

**JULY - SEPTEMBER 2025**

# **ALABAMA BENCH AND BAR HISTORICAL SOCIETY NEWSLETTER**

## **“Eminent Jurist, Reluctant Rebel: A Brief Look at Alabama’s ‘Other’ Supreme Court Justice, John Archibald Campbell”**

*By Hon. John G. Browning*

Ask most Alabamians to name one of their own who served on the United States Supreme Court, and chances are they’ll name Hugo Black, the judicial titan who sat on the Court from 1937 to 1971, and authored opinions in such milestone cases as *Brown v. Board of Education* and *Gideon v. Wainwright*. A well-read few might even know the first Alabamian to serve on the Court was John McKinley, appointed in 1838 by President Martin Van Buren. McKinley served until 1852 but only wrote 22 opinions in his 14-year tenure. But most people would be hard-pressed to identify the third of the 3 native sons of Alabama who made it to the nation’s highest court: John Archibald Campbell was appointed by President Franklin Pierce in 1853 and served until his resignation in 1861. Yet despite his brief tenure, Campbell remains a fascinating and often-contradictory figure.

Campbell was something of a child prodigy. Born on June 24, 1811, and raised in Georgia, he graduated from Franklin College (which later became the University of Georgia) at the age of 14 in 1825 with high honors. At the recommendation of John C. Calhoun, Campbell continued his education at West Point, but dropped out after 3 years due to the unexpected death of his father in 1828. After briefly teaching in Florida and paying off his family’s debts, Campbell “read the law” under the tutelage of his 2 uncles. Campbell was admitted to the bar in Georgia at the tender age of 18. In fact, it took a special act passed by the Georgia legislature “waiving the age restrictions then in force” in order for him to be admitted.<sup>1</sup> Despite opportunities to set up a private practice in Georgia and an offer to be the clerk of the U.S. District Court in Key West, Florida, Campbell and the remains of his impoverished family moved to Montgomery, Alabama in March, 1830.

In the early 1820s, Montgomery was just “an isolated frontier village” with “but sixty-two houses in town, thirty-eight of which were crudely constructed of rough-hewn logs.”<sup>2</sup> By the early 1830s, however, Montgomery became a commercial hub and the population increased to nearly 12,700 people, of whom 6,500 were enslaved. Soon after his arrival in Montgomery, Campbell met and married Anne Goldthwaite, the daughter of a successful merchant. He also became law partners with Henry Goldthwaite, Anne’s brother, who was a rising star in state legal circles and who served as a justice of the Alabama Supreme Court from 1837-1847. Campbell’s star rose as well. He became a successful lawyer, served in the militia, and was elected to the Alabama legislature in 1836. His reputation grew beyond Alabama’s borders, and by 1852 he had argued six cases in front of the Supreme Court of the United States.

One of those cases was the “famous case of Myra Clark Gaines,” a dispute over the estate of a wealthy New Orleans businessman by a woman claiming to be his only legitimate heir, a case that garnered national attention and had “all of the incredible drama of bad romantic fiction.”<sup>3</sup> Although he lost the case, Campbell made a lasting impression on the justices sitting on the Supreme Court.

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*Preserving the History of Alabama*

## P R E S I D E N T ' S L E T T E R

### The Lawyer Who Wouldn't Leave

What an intriguing title, one might ask? And what a terrible problem for most people to have? When one needs a lawyer it's great to have one, but what if you don't need a lawyer and you want him to leave, and he refuses despite the fact that its in his best interest to so do?

Well, these somewhat misleading questions concern a lawyer who refused to leave and his reason for doing so. The lawyer was James Butler Bonham who was not acting in his capacity as a lawyer, but as a soldier and the place he refused to the leave was a doomed adobe mission-turned fort in San Antonio de Bexar, Texas, called the Alamo.

The Texian rebellion against Mexico, a.k.a. the Texas Revolution of 1835-36 was a pivotal event for Mexico, Texas, and the United States. The rebels were native Tejanos and colonists from the United States and the rebellion was against centralist government of Mexico of which Texas was a part. Specifically, Texas was a part of the Mexican state of Coahuila y Tejas. Tejanos were fed up with what they perceived as a curtailment of their rights by the Mexican government under President Antonio de Lopez de Santa Anna. The American colonists were supporting the Tejanos, but for a different reason. The colonists wanted Texas to be part of the United States.

Enter a lawyer from Alabama named William Barret Travis, an emigrant who left Conecuh County, Alabama under a cloud to make a new name and a fortune in Texas, the promised land. Travis quickly made a name for himself as an attorney and a leader among the rebels and despite having no military experience became the de facto commander of the Alamo in San Antonio de Bexar.

Enter another lawyer, James Butler Bonham, from South Carolina by way of Montgomery and Mobile, Alabama. Bonham helped raise a company of cavalry in Mobile and led them to San Felipe, Texas where he was commissioned a lieutenant in the Texian Cavalry. Bonham developed a friendship with Sam Houston general of the Texian army who made an independent scout for the Texian army although Bonham managed to also began his law practice at Brazoria during this time.

Bonham went to San Antonio de Bexar for the first time in January of 1836 with fellow Texian rebel Jim Bowie. In February, Travis, who was Bonham's second cousin, sent Bonham to recruit re-enforcements for the Alamo. He went to the presidio of Goliad, where James Fanin commanded a garrison of around 500 Texicans. Fanin, threatened by Mexican forces under General Jose de Urrea, refused sent aid to the Alamo.

Bonham returned to the Alamo in March by which time the Alamo was surrounded by the Mexican army. Although people told him not to return to the Alamo, Bonham returned anyway, telling them that "Buck Travis deserved to know the answer to his appeals for help." Once Bonham delivered his message, he refused to leave, although he was free to do so, and stayed with his cousin and the other Alamo defenders. He was killed during the battle. The lawyer who refused to leave his doomed comrades was a mere 29 years old.

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### Alabama State Bar Annual Meeting 2025

ABBHS participated again this year at the State Bar's Annual Meeting as a vendor. This makes five years attending as a vendor and we decided it was time to do something different. Instead of a table of various "swag" we had a "prize wheel" with six different items including a free membership on it. Needless to say, everyone wanted to spin our wheel! It was a big hit with attendees and vendors alike and we will not be surprised if we see a few more prize wheels at other vendors booths next year. The attendance seemed to be off a bit this year, at least through the exhibit hall. We believe it was because of the Bar having seminars scheduled closer together, nonetheless, we gained 7 new members and had several pay their dues renewal. As always, the conference was rewarding and got our name to a lot of people who have never heard of us.

We had a beautiful stainless steel BBQ set that we offered as our Grand Prize. Attendees must visit each booth and get their card signed off and then it is submitted for the Grand Prizes drawing.

### CONGRATULATIONS TO OUR GRAND PRIZE WINNER!

Matthew Ford



### ALSO CONGRATULATIONS TO OUR ONE YEAR MEMBERSHIP WINNERS!

Nancy Bird, John P. Browning and Jeremy McIntire



## *A Year of Planting*

By Tom Perry  
Immediate Past President, Alabama State Bar

When I began my term as President of the Alabama State Bar, I wasn't entirely sure what the year would bring. But I stepped into the role with a deep respect for our profession and a strong desire to serve the lawyers and citizens of this state.

From the outset, I was struck again and again by how lawyers across Alabama quietly show up each day to make a difference in people's lives. I now carry with me a deeper understanding of just how powerful that quiet service can be.

Today, as I proudly wear the ribbon that marks me as a Past President of the Alabama State Bar, I can tell you that the key word is past. And I say that with deep gratitude and just a little relief. That ribbon doesn't just represent a title. It carries the weight (and the laugh lines) of a year that was busier, harder, and more fulfilling than I ever could have imagined.

Throughout the year, you heard me speak often about Harvesting Hope. What began as an idea turned into a calling and, I hope, a movement.

This initiative was rooted in a challenge we've long recognized. Too many Alabamians live in counties with little to no meaningful access to legal help. In some areas, there are fewer than one attorney per 1,000 residents. That is not just a troubling statistic. It is a real barrier to justice. In response, we focused our efforts on three clear goals:

- . First, to reframe these rural and underserved areas as *Legal Opportunity Zones*, inviting new lawyers to build practices where they're needed most.
- . Second, to establish a strong mentorship network that connects young lawyers with experienced practitioners who can help them grow and thrive.
- . Third, to develop an independent support system with a nonprofit foundation capable of offering real financial and practical assistance.

I'm proud to say we made significant progress on all three fronts.

We secured 501(c)(3) nonprofit status, raised more than \$125,000 in grant funding, placed four new attorneys in underserved counties, built a mentor network of more than 50 lawyers, and shared proven models for establishing successful rural practices.

Each of these milestones is outlined in the Seeds of Hope feature in this issue. I encourage you to read it. These "seeds" represent not only the progress we have made but also the groundwork we've laid for what's to come.

Harvesting Hope was never meant to be a one-year project. It is meant to grow. To evolve. To take root in the years ahead.

And I remain confident it will. When we lead with purpose, listen to one another, and stay focused on service, real change becomes possible, even in just a year's time.

We won't solve every problem in one bar year, but we can start. We can plant the seeds. We can do the work. And if we keep showing up for one another with humility, hope, and persistence, we will continue to harvest something meaningful for years to come.

It has been the honor of my professional life to serve as your president. I am especially grateful to the Bar staff, our Board of Bar Commissioners, my fellow officers, and the lawyers across the state who gave their time and heart to this work.

I now pass the gavel to President Fred Helmsing, a thoughtful leader who cares deeply about this profession and the people in it. Under his leadership, I know this important work will continue to grow and thrive.

Thank you for the opportunity to serve.

Tom

Editors Note: Retired Circuit Judge, Gaines McCorquodale gave a compelling speech about Harvesting Hope at the 2nd Annual Milestone Luncheon on September 4, 2025. Understanding the need for such a project, ABBHS asked for permission to print his article that appeared in the Summer 25, Volume 86, Number 3 Issue of The Alabama Lawyer. We thank the Alabama Bar for giving us permission.



Justice Kelli Wise gave the invocation.



Retired Circuit Judge Gaines McCorquodale





### **Now Rooted as a 501(c)(3)**

Harvesting Hope is officially a nonprofit, opening doors to growth, support, and sustainability for years to come.

### **Mentor Program in Full Bloom**

Nearly 50 lawyers statewide have volunteered to be part of the mentorship program to help new lawyers plant confident roots.

### **Young Shoots Taking Root**

Four new lawyers have taken root in rural communities with fewer than one attorney per 1,000 residents.

### **Fertile Ground for Growth**

Expense models and possible income streams have been developed to show a sustainable path for lawyers to grow practices in small towns and underserved areas.

### **Support from the Ground Up**

With programs already in place within the Alabama State Bar's Law Practice Management Section, new lawyers are equipped to thrive.

### **Reaping the Harvest**

The seeds we plant today will blossom into tomorrow's access to justice, strengthening Volunteer Lawyer Programs and reinvigorating the spirit of pro bono service across the state.

### **Seeds That Travel**

The Harvesting Hope message has been shared at more than 60 events across Alabama, spanning more than 15,000 miles driven by Harvesting Hope Task Force Chair Tom Heflin alone. Every stop: another seed planted.

### **Cultivating Support from Leaders**

The initiative has taken root in conversations with top state decision-makers, helping equip the soil for future growth of the initiative.

### **Cross-Pollination in Action**

Other states have taken notice, not just of our model, but of the mindset. The term "legal opportunity zone" has reframed rural need as rural potential, inspiring bar leaders beyond Alabama.

## NINA MIGLIONICO LAWYER, POLITICIAN, ROLE MODEL

*By*

*Samuel A. Rumore, Jr.*

I knew Miss Nina Miglionico for almost 37 years, however, that was only half of her 73 years of service as a lawyer in the State of Alabama. Hers is believed to be the longest length of practice of any woman lawyer in Alabama history. She was courageous and advocated for political changes. She supported women's and civil rights. She served in elected office. And she was a mentor for many young lawyers, including myself.

Nina was born in Birmingham, a city she loved, to Italian immigrant parents. She was a very good student. Her parents encouraged her education and told her that she could do whatever she set out to do in life. So, she earned her undergraduate degree at Howard College, now Samford University, and a law degree at the University of Alabama in 1936 at the age of 22. She was one of only 5 women in her class, and she was one of the first women to establish her own law practice.

She gained a fine reputation and she worked hard as a lawyer. It was economically difficult in those early days during the Depression, but she acquired a loyal clientele, volunteered and worked in many women's organizations and became a leader within them. She was particularly interested in women's issues such as salaries based on qualifications and not gender, equitable divorce, property, and probate laws, jury service for women, elimination of poll taxes, and equal political rights with men.

Nina served as President of organizations such as the Alabama Business and Professional Women's Club and the Alabama Association of Women Lawyers. In 1958 she was honored on the national stage by being elected President of the National Association of Women Lawyers and in holding that position she was the only woman member of the ABA House of Delegates. In 1961, President Kennedy appointed her to the Presidential Commission on the Status of Women.

In 1963 she became the first woman elected to the new Birmingham City Council after the change in the city's form of government, and in that capacity, she voted to rescind all of Birmingham's previous segregation ordinances. Due to her progressive position on these and other city issues, a bomb with 50 sticks of dynamite was placed on her front porch in 1965. Luckily, it was disabled by her father and she continued her service to her city. (See "The Last Bombing: The Story of Nina Miglionico, by Samuel A. Rumore, Jr., *Alabama Heritage Magazine*, Issue 112, Spring 2014, pages 36-43.)

Nina continued her service by becoming the first woman President of the Birmingham City Council and the first woman President of the Alabama League of Municipalities. She continued serving on the Council until 1985. In the latter years of her life, she stayed active as a lawyer in private practice until her death in 2009.

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Nina Miglionico lived a full and rewarding life. The law practice she established will reach 90 years of existence in 2026. She received the Margaret Brent Award from the ABA as one of the 5 outstanding women lawyers in America in 1996. She was named as an outstanding alumnus of the University of Alabama School of Law. After her death, she was elected into the Alabama Lawyer's Hall of Fame and the Alabama Women's Hall of Fame. In 2015, the City of Birmingham honored her contributions to her city by unveiling her statue at Linn Park, across from City Hall. And in 2016, a documentary film on her life titled "Stand Up, Speak Out" was produced by attorney Jenna Bedsole.

Miss Nina accomplished much during her life. However, among her many recognitions, the one she would probably cherish most is the Nina Miglionico, Paving the Way Award established by the Women's Section of the Birmingham Bar Association which annually honors a lawyer who has devoted time and effort during their career to the mentoring of women lawyers in the spirit of Miss Nina. That is a special legacy. Someone had to be the first in a category. But she recognized the real importance of the many who would come after her.



Spring 2000 Pat Rumore, Nina Miglionico and Sam Rumore





## WELCOME NEW MEMBERS

J. Bennet Wright  
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### *1 Year Membership Winners*

Nancy Bird  
John P. Browning  
Jeremy McIntire

### June–September 2025 RENEWALS

Your renewal in Alabama Bench and Bar Historical Society is much appreciated.

Renewal letters are normally mailed the beginning of the month. Please let us know if you have a change of address.

### **RENEWALS**

John Stamps  
J. Lyn Stuart  
Othni Lathram  
Burt Smithart  
John Denson  
Richard Brockman  
Steven E. Haddock

Continued from Front Page

After Justice McKinley died in 1852, President Millard Fillmore fumbled about in search of a successor. After his first three nominees (Edward Bradford of New Orleans, George Badger of North Carolina, and William Micov of New Orleans) all met with Senate opposition as the senators awaited the election and new administration of Franklin Pierce, Fillmore abandoned his lame duck efforts. Upon assuming office in March 1852, Pierce sought the advice of the members of the Court. Unanimously, they “agreed that McKinley’s seat should be filled by John Archibald Campbell,” in part because unlike McKinley, he was “thoroughly familiar with Louisiana state law.”<sup>4</sup>

As historians have noted, Campbell’s political views and constitutional philosophy “well complemented those of the Taney court.”<sup>5</sup> Campbell was strongly in favor of states’ rights, and although he was pro-slavery, he himself sold off or freed all of his slaves by 1853, perhaps, as one historian speculates, “to disassociate himself from slavery to protect his candidacy from abolitionist attacks.”<sup>6</sup> While Campbell agreed with the Court’s 1857 opinion in *Dred Scott v. Sandford*, he authored a separate concurrence that justified the Court’s holding on more narrow grounds that disagreed with the constitutionality of the Missouri Compromise.<sup>7</sup>

With secession and the outbreak of the Civil War, Campbell resigned from the Court in 1861. He accepted a position as Assistant Secretary of War for the Confederacy. In 1865, he negotiated the terms of its surrender with President Lincoln just before Lincoln’s assassination. After the war, Campbell—like many Southern lawyers—struggled to rebuild his practice. But after the Supreme Court struck down the loyalty oaths required of former Confederate lawyers who sought to practice in federal court,<sup>8</sup> Campbell’s fortunes improved. He would go on to argue an average of six cases a year in front of the Supreme Court, the most famous of which was the *Slaughter-House Cases* in 1873.<sup>9</sup> Ironically, although Campbell’s argument in those cases failed, it would later be adopted by the Court to protect Black businessmen in civil rights cases.

John Archibald Campbell died of natural causes in 1889. Lauded at a memorial that year at the Supreme Court, Campbell was widely viewed as one of the most gifted attorneys of the 19th century, whose eight-year tenure on the Court “was without question the happiest period of his life.”<sup>10</sup> Surprisingly, he has received comparatively scant attention from historians.<sup>11</sup>

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1 Robert Saunders, Jr., “John Archibald Campbell, Southern Moderate, 1811-1889” (Univ. of Alabama Press 1997), at p.14.

2 *Id.* at 15.

3 Nolan B. Harmon, Jr. “The Famous Case of Myra Clark Gaines,” (LSU Press, 1946), p. 3.

4 Saunders, *supra* n.1, at 110.

5 *Id.* at 112.

6 *Id.* at 67. However, documents from the 1858 records of the Mobile County Probate Court reveal that Campbell continued to buy and sell slaves even while sitting on the U.S. Supreme Court.

7 *Dred Scott v. Sandford*, 60 U.S. 393 (1857).

8 *Ex parte Garland*, 71 U.S. 33 (1866).

9 83 U.S. 36 (1873).

10 Saunders, *supra* n. 1, at 233.

11 Other than Robert Saunders’ wonderful biography, the only other book-length biography was published in 1920 by U.S. District Judge Henry Groves Connor of North Carolina—and that work is almost exclusively devoted to Campbell’s legal career.





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Your Annual membership contribution enables the Society to fulfill its mission of preserving Alabama's legal history, promoting better understanding of the legal system and judiciary, and recovering historical legal artifacts. Your participation provides for publications, programs, projects, and grants.

ABBHS is a 501(c)3 nonprofit organization. Contributions are tax deductible, within legal limits, and will be acknowledged by ABBHS. Operations are financed by memberships in the Society and by contributions from the public. All society board members and officers serve without compensation.

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*Preserving the History of Alabama*

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The Alabama Bench and Bar Historical Society is devoted to preserving the history of the state's judicial and legal system and making the citizens of the state more knowledgeable about the state's courts and their place in Alabama and United States history. The Bench and Bar is interested in preserving documents, artifacts, and memorabilia of the courts, as well as of judges and members of the state bar, and wishes to encourage the publication of scholarly research on bench and bar topics. The Society especially wishes to preserve the biographical information and stories of attorneys and judges who played prominent roles in the history of the state's legal system. To pursue its goals, the Alabama Bench and Bar Historical Society may sponsor publications, exhibitions, displays, lectures, and public programs.

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