

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-2009-0041

HLC DATE:

November 9, 2009

PC DATE:

November 10, 2009

APPLICANTS: Mark and Vicki Eidman, owners

HISTORIC NAME: Black-Fleming House

WATERSHED: Shoal Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1613 Pease Road

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

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

HISTORIC LANDMARK COMMISSION ACTION: Recommended the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning. Vote: 6-0 (Myers absent).

PLANNING COMMISSION ACTION: 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.

DEPARTMENT COMMENTS: The house is beyond the bounds of the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE: December 10, 2009

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: Old West Austin Neighborhood Association

BASIS FOR RECOMMENDATION:

The ca. 1924 house is an excellent example of Colonial Revival residential architecture and is associated with Charles L. Black, a prominent Austin appeals attorney who practiced with Ireland Graves, and the boyhood home of Charles L. Black, Jr., a noted Constitutional law scholar who taught at Yale and Columbia Law Schools and was instrumental in drafting the brief which overturned school segregation in the U.S. Supreme Court case of Brown v. Board of Education (1954). The house is also associated with Richard T. Fleming, who donated his collection of Texas writings to the University of Texas.

Architecture:

Two-story rectangular-plan side-gabled Colonial Revival-styled brick house with brick quoins at the corners of the principal block and three front-gabled dormers; one-story flat-roofed portico at the central front entry with paired plain columns, plain pilasters, and a metal railing on the portico roof. The front entry has a segmental-arched fanlight and sidelights. Fenestration consists of 8:8 double-hung windows on the front and 6:6 double-hung windows on the sides of the house. There is a two-story rectangular-plan addition to the right side of the house, which appears to have been a screened porch on the first floor and an enclosed room with casement windows on the second floor; both stories now have casement windows. The house also has rear additions which are not visible from a public right-of-way.

Historical Associations:

The house was built around 1924 for Charles and Alzada Black. Charles Black, born in Hillsboro, Texas in 1883, graduated from the University of Texas School of Law and first returned to Hillsboro to practice. He moved to Austin in 1915, and had his office on the 8th floor of the Scarbrough Building. From 1924 to around 1937, he practiced with Judge Ireland Graves; they added John W. Stayton to the firm in the late 1930s; Black and Stayton practiced together until the late 1950s. Charles L. Black was known to be one of the state's most prolific appeals attorneys, and is said to have argued more Texas Supreme Court cases than any other attorney. He and his wife Alzada had three sons: Tom went on to practice with his father, while Charles L. Black, Jr., born in 1915, graduated from the University of Texas in 1935, majoring in Greek, then earned a Master's degree in English. He went on to the Yale Law School, graduating in 1943. After service in World War II, Charles L. Black, Jr. became a professor of law at the Columbia University School of Law in New York City, where he taught until 1956. He was a noted scholar in the field of Constitutional law, and was instrumental in drafting the brief in the Supreme Court case of Brown v. Board of Education (1954), which declared the "separate but equal" doctrine of racial segregation unconstitutional, and paved the way for the integration of the nation's public schools. Black moved back to Yale Law School in 1956, where he taught until returning to Columbia in 1986, when his wife, Barbara Aronstein Black, became dean of the law school. He retired in 1999 and passed away in 2001.

Charles L. and Alzada Black sold the property to Richard T. and Harriet Fleming in 1961. The Flemings had just returned to Austin from New York, where he had served as vice-president and general counsel of Texas Gulf Sulphur Company. Fleming had been born in Temple, Texas, graduated from the University of Texas with a bachelor's and a law degree, and upon his return to Austin, had the opportunity to pursue his passion: collecting works by University of Texas authors. He built up a huge collection of works, which he then donated to the University of Texas as the University Writings Collections. Richard Fleming passed away in 1973; his children sold the house to Carey and Shari Brennan in 1984. The current owners, Mark and Vicki Eidman, purchased the house in 1990. Mark Eidman is an Austin tax attorney.

PARCEL NO.: 01120204150000

LEGAL DESCRIPTION: Lot 32, Enfield C

ANNUAL TAX ABATEMENT: \$36,164 (owner-occupied); city portion: \$4,309 (capped).

APPRAISED VALUE: \$2,498,064

PRESENT USE: Single-family residence.

CONDITION: Excellent

PRESENT OWNERS:

Mark and Vicki Eidman
1613 Pease Road
Austin, Texas 78703

DATE BUILT: ca. 1924

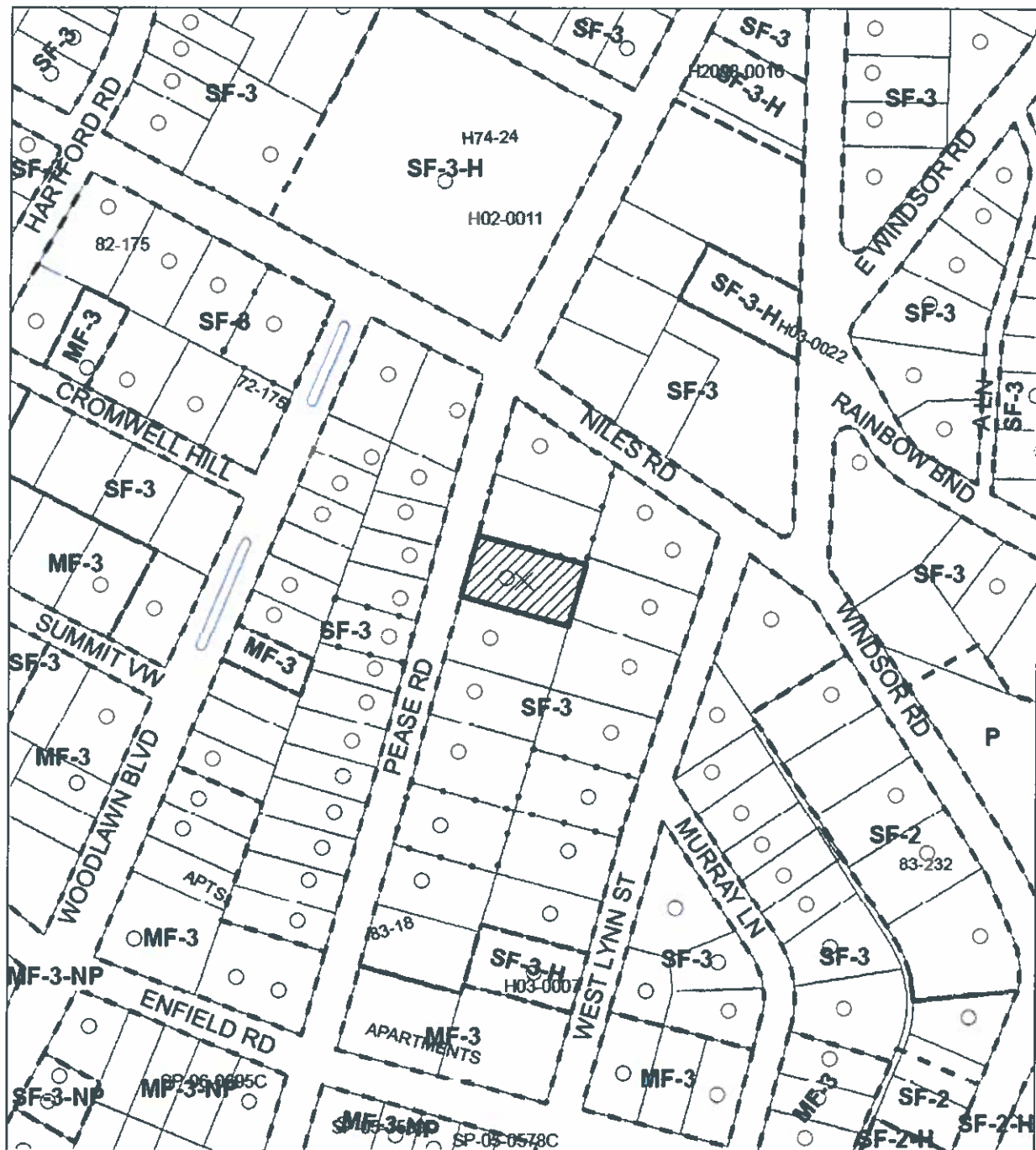
ALTERATIONS/ADDITIONS: The original ground-floor screen porch on the right side of the principal façade has been enclosed with casement windows; historic photographs show that the upper story of the porch addition originally had casement windows; the windows on the ground floor match those on the second story. There are additions to the rear. The original balustrade on the roof of the front portico has been changed to a metal railing.

ORIGINAL OWNER(S):




Charles L. and Alzada Black (1924)

OTHER HISTORICAL DESIGNATIONS: None.

LOCATION MAP



1" = 200'

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

OPERATOR: S. MEEKS

HISTORIC ZONING

ZONING CASE#: C14H-2009-0041
 ADDRESS: 1613 PEASE RD
 SUBJECT AREA: 0.000 ACRES
 GRID: H23
 MANAGER: S. SADOWSKY



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1613 Pease Road
ca. 1925



OCCUPANCY HISTORY
1613 Pease Road

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

1992	Mark Eidman, renter Attorney, Millgrim, Thomajan, and Lee (not listed in the main directory) NOTE: The directory indicates that Mark Eidman was a new resident at this address.
1984	Richard and Linda Fleming, renters Retired
1977	No return
1971	Richard T. and Harriet H. Fleming, owners Retired
1966	Richard T. and Harriet H. Fleming, owners Volunteer collector, University of Texas
1962	Richard T. and Harriet H. Fleming, owners No occupation listed
1957	Charles L. and Alzada B. Black, owners Proprietor (with John W. Stayton and Thomas Black), Black & Stayton, attorneys, 1005 Capital National Bank Building.

1954	Charles L. and Alzada B. Black, owners Proprietor (with John W. Stayton), Black & Stayton, lawyers, 1005 Capital National Bank Building
1952	Charles L. and Alzada B. Black, owners Proprietor (with John W. Stayton), Black & Stayton, lawyers, 1005 Capital National Bank Building
1949	Charles L. and Alzada B. Black, owners Proprietor (with John W. Stayton), Black & Stayton, lawyers, 1005 Capital National Bank Building
1947	Charles L. and Alzada B. Black, owners Proprietor (with John W. Stayton), Black & Stayton, lawyers, 1005 Capital National Bank Building
1944-45	Charles L. and Alzada B. Black, owners Proprietor (with Ireland Graves and John W. Stayton), Black, Graves and Stayton, lawyers, 1005 Capital National Bank Building.
1942	Charles L. and Alzada B. Black, owners Proprietor (with Ireland Graves and John W. Stayton), Black, Graves and Stayton, lawyers, 1005 Norwood Building.
1940	Charles L. and Alzada B. Black, owners Proprietor (with Ireland Graves and John W. Stayton), Black, Graves and Stayton, lawyers, 1005 Norwood Building.
1937	Charles L. and Alzada B. Black, owners Proprietor (with Ireland Graves), Black & Graves, lawyers, 1005 Norwood Building. NOTE: The house is listed as 1315 Pease Road.
1935	Charles L. and Alzada B. Black, owners Proprietor (with Ireland Graves), Black & Graves, lawyers, 1005 Norwood Building. NOTE: The house is listed as 1315 Pease Road.
1932-33	Charles L. and Alzada B. Black, owners Proprietor (with Ireland Graves), Black & Graves, lawyers, 1005 Norwood Building. NOTE: The house is listed as 1315 Pease Road.
1930-31	Charles L. and Alzada B. Black, owners Proprietor (with Ireland Graves), Black & Graves, lawyers, 1005 Norwood Building. NOTE: The house is listed as 1315 Pease Road.
1929	Charles L. and Alzada B. Black, owners Proprietor (with Ireland Graves), Black & Graves, lawyers, 817-19 Scarbrough Building. NOTE: The house is listed as 1315 Pease Road.
1927	Charles L. and Alzada B. Black, owners Attorney, no firm listed, 817 Scarbrough Building.

1924

Pease Road is not listed in the directory.

NOTE: Charles L. and Alzada B. Black are listed as living at 2211 Rio Grande Street; he was an attorney with offices at 819-20 Scarbrough Building.

The 1930 U.S. Census shows Charles L. and Alzada Black living at 1315 Pease Road. They had two sons, Charles L., Jr., 11, and Thomas B., 2, and a daughter, Elizabeth, 9. They also had an African-American servant, Katie B. Sneed, 24, living at the house. The house is listed as being worth \$18,000. Charles L. Black is shown as 46 years old, born in Texas to Texas-born parents. Alzada Black is shown as 43 years old, and born in Texas to a father born in Louisiana and a mother born in Norway. He is listed as a lawyer with a general practice.

Charles L. Black, Jr.: Lawyer, Poet, Jazz Aficionado



It's not often that you meet someone who publishes volumes of poetry, or volumes on constitutional law, much less someone who did both and helped an African-American girl named Linda Brown go to school in Topeka, Kansas, in 1954.

History has yet to determine Charles L. Black's greatest accomplishment--writing the definitive work on impeachment or working with Thurgood Marshall on the landmark civil rights case *Brown v. Board of Education*. Or perhaps it was his compassionate study of capital punishment. One thing is certain: whenever historians and law scholars discuss the major legal issues of twentieth-century America, they will include the name Charles L. Black, Jr., a 1935 graduate of The University of Texas who left his footprints on the legal landscape of his times.

Born in Austin, Texas, in 1915, the son of a renowned Austin lawyer, Charles Black graduated from Austin High School at age 16 and studied classics at The University of Texas. He earned a master's degree in English from UT in 1938 and then studied Old and Middle English at Yale before receiving his Yale law degree in 1943. After a short stint in the Army Air Corps and practicing law with a private firm, Black took up teaching, lecturing students at Yale and Columbia on constitutional law from 1947 until 1999. Hillary Rodham Clinton was one of his students, as were numerous future leaders in government, business, and academia. Black won many academic honors and was named the Sterling Professor of Law, a distinguished professorship at the Yale law school. He was admired for his lucid law lectures referencing philosophers, artists, and Japanese gods, all delivered in a Texas drawl.

That drawl was surprising to some, who knew Black for his work in the civil rights movement. Given his background and the racism that dominated the South during that period, the casual observer may have assumed that Black was pro-segregation. But Charles Black was a fierce defender of equality and helped write the legal brief for Linda Brown, the little girl whose court case put an end to the idea of "separate but equal" in the United States.

Black's commitment to the civil rights movement came out of his passionate love of jazz. He was 16 years old and a freshman at The University of Texas when he heard jazz legend Louis Armstrong play at Austin's Driskill Hotel in 1931. It was an era of racial segregation in Texas, and Black had grown up believing that "Blacks were all right in their place," as he later recalled. But facing the magnificence of Armstrong's playing, Black wondered, "What was the 'place' of such a man, and of the people from which he sprung?"

On several occasions, Charles Black explained that hearing Louis Armstrong play music that



evening in 1931 had forever changed the way he thought about race and racial issues.

Black fought capital punishment almost as adamantly as he fought segregation, publishing the book *Capital Punishment: the Inevitability of Caprice and Mistake* (Norton) in 1974. But his most highly acclaimed book was *Impeachment: A Handbook* (Yale University Press, 1974), published during the Watergate hearings while President Richard Nixon was facing impeachment. The book was reissued in 1999, when President Bill Clinton was being impeached, and brought Black back into the spotlight. An academic book rather than a political one, *Impeachment* offered no opinion on the presidents under fire but rather analyzed impeachment law and history. (However, Black was vehemently opposed to forcing Nixon to surrender his audio tapes because he feared that executive privilege would be weakened and might upset the balance of power in the government.)

Black's law interests were wide-ranging. In addition to his impeachment and capital punishment books, he also wrote extensively on admiralty law, including the definitive admiralty text, *The Law of Admiralty*, co-authored with Grant Gilmore (Foundation Press, 1957), and 17 other legal books and hundreds of articles. Black was widely praised for his clear, powerful prose. He published three volumes of poetry--*Telescopes and Islands*, *Owls Bay in Babylon*, and *The Waking Passenger*.

Black's artistic inclinations were nearly as broad as his legal expertise. He painted, he played the trumpet and harmonica, he loved ballet, and he was a lifelong jazz aficionado. In fact, it was Black's love of jazz, as well as his civil rights work, that captured filmmaker Ken Burns's attention. Burns invited Charles Black to tell the Louis Armstrong anecdote in an episode of the multi-part PBS documentary, *Jazz*.

In the end, despite all the academic and professional accolades, perhaps Charles Black's greatest influence was not on constitutional or admiralty law, but on young lawyers. When he retired from teaching at Yale, the entire law school student body serenaded him with *The Battle Hymn of the Republic*. *The Yale Law Journal* devoted its July 1986 issue to him. And Akhil Amar, a Yale professor who had taken many of Black's classes, said: "He was my hero. He made so many of the great moral issues of the twentieth century seem clear in retrospect, although they were quite controversial at the time. He had the moral courage to go against his race, class, and social circle."

Charles L. Black, Jr., died on May 5, 2001 at the age of 85. He is survived by his wife, law professor Barbara Aronstein Black, and their three children.

By Moira Muldoon

Memorial Service for Prof. Charles Black, Sunday, January 27
January 7, 2002

A memorial service for Sterling Professor Emeritus of Law Charles L. Black, Jr. '43, will be held on Sunday, January 27 at 2:00 p.m. The service will be at St. Paul's Chapel on the Columbia University campus (Amsterdam Avenue and West 117th Street).

Below is a biography of Professor Black originally published in the Summer 2001 *Yale Law Report*.

"In Memoriam: Charles L. Black, Jr."

By Susan L. Gonz?z

Staff Writer Yale Bulletin & Calendar

Yale University Office of Public Affairs

Charles L. Black, Jr. '43, a leading scholar of constitutional law who influenced national policy and thought on such contentious issues as desegregation, presidential impeachment, and the death penalty, died at his home in Manhattan on May 5, 2001, after a long illness.

Professor Black, who was 85, was a member of the Yale faculty for three decades. At the time of his death, he was Sterling Professor Emeritus of Law. He is best known for his role in the historic *Brown v. Board of Education* Supreme Court case and for his *Impeachment: A Handbook*, which served for many Americans as a trustworthy analysis of the law of impeachment during the Watergate scandal and again during the 1999 proceedings against President Bill Clinton '73.

Among colleagues, friends, and students, Professor Black was known as a Renaissance man because of his expansive interests and expertise. He wrote poetry (three volumes of his works were published), created sculpture, painted landscapes and abstract images in oil, and played the trumpet and what he called a "cowboy harmonica."

"Charles Black was a giant of a man--intellectually, morally and spiritually," said Yale Law School Dean Anthony T. Kronman. "He was a great, inventive scholar, a champion of civil rights, a poet of real distinction, and a devoted student, in his last years, of the old Icelandic sagas. No one who ever heard Charles tell a story in his delicious Texas drawl will ever forget the man's wit, passion, erudition, and common humanity. Charles was truly beloved by his colleagues on the faculty and by generations of students, who learned much about law and life from a master in both domains."

Born in 1915 in Austin, Texas, the son of a prominent lawyer, Professor Black majored in Greek as an undergraduate at the University of Texas, where he also received a master's degree in English in 1938. He then enrolled at the Yale Graduate School of Arts and Sciences, where he did graduate work in Old and Middle English before entering Yale Law School. After earning his LL.B. in 1943, Black served in the Army Air Corps as a teacher and then practiced law for a year with the New York firm of Davis, Polk, Wardwell, Sunderland & Kiendl. He joined the faculty at the Columbia University Law School in 1947.

While a teacher of constitutional law at Columbia, Professor Black wrote legal briefs for the successful 1954 *Brown v. Board of Education* suit. He also was involved in civil rights cases in the south.

Professor Black came to Yale in 1956 as the Law School's first Henry R. Luce Professor of Jurisprudence. He was appointed Sterling Professor of Law in 1975. During his thirty-one-year career at Yale, he authored numerous books, including *The People and the Court*, *The Occasions of Justice, Structure and Relationship in Constitutional Law*, *The Tides of Power: Conversations on the American Constitution* (with Bob Eckhardt), and *Decision According to Law*. He was also a specialist on maritime law; his book *The Law of Admiralty*, which he co-authored with Yale Law School classmate Grant Gilmore in 1957, was reissued in 1975 and is still considered a definitive text on the subject. His most recent work, *A New Birth of Freedom: Human Rights, Named and Unnamed*, was published in 1999.

Professor Black's *Impeachment: A Handbook* was first published in 1974 during the Watergate scandal and was reissued during the 1999 impeachment proceedings against President Clinton. Of the seventy-five-page handbook, *Time* magazine said "The measure of [the] book's achievement is that it tells the reader not what to think but what to think about."

An outspoken critic of capital punishment, Professor Black also authored *Capital Punishment: The Inevitability of Caprice and Mistake*. In a 1983 profile in *The Texas Humanist*, Black said, "When you let it be known that you're against racism, you immediately meet the nicest people. The same is true of capital punishment."

At Yale Law School, Professor Black taught constitutional law, equity law, admiralty law, law in society, patents, international business law, fraud and mistake, contracts, and torts. He was a popular teacher who was known for keeping the doors to his office open to visitors, even late at night. In Professor Black's obituary in *The New York Times*, his former student Akhil Amar '84, now the Southmayd Professor of Law at Yale Law School, said, "He was my hero. So many of the great moral issues of the twentieth century seem clear in retrospect, but were quite controversial at the time. He had the moral courage to go against his race, his class, his social circle."

An avid fan of Louis Armstrong, Professor Black held an "Armstrong Evening" at the Law School from the time of the jazz musician's death in 1971. Many of his colleagues and students relished these annual gatherings, at which he would play Armstrong 78 r.p.m records from the 1920s and 1930s. His passion for Armstrong's music became so legendary that Professor Black was among the individuals featured in the recent Ken Burns documentary *Jazz: A History of American Music*.

In the late 1970s the eclectic law professor starred as Cicero in the Yale Repertory theatre's *Julius Caesar* and was an understudy for the Rep's production of Ibsen's *Wild Duck*. He also had a role in a Yale Cabaret production.

Professor Black returned to teaching at Columbia Law School following his retirement from Yale in 1986, when his wife, Barbara Aronstein Black, became dean of Columbia Law. He was adjunct professor of law there until 1999.

Black earned a number of honors for his contributions to law and teaching, including the University of Texas at Austin's Distinguished Alumnus Award and an Award of the Society of American Law Teachers. He was a sought-after lecturer throughout his career. He was a member of the American Academy of Arts and Sciences, the Maritime Law Association, the American Association of University Professors, the Connecticut Academy of Arts and Sciences, and the Elizabethan Club. He was a fellow emeritus of Jonathan Edwards College.

In addition to his wife, Professor Black is survived by two sons, Gavin and David, both of North Brunswick, New Jersey; a daughter, Robin Black of Bala Cynwyd, Pennsylvania; and his brother, Thomas B. Black of San Antonio, Texas.

Charles L. Black, Jr.: Leading Constitutional Law Authority

Professor Charles L. Black, Jr.—a leading American authority in Constitutional law who taught at Columbia and Yale Universities for 52 years—was born September 22, 1915, in Austin, Texas, one of three children of renowned lawyer Charles L. Black, Sr., and Alzada Bowman Black. He graduated from Austin High School at 16 in 1931 and enrolled at the University of Texas, focusing on Greek classics. After receiving his bachelor's degree in 1935 and traveling in Europe, he enrolled at Yale and earned a master's degree in Old and Middle English Literature. He graduated from Yale Law School in 1943. He later served in the Army Air Corps as a teacher and practiced law for a year in New York after his military discharge.



With a desire to teach, he joined the Columbia law faculty in 1947 and became a full professor shortly afterwards. In 1954, Black helped Thurgood Marshall and the NAACP Legal Defense and Educational Fund, Inc., to write the legal brief for Linda Brown, a 10-year-old girl in Topeka, Kansas. This historic case, *Brown vs. the Board of Education*, became the Supreme Court's ultimate judgment on segregation in American schools. Soon after he married Barbara Aronstein.

Black taught generations of law students, first at Columbia from 1947 to 1956, then at Yale for 30 years, then again at Columbia from 1986 until his health began to fail in 1999. Among his students were Hillary Rodham Clinton and countless others who later became leaders in government, business, or academic life. Black wrote more than 20 books and hundreds of articles on Constitutional law, admiralty law, capital punishment, the role of the judiciary, and other subjects.

He was widely praised for his book, *Impeachment: A Handbook*, which was widely consulted in 1974 when President Richard M. Nixon resigned in the Watergate Scandal and during the 1999 proceedings against President Bill Clinton. Black was a prominent voice in national debates on the presidential impeachments, desegregation, the death penalty, and other issues. He died May 5, 2001.

Black, Charles Lund Jr. (*Renaissance Man*)



Born: 1915 AD
Died: 2001 AD, at 85 years of age.

Nationality: [American](#)
Categories: [Authors](#), [Lawyers](#), [Professors](#)

Black, Charles Lund Jr.

1915 - Born on the 22nd of September in Austin, Texas.

1935 - Graduated from the University of Texas majoring in Greek.

1938 - Obtained a Masters Degree in English from the University of Texas.

- Enrolled at the Yale Graduate School of Arts and Sciences where he did graduate work in Old and Middle English.

- Entered the Yale Law School.

1943 - He received his LL.B. from Yale Law School.

- Served in the Army Air Corps as a teacher.

- Practiced law for a year with the New York firm of David, Polk, Wardwell, Sunderland & Kiendl.

1947 - He became a professor of law at the Columbia University Law School.

1954 - Co-author of the Supreme Court brief in *Brown v. Board of Education*. He was also involved in other civil rights cases in the South.

1955 - He began writing poetry at the age of 40. His three published volumes are *Telescopes and Islands*, *Owls Bay in Babylon* and *The Waking Passenger*.

1956 - He joined Yale Law School as its first Henry R. Luce Professor of Jurisprudence.

1957 - He co-authored with Yale Law School classmate, *Grant Gilmore* the book *The Law of Admiralty*.

1971 - An avid fan of Louis Armstrong, Professor Black held an "Armstrong Evening" at the Law School from the time of the jazz musician's death this year.

1974 - *Impeachment: A Handbook* was published this year during the Watergate scandal.

1975 - *The Law of Admiralty* was reissued this year.

1975-1986 - Appointed Sterling Professor of Law.

- In the late 1970's, Blund acted in a few professional theatrical performances at Yale. He starred as Ciceron in the Yale Repertory Theatre's production of *Julius Ceasar*.

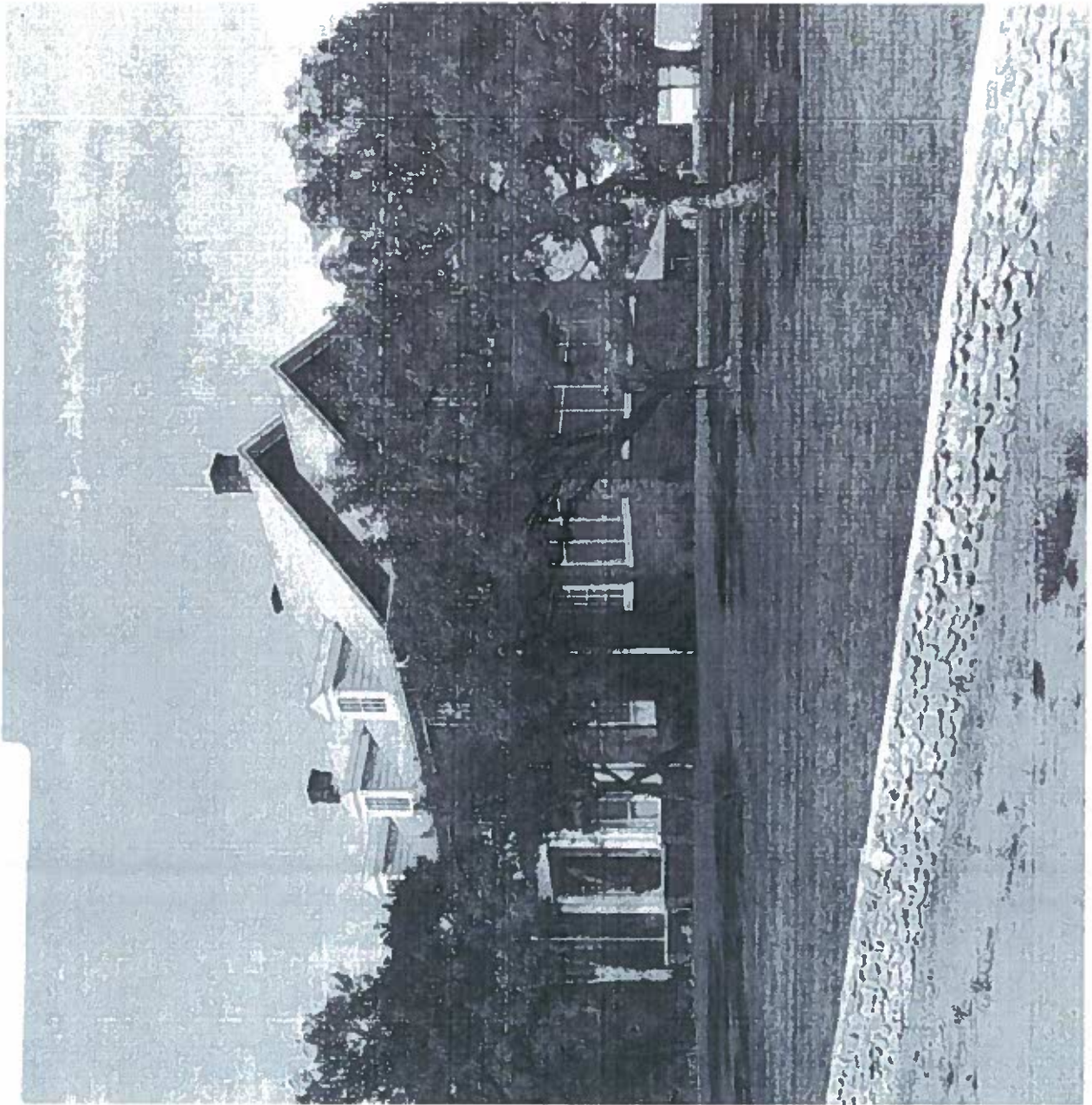
1986 - Retired as professor in Yale when his wife, Barbara Aronstein Black, became dean of the school.

1986-1999 - Returned to Columbia Law School and served as adjunct professor of law.

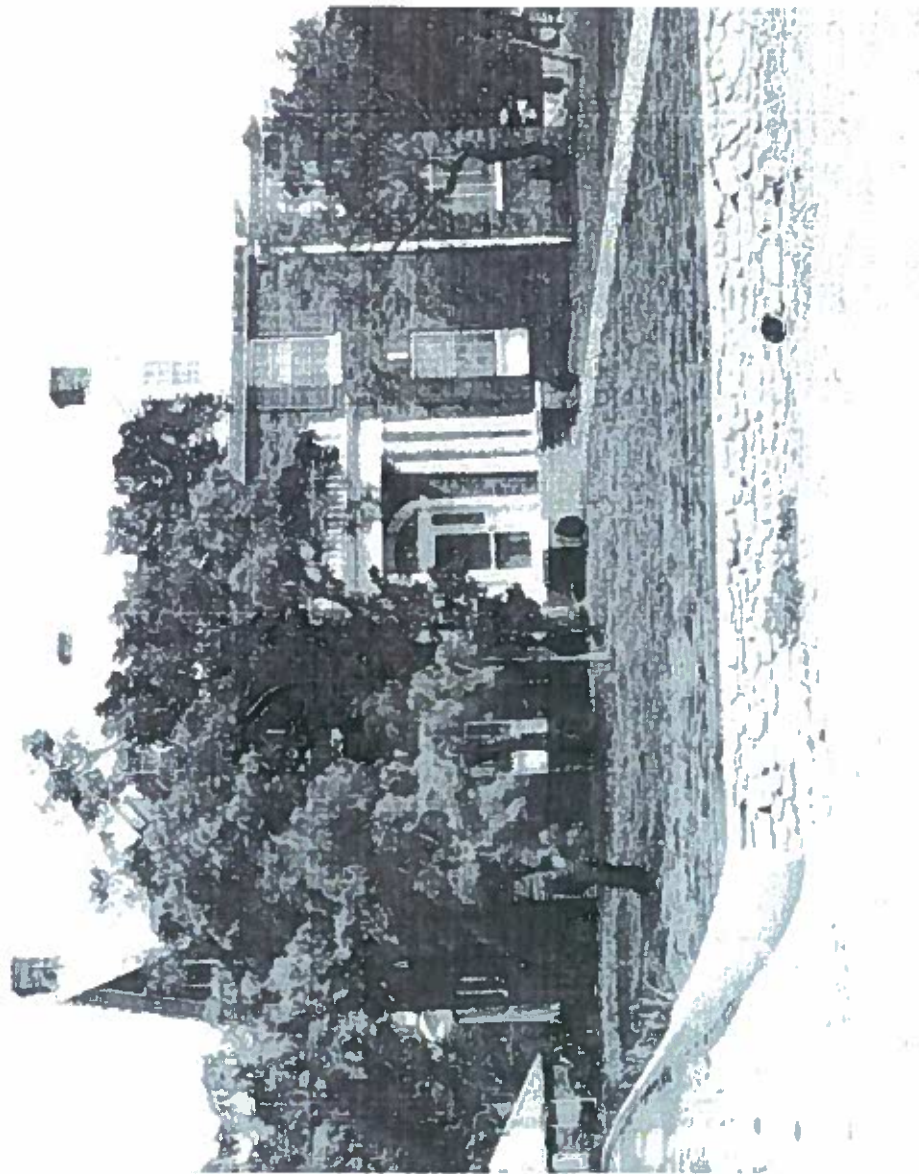
1999 - *A New Birth of Freedom: Human Rights, Named and Unnamed* was published this year. *Impeachment: A Handbook* was reissued this year during the impeachment proceedings against President Clinton.

2001 - Charles L. Black, Jr. died on 5th of May at his home in Manhattan after a long illness.

- Author of about a dozen law books and three volumes of poetry including *The People and the Court*, *The Occasions of Justice*, *Structure and Relationship in Constitutional Law*, *The Tides of Power: Conversations on the American Constitution (with Bob Eckhardt)*, *Decision According to Law*, and *Capital Punishment: The Inevitability of Caprice and Mistake*.



Historic photograph of the house shows the screened porch on the first floor, which has been enclosed with casement windows matching those on the second story.



Historic photograph of the house shows a little more detail of the second story porch windows.

Wilson & Goldrick

FYX



THE BEST OF TIMES IS NOW

1613 Pease Road was originally constructed in 1924 for the family home of Texas Supreme Court Justice Black. This 60 year old 3 story red brick Georgian Colonial has been completely renovated and embellished and now stands ready in Old Enfield to serve its new owners a lifetime. The five or six family bedrooms with separate garage apartment are situated to accomodate family, guests and domestic help. Four living areas provide generous living space to each floor. The pool and cabana are shaded by towering oaks. The finest quality materials and craftsmanship were used in giving this classic mansion 1989 convenience while retaining its original charm. Priced at \$995,000.

Shown By Appointment Only
Steven Franden 473-2658

Undated, but believed to be 1989 real estate listing for the house – the photograph shows the original balustrade on the roof of the front portico – this has been replaced.

A. APPLICATION FOR HISTORIC ZONING

OK to go
SS
9-1809

PROJECT INFORMATION:

103 44693

DEPARTMENTAL USE ONLY	
APPLICATION DATE: <u>9/22/09</u>	FILE NUMBER(S): <u>C14H-2009-0041</u>
TENTATIVE HLC DATE: _____	
TENTATIVE PC or ZAP DATE: _____	
TENTATIVE CC DATE: _____	
CASE MANAGER: <u>Steve S.</u>	CITY INITIATED: YES / NO
APPLICATION ACCEPTED BY: <u>Carmen</u>	ROLLBACK: YES/NO

BASIC PROJECT DATA:

1. OWNER'S NAME: <u>Mark & Vicki Eidman</u>	
2. PROJECT NAME: <u>The Black-Fleming House</u>	
3. PROJECT STREET ADDRESS (or Range): <u>1613 y Peace</u>	
ZIP: <u>78703</u> COUNTY: <u>Travis</u>	
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 <u>0.3637</u>	(OR)	SQ.FT. _____
5. ZONING AND LAND USE INFORMATION:		
EXISTING ZONING <u>SF-3</u>	EXISTING USE <u>Residence</u>	TRACT# (IF MORE THAN 1) _____
_____	_____	_____
_____	_____	_____
_____	_____	_____
ACRES / SQ. FT. _____	PROPOSED USE <u>Residence</u>	PROPOSED ZONING <u>SF-3-H</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

RELATED CURRENT CASES:

6. ACTIVE ZONING CASE? (YES <input checked="" type="radio"/> NO <input type="radio"/>	FILE NUMBER: _____
7. RESTRICTIVE COVENANT? (YES <input checked="" type="radio"/> NO <input type="radio"/>	FILE NUMBER: _____
8. SUBDIVISION? (YES <input checked="" type="radio"/> NO <input type="radio"/>	FILE NUMBER: _____
9. SITE PLAN? (YES <input checked="" type="radio"/> NO <input type="radio"/>	FILE NUMBER: _____

PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFERENCE: Name: Chinfield C
Block(s) _____ Lot(s) 32 Outlot(s) _____
Plat Book: _____ Page _____
Number: _____
10b. METES AND BOUNDS (Attach two copies of certified field notes if subdivision reference is not available or zoning includes partial lots)

DEED REFERENCE CONVEYING PROPERTY TO PRESENT OWNER AND TAX PARCEL I.D.:

11. VOLUME: _____ PAGE: _____ TAX PARCEL I.D. NO. 01120204150000

OTHER PROVISIONS:

12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? YES ☒ NO ☐
TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP, etc) _____
13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT? YES ☐ NO ☒
14. IS A TIA REQUIRED? YES ☐ NO ☒ (NOT REQUIRED IF BASE ZONING IS NOT CHANGING)
TRIPS PER DAY: _____
TRAFFIC SERIAL ZONE(S): _____

OWNERSHIP TYPE:

15. ☒ SOLE ☐ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST
If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet.

OWNER INFORMATION:

16. OWNER CONTACT INFORMATION
SIGNATURE: Mark Eidman NAME: Mark Eidman
FIRM NAME: _____ TELEPHONE NUMBER: 495-6300
STREET ADDRESS: 1613 Reese
CITY: Austin STATE: TX ZIP CODE: 78703
EMAIL ADDRESS: meidman@stottlang.com

AGENT INFORMATION (IF APPLICABLE):

17. AGENT CONTACT INFORMATION
SIGNATURE: Suzanne Deaderick NAME: Suzanne Deaderick
FIRM NAME: Historic Research & Representation TELEPHONE NUMBER: 512-477-2929
STREET ADDRESS: 2502 Harris Blvd
CITY: Austin STATE: Texas ZIP CODE: 78703
CONTACT PERSON: Suzanne Deaderick TELEPHONE NUMBER: 477-2929
EMAIL ADDRESS: Suzanne@Grande.com.net

DEPARTMENTAL USE ONLY: _____

D. SUBMITTAL VERIFICATION AND INSPECTION AUTHORIZATION

SUBMITTAL VERIFICATION

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.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.

S. Deaderick 9/17/09
Signature Date

Suzanne Deaderick
Name (Typed or Printed)

Historic Research & Represent.
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
INDICATE FIRM REPRESENTED, IF APPLICABLE.

Mark Eidman 9/15/2009
Signature Date

Mark Eidman
Name (Typed or Printed)

Firm (If applicable)

E. ACKNOWLEDGMENT FORM

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

I, Suzanne Deaderick 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

1613 Pease
(Address or Legal Description)
Austin, Texas 78703

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.

S Deaderick
(Applicant's signature)

9/17/09
(Date)

TAX CERTIFICATE
Nelda Wells Spears
Travis County Tax Assessor-Collector
P.O. Box 1748
Austin, Texas 78767
(512) 854-9473

NO 1041960

---COUNT NUMBER: 01-1202-0415-0000

PROPERTY OWNER:

EIDMAN MARK & VICKI
1613 PEASE RD
AUSTIN, TX 78703-3401

PROPERTY DESCRIPTION:

LOT 32 ENFIELD C

ACRES 0.000 MIN± .00000 TYPE

SITUS INFORMATION: 1613 PEASE RD

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	TOTAL
2008	AUSTIN ISD	*ALL PAID*
	CITY OF AUSTIN (TRAV)	*ALL PAID*
	TRAVIS COUNTY	*ALL PAID*
	TRAVIS COUNTY HEALTHCARE DISTRICT	*ALL PAID*
	ACC (TRAVIS)	*ALL PAID*

TOTAL SEQUENCE 0

ALL PAID

TOTAL TAX:
UNPAID FEES:
INTEREST ON FEES:
COMMISSION:
TOTAL DUE ==>

ALL PAID
* NONE *
* NONE *
* NONE *
ALL PAID

(YES PAID FOR YEAR 2008 \$41,154.94

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 09/15/2009

Fee Paid: \$10.00

Nelda Wells Spears
Tax Assessor-Collector

By: 

Deed Chronology

1613 Pease

Transaction	Volume/Page	Date
Westenfield Development to Charles L. Black	379/553	11-18-25
Charles & Alzada Black to Richard T. & Harriett Fleming	2307/65	5-12-61
Linda & Richard Fleming, Jr. to Carey & Shari Brennan	8962/121	12-27-84
Carey & Shari Brennan to Travelers Mortgage Svc.	11,124/0824	7-1-89
Travelers Mortgage to Mark & Vicki Eidman	11,124/0827	2-9-90

**Chronological Listing of Owners/Occupants
1613 Pease (previously 1315 Pease)**

Year	Occupant Name	Source
1927-61	C.L Black	City Directory
1962-71	Richard T. Fleming	City Directory
1973-76	Mrs. Harriett Fleming	City Directory
1978-79	Robert J. Henry	City Directory
1981-84	Richard T. Fleming, Jr.	City Directory
1985-89	Carey Brennan	City Directory
1990-present	Mark & Vicki Eidman	City Directory

Biography of Charles L. Black

Charles Black was born in Hillsboro, Texas in 1883. He came to the University of Texas where he received his undergraduate and law degree. Black, who first practiced law in Hillsboro, came back to Austin and worked with Judge W. F. Ramsey, who later became a Texas Supreme Court Justice. He went on to practice with Judge Graham B. Smedley, who also became a Texas Supreme Court Justice.

Black became one of the state's outstanding appellate lawyers, practicing with the firm of Black and Graves, and later Black, Graves and Stayton. At the time of his death, he had argued in more Texas Supreme Court cases than any other lawyer. Black argued in some of the most important anti-trust cases, utility rate cases and land litigation cases ever tried in Texas.

Charles L. Black, Jr.

Charles Black, Jr. was a noted scholar of constitutional law, which he taught as professor of law from 1947 to 1999 at both Yale and Columbia law schools. He was best known for his role in the historic *Brown v. Board of Education* Supreme Court case.

Biography of Richard T. Fleming

Born in Temple, Texas, Richard Fleming received a B.A. degree from the University of Texas in 1912 and a law degree in 1915. While a student at U.T., he was a charter member of Sigma Delta Chi, the editor of the *Cactus* Yearbook, a pole vaulter on the track team, and one of

three originators of the infamous *Blunderbuss*, an underground newspaper that was published on April Fool's Day for 16 years beginning in 1913.

Fleming was a former vice-president and general counsel of Texas Gulf Sulphur N. Y. He was a member of the bars of Texas, New York, U.S. District Court of N. Y. and Texas, and the U.S. Supreme Court. Fleming served as a major in the infantry in World War I.

As a student at the University of Texas, Fleming began a lifetime of collecting a wide range of University-related material such as writings, photographs, music, and paintings. He donated this diverse collection to the University, thus establishing the Richard T. Fleming Library of Texas Writers. He served as the unpaid curator and collector until his death in 1973.

Biography of Mark W. Eidman

Mark Eidman is a partner in the Austin office of the Scott, Douglass & McConnico, L.L.P. law firm and a principal in the Austin office of Ryan, Inc.

Mr. Eidman has a national practice in state and local taxation, particularly in arguing contested cases in the areas of sales and use, franchise, income, property, crude oil, natural gas, insurance and motor vehicle taxation. He has been named a Texas Super Lawyer in the field of taxation and was recently named as one of The Best Lawyers in America in the specialty of Tax Law. He served as the Director of the Hearings Division of the Texas Comptroller of Public Accounts supervising all contested tax assessments in Texas. He has represented taxpayers in hundreds of administrative protests of tax assessments before various state and local taxing authorities. He has been involved in administrative proceedings and court cases in numerous states, particularly in the areas of income and sales and use taxes. In Texas, his law firm has the largest volume of state tax cases in court.

Mr. Eidman's practice includes advising clients concerning the structuring of transactions and entity formation. He has advised numerous companies concerning state and local tax legislation and in past sessions has worked to draft or implement legislation for the airline, cable, retailing, petrochemical, equipment leasing, financial, chip-manufacturing, and telecommunications industries. He is a frequent speaker on the subject of state taxation at state and national trade association meetings and seminars for attorneys and accountants

such as the Council on State Taxation (COST) and Institute for Professionals in Taxation (IPT).

Mr. Eidman is a graduate of the University of Texas and the University of Texas School of Law.

Charles Black (professor)

From Wikipedia, the free encyclopedia

Charles L. Black, Jr. (born September 22, 1915, Austin, Texas; died May 5, 2001, New York City) was a noted scholar of constitutional law, which he taught as professor of law from 1947 to 1999. He is best known for his role in the historic *Brown v. Board of Education* Supreme Court case, as well as for his *Impeachment: A Handbook*, which served for many Americans as a trustworthy analysis of the law of impeachment during the Watergate scandal.

Black graduated from the University of Texas at Austin in 1935 and later obtained a master's degree in English. He received his LL.B. from Yale Law School in 1943, then served in the Army Air Corps as a teacher and as an associate at Davis, Polk, Wardwell, Sunderland & Kiendl.^[1] In 1947, he became a professor of law at the Columbia University Law School, where he wrote legal briefs for the successful 1954 *Brown v. Board of Education* suit. He also was involved in civil rights cases in the south.

In 1956, he joined Yale Law School as its first Henry R. Luce Professor of Jurisprudence. He was appointed Sterling Professor of Law in 1975. During his thirty-one-year career at Yale, he wrote numerous books, including *The People and the Court*, *Structure and Relationship in Constitutional Law*, *Impeachment: A Handbook*, and *The Law of Admiralty*, which he co-authored with Grant Gilmore. An outspoken critic of the death penalty, Professor Black also authored *Capital Punishment: The Inevitability of Caprice and Mistake*. With Alexander Bickel, Black made Yale Law School one of the world's leading centers for the study of constitutional law.

Black returned to Columbia Law School in 1986, when his wife Barbara Aronstein Black became dean there. He served as adjunct professor of law until 1999.

A lifelong fan of jazz, he was featured in the Ken Burns documentary *Jazz: A History of American Music*, where he related hearing Louis Armstrong perform at an Austin hotel in 1931. This experience, he said, fomented his interest in race and civil rights.

In his New York Times obituary, former student Akhil Amar commented, "He was my hero. So many of the great moral issues of the twentieth century seem clear in retrospect, but were quite controversial at the time. He had the moral courage to go against his race, his class, his social circle."

RICHARD T. FLEMING



Richard Tudor Fleming, 82, died March 12, 1973 at his home in Austin.

Mr. Fleming was born on Apr. 12, 1890 to a Santa Fe railroad engineer and his wife in Temple. He earned a B.A. degree from the University of Texas in 1912 and his law degree in 1915.

While a student at UT, he was a charter member of Sigma Delta Chi, editor of the Cactus yearbook, a pole vaulter on the track team and one of three originators of the infamous Blunderbuss, an underground newspaper that was published on April Fool's Day for 16 years beginning in 1913.

Mr. Fleming was licensed to practice law in Texas in 1915 and in New York in 1929. He had also been licensed to practice before federal district courts and the U.S. Supreme Court.

He practiced in Houston from 1915 to 1928, except for military service during World War I, and was president of the Houston Bar Association in 1925. From 1917 to 1919, he served as an infantryman with the U.S. Army.

In 1928, Mr. Fleming became an attorney with Texas Gulf Sulphur in New York City. In 1930, he was named assistant secretary of that company and in 1948, secretary and general counsel. From 1951 to 1955, when he retired, he was vice-president and general counsel of Texas Gulf Sulphur.

Mr. Fleming returned to Austin in 1961 and became founder and volunteer collector and curator of the Richard T. Fleming Library of University of Texas Writing Collections.

As such, he began with his own personal collection as a nucleus for the project, and over 11 years, according to Prof. Joe B. Frantz, director of the UT Oral History Project, "begged, threatened, cajoled and otherwise conned" ex-students and faculty out of their writings.

In an eulogy, Dr. Frantz recalled several incidences involving "... this remarkable spirit, this rampaging fighter against cant and hypocrisy and covert actions, this creature of extreme dignity and sometimes Victorian courtesy and genteelness, this bundle of emotion and pride and drive."

There was the time, late in the Johnson administration, that Mr. Fleming grabbed a Viet Cong flag from anti-war demonstrators in the Student Union and stalked out of the building with it, a young protester in pursuit.

There was the time, many years earlier, when he was jailed in Nuevo Laredo because of a technicality involving his papers. Released, he tramped to the

international bridge and hailed a taxi to take him to Temple.

"Temple Avenue?" asked the driver.

"No, damn it! Temple, Texas," Mr. Fleming replied.

He and his wife Harriet, Democrats in the strongly Republican community of Rye, N.Y., taking advantage of the ethnic minorities prevalent there, particularly Italians, stuffed themselves at spaghetti dinners night after night until the result was election of the first Democratic mayor in Rye history.

Mr. Fleming served as secretary of the Texas State Democratic committee during 1928-28 and as president of the Philosophical Society of Texas in 1968. He was a member of the American Institute of Mining & Metal Engineers.

He was the honorary secretary of the UT Law Class of 1911, chosen, according to him, because he was "so much younger."

Mr. Fleming's wife of 45 years, the former Harriet H. Jameson, lives at 1613 Pease Road in Austin. Mr. Fleming is also survived by a son, Dr. Richard T. Fleming, San Antonio; a sister, Mrs. F. A. Thomson, Temple; and three grandchildren.

Austin American, March 13, 1973

Writings Collector Fleming Dies Here

Richard T. Fleming, who had future students of the been with the University of development of education in Texas since 1961 after his Texas."

retirement as an executive of the Texas Gulf Sulphur Company in New York City, died unexpectedly Monday at his home, 1613 Pease Road.

He would have been 83 on April 12.

Fleming held the title:

"Volunteer Founder, Collector and Curator, Richard T. Fleming Library of Texas Writers, University Writings Collections." The collections are housed on the ground floor of the Academic Center.

Giving his persona collection as a nucleus for the project, Fleming more than 11 years ago set about finding everything written by ex-students of UT, according to UT officials.

In a statement Monday, Chancellor Emeritus Harry Ransom of UT said:

"After his retirement from a distinguished legal career, Mr. Fleming gave his life to the University, especially in collecting information about its history. His institutional library is unique. It will benefit all

Bill Warren, book editor of the Austin American-Statesman, in a 1969 column, described Fleming as "jubilant, jaunty, jocular" and "a persistent pursuer of almost everything anyone at the University ever wrote."

Fleming was born into a railroad family (his father was a Santa Fe engineer) on April 12, 1890, in Temple. After high school graduation, he came to UT and became active in student affairs. He was a pole vaulter for the track team, a charter member of Sigma Delta Chi, editor of the Cactus and one of three originators of the infamous Blunderbuss, an underground newspaper that was published on April Fool's Day for 16 years, beginning in 1913.

He received a B.A. in 1912 and a law degree in 1915.

Fleming began his legal career in Houston, where he practiced from 1915 to 1928 (except for service in World War I) and served as president



RICHARD FLEMING
UT figure

of the Houston Bar Association. It was during this period, also, that he was executive secretary of the State Democratic Executive Committee and one of the leaders in the fight against the Ku Klux Klan.

Fleming is survived by his wife; a son, Dr. Richard T. Fleming, a professor at Trinity University in San Antonio; three grandchildren, and a sister.

Following cremation, a memorial service will be held Friday at 2 p.m. in Weed-Carley Chapel. In lieu of flowers, the family requests memorial contributions to a charity of one's choice.

Deaths

Richard Fleming devoted his life to the University after retirement from his legal career.



Richard T. Fleming, BA '12, LLB '16, volunteer founder, collector and curator of The University's Richard T. Fleming Library of Texas Writers, died at his Austin home March 12.

According to Fleming, "Athletes have their trophy rooms; the writer who gives utterance to his thoughts deserves no less." And so, in 1961 he founded the Ex-Students Writings Collection. He devoted himself to collecting books and articles written by ex-students and faculty of The University.

Chancellor Emeritus Harry H. Ransom said the library was renamed for Fleming in 1964. "After his retirement from a distinguished legal career, Mr. Fleming gave his life to The University, especially in collecting information about its history. His institutional library is unique. It will benefit all future students of the development of education in Texas," Ransom said. "In my years at The University, I have never known a more selfless or imaginative work," Ransom concluded. Fleming received no pay for his work, hence his "volunteer" title.

A few incidents related by Dr. Joe B. Frantz, professor of history, in eulogizing Mr. Fleming seem fitting.

"...Appropriately he had been active till the last. Dick Fleming was not born to let his last days ravel out.

"Dick did make a few concessions to time, but as few as possible, and each one grudgingly. The hands began to palsy a bit, the eyes watered more, the gold-headed cane which his grandfather brought from Ireland accompanied him everywhere. Lately he shuffled instead of spurted, but he still got there.

"Once he could run. There was that melee in the latter days of the Johnson administration. Dick entered the Union, where an anti-military recruitment table had been set up.

"Is that a Viet Cong flag?" he asked one of the students.

"Assured that it was, Dick grabbed the flag, split its pole over his knee, and

con't

and stalked out with it. A huge student, whose one therapy class left him ample time to reform the world, gave chase. Out of the Union, up the mall, one round little body pursued by another a half-century younger and almost twice the height and breadth.

"Youth won, the flag was grabbed away, and the victor started back to the Union. But Dick Fleming doesn't quit that easily. The chased--and with Dick the word would never be spelled c-h-a-s-e--ran after the chaser, caught him, and began to grapple again. The fight was uneven, but student bystanders intervened, captured the banner and destroyed it.

"A few minutes later, while Dick breathed like an accordion on a bench outside the Union, exuding a triumphantly apoplectic red halo, Dean Ed Price appeared on the run:

"I'm told there's a riot around here," he called.

"You're damned tooting there's a riot," Dick retorted between heaves. "And I'm it!"

"When somehow President Johnson heard of the incident, he wrote Dick that his was a courage that matched any soldier's in the field.

"The students cherished him, even when they thought he was wrong. No further witness is needed than the space they gave him this past week in successive *Daily Texans*. As Andy Yemma, a *Texas* editor of a couple of years ago, pointed out, he taught more students what life and The University were about than do most formal teachers.

"...One day he queried me from New York: would The University be interested in 230 packing boxes of books and pamphlets by University ex-students that he had been collecting over the years? Harry Ransom settled that question before I could finish asking him, and shortly Dick Fleming was installed as a nothing-a-ysar man in the Main Building and then later in the Academic Center.

"Over the next dozen years he begged, threatened, cajoled, and otherwise conned ex-students and faculty out of their creations--and as a group they don't give easily. If his pay had been at his accustomed level, the cost would have been astronomical. Even at librarian's scale he contributed possibly a couple of hundred thousand dollars' worth of time. Once I asked him how much of the collection he had bought personally:

"Joe," he said, "I realize I'm passing up a tax break, but I've never kept records. I didn't want to know how much I was spending for these books because I was afraid it might inhibit me." But

con't

3 of 3
Alameda, May 14

one thing I can assert--his personal expenditures ran into the tens of thousands."

Alumni who might like to read the entire eulogy are invited to write The Ex-Students' Association at P.O. Box 7278, Austin, Tex. 78712 for a complete copy.

Sunday, April 5, 1964

Alumnus Gets Extra Honor

After all the awards for students and teachers were announced Saturday (April 4) at a University of Texas Honors Day convocation, Chancellor Harry H. Ransom made a special presentation to an alumnus.

The award is a handsome mahogany plaque bearing a bronze seal of the University. It is inscribed:

"With gratitude, Richard Tudor Fleming, B.A. '12, LL.B. '15. Volunteer collector and curator pro tem. Ex-Students' Writings Collection. University of Texas, 1964."

After retiring in 1961 as an executive of the Texas Gulf Sulphur Company in New York City, Fleming returned to his alma mater, where he proposed the Ex-Students' Writings Collection and gave his personal collection as a nucleus for the project. Now installed in Room 1 on the ground floor of the Academic Center, the collection has enlarged its scope to include works by faculty members and has been renamed "University Writings Collection."

In a recent letter Chancellor Ransom told Fleming:

"In my 30 years at the University, I have known no project that was more selfless or more imaginative. Nor have I known any member of the University more wisely or practically devoted to an important ideal than you have been.

"Labels, symbols, resolutions — and words like these — will not record the gratitude of the University for your imaginative and resourceful leadership in this project. But you can be sure that quite apart from such outward signs, we will stay grateful to you always for your contribution to the University."



RICHARD FLEMING



This astounding inheritance
gives a feeling of kinship
with those who have gone before

LEGACY OF WORDS

By F. WARREN ROBERTS
Director, Humanities Research Center
University of Texas

HAVE YOU EVER WANTED TO BRING THE PAST TO LIFE again? Not many of us are able to do so, but Richard Fleming, B.A. '12 and LL.B. '15, has done just that for University of Texas Exes everywhere. In a corner room numbered 1 at the west ground floor entrance of the new Academic Center just east of the Student Union, Fleming's Ex-Students' Writing Collection not only recaptures his own years at The University, but also unfolds for the delight and nostalgia of the visitor an astonishing display of miscellany — books, journals, speeches, recordings, pamphlets, photographs — which span the three-quarters of a century in which The University has been educating the youth of Texas.

The Collection is divided into two basic sections. On the north wall are cases containing the periodicals, yearbooks, anthologies, and newspapers written by students while they were attending The University. There is a complete file of *The Cactus* from 1894 to the huge orange Volume 70 for 1963.

How many student magazines have been founded, published for awhile and forgotten, no one can tell, and where but for Dick Fleming, could be seen copies of *The Blunderbuss*, *The Longhorn*, *The University of Texas Literary Magazine*, or *The Sardine*, published by the girls of Scottish Rite Dormitory? The first issue of *The Texas Ranger* recalls college humor in the flapper age, and *Texans*, both daily and weekly of various sizes and shapes, illustrate the many forerunners of the present *Daily Texan*. Those who remember these campus magazines can find them here, and the wise students of the 1960's will be reminded that no generation of students is ever quite so original as it thinks itself to be.

On the south wall of the room, the Collection mounts in shelves filled solid with the novels of Barry Benefield, the books of John Thomason, T. V. Smith, Walter Prescott Webb, and John Allen Lomax. Here are Hart Sitwell, Owen P. White and Stanley Walker. Subject matter ranges from John Canaday's two dozen books on art to many volumes on law and medicine.

Alcade June 1960



Richard Fleming, BA '12, right, talks with Ovid Hundley, BA '10. New Yorker. Fleming came from "2nd farthest." AF-Blw - Fleming, Richard, Tudor, 173



Dick Fleming gave his collection of writings gathered from Texas Exes all over the world to The University of Texas.

Ex-Students' Association Director Jack Maguire carries over an arm-load of books, pictures and papers to add to the growing collection.

DICK FLEMING'S DREAM COMES TRUE

Richard Fleming had begun to collect University of Texas Ex-Students' writings by the time he graduated from the Law School in 1915, and he's been at it with his own brand of contagious enthusiasm ever since.

Born in Temple in 1890, Fleming came to The University after high school graduation and was active in student affairs, a pole vaulter for the track team and in 1913 read proof for the first issue of *The Alcalde* and saw it through the press. After graduation from the Law School, he opened an office in Houston, served as secretary of the State Democratic Executive Committee and led the fight against the Ku Klux Klan. He joined the legal department of the Texas Gulf Sulphur Company in 1928 and moved to New York. Although he became Vice-President and General Counsel for the company and spent many years in the east, he never forgot that he was first a Texan. He twice served as president of the New York Texas Exes and after his retirement remained only a few years at his home in Rye before returning in 1961 to Austin. He took charge of the reunion of his Fiftieth Anniversary Graduation Class the following year.

Dick Fleming came home with a dream. His personal collection of books and other publications written by Texas Exes which had been painstakingly gathered over the years was presented to his *Alma Mater*. With it he offered his own services to build from this nucleus a comprehensive record of the accomplishments of Texas Exes in all fields of writing.

His offer was accepted. For the past three years he has channeled his inexhaustible energy into cataloging, indexing, classifying and locating books and materials to find out, if possible, what some 200,000 exes have published. He writes old friends, talks with an endless stream of visitors and checks with second-hand booksellers. All of this, of course, for free. His title? "Volunteer Collector and Curator pro tem."

If you ask Dick Fleming what his real reward is for all this work, he is likely to tell you the story of the young undergraduate who visited Room 1 of the Academic Center and when leaving said, "After seeing this, I know I am going to write a book for the Collection." A great many students have left the Ex-Students' Writing Collection with a surer sense of pride in the intellectual achievements of their University and a feeling of kinship for all other men and women who have gone forth from it to serve the State and the Nation.

Dick Fleming's primary concern in life is aptly expressed by the quotation from Terence on the Collection bookplate. *Homo sum: Humani nil e me alienum puto*, "I am a man and whatsoever concerns man can never be a matter of unconcern to me."

March, 1964 *Alcalde*



If you have something which should be in The Ex-Students' Writing Collection, send it to The Ex-Students' Association, P. O. Box 7278, University Station, Austin 12, Texas. Authors are urged to send copies of their books, manuscripts and other publications, inscribed with their name, and the years they attended The University of Texas. A brief biographical note should be included to display with the materials.

FLEMING, RICHARD TUDOR (1890-1973). Richard Tudor Fleming, business executive and collector, was born in Temple, Texas, on April 12, 1890, the son of Richard Tudor and Edna (Griffin) Fleming. After graduation from Temple High School he attended the University of Texas, where he lettered as a pole vaulter for the track team, was editor of the yearbook, *Cactus*, and was one of three originators of the infamous *Blunderbuss*, an underground newspaper first published on April Fool's Day, 1913, and then published for sixteen years. He received a B.A. degree in 1912 and an LL.B. in 1915.

Fleming began his legal career in Houston, where he practiced from 1915 to 1928, with the exception of the years 1917 to 1919, when he served in the United States Army; he rose to the rank of major. Back in Houston after World War I,^{qv} he became president of the Houston Bar Association, executive secretary of the State Democratic Executive Committee, and one of the leaders in the fight against the Ku Klux Klan.^{qv} He was married to Harriet H. Jameson on March 10, 1928, and they had one son. In 1928 Fleming moved to New York as an attorney for Texas Gulf Sulphur Company. He advanced in the company through the years as assistant secretary, secretary and general counsel, and finally vice president and general counsel from 1951 until his retirement a decade later.

His retirement from business opened a new career. A collector since his student days, he had particularly gathered all sorts of writings, paintings, photographs, and even sheet music and phonograph records by former University of Texas students and faculty. He offered his collection to the university, which installed the Richard T. Fleming Library of Texas Writers, with Fleming as volunteer founder, collector, and curator. For eleven years, until his death, he worked as an unpaid employee of the University of Texas in Austin, continuing to gather one of the most nearly complete collections of its kind in any major university. Wherever he went, Fleming was outspoken and always gathered controversy. Short of stature, but with tremendous vitality, he made both a powerful advocate and adversary. He died on March 12, 1973, and was cremated.

BIBLIOGRAPHY: Vertical Files, Barker Texas History Center, University of Texas at Austin.

Joe B. Frantz