ZONING CHANGE REVIEW SHEET

<u>CASE NUMBER</u>: C14H-2009-0045 <u>HLC DATE</u>: October 26, 2009

PC DATE: November 10, 2009

APPLICANTS: E. Lawrence Taylor and Joanne M. Koepke, owners

HISTORIC NAME: Brady House

WATERSHED: Shoal Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1601 Pearl Street

ZONING FROM: SF-3 to SF-3-H

<u>SUMMARY STAFF RECOMMENDATION</u>: Staff recommends the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning.

<u>HISTORIC LANDMARK COMMISSION ACTION</u>: Recommended the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning. Vote: 5-0 (Limbacher ill; Hansen absent).

<u>PLANNING COMMISSION ACTION</u>: Recommended the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning. Vote: 8-0.

<u>DEPARTMENT COMMENTS</u>: The house is listed as a Priority 2 for research in the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE: December 10, 2009 ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD ORDINANCE NUMBER:

<u>CASE MANAGER</u>: Steve Sadowsky <u>PHONE</u>: 974-6454

NEIGHBORHOOD ORGANIZATION: Judge's Hill Neighborhood Association

BASIS FOR RECOMMENDATION:

The Brady House is an excellent example of an architect-designed brick bungalow and is associated with Judge John W. Brady, the Travis County Attorney who prosecuted the Waters-Pierce Oil Company for violating the state's anti-trust laws, resulting in the dissolution of oil monopolies in Texas and the largest judgment granted to the State at that time.

Architecture:

One and a half story rock faced brick bungalow designed by Austin architect Dennis Walsh, who was associated with several other prominent Austin architects during his career, including A.O. Watson and Bertram Giesecke. The house is rectangular-

plan and side-gabled, with an exterior brick chimney piercing the south gable. Gabled stuccoed dormers pierce the front and rear of the house, with triangular knee braces matching those on the main gables. The house has a wraparound inset porch on the west (front) and south elevations, supported by square and rectangular brick piers with stone caps; the porch also has a semi-open brick railing with a stone cap. On the south side of the house is a one-story independent porch on square brick piers and a flat roof with dramatic exposed rafter tails. Fenestration consists primarily of 9:1 with a single 15:1 window in the front. The front dormer contains fixed-sash windows within a segmental-arched opening. The rear dormer contains three 6:1 windows with a segmental-arched fanlight. The front door is single-leaf with sidelights. Additional architectural details on the house include carved fascia on the gables. Original windows have been replaced with windows which have insert-type muntins and mullions.

Historical Associations:

The house was designed by local architect Dennis Walsh and built in 1915 for John W. Brady, who was then an attorney practicing with Jewel P. Lightfoot and Ephraim B. Robertson with offices in the Scarbrough Building. John W. Brady first appears in the 1893-94 Austin city directory as an attorney and notary with offices in the Old Masonic Temple at 7th and Colorado. He had graduated from the University of Texas School of Law in 1891, and was then living at 1902 Guadalupe Street. He became the Travis County Attorney around 1904, a position he held until around 1910. In the 1903-04 city directory. Brady is listed as boarding at 303 E. 10th Street; he is again listed as living at 1902 Guadalupe Street in the 1905 directory, when he also formed a firm with John H. Caldwell. Brady and Caldwell had offices in the Pope Building, 117 ½ E. 6th Street, then moved to 1005 Congress Avenue by 1910. Brady moved his residence from Guadalupe Street to 913 Colorado Street during this time as well. As Travis County Attorney in 1909, with Jewel Lightfoot, a later law partner, Brady argued Waters-Pierce Oil Company v. State of Texas before the U.S. Supreme Court, a case which resulted in the dissolution of Standard Oil Company's monopoly in Texas, and the largest judgment awarded the state at that time. The 1910-11 city directory shows Brady as a special State Attorney General, residing at 913 Colorado Street. From around 1912 to 1918, Brady practiced law with Jewel P. Lightfoot and Ephraim B. Robertson on the 7th floor of the Scarbrough Building. Brady was living at 407 W. 6th Street from 1912 to 1914, then purchased this property on Pearl Street in 1915. He and his wife Nellie lived here until their deaths in the 1940s.

Brady first appears in the 1880 U.S. Census as the 10-year old son of James and Agnes Brady. James Brady had been born in Ireland and was a grocer in Austin; Agnes Brady was born in England. John W. Brady had an older brother, and two younger sisters and a younger brother. All of the Brady children had been born in Texas. Brady does not appear in the 1900 census report, but the 1910 U.S. Census report shows that he and Nellie were living at 913 Colorado Street. Brady is listed as a 40-year old lawyer in the Attorney General's office; Nellie is listed as 31 years old, and a native of Illinois, but born to Irish parents. She was the former Nellie C. Burns, of Alton, Illinois. John and Nellie Brady had been married for 8 years, but had no children. They had an African-American servant, Ida McCradic, living in the house on Colorado Street.

The 1920 U.S. Census shows John and Nellie Brady living at 1601 Pearl Street. John Brady is listed as a judge in the Court of Civil Appeals. They had what appears to be a friend, Margaret Bartles, 18, living with them, as well as an African-American servant, Ellen Humphrey.

In 1918, Brady was appointed an associate justice of the State Court of Civil Appeals, a position he held until 1923. He returned to private practice in the mid-1920s, with an office in the old Austin National Bank Building at 507-09 Congress Avenue, which he maintained until 1930.

After losing an election to retain his position on the State Court of Civil Appeals, Brady apparently turned to alcohol and other women for solace. In November, 1929, Judge Brady was involved in a sensational scandal, accused and later convicted of stabbing his mistress, a 28-year old court stenographer named Lehlia Highsmith, to death for her infidelities outside her boarding house on 10th Street after the Texas-Baylor football game. He was first tried in Austin, and denied all wrongdoing, alleging that the stabbing had occurred during a scuffle with an unknown assailant. This first prosecution ended in a mistrial, and the trial was moved to Dallas for rehearing. Here, Brady acknowledged and blamed his alcoholism on the murder. He was convicted and sentenced to three years, but served only two. He returned to Austin and his family after his prison sentence, and was involved in legal research for the remainder of his life. He maintained his law office at this house until the time of his death at the age pf 74 in 1943. His widow, Nellie, remained in the house until her death two years later.

The 1930 U.S. Census shows the Brady family at 1601 Pearl, which is listed as being worth \$15,000; John was listed as an attorney with a private practice. The family employed an African-American servant, Gertrude Flower, 22.

In the 1930s, after John Brady's conviction and sentence, the family rented out the rear quarters on the property, which have since been demolished. John B. Bell and his wife Katherine were the first known renters of the property; he was the district traffic chief for Southwestern Bell Telephone Company. In 1937, William R. Brown, a UT student, rented out the rear quarters; he was followed by two more UT students: Joe C. Smith, in 1939, and J. Douglas and Jacqueline Saxon in 1940. James C. and Mattie M. Martin, who did not list an occupation, are listed as the Bradys' tenants in 1942. After the deaths of both John W. and Nellie Brady, the house was rented to William S. and Mae Johnston, while the rear was rented to John J. and Lula Wood. Both were in the U.S. Navy. Daniel E. and Beatrice (also seen as Leatrice) Lane purchased the property by 1947; Lane owned Lane's Music Store at 1610 South Congress. By the early 1950s, the house was owned and occupied by R.D. and Pearl Dudley, who owned and managed the Dudley Tourist Court at 3907 Guadalupe Street. Their son Eugene, and his wife Marjorie, are listed as the owners and occupants of the house from 1957 through 1963. Eugene E. Dudley owned the AAA Mill and Cabinet Shop at 3400 E. 1st Street. The house was a rental unit in the late 1960s and early 1970s; George Knaak, a draftsman for the City Building Inspection Department, rented the house in 1969. In the 1970s, the house was owned by Imagine Art, a cooperative of artists and entertainers. current owner, E. Lawrence Taylor, Jr., purchased the house in 1977. Taylor is a retired marine engineer for the Lykes Brothers Steamship Company in Houston.

During one period when he was aboard ship, he rented the house to singer Carole King, who was recording an album in Austin at the time.

PARCEL NO.: 02110108060000

<u>LEGAL DESCRIPTION</u>: The South 69 feet of the South 138 feet of the West 187.5 feet of Outlot 10, Division E.

ANNUAL TAX ABATEMENT: \$7,892 (owner-occupied); city portion: \$1,920.

APPRAISED VALUE: \$692,000

PRESENT USE: Single-family residence.

CONDITION: Excellent

PRESENT OWNERS:

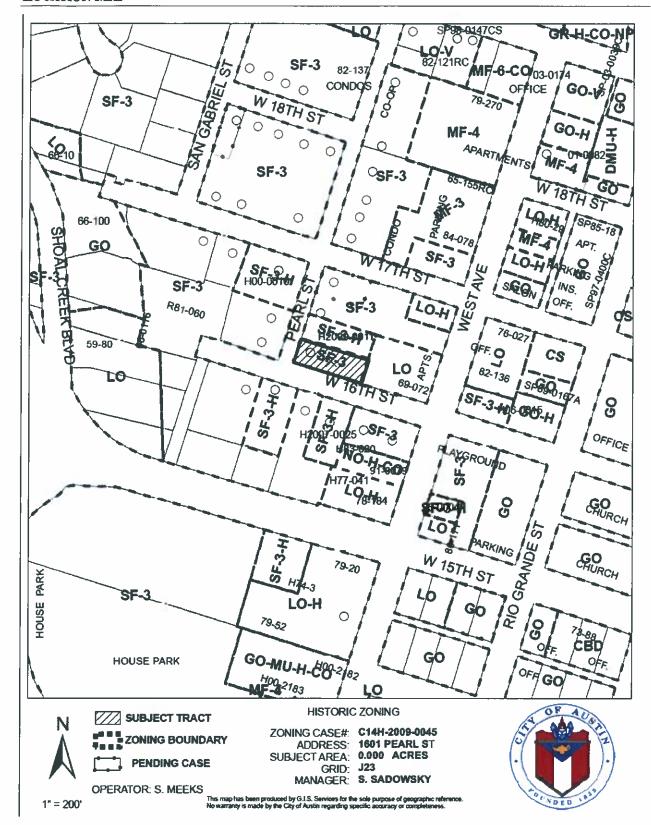
E. Lawrence Taylor, Jr. and Joanne Koepke 180 Buckskin Drive Seeley Lake, Montana 59868

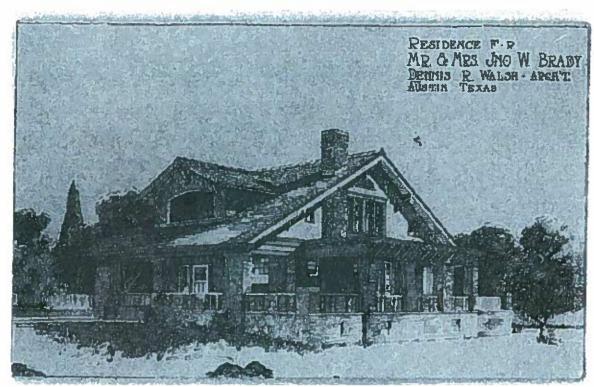
DATE BUILT: ca. 1915

<u>ALTERATIONS/ADDITIONS</u>: The current owner has been working on restoring the original appearance of the house since his purchase in 1977. The original asbestos slate roof had been replaced with a composition shingle roof in 1977; the current metal roof was applied in 1993. A new garage apartment was completed in 2008.

ORIGINAL OWNER(S): John W. and Nellie Brady (1915)

OTHER HISTORICAL DESIGNATIONS: None.





Undated postcard view of the Brady House Austin History Center

1601 Pearl Street ca. 1915



OCCUPANCY HISTORY 1601 Pearl Street

City Directory Research, Austin History Center By City Historic Preservation Office October, 2009

1992	E. Lawrence, Jr. and Vicky C. Taylor, owners Marine engineer, Lykes Lines
1984	E. Lawrence Taylor, Jr., owner Marine engineer, Lykes Brothers Steamship Company
1976	Debbie Dawes, renter No occupation listed
1969	George Knaak, renter Draftsman, City Building Inspection Department
1963	Eugene E. and Marjorie Dudley, owners Proprietor, AAA Mill and Cabinet Shop, 3400 E. 1 st Street.
1957	Edward [sic] E. and Marjorie Dudley, owners Proprietor, AAA Mill and Cabinet Shop. NOTE: The AAA Mill and Cabinet Shop is not listed in the directory; Thomas Brothers Lumber Company is listed at 3400 E. 1st Street. Also listed is Mrs. Pearl Dudley, no occupation stated.
1953	R.D. and Pearl Dudley, owners Manager, Dudley Tourist Court, 3907 Guadalupe Street Also listed are Eugene E. and Marjorie Dudley; no occupations are listed for either.
1949	Daniel E. and Beatrice Lane, owners Proprietor, Lane's Music Store, 1610 South Congress Avenue.
1947	Daniel E. and Leatrice Lane, owners No occupation listed
1944-45	William S. and Mae Johnston, renters U.S. Navy
	Rear: John J. and Lula Wood, renters U.S. Navy
1942	John W. and Nellie C. Brady, owners Lawyer (office at the house).
	Rear: James C. and Mattie M. Martin, renters

No occupation listed

1940	John W. and Nellie C. Brady, owners Lawyer
	Rear: J. Douglas and Jacqueline Saxon, renters Student, University of Texas
1939	John W. and Nellie C. Brady, owners Lawyer
	Rear: Joe C. Smith, renter Student, University of Texas
1937	John W. and Nellie Brady, owners Lawyer
	Rear: William R. Brown, renter Student, University of Texas
1935	John W. and Nellie Brady, owners Lawyer NOTE: No rear apartment is listed.
1932-33	John W. and Nellie Brady, owners Lawyer
	Rear: John B. and Katherine Bell, renters District traffic chief, Southwestern Bell Telephone Company
1930-31	John W. and Nellie Brady, owners Lawyer NOTE: No rear apartment is listed.
1929	John W. and Nellie Brady, owners Lawyer, 242 Austin National Bank Building, 507-09 Congress Avenue
1927	John W. and Nellie Brady, owners Lawyer
1924	John W. and Nellie Brady, owners Lawyer
1922	John W. and Nellie Brady, owners Associate justice, State Court of Civil Appeals
1920	John W. and Nellie Brady, owners Associate justice, State Court of Civil Appeals
1918	John W. and Nellie Brady, owners Partner (with Jewel P. Lightfoot and Ephraim B. Robertson), Lightfoot, Brady & Robertson, lawyers, 715-18 Scarbrough Building.
1916	John W. and Nellie Brady, owners Partner (with Jewel P. Lightfoot and Ephraim B. Robertson), Lightfoot, Brady & Robertson, lawyers, 715-18 Scarbrough Building.

The address is not listed in the directory.

NOTE: John W. Brady is listed as living at 407 W. 6th Street; he was a partner in the Lightfoot, Brady & Robertson law firm.

John Brady, Texas' most brilliant legal ligures, died Friday at 7:45 a. m. at Seton hospital after a long illness. Funeral services will be held Saturday at 9:30 a.m. at St. Aus-tins church with the Rev. John Sverend, O.S.P., officially Res. ary services will be held Friday at 8 p. m. at the Cook Funezal home. Burial will be at Mt. Culvury. As an assistant attorney general, Brady led the prosecution of eral, Bridy led the prosecution of the Waters-Pierce Oil company for violation of the state anti-trus: law, a suit which resulted in what was at that time the largest judg-ment ever awarded the state—ap-proximately \$1,800,000. Brady later was associate justice of the third court of civil appeals at Austin. His trial for murder in connection with the stabbing of an Austin stanographer brought him a sentence when the case was moved from Austin to Dallas on change of venue, and Brady served part of a three-year senience. Since his return to Austin, he had engaged in law research. He was recognized widely an one of the outstanding men in that field. Survivors are Mrs. Brady and two sisters, Mrs. Fred Wilder of

Obituary of John W. Brady Austin Statesman, December 17, 1943

or Angeles and Mm. Helen Brady

Mortuary MRS. HELL BRADY Mrs. Nell Brady. 69.

MRS. RELL BRADY

Mrs. Neit Brady. 69, widow of
the late Judge John W. Bredy,
died at a local hospital Thursday
afternoon. Rosary services will be
held. at the Cook Funeral home
Friday night at 8 p. m. Funeral
services will be held at St. Austin's chapel Saturday at 9 a. m.
with Father A. F. Burggraff
ficiating. Bursal will be in Bt.
Calvary cometery.

Obituary of Nellie Brady Austin American, August 31, 1945

Miss. Nell Brady. 6. victor of the ste Judge John W. Bendy, ded in a local baspital Thursday affectable. Rossry services were held at the Cook Funeral services with still be facility. Funeral services will be in Mt Calvary century. Pall-pharers will be John J. Butler. Sam Fondron, Billy Butler, Max Bickley, Will Schneider and J. W. Byrns.

Obituary of Nellie Brady
Austin American, September 1, 1945

John W. Brady

When you come to the subject of falls from grace, it's hard to match the unfortunate plunge of Judge John W. Brady. A prominent Austin legal fixture and appellate court judge, Brady found himself on the wrong side of the bar on November 10, 1929, arrested for the murder of young Lehlia Highsmith, a Supreme Court stenographer. She had been stabbed to death with a pocketknife on the steps of her E. 10th Street residence the night before, after the Baylor-Texas football game. Brady and Miss Highsmith had been seen at a postgame party together. The arrest rocked the city, and over the next several years produced nearly as many headlines as the Longhorn football team.

Brady pleaded innocent, by way of an accident that occurred as he was scuffling with an unknown assailant. At his trial, an endless string of his friends and peers, prominent bankers and lawyers, testified that they felt Brady had "lost his mind" due to excessive drinking. The respected pillar of society was in fact a bootleg boozehound and guilty of some of the pleasures that

usually accompanied the illicit hooch. This wild life provided Brady with his second line of defense, that his actions were brought about by a recurrent mental disorder brought on by alcohol abuse. The first trial ended in a mistrial. The next jury convicted him. He served two years before being paroled on July 1, 1932. In her infinite mercy, Governor Ma Ferguson restored his full civil rights the very next year.

From "Noshes and Nebbishes" website

A. APPLICATION FOR HISTORIC ZONING

0x 40gg

APPLICATION DATE: 9 22/09 FILE NUMBER(S)C14H-7009-0045					
APPLICATION DATE: 9 22 09 FILE NUMBER(S) C14H-7009-0045					
TENTATIVE HLC DATE: TENTATIVE PC or ZAP DATE: TENTATIVE CC DATE: CASE MANAGER CASE MANAGER TENTATIVE CC DATE: CASE MANAGER TENTATIVE CC DATE: CITY INITIATED: YES / RO ROLLBACK: YES/NO					
BASIC PROJECT DATA:					
1. OWNER'S NAME: E. Lawrence TAYLOR Jr. & Joann M. KOEPKE 2. PROJECT NAME: BRADY HOUSE 3. PROJECT STREET ADDRESS (or Range): 1601 Pearl Street, Austin, Texas ZIP 78701 COUNTY: Travis IF PROJECT ADDRESS CANNOT BE DEFINED ABOVE: LOCATED FRONTAGE FEET ALONG THE N. S. E. W. (CIRCLE ONE) SIDE OF (ROAD NAME PROPERTY FRONTS ONTO), WHICH IS APPROXIMATELY DISTANCE FROM ITS INTERSECTION WITH CROSS STREET.					
AREA TO BE REZONED:					
4. ACRES: less than one (OR) 0,297 SQ.FT					
5. ZONING AND LAND USE INFORMATION:					
EXISTING EXISTING TRACT# ACRES / SQ. FT. PROPOSED USE (IF MORE USE THAN 1) 0,297	PROPOSED ZONING				
SF-3 residence less than one sere residence	SF-3-H				
RELATED CURRENT CASES:					
8. ACTIVE ZONING CASE? (YES / NO) FILE NUMBER: 7. RESTRICTIVE COVENANT? (YES / NO) FILE NUMBER: 8. SUBDIVISION? (YES / NO) FILE NUMBER: 9. SITE PLAN? (YES / NO) FILE NUMBER:					

PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFEREN	ICE: Legal Description	1 - S 69FT OF S 138FT OF W 187.5' OLT 10 DIVISION E
Block(s)	Lc	ot(s)Outlot(s) 10 E
Plat Book:		Page
Number:	Attack has seeing of a	pertified field notes if subdivision reference is not available or
zoning includes p		Sufficient used updays it and analysis to the last of analysis of
	•	
DEED REFERENCE CONVEYIN	IG PROPERTY TO P	RESENT OWNER AND TAX PARCEL I.D.:
11. VOLUME: 5814 PAGE:	1569 TAX PARCE	EL I.D. NO. 02110108060000
OTHER PROVISIONS:		
12. IS PROPERTY IN A ZONING TYPE OF COMBINING		RICT / OVERLAY ZONE? YES / NO
		ER HISTORIC DISTRICT? YES/NO
14. IS A TIA REQUIRED? YES	/NO (NOT REQUI	IRED IF BASE ZONING IS NOT CHANGING)
TRIPS PER DAY:		•
TRAFFIC SERIAL ZONE(S):		
OWNERSHIP TYPE:		
15√_SOLECOMMUN	ITTY PROPERTY _	PARTNERSHIPCORPORATIONTRUST
If average his is although the sails as		But to all dates for a store on to the Parish to be a second of the seco
n ownership is other trian sole or	community property,	list individuals/partners/principals below or attach separate sheet.
OWNER INFORMATION:		
16. OWNER CONTACT INEORI	MATION () /	
SIGNATURE ALLELLA	TO VIS	NAME: E. Lawrence Taylor & Joann Koepke
FIRM NAME:		TELEPHONENUMBER 408-677-6815
STREET ADDRESS: 180 Bucks	kin Drive	
CITY: Seeley Lake STATE: MT	ZIP CODE: 5	59868
EMAIL ADDRESS: WhiSprtCoa	t@aol.com	
AGENT INFORMATION (IF APP	LICABLE):	
17. AGENT CONTACT INFORM	ATION.	
SIGNATURE: Keeled		NAME: Phoebe Allen
FIRM NAME:		TELEPHONE NUMBER: 512-444-1326
STREET ADDRESS: 2510 Ceda		" -
	ZIP CODE: 78704	
CONTACT PERSON: Phoebe Al EMAIL ADRESS: phoebezink@g		NUMBER: 512-444-1326, cell 627-8170
EMPIL ADVESS, PROGRAMMENT	rien.com	
PEPARTMENTAL USE ONLY:		
rady House, by Phoebe Alien	9/15/09	\$ of 13
many savane, of a moore writer	2712/07	# QL 12

D. SUBMITTAL VERIFICATION **AND INSPECTION AUTHORIZATION**

SUBMITTAL VERICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

JADICATE FIRM REPRESENTED, IF APPLICABLE.
Signature Date
E. Lawrence Taylor & Joann Koepke Name (Typed or Printed)
Firm (If applicable)
INSPECTION AUTHORIZATION
As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.
PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND HIDICATE FIRM REPRESENTED, IF APPLICABLE.
Elaure and Trop 9/15/2009 Signature
E. Lawrence Taylor & Joann Koepke Name (Typed or Printed)
Firm (If applicable)

DI EACE TYPE OR BRINT NAME BELOW CONATURE AND

E. ACKNOWLEDGMENT FORM

concerning Subdivision Plat Notes, Deed Restrictions, Restrictive Covenants and / or Zoning Conditional Overlays

i, E. Lawrence Taylor & Josnin Koepke have checked for subdivision plat notes, deed restrictions, (Print name of applicant)

restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at

1601 Pearl Street, Austin, Texas (Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlay information which may apply to this property.

(Applicant's signature)

(Date)

NO 1041920

TAX CERTIFICATE Nelda Wells Spears Tra.s County Tax Assessor-Coll :tor P.O. Box 1748 Austin, Texas 78767 (512) 854-9473

ACCOUNT NUMBER: 02-1101-0806-0000 PROPERTY OWNER: PROPERTY DESCRIPTION: S 69FT OF S 138FT OF W 187.5' OLT 10 DIVISION B TAYLOR B LAWRENCE JR & JOANN M KOEPKE 180 BUCKSKIN DR SEELEY LAKE, MT 59868 ACRES 0.000 MIN% .00000 TYPE SITUS INFORMATION: 1601 This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s): YEAR ENTITY
2008 AUSTIN ISD
CITY OF AUSTIN (TRAV)
TRAVIS COUNTY
TRAVIS COUNTY HEALTHCARE DISTRICT
ACC (TRAVIS) TOTAL *ALL FAID*
ALL PAID
ALL PAID
ALL PAID
ALL PAID TOTAL SEQUENCE *ALL PAID* TOTAL TAX: UNPAID FEES: INTEREST ON FEES: COMMISSION: TOTAL DUB ==> *ALL PAID*
* NONE * NONE *ALL PAID* TAXES PAID FOR YEAR 2008 \$8,641.26 ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2008 EXCEPT FOR UNPAID YEARS LISTED ABOVE.
The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).
Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates. GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 09/10/2009 Nelda Wells Spears Tax Assessor-Collector Fee Paid: \$10.00

By: Irmas

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Page# 1

John W. Brady House

1601 Pearl Street, Austin, Texas 78701

SUMMARY

Austin architect Dennis Walsh designed this brick arts and crafts "New Style Bungalow" in 1915 for John W. Brady, the driving force behind the dissolution of the Standard Oil Company's monopoly in Texas as County Attorney of Travis County, and later the Justice of the Third Court of Civil Appeals. Brady and his wife Nellie lived in the home until their respective deaths in 1943 and 1945.

The house is located on the northeast corner of the intersection of Sixteenth and Pearl Streets in the Judges' Hill neighborhood, a few blocks northwest of the Texas State Capitol and southwest of The University of Texas campus.

The Judges' Hill neighborhood continues to experience controversial revitalization and conversion of some single family residences to professional offices. The Judges' Hill Neighborhood Association supports the inclusion of this home into a future City of Austin and National Register Historic District.

The Brady House merits historic landmark status for its unusual design by noted early Austin architect Dennis Walsh, as well as Brady's merit for his work as attorney and judge, despite serving time in prison in his later life.

ARCHITECTURAL DESCRIPTION

The Bungalow has its roots in India in the province of Bengal, where single-family homes were called *bangla* or *bangala*. British colonists adapted these one-story thatch-roofed huts to use as summer homes in colonial India during the late 1800s. American bungalows were modeled after these small, open cottages that allowed air to circulate freely, dispelling the heat in warm climates like that of India and Texas. Bungalows were the inspiration behind the modern ranch house, which Frank Lloyd Wright popularized in the 1940s.

A pier and beam foundation supports this one-and-a-half-story brick bungalow. The rock-face brick is a dark rust color. A metal gable roof features decorative support brackets, fascia and rafter tails. There is one exterior brick chimney. Windows are double-hung and currently undergoing repair and restoration. The lights of the original, single front window are 15 over one; remaining windows are mostly six over one.

Two brick steps, flanked by brick half-columns and the two rectangular based, full-height brick columns which support the roof, lead up to a covered porch with wood flooring. The single-entry front door is framed by sidelights. A side porch on the south side is partial width with exposed decorative rafter tails under a flat roof, supported by four square-based brick columns with shorter brick "rails" topped with stone. The porch is original and has not been enclosed like most of this period in Austin.

The windows of the upper half-story of the house are in the gable ends of the roof and front and rear dormers. The front dormer maintains its original seven-pane window, with three of the upper panes forming an arch. There are three double-hung windows with a two-pane fanlight in the rear dormer.

A separate, non-contributing two-story garage apartment (2008) duplicates the home's rafter tail details.

Architectural Modifications (quotes are from owner, E. Lawrence Taylor)

"When I bought the house 32 years ago from Imagine Art, it had been extensively altered on the exterior. At that time, the house was divided into 12 rooms. The side porch had been enclosed with jalousie windows, and the brick on the south wall was painted white. A clapboard room with aluminum windows had been added on the southwest corner and another room added on the southeast corner. The brick railings had been removed from the northwest corner porch where the wooden room was built, as well as the southeast corner. I have completely restored the exterior that you now see. The idea behind the 1990 demolition of the closed porches and the added room was to bring the house back to the original."

The house was replumbed and rewired in 1990. The foundation was reinforced and new footings for the brick were laid. Both the southeast and southwest porch corners were rebuilt, including the railings. All brick was re-laid except about 2/3 of the front from the right side of the front door toward the window to the south wall and the fireplace chimney.

"The brick was relaid because the mortar had broken down. It was like dry sand in most places. One interesting bit of info was told to me by George Shelly's mother, who was 96 when I bought the house in 1977. She had apparently been in the neighborhood when the house was built and knew the Bradys. According to Mrs. Shelly, there was a union bricklayers' strike when the house was built. Supposedly each brick was purposely chipped as a protest. I think if they did that, they may also have mixed the mortar wrong. It's difficult to determine if each brick was actually chipped since the rockface would disguise it. I have looked at them and, indeed, some do appear to have been chipped."

A red composition roof present in 1977 was replaced in 1993; the original roof was asbestos slate, which can no longer be obtained. The raftertails around the side porch were all missing and have been replaced with copies of the originals. The windows on either side of the fireplace are multilight shutter style and are in storage, awaiting restoration.

"The interior was demolished in 1990 by George Zapalac who was contracted to redo the interior. I did save the wainscoating trim to be reinstalled. I was at sea when this demolition was done and I had heart palpatations when I saw it. There is very little of the original interior still in place."

In 2003 the garage apartment construction was begun and, due to contractor issues, was completed in 2008. During the 2008 construction, a new sewer line was brought up to the house by the city from the opposite side of the property and all new underground pipes were installed. The electrical, cable TV, and telephone services were also rerouted and installed underground.

"The house is at the present stage of restoration mainly because I do the work myself and am very particular. Painting, for example, is a multi-step process involving scraping, bleach treatment, power washing, priming, caulking and painting. This is in addition to any carpentry repairs necessary. I hope to finish the outside restoration by the end of next year. The exterior of the house is as true to original as I have been able to ascertain."

With the exception of two windows on the south porch (awaiting repair), the house is in a good state of repair and appears identical to the historical photo of the house found in *The Violet Crown* (1917) and an early but undated postcard drawing of the house that includes the name of the architect.

ARCHITECT DENNIS R. WALSH

Dennis Walsh (1875-1921), the son of Reverend & Mrs. Hardin Walsh, was a native of Austin. Walsh and his wife Isabelle had two sons, Hardin Walsh Jr. and Ben Hilliard O'Connor. He was a Kappa Sigma at the University of Texas in 1898.

City Directories indicate that Walsh was a draftsman with architect A.O. Watson (1864-1935) from 1895-98. Watson attended Texas A&M College and moved to Austin circa 1885. Watson's designs from that period include Austin High School (1900, burned 1956), All Saints Episcopal Chapel (1899), and the Caswell-Bickler House (1900).

Walsh was associated with Jacob Larmour (1822-1901) in Larmour & Walsh in 1898-99, before Larmour's retirement in 1900. Larmour and Watson had been partners from 1887-1892. Larmour was a prominent 19th Century Austin architect who began his practice in New York, arrived in Austin in 1871, and was appointed Texas' state architect in 1879.

According to his obituary, Walsh was actively identified with the progress of Austin as an architect of merit following a number of years spent as an architect in Washington D.C., and he 'made a great success' until his health failed. In Austin Walsh was associated with the firm of Endress & Walsh from 1910 to 1913. He then worked alone before heading the firm of Walsh & Giesecke (1920-21) until his death at the age of 46. The two partners designed a new Austin High School (1915) at 1212 Rio Grande. After Walsh's death, his partner Bertram Glesecke (1892-1950) became a widely known Austin architect and engineer with Giesecke and Harris (1921-1941).

NEIGHBORHOOD CONTEXT

Shoal Creek was the natural western boundary of Austin when Edwin Waller laid out the city's original one-square-mile grid in 1839. In order to found the City of Austin, the Congress of the Republic of Texas condemned the land in and surrounding the village of Waterloo in 1839, offering the former headright owners either money or land elsewhere in Texas as compensation. The lots inside the 1839 city plan, as well as "Outlots" beyond the "Original City" grid laid out by Waller, were sold to the highest bidders. Those who purchased outlots in the future Judge's Hill neighborhood included **Dr. Samuel G.**Haynle, a four-time mayor of Austin, who arrived in Austin in 1839 to practice medicine and by 1950 had purchased Outlots 10, 11 and 19.

The Brady House is on Outlot 10 at the northeast corner of the intersection of Pearl and Sixteenth Streets in what is now known as the Judges' Hill neighborhood, in walking distance to the Texas State Capitol to the southeast, as well as The University of Texas campus to the northeast. The neighborhood takes its name from the many judges and attorneys who built homes in the area, beginning in 1851, just after Austin was selected as the state capitol, by Elijah Sterling Clack Robertson (1820-1879), son of the empressario of Robertson Colony. Robertson's home, built on a bluff overlooking Shoal Creek, was followed by several more along West Avenue, the western boundary of the 1839 Original City of Austin. The homes near this street are some of the oldest in Austin. Spanning a period from the 1850s through the turn of the century, the structures provide insight into the transitioning architectural styles and building materials of the time.

The Glasscock Mansion (razed 1923) was built in the 1400 block of West Avenue in 1853. The circa 1855 Chandler-Shelley House, also known as Westhill, at 1703 West Avenue, was likely built by Abner Cook about the same time Cook was building the

nearby Governor's Mansion. Many elegant, historic homes still line both sides of West Avenue including the landmark 1870 Denny-Holliday House at 1803 West Avenue.

There are at least three periods of activity in the Judges' Hill area. First is that beginning during the Republic and running through World War I, roughly 1840 to 1914. The style is reflected in Abner Cook homes and other early buildings. With the Victorian era came a more formal regimen of manners and social style, reflected in homes of the time. The second phase of development includes the period between the two world wars, 1914 to 1945. It includes primarily Colonial and Classical Revival, Italianate, and Arts and Crafts Bungalow styles. The third phase, following WWII, saw the addition of a few homes in the post-war Ranch and Mid Century Modern styles.

The Judges' Hill neighborhood continues to experience controversial revitalization and conversion of some single family residences to professional offices. On West Avenue, for example, is a series of three modern apartment and condominium buildings that replaced exceptional historic homes, including two in the 1700 and 1800 blocks: the Richarsonian Romanesque home of Edward Mandell House at 1704 West Avenue, built in 1891 and demolished in 1967, and the Angeline Townsend-Thad Thomson home at 1802 West Avenue, built in 1868 and demolished in 1962.

The Judges' Hill Neighborhood Association is in the process of nominating the neighborhood as a City of Austin Historic District and National Register Historic District.

HOUSE & PROPERTY NARRATIVE

The lots inside the 1839 city plan, as well as Outlots beyond the Original City grid Edwin Waller laid out, were sold to the highest bidders after the City of Austin was given authority to sell lots on September 3, 1850. Those who purchased outlots in the future Judge's Hill neighborhood included landowners shown on an 1840 map of Austin at the Texas General Land Office. Outlots 10 and 11 in Division E were sold to S.C. Robertson, assignee of Samuel G. Haynie, in 1852.

Haynie sold Lots 10 and 11 to Reverend Charles Gillette in 1858; Gillette's heirs sold the two blocks to W.T. Watt of Waco in 1905. The boundaries of the blocks were West Avenue, Shoal Creek, and what would become 16th and 17th Streets. Watt allowed his daughter, Annie Hale Watt, and her new husband, James Wooten McClendon (1873-1972), to build their foursquare Prairie Style home with Spanish Revival details on the west side of Pearl. Only three homes lined the east side of the 1600 block of Pearl until after 1945, when a duplex was built at 1605/1607 Pearl, between the Nagle House at 1615 Pearl and the St. David's Episcopal Church Rectory at 1603 Pearl, which originally faced 16th Street and was built in 1914 by the McClendons as a rental unit.

According to long-time neighbor George Shelley, John Brady first built a much larger house in 1911 on the south<u>east</u> corner of Outlot 10, at 16th and West Avenue (where apartments now stand). Brady, who had no children, decided the house was too large and sold it to John Chiles. Shelley believes Brady built the Pearl Street house as a downsizing measure. Shelley's story has merit, according to the City Lot Registers and deeds for the period, which indicate that Brady bought the southeast corner of Outlot 10 in 1910, with the value increasing from \$2250 to \$8500 in 1911. He sold that property to Chiles in September of 1912."

Brady then purchased property to build his home on the south west corner of Outlot 10, at 16th and Pearl, on September 24, 1913. Lot Registers show that the Brady

property, appraised at \$1200 to \$1500 in 1914, was in 1915 appraised for \$4,200, about half the value of the first house he built. An attorney with Lightfoot, Brady & Robertson at the time, Brady and his wife Nellie are first listed at 1601 Pearl Street in city directories in 1916. Two years later he was appointed Justice of the Third Court of Civil Appeals (1918-1923).

Before the deaths of both Bradys, the home technically passed into the hands of **Priscilla Buckley**, for tax reasons, but the Bradys remained there until near the time of Mrs. Brady's death in 1945. **It was purchased in 1952 by **Eugene Edward Dudley** and his wife Marjorie. Dudley was a cabinetmaker for the AAA Cabinet Shop.

Lawrence Taylor purchased the property in 1977 from Imagine Art, Inc., a group of artists and entertainers who lived in the house, including Debbie Dawes, poet Bill Jeffers and Dee McCandless, a dance choreographer of some note. Taylor rented the house to the singer Carole King for a brief period while he was working aboard ship. Ms. King was cutting an album in Austin at the time. Bill and Pat Price Monroe, current owners of the McClendon House, rented the Brady House for about a year while Taylor was working in Houston.

BIOGRAPHICAL MATERIAL

E. LAWRENCE TAYLOR Jr. was born and raised in Houston and moved to Austin in 1970. He retired from a career as a marine engineer in 2002 after 35 years, a job that required extensive travel to all parts of the world. He now lives part time in Seeley Lake, Montana. His wife, Joanne Koepke, is originally from Tacoma, Washington, where she was a real estate broker; she is also retired. Their daughters, Emily and Mary Ann, were both raised in the house and continue to live in the house periodically. The Taylors are working toward the restoration of the house for their family's use.

JUDGE JOHN W. BRADY (1876-1943) was one of five children born in Austin to James and Agnes Brady. His father was a grocer, born in Ireland, and his mother was English. Brady received a law degree from UT in 1896. He married Nellie Burns Brady (1876-1945) on June 18, 1901.

Brady began his career in a law partnership with E.B. Robertson of Fort Worth. Later (by 1906), as County Attorney of Travis County, Brady was the driving force behind the dissolution of the Standard Oil Company's monopoly in Texas. The state of Texas awarded him \$90,000.00 for the effort. He also worked as special counsel for Governor "Ma" Ferguson. Subsequently he became the assistant attorney general, served as an attorney for the State Banking Board, and was appointed Justice of the 3rd Court of Civil Appeals in Austin (1918-1923), but was defeated for election in 1923.

There is a less glamorous chapter in John Brady's life, which had its roots in his 1923 defeat. At the age of 60, Brady had a young paramour for whom he secured a job at the state capitol. Lehlia Highsmith, age 28, was a stenographer for the Supreme Court Commission of Appeals. She "was found in the company of other men" and was stabbed to death on November 9, 1929, in front of her boarding house. Brady was incarcerated the next day.

His wife testified that since Brady's defeat in the re-election, her husband had been on a downward spiral of drinking and infidelity. Brady's good friend and neighbor, Dr.

Goodall Wooten, testified that Brady was an alcoholic. Brady pleaded temporary insanity caused by chronic drinking and was tried twice – the first trial in Austin resulted in a deadlocked jury; the second trial was in Dallas, where he was convicted of murder without malice and sentenced to prison for three years, though he served less than two years, from January 28, 1931, to July 1932, having whittled off more than a year with credits for his work as a penitentiary school teacher among other jobs.

Brady's wife stood steadfastly by her husband through the ordeal, and he returned to her at 1601 Pearl after prison and engaged in legal research until his death on December 17, 1943. Mrs. Brady died August 30, 1945. Both are buried at Mt. Calvary cemetery, which is associated with St. Mary's Cathedral.

According to George P. Shelley, "After Brady returned from prison, the Bradys had difficulty paying their property taxes. Two Buckley women, who lived on the corner of 19th and Lavaca, had a rich brother in the oil business in Mexico. The brother was the father of William Buckley. The Bradys and Buckleys were Catholics, and the Buckley women, who were friends of Mrs. Brady, paid her taxes. Brady had one or both legs amputated, probably due to diabetes. After the Judge died, Mrs. Brady gave her house to the nuns at Seton hospital and was under their care at Seton. Mrs. Sparks took her grandson Sam (later Judge Sam Sparks) to visit Mrs. Brady."

ENDNOTES

ⁱ "Dennis R. Walsh Dies After Year's Illness, Austin Statesman, Nov. 5, 1921, page 1, col. 3, and "Dennis R. Walsh Dies After Long Illness," page 4, col. 4 of same.

[&]quot;Walsh is not listed in the city directory of 1900-1909.

iii Larmour's Victorian L-plan cottage (ca. 1875) was moved to 1722 Rio Grande in 1980 and rehabilitated as office space.

iv City of Austin Landmark 2009

^v Deed Records, Travis County, Vol. 253, page 418. 9/9/1912. Lot Registers indicate that the Brady property on West Avenue, valued at \$2,250 in 1910, was valued at \$8,500 in 1911 and was under Chiles' ownership in 1913, the year Brady's name is not listed in the Lot Registers. July 11, 1907, Watt to J.H. Tallichet, 216/486. May 24, 1909, Tallichet to John W. Brady (234/34). Sep 9, 1912. Brady to Chiles (253/418).

¹ Deed Records, Travis County: Oct 19, 1909, W.T. Watt to John P. Hale, 257/143. Jun 2, 1913, John P. Hale to Kyle S. Hambien & W.H. Hambien, 257/240. Sep 24, 1913,

V.H. Hamblin, Eleanor G. & Kyle S. Hamblin to John W. Brady, 258/33.

^{vii} The Brady property was involved in tax liens and financial transactions in 1939 with Priscilla Buckley, Walter Bremond, and E.M. Reeves. 628/219; 624/222;628/211; 615/265.

Brady's brother Will Brady of Ventura, California, aided his defense attorney. His sister Mrs. W.G. White of El Paso was also present during the trial.

ix Interview by Phoebe Allen with George P. Shelley, November 2008.

xx Sources: Newspaper Clippings (on file in Austin History Center, Austin Public Library; undated/unsourced unless noted; listed by date if given):

Jan. 20, 1930. "Judge charged with stabbing girl to death."

Jan. 21, 1930. "Brady may enter plea of insanity."

Jan. 29, 1930. "Three women who love him tell jury Brady is crazed by Drink;" Houston Press.

Jan. 29, 1930. "Friends of Bady aid insanity plea," Houston Press.

Jan. 30, 1930. "The defense rests," Austin Statesman.

Jan. 30, 1930. "State opens attempt to show sanity," Houston Press.

Jan. 31, 1930. "2 physicians quizzed by state," Austin Statesman.

Jan. 31, 1930. "Dr. Joe Wooten's grand jury statement; Dr. Goodall Wooten's grand jury statement," and "Silent members o Travis bar gaze on trial of John Brady, Austin Statesman.

Feb. 4, 193?. "Huge crowd hears final Brady case."

Feb. 9, 1930. "Lone juror holds out for Brady acquittal," Austin American Statesman.

Feb. 9, 1930. "9 for death, 2 for life, sentence, one for aquittal on John Brady's jury," and "Judge discharges weary pae after 4 days of debate," American Statesman.

May 1, 1930. "Gamblers offer 10 to 1 Brady will escape chair," and "State completes Brady testimony," Austin American Statesman.

May 13, 1930. "Austin woman takes stand in judge's behalf," Austin American Statesman.

May 14, 1931. "Mrs. Brady ready to testify about her married life."

May 17, 1930. "Judge Brady given 3 year sentence to pen," Austin Statesman.

May 17, 1930. "Brady, convicted, cries denial of slaying girl," Austin Statesman.

May 27, 193?. "John Brady leaves jail on bond of \$5000." (more than one year had been whittled by credits for work)

Dec. 10, 1930. Brady Case Upheld, 3 year penalty affirmed by court," Austin Statesman.

Jan 24, 1931. "John Brady slips away to begin his term in prison," (2 years 8 moths w/good behavior). No source.

Jan. 27, 1931. "Brady dons gray prison uniform and goes to cell."

July 1, 1932. "John W. Brady released from state prison." Huntsville.

Undated clippings: Jury picking resumed in Brady trial (Jan. 22); Judge Brady's plea for bond set Wednesday; Brady defense may claim girl died of other injuries; Defense rests, state calls alienists; Witness for judge thinks him sane; Brady jurors silent while judge waits; Brady sane in court, two say; Throngs again gather on street and peer into windows of courthouse; Youth says victim held by ex-judge; Eyes dim as she reveals married life; John Brady will teach school at Harlem Pen Farm; John Brady hears jury deadlocked.

F. 1: Historical Documentation - Deed Chronology

Legal Description S 69FT OF S 138FT OF W 187.5' OLT 10 DIVISION E

Jan. 17,1852 Gov. Bell granted purchase of Lots 10 & 11 to S.C. Robertson, assignee of Samuel G. Haynie, Vol. F pg. 59

June 28,1858 E.S.C. Robertson to **Rev. Charles Gillette** for \$600, Vol. M pg. 376 Gillette lived in Baltimore, MD.

Dec. 1879 Gov. Pease mortgaged the property for \$2,000; released Dec. 1890

Nov. 14, 1905 Gillette heirs to W.T. Watt of McLennan County, \$7,500. V-204 pg. 606. Portion of outlots 10 and 11, bound by West Avenue, 16th, Shoal Creek, and 17th except for a plot (lots 7,8,9 of outlot/block 10) on West Ave.

Oct. 1906 Easement was granted to City for 16th Street (Vol. 212/pp. 386-390)

Oct 19, 1909 W.T. Watt to John P. Hale, 257/143

Jun 2, 1913 John P. Hale to Kyle S. Hamblen & W.H. Hamblen, 257/240

Sep 24, 1913 V.H. Hamblin, Eleanor G. & Kyle S. Hamblin to John W. Brady, 258/334

Oct 16, 1943 J.W. Brady to Priscilla Buckley, deed, 725/349

1945-1972 (Deeds not found in reverse or direct deed records)

Source: Lot Registers (in italics):

1945 Priscilla Buckley, \$4500

1949 Daniel E. Lane & wife, \$5500

1950 H.C. Billingsey, \$5500

1952 Dudley, E.E. & Marjorie E. et al, \$4400 (Billingsley)

1954 Dudley, E.E. & Marjorie E. et al, \$4400

Deed date? R.D. Dudley, et ux, to E.E. Dudley, et ux, Vol. 1966, pg 312. (unreadable)

Feb 14, 1972 Samuel E. Dunnam IV to Hyman & Ruth Frankel, \$5500, 4251/1296.

Oct. 11, 1972 Owners Imagine Inc., Hayman & Ruth Frankel, acc. to 1974 Lot Register, 4395/127 \$8690.

May 16, 1977 Imagine Art Inc., William D. Jeffers Jr., officer, to E. Lawrence Taylor, \$54,000, 5814/1569

F. 2: Historical Documentation - Occupancy History

OCCUPANCY

OCCOI AITC	_
1914	Brady, John W. (Lightfoot, Brady & Robertson) res. 407 W. 6th [only 1600 and 1603 Pearl are listed in the block in 1914]
1916	Brady, John W. (Lightfoot, Brady & Robertson) lawyer, 1601 Pearl
1918	Brady, John W. (Nellie C.) as above
1935	Brady
1937	Brady; rear - Brown
1920-1942	Brady, John W. (Nellie C.) lawyer 1601 Pearl
1944-45	Johnston, William S. (Mae) USN
1949	Lane, Daniel E.
1952	Billingsley, H.C. (Ella) (o)
1953	Dudley, Eugene E. (Marjorie) r. 1601 Pearl
1955	Dudley, Edw. E. (o) cabinetmaker
1958	Dudley, Edw. E. (Marjorie) AAA Cabinet Shop
1963	Dudley, Eugene E. (Marjorie) AAA Mill & Cabinet Shop
1964	Dudley, Edw. E. (Marjorie)
1965	Vacant
1966	Rodgers, Fred C. Jr (Margaret) Western Smokehouse
1968	McCarley, Lon (no occ)
1970	Sheffy, Carla A, student
1972	Needles, Nancy, student
1974-1976	Dawes, Debbie (no occupation listed)
1977	Taylor, E. Lawrence Jr, seaman

1978 Taylor, E. Lawrence Jr, marine engineer Lykes Brothers Steamship Co. 1979-current Taylor, E. Lawrence Jr, marine engineer Lykes Brothers Steamship Co.