



FOR IMMEDIATE RELEASE

Contact: Bill Noble
bnoble@noblestrategic.com
512.296.4651 cell

Daughters of the Republic of Texas secure temporary restraining order in fight over the DRT Library collection

Court finds “substantial likelihood that the Plaintiff DRT will prevail on the merits of its claims against the Defendant GLO”

(SAN ANTONIO – August 24, 2015) – Following a morning where employees of the DRT Library arrived to work to find the locks changed and access to the DRT Library and the collection they own blocked, the Daughters of the Republic of Texas (DRT) today obtained a temporary restraining order (TRO) against the Texas General Land Office and George P. Bush in his capacity as Commissioner of the GLO.

In today’s ruling, the court found “there is a substantial likelihood that the Plaintiff DRT will prevail on the merits of its claims against the Defendant GLO. Unless enjoined, the GLO’s wrongful control and illegal taking of the DRT’s private property...will cause and continue to cause irreparable harm to the DRT...”

The Court further found: “that the DRT will suffer irreparable injury if a Temporary Restraining Order (‘TRO’) is not granted against the GLO and the GLO is permitted to continue control, possession and the taking of historical one-of-a-kind artifacts and materials compiled by the DRT and owned and held by the DRT...”

Additionally the court further found “that the DRT has no adequate remedy at law because the wrongful taking, control and possession of the priceless, unique and one-of-a-kind artifacts and writings are not replaceable and cannot be adequately remedied by the award of damages.”

The move is the latest in an unfortunate legal fight that began with the March 23, 2015 filing of a lawsuit in Bexar County by the DRT requesting confirmation of their rightful ownership of the DRT Library collection. The collection includes approximately 38,000 separate items donated to or purchased by the DRT, including books, maps, manuscripts, and other artifacts associated with the history of the Republic and State of Texas, City of San Antonio, Bexar County, and the Alamo.

The restraining order, granted by the Judge John Gabriel of the 131st Judicial District Court in Bexar County:

- prevents the state from restricting the DRT’s access to the DRT Library, including attempts to prevent employees of the library from operating the library;
- prevents either party from removing any items from the library, absent further order by the court or by the parties’ agreement
- provides for expedited discovery for the parties to prepare for a temporary injunction hearing to govern the relationship of the parties and the management of the DRT library until a trial on the merits.

In its motion seeking the TRO, the DRT notes that today the state “suddenly and unilaterally presented DRT library employees with a tyrannous ultimatum - either agree to be employed by the state, or be locked out of the library. In this pernicious manner, the state seeks to wrest full sole control of the DRT Library.”

The motion goes on to note that the state is seeking to prevent the DRT from managing the collection the Daughters have assembled through donations and purchases for more than 70 years: “DRT employees at the library are already fearful of their job security. They have been employed by the DRT library for an aggregate period of time of nearly a half century. They are the most

knowledgeable about the history and character of the collection and their continued employment is important to the integrity of the DRT Library collection.”

The DRT’s motion continued “In addition, the DRT Library will suffer from damages that are impossible to calculate by virtue of it being closed or restricted for an indefinite period of time. Authors, researchers and historians rely upon the library for necessary historical analysis and research. The DRT lacks any possible adequate remedy at law and the DRT is prepared to post an appropriate bond.”

“We have endeavored to work with the state to quickly resolve the questions of ownership and future location of the DRT Library collection,” said Lamont Jefferson, the lawyer for the Daughters. “Instead we find ourselves needing to return to the court to secure our rightful access to the library collection we own.”

Questions of the ownership of the library collection surfaced shortly after Texas Land Commissioner George P. Bush announced in early-March 2015 that the GLO would assume day-to-day operations of the Alamo. At that time, Bush expressed the intent to take ownership of the vast majority of the DRT Library collection, which is located in a separate facility on the Alamo grounds. While the Daughters did not oppose the state assuming management of the Alamo, the DRT has said the GLO is wrong about its claim of ownership of the library collection.

The DRT is contractually entitled to maintain its library collection in the DRT Library building until July 11, 2016.

The Daughters noted in today’s legal motion that the “state’s actions constitute and unconstitutional taking of property, conversion, breach of contract, and tortious interference, all entitling the DRT to immediate relief. Unless the state is prevented from continuing its actions, the DRT will suffer irreparable harm.”

“The GLO is acting like a landlord unjustly claiming ownership and withholding access to their tenant’s property simply because it is housed under the landlord’s roof,” said Jefferson.

The origins of the library and collection began in 1945 with an individual donation of a number of historic Alamo-related items. After the state refused to provide funding, the DRT raised funds to build the library to house their collection with construction completed in 1950. Since that time, the DRT Library, which contains the largest portion of the DRT’s Library collection, has allowed historians, authors and others interested in Texas history the opportunity to conduct research on the Alamo grounds with the assistance of the library staff most familiar with the collection. The Daughters have received praise for management of the collection by those who have made use of the library’s resources.

For decades DRT members and other Texans and collectors have entrusted their family’s early Texas memorabilia and artifacts, by donation or loan, for safekeeping by the Daughters at the DRT Library. With its location on state property, the Daughters have transferred ownership of the actual library building to the state.

In response the state’s actions, the DRT notified the state that it is conducting negotiations with a leading Texas institution to house the library collection. The negotiations contemplate physical transfer of the library items away from the DRT Library building by the end of 2015.

###

The Daughters of the Republic of Texas (DRT) was founded in 1891 as an organization dedicated to perpetuating the memory of the founding families and soldiers of the Republic of Texas. The organization’s mission includes perpetuating the memory and spirit of the men and women who have achieved and maintained the independence of Texas and encouraging historical research into the earliest records of Texas, especially those relating to the revolution of 1835 and the events which followed.