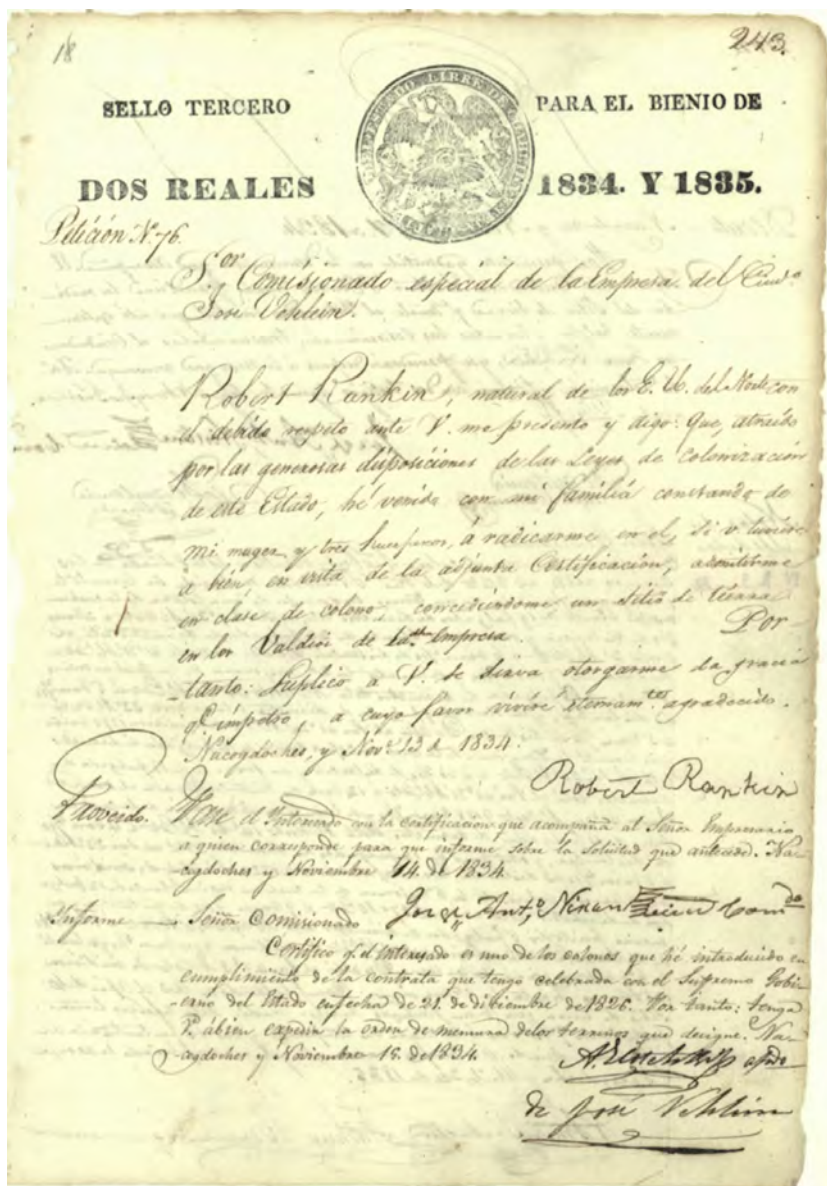
¹² Thomas Lloyd Miller, *The Public Lands of Texas, 1519–1970*, (University of Oklahoma Press 1972), 22.

¹³ State Colonization Law, Art. 15.

¹⁴ *Ibid.*, Art. 16.

¹⁵ Texas General Land Office, *History of Texas Public Lands*, 6. Coahuila y Texas actually repealed the 1825 state colonization law in 1832, then repealed the repealing law in 1834, and then in 1835 provided for grants under the 1825 law's terms for settlers already residing in Texas who had not yet obtained land. H.P.N. Gammel, *The Laws of Texas*, Vol. I, 299–303 (Decree 190, repealing 1825 law); *ibid.*, 357–62 (Decree 272, repealing Decree 190); *ibid.*, 407 (Decree 309, the 1835 law). The laws subsequent to the 1825 law had minimal practical effect. Even the 1832 law that repealed the 1825 law provided that "[n]o change shall be made with respect to the contracts which the executive has ratified, or the concessions stipulated to purchasers or settlers by virtue of" the 1825 law. *Ibid.*, 301. And "[t]itles obtained under existing empresario contracts after approval of the new law also seem to have been unaffected." Greaser, *That They May Possess the Land*, 162.

¹⁶ Robert Rankin Title, File No. SC 000048:60, Original Land Grant Collection, Archives and Records Program, Texas General Land Office, Austin.



In the first full paragraph, Rankin states that “attracted by the generous provisions of the colonization laws of this State, I have come with my family . . . to settle in it if you should see fit in view of the attached certificate to admit me as a colonist, granting me one league of land.”¹⁷ One league was Rankin’s allotment under the 1825 state colonization law, as the head of a family who requested land under the purview of an empresario, Joseph Vehlein, whose agent certified at the bottom of the page “that the interested party is one of the colonists I have introduced.”¹⁸ The ensuing pages (all in Spanish) relate that Rankin soon had his preferred land surveyed: a league “situated on the high ground west of the Trinity River.”¹⁹ In April 1835, around five months since Rankin’s request, Nacogdoches-based land commissioner Jorge Antonio Nixon found in Rankin “the requisites prescribed by the Colonization Law of March 24, 1825” and granted Rankin a title for the surveyed league.²⁰ Despite the appearances of his name, land commissioner Nixon was an Irish-born settler with poor Spanish also known as George Anthony Nixon.²¹

¹⁷ Translation of Robert Rankin Title, Office of Spanish Translator, Texas General Land Office.

¹⁸ *Ibid.* A controversial venture called the Galveston Bay and Texas Land Company, backed by New York and Boston investors, combined the empresario contracts of Vehlein and two neighboring empresarios, David Burnet and Lorenzo de Zavala, the future president and vice president of the 1836 Texas provisional government, respectively. Greaser, *That They May Possess the Land*, 238-39. The agent who signed Rankin’s title document represented all three empresarios. *Ibid.*, 246.

¹⁹ Translation of Robert Rankin Title, Office of Spanish Translator, Texas General Land Office.

²⁰ *Ibid.*

²¹ Greaser, *That They May Possess the Land*, 243 & n.561, 263. William Fairfax Gray, later credited as a founder of the law firm Baker Botts L.L.P., wrote in his diary of “Major George Anthony Nixon, or *Don Jorge Antonio Nixon*”: “He professes great disinterestedness and candor. I rather suspect he has neither.” *The Diary of William Fairfax Gray: From Virginia to Texas, 1835-1837*, (Paul Lack, ed., De Golyer Library & William P. Clements Center for Southwest Studies 1997), 86. Gray was dismayed at Nixon’s recordkeeping—a “spark” or a thief could easily wipe out the titles. *Ibid.* A recent analysis took a higher view of Nixon, concluding that he “succeeded by determination, adherence to the law, and respect for his duties under conditions that would have tried even more talented men.” Greaser, *That They May Possess the Land*, 263-64.

Rankin's headstone in the Texas State Cemetery recites that Rankin served in the American Revolution "in the same Company with his near kinsman, John Marshall," the future Chief Justice of the United States. Less significantly, Rankin is the great-grandfather, five times over, of the undersigned.

Mexican Land Grants

In the San Jacinto County map, land grants made under Mexico are shown with the grantee's name and, below that, "T." followed by a date. Mexican grants were made via a "title" (as opposed to grants under the Republic and State of Texas, which were made via a "patent"), so the "T." and date signify a Mexican grant and the date of the title.²²

The largest single survey on the map is an 11-league grant—the maximum allowable under the 1824 national colonization law, totaling nearly 50,000 acres—to "Jose Maria de la Garza by Juan Cameron," "T. Nov. 4/33":



Next door are two large grants titled to "Vital Flores by A. Briscoe" the following month, December of 1833. The cover page of the titles states that Flores, "by his Attorney Andrew Briscoe," claimed 6 leagues as "part of an 11. League Grant."

Most of the prime lands along the Trinity River were claimed before the end of the Mexican era. The earliest grant on the map, for instance, dates from April 1831—six leagues along the Trinity granted to McKinney & Menard for J. Fernandez de Rumayor:



²² Texas General Land Office, *History of Texas Public Lands*, Appendix II, 2.

Immediately upriver are two 1833 grants to “J.D. Martinez by Wm Hardin.” The cover page of the titles to Martinez indicates that he, too, received eleven leagues total: “Jose Dolores Martinez. by his Attorney William Hardin. 11. Leagues.”

These extra-large and desirable grants were made to grantees whose names suggest they were of Mexican, or ultimately Spanish, origin—Jose Maria de la Garza, Vital Flores, J. Fernandez de Rumayor, and J.D. Martinez. The 1825 state colonization law provided that “Mexicans” could purchase up to 11 leagues of land.²³ Native-born Mexicans and immigrants who had obtained letters of citizenship accordingly had the special privilege of purchasing these extra-large grants that vastly exceeded the league and labor otherwise available. At least some of these multi-league grantees were also politically connected. Vital Flores became a Nacogdoches official, and Joaquin Fernandez de Rumayor had been a land commissioner’s secretary.²⁴

These early, large Mexican grants also feature the names of prominent early Anglo Texans, who acted as agents for the grantees. J.D. Martinez’s titles are “by” William Hardin, who had sought refuge in Texas from murder charges back in Tennessee and whose family is the namesake of Hardin County, Texas.²⁵ Vital Flores’s title is “by” Andrew Briscoe, who attended the Convention at Washington-on-the-Brazos at age twenty-five and is the namesake of Briscoe County.²⁶ J. Fernandez de Rumayor’s title is accompanied by the names of Thomas F. McKinney, who among other things procured a schooner for the Texas Navy,²⁷ and “Menard,” which is likely Michel B. Menard, a business partner of McKinney’s who is considered a founder of the City of Galveston and whose home still stands on the island (and who also has a county to his name),²⁸ or his cousin Pierre (a/k/a Peter or Pedro) Menard.²⁹

The repeated Anglo-Hispanic pairings on these jumbo grants likely reflect the land speculation that was gripping Texas. Speculation in 11-league grants was rampant.³⁰ According to a 1930 history by leading Houston attorney and historian Clarence Wharton, Jim Bowie himself visited the state capital at Saltillo in 1830 and “induced various Mexicans residing there to apply for eleven league grants, and when they had been made Bowie purchased the certificates and they were trafficked about and locations were made under them.”³¹ “These transactions much disturbed many of the colonies,” according to Wharton, “for the locations under these large grants bearing Mexican names often conflicted with the little land holdings of a stockman farmer who only had a petty league and labor.”³² Many other Anglo Mexican pairings had a similar hustle.³³

²³ State Colonization Law, Art. 24.

²⁴ Greaser, *That They May Possess the Land*, 119 n.228, 248; Robert Bruce Blake, “Flores, Vital,” *Handbook of Texas*.

²⁵ “Hardin, William,” *Handbook of Texas*.

²⁶ “Briscoe, Andrew,” *Handbook of Texas*; “Briscoe County,” *Handbook of Texas*.

²⁷ “McKinney, Thomas Freeman,” *Handbook of Texas*; “Invincible,” *Handbook of Texas*.

²⁸ “Menard, Michel Branamour,” *Handbook of Texas*; 1838 Michel B. Menard House, Galveston.com; “Menard County,” *Handbook of Texas*.

²⁹ “Menard, Pierre J.,” *Handbook of Texas*. Michel had a headright grant bordering the J. Fernandez de Rumayor grant, and Pierre had title to land just across the river.

³⁰ Greaser, *That They May Possess the Land*, 278.

³¹ Clarence R. Wharton, *Texas Under Many Flags*, Vol. I, (American Historical Society, Inc. 1930), 224.

³² *Ibid.*

³³ Greaser, *That They May Possess the Land*, 278.

Approaching Revolution

Armed conflict between Texas and Mexico brought an end to the era of Mexican titles in Texas. The consultation at San Felipe de Austin decreed on November 13, 1835, that “all land commissioners, empresarios, surveyors, or persons in any-wise concerned in the location of lands, be ordered forthwith to cease their operation during the agitated and unsettled state of the country.”³⁴ In turn, the Constitution of the Republic of Texas drafted at Washington-on-the-Brazos the following March nullified “all the surveys and locations of land made since the act of the late consultation closing the land offices, and all titles to land made since that time.”³⁵ The Constitution generally suspended the land-granting system so that “persons serving in the army can have a fair and equal chance with those remaining at home to select and locate their lands.”³⁶

The San Jacinto County map reflects that many grantees obtained their Mexican titles at the eleventh hour, with many titles dated in October or early November 1835, right up to John Waugh’s day-before-the-cutoff November 12, 1835 title. Interestingly, one title, David Wilson’s, is dated November 20, 1835. The General Land Office’s file includes the remarks, “Issued after the closing of the land offices,” but Wilson’s title still managed to make it onto the map.

The Republic of Texas

Bounty and Donation Grants

The Republic of Texas, poor in cash but rich in land, had an early need to compensate soldiers. The Republic issued bounty grants (denoted “B.” on the map) and donation grants (denoted “D.”) for military service.

Albert Martin’s bounty grant, 640 acres (1 square mile), is in southwest San Jacinto County. Martin’s bounty certificate recounts that he served for six months until discharged from the army by death on March 6, 1836.³⁷

On February 24, 1836, Martin couriered William Barret Travis’s “Victory or Death” letter out of the Alamo.³⁸ He returned to the Alamo as one of the



³⁴ Gammel, *The Laws of Texas*, Vol. I, 541.

³⁵ Constitution of the Republic of Texas, General Provisions § 10.

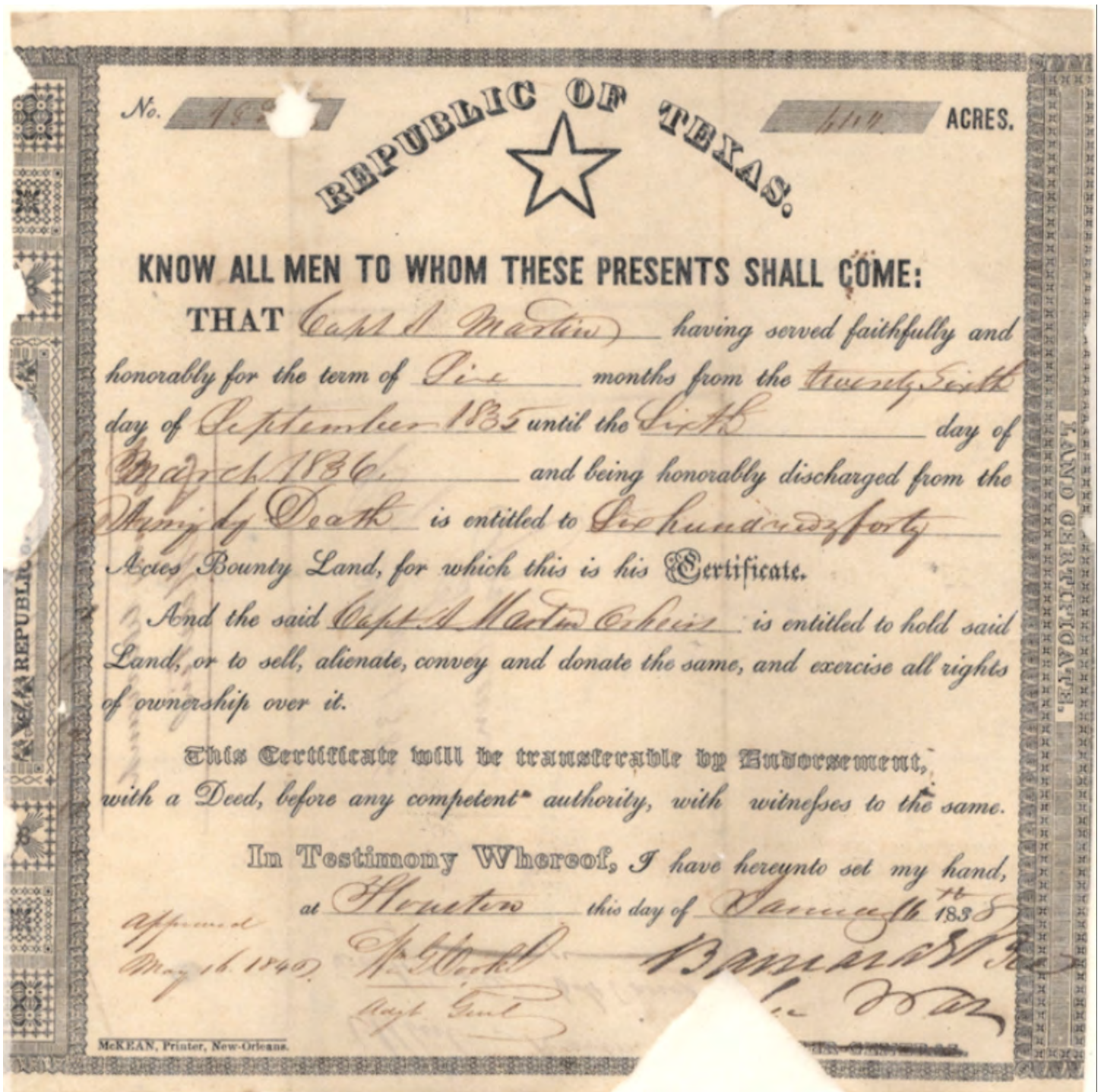
³⁶ *Ibid.*

³⁷ A. Martin, Montgomery Bounty, File No. 000130, Original Land Grant Collection, Archives and Records Program, Texas General Land Office, Austin.

³⁸ “Martin, Albert,” *Defenders*, <https://www.thealamo.org/remember/battle-and-revolution/defenders/albert-martin>.

Immortal Thirty Two from Gonzalez.³⁹ The twenty-eight-year-old Rhode Islander died defending the Alamo.⁴⁰

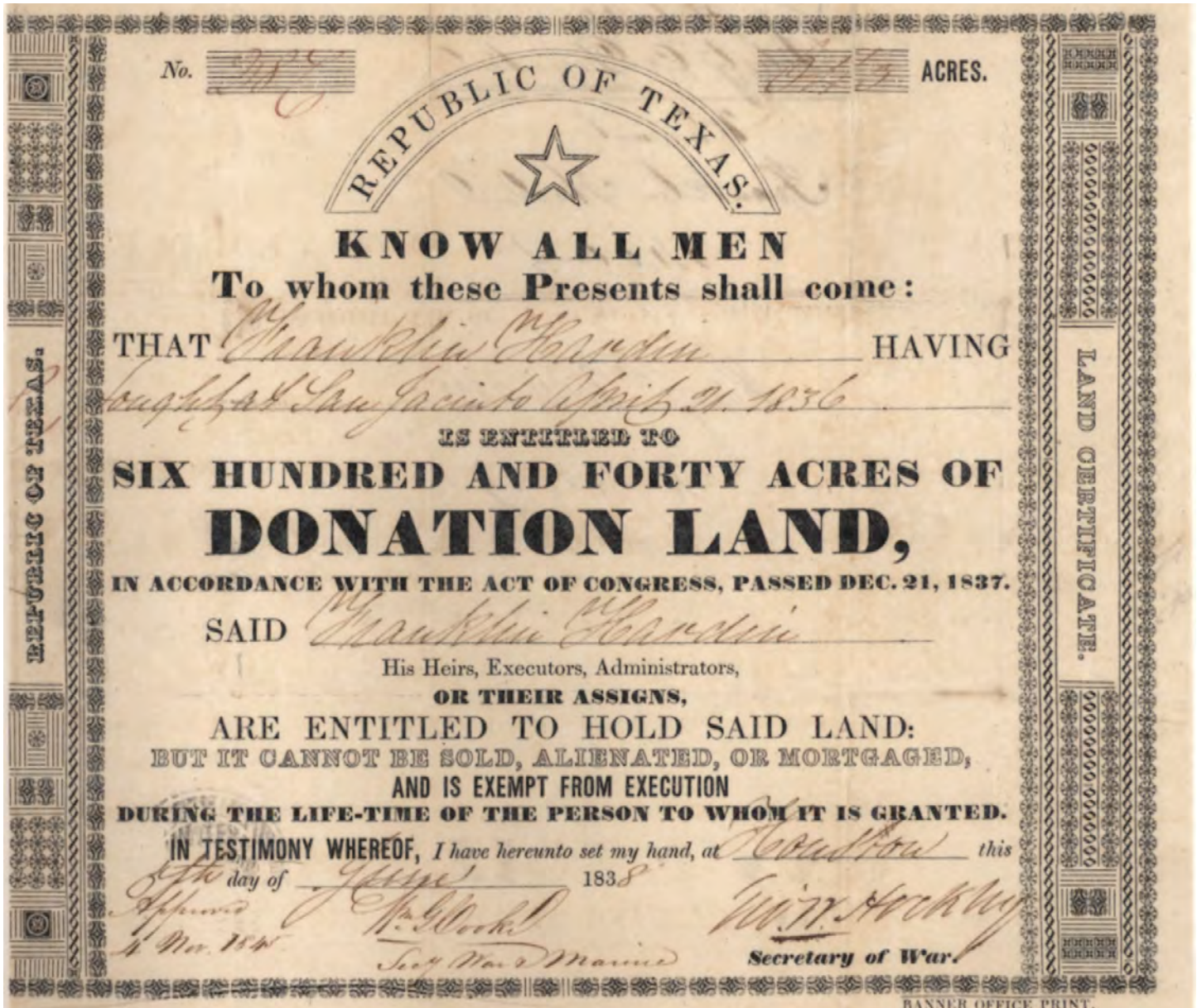
The San Jacinto County map includes a couple of dozen other bounty grants, including to Isaac Aldridge (massacred at Goliad) and John Bricker (killed by Mexican cannon fire at San Felipe de Austin).



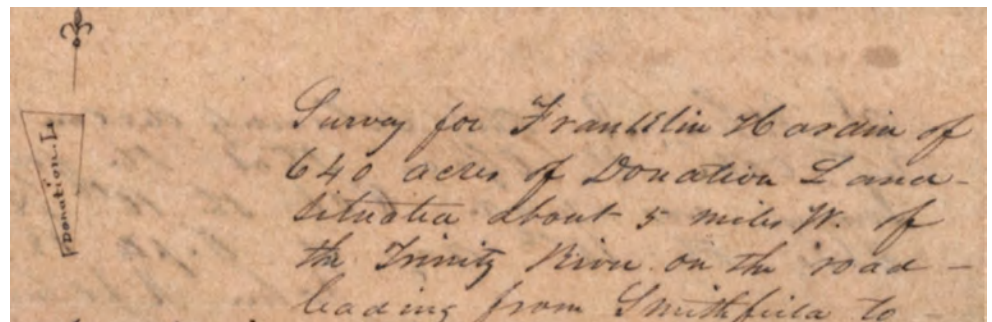
³⁹ Immortal 32 Monument, Gonzalez, Texas.

⁴⁰ "Martin, Albert," *Defenders*, <https://www.thealamo.org/remember/battle-and-revolution/defenders/albert-martin>.

The map also includes donation grants. Franklin Hardin, for example, earned a donation certificate fighting in the Battle of San Jacinto:⁴¹



The land was claimed in a triangular parcel bordering the Mexican grant to J. Fernandez Rumayor. The survey for Hardin's donation lands includes a sketch of the triangular grant:



⁴¹ Franklin Hardin, Liberty Donation, File No. 000060, Original Land Grant Collection, Archives and Records Program, Texas General Land Office, Austin.

Other donation lands in San Jacinto County were granted to Ralph McGee, Jacob Sheppard, and William Roberts (all for the battle at Bexar in December 1835); James Harris, John Johnson, and James Winters (all for San Jacinto); and R.R. Peebles (a doctor who remained near Harrisburg during San Jacinto but after the battle provided wounded General Houston the “Opiate Sedatives”, to which, he had long been accustomed”).⁴²

Headrights

“Headrights” issued by the Republic of Texas occupy much of the map. The Republic created a series of headright classes based on when a settler arrived in Texas:

Class	Settlers who arrived ...
1st	On or before 3/2/1836 Declaration of Independence ⁴³
2nd	Since the 3/2/1836 Declaration of Independence and “previous to” 10/1/1837 ⁴⁴
3rd	Since 10/1/1837 and “by” 1/1/1840 ⁴⁵
4th	Since 1/1/1840 and “before” 1/1/1842 ⁴⁶

Of these classes, 1st class headrights were by far the largest. The Republic’s Constitution created the 1st class headrights, allotting heads of families a league and a labor (4,605.5 acres) and single men 1/3 league (1,476.1 acres).⁴⁷ The Republic’s Constitution expressly excepted “Africans, the descendants of Africans, and Indians” from citizenship and land rights.⁴⁸

Settlers arriving after the Declaration of Independence were limited to much smaller headrights. 2nd class headrights granted heads of families 1,280 acres and single men 640 acres.⁴⁹ 3rd and 4th class headrights granted heads of families 640 acres and single men 320 acres.⁵⁰

The San Jacinto County map (next page) shows obvious differences in the size of each class of headright. The map denotes the different headright grants by number, denoting 1st class headrights “1.” and 2nd class headrights “2.” and combining 3rd and 4th class headrights as “3.”⁵¹ The 1st class headrights are large, resembling Mexican grants, while the tiny font crammed inside 3rd and 4th class headrights is barely legible.

⁴² Peebles, Richard Rogers, San Jacinto Museum and Battlefield Association, *Veteran Bios* by Louis Wiltz Kemp; “Peebles, Richard Rodgers,” *Handbook of Texas*.

⁴³ Constitution of the Republic of Texas, General Provisions § 10.

⁴⁴ Gammel, *Laws of Texas*, Vol. I, 1414.

⁴⁵ *Ibid.*, Vol. II, 35.

⁴⁶ *Ibid.*, 554. Note that headright grants were often conditioned on fulfilling statutory requirements, including continued residency in Texas, cultivation of the land, or surveying the land.

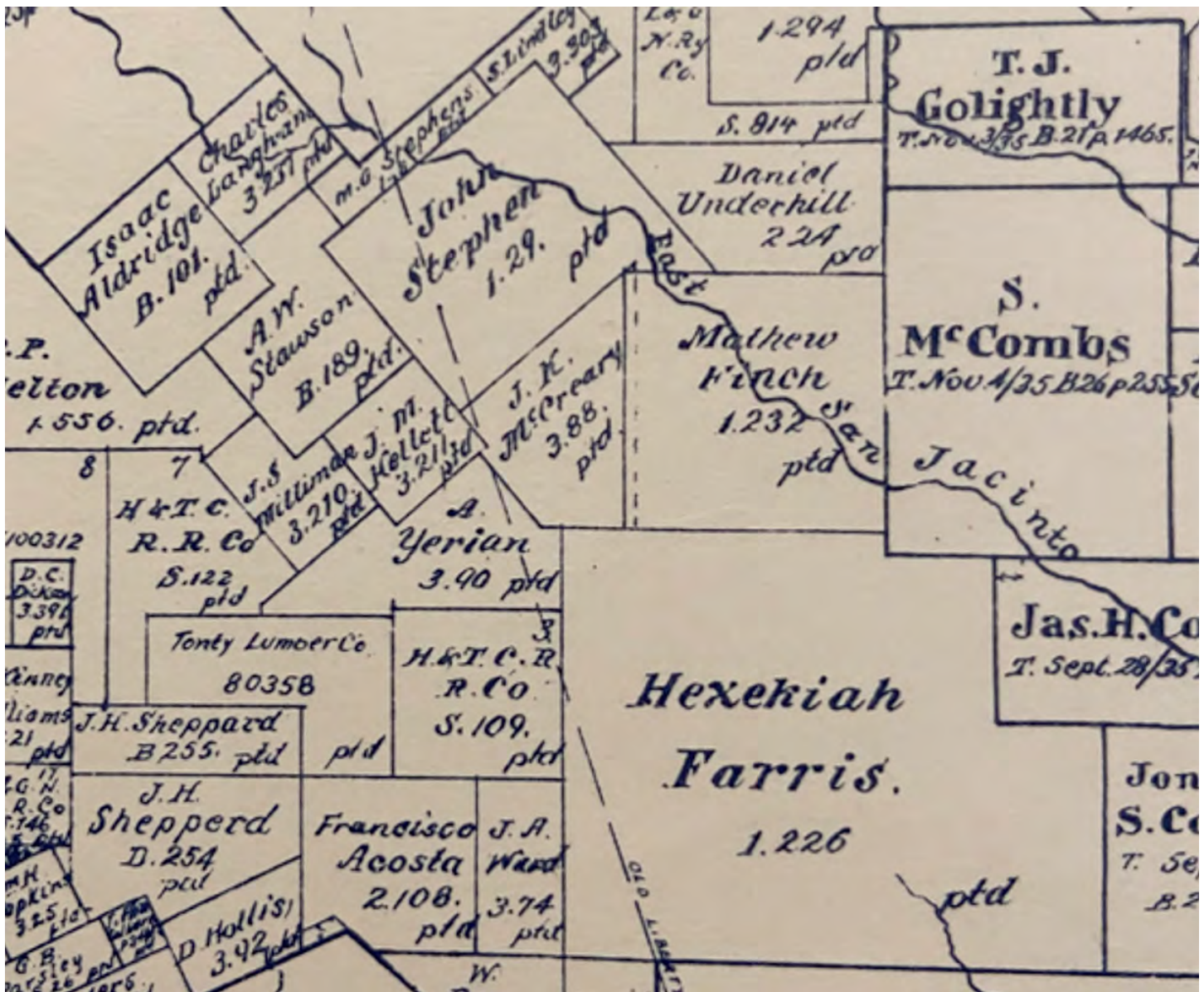
⁴⁷ Constitution of the Republic of Texas, General Provisions § 10.

⁴⁸ *Ibid.*

⁴⁹ Gammel, *Laws of Texas*, Vol. I, 1414.

⁵⁰ *Ibid.*, Vol. II, 35; *ibid.*, 554.

⁵¹ Texas General Land Office, *History of Texas Public Lands*, Appendix II, 2; Texas General Land Office, *GLO Headright and Military Land Grants*, 1.



The “ptd” inside the grants is short for “patented,” since the Republic and later State of Texas issued a “patent” to sever land out of the public domain and transfer it to a private person.⁵²

Lawyers and Gamblers

Though there had not been a tree felled anywhere in the vicinity of the city of Austin prior to the location of the capital there, as soon as the seat of government was established in the new log cabins provided for its reception, people began to gather about it; by far the larger portion outside of official circles being lawyers and gamblers.⁵³

⁵² Texas General Land Office, *Categories of Land Grants in Texas*, 1.

⁵³ Noah Smithwick, *The Evolution of a State or Recollections of Old Texas Days*, (University of Texas Press 1983 ed.), 194.

That description of young Austin comes from early Texas settler Noah Smithwick. As Smithwick recounted, “[t]he wholesale issue of bogus land certificates, together with numerous other irregularities in the land business of the colonial period were a prolific source of litigation, offering a fertile field for legal talent; and thither, accordingly, came lawyers of all grades, including some of the best in the United States.”⁵⁴

Any account of early Texas settlement needs to recognize this chicanery—and that land records and transactions were not always honest. Smithwick described Texas’s land system in the Republic and early statehood days as chaotic and shot through with deceit. He relayed one attorney–client exchange involving a title dispute:

Lawyer: What can you prove?

Client: By —, sir, that’s not the question; what do you want proved?
My witnesses are here.⁵⁴

“Land sharks” prowled Texas, according to Smithwick. “[T]here were those who came to the state after its annexation and bought up or manufactured old Spanish grants, and, with witnesses made to order, robbed the old pioneers of their hard earned homes.”⁵⁶ Other “lynx-eyed land grabbers” had infiltrated the land office and sought to cheat honest settlers out of their land.⁵⁷

A study estimated that in the case of military grants, “probably one-tenth of the 10,000,000 acres of military grants either went to undeserving persons or were that much in excess of the actual amount due the soldiers and their heirs.”⁵⁸ Similarly, according to the General Land Office, when issuing headright grants, “[w]itnesses were not always credible; but the county boards accepted nearly every application received, since the applicants were often their friends and neighbors.”⁵⁹

The 1800s Roll On

In the second half of the 1800s, grantees or their assigns continued to survey and patent San Jacinto County land. Grantees sometimes only obtained patents many years after the grant, and other settlers obtained modest “preemption” grants (denoted “P” on the map) by moving onto and improving unappropriated lands. The San Jacinto County map also reflects two major new developments: the coming of railroads and the Civil War.

Railroad and Internal-Improvement Scrip

Why does the map show so many grants to railroad companies, sporadically dotting the county, often not even near a railroad, and usually adjacent to a similarly sized, unnamed survey?

⁵⁴ *Ibid.*

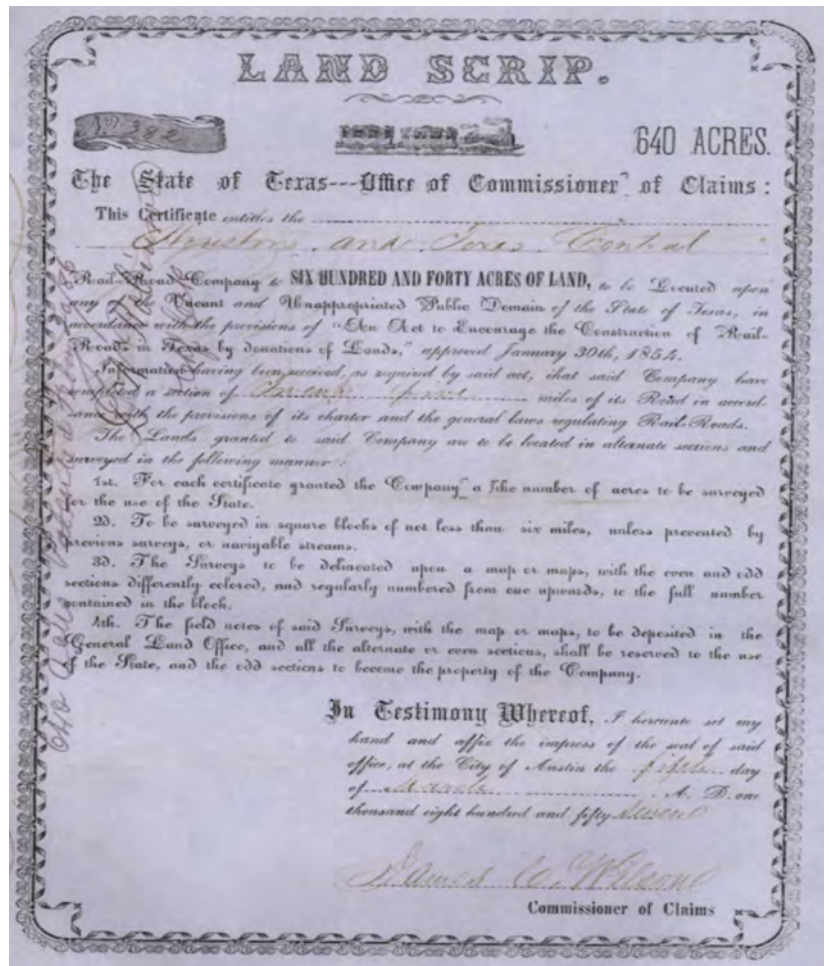
⁵⁵ *Ibid.*, 195.

⁵⁶ *Ibid.*, 199.

⁵⁷ *Ibid.*, 200.

⁵⁸ Miller, *Public Lands of Texas*, 55.

⁵⁹ Texas General Land Office, *History of Texas Public Lands*, 12.



The reason is that the State of Texas awarded railroads land for each mile of track they built in order to incentivize development. Railroads, among other types of grantees, received "scrip" (denoted "S" on the map) which they could use to claim land. The grants to the Houston and Texas Central Railway Company ("H. & T. C. R. R. Co.") shown above were made under an 1854 law aptly named *An Act to Encourage the Construction of Railroads in Texas by Donations of Lands*,⁶⁰ one of several laws regulating such railroad grants:⁶¹

The scrip recites an important requirement of the law, namely that when surveying and claiming its land, the railroad company must survey "a like number of acres" "for the use of the State" and mark the state's surveys with even numbers and the railroad company's own surveys with odd numbers. The State thereby received "free surveying" of State land.⁶² The result is the alternating surveys shown on the map above, with odd-numbered surveys (as numbered in the top right corner) granted to the railroad and even-numbered surveys "reserved to the use of the State."

The law required railroads to sell their odd-numbered lands within specified time periods

⁶⁰ Gammel, *Laws of Texas*, Vol. III, 1455-59.

⁶¹ Railroad Scrip Certificate, Liberty Scrip, File No. 000404, Original Land Grant Collection, Archives and Records Program, Texas General Land Office, Austin.

⁶² Texas General Land Office, *History of Texas Public Lands*, 17.

ranging from six to twelve years.⁶³ The State eventually transferred its even-numbered lands to the permanent school fund. Most of the school-fund land was sold, and the fund eventually began collecting oil and gas royalties on unsold land or land sold with mineral rights reserved.⁶⁴

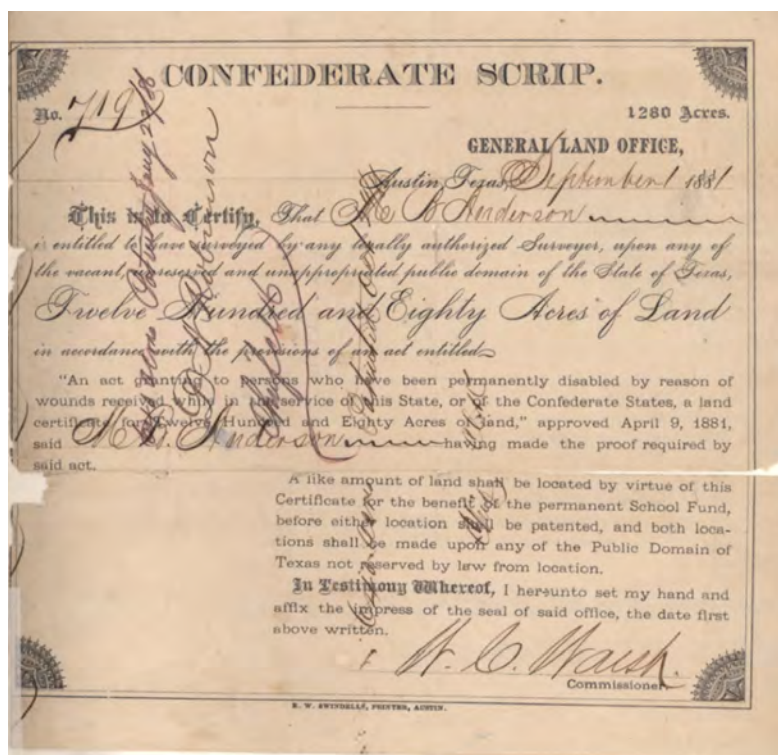
Aside from the railroads, the State awarded scrip to incentivize other types of internal improvements, including for improving the navigability of rivers and harbors, building steamboats, building factories, and constructing irrigation canals and ditches.⁶⁵ Scrip awarded to the Canutillo Colony Ditch Company, for instance, was patented in 1879 just west of Coldspring.

Texans have long debated whether the 32 million acres granted to railroads were well spent.⁶⁶ Whether the nearly 5 million acres granted for navigation improvements and canal-and-ditch digging paid off for the state, or whether they tended to pay for temporary clearing of rivers and marginally useful ditches, is likewise open for debate.⁶⁷

Confederate Scrip

In 1881, the state passed a law awarding scrip in another descriptively named law called *An Act Granting to Persons Who Have Been Permanently Disabled by Reason of Wounds Received While in the Service of this State, or of the Confederate States, a Land Certificate for Twelve Hundred and Eighty Acres of Land*.⁶⁸ M. B. Anderson obtained scrip under the law:⁶⁹

In the 1880s, unappropriated land was difficult and expensive to find, survey, and patent, and many Confederate veterans instead sold their scrip for paltry proceeds.⁷⁰ Yet even in San Jacinto County, unappropriated land still existed, and the M. B. Anderson grant was successfully patented in the county:



⁶³ Gammel, *Laws of Texas*, Vol. III, 1458.

⁶⁴ Texas General Land Office, *History of Texas Public Lands*, 17; Miller, *Public Lands of Texas*, 111-12, 176, 209-10.

⁶⁵ Miller, *Public Lands of Texas*, 69-74, 83-94.

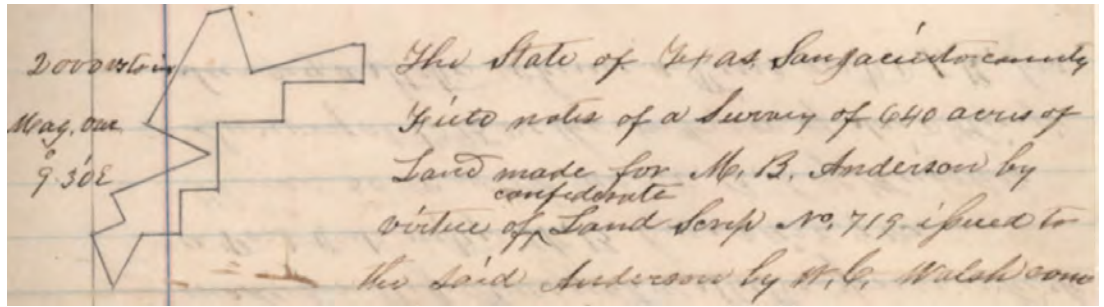
⁶⁶ *Ibid.*, 102-05.

⁶⁷ *Ibid.*, 84.

⁶⁸ Gammel, *Laws of Texas*, Vol. IX, 214.

⁶⁹ M B Anderson, Liberty Scrip, File No. 000956, Original Land Grant Collection, Archives and Records Program, Texas General Land Office, Austin.

⁷⁰ Miller, *Public Lands of Texas*, 53.



As the 19-sided, take-what-you-can-get M. B. Anderson grant illustrates, the era of unclaimed lands in San Jacinto County was reaching its end.

Nineteenth-Century Texas, Captured

By the close of the nineteenth century, there was no more unappropriated public land in Texas available for settlers to survey and claim.⁷¹ The General Land Office's county maps preserve the history of that storied Texas century. What characters and tales are waiting underneath the lines, names, and numbers of your county's map?

⁷¹ Many sources state that the Texas Supreme Court "declared that there was no more unappropriated land in Texas" in the 1898 case *Hogue v. Baker*. That is not totally right. In *Hogue v. Baker*, the Court relied on the parties' stipulations—i.e., facts that the parties had agreed to for purposes of the case—including the stipulation that all remaining public domain lands belonged to the school fund. 45 S.W. 1004, 1004 (Tex. 1898). The Court did not actually consider evidence and find that it proved the unappropriated public domain was exhausted. When a later litigant, for instance, argued that *Hogue v. Baker* decided whether land at issue in such later case was unappropriated or belonged to the school fund, a Court noted that "[i]t was admitted in" *Hogue v. Baker* "that the public domain was exhausted, and that the only vacant land belonged to the public schools," and "[t]he case having been decided upon that admission, it cannot be taken as conclusive in this case." *Haney v. Atwood*, 93 S.W. 1093, 1094 (Tex. App.—Dallas 1906, writ ref'd) (emphasis added). One of the parties in *Hogue v. Baker* was the land commissioner, however, so the stipulated facts were likely generally correct, and the unappropriated public domain was in fact exhausted by 1898. Miller, *Public Lands of Texas*, 137.



FRANK MACE is a senior associate at Baker Botts representing clients in a variety of complex litigation matters at both the trial and appellate levels. His practice focuses on commercial disputes and securities and shareholder litigation. Prior to joining Baker Botts, Frank clerked for Judge Andrew S. Hanen of the U.S. District Court for the Southern District of Texas, Houston Division.

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The Archival Collections of the Texas Supreme Court Historical Society

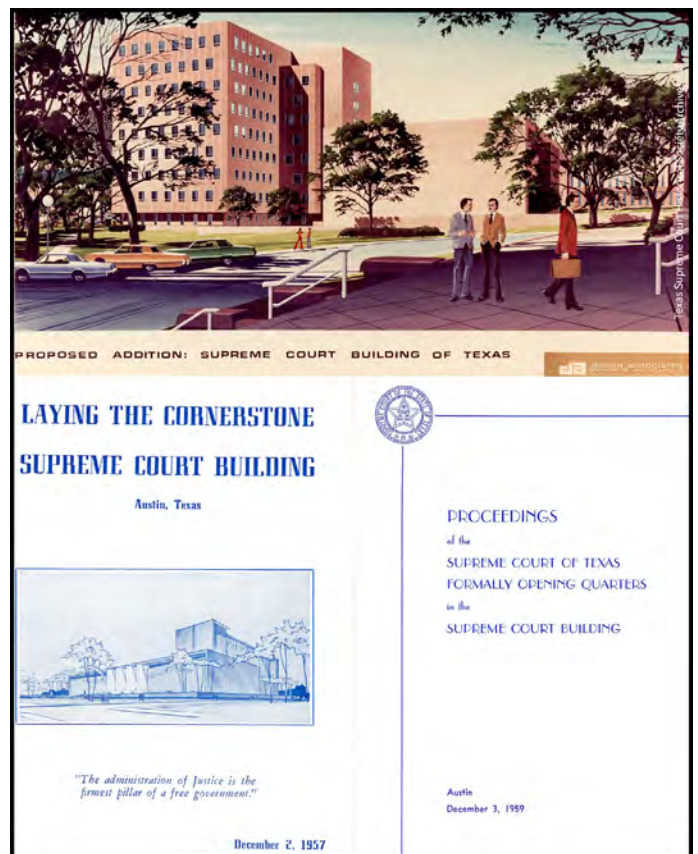
By Keely Drummond¹ and Marshanah Taylor²

The Texas Supreme Court Historical Society (TSCHS) Collections comprise a range of both professional and personal records documenting various aspects of the Texas Supreme Court (TSC) and other legal history of the state. The material spans a broad date range from the nineteenth to twenty-first century. Some of the highlights of the TSCHS Collections include the papers of Justices, a wide variety of images, judicial campaign materials, artifacts, ephemera, and a reference library. Also of note in the collections are the official portraits of the Justices which are on display in the Supreme Court building.

The TSCHS Collections are a rich resource that give insight into some of the inner workings of the Court and the point of view of the people who participate in its dynamics. They capture in both words and visual representation an experience that can only be described by those who play a role.

As with many archival collections, the TSCHS Collections do not cover all aspects of the Court's history. There are many facets of the whole historical picture yet to be completed, and it is an ongoing process. This pictorial view of some of the collections' highlights demonstrates just a few of the ways in which its objects tell the story of an institution.

The TSCHS Collections document not just the institution itself, but also the building that houses it. At the 1957 laying of the cornerstone, it was described as a "noble edifice" and "...symbol of the faith of our people in the rule of law and in the judiciary as the instrument which makes that rule a reality." At right, top: an architectural rendering of the court building by Jessen Associates Inc. At right, bottom: the programs for the laying of the cornerstone, 1957, and the formal opening, 1959.



¹ Keely Drummond is an Archivist for the State Bar of Texas Archives.

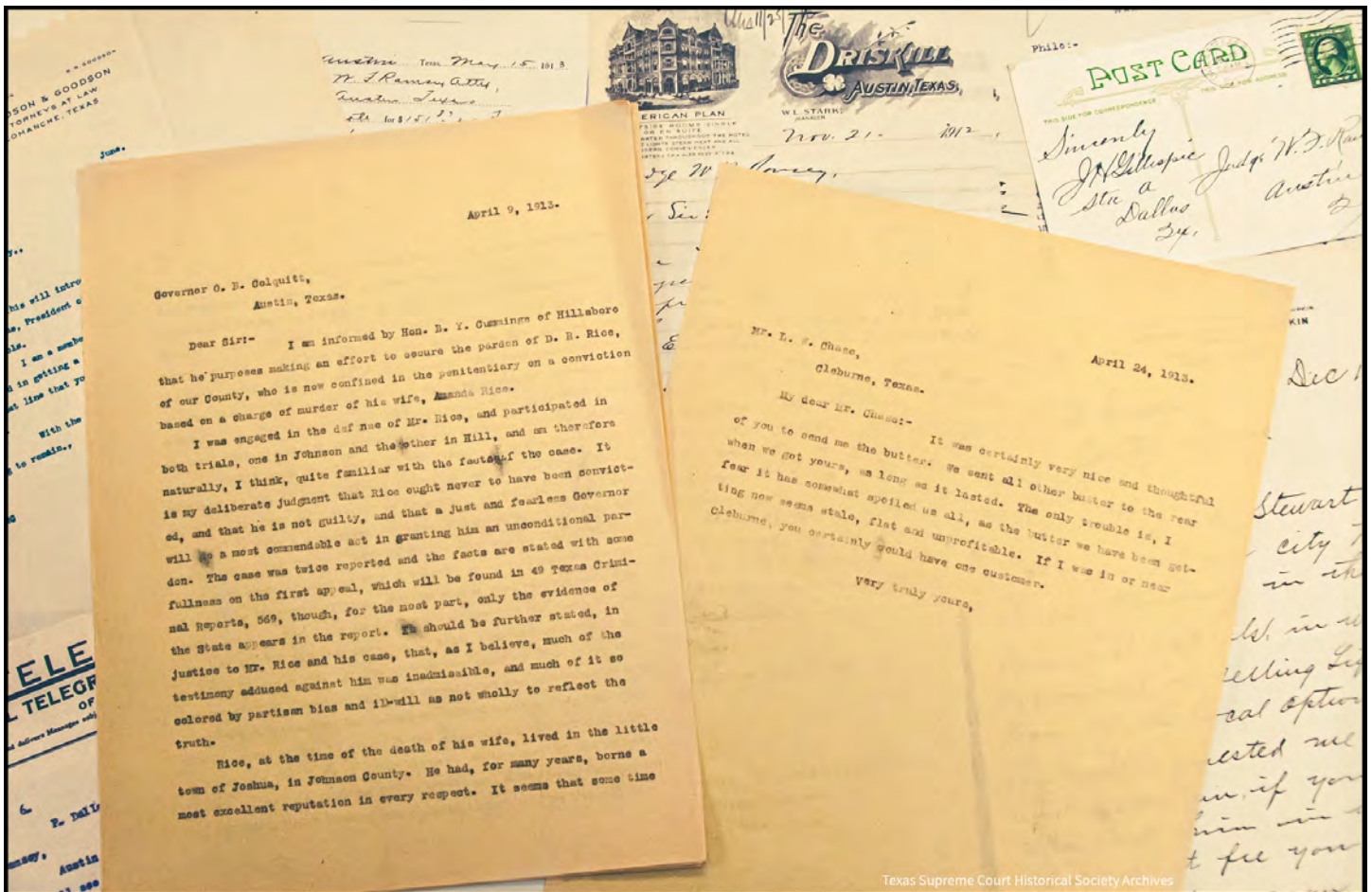
² Marshanah Taylor is an Appraisal Intern for the Texas Supreme Court Historical Society Archives.

Images of early jurists are among the many historical photos in the TSCHS Collections. Top (l to r): George E. Quinan, first Commission of Appeals (1879-1882), Richard Critz, TSC Associate Justice (1935-1944), Samuel Houston German, Commission of Appeals (1935-1941), Calvin Maples Cureton TSC Chief Justice (1921-1940). Bottom: George W. Clark, Texas Court of Criminal Appeals (1879-1880), Clinton McKamy Winkler, Texas Court of Appeals (1876-1882), Donald Phelps Marr, Commission of Appeals (1891-1892), Christopher Columbus Garrett, Chief Justice, first Court of Civil Appeals (1891-1905).



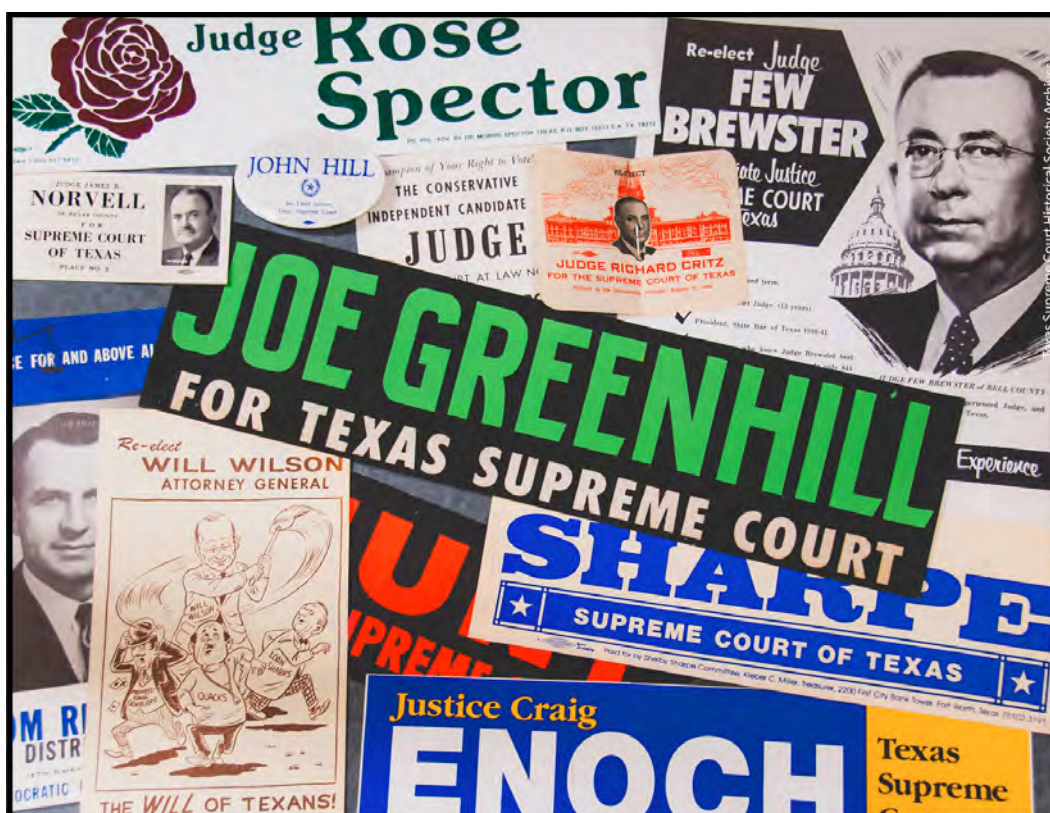
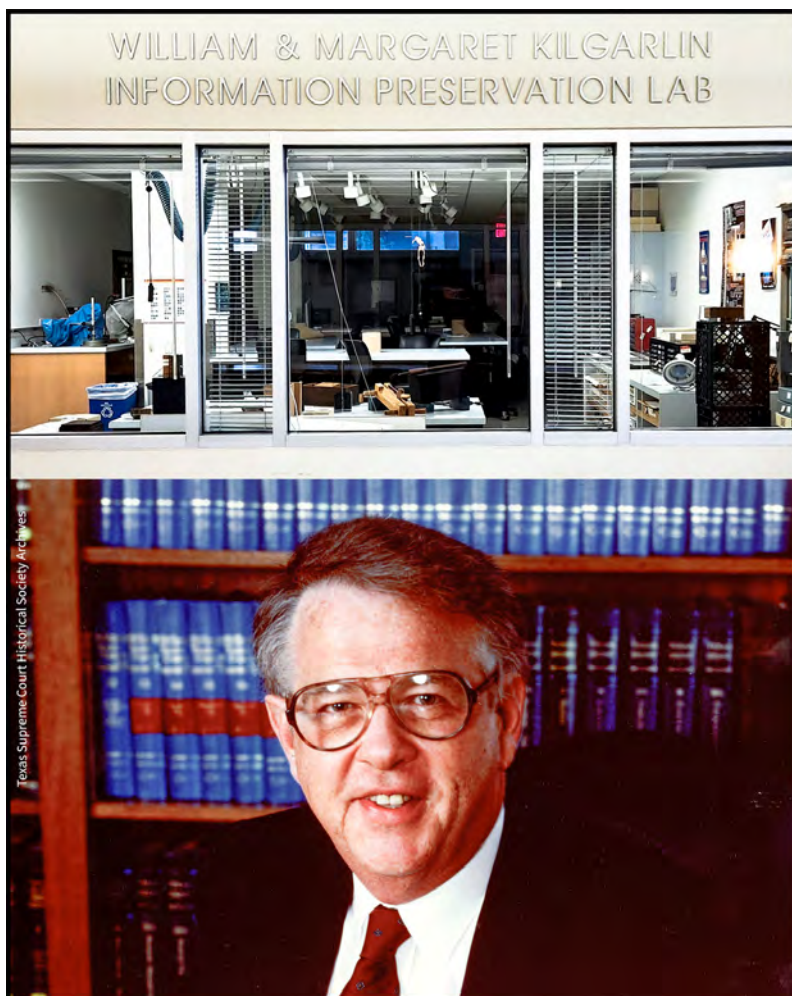
These two images in the TSCHS Collections represent a rarer aspect of the history of the TSC: women justices. Photographs like these have an especially important role in the Court's institutional memory as they demonstrate the slowly changing trajectory of a more diverse and accurate representation of Texas on the TSC bench. Top photo (l to r): Justices Priscilla Richman, Rose Spector, Deborah Hankinson, 1998. Copyright Third Eye Photography, Austin. Bottom photo (sitting l to r): Justices Rose Spector, Ruby Kless Sondock, SCOTUS Justice Sandra Day O'Connor, Barbara Culver Clack, Priscilla Richman and (standing) Eva Guzman, Deborah Hankinson, Harriett O'Neill, and Debra Lehrmann, 2013. Copyright Mark Matson Photography.

One of the more unique items in the TSCHS Collections is a Postmaster Bond payable to Sam Houston, President of the Republic, October 4, 1837. Signed by Isaac Lafayette Hill and Thomas Barnett.



Correspondence from Justice W.F. Ramsey's Papers capture him in both a professional and personal light in 1913. On the left, he writes to Governor O. B. Colquitt requesting Executive clemency for a gentleman who had been convicted of the murder of his wife. On the right, he thanks a friend for sending a gift of butter: "We sent all other butter to the rear when we got yours The only trouble is ... the butter we have been getting now seems stale, flat and unprofitable."

Justice William Wayne and Margaret Kilgarlin's contribution to historical preservation work: a substantial donation to help fund a preservation lab at the University of Texas iSchool. At right, top: The lab is an invaluable resource for students who are training to participate in conservation of the historical and cultural record as a profession. At right, bottom: photo of Kilgarlin from the TSCHS Collections (photographer unknown).



The TSCHS Collections include a small assortment of material documenting campaigns in a time when buttons and bumper stickers were social media. Ephemera such as this bring a little bit of color, life, and sometimes wit to an otherwise serious subject matter.



The Justices' Papers in the TSCHS Collections also provide glimpses of other legal legends. This photo, c. 1978-1980, from Justice Jim Wallace's Papers, shows Wallace (l) and Justice Henry E. Doyle (r) who both served on the First District Court of Appeals in Houston. Doyle was the first Black law school graduate of a state university and first Black appellate Justice in Texas, among other historical achievements in his illustrious career. Wallace made a great contribution to Texas history by serving as a Senator, Judge, and Railroad Commissioner (photographer unknown).

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The 29th Annual Chief Justice John Hemphill Dinner: Honoring Chief Justice Nathan L. Hecht

By Rose Doda, Brittany Greger, and Natasha Taylor
Photos by Mark Matson



Chief Justice Nathan Hecht makes a point during his onstage conversation with former Chief Justices Tom Phillips (left) and Wallace Jefferson.

The 29th Annual Chief Justice John Hemphill Dinner was held at the Four Seasons Hotel in Austin, Texas on September 6, 2024, and it focused on the career and accomplishments of Texas Supreme Court Chief Justice Nathan L. Hecht. The dinner was well attended by both the bench and bar. The evening opened with the Bedichek Middle School Junior Marine Corps Color Guard presenting both the United States and Texas flags. Richard B. Phillips, Jr., Immediate Past President of the Society, led the assembled group in the Pledge of Allegiance.

Chief Justice Nathan Hecht, Justice Jeff Boyd, Justice John Divine, Justice Brett Busby, Justice Jane Bland, Justice Rebecca Huddle, and Justice Evan Young, current justices from the Texas Supreme Court, attended the dinner, as well as former justices Tom Phillips, Wallace Jefferson, Eva Guzman, Ruby Sondock, Raul Gonzalez, Priscilla Richman, Dale Wainwright, Paul Green, Jeff Brown, Harriet O'Neill, Alberto Gonzales, Craig Enoch, and Don Willett. As in past years, hundreds of Texas's best appellate and trial attorneys joined the event.



Left to right: Justice Rebeca Huddle, Chief Judge Priscilla Richman, former Justice Ruby Kless Sondock, and Justice Jane Bland



Left to right: Becky Gonzales, Dora Gonzalez, former Justice Raul Gonzalez, and former U.S. Attorney General Alberto Gonzales

Presentation of Chief Justice Jack Pope Professionalism Award to Warren Harris

Chief Justice Hecht, joined by Jonathan Smaby, Executive Director of the Texas Center for Legal Ethics, and Audrey Moorehead, Chair of the Center's Board of Trustees presented the Chief Justice Jack Pope Professionalism Award to Mr. Warren Harris. The Award is given out annually by the Texas Center for Legal Ethics to an appellate lawyer or judge who epitomizes the highest level of professionalism and integrity. Founded in 1989 by Chief Justice Jack Pope and two other retired Texas Supreme Court chief justices, the Center promotes the values contained in the Texas Lawyer's Creed and fulfills its founders' vision to be the leading center of knowledge and resources for ethics and professionalism in Texas. The Award honors former Chief Justice Pope, who received the inaugural Award in 2009.



Left to right: Chief Justice Nathan Hecht, Jeff Oldham, Jonathan Smaby, and Hon. Audrey Moorehead

Mr. Harris was unable to attend the dinner to accept the award in person; however, Jeff Oldham accepted the award on Mr. Harris's behalf. Mr. Harris had a hand in the creation of the Texas Lawyer's Creed and proposed the idea for the Taming Texas Book Series. Lynne Liberato nominated Mr. Harris for the award. Mr. Oldham stated that Mr. Harris was "deeply touched" by the award.

Recognition of Fellows of the Society

On behalf of the Society, David Keltner thanked the more than forty Society Fellows whose significant financial support of the Society's endeavors since 2012 enables several special projects. One such special project is the Taming Texas Book series. The Series just released its fourth book entitled "Women in Texas Law." The newest book "focuses on the role that women have played in shaping Texas law from the frontier days to modern times." The book series is used by over 25,000 7th grade students in Houston alone and is expanding every year.

President's Remarks

Mr. Phillips began his President's Remarks by telling a story about his grandparents who brought his family from Utah to Texas. His grandfather was stationed at Camp Fannin. When going through his grandmother's belongings, Mr. Phillips's cousins found a map with handwritten notations from his grandmother. The map was called, "A Handy Pocketbook Guide for Any Damn Yankee."



Hon. David Keltner

Mr. Phillips stated that he was proud to be part of the history of the Texas Supreme Court Historical Society. Mr. Phillips offered a brief report on some of the Society's activities during the past year, including updating the financial controls and audit policy. The archives committee is now reaching out to focus on cataloguing and preserving documents.

He also acknowledged the outstanding efforts of the Texas Supreme Court Historical Society's Executive Director Sharon Sandle, Executive Coordinator Mary Sue Miller, and Journal Managing Editor Karen Patton. Mr. Phillips stated that Ms. Sandle and Ms. Miller "keep the trains running." He further expressed appreciation to John Browning who spends countless hours on the Journal, which is a fantastic resource. He also thanked all the Society's Officers and Trustees for their continued work with the Society.

Presentation of President's Award to Dr. Bill Chriss

Next, Mr. Phillips presented the President's Award to Dr. Bill Chriss, whom he thanked for his dedication to the Society and the Bar.

Keynote Program: Chief Justice Nathan Hecht

Mr. Phillips gave his opening remarks about Keynote Speaker Chief Justice Nathan L. Hecht to the room busting at the seams with Texas appellate judges and practitioners. Former



Dr. Bill Chriss and Richard B. Phillips, Jr.

Chief Justices Tom Phillips and Wallace Jefferson flanked the night's honoree as Mr. Phillips warmly spoke of Chief Justice Hecht's path to Chief Justice of the Texas Supreme Court. Chief Justice Hecht was first appointed to a district court in Dallas County in 1981, and he was then elected to the Dallas Court of Appeals in 1986. In 1988, he was elected to the Texas Supreme Court. In 2013, Governor Rick Perry appointed him Chief Justice of the Texas Supreme Court. Chief Justice Hecht is the longest-serving justice ever to sit on the Court.

Mr. Phillips then gave the floor to Chief Justice Hecht and Former Chief Justices Phillips and Jefferson to engage in a discussion about Chief Justice Hecht's life, accomplishments, and time on the Texas Supreme Court. Former Chief Justice Jefferson called on Chip Babcock, Chair of the Supreme Court Advisory Committee and longtime friend of Chief Justice Hecht, to examine Chief Justice Hecht's work on the Supreme Court Advisory Committee. This work included shepherding in rules related to no-evidence summary judgment motions, reforming the justice of the peace rules, and improving the discovery rules. Mr. Babcock explained that Chief Justice Hecht was instrumental in creating and implementing the State's current e-filing system, which allowed Texas courts to continue to operate during the Covid pandemic. Mr. Babcock also praised Chief Justice Hecht for requiring all justices on the Texas Supreme Court to get their opinions out by the end of the term.

Mr. Babcock gave the floor back to Justice Hecht and the Former Chief Justices. The three titans of the Texas appellate bar struck up a conversation to celebrate and honor the career of Chief Justice Hecht. Former Chief Justice Jefferson praised Chief Justice Hecht for his work with Access to Justice. Former Chief Justice Jefferson explained that Chief Justice Hecht's pursuit of justice for all spanned well beyond Texas. In a video featuring the chairman of the board of directors for the Legal Service Corporation, the chairman stated:

[I]t is my honor and great pleasure to recognize your extraordinary Chief Justice Nathan Hecht for his role as a national leader in efforts to expand access to justice for low-income Americans. Chief Justice Hecht has been an absolutely tireless advocate of public funding for civil legal aid, both in Texas and nationally, and a strong supporter of the nation's Legal Services Corporation, the largest partner of civil legal aid support.

The chairman of the board of directors for the Legal Service Corporation then applauded and thanked Chief Justice Hecht for his tireless commitment to providing basic legal services to all Americans.

Former Chief Justice Phillips and Chief Justice Hecht then reminisced about former Texas Supreme Court justices and the Court's dynamics. Chief Justice Hecht stated that the justices "didn't always see eye to eye, and that was to be expected. But you went around the table, and you talked about things, and you understood differences. And you went and wrote them down, and then you tried to go to the next case . . . You can have very deep disagreements, and yet understand that the process is very important and has been tested."

When Former Chief Justice Jefferson asked Chief Justice Hecht about the difference between the legislature and judiciary, Chief Justice Hecht noted that the judiciary needs to stay in its lane

because otherwise the judges will lose their legitimacy. Unlike the members of the legislature, judges call balls and strikes; they are supposed to be the umpires. But in order to administer justice, the justices of the Texas Supreme Court must serve as liaisons on various committees, such as the Children's Commission or Mental Health Commission to teach the public about justice. Chief Justice Hecht stated that as a judge, "You got to get out there and teach civics and you got to help people understand what's going on in the judiciary and you got to help make it better because otherwise we're seeing a distancing of people from the trust in the justice system."

Former Chief Justice Jefferson then explained that while it may be hard to convince people to have confidence in the courts, one thing a chief can do is convene people. He asked Chief Justice Hecht about his experience after a police shooting in Dallas that led to public unrest. Chief Justice Hecht stated that he and Texas Court of Criminal Appeals Presiding Judge Sharon Keller convened a conference in South Dallas, and the purpose of the meeting was to talk about implicit bias. After describing the dialogue at the meeting, Chief Justice Hecht stated that if people do not understand the purpose of the courts:

then the justice system needs to do a better job of explaining, well, this is why . . . you want people to come away from the court system, I know this is exaggerated, but you want them to come away thinking, thank God for the courts. You know, I didn't know where to turn and I finally got justice. And when they don't do that, when they're very cynical and disengaged, then you really have to work to try to make it better.

Former Chief Justice Phillips asked Chief Justice Hecht about technology and its role for the future of Texas courts. Chief Justice Hecht discussed a possible statewide case management system for all trial courts so that filings are uniform, and all filings can be centrally located. He also praised the use of video conferences and hearings, which have facilitated access to justice, particularly for areas of the law such as family law.

Chief Justice Hecht then spoke fondly of his upbringing and his father. He grew up on a farm and his family worked hard to survive and endured times when it would lose its entire crop. His father instilled the values of determination and compassion on Chief Justice Hecht, which he has clearly carried with him throughout his entire career.

During his closing remarks, Chief Justice Hecht discussed the loss of public trust and confidence in the judiciary. He stated that one way to fix the problem is to make the system work better. Chief Justice Hecht stated that:

So it means it's easier to get to a hearing. It's easier to get a decision. It's cheaper. The courts act like they like [lawyers] being there. The courts are user friendly. I mean, I've said many times, if the courts were a business, we'd be bankrupt because we don't care what the customers think. But we've got to start caring about that.

Chief Justice Hecht explained that another way to fix the problem is to justify judicial independence. He noted that it is important for judges to be fair and to answer questions from the public about the process.



Chief Justice Nathan Hecht acknowledges applause from the audience, as well as from former Chief Justices Tom Phillips and Wallace Jefferson.

Several former Texas Supreme Court justices were in attendance to celebrate Chief Justice Hecht. When asked about Chief Justice Hecht, former Justice Jeffrey Brown stated:

The chief isn't just the administrative head of the Court, he's also its intellectual leader, and he was that long before he became chief. With his hands at the reins, the Court has continued to enjoy its reputation for thoughtful and well-reasoned jurisprudence—a reputation built under Tom Phillips, reinforced under Wallace Jefferson, and nurtured by all the justices who served with them.

Former Justice Eva Guzman echoed Justice Brown's remarks and stated:

It was the honor of a lifetime to serve with Chief Justice Hecht. I am forever in his debt for the many ways in which he made me a better judge and person. Through his exemplary leadership, Chief Justice Nathan Hecht has inspired a generation of lawyers to pursue the law's highest ideals. His advocacy on behalf of those who are often not seen or heard, has transformed not only the lives of thousands of Texans but also the hearts of many who now share his vision for access to justice.

2024 Texas Appellate Hall of Fame Inductees

Ms. Hobbs announced the 2024 inductees to the Texas Appellate Hall of Fame, which recognizes distinguished judges, attorneys, and court personnel who have made unique contributions to the practice of appellate law in Texas. The award is given jointly by the State Bar of Texas Appellate Section and the Texas Supreme Court Historical Society.

Inductees are selected based on their written and oral appellate advocacy, professionalism, faithful service to the citizens of the State of Texas, mentorship of newer appellate attorneys, pro bono service, and other indicia of excellence in the practice of appellate law in Texas.

- **Judge Sam Houston Clinton:** Samuel Houston “Sam” Clinton, Jr. was born September 17, 1923. He attended Baylor University and later Baylor Law School. After law school, Sam served as an assistant to Congressman W.R. Poague in Washington, D.C. and worked as a fingerprint examiner for the FBI. He returned to Dallas to join the law firm of Mullinax and Wells. He proudly served his country in WWII as a naval aviator. He also served as a judge on the Texas Court of Criminal Appeals where he served three consecutive six-year terms. As a member of the Texas Court of Criminal Appeals, he authored the second most opinions of any judge of that court: 1,094. These opinions covered nearly every aspect of criminal law.

A noted trial attorney, Judge Clinton tried a number of high-profile cases during his years in private practice. He was general counsel to the Texas AFL/CIO and the Texas Civil Liberties Union and a member of numerous committees serving the State Bar of Texas.

- **Justice Anne Gardner:** Anne Gardner grew up in Corpus Christi, Texas, and she attended the University of Texas at Austin for her undergraduate and law degrees. She moved to Fort Worth in 1967. Gardner served on the Second Court of Appeals from 2000 to 2016. Justice Gardner’s dedication to the law, attention to detail, and eloquent writing were well known and admired. She received much recognition throughout the years. In 2005, she was chosen Appellate Justice of the Year by the Texas Chapter of the American Board of Trial Advocates. In 2015, she received the Outstanding Jurist Award from the Texas Bar Foundation for her “exceptionally outstanding reputation for competency, efficiency, and integrity.” During her legal career, she held many important positions within the state bar and legal organization including serving on the Texas Supreme Court Advisory Committee, the Texas Pattern Jury Charge Committee, and the State Bar Rules Committee. She was in many ways a trail blazer, as evidenced by her being the first woman elected President of the Tarrant County Bar Association.
- **Michael W. Huddleston:** Mike Huddleston was a graduate of Texas A&M University. He then attended Southern Methodist University Dedman School of Law. Following law school, he worked the next four decades as an appellate and insurance attorney, briefing and arguing high-stakes appeals. He most recently practiced at Munsch Hardt Kopf & Harr, P.C, where he served as the Chair of the Insurance Practice Group. He was a well-respected advocate and mentor as evidenced by his being awarded the 2020 Russell H. McMains Legends of Texas Insurance Law Award. Mr. Huddleston served as the Chairman of the Dallas Bar Association

Appellate Section, on the ABA Appellate Subcommittee of the Section of Litigation, and as a Member of the SMU Advisory Board on Appellate Advocacy.

Swearing in of President Lisa Bowlin Hobbs and Closing Remarks

Justice Jane Bland swore in Ms. Hobbs as the incoming President of the Society. In her remarks, Ms. Hobbs described how she loves the institution of the Texas Supreme Court, and how honored she is to be President of the Society whose role is to preserve the fascinating history of that institution. Ms. Hobbs thanked Chief Justice Hecht, who hired her as an intern for her first role at the Court, and the rest of the Society in her closing remarks for the evening.



Justice Jane Bland swears in incoming President of the Society Lisa Bowlin Hobbs.

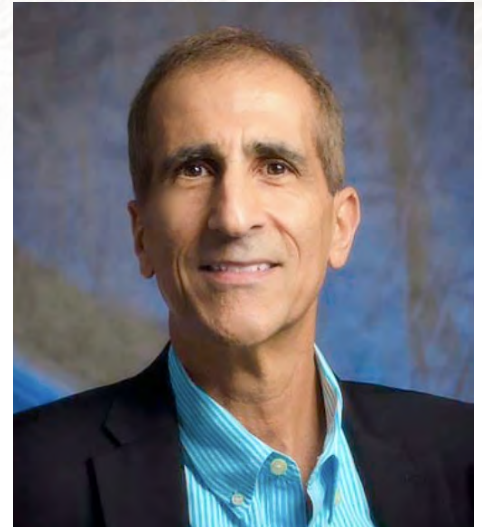
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Book Review - *The Right to Privacy in Texas: From Common Law Origins to 21st Century Protections*

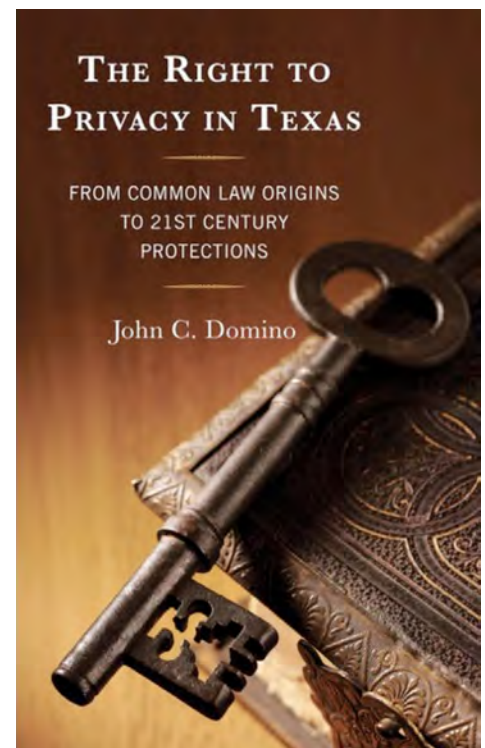
Book review by David A. Furlow

John C. Domino, Ph.D., the winner of the Texas State Historical Association's 2023 Larry McNeill Fellowship in Legal Research, has just published a fine new addition to Texas legal history that reflects the ideas that won him TSHA's award: *The Right to Privacy in Texas: From Common Law Origins to 21st Century Protections*. A Professor of Political Science at Sam Houston State University, John Domino teaches constitutional law and judicial politics. In 2019, he published a judicial biography, *Texas Supreme Court Justice Bob Gammage: A Jurisprudence of Rights and Liberties* (Lexington, Mass.: Lexington Press, 2019). And in 2019 he took another book to press: *Civil Rights and Liberties in the 21st Century* (New York: Routledge, 2018). His article "The History of Judicial Disqualification and Recusal in Texas" appeared in the Winter and Spring 2020 issues of *The Journal of the Texas Supreme Court Historical Society*.

In his new book, Professor Domino analyzes the right to privacy in Texas by re-examining its origins and development from common law to constitutional law to statutory enactment. He organizes the book into an introduction, four analytical chapters, a list of cases, a bibliography, and an index. The introduction quotes Texas Supreme Court Justice James Gray Denton's definition of the right to privacy in *Billings v. Atkinson*, 489 S.W.2d 858, 861 (Tex. 1983) as "[t]he right to be free from the unwarranted appropriation or exploitation of one's personality, the publicizing of one's private affairs with which the public has no legitimate concern, or the wrongful intrusion into one's private activities in such manner as to outrage or cause mental suffering, shame or humiliation to a person of ordinary sensibilities."



John Domino



John Domino, *The Right to Privacy in Texas: From Common Law Origins to 21st Century Protections* (Lanham, Boulder, etc.: 2024, 170 pages)
ISBN 978-1-66693-311-6

Professor Domino notes that “this book is *not* about abortion politics or U.S. Supreme Court decisions regarding contraception, abortion, or same-sex marriage.” Professor Domino corrects the common assumption that the right to privacy sprang forth fully developed, like Athena born from the forehead of Zeus, in famous U.S. Supreme Court cases such as *Griswold v. Connecticut*. Texas privacy law evolved incrementally, he notes, and never extended to matters concerning reproduction, abortion, and sexuality. That’s an excellent way to begin, for it grounds the reader in the reality of case-by-case decision-making in Texas courts.

Chapter 1 discusses the origins of the right to privacy in the United States under the common law and the U.S. Constitution. A work of judicial history, he traces the idea of privacy back to its common law roots long before Texas courts began issuing opinions about the doctrine and its legal contours. He begins by noting that “[t]he origin of the right to privacy in the United States is attributed to the first published argument for a broader common law protection by two Boston lawyers, Samuel Warren and Louis Brandeis, in a famous essay published in the *Harvard Law Review* in 1890.” (Domino, *Right to Privacy in Texas*, at 11).

The second chapter analyzes Texas appellate court decisions based on “tort doctrines and constitutional provisions.” It shows how Texas courts developed a corpus of law to protect people from “(1) intrusion or invasion into a person’s private affairs, seclusion, or solitude; (2) public disclosure of private information; (3) appropriation of name or likeness for value or commercial gain; and (4) disclosure of false communication about a person, or what came to be known as the ‘false light’ doctrine.” This part of the book will prove useful to tort and constitutional lawyers who want to understand the twists, turns, and history of this important legal doctrine.

The third chapter examines the recent development of statutory protections of privacy. Professor Domino focuses on the Texas Wiretap Law and unlawful interception of electronic communications; invasive visual recordings, revenge-porn, and Up-Skirt voyeurism; the Biometric Privacy Act’s protection of such matters as retinal scans; the Texas Student Privacy Act that protects various aspects of a student’s private information; and other, similar statutes.

The fourth chapter incorporates the previous three to provide a critical appraisal of the extent of Texas privacy rights and protection in the second decade of the twenty-first century:

A number of questions are raised. What fundamental interests are protected by the right to privacy in Texas? What are the strengths and weaknesses of this body of law? For example, does it fall short in areas such as reproductive rights in light of the U.S. Supreme Court’s reversal of *Roe v. Wade*, a Texas case] and possible retreat from other federal privacy rulings? Now that abortion is no longer a constitutional right, what impact will legislative restrictions on abortion and abortion-related activities, such as travel or medical services, have on privacy? What recourse will LGBTQ persons have in the face of an onslaught of legislative measure aimed at regulating their public and private lives?

The pages that follow should provide policy arguments for proponents and critics of privacy rights in such controversial but important matters involving contraception, abortion, and same-sex marriage.

John Domino has made an important contribution to the history of Texas law. His book shows how the Texas concept of privacy came to be understood as the right to be “let alone,” in the manner that Samuel Warren and Louis Brandeis described in their 1890 *Harvard Law Review* article. Texas courts and legislators have therefore protected individuals’ images, consumer rights, biological identifying information, and data, rather than privacy as bodily autonomy encompassing abortion, contraception, and sexual identity.

Professor Domino has proven the merit of his approach by showing us *how* Texas law came to be this way, but he has not explained *why* that happened. That’s a different book, yet to be written. Such a book would focus on the cultural framework of society that has produced Texas law since 1836. It would describe how representatives of a fiercely independent, frequently violent, clannish, zealously Calvinistic, and deeply patriarchal Scotch-Irish, Southern Appalachian culture—leaders such as Sam Houston, Thomas Jefferson Rusk, and John Hemphill—introduced centuries-old British Borderlands ideas into the courts and codes of the Lone Star State.

Such an analysis would seek to explain the origins of Texas’ current legal culture on centuries-old ideas. It would trace Texas’s approach to privacy to philosophies of natural liberty, insistence on low taxes, severe limitations on governmental power, elevation of property rights over civil rights, celebration of gun culture, anti-creditor, pro-debtor legislation, and a strict, religiously-centered sexual morality. By focusing on traditional Scotch-Irish cultural norms—regarding natural law; the relations among creditors, debtors, and government; biblically-based religious morality; and traditional norms governing the relationships between men and women—would show *why* Texas came to be the way it is today.

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Texas Law's Wide World of Sports: Your Invitation to Attend TSHA's 2025 Meeting

By David A. Furlow

The Society will present its next panel program—*The Thrill of Victory, The Agony of Defeat and the History of Texas Sports Law*—at the Texas State Historical Association's 129th Annual Meeting in Houston at 9:00 a.m. on Friday, February

28, 2025. This year TSHA's annual meeting will last from the morning of Wednesday, February 26 through Saturday evening on March 1, 2025. The conference will occur at the Royal Sonesta Houston Conference Center and Hotel. Please save the date and consider joining the society there. Every year for the past two decades, our society has contributed a panel-program to TSHA's annual meeting. This year we will present a special panel featuring five fascinating, historically-minded speakers.



Our Society's President, Lisa Bowlin Hobbs, a board-certified Civil Appellate lawyer and the Founding Member of the premier appellate boutique, Kuhn Hobbs P.L.L.C., will begin our session by discussing our society's indispensable role in chronicling and publicizing the history of the Texas Supreme Court, Texas's judiciary, and Texas law. Her PowerPoint will highlight our publication of scholarly books, the thirteen-year story of the *Journal of the Texas Supreme Court Historical Society*, our society's leadership of the Taming Texas 7th Grade Texas History project, and other activities that make our society unique in the Texas historical community.



Lisa Bowlin Hobbs



Hon. John G. Browning

Retired Fifth Court of Appeals Justice John G. Browning, this *Journal's* Editor-in-Chief and the Distinguished Jurist in Residence, Faulkner University Thomas Goode Jones School of Law; will then present “Float Like a Butterfly, Sting Like a Supreme Court Opinion: Muhammed Ali’s Legal Battle Against the Draft.” Members of the audience will discover the legal odyssey of Muhammed Ali from a Houston courtroom to the U.S. Supreme Court, reflecting America’s evolving views on the Vietnam War. Stripped of his title and facing imprisonment based on his conscientious objector status, Ali embarked on a legal journey from a Houston federal courtroom to the United States Supreme Court. Ali’s crusade and its reception mirrored America’s shifting attitude toward its most unpopular and divisive war.

Next, Alia Adkins-Derrick will turn to baseball when she presents “Trouble & Justice: How Trouble in Texas Led to The Court Martial Trial of Baseball Superstar Jackie Robinson.” Ms. Adkins-Derrick, the President-Elect of this society, and the Managing Partner of Adkins Lawyers, will lead the audience in examining U.S. Army Second Lieutenant Jack R. “Jackie” and his courageous stand against the Jim Crow segregation that various states’ laws imposed on Black American U.S. soldiers on U.S. Army bases during World War II. She will re-examine how his U.S. Courts-Martial trial at Fort Hood helped lead to the integration of Major League Baseball and Jackie Robinson’s Hall of Fame career.



Alia Adkins-Derrick

Our society’s Executive Director and the Director of Texas Bar Books, Sharon Sandle, will then present “Cinderella Season: Title IX and the Evolution of Women’s Sports in Texas.” In the fifty years since the implementation of Title IX, women’s participation in sports has soared. In 1972, there were 294,015 opportunities for women and girls to participate in sports; by 2020, that number exceeded 3 million. Girls made up only seven percent of high school athletes and fifteen percent of college athletes in 1972, but today, they constitute more than forty percent of athletes at both levels. Despite these gains, significant inequities persist. Fifty years after Title IX, eighty-six percent of NCAA institutions still offer higher rates of athletic opportunities to male athletes relative to their enrollment, and male athletes receive over \$250 million more in athletic scholarships than their female counterparts.



Sharon Sandle

Against this backdrop Sharon Sandle will unfold the story of women’s sports in Texas. The state has been both a battleground for Title IX’s implementation and a proving ground for its athletes. Texas is home to some of the most iconic female athletes of the last half-century. The triumphant stories of Simone Biles, Sheryl Swoopes, Judy Conradt, Brittney Griner, and Mia Hamm are paralleled by the stories of lesser-known figures like Tina Bennett and her fellow athletes at West Texas State University, coaches Marlene Stollings and Jan Lowrey, and parent-advocate Kevin McCully. Their struggles, triumphs, and failures paint a picture of the ongoing struggle for equality in Texas sports.

Renowned Texas historian James L. “Jim” Haley will provide insightful commentary and context to facilitate a lively Q&A session after the speakers have finished. Jim is a celebrated author with extensive works on Texas law and history, including *The Texas Supreme Court: A Narrative History, 1836-1986* (Austin: Univ. of Texas, 2013) and almost a dozen other novels and non-fiction narratives. Mr. Haley has also co-authored the Taming Texas book series with co-author Marilyn Duncan, namely, *Taming Texas: How Law and Order Came to the Lone Star State* (Austin: Texas Supreme Court Historical Society, 2016), *Taming Texas: Law and the Texas Frontier* (Austin: Texas Supreme Court Historical Society, 2017), *Taming Texas: The Chief Justices of Texas* (Austin: Texas Supreme Court Historical Society, 2020), and *Taming Texas: Women in Texas Law* (Austin: Texas Supreme Court Historical Society, 2023). Jim Haley will offer observations on the panelists’ presentations and direct questions and answers from the audience to the speakers.



Jim Haley

Registration is open for anyone wishing to attend TSHA’s 129th Annual Meeting. Texas State Historical Association, “TSHA 129th Annual Meeting,” <https://tsha.wildapricot.org/event-5842921>.

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Society Members and Trustees Elevated to the Appellate Bench

Amid the tumult surrounding the 2024 presidential election, Texas appellate courts underwent another pendulum swing. Republicans won nearly all of the contested appellate court races statewide, including seven seats on Dallas' Fifth Court of Appeals, five seats on Houston's First Court of Appeals, five seats on the Fourteenth Court of Appeals and at least three benches on each of the Fourth Court of Appeals and the Thirteenth Court of Appeals.



Jennifer Caughey

Among the newly elected justices are some with ties to the Texas Supreme Court Historical Society. Society member Jennifer Caughey won a seat on the First Court of Appeals. Caughey, a graduate of Princeton University and Harvard Law School, currently serves as the chair of Jackson Walker's appellate section. She previously served on the First Court of Appeals, authoring more than 125 opinions during her tenure.

Justice Emily Miskel, a Trustee of the Society, has served on the Fifth Court of Appeals since being appointed in 2023 by Governor Abbott to fill a vacancy on the court. She was elected to a full six-year term that will begin on January 1, 2025. Justice Miskel earned her engineering degree from Stanford before getting her J.D. from Harvard Law School.



Justice Emily Miskel

The Texas Supreme Court Historical Society Journal congratulates these Trustees and members on their elevation to the bench.

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Supreme Court of Texas unveils portrait of former Chief Justice Wallace B. Jefferson

Article and photo by Will Korn*



The Supreme Court of Texas honored the legacy of former Chief Justice Wallace B. Jefferson by unveiling his official court portrait on September 6 in the Supreme Court of Texas courtroom.

Former Chief Justice Wallace B. Jefferson addresses the audience at the unveiling.

Jefferson, who served as chief justice of the Supreme Court of Texas from 2004 to 2013, was the state's first African American Supreme Court justice and chief justice. Jefferson was first appointed to the court in 2001 by former Texas Gov. Rick Perry. Perry then appointed Jefferson chief of the bench three years later and Jefferson went on to be reelected as chief justice in 2002, 2006, and 2008.

"Chief Justice Jefferson broke barriers as the first African American to lead the Texas Supreme Court, but his true legacy is one of unwavering dedication to the principles of fairness and equality for all Texans," Supreme Court of Texas Chief Justice Nathan L. Hecht said in a press release.

"A call from Governor Perry's office set me on a course that I could not have imagined 23 years ago. He asked me to interview for a vacancy on this very court," Jefferson said. "Since the day the governor appointed me, I asked a recurring question, and that is: 'Did you ever think that one day you'd be a justice, let alone chief justice, of the Supreme Court of Texas?' The answer was 'no, I didn't.' But as I reflected on that day 23 years ago, there were signs."

* This article first appeared in the Texas Bar Blog on September 17, 2024. <https://blog.texasbar.com/page/3/>

Jefferson, who discovered through genealogic research that he is the great-great-great grandson of Shedrick Willis, who was enslaved by Texas Judge and Civil War Lieutenant Nicholas W. Battle, spoke about his rise to the state's highest judicial rank on a path that seemed destined.

"I graduated from a high school on the south side of San Antonio, John Jay High School, named for the first chief justice of the United States," he said. "I received my bachelor's degree from Michigan State University, specifically from James Madison College, the father of the U.S. Constitution. My professor at the University of Texas School of Law, Charles Alan Wright, was the premier constitutional scholar of his time. I was one of nine students in his highly sought-after class, in which each of us played the role of a sitting supreme court justice deciding cases the court considered that term. I was Byron White, a stellar athlete who went on to serve as justice on the [U.S. Supreme] Court. I have argued in this court before Chief Justice [Thomas] Phillips and then Chief Justice Hecht. All of these were signs."

In his portrait, painted by Ying-He Liu, Jefferson's hands rest on Volume 24 of the old *Texas Reports*, an issue symbolic to his family and the destiny he has realized.

"In that volume, the Supreme Court of Texas affirmed a decision in which Judge Battle declared that it was against public policy to enforce a contract to sell a free man—a freed Black man—into slavery. That was a remarkable and courageous ruling in 1856," Jefferson said. "After the war, that same judge not only enforced the newly amended constitution, but also encouraged those in power to entrust his former slave as a leader in the community. Once master and servant, these two [Battle and Willis] would become colleagues. A history of public service and judicial leadership—further precursors to the once improbable notion that the descendant of a slave once owned by a judge would ascend to the highest court in Texas."

Jefferson's tenure on the bench was marked by his commitment to justice and legal integrity. He made significant contributions to the state's legal landscape, including reforming juvenile justice procedures, leading the court's efforts to fund access-to-justice programs, inaugurating a statewide court electronic filing system, and broadcasting the Supreme Court of Texas' oral arguments. He is the namesake of the Wallace B. Jefferson Middle School in San Antonio.

In 2013, Jefferson retired from the court and returned to private law practice at Alexander Dubose & Jefferson. As co-chair of the firm's Texas Supreme Court and State Appellate Practice, he frequently appears before the court he once helmed.

Jefferson is donating the portrait, a symbol of his lasting impact on the state's justice system, to the Texas Supreme Court Historical Society. It will be displayed in the court building as an inspiration to current and future generations of legal professionals.

"I am honored to be here celebrating with you this amazing venture," Jefferson said. "I thank the chief and the court for hosting this event, the Texas Supreme Court Historical Society for making it possible, and I thank the rule of law, without which our freedoms and liberties would waste away."

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Journal Editor-in-Chief Named to ABBHS Board



Texas Supreme Court Historical Society Trustee and Editor-in-Chief of its Journal, the Hon. John G. Browning, was recently named to the Board of Directors of the Alabama Bench and Bar Historical Society. The ABBHS is dedicated to preserving the history of Alabama's judicial and legal system, and to raising awareness among Alabama citizens about the state's courts and their place in both Alabama and United States history. In addition to preserving documents, artifacts, and memorabilia of the courts and their judges, the ABBHS publishes a quarterly newsletter. The Society also sponsors publications, exhibitions and displays, lectures, and other educational programs.

Justice Browning has been an ABBHS member for years, and has published a number of articles in its newsletter. He also writes a recurring column for that newsletter. Browning serves as Distinguished Jurist in Residence at Faulkner University's Thomas Goode Jones School of Law in Montgomery, Alabama.



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And the 2025 Larry McNeill Research Fellowship in Texas Legal History Goes to ...?

Article and photo by David A. Furlow

Applications are now being accepted for the Texas State Historical Association's 2025 Larry McNeill Research Fellowship in Texas Legal History. See <https://www.tshaonline.org/awards/larry-mcneill-research-fellowship-in-texas-legal-history>. This website contains links to winning fellowship proposals from 2020-2024 to serve applicants as a guide.

Our Society worked together with TSHA to establish the Larry McNeill Research Fellowship in Texas Legal History in 2019 to honor Larry McNeill, a past president of the Society and TSHA. The \$2,500 award recognizes an applicant's commitment to fostering academic and grassroots research in Texas legal history. TSHA awards the annual fellowship to an applicant who submits the best research proposal on an aspect of Texas legal history. Judges may withhold the award at their discretion.

Competition is open to any applicant pursuing a legal history topic, including judges, lawyers, college students, and academic and grass-roots historians. The award will be made at the Texas Historical Association's Annual Meeting at the Royal Sonesta Houston Galleria in Houston from February 26 through March 1, 2025. The deadline for submission is December 15, 2024. An application should be no longer than two pages, specify the purpose of the research and provide a description of the end product (article or book). An applicant should include a complete vita with the application. Judges may withhold the award at their discretion. TSHA will announce the award at the Friday Awards Luncheon during TSHA's Annual Meeting in Houston on March 1, 2025.

Individuals wishing to apply should submit an application form and attach the proposal and a curriculum vita. Only electronic copies submitted through TSHA's link and received by the deadline will be considered. Anyone who has trouble submitting the form electronically should email TSHA at <https://www.tshaonline.org/about/contact> or call TSHA Annual Meeting Coordinator Angel Baldree at 512-471-2600.



Larry McNeill

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Supreme Court of Texas

JOURNAL STAFF

Editor-in-Chief
Hon. John G. Browning
jbrowning@faulkner.edu

Executive Articles Editor
Stephen P. Pate
spate@cozen.com

Managing Editor
Karen Patton
karenpatton133@gmail.com

Production Manager
David C. Kroll
dckroll@gmail.com

Editor Emerita
Lynne Liberato
lynne.liberato@haynesboone.com

Editor Emeritus
David A. Furlow
dafurlow@gmail.com

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2024-25 Membership Upgrades

The following Society members have moved to a higher Membership category since June 1, 2024.

GREENHILL FELLOW

David A. Furlow

TRUSTEE

Hon. April Farris

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2024-25 New Member List

The Society has added 34 new members since June 1, 2024. Among them are 21 Law Clerks for the Court (*) who will receive a complimentary one-year membership during their clerkship.

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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

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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.

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