

**HISTORIC LANDMARK COMMISSION  
MARCH 28, 2016  
DEMOLITION AND RELOCATION PERMITS  
HDP-2016-0033  
702 W. 21<sup>ST</sup> STREET**

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**PROPOSAL**

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Demolish a ca. 1911 house.

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**ARCHITECTURE**

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One-and-a-half story, hipped roof, L-plan frame house with boxed gabled eaves and a projecting front-gabled dormer in the center of the principal façade; partial-width, partially inset porch on square wood posts; the right half of the porch has been filled in with wood and modern sliding windows; a hipped-roof 2<sup>nd</sup> story addition is on the rear of the right side of the house; fenestration consists of single and paired 1:1 windows with a larger 1:1 in the front-gabled section of the principal façade.

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**RESEARCH**

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The house appears to have been built in 1911 for Jesse W. and Alice Maxwell. The Maxwells lived here for the rest of their lives. Jesse Maxwell was a native of Virginia, who came to Austin as a child with his parents. He attended the University of Texas and began his private law practice in Austin in the late 1890s. He was the first county school superintendent in Travis County, and was elected as a state representative from Travis County, where he distinguished himself for work on the beautification of the grounds of the State Capitol and for supporting the University of Texas. He continued his law practice on the 7<sup>th</sup> floor of the Scarbrough Building, and was appointed as judge of the City Corporation Court in 1933, a position he held for 14 years. He died in 1947, while living in this house.

Judge Maxwell married twice – his first wife, Alice Humphreys Maxwell, died in 1942; he then married Arny Houston Maxwell, who lived in this house until her death in 1961.

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**STAFF COMMENTS**

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The house appears in the Comprehensive Cultural Resources Survey (1984) with a Priority 2 for research.

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**STAFF RECOMMENDATION**

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Release the permit upon completion of a City of Austin Documentation Package, consisting of photographs of all elevations, a dimensioned sketch plan, and a narrative history, for archiving at the Austin History Center. The house has undergone architectural changes over the years, that in staff's opinion, outweigh the historical significance of the house and disqualify it for landmark designation.

## LOCATION MAP



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 208'

## NOTIFICATIONS

CASE#: HDP-2016-0033  
702 W 21ST STREET

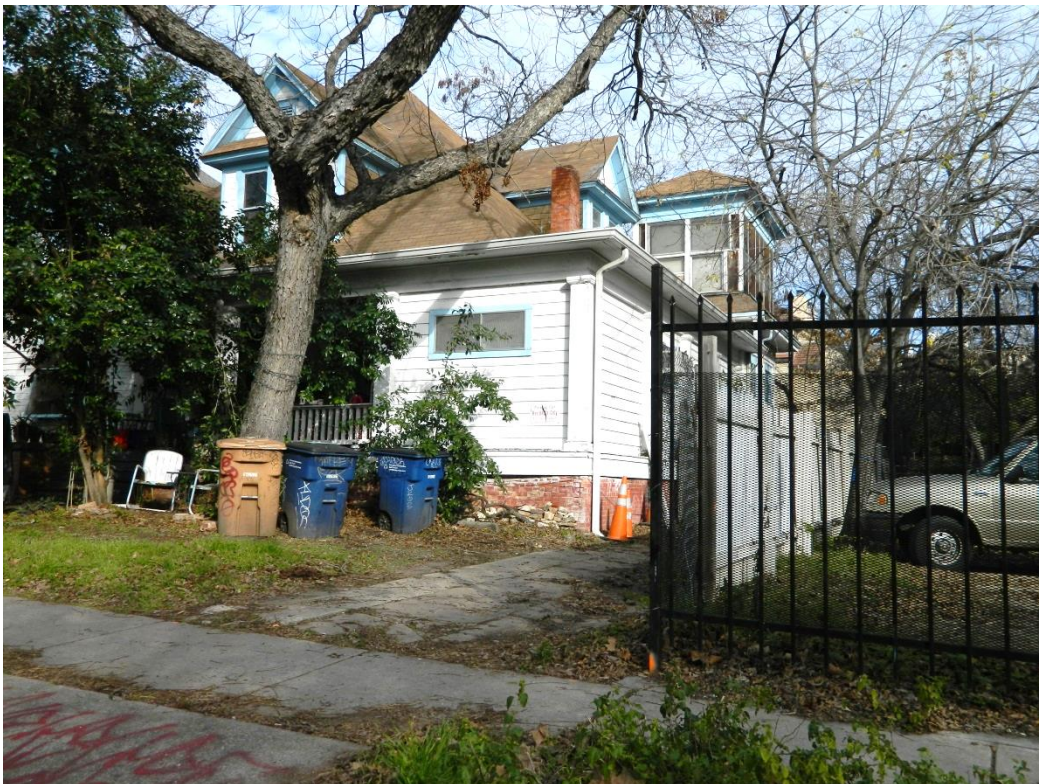
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702 W. 21<sup>st</sup> Street  
ca. 1911



OCCUPANCY HISTORY  
702 W. 21<sup>st</sup> Street

By City Historic Preservation Office  
January, 2016

- 1992           A:     Ralph McElroy Company (additional space)  
                  NOTE: The Ralph McElroy Company was a publishing and translation  
                  business located at 2102 Rio Grande Street.  
                  B:     John and Sara Bird, renters  
                  No occupation listed  
                  NOTE: The directory indicates that John and Sara Bird were new  
                  residents at this address.
- 1985-86       Laurie R. Eiserloh, renter  
                  Student  
                  NOTE: The directory indicates that Laurie R. Eiserloh was a new resident at this  
                  address.
- 1981           Ralph McElroy, renter  
                  Proprietor, Ralph McElroy Company, publishers (at the house)  
                  NOTE: The directory indicates that Ralph McElroy was a new resident at this  
                  address.
- 1977           Craig Mears, renter  
                  Student
- 1973           Richard A. Ryerson, renter  
                  Instructor, University of Texas  
                  NOTE: The directory indicates that Richard A. Ryerson was a new resident at  
                  this address.
- 1968           Aubrey Davis and Carla McAuley, renters  
                  Teaching assistant, University of Texas
- 1962           Vacant
- 1959           Mrs. Arny H. Maxwell, owner  
                  Widow, J.W. Maxwell  
                  No occupation listed
- 1955           Mrs. Arny H. Maxwell  
                  Widow, J.W. Maxwell  
                  No occupation listed
- 1952           Mrs. Arny H. Maxwell, owner  
                  Widow, Jesse W. Maxwell  
                  No occupation listed
- 1949           Mrs. Arny H. Maxwell, owner  
                  Widow, Jesse W. Maxwell  
                  No occupation listed
- 1947           Jesse W. Maxwell, owner  
                  Judge, City Corporation Court
- 1944-45       Jesse W. Maxwell (not listed as owner)

	Judge, City Corporation Court
1941	Jesse W. and Alice H. Maxwell, owners Judge, City Corporation Court
1939	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building, and judge, City Corporation Court
1937	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building, and judge, City Corporation Court
1935	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building, and judge, City Corporation Court
1932-33	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building, and judge, City Corporation Court
1930-31	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building
1929	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building
1927	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building
1924	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building
1922	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building
1920	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building
1918	Jesse W. and Alice H. Maxwell, owners Lawyer, 711 Scarbrough Building
1916	Jesse W. Maxwell Lawyer, 711-12 Scarbrough Building
1914 \ 	Jesse W. Maxwell Lawyer, 711-12 Scarbrough Building
1912-13	Jesse W. Maxwell Lawyer, 711-12 Scarbrough Building
1910-11	The address is not listed in the directory. NOTE: Jesse W. Maxwell is listed at 2007 Nueces Street; he was a lawyer with offices in the Bosche Building, 806 Congress Avenue.

#### **BIOGRAPHICAL NOTES**

**Jesse W. and Alice Maxwell**

**Jesse W. and Arny Maxwell**

The 1900 U.S. Census shows Jesse W. Maxwell as a 34-year old boarder in the home of Virginia Loving on Nueces Street, between 22<sup>nd</sup> and 23<sup>rd</sup> Streets in Austin. Jesse W. Maxwell had been born in Virginia and was a lawyer. Virginia Loving was also born in Virginia; she was a 56-year old widow with no occupation listed. She had a son, James, 20, who had been born in Texas, and was a student.

The 1910 U.S. Census shows Jesse W. and Alice H. Maxwell at 1402 West Avenue. Jesse W. Maxwell was 43, had been born in Virginia, and was a lawyer in general practice. Alice H. Maxwell was 37, had been born in Texas, and had no occupation listed.

The 1920 U.S. Census shows Jesse W. and Alice H. Maxwell as the owners of this house. Jesse W. Maxwell was a 54-year old Virginia-born lawyer. Alice H. Maxwell was 47, had been born in Texas, and had no occupation listed. They had no children listed with them.

The 1930 U.S. Census shows J.W. and Alice H. Maxwell as the owners of this house, which was worth \$7,000. Jesse W. Maxwell is listed as a lawyer.

J.W. and Alice H. Maxwell re listed as the owners of this house in the 1940 U.S. Census. The house was worth \$7,500. J.W. Maxwell was listed as a lawyer in the Corporation Court.



**MRS. ALICE H. MAXWELL**

Mrs. Alice Humphrey Maxwell, wife of Judge J. W. Maxwell, died at her home, 702 West 21st street, Saturday. Mrs. Maxwell had resided in Austin for the past 36 years, and was a member of the University Baptist church and the Pathfinders. Survivors are her husband, three sisters, Mrs. Kate Kelley, Mrs. H. H. Dietze and Mrs. C. D. Ehrhardt, all of Houston, and two brothers, R. B. Humphrey, of Dallas and Jack Humphrey of Wichita Falls.

Funeral services will be held from the Cook Funeral home at 5 p. m. Sunday with Dr. W. H. McKenzie and Dr. Eugene McLarin officiating. Burial will be in Oakwood cemetery. Pallbearers will be Leslie Fox, O. P. Bonner, R. D. Thorp, Claude Hill, Jim Clark and Ernest D. Harris.

# Judge Maxwell Dies; Funeral Rites Set Today

**Veteran Jurist Had  
Been Retired Seven  
Months From Bench**

Funeral services for Judge Jesse W. Maxwell, 82, who died Monday at 5 a. m. in St. David's Hospital, will be held Tuesday at 10:30 a. m. at the Cook Funeral Home.

The Rev. Flynn V. Long, pastor of the First Southern Presbyterian Church and Dr. Edmund Heinsola, pastor of the University Methodist Church, will read the last rites. Burial will be in Oakwood Cemetery with Masonic services at the graveside.

## **Retired Seven Months**

Surviving are his widow, Mrs. Arnie Houston Maxwell, one brother, James H. Maxwell, and two sisters, Mrs. T. P. Washington and Mrs. Milton Morris, all of Austin.

Death came to the veteran attorney and jurist almost seven months after his retirement from his post as judge of the corporation court of the City of Austin, where he served for 14 years.



**Fall at Home**

A fall at his home almost a decade ago which resulted in a broken left hip from which he never fully recovered resulted more recently in an infection setting in, causing hardening of the arteries in his left leg and making his condition become critical last week.

Judge Maxwell was born March 26, 1865 in Virginia, the son of a physician, and came with his parents to Travis County as a young boy, the family settling in the Fiskville area, where he received his early education at the old Walnut Creek School.

**Receives Degree**

Subsequently, he attended the University of Texas where he received his bachelor of laws degree in 1892 and began private practice of law in Austin.

In 1898, he was appointed by the county commissioners court of Travis County as the first county school superintendent under the present system. Later, he campaigned successfully and was elected a member of the 26th Legislature from Travis County.

During his two-year term as a lawmaker, Judge Maxwell fought for two main things—consideration of the needs of the University of Texas and beautification of the capitol grounds.

**Re-Enters Practice**

He re-entered the private practice of law after his short career as a lawmaker where he remained until the late Mayor P. W. McFadden and his colleagues on the City Council honored him with appointment as judge of the corporation court on Jan. 5, 1933, to succeed the late Judge Ed R. Kone, another distinguished veteran of the Travis County bar.

Illness caused Judge Maxwell to send a message to the City Council last May 1 that he would not be an applicant for re-appointment to the corporation court bench and he retired officially last April 30. He spent his days in retirement at his home, 702 West 21st Street.

**Past Potentate**

Judge Maxwell was a member of the Scottish Rite Masonic bodies and was a past potentate of Ben Hur Shrine Temple. He also was a lifelong member of the Presbyterian Church.

Before his accident a number of years ago, he was an outstanding sportsman and one of the best known hunters and fishermen in this section of the state. For many years during the holiday season, a successful hunting trip led to a venison dinner reunion with his companions, the late August J. Eilers, Dr. Joe S. Wooten, Richard S. (Skinny) Pryor, Leslie Fox, and a score of other longtime friends at a downtown hotel.

Pallbearers will be A. C. Bull, Dr. R. L. Ramsdell, Loomis Slaughter, Frank Maxwell, Roger B. Tyler and Claude Hill.

Honorary pallbearers will be the deacons and officers of the First Southern Presbyterian Church, all members of the City Council and police force, George Todd, Tom Walling, Arthur Moore, John Olsen, Adam Johnson, J. R. Moore, Joe Roberts, Simon Gillis, Morris Hershfield, Robert Thrasher, W. F. Gohlke, Grady Chandler, W. D. Hart, H. C. Story and J. B. Pace.

Obituary of Judge Jesse W. Maxwell  
Austin American, December 23, 1947

**MRS. ARNY H. MAXWELL**

Mrs. Arny Houston Maxwell died at her home at 701 West 21st Street Friday. She was the widow of the late Judge J. W. Maxwell of the City Corporation Court. She was a member of the First Southern Presbyterian Church, Thankful Hubbard Chapter of DAR, William B. Travis Chapter DRT—Delta Kappa Gamma and the Retired Teachers Association.

She is survived by a sister, Miss Josephine Houston and a brother, James M. Slaughter, both of Austin.

Funeral services will be held Saturday at 3 p. m. at Cook Funeral Home.

Burial will be in Oakwood.

Pallbearers will be Lomis Slaughter, Fisher Tyler, A. H. Woolverton, Frank Maxwell, H. C. Story and Herbert Prouty.

Obituary of Arny Maxwell  
Austin American, January 7, 1961

Judge Maxwell

702 West 21 St

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Re-roof Res

22257 - 7-31-41

None

J. W. Maxwell		702 West 21st Street	
46	24	-	(F) -

-  
 Re-roof garage  
 30083 4-26-46 \$50.00

Dodd  
 -

Building permit to J.W. Maxwell to re-roof the garage (1946)

J. W. Maxwell		702 West 21st Street	
46	24	-	F -

-  
 Re-roof garage with asphalt shingles  
 30183 5-6-46 \$45.00

Dodd  
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Building permit to J.W. Maxwell to re-roof the garage with asphalt shingles (1946)