

1 HJR178
2 150015-3
3 By Representatives Hall, Ball, McCutcheon, Sanderford, Johnson
4 (W) and Patterson
5 RFD: Rules
6 First Read: 20-MAR-13

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2 ENROLLED, House Joint Resolution,
3 POSTHUMOUSLY COMMENDING JUDGE JAMES EDWIN HORTON,
4 JR.
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6 WHEREAS, we posthumously honor Judge James Edwin
7 Horton, Jr., with highest commendations; and

8 WHEREAS, an upright man, Judge Horton espoused
9 meritorious characteristics that represented the heart of the
10 justice system and how it is supposed to virtuously operate
11 for the good of all United States citizens; and

12 WHEREAS, in 1933, Judge Horton displayed abounding
13 integrity and fairness while presiding over the retrial of
14 lead defendant, Haywood Patterson, in the Scottsboro Boys
15 case; equipped with fortitude and a strong set of morals, he
16 went against the grain of popular opinion and ordered a new
17 trial for Haywood because he believed that the verdict was not
18 supported by substantial evidence; his poignant instructions
19 to the jury in the Patterson case, which were commemorated on
20 a plaque in his old courtroom shortly after his death, are as
21 follows: "So far as the law is concerned it knows neither
22 native nor alien, Jew nor Gentile, black nor white. This case
23 is no different from any other. We have only to do our duty
24 without fear or favor."; and

1 WHEREAS, born January 4, 1878, in Tennessee, he was
2 the son of James Edwin Horton, Sr., also a judge, and Emily
3 Donelson Horton, who was the great niece of President Andrew
4 Jackson; he earned a Bachelor of Arts Degree from Cumberland
5 University in Lebanon, Tennessee, and a law degree from the
6 Cumberland School of Law; he embarked upon his distinguished
7 legal career clerking for his father before entering into
8 private law practice; he served in both the Alabama House of
9 Representatives and the Alabama Senate; in addition, he served
10 as a chancery court judge and as a circuit court judge for two
11 terms; he lost a third term as a circuit court judge because
12 of his courageous, remarkable decision in the Patterson Case;
13 afterward, he spent his life farming and practicing private
14 law; he was married to Anna Hobbs Horton, and their union was
15 graced with two sons, James Edwin Horton, III, and Donelson
16 Branch Horton; and

17 WHEREAS, through the years, Judge Horton earned
18 immense respect for his tireless dedication and exceptional
19 abilities; he left an inspiring legacy for many to cherish and
20 emulate; now therefore,

21 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
22 HOUSES THEREOF CONCURRING, That Judge James Edwin Horton, Jr.,
23 is posthumously honored and commended, and this resolution is
24 offered to his family in highest tribute of his legacy and
25 outstanding contributions.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was adopted by the House 09-APR-13.

Jeff Woodard
Clerk

Senate

02-MAY-13

Adopted