As Old As Dallas Itself

A History of the Lawyers of Dallas, the Dallas Bar Associations, and the City They Helped Build

Darwin Payne
As Old As Dallas Itself

A History of the Lawyers of Dallas, the Dallas Bar Associations, and the City They Helped Build

Darwin Payne

Three Forks Press
Dallas

© 1999

Reproduced with the kind permission of the author.
the University of Texas School of Law. He devoted much of his legal practice to business and corporate affairs, and although he was an outstanding orator his appearances in the courtroom were rare. From the beginning of his practice he devoted much attention to bar association work. From 1920 through 1937 Saner served as chairman of the board of editors of the American Bar Association Journal. As chairman of the ABA Citizenship Committee he initiated public speaking contests in 1923 and 1924 on subjects pertaining to the Constitution that were conducted in about 13,000 high schools in the nation. President Calvin Coolidge asked him to preside over the finals in Washington, D.C., for which members of the U.S. Supreme Court were judges. In 1925 he presided over the first national intercollegiate oratorical contest in Los Angeles, and later he established an endowment for an annual oratorical contest at Southern Methodist University.  

For thirty years, from 1900 to 1930, Saner served as Land Agent for the University of Texas, an assignment that required him to be familiar with the details of the hundreds of thousands of acres of land owned by the permanent fund of the university in West Texas. This vast amount of property returned millions of dollars to the university, making it one of the nation's wealthiest institutions of higher education. In 1926 Saner filed a suit in behalf of the university to recover disputed oil royalties on the property, and he won a judgment of $1 million, said to be the largest judgment recovered up to that time in Texas with the exception of the Waters-Pierce Oil Company case.  

THE MOVE IN RECENT decades to provide and also to require better legal training for lawyers continued. Three schools of law, with varying degrees of success, attempted to establish a credible presence in the city. First was the Jefferson School of Law, founded as a proprietary school by Andrew J. Priest, a Dallas attorney and resident of the city since childhood. His first class in 1919 consisted of just three students, but enrollment steadily increased during the decade, and until the Depression darkened in the 1930s the school's future seemed bright. By 1930 Jefferson had its own three-story building in downtown Dallas and a Fort
Worth branch. Its curriculum had expanded to include not only law but also a School of Commerce and Accounts and a School of Secretarial Training. Its progress was recognized on March 4, 1930, when the Supreme Court of Texas placed Jefferson on its list of approved law schools, only the fourth such institution in the state to be so recognized. This meant that a student who graduated from Jefferson was automatically granted a license to practice law without having to take a bar examination. In the fall of 1931 Jefferson's enrollment included forty-nine senior students, twenty-one of them in the School of Law, including two women. Completion of their studies would lead to the LL.B. degree.

By then Jefferson's law faculty had grown to ten attorneys, all of whom presumably continued their law practices while they taught on a part-time basis: N.R. Crozier Jr. (whose father was superintendent of the Dallas public schools), Hawkins Golden, J. Henry King, Russell Allen, Owen George, Robert Lee Guthrie, Richard J. Dixon, M.B. Solomon, T.C. Burroughs, and Lt. Col. A.C. Burnett. Priest himself continued to practice law at the same time he oversaw his college, for he was chief prosecutor for District Attorney William S. McGraw, whose term of office was 1927 to 1932. Beginning in 1931 Jefferson University, as it now was called, occupied a new building at Harwood and Jackson streets with the words, "Jefferson University," engraved boldly over the front door. Besides the Sigma Delta Kappa legal fraternity, Jefferson even had a football team and a baseball team which played such institutions as North Texas Teachers College, Paris Junior College, and Hillsboro Junior College. Its fight song, played to the tune of "Washington and Lee," went like this:

Oh! We are jolly students of the law;
We have the best old crowd you ever saw.
We have high ideals of law and right.
and for these things we will always fight;
The spirit of Jefferson guides us all along;
We will uphold the right and denounce the wrong;
For Law and Justice in this land,
We jolly students always stand.
Jefferson University's tenure as a Dallas institution of higher learning was bright but brief. An unsuccessful struggle for students during the Depression of the 1930s brought about its demise. Priest resumed his work as a prosecutor, working under District Attorney Andrew Patton, 1937 to 1940, and he later unsuccessfully campaigned for Dallas County District Attorney.\(^{19}\)

The other two institutions offering programs in law in this period both opened their doors in 1925. The Dallas School of Law, established as an evening program by the Young Men's Christian Association, operated out of the YMCA building on Ervay Street in downtown Dallas. Its evening classes were popular since they allowed those with full-time jobs to study law after work. But maintaining high standards was difficult, and while there continued to be sufficient numbers of students, in 1938 the Dallas School of Law united with the other institution that had started offering classes in 1925, the one that emerged as the dominant one in the city and the one that gained national stature—Southern Methodist University's School of Law.\(^{20}\)

In this successful venture the Bar Association of Dallas played an integral role without which it seems unlikely that the law school could have been established until years later after the Depression and World War II. Former Bar Association President Joseph E. Cockrell was most influential in founding the SMU Law School. Besides his keen participation in the Bar Association, Cockrell was also active as a trustee of Southern Methodist University. In 1925, while serving as chairman of SMU's board of trustees, Cockrell argued that no university could achieve first-rank status without the presence of a law school. SMU, as an institution founded and supported by the Methodist church, already had a strong academic presence and a well-planned, handsome campus in University Park even though classes had begun there only in 1915. As early as 1919 mention had been made of establishing a law school at SMU.\(^{21}\) Finally, at Cockrell's urging, SMU President C.C. Selecman agreed, and on February 10, 1925, he asked the board of trustees for permission to authorize one. The board
agreed unanimously with the understanding that money for it would be raised outside SMU’s regular budget.22

Only three days after SMU’s decision, Bar Association President Charles D. Turner and a committee of his choosing met with SMU’s executive committee to discuss the matter. A second meeting followed on February 18. It was agreed that the Bar Association of Dallas would give full support to the law school, and at the May 9 meeting Judge Cockrell pledged that the school would be a “model school, based on standards laid down by the American Bar Association for associated law schools.” Cockrell asked Bar Association members to underwrite the salaries of two full-time faculty members for the first two years.23

Turner appointed a committee composed of C.W. Starling as chairman and Rhodes S. Baker and Judge S.P. Sadler as members to advise the university and work with Cockrell on the project. Cockrell, acting dean of the law school until a permanent one could be hired, led the fund-raising drive for the school. He leaned heavily on his friends in the Bar Association for both monetary donations and law books for the library.

Surely no law school of such stature was ever started with such a short time for planning. Classes began in the fall of 1925 with a total of twenty first-year students, all men. Two faculty members hastily recruited were William Alexander Rhea and Robert B. Holland. Rhea, who had practiced law in Dallas between 1895 and 1917, had been teaching law for the past six years at the University of Texas School of Law. While in practice in Dallas he had served as counsel in drawing up the incorporation papers for the town of Highland Park. Holland, a practicing attorney with the firm of Touchstone, Wight, Gormley & Price, taught on a part-time basis until 1928. A second member from Holland’s firm, Hobert Price, joined the faculty in 1926. Additional beginning classes were admitted in 1926 and 1927, giving the school a three-year program. In 1927, it was placed on the approved list of the American Bar Association. Two years later it was admitted to membership in the Association of American Law Schools.24
The library, housed in the basement of Dallas Hall beneath two classrooms allotted to the law school, reached nearly 7,000 volumes by 1926, largely under Rhea’s guidance. Just a year later it had almost 10,000 volumes. Members of the Dallas Bar were cordially invited to use the library as needed. Among the several generous donations were a 1,000-volume collection from former State Senator J.J. Faulk, 400 volumes from former U.S. Senator Charles Culberson, and 250 volumes from the law firm of Saner, Saner, Turner and Rodgers.

In 1926 a “permanent” dean, Judge Peter J. Hamilton, was hired, but poor health forced him to retire after only one month (not before he addressed the Bar Association at an October meeting). He died soon thereafter. His duties were then divided among the handful of faculty members and a member of the Dallas Bar, Lawrence Rhea, until the spring of 1927 when a new dean, Charles Shirley Potts, was hired. Potts was a former law school professor at the University of Texas who came to SMU from a teaching post at Washington University in St. Louis. In 1928 SMU graduated its first class, and that fall Dean Potts brought thirty-four of the law students to a meeting of the Bar Association. Among the graduates was a woman, Erin Bain Jones, who had entered the program late but graduated early. Dean Potts would continue as dean for twenty years, providing strong leadership during a period which included the challenging years of the Depression and World War II.

IN ADDITION TO ITS important work in helping found SMU’s law school, the Bar Association’s energy was evident in another important endeavor—the creation of a clinic to enable Dallas citizens with little or no financial resources to obtain free legal assistance. The idea began to be explored in May 1924 when President W.R. Harris appointed a three-person committee to examine the advisability of such a clinic. D.A. Frank, who made the motion for such a study, was appointed chairman, and he was joined on the committee by the liberal activist, George Clifton Edwards and C.K. Bullard. A month later the committee recommended that the clinic be established for the City of Dallas.
Chapter Eight, "A Surge of Maturity"

2. Ibid., passim.
6. Ibid.
13. Ibid; New Handbook of Texas, VI, 1087.
18. Ibid., 253-54.
19. A copy of The Jeffersonian, 1932 edition, in the collections of the Texas/Dallas History and Archives Division, Dallas Public Library, provides much of the information given here. An undated clipping in the CTX Bio Clips, Box 20, Texas/Dallas History Division, provides a brief biographical sketch of Priest.
20. Mary Martha Hosford Thomas, Southern Methodist University: Founding and Early Years (Dallas: SMU Press, 1974), 118.
23. Daily Times Herald, May 10, 1925. The Bar Association did not pay for the salaries out of its own budget; presumably direct donations were made to
Southern Methodist University.
Harvey Wingo, "A Modification & Updating of a Brief History of S.M.U. Law
School, Originally Written By Professor Joseph W. McKnight for Publication in
The Brief, Summer 1978," a manuscript in the possession of the author.
26. Dallas Morning News, March 6, 1947. Minutes, Dallas Bar Association,
Nov. 10, 1928. Other members of the first graduating class were John Harold
Goode, James Franklin Gray, Dewitt Harry, Ellis P. House Jr., Autry Norton,
Harry Samuel Pollard, John Wales Randall, Ely Straus, Paul Leslie Williams, and
Hubert Delaney Wills. They are listed in the 1928 edition of the Rotunda
yearbook.
27. Minutes, Dallas Bar Association, May 3, 1924.
30. C.A. Matthaeri, "The Junior Bar Association of Dallas," The Dallas Law
31. Minutes, Dallas Bar Association, June 4, 1929.
32. Ibid., Aug. 28, 1929.
Membership Roster, ibid., Dec. 1932, 18.
35. "Presentation of Pictures of Judges by Bar Association of Dallas," ibid.,
Aug. 1929, 5-6.
36. Minutes, Bar Association of Dallas, April 21, 1926.
37. Ibid., Nov. 17, 1928.
38. Ibid., March 2, 1929.
39. Ibid., March 9, 1929.

Chapter Nine, "Acclaimed for Good Works"
1939), 1551.
3. Collins, "Thompson & Knight," 95-96; and Martindale-Hubbell Law
4. Minutes, Bar Association of Dallas, Jan. 8, 1932, 4-5.
5. Ibid., Jan. 21, 1933, 114.
7. Spann v. the City of Dallas, Texas Supreme Court, 235 SW 513.
9. Lombardo v. City of Dallas, Texas Supreme Court, 73 SW 2nd 475.
training in “contract terminations” at Bethlehem, Pennsylvania. Immensely pleased at this rare opportunity in international law, Armstrong contacted his commanding officer, a hard-nosed Naval Academy graduate, and requested permission for the transfer. Armstrong’s superior refused. “Although I kept pleading with him as to how much this would mean to my career, he continued to refuse and told me that I was ‘his lawyer,’ but that he would recommend me for promotion.” Armstrong thus missed this unique opportunity.49 (In 1952 Armstrong would be elected president of the Dallas Bar Association.)

Another Dallas lawyer, however, was able to participate with Storey in the Nuremberg trials. He was George E. Seay, a descendant of pioneer Dallas lawyer Robert B. Seay. Seay, a lieutenant colonel, was in charge of Section VI in compiling evidence against Nazi organizations.50

Back in Dallas after his Nuremberg service, Storey, a senior member of Storey, Sanders, Sherrill & Armstrong, accepted in January 1947 an offer to become dean of the Southern Methodist University School of Law. His predecessor, Dean C.S. Potts, who had served as dean since 1927, returned to the classroom as dean emeritus. Almost immediately after his appointment, Storey announced the organization by a group of lawyers, businessmen, and scholars of the Southwestern Legal Foundation, a legal center to be established on the SMU campus. Described at the time as only the third such legal center to be planned in the nation, it would be the first such center to be completed. It became a place where jurists, lawyers, and the lay public could conduct research and study about the needs of a changing world. One of its components would take special advantage of Storey’s expertise in international law, but its subjects would also include fields of law of particular interest to the Southwest—oil and gas, insurance, taxation, and labor law. One of the foundation’s important functions would be the sponsorship of conferences and seminars in which attorneys, judges, legislators, law school professors, businessmen, and representatives from both management and labor would find solutions to vexing legal problems. Although located on the SMU campus and headed by Storey, the
foundation was controlled by a separate board of trustees, many of whom had prominent standing in the Dallas legal community. They included Harold A. Bateman, president of the Bar Association, former mayor Woodall Rodgers, and Congressman Hatton W. Sumners.51

Storey's rise to legal prominence had been meteoric. Born in Greenville in 1893, he was admitted to the bar in Texarkana in 1914 after studies at the University of Texas. After service in the First World War as an artillery lieutenant, he became assistant attorney general of Texas in charge of criminal appeals, a position he held from 1921 to 1923. His astuteness and competency won for him appointment to the board of regents of the University of Texas at the youthful age of thirty-one, and he served as a regent from 1924 to 1930. In 1924 Storey became an assistant district attorney in Dallas County; in 1932 he was a delegate to the International Convention of Comparative Law at The Hague; in 1934 he served as president of the Bar Association of Dallas; in 1948 he was elected president of the State Bar of Texas. In 1953 he became the city's second attorney to be elected president of the American Bar Association (Robert E.L. Saner was the first). He was named the outstanding lawyer of the year in January 1955 by the board of directors of the Dallas Bar Association. 52

Another lawyer from Dallas—this one a native of the city—at whom the national spotlight was directed at the war's end was Tom C. Clark (1899-1977), who in June 1945 was appointed by President Harry Truman to be attorney general of the United States. Clark, the son of the veteran Dallas lawyer William H. Clark (who had become the youngest president of the state bar in 1897 at the age of thirty-six) had moved to Washington, D.C., in 1937 to join the Justice Department. Previously, he had worked with his father and brother in private practice in Dallas from 1922 to 1927. This had followed his graduation from the University of Texas School of Law. Before moving to the nation's capital, he was Dallas County's civil district attorney. His career in the Justice Department had progressed steadily over the years. Prior to his appointment as attorney general he had been assistant attorney general in charge of the criminal division.53
NOTES

41. Minutes, Bar Association of Dallas, June 5, 1937, 158-59.
44. Minutes, Bar Association of Dallas, March 21, 1936, 4-5, and March 28, 1936, 9-12.
47. Minutes, Bar Association of Dallas, Sept. 11, 1937, 163.
48. May 10, 1941.
54. Ibid.
55. The citation is reprinted in the Bar Association’s 1940 application for a second Award of Merit, a copy of which is included in the Bar Association minutes, volume 3, 447.

Chapter Ten, “Dallas Lawyers Go to War”
4. Ibid., 8.

304 AS OLD AS DALLAS ITSELF
11. Ibid.
16. Ibid.
18. Ibid., Sept. 1943, 305.
19. Ibid., Nov. 1943, 498.
20. Ibid., 499-500.
26. Ibid., Sept. 1943, 308.
29. Ibid., 358.
32. Ibid., Oct. 3, 1943.
36. Ibid., 73-74.
38. Ibid., Oct. 29, 1942; *Dallas Morning News*, Nov. 4, 1942.
40. Ibid., April 18, 1943.
41. Ibid., July 11, [1947]. The precise year of this debate is not visible on the clipping in the files of Texas/Dallas History and Archives, Dallas Public Library.
42. Ibid., Nov. 4, 1945.
43. Ibid.
Davidson and SMU Law School Dean Robert G. Storey. The Bar Association itself also was recognizing the increasingly complex interests of its own members through the creation of special sections which catered to them. For example, in 1959 the Corporate Counsel Section of the Dallas Bar Association was established for attorneys who were employees of companies, institutions, and associations. By 1961 this special section had about 100 members who met twice a month. It would be only one of a multitude of sections to be created in coming years for those lawyers with special interests.

SMU's law school and the Southwestern Legal Center, both under the leadership of Storey, continued to set high standards for legal education. By 1951 two new buildings had been completed adjacent to one another on the campus, one that later would be named for Storey. The second was Lawyers Inn, a residence hall for students. The work of the law school and the Legal Center, seemingly blended together under Storey's mutual leadership of both, was recognized in 1956 by the Ford Foundation with a $250,000 grant for further development of its Graduate School of American and Foreign Law. In 1958 the Blakley-Braniff Foundation awarded a $375,000 grant for continuation of the program and for research purposes. A part of this program, the Law Institute of the Americas, founded in 1952, regularly brought in attorneys from throughout the Western Hemisphere—especially Latin America—to improve understandings through the study of laws, institutions, and governments of the American nations, and also to train lawyers to handle legal problems arising within the Western Hemisphere. Another element, the Academy of American Law, was designed primarily for lawyers in the Middle East, Far East, and some European nations.

In 1956 the Dallas Bar Association joined the Southwestern Legal Foundation and the State Bar of Texas in hosting an important meeting of the Inter-American Bar Conference at the Legal Center. Some 750 delegates, guests, and observers from throughout the Western Hemisphere attended. One of the main speakers was former President Herbert Hoover, whose talk was broadcast nationally over the National Broadcasting Company.
With so many international delegates in attendance, the U.S. State Department sent a representative to advise the hosts in matters of protocol.20

In the spring of 1947 the SMU School of Law, in cooperation with the Legal Center, began issuing a twice-yearly legal journal. At first it was named Texas Law and Legislation, but the title was changed after the first year to Southwestern Law Journal. The initial issue, 173 pages long, was dedicated to Charles Shirley Potts, dean of the law school from 1927 to 1947. The Southwestern Law Journal would grow in prestige and become an important scholarly legal publication over the years.

In 1961 another publication came to be published by the SMU School of Law. This was the Journal of Air Law and Commerce, which already was in its twenty-eighth volume when the law school assumed editorial control. This unique journal, published quarterly, was the only scholarly periodical in the English language devoted to the legal and economic problems of aviation.21

In 1959 Storey retired as dean of the law school, but retained his leadership of the Southwestern Legal Foundation. He was replaced as dean by Assistant Dean John W. Riehm, who resigned in 1963 to be executive vice president of a law publishing firm in New York. Riehm was succeeded by Charles O. Galvin, a member of the faculty since 1952 who specialized in oil and gas and federal taxation. Galvin, who had grown up in University Park, held degrees from Southern Methodist University, Northwestern University, and Harvard University.22

IN 1947 THE State Bar of Texas returned to Dallas for the first time since 1941 to hold its annual meeting. That 1941 Dallas meeting had set an attendance record not yet equaled. While the 1947 convention failed to surpass that mark, falling short of it by some 500, the 1,608 lawyers who came to Dallas made it the second best-attended annual meeting ever for the state. The state’s lawyers would return to Dallas in 1951, 1955, and 1963, with 2,396 lawyers registered for the July 1963 convention.23 The Baker and Adolphus hotels served as central meeting places for sessions.
55. Ibid., 519.
56. Ibid., 520.
57. *New Handbook of Texas*, I, 137.

Chapter Eleven, “A Time for Streamlining”
8. Ibid., Nov. 1949, 498.
10. Ibid., Oct. 1959, 577.
17. Ibid., Nov. 1961, 1076.
18. Ibid., April 1956, 192.
38. Ibid., 1959.
39. Published by the Dallas Bar Foundation, undated, 25.
40. Ibid., 21-22.
41. Ibid., 31.
42. Ibid., 4.
45. The minutes were reprinted in Dallas Morning News on Feb. 10, 1992, 6A.
47. Dallas Bar Association Minutes, Jan. 12, 1956.
48. Glenn M. Linden, Desegregating Schools in Dallas: Four Decades in the
the courts the county will need." A few weeks later, he wrote, Commissioner Tyson visited the newspaper's editorial writers to "explain how off-base" the statistics were. "The two sides are locked into their positions and have no intention of changing. As each week passes, the words become a bit nastier."\(^{34}\)

With county commissioners holding the upper hand, their point of view ultimately prevailed. They scheduled in 1985 a bond proposition which allowed $50 million toward the construction of a criminal courts building at the W.L. (Lew) Sterrett Justice Center. Because they had maintained that at least $61.5 million was needed, the Bar Association protested and voted to oppose the bond program. In response, the county commissioners agreed to put an additional $11.5 million proposition on the ballot for the voters to consider. This was enough to persuade the Bar Association's board of directors to reverse their position and vote unanimously to support the program. When voters approved a $215 million bond issue on November 8, 1977, $56.4 million of the amount was specified for the new jail. When the building at long last was opened in 1989, it was an eleven-story courthouse adjacent to the new county jail and facing Industrial Boulevard. It contained forty courtrooms and space for the sheriff's department, district attorney, and other county agencies. (A decade later that space continued to be sufficient, for in 1998 it still accommodated all the criminal courts in Dallas County—fifteen district courts, ten county courts, and two county courts of appeal—with unused space remaining.) The slogan used by Dallas' lawyers in striving to get a larger courthouse, "If You Liked Central Expressway, You'll Love Crowley's Courthouse," became, in effect, official. The building was named the Frank Crowley Courts Building in honor of the county judge whose belief that it should be no taller than eleven stories had prevailed.\(^{35}\)

The Bar Association's relationship with Southern Methodist University continued to be close. Robert Edwin Davis, the Bar Association's president for 1980, called it a "symbiotic relationship" which provided important benefits for all Dallas lawyers, no matter which law school they had attended. In his
Headnotes column Davis listed nine ways that the law school benefited attorneys in Dallas, and conversely listed six ways in which the city's legal community assisted the law school. Foremost on his first list was the presence of the large law library at SMU, accessible without cost to Dallas lawyers. He also listed among other things its graduate law courses, continuing legal education programs, students and professors, and other services. As to the legal community's contributions to the law school, he described the availability of lecturers and adjunct professors, access to law students for part-time work, fund-raising, general counseling on curriculum, admissions, policies, and others.\(^{36}\)

Since assuming the position of dean in 1963, Charles Galvin had made many important contributions to the law school. An especially noteworthy one, begun in 1968, was the Hatton W. Sumners Scholarship program endowed by the late and long-time Dallas attorney and Congressman. The program's origin, as related by Galvin, provided an engaging anecdote on Sumners' interesting character. Sumners had decided to retire from Congress at about the time that Robert G. Storey became dean of the law school, founded the Southwestern Legal Foundation and initiated a building program. Dean Storey and Paul Carrington went to see Sumners, a bachelor whose miserliness had become legend, with the idea that he might make a donation towards the new facilities. "It was no secret to anybody that he saved every dollar that he made," Galvin recalled. However, Sumners agreed to give them $25,000 if they would provide an apartment for him in one of the new buildings, Lawyer's-Inn, and let him have meals in its dining room for the rest of his life. Galvin and Carrington immediately accepted the offer, thinking that he wouldn't stay for more than a couple of years. As it turned out, he remained there from 1951 until his death in 1962. His grant provided a modest basis for establishing the Hatton W. Sumners Foundation for the study of the "science and art of self government."\(^{37}\)

Meanwhile, when Galvin joined the law school faculty in 1952 Sumners had asked his help in preparing his will, a process which seemed endless to Galvin because of Sumners' meticulous approach in every detail. When at last finished, the will,
deposited in Carrington's law office, specified that the bulk of Sumners' estate would go to his own foundation. Only after Sumners' death and the settlement of his estate was it learned that the various properties he held were worth far more than anyone had realized. Galvin, as dean, soon applied to the foundation, headed by J. Cleo Thompson, for generous scholarships that would permit outstanding students to go through law school absolutely free of charge. The application was approved, and the result, the Hatton W. Sumners Scholarships, became what Galvin described as late as 1995 as "one of the most generous in all legal education." From five to seven outstanding scholars are chosen each year to receive the scholarships which offer full tuition and fees, room and board, and a stipend for textbooks.

Galvin, as dean, also enlisted the support of Dallas real estate developer George M. Underwood Jr. to build a new law library. It was named for Underwood, its principal donor. Upon completion, the Underwood Law Library was described as second in physical size only to the Harvard Law Library.

As enrollment at SMU's day-time law school escalated, enrollment in the evening division declined. Many of Dallas' attorneys had earned their degrees through evening study, first through the old Y.M.C.A. evening school, and then through the continuation of that program by SMU after it assumed control in the mid-1930s. But by the 1960s the program represented a financial drain, and the faculty voted to phase it out by 1969.

Still more changes were forthcoming. Galvin's predecessor as dean, John W. Riehm, had initiated an effort to establish the identity of the School of Law as separate from the Southwestern Legal Foundation. Under Dean Storey the two had often appeared as one. Galvin continued the process to make the two distinctive entities. Tension between the two entities was resolved in 1974 when the Southwestern Legal Foundation, under the direction of Andrew R. Cecil since 1958, moved its offices from SMU to the campus of the University of Texas at Dallas.

In 1970 Galvin resigned as dean to return to the classroom. Professor A.J. Thomas became acting dean, and the search for
Galvin’s permanent successor took two years. In 1980, Professor Jeswald W. Salacuse, who had been on the faculty since 1978, was named dean. Salacuse, a Harvard Law School graduate, was a specialist in international business law. He resigned in 1986 to become dean of the Fletcher School of Law and Diplomacy.

SINCE THE CREATION of the Northern District of Texas in 1879 until 1970, there had been only twelve federal district judges to serve in the district. This number began to expand in the 1970s with the creation of new courts. In 1970 Congress authorized one additional judgeship for the Northern District, three more in 1978, and another in 1984. Many of these new positions were filled by Dallas attorneys—Robert Madden Hill, Robert W. Porter, Patrick E. Higginbotham, Barefoot Sanders, Jerry Buchmeyer, A. Joe Fish, Robert B. Maloney, and Sidney A. Fitzwater.

Robert M. Hill (1928-1987), a Dallas native with undergraduate and law degrees from the University of Texas, was appointed to the bench in 1970 by President Richard M. Nixon. During his time on the bench, Judge Hill presided over a number of high profile cases, including the 1979 trial of Billie Sol Estes. In 1984 Hill was appointed by President Reagan to the 5th U.S. Court of Appeals. In 1987 he died after suffering an asthma attack aboard an airliner as he returned with his wife from a vacation in Kenya.

Robert W. Porter (1926-1991) also was named to the bench by President Nixon, his appointment coming in 1974. Porter, a native of Illinois, served in the U.S. Navy from 1944 to 1946. He earned his law degree from the University of Michigan, and in Dallas became a partner in the firm of Thompson, Coe, Cousins, Irons and Porter. During his last years as a judge, Porter presided with an oxygen tank at his side, and when he had trouble breathing he would don an oxygen mask, take a breath, and then return to the business at hand. Judge Porter was ailing from a lung ailment, asbestosis, which he had contracted while working on a Navy ship during World War II. In 1990 he took senior status as a judge because of his illness, and in 1991 he died.
nature of the times and the assertion by minorities of their rights, a rapidly rising number of women aspiring to legal careers, and direct legal challenges against law firms that had been reluctant to treat women on an equal basis with men. In 1969 just 6.9 percent of the nation’s law students were women; ten years later that figure had risen to 31.4 percent.65

Many of these women, including a group from Southern Methodist University law school, were more and more concerned about their lack of opportunities in a male-dominated profession, particularly in the hiring of summer law clerks and associates within firms. A number of SMU law students, joined by four anonymous female practitioners in Dallas whose identities were withheld because they feared reprisals, brought complaints of discrimination before the Equal Employment Opportunity Commission in 1975. The EEOC granted them permission to sue. Several out-of-court settlements were agreed to, and the result was an opening of the profession in Dallas to women to a far greater extent than before.66

The end of the earlier and memorable era for women lawyers in Dallas came on April 23, 1985, when the venerable Sarah Tilghman Hughes died of heart failure. U.S. District Judge Robert Hill said of her: “She was the most independent individual—notice I said individual—not woman—that I ever met in my life.”67 Three years before her death her distinguished career already had been celebrated by the Dallas Bar Foundation and the Dallas Bar Association by underwriting a new three-year scholarship at the SMU Law School in her honor.68

In that same year death also came to U.S. District Judge William M. Taylor Jr. Surely the case which had been the longest and most complicated for him was the one over Dallas school desegregation. He was remembered as a judge especially for his wisdom, patience, and understanding. Once he had said that he was proudest of the fact that he had never had to hold an attorney in contempt of court.69

Not until decades after Judge Hughes' ascendancy to a state district judgeship in 1935 did other women follow in her steps to become judges in Dallas County. Beth Wright in 1957 was
69. Dedication Program, Dec. 16, 1982, Dallas County jail clippings file, Texas/Dallas History and Archives Division, Dallas Public Library.

Chapter Thirteen, “Building for the Future”
6. Ibid.
10. Ibid.
19. Ibid.
30. Ibid.
33. Ibid., July 30, 1984.
35. The *Dallas Bar Association*, relying on three separate studies and figures from District Attorney Henry Wade, had projected a need for thirty-one criminal district courts by the year 1990, more than twice as many as had actually existed.
37. Charles O. Galvin, "Comments on the History of the Sumners Fellowship Program," a typescript prepared by Galvin and sent to Dean C. Paul Rogers, SMU Law School, Jan. 11, 1995. See also Southern Methodist University’s brochure, "Hatton W. Sumners Scholarship Program."
38. Ibid.
42. Ibid., Nov. 7 and 8, 1991.
47. Minutes, Dallas Bar Association, June 27, 1977.
56. Minutes, Dallas Bar Association, March 26, 1981.
59. The 1939 and 1956 figures were obtained from the Dallas telephone directories; the 1969 estimate comes from the Dallas Times Herald, Aug. 3, 1969.
63. Castleberry, Daughters of Dallas, 375-77.
64. Louise Raggio to Nina Cortell, Feb. 16, 1999.
70. Minutes, Dallas Bar Association, Sept. 24, 1981.

Afterword
1. The editor of the publication, Larry Smith, was quoted in Dallas Morning News, Aug. 30, 1998.