

65 Years at the Bar

THOMAS M. KENNERLY

On April 24, 1958, Thomas M. Kennerly will have completed 65 years at the bar.

Although the 84-year-old jurist "retired" from the United States District Court bench in 1954, he still does considerable court work, such as handling bankruptcy and condemnation settlements and habeas corpus hearings for federal prisoners.

Judge Kennerly was appointed to the federal bench by President Hoover and took his oath of office Feb. 16, 1931.

Judge Kennerly was born Jan. 24, 1874, in Lee County, Texas. He attended public schools, then studied law in the office of a Giddings attorney. He was admitted to the bar April 24, 1893, at the age of 19.

Law Practice

For about four years he practiced law in Giddings, then for a number of years he practiced alone in Houston.

He served as Referee in Bankruptcy from 1903 to 1906, when he became an attorney for the Houston Oil Company of Texas. About 1914 he resumed the private practice of law, and when he was appointed federal judge in 1931, the name of his firm was Kennerly, Williams, Lee, Hill & Sears.

Two members of the firm then were his sons, Irl F. Kennerly and Thomas E. Kennerly.

As United States District Judge, he sat in numerous cases attracting national attention, including the King Ranch litigation, involving several million dollars, and in the Texas City litigation, involving several hundred million dollars.

All his life Judge Kennerly has been a Christian in the fullest sense of the word. He has been a Baptist deacon since June 1900, and he has held almost every possible position in the Second Baptist Church, including superintendent of the Sunday school, chairman of the board of deacons and the finance committee.

He was vice-president of the Baptist General Convention of Texas for two terms, and was counsel for several years.

He is a teetotaller and non-smoker, and since 1933 has taught a Bible class at the Second Baptist

Church. Since 1936 his Sunday school lesson commentary has appeared weekly in the *Houston Post* and since 1937 his class has broadcast every Sunday morning over a Houston radio station.

In 1907 he was on the board which organized Memorial Hospital in Houston, and he was president nearly 20 years. On his retirement as president, he was elected president emeritus for life.

He was president of the Houston Bar Association in 1919, has been a member of the Rotary Club since 1932, and enjoys his library, rich in Texas history, Mark Twain and the works and biographies of Theodore Roosevelt, Abraham Lincoln, Robert E. Lee, Sam Houston and Chief Justice John Marshall.



U.S. District Judge Thomas M. Kennerly of Houston.

Prominent Advance

Surveying his years on the bench, Judge Kennerly recently remarked that two acts or laws stand out as the most prominent advances in jurisprudence during his time.

The Declaratory Judgment Act passed by Congress in 1936, which enables parties with differences to submit points concerning their case to the court and receive a judgment declaring the respective rights of each, is one of them. Shortly after the act became law Judge Kennerly handed down one of the first decisions under its provisions. His decision has been widely quoted in legal publications.

Significant Practice

The other significant advance he mentioned is the practice of holding pre-trial hearings, which are discussions between lawyers, defendants and the federal judge.

Judge and Mrs. Kennerly live in a home on a 10-acre wooded tract on South Post Oak Lane in Houston called "Got-a-Little-Home-to-Go-To" after a jig tune of Judge Kennerly's childhood.

He has a Commission showing that he served three days as Colonel on the staff of Quentin U. Watson while he was Acting Governor of Texas in 1914, and Judge Kennerly remarks, "Once a Colonel, always a Colonel!" **TBJ**