

1 SJR109
2 160191-3
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

1 SJR109

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4 ENROLLED, SJR109,

5 POSTHUMOUSLY COMMENDING JUDGE JAMES EDWIN HORTON,
6 JR.

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8 WHEREAS, we posthumously honor Judge James Edwin
9 Horton, Jr., with highest commendations; and

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

14 WHEREAS, in 1933, Judge Horton displayed abounding
15 integrity and fairness while presiding over the retrial of
16 lead defendant, Haywood Patterson, in the Scottsboro Boys
17 case; equipped with fortitude and a strong set of morals, he
18 went against the grain of popular opinion and ordered a new
19 trial for Haywood because he believed that the verdict was not
20 supported by substantial evidence; his poignant instructions
21 to the jury in the Patterson case, which were commemorated on
22 a plaque in his old courtroom shortly after his death, are as
23 follows: "So far as the law is concerned it knows neither
24 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

1 offered to his family in highest tribute of his legacy and
2 outstanding contributions.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SJR109
Senate 19-MAR-14
I hereby certify that the within Senate Joint Resolution
originated in and was adopted by the Senate.

Patrick Harris
Secretary

House of Representatives
Adopted: 02-APR-14

By: Senator Orr