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Review of *Bless the Pure & Humble: Texas Lawyers and Oil Regulation, 1919-1936* by Nicholas George Malavis

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Bless the Pure & Humble: Texas Lawyers and Oil Regulation, 1919-1936. Nicholas George Malavis. College Station: Texas A&M University Press, 1996. xviii+322 pp. Notes, bibliography, index. \$44.95 cloth (ISBN 0-89096-714-8).

At the turn of the century, Texas maintained its nineteenth-century character as a rural, Southern, agriculture-based economy and society. The massive oil booms in the first half of this century propelled the state into a more modern, industrial, and urban role, breaking the old agricultural society's once dominant hold. In *Bless the Pure & Humble*, Nicholas George Malavis, focusing on the public and private sector functions of the petroleum business, has contributed significantly to the study of an important era in the evolution of modern Texas.

Malavis covers a number of areas in his historical analysis: the division between the expanding major integrated companies and the smaller independents; the legal and philosophical battles over rules of capture, property

rights, and government regulation; and the evolution of both state and federal involvement in the industry. In doing so, he adds further definitive explanations of these critical divisions most prominently discussed by David Prindle in *Petroleum Politics and the Texas Railroad Commission* (1981).

Populist era traditions of government oversight of critical industries combined with Progressive era initiatives of “good government” and orderly management led to frequent clashes with the laissez-faire business attitudes of early twentieth-century producers. Malavis details the parts individual producers, attorneys, and politicians played when overproduction, declining prices, and chaos ruled the industry in the 1920s and early 1930s. Furthermore, far from being monolithic, the industry was often at war with itself over issues of conservation, prorationing, and production. The struggle evolved from local disputes in county courthouses to the broader state arena as more oil was produced in Texas during the 1920s. By the time of the great East Texas Oil strike of the early 1930s, nearly 85 percent of Texas oil was transported out of state, thereby leading to federal involvement in interstate regulation and “hot oil” cases. Texas retained its right to regulate production, arguing, ironically, on the basis of the Reconstruction era Fourteenth Amendment.

Malavis uses a number of new primary sources for his analysis, most prominently the internal records of the Houston-based Vinson and Elkins law firm, to offer a unique glimpse into the world of attorney-client transactions and their relationship to Texas corporations, independents, and politicians. He also employs oral interviews and government and corporate records. The public conflicts, he observes, emerged in newspapers and the halls of Austin and Washington, though ultimately being resolved and important precedents set in courthouses through lawsuits.

One shortcoming of the work is its bare discussion of the state government’s stake in these battles. The Permanent School Fund and the Permanent University Fund became the subject of numerous suits during this era as private industry fought the state for control over royalties and bonuses on surface and mineral lands in the public domain. Settlement of these suits ultimately led to significant income for the state’s major educational trust funds that continues down to the present.

That aside, Malavis offers the reader unique and welcome insights into this period of Texas history. **Patrick L. Cox**, *Department of History, University of Texas at Austin*.