Project Director's Foreword

The history of slavery in the United States has been the subject of hundreds of works over the years, but with the important exception of Randolph B. Campbell's 1989 groundbreaking book, the literature on the history of slavery in Texas is sparse. The sparseness is particularly evident in the area of slave law. Most works on the legal dimensions of slavery focus heavily on the Old South, and Texas law is discussed either briefly or not at all. National scholars no doubt have paid scant attention to Texas slave laws because Texas was an atypical slave state. As the only slaveholding state with a national border—a long and rather porous border with the nonslaveholding nation of Mexico—and with prior incarnations as a Spanish colony, a Mexican state, and an independent republic, Texas enacted slave laws that were uniquely affected by geography and legal heritage.

A second reason for the paucity of legal analysis on Texas slave laws is the shortage of legally trained historians. The state has never fielded more than half a dozen practitioners at one time, despite the combined output from seven law schools and a resident pool of 77,000 practicing attorneys. Those few legal scholars who write on Texas subjects tend to gravitate to the rich treasure of republic-era papers housed in the Texas State Archives and to Spanish and Mexican documents found in the Bexar Archives. Efforts to arrange the Bexar Archives were first made during the Great Depression, when a great many Spanish-language legal documents were translated. Unfortunately, few of the historians who conducted that painstaking work had any professional legal training. Since then, the state's legal historians have been busily digesting the Spanish antecedents of state law and the activities of the Texas court through early statehood, and given time, they could easily fill a dozen volumes without sounding the bottom.

Over the past decade, it has been my privilege to serve as director of the Texas Supreme Court Historical Society's History Book Project. Our focus has been on preparing a comprehensive history of the Texas Supreme Court, a multivolume work that will fill a major gap in the state's legal history. The publication of this collection of Supreme Court case reports, legislative documents, and articles is

a major milestone for our project and an important addition to the literature on slave laws in Texas.

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