

**ZONING CHANGE REVIEW SHEET**CASE NUMBER: C14H-2023-0115ADDRESS: 1193 San Bernard StreetHLC DATE: November 1, 2023    PC DATE: November 28, 2023    CC Date: December 14, 2023APPLICANT: Trace Tankersley (property owner)HISTORIC NAME: Mitchell HouseWATERSHED: Boggy CreekZONING CHANGE: SF-3-NP to SF-3-H-NP; Central East Austin NP – Subdistrict 1COUNCIL DISTRICT: 1STAFF RECOMMENDATION: Recommend the proposed zoning change from single family-neighborhood plan (SF-3-NP) to single family-neighborhood plan-historic landmark (SF-3-H-NP) combining district zoning.QUALIFICATIONS FOR LANDMARK DESIGNATION: Historical associations, community value, architectureHISTORIC LANDMARK COMMISSION ACTION: Recommend the proposed zoning change from single family-neighborhood plan (SF-3-NP) to single family-neighborhood plan-historic landmark (SF-3-H-NP) combining district zoning. (10-0)PLANNING COMMISSION ACTION:CITY COUNCIL ACTION:CASE MANAGER: Kalan Contreras, 512-974-2727NEIGHBORHOOD ORGANIZATIONS: Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Del Valle Community Coalition, East Austin Conservancy, Friends of Austin Neighborhoods, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Organization of Central East Austin Neighborhoods, Preservation Austin, Residents of E 12th St, Robertson Hill Neighborhood Association, SELTexas, Sierra Club, Austin Regional GroupDEPARTMENT COMMENTS: The 2000 East Austin Historic Resource Survey recommends the property as contributing to potential local and National Register historic districts.BASIS FOR RECOMMENDATION:

**§ 25-2-352(3)(c)(i) *Architecture.*** *The property embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction; exemplifies technological innovation in design or construction; displays high artistic value in representing ethnic or folk art, architecture, or construction; represents a rare example of an architectural style in the city; serves as an outstanding example of the work of an architect, builder, or artisan who significantly contributed to the development of the city, state, or nation; possesses cultural, historical, or architectural value as a particularly fine or unique example of a utilitarian or vernacular structure; or represents an architectural curiosity or one-of-a-kind building.*

The house at 1193 San Bernard Street is a rare surviving example of a two-story T-plan house that was uncommon in Austin even at the time of its construction in 1895. The house has two full stories, a front porch, and a combination of hipped roofs, reflecting a vernacular adaptation of Queen Anne design principles.<sup>1</sup>

The historic zoning application provides a thoughtful explanation on how T-plan houses, in particular 1193 San Bernard Street, fit into Austin's architectural history as a significant building type:

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<sup>1</sup> Tankersley, Trace T. Historic Zoning Application, C14H-2023-0015, 1193 San Bernard Street. 2023.

Sanborn maps [relate] the original appearance and configuration of the house, which has largely remained the same in the front. The house at 1193 San Bernard retains a high degree of integrity, and the balusters and rails on the porches have been restored [...] T-plan houses like 1193 San Bernard St. are most often found in urban areas as an alternative to the more common L-plan type dwelling, though they are much less common... Possibly evolved from the Center-Passage plan type, T-plan houses were built from the 1880s to the early 1900s. They are customarily of wood frame construction with horizontal weatherboard siding... The configuration is achieved by the intersection of two gabled wings. The house type is distinguished by its front projecting center wing. 1193 San Bernard St. retains the feel of a two-room center hall design as one enters the house. Like L-plan houses, T-plan dwellings often display stylistic features associated with the Queen Anne style. However, T-plan house architects considered the extravagant window moldings and roof lines of previous Victorian influences to be pretentious and favored simpler facades. Common architectural elements include porches with turned wood supports and wood flooring, jigsaw brackets, and spindle friezes that extend around the front wing. The porch at 1193 San Bernard St. remains an example of this T-plan style, and the house's front-facing configuration is largely intact, including the expansive front porch with decorative spindles... Few T-plan houses in East Austin remain in pristine condition, between the weather and the inability of owners to maintain or replace wooden surfaces or structural elements over time... It is fortunate that 1193 San Bernard remains identifiable as an exemplary model of a T-plan house from the late 19th century.<sup>2</sup>

**§ 25-2-352(3)(c)(ii) Historical Associations.** *The property has long-standing significant associations with persons, groups, institutions, businesses, or events of historic importance which contributed significantly to the history of the city, state, or nation; or represents a significant portrayal of the cultural practices or the way of life of a definable group of people in a historic time.*

1193 San Bernard Street is associated with numerous leaders in the Black community during the 20<sup>th</sup> century, and its residents stood at the center of the Civil Rights movement in Texas and the United States. The Mitchell family, noted educators, philanthropists, and medical providers to the African American community in segregation-era Austin, were also close friends and staunch supporters of future U.S. Supreme Court Justice Thurgood Marshall, who resided in their home during the landmark *Sweatt vs. Painter* case. Marshall argued against the University of Texas' racist admittance policies as the chief counsel for the NAACP and won a long-awaited victory for racial equality in public education. The application describes the home's connections to the Mitchells and Marshall as follows:

1193 San Bernard St. relates the entire social history of East Austin and is especially notable for its important role in the civil rights history of Austin, the University of Texas, the State of Texas, and the United States...

Lewis M. Mitchell Sr. and his wife Annie Scott Mitchell moved into 1193 San Bernard St (then 1185 San Bernard St.) in 1901... Mitchell served as Grand Chancellor of the Knights of Pythias, an African American fraternal organization, and helped to establish Bethany Cemetery in East Austin...

Dr. Lewis M. Mitchell, Jr. and Carolyn Mitchell lived in the house at 1193 San Bernard St. from their marriage until his sudden death in 1954... During their time on San Bernard Street, they were pillars of their community. Dr. Mitchell owned and operated a dental practice on East 13th and was the dentist for Samuel Huston College and the Texas Blind, Deaf, and Orphan School. He served as dental chairman of the Lone Star State Medical, Dental and Pharmaceutical Association. Mitchell was a founder and chairman of the national dental clinic at Tuskegee and was eventually elected national president... He was a prominent officer of Alpha Phi Alpha fraternity, [directing] their Southwest regional office ... [Mitchell was a] pianist and skilled composer with many original compositions, one of which... became a national hit. Mitchell was also a philanthropist... his obituary reports his funeral was among the most highly attended in Austin's history.

Professor Carolyn Mitchell was originally from Massachusetts... She taught at Samuel Huston College and [directed] the department of drama and physical education at Tillotson College. Carolyn Mitchell was a talented writer [and biographer].

The Mitchells' home at 1193 San Bernard St. was the central location for the preparation of the plaintiff's case in *Sweatt v. Painter*. This landmark civil rights case led to the end of segregation at the University of Texas and constituted a critical step toward the eventual invalidation of the "separate but equal" doctrine in American jurisprudence. In 1946, Heman Sweatt's application to the all-white University of Texas Law School was rejected based on his race, as he met all other eligibility requirements for admission... Represented by [NAACP] counsel, Sweatt sued... The district court trial took place in Austin in May of 1947. Jim Crow laws of the time forced Sweatt's team of lawyers, [including] future United States Supreme Court Justice Thurgood Marshall, to reside in the homes of community members. The Mitchells welcomed Marshall and his team into their home on San Bernard Street, where they held mock trials, planned strategy, interviewed their witnesses, and prepared Sweatt for his testimony.

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<sup>2</sup> Ibid.

Community members also gathered at the house in the evenings to discuss current issues and interact with the well-known Marshall, then chief counsel for the NAACP. The case was ultimately decided in the United States Supreme Court, which held that the Equal Protection Clause of the Fourteenth Amendment required the University of Texas to admit Heman Sweatt.

[...] Author Gary Lavergne describes the Mitchell House at 1193 San Bernard St., and its role in the case. “Robertson Hill was a different place in the 1940s, when the house belonged to Dr. Lewis Mitchell and his wife, Carolyn. Thurgood Marshall stayed here during the *Sweatt v. Painter* trial and on other visits to Austin. Just around the corner at 1209 East 12th Street is where Heman Sweatt lived when he entered the UT Law School, and across the street from where Dr. Mitchell had his dental practice. Robertson Hill is now valuable real estate...As of September 23, 2008, there was nothing to signify 1193 San Bernard Street as the place where, every evening, from May 11 through May 16, 1947...Marshall and other lawyers prepared witnesses and formulated legal tactics...for *Sweatt v. Painter*” (Lavergne, 2010).

Thurgood Marshall grew close to the Mitchells. He sent printed record copies of the *Sweatt v. Painter* case [only] to recipients he believed were critical to victory [including the Mitchells].Lavergne’s *Before Brown* provides additional context for their relationship and the case: “To Thurgood Marshall, who was doing a job that required 50,000 miles of travel each year to areas with no ...accommodations for a professional black man...Lewis and Carolyn Mitchell ... reminded him and his lawyers that the people they were representing deserved the investment, sacrifice, and pain they endured. [...] The Mitchells made Marshall as comfortable as he could be made in a state that did not want him; they made him laugh during a time where almost nothing was funny. He sipped their whiskey, ate their food, and sang songs with them. For Marshall, a man who often seemed on the verge of physical exhaustion ... the Mitchells were more than just gracious hosts. Before the end of the Sweatt case, Marshall was calling Carolyn Mitchell his ‘Mama’” (Lavergne, 2010).

Thurgood Marshall became a fixture in the Mitchell household, and...[he] received correspondence addressed to him as an occupant of 1193 San Bernard St. regarding the NAACP’s ongoing legal efforts to dismantle segregation. In 1967, President Lyndon B. Johnson appointed Thurgood Marshall to the United States Supreme Court, the Court’s first Black Justice. By that time, Marshall had tried and prevailed in many civil rights cases, including the landmark case of *Brown v. Board of Education of Topeka*, whereby the separate but equal doctrine was held unconstitutional, resulting in the beginning of the end of racial segregation in public schools.<sup>3</sup>

**§ 25-2-352(3)(c) (iv)Community Value.** *The property has a unique location, physical characteristic, or significant feature that contributes to the character, image, or cultural identity of the city, a neighborhood, or a particular group.*

The application for historic landmark designation notes the building’s distinct community value as a nexus of the local, state, and national Civil Rights Movement, as well as its continued importance to the community today. “1193 San Bernard St. remains a vital part of the Robinson Hill neighborhood and East Austin today. Six Square, a nonprofit with a mission to celebrate and preserve the arts, culture, and history of Central East Austin, conducts a regular tour for the public that features 1193 San Bernard as one of the attractions in the Six Square District. It is regarded as a landmark...its occupants have always been invested in and part of the historic fabric and preservation of the Robertson Hill community.”<sup>4</sup>

**PARCEL NO.:** 0207080702

**LEGAL DESCRIPTION:** 50 X 175 FT OF LOT 1 BLK 8 OLT 56 DIV B ROBERTSON GEO L SUBD

**ESTIMATED ANNUAL TAX EXEMPTION (homestead, capped):**

<u>AISD</u>	<u>COA</u>	<u>TC</u>	<u>TC Health</u>	<u>Total</u>
\$3,500.00	\$2,500.00	\$1,989.67	\$616.98	\$8,606.66

**APPRAISED VALUE:** \$1,006,516

**PRESENT USE:** Residence

**DATE BUILT:** ca. 1889

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

INTEGRITY/ALTERATIONS: High to moderate. Porch modifications took place during the historic period, likely during the Mitchells' tenure at the house, thereby gaining significance in their own right. Though a modern rear addition and new windows have been added to the house, neither significantly affect the building's overall integrity of form as a T-plan house, nor do they diminish its ability to convey its extraordinary history as a crucial part of the Civil Rights movement. Decorative details and original exterior materials have been restored.

PRESENT OWNERS: Trace Tankersley, 1193 San Bernard St., Austin, TX 78702

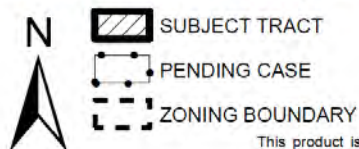
ORIGINAL OWNER(S): Henry Burton

OTHER HISTORICAL DESIGNATIONS: None





## LOCATION MAP



1" = 200'

## HISTORIC ZONING

ZONING CASE#: C14H-2023-0115

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or





## General Information

Location: **1193 SAN BERNARD ST**  
Parcel ID: **0207080702**  
Grid: **MK22**

## Planning & Zoning

\*Right click [hyperlinks](#) to open in a new window.

Future Land Use (FLUM): **Single Family, Mixed Use**

Regulating Plan: **No Regulating Plan**

Zoning: **SF-3-NP**

Zoning Cases: [C14-01-0148](#)  
[C14-01-0148.004](#)  
[C14H-2023-0115](#)  
[NPA-2007-0009.01](#)

Zoning Ordinances: **011213-42**  
[19990225-070b](#)  
[870604-AA](#)  
[870604-DD](#)

Zoning Overlays: **ADU Approximate Area Reduced Parking**  
**Residential Design Standards: LDC/25-2-Subchapter F**  
**Selected Sign Ordinances**

Neighborhood Plan: [CENTRAL EAST AUSTIN: SUB-DISTRICT 1](#)

Infill Options: **Urban Home Infill Option, Secondary Apartment Infill Option, Small Lot Amnesty Infill Option**

Neighborhood Restricted Parking Areas: --

Mobile Food Vendors: --

Historic Landmark: --

Urban Roadways: **Yes**

## Zoning Guide

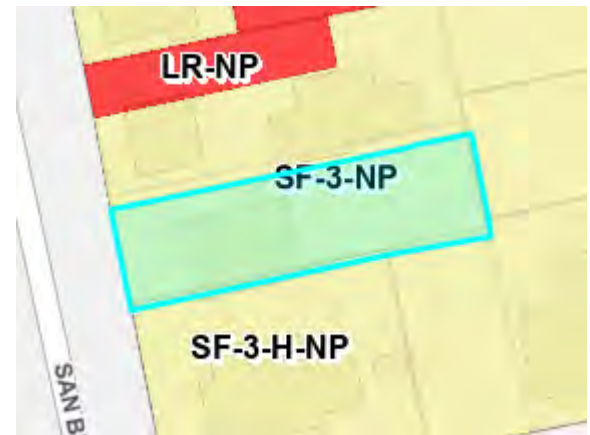
The [Guide to Zoning](#) provides a quick explanation of the above Zoning codes, however, the [Land Development Information Services](#) provides general zoning assistance and can advise you on the type of development allowed on a property. Visit [Zoning](#) for the description of each Base Zoning District. For official verification of the zoning of a property, please order a [Zoning Verification Letter](#). General information on the [Neighborhood Planning Areas](#) is available from Neighborhood Planning.

## Environmental

Fully Developed Floodplain: **No**  
FEMA Floodplain: **No**  
Austin Watershed Regulation Areas: **URBAN**  
Watershed Boundaries: **Boggy Creek**  
Creek Buffers: **No**  
Edwards Aquifer Recharge Zone: **No**  
Edwards Aquifer Recharge Verification Zone: **No**  
Erosion Hazard Zone Review Buffer: **No**

## Political Boundaries

Jurisdiction: **AUSTIN FULL PURPOSE**  
Council District: **1**  
County: **TRAVIS**  
School District: **Austin ISD**  
Community Registry: **Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Del Valle Community Coalition, East Austin Conservancy, Friends of Austin Neighborhoods, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Organization of Central East Austin Neighborhoods, Preservation Austin, Residents of E 12th St, Robertson Hill Neighborhood Association, SELTexas, Sierra Club, Austin Regional Group**



Zoning Map



Imagery Map



Vicinity Map



**A. APPLICATION FOR HISTORIC ZONING****PROJECT INFORMATION:****DEPARTMENTAL USE ONLY**

APPLICATION DATE: \_\_\_\_\_ FILE NUMBER(S) \_\_\_\_\_  
**TENTATIVE HLC DATE:** \_\_\_\_\_  
 TENTATIVE PC or ZAP DATE: \_\_\_\_\_  
 TENTATIVE CC DATE: \_\_\_\_\_ CITY INITIATED: YES / NO  
 CASE MANAGER \_\_\_\_\_ ROLLBACK: YES/NO  
 APPLICATION ACCEPTED BY: \_\_\_\_\_

**BASIC PROJECT DATA:**

1. **OWNER'S NAME:** Thomas Trace Tankersley  
 2. **PROJECT NAME:** Mitchell House  
 3. **PROJECT STREET ADDRESS (or Range):** 1193 San Bernard St., Austin, Texas  
 ZIP 78702 COUNTY: Travis  
**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** 0.20 (OR) **SQ.FT.** \_\_\_\_\_

**5. ZONING AND LAND USE INFORMATION:**

EXISTING ZONING	EXISTING USE	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
SF-3-NP	Residence		0.20	Residence	SF-3-H-NP
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

**RELATED CURRENT CASES:**

6. <b>ACTIVE ZONING CASE?</b>	(YES / <b>NO</b> )	FILE NUMBER: _____
7. <b>RESTRICTIVE COVENANT?</b>	(YES / <b>NO</b> )	FILE NUMBER: _____
8. <b>SUBDIVISION?</b>	(YES / <b>NO</b> )	FILE NUMBER: _____
9. <b>SITE PLAN?</b>	(YES / <b>NO</b> )	FILE NUMBER: _____

## PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFERENCE: Name: George L. Robertson Subdivision

Block(s) 8 Lot(s) 1 Outlot(s) 56

Plat Book: Volume C Page p.616

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: INST 2021251082 PAGE: TAX PARCEL I.D. NO. 195860

## OTHER PROVISIONS:

12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? YES / NO

TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP, etc) NP

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: NAME: Thomas Trace Tankersley

FIRM NAME: TELEPHONE NUMBER: 512-297-6679

STREET ADDRESS: 1193 San Bernard St.

CITY: Austin STATE: TX ZIP CODE: 78702

EMAIL ADDRESS:

## AGENT INFORMATION (IF APPLICABLE):

## 17. AGENT CONTACT INFORMATION

SIGNATURE: NAME:

FIRM NAME: TELEPHONE NUMBER:

STREET ADDRESS:

CITY: STATE: ZIP CODE:

CONTACT PERSON: TELEPHONE NUMBER:


EMAIL ADDRESS:

## 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.**

 September 23, 2023  
\_\_\_\_\_  
Signature Date


Thomas Trace Tankersley  
\_\_\_\_\_  
Name (Typed or Printed)

\_\_\_\_\_  
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.**

 September 23, 2023  
\_\_\_\_\_  
Signature Date

Thomas Trace Tankersley  
\_\_\_\_\_  
Name (Typed or Printed)

\_\_\_\_\_  
Firm (If applicable)



## E. ACKNOWLEDGMENT FORM

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

I, Thomas Trace Tankersley have checked for subdivision plat notes, deed restrictions,

(Print name of applicant)

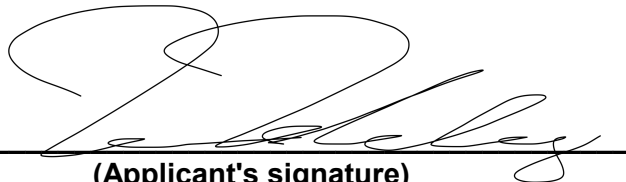
restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at

1193 San Bernard Street, Austin, Texas 78702

(Address or Legal Description)

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.

  
(Applicant's signature)

September 23, 2023

(Date)

## Historic Zoning Application Packet

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Date: 23 Sept 2023

Applicant: Thomas Trace Tankersley

Project Name: Mitchell House (ca. 1889)

Project Street address: 1193 San Bernard St., Austin, Texas 78702

Area to be Rezoned: 0.20 acres

Existing zoning: SF-3-NP, residential

Proposed Zoning: SF-3-H-NP, historic residential

Qualifications for landmark designation:

Architecture, historical associations, community value

Property description:

The South 50 x 175 feet of the North one-half of Lot 1, Block 8, George L. Robertson Subdivision of Outlot 56, Division B, an addition to the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume Z, Page 616, Deed Records, Travis County, Texas.

Deed Reference and tax parcel identification number: Instrument No. 2021251082, Official Public Records, Travis County, Texas; Property ID 195860

Owner information:

Thomas Trace Tankersley

1193 San Bernard St.

Austin, TX 78702

512-297-6679

Supporting Documentation (attached):

1. Qualifications for Landmark Designation (7-page Narrative)
2. Occupancy History of 1193 San Bernard St.
3. References
4. Exhibits (A-1 to A-2; B-1 to B-17; and C-1 to C-3)
5. Tax Certificate
6. Tax Maps

## **Qualifications for Landmark Designation**

1193 San Bernard St. is qualified for historical landmark designation because of its significance in the following categories: (1) architecture, (2) historical associations, and (3) community value. These three bases for the designation are described and documented below.

## **Bases for Recommendation**

### **I. Architecture**

1193 San Bernard St. is a rare surviving example of a two-story T-plan house that was uncommon in Austin even at the time of its construction in 1895. The house has two full stories, a front porch, and a combination of hipped roofs, reflecting a vernacular adaptation of Queen Anne design principles.

The 2000 East Austin Historic Resources Survey (Survey Report)<sup>1</sup> contends that architecturally, San Bernard Street contains the finest, most intact properties from historic East Austin. In 1993, the Texas Historical Commission determined the three-block length of San Bernard Street and several adjacent properties on Hackberry, Cotton and East 12th Street were eligible for listing in the National Register of Historic Places. The Survey Report stated that 1152 to 1198 San Bernard Street and adjacent properties at 1301 East 12th Street and 1208 Hackberry were a good candidate for both local and National Register recognition as a historic district.<sup>2</sup>

San Bernard Street is primarily residential but contains a large, influential church (Wesley Chapel M.E Church) and a neighborhood store (approximately 1161 San Bernard). Two distinct periods of historic construction are represented in the district. The earliest houses are late 19th/early 20th century L-plan and Modified L-plan dwellings, some with Classical Revival or Queen Anne ornamentation.<sup>3</sup>

The 1900 Sanborn Fire Insurance Company map is the first to show this neighborhood. 1193 San Bernard was previously 1407 San Bernard St. before 1905, and 1185 San Bernard St. by 1922. It was established as 1193 San Bernard St. in 1935. The Sanborn maps give a better idea as to the original appearance and configuration of the house, which has largely remained the same in the front. The house at 1193 San Bernard retains a high degree of integrity, and the balusters and rails on the porches have been restored [Exhibit A-1].

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<sup>1</sup> As set out in the Survey Report, published in September 2000 and revised in December 2000, the East Austin Historic Resources Survey was a comprehensive inventory of buildings, structures, objects and sites built in part of East Austin before 1955. The City of Austin undertook the project and was responsible for its funding and administration. Boundaries of the project followed East 14th Street on the north, Coletto Street on the east, Pennsylvania/Cotton/San Bernard/Rosewood/East 11th Street/Navasota and East 9th Street on the south, and San

Marcos/Curve Street/IH-35 frontage on the west, and encompass the property at 1193 San Bernard St. Hardy Heck Moore & Myers, Inc., an Austin-based cultural resources management firm, conducted the survey in accordance with guidelines and standards followed by the Texas Historical Commission and set forth by the Secretary of the Interior. The report summarizes the findings of the survey, offers recommendations for the preservation of the city's historic resources, and identifies properties that are most likely eligible for listing in the National Register of Historic Places.

<sup>2</sup> Survey Report, page 44.

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### **I. Architecture**

1193 San Bernard St. is a rare surviving example of a two-story T-plan house that was uncommon in Austin even at the time of its construction in 1895. The house has two full stories, a front porch, and a combination of hipped roofs, reflecting a vernacular adaptation of Queen Anne design principles.

The 2000 East Austin Historic Resources Survey (Survey Report)<sup>1</sup> contends that architecturally, San Bernard Street contains the finest, most intact properties from historic East Austin. In 1993, the Texas Historical Commission determined the three-block length of San Bernard Street and several adjacent properties on Hackberry, Cotton and East 12th Street were eligible for listing in the National Register of Historic Places. The Survey Report stated that 1152 to 1198 San Bernard Street and adjacent properties at 1301 East 12th Street and 1208 Hackberry were a good candidate for both local and National Register recognition as a historic district.<sup>2</sup>

San Bernard Street is primarily residential but contains a large, influential church (Wesley Chapel M.E Church) and a neighborhood store (approximately 1161 San Bernard). Two distinct periods of historic construction are represented in the district. The earliest houses are late 19th/early 20th century L-plan and Modified L-plan dwellings, some with Classical Revival or Queen Anne ornamentation.<sup>3</sup>

The 1900 Sanborn Fire Insurance Company map is the first to show this neighborhood. 1193 San Bernard was previously 1407 San Bernard St. before 1905, and 1185 San Bernard St. by 1922. It was established as 1193 San Bernard St. in 1935. The Sanborn maps give a better idea as to the original appearance and configuration of the house, which has largely remained the same in the front. The house at 1193 San Bernard retains a high degree of integrity, and the balusters and rails on the porches have been restored [Exhibit A-1].

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<sup>1</sup> As set out in the Survey Report, published in September 2000 and revised in December 2000, the East Austin Historic Resources Survey was a comprehensive inventory of buildings, structures, objects and sites built in part of East Austin before 1955. The City of Austin undertook the project and was responsible for its funding and administration. Boundaries of the project followed East 14th Street on the north, Coletto Street on the east, Pennsylvania/Cotton/San Bernard/Rosewood/East 11th Street/Navasota and East 9th Street on the south, and San Marcos/Curve Street/IH-35 frontage on the west, and encompass the property at 1193 San Bernard St. Hardy Heck Moore & Myers, Inc., an Austin-based cultural resources management firm, conducted the survey in accordance with guidelines and standards followed by the Texas Historical Commission and set forth by the Secretary of the Interior. The report summarizes the findings of the survey, offers recommendations for the preservation of the city's historic resources, and identifies properties that are most likely eligible for listing in the National Register of Historic Places.

<sup>2</sup> Survey Report, page 44.

<sup>3</sup> Survey Report, page 44.



T-plan houses like 1193 San Bernard St. are most often found in urban areas as an alternative to the more common L-plan type dwelling, though they are much less common than either the L-plan or Modified L-plan. Possibly evolved from the Center-Passage plan type, T-plan houses were built from the 1880s to the early 1900s. They are customarily of wood frame construction with horizontal weatherboard siding, which covers the main body of the house. The T-shaped configuration is achieved by the intersection of two gabled wings. The house type is distinguished by its front projecting center wing; the primary entrance is often found in the front-facing end. 1193 San Bernard St. retains the feel of a two-room center hall design as one enters the house. Like L-plan and Modified L-plan houses, T-plan dwellings often display stylistic features associated with the Queen Anne style. However, T-plan house architects considered the extravagant window moldings and roof lines of previous Victorian influences to be pretentious and favored simpler facades. Common architectural elements of T-plan houses include porches with turned-wood supports and wood flooring, jigsaw brackets, and spindle friezes that extend around the front wing. The porch at 1193 San Bernard St. remains an example of this T-plan style, and the house's front-facing configuration is largely intact, including the expansive front porch with decorative spindles. Double-hung windows with either 1/1- or 2/2-lightsashes are typical, though the latter is more common. Houses often had outbuildings that served as shelter for livestock or poultry. One is noted for 1193 San Bernard St., though only its concrete slab survives.

Few T-plan houses in East Austin remain in pristine condition, between the weather and the inability of owners to maintain or replace wooden surfaces or structural elements over time (Freeman 1985). It is fortunate that 1193 San Bernard remains identifiable as an exemplary model of a T-plan house from the late 19<sup>th</sup> century [Exhibit A-2].

## **II. Historical associations**

1193 San Bernard St. relates the entire social history of East Austin, and is especially notable for its important role in the civil rights history of Austin, the University of Texas, the State of Texas, and the United States. The property has two distinct historical associations. The first is its connection to prominent members of the Black community in Austin, Dr. Lewis M. and Carolyn Mitchell. And the second is its function as the office and Austin residence of Thurgood Marshall while he prepared for and tried the landmark civil rights case of *Sweatt v. Painter*. Each is covered below.

### **A. Dr. Lewis Mitchell and Carolyn Mitchell**

The record indicates Lewis M. Mitchell Sr. (1862-1919) and his wife Annie E. (née Scott) Mitchell (1876-1961) moved into 1193 San Bernard St (then 1185 San Bernard St.) in 1901. Lewis M. Mitchell Sr. was born on August 15, 1862, in Austin, Texas. He and Annie married on Feb. 25, 1892, and had two daughters, Ruth (Tucker) and Thelma (Rambo) Mitchell, and a son, Lewis M. Mitchell (1893-1954). At one time he served as Grand Chancellor of the Knights of Pythias, an African American Fraternal Organization. Lewis served as a mail carrier, was active in a number of local organizations, and helped to establish Bethany Cemetery in East Austin. He is buried in Oakwood Cemetery in Austin [Exhibit B-1].

Lewis M. Mitchell (Jr.), like his father, was born in Austin. Lewis M. Mitchell attended Austin public schools and graduated from Anderson High. He then attended and graduated from Samuel Huston College in Austin, where he was a varsity football and baseball player. He later graduated from Meharry Medical College to become a dentist.

In 1915, at age 23, Dr. Lewis M. Mitchell states on his World War I Registration Card that his father and mother solely depend on him for support [Exhibit B-2]. Lewis M. Mitchell Sr. died in 1919, and in 1922, the Austin City Directory states that Annie Mitchell, Dr. Lewis M. Mitchell, Thelma Mitchell, and Ruth Mitchell were living in 1193 San Bernard St. (then 1185 San Bernard St.).

Dr. Lewis M. Mitchell married Zerita Stepteau (1908–1962), an actress and musician, on August 9, 1932. They lived together in San Antonio before moving to 1193½ San Bernard St. (then 1189 San Bernard St., and next door to 1193 San Bernard St.) in 1936. They lived at 1193½ San Bernard St. from 1936 to 1939, and they subsequently divorced (September 15, 1939). By 1939, Dr. Lewis M. Mitchell is listed in the Austin City Directory as residing at 1193 San Bernard St. (then 1185 San Bernard St.) and having a dental office next door at 1193½ San Bernard St. (then 1189 San Bernard St.) [Exhibit B-3; Exhibit B-4].

Dr. Lewis M. and Carolyn Mitchell met sometime between 1939 and 1941. They lived in the house at 1193 San Bernard St. from their marriage until his sudden death in 1954. During their time on San Bernard Street, Dr. Lewis M. and Carolyn Mitchell were pillars of their community. Dr. Lewis M. Mitchell owned and operated a dental practice on East 13th Street and served as the dentist for Samuel Huston College and the Texas Blind, Deaf, and Orphan School (Devezin 2016) [Exhibit B-5]. He served as chairman of the dental section of the Lone Star State Medical, Dental and Pharmaceutical association. Dr. Lewis M. Mitchell was also one of the founders and served as chairman of the national dental clinic at Tuskegee, and was eventually elected as national president for his outstanding work. He was a prominent member and officer of the Alpha Phi Alpha fraternity, and director of the Fraternity's Southwest regional office Gamma Eta Lamda [Exhibit B-6]. Mitchell held memberships at the Mt. Bonnell Masonic Lodge and Wesley United Methodist Church (Texas Historic Landmark, marker 18221).

The Alpha Phi Alpha fraternity publication, *The Sphinx*, frequently cited and lauded his musical talent. The obituary for Dr. Lewis M. Mitchell remarked that he was a talented pianist and skilled composer with many original compositions, one of which became a national hit [Exhibit B-7]. He filed for at least one copyright for his original work titled, "Lost ecstasy" [Exhibit B-8; Exhibit B-9].

Dr. Lewis M. Mitchell was also a philanthropist and is noted as having collected donations for charitable causes on many occasions. In his capacity as Gamma Eta Lamda (Southwestern jurisdiction) chapter president, he presented a \$500 check to the Holy Cross Hospital. \$500 in 1950 is equivalent to about \$6,262 today. The below-referenced article reports Dr. Lewis M. Mitchell contributed \$100 toward a new Alpha headquarters building. \$100 in 1953 is equivalent to about \$1,130 today, a sizable individual donation [Exhibit B-10; Exhibit B-11].

Carolyn Mitchell was originally from Massachusetts and graduated from New York University. She was a member of the faculty at Samuel Huston College and the director of the department of drama and physical education at Tillotson College. Carolyn Mitchell was also a talented writer, having been invited to write a biography for the Pittsburgh Courier on Dr. Brown, then a Chaplain and Professor at Tillotson College [Exhibit B-12]. In 1950, Carolyn Mitchell served as the head of the local Girl Scouts, which was segregated at the time [Exhibit B-13; Exhibit B-14].

Dr. Lewis M. Mitchell's obituary reports his funeral was among the most highly attended in Austin's history. It took place at Wesley Chapel Methodist Church in Austin. He was buried in the same Oakwood cemetery as his father, and was survived by his mother Annie E. Mitchell, sisters Ruth and Thelma, and wife, Carolyn.

The Mitchell family and descendants owned and occupied the home until 2017.

#### B. The case of *Sweatt v. Painter*, and the Mitchell House

In addition to their community contributions, the Mitchells' home at 1193 San Bernard St. was the central location for the preparation of the plaintiff's case in *Sweatt v. Painter*.<sup>4</sup> This landmark civil rights case led to the end of segregation at the University of Texas and constituted a critical step toward the eventual invalidation of the separate but equal doctrine in American jurisprudence. [Exhibit B-15].

In 1946, Heman Sweatt's application to the all-white University of Texas Law School was rejected on the basis of his race, as he met all other eligibility requirements for admission. Enabled by the "separate but equal" doctrine established by *Plessy v. Ferguson*<sup>5</sup> in 1896, under which Black citizens had the right to equal but segregated accommodations, the Texas Constitution (and the University of Texas) required segregation in schools so long as the provisions for Black and White students were equal. Represented by counsel for the National Association for the Advancement of Colored People (NAACP) counsel, Sweatt sued in state court. The district court trial took place in Austin in May of 1947. Jim Crow laws of the time forced Sweatt's team of lawyers, which included future United States Supreme Court Justice Thurgood Marshall, to reside in the homes of community members. The Mitchells welcomed Marshall and his legal team into their home on San Bernard Street, where they held mock trials, planned strategy, interviewed their witnesses, and prepared Sweatt for his testimony. Community members also gathered at the house in the evenings to discuss current issues and interact with the well-known Marshall, then chief counsel for the NAACP.

The case was ultimately decided in the United States Supreme Court, which held that the Equal Protection Clause of the Fourteenth Amendment required the University of Texas to admit Heman Sweatt. In the book, *Before Brown: Heman Marion Sweatt, Thurgood Marshall, and the Long Road to Justice*, author Gary Laverne describes the Mitchell House at 1193 San Bernard St., and its role in the case, as follows:

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<sup>4</sup> *Sweatt v. Painter*, 339 U.S. 629 (1950).

<sup>5</sup> *Plessy v. Ferguson*, 163 U.S. 537 (1896).

“Robertson Hill was a different place in the 1940s, when the house belonged to Dr. Lewis Mitchell and his wife, Carolyn. Thurgood Marshall stayed here during the *Sweat v. Painter* trial and on other visits to Austin. Just around the corner at 1209 East 12th Street is where Heman Sweatt lived when he entered the UT Law School, and across the street from that was where Dr. Mitchell had his dental practice.

Robertson Hill is now valuable real estate, not because of this rich history, but because Robertson Hill summit overlooks downtown Austin and some of the most prized possessions of the people of Texas. East Avenue, once the racial line of demarcation in Austin, is now Interstate Highway 35. Due west is the Texas Capitol. A short distance north is the University of Texas.

As of September 23, 2008, there was nothing to signify 1193 San Bernard Street as the place where, every evening, from May 11 through May 16, 1947, in the spacious living room that is today covered with a worn green shag carpet, Thurgood Marshall and other lawyers prepared witnesses and formulated legal tactics. James Nabrit, Jr., Robert L. Carter, and W.J. Durham were among the many lawyers who met in the Mitchells’ living room and ate in the connecting dining room as they prepared for *Sweatt v. Painter*,” (Lavergne, 2010, p. 285-286) [Exhibit. B-16].

Thurgood Marshall grew close to the Mitchells. Marshall sent printed record copies of the *Sweatt v. Painter* case to only a few recipients—those he believed to be critical to the victory. Among them were Dr. Lewis M. and Carolyn Mitchell, to whom Marshall wrote as follows: “As you know, both of you played a most important part in this case and I believe that you should have the record for whatever use you care to make of it other than throw it away,” (Lavergne, 2010, p. 240). In a separate letter, he writes: “Dear Carolyn and Louis: We are sending, under separate cover, copy of our brief in the Sweatt case and the brief of the Law School Professors in the same case. I think this will give you a complete file of briefs in the Sweatt case. You are most certainly entitled to a set of them in view of your great generosity in taking care of the lawyer in the case,” [Exhibit B-17].

The reasons for the introduction of Thurgood Marshall and Dr. Lewis M. and Carolyn Mitchell, and the selection of the Mitchells as the hosts for Marshall’s momentous visit, are not known. Given the Mitchells’ notability in the East Austin neighborhood of Robinson Hill, it is likely that they met as either church or NAACP members. James Morton, president of the Austin branch of the NAACP, lived only a few houses away (Lavergne, 2010, p.137). The following excerpt from *Before Brown* provides additional context for their relationship and the case:

“To Thurgood Marshall, who was doing a job that required 50,000 miles of travel each year to areas that had no acceptable accommodations for a professional black man (or no accommodations at all), Lewis and Carolyn Mitchell represented something as important as a well-written brief or a cogent legal argument: they reminded him and his lawyers that the people they were representing deserved the investment, sacrifice, and pain they endured. Carolyn Mitchell, who was on the faculty of both Samuel Huston and Tillotson Colleges, would have had to leave Texas to earn a doctorate if she decided to study for one. To improve his skills as a dentist, Lewis Mitchell had to travel to Tuskegee, Alabama, for professional development. But perhaps even more important was the fact that the Mitchells made Marshall as comfortable as he could be made in a state that did not want him; they made him laugh during a time where almost nothing was funny. He sipped their whiskey, ate their food, and sang songs with them. For Marshall, a man who often seemed on the verge of physical exhaustion and who had fainted three times over the past ten years from overwork and a lack of sleep, the Mitchells were more than just gracious hosts. Before the end of the Sweatt case, Marshall was calling Carolyn Mitchell his ‘Mama,’” (Lavergne, 2010, p.240-241).

The Mitchells were stewards of this story for decades as prominent members of the East Austin community, which is apparent from, among other evidence in the record, the account of their hosting the NAACP's chief legal counsel, Thurgood Marshall. Thurgood Marshall was a fixture in the Mitchell household, and for years they corresponded about the case. Sometimes, the correspondence was mundane, including, as one example, the following: "Dear Lewis: I am mailing to you today via Air Express three books which I will need when I get to Texas. Please hold them for me until I arrive in Austin," [Exhibit B-18]. Other times, Thurgood Marshall received correspondence addressed to him as an occupant of 1193 San Bernard St. regarding important aspects of the NAACP's ongoing legal efforts to dismantle segregation [Exhibits B-19, B-20].

In 1967, President Lyndon B. Johnson (LBJ) appointed Thurgood Marshall to the United States Supreme Court, the Court's first Black justice. By that time, Marshall had tried and prevailed in many civil rights cases, including the landmark case of *Brown v. Board of Education of Topeka*<sup>6</sup>, whereby the separate but equal doctrine was held unconstitutional, resulting in the beginning of the end of racial segregation in public schools. Extensive accounts of the close relationship between LBJ and Marshall are held at the LBJ Presidential Library in Austin [Exhibit B-21].

### **III. Community value**

1193 San Bernard St. meets the community value criterion in a number of ways.

First, the house and its occupants are of significant historical importance to the neighborhood of Robertson Hill and city of Austin, including, in particular, Dr. Lewis and Carolyn Mitchell. As of 2020, the Travis County Historical Commission had reportedly created the Dr. Lewis and Carolyn Mitchell marker, which was awaiting a decision on the location per said report (Texas Historical Markers blog 2020).

In addition to the Mitchells, residents of 1193 San Bernard St. have always been integral to the history Austin, including one Henry Burton—owner of 1193 San Bernard St. from 1889-1900—a porter at the infamous Iron Front Saloon on Congress Ave.<sup>7</sup>

Second, 1193 San Bernard was home to Thurgood Marshall during, and thereby facilitated his and the NAACP's accomplishments in ultimately prevailing in, the seminal civil rights case of *Sweatt v. Painter*. (Indeed, the case's independent impact on American jurisprudence was considerable,<sup>8</sup>

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<sup>6</sup> *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954).

<sup>7</sup> In 1889, Henry Burton owned 1193 San Bernard St. According to the Austin City Directory, he worked as a porter for a variety of establishments, including the notorious Iron Front Saloon on Congress Ave. The Iron Front Saloon was owned by gunman and Austin City Marshall Ben Thompson and its infamy extended beyond Texas's borders. It catered to gamblers, college students, and even legislators and was scandalously eventful. This may explain why Henry Burton is frequently mentioned in the Austin Statesman as having been a victim of violence, such as being hit over the head with a six-shooter and testifying in trials for murder at the saloon [Exhibit C-1]. While the circumstances surrounding the change in ownership of 1193 San Bernard St. from Henry Burton to Lewis M. Mitchell Sr. are unknown, Henry Burton (presumed Jr.) and Lewis M. Mitchell Jr. were associated together in an article by the Austin Statesman in 1904, which identified them as messenger boys for the June 21 celebration of Emancipation Day (Henry Burton was delinquent on his property taxes in 1897, and this may have contributed to the change in the property's ownership by 1905) [Exhibit C-2].

<sup>8</sup> To cite one of numerous legal commentaries on the case, Gregory Vincent, former professor of law and vice president of UT's Division of Diversity and Community Engagement, stated the following: "In my opinion, *Sweatt v. Painter* is one of the most important constitutional law cases in modern times. Without the *Sweatt v. Painter* case, you don't get the critical building block to



but it was also influential in the landmark case of *Brown v. Board of Education of Topeka* only a few years later.) The Mitchells' support, and their home at 1193 San Bernard St., directly contributed to the expansion of civil rights in America. 1193 San Bernard St. thus tells a story that would otherwise remain untold.

Third, 1193 San Bernard St. remains a vital part of the Robinson Hill neighborhood and East Austin today. Six Square, a nonprofit with a mission to celebrate and preserve the arts, culture, and history of Central East Austin, conducts a regular tour for the public that features 1193 San Bernard as one of the attractions in the Six Square District<sup>9</sup> [Exhibit C-3]. It is regarded as a landmark in the district, and the 1193 San Bernard St. stop on the tour, which involves a presentation on the historical background of the home, is evidence of the property's value to the community. Tours are frequent and attract visitors from outside the city of Austin. "When I was a boy, if you lived on San Bernard it was a sign that you had arrived," said Harrison Eppright, a Six Square tour docent (Sonnenberg 2017).

And fourth, 1193 San Bernard St. meets the community value criterion because its occupants have always been invested in and part of the historic fabric and preservation of the Robertson Hill community. In a series of interviews by the University of Texas at Austin Center for Community Engagement, descendent of Lewis M. Mitchell and former owner Lydia Moore commented on the history of the neighborhood (including growing up on San Bernard St.), the nearby churches, and race relations in the community (UT CCE 2023). Her uncle, Lonnie Van Zandt, likewise a former resident of 1193 San Bernard St., was interviewed by Gary Lavergne in *Before Brown*. The following is an excerpt from Lavergne's book:

"Lonnie Van Zandt lives in a simple white frame house at 1193 San Bernard Street in Austin, Texas... San Bernard Street is located on Robertson Hill. Despite Austin's designation of it as an historic district, many of the neighborhood's old homes are weathered and in sad state of disrepair, including Van Zandt's. His large wooden house sits behind a small front yard covered with lush St. Augustine grass. Sections of the walls and floors sag noticeably above concrete blocks that have settled unevenly over the decades. An oak tree, rooted too close to the house, has lifted and cracked the concrete steps in front of a screened porch; above these steps are wooden ramps, originally built for his mother, which now make it easier for Van Zandt to go inside." (Lavergne, 2010, p. 285).

Born in 1927, Lonnie Van Zandt earned a Bachelor of Arts in music from Huston-Tillotson University—the same university at which Carolyn Mitchell taught and Dr. Lewis M. Mitchell served as a dentist. Later, Lonnie Van Zandt was a professor of music at Huston-Tillotson University, a background that would almost assuredly make his composer uncle, Dr. Lewis M. Mitchell, proud. Lonnie Van Zandt's 2010 obituary tells his story, including Lonnie's legacy as part of the Robertson Hill community.

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*Brown v. Board of Education*. It is a case that really helped put one of the final nails in the coffin of state-sponsored segregation and to overturn *Plessy v. Ferguson*." Hsu, Andrea, "Sweatt V. Painter: Nearly Forgotten, But Landmark Texas Integration Case." NPR.org. October 10, 2012.

<sup>9</sup> Six Square's website states the following with respect to the district: "Six Square - Austin's Black Cultural District (formerly known as Austin's African American Cultural Heritage District) is the first black cultural district in the state of Texas and the only cultural arts district in the city of Austin. The organization was created in 2013 as an outgrowth of the City Council's African American Quality of Life Initiative, which detailed widespread disparities, racial biases, and a decreasing Black population. Since inception, Six Square has been dedicated to improving the quality of life for African American residents through preservation of historic Black spaces, artistic cultivation, and by serving as a catalyst for social and economic development."

**F. 2: Historical Documentation - Occupancy History****Occupancy Research for (fill in address)** 1193 San Bernard Street

*Using City Directories available at the Austin History Center or other information available, please provide a chronology of all occupants of the property from its construction to the present. For commercial property, please provide residential information on business owner as well.*

<b>Year</b>	<b>Occupant Name and Reference</b>	<b>Source</b>
1872-1873	A.S. Roberts, Dry Goods and general groceries provisions, City Directories e s Congress b Hickory and Ash Streets  A.S. Roberts (Ada), Roberts Dry Goods, r. 610 W. 12 <sup>th</sup> Street, 2.	
1877-78	Jones, David W., Wholesale Furniture dealer and carpets, 806 Congress Avenue  Jones, David W. (Martha), Furniture Dealer, r. 312 W. 5 <sup>th</sup> Street, 4.	City Directories

**(Continue through the present)**

**Occupancy History of 1193 San Bernard St.:**

<b>Year</b>	<b>Occupant</b>	<b>Source</b>
<b>2021</b>	Tankersley, Thomas Trace	Applicant
<b>2018</b>	Tankersley, Patricia Goldman	Travis County Real Property Records
<b>2017</b>	Spencer, Isaac, investor	Travis County Real Property Records
<b>2012</b>	Moore, Lydia Hayden	Travis County Real Property Records
<b>1980</b>	Van Zandt, Lonnie, Professor of music at Huston-Tillotson University	Travis County Real Property Records
<b>1954</b>	Mitchell, Lewis M., dentist Mitchell, Carolyn	Texas Deaths, 1890-1976
<b>1950- 1952</b>	Mitchell, Lewis M., dentist Mitchell, Carolyn, Head of Girl Scouts	U.S. Census (1950) The Sphinx, Spring May 1952, Vol. 38, No. 2
<b>1947- 1950</b>	Mitchell, Lewis M., dentist Mitchell, Carolyn Thurgood Marshall, NAACP attorney	NAACP Papers
<b>1941</b>	Mitchell, Lewis M., dentist Mitchell, Carolyn	
<b>1939- 1940</b>	Mitchell, Annie Mitchell, Lewis M., dentist	Austin City Directory U.S. Census (1940)
<b>1935</b>	Mitchell, Annie	Austin City Directory
<b>1922</b>	Mitchell, Annie Mitchell, Lewis M., dentist Mitchell, Ruth Mitchell, Thelma, teacher – Samuel Huston College Mitchell, Mabel J., teacher – Gregory School	Polk's, Morrison & Fourmy Austin City Directory, 1922 U.S. Registration Card (1915)  NOTE: The house is listed as 1185 San Bernard St.
<b>1918</b>	Mitchell, Lewis M. (Sr.), post office carrier Mitchell, Annie Mitchell, Lewis M. (Jr.) Mitchell, Thelma, teacher – Georgetown School Mitchell, Ruth, student	Polk's, Morrison & Fourmy Austin City Directory, 1918
<b>1910</b>	Mitchell, Lewis M. (Sr.) mail carrier Mitchell, Annie (Scott), manicurist Mitchell, Lewis M. (Jr.) Mitchell, Thelma Mitchell, Ruth Scott, Nancy, midwife	US Census 1910    NOTE: The house is listed as 1185 San Bernard St.

<b>1906</b>	Mitchell, Lewis M., mail carrier, notary public, prop. The Texas Pythian Journal Mitchell, Annie	1906-7 City Directory of Austin The Austin Statesman, Vol. 40, No. 157, Ed. 1 Sunday, June 6, 1909 NOTE: The house is listed as 1407 San Bernard St.
<b>1900-1903</b>	Burton, Henry, bartender (Iron Front Saloon), porter – Geo Southernwood Burton, Jeanetta Burton, Henry Jr. Burton, Gracey Davis, Jennie (roomer), washerwoman	Morrison & Fourmy's General Directory of the City of Austin, 1900-1901 US Census 1900 Austin Daily Statesman, Vol. 32, Ed. 1 Friday, November 21, 1902 Austin Statesman, Vol. 33, Ed. 1 Thursday, September 10, 1903 NOTE: The house is listed as 1407 San Bernard St.
<b>1897-1898</b>	Burton, Henry, porter – Wedig & Southernwood	Morrison & Fourmy's General Directory of the City of Austin, 1897-1898 Austin Weekly Statesman, Ed.1, Thursday, December 30, 1897 NOTE: The house is listed as 1407 San Bernard St.
<b>1896</b>	Burton, Henry	Austin Weekly Statesman, Ed.1, Thursday, December 30, 1897 NOTE: The house is listed as 1407 San Bernard St.
<b>1893-1894</b>	Burton, Henry, porter – John B. Neff	Morrison & Fourmy's General Directory of the City of Austin, 1893-94 NOTE: The house is listed as 1407 San Bernard St.
<b>1889-1890</b>	Burton, Henry, porter – P. McDannell (porter, Iron Front Saloon, 1882)	Morrison & Fourmy's General Directory of the City of Austin, 1900-1901 NOTE: The house is listed as 1407 San Bernard St.

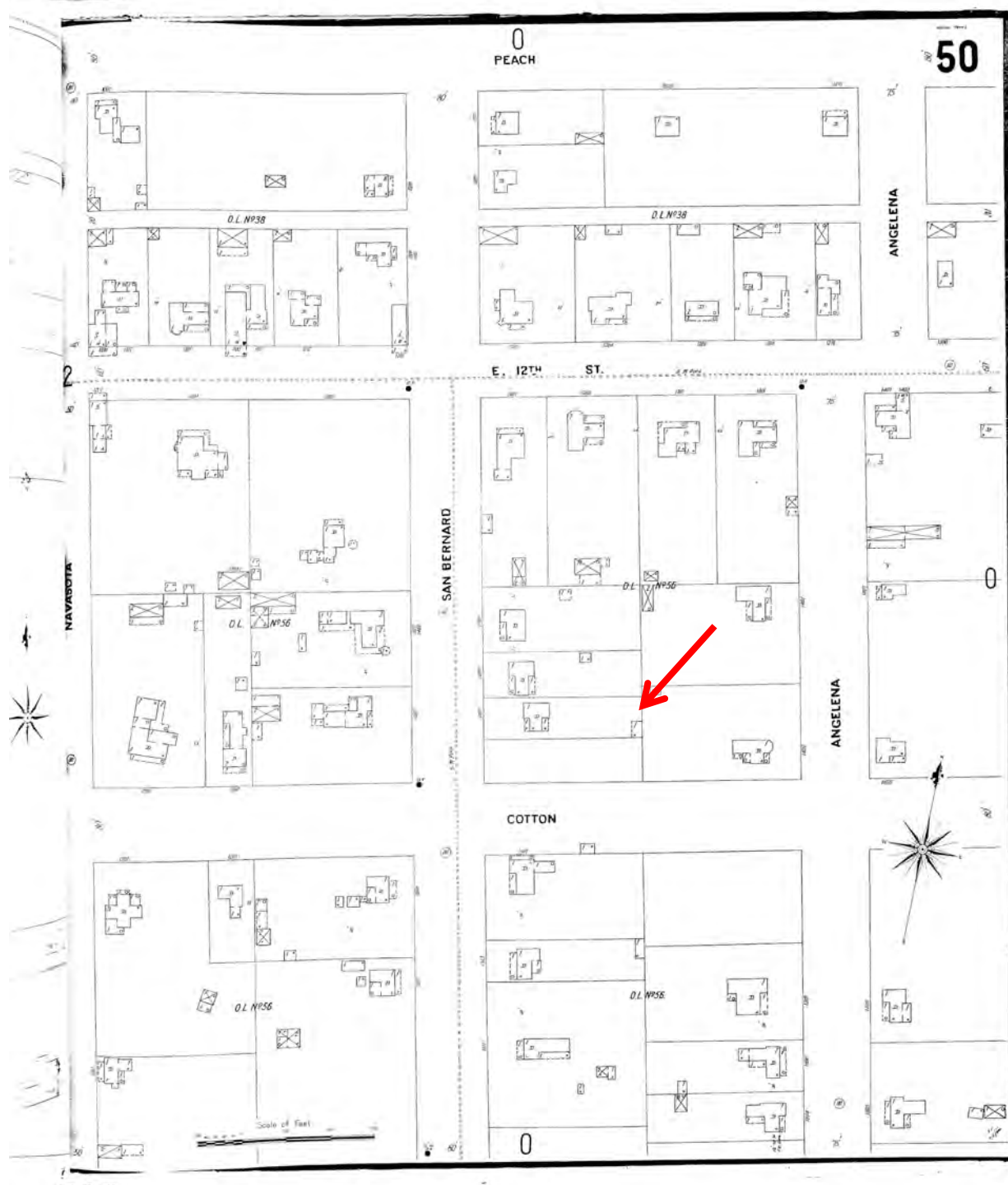
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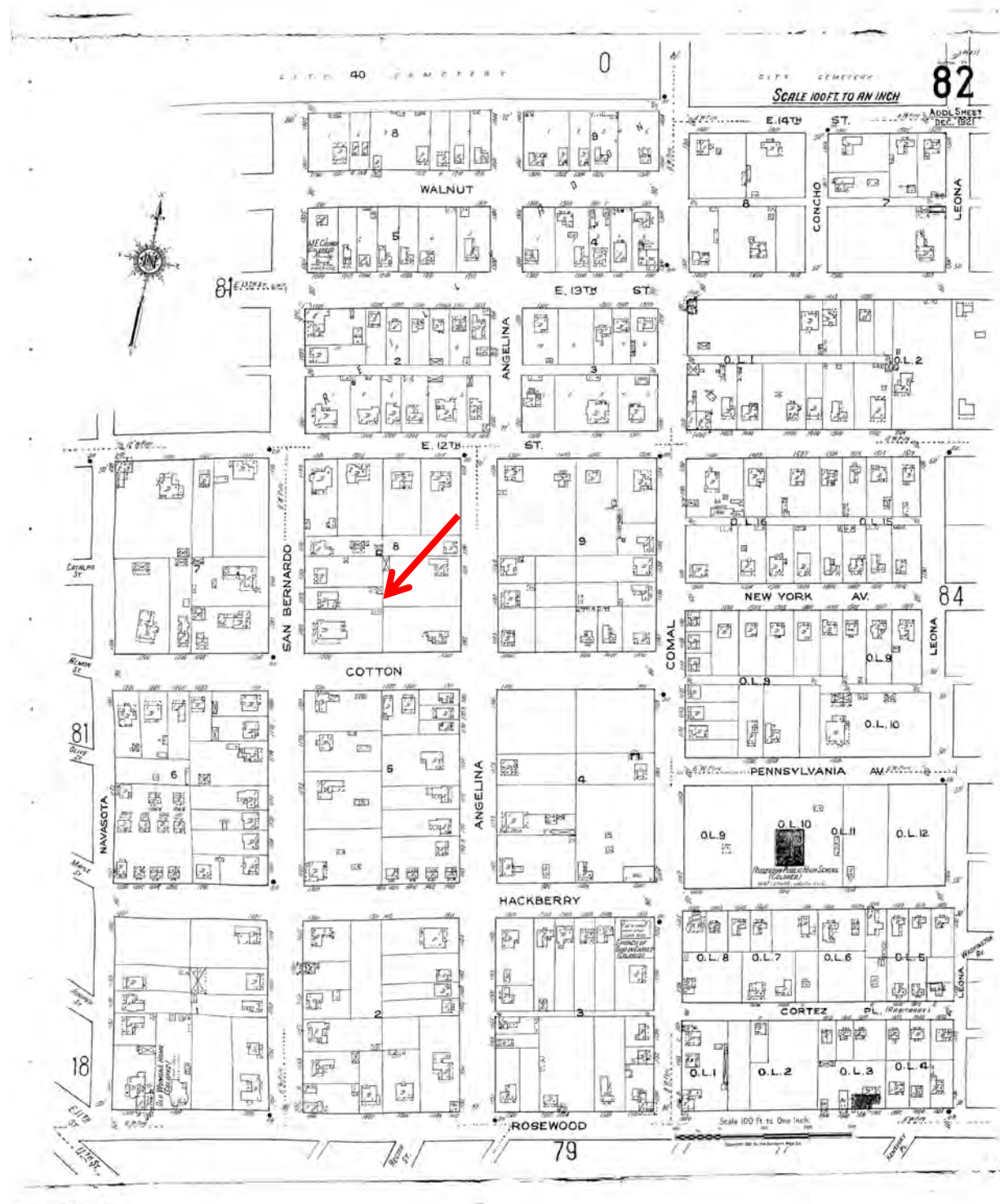


## Exhibit A-1: Sanborn Fire Maps (1900-1935)

Sanborn Map of 1193 San Bernard Street, listed as 1405 San Bernard in 1900



Sanborn Map of 1193 San Bernard Street, listed as 1185 San Bernard(o) in 1922



Sanborn Map of 1193 San Bernard Street in 1935

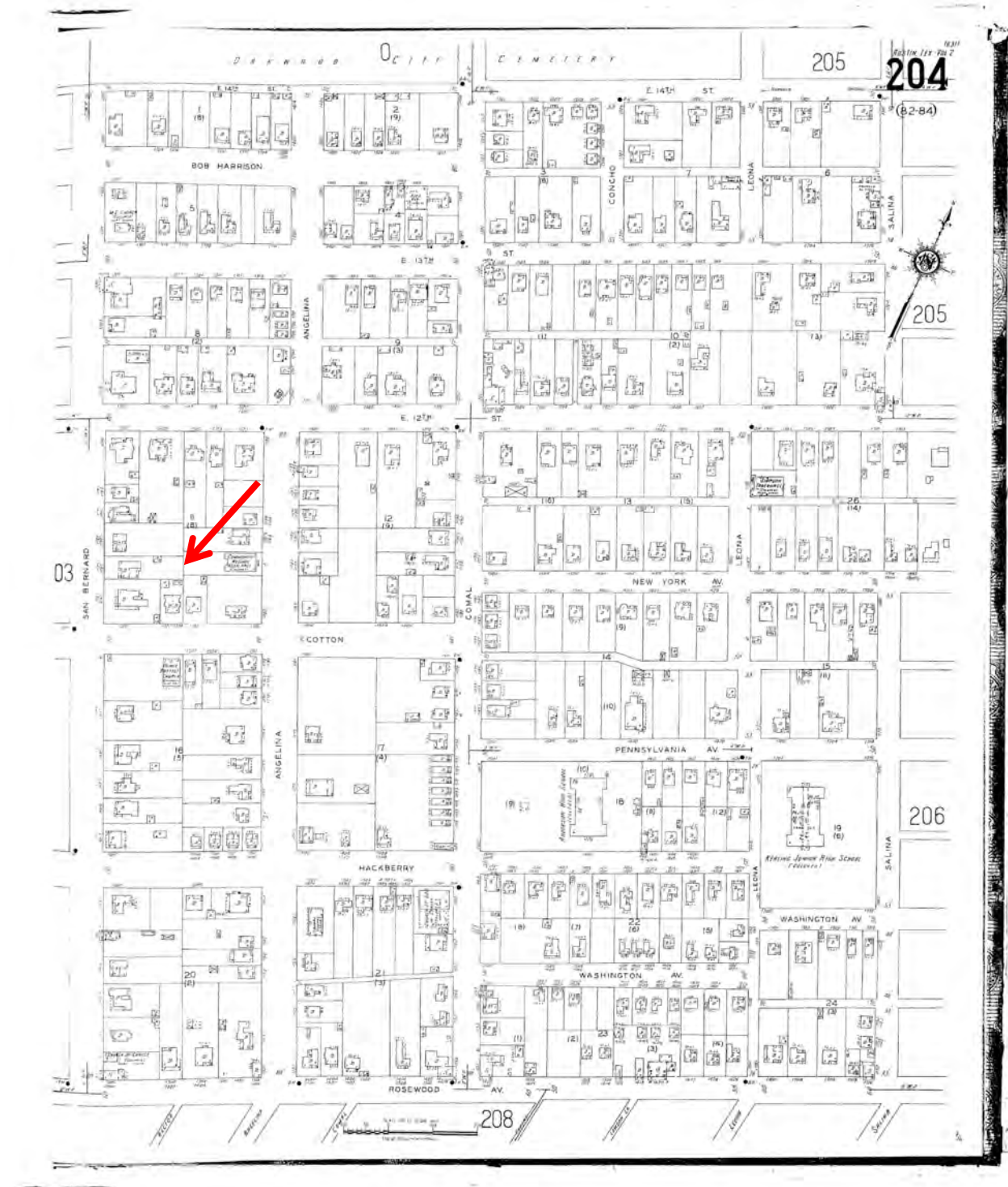




Exhibit A-2: 1193 San Bernard St., example of an historic T-Plan home



Mitchell House (October 2007)



Mitchell house (April 2009)



Exhibit A-2 (con't): 1193 San Bernard St., example of an historic T-Plan home



Mitchell house (circa 2018)



Mitchell House (current)



Exhibit B-1: Lewis M. Mitchell, Sr.



Lewis Matthew Mitchell Sr. is featured on the City of Austin Parks and Recreation website under "Biographies."



Exhibit B-2: 1915 WWI Draft Card for Lewis M. Mitchell

Form 1 **1915 REGISTRATION CARD** No. **78**

1 Name in full **Mr. Lewis M. Mitchell Jr.** Age, in yrs. **22**

2 Home address **1185 San Bruno, Austin, Travis County, Texas, U. S. A.**

3 Date of birth **July 27th 1893**

4 Are you (1) a natural-born citizen, (2) a naturalized citizen, (3) an alien, (4) or have you declared your intention (specify which)? **Natural born**

5 Where were you born? **Austin Tex U.S.**

6 If not a citizen, of what country are you a citizen or subject? \_\_\_\_\_

7 What is your present trade, occupation, or office? **Dentist**

8 By whom employed? **Self** **28**

Where employed? **Austin Tex**

9 Have you a father, mother, wife, child under 12, or a sister or brother under 12, solely dependent on you for support (specify which)? **Father & Mother**

10 Married or single (which)? **Single** Race (specify which)? **Negro**

11 What military service have you had? Rank **None** branch \_\_\_\_\_

12 Do you claim exemption from draft (specify grounds)? \_\_\_\_\_

I affirm that I have verified above answers and that they are true.

**Lewis M. Mitchell Jr.**

**2053** **42-1-3-A**  
**REGISTRAR'S REPORT**

1 Tall, medium, or short (specify which)? **Med** Slender, medium, or stout (which)? **Med**

2 Color of eyes? **Brown** Color of hair? **Black** Bald? **No**

3 Has person lost arm, leg, hand, foot, or both eyes, or is he otherwise disabled (specify)? **No**

I certify that my answers are true, that the person registered has read his own answers, that I have witnessed his signature, and that all of his answers of which I have knowledge are true, except as follows:

**William Wellner**  
(Signature of registrar)

Precinct **12**

City or County **Austin, Travis County**

State **Texas, U. S. A.**

**June 5th, 1917**  
(Date of registration)

Exhibit B-3: Advertisement for Dr. Lewis M. Mitchell's dental practice

## HEADS DENTISTS



**DR. LEWIS M. MITCHELL**, local dental practitioner with offices at 419½ Milam street, who is president of the dental department of the Lone Star Medical, Dental and Pharmaceutical Association, plans an educational and instructive program in connection with his department and is anxious for a large number of dentists to be present at the Beaumont meeting during the summer.

**Dentists**

Baxter Henry E, 512-513 Scarbrough bldg  
 Berwick Edwd C, 521 Scarbrough bldg  
 DeViney Albert E, Texas State Lunatic Asylum  
 Givens Everett H (c) 419½ E 6th  
 Grant Albert S, 508-509 Scarbrough bldg  
 Grant Robt J, 10-12 Sampson bldg  
 Harrison Grady H, 415-416 Scarbrough bldg  
 Kreberg August J, 421 Scarbrough bldg  
 Lane David A, 310-311 Scarbrough bldg  
 Le Sueur Wm N, 706-708 Littlefield bldg  
**Mitchell Lewis M Jr (c) 1185 San Bernard**

When you buy from our advertisers, tell the clerk or manager you saw it in The Register.


Your credit is good. Have your work done now. Don't wait.

**Dr. L. M. Mitchell, Dentist**  
 Phone Tr. 4032  
 608½ E. Commerce St., upstairs  
 First door to the right.

Dr. Lewis M. Mitchell practice dentistry in Houston, San Antonio, and Austin. Right: Description of Dr. Lewis M. Mitchell from his time practicing dentistry in Houston (1924). Top Right: List of dentists in Polk's Morrison & Fourmy Austin City Directory, 1918. Bottom Right: Advertisements for Dr. Lewis M. Mitchell's practice in the *San Antonio Register*, 1933.

Exhibit B-3 (con't): Advertisement for Dr. Lewis M. Mitchell's dental practice

## DENTAL HINTS



(By Dr. L. M. Mitchell)

A sanitary tooth brush is an asset to health. One should never permit the tooth brush to be left on a shelf

(By Dr. L. M. Mitchell)

A sanitary tooth brush is an asset to health. One should never permit the tooth brush to be left on a shelf or on a table in fact any place where it can become contaminated with dirt and dust. Don't forget that sanitation must be the slogan where care of the health is concerned. After using your brush rinse it well and put in a sanitary container made for that purpose. Don't use a brush that is old and losing its bristles. Be sure that your brush isn't too stiff because of the irritation and discomfort. If your gums bleed get a soft brush in order that it can be used to massage. Give your brush care, and more consideration.

Note: Dr. Mitchell has just returned from a stay in Chicago Ill., where he attended a series of lectures and demonstrations in Dental Medicine and Exodontia, sponsored by the Chicago Dental Society. He returned last week fresh with the newest in the Dental line for his patients.

Advice column from Dr. Lewis M. Mitchell's in the *San Antonio Register*, 1931 (*San Antonio Register* (San Antonio, Tex.), Vol. 1, No. 22, Ed. 1, Friday, September 4, 1931).



Exhibit B-4: Zerita Stepteau (ex-wife of Lewis M. Mitchell)



Left: Zerita Stepteau, from the 1927 yearbook of Howard University  
Right: Zerita Stepteau, from the 1929 yearbook of Howard University

Exhibit B-5: Lewis M. Mitchell (source unknown)



1951 Photo of Dr. Lewis M. Mitchell. Referencing his position as dentist for Samuel Huston College and State D.B.&O.



Exhibit B-6: Gamma Eta Lamda Director

**GAMMA ETA LAMBDA**—Austin, Texas. President, Dr. L. M. Mitchell, 1193 San Bernard St., Austin 2, Texas; Secretary, Roscoe S. Brown, 1214 East 7th, Austin 2, Texas.

The SPHINX | Fall October 1951 | Volume 37 | Number 1 195103701

#### REGIONAL OFFICERS

**SOUTHWESTERN JURISDICTION**—L. H. Williams, vice-president. Regional Directors—J. S. Chandler, 111½ S. Second Street, Muskogee, Oklahoma, (Oklahoma, Arkansas, Colorado and Kansas); Marion M. Taylor, 416 Karback Block, Omaha, Nebraska (Nebraska, Iowa); L. M. Mitchell, 1193 San Bernard Street, Austin, Texas, (Louisiana, Texas, New Mexico).

The SPHINX | Spring May 1952 | Volume 38 | Number 2 195203802

Dr. Lewis Mitchell was an active member of the Alpha Phi Alpha Fraternity and is frequently listed in the magazine *The SPHINX* as an officer of the Gamma Eta Lamda (Southwestern) jurisdiction of the Fraternity.

Exhibit B-7: Obituary for Dr. Lewis M. Mitchell

# **Dr. Lewis Mitchell**

## **Dies Suddenly**

**D**R. Lewis M. Mitchell, 60, who formerly practiced dentistry in San Antonio and has a very wide circle of friends here as well as throughout the state and nation, died suddenly, Sunday night, at his home in Austin, 1193 San Bernard, his succumbing to a heart attack.

He was talking with visitors and had gone to the kitchen to get a glass of water. Returning to the room, he appeared in distress, walked into the bathroom, and collapsed. He suffered the attack between 9:15 and 9:30.

Dr. Mitchell attained many professional distinctions. For several terms he served as chairman of the dental section of the Lone Star State Medical, Dental and Pharmaceutical association.

He was one of the founders, and served as chairman, of the national dental clinic at Tuskegee. When the dental association became a separate, national organization, Dr. Mitchell served it in many capacities, and, for his outstanding work, was elected national president. At his death, he was a member of the national board of the association.

A member of Alpha Phi Alpha fraternity, he was also nationally known in its activities. He was a past regional director of the fraternity, and a founder and past president of the Austin graduate chapter, Gamma Eta Lambda.

Dr. Mitchell was a lifelong mem-

ber of Wesley chapel Methodist church, and active in its affairs.

He was member of American Woodmen and of Mount Bonnell lodge, F. and A. M., in Austin.

### **Native of Austin**

A native Texan, the son of the late L. M. Mitchell and Mrs. Annie E. Mitchell, he was born in Austin in April, 1894, attended the Austin public schools, and graduated from Anderson high. He attended, and graduated from, Samuel Huston college, Austin, where he was a varsity football and baseball player.

Following graduation from Samuel Huston, he attended Meharry, his graduating from the dental college. Following his graduating from Meharry, he practiced in Houston, San Antonio, and Austin. He moved from San Antonio to Austin in 1936, and since that time had practiced there.

A talented pianist, he was the

(See MITCHELL, Page 7.)

# Mitchell ----

(Continued from Page 1.)

composer of many original compositions, one of which became a national hit.

## Rites, Thursday

At one of the most largely attended funerals in Austin's history, obsequies were conducted yesterday (Thursday) from Wesley chapel Methodist church, Austin.

Survivors include the widow, Mrs. Carolyn Mitchell; mother, Mrs. Annie E. Mitchell; two sisters, Mrs. Ruth Tucker, Chicago, Ill., and Mrs. Thelma Rhambo, Cincinnati, Ohio.

Exhibit B-8: Lewis M. Mitchell the composer and musician

was broadcast over one of the local radio stations.

### **MUSIC ALA L. M. MITCHELL**

Brother Lewis M. Mitchell, talented composer, does one of his original numbers on the piano in the Louis Jordan fashion. Setting was at the closed banquet, Copa Cabana Club where Brother Lewis, who is president of Gamma Eta Chapter, Austin, Texas, "brought down the house."

### **LIFE MEMBERS**

It was eleven years ago, in New Orleans, La., when Brothers Dr. O. Wilson

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**NEW ORLEANS BROTHER ACTIVE IN REGISTRATION . . .** Brother Whitney Haydel, treasurer of Sigma Lambda, New Orleans, La., and president of Mecos, Inc., manufacturers of Wylon Beauty Aids, awards Mrs. Teodora F. Page of the Local Classroom Federation of Teachers, AFL 527, a twenty-five dollar War Bond for her efforts to register Negroes in the Crescent City. Looking on is Mr. John Haydel, brother of Brother Haydel. He is also an executive of Mecos.

### Summarized Report On Western Regional Meet

For the third consecutive year, the Western Jurisdiction under regional Vice President A. Maceo Smith, of Dallas, Texas has held a most successful regional conference. This year's conference at The Texas State University for Negroes, Houston, has been regarded as the finest and most complete of all such meetings. General President B. V. Lawson, who was principal speaker at the public session, appraised the conference in these words: to Brother Smith:

"Please accept my congratulations for the best Regional I have ever attended. As I said many times from the standpoint of subject matter, thorough preparation, reclamation, spirit and social activity, it was as nearly perfect as it could be."

The conference met from October 22nd through the 24th, using as its theme, "The Responsibility of Institutions of Higher Learning in Achieving Complete Citizenship."

Brothers who carried out the activities of the conference through committees were Brothers Sam Warren, chairman, James B. Olliver, Cary Tolbert, M. C. Maxwell, T. E. Dixon, and Jacob Carruther. Recommendations: Leslie Patton, chairman, J. S. Chandler, Lionel Newsome, Petus B. Lee, McCoy McLe-more, W. J. Fontella Nanton, Joe Pierce, L. Barker, and J. S. Brown, Committee on Time and Place.

Brothers Otis Freeman, of Oklahoma City, served as Convention Secretary, and Lewis Mitchell, Sergeant-at-Arms.

Brother J. Leslie Patton, of Dallas, Texas in lieu of minutes of the 1947 conference in Dallas, gave a resume of the last year's meeting which was accepted by the conference in Houston. The undergraduate address was delivered by Brother Jacob Carruthers.

Role of the faculty advisor to the undergraduate chapter was given by Brother Newsom, of Southern University, and Brother Lucius Barker, of Beta Sigma, gave a picture of the situation at that chapter seat.

Brother Sam Warren, of Alpha Eta Lambda Chapter, gave a stirring address on the subject "Civic Barrier to Complete Citizenship." In the absence of Brother Glaster, Brother William H. Bell, dean at Texas State University, presented an interesting talk on Economic Proscription and Complete Citizenship. Brother Smith commented on the subject of Segregation and the Avenue of Approach in attacking it, and Brother Lloyd H. Williams of Tulsa, Okla., gave his address on Higher Education and the Negro.

Brother Williams, as regional director, assisted Vice President Smith in presiding over the conference. He conducted the election for the regional vice president. Brother Smith was the unanimous choice for re-election as Western Vice President.

Brother J. L. Patton, Jr., of Dallas, acted as toastmaster for the breakfast meeting at the Elks Club, Sunday morning, October 24th. This represented the

final business session. Brief remarks were given at this session by Brother James H. Law, John W. Davis, John E. Cowell, and Roger W. Lights. Brother L. M. Mitchell, of Austin, Texas rendered a special musical selection.

#### HEMAN SWEATT CASE

Most significant report made at the regional conference related to the Heman Sweatt case. The committee with Brother Law as chairman, recommended:

"That graduate chapters be assessed \$25.00 each and undergraduate chapters \$15.00 each in order to raise a fund to give to Brother Heman Sweatt because the need for such has been created by his participation in the legal battle for higher education. \$1,000.00 in all are to be raised from the Western Region with the help of the general officers. First payment was due December 1, 1948."

Brother Sweatt is to be sent to the General Convention in Atlantic City, New Jersey this month with the view toward aiding in the Western Jurisdiction's effort to obtain some funds from the national organization.

#### 1949 REGIONAL TO OKLAHOMA CITY

The conference went on record unanimously to accept the invitation of Oklahoma City, Okla., for the 1949 regional conference. This meeting is to be so planned in order that brothers can remain throughout the conference and yet leave early enough on the last day of the meeting to be back at their respective jobs the following Monday.

The question of a "Sweetheart Pin" was voted down, but that of a "Sweetheart Song" became a recommendation accepted by the body. The conference took on discussion the "one black ball" issue, suggesting that the matter be turned over to a special committee to thoroughly study the question.

Sunday worship was held at St. John Baptist church, and Sunday afternoon, October 24th, at the University Auditorium, Brother President Lawson gave the main address. Resume of the History and Aims of Alpha Phi Alpha Fraternity was given by Brother E. B. Evans, president of Prairie View College, Brother Hara O'Lanier is president of the host institution, Texas State University. Greetings were extended by representatives of all the fellow college Greek-Letter fraternities and sororities and the Negro Chamber of Commerce with the response coming from Brother John W. Davis, past president of Alpha Eta Lambda Chapter. Calendar of Social Events at the conference included many brilliant affairs. There were a football game between Texas State and Samuel Houston College; "Old-Fashioned Party" by Alpha Kappa Alpha; "Coffee Hour," by Sigma Gamma Rho Sorority; "Cocktail Party," by Delta Sigma Theta Sorority and Kappa Alpha Psi Fraternity; and the Alpha Phi Alpha Formal Dance.

### Alpha Footprints— Here And There

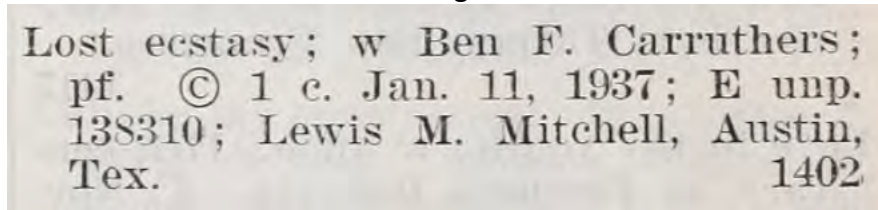
From Page 16

sition as Information Specialist with the U. S. Public Health Service. He is a member of Sigma Delta Chi, Honorary

At the top, right of this article, it notes: Brother L. M. Mitchell of Austin, Texas, rendered a special musical selection.



Exhibit B-9: Lewis M. Mitchell's original score

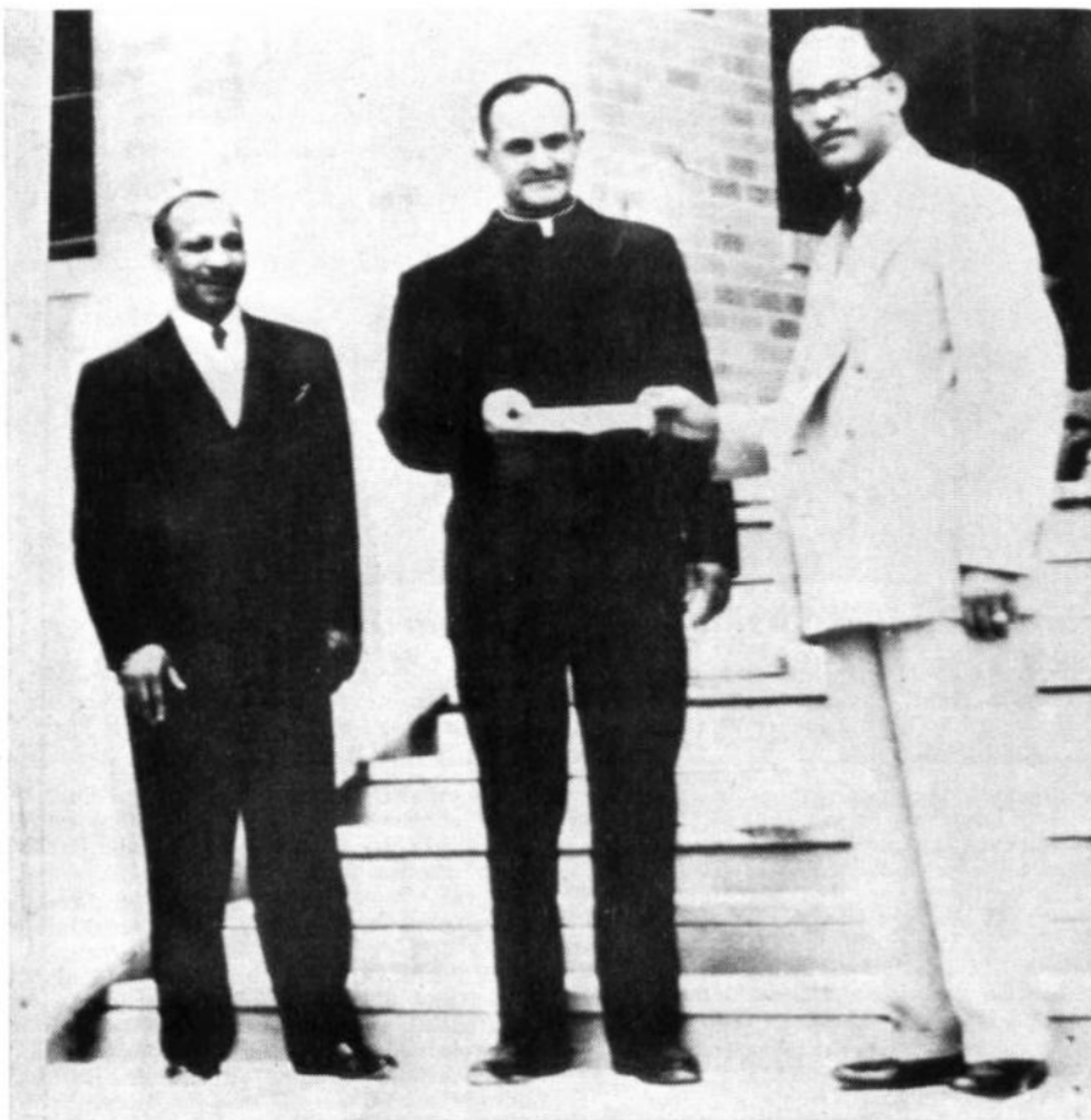


Lost ecstasy; w Ben F. Carruthers;  
pf. © 1 c. Jan. 11, 1937; E unp.  
138310; Lewis M. Mitchell, Austin,  
Tex. 1402

Dr. Lewis M. Mitchell registered for at least one copyright for his composition, Lost Ecstasy (with Ben F. Carruthers).

Exhibit B-10: Lewis M. Mitchell the philanthropist

Associate Editor      talizing influence of Alpha.



### *Alpha Aid For Holy Cross Hospital*

**IN KEEPING** with the goals set up by Gamma Eta Lambda Chapter for the year, Brother Dr. L. M. Mitchell, right, chapter president presents a \$500.00 check to Father Webber, center, of the Holy Cross Hospital, while Brother Dr. B. E. Connor, left, project chairman looks on. This contribution is given to aid in the completion of the Holy Cross Hospital here in Austin, Texas.

The SPHINX | Winter December 1950 | Volume 36 | Number 3 195003603

## Exhibit B-11: Lewis M. Mitchell the fundraiser

## Alphas Launch \$25,000 Campaign

LITTLE ROCK, Ark. — A. Maceo Smith, General President, Alpha Phi Alpha Fraternity, in addressing the Seventh Annual Southwestern Regional Convention of the Fraternity held in Little Rock, Arkansas, April 17 and 18, stated that plans were in the making for launching in the near future a campaign among the membership to raise \$25,000 for an Alpha Headquarters Building. The mere mentioning of this headquarters housing plan set in motion an unsolicited and unexpected response from fifteen members of the fraternity present — each pledging and paying \$100 each.

### College President First Donor

Dr. Lafayette Harris, President Philander Smith College, Little Rock, Arkansas, gained first honors in presenting his check for \$100, and his name will go down in the history of the fraternity as the first member to contribute to the Headquarters Fund.

It was difficult to determine which Brother was second and third to pay their \$100 because of the mad scramble to be listed among the first to realize the value and significance of this fund raising drive. After the bedlam had ceased, Dr. J. S. Chandler, Muskogee, Oklahoma, who serves as Regional Director in the Southwest for the fund, indicated that pledges, payable on demand, and

checks for \$100 totaling \$1,500 had been given towards the purchase of this Home for Alpha. Those contributing \$100 were: Dr. Lafayette Harris, Pine Bluff, Ark.; Marcus Neustadter, New Orleans, La.; C. P. Johnson, Austin, Texas; John G. Lewis, Baton Rouge, La.; C. Franklin Brown, Little Rock, Ark.; Dr. J. S. Chandler, Muskogee, Okla.; Dr. L. M. Mitchell, Austin, Texas; Dr. L. H. Williams, Tulsa, Okla.; V. L. Foshee, Muskogee, Okla.; J. R. Booker, Little Rock, Ark.; P. A. Townsend, Topeka, Kans.; Dr. G. R. Cotton, Topeka, Kans.; G. W. S. Ish, Little Rock, Ark.; Dr. H. A. Powell, Little Rock, Ark.; and Leroy Williams, Little Rock.

### Plan For Raising Fund

General President Smith, when queried, stated that M. Stewart Thompson was the Chairman of the National Housing Committee of Alpha and that Dr. Channing Tobias had accepted the General Chairmanship of the Alpha Home Fund Committee. Oscar Brown of Chicago, Illinois heads a sub-committee of outstanding bankers, insurance executives and real estate men in handling the mechanics of this Fund Drive. A breakdown of the operation calls for a Regional Director of the Fund in each of the five regions, then State Directors and City Directors. These Directors are appointed by the five Regional Vice-Presidents. The dates set for raising this \$25,000 are May 1 to August 1, 1953.

A list of 500 members of the Fraternity is being compiled and letters will soon be going out to them ask-

ing for \$100 each for this Alpha Home Fund. The members who donate \$100 will have their names inscribed on a bronze plaque which will be located permanently in the Home when purchased. These members will be known as *Alpha Home Builders*.

According to Smith, it is expected that twenty-five or thirty thousand dollars will be contributed to this Fund, and the property for the Home purchased before the next Annual Convention in Detroit — December, 1953.

## Installation Banquet

BOSTON, Mass. — February 7, a joint installation banquet for the Sigma and Epsilon Gamma Lambda chapters was held at the Hotel Gardner, Boston, Mass.

Brother Carper Ferguson was banquet chairman, while Brother W. Edward Brooks was toastmaster. Regional Director, Brother Robert Lewister installed the new officers.

Brother Edward O. Gourdin, special Justice of the Roxbury District Court, gave the address of the evening. Brother Gourdin gave special emphasis on the need for guidance to the youth of our communities as an aid to warding off juvenile delinquency.

Brother President Barron H. Martin of Sigma Chapter spoke on the immediate implementation of plans to help Boston youth by rendering voluntary services to youth service organizations and community settlements.



The Southern Regional Convention held in Jackson, Mississippi, as you can see from the Convention picture, attracted Brothers from all sections of the region. General President A. Maceo Smith was there and participated with Walter White and other celebrities in the week end program.



Exhibit B-12: Carolyn M. Mitchell the author



## Cactus Corner

By CAROLYN MITCHELL

1193 San Barnard, Austin, Tex.

---

**HATS OFF TO . . .**

James Wiley Brown, a former Mississippian who has become a real good Texan. His father was what is called a pioneer graduate of Alcorn College of Jackson, Miss. His heritage stems back to somewhere in Cincinnati, where his great-grandfather was one of the helpers in the underground railroad. He got the slaves over the border to Cincinnati and helped them into Cleveland. But the Rev. Mr. Brown's grandfather later in life migrated to Mississippi. He is the son of the late James C. Brown Sr. and Mrs. Emma C. Brown, who recently retired as a teacher.

The Rev. Mr. Brown attended the Mississippi elementary schools, part of the time under his parents, both of whom were teachers. He attended and received his B. A. degree from Clark University, entered Gammon Theological School and received his B.D.; then received a fellowship which enabled him to do graduate work at the Chicago Theological Seminary.

Among his first jobs was assisting Dean Faulkner at Fisk University in the Personnel Department and have charge of chapel. He later spent several years in the States of Alabama and Texas as home missionary pastor under the American Missionary Association. He was then called by St. Philip Junior College in San Antonio as director of studies for two years. When Tillotson College in Austin needed a professor of philosophy, they stole the Rev. Mr. Brown from San Antonio. He then, in addition to philosophy professor, dean of men, was in charge of the campus church. At the present time the Rev. Mr. Brown, under the merged school of Huston-Tillotson, is director of religious life and an associate professor of philosophy and religion.

He is the moderator of the Congregational Christian Churches for Texas, Oklahoma and Louisiana, and is a board member for the American Friends Association and serves as the Ninth District secretary for the Omega Psi Phi Fraternity.

He is married to Mrs. Nancy Corbett Brown who is at present teaching in the Dallas city schools.

grace and makes a perfect slide to the ground.

**HOME AGAIN**

Mrs. Hazel McDade-Dykes visited in Austin recently. She has been residing in New York City for the past twelve years or more. Although Mrs. Dykes has lived in the great metropolis for some time, Austinites have not relinquished her and she always finds time to visit the capital city of Texas at intervals. Mrs. Dykes is a former instructor in the Austin public school system.

After leaving Austin, friends remember her contributions in the stage production "Porgy and Bess." She also had a singular role in the great Eva Jessye Choir.

Her versatility has paved the way for employment at present in one of New York's largest establishments where she serves as a manager.

Mrs. Dykes is the daughter of the late Rev. J. W. McDade and Mrs. N. McDade, who lives in San Antonio, Tex.

Visit with us again, Hazel!

**MRS. MCGEE VISITS**

Now serving as a visiting teacher in the Seguin Community is Mrs. Lenora McGee who visited in Austin recently. It is always a pleasure to greet Mrs. McGee. Talented, affable and experienced in the teaching field, her new assignment brings her nearer Austin and more will be told of her work later.

**VISITS AUSTIN**

Last week-end Mr. and Mrs. Walter Williams of 1613 Chew Street, Houston, visited Austin. Accompanying them was their daughter, Blanche, and her husband.

The Pittsburgh Courier had a section dedicated to news of prominent black individuals and families across the country. Carolyn Mitchell wrote the above biography of Dr. Brown, then a Chaplain and Professor at Tillotson College in Austin for the Pittsburgh Courier (Pittsburgh Pa) on October 25, 1952.

[illegible]

31



Exhibit B-14: Carolyn M. Mitchell



Carolyn Mitchell (1950, pictured center). The SPHINX | Spring February 1950 | Volume 36 | Number 1 195003601

Exhibit B-14: Heman Sweatt

Exhibit B-15: Heman Sweatt



Heman Sweatt waiting to register for classes on September 19, 1950. Photo by Neal Douglass for *Life Magazine*.

Exhibit B-16: 1193 San Bernard St.



The Mitchell House (2017) matches the description of the home from *Beyond Brown* (2010). The photo was taken from a news article by Brittani Sonnenberg, "Envisioning Community: Six Square Offers Austin a Glimpse of its Past."



Exhibit B-17: Thurgood Marshall thanks the Mitchells

*in of Texas*

March 16, 1950

Dr. and Mrs. Louis Mitchell  
1193 San Bernard Street  
Austin, Texas

Dear Carolyn and Louis:

We are sending, under separate cover, copy of our brief in the Sweatt case and the brief of the Law School Professors in the same case.

I think this will give you a complete file of briefs in the Sweatt case. You are most certainly entitled to a set of them in view of your great generosity in taking care of the lawyers in the case.

With all best wishes.

Sincerely,

Thurgood Marshall  
Special Counsel

TM;abs

Thurgood Marshall to Dr. and Mrs. Louis Mitchell, dated March 16, 1950 (NAACP Papers)

Exhibit B-18: Thurgood Marshall, writes to Lewis M. Mitchell at 1193 San Bernard St.

*U of Texas  
Mitchell*

Air Mail Special

May 3, 1947

Dr. Lewis Mitchell  
1193 San Bernard  
Austin, Texas

Dear Lewis:

I am mailing to you today via Air  
Express three books which I will need  
when I get to Texas. Please hold them  
for me until I arrive in Austin.

Sincerely yours,

TM:GS  
uopwa-19-CIO

Thurgood Marshall  
Special Counsel

Thurgood Marshall to Dr. Lewis M. Mitchell, dated May 3, 1947 (NAACP Papers).

Exhibit B-19: Western Union Telegrams sent to Thurgood Marshall at 1193 San Bernard St.

Charge to the account of		1206	CHECK
DOMESTIC	CABLE		
TELEGRAM	ORDINARY		ACCOUNTING INFORMATION
DAY LETTER	URGENT		
SPECIAL	DEFERRED		
NIGHT LETTER	NIGHT LETTER		TIME FILED

Send the following telegram, subject to the terms on back hereof, which are hereby agreed to

JNE ☒ STRAIGHT WIRE MAY 6, 1947

Mr. Thurgood Marshall  
c/o Dr. Louis Mitchell  
1193 San Bernard Street  
Austin, Texas

HOW ARE THINGS SHAPING UP THERE. AM WORKING ON ALL PRESS. POST CLOSEUP TO  
BE PUBLISHED MONDAY, MAY 12 BY ARRANGEMENT. IF YOU STILL THINK I SHOULD  
COVER PLEASE WIRE WALTER OR ROY. WILL THEN NOTIFY PAPERS I WILL BE AVAILABLE  
TO ASSIST THEIR REPRESENTATIVES.

Ollie.

*Handwritten:* DW sent 11/4/37

Charge to the account of		1206	CHECK
DOMESTIC	CABLE		
TELEGRAM	ORDINARY		ACCOUNTING INFORMATION
DAY LETTER	URGENT		
SPECIAL	DEFERRED		
NIGHT LETTER	NIGHT LETTER		TIME FILED

Send the following telegram, subject to the terms on back hereof, which are hereby agreed to

JNE 3 STRAIGHT WIRE MAY 15, 1947

THURGOOD MARSHALL, ESQ.  
c/o DR. LEWIS MITCHELL  
1193 SAN BERNARD  
AUSTIN, TEXAS

*Handwritten:* R3 WUF 235D

CARTER REPORTS ELMORE TRIAL JUNE 3, UNIVERSITY TRIAL JUNE 6. JURY  
TRIAL DENIED BOTH CASES. PRE-TRIAL MEMORANDA IN ADVANCE IN ELMORE AND  
BRIEFS DUE TEN DAYS AFTER HEARING IN UNIVERSITY CASE. CARTER IN WASHINGTON,  
HOTEL CHARLES, UNTIL MAY 20. INSTRUCT HIM WHETHER TO ATTEND TRANSPORTATION  
TRIAL WINSTON-SALEM, MAY 22. LETTER FOLLOWS.

MARIAN WYNN PERRY, NAACP  
20 WEST 40TH STREET  
NEW YORK 18, NEW YORK

Ollie to Thurgood Marshall, dated May 6, 1947 (NAACP Papers).

Marian Wynn Perry to Thurgood Marshall, dated May 15, 1947 (NAACP Papers)



Exhibit B-20: NAACP Legal Defense and Educational Fund Letter sent to Thurgood Marshall at 1193 San Bernard St.

# N. A. A. C. P. LEGAL DEFENSE AND EDUCATIONAL FUND, INC.

**President**  
ARTHUR B. SPINGARN

**Vice-Presidents**  
HON. HUBERT T. DELANY  
ELEANOR ROOSEVELT

**Treasurer**  
MARY WHITE OVINGTON

20 WEST 40TH STREET, NEW YORK 18, N. Y.

LONGACRE 3-6890

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ROY WILKINS  
THURGOOD MARSHALL  
ROBERT L. CARTER  
MARIAN WYNN PERRY  
FRANKLIN H. WILLIAMS  
EDWARD R. DUDLEY (on leave)

Secretary

Assistant Secretary

Special Counsel

Assistant Special Counsel

Assistant Special Counsel

Assistant Special Counsel

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Maurice M. Weaver  
CHICAGO, ILL.  
W. Robert Ming, Jr.  
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ITHACA, N. Y.  
Milton R. Konvitz  
LOS ANGELES, CALIF.  
Thomas L. Griffith, Jr.  
LOUISVILLE, KY.  
Loren Miller  
MADISON, WIS.  
Lloyd Garrison  
NASHVILLE, TENN.  
Z. Alexander Looby  
NEW YORK, N. Y.  
Donald Crichton  
Morris L. Ernst  
Camond K. Frankel  
Arthur Garfield Hays  
Paul Kern  
Karl N. Llewellyn  
James Marshall  
Shad Polier  
Hope Stevens  
Charles H. Studin  
Andrew D. Weinberger  
PITTSBURGH, PA.  
Homer S. Brown  
RICHMOND, VA.  
Spottwood W. Robinson, III  
SAN FRANCISCO, CALIF.  
Barley C. Crum  
TULSA, OKLA.  
Amos T. Hall  
WASHINGTON, D. C.  
Charles H. Houston  
Edward P. Lovett  
Leon A. Ransom  
Ruth Wayand  
WILMINGTON, DEL.  
Louis L. Redding

August 26  
19 48

Thurgood Marshall, Esq.,  
c/o Dr. Louis Mitchell  
1193 San Bernard Street  
Austin, Texas

*Prof. Ochs  
Herald Tribune*

Dear Thurgood:

Helen Hiatt of the Herald Tribune Forum called and stated that they have decided that they now want to have Miss Sipuel on October 19th in the evening. She would like to have a white student either from the University of Texas or the University of Oklahoma who would give evidence that they want the Negro students to come in.

She would like to know whether Miss Sipuel could come on that date and whether you could recommend any white students to participate.

Sincerely,

*Marian Wynn Perry*  
Marian Wynn Perry  
Assistant Special Counsel

MWP:abs  
uopwa-19-CIO

Contributions are deductible for U. S. Income Tax Purposes

Marian Wynn Perry to Thurgood Marshall, dated August 26, 1948 (NAACP Papers)

Exhibit B-21: Thurgood Marshall, occupant of 1193 San Bernard St.



Thurgood Marshall, right, chief legal counsel of the National Association for the Advancement of Colored People, and Dallas attorney U. Simpson Tate, left, check documents during a court hearing in Tyler, Texas, September 28, 1956. They are trying to fight off attempts from Texas Attorney General John Ben Shepperd to shut down the branch offices of the NAACP in Texas. (AP Photo)

Exhibit C-1: Henry Burton and violence at the Iron Front Saloon

## BEATEN WITH PISTOL

### HENRY BURTON BADLY USED UP IN GREGORYTOWN. LAST NIGHT.

Henry Burton, negro porter at the Iron Front saloon, was assaulted by another negro, named Robert Bell, at the latter's house in Gregorytown about 9 o'clock last night. Burton was hit over the head a number of times with a sixshooter and Dr. Granberry found it necessary to take fifteen or sixteen stitches in patching up the gashes which numbered seven.

Bell was not arrested, Burton refusing to prosecute him, saying that Bell was not to blame.

#### NIGHT SESSION.

Georgetown, Tex., July 25.—It was a few minutes past 8 o'clock when the night session convened and Henry Burton was the first witness called. He was not present and J. W. Taylor was the first to testify.

"I was in Austin on the night Raulin was killed. After the shooting I saw Hamby, in company with Officer Sawyer and Bracken, in the Iron Front saloon. While in there I noticed a pistol sticking in his waist band on his left side. It was a black gun, at least the handle was that color."

Mr. Taylor was cross-examined, but there was no variance of question in his statement.

At the conclusion of Taylor's testimony Burton testified. He corroborated the above witness' statement in every particular in reference to Hamby wearing a gun when he entered the Iron Front saloon with the police officer. Burton is colored and has been a porter at the above named saloon for years.

Henry, when cross-examined by the attorneys for the state, declared that Charlie, the bartender, did not give Hamby the gun, which question was asked him by Mr. Moore.

When asked who treated, Burton

THURSDAY, DECEMBER 30, 1897.

Reported Sold.	Reported Delinquent.	OWNER.	Description of City and Town Lots.	Taxes Due.		
				Total State.	Total County.	Cost.
1889	Unknown	Austin, outlot 47, division B, 6 acres sold or delinquent...	1 95	3 00	....	
1890	Unknown	Austin, outlot 47, division B, 4 63-100 acres sold or delinquent...	1 46	2 25	....	
1894	Miller, C. M.	Austin, lot 72, outlots 47 and 48, Isherwood H'ts, div. B.	14	25	2 50	
			23	22	....	



Exhibit C-2: Connection between Henry Burton and Lewis M. Mitchell



Exhibit C-3: Six Square tours San Bernard St.





## PROGRAM SCHEDULE

12:00pm - Bus Tour #1 (45 minutes)

1:00pm - Site 1 Tour: 1157 San Bernard, Costley-Goins House

1:20pm - Site 2 Tour: 1160 San Bernard, Spinola-Smith House

1:30pm - Site 3 Tour: 1164 San Bernard, Wesley United Methodist

1:45pm - Kick off speeches

2:00pm - D-Soul Davis feat. Art of Soul @ Wesley Stage

- Bus Tour #2 (45 minutes)

2:30pm - Site 4 Tour: 1170 San Bernard, Arnold House

2:45pm - Site 5 Tour: 1171 San Bernard, Thompson House

3:00pm - Site 6 Tour: 1174 San Bernard, Roberts Clinic

- Zoumountchi @ Wesley Stage

3:15pm - Site 7 Tour: 1178 San Bernard, Benjamin Lee House

3:45pm - Bus Tour #3 (45 minutes)

4:00pm - Brothers Live @ Wesley Stage

4:30pm - Site 8 Tour: 1179 San Bernard, Olivet Baptist Church

5:00pm - Site 9 Tour: 1190 San Bernard, Delta Foundation

- J Kells feat. The Robyn Wright Project @ Wesley Stage

5:30pm - Site 10 Tour: 1191 San Bernard Scott-Hammond House

5:45pm - Site 11 Tour: 1193 San Bernard, Dr. Lewis and Carolynn

Mitchell

6:00pm - Program Concludes

RSVPs Closed



# Tax Certificate

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

NO 2307406

ACCOUNT NUMBER: 02-0708-0702-0000

PROPERTY OWNER:

TANKERSLEY THOMAS TRACE  
 1193 SAN BERNARD ST  
 AUSTIN, TX 78702-2040

PROPERTY DESCRIPTION:

50 X 175 FT OF LOT 1 BLK 8 OLT 56  
 DIV B ROBERTSON GEO L SUBD

ACRES .2000 MIN% .000000000000 TYPE

SITUS INFORMATION: 1193 SAN BERNARD ST

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  
 2022 AUSTIN ISD  
 CITY OF AUSTIN (TRAV)  
 TRAVIS COUNTY  
 TRAVIS CENTRAL HEALTH  
 ACC (TRAVIS)

TOTAL  
 \*ALL PAID\*  
 \*ALL PAID\*  
 \*ALL PAID\*  
 \*ALL PAID\*  
 \*ALL PAID\*

TOTAL SEQUENCE 0

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

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

TAXES PAID FOR YEAR 2022 \$19,224.00

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2022 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 09/13/2023

Fee Paid: \$10.00

Bruce Elfant  
 Tax Assessor-Collector

By: 

# Tax Maps

1193 1/2

890893  
GOLDSTEIN LEWIS...  
0207081701

1193

195860  
TANKERSLEY THOM...  
0207080702

1302  
195868

OLIVET BAPTIST ...  
0207080716

195859  
WIDNER CYNTHIA ...

1304



18 C14H-2023-0115 - Mitchell House; District 1A