

*Docket Call for Departed Members of the Bar of*

*Brazoria County, Texas July 22, 2019*

*REPORTER'S RECORD*

*VOLUME 1 OF 1 VOLUME*

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*IN THE DISTRICT COURT OF*

*BRAZORIA COUNTY, TEXAS*

*23rd JUDICIAL DISTRICT*

*DOCKET CALL FOR DEPARTED MEMBERS OF*

*THE BAR OF BRAZORIA COUNTY, TEXAS*

*On the 22ND day of July, 2019, the following  
proceedings came on to be held in the above-entitled  
and numbered cause before the Honorable Ben Hardin,  
and J. Ray Gayle, III, Judges Presiding, held in  
Angleton, Brazoria County, Texas.*

*Proceedings reported by computerized stenotype  
machine.*

*Docket Call for Departed Members of the Bar of*

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THE COURT: When I accidently became a

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Judge in 1995, I got my portrait up on the wall in there pretty quick. I thought, Well, this doesn't make a lot of sense because what did I do to get up here? I'm like all the other lawyers around.

But I learned the story that Wiley Thomas, those photographs are a product of Wiley Thomas's mind. Whether he was trying to gain favor with somebody -- anyway he paid for all the photographs back in the -- whenever it started, '60's or '70's.

JUDGE GAYLE: Had to be the early '70s or the '60's.

JUDGE HARDIN: But I thought it wasn't fair, all the other people who make this courthouse like it is doesn't have any kind of commemoration. That includes clerks and everybody that works in the courthouse.

We just decided, let's commemorate the lawyers what pass through here. It's kind of who is a Brazoria County lawyer and who is not. There is some who practice in both counties. Junior Orr is on this list be he lived in Sweeney, but he practiced a lot in Matagorda too. His partner, Orin Hamlet, who died a long time, practiced both; but he was

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1 primarily Matagorda. So we didn't include him. It's  
2 a floating list.

3 I think David Smith is going to make  
4 some comments about -- if we left anybody off, we'll  
5 add them on. In fact, we've got three handwritten  
6 names on here we're going to add.

7 And Judge Gayle and I are going to  
8 take turns reading the names. It's how we thought to  
9 do this. Anyway I'm going to let Judge Gayle make  
10 some comments, and then we'll call role. If we call  
11 somebody's name and you're still alive, let us know.  
12 And one irreverent comment, maybe from somebody named  
13 Brooks Bass, we should call this Dead Lawyers'  
14 Society like that movie Dead Poets' Society. You  
15 never know.

16 JUDGE GAYLE: Thank you, Judge Hardin.  
17 I'm not going to speak very long. I know you find it  
18 hard to believe, but when Judge Hardin asked me to do  
19 this, he had been working on this quite awhile, by  
20 the way. This is his baby, and I think it was a  
21 great idea because we all know some of the names of  
22 these old lawyers that have gone on. But the only  
23 way you can find them is look in the individual  
24 files. That's not fair because they need to be  
25 commemorated. After today, they'll have a permanent

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1 record. And if anyone thinks of anyone else they can  
 2 add to the list, they'll be a means to add it through  
 3 the Bar Association. So there will always be a  
 4 permanent record of all the lawyers who have come  
 5 through Brazoria County and were members of the Bar  
 6 who practiced here.

7 I want to thank Judge Hardin for  
 8 allowing me the opportunity to say a few words and to  
 9 read this list. Only thing, I hope you can see me  
 10 over this bench because he put me down real low. I'm  
 11 used to being short, so that doesn't matter.

12 Thank you, Judge.

13 JUDGE HARDIN: Thank you, Judge.

14 David?

15 MR. SMITH: Very briefly, on behalf of  
 16 Brazoria County Bar Association, thank you for coming  
 17 to attend. Thank you very much to Judge Hardin,  
 18 Judge Gayle, for setting this up. We were talking  
 19 about a way to look to commemorate the various  
 20 members we've had that have so impacted not only the  
 21 Bar Association throughout the years but various  
 22 members and the citizens of Brazoria County from  
 23 Class C to First Degree Felonies, how everyone is  
 24 impacted and helped or helping through the process.

25 This is a way to, as he said, to

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1 permanently add it, they get chronicled not only in  
 2 our website, but Google saves all this information.  
 3 Once someone passes away, they're moved from the  
 4 active directory we have, when we didn't have a means  
 5 to remember everyone by. So we have created -- thank  
 6 you for this opportunity -- we have created a Bar  
 7 page on the fore members. If you go to Brazoria  
 8 County Bar dot org website and, and you click on fore  
 9 members, you'll see a page that's in memoriam. On  
 10 that page we can update as we get updated  
 11 information, the various members we have lost  
 12 throughout the time.

13                   And also at the very bottom, if you  
 14 scroll to the very bottom, you'll be able to log in  
 15 with just your name and e-mail or your Facebook  
 16 account or your Google account. You can log in and  
 17 leave a comment, an appropriate comment, a fond  
 18 memory of an attorney or two or three or four. But  
 19 it's a wonderful way to not only remember the  
 20 people's names and their memories, but a fond memory  
 21 of seeing them in action, seeing them in practice,  
 22 how they impacted Brazoria County for the better.

23                   So thank you all very much. Thank you  
 24 again for setting this up and please go to the  
 25 website, leave a fond memory.

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Thank you.

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JUDGE HARDIN: You know, we kicked around the idea of letting people in the audience make comments about the lawyers on this list but we realized, starting with Wiley Thomas, it would take three days for everyone to comment. There's thousands of stories about all these people on here.

A lot of people participated in coming up with this list. It's just gotten modified today, but Judge Gayle, Judge Ogden Bass, particularly, Brooks, Sam Lee, Jim Bradford, and other people collaborated on this to make sure we hopefully didn't list any names of people within the living memory of anybody. Obviously there have been lawyers here since 1836, and we don't have those 1800's guys on here, but we've got some pretty far back people.

We wanted Judge Ogden Bass to be here, but he wasn't able to be. He's here in spirit. So he's a huge part of the history of this county, that legal history of this county, and every other way.

So I'm going to read the names in the first column. Judge Gayle is going to go, and I guess we'll split the third column somewhere.

Again, if you're here, say Here.

Judge Alton Arnold. Elizabeth

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1 Fields. Louis Follett. Dominique Gerard. Judge

2 Garvin Germany. Ralph Gilbert. Hall W. Griggs.

3 Judge Thurman Gupton. Judge G.P. Hardy. Emma

4 Harris. Jack Harris. John Henderson. Otto Hewitt.

5 Richard Higgins. Wayne Holder. Bill Howell. Marita

6 Irmiter. W.B. Jackson. Marvin Kanak. Leland Kee.

7 Carroll Kelly. Judge Tom Kenyon. Marcial Knapp.

8 Elliott Knott. Bill Langworthy. Sam Lee. Frank

9 Lima.

10 I'll read about half the third column  
11 then you take it from in.

12 JUDGE GAYLE: Tell me when you stop.

13 JUDGE HARDIN: Yes, sir.

14 Phil Loofbourow. Hugh Lucas. Jay  
15 Mallard. Jim Mapel. Judge A. Ray Mason. Carlos  
16 Masterson. Richard McElya. Stan McGee. Tom  
17 McMichael. Henry Mingarelli. Judge Milam Munson.  
18 Robert Newton, Bob Newton. William A. Orr, Jr. J.W.  
19 Patton -- I think it's a EN. I'm not sure.

20 Franklin Perry. Senator Jimmy  
21 Phillips. Hank Prejean.

22 I'm sorry. I went too far.

23 JUDGE GAYLE: Gary McConnell. Gary  
24 was left off originally, and we all wondered how you  
25 could have forgotten Gary McConnell.

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*Reporter's Certificate*

1 JUDGE HARDIN: I skipped him. I'm  
2 sorry. July 22, 2019

3 JUDGE GAYLE: Gary is the one who  
4 called me a short S.O.B. in court one time. And I  
5 told him, don't ever call me short.

6 A.R. Rucks. E.S. Sansom. Lloyd  
7 Stansberry. Judge Allen Stilley. Stanton Stone.  
8 Wiley Thomas. Judge O.G. Wellborn. Frank  
9 Waltermire. Bobby Williams. Bruce Willis. Fred  
10 Wilson. Judge Anthony Willy. Bill Yarborough.  
11 That's all my list.

12 JUDGE HARDIN: Anybody in here think  
13 of somebody we left off?

14 UNIDENTIFIED SPEAKER: Caesar Galley.

15 UNIDENTIFIED SPEAKER: Wallace Wilson.

16 JUDGE HARDIN: We have Wallace down,  
17 but he got left off somehow. We added Wallace, at  
18 least, informally; but somehow he got left off.

19 I think that concludes these  
20 proceedings, but please hang around and let's visit  
21 and we can tell stories while we're doing that.

22 Thank you very much.

23 *(Proceedings conclude.)*

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## Reporter's Certificate

July 22, 2019

1 STATE OF TEXAS

2 COUNTY OF BRAZORIA

3 I, Karen S. Bernhardt, Deputy Court Reporter in  
4 and for the 23rd Judicial District Court of Brazoria  
5 County, State of Texas, do hereby certify that the  
6 above and foregoing contains a true and correct  
7 transcription of all portions of evidence and other  
8 proceedings requested in writing by counsel for the  
9 parties to be included in this volume of the  
10 Reporter's Record in the above-styled and numbered  
11 cause, all of which occurred in open court or in  
12 chambers and were reported by me.

13 I further certify that this Reporter's Record of  
14 the proceedings truly and correctly reflects the  
15 exhibits, if any, offered by the respective parties.

16 WITNESS MY OFFICIAL HAND this the 30th day of  
17 July, 2019.

18 /s/Karen S. Bernhardt  
19 KAREN S. BERNHARDT  
20 Texas CSR 1601  
21 Deputy Court Reporter  
22 23rd Judicial District Court  
23 Brazoria County, Texas  
24 P.O. Box 439  
25 Texas City, Texas 77592  
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