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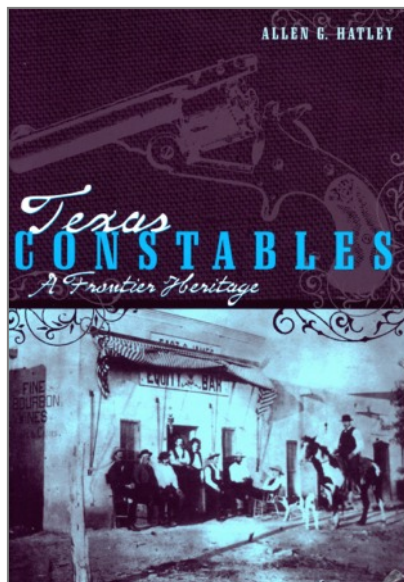
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Book Review

Texas Constables

A Frontier Heritage

By Allen G. Hatley

Lubbock, Texas: Texas Tech University Press (ttup@ttu.edu), 1999. xviii + 237 pages. 73 black and white illustrations, endnotes, bibliography, index, appendices. \$34.95 cloth; \$18.95 paper.

Allen G. Hatley's interest in Texas constables is natural, as he was elected constable of Bandera County in 1992 and again in 1996. While campaigning, he realized that few Texans had "a clear understanding of the duties and the long history of Texas constables as peace officers, even though they voted for one every four years." (ix)

This work certainly sets the record straight as to the history of Texas constabulary, and it also gives useful insight into the position elsewhere. Hatley traces the term *constable* from the earliest times, originating in the Latin *comes stabuli*. He then discusses how it became integrated in England's long history. The work performed by constables crossed the Atlantic to the American colonies, and by the 1640s, was similar to what is done by Texas constables today. Hatley discusses the progression of constabulary in Texas from pre-statehood via historic periods as well as geographical areas.

In Austin's Colony in the 1820 to 1836 period, a civil and criminal code of justice was promulgated by Stephen F. Austin himself, taking effect in 1824. In the civil portion, constables were designated to execute processes of the *alcaldes* (mayors). Thomas V. Alley and John H. Austin were the first constables selected in what later became Texas.

After the 1836 Texas Constitution was ratified, the process of establishing local and county government proceeded slowly. It was not until May 12, 1838, that elections were held to choose constables—in Nacogdoches County. Over the next ten years, thirty-eight constables were elected in twelve Texas counties, the most in Harris County.

Hatley continues relating the development and changes in the duties and responsibilities of constables throughout the book, at the same time providing an overview of the state's history. Although some of the individuals discussed are well



known, certainly to most Texans, attention is also given to lesser-known individuals and incidents.

Among the more famous figures in the book is John Selman, who killed John Wesley Hardin. Also included is Pat Garrett, who was a Texas law officer after his Billy the Kid days. Hatley's interest in lesser-known incidents is shown by the attention given to the Lynn Flat affair of 1871 in which two Texas state policemen and Constable John Birdwell, with a posse, engaged in a difficulty in Nacogdoches. Before this affair ended, two men were killed and others wounded. Unfortunately, the final resolution is not recorded in this study.

To this reviewer, therein lies one problem with the approach taken by historian Hatley. The overview of the role of constables in Texas is clearly presented, but too often in discussing specific events and characters who may or may not have been constables, we are left with no firm resolution of the incident described. An example of this is the event of April 21, 1900, in which Curg Border shot and killed San Augustine County Sheriff George Wall. The incident led to a feud between the Border and Wall families, both well known and prosperous in their area. Later, a company of state militia was summoned in an effort to "preserve the peace." But what was Constable John Matthews' role in the sequence of events from the first shot fired until the final resolution of the troubles? Did he indeed play a significant role at all, or was he merely a minor player? We are not informed.

Perhaps tracing the development of the constable's position in the state's long and colorful history is too complex for a single volume, or maybe there are too many fascinating personalities and interesting incidents to do the subject justice. Hatley's goal may have been to stimulate interest to such a degree that readers would pursue the topic. This can easily be done with the book's useful bibliography, and the three appendices are also helpful. Appendix A discusses some constables outside of Texas, including some well known individuals such as the Earp brothers and "Mysterious Dave" Mather. Appendix B looks at today's constables and their specific duties and responsibilities. Appendix C lists those constables and deputy constables killed in the line of duty in the 20th century, a total of twenty-five men.

If Allen G. Hatley intended to present enough history of Texas constables to whet the reader's appetite for more, he has admirably succeeded.

Review by Chuck Parsons