

September 9, 1948.

Mr. W. G. Pate,
7531 Greenwell Avenue,
Houston, Texas.

My dear Friend:

Thank you for your letter of September
2nd.

I will keep it confidential and not
use your name, as you requested, but I am going
to look into the matter for such use as the future
may determine necessary.

I very much appreciate your interest in
my race for the Senate and your kindness in calling
to my attention the mistake in Waller County.

With best wishes, I am

Sincerely,

Lyndon B. Johnson.

is
election irregularities

waller co

Sep. 2. 48

SEP 4 1948

Just a note
On the nite of the
Election I was listing
to the votes return
that was calling each
county given the
amount of votes to
Each Man. Some one
call in from Waller
in Waller co. Said their
was a mistake in the
account of about 100
votes Please check
Waller co. the 100 votes
was in your favor
Please dont mention
my name

Yours Truly
W L Pate
7531 Grinnell ave. Houston

September 9, 1948.

Honorable Alex Bickley,
Smith, Eplen & Bickley,
Citizens National Bank Building,
Abilene, Texas.

Dear Alex:

Many thanks for your letter of the 1st
to John giving a report on the Eastland vote.

I am keeping your letter in my file for
such use as the future may determine necessary. I
appreciate your making this investigation for me.

With best wishes, I am

Sincerely,

Lyndon B. Johnson.

B

continued

election irregularity

FRANK E. SMITH
TOM K. EPLEN
N. ALEX BICKLEY

SMITH, EPLEN & BICKLEY
ATTORNEYS AT LAW
CITIZENS NATIONAL BANK BUILDING
ABILENE, TEXAS

September 1, 1948

Patten

Mr. John Connally
Austin, Texas

Dear John:

These are the facts as I found them to exist at the precinct No. One in Eastland where there was a change of two hundred votes in favor of Coke Stevenson.

The tally list in that box shows that there were polled for Stevenson 382 votes and for Johnson 282 votes. These were reported exactly the opposite and hence when the report was changed it showed that there were 200 votes less than we had counted on from that box.

The county chairman was Oscar Lyrlea, who is a farmer and a man very solicitous about doing the right thing. He and a man named McDonald were checking the tally sheets with the votes that were turned in on Monday night late. It seemed to be then that the mistake was caught. The County Judge, P. L. Crossley, was working late that night and heard about it. My information is that he called in the report to Stevenson headquarters, but he tells me that he knew about it but took no part one way or the other. The votes from the box were put in the vault of the County Clerk, Virgil Love, about thirty minutes after the polls closed on Saturday, and were left there, but the tally lists were left in the office of the County Auditor on a shelf. Evidently the county clerk's office was open on Monday night also.

The election judge was P. L. Parker, a man with a very good reputation. He has two sons there in Eastland, one at the bank who was an appointee of Coke Stevenson on the Possum Kingdom Dam project according to my information.

The other one is the County Auditor. I talked with the following people who worked at the box:

Mrs. W. E. Brashear who registered the people in and did not know anything about the count.

Mrs. R. L. Young, secretary to the County Judge, who counted votes and thought Stevenson was ahead.

Miss Bartholomew, secretary to the County Auditor, who counted votes and did not remember how the totals were.

Mr. Andy Taylor who counted votes and said Stevenson was a flat 100 votes ahead.

The vote at this box in the primary was Stevenson 377, Johnson 297, others 250.

Alex Bickley

September 7, 1948.

Mr. Kenneth V. Olson,
Kerrville,
Texas.

Dear Ken:

I am sorry not to have answered your letter of the 31st before now. As Congressman I have always answered every letter the day it comes in, and I shall continue that policy as Senator, but I am sure you can appreciate what we have been going through here during the past hectic week.

Please know that I am deeply grateful to you for the wonderful job you did in Kerr County right in Coke's backyard.

Keep me posted of further developments regarding the mandamus suit and express my appreciation to Bob Wilson for his assistance. Either of you feel free to call me collect if you find it necessary.

We are ahead in the official count, and I am deeply grateful to you and all of our other good friends over the state who worked so hard to make this majority possible.

With every good wish, and assuring you that I will do everything humanly possible to make the best Senator Texans have ever elected, I am

Sincerely,

Lyndon B. Johnson.

Senate race 1948

*File
election
violations*

KERR COUNTY HEADQUARTERS
LYNDON B. JOHNSON

60"

UNITED STATES SENATE

SEP 1 1948

August 31, 1948

Congressman Lyndon B Johnson
301 West Eighth Street
Austin, Texas

Dear Lyndon,

I have just reported via telephone of the outcome of the Senatorial race in Kerr County, which was officially reported Mr Robert Calvert as 855 for you and 1218 for the old man in this race. In compliance with your telegram, we referred the committee to Articles 3125 as amended and 3123 and 3124. The committee checked the tally lists and the official returns only but did not see fit "due to lack of time" to comply with the mandamus of Article 3125. Acting in your behalf, City Attorney Robert Wilson and myself instituted in writing a request that the Committee comply with the provisions of Article 3125, RCS, and the 1941 amendment thereto. We also submitted to the County Attorney of Kerr, a request that such mandamus proceedings be instituted. We await your further instructions.

This contest has been extremely enlightening in Kerr County. This region has been dictated to for so many years that this vote made many sit up and think. Naturally, we wish we could have carried this county, but we ~~are~~ frankly were dumbfounded to see we only lost by 363 votes in the Heart of the Hills. One of the opponents backers made the following statement this morning, "I think it's a hell of a note that the people of this country wouldn't go solid for Coke". You know, Lyndon, that's a healthy sign to know that you don't have to be dictated to. There is considerable more that I hope I have the opportunity to tell you, but until that time presents itself, I shall wait.

I don't know what makes me still feel confident, but I believe that there is only one man in this race with enough real intelligence and experience who could even half-way fill the

"It's Time For a Man with a Platform"

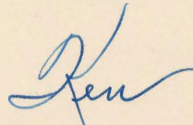
KERR COUNTY HEADQUARTERS
LYNDON B. JOHNSON

for

UNITED STATES SENATE

important position of United States Senator. I can assure you that many kind people in this area have worked day and night for your interests, and that you have numerous genuine friends in Kerrville.

With kindest personal regards,



Kenneth V. Olson
Kerr County Chairman

"It's Time For a Man with a Platform"

September 8, 1948.

Mr. John S. Foote,
974 West 41st Street,
Houston 18, Texas.

My dear Friend:

Thank you so much for your letter of August 30th telling me that you and your wife were not allowed to vote in Wharton although that is where you paid your poll tax and where you voted in the first primary.

I am keeping your letter in my file for such use as the future may determine necessary. I am mighty grateful to you for calling this to my attention, and I want you and Mrs. Foote to know how much I appreciate the effort you all made to cast your vote in my behalf.

With best wishes and many thanks for your interest and support, I am

Sincerely,

Lyndon B. Johnson.

Wharton - 9

election irregularity

Harris-8

SEP 8 1948



*note:
Walter
Irregularity*

974 West 41st
Houston 18, Texas
August 30, 1948

Hon. Lyndon B. Johnston
Austin, Texas

Dear Mr. Johnson:

Due to the closeness of your present contest, my wife and I would like to let you know about two votes that didn't get counted.

We paid our poll tax in Wharton County for this year since we were residents there. However, in May we moved to Houston, Texas, and purchased our own home. We were allowed to cast our absentee ballot in the July primary in Wharton County.

We went to Wharton Saturday with the primary purpose of casting our vote for you. But this time we were told that we could not vote in Wharton County. Since we have not been living in Houston for six months and had paid our poll tax in Wharton, I questioned this.

At the time, we joked that our votes might cost you the election. Now it seems that this might not have been such a ridiculous possibility. If like incidents had happened in each county, it would have been a reality.

We still don't know who was right or wrong about our votes, but we did feel like writing and letting you know that here were two more votes we would liked to ^{have} expressed in your favor.

Sincerely yours,

John S. Foote
John S. Foote

September 10, 1948.

Honorable Oscar C. Dancy,
County Judge, Cameron County,
Brownsville, Texas.

Dear Judge:

Many thanks for your letter of the 31st and the letter of September 1st sent in the same envelope.

I am sure you will accept my apology for not answering sooner because you know that I had to spend every minute in an effort to keep from being recounted and revised out of the race. It is a difficult job to keep up with 252 counties as evidenced by the change in Dallas County this week.

Am looking forward to seeing you in Fort Worth next week. I want to tell you again how much I appreciate your assistance to me during the campaign and your many kindnesses to me through the years. If the Convention certifies me, you and I will work together on those dams you have been dreaming about.

With best wishes, I am

Sincerely,

Lyndon B. Johnson.

in
cameron - 15

BOYNTON H. FLEMING, SHERIFF
R. T. AGAR, TAX ASSESSOR AND COLLECTOR
F. T. GRAHAM, COUNTY ATTORNEY
CHAUNCEY S. REID, DISTRICT CLERK
MRS. W. R. JONES, TREASURER
JAS. D. KOONCE, COUNTY SCHOOL Supt.



OSCAR C. DANCY, COUNTY JUDGE
TED HUNT, PRECINCT NO. 1, PORT ISABEL
FRED RECIO, PRECINCT NO. 2, BROWNSVILLE
A. D. BOWIE, PRECINCT NO. 3, SAN BENITO
A. A. KIMMELL, PRECINCT NO. 4, HARLINGEN
H. D. SEAGO, COUNTY CLERK
L. A. BAUER, COUNTY AUDITOR

CAMERON COUNTY

BROWNSVILLE, TEXAS

August 31, 1948

Hon. Lyndon Johnson
c/o Lyndon Johnson Headquarters
Austin, Texas

SEP 2 1948

Dear Lyndon:

I have just returned from Harlingen where I had a nice visit with Menton Murray. All the returns are not in yet; but, in the meantime, have procured the services of the traffic cops to get them in before the final results are canvassed Friday, he is appointing a sub-committee of three to canvas the returns. One member of that Committee is Hon. P. G. Greenwood of Harlingen, one of your strongest supporters here, and it goes without saying, that the count will be correct.

I checked over the returns with Judge Murray, and they are just as given over the telephone last night.

I don't know where Coke picked up the extra 60 votes that you mention.

Yours very truly,

Oscar C. Dancy

Oscar C. Dancy
County Judge.

OCD/ssm R.S.

Sept 7 1948
This A.M. subcommittee composed of Judge Greenwood representing you Asa Moore representing Coke and Mr. C.W Reid as the third man with the general supervision of the County chairman canvassed the returns. Coke gained nothing as per report heretofore sent you but you gained 35 votes.

DANCY

BOYNTON H. FLEMING, SHERIFF
R. T. AGAR, TAX ASSESSOR AND COLLECTOR
F. T. GRAHAM, COUNTY ATTORNEY
CHAUNCEY S. REID, DISTRICT CLERK
MRS. W. R. JONES, TREASURER
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OSCAR C. DANCY, COUNTY JUDGE
TED HUNT, PRECINCT NO. 1, PORT ISABEL
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A. D. BOWIE, PRECINCT NO. 3, SAN BENITO
A. A. KIMMELL, PRECINCT NO. 4, HARLINGEN
H. D. SEAGO, COUNTY CLERK
L. A. BAUER, COUNTY AUDITOR

CAMERON COUNTY

BROWNSVILLE, TEXAS

Sept. 1, 1948.

Hon. Lyndon Johnson,
Austin, Texas.

Dear Lyndon:

I dictated a letter to my regular stenographer yesterday, which will be transcribed and sent along with this. But since dictating said letter, I have talked with our mutual friend, John Barron, to whom I am sending a copy of this letter.

Lyndon, the election was stolen from you by Martin Dies and his crowd when you ran against O'Daniel - I have never had the remotest doubt about this. I know you are bound to be blue and discouraged; but take heart, and fight.

The man who writes you this letter, prior to Pearl Harbor, had built more concrete roads than any other one County Judge in the U. S., spending more money for paved roads than any other county judge, except the former Missouri County Judge, whose residence is now 1600 Pennsylvania Avenue. And yet I am too poor to own a car to drive over these roads. I am trying to put over the greatest irrigation project ever put over in the U. S.; and do not own an acre of land to be irrigated. But old Dancy will find a few pennies to help you fight. Do not fool yourself about this so-called 'being a good sport'.

I think you know that you are being stolen out. There was no excuse for that reported error of fifty votes in Cameron County. And, as indicated in the other letter, Paul

Greenwood, who is an outstanding lawyer, an outstanding liberal, and your personal and political friend, will sit in on the re-count. Mr. Barron and I perhaps could, but I think we have an absolute one hundred per cent plus square shooter handling our election in the person of Menton J. Murray; and they are not going to steal Cameron County's vote if we can help it.

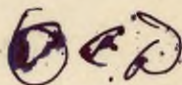
There was one box manipulated, or at least something went wrong. An error of a few votes sometimes can be honest; but an error of eighty-seven is just a little too large; and opening that one box in the first primaries changed the result.

Lyndon, if these boxes are re-counted, and counted honestly, you will be the next Senator of Texas. You know that the Dallas News is your enemy. They are the enemy of all Progressives. If, in the final result, you still are not Senator, stay in and fight. Read Lincoln's experience. I hope to find a clipping and copy and send it to you - but he was beat on practically everything he ever ran for, until he ran the last battle, by being President. He did get elected to the Legislature, and defeated for the second term - the same in Congress, as I recollect. So keep on keeping on. Stay in and fight. I understand you are fairly well fixed, so you do not have to waste your precious time.

Frankly, my playhouse is largely torn up. I have dreams too. I have dreams for every river in Texas, to do what has been done on the Colorado and what I am trying to do on the Rio Grande.

Whatever you do, do not give up. The darkest hour is often just before day. It is my opinion that a re-check of Harris County will put you over.

As ever, your real, true, friend,



Oscar C. Dancy
County Judge.

OCD/eb

OSCAR C. DANCY
COUNTY JUDGE
BROWNSVILLE, TEXAS



VIA AIR MAIL

Hon. Lyndon Johnson
c/o Lyndon Johnson Headquarters
Austin, Texas

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

JOSEPH L. EGAN
PRESIDENT

SYMBOLS

DL=Day Letter

NL=Night Letter

LC=Deferred Cable

NLT=Cable Night Letter

Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

..DA348

D.RFA110 PD=RF DALLAS TEX 6 335P=

1948 SEP 6 PM 4 24

=HONORABLE LYNDON JOHNSON=

:CANDIDATE FOR US SENATOR AUSTIN TEX=

ANY ALLEGED ELECTION LAW VIOLATIONS IN DALLAS COUNTY WILL BE
INVESTIGATED AND PROPER ACTION TAKEN. IF YOU OR YOUR
SUPPORTERS KNOW OF SUCH VIOLATIONS IN THIS COUNTY, YOU ARE
INVITED TO INFORM ME AND THE MATTER WILL RECEIVE IMMEDIATE,
VIGOROUS ATTENTION. A LIKE TELEGRAM IS BEING SENT TO
HONORABLE COKE STEVENSON=

=WILL R WILSON CRIMINAL DISTRICT ATTORNEY DALLAS COUNTY=

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

1201

DA036

1948 SEP 4

SYMBOLS

DL = Day Letter

NL = Night Letter

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

JOSEPH L. EGAN
PRESIDENT

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

D.HSA130 49 NL COLLECT=GK GOOSECREEK TEX 3=

MRS MIRIAM A FERGUSON=

LYNDON JOHNSON HEADQUARTERS AUSTIN TEX=

YOUR WIRE AUGUST 29 RECEIVED HAVE CHECKED LOCAL CHAIRMAN AND REPRESENTATIVES OF MR JOHNSON STOP IF I CAN GET THE GREEN LIGHT FROM EAST HARRIS COUNTY JOHNSON CHAIRMAN WILL CONTEST TWO BOXES WHICH I AM VERY MUCH INCLINED TO BELIEVE WILL GIVE US A NICE MARGIN WIRE INSTRUCTIONS=

F W BURKE=

Viol. & Greg.

:29..

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

Tyler Texas
Sept 3 1948

SEP 4 1948

SEP 3 1948

Hon Lyndon Johnson
Go State Headquarters for Johnson Campaign
Austin Texas.

Dear Mr. Johnson:

An incident occurred in Smith Countyⁱⁿ last Saturday's Election which could have far reaching effect on your Race since it is now a matter of counting votes down to the very last one.

The Polls at Winona Tex, Box 7, were closed Saturday afternoon between 5:00 and 5:30 by the election judges on the excuse that they had run out of ballots. There were numerous people at the polls wanting to vote who urged the election judges to get more ballots but they made no effort and the Polls remained closed and that Box's final return made accordingly. How could this be done legally and lawfully? (over)

Jim told Winona has a voting strength
of around 340. According to our
newspaper, the Tyler Courier Times, only
205 votes were cast in your race.
(224 in the County Commissioner race)

This action could have had a
far reaching effect on your
race. Your investigation might
be worthwhile.

Yours very truly

A voter (interested
in helping to promote clean politics
in our country)





POSSIBLE ELECTION IRREGULARITIES
WHICH BENEFITED COKE STEVENSON

1. In Brown County six entire boxes were thrown out by Court Judgment in a County Judge's race because the ballots were "illegal". If these same boxes were thrown out in the Senatorial Race, it would mean a net gain of 468 for Lyndon Johnson.
2. The vote totals for Jack County were switched in the official canvass of the County as reported to the Secretary of the State Democratic Executive Committee. Vote reported was Stevenson 894, Johnson 879. Actual vote was Johnson 894, Stevenson 879. A net gain of 30 votes for Mr. Johnson would result from a correction.
3. Lloyd Croslin says that the entire vote in Borden County could be thrown out, due to the fact that the box was left unsealed in a filling station all night election night. Sunday afternoon Croslin went to the County Seat in order to find out why no vote had been reported for the County. After investigation, he located the box in a filling station unlocked, and it had apparently been there since the night before. If the County were thrown out, it would mean a net gain of 17 votes for Johnson.
4. In Dallas County two corrections were made after the vote had been certified to the State Democratic Executive Committee. One added 58 votes to Stevenson and the other forty more. The latter correction was made several days after the final date for canvassing returns had elapsed.
5. Sam Allen, 4023 Simpson Street, Dallas, says that apparently the lever over Mr. Johnson's name in his voting booth in Dallas was apparently locked all day and Johnson could be voted for only when the instructor was called over to unlock it. Allen voted at 9:00 in the morning and found the lever locked. He called the instructor who stepped over and released the lever so Mr. Allen could vote for Johnson. A friend of his voted at 12:00 noon and had the same experience.
6. A. J. Payne of Center, Texas, says that two votes marked with an "X" were counted for Stevenson in his precinct.
7. Pete Greene and Cole Smith make sworn affidavit that they requested the County Chairman of Guadalupe County to be allowed to represent Lyndon Johnson at the canvass. They were told by Mr. Edgar Engelke that the meeting to canvass the vote was a "secret meeting". Upon being asked again Mr. Engelke again stated the meeting was secret. While the meeting was in progress, all the doors were closed and the blinds were drawn so that no one could see into the meeting room.
8. In Cameron County, according to Judge Oscar Dancy, and an article in the San Antonio Express, 200 ballots were discarded because Judges ruled they were mutilated. Dancy says that if these votes were counted, ~~xxxxxx~~ Johnson would gain just about in proportion to his majority in that County. Paul G. Greenwood of Harlingen stated "If the voter's intention is clear, I believe the law holds, the ballot should be counted, regardless of what other markings appear on it.
9. Mr. Herman Sparks of Cooper in Delta County says that the voting place for Precinct 12 was in front of the Mayor's office. That prior to the election a picture window card of Mr. Stevenson's was placed in the window within a few feet of the election workers and within arm's length of the prospective voters. The card remained there all day.

10. Mr. E. M. Glasscock of Angleton calls attention to Article 3022 of the Revised Civil Statutes of 1925, as follows: "No judge, clerk, etc shall make any statement or give any information in any manner, of the number of votes cast for or against any candidate or convey to any person his opinion regarding the state of the polls until after the closing thereof. Any officer, etc. who shall violate these provisions shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$50 nor more than \$1,000, or shall be confined in the county jail for any period not to exceed one year, or shall be punished by both such fine and imprisonment." Glasscock says, "There is no doubt in my mind that had it not been for this one violation of the law, Johnson would have led by a majority of anywhere from 10,000 votes to 25,000 votes."

11. Mr. Brad Thompson of Stephenville says, "There is a possibility of an election contest in a County Commissioner's race in Hood County. There is talk that the election was badly managed there, several procedural statutes being violated. Suggest you keep an eye on it. If interested, contact Jimmie King, a young energetic attorney in Granbury."

12. Kenneth Olson and Robert I. Wilson acting in Mr. Johnson's behalf in Kerr County wrote to the County Democratic Chairman requesting that the Committee comply with the provisions of Article 3125 of the Revised Civil Statutes. Mr. Starkey, the Chairman, wrote a reply that the Committee had found it impossible to comply with the request because of lack of time. If Kerr County were thrown out, it would mean a gain of 363 votes for Johnson.

13. W. G. Pate of Houston says there was a 100-vote discrepancy in Waller County which resulted in Stevenson's favor. He knew no facts, but suggested it be checked.

14. On Monday night after the election a revision was made in Eastland County giving Stevenson a gain of 225 votes. Although our people indicate it was an honest error, the fact remains that we were advised of the change, several hours before it was made.

15. Mr. and Mrs. John S. Foote of Houston paid their poll taxes in Wharton County where they had resided in January. They were allowed to vote absentee in the first primary. However, in the second, they went to Wharton to vote and were told that they could not do so. They wanted to vote for Johnson.

16. In Harris County 47 absentee ballots, nearly all for Johnson, were not counted because they were mailed by mistake ~~xxx~~ to the wrong precinct.

17. F. W. Burke of Goose Creek wired Mrs. Ferguson as follows: "Have checked local chairman and representatives of Mr. Johnson. If I can get the green light from East Harris County Johnson Chairman, will contest two boxes which I am very much inclined to believe will give us a nice margin."

18. In Gregg County Johnson lead by approximately 400 votes in the first primary and lost by 2,300 votes in the 2nd primary. Looks fallacious on the face of it.

18. An unsigned letter from Tyler says, "The polls at Winona, Texas, Box 7, were closed Saturday afternoon between 5:00 and 5:30 by the election judges on the excuse that they had run out of ballots. There were numerous people at the polls wanting to vote who urged the election judges to get more ballots, but they made no effort and the polls remained closed and that box's final return made accordingly. Winona has a voting strength of around 340 and only 205 votes were cast in your race."

20. Mr. J. L. Cunningham of the Junction National Bank, Kimble County, says, "Three high class prominent parties told me today that when they voted and started to walk away, one of those conducting the election (thinking I was not noticing) deliberately unfolded the ballot, read it, and then deposited it. I feel sure

they will make affidavit to this and there may be many others who had a like experience. If this County could be thrown out for such irregularity, fine".

21. Mr. W. A. Clappitt of Kingsville, Kleberg County, says, "It looks like there is something rotten at the Kleberg County Court-house." He also says, "There is plenty of evidence there to justify a contest in one box, and it is sufficient enough to guarantee your election if there isn't anything pulled somewhere else."

22. In Roberts County 93% of the votes were for Stevenson, and the County Democratic Chairman is the father of Clint Small's law assistant.

23. In one box behind the locked gates of the King Ranch Stevenson received every single vote.

POSSIBLE ELECTION ~~IRREGULARITIES~~
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12. Kenneth Olson and Robert I. Wilson acting in Mr. Johnson's behalf in Kerr County wrote to the County Democratic Chairman requesting that the Committee comply with the provisions of Article 3125 of the Revised Civil Statutes. Mr. Starkey, the Chairman, wrote a reply that the Committee had found it impossible to comply with the request because of lack of time. If Kerr County were thrown out, it would mean a gain of 363 votes for Johnson.
13. W. G. Pate of Houston says there was a 100-vote discrepancy in Waller County which resulted in Stevenson's favor. He knew no facts, but suggested it be checked.
14. On Monday night after the election a revision was made in Eastland County giving Stevenson a gain of 225 votes. Although our people indicate it was an honest error, the fact remains that we were advised of the change, several hours before it was made.
15. Mr. and Mrs. John S. Foote of Houston paid their poll taxes in Wharton County where they had resided in January. They were allowed to vote absentee in the first primary. However, in the second, they went to Wharton to vote and were told that they could not do so. They wanted to vote for Johnson.
16. In Harris County 47 absentee ballots, nearly all for Johnson, were not counted because they were delivered by mistake to the wrong precinct.
17. F. W. Burke of Goose Creek wired Mrs. Ferguson as follows: "Have checked local chairman and representatives of Mr. Johnson. If I can get the green light from East Harris County Johnson Chairman, will contest two boxes which I am very much inclined to believe will give us a nice margin."
18. In Gregg County Johnson lead by approximately 400 votes in the first primary and lost by 2,300 votes in the 2nd primary. Looks fallacious on the face of it. Johnson dropped from 45 to 31%. Stevenson jumped from 41 to 69% -- more than the total of Stevenson and Peddy in first primary.
29. An unsigned letter from Tyler says, "The polls at Winona, Texas, Box 7, were closed Saturday afternoon between 5:00 and 5:30 by the election judges on the excuse that they had run out of ballots. There were numerous people at the polls wanting to vote who urged the election judges to get more ballots, but they made no effort and the polls remained closed and that box's final return made accordingly. Winona has a voting strength of around 340 and only 205 votes were cast in your race."
20. Mr. J. L. Cunningham of the Junction National Bank, Kimble County, says, "Three high class prominent parties told me today that when they voted and started to walk away, one of those conducting the election (thinking I was not noticing) deliberately unfolded the ballot, read it, and then deposited it. I feel sure they will make affidavit to this and there may be many others who had a like experience. If this County could be thrown out for such irregularity, fine".
21. Mr. W. A. Clapitt of Kingsville, Kleberg County, says, "It looks like there is something rotten at the Kleberg County Courthouse." He also says, "There is plenty of evidence there to justify a contest in one box, and it is sufficient enough to guarantee your election if there isn't anything pulled somewhere else."
22. In Roberts County 93% of the votes were for Stevenson, and the County Democratic Chairman is the father of Clint Small's law assistant.
23. In One box behind the locked gates of the King Ranch Stevenson received every single vote.
24. In Tarrant County, illegal returns were counted from two boxes. Had these boxes been thrown out, the net gain for Johnson would have been 45 votes. In one box, the OFFICIAL returns were not returned to the courthouse until more than 72 hours after the polls closed. In the other box, the official returns were never returned to the canvassing committee. The committee took the results off the tally sheets.
25. In Tyler County, more votes were cast in the second primary than in the first -- 1895 to 1992. Stevenson showed a net gain in this county of 155.
26. In Gillespie County, more votes were cast in the second than in the first primary -- 1231 to 1264. Stevenson showed a net gain of 256 in this county.
27. In Austin County, more votes were cast in the second primary than in the first -- 3793 to 2839. Johnson gained 587 votes; Stevenson gained 1,133 votes.
28. In Guadalupe County, more votes were cast in the second primary than in the first -- 1835 to 1342, a difference of 493. Johnson gained 110 votes, Stevenson gained 504, a net gain for Stevenson of 394.

29. In four Texas counties, in sharp contrast to the other 248 counties, the first primary leadership was reversed. Expressed in terms of percentage:

Candidate	First Primary	Second Primary	Change
Gregg County:			
Johnson	45%	31%	Minus 14%
Stevenson	41%	69%	Plus 28%
Hutchinson County:			
Johnson	51%	32%	Minus 19%
Stevenson	41%	68%	Plus 27%
Upshur County:			
Johnson	39%	43%	Plus 2%
Stevenson	37%	57%	Plus 20%
Rockwall County:			
Johnson	40%	39%	Minus 1%
Stevenson	33%	67%	Plus 34%

30. The last big "revision" in the Texas Election Bureau counting cut Johnson from 476 to 380 and increased Stevenson from 548 to 552.

That was a net gain for Stevenson of the magic number of 100. This was on the Saturday that the TEB stopped counting.

LET'S BE FAIR

Lyndon Johnson won the Democratic nomination for Senator by 87 votes. This was attested by the OFFICIAL reports from county chairmen, tabulated by Vann M. Kennedy, secretary of the State Democratic Executive Committee.

Lyndon Johnson has been certified to this convention as the winner, by the State Executive Committee.

The Supreme Court repeatedly has held that the Executive Committee, and the Convention, have the duty to canvass the votes as they are OFFICIALLY reported by county chairmen.

Do you believe in changing the rules after the game is played?

The convention is a political body, to canvass the votes OFFICIALLY certified. It is not a lawmaking body to write law, or a court to pass upon election contests.

Coke Stevenson can have his day in court. He can go to the courthouse and contest the votes OFFICIALLY reported by the county chairmen.

The courts will decide election contests. A jury will pass upon ALL the evidence--submitted under oath, with BOTH candidates having the right of cross-examination.

Do you want YOUR ballot box thrown out on a one-sided evidence obtained with the help of a pistol packing employee of a major oil company?

JOHNSON IS WILLING TO MATCH CERTIFIED VOTES WITH STEVENSON IN THE CONVENTION. That's the PROPER place to count votes.

JOHNSON IS WILLING TO MATCH AFFIDAVITS AND PROOF WITH STEVENSON IN THE COURTROOM. That's the ONLY place to do it!

JOHNSON IS WILLING TO PLAY THE GAME BY THE ESTABLISHED RULES.

**THAT'S THE AMERICAN
WAY OF DOING IT !!**

September 9, 1948.

Honorable Garland A. Woodward,
Attorney at Law,
State Bank Building,
Coleman, Texas.

Dear Garland:

Thank you so much for your letter of the 1st regarding
the possibility of irregularities in the returns from Gregg County.

I want you to know that I also appreciate the trip you
made to Austin last week. Under the circumstances, there was not
time to sit down for a visit while in danger of losing the election
because of recounts and revisions, but I was very much aware of
your presence during the day and appreciative of your interest.

Warren is still working like a slave. Last night for the
first time in ages he got to bed at 9:30 and says he has a headache
today from too much sleep.

With best wishes, I am

Sincerely,

Lyndon B. Johnson.

Re

Gregg

election irregularities

✓

LAW OFFICES
OF
GARLAND A. WOODWARD

STATE BANK BUILDING
5TH FLOOR
COLEMAN, TEXAS

SEP 2 1948

September 1, 1948

Congressman Lyndon Johnson
301 West 8th Street
Austin, Texas

Dear Lyndon :

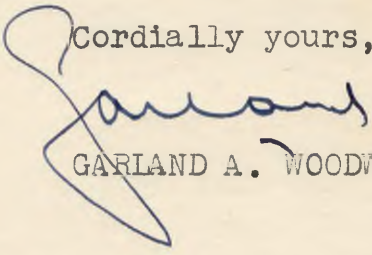
By all means immediate attention should be given to the Gregg County vote. I can not understand and do not believe it has been correctly reported in view of your large majority in the first primary and your large loss in the second primary. It doesn't sound reasonable and an investigation should be made of that situation.

For thirty years I have voted for good government in Texas, and I feel as though I never intend to pay a poll tax or vote again when the people have made such a tremendous mistake as to send to the Senate Coke Stevenson. In my opinion there has never been such a tragic political mistake made in Texas. The Fergusons and O'Daniels were angels compared with your opponent.

I am disgusted and discouraged if he is elected.

If the misfortune should occur and you should retire to private life, I am always with you in anything you might undertake. My enthusiasm for you has not been because of your kindness to Warren altogether, but because I believed in you and your principles of good government. It is a damnable shame and disgrace to elect your opponent to the Senate.

Cordially yours,


GARLAND A. WOODWARD

GAW :ld

cc

Lyndon B. Johnson, in a prepared statement released this morning, said: "While the Dallas News and their candidate were leading me by fictitious votes, all was quite and serene. When the official count, the honest count, put Lyndon B. Johnson in the lead, the News and their candidate started screaming. I would like for them to explain how they corrected me out of 400 votes in Cass County, 225 votes in Eastland County, and to top it all, from their own column, in today's paper, it appears that they have corrected me out of 2000 votes in Dallas County. I am trying to stop the same thing from happening in Wharton and Chambers Counties. By their slanted headlines and their front page editorials, the News and their candidate are trying to throw up a smoke screen in an effort to blind the good people of this State to what the News and their candidate are doing to Johnson.

When the honest count is in and all the votes cast are canvassed, I will, as I have maintained throughout the campaign, have a comfortable majority.

It's a peculiar thing that my opponent and his Dallas News sponsor thus far has made no mention of some counties that did a complete about-face, but when he trails by 17 votes, they cry for an investigation to be conducted by a committee composed of his old friends in the Senate who are his present supporters. That's like a mother being asked to judge a baby show in which her twins are entered.

If they want an investigation, since this is a Federal election the Federal Bureau of Investigation, a disinterested and efficient agency would be the proper agency to conduct it. I can furnish some good leads to such an investigating body.

When the honest count is in and all the votes cast are canvassed, I will, as I have maintained throughout the counting of the votes, have a comfortable majority.

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Perhaps I should feel complimented by being placed in the class of men the News has slandered and villified. Attacks of this organization on General Sam Houston in the old days called forth from him the statement that:

"The truth of history has been perverted and the opposite has been asserted."

Senator Joe Bailey was not quite so temperate when he said:

"Texas Democrats will not take their lessons from the polluted columns of the News - the scarlet woman of Texas Journalism."

But his language was hardly less scathing than that employed by the Honorable John H. Reagan, often called the "noblest Roman of them all," who replied to attacks on his character by the Dallas and Galveston News, then under the same management as the present Dallas News, by saying:

"I know of nothing which equals their mendacity and rotten corruption except their brazen hypocrisy."

And the immortal James Stephen Hogg spoke of it in these words:

"The people have no confidence in it. When it has been publicly branded as it deserves by men whose character is beyond reproach, by men of honor and high standing in this state, it is not necessary for me to say anything."

I realize this statement will only make the News more violent in its unprovoked attack on me, but I challenge it to publish this statement in full so the people will know how the News has always sought to destroy those it cannot control.

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September 6, 1948

Mr. Herman Sparks
Cooper, Texas

My dear Friend:

Thank you for your very heartening letter of September 3. It makes a man feel mighty good to know that he has friends like you. The tide has turned in our favor and I believe that it will stay turned. I think we have honestly won this election and that the State Democratic Convention will decide the same way.

I am very glad to know that you are a delegate and that you plan to be in Fort Worth. Please try to see that all of our friends you know are there, because we certainly don't want to lose any votes because of absentees.

Again, thank you for all you have done and are doing in my behalf.

Sincerely yours,

Lyndon B. Johnson

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Delta - 1

*Irregularities
+
Violations*

SPARKS THEATRES

Septa-1
"Pick of the Pictures"

HENRY SPARKS, OWNER

COOPER, TEXAS

SEP 4 1948

Sep. 3rd.
Mr. Lyndon Johnson
Austin Tex.

Dear Mr. Johnson:

I am indeed glad to hear the encouraging reports today, especially the statement you have made.

I have heard and read of the different accusations concerning the election. Box 12 in this town happens to be in the front of the Mayor's office, this same spot has been used for several years as a voting place. I happen to know of one of Mr. Stevenson's photograph picture window cards that was placed there before the election in a show window. This photograph was within a few feet of the election workers and within arms length of most of the prospective voters. I took the card down

SPARKS THEATRES

"Pick of the Pictures"

HENRY SPARKS, OWNER

COOPER, TEXAS

myself and carried it home with me on Monday night after the election. I am not familiar with all the election laws but I mention this incident to show that at least it was not very sporting of the opposition.

I sincerely hope that we continue to get these encouraging reports, and if it can be of any help please don't hesitate to fall upon me. I am a delegate to the N. T. World Convention and intend to attend.

Sincerely
Herman Sparks

September 8, 1948

Mr. E. M. Glasscock
Box 156
Angleton, Texas

My dear Friend:

Just a note to tell you how grateful I am for your thoughtful letter of September 6th. I especially appreciate your sending me the clippings from the Houston Post. You may be sure that, when we all assemble at the Fort Worth Convention next week, we will be prepared for any eventuality.

Thousands of Texans have written me since our victory became apparent, and it has made me humble in the thought that they have placed so much confidence in me. I know of but one way to live up to that confidence, and that is to make the State of Texas a good United States Senator.

Please feel free to call on me whenever there is some way in which I can be of service to you. With continued good wishes, I am

Sincerely,

Lyndon B. Johnson

WJ:md
Brazoria - 9

*Violations
+
irregularities*

Readers Write:

Law Forbids Vote News Before 7 P. M.

To The Post:

Instructions delivered to each precinct judge by the chairman of the county Democratic executive committee on election days include citation of the following sections of Article 3022, Revised Civil statutes of 1925:

"Article 3022. Immediately upon the closing of the polls, and at intervals of two hours thereafter, one of the judges of election shall make a correct but unofficial memorandum of the total number of votes counted for each candidate at that time, such memorandum being in the order in which the names of the candidates appear upon the official ballot; and thereupon he shall publicly announce from such memorandum the status of the count at the door of the building where the counting is in progress. This memorandum shall thereafter be accessible to the public, and especially to newspaper reporters who may call for information; and the presiding judge and associate judge may furnish reporters information concerning the status of the count at other times after the polls have been closed. The announcement of the status of the count shall continue, as aforesaid, until the count has been completed, when a correct but unofficial announcement of the total number of votes received by each candidate shall be made as above provided. . . .

"No judge, clerk, supervisor or other officer of election shall make any statement, or give any information in any manner, of the number of votes cast for or against any candidate or for or against any proposition submitted to the people, or convey to any person his opinion regarding the state of the polls until after the closing thereof, and then only as herein expressly permitted. The provisions of this Article shall apply to all elections, general, special or primary."

"Section 13. Any officer, election officer or judge, clerk or supervisor of any primary election who shall violate any provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty (\$50.00) dollars, nor more than one thousand (\$1000.00) dollars, or shall be confined in the county jail for any period not to exceed one year, or shall be punished by both such fine and imprisonment."

This law applies to all Texas counties, including Harris county. Until the law is repealed it should be enforced.

E. R. CHEESBOROUGH,
Presiding Judge, 11th Precinct,
Galveston, Texas.

History Repeats---or Reverses

SATURDAY'S senatorial primary runoff was a striking repetition of history, or possibly history in reverse. Which one, the final official count will determine.

In the 1941 special senatorial election, Lyndon Johnson ran ahead of W. Lee O'Daniel by a diminishing margin until Tuesday afternoon following the election. Then Pappy edged ahead and finally won by 1311 votes out of 700,000. This time, Stevenson led until Sunday evening, by a narrowing margin. Then Johnson stepped out in front, to keep the lead until Monday's tabulations see-sawed Stevenson back on top. It is possible that the official canvass of votes by the state Democratic executive committee will reveal a smaller difference than 1311.

The closeness of the vote in Saturday's contest reflects, on the one hand, the familiarity of the name Coke Stevenson to Texas people, and on the other the remarkable, aggressive campaign made by the less-known young Congressman Johnson and his supporters. Stevenson's strong showing in Harris county is a tribute to his wide acquaintance and popularity here. This county has consistently been a Stevenson stronghold in his various state races.

Still another factor was the possible crucial effect of early announcements of returns in Harris county. This is one of the few counties where election officials do not observe the law prohibiting the announcement of election returns before the polls close in the evening. Morning and afternoon publication of returns is considered a big advantage for candidates running ahead in the early balloting, because of the band-wagon votes it attracts to them.

From the outset Saturday morning, Stevenson was well out in the lead here. Afternoon newspapers headlined the fact, and radio announcers ding-donged it out over the air in Houston and over the state. Undoubtedly this publicity caused many Harris countians to vote for him, following the human-nature desire to be on the winning side. Moreover, wire services carried the news of Stevenson's big Harris county lead to afternoon papers throughout the state, and they published it, thus influencing voters elsewhere as well as in this area. It is conceivable that enough band-wagon votes were drawn into the Stevenson column by this means to change the result. This is an advantage that goes good for the one who is ahead but bad for the one who is behind.

The best solution of the problem of premature returns is the automatic voting machine. It is purposely designed mechanically so that when once opened to tabulate the votes, the totals are completed and cannot be continued. So the election officials must wait until all ballots have been cast before counting the votes. This is the case in Dallas, Bexar, Gregg and possibly other Texas counties which have voting machines.

Brazoria
9

SEP 8 1948

Angleton, Texas.
September 6, 1948.

Hon. Lyndon B. Johnson
Democratic Nominee for
United States Senator,
Austin, Texas.

Dear Mr. Congressman:

Enclosed is an editorial clipped from the editorial page of the Houston Post and also, a letter written to the Houston Post by E. R. Cheesborough, Presiding Judge, 11th Precinct, Galveston, Texas.

In my opinion the information contained herein is enough to base a contest for the purpose of having the election of August 28, in Harris County declared void.

There is no doubt in my mind had it not been for this one violation of the law you would have led "Calculatin" Coke by a MAJORITY of anywhere from 10,000 votes to 25,000 votes.

However, I believe you have the election won without a contest, if there is no further violation. Anyway your friends are very hopeful. The returns show you beat Coke in every vicinity (An area embracing a large city and many adjoining counties) in Texas. I am waiting to hear the under cover story of Gregg County.

I should have added in the above paragraph every vicinity in Texas, except Harris County and etc.

Mr. Congressman: I congratulate you for making a splendid campaign. You made it against great odds, especially so when it is taken into consideration the lateness of the hour you entered the race.

I for one have no favor to ask of you except that you make for Texas and the United States an excellent Senator and I know you will.

You have my undying gratitude for defeating a man who should not of had the privilege of representing the people of Texas, for so many years.

Sincerely,

E. M. Glasscock
E. M. Glasscock
Box 156
Angleton, Texas.

September 7, 1948

Judge Oscar C. Dancy
County Judge, Cameron County
Brownsville, Texas

Dear Judge:

Just received your letter of September 4th. I appreciate your bringing me up to date on the situation in the Valley. I am depending on you to look after things for me down there and keep me posted as to what needs to be done.

Continue to send me any clippings or other information that you feel I need.

This has been a long and hot summer, but I feel the victory we have won entirely justifies all the hardships we undertook. Please know that I will never forget you for all that you have done.

With very best wishes, I am

Sincerely,

Lyndon B. Johnson

WJ:md
Cameron Co.

*Violations
&
Irregularities*

DEFACED BALLOTS

Continued from Page One
lots that were signed by the voter. In other cases such signed ballots were counted.

Murray recommended that the new chairman, Robert Runyon, undertake some research and obtain some uniform procedure on the discarding of votes that are questionable.

The new count gave Philip Kazen 10 additional votes, bringing his total to 4,056 and the Lloyd Bentsen count remained the same at 8,719. No material changes were recorded in the other races checked.

The new counts will be officially certified to the state executive committee at the Democratic convention that meets in Fort Worth on Sept. 14.

Murray announced that the vote changes occurred in five boxes and the other 31 were reported as first announced. Box 13 in Brownsville, which figured in a contest on the first primary returns, showed a slight discrepancy among the tally sheets in the runoff, but it was readily straightened out with the explanation that one clerk kept two tally lists and failed to mark down some of the votes cast.

The 30 additional votes were explained as a telephonic error in the report from the Rio Hondo box.

Box 32, Harlingen, showed a total of 698 votes counted and only 695 votes listed as cast on the tally sheet, the committee announced.

Candidates got a cheerful bit of news from Murray. He said that about \$8,500 had been collected for filing fees and that the first primary cost around \$3,500 and the second about \$2,000, so each candidate will get a refund of about one-third of what he paid.

'DEFACED' BALLOTS COUNTED IN VALLEY

SAN ANTONIO EXPRESS VALLEY BUREAU

BROWNSVILLE, Sept. 3.—A net gain of 40 votes for Lyndon Johnson was recorded here officially Friday when the county Democratic committee canvassed the Cameron County returns in last Saturday's runoff election. The new totals, announced by Paul G. Greenwood, Harlingen, for the subcommittee, showed 7,276 votes for Johnson, a gain of 30 over the unofficial tally released Saturday by Chairman Menton Murray. Stevenson's new total showed a loss of 10 to bring his vote down to 5,204.

Marked with An "X"

An involved discussion on the question of mutilated ballots disclosed a wide variance of opinion on what ballots may be discarded. Murray estimated that about 200 ballots were discarded in the runoff election because judges ruled they were "mutilated." The discussion brought out a legal distinction between "mutilated" and "defaced" ballots, and also that a number of voters continue to mark ballots with an "X," a practice that is correct in other states.

Greenwood, member of the subcommittee that canvassed the votes, held that the voter should in every case be given the benefit of the doubt.

"If the voter's intention is clear," Greenwood said, "I think, and I believe the law holds, the ballot should be counted, regardless of what other markings appear on it."

Some Sign Ballots

The judges revealed that some of the ballots they had received had the signatures of the voters on them, that others had put check marks after the names in addition to crossing out the ones they were against, and others had put comments of a favorable or derogatory nature. In some cases the judges threw out bal-

Continued on Page 2, Col. 5

SEP 6 1948

BOYNTON H. FLEMING, SHERIFF
R. T. AGAR, TAX ASSESSOR AND COLLECTOR
F. T. GRAHAM, COUNTY ATTORNEY
CHAUNCEY S. REID, DISTRICT CLERK
MRS. W. R. JONES, TREASURER
JAS. D. KOONCE, COUNTY SCHOOL SUPT.



OSCAR C. DANCY, COUNTY JUDGE
TED HUNT, PRECINCT NO. 1, PORT ISABEL
FRED RECIO, PRECINCT NO. 2, BROWNSVILLE
A. D. BOWIE, PRECINCT NO. 3, SAN BENITO
A. A. KIMMELL, PRECINCT NO. 4, HARLINGEN
H. D. SEAGO, COUNTY CLERK
L. A. BAUER, COUNTY AUDITOR

CAMERON COUNTY

BROWNSVILLE, TEXAS

September 4, 1948

Hon. Lyndon Johnson
Austin, Texas

Dear Lyndon:

I noticed Coke blast at the Board of Counties. For your information will say that at the counting by the Sub-Committee, it was done at Harlingen under the general supervision of Hon. Menton J. Murray, County Chairman, and as squarer-shooter as they ever make them, Hon. A. C. Moore, Attorney, of La Feria, and presiding judge of that election representing Stevenson, Paul Greenwood represented you, and Mr. C. W. Reed, another square shooter, was also called in.

Mr. Moore was present at the meeting here Friday; and, so far as canvassing is concerned, I have no doubt about its being O.K. Of course, if the boxes are opened, there may be found other mistakes. It is general talk here that Coke will do the best to attach the Duval and Webb County votes. I don't know how the Donna box went. It went about 22 to 1 for Bentsen; and, of course, was one of those good machines. The Laredo machine went about 9 to 1 the other way and is a very bad machine. I sincerely don't know what the effect is going to be on the border.

Guess you saw the San Antonio Express this morning. However, out of an abundance of precaution, I am enclosing you a Clipping. There is no doubt but that if these votes are counted, you will gain just about in proportion to your majority in this County.

Yours very truly,

Oscar C. Dancy
County Judge.

OCD/ssm

Alice Dance Hall Blasted

By CLAUDE RAMSEY

Alice, Tex., July 30 (UP).—Angered nightriders blasted away last night with shotguns at Rancho Allegro, taxidance hall against which Newscaster W. H. (Bill) Mason was crusading when he was slain, and tonight it did not open for business.

The doors were padlocked and the windows were shuttered. Word got around town that Rancho was "closed down."

Public feeling ran high over the Mason killing, allegedly by Deputy Sheriff Sam Smithwick, and three Texas Rangers were on duty to maintain order.

Mason was shot to death yesterday. He had charged that Smithwick owned Rancho Allegro and he lambasted it as a vice spot.

Rancho Allegro is not an impressive club. A small, white frame building—something on the order of the old country schoolhouse—its only distinguishing marks are a hole in the outside wall near the electric meter and silhouettes of four nude dancing women painted over the door.

The hole in the wall was the chief evidence of the nocturnal shooting, which Texas Ranger Benny Krueger said occurred Friday about 11:30 p. m. No one was hurt, for the nightspot had closed

an hour earlier. Business last night was "very bad," according to an Alice citizen who was there.

The shotgun attack on the empty building came 12 hours after 52-year-old Mason was slain. Smithwick remained in the Jim Wells County jail here, authorities insisted, despite a flood of rumors that he had been moved for safekeeping.

The feud between Mason, a veteran newsman and public relations agent turned radio crusader, and Smithwick was one of long standing. It was brought to its violent end by Mason's charges that the deputy sheriff owned the land upon which Rancho Allegro was situated and that open violation of liquor and morals laws was permitted.

Krueger said Rancho Allegro, at the southern edge of this city of 24,000, was open until about 10:30 o'clock last night.

An hour later, he said, two cars sped by. Occupants of one opened fire with one or more shotguns.

He said the shots apparently were fired at close range. They broke lightbulbs and knocked

Continued on Page Eight

The Big Friendly Bank for Everybody, Mercantile National Bank. A member of the Federal Deposit Insurance Corporation.

—(Ad.)

Alice Shooting

Continued From Page One

holes in the wall. No one was in the building.

Krueger said he had not been able to establish the identity of the occupants of the car. Rangers Joe Bridges of Falfurrias and Tully Seay of Harlingen joined him today to help local authorities maintain order.

Program Canceled.

Meanwhile, radio station KEBI, over which Mason had thundered defiance at the county sheriff's office in general and Smithwick in particular, declined to let his son, Burt, 22, carry on the crusade.

Young Mason, who had been helping his father in preparation of the scripts, had planned to go on the air today with the one which Mason had readied for Friday.

But Ed Lloyd, owner of the station, told Burt Mason that "sentiment is so high" he considered it "inadvisable" to continue the broadcasts.

Lloyd told United Press later that he had suspended the Mason program "temporarily" and would make a decision "within a few days" on the question of permitting its resumption with young Mason as the principal.

Only Version.

The only version of the shooting available was that given by Avelino Saenz, 35, who was with Mason in his automobile Friday morning.

They were driving south from Alice, Saenz said, when Smithwick hailed them.

"Are you Bill Mason?" Saenz quoted the deputy sheriff.

"Yes, I am," the driver replied.

Saenz said he then pulled his pistol and fired one shot. It struck near Mason's heart, and he staggered out of the car and crawled across the road to a pipe supply office, calling for help. Saenz fled, but reported to police a short time later and made a formal statement.

Smithwick surrendered immediately to a city policeman, but refused to discuss the shooting.

BEFORE LEGAL TIME

Navarro County, Too, Burns Runoff Ballots

Special to The News

CORSICANA, Texas, Oct. 28.—Democratic primary ballots were burned here last week, it was revealed Thursday.

Announcement that Navarro County ballots, cast in the Aug. 28 runoff election, had been destroyed followed the revelation that Duval County had burned its ballots.

There had been no protest in the senatorial contest against the conduct of the election in Navarro. But destruction of the ballots came last week—before what Atty. Gen. Price Daniel said was the legal waiting time for preservation of voting records. Daniel said at Austin

Wednesday that under the law, counties were required to save ballots sixty days—or until Oct. 28, which was Thursday.

Duval's ballot destruction came shortly before United States Senate investigators moved in to seize evidence for a probe of alleged voting frauds.

Dave Kinnemore, yardman and fireman at the Navarro courthouse for thirty years, said he burned the old ballots last week as he prepared to assemble ballot boxes for the general election.

This has been the custom for years, he said. Kinnemore said he did not dis-

cuss destroying the old ballots with county or Democratic officials, but did as he had done throughout the years.

No notice of impounding Navarro County ballots in the Senate investigation has been received. But their destruction, along with those of Duval, would preclude a recount of all counties if the United States Senate should decide that should be done.

Coke Stevenson carried Navarro County in the second primary, 2,713 to 1,780 for Lyndon Johnson.

Navarro is the home county of Gov. Beauford Jester, and also of John Calhoun, state Democratic chairman, and Tom Tyson, state secretary.

REPORTERS STORY OF JIM WELLS VOTE PROBE

(Below we reprint a story which appeared in the Alice News, Sept. 30, concerning the investigation of fraud in the Jim Wells County election results.)

Investigation of charges filed by unsuccessful candidate for the Democratic nomination for U.S. Senator Coke R. Stevenson, alleging fraud and other election irregularities in Jim Wells county ended Wednesday afternoon at 1:55 p.m. on orders of a Justice of the U.S. Supreme Court.

For two and half days of tense dramatic filled moments, Special Master W. R. Smith, Jr., who was appointed by Federal District Judge T. Whitfield Davidson of Ft. Worth lead the investigation and questioning of election officials. At the end of the hearing efforts to find the second ballot box for Precinct No. 13 were unsuccessful.

Testimony of witness summoned by Stevenson's attorneys was being heard at the time. No opportunity had been given the supporters of Lyndon B. Johnson to present their answers to Stevensons charges.

One of the key witnesses in the trial, Luis Salas, presiding Judge of Precinct No. 13, testified he had turned in, after the August 28 Runoff Primary, two ballot boxes, both locked. When the boxes were produced in court from the County Clerk's vault only one box for Precinct No. 13 could be found. Witnesses testified C. H. Holmgreen, Jim Wells county clerk, was an active partisan of Stevenson's and political opponent of the county group favoring Johnson.

Holmgreen was reported to be somewhere between Alice and California on vacation. Another key witness, B. F. Tom Donald, former secretary of the County Democratic Committee, who had copies of the Runoff Primary re-

turns was reported by his wife to be somewhere in Mexico.

Smith announced Monday afternoon, shortly after the trial opened, he would open every single box, if necessary, to obtain all the election papers. Johnson's attorneys argued this was in violation of every legal procedure, but were over-ruled by Smith on the grounds his letter of appointment by Judge Davidson gave him full authority to do so.

Stevenson, surrounded by eight attorneys, appeared in the County court room Monday afternoon when the hearings opened. C. C. Renfro of Dallas and Josh Groce of San Antonio headed his battery of lawyers. Everett Looney of Austin and Dudley Tarlton of Corpus Christi appeared for Lyndon Johnson.

Smith opened the investigation by ordering W. W. Ainsworth, deputy U. S. Marshall to impound the ballot boxes. These were brought from a vault in the clerk's office 13 of the boxes were locked, six were locked but had keys tied by strings to the locks and the 20th was unlocked. This last box proved to be the one most in question, used in Precinct No. 13.

First witness called was G. A. Parr, Alice banker. Tom Donald the former county Democratic Committee secretary is Cashier in his bank, the Texas State Bank of Alice. Parr testified Donald had informed him Friday or Saturday he was leaving for a short trip Monday morning. Smith informed Parr he was very interested in "laying hands on Donald's records". Parr testified he did not know Donald's whereabouts.

Raeburn Norris, Alice Attorney then informed the Special Master that Donald was in Nuevo Laredo and would return Wednesday.

Parr, cross examined by Everett Looney, Johnson's attorney, testified Special Texas Ranger Frank

Hamer of the Texas Company accompanied Coke Stevenson when he entered the Texas State Bank, Friday, September 10. Looney pointed out to the court, following violent objections by Stevensons attorneys to the question of whether or not Hamer carried a gun, that Hamer held a commission as a special ranger for the limited purpose of protecting Texas Oil Company's property. Hamer, Looney added, was in Alice for the express purpose of threatening voter, intimidating citizens of the city and interfering with the normal election procedure. Smith ruled Parr could answer the questions. Parr then told the court Hamer had a gun on his person.

Mrs. Donald, wife of the absent former democratic committee secretary, testified she had talked with her husband in Mexico the preceding night and she did not know when he would be back.

C. C. Martens, former county Democratic chairman, informed the Master he last saw Donald over a week ago. He said Donald had all election returns. Martens, who had a bad cold, could hardly be heard by the attorneys. Describing in details how he received the ballot boxes after the August 28 primary, Martens said he had them locked in a cell in the county jail, pending the official canvas by the County Executive committee.

Renfro closely questioned Martens on the disposition of Precinct No. 13 boxes.

"Did you receive ballot boxes from Luis Salas?"

"Yes, he turned in two boxes at the jail Saturday night."

"When did the last box come in?"

"I believe it was Monday morning."

"Did Salas leave a copy of the poll list, tally sheet and election returns with you?"

"Yes."

"Where are they?"

"I turned them over to Tom Donald."

"How many voting precinct boxes were turned over to you?"

"13. Four were turned over to the county clerk."

"When was the official canvas of the election returns made?"

"Friday afternoon, August 28, in the county court house, with most of the members present."

"Did anyone move the ballot boxes from the jail?"

"No."

Renfro asked Martens about protests he said were filed at the official canvas. The Stevenson attorney inquired if E. M. Brownlee had asked about the difference in the returns shown by the Texas Election Bureau and the official returns before the county committee. Martens said that question was raised, but everything was double checked and apparently all were satisfied that a correct canvas was made.

"Several members asked the returns be double checked so no mistake could possible be made. This we did," Martens testified.

"How many names were on the Precinct No. 13 poll list?" Renfro asked?

"Over 1000, I recall, but I just don't know exactly," Martens replied.

"Was a motion ever made not to include the results of Precinct 13 in the official returns?"

"No such motion was ever made."

At this point the Master told attorneys for both sides, when they had finished questioning, if he deemed it necessary, he would pursue any differences that may not have been fully developed.

Martens told court they did not turn over to H. L. Adams, the new County Democratic Committee Chairman, his records on the advice of counsel. "I wanted Adams to have all records he was supposed to have," Martens said he was advised the returns could be made to the committee and not to any individual, and his attorney advised he had better retain his records to support his certifications of the election results.

"Did anyone else ask for these records?"

"No."

Martens told of delivering the election boxes to County Clerk C. H. Holmgreen and obtaining a receipt for them. He produced the receipt in court.

"You and Holmgreen were on opposite sides, politically?"

"Yes, sir."

"Do you recall if box 13 was locked or unlocked when Salas turned it in?"

"It was locked."

"Was it tampered with while in the County Clerk's office?"

"I don't know."

Martens told of several conversations he had with attorneys and investigators for Stevenson. He identified them as former FBI agent Kellis Dibblell, Texas re-

presentative from Junction, Cal-lan Graham and E. L. Kuykendall, law partner of Stevenson's brother. They asked him to make a new election return leaving out the returns of Precinct No. 13. Martens said Kuykendall wrote out a return in pencil, but he refused to sign it when they did not produce the evidence of fraud. They had talked of in earlier conversations. Later, Martens said Dibblell again attempted to obtain his signature on a new certificate.

Questioned by Dudley Tarlton, attorney for Johnson, Martens said "I went to the Hotel Alice to see Stevenson's attorneys, but they did not show me any evidence of fraud. I wanted to see it, but they did not produce anything." Martens said he was brought in touch with Stevensons attorneys by E. M. Brownlee.

Tarlton pointed out to the Master Stevensons investigators had attempted to get Martens to execute a new certificate, without the knowledge of the County Democratic Committee, a week after the committee had met and certified the results to the State Executive committee. Tarlton also asked the record to show box 13 ballots were in the county Clerk's office for 10 days, before being impounded by the Special Master.

Martens, cross examined by Renfro, said H. L. Adams, new chairman and Stevenson supporter, was with him when he turned over to Holmgreen the ballot box for Precinct 13 with the others.

Smith told the attorneys on both sides the hearing so far had failed to make a great deal of progress. "If necessary to speed this proceedings on, I am fully prepared to hold long night sessions in order to conclude these hearings by Friday", Smith said.

Wednesday morning the court was informed Holmgreen's family had been unable to get in contact with him. Smith then signed subpoena for the missing county clerk. Raeburn Norris informed the Master Donald would be in Alice that day.

Luis Salas, presiding Judge of Precinct No. 13 at the Runoff Primary provided the fireworks for the entire hearing.

Closely questioned by Renfro, Salas described the voting procedure in his box, which he

formed "a level election, everything on the up and up." Salas told of signing each ballot on the reverse side, having the election clerks sign their tally sheets and he signed the precinct returns form. One copy of each he placed in envelopes for the County chairman and for himself, but as only two envelopes were provided he placed the third set in one of the two ballot boxes loose.

"Where is your copy?" Renfro asked.

"I lost it," Salas replied.

"How did you happen to lose it?"

"Well, it wasn't exactly lost. It was stolen."

Salas told of going to Tom Donald and to get his copy of the election returns to compare for any possible errors. This, he testified, he did because of some criticism he had heard. He fixed the date he obtained Donald's copy as September 12. The following night he added, while at a party both copies were stolen from his car, along with other items.

Questioned by Dudley Tarlton, Salas told of receiving threats.

"Who threatened you?"

"Hap Holmgreen."

"Tell us about it."

"Well, one night I ran into Hap in his brother's cafe, where I went for some beer. Holmgreen told me he was going to send me to the penitentiary, and this was my last election. He said he was going to fix me up good."

"What did you do about that?"

"Nothing for a couple days, but I thought about it."

"Were you afraid of him?"

"No, but I remember what he did to Charlie Price when he was Sheriff."

"What was that?"

"One night Holmgreen, who was my friend then, asked me if I had a place where he could do some work. I told him he could use the room behind my garage. That night he came over with some paper. I watched him change a big bunch of ballots, enough to defeat Charley Price for sheriff. If Holmgreen was here I would tell him to his face."

Smith asked Salas to pick out the boxes he had used in the election. Salas identified two tin boxes he said looked something like them. Smith informed the attorneys he was going to open the ballot boxes. Dudley Tarlton and Everett Looney, Johnson's attorneys protested, citing the case

of Carroll vs. State which provided that when ballot boxes had been unlawfully tampered with they could not be considered in any court. Tarlton argued the court lacked authority, as a Federal institution, to invade a state election, but Smith over ruled all arguments.

The lock on box 13 was secured by a piece of thin wire, which Smith twisted off. Everyone in the packed court room hunched forward. Smith dug his hands into the box and searched for the election returns, finally announced none could be found. He then drew out five ballots and asked Salas to identify them. Salas pointed to a signature on the reverse side of each, which he said was his. The ballot numbers ranged from 28 to 1010.

Smith then told the court his sole purpose in opening the boxes was to find the official papers that purpose to show the results of Precinct 13. Two copies had been stolen, he pointed out, and he was trying to find the third. Salas was excused for the time being and Smith proceeded opening the boxes.

Dudley Tarlton, against Smith going into the boxes, on what he termed a "fishing expedition for one party, violating the sanctity of the ballot boxes. Smith again over ruled Johnson's attorney's arguments.

As the opening of the boxes continued Everett Looney pointed out that the keys to some of the boxes were conveniently attached. One of the boxes was found to be completely empty, to which Looney interjected "when it was emptied or by whom is not known."

Looney and Tarlton pointed out through the proceedings that when the boxes were impounded from the county clerk's office the slots had not been sealed, some were not locked, and in many cases the keys to the locks were attached by string to the cans.

After the 10th box had been opened Salas was called back to the stand. Questioned about any announcement of the results of the vote he denied having told anyone the vote standings.

"Did you enter the Alice News office after the polls had been closed August 28?" Josh Groce asked.

"Yes."

"Who was there?"

"Cliff DuBose and I think Dinky Price."

"Did you announce the results of the election were 765 for Johnson and 60 for Stevenson?"

"No."

"Did you tell anyone?"

"Only Clarence Martens."

Tarlton took over the questioning at this point and brought the crowd forward again. He asked Salas if he had been threatened with prison by anyone. "Yes", Salas replied, "a man who said he was working for Stevenson, and Captian Hamer. The other man said he was going to send me to the pen."

Looney asked Salas if when Stevenson was running for Lt. Governor and Governor did you support him. Salas said yes, by the same percentage.

"Did he send the Rangers and investigators down to Precinct 13 when he was getting those big votes?"

"No, this is the first time they ever came here."

"What became of the key to the Precinct 13 ballot box that was opened in this court?"

"I don't know. It was tied to the lock when I last saw it."

C. W. Price, Jr. who is currently circulating petitions to have the Attorney General of the U.S., the FBI and other Federal agencies continue their investigations, testified he overheard Salas tell the results of the election in the Alice News office that night. "Salas said Johnson received 765 votes and Stevenson received 60."

Questioned by Tarlton, Price admitted he had worked with Stevensons attorneys and investigators in the matter since August 28. Price admitted he had "overheard" while several feet away. Price could not remember returns from other precincts, including his own, Precinct No. 1. Price said he had talked with Captian Hamer and worked with Kellis Dibblell an agent for Stevenson. Dibblell was also identified as the man who paid all expenses for Price on his trip to Ft. Worth where he testified before Judge Davidson in Federal District Court. Price said he voted for Stevenson.

"Didn't Holmgreen, who is now in parts west talk and consult with you about the election?" Looney asked.

"Yes", Price admitted.

"Wasn't Holmgreen working with

Stevenson's investigators?"

"Yes."

Price said he had worked with the political faction that favored Stevenson in both primaries.

Salas was recalled to the stand and the Master opened more boxes. At the 13th box he as informed the order from Supreme Court Justice Black had been relayed to Judge Davidson an order to close the hearing was being wired to Alice.

September 7, 1948

Honorable Ernest Morgan
Attorney at Law
San Marcos, Texas

Dear Ernest:

Many thanks for sending me the affidavit signed by Pete Greene and Cole Smith. I am not sure at this time just what use we will have for it, but I am keeping it on file so that in case trouble arises we will have it handy.

This has been a long hot summer, but the victory we have won makes it worthwhile. I am deeply grateful to you for all that you have done. I hope we can get together for a visit before too long.

Sincerely,

Lyndon B. Johnson

Wind
Days - 10

*Violations
+
irregularities*

SEP 6 1948

ERNEST MORGAN
ATTORNEY AT LAW
SAN MARCOS, TEXAS
September 4, 1948

Harp-10

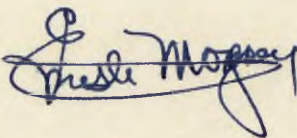
Honorable Lyndon B. Johnson
Member of Congress
Austin, Texas

Dear Lyndon:

Pete Greene and Cole Smith asked me to prepare and forward the enclosed affidavit to your headquarters for whatever use you may wish to make of it.

We are all still keeping our fingers crossed, and believe that all will turn out well in the end.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Ernest Morgan". The signature is stylized with a large initial "E" and a long, sweeping underline.

M/ah

THE STATE OF TEXAS |
COUNTY OF HAYS |

BEFORE ME, the undersigned authority, on this day personally appeared T. S. Greene and Cole Smith, known to me to be credible persons, who after having been duly sworn, each for himself upon his oath did depose and say:

On September 1, 1948, that being the day set for the County Democratic Committee to canvass the votes of Guadalupe County, Texas, in the second primary election, we, Cole Smith and T. S. Greene, went to Seguin, where the votes were to have been canvassed. We found out who the chairman of the committee was, he being a Mr. Edgar Engleke. We went to the court house just a short time before 3:00 o'clock p. m., on September 1, 1948, and asked someone to point out Mr. Engleke. Mr. Engleke was pointed out to us and we introduced ourselves to him. We told Mr. Engleke we would like to observe the committee canvassing the Guadalupe County vote. Mr. Engleke asked us who we were representing, and we told him we represented Lyndon Johnson. Mr. Engleke told us that the other man (Stevenson) did not have a representative at the meeting and that this meeting to canvass the vote was a secret meeting. Cole Smith again asked Mr. Engleke if it was a secret canvass, and Mr. Engleke replied that the meeting was secret. Mr. Engleke told us that if we would wait till the meeting was over he would give us a certified statement as to the outcome of the voting in that county. In about forty-five (45) minutes Mr. Engleke did give us that certified statement.

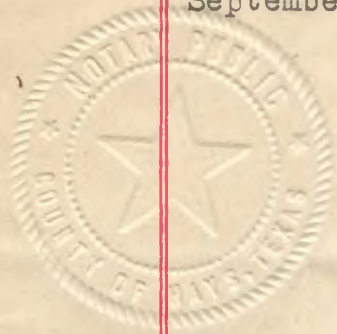
While the committee was meeting to canvass the votes, all the doors were closed, and the blinds were drawn so that no one could see into the meeting room.

Witness our hands this the 1st day of September, A. D. 1948.

T. S. Greene
T. S. Greene

Cole F. Smith
Cole Smith

SWORN TO AND SUBSCRIBED before me on this the 4th day of
September, A. D. 1948.



Ernest Morgan
Notary Public, Hays County, Texas.

SEP 11 1948

KAFFIE LUMBER & BUILDING COMPANY

BUILDING AND OIL FIELD SUPPLIES

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CORPUS CHRISTI
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BENAVIDES
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PREMONT

Premont
CORPUS CHRISTI, TEXAS

9-10-48

Lynbar B. Johnson Hates.

*Three men here tonight and
picked up J.T. Hewitt District #4
Democratic Chairman.*

*Probably in regard to Election
returns in Jim Wells County.*

*Texas Sale License DB 8810
Plymouth Sedan*

*May be able to secure more
information later.*

Ray Johnson

After Five Days Return To
KAFFIE LUMBER AND BUILDING CO.

~~P. O. BOX 111~~
~~Premont, Texas~~

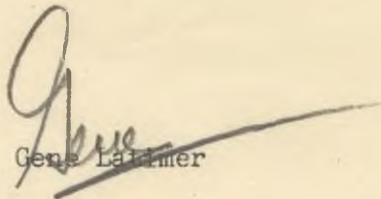
PREMONT



*Lyndon B. Johnson Campaign Hdqrs.
Austin, Texas*

MEMORANDUM TO: Walter Jenkins, September 3, 1948.

A. J. Payne of Center, Texas called this morning to say that two (2) votes marked with an "X" were counted for Stevenson there by the Chairman of the Executive Committee. If we need names, he will furnish them.


Gene Latham

Dallas
5

SEP 10 1948

Sept 9th. 1948

Mr. Lyndon Johnson.
Austin Texas.
Dear Sir.

I have never had the pleasure of meeting you in person, but have heard many of your speeches over radio, in the last two months: You made a good fight, you have wone, and i wish you all the good luck that you deserve in your race for the United states sanate: and i hope there will be no way found to count you out.

I am writing this letter to you some facts i experanced in casting my vote, in the Aug, 28th run off primary in Dallas Texas. when i entered the voteing booth i pulled the large lever, back in position to vote, i found your name and your apponant name in the extreme corner of the voteing-machine. Johnson under first little leaver to pull down. Stevenson under the second leaver. right beside of your name. (or in front i should have said) I tried to pull the lever down over Johnson, and it was locked. I called the instructor, and asked him why the lever over Johnson name was locked. he didnt answer me. but stepped in booth, and released the leaver. then i voted. that was nine O'clock in morning. and a bout twelve noon. a friend of mine had the same expearance, he said the leaver over Johnson was locked. and he asked the inatructor what was the matter. the instructor didn't answer but stepped in booth, and released the leaver over your name. then he voted. The leaver over Johnson must have been locked all the day long. only wahren the instructor was called on to release it. before the leaver could be pulled down. over your name.

Mr Johnson, my contention and belief is. that if your and your apponant name was placed in the same position on all the voteing machines in all presinks in Dallas, and Dallas county. as they were placed in the Machine in my precinct That you lost hundreds, and maybe thousands of votes in Dallas. ans Dallas County a lone. in the Aug 28 primary, election.

Yours very truly

Sam Allen

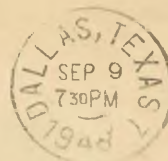
4023 Simpson St Dallas I Tex.

AFTER FIVE DAYS RETURN TO

Sam Allen

4023 Simpson St

Dallas I Texas.



Rep. Lyndon B. Johnson
Austin
Texas.

Walter:

Mrs. Lou Ella Allen of Ennis, our Ellis County Woman's Division Manager, says marked ballots were taken into the booths in Ellis County and that her attorney, whose name I do not have, has the facts about this going-on.

Roy Wade

*Mrs. Allen
died Aug 1953
Sarah*

6-76

5200

2000 y

0.0000

0.0000

1/4000

September 9, 1948.

Honorable Arthur Stehling,
Fredericksburg,
Texas.

Dear Arthur:

Thanks for your letter of September 1st
and the enclosures relative to irregularities in
the conduct of the election at Kerrville.

I have asked Bob Wilson and Ken Olson
to keep me posted of further developments and I hope
you will also.

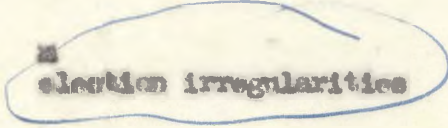
I am keeping an active file on irregulari-
ties for whatever use future developments may deem
necessary.

We are looking into the validity of the
Harris County ballot.

With best wishes, I am

Sincerely,

Lyndon B. Johnson.

election irregularities

sent on

ARTHUR STEHLING
LAWYER
SECURITY STATE BANK BLDG.
FREDERICKSBURG, TEXAS

September 1, 1948

SEP 2 1948

Hon. Lyndon B. Johnson,
1901-A Dillman Street,
Austin, Texas.

Dear Lyndon:

As you requested Sunday night, I had Bob Wilson to check the canvassing in Kerr County.

His letter, the certificate of the Chairman of the Kerr County Executive Committee and copy of the letter requesting the County Attorney to bring mandamus proceedings are attached hereto.

I am sure you will find of interest Mr. Wilson's question concerning the validity of the Harris County ballot.

Sincerely yours,

Arthur

Arthur Stehling

AS/mmk
Enclosures

cc: Mr. Robert Wilson,
Kerrville, Texas.

ROBERT I. WILSON

ATTORNEY AT LAW
KERRVILLE, TEXAS

COUNSEL FOR
CITY OF KERRVILLE

August 31, 1948

Hon. Arthur Stehling
Attorney at law
Fredericksburg, Texas

Dear Arthur:

Enclosed find the result of the official canvass of the 28th election. Please pardon typographical errors but I was under pressure and had to hurry. The enclosures indicate what they did. They did nothing more than to take one tally sheet and check the totals on that tally sheet against the totals of the certificate of the result of each presiding judge. Coke had a representative there who requested only the official result and had nothing to say about article 3125. Ken Olsen and I are both in a position to testify as to exactly what took place including Coke's brother-in-law requesting only the official returns.

This can be a basis for a senate committee action in declaring that no official election was held in Kerr County.

The archives of the county chairman contained one of these certificates for lack of time but they refused to forward it with the official certificate as to the result. Of course, you know the County Attorney will refuse to institute the mandamus proceedings.

Do not forget the illegality of the ballot in Harris County because that is, in my mind, something that will justify the Senate in throwing out Harris County and other counties which carried the referendum on the Dixiecrat proposition.

Another thing which might have a material bearing is the fact that State Department officials were out and extremely active in getting votes for Coke Stevenson. This, as you know, is a violation of the own dear laws of the State of Texas that merits some checking into at once since I believe you will find over the entire state such proceedings were had.

If I haven't said before - the date should be August 31st but neither the committee nor I detected the error.

I do not know what else to do.

Yours,

Bob Wilson
Robert I. Wilson

RIW:dr

Kerrville, Texas
August 30th, 1948

Hon. Joe Burkett,
County Attorney,
Kerr County, Texas
Kerrville, Texas

Dear Joe:

The Kerr County Executive Committee met this morning at 10 A. M. to canvass the result of the run-off primary held August 28th, 1948. Request was made that the Committee comply with the provisions of Art. 3125, RCS, and the 1941 amendment thereto. The Committee certified that due to a lack of time all that it could do was to check the totals in the tally lists and the official returns.

This law requires that mandamus proceedings may be had to carry into effect its provisions which are made mandatory.

Request is therefore made of you that such mandamus proceedings be instituted by you.

Respectfully submitted,

Kenneth V. Olson
Robert Wilson
Acting for Lyndon Johnson.

Kerrville, Texas.
August 30th, 1947.

To the Honorable J. J. Starkey,
Chairman, Kerr County, Texas
Democratic Executive Committee,
Kerrville, Texas.

Dear Mr. Starkey:

This request embodied in this letter is hereby handed to you personally at ten o'clock A. M. August 30th, 1948 in the Court House in the City of Kerrville, in Kerr County, Texas which is the time set by the Kerr County, Texas Democratic Executive Committee in and for said said County in said State to canvass the result of the Primary Election held in said County in said State which was held August 28th, 1948.

On behalf of Lyndon Johnson, a candidate for the Democratic Nomination for the office of United States Senator, and in which election Lyndon Johnson was on the official ballot for such office it is respectfully requested the said Committee comply with provisions of Article 3125 of the Revised Civil Statutes of Texas, and as amended by the 47th Legislature, Acts 1941, p. 1400, Ch. 635, xxx. Section 1, and other sections applicable, and other articles of said Statutes pertaining thereto.

It is further requested that the Certificate of yourself as such Chairman reflect compliance with said law in the wording of the said laws. If your said committee declines compliance then it is requested your certificate so state. Should your committee decide to not comply with said laws and refuses to certify such facts along with the certificate of result of said election then it is requested the action of said committee be endorsed hereon, and that a copy of this request together the official certificate of result be forwarded to the Chairman of the State Democratic Executive Committee for the State of Texas, and that the undersigned be furnished with a copy thereof. In any event the undersigned it is requested that the undersigned be furnished with an endorsement hereon, over your official signature, as to the action taken by the said Committee in connection with this request.

Respectfully submitted,

Kenneth V. Olson

Robert J. Wilson

Both acting in behalf of
Lyndon Johnson.

Kerrville, Texas,
August 30th, 1948.

~~The above and foregoing request was received said Kerr County Executive Committee for the Democratic Party of Kerr County, Texas at the time and prior to the commencement of the canvass of result of said election~~

The above & foregoing request was received by said Kerr County Executive Committee for the Democratic Party of Kerr County, Texas at the hour set for the commencement of the canvass of the result of said election. For lack of time this committee found it impossible to comply fully with this request, but the Committee has made a careful check of both return sheets & tally lists of each precinct of the County by checking the totals contained in each Tally list & in each official return.

J. J. Starkey

Chairman Kerr Co. Executive Committee, Kerr County, Texas.

September 9, 1948.

Mr. Brad Thompson,
Stephenville,
Texas.

Dear Brad:

Many thanks for your letter of the
3rd relative to the possible election contest in
Hood County.

I am dropping a note to Jimmie King
for full details and will keep an active file on
this matter for whatever use future developments
may prove necessary.

With best wishes, and many thanks for
the good job you have done in my behalf, I am

Sincerely,

Lyndon B. Johnson.

in
hood co

election irregularities

September 9, 1948.

Honorable Jimmie King,
Attorney at Law,
Granbury, Texas.

Dear Jimmie:

Brad Thompson at Stephenville writes there may be an election contest in Hood County and that there is talk of several statutes being violated.

I would very much appreciate any detailed information you may be able to give me.

With best wishes, and many thanks, I am

Sincerely,

Lyndon B. Johnson.

in
hood co

election irregularities

Don King

Harry E. Braeuer

KING & BRAEUER

Inter-Office Communication

9-3-48

Dear Lyndon:

There is a possibility of an election contest in a County Commissioners race in Hood County, Tex. - There is talk the election was badly managed there, several procedural statutes being violated. Suggest you keep an eye on it - if interested contact Jimmie King a young energetic attorney in Granbury.

Bob Thompson, Exec. Co.

Brad Thompson

After Five Days Return To

KING & BRAEUER

Established 1893

ABSTRACTS - LOANS - INSURANCE

Stephenville, Texas

"personal"

Lyndon B. Johnson

301 West Eighth

Austin, Texas



September 8, 1948.

Honorable Clarence F. Farmer,
2115 Hemphill Street,
Fort Worth, Texas.

Dear Clarence:

Many, many thanks for your letter of the 31st. I am sorry not to have written sooner, but I am sure you understand that I had to let the correspondence go after the election and do everything in my power not to lose the election because of revisions and alterations in returns.

I am glad you gave Fred Korth so much good advice because you have had world's of experience in Tarrant County politics, and I am sure you know all the tricks that a man's opposition might try to pull.

I am keeping an active file on irregularities for such use as future developments may determine necessary after the Fort Worth convention. I hope you are one of the delegates from Tarrant County.

In the event you learn of anything that might be helpful to me, please let me know.

We all appreciate the assistance Van gave us during the campaign. She came by the office many times and picked up work she could take home to do and at the same time take care of her house and children. I don't see how she had time to do so much.

With best wishes, I am

Sincerely,

Lyndon B. Johnson.

■
Tarrant county

election irregularities

no card

Tarrant SEP 1 1948

SEP 1 1948

2115 Hemphill Street,
Ft. Worth, Texas.
August 31st, 1948.

Senator Lyndon Johnson,
Austin, Texas.

Dear Lyndon,

It is with much regret that the race is so close. Be that as it may, I want to offer some thoughts. Please receive them in the spirit of helpfulness.

Long time have I had dealings here in Tarrant Politically-40 years. There is plenty of rottenness here. One time as the boxes were being called they knocked me down 100 votes, and I demanded a look at the tally sheet. There was the error. Whether intentional or not, I do not know. The same thing occurred at another time, 100 votes less.

In the first primary here, the county chairman turned over to the county clerk the calling off the returns. We had a lady candidate for State representative. She was called in that box only 103. It was out of line. I wanted her to have what was coming to her. I made the caller check against another return sheet and the tally sheet. Sure enough, she was cut down by 50 votes. The figure 5 was not plain.

I called Fred Kortn this morning and made suggestions. He said he yesterday had found a total of 48 in your favor that they had left out in addition he said.

I suggested that he check the return sheets with the tally sheets in all 126 boxes. He then might find more errors against you. We have some tricky judges and clerks of elections in this county. Of course, in Dallas County they have those abominable, tricky voting machines. Many could not vote because the machine was out of order. Others were tricked by the mechanic.

In Tarrant county in this run-off we cast nearly 42,000 votes. In Dallas with far more qualified voters by tens of thousands they cast less than 44,000. We nearly equalled them.

I think already they are beginning to pad the rolls against you in the returns. I told Fred to be ready Saturday and go before the committee of the Executive committee of Tarrant county that would check the returns and demand that they be checked against the tally sheets to be sure that all was correct. This should be done in all the boxes. ~~of the State~~

Again they will try to count you out by not having the report here in time to the State executive committee. In the past many counties have not reported in time, and of course the state committee could not count them. Use every method that you can to have all your counties there especially- in fact get all in of the 252 counties that held elections. I believe that you have been elected, or nominated. Fight to the last ditch.

I warn you now, THAT FIGURES ARE BEING JUGGLED FROM CERTAIN COUNTIES TO DEFEAT YOU.

It was a wonderful race. To climb 90,000 votes while he went up about 20,000 was travelling some. Hope your wife was not seriously injured.

I certainly do congratulate you. If I may help in any way, command me.

Yours cordially,

Clarence E. Farmer
Clarence E. Farmer

Personal friend of the
Congressman's father

JACKSBORO, TEXAS

110~
468
634

Sept 4 - 48

Rept Lyndon Johnson
Austin Tex

if this is not
ok let me
know but cant
make him sign
Make same one
else can if necessary
B

Dear Lyndon

I saw the co chairman John Erwin
and he wouldnt sign this he said
he had already sent it in you all
had it wasent any thing else to do but
tell you a bout it and send it back.
The vote here was Lyndon 894 Coke 879
you sent this to Abe Harris but he
turned it over to me to see to as I have
had to see to ever thing that has been
done for you so if you have any think
else to see to you had better send it to
me in the first place glad you are in the
lead hope you win

As ever Bill Bookey



State Headquarters

LYNDON B. JOHNSON

FOR

UNITED STATES SENATE

301 WEST EIGHTH ST.

TELEPHONE 5333

AUSTIN, TEXAS



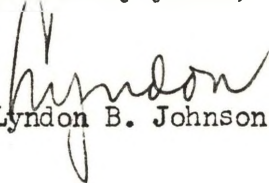
Dear Friend:

Please immediately contact the Chairman of the County Democratic Executive Committee in your County and have him certify the result of Saturday's Primary in the Senate race as the returns were sent in by him.

You will please have the figures inserted in the blanks at the end of this letter and have the County Chairman certify thereto.

I wish to thank you for all you have done in my behalf and to urge that you send this information back to me as promptly as you can.

Sincerely yours,


Lyndon B. Johnson

_____ COUNTY

County total

LYNDON B. JOHNSON

COKE STEVENSON

Chairman, Democratic Executive

Committee of _____ County

"It's Time For a Man with a Platform"

TRANSFERRED TO HANDWRITING FILE

September 9, 1948.

Mr. J. L. Cunningham,
Junction National Bank,
Junction, Texas.

Dear Mr. Cunningham:

Walter has given me your letter regarding irregularities in the conduct of the election at Junction and I very much appreciate having this information. I am keeping it in my file for such use as the future may determine necessary. Please keep me posted if you learn of anything further along this line.

I want to take this occasion to thank you for your assistance during the recent campaign. Please know that I shall always be grateful for your interest and support.

With best wishes always, I am

Sincerely,

Lyndon B. Johnson.

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hizable

election irregularity

San Angelo
Standard Times
Sept 1 - 48

Doing Right By Texans

The people of Texas elected a United States senator in last Saturday's runoff primary. They are entitled to the services of the man they chose.

Whether Former Governor Coke R. Stevenson or Rep. Lyndon B. Johnson is the man selected is very much a moot question; a question which should be answered fairly and impartially.

The only way the issue can be settled is by a recount of the vote. And that recount should be from the original tally sheets..

A tremendous job you say? Yes, it would be a tremendous job. But the enormity of the job certainly should not stand in the way of allowing the man elected to serve the people of Texas in such an important position as United States senator.

We all make mistakes. Honest mistakes. This is especially true when working under great pressure such as is incurred when counting votes. This was evidenced right here in Tom Green County when counters placed totals in a wrong column. That mistake was rectified.

If there are others in the state, and certainly there are, they too should be corrected.

It is true that most of the mistakes discovered over the state after Lyndon Johnson started gaining on Stevenson seemed to be in favor of the latter. This may be coincidence. We hope so.

But regardless of all that, the one and only way the people of this state can be sure that the man they elected will actually serve is to have a careful recount of the votes, regardless of the cost in money or time.

In the election, the closeness of which is unparalleled, no stone should be left unturned toward proving beyond the shadow of a doubt that the man elected will go to Washington.

Editorial

...ds of thousands of satisfied Kirsten smokers have pur-
... -- Dine at regular prices. They know... Kirsten is



J. L. CUNNINGHAM, PRESIDENT

JUNCTION NATIONAL BANK

ESTABLISHED 1935

JUNCTION, TEXAS

SEP 4 1948

Dear Mr Jenkins -
Herein is editorial I introduced
to you over phone.

Again -

(3) Three high class prominent
pastors told me today that when
they voted & started to walk
away that one of those conducting
the election (thinking I was not noticing) I
deliberately unfolded the ballot, read
it & then deposited it. I feel sure they
will make affidavit to this & there may
be many others who had a like experience.
If this County could be thrown out for
such irregularity - fine - With your
all possible luck - Sincerely J. L. Cunningham

9-2-48

7a

Dear Walter --

I guess it's just
as well that I haven't found
the time today to comment
on the attached. Uncle Sam
might get me for sending
obscene language thru the
mails!

Norman

~~nn~~

SYSTEMS & AUDIT DEPT.

September 9, 1948.

Mr. W. A. Clappitt,
Franklin Life Insurance Company,
222 East Lott Avenue,
Kingsville, Texas.

My dear Friend:

Thank you so much for your letters of August 31st
and September 2nd, as well as your telephone call.

I am sorry that I have not answered sooner, but I am
sure you understand that last week while we were all at work day
and night trying to keep from losing the election by recounts and
revisions that I had to neglect my correspondence. However, I
asked John Connally and my attorney both to call you to discuss
the election irregularities in Kleberg County and to assure you
of my appreciation of your interest.

Please keep me posted of any further developments. I am
keeping an active file on irregularities for whatever use may be
determined necessary.

With best wishes, and again many, many thanks, I am

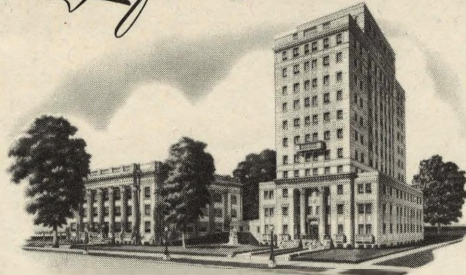
Sincerely,

London B. Johnson.

in
Kleberg Co

election irregularities

The Franklin Life Insurance Company



HOME OFFICE: SPRINGFIELD, ILLINOIS

SEP 3 1948

W. A. CLAMPITT
GENERAL AGENT

September 2, 1948

222 EAST LOTT AVENUE
KINGSVILLE, TEXAS
PHONE 777

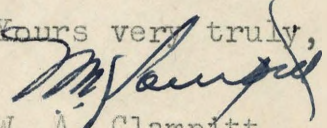
Lyndon B. Johnson
301 West Eight St.
Austin, Texas

Dear Lyndon,

I called you last night about 9:30 and could not reach you due to the fact that you had retired. I did talk to your Secretary, Mary Wrather, and told her what I wanted and the information we had with reference to a lot of illegal voting. We were in a huddle; had about 15 or 20 people and a couple of supervisors telling us about some of the rotten things pulled and how he called them out, and finally made one fellow that was doing the calling get up and get away from the desk and put some one else there.

There is plenty of evidence there to justify a contest in one box, and it is sufficient enough to guarantee your election if there isn't anything pulled somewhere else.

I am just wondering, we are interested in it from a local standpoint, in fact I have written you previously. We have had some trouble in raising funds; infact that is the reason they get by with so much stuff that they have all the blue chips and we don't have any, and we are after help. If we can help dig up the information for you if you will help us with some darn good attorneys. We don't have toomuch time to get in- to it so let me hear from you quickly. In fact I am waiting around the telephone now for you. With my kindest regards,

Yours very truly,

W. A. Clampitt

WAC:cs

The Franklin Life Insurance Company



HOME OFFICE: SPRINGFIELD, ILLINOIS

W. A. CLAMPITT
GENERAL AGENT

August 31, 1948

SEP 1 1948

222 EAST LOTT AVENUE
KINGSVILLE, TEXAS

PHONE 777

Lyndon B. Johnson
301 West Eighth St.
Austin, Texas

Dear Lyndon,

Just want to say congratulations. I know that when the final returns come in that that margin will be wide. I have watched it with much interest, though I have been out of town and do not know just exactly what the score is here. We had 434 absentee ballots. The old party voted in most of them; they voted, of course, for Stephenson, and their group. They beat us out of two races and then joined in with us on the next man and of course put him over, but there is no doubt fraud in the way the absentee ballots were handled. I don't

In one box there were 80 absentees; 74 for the old party. In another box there were 83 absentees and the majority near 100% for the old party, and the Court House box was largely Latin-American, 183 absentees and nearly all of them were for the old party. It's rumored that they were paying as high as \$40- \$50 per vote. That's a pretty stiff price.

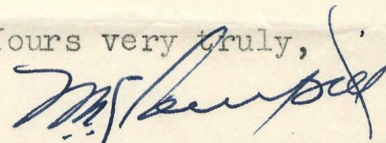
There is one affidavit that I have been told, and I understand there are others, but this one is a County Clerk who was asked by a person that was old and said she could not see well enough to mark the ballot correctly and she asked the clerk to mark the ballot for her. He did, for the old party, and she was voting for the new party and told him that definitely. This friend who brought her to the poll was standing off far enough so that she could see that it was marked wrong and called the clerk's attention to it and he said, "Well, if it's marked wrong I'll mark a new one." Which he did, and left the other ballot lying there along with the second one for the new party, and

he did not put either one of them in the envelope and seal it in their presence. It looks like there is something rotten in the Kleberg County Court House.

I am passing this on to you so if you do find it is necessary for a contest, we will pitch in and work with you as much as possible. I am sure that after I have had time to get back and look into some things, we might find other items.

With my sincere good wishes, I am,

Yours very truly,

A handwritten signature in dark ink, appearing to read 'W. A. Clampitt', written in a cursive style.

W. A. Clampitt

WAC:cs