



Journal of the TEXAS SUPREME COURT HISTORICAL SOCIETY

Winter 2014 Vol. 4, No. 2 General Editor Lynne Liberato Executive Editor David Furlow

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By Marie Yeates

The Society is sponsoring a number of exciting projects and events this year. I encourage you to participate! [Read more...](#)



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Lynne Liberato

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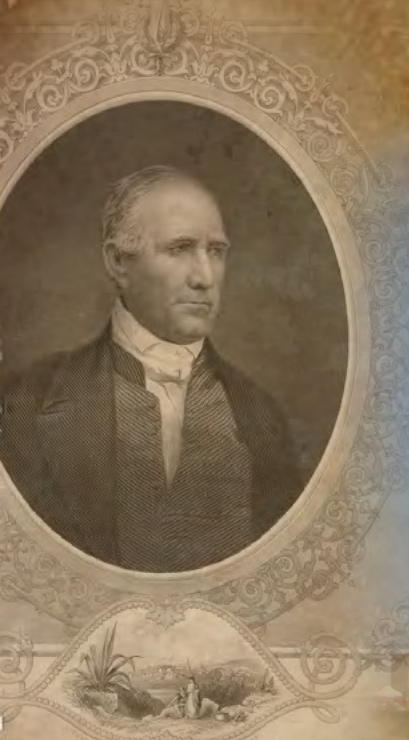


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Real Sam Houston,
My dear Sir, I take the liberty of expressing
to your official patronage, the honor...
having served in office under the banner of...
the misfortune to be taken prisoner at...
he expelled from office.
This service have been...
I am informed, are no doubt, they will be...
Thank you for your...
Respectfully,
David A. Furlow

THE TOUGHEST BAR IN TEXAS:

The Alamo Bar Association, Est. 1836

By Dylan O. Drummond



Fall of the Alamo, or, Crockett's Last Stand by Robert Jenkins Onderdonk (1903). On display at the Texas State Archives.
Wikimedia Commons. <http://en.wikipedia.org/wiki/File:FalloftheAlamo.jpg>

YOU CAN'T BUY A DRINK in or even visit the toughest bar in Texas. That's because it was never formally established in brick and mortar but was instead an association forged by blood, bravery, and sacrifice. The toughest bar in Texas was—and still is—the “Alamo Bar Association.”

A total of six lawyers perished at the Alamo in March 1836: (1) Micajah Autry; (2) Peter James Bailey; (3) James Butler Bonham; (4) Daniel William Cloud; (5) Green Berry “Ben” Jameson; and (6) William Barrett Travis.¹ They ranged in age from their early twenties to their mid-forties. Only

one of their number had formally earned a law degree,² two had previously been opposite each other in court,³ and another pair may even have been second cousins.⁴

Each trod a unique path in their journey to the Alamo, but all earned the eternal respect of future Texans and attorneys through their shared valor.

The Lawyers of the Tennessee Mounted Volunteers

The tale of how half of the lawyers who defended and perished at the Alamo came to be in that old, crumbling Spanish mission just outside of San Antonio de Béxar on March 6, 1836 traces back to the former Congressman from Tennessee, the Honorable David Crockett.⁵

Crockett's bid for a fourth term in the U.S. House during the summer of 1835 was a difficult one.⁶ His opponent was a savvy, peg-legged attorney whose candidacy



David Crockett, by Chester Harding, 1834. Wikipedia.

¹ “I GO THE WHOLE HOG IN THE CAUSE OF TEXAS”: LAWYERS AT THE ALAMO, 71 TEX. B.J. 210, 210 (Mar. 2008) [hereinafter *WHOLE HOG*].

² See *WHOLE HOG*, 71 TEX. B.J. at 211; see also Amelia W. Williams, *A Critical Study of the Siege of the Alamo and of the Personnel of its Defenders*, 37 SW. HIST. Q. 1, 244 (Jul. 1933) [hereinafter *Critical Study*].

³ JAMES DONOVAN, *THE BLOOD OF HEROES* 174 (2012) [hereinafter *BLOOD OF HEROES*].

⁴ Bill Groneman, *Bonham, James Butler*, HANDBOOK OF TEXAS ONLINE, <https://www.tshaonline.org/handbook/online/articles/fbo14> (last visited Nov. 12, 2014) [hereinafter *Bonham*].

⁵ See *BLOOD OF HEROES*, at 162.

⁶ *Id.* at 156.

was enthusiastically supported by Crockett's onetime political mentor and military commander, President Andrew Jackson.⁷ By Crockett's second term in Congress in 1830, he had begun to publically and repeatedly denounce President Jackson for what Crockett believed to be Jackson's political opportunism.⁸ Crockett chiefly blamed Vice President Martin Van Buren for the political faults he saw in President Jackson.⁹ Crockett said, "I am still a Jackson man, but General Jackson is not—he has become a Van Buren man."¹⁰

It was perhaps little surprising, then, that President Jackson hand-picked Vice President Van Buren as his electoral successor.¹¹ Such was Crockett's disdain for Van Buren that he vowed to "leave the [U]nited States" if Van Buren was elected.¹² Crockett's very public criticism of the President and Vice President infuriated both men.¹³ In return, Jacksonians gerrymandered Crockett's congressional district just prior to the election of 1835, which weakened his electoral base.¹⁴

Never one for political ambiguity, Crockett famously made clear on the campaign stump that if his constituents elected his Jacksonian-backed rival, "You may all go to hell and I will go to Texas."¹⁵ On the morning of November 1, 1835, less than three weeks after his defeat by just 252 votes, Crockett made good on his promise and headed to Texas.¹⁶

Forty-nine-year-old Crockett crossed the Sabine River into Texas near the end of December 1835. He was sworn into the Texas Volunteer Auxiliary Corps for a six-month tour on January 12, 1836.¹⁷

He and his party set out for Washington-on-the-Brazos on the El Camino Real (called the "Old San Antonio Road" by the Anglo-Texians),¹⁸ where they hoped to receive their orders from the newly-appointed general of the Texian Army, Sam Houston.¹⁹ Crockett rode with some sixteen to eighteen companions, most of whom were educated professionals from Tennessee and Kentucky, who called themselves the "Tennessee Mounted Volunteers."²⁰ Three of the Tennessee Mounted Volunteers were attorneys who would come to their end with Crockett at the Alamo.²¹

Daniel William Cloud

Daniel William Cloud was a twenty-two-year-old attorney from Logan County, Kentucky. He had traveled westward through several states and territories seeking a suitable place to begin his law practice.²²

⁷ See *id.* at 143–44, 155–56.

⁸ *Id.* at 143, 154.

⁹ *Id.* at 154.

¹⁰ *Id.*

¹¹ *Id.* at 143.

¹² *Id.* at 156.

¹³ *Id.* at 143.

¹⁴ *Id.* at 152.

¹⁵ *Id.* at 144, 156.

¹⁶ *Id.* at 157–58.

¹⁷ *Id.* at 160–61; see also *Critical Study*, 37 SW. HIST. Q. at 165.

¹⁸ See BLOOD OF HEROES, at 162; Adèle B. Looscan, *Micajah Autry, a Soldier of the Alamo*, 14 SW. HIST. Q. 315, 322 (Apr. 1911) [hereinafter *Alamo Soldier*].

¹⁹ BLOOD OF HEROES, at 162; see also *Critical Study*, 37 SW. HIST. Q. at 165.

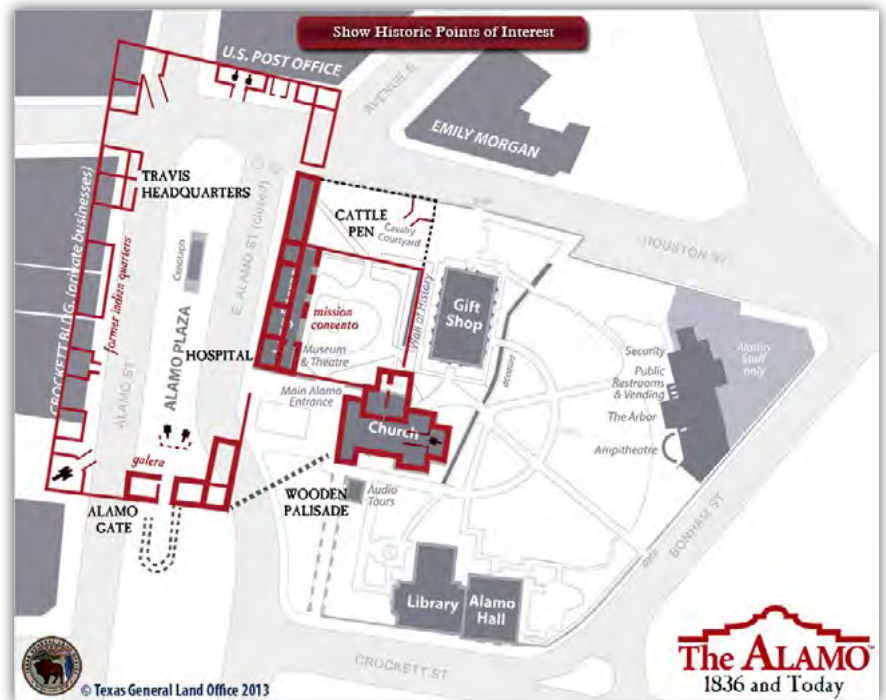
²⁰ Compare BLOOD OF HEROES at 162, with *Critical Study*, 37 SW. HIST. Q. at 165, 167.

²¹ *Critical Study*, 37 SW. HIST. Q. at 167, 244, 251.

Although he nearly founded his practice in Arkansas, he decided to journey yet further on to Texas upon hearing of the Texians' plight.²³

Cloud showed that, despite his youth, he already possessed the rhetorical skill that would have made him a fine lawyer in practice, and perhaps even suited him for service as a judge in his newfound home. He described the Mexican government's treatment of the Texian settlers as a "monarchial tyrannical, central despotism."²⁴ "Ever since Texas has unfurled the banner of freedom and commenced a warfare for liberty or death," he wrote his brother, "our hearts have been enlisted in her behalf."²⁵ A little over two months before he would meet his fate at the Alamo, Cloud wrote that, "If we succeed, the Country is ours. It is immense in extent, and fertile in its soil and will amply reward all our toil. If we fail, death in the cause of liberty and humanity is not cause for shuddering."²⁶

He enlisted as a private in the Volunteer Auxiliary Corps of Texas on January 14, 1836 in Nacogdoches, Texas. He arrived at the Alamo with Crockett around February 11, 1836.²⁷ During the battle, Cloud fought alongside Crockett on the wooden palisade running between the Alamo chapel and the gatehouse,²⁸ and fell on March 6, 1836.²⁹



Interactive Map: The Alamo in 1836. Courtesy Texas General Land Office, <http://www.thealamo.org/plan-a-visit/interactive-map/index.html>.

Peter James Bailey

Peter James Bailey was a friend of Cloud and a fellow native of Logan County, Kentucky.³⁰ He was an 1834 graduate of Transylvania University Law School in Lexington, Kentucky, and was the only lawyer at the Alamo who had earned a law degree.³¹ Bailey left Kentucky in the fall of 1835 alongside Cloud in search of the site of his future law practice.³²

²² See BLOOD OF HEROES at 162; WHOLE HOG, 71 TEX. B.J. at 211; Bill Groneman, *Cloud, Daniel William*, HANDBOOK OF TEXAS ONLINE, <https://www.tshaonline.org/handbook/online/articles/fcl49> (last visited Nov. 11, 2014) [hereinafter *Cloud*]; *Critical Study*, 37 SW. HIST. Q. at 251.

²³ See BLOOD OF HEROES, at 162; WHOLE HOG, 71 TEX. B.J. at 211.

²⁴ WHOLE HOG, 71 TEX. B.J. at 211.

²⁵ BLOOD OF HEROES, at 162.

²⁶ WHOLE HOG, 71 TEX. B.J. at 211.

²⁷ See *Cloud*; see also *Critical Study*, 37 SW. HIST. Q. at 165, 167, 251.

²⁸ BLOOD OF HEROES, at 282.

²⁹ See *Cloud*; *Critical Study*, 37 SW. HIST. Q. at 159.

³⁰ BLOOD OF HEROES, at 162; WHOLE HOG, 71 TEX. B.J. at 211.

³¹ WHOLE HOG, 71 TEX. B.J. at 211; see also *Critical Study*, 37 SW. HIST. Q. at 244.

³² WHOLE HOG, 71 TEX. B.J. at 211

At the age of twenty-four, he enlisted as a private on January 14, 1836 in Nacogdoches, Texas, just two days after their leader, Davy Crockett, was sworn into the Texian Volunteer Auxiliary Corps.³³ Bailey perished with his fellow Kentuckian, Cloud, when the Alamo fell on March 6, 1836.³⁴

Because of his service to the Republic, Bailey's heirs received parcels of land in what are now Archer, Baylor, and Hamilton counties. In addition, Bailey County in the Texas Panhandle now memorializes his name.³⁵

Micajah Autry

The third lawyer in Crockett's party was also the oldest lawyer at the Alamo.³⁶ Micajah Autry was forty-three years old, and hailed from Sampson County, North Carolina.³⁷ He was a veteran of the War of 1812, in which he had fought at the tender age of seventeen.³⁸

Autry was admitted to the Tennessee Bar in Nashville around 1828 or 1829.³⁹ He built a thriving law practice in Jackson, Tennessee with his law partner, Andrew L. Martin, from 1831 to 1835.⁴⁰ He lived during this time not far from the Hermitage, the home of President Andrew Jackson.⁴¹ Autry was later forced to sell his house and lands after speculating in a dry-goods venture with Martin, but this indignity paled compared to the loss he was soon to suffer.⁴²

While out at a camp meeting one evening, Autry and his wife returned home to find the youngest of their three children, Edward, drowned after having climbed into a bathtub—an accident that occurred despite being left in the care of a nurse.⁴³ Grief-stricken and near-destitute, Autry heard tales of "Austin's Colony." He decided to scout it for himself and his family.⁴⁴

Autry met up with Kentucky attorneys Cloud and Bailey on the road into Texas.⁴⁵ He wrote his wife, Martha, that he was "determined to provide for you a home or perish."⁴⁶ In a January 13, 1836 letter, he explained the prospects for his family in Texas and the motivation driving his journey: "I go the whole Hog in the cause of Texas. I expect to help them gain their independence and also to form their civil government, for it is worth risking many lives for. From what I have seen and learned from others there is not so fair a portion of the [E]arth's surface warmed by the sun."⁴⁷

³³ Compare *id.*, with BLOOD OF HEROES, at 160–61; see also Ronald G. Bailey, *Bailey, Peter James III*, HANDBOOK OF TEXAS ONLINE, <http://www.tshaonline.org/handbook/online/articles/fbach> (last visited Nov. 11, 2014) [hereinafter *Bailey*]; *Critical Study*, 37 SW. HIST. Q. at 165, 244.

³⁴ See *Bailey*; *Critical Study*, 37 SW. HIST. Q. at 159.

³⁵ *Bailey*.

³⁶ See WHOLE HOG, 71 TEX. B.J. at 210–11.

³⁷ See *id.* at 211; *Critical Study*, 37 SW. HIST. Q. at 167, 244.

³⁸ BLOOD OF HEROES, at 162; Bill Groneman, *Autry, Micajah*, HANDBOOK OF TEXAS ONLINE, <http://www.tshaonline.org/handbook/online/articles/fau16> (last visited Nov. 11, 2014) [hereinafter *Autry*].

³⁹ *Autry*.

⁴⁰ See *Autry*; WHOLE HOG, 71 TEX. B.J. at 211; *Critical Study*, 37 SW. HIST. Q. at 167, 244.

⁴¹ See BLOOD OF HEROES, at 162; *Alamo Soldier*, 14 SW. HIST. Q. at 316.

⁴² See BLOOD OF HEROES, at 163; *Alamo Soldier*, 14 SW. HIST. Q. at 317; *Autry*.

⁴³ BLOOD OF HEROES, at 163.

⁴⁴ *Id.*

⁴⁵ *Id.* at 163–64.

⁴⁶ WHOLE HOG, 71 TEX. B.J. at 211.

Memphis Dec 7th 1838-

My Dearest Martha

I have taken my passage on the Steam Boat Pacific & shall leave in an hour or two. I hope I may say I have drained the cup of sorrow to the very last drop. not on account of any thing so much as leaving you & my Dear little children in so dependent a situation. It gave me great consolation however to meet with Brother Jack at Bolivar who promised me & he will perform to the best of his ability. I know that he would sustain & try to comfort you while I am absent. I have met in the same Boat a number of acquaintances from Nashville & the District bound for Texas among whom are George C. Childress & his Brother. Childress thinks the fighting will be over before we get there & speaks cheerfully of the prospects. I feel more energy than I ever did on any thing I have undertaken. I am determined to provide for you ^{a home} or Perish.

I am in a great hurry. Tell Mr. Smith that Mr. Roberts who lived at my place in Haystack last year owes for the rent of it \$40. besides for some oat ground which I understood he sowed. I wish him to collect & use the money when he goes up there. Tell Amelia May God prosper her & her little son & My Dearest Martha farewell - farewell Mary - farewell James & fare you all well till you hear from me again perhaps from Nashville.
M. Autry

Autry was sworn into the Texas Volunteer Auxiliary Corps as a private on January 14, 1836 in Nacogdoches.⁴⁸ Municipal Judge John Forbes recorded the oath Autry and the other members of the Tennessee Mounted Volunteers took after administering it to the men:

Know all men by these presents: That I have this day voluntarily enlisted myself in the Volunteer Auxiliary Corps, for and during the term of six months.

And I do solemnly swear that I will bear true allegiance to the provisional Government of Texas, or any future Government that may be hereafter declared, and that I will serve her honestly and faithfully against all her enemies whatsoever and observe and obey the orders of the Governor of Texas, the orders and decrees of the present and future authorities and the orders of the officers appointed over me according to the rules and regulations for the government of the Armies of Texas.

“So help me God.”⁴⁹

He arrived at the Alamo on or around February 9, 1836.⁵⁰ A letter Autry wrote to his wife on February 11, 1836 is still on display there.⁵¹ Autry was reputed to be an able marksman, and it is said that he had only a single clear shot at Santa Anna during the Alamo siege, which he took but missed.⁵² Autry was assigned to defend the wooden palisade between the Alamo chapel and gatehouse alongside Cloud, where he fell with several of his fellow Tennessee Mounted Volunteers on March 6, 1836.⁵³

Green Berry “Ben” Jameson

Green Berry “Ben” Jameson was another Kentuckian who made his way west to join the Texian fight, arriving in Texas in 1830 before any of his fellow Alamo lawyers.⁵⁴ Perhaps inspired to law by his grandfather, who had served as an early Lieutenant Governor of Virginia,⁵⁵ Jameson opened his law office in the capital of Austin’s Colony, San Felipe.⁵⁶ He later practiced mainly as a sales agent in Brazoria for the Galveston Bay and Texas Land Company.⁵⁷ When the Texas Revolution began, Jameson enlisted in the Texas Army at Gonzales in October 1835, saying, “When I left home it was with a determination to See [the] Land free and independent, Sink or Swim[,] die or perish.”⁵⁸

Just before the end of December, after having taken part in the Siege of Bexar, Jameson remained and

⁴⁷ See *BLOOD OF HEROES*, at 164; *WHOLE HOG*, 71 TEX. B.J. at 211; *see also Alamo Soldier*, 14 SW. HIST. Q. at 319 (relaying to his wife that, in recompense for his service in the Texian Army, he would “be entitled to 640 acres of land ... and 4444 acres upon condition of settling my family here”).

⁴⁸ *See Critical Study*, 37 SW. HIST. Q. at 167; *Autry*.

⁴⁹ *Alamo Soldier*, 14 SW. HIST. Q. at 320–21.

⁵⁰ *Compare BLOOD OF HEROES*, at 178, *with Autry*.

⁵¹ *Autry*.

⁵² *WHOLE HOG*, 71 TEX. B.J. at 211.

⁵³ *See BLOOD OF HEROES*, at 282; *Critical Study*, 37 SW. HIST. Q. at 159.

⁵⁴ *BLOOD OF HEROES*, at 282.

⁵⁵ Bill Groneman, *Jameson, Green B.*, HANDBOOK OF TEXAS ONLINE, <http://www.tshaonline.org/handbook/online/articles/fja20> (last visited Nov. 11, 2014) [hereinafter *Jameson*].

⁵⁶ *Id.*

⁵⁷ *BLOOD OF HEROES*, at 98.

⁵⁸ *WHOLE HOG*, 71 TEX. B.J. at 210.

was appointed as Chief Engineer to the Alamo.⁵⁹ Upon his appointment, Jameson achieved the rank of ensign, although there is no record that he ever had had formal training in engineering.⁶⁰ His task of fortifying the Alamo was a challenging one, as it was in dire need of repair after the Texian force's bombardment during the Siege of Bexar, which had just concluded earlier that month after seven weeks.⁶¹ Jameson met this engineering challenge with ambitious fervor, and soon impressed his commander, Lieutenant Colonel James C. Neill, and later James Bowie and Alamo Commandant William B. Travis.⁶²

Although Jameson had more grandiose plans to fortify the Alamo—including the construction of a moat, a drawbridge, and trap doors—his construction efforts were limited by lack of manpower.⁶³ Instead, he focused the garrison's efforts towards fortifying the northern wall of the Alamo compound, which had been battered by Neill's cannon during the Siege of Bexar.⁶⁴ He and his crews set about buttressing the limestone and adobe walls of the compound with log braces, digging trenches outside the walls, erecting banquettes, and building an *abatis* composed of felled trees with the branches sharpened and pointing toward advancing forces.⁶⁵ They also constructed a wooden palisade of eight-foot-high cedar timbers to buttress the weakest spot in the Alamo's perimeter, between the chapel and the main gate.⁶⁶ It was on this palisade that Autry and Cloud would later perish.⁶⁷

Jameson kept his crews working in shifts, day and night, throughout the siege of the Alamo.⁶⁸ Despite their heroic and determined efforts, the Alamo remained in much the same condition in March 1836 when it fell to Santa Anna as it had been in December 1835 when it fell to Neill, Ben Milam, and Edward Burleson.⁶⁹

On the first day of the siege on February 23, 1836, Jameson was sent by Bowie to carry a message to the Mexican forces regarding a rumored parley by the Mexicans, which defiantly concluded, "God and Texas!"⁷⁰ He gave his life on the last day of the siege on March 6, 1836.⁷¹

James Butler Bonham

Twenty-nine-year-old James Butler Bonham grew up just five miles from William Barret Travis—reputedly his second cousin⁷²—in the farm country of Edgefield County, South Carolina.⁷³ Bonham came from a line of

⁵⁹ See *WHOLE HOG*, 71 TEX. B.J. at 210; *BLOOD OF HEROES*, at 98; *Jameson*.

⁶⁰ Compare *BLOOD OF HEROES*, at 98, with *Critical Study*, 37 SW. HIST. Q. at 266. All "engineers of the Texan Revolutionary Army were called ensigns." *Critical Study*, 37 SW. HIST. Q. at 266.

⁶¹ *BLOOD OF HEROES*, at 175, 282. See Alwyn Barr, *Bexar, Siege of*, HANDBOOK OF TEXAS ONLINE, <https://www.tshaonline.org/handbook/online/articles/qeb01> (last visited Nov. 12, 2014) [hereinafter *Siege of Bexar*]; *BLOOD OF HEROES*, at 80–91, 98.

⁶² *BLOOD OF HEROES*, at 99, 113, 174–75.

⁶³ *Id.* at 99, 174–75.

⁶⁴ *Id.* at 175.

⁶⁵ *Id.* at 175, 177, 184. Banquettes were elevated steps dug along the inside of a rampart or parapet, by which marksmen could fire upon enemies.

⁶⁶ *Id.* at 177.

⁶⁷ See *BLOOD OF HEROES*, at 282; *Critical Study*, 37 SW. HIST. Q. at 159.

⁶⁸ *BLOOD OF HEROES*, at 237, 242–43, 272.

⁶⁹ *Critical Study*, 37 SW. HIST. Q. at 18; see also *BLOOD OF HEROES*, at 90; *Siege of Bexar*.

⁷⁰ See *Critical Study*, 37 SW. HIST. Q. at 16; *Jameson*.

⁷¹ See *Critical Study*, 37 SW. HIST. Q. at 160; *Jameson*.

⁷² See Bill Groneman, *Bonham, James Butler*, HANDBOOK OF TEXAS ONLINE, <https://www.tshaonline.org/handbook/online/articles/fbo14> (last visited Nov. 12, 2014) [hereinafter *Bonham*].

⁷³ See *BLOOD OF HEROES*, at 110; *Critical Study*, 37 SW. HIST. Q. at 247.



James Butler Bonham. Courtesy of Daughters of the Republic of Texas.

Revolutionary War veterans, so his embrace of the Texas Revolution was unsurprising.⁷⁴ He was also a passionate supporter of the secession and nullification movements, which—in addition to protests of campus regulations requiring prompt attendance at classes even in inclement weather—may have contributed to his expulsion during his senior year from South Carolina College.⁷⁵

He was admitted to the South Carolina bar in 1830.⁷⁶ Shortly thereafter, he gained many distaff admirers for caning an opposing counsel who had insulted Bonham's female client.⁷⁷ He was held in contempt of court for refusing to apologize to the lawyer, and was sentenced to ninety days in jail.⁷⁸ While imprisoned, it is said that he was routinely brought both food and flowers by his newfound throng of admiring women.⁷⁹

By October 1834, Bonham had moved his law practice to Mobile, Alabama, where he led a rally in support of the Texian cause at the Shakespeare Theater a year later on October 17, 1835.⁸⁰ His support of the Texians was no doubt fanned by regular correspondence he maintained with Travis, with whom he had remained fast friends since childhood.⁸¹ After raising a volunteer band dubbed the "Mobile Greys," Bonham set out for Texas.⁸² He arrived in San Felipe in November 1835, and joined Travis in the recruiting office of the Texian Army.⁸³

On January 18, 1836, General Sam Houston ordered Bonham and Bowie to the Alamo.⁸⁴ There he remained until about February 16, 1836, when Travis sent him to Goliad to obtain reinforcements from Fannin.⁸⁵ Around 11 a.m. on March 3, 1836—some sixty-six hours before he was to sacrifice his life—Bonham solitarily bore through the Mexican lines and returned to the Alamo.⁸⁶ He had had with him two companions, both of whom refused to enter the Alamo upon seeing it encircled by the Mexican army.⁸⁷ It is said that Bonham's lifelong friendship with Travis drove him to re-enter the fort against such overwhelming odds, perhaps inspiring a subsequent description of Bonham as "as chivalrous a soul as ever fought and died for liberty."⁸⁸

Bonham brought word from Robert McAlpin Williamson, a future Associate Judge of the Republic

⁷⁴ BLOOD OF HEROES, at 110.

⁷⁵ Compare *id.*, with *Critical Study*, 37 SW. HIST. Q. at 248, Milledge L. Bonham, Jr., *James Butler Bonham: A Consistent Rebel*, 35 SW. HIST. Q. 124, 126 (Jul. 1931) [hereinafter *Consistent Rebel*].

⁷⁶ See *Consistent Rebel*, 35 SW. HIST. Q. at 126; BLOOD OF HEROES, at 110.

⁷⁷ See BLOOD OF HEROES, at 110; *Bonham*.

⁷⁸ See BLOOD OF HEROES, at 110; *Consistent Rebel*, 35 SW. HIST. Q. at 127; *Bonham*.

⁷⁹ See BLOOD OF HEROES, at 110; *Consistent Rebel*, 35 SW. HIST. Q. at 127.

⁸⁰ See *Bonham*; BLOOD OF HEROES, at 110.

⁸¹ *Critical Study*, 37 SW. HIST. Q. at 80, 248.

⁸² See BLOOD OF HEROES, at 110; *Bonham*.

⁸³ Compare *Critical Study*, 37 SW. HIST. Q. at 248, with BLOOD OF HEROES, at 110; *Bonham*.

⁸⁴ *Critical Study*, 37 SW. HIST. Q. at 248; see *Consistent Rebel*, 35 SW. HIST. Q. at 129.

⁸⁵ See BLOOD OF HEROES, at 196; *Bonham*.

⁸⁶ See BLOOD OF HEROES, at 244–45; *Critical Study*, 37 SW. HIST. Q. at 31; *Consistent Rebel*, 35 SW. HIST. Q. at 131; *Bonham*.

⁸⁷ *Consistent Rebel*, 35 SW. HIST. Q. at 129.

⁸⁸ See *id.* at 131.

Supreme Court better known by his nickname, “Three-Legged Willie.”⁸⁹ Williamson was in charge of organizing volunteers in Gonzales, and implored Travis to hold out until reinforcements from Goliad and Gonzales arrived, rumored to already be on the march to the Alamo.⁹⁰

Bonham was a Second Lieutenant in the Texas Cavalry, but Travis referred to him in correspondence as “Colonel”—likely a nod to the rank Bonham previously received from the Governor of South Carolina.⁹¹ Bonham’s valor in the desperate waning hours of the fall of the Alamo is regarded equal to that of Travis, Bowie, and Crockett.⁹² Indeed, the Alamo monument on the grounds of the Texas Capitol lists Bonham’s name atop the names of fallen Alamo defenders, alongside those of only Travis, Bowie, and Crockett.⁹³



William Barret Travis, by Henry McArtle.
Courtesy Texas State Library and Archives.

He fell on March 6, 1836, either manning one of the cannons inside the Alamo chapel, or after fighting his way to the fort’s magazine in an attempt to ignite it to kill as many Mexican soldiers as he could.⁹⁴

William Barret Travis

William Barret Travis was reared in Edgefield County, South Carolina, and met his reputed second cousin, Bonham,⁹⁵ while attending the Red Banks country school there.⁹⁶ His family moved to Alabama in 1818, where he received a formal elementary education.⁹⁷ Thereafter, he studied law with one of the most prominent attorneys in Alabama, James Dellet, while teaching during the interim in order to make ends meet.⁹⁸

During this time, Travis—then nineteen years old—fell in love with one of his students—herself just sixteen—and they soon married.⁹⁹ Travis gained admission to the Alabama bar before he turned twenty.¹⁰⁰ Within a few years, however, both his professional life (he had founded a newspaper, the *Claiborne Herald*, in addition to his law practice) and his personal fortunes turned for the

⁸⁹ See BLOOD OF HEROES, at 245; *Bonham*; see also JAMES L. HALEY, THE TEXAS SUPREME COURT: A NARRATIVE HISTORY, 1836–1986, 24, 235 (2013) [hereinafter NARRATIVE HISTORY]. Judge Williamson’s nickname originated from a lame leg he suffered from as a result of a bout with juvenile tuberculous arthritis, which he compensated for by using a wooden crutch strapped behind his afflicted leg. NARRATIVE HISTORY, at 24, 101. Judge Williamson is also credited with convening the first regular session of a district court in the Republic of Texas. *Id.* at 101.

⁹⁰ See BLOOD OF HEROES, at 245; *Bonham*.

⁹¹ *Compare Critical Study*, 37 SW. HIST. Q. at 247–48, with *Bonham*.

⁹² *Compare Consistent Rebel*, 35 SW. HIST. Q. at 136, with *Bonham*.

⁹³ See *Consistent Rebel*, 35 SW. HIST. Q. at 136; *Critical Study*, 37 SW. HIST. Q. at 292.

⁹⁴ *Compare Consistent Rebel*, 35 SW. HIST. Q. at 134, with *Bonham*; see also *Critical Study*, 37 SW. HIST. Q. at 159.

⁹⁵ *Bonham*.

⁹⁶ *Critical Study*, 37 SW. HIST. Q. at 80; see also Archie P. McDonald, *Travis, William Barret*, HANDBOOK OF TEXAS ONLINE, <https://www.tshaonline.org/handbook/online/articles/ft03> (last visited Nov. 12, 2014) [hereinafter *Travis*].

⁹⁷ *Critical Study*, 37 SW. HIST. Q. at 81.

⁹⁸ See BLOOD OF HEROES, at 11; *Critical Study*, 37 SW. HIST. Q. at 81; *Travis*.

⁹⁹ BLOOD OF HEROES, at 11.

¹⁰⁰ *Id.*

worse.¹⁰¹ He came to believe his bride had been unfaithful to him, so he left her, his young son, and unborn daughter with access to a sizeable bank account and headed for Texas.¹⁰²

He arrived in San Felipe in the spring of 1831, and promptly put \$10 down for title to the one league of land (4,428 acres) available to Texas settlers.¹⁰³ He established a law practice first in the sparsely populated coastal town of Anahuac, and later in San Felipe, once his local prominence had expanded.¹⁰⁴ His practice consisted mainly of land dealings, slavery transactions, wills, colonization cases, and criminal defense matters.¹⁰⁵

Travis soon became a leader in the Texas Revolution alongside San Felipe's *alcalde*, the Republic's future Supreme Court Judge "Three-Legged Willie" Williamson. Travis's fame soon resulted in General Santa Anna's issuance of arrest warrants for Travis and Williamson—dubbed by Santa Anna as "obnoxious Texans."¹⁰⁶ By late fall, General Sam Houston appointed Travis the chief recruiter for the Texas Army, and soon promoted Travis to the rank of Major in the artillery corps.¹⁰⁷ Travis preferred the cavalry, however, and accepted yet another promotion to Lieutenant Colonel of the Texas Cavalry on Christmas Eve, 1835.¹⁰⁸

The following month, Houston ordered Travis to reinforce Colonel James C. Neill at Bexar.¹⁰⁹ Once there, Travis worked with fellow Alamo Bar attorney Ben Jameson to fortify the mission.¹¹⁰ A few years before they came together to fight at the Alamo, Travis and Jameson were opposing counsel,¹¹¹ where Travis bested Jameson and won a \$50 judgment for his client.¹¹²

The oratorical and drafting skills Travis learned as a practicing lawyer in frontier Texas greatly aided him within the walls of the Alamo. He famously exhorted his comrades to stay and defend the Alamo by stepping across a line he drew in the sand with his sword,¹¹³ and sent many letters seeking reinforcements, the most renowned of which he penned on February 24, 1836, promising and underlining three times the phrase, "Victory or Death!"¹¹⁴ At the age of twenty-seven, on March 6, 1836, Travis kept his promise while defending the north wall of the Alamo.¹¹⁵

¹⁰¹ *Id.* at 12; *Travis*.

¹⁰² See *Critical Study*, 37 SW. HIST. Q. at 81; BLOOD OF HEROES, at 12; *Travis*. Travis would later pay off his debts in Alabama after successfully establishing his law practice in Texas. BLOOD OF HEROES, at 17. His wife filed for divorce in 1834, charging Travis with desertion, which was granted by the Alabama legislature in November 1835. Compare *id.* at 18, with *Travis*; see *Critical Study*, 37 SW. HIST. Q. at 86–87.

¹⁰³ BLOOD OF HEROES, at 12–13.

¹⁰⁴ See *id.* at 13, 17; *Critical Study*, 37 SW. HIST. Q. at 82; *Travis*.

¹⁰⁵ BLOOD OF HEROES, at 17.

¹⁰⁶ See *id.* at 19, 21; *Critical Study*, 37 SW. HIST. Q. at 83.

¹⁰⁷ See *Critical Study*, 37 SW. HIST. Q. at 83; *Travis*.

¹⁰⁸ See *Critical Study*, 37 SW. HIST. Q. at 83–84; BLOOD OF HEROES, at 22; *Travis*.

¹⁰⁹ See *Critical Study*, 37 SW. HIST. Q. at 84; *Travis*.

¹¹⁰ See BLOOD OF HEROES, at 99, 113, 174–75; *Travis*.

¹¹¹ BLOOD OF HEROES, at 174.

¹¹² *Id.*

¹¹³ BLOOD OF HEROES, at 270, 346, 357–60.

¹¹⁴ See *id.* at 212–13; *Travis*. Perhaps no better recitation of this letter can be found than that by another great Texan, Willie Nelson, recorded in 1968. WILLIE NELSON, TRAVIS LETTER (RCA Records 1968), available at <https://youtube.com/watch?v=/Q43iuWIjJU> (last visited Dec. 4, 2014).

¹¹⁵ See BLOOD OF HEROES, at 278; *Critical Study*, 37 SW. HIST. Q. at 84, 160, 282.

Commandant of the Alamo -
Bexar, Tex. 24 Feb 1836 -

To the People of Texas &
all Americans in the world -

fellow citizens & compatriots -
 I am besieged, by a thousand
 or more of the Mexicans under
 Santa Anna - I have sustained
 a continual Bombardment &
 cannonade for 24 hours & have
 not lost a man - The enemy
 has demanded a surrender at
 discretion, otherwise the garrison
 are to be put to the sword if
 the fort is taken - I have answered
 the demand with a cannon
 shot, & our flag still waves
 proudly from the wall - I
 shall never surrender, or retreat.
 Therefore, I call on you in the
 name of Liberty, of patriotism &
 every thing dear to the American
 character to come to our aid

Letter from
William B. Travis,
Commandant of the Alamo,
to The People of Texas
and All Americans,
Feb. 24, 1836.
Courtesy Texas State
Library and Archives.

with all despatch - The enemy is
receiving reinforcements daily, &
with no doubt in excess to three or
four thousand in four or five days.
If this call is neglected, I am deter-
mined to sustain myself as long as
possible & die like a soldier
who never forgets what is due to
his own honor & that of his
country -

Victory or Death

William B. Travis

St. Col. 20th

When the Lord is on our side -
When the enemy appeared in sight
we had not three barrels of corn -
We have since found in several
places 80 or 90 bushels & put into
the walls 20 or 30 head of beef -
I am

Since the above was written I have a very long
Comrade during the whole day, & have almost
lost an whole made upon the place. We are
short of Ammunition when I left. Having in all
the morning can see that
when I left the city
but 150 & determined to
die tomorrow
for I will not live here
I will live with you
at all events

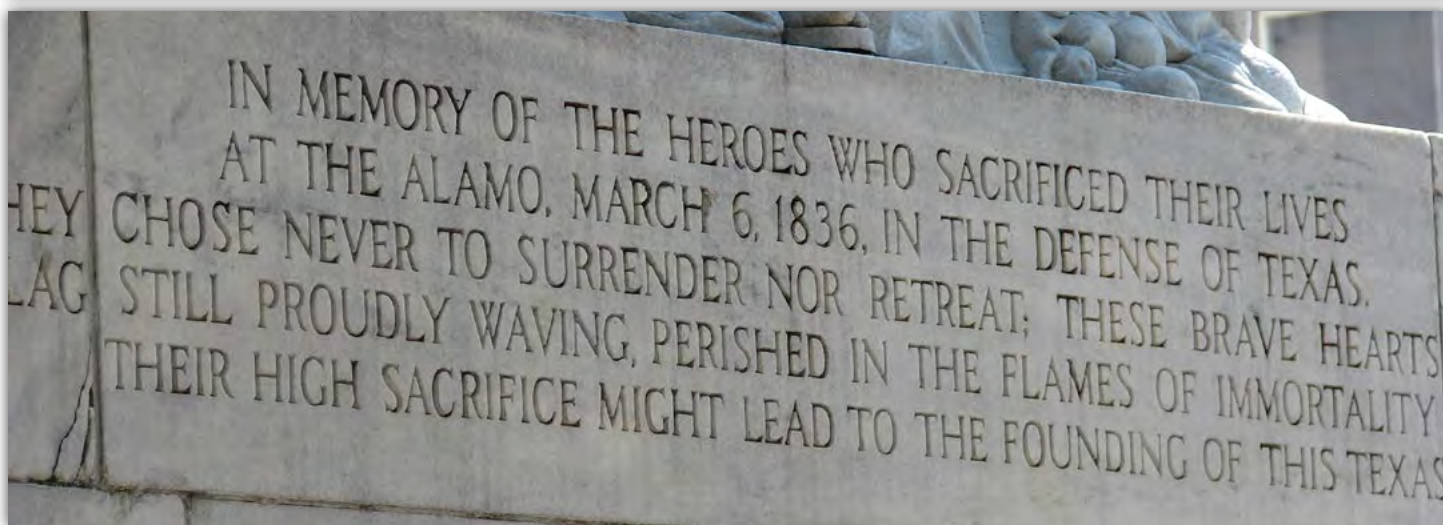
Col. Murrell is there the troops are
under the command of Gen. Leona

It is hope that I carry
one more prisoner at
once we are on parole
as the Mexicans believe
suffering do not slight the
parole is not to be
one should not be dead
one moment

Yours truly
W. B. Travis



The first bar association in Texas was comprised of ambitious and able lawyers whose legal skills and training enabled each to leave his mark on Texas history apart from his service in the law. Although Texas jurisprudence may not have been directly impacted by the Alamo Bar Association's legal contributions, its valiant members' shared sacrifice and courage has inspired and will continue to inspire the Texas bench and bar to fulfill their mandate for centuries to come.



The Alamo Cenotaph, or Spirit of Sacrifice, is a memorial to the Alamo defenders in the Alamo Plaza Historic District in downtown San Antonio. Designed by Pompeo Coppini, 1936. Wikipedia.



DYLAN O. DRUMMOND is a civil appellate and commercial litigator practicing in Austin with K&L Gates, LLP. He serves as a Trustee of the Texas Supreme Court Historical Society, a Subcommittee Chair of the Texas Bar Standing Committee on Pattern Jury Charges for the Business, Consumer, Insurance & Employment volume, Council Member of the Texas Bar Appellate Section, and Director of the Texas Bar College. He is also AV Peer-Review™ rated by Martindale Hubbell®, and has been selected as a “Rising Star” in appellate practice by Super Lawyers® the past six years. Prior to entering private practice, Dylan clerked for then-Justice Nathan Hecht during the Texas Supreme Court’s 2003–04 term. Dylan earned his JD and MBA degrees from Texas Tech University in 2003, and graduated summa cum laude from the Wildlife Management program at Texas Tech as well.

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