

1 SJR109

2 160191-2

3 By Senators Orr, Bedford, Allen, Beasley, Beason, Blackwell,
4 Brewbaker, Bussman, Coleman, Dial, Dunn, Fielding, Figures,
5 Glover, Hightower, Holley, Holtzclaw, Irons, Keahey, Marsh,
6 McGill, Pittman, Reed, Ross, Sanders, Sanford, Scofield,
7 Singleton, Smith, Smitherman, Taylor, Waggoner, Ward, Whatley
8 and Williams

9 RFD:

10 First Read: 19-MAR-14

8 POSTHUMOUSLY COMMENDING JUDGE JAMES EDWIN HORTON,
9 JR.

10
11 WHEREAS, we posthumously honor Judge James Edwin
12 Horton, Jr., with highest commendations; and

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

17 WHEREAS, in 1933, Judge Horton displayed abounding
18 integrity and fairness while presiding over the retrial of
19 lead defendant, Haywood Patterson, in the Scottsboro Boys
20 case; equipped with fortitude and a strong set of morals, he
21 went against the grain of popular opinion and ordered a new
22 trial for Haywood because he believed that the verdict was not
23 supported by substantial evidence; his poignant instructions
24 to the jury in the Patterson case, which were commemorated on
25 a plaque in his old courtroom shortly after his death, are as
26 follows: "So far as the law is concerned it knows neither
27 native nor alien, Jew nor Gentile, black nor white. This case

1 is no different from any other. We have only to do our duty
2 without fear or favor."; and

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

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

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

