

Houston HISTORY

VOLUME 5, NUMBER 1 FALL 2007

LAWYERS AND POLITICS in Houston



UNIVERSITY *of* HOUSTON • CENTER FOR PUBLIC HISTORY



FROM THE EDITOR-IN-CHIEF

It has been an interesting experience trying to create a magazine of popular history with articles on our region. Almost five years into our venture, it is time to look back at our own history and to look forward to a future that may or may not occur. We stand at a crossroads, and the support of our subscribers is needed to find the right path, the one that has the best chance of establishing our magazine

as a permanent part of Houston's historical/cultural scene.

After four years of steady improvement and sporadic growth, *The Houston History Magazine* (formerly the *Houston Review*) is almost established. We now know how to put out a good magazine that combines professionally researched and written articles and good photographs; we have sufficient funding on hand to sustain our operations for the next year or two; we have good ideas about how to expand our reach. Our challenge is to put the magazine on stable ground for long-term survival.

To survive, much less to prosper, we must find ways to double our subscription list, which now stands at the fair to middling level of about 1,200. This is crucial in producing the revenues needed to continue to produce a high quality magazine. We have tried to reach potential subscribers in many ways. By far the best avenue has been direct referrals from our subscribers. The gift subscriptions offered the last two Christmases have been very successful in adding new readers. (Please bear with us on this front. We know that our small and over-worked staff has not been the model of efficiency in servicing our subscribers, and we have recently invested in new computer programs to keep better track of subscriptions and renewals.) IF EACH OF OUR SUBSCRIBERS WOULD RECRUIT ONE MORE SUBSCRIBER, OUR PROSPECTS FOR THE FUTURE WOULD BE GREATLY IMPROVED. Many of you have been active in spreading the word about our magazine. Please continue to do so. If you have other ideas about ways to increase subscriptions, please let us know.

For our part, we have decided to make a few changes in the magazine aimed at attracting and keeping more readers. The first will be the publication of three issues per year instead of two beginning with this issue. To help pay for this, we will cut the length of each issue so that the total number of pages per year will stay roughly the same. We are also moving toward a new format. In the past, each issue covered a single topic—the arts in Houston, San Jacinto. This narrow focus helped us to recruit people to write articles. In the future we will include feature articles on a single topic, but also add recurring departments, including Historic Preservation, Culture High and Low, and profiles of Houstonians. We also hope to include photographic essays as a regular department.

The next issue, for example, will feature articles on the role of the oil and gas industries in shaping Houston. The one after that will feature articles on hurricanes. But both issues will also contain material in the various departments, unrelated to the featured topics. You, our subscribers and readers, can help us in this area by sending us good articles to publish and by suggesting others who will do the same.

A final area where we need your help is funding. The magazine is put out by an unpaid semi-gentleman professor (yours truly), a friend and part-time editor (Bill Kellar), and two part-time graduate students (Kim Youngblood and Diana Sanders). We have had fantastic support from individuals and local foundations, but this support must continue if we are to hire student workers. At the risk of sounding like Channel 8 without the telephone banks and the Roy Orbison videos, we are very dependent on support from the public. If you have \$100,000 to give, I will drive out to your house to pick it up and perhaps even give you a free subscription. But we also greatly appreciate donations in the somewhat smaller range of \$5 to \$1,000. We would also like to hear any ideas you have about fund raising that we might use.

"Ain't too proud to beg" does not exactly describe our position, but it comes close. We strongly believe in the value of history and we refuse to give up on the written word. We are proud of *Houston History* and are trying to find ways to keep it going. We appreciate the past support of our subscribers and we enlist your help in our endeavor to recover and publish the history of our region.

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We would like to thank the following organizations for their cooperation and assistance with launching past issues: Buffalo Soldier's Museum, the Heights Library, the Museum of Fine Arts, Houston, San Jacinto Museum, Women's Studies at UH, Texas Medical Center, the Greater Houston Partnership, the Friends of San Jacinto Battleground, and the Greater Houston Preservation Alliance.

In addition, we gratefully acknowledge the support of the many individuals who have included donations along with their subscriptions.

CORRECTION

IN OUR SPRING 2007 ISSUE, WE MISTAKENLY IDENTIFIED ANDREW JACKSON HOUSTON AS "SAM HOUSTON'S YOUNGEST SON" IN PHOTO CAPTIONS ON PAGE 26 AND 32. ALSO, TODD SHIPYARD WAS MISTAKENLY IDENTIFIED AS TEDD SHIPYARD IN A CAPTION ON PAGE 68. WE REGRET THESE ERRORS.

Houston HISTORY

VOLUME 5, NUMBER 1 FALL 2007

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Houston History is published three times a year by the Center for Public History at the University of Houston. We welcome manuscripts, interviews, and photographic essays on the history and culture of the Houston region, broadly defined. All correspondence should be sent to *Houston History*, University of Houston, Department of History, 524 Agnes Arnold Hall, Houston, TX 77204-3003 (713-743-3123). The web site is <http://www.history.uh.edu/houstonhistory>. We also welcome ideas for topical issues; these can be sent to the above address or to HoustonReview@uh.edu.

Subscriptions are \$10 per year for students, \$15 per year for individuals, and \$25 per year for institutions. Single issues and back issues are available for \$10.00.

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Readers' Forum

BEGINNING WITH THIS ISSUE, HOUSTON HISTORY MAGAZINE IS LAUNCHING A NEW FEATURE, READERS' FORUM. WE ENCOURAGE OUR READERS TO WRITE TO US WITH YOUR THOUGHTS ON OUR ARTICLES, OPINIONS ABOUT EVENTS DISCUSSED IN THESE PAGES, AND BRIEF REMINISCENCES ABOUT HISTORICAL EVENTS. WE BEGIN THIS FEATURE REMEMBERING THE LATE THOMAS D. ANDERSON. MR. ANDERSON, A HOUSTON ATTORNEY, WAS A LONGTIME READER AND SUPPORTER OF *HOUSTON HISTORY/HOUSTON REVIEW* AND OFTEN WROTE TO EXPRESS HIS THOUGHTS ABOUT ARTICLES IN THE MAGAZINE AND IDEAS FOR FUTURE TOPICS. SHORTLY BEFORE HE DIED IN JULY 2007, HE SENT THIS ACCOUNT OF HOW "FOUR YOUNG HOUSTONIANS" ACTED UPON THEIR DISAFFECTION WITH THE DEMOCRATIC PARTY TO SUPPORT DWIGHT EISENHOWER FOR PRESIDENT IN THE 1952 ELECTIONS.

Harris County, Texas, in the 1952 Election of Dwight Eisenhower

By: Thomas D. Anderson

As the Republicans opened their 1952 Presidential Convention in Chicago, the first order of business was to determine the qualifications and eligibility of each state's delegation to be recognized and seated on the floor, traditionally a duty of the Credentials Committee. Texas was one of several states to send two delegations to Chicago, one pledged to support Robert Taft, a prominent and capable senator from Ohio, the other pledged to Dwight Eisenhower, the famous war hero. The rival delegations were loud and insistent in demanding recognition, and the Credentials Committee was uncertain how to resolve the hotly contested claims on behalf of the two candidates, claims that had to be resolved before the convention could begin.

Early balloting in the Committee failed to settle the Taft-Eisenhower dispute until Joe Ingraham, a delegate from Texas and chairman of the Harris County Republican Party, was called to testify. He stated that, while he personally favored Taft, the Eisenhower forces in Texas had prevailed at every convention level—precinct, county, and state—and had clearly won the right to represent Texas.

The Committee agreed and then rapidly recognized Eisenhower delegates from the remaining states. Without doubt, the disarming testimony of Joe Ingraham was the catalyst that led to Dwight Eisenhower's nomination in July 1952 and his election as President in November.

This development had its roots in 1950, when many disaffected Democrats, mainly in the South, felt abandoned by their party and yearned to "turn those dreadful people out of the White House." Grassroots organizations, sponsored by political novices who normally were Democrats, switched

to the Republican Party in order to elect a Republican President. Most felt that "Taft can't win" and devoted themselves first to persuading Dwight Eisenhower, then in command of NATO, to resign from the Army and to seek the nomination by the Republican Party.

In mid-1950, four young Houstonians,¹ three lawyers and a businessman, all Democrats, decided to quit talking and to start acting. Jesse H. Jones gave them free use of downtown office space in an unfinished portion of the Gulf Building at Travis and Rusk, an office manager was employed, used furniture was loaned or given, flags and bunting were installed, and eager people were attracted, first by the handful, then by the scores, then by the hundreds. "Town meetings" at the Rice Hotel and elsewhere attracted hundreds of Democrats and swing voters. The movement was well underway by the end of 1950 in Harris County, as were counterpart movements in many counties in Texas and elsewhere.²

The Harris County Republican Party was a small, tightly-knit organization interested mainly in patronage accompanying Republican rule in Washington. It perfunctorily nominated candidates for statewide office, with no expectation of victory in November. Nearly all Harris County republicans favored Taft, including their chairman Joe Ingraham and the Republican National Committeeman, Jack Porter, a genial oil man from Houston; but both welcomed the influx of the neo-Republicans, recognizing a new hope of re-vitalizing the party and of regaining the White House.

Not every precinct had a Republican chairman, but of those who had been selected, many favored Eisenhower and joined hands to help give traction to a county-wide pro-Eisenhower movement. Coordination required frequent meetings, and the key people met regularly around a large table at the Houston Club, then located in the old Commerce Building on Main Street. The meetings of this steering committee had no chairman until John R. Brown assumed the chair and thereafter conducted the meetings, which continued into the 1952 election and was a viable campaign organization by the time Eisenhower agreed to be a candidate. A fledgling national organization became full-grown and offered professional advice and instruction to those working at the precinct level, then governed by the convention system. A booklet called "How to Run a Precinct Meeting" became a useful tool to those active at the precinct level.³

The Taft forces had not been idle. They too were preparing for precinct meetings, scheduled for May 1952, and it became evident that the principal strife in that year would be an intra-party contest between the Taft and Eisenhower camps. This brought forth an unparalleled effort to "get out the vote." The early months of 1952 were devoted to ringing doorbells, holding personal conversations with everyone who would listen, and offering transportation where needed.

Precinct meetings previously had attracted only handfuls of voters, especially among Republicans. The Harris County Republican precinct convention of May 1952, however, produced numbers so overwhelming that in Precinct 135, for example, the Eisenhower supporters and the Taft supporters had to be herded through separate gates in order to be counted accurately by tellers. The Eisenhower devotees outnumbered those for Taft, and delegates to the county convention were selected from Eisenhower supporters. Undeterred, Taft's people held rump conventions in Precinct 135 and elsewhere, positioning themselves to send rival representatives to the county convention.

As already seen, the Credentials Committee approved first the Eisenhower team from Texas then similar delegations from other states. This action, more than the action on the floor, produced a clear victory of the Eisenhower forces over those preferring Taft, setting the stage for the landslide defeat of Adlai Stevenson in November—by no means a certainty.

The Taft forces, for the most part, agreed to support Eisenhower in the general election, and both factions consented to look to Joe Ingraham and Jack Porter for

leadership. The campaign structure became more elaborate, establishing campaign managers for zones, precincts and even neighborhoods. Remembering that precinct voting places had always been staffed by Democrats, poll watchers were detailed to observe the balloting and to call a telephone bank in the old Melrose Building to report violations. Federal marshals were ordered to straighten out the offenders, mainly Democratic precinct chairmen who called themselves "precinct judges," to turn away or disqualify Republican voters. As in May, the streets had been worked and the turnout was enormous, rivaling the percentages recorded at the intra-party contest of the previous May.

Meantime, support for Eisenhower had grown among those Democrats who were unwilling to abandon their party but also unwilling to support Stevenson. The Democratic governor, Allan Shivers, publicly announced his support of Eisenhower, and Dillon Anderson, a prominent and influential Houston lawyer who had known Eisenhower in World War II, rallied support in Harris County within the shrinking Democratic Party, and these "crossover" voters assured a landslide victory for Eisenhower, who lost only two states. Anderson subsequently became security advisor to Eisenhower, serving through his first term. Another influential Houstonian, Dudley C. Sharp, was installed as Secretary of the Air Force in the same period.

When the excitement of the Republican victory in a Democratic state subsided, it was noted that no Republican had occupied a significant state office since Reconstruction days, and none would do so until the election of Bill Clements in 1978. Encouraged, the neo-Republicans began nominating well-qualified candidates for state offices and campaigning with far more assurance than in previous years. As a result, most Democratic state and county officials, especially judges, were gradually replaced by Republicans, and the century-long stranglehold on Texas by the Democratic Party drew to a close.

The final chapter is yet to be written. The Democratic Party remains strong and may be expected to nominate forceful candidates in future elections; but the state is unlikely again to witness the high turnout of voters that attended the intra-party precinct conventions of 1952. ★

Conversations With...

RICHARD “RACEHORSE” HAYNES Lawyer

Interviewed by Ernesto Valdés

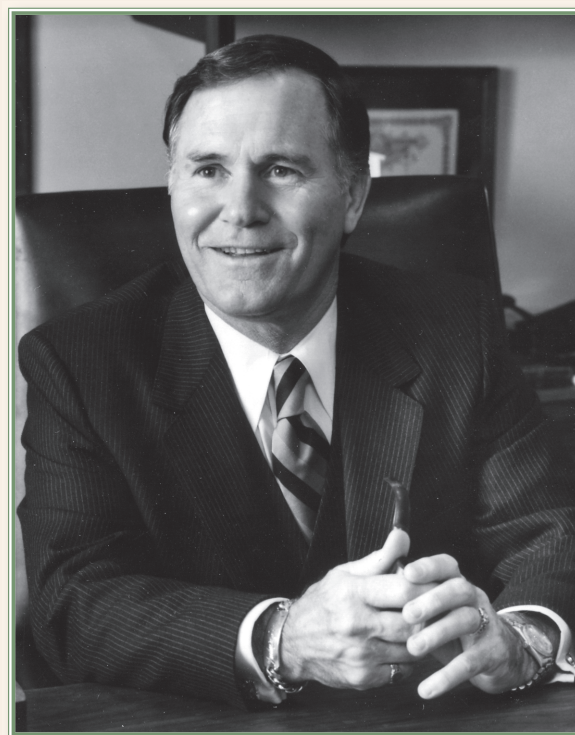
Introduction

Houston's criminal trial lawyers are legendary, none more renown than Richard "Racehorse" Haynes, who, with the passing of Percy Foreman, may arguably now be the dean of the city's cadre of criminal defense attorneys. He has received honors, accolades, and awards from many organizations that speak not only of the dedication and respect he has of the law but of the respect his profession has towards him – a rare recognition granted to a criminal trial lawyer. The books and movies about his famous cases describe his courtroom strategies, this interview, however, was conducted with an eye to discover the early events that fashioned the essence of the man. Mr. Haynes not only defended individuals like Dr. John Hill and Cullen Davis, and the late Percy Foreman, but in a historical-literary irony, he defended the rambunctious Prince Hamlet and the Bard himself for an alleged coggery he perpetrated in some of his writings.

ERNESTO VALDÉS HAS A B.A. FROM TRINITY UNIVERSITY, SAN ANTONIO, TEXAS, A D.J. FROM SOUTH TEXAS COLLEGE OF LAW, HOUSTON, TEXAS, AND IS WORKING TOWARDS A MASTER'S DEGREE IN PUBLIC HISTORY AT THE UNIVERSITY OF HOUSTON.

EU: Let's start out with some personal stuff. Tell me where you were born.

RH: Right here in Houston, Harris County, Texas. When I was a kid, about two years old, my Dad was in construction. There wasn't any work, it was right after the Depression, and I went down to San Antonio to live with my Grandmother. Bless her heart, she was from England and she was a Shakespeare expert. She's only about four-foot, nine, but she could quote Shakespeare night and day, and she taught me how to read, write, and do arithmetic by the time I was four. She made a game out of it. She took a lazy Susan, put a paper cone over the top of it and cut a triangular apex in it and I remember she'd put spool, a needle, a couple of buttons, and spin it around and I'd tell her what I saw in it and I'd remember it. Then, she put letters in there and she'd put numbers in there. When it came time to go to school, she said, "Here's where the school is, you just go over there and tell them you want to start in the third grade 'cause you can do third grade work. If they object to it just tell them to give you a test and take a test, because you can do it." So, I went over there, little twit kid, six-years old... almost six, I guess. I said, "Start me in the third grade." "No, we can't do that." So I said, "Grandma said to give me



Richard "Racehorse" Haynes

ALL PHOTOS COURTESY RICHARD "RACEHORSE" HAYNES

a test." So they handed me a test that started me in the third grade and they put my picture in the paper. Years later Grandma said, "Worse damn thing I coulda done for you, cause you fell in love with the concept of having your picture in the paper and you haven't been worth a damn since!" I left there and came back here and started junior high. By that time, my Dad had some work and I came back to Houston and started junior high over at John Marshall and then left there and moved because my family had bought a little house out in the Heights, and I went to Hogg Junior High and then went over to Reagan [High School].

EU: And you married...

RH: A Jeff Davis girl, her name is Naomi. She was the Queen of Jeff Davis, the Sweetheart of Jeff Davis. She was Miss Everything over there, and so she's proved to be a real sweetheart. We've been married fifty seven years and she's been a sweetheart all these years.

EU: How many children did you all have?

RH: Four

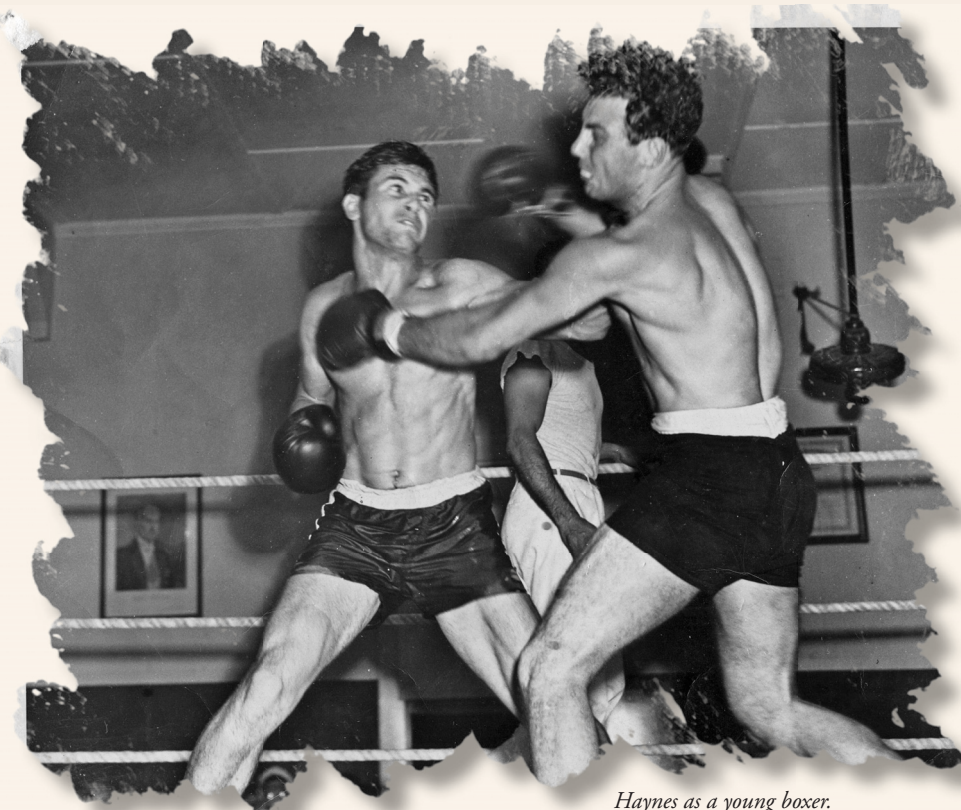
EU: Did they go into law?

RH: One of them went into law, and the rest of them got honest jobs.

EU: So, after public schools, where did you go to college?

RH: I started out here at Rice, initially, but thanks to that man over there [pointing to a picture hanging on the wall], Albert Thomas (former Houston congressman), got me an appointment to the Naval Academy but I was too young and they wanted me to go to a prep-school called Phillips-Exeter, somewhere up on the east coast. I'd never heard of it. I looked it up and said, "Man, I don't want to go up there." So, I joined the Marine Corps and went over to the South Pacific during World War II. Wound up on Iwo [Jima] ... D-Day got a bullet in my fanny and came back. I was the company runner... I was a track guy... so I'd run from command post to command post.

When I came back, I won my first case. When we arrived in California from overseas, there were only three of us out of our squad that came back and one of them was an Indian boy from Oklahoma, from Okmulgee, Oklahoma. Of course, as you know, all Indian boys you call them "Chief." So when we came back to the States, we came back to Portland, Oregon, none of us had ever been to a bar before, y'know, so we stepped into one and ordered bourbon and coke, that's how sophisticated we were. The bartender said, "I ain't serving any damn Indians." Well, I'd been boxing champion y'know, so I said, "You're not talking to any damn Indians, buddy,



Haynes as a young boxer.

you're talking to a United States Marine. Now get the bourbon and cokes up on the bar!" He pulled out a slap-stick and slapped it on the bar and said, "I'm telling you, I'm not serving any damn Indians." I didn't realize it at the time, but it was against the state law for any bartender to serve alcohol to an Indian. Anyway, when he slapped the bar...there was some controversy about whether he went through the window of the bar before the jukebox or vice-versa, but we all went to jail.

The next morning the bartender was there and we were before the judge, all bandaged up, having gone through the glass window and everything. Bartender said his damages were \$454.00 - in 1945, and that was a lot of money. So someone said, "Race, go tell the judge what happened." So I got up and ran it down to the judge and he said, "Alright, gentlemen, case dismissed." And the bartender said, "Well judge, what about my damages?" And he looked over at him and said, "War is hell." So then we went up to talk to the judge because he'd called us up to the bench. Judge said he'd lost his son at Guadalcanal. So he understood.

Some fifteen years later, I was giving a lecture up in Oregon and up on the

dais was an old judge. And they'd introduced me as, "Racehorse," just as they'd introduced me as "Racehorse" in that court when I was there as a kid. He sent a note down there wanting to know if I'd been in Oregon in 1945, and it was that same judge.

EU: One of the things I need to ask you for the sake of posterity and this interview is how you got your nickname?

RH: Well, I was trying to play football in junior high. I was a running back and the hole [in the line] closed so I just ran parallel to the line of scrimmage and at right angle to the long axis of the field - I didn't advance the ball at all, I just ran sideways twice in a row and the coach said, "Dammit, what do think you are, a racehorse?" and it stuck. So when you think of the nicknames the kids get when they are young, it's a better nickname than some of the kids I know that got them way back when.

EU: What did you learn about yourself in the military?

RH: I keep thinking that for today's young people compulsory military service wouldn't be all bad. Give them two years of instruction, where



Haynes during a court recess at the Cullen Davis trial.

they have to follow the damn rules... Today's...every generation wants to do more for their kids than they had and so we, we indulge them. Our parents indulged us; we had more than they had. So today's kids, at least most of the kids that my kids went to school with...my kids went to silk-stocking private schools. Looking back on it, I'm not sure that was the right thing to do because I'm not sure that they really understand what its like to be from a family where Mom and Dad both have to work, y'know, just scratching to pay the bills.

I'll tell you how I learned about it. When I was in law school we would come downtown, me and Tom Sullivan, who later became a judge, and Bill Kemper, whose father was a very good lawyer here in town, and he would let us study in his law office at night. So we'd come downtown to study and we'd walk over in front of the Joy Theater at about the time the poor folks were catching the bus to go home, and I'd preach, then we'd take up a collection. Then we'd go over to the beer joint, beer was only about a

quarter, buy a couple of beers...Oh yeah...preaching against drinkin' and sinnin' and carryin' on the pleasures of the flesh. One night we were over there and one drunk was in back and he said, "Brother, can I ask you a question?" And I said, "Tom, get the hat goin' because I got a feelin' here. Finally I said, "Sure brother, what's you're question?" He said, "Did I know anything before I was born?" I thought to myself, "Oh God, I can't handle this one...No brother, I don't think ya did." Then I asked a stupid question, I said, "Why do you ask?" He said, "Because I think that's the way it's going to be when I'm gone too." Y'know, we were making three or four dollars in quarters, dimes, ...with that preaching...and this old guy said, "Why not go over there to the Loew's where people wear neckties. You could preach and make a little more money. So we went there a couple a nights and found out that the people with neckties don't give a damn. They don't care to hear about drinkin', sinnin', and pleasures of the flesh, and they don't want to contribute. They don't want to

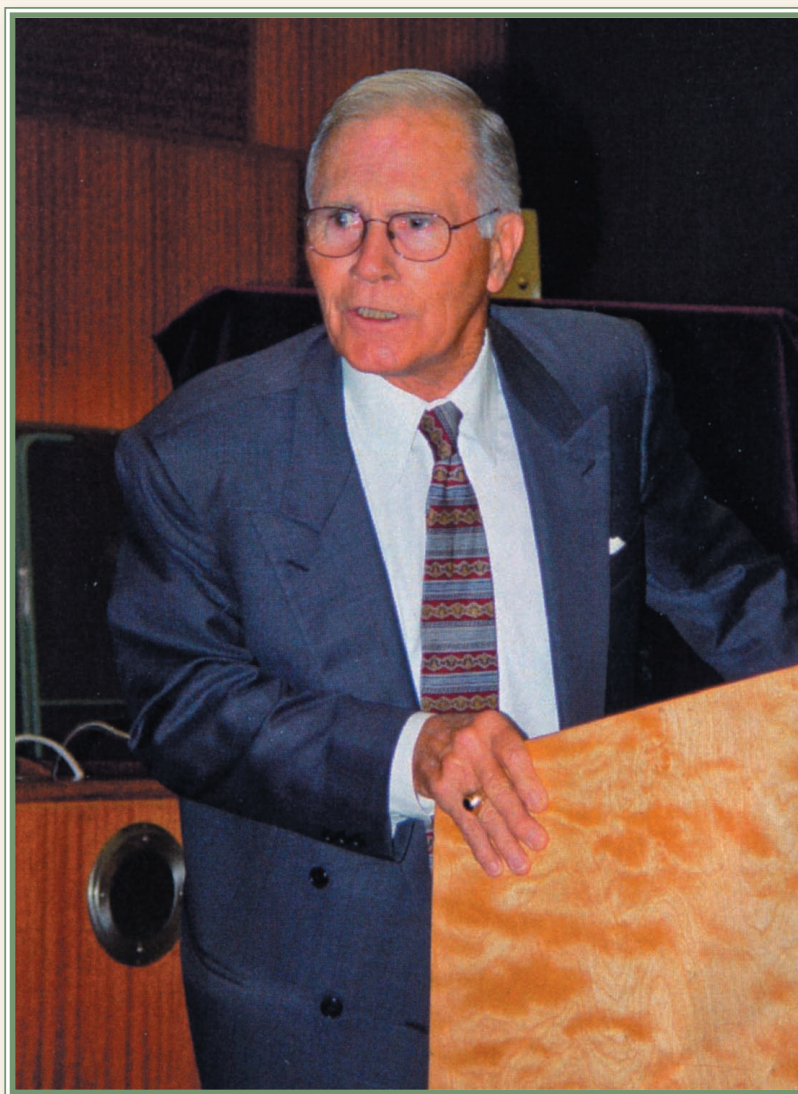
hear you bad-mouthin' their ways. That was another important lesson learned.

After I got back I went to UH. I was in the reserves and Korea [Korean War] started and a thing came out in the paper and said, if you had a good grade average you could go down to New Orleans and take a test, and you can get a commission. So, I thought that'd be cool, so I went down there and they gave me a uniform allowance in cash. Well, I was a nice boy, and had never been in New Orleans, I had some cash...I didn't buy a whole lot of uniforms. So when I went to the [Army reserve] meetings out here on OST, I never had the uniform. So the old man was saying, "I oughta ship your butt over to Korea." Then that deal came out where you could get into the ROTC and you'd get paid a few bucks a month. When you graduated, you'd get a commission, then you had to go do three years. So I got into that and stayed until my last year. Then I went off to the Army and jumped out of airplanes for about \$100 more a month as a lieutenant.

I got out of there in 1956. I went over to one of the big firms, but then Sullivan and I started an office, Sullivan and Haynes. We had been friends in undergraduate, in fact, I was president of the student body one year, and he was the president of the student body the next year when we were in undergraduates. In law school we were friends, buddies, so we started the firm Sullivan and Haynes, and we got Rex Green, he was a UH man, a fellow named Bill Crouch, and Ken Pacetti, he was a South Texas [Law School] boy. When I was in law school, I got a job at the county court house in the law library as an assistant putting supplements in the back of law books. So I started a little business – the lawyers would be up in court and they'd have a legal question then they'd ask the court for a break to go down and check the law library. They'd call me and I'd try to look it up for them, and they'd give me a couple of dollars and I'd try to find the case for them. Also, the probate court was close by so I could sneak out of the law library and go and listen to the probate lawyers. Either way, civil or criminal just so it was a jury trial that's what I wanted to do.

Tom and I represented some insurance companies, initially, doing subrogation work...that was boring. A criminal case came along and I just kind of got hooked into those and I started doing DWI's. In a ten-year period, I saw in an article, I never kept count, but according to the article, I tried 163 of them and only two of them were convicted in jury trials. I was charging big bucks in those days because the big firms, who had men of means with DWI's, would hire me.

I also did a lot of "Smith & Wesson divorces" over the years that were not too difficult - where the wife shoots the husband. But DWI's became a specialty. They didn't have breathalyzers in those days, and they used the urine analysis and the blood analysis. So, we'd get into how they took the blood and back in those days you didn't have the Mother's Against Drunk Drivers, you didn't have the DWI Task Force, you had just



Haynes speaking at a conference.



From Left to right, Richard "Racehorse" Haynes, Judge Kenneth M. Hoyt and attorney Joe Jamail.

regular police officers who were making busts coming down there trying to testify. It wasn't all that difficult and if you picked a jury of people who would drink socially, they could recognize how it could be misunderstood as being an intoxicated driver. Obviously, you don't want to get some drunk on the street every night, but at the same time, the charges were totally subjective based on the standpoint of the officer whether you're intoxicated or not. Further, if your attitude was not good, or you're color's not right, or y'know if you're driving a big car and you're coming from the fancy country club or bar, that could get the police officer ticked off at you, so it wasn't all that hard.

EU: Did you ever consider another career besides law?

RH: Medicine. My high school teacher kept telling me I ought to go to med school. I went out there one summer at the medical complex and I didn't like the feeling – I needed to get into a profession where if you screwed up you could appeal. Over there, you screw up you can't appeal.

EU: What was it that directed you towards law?

RH: Well, they gave us those tests that kept telling me I ought to go into engineering. Well, I didn't want to do that. That's not good, I wanted to be some place where you can help people, and in the law you can help people. I've always preached and practiced that you ought to...when you go to a court...you ought to go over and make friends with the bailiff. Introduce yourself and respect his position. Make friends with the court reporter because she is going to be invaluable to you in terms of the record she makes. Make friends with the court clerk, don't treat them like rubbish, you're not above them...they are officers of the court, and respect the jury. I used to like watching trials, I'd watch Percy [Foreman] try cases and then I worked with him briefly when I got out of school for a little bit. Then I represented him when he got in trouble...Yeah, he never had a driver's license. I used to castigate him for that,

I'd say, "Percy, you get your name in the paper a lot and they print it up that you don't have a driver's license. What are the kids going to think? They're going to think it's OK not to have a driver's license and if they're going to drive they need a driver's license. So c'mon, knock that off."

But 'ole Percy, before he died, about two or three years before he died, I guess, he called me one morning at about 10:00. He said, "Hoss, what are you doin'?" And I answered, "I'm workin'." He said "C'mon over here to the club (The Inns of Court, a private club for attorneys and judges). I met him over there and he was already drinking. I chewed him out, I said, "Percy, you're not supposed to be drinkin' " because he was diabetic. He said, "I know, but I worked on the weekend and you know how lonely it is to be up in your office on Sunday and Saturdays." And I said, "Yeah, I know." He said, "Most of my friends have gone and I've never had any interest in life except practicing law, drinking and chasing women and now, y'know, I'm too old to chase women and the doctors don't want me to drink and I just want to make sure you had some interest in life outside the law, do ya?" And I say, "Oh, yea, I have a boat, I like to play golf, I like to go boating. I've got some interests in life that's outside...I've kids...race motorcycles." Bless his heart. He didn't have any interests outside the law except what he just told me. When we had his funeral we had a closed casket with a picture of him on top the casket with that old gray fedora that he used to wear sittin' on top of the picture. I got to say a few words, and Dick De Guerin said a few and Mike De Guerin said a few words. We kissed the old man goodbye.

I remember one time he had called me one morning and said, "What are you doin'?" and I said, "I'm going in here to try a little case." He said, "Naw, naw, run in there and get a reset, you're going with me to Dallas, I'm going to make you famous." I said, "How's that?" He said, "I'm going to interview Jack Ruby, (this was the man who

assassinated Lee Harvey Oswald who in turn, had assassinated President John F. Kennedy) he wants to talk to me." "All right," so I went up to Dallas with him and he went in to talk to Ruby. I didn't get to go in. When he came back, I said, "Are you going to take the case." Percy could have tried that case as good as anybody on planet Earth. He said, "No." And I said, "Why not?" He said, "He doesn't understand that the tail doesn't wag the dog." And that's all he told me. "The tail doesn't wag the dog."

EU: Did you ever want to be judge?

RH: I was a judge temporarily. They appointed me over there in the county court to sit on the county criminal court at law for a couple of three weeks or so.

EU: How did that go?

RH: It was interesting, but I found that a lot of appointed lawyers by the court were entering plea agreements with the prosecution without ever having talked to the client and so I'd make them go talk to the client. I'd ask them, "Have you talked to the client and has the client fully understood what the ramifications of this plea. Put it in writing, read the statute, the penal provisions that apply to this case? Go back and read them." And some of the guys that get appointed, I thought they'd simply get the case continued two or three times and that way they'd have four or five of them on the docket each day and they'd collect some money. That didn't suit me too well.

EU: Which of your cases is your favorite, which one do you really like?

RH: Well, the case I really like, nobody has read about. It was a black man accused of stealing from a construction site, a felony. It turns out that the white guys he was working with were doing the stealing, they just framed him. So I went down and tried the case vigorously and he prevailed. That night they had a little party for me out in the ghetto, in a little ole shotgun house. Had some barbeque and the little kids had taken a paper and written, (they couldn't spell "lawyer") "God bless



Haynes receiving awards with other colleagues.



lawyer Hoss." And I left there feeling I'd done some good, y'know. That was more satisfying than the big bucks fees I've got defending some of the big cases. That's the satisfaction when you help somebody. In fact, going through all this paper work trying to get organized since we've [recently] moved, I found countless letters from people just saying thanks, "You're in our prayers; Thank You; God Bless You." You can't beat that, money is one thing, fame and fortune is another, they are two different things but when you got people thanking you for trying to help them, boy, that's the ultimate payoff for thanks and they really mean it.

Another of my favorite stories is when I represented a fella accused of stealing from the bank he worked at and he had me satisfied and convinced that he was just innocent. He was a nice old man, we put on our case, I'd worked hard on it. When the jury came out, I looked at the first person coming out of the jury room and I said to my client, "It looked like this jury has returned a verdict in your favor and if that is true, the judge reads the verdict and if 'not guilty' he dismisses the jury. Then I want you to stand up and thank the jury." And so the judge read it, "We the jury, find the defendant not guilty." The judge said, "Alright ladies and gentlemen

you are excused." My client stood up and said, "Thank you ladies and gentlemen...and I'll never do it again."

Another trial I had down there was when the government had embraced one of those "vatos" and forgave him of all his crimes so he'd come testify for the prosecution on my client. So in the closing argument, I'm up before the jury and I said, "Ladies and gentlemen of the jury. The government has embraced this man...forgave him of his crimes...and he is sitting in the back of this courtroom...he's sitting right back there smirkin' like a jackass eatin' cactus because he's got a deal with the government." We looked back there and then it happened, this guy, with the blessing of all, shot me the finger...gave me the bird! And I thought, "What would a real lawyer do with an opportunity like this." A real lawyer would say [and I did], "Ladies and gentlemen, did you see that? This man has so little regard for solemnity of the oath you took as jurors that he'd

make that obscene gesture towards you! Pitiful! Pitiful! Pitiful! I pity him. Shame on him! Shame! Shame! Shame!" I had decided to get the judge in on it too, so I turned around and said, "...and disrespect for the court, obviously, since he made that obscene gesture to this court." Well then, the court wanted to hear from him.

So, we had a hearing afterwards out of the presence of the jury. This guy got on the stand and testified, yeah he'd put his finger up but he was picking his nose, that's what he was doing, he said. And Randy Shafer was my co-counsel, Randy was a brilliant young lawyer, he leaned over to me and said, "Ask him what he did with the booger?" And I said, "Randy, what a question! What if he said, 'I put it under the seat.? What are we going to do....go back and look under the seat?" Anyway, the jury acquitted.

EU: Do you see poor folks getting more help than they did twenty or thirty years ago?

RH: I try to do 10% pro bono, but I can't afford to do them out of town. The practice of law is so expensive to maintain, to get the people to work, to pay the rent, get the computers, get the equipment...it costs a lot of money. It's amazing how many good lawyers out there aren't making any money, and there's a lot of them.

I was invited to give a speech at a banquet where they had some kids there from UT Law School who had won some national contest, y'know, moot court, best briefs, and all that sort of stuff. And I noticed that those contests were sponsored primarily by big law firms - they put up the money to get the thing going, which without that money as financial help they couldn't go to it. But what it does is it gives the big law firms access to the number one students in the law schools around the country and so they hire the best and the brightest and they pay the most money. And the best and the brightest wind up representing the corporate citizen so

mediocrity goes in and represents the citizen and so the citizens aren't given the same kind of quality of legal representation as the corporate citizen, which I don't think is totally right. I don't blame the corporate citizen for hiring the best lawyers, they can afford it, and I don't blame the lawyers for accepting the high fees, but I told those kids up there in my speech when I accepted my honor, "Give some time to doing some pro bono work. Take your skills to help the poor, downtrodden and oppressed." Some of them have done it - I get cards and letters from them, cards from them thanking me.

I think it's always been the same... the rich and powerful, and the influential, they can afford to hire a good lawyer. The poor, downtrodden, and oppressed they appoint lawyers, and sometimes they get pretty good lawyers that are appointed. The federal public defender here has got some cracker-jack lawyers over there that really care about the clients, they really care about the cases and they expend the maximum effort. It's the middle class, the poor guy that's paying for his house, and trying

to pay for his kid's education, and the outboard motor boat, the car...he's the guy that can't afford anything, it's the middle class that gets stepped on now.

EU: How do you want to be remembered?

RH: I will tell you is this, I've done so many eulogies over the years for people who have gone away, that I decided that I was going to do my own eulogy. So, a few years ago, regardless, if I've been drinking or not drinking, I would get on the video tape at home and I'd mention the people I'd run into that day, and I'd say nice things about them and so forth. In my last will and testament I provided that we were going to have it [memorial service] out at the domed stadium [Astrodome], and I was going to have a bar and a band, and then do the video tape as my eulogy. And if you like what I say about you in my eulogy, you can buy that part of the program for about ninety bucks, and the Widow Haynes will have a few bucks to live off of. ★



Relaxing and golfing at St. Kitts

Tenacious Spirit: Behind the Bricks and Mortar of Historic Texas Courthouses

by Tiffany Schreiber

“Build, build high this temple of justice, that the virtues of our people may endure forever.”¹

Texas county courthouses and the justice they represent have evoked such awe-inspiring remarks. The golden age of constructing these temples began at the end of the nineteenth century and became identified aesthetically with towers, cupolas, hidden circular stairwells, and doors leading nowhere.² At the same time, the Texas courthouse has stood as a proud symbol of county history.

PHOTO BY CURTIS STANLEY, HARRIS COUNTY PRECINCT 2.



Harris County Courthouse with tower, 1883.

COURTESY HOUSTON METROPOLITAN RESEARCH CENTER, HOUSTON PUBLIC LIBRARY

The march of time, however, has taken a physical toll on courthouses around the state, and prompted questions about the role of history and memory in the implementation of justice. Have these once glorious courthouses outlived their usefulness as functional representations of law? Do the buildings still serve as tangible reminders of communities' pasts? Will their preservation insure the same legacy for future generations?

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The courthouse originated with the evolution of Texas' counties. Twenty-three municipal districts, established under Spanish or Mexican rule, existed when the Republic of Texas was formed in 1836. Nine years later, following the division of these districts into counties, the Republic's Congress created the court system, authorizing for each county, among other things, a chief justice to be appointed by the president, a place to hold court, and a jail to hold prisoners. Under the new law, counties and their seats were to be located so that every resident could travel to the seat and return home within one day. A thirty-mile area provided a suitable level of accessibility. Choosing the county seat, however, proved a tempestuous process because the presence of the county seat insured a steady flow of business and employment for any community. Towns competed for control. Some seats changed several times, and the shifts often involved "dirty work." Under cover of night, courthouse

records sometimes mysteriously moved from one town to another, while armed guards protected them.³

Once the seat was established, residents wanted the courthouse to aesthetically symbolize their town's elevated status within the county and to compare favorably with other counties' institutions. Achieving that favorable comparison, however, took time to cultivate. A county's first courthouse often was a log cabin, or even a shady tree. A county's second courthouse graduated from log cabin to a sawed plank structure.⁴

Harris County Archivist Sarah Jackson explains:

Well, if you go back even farther to the... even before the period of courthouse building in Texas... they always had courthouses. It may have been a hastily built log cabin, like it was in Sherman, Texas for Grayson County. Pigs ran through it. Or it may have



COURTESY HOUSTON METROPOLITAN RESEARCH CENTER, HOUSTON PUBLIC LIBRARY

Harris County Courthouse before addition of tower.

been a clapboard structure, but there was always a courthouse because you had to be able to record deeds. You have to remember that Texas dealt in land. Land was the only thing we had. We didn't have any money, and so everyone dealt in land. People were land-rich and cash-poor. So, there was an awful lot of speculation in land, dealing in land. Ownership changed. In order to maintain those deed records, it was paramount that the counties had a place for that to happen. If they didn't do that, they wouldn't develop as a county.⁵

The year 1881 commenced the most significant period of courthouse construction in Texas when the state legislature authorized counties to issue bonds to finance courthouses. Consequently, a county was established enough to build a third courthouse that truly would exemplify the glory of the county.⁶ The legislature's drive to promote growth and development in Texas after the Civil War resulted in "a rush to architectural competition around the state as counties vied for

the most imposing symbol of county government."⁷ Displaying a dramatic flair, courthouses in this new era of construction typically included two or three stories, a dome or tower that rose above homes and buildings, a clock, bells, and a statue. Those citizens who opposed funding a courthouse through county bonds frequently charged the county commissioners with "putting on airs" because the proposed structure cost more than its predecessors combined. Then, the turn-of-the-century installment of electricity and indoor plumbing left exposed wires and pipes. This situation often turned communities' thoughts to the next era of courthouses, prompting proponents of new structures to hope for modern and efficient buildings that would accommodate electricity and indoor plumbing without exposed wires and pipes.⁸

When courthouses of the next era did emerge, they were an aesthetic contrast to the courthouse's golden age. An absence of applied decorations and cubical forms eventually marked modern architectural style after World War II. Counties built "numerous monstrosities," as one author terms them, "while old courthouses stripped of their charming, decorative features

resulted from this economic and efficient style."⁹ The unimaginative, businesslike, and commonplace structures did not reflect the cost to build them during this time. These institutional government buildings provided the most space for the money, but lacked cultural value. No longer stately and impressive, they elicited no pride in the government they represented. The courthouse was just a county office building, and a place to hold trials. The only feature that distinguished the courthouse from the home office of an insurance company was its location on the square.¹⁰

Commercial, legal, and social matters at the courthouse shaped the square. The courthouse had served multiple community functions since the days of the earliest log cabins. Commercially, any lots facing the courthouse monument would bring higher prices than other lots. Legal clout infused the square, making it less likely that the public square would be abandoned or moved once business buildings had settled around it. People gathered in the square to discuss politics, listen to political speeches, or drink from the public well.¹¹ Dances, poker games, barbeques, picnics, revivals, weddings, funerals, and Christmas celebrations all occurred at or around the courthouse.¹²

By the mid-to-late twentieth century, and as the social significance of the square began to diminish, historic Texas courthouses began showing their collective age. Deterioration and safety problems raised questions about their usefulness and their futures. In the last quarter of the twentieth century, many cities, counties, historical societies, and other organizations began to champion the preservation and restoration of these crumbling edifices. As public buildings, the courthouses enjoy some protection under Texas laws. The 1971 and 1972 Texas Courthouse Acts require county governments to notify the Texas Historical Commission (THC) of plans to demolish historic courthouses or to change their exteriors. In 1989, the state legislature established the Texas Preservation Trust Fund as a pool of

public and private money. The THC has distributed the interest generated from this pool to designate matching grant gifts for preservation of historic buildings, including courthouses.¹³

Nonetheless, the fate of historic courthouses was looking dim by the 1990s. While nearly 200 of the state's historic courthouses were still used for some administration purposes, most had fallen into various stages of disrepair. Improper heating and air conditioning, lack of Americans with Disabilities Act (ADA) compliance, leaking roofs, outdated electrical wiring, and vulnerability to fire left many of the courthouses susceptible to possible demolition. Then, in 1998, a grass-roots organization, Preservation Texas, came to the rescue by nominating 225 historic Texas courthouses for the annual "Top Eleven Endangered Places in America" campaign sponsored by the National Trust for Historic Preservation (NTHP). NTHP responded by placing all 225 courthouses as a group on its list.¹⁴ In 1999, the Texas Legislature and then-Governor George W. Bush created the THC's Texas Historic Courthouse Preservation Program, which offers matching grants to counties to restore their historic courthouses.¹⁵ In his push for preservation, Bush described the courthouses as "valuable centers of Texas commerce, culture, and history."¹⁶

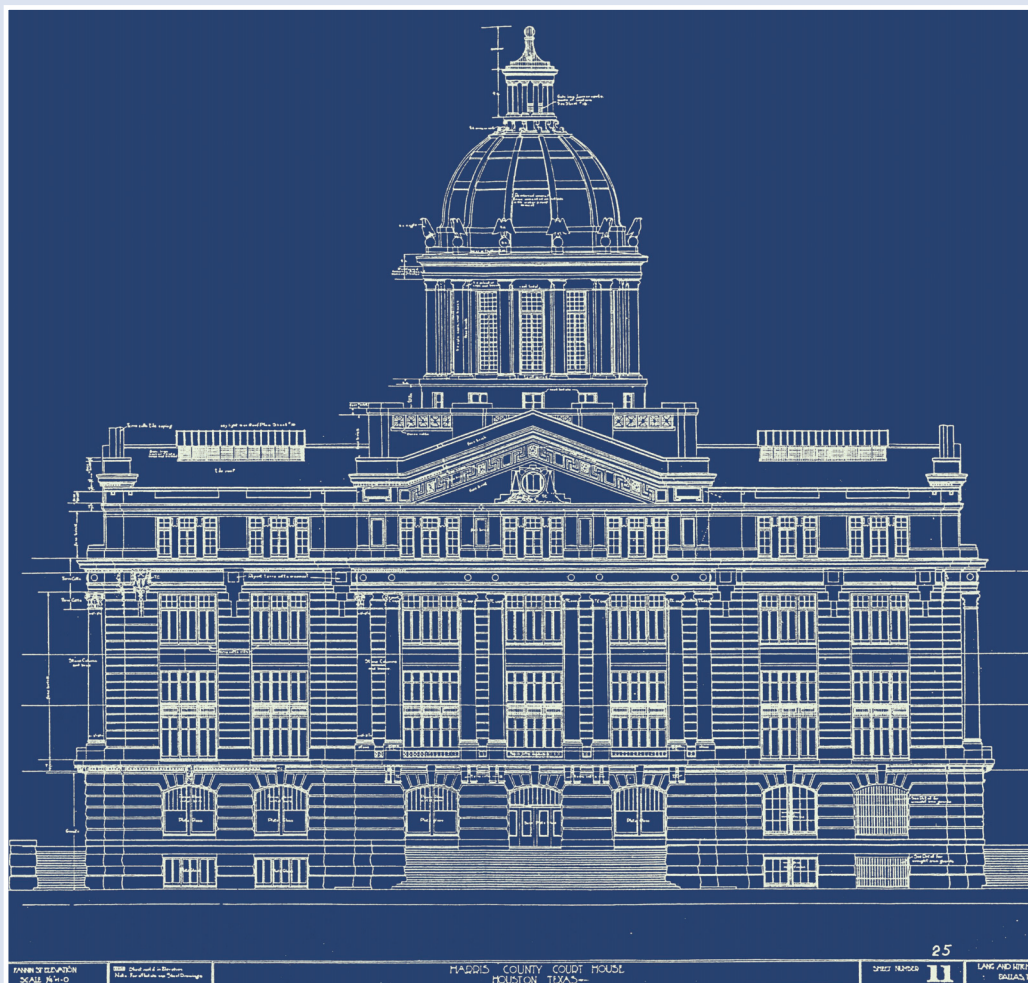
Since its inception, the THC's Courthouse Preservation program has awarded over 100 million dollars in matching grants to almost 100 Texas counties.¹⁷ For THC Chairman John L. Nau, III, the importance of preserving these courthouse jewels has been a foregone conclusion from the Courthouse Program's onset: "Historic courthouses are profound reminders of the spirit and vision of our ancestors.... Today it is our responsibility to use preservation as a way to promote heritage tourism and revitalize local economies."¹⁸

Mark Cowan, Project Reviewer for the THC's Courthouse Preservation Program, describes the program's inspirational value in the following way: "But this program is for the people. It's something they have, this asset, this symbolic thing in the center of their community. I hope it helps the local citizens have a more optimistic view of government, what it could be and the ideas it could stand for. I hope that it gets them involved at that community level in government."¹⁹

Courthouse preservation efforts are a labor of love, to say the least. The efforts often raise related concerns about a county's past and the scope and cost of restoration. Harris County grappled with these issues, balancing functionality and symbolism, as it decided the fate of its historic courthouse. The courthouse question struck at the heart of the community, prompting a contemplation of the history behind the bricks and mortar.

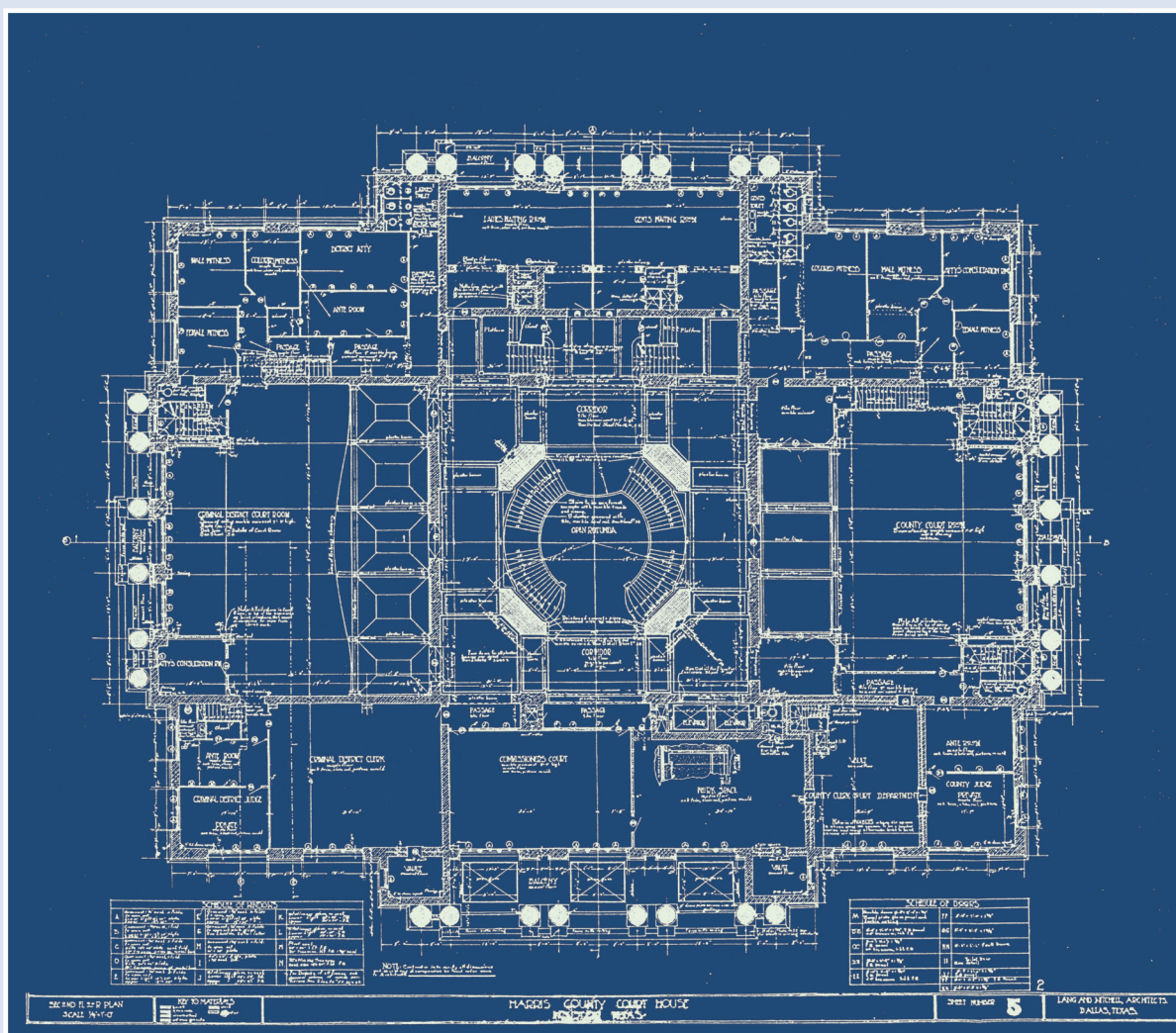
Harris County Courthouse of 1910

Civil court cases with far-reaching effects at the national level have played out within the 1910 Harris County Courthouse. Betty Grissom, widow of astronaut Gus Grissom, prevailed when she brought a wrongful death suit against Apollo I spacecraft manufacturer North American Rockwell in 1972.²⁰ Moreover, North American Rockwell then became one of the first big companies held accountable for a product malfunction involving known major risks. This case arguably heralded the product liability trend that changed corporate and societal attitudes about acting to avoid liability. In 1987, *Pennzoil vs. Texaco* resulted in Pennzoil's receiving ten billion dollars in damages, the largest civil judgment in history at the time. The case involved Texaco's interference with a contractual relationship between Pennzoil and the Getty entities. This case, among other things, elevated



Fannin Street Elevation.

COURTESY TEXAS HISTORICAL COMMISSION.



Second floor plan. An excerpt from the original Lang and Witchell plans, which are in the possession of Harris County.

IMAGE COURTESY OF THE TEXAS HISTORICAL COMMISSION.

the standards for potential damage awards and changed corporate attitudes about due diligence.²¹

These cases are just some of the events to leave an imprint on the historical fiber of the Harris County Courthouse of 1910; it is little wonder that restoration efforts also will leave an imprint on the courthouse's ever-evolving physical structure. Its dome makes the Harris County Courthouse easily recognizable as a downtown Houston landmark. Since its opening in 1910, this courthouse has hosted important judicial and administrative events for the county and state, housed significant civil trials, and witnessed notable political personalities and jurists.²² The present building is the fifth courthouse to occupy its central location on the square marked by the streets of Fannin, Congress, San

Jacinto, and Preston since Houston was named the county seat in 1837.²³

In an undertaking currently in progress, the Classical, domed courthouse will be restored to its original 1910 appearance, and will be the center for downtown preservation.²⁴ A \$500,000 planning grant awarded in 2004 to Harris County through the THC's Courthouse Preservation Program enabled the Harris County Public Infrastructure Department (HCPID) to press forward with the planning stage and the restoration bidding process.²⁵

The original drive to build this temple of justice came in 1905. Dallas and Fort Worth had just erected new courthouses. Houstonians were eager to keep apace.²⁶ The Bar Association of Harris County argued that the existing courthouse lacked

adequate space for the dispatch of orderly business and recommended a building that would befit "... the growth, importance, progress and dignity of the most populous city and the undisputed railroad center and commercial metropolis of Texas."²⁷

Celebrating the seventy-fifth anniversary of Texas Independence Day, the official dedication took place on March 2, 1911, although construction had been completed in 1910. A new train station opened at the same time, so the dedication was a festive occasion. Yet, except for the opening ceremonies, no other significant celebrations occurred at the courthouse. While some Texas county courthouses were the sites of picnics, dances, and other social events, the Harris County Courthouse existed strictly for business. Its sturdy structure

and fireproof features were intended to convey the sturdy nature of the county government and the solid character of Harris County itself. Moreover, the courthouse embodied government in general for local residents. Post offices usually were the only contact citizens had with federal government, and state government in Austin was a three-day journey from Houston. The 1910 courthouse was the only location citizens could go to pay taxes, vote, acquire deeds, or serve on juries.²⁸

As Sarah Jackson explains, "This is not the kind of courthouse that you would see in other communities where it was the center of community life. In Houston, if you were going to have a social affair, it wasn't in the courthouse. It was at the Rice Hotel. If you were going to greet a politician, it wasn't at the courthouse. It was at City Hall. You know, the courthouse was literally to do the business of the county, so the county could function. That's why it did what it did."²⁹

The courthouse initially drew people from miles around who wanted to see its perfectly matched marble, the rotunda, and the cupola, but the architectural style of the day soon changed. Constructed straight up from the curb, buildings no longer included rotundas or cupolas to take up extra space.³⁰ The number of courts quickly outgrew the courthouse. By 1920, the new Jail and Courthouse building accommodated criminal trials.³¹ By 1944, the 1910 courthouse truly was "...an overgrown boy in short pants." Rats chewed through important records stacked wherever there was available space. Witnesses sat in the corridors. Jurors huddled in small, cramped rooms. Administrative offices overflowed.³²

The courthouse of 1910 remained the center of county judicial and administrative activities from its opening until those functions outgrew the building. Nevertheless,

with the final payment on the 1910 Courthouse bonds in 1948, the County Commissioners Court passed various bonds issues to raise money for a new courthouse and jail and to remodel the 1910 courthouse for space accommodations. From 1949 through 1955, renovations to the 1910 courthouse completely changed its interior and the exterior access.

Over the next thirty years, the courthouse underwent renovations and refurbishments to its dome and had a new roof installed. Private fundraising efforts enabled the re-creation of the copper pinnacle to surmount the top of the dome to replace the lost original.³³ Via photographic evidence through 1935, Dan Reissig, Special Projects Manager for HCPID, says of the missing pinnacle, "It looks more like they've got a flagpole or something stuck up there at that point. So it disappeared probably somewhere in the late '20s, early '30s by our best guess."³⁴ The replica pinnacle, however, has been in storage since the mid-1990s.³⁵ An engineering firm's analysis of the courthouse revealed that cracks in the upper colonnade and dome made these areas too weak to hold the replica until restoration is complete.³⁶

Discovering evidence to make the courthouse's features true to its original architecture will be one distinctive challenge of this restoration project. Architectural firm Lang and Witchell originally designed the Harris County Courthouse of 1910, as well as two other Texas courthouses. The striking similarities between the three structures feature skylights, a signature element of open-air design. Any skylight that may have existed in the original Harris County Courthouse of 1910 was removed in its early days; no photographs prior to the 1954 restoration show a skylight or any feature similar to it. Moreover, a plaster ceiling now covers the dome area, adding to the challenge of assessing the exact features that may have existed in this area. HCPID has made educated guesses about possible features based on the glasswork designs in the other two

Lang and Witchell courthouses.³⁷ The planned removal of the plaster ceiling after the courts and administrative offices vacated the building in 2006 is providing more details.³⁸

The restoration will once again capitalize on Lang and Witchell's original open-air designs. Alterations to the building in 1953 closed off the floors to the courthouse's open atrium, obscuring the view up through the building. Restoration will re-open the view.³⁹ Removal of floors will make visible from the lower floors the rotunda that caps the building.⁴⁰ As Reissig observes, "I guess our biggest challenge is trying to get back and make it look as original as we can and still keep the building functional."⁴¹ He further explains, "We're trying to go back to the 1910 look of the whole building and make it as original as we can. And to do that, we're stripping off layers of old walls and floors and ceilings and things that were put in in the hopes that when we peel up the vinyl floor tile that's put on some of these floors that we're going to find the original floor underneath it."⁴²

The discovery of an old bench during the selective demolition and assessment phases of the restoration has proved to be an interesting find. Reissig describes how the bench was found in a hallway during a floor-by-floor survey of every room in the courthouse. He and others in HCPID wondered whether the bench could be original to the building. They photographed the bench, and found that once they enlarged an earlier photograph, they could see that it was the exact shape as the arm on the 1910 bench in the photograph.⁴³ Harris County Archivist Sarah Jackson explains, "The 1952 renovation really did a number on the building and on the things in it. We may have some other pieces of furniture in some other county offices that we're keeping an eye on and we're looking for, but actually in the courthouse at that time there was a bench."⁴⁴

Also original to the courthouse, the two main courtrooms on the third



A close-up view of the exterior of the Harris County Courthouse.

PHOTO BY CURTIS STANLEY, HARRIS COUNTY PRECINCT 2.

and fourth floors were assessed in the planning phase of the restoration. While many smaller courtrooms later filled the upper floors, the two original ones are the grandest, largest, and most historic in the building. HCPID was considering which courts would be a good fit to inhabit the building -- particularly these two large courtrooms -- after restoration.⁴⁵

Accordingly, the First and Fourteenth Courts of Appeals, both of which have occupied three floors of downtown's South Texas College of Law for many years, eventually will move into these spaces. Reissig recalls how HCPID wanted to restore the two main courtrooms, which are both two-level spaces. In his words, it was "...a perfect fit because we have two courts of appeal, we've got two big courtrooms that we want to restore."⁴⁶

Incidentally, the reasoning behind the two-level or "double-decker" courtroom configuration bears mentioning. Often, people think the courtrooms were constructed in such a manner

for better air circulation. In reality, married women and minorities were required to sit on the second level to watch a case. Posey Parker, Executive Director of Friends of Harris County Courthouse, Inc. (FHCC), points out that today, married women preside as the Chief Justices on both the First and Fourteenth Courts of Appeals. "We've come a long way, baby!" she enthuses.⁴⁷

The nostalgia of the courthouse draws people to its cause. Parker explains that her organization is helping the courthouse become the "jewel of downtown" by raising private funds. With Harris County committing \$65 million to the restoration, the fundraising efforts of FHCC will build an endowment should the restoration require extra funds to fix up the courthouse; therefore, the county's funds will not be unduly burdened.⁴⁸

To this end, beginning in 2007, FHCC will hold a gala every November for the next ten years featuring a re-enactment of a famous courthouse case from a bygone decade. This

"Musical Mystery Dinner Theater" gala will include notable attorneys of today portraying past attorneys, and a dramatist will create vignettes with musical scoring. The gala's inaugural decade of the 1920s will find (as will subsequent decades) guests in period costumes, with accompanying authentic food and drink of the time. While the selected 1920s courthouse case has yet to be revealed, one can be sure that the Pennzoil case from the late 1980s will likely be a contender for that decade's gala.⁴⁹

Carrying on the notion that a strong courthouse square symbolizes a strong county, the courthouse's location is vital in promoting focus on historic preservation and in physically consolidating the county complex into a more seamless zone of courts and administrative offices. Private redevelopment of downtown loft residencies, galleries, entertainment and other venues in historic buildings is progressing along with the courthouse's restoration.⁵⁰

The consolidation plan would create a nine-block area, with the 1910 courthouse at the southwest corner of the central plaza. The county envisions a pleasant and idyllic courthouse complex for the public to conduct its administrative and legal matters.⁵¹

The courthouse also has symbolized a strong county through countless individuals who worked within its walls. Judge Ewing Boyd, for example, reflected the courthouse's spirit of community pride. He entertained on the courthouse steps at noon recess with his fiddle and his stories from the bench.⁵² County Auditor Harry L. Washburn was such a powerful figure in county government that upon his twenty-fifth anniversary with the county in 1938, the District Judges paid to have his office on the courthouse's first floor air conditioned. The rest of the building did not receive air conditioning installation until the 1953 renovations.⁵³ Later, the eponymous Washburn Tunnel, still in operation today in nearby Baytown, TX, opened in 1950 as the South's largest and only toll-free vehicular tunnel. The Tunnel cost \$7 million and required six major operations for its successful construction.⁵⁴

Judge Roy Mark Hofheinz practiced as a county judge at the 1910 courthouse, then went into private law practice, and later served as mayor of Houston from 1952-1955. Hofheinz later established the Houston Sports Association with R.E. (Bob) Smith. They were instrumental in obtaining a national league baseball franchise for Houston as well as in constructing the Astrodome, the world's first domed stadium.⁵⁵

The Harris County Courthouse of 1910 is almost 100 years old, but it is beginning a new chapter in its physical and symbolic life. Business, legal, and political communities statewide support the restoration of the courthouse, reiterating its significance as a civic landmark, its aesthetic beauty, its role in revitalization, and its origins as the heart of Harris County.⁵⁶

The target date for rededication of the courthouse offers two possible dates, both significant in the history of Harris County and in Texas. Dan Reissig explains, "What we'd really like to do is hit the November 15, 2010 date. That'd be the actual one hundred year grand opening anniversary, November 15, 2010. But, if we miss that date, we have about almost four months to get to the March 2, 2011 date. That would now be the 175th anniversary of the Texas Declaration of Independence.

So, that's our goal to get there by that time."⁵⁷ Sarah Jackson offers, "I think the dedication needs to be like it was before, in 2011. Independence Day in Texas. I think it needs to be tied to that. I think that in Texas we're losing all of our important dates that went back to Texas Independence. I would like to see a huge rededication and Independence Day celebration."⁵⁸

The story of the courthouse's restoration process and its continued significance to community pride and legal and administrative governmental services will continue to unfold year by year. Reissig wants citizens to know that the Harris County Courthouse of 1910 will be around for a long time, and he is working to ensure its longevity: "It's a Recorded Texas Historical Landmark, and it's a State Archaeological Landmark. It's got a lot of designations and a lot of history behind it. It's definitely the oldest building in our complex right here, and it's probably one of the oldest buildings that's still intact in the whole city of Houston. It may not be *the* oldest, but it's probably *one* of the oldest. So, we're going to do everything we can to make sure it's preserved so



PHOTO BY WILLIAM H. KELLAR

that fifty years from now, people can still walk in there and look at it."⁵⁹

At first glance, a community's effort to preserve or restore a beautiful courthouse to its long-ago appearance might seem to fulfill only aesthetic goals. However, preserving that authentic appearance also fulfills emotional goals. It can remind a community of a different time when the courthouse was not just a building one went to complete the tedious tasks of an increasingly complex world. Whether or not spectacular historical events took place there, a part of each courthouse's merit resides simply in the knowledge that the courthouse often was such an inspirational, social, and political gathering place in each county's early days or a solid and stable representation of a county's government.

The restoration of the Harris County Courthouse is one example of the questions raised here about preservation and symbolism. Hopefully, the history and meaning of the Texas courthouse will continue to inspire future generations of Texans so that they can leave their mark on preservation efforts. ★

Historic Preservation

West Mansion Clear Lake

by David Bush

In a state where the lonely ranch house standing sentinel on the plains has achieved iconic status, the James & Jessie West Mansion, also known as the West Ranch House, has always been an anomaly. Instead of a rough-hewn hacienda on the dusty prairie, the West Mansion is a 17,000-square-foot Italian Renaissance villa on the humid coastal plain twenty-five miles southeast of downtown Houston. Although the house was built at the center of a 35,000-acre ranch, its outbuildings are not corrals, barns and bunkhouses, but gazebos, a pool house and a nine-car garage. Today, the waterfront property stands out amid the apartment complexes and condominium developments sprawling around Clear Lake, an arm of Galveston Bay. The estate's location across the street from the Johnson Space Center only adds to its incongruity.

PHOTO BY DAVID BUSH



PHOTO BY DAVID BUSH

The forty-five-room mansion reflects the state's, "Everything's big in Texas," tradition as much as it symbolizes James Marion West's rags-to-riches life story. Born in Mississippi in 1871, West got his first job in an east Texas sawmill when he was fourteen years old. While working his way up to foreman and superintendent, he gradually acquired his own timber lands and established the West Lumber Company in the mid 1890s. He continued expanding his holdings after moving his wife and children to Houston in 1905. By the early 1920s, West's lumber companies cut 400,000 feet of lumber each day, operated twenty four lumber yards and employed more than 1500 men, approximately 6% of the entire lumber workforce in Texas. When the timber business began to decline, the lumber magnate formed the West Production Company, an oil exploration firm. In addition to his lucrative oil and gas holdings, he operated extensive cattle ranches in west Texas and developed real estate in Houston and Austin.

In 1928, West and his wife Jessie commissioned Joseph Finger to design a lavish home on 35,000 acres West had acquired in southeastern Harris County. Finger was an Austrian-trained architect who had immigrated to the United States in 1905. After settling briefly in New Orleans, Finger moved to Houston in 1908 and established a successful architectural practice. He is probably best known for his design of Houston City Hall (1939) and his work with Alfred C. Finn on Jefferson Davis Hospital (1937).

It took two years to design and construct the mansion, which was built at a reported cost of \$250,000.³ The massive Italian Renaissance villa occupies a wooded, waterfront site at the point where Armand Bayou enters Clear Lake. Although Finger has been praised for the classical exterior detailing,⁴ it was the interior design that garnered the lion's share of attention from the time the home was completed in 1930.

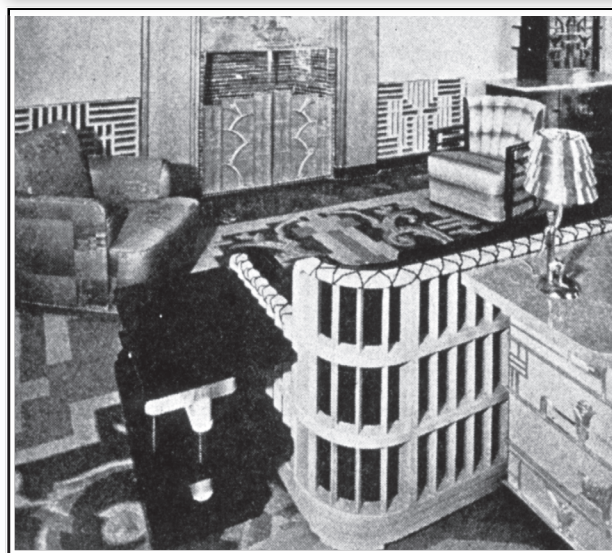
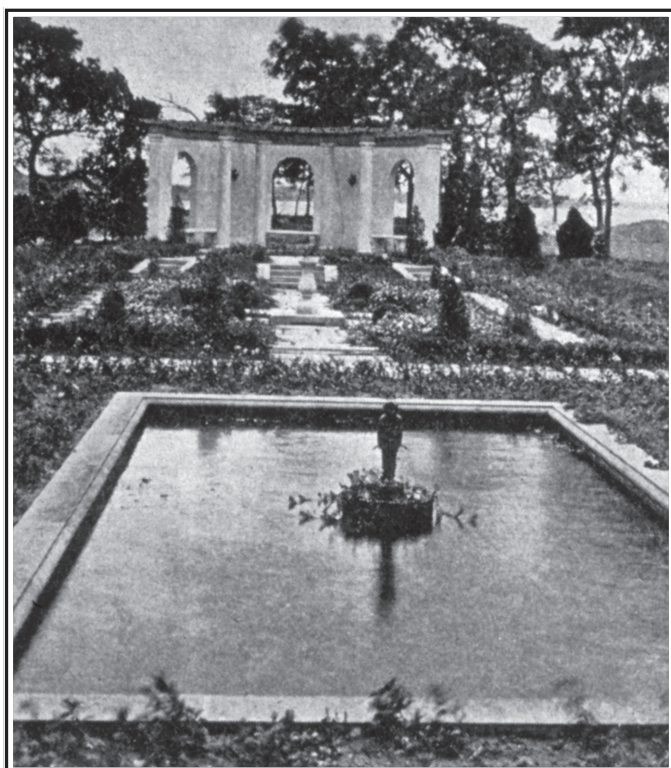
The immense, two-story living room with its polychrome-beamed ceiling and the Renaissance-style dining room furnished in seventeenth-century antiques, each attracted their share of comments,⁵ but it was Finger's Art Deco designs for the playroom and the home's eleven multicolored bathrooms that set the West mansion apart. The Houston Gargoyle magazine described the room as "... lovely in line and tint and conception yet utterly unorthodox, the play-room expresses to an extraordinary extent the modern American joie-de-vivre and indifference to conventional habit."⁶ The zigzag detailing was carried over into the fittings and furnishings.

The West family only enjoyed the home for eleven years. James West sold most of his Clear Lake property to Humble Oil in 1938 for \$8 million, but kept the mansion and surrounding land. He died on a business trip to Kansas City in 1941 and his wife moved to Houston, leaving the mansion furnished but unoccupied. Jessie West died in 1953 and Humble Oil acquired the house and remaining land. Over the years, the mansion fell into disrepair and suffered from vandalism.

In 1958, Humble donated twenty-one acres of the West Ranch to Rice University for use as a geology lab. In 1961, the company gave Rice a much larger tract. The university then gave or sold the land to NASA as the site of the Manned Spacecraft Center, now the Johnson Space Center. In 1962, Humble created a subsidiary, Friendswood Development Company, to develop 15,000 acres of the original West Ranch for residential and industrial use.⁷ The residential section became the Clear Lake City planned community. The land containing the mansion and outbuildings was set aside as a reserve.

Despite intense activity on the adjacent land, the mansion remained vacant until 1968, when the house was renovated for use as the Lunar Science Institute. A \$580,000 grant from NASA to the National Academy of Science funded the rehabilitation, which included replicated missing tiles and iron work, restoring paneling and stenciling, correcting structural problems and adapting the estate buildings for use as offices.⁸

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HISTORIC PHOTOS FROM HOUSTON GARGOYLE MAGAZINE, MAY 11, 1930, COURTESY HOUSTON METROPOLITAN RESEARCH CENTER, HOUSTON PUBLIC LIBRARY.

Later renamed the Lunar and Planetary Institute, the organization assisted NASA with interdisciplinary research and offered visiting scholar programs, workshops and seminars to promote public awareness of the space program. The Institute moved to a new facility in 1991 and the mansion reverted to Humble Oil's successor, Exxon Corp., which deeded the site to Rice University the following year. In 1994, the university sold the mansion and its surrounding forty one acres to the Pappas family, Houston restaurateurs.

Although an apartment complex was developed at the back of the property, the mansion, outbuildings and grounds were maintained but left vacant for more than a decade. In October 2006, a company owned by former Houston Rockets basketball star Hakeem Olajuwon bought the property and announced plans to subdivide the estate and sell the land for development.⁹



The sale aroused the concerns of the historic preservation community. Although the West Mansion is a Recorded Texas Historic Landmark and is listed on the National Register of Historic Places, neither of those designations would prevent the house's demolition. The property is located within the City of Pasadena, which has weak land use regulations and no historic preservation ordinance, the only measures that would offer any protection for the historic property.

In December 2006, Greater Houston Preservation Alliance (GHPA) announced it was adding the West Mansion to its Endangered Buildings List. In February 2007, GHPA succeeded in nominating the West Mansion to Preservation Texas' list of Texas' Most Endangered Historic Places. Both announcements of the mansion's endangered status attracted substantial media coverage.

In March 2007, Linda Sansing of Preserved in Time, a non-profit organization that was trying to raise funds to purchase and preserve the West Mansion, contacted GHPA. During her research on the property, Sansing had turned up a reference to a deed amendment that would prevent the mansion's demolition, but was unable to locate paperwork in the files at the Rice University library. GHPA used its contacts to track down the amendment in the public records at the Harris County Courthouse.

The amendment was executed when Exxon transferred ownership of the property to Rice University. The deed

amendment, signed by representatives of Rice and Exxon, states that the property owner agrees to, "maintain and preserve the West Mansion and West Mansion Land in good condition and not allow the West Mansion and West Mansion Land to deteriorate or to demolish or allow the West Mansion to be demolished," for a period of twenty years.¹⁰ The amendment was signed on July 13, 1992, which means the provision remains in effect until 2012. The agreement runs with the land and is binding on all subsequent owners. GHPA provided copies of the amendment to Texas Historical Commission, Rice University, the agents representing the property and the local media.

As this publication goes to press, Opus West Corporation is expected to close on its purchase of the West Mansion and nine surrounding acres. The historic house is the focal point of a proposed development that would include 220 apartments for independent senior living. The mansion would be renovated for use as administrative offices, a dining facility and activities center.¹¹ Preservationists are cautiously optimistic that the project will provide a useful new life for this Texas landmark. ★

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It was a "Happy Birthday Houston!"

by Sarah Gish

With all the swirling around of developers versus preservationists, it's important for us to remember that our city was actually founded by two developers: brothers Augustus Chapman Allen and John Kirby Allen. They ventured here from New York City and maneuvered their small riverboat along a bayou choked with snags to see their latest acquisition: a half-league of land with two bayous. On August 30, 1836, they ran an ad in the *Telegraph* and the *Texas Register* to entice residents, stating that the grassland on the coastal plain would become the "great interior commercial emporium of Texas" and that ships from the northeast to New Orleans could sail up Buffalo

Bayou. They planned to build a sawmill and sold lots at moderate prices. The Allen Brothers named the town Houston after general Sam Houston who led Texas to independence from Mexico. The townsite also served as the temporary capital of the Republic of Texas. It was then that our city's ship channel began taking water

from the confluence of the two streams of the newly cleaned-out Buffalo Bayou to move goods from the Gulf of Mexico to the world beyond. No one could have guessed that this land and its waterways would be responsible for attracting much of our city's wealth and prosperity.

Save Our Landmarks (www.saveourlandmarks.org), a Houston area preservation group, felt it was important to celebrate Houston's birth with the communities that continue to make it strong. They met with city officials and set out to include diverse groups in a city-wide celebration of Houston called "Happy Birthday Houston! Honoring our Past, Inspiring Our Future." This year the Mayor's annual city birthday fundraiser was augmented by events organized by community groups that helped enrich this important milestone. The centerpiece of this year's celebration was the dedication of "Founder's Memorial Park" by the Daughters of the American Revolution's Alexander Love Chapter (who continue to lovingly restore the cemetery). It's a fitting tribute, since this cemetery was the final resting place for John Kirby Allen and his mother. It's located at 1217 W. Dallas Street at Valentine Road.

For more information on preservation in our city, sign up on the Save Our Landmarks website to receive emails with the latest news and updates as well as information on "Happy Birthday Houston 2008". ★



ALL PHOTOS COURTESY BETTY CHAPMAN

Remembering Searcy Bracewell: Reflections of a Houston Lawyer on Campaigning for Public Office

By William H. Kellar



ALL PHOTOS COURTESY OF MRS. ELIZABETH BRACEWELL.

Searcy Bracewell works the phone during his campaign for the U.S. Senate in 1956.

One of Houston and Harris County's best known political representatives during the 1950s was attorney J. S. "Searcy" Bracewell, Jr. During his lifetime, Bracewell was a successful attorney, state political representative, devoted family man (married to Elizabeth Weaver Bracewell sixty-three years—two children Joseph "Joe" Bracewell III and Elizabeth "Betsy" Bracewell Machac), and very active in civic and community affairs. Today, the law firm that carries his family's name is the fourth largest in Houston and is prominent internationally,

with offices in eleven cities including New York, London, and Dubai.

I first met him in 2000, in his office, at the Bracewell & Patterson (now Bracewell & Giuliani, LLP) law firm in Houston. Bracewell's warm greeting and beaming smile immediately charmed me; if he were running for public office today, he already would have won me over. Although he was in his early 80s at the time, his gregarious nature, keen wit, and melodious baritone voice made it easy to see that he was naturally gifted for his careers in law and politics.

During the next three years, I conducted a brief series of oral history interviews with him ending shortly before he passed away on May 13, 2003. During these interviews, Searcy Bracewell shared stories about his college years, military service, and what it meant to campaign for elective office in Texas during the late 1940s and the

1950s. Some of his reminiscences, slightly edited for this article, appear below.

Searcy Bracewell was born on January 19, 1918, to Joseph Searcy Bracewell and Lola Blount Bracewell. Raised in Houston, he attended Texas A&M. In addition to his studies, he was a member of the Sul Ross Volunteers and the Corps of Cadets. In his senior year, he served as the Drum Major of the Texas Aggie Band. After graduating in 1938, Bracewell began working in his father's law office in Houston filing, running errands, and doing other office work while studying law at the Houston Law School. Several local attorneys had established the Houston Law School in 1912. It operated until World War II and was one of the many law schools created in Texas during the early twentieth century. Bracewell was admitted to the Texas Bar in 1940, but was called to active duty in the Army shortly thereafter. In

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1943, Lt. Bracewell was assigned to the staff of General George S. Patton's Third Army as an Assistant G-4 (Logistics), where he remained for the duration of the war. In November 1945, along with his father, his brother Fentress, and Bert Tunks, Bracewell established the law firm that would eventually become known as Bracewell & Giuliani. He served in the Texas House of Representatives from 1947-49 and in the Texas Senate from 1949-59. During that time, he sponsored legislation that helped in the development of the Texas Medical Center, the University of Texas M. D. Anderson Cancer Center, and the University of Texas Dental Branch at Houston. In addition to his careers in politics and law, Bracewell was active in community affairs and served on numerous corporate boards, including Chairman of the Board of the Houston Grand Opera.

Bracewell's primary duties during the war involved logistics, making sure that vital supplies reached the frontline troops. One of his most memorable assignments, about which he spoke with a smile on his face and a twinkle in his eye, was a highly important mission for General George S. Patton, Jr. after the Third Army entered Europe following D-Day.

I got orders—I don't know why me—I was a Lieutenant, I guess, at the time, and I got orders to go back to England...and get General Patton's whiskey! They gave me detailed orders that I was to go and pick up a weapons carrier, which is sort of like a pickup truck, and a driver and go to this certain place, and pick up the seven cases of whiskey that he had reserved and bring them back. So—I flew back to London, and followed the orders, got the whiskey and came back across the beaches so I could bring it to General Patton. The Third Army was moving so fast that nobody knew—and it was complete bedlam—nobody knew where they were. I would stop and inquire and nobody knew where the headquarters of The Third Army was. I was scared to death—not scared about the enemy, but scared the “old man” was looking forward to his whiskey and I was a long time in getting it

there! It took me two or three days, but I found them and got his whiskey to him. And I must say it was completely intact! Then we went on and I resumed my duties in the G-4 Section.

I suppose that my first thought about politics was on the ship coming home after World War II. I was wondering what I was going to do. My father had always been interested in politics and, because of his interest, I had been also, and I thought about running for office. When I got home, it was getting close to the time to announce for the various offices, and I decided to run for the legislature. As I recall, there was no incumbent for the position. Harris County was allotted five members of the legislature. In those days they didn't violate county lines. Now they do. But for some reason or another, back in those days, you just didn't violate county lines, so Harris County had five representatives. So I announced to run for Position 3—that was right after the war, and I think nearly everybody that was elected at that time was a veteran. There were several of us that were elected to the legislature. This was in 1946, the primary was in July and then, of course, the general election was in November, but there was no television. Consequently, the campaigning was much different than it is now—and much less expensive I might add.

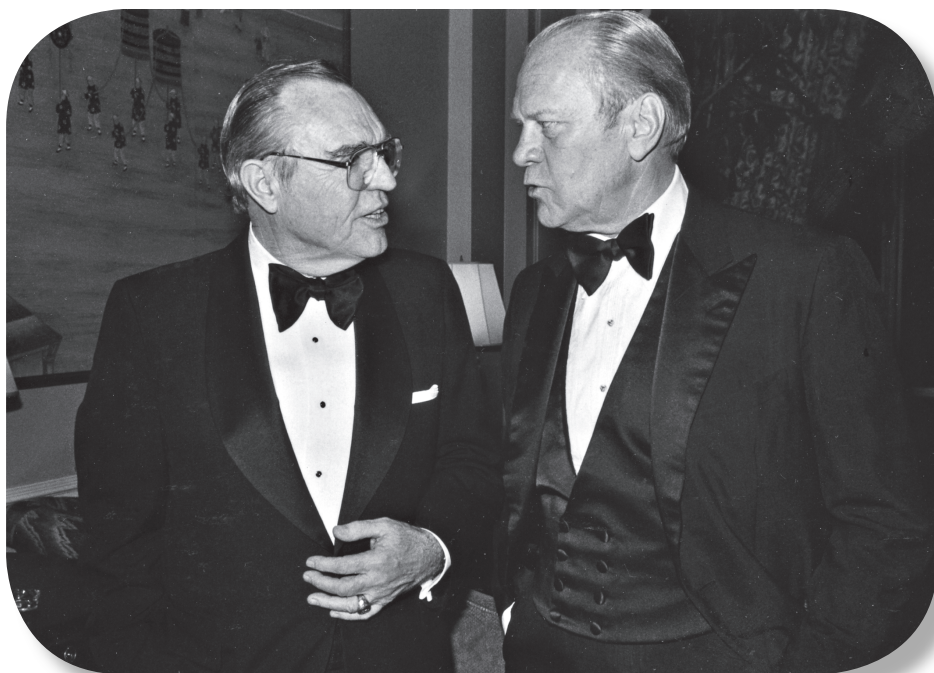
The way you campaigned is that you went to various civic club meetings, which were held around the county, and nearly every community had a civic club. And you talked with the newspaper people—editorial staff of the newspapers and tried to get them to endorse you. Endorsement by the newspapers was very, very important as a way of communication. You tried to communicate a little bit by radio, but we thought it was rather expensive. I don't guess it is by today's standards, but that's the way you campaigned—by radio, newspaper ads, and just going around and having coffees and so forth. It was much less expensive. Maybe I should say here that winning the Democratic Primary was tantamount to election. There



Captain J. S. Bracewell, Jr., U.S. Army during World War II

really was no Republican Party of any consequence in that day. In fact, when I first went to the legislature we had no Republicans. But there was a philosophy difference. You had liberal Democrats and conservative Democrats. And the Conservative Democrats were more conservative, I think, than the Republicans are today, but that was big issue—the basic, philosophical issue—was whether or not you were a Liberal or a Conservative in your thinking.

We had three newspapers—the *Houston Chronicle*, the *Houston Post*, and the *Houston Press*. The *Houston Press* was a Scripts-Howard paper. The *Post* was owned by the Hobby family—former Governor Hobby, and the *Chronicle* was owned by Jesse Jones. But it was very important to get their endorsement. They not only editorially endorsed, but if they were for you, they gave you a lot of publicity and that, as I say again was extremely important. So, I campaigned. I found out how big Harris County was—you don't really realize it until you go to every little hamlet that is around. I got in the runoff in the Democratic Primary—categorized as a Conservative Candidate, which I was, the other Democrat who got in the runoff was Al Shulman, a young lawyer here. We had a runoff, and I happened to get elected.



Searcy Bracewell with President Gerald R. Ford.

The Constitution of Texas provided that there would be thirty-one Senators in the State and that no county would have more than five Representatives or one Senator. And, of course, we had the five Representatives and one Senator. The Senate seat, I think, was vacant, and so, a fellow named Lacy Stewart was elected in the Senate. So, the legislature met and only about two months after meeting, Lacy Stewart had a heart attack and died. The Governor called a Special Election to fill his seat. His widow decided to run and she won. She didn't like politics—her father and some people had talked her into running, and then she ran and won, of course. And for some reason or another, we got very well acquainted. She sort of relied on me for advice and toward the end of the term, she called me and said, "I'm not going to run for reelection and I just wanted to give you notice. I'm going to resign—I'm going to resign tomorrow." I appreciated her giving me that notice. So I resigned from the legislature—I had served one term. I was running for reelection to the House. But she gave notice that she wasn't going to run, and then I gave notice that I was not going to run for reelection, but I was going to run for the Senate. So, she gave me a day's notice to try to get ahead of the others

ever held office—that it really wasn't a good thing to do and so we pretty well financed our own campaigns.

I remember going to a little farming community up in Cypress. I was going down a dirt road and there was a fellow plowing. I stopped my car and he was coming down plowing with a mule and his plow, and I waited for him at the gate where he would come and turn around. He stopped and talked with me and I told him I was running for the legislature, and I gave him a card, and I would appreciate his consideration. I had been in the legislature for the past term—thought I was fairly well known, but I gave it to him and he looked at it and looked at me and said, "Well, I'll vote for you." He said, "the fella we got in there now ain't doin' us no good!" I was the one that was there! So people don't—it's hard to imagine, but they pay little attention to politics.

After I had been in the state senate about ten years—I had been very active and I thought I was pretty well known—I decided I would make a run for the United States Senate. This, again, was a plurality election and in



Houston television personality Marvin Zindler, Elizabeth Bracewell, and Searcy Bracewell.



Texas Senator Lloyd Bentsen and Searcy Bracewell, 1997.

that election, there were nineteen of us. Here again, we had the philosophical difference that was the main campaign issue—the liberal-conservatism. I guess somewhat as it is now, but the conservative is the Republican Party, but there was no Republican Party to speak of in those days. Senator Ralph Yarborough was elected to the Senate. He was a district judge in Austin and he had the endorsement of the liberal element and he won the election with only about 33% of the vote. I ran third in that race. Martin Dies, who was head of the Un-American Activities Committee, which had some notoriety, was second and I was third. And that was in 1957. I never did run for office after that. I had served twelve years, two years in the House and ten years in the Senate.

I was going to say that the rationale for my running for the state-wide office was, number one, I was pretty well known in Harris County, which was where the largest population was—certainly the largest county in Texas. I went to the three newspapers prior to making a decision to run, and they all three said they would support me. I thought that was very important in a nineteen-man plurality race. My rationale though was entirely wrong. People would tell me, “Bracewell,

you’re a—compliment me—you’re a fine man, but you don’t have a chance.” Martin Dies, who was a well-known Chairman in the Congress, is going to have the conservative support. This turned out to be true. I think if it hadn’t been for Martin Dies, I probably would have won. But, nevertheless, I didn’t. And that was sort of my end of, as I said, running for public office.

This was sort of the dawn of television and the dawn of the Republican Party in Texas too. I tried to make the first television [campaign] talk in those days. The television station had just been established, I believe. But, it didn’t turn out very good. It got all messed up mechanically and so forth, but—I got some publicity that I was going to make the first television talk. And I don’t think anybody ever heard it!

But, what I did—just to think about running over the state—sort of an awesome thing—you don’t know what to do. What would you do to start out running over the state? Well, I had gone to school at A&M and the Aggies were very clannish in those days—as they are today. Nobody—I think I’m correct on this—nobody from A&M had ever run for state-wide office at that time, up to that time. So, that was my

campaign organization. I advertised the fact that I had gone to school at A&M in various parts of the state and asked them if I came there would they get a little group together that I could meet during this campaign. They nearly always readily agreed to that, and so that was my campaign organization. I campaigned pretty hard and went all over the state and had these little meetings that had been put together by somebody from A&M. I thought I had a pretty good chance, but it turned out I didn’t, of course.

I remember being up in the Panhandle one time and there was an A&M fellow there that had gotten a group together and he was very gung-ho about my race, and he said “Let me have some of your placards . . . I’m going to put them out—tack them up around.” That’s another campaign thing that was done quite extensively was having these placards that they put in the yard and tacked up on a tree or telephone pole. He said, “I’m going to get somebody to put them out and around in this area.” One night, I got a call from a deputy sheriff in Oklahoma who said that there was a fellow they had arrested for DWI, and he had a bunch of my placards in the back of his pickup truck. And I talked with the deputy sheriff and I said, “Did he have a wreck or hurt anybody?” “No, he didn’t.” I said, “Well, I’d appreciate it if you’d just keep him there overnight in jail until he sobers up and then let him go tomorrow.” So, he had just gotten over the state line into Oklahoma and was putting up those signs. Well, I got no votes in Oklahoma and very few in Texas! But it was a wonderful experience. I cherish it very much. I found out that Texas is a big state and that it’s a beautiful state and so I enjoyed the—even though I lost, I enjoyed the campaign very, very much.

I’ll tell you this one final thing and then maybe we better shut it down. The Legislature was getting ready to meet and I had never met Mr. Jesse Jones, but I knew he was a leading citizen in Harris County, Houston, and I thought I should go by and pay my respects to him, so I called his secretary and asked

for an appointment. I had just been re-elected to the Senate, and she set up an appointment for us to go. He was getting pretty old at that time. It was in the 1950s. And I said, "Mr. Jones, I just want to pay my respects. The legislature is getting ready to meet." He said, "Well, what are you going to be taking up?" And I said, "Well, one thing that is of real, vital interest to us is this congressional seat—they've allotted us an [additional] congressman and we're

entitled to it by virtue of the population. I'm going to do my best to get the seat for Harris County." He sat behind his desk and he said, "Why do you want to do that?" And I said, "Well, sir, we're entitled to it"—and I went through my spiel. But, the conversation was very unsatisfactory. His next question was "why do we want another congressman?" I went through my spiel again—he was a great friend of Albert Thomas, who was the only congressman. He said, "Do you

think we'd be better off with two than we are with one?" And I gave him my spiel again, and, finally—as I say—it was a very unsatisfactory meeting. He finally said, "Well, I don't see any sense in that. We've got a congressman—we've got a good one—what do we want two for?" The longer I live, the more I see the wisdom in the old man's thinking. ★



Elizabeth and Searcy Bracewell enjoying the Texas Bluebonnets near Roan's Prairie, Spring 1994.

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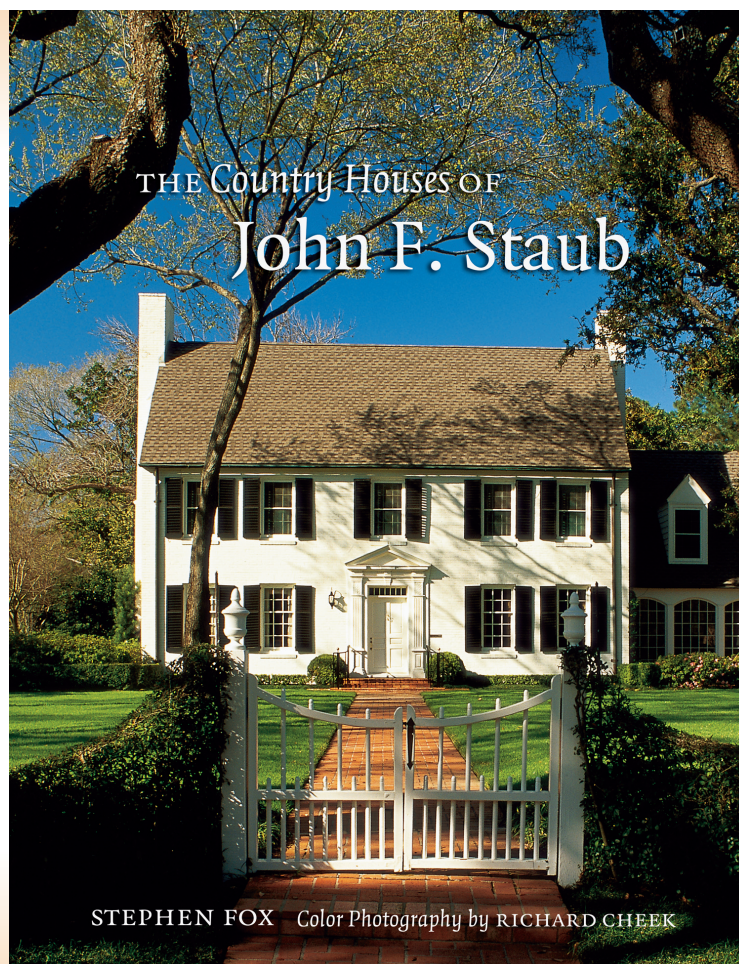
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MATRIMONY AND THE MAYORS: *Three First Ladies of Houston*

by Jenny Meeden Bailey

History has seen an interesting and diverse mix of first ladies at all levels of government throughout our country's existence. The role of first lady does not come with a job description, but it does come with varied expectations from the public and the particular (sometimes peculiar) husband. As evidence that politics can be surreal and that the public has an enormous range of expectations from first ladies, former Texas First Lady Nellie Connally's recipe for biscuits can be found online right next to her testimony to the Warren Commission (she was riding in President Kennedy's car when he was assassinated).¹ Perhaps Lady Bird Johnson said it best: "The first lady is an unpaid public servant elected by one person – her husband."²

But what about Houston's first ladies, the wives of the mayors of Houston? What did these "unpaid public servants elected by one" do, think and feel? In a mayoral scrapbook kept by the Houston Public Library in the Texas and Local History Collection in the historic Julia Ideson Building downtown, Houston's first ladies are defined briefly and primarily by their fathers and husbands, and by how many offspring they produced. Many of the first couples were quite prolific. Susan and Andrew

Jackson (1904-1905), Ella and Ben Campbell (1913-1917), and Margie and Jim McConn (1978-1981) each had six children, and Iola Faye and Louie Welch (1964-1973) had five. Mary and John Browne (1892-1896) had a baker's dozen at the family dinner table with their eleven children.³

Even until recently, many of Houston's first ladies were fairly unknown. Sometimes this was by choice, but a caption from a picture in the *Houston Chronicle* as recently as 1978 reveals a decided prejudice by the establishment for "and wife":

Houston's new mayor, Jim McConn, was inaugurated Tuesday in the presence of four predecessors. From left are Neal Pickett and wife, Lewis Cutrer and wife, Fred Hofheinz, Mrs. McConn and McConn.⁴

While each Houston first lady certainly must have had a first name and been special in her own way, whether she was recognized for it or not, three Houston first ladies leap off the pages of yellowing



A young Mamie Holcombe in the 1920s.

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newsprint at the Ideson Building; Mamie Holcombe, because she had the role longer than any other; Dene Hofheinz, because she was ahead of her time in many ways; and Elyse Lanier, because as University of Houston political expert Dr. Richard Murray said in an endearing way, "Elyse Lanier has made this partner role a hell of a lot more visible than we are accustomed to in the city."⁵

Mamie Holcombe: "He's the boss."

Houston first lady Mamie Holcombe, wife of Mayor Oscar "the Old Gray Fox" Holcombe, lived much of Houston's history and could probably have written quite a book if political memoirs by women were prevalent in her time. Mamie was first lady of Houston for a record twenty-two years during eleven terms beginning in 1921, ending in 1957, and interrupted by the terms of five other mayors and their first ladies. Oscar was defeated at the polls four times. During Mamie's time, Houston's population rose from 150,000 to almost one million. City territory burgeoned from thirty-four square miles to 352 square miles.⁶

Mamie and Oscar were married for fifty-seven years, and the marriage has been described as a "love story."⁷ They wed in 1911 at First Baptist Church in Houston, went to the rail station in a carriage lined in yellow velvet, and took a six-week honeymoon boating from New Orleans to New York.⁸

Mamie appears to have stayed in the background for the most part and gone along with her husband's wishes even though it was widely believed that she had not wanted him to run for several of his terms. When asked if her husband would be running again in 1950 she said, "I've never objected. He's the boss."⁹

Mamie must have been of strong constitution to endure some of the events of Oscar's tenure. Oscar had a couple of run-ins with the Ku Klux Klan:

Once, when thousands of Klansmen were converging on the city for a state-wide meeting, Mayor Holcombe discovered their password. He sent men to all the highways around Houston to tell the Klansmen the meeting place had changed. The gathering was never held.¹⁰

Shortly before the 1922 election, the Klan accused Oscar of gambling and drinking habits when he refused their demand to fire three Catholics on the city staff. Oscar decided the best way for him to clear his name would be to have



Oscar and Mamie Holcombe. © Houston Chronicle Publishing Company



A much older First Lady Mamie Holcombe stands behind Jack Benny as her husband, seated at right, converses with the Hollywood star. Also pictured are Oveta Culp Hobby, standing next to Mrs. Holcombe, and former Governor William P. Hobby, second from left.

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the Baptist Ministers' Association decide if the allegations were true at a public hearing. A trial of sorts was held at the Rice Hotel, and the charges of drunkenness and gambling were ruled false by the Baptist ministers even though nine of the thirteen ministers were Klansmen.¹¹ Oscar won the election. It was probably not too far from Mamie's mind that she could find a cross burning on her lawn or worse since, as Oscar said, the Klan "killed and mutilated in those days."¹² While Oscar stood up to the Klan, he refused to integrate the Houston swimming pools in the 1950s, and was defeated at the polls because of it. He claimed he did not integrate because he wanted to prevent violence.¹³

Mamie also had to endure the uncertainty of the Mayor's fate in a boating accident in Galveston Bay. In January of 1926, Oscar was with a fishing party in a boat a mile or two offshore when the engine exploded and burned the boat. The men in the boat had to jump into the frigid water to escape, and according to varying

reports, floated for two to eight hours awaiting rescue. One man was killed by the blast, and it was reported that Oscar had to swim a long distance to save himself.¹⁴

As much as times change, some things stay the same. Garbage collection and street improvements occupied much of the city agenda during the Holcombe administrations. Oscar claimed to be the first mayor anywhere to install sequenced traffic signals. Oscar had the city electrician create signals similar to train signals he had seen on a trip to California. The Mayor said, "They were the first of their kind. The company that made them for us had them on the market for years under the name of 'Houston type signal lights'. I wish I had patented them."¹⁵ As for Mamie, she seemed to play a role in the mold of another first lady named Mamie, as in Eisenhower, who famously said, "Ike runs the country and I turn the lamb chops."¹⁶

Dene Hofheinz: The Ringmistress

Irene Cafcalas Hofheinz, Mrs. Roy Hofheinz, had a large political role throughout her husband's career. Roy nicknamed her Dene (pronounced Deanie) which is an endearing corruption of the Greek for Irene.¹⁷ Dene's father emigrated from Greece, and she was born in Houston's east end.

Dene Hofheinz was ahead of her time in many ways. She met Roy in college, and they both went on to law school, earning law degrees in June of 1933.¹⁸ To put this accomplishment in context, women only had been given the right to vote thirteen years earlier under the Nineteenth Amendment. Eleanor Roosevelt, who revolutionized the roles of women in public life, and life in general, had only been the first lady of the United States since March of the year Dene earned her law degree (presidents took office in March rather than January before the Twentieth Amendment was adopted). On the other hand, or maybe not if Pa was really running things, Ma Ferguson was sworn in for her second term as Governor of Texas in 1933.¹⁹

When Senator Kay Bailey Hutchison graduated from the University of Texas law school in 1969, thirty-six years after Dene earned her law degree, she was one of only five women in her class of five hundred.²⁰ Dene said of her own decision to go to law school, "Roy convinced me that we both should enter Houston Law School." She also said during college she took notes for Roy in math class when he had to work explaining, "It used to make me angry that he would make 100 on a test from my notes, and I would barely pass."²¹ Maybe Dene was being overly modest, and Roy convinced her to go to law school because he wanted the continued use of her notes.



Dene Hofheinz, in glasses, in 1961. The pain of her tumor has taken part of her smile from her pretty face, but not her enthusiasm for helping with a good cause (note the "Fight Cancer" label on the envelope she is holding)

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Dene and Roy eloped shortly after law school, and Dene worked as a clerk for two years in Roy's law office, although she applied for a job at another law firm.²² She did not actually practice law, but this is not surprising given the times. Dene was Roy's campaign manager when he ran for the Legislature in 1935. Roy won and became a state legislator at the age of twenty-two. Roy was elected county judge of Harris County two years later, and again, Dene was the campaign manager.²³

Former Mayor and son of Roy and Dene, Fred Hofheinz, describes his mom as "a traditional wife with flair," saying she "had no political ambition of her own and wanted only to help her husband in anyway she could." She kept their homes as places of refuge for Roy and other family and friends. While she played a significant role and was a campaign manager, she did not get involved in policy as campaign managers do today. Dene ran the campaign offices, walked behind Roy to cover his social flaws, and talked to everyone. She schmoozed the voters when Roy did not have time, and even Roy's enemies would come to her when they needed to talk but could not communicate with Roy. Where Roy was quick to make enemies, Dene was quick to make friends. Fred Hofheinz said, "She was the strength behind the throne. She was accessible to all players in the political game. She was an excellent politician in the sense that she was intimately involved with people, which are the backbone of politics."²⁴

Dene Hofheinz Mann, daughter of Roy and "Big Dene" as she was sometimes called, referred to her parents as the "perfect partnership," and cited her mother as an important influence on her father saying:

In 1944 he made a trip to Washington to get a license to operate a radio station. It was terribly important that he be granted the permit. The prospects of success in this endeavor seemed dim, so Daddy called Mama to tell her that he stood to lose everything they had made together. Mother's reply was, "Well, don't worry Honey, we started out with nothing, so when you get home we can start all over again." She gave him the confidence he needed, and to top it all off, they got their radio station. This incident was typical of Mama's influence on his life. Her outlook has brightened all our lives.²⁵

Roy became mayor of Houston in 1953, and it was a wild ride. He was county judge until 1946, and then, owned



Dene Hofheinz and daughter, "Little Dene."

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and managed KTHT radio. Dene said, "It never occurred to me he wanted to re-enter politics. The night before the 1952 city election filing date, he asked the family for permission to run."²⁶ In 1953, Dene described her major role as taking care of Roy and their three children, but she also found time to answer the profusion of correspondence, attend functions four nights per week plus weekends, support charitable causes, and coordinate a petition drive to restore three city positions axed by City Council.

The Hofheinz family spent summers at "Huckster House" which had themed rooms including the Circus Room and a parakeet that could say "Mayor, you're late."²⁷ The Hofheinz home in town was on eighty-five

acres in the area that is now The Galleria. They had dogs, horses, sheep, and other animals, and the door was always open with friends around constantly.

In 1955, Dene helped Roy navigate the palace intrigue and turf wars at a City Hall so fraught with strife that the *Houston Chronicle* editorialized, "City Hall is as full of problems now as an old house is of termites."²⁸ Roy did end up going down in defeat at the polls in November of that year, but only after months of battling City Council with Dene's help.

Apparently council members felt left out of the loop in Roy's administration, and the councilmen felt Roy wanted to "run the whole show."²⁹ In a purported effort to control costs, City Council passed an ordinance to eliminate three positions, including that of executive assistant to the mayor, which was held by Gould Beech. It was reported that the council members believed Beech was Roy's political strategist and wanted him "out of the way."³⁰

Dene headed up a petition drive to require the restoration of the three city positions, and was frequently quoted in the papers during this time. Volunteers worked on the project in the Hofheinz playroom. When councilmen accused the Fire Chief of ordering firemen to circulate the petitions, Dene defended the right of city employees to circulate these petitions on their own time if they wanted.³¹ Later, Dene told reporters she had secured more than 18,000 signatures, and that she intended to file the petitions with the City Secretary the next day.³²

Meanwhile, the City Attorney ruled the petitions would be effective when filed, and the axed employees were immediately reinstated. As a sign of the times, councilmen claimed the signatures would first have to be verified against the poll tax list.³³ In comments that demonstrate Dene's diplomatic skills and her ability to keep the pressure on at the same time, when a truce over the three positions was rumored the *Houston Chronicle* reported:

Mayor Hofheinz could not be reached for comment. Mrs. Dene Hofheinz, his wife, said she knew nothing about it but hoped "they can get together". Other Councilmen, however, indicated there would be no compromise. And Mrs. Hofheinz said petitions to force the Council to rescind the ordinance abolishing the jobs or submit the matter to a vote, were to be filed today.³⁴

A truce did not happen and councilmen were denied an injunction to keep the axed employees off the payroll.³⁵ Dene rode to City Hall in an armored car with the petitions for filing.³⁶

Things got progressively nastier with City Council's attempting to impeach Roy, Beech's being accused of associating with leftists, and Roy's proclaiming early elections were needed to clean house and settle things one way or the other.³⁷ In the midst of all of this the *Houston Chronicle* reported the following under a bold caption:

Mrs. Hofheinz Back: The Hofheinz forces were enheartened by the return to town of Mrs. Hofheinz, a major force in all of the mayor's campaigns. Mrs. Hofheinz arrived at Municipal Airport Sunday night to be greeted by a cheering crowd of more than 150. Mrs. Hofheinz had been in Colorado Springs for four days and brought Dene, Jr., back from a summer camp near the Colorado city.³⁸

In an early election that November Roy was defeated by none other than the Old Gray Fox, Oscar Holcombe.³⁹

Dene had a brain tumor most of her life, and in the early 1960s it was causing her extreme pain. The tumor was not cancerous, but to relieve the pain surgery would be needed. When she died prematurely in 1966 at age fifty-three after the surgery in New York, the obituaries were genuinely complimentary, confirming what her children have said. The *Houston Chronicle* editorialized:

To know Dene Hofheinz was to like her. This applied even to the political opponents of her husband....her personality was so winsome that she stood out as a personality in her own right. Thousands who knew her considered her a model wife and mother. No matter how fast the pace of the family's activities, Mrs. Hofheinz kept its members closely knit. Among friends the family was often referred to as "the Hofheinz team." Roy Hofheinz many times publicly credited her with being his chief source of inspiration. She was a stabilizing factor in his victories and a comforting rock of loyalty in his defeats.⁴⁰

A biography written during Roy's tenure as mayor says:

Mrs. Hofheinz presides over the two homes, and children of all ages look on her as a second mother, addressing her as "Big Dene" to distinguish her from her namesake daughter. She is known throughout Houston as one of the city's best-loved personalities. While she's been in the middle of each of the Mayor's political campaigns, typically rough-and-tumble campaigns, the scars of the political wars have never left their mark on her. The day after election nights, she resumes her role as mother, maintaining constant contacts with those who worked in the campaign not as political allies, but as friends.⁴¹

One legacy of Dene's influence at City Hall was evident to Fred Hofheinz when he was Mayor two decades after his father. Fred gave out many twenty-year service pins to city employees first hired by Roy, and quickly discovered that an unusually large percentage had Greek names. His mom had been a sort of employment agency for the Greek community.

Elyse Lanier: "I Rule Not ing out."

Maybe the events surrounding the wedding of Bob and Elyse Lanier on October 25, 1984, were a sign of the political future to come. They married on the spur of the moment at the Texas Supreme Court while in Austin, two months



*Mayor Bob Lanier and wife, Elyse.
Election night victory, November 11,
1991.*

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after their first date. On their first full day as husband and wife, Elyse joined Bob while he chaired a meeting of the State Highway Commission, and later they dined at Lady Bird Johnson's ranch.⁴² Quite an introduction as Mrs. Lanier. Their views on marriage have been described as traditional, but Elyse was not one to be left out of the action.

From the beginning of their marriage, Elyse went with Bob to his development company offices and meetings of the Texas Highway Commission and the Metropolitan Transit Authority where she worked the crowd skillfully. Bob would later return the favor watching from the front row at Elyse's first meeting as a University of Houston regent in 1995.⁴³ Elyse seemed to worship Bob, and kept a picture of Mount Rushmore with the addition of Bob's face on her desk.⁴⁴ She was also busy buying clothes, making the Best Dressed Hall of Fame in 1989.⁴⁵

Bob says he would not have run for mayor if it weren't for her,⁴⁶ and one of his daughters agrees, saying she helped him to the position that was the most fulfilling in his life.⁴⁷ Their togetherness continued on the campaign trail with Elyse missing only two events of the entire campaign. No separate campaigning to cover more ground for this couple. Before Bob took office, Elyse said she would probably have an office in City Hall, but also scoffed at the notion that she would wield any power, saying, "She would not play a role in city issues."⁴⁸

Later on, it became clear she did have power and used it. Derivative power can be just as potent as the real thing. In 1993, she is quoted as saying, "My phone calls get returned so fast, you wouldn't believe it. When you are

the mayor's wife and you call, God! I mean, people really do respond."⁴⁹ She did not take issue with critics who opined she only got the University of Houston appointment because she was the Mayor's wife saying, "Because I am the Mayor's wife I will be able to bring something to the table – fundraising, and the Mayor's ear – other regents might not be able to. It would be foolish not to make use of that."⁵⁰ Dr. Richard Murray said, "One of the most aggressive regents in shaking things up was Elyse Lanier. She was no wallflower on our board. The perception that she was just involved in fluff...was just not the case."⁵¹

It was clear that she used her power as the Mayor's wife to help other charitable causes as well. When Bob was inaugurated, Elyse immediately moved into her office in City Hall, and initiated a program to beautify the area around City Hall with roses and other improvements. Public debate started about whether she should have an office at City Hall and what she would be up to in that office. Many people had no objections to her office including Council Member Frank Mancuso, who noted that many former mayoral wives had been very active in volunteer causes, albeit without the City Hall office.⁵² Others thought she had no business having a City Hall office, and the Laniers finally decided to pay the City \$200 per month to rent the space.

People were not used to having a first spouse since Bob's predecessor, Kathy Whitmire, was a woman and a widow, and Elyse's ever-present effervescence was quite a contrast. One critic suggested beautification was not a substantive or worthy project proposing that Elyse plant vegetables instead of roses to feed the poor, while others were afraid she would inappropriately meddle in policy.

Other critics “acted as if they’d prefer a combination of Mother Teresa and Eleanor Roosevelt.”⁵³

Elyse dove into her role as first lady with gusto and joy. She had never in her life ridden a horse, but she learned to ride so she could lead the rodeo grand entry parade with Bob.⁵⁴ Throughout Bob’s tenure, she was actively involved in causes such as revitalizing Moody Park. Of this she said, “When we reopened Moody Park, 10,000 kids were out there that afternoon. Now tell me what feels better than that.”⁵⁵ Working on Houston’s image and the revitalization of Hermann Park and Miller Outdoor Theater were also big projects she undertook, not without controversy. When Mayor Bob realized on a 1996 trip to New York that Houston had a questionable image, the Houston Image Group Inc., was formed, funded by a combination of city and other public and private funds, and headed by Elyse.⁵⁶ Some complained about nepotism, but the Houston Ethics Committee ruled that the ethics policy had not been violated.⁵⁷

Speaking out and never ruling anything out became common themes for Elyse, including on policy. In 1993, when approached by a teenager complaining about dilapidated buildings, Elyse encouraged the teen to lobby City Controller George Greanias, saying Greanias had slowed the approval of millions in Metropolitan Transit Authority funds for neighborhood improvements.⁵⁸ She wrote to publications such as *Newsweek Magazine* when they disparaged Houston, and even called NBA Commissioner David Stern to complain when Clyde Drexler was ejected from

a Rockets’ game. When asked by a reporter what Mayor Bob’s opinion was of her making this call, she responded he probably didn’t know she had made it.⁵⁹ She was not afraid to talk to reporters, and even when Bob was Metropolitan Transit Authority Board Chair, she would charm them by inviting them to events, and debating those who were Bob’s critics.⁶⁰

In Bob’s third and final term there was talk of ending term limits to allow him to run again, and talk of Elyse being a candidate for mayor herself. Elyse said at the time, “I rule nothing out.”⁶¹ Stirring the pot further, it was reported around this time that the Mayor’s Office requested books from the Houston Public Library on Miriam “Ma” Ferguson, who succeeded her husband as Governor of Texas in the early 20th century.⁶² Elyse ultimately did not pursue a candidacy reportedly because Bob would not be able to adjust to being “first man.”⁶³ Elyse continues to add to her resume while going at life with gusto. She is currently serving as a commissioner on the Port of Houston Authority.

These three first ladies, in their own dynamic ways, helped define and promote their husbands’ administrations. In doing so, they were instrumental in shaping the present and future of Houston. Their legacies live on today, as exemplified by current First Lady Andrea White and her efforts on behalf of Houston’s children and the community as a whole. An exacting standard for future holders of the unofficial title of “First Lady of Houston” has been set. May the citizens of Houston be so lucky as to have many more meet the challenge. ★



Elyse Lanier at the University of Houston.

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Culture-High & Low

**This is an interview
with Rusty Andrews
at McGonigel's Mucky
Duck in Houston,
February 27, 2006.
The interviewers
are Joe Pratt and
Steve Brown.**



Rusty Andrews moved to Houston as a child. He graduated from Smiley High School in northeast Houston. In the 1980s he worked for his father-in-law at the Red Lion Inn, where he introduced live music. After his father-in-law retired, he found a vacant building near Kirby and I-59 and created a new live music venue, McGonigel's Mucky Duck. With good singer/songwriters playing in an intimate setting, "The Duck" has become an important part of Houston's live music scene. In our interview, Rusty recounts some of his experiences in creating a great place to eat, drink, and listen to live music.



Panoramic view of stage and inside of club.

My first job in the hospitality industry was managing the Red Lion Restaurant for my father-in-law, George Crowder. The Red Lion was renowned for serving the finest prime rib and during its hey day its proximity to the famed Shamrock Hilton Hotel made it the place to see and be seen for the many movie stars who stayed in this Houston landmark. I had the opportunity to meet many famous folks, from John Travolta to Tom Jones. Pete Rose and Joe Torres were frequent guests of the Red Lion.



I first began working at the Red Lion in 1977, the year our son was born. The first several years I was there I was busy learning the many lessons that George was able to teach me about how to run a restaurant, and then sometime during the following decade I became interested in ways to expand the Churchill Pub, the club located on the second level of the restaurant. We started having interesting happy hours with “buy the beer keep the glass nights” (something we continue to this day) hat nights and lively music. My son’s teacher had a brother who was a musician and he agreed to play during happy hour. Happy hours turned into weekend gigs and it progressed from there. Soon, as it often does in this business, the word spread and we had many local musicians checking the place out as a cool new place to play.

We had to overcome many obstacles to make the music scene work upstairs in the Churchill Pub—mainly the

sight lines and the sound. The pub was a series of small rooms and no more than twenty people could actually fit into the room where the performers were playing. But somehow we made it work and we had some pretty exciting nights up there. Shake Russell, Dana Cooper, Lisa, Marie and Kim, Trout Fishing in America and Ezra Charles were regular performers in the Pub. Clint Black and Lucinda Williams also played the Churchill Pub.

As the 90’s approached, it became clear that my father-in-law wanted to



retire and our choice was to try and make the Red Lion our “own” or to find a location that would be more suited to our needs. We decided to strike out on our own and find our “Mucky Duck.” I had already selected the name because I had liked the sound of the name when I had overheard it on a trip to England. It stayed in the back of my mind and only moved forward once we began looking for a location.

The Duck “hunt” began in earnest in January 1989. We spent months driving the streets of Houston looking for our location. Just when we began to

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doubt that we would ever find the right place we happened upon this sturdy little building on Norfolk Street. As luck would have it, we found our Mucky Duck on St. Patrick’s Day.

What seemed perfect to us caused many of our friends to wonder what we were thinking! How did we think we could make a go of a place so far off the beaten path? No matter, we loved everything about it, especially the part that it was “off the beaten path.”

We had six weeks to get the Duck up and running. We did not have enough money to dawdle over designs, colors or anything else. We had to hit the ground running. With the help of many friends, even the doubters, we got the walls down, miles of telephone cable pulled out (our building had previously housed a gambling joint, The Red Man’s Lodge, hence the phone cable) and beer taps installed.

We had a “hard hat” opening on

May 25, 1990 when our friend Dr. Joe brought his U.T. Medical School graduation party to the Duck. The stain on the walls was still wet, but the party was great and most of those young docs still return to the Duck. In fact, Dr. Joe’s oldest son William just finished his first summer job here.

The paint dried in time for our official grand opening on June 1, 1990. Shake Russell, Dana Cooper and Jack Saunders played for the opening night. They were a wildly popular group and we were packed to the rafters. However, when it came time to pay

the band, they were no where to be found. I asked Rhonda, the woman who booked the gig: “Where did they go? I need to pay them.” She told me that they had left and that they wanted us to use the money to get off to a good start. The memory of their generosity still brings a lump to my throat.

At first, our mainstay was bands from Houston and Austin, but as the years progressed our calendar began to fill with many touring acts from places as far away as Madagascar. Today, we still enjoy being a part of the local music scene, especially with our Open Mic night every Monday and our Irish Session every Wednesday which features traditional Irish players, tunes and dances; however, many of our weekend shows are touring acts from the region and the world. We have had some pretty famous faces over the years. One particularly exciting night Lyle Lovett dropped in to see Terry Allen and Guy Clark. The few times that Lyle has visited here we have noticed that his habit is to slip in quietly and sit far in the back—so we were all thrilled when Guy Clark beckoned Lyle to the stage to sing a few songs. When Lyle began to sing, there wasn’t a sound to be heard, not one. Seriously, you could have heard a pin drop. That was a magical night. Another favorite memory was a band named Tarika from Madagascar. Two sisters sang vocals with a five piece band behind them. Many of the instruments were handmade and the sounds were

intriguing. By the end of the night, the entire room was standing—not screaming, not shouting nor clapping—they were just standing and swaying to the music. It was another of those magical moments, a time that you never forget. It is the kind of thing, you want to call up your friends and say, “You should be here.” Of course, you know that moment is gone. Even if they lived only five minutes away, by the time they drove over here, the moment would be gone. There have been a few of those outstanding moments through the years.

We did not have the great advantage of the internet when we began. The only way that we were able to reach the public was through direct mail and print media. Both were far too costly for our small budget. We were fortunate that the local newspapers looked kindly upon our endeavor and regularly ran stories about the acts that played the Duck. Back then we had not only the *Houston Chronicle*, but also the *Houston Post* and the *Public News*. It was a rare week that one or more of the bands that played the Duck were not mentioned. Also, KPFT, our local Pacifica station would feature the artists that would play here. KPFT also ran a regular weekly radio show from our stage called the “New Wood Showcase.” The local media has been significant source of our ability to thrive in what has traditionally shown to be a

difficult business to survive. Today, we have the internet and it, coupled with e-mail, has proven to be a god-send to our small business. I send out the calendars and notices for special events. One day I wrote a little story about my day and was overwhelmed by people telling me how much they enjoyed my story. The response has been so warm that I now send out a story once a month or so. It helps to connect us in a personal way to the people who enjoy visiting our pub.

My perception is that we hold a unique place in the Houston music scene. We are not hot and trendy. We never have been. We are as comfortable as an old shoe and this may just be our strength. The people who come here know what to expect. They may not be familiar with the artist who is playing but they know that evening will be interesting, the food will be homemade and delicious and that my wife and I will be sitting outside in our rocking chairs, with our dogs at our feet, waiting to welcome them. ★



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NEWS BRIEFS:

History Notes

by Barbara Eaves

"History Notes" is a new column that posts selected brief notes of interest to historians and preservationists in our community. We appreciate your comments--and your information.

Harris County Historical Commission: Patrick Van Pelt, general manager of Mid-Continent Cos., has been named chair of the commission which, among other things, approves applications for Texas Historic Markers in Harris County. He succeeds Al Davis, who retired last spring after twenty years on the job. Visit the commission's website at www.harrischc.org.

Rice University, Woodson Research Center: Jack Burke, Jr. has donated the records of Champions Golf Club from its planning in the 1950s to today. These include phenomenal photographs of golf pros, celebrities and duffers alike, according to archivist Lee Pecht. Contact Pecht at pecht@sparta.rice.edu.

The San Jacinto Museum of History: An excellent exhibit, *Drawn from Experience: Landmark Maps of Texas at the San Jacinto Museum of History*, remains on display through the first week of April 2008 (www.sanjacinto-museum.org). This presentation was partially funded by a \$30,000 Title I grant from Bank of America because of the diverse population of school children it is attracting.

San Jacinto Museum will offer free admission for military personnel November 10-11 (Veterans Day weekend). Also, there will be special family activities and discounted admission prices December 7-8, to commemorate Pearl Harbor.

The Friends of the San Jacinto Battleground: The 2008 San Jacinto Symposium is set for Saturday, April 19 at the Hilton Hotel & Conference Center, University of Houston. The San Jacinto Battle Re-enactment & Festival (free and open to the public) will be on Saturday, April 26 at the battleground. The official Battle of San Jacinto commemorative ceremony begins at 10 a.m. on the "real" San Jacinto Day, Monday, April 21.

The job of restoring the battleground is progressing well. A second elevated walkway and a new viewing platform overlooking the marshes at the battleground were completed

in July. In addition to watching birds and other wildlife, platform visitors can observe the growth of more than 5,000 trees that were planted earlier in the year—and, by next spring, a new crop of native grasses that will be sprouting on the prairie-in-restoration. This community effort comes from generous contributions of money from Shell Oil Company, Ducks Unlimited and NRG (formerly Texas Genco), and manpower from Shell/Motiva and NRG as well as the Texas Parks & Wildlife staff. Ducks Unlimited brokered the TPWD funding and ultimately engaged in arranging the construction contract; the Friends group "brokered" the financial contributions from Shell, NRG and others.

For additional information, contact Friends at 281-496-1488 or visit www.friendsofsanjacinto.org.

Battleship Texas Foundation: A study of the structural condition of the Battleship *Texas* and surrounding site is underway, the precursor for building a permanent dry berth for this grand dame at its San Jacinto Battleground home. The *Texas* is the world's only remaining dreadnought-type battleship, a veteran of two world wars. For additional information, contact Barry Ward, executive director of the foundation, at bb35foundation@sbcglobal.net.

Historic Records Preservation Project: The office of Harris County District Clerk Charles Bacarisse continues to restore, digitize and encapsulate district court case files dating back to the days of the Republic, making many of the older, more fragile records accessible to the public for the first time in years. Some are on line (www.hcdistrictclerk.com); all may be viewed at The Records Center, 1301 Franklin. The court has teamed up with the Houston Bar Foundation to raise tax-deductible funds for this purpose. For additional information, contact Charles.B@hcdistrictclerk.com.

Houston History Association: This group is coming together as a coordinating body for the city's historic and preservation organizations, to focus, fine-tune and strengthen the effectiveness of efforts to preserve Houston's heritage. HHA comes out of Mayor Bill White's History Task Force. For information, contact president, Pam Young, at ppyoung@hal-pc.org.

Check out Texana Review: This site offers podcasts of news, views, and tall tales of the Lone Star State at www.texanareview.com.

NEWS BRIEFS:

Houston Public Library: A construction manager will come aboard in September to join the Gensler architects in work on the Julia Ideson Building at the downtown library. This is to be a two-part job—the present building will be renovated and a new wing will be constructed. The new wing was designed as part of the original building by Ralph Adams Cram and William Ward Watkins, but it was never built. The Ideson Building opened in 1926 and was last restored by Morris Aubry architects in 1975. The Texas Room and the stacks on the second floor of the current building will be re-converted to a public reading room and exhibit space, giving the City a stunning facility for

official functions. A “new” Texas Room and the Houston Metropolitan Research Center will be housed in the new state-of-the-art reference wing. Construction is slated to begin in July 2008. For additional information, visit www.ideson.org, email preservationpartners@ideson.org, or call executive director Margaret Lawler at 713 660 0772.

BARBARA EAVES, AN AVID HOUSTON HISTORY BUFF, IS ON THE BOARD OF THE FRIENDS OF SAN JACINTO AND HOUSTON HISTORY MAGAZINE, AND IS A MEMBER OF THE HARRIS COUNTY HISTORICAL COMMISSION. CONTACT HER AT BEAVES1@HOUSTON.RR.COM WITH COMMENTS AND INFORMATION.

Save Our Landmarks

by Sarah Gish

Save Our Landmarks (www.saveourlandmarks.org) has been lighting a fire to preservation issues since they were founded by Sarah Gish in July 2006. Their sole mission at this point is to save the River Oaks and Alabama Theatres and their adjacent Shopping Centers. The group of architects, historians, preservationists, adaptive re-use developers, filmmakers and real estate professionals has rallied together to speak before the Houston Archaeological and Historic Commission (HAHC) and the Houston Planning and Development Commission about designating both sites as city landmarks. In June of this year, both Commissions unanimously voted to recommend designation to City Council. This city-recommended designation was the first since the 1995 Historic Preservation Ordinance took effect, but HAHC chair Betty Chapman felt the proactive stance was necessary to stop, or at least slow down, the wrecking ball. This “landmark” status does not keep property owners from demolishing landmark buildings – only owner-initiated “protected landmark” buildings can be saved entirely. As the ordinance stands now, with the city’s landmark status, owners must only wait 90 days to begin tearing down a landmark. Bart Truxillo, a longtime preservationist and Heights resident, gained protected landmark status for his Magnolia Brewery Building last October. His action was a beacon in our city’s preservation history and will hopefully serve as an example for other owners. Save Our Landmarks has had private meetings

with Weingarten and has encouraged their stockholders to speak out about preserving their shopping centers, in their entirety, so as not to denigrate their historical value. Our discussions centered on the “quality of life” and historical significance that is at stake. Both sites are excellent examples of Art Deco architecture -- and the River Oaks Community Shopping Center, in particular, is “one of the outstanding examples of shopping center design of the 1930s in a national context” (Richard Longstreth, historian of twentieth-century American retail architecture). As the photo essay on these pages demonstrates, preservationists could not prevent Weingarten’s demolition of the north side of West Gray.



ALL PHOTOS IN PHOTO ESSAY COURTESY WILLIAM H. KELLAR



Several new books that may be of interest to readers of *Houston History* recently have come to our attention. Two books on Galveston offer new insight into life on the Island City and two new works on the Battleship Texas, which was featured in the Spring 2007 issue of *Houston History* and in the Spring 2006 issue of *Houston Review*, trace the history of a magnificent battleship through two world wars. Stephen L. Hardin has written a gripping

account of a long-ago hanging in Houston and the strange facts surrounding the case. A new work on Houston Art Deco and an updated edition about Texas courthouses will be of interest to those who have cultivated an appreciation for historical architecture. Finally, UH professors Martin V. Melosi and Joseph A. Pratt have edited a fascinating compilation of essays on Houston's energy history.

The Alleys and Back Buildings of Galveston: An Architectural and Social History,
by Ellen Beasley, Texas A&M University Press.

Biracial Unions on Galveston's Waterfront, 1865-1925,
by Clifford Farrington, Texas State Historical Association Press.

Historic Battleship Texas: The Last Dreadnought,
by John C. Ferguson, State House Press/McWhiney Foundation Press.

Battleship Texas,
by Hugh Power, Texas A&M University Press.

Texian Macabre: A Melancholy Tale of a Hanging in Early Houston,
by Stephen L. Hardin, State House Press/McWhiney Foundation Press.

Houston Deco: Modernistic Architecture of the Texas Coast,
by Jim Parsons and David Bush, Bright Sky Press.

New, updated edition—*The Courthouses of Texas*,
by Mavis P. Kelsey, Sr. and Donald H. Dyal, with photographs contributed
by Frank Thrower, Texas A&M University Press.

Energy Metropolis: An Environmental History of Houston and the Gulf Coast,
edited by Martin V. Melosi and Joseph A. Pratt, University of Pittsburgh Press.

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WEST MANSION / CLEAR LAKE

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MATRIMONY AND THE MAYORS: THREE FIRST LADIES OF HOUSTON

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READERS' FORUM

- 1 The four young men were: Thomas D. Anderson, lawyer/banker; William N. Francis, lawyer; Thad T. Grundy, lawyer; and William A. Wareing, investments. All were offered government positions. The only one to accept was William N. Francis, who joined Eisenhower's White House but died prematurely.
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- 3 John R. Brown became Republican chairman of Precinct 135, then county chairman before appointment and confirmation as a judge of the U.S. Circuit Court of Appeals, Fifty Circuit. Joe Ingraham was appointed and confirmed as District Judge for the Southern District of Texas.

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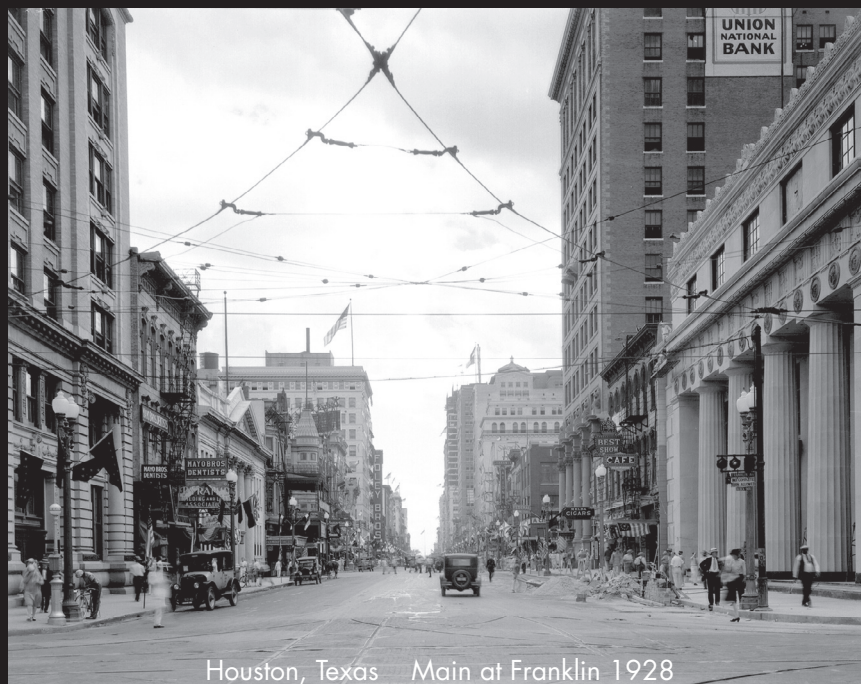
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