

812 South Texas Building,
San Antonio, Texas

Senator Francis John Myers
Senate Office Building
Washington, D. C.

Dear Sir:

Ever since the Democratic run-off primary, held in August of last year, for the nomination of a candidate for U. S. Senator from Texas, I have been convinced that there is strong evidence of fraud in South Texas, particularly in Duval and Jim Wells Counties.

In Duval County, the one-sided vote was by a ratio of 115 to 1, in favor of Lyndon Johnson, or better than anything either Adolf Hitler or Joe Stalin was ever able to boast of in any of his so-called elections. Any fair-minded Democrat in Texas took that County's vote to be a prima facia case of fraud.

Friends of mine in Jim Wells County, who were impartial observers, frankly told me that in Precinct 13, in the town of Alice, it is a well known fact that 202 votes were added to the total in that Precinct, three or four days after the election had been held for the avowed purpose of changing the outcome of the race.

As an average voter, I write to you, the Chairman of the Committee charged with the duty and responsibility of looking into any irregularities and evidence of fraud in an election for membership to the Senate, and respectfully request that your Committee investigate the charges made and examine the evidence offered. It appears to me the Senate as a whole would welcome a thorough investigation for its own sake. Governor Stevenson and his attorneys, most of whom I personally know, are all responsible men and their character is above reproach. Not only am I of the opinion that you would want any doubt removed as to whether Johnson was actually nominated, but also that if Johnson himself feels in his own heart he honestly won, he ought not to object to such an investigation.

Up to this good hour, the case Governor Stevenson has made has not been tried on its merits. Certainly he is entitled to his day in court -- a matter of right, which should not be denied any citizen, and not as a political consideration. He asks no more and expects no less. If Mr. Johnson really believes he has title to a seat in the Senate, why should he want to rest his laurels on a technicality?

If we Americans are to be successful in our efforts to teach Russia and the rest of the World the virtues of Democracy, let us begin to set the example of honest elections, honestly conducted here at home; and let us start with August 28th, 1948, here in Texas.

Once it was said, "the whole art of democratic government consists in being honest." That statement from Jefferson should not be objected to in this instance -- not even by Lyndon Baines Johnson.

We Texans, Texas Democrats, if you please, feel we are entitled to know who has the right to represent us in the Senate and as a voter. I favor a full investigation of the charges and then let the country know the truth of the matter, once and for all.

Personally, I dislike the idea of any politician or group of politicians swindling history into recording a loser as having been elected to public office. In this case, his cohorts stole an election with the approval of that candidate by way of an injunction in the District Court of Jim Wells County to prevent a recanvass to correct the injustice, and now he drapes himself with the toga of a Senator, and everybody in the State is disgusted with him. The matter should be looked into without further delay.

Respectfully yours,

/s/ BEN F. TASTO

BFT:al

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Senator Francis J. Meyers, Chairman

Senate Subcommittee on Elections Wash DC

Texas newspapers quote you to the effect that no contest has been filed in the Senate against the legitimacy of Lyndon Johnson's title to a seat in the Senate and further that all your Committee had before it was a batch of petitions from several hundred citizens urging that Johnson not be seated. There is on file with your Committee copies of court records including a transcript of testimony taken in open court showing fraudulent votes in favor of Johnson sufficient to more than account for his majority and this is backed up by findings to that effect by the Judge who heard the witnesses. There is before your committee testimony taken by Commissioners appointed by a United States District Judge which shows wholesale stealing of votes in Duval, Zapata and Jim Wells Counties. If anything else is needed to invoke your jurisdiction to go into the fraudulent practices displayed in Texas, please advise what it is. You may be sure, Senator, that more than half of the electorate of Texas protests and contests this outrage.

Twice in the last twenty-five years Republican Senators whose claims to election were tainted with fraud were rejected by Republican Senates. Is it thinkable that this Senate will be any less sensitive to open fraud?

Coke Stevenson

Floydada, Texas

January 18, 1949

Mr. Myers, U. S. Senator,
Chairman of Senate Committee on Elections,
Washington, D. C.

Dear Senator Myers:

Re: Lyndon B. Johnson, election as U. S.
Senator from Texas.

Newspapers report that a formal contest to the right of Mr. Johnson to this office has been filed with your committee.

As a friend to Mr. Johnson I recently wrote him a letter urging that he use his influence to see that the proper Senate Committee thoroughly go into this matter that the voters of Texas might know the facts and be able to clear from their minds the doubt that he is rightfully entitled to his Senate seat. I think his friend and political foes alike all want the matter cleared up. He should want it this way so that he can properly serve his state and have the respect that he is entitled to. It would appear to me that most all the people of Texas want to know what took place in Jim Wells County, Texas, and any others where irregularities appeared.

I do not think at all that Mr. Johnson had anything to do with these irregularities. But they were to his advantage, but it appears he wants to keep that advantage whether right or wrong. In his reply to my letter he thought people ought to be satisfied with what had already been done in the matter and the subject dropped.

I know neither Mr. Johnson nor Mr. Stevenson personally. I am not a lawyer or politician, and this is the second letter I have ever written to a Senator or Congressman. I am a farmer and stock grower trying to be a good citizen and help every one get justice, and I want to lend my voice in urging a fair and complete investigation of the matter.

Yours very truly,

/s/ J. V. DANIEL

AIRMAIL
SPECIAL DELIVERY

October 25, 1948

Dan Moody, Esquire,
Capital National Bank Building,
Austin, Texas.

Dear Governor Moody:

Re: Charges of Fraud in Texas Democratic
Primary.

Since our telephone conversation of last Wednesday I have carefully examined Governor Stevenson's letter and the attached transcript of the sworn testimony in the United States District Court at Fort Worth in the case of Stevenson vs. Tyson, et al, which were transmitted to Senator Brooks under date of October 18th, and referred by him to Senator Jenner, Chairman of the Senate Subcommittee on Privileges and Elections.

As you know, immediate steps were taken in the direction of the preservation of the election records and ballots in question in accordance with Governor Stevenson's letter.

It is one of my responsibilities as counsel for the Subcommittee, to accumulate for the consideration of the Subcommittee as much of the available records in these matters as is possible under the circumstances. Our files should contain the following additional information regarding the matter:

1. Although the above transcript of testimony in the District Court contains considerable information, it does not provide a full record of that case. I would appreciate having copies of all pleadings, briefs and other papers filed in that case, together with copies of all of the orders of court as a result thereof.

2. It is important, also, that we have complete records of all of the other litigation in the various Texas

State and County courts, the United States Circuit Court, the United States Supreme Court (including the proceedings before Mr. Justice Black). In such cases, we should have available all of the pleadings, briefs and other papers filed in connection therewith, and a full transcript of all testimony, exhibits and arguments of counsel, if any.

3. I understand that commissioners of the Federal Court, and others, conducted investigations and prepared reports in this matter. We will need copies of every such report or statement, official or otherwise, which may have a bearing on the determination of the real facts in this matter.

4. It is my understanding, also, that there were certain proceedings before the canvassing Subcommittee and the full committee of the Democratic State Executive Committee and the Democratic State Convention involving various aspects of this matter, including arguments presented by the respective parties and their supporters. It would be of material assistance to have a record of those proceedings or a synopsis of what transpired in the event no record is available.

5. In order to have a full understanding of what actually transpired each step of the way from the beginning of the primaries to date, it would be of great assistance to have a complete chronology thereof.

6. I wonder if there is not already in existence, a brief statement of the various sections of the Texas Election Laws which come into play in the consideration of this matter and how they may be applicable. It would be very helpful to us here.

Although I do not wish to burden you unduly, I should, nevertheless, appreciate very much if you would be kind enough to arrange to have the above records and information made available to the Subcommittee at the earliest opportunity. I know, from telephone conversations with our Mr.

Breor, that some of this information is, or shortly will be, in his possession. I hope that the balance of it is also available and may be collected by Mr. Breor with your guidance and assistance.

I do not, as yet, have any of the details of the charges regarding Jim Hogg and Starr Counties which you mentioned in our telephone conversation. The rules of the Subcommittee require that affidavits containing the factual specifications underlying those charges be on file with the Subcommittee. Attached is a Subcommittee memorandum in that connection.

Respectfully yours,

Nelson Deranian, Counsel,
Subcommittee on Privileges
and Elections.

Encl.
ND:bjd

October 27, 1949.

Senator John W. Bricker,
Washington, D. C.

Dear Senator Bricker:

Re: Complaints Growing Out of Texas
Senatorial Primary Election

By reference to my letter of September 10, 1948, regarding the above matter, you will recall that the Houston Chronicle and seven individuals complained to the Subcommittee concerning the conduct of the Senatorial Primary election and called for an investigation.

In accordance with your Subcommittee rules requiring such complaints to contain factual specifications under oath, and at the request of Senator Jenner, I advised the complainants of the Subcommittee's requirement.

Only one response was received in reply to my letters. The Houston Chronicle replied September 23rd and simply called attention to the fact that the controversy growing out of that Primary had reached the Federal courts and stated that the findings of the court would provide much more detail regarding the situation than the complainant could furnish.

No further communications were received in this matter until October 20th (after the conclusion of litigation) when there was referred to the Subcommittee, from Senator Brooks' office, a letter from former Governor Coke R. Stevenson, dated October 18th to which was attached a copy of the transcript of testimony given under oath before the United States District Court at Fort Worth, Texas. Governor Stevenson stated that the purpose of his letter and the transcript was to advise the proper authorities of the United States Senate that he desired to contest the nomination of Lyndon Johnson and to request appropriate action to impound the ballot boxes in question in order that the contents of those boxes would not be destroyed at the close of October 27th in accordance with the laws of Texas.

Senator Jenner felt that inasmuch as Governor Stevenson's communication met the requirements of the Subcommittee, the Subcommittee might be considered to have been remiss in its duty if it did not move immediately to preserve the records involved. An investigator was thereupon immediately dispatched to Texas in order to determine the names and locations of the persons actually having custody of the ballots and records involved and on the basis of that information, subpoenas were issued thereon and service thereof, where necessary, will probably be completed today.

In the meantime, at about 5:15 p. m. on October 25th Congressman Lyndon Johnson's counsel, personally delivered to me a letter from the counsel to me calling attention to the fact that "Mr. Johnson is also advised that charges of election irregularities throughout many of the counties of Texas have been made", and requested that all of the ballot boxes in Texas be impounded. I explained to him the Subcommittee's rule on the presentation of charges and requested that the Subcommittee be given specific information naming specific counties and the nature of the fraud or irregularities involved with as much particularity as possible and to provide it in affidavit form.

Subsequently, during the afternoon of October 26th Congressman Johnson's counsel personally delivered to me a letter from the Congressman addressed to Senator Brooks and to my attention. The letter was sworn to and set out the names of several counties in which, it was rather generally alleged, some irregularities had, or may have occurred. He further requested impounding all ballot boxes on the theory that the Subcommittee might want to recount all the ballots cast in the Texas Primary.

On the basis of that communication, and at the suggestion of Congressman Johnson's counsel that such procedure would be sufficient under the circumstances, and because of the short time remaining, I transmitted telegraphic directions to the custodian of the ballots and records involved, directing that they be preserved subject to further orders of the Subcommittee. As of this moment, steps have been taken

to preserve the records in the following counties (asterisks mark those suggested by Congressman Johnson's letter): (1) Brown*, (2) Chambers*, (3) Clay*, (4) Dallas*, (5) Duval, (6) Eastland*, (7) Galveston*, (8) Harris*, (9) Jim Hogg, (10) Starr, (11) Jim Wells, (12) Wharton*, (13) Zapata.

No other counties have as yet been named specifically for consideration on the basis of anything approximating even a general charge of fraud. I do not believe that we can assume the existence of fraud where it is not charged.

Investigators have been instructed to return from Texas as soon as they have completed their immediate assignment in connection with preservation of records.

This letter is the result of Senator Jenner's request Monday, to bring Subcommittee members up to date on the details of this matter as soon as possible.

Respectfully,

Nelson Deranian, Counsel,
Subcommittee on Privileges
and Elections.

ND:bjd

cc: Senator William E. Jenner.

DAN MOODY
Attorney at Law
Austin, Texas

October 30, 1948

Mr. Nelson Deranian
106 Senate Office Building
Washington, D. C.

Dear Mr. Deranian:

Receipt is acknowledged of your letter of October twenty-fifth.

Complying with your request, I have sent to you under separate cover copies of various documents filed in the District Court, in the Circuit Court of Appeals and in the United States Supreme Court in the Stevenson - Johnson litigation.

Mr. Arthur Boeor told me over the telephone last night that he has a transcript of the testimony taken before the Commissioners appointed by the District Court. At his request, I have previously given him a volume of Vernon's statutes which includes the Texas primary election statutes.

There were some proceedings before the State Democratic Executive Committee. I was not present at the time, but it is my information that there was no stenographic transcript of the proceedings. The Executive Committee in canvassing the returns acts as a canvassing board, and it does not have power when so acting to conduct an election contest (*Ferguson vs Huggins*, 122 Tex. 95, 52 S. W. (2d) 904).

With regards, I am

Yours very truly,

/s/ DAN MOODY

September 10, 1948

Honorable Francis D. Myers
307 Senate Office Building
Washington, D. C.

Dear Senator Myers:

The Subcommittee on Privileges and Elections has received a number of brief telegrams and letters from the following sources urging an investigation of the Texas Democratic senatorial primary run-off of August 28, 1948:

The Houston Chronicle, Houston - telegram
Mr. E. B. Germany, Dallas - telegram
Mr. Robert Eikel, Houston - telegram
Mr. LaMar Fleming, Jr., Houston - telegram
Mr. Andrew Jackson Wray, Houston - telegram
Mr. W. P. Hamblen, Houston - telegram
Mr. Joseph W. Evan, Houston - letter
Mr. A. H. Rowan, Fort Worth - letter

Inasmuch as the above communications were phrased in general terms and did not provide factual specifications, there was dispatched to them identical letters directing their attentions to the deficiencies.

In accordance with Senator Jenner's request, a copy of one of those letters is transmitted herewith for your information.

Respectfully,

Nelson Deranian,
Counsel, Subcommittee on
Privileges and Elections

ND:pd
Enc.

Alice, Texas
Nov. 10, 1948

Senator William E. Jenner,
Washington, D. C.

Dear Sir:

It is my understanding that you have charge of seating new senators and investigating their elections, and I am therefore writing you about the investigation of the Texas run-off primary election that has been started.

I have lived in Alice, Jim Wells County, Texas for 30 years, and I am very familiar with its politics as my husband, who is now dead, was sheriff of Jim Wells County for 36 years.

This letter is to urge you to continue this investigation of the election, especially in the South Texas Counties of Duval, and Jim Wells, as it is my deep belief that the election was stolen from Coke Stevenson by the political machine of this area. As you are probably aware the Supreme Court stopped one investigation of this election just as it was beginning to get results; and now it would seem nothing will be done about the condition down here due to the November 2nd election. I believe that you would find lots of people in this county who would cooperate with any further investigation. Also, something must be done to stop the stealing of any more elections.

There are many people here besides myself who will be grateful for an investigation.

Sincerely,

/s/ Mrs. C. W. Price

October 30, 1948.

Hon. William E. Jenner, Chairman,
Elections Sub-committee,
Senate Office Bldg.,
Washington, D. C.

Dear Senator Jenner:

I am one of many life long Democrats in Texas who heartily agree with your investigation of the recent Texas Democratic Primary. In spite of charges on both sides, the State Democratic Committee made no effort whatever to determine if there were any irregularities in the primary and it does seem that in the face of these charges that the declaring of a nominee on a supposedly majority of 87 votes out of about one million cast was not fair to the voters.

You are familiar with the court action and the opposition of Lyndon Johnson and the Johnson controlled State Committee to any attempt to have the courts look into any contest. Possibly there were irregularities on both sides and if this is a fact the people of Texas should have that information. It appears to many of us that it was merely delaying tactics until the ballots could be destroyed under the 60 day provision of the Texas election laws, and our last hope is to have the U. S. Senate make its own investigation, which many of us hope you will have as completely and thoroughly as possible, Senator Myers not withstanding.

Yours very truly,

/s/ PAUL W. BOWMAN
(Paul W. Bowman)
2205 Lindell Ave.,
Austin, Texas.

(PS - I am just a rank and file voter, without influence)

WESTERN UNION

1948 SEP 23 AM 4 54

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D.HSAO84 NL PD - HOUSTON TEXAS 22 -

Hon Alexander Wiley United States Senator
US Senate Bldg Wash DC

I request a Senate investigation of the Senatorial race here in Texas between Lyndon Johnson and Coke Stevenson. I do not agree with the decision of Federal Judge T. Whitfield Davison. I further request that immediate investigation be made by the United States Senate of all the counties in Texas be made in the Senatorial race. I await your early reply to the above matter.

Walter B. Carson Sr 1611 South Main Street

THE HOUSTON CHRONICLE
512-20 Travis Street
Houston 2, Texas

M. E. Walter
Editor

September 23, 1948

Mr. Nelson Deranian,
Counsel, Subcommittee on
Privileges and Elections,
United States Senate,
106 Senate Office Building,
Washington, D. C.

Dear Sir:-

Since wiring Senator Brooks regarding the senatorial primary election in Texas, the controversy has reached the Federal Courts.

Judge Whitfield Davidson of the North Texas Federal District has issued an injunction keeping Lyndon Johnson's name off the November general election ballot until he can investigate the charges of fraud made by Stevenson's attorneys. The findings of the commission will give much more detail regarding the situation in some of the South Texas counties than we could furnish.

We appreciate very much your letter showing that you are interested in the situation down here.

Sincerely,

/s/ M. E. WALTER
M. E. WALTER

MEW/dp

WESTERN UNION

1948 SEP 6 AM 11 59

WZO23 DL PD=DALLAS TEX 6 945A=

SENATOR C. WAYLAND BROOKS
CHAIRMAN COMMITTEE ON RULES AND
ADMITTANCE U S SENATE

Urgently request your Committee investigate very bad
Texas situation. Texas Senate Primary race just closed
looks like conspiracy to defeat the will of the people.
A nomination this Primary tantamount to election.

E. B. GERMANY

September 7, 1948

The Houston Chronicle
Houston, Texas

Gentlemen:

This will acknowledge receipt of your telegram of September 3, 1948 regarding the recent Texas Senatorial Primary Election.

Inasmuch as your telegram deals with a subject which falls within the activity of the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, of which Senator William E. Jenner is Chairman, I am today referring your telegram to Senator Jenner for appropriate attention.

Sincerely yours,

C. Wayland Brooks, Chairman
Committee on Rules and Administration

CWB:v

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1948 SEP 3 PM 11 21

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D.HSB 969 LONG PD= HOUSTON TEX 3 734 P=

Senator Wayland Brooks, Chairman Committee on Rules and Admittance
United States Senate Wash DC

Indignation is rampant in Texas over recent Senatorial Primary Election. Vote reported from some counties has aroused public suspicion. One county for example reported count of 4622 to 40. Some of these counties have been notorious over the years for block voting but public was apathetic because apparently the vote of these counties did not determine results in any state election. In present race because U S Senate is involved and because owing to closeness of race the vote of one of these counties may determine the result. The public is very much concerned and would be behind a real investigation. Federal Government has jurisdiction and facilities for making adequate probe. Both candidates are charging fraud in connection with election and also in connection with frequent revisions of totals reported from different counties which for a week have put first one and then the other candidate in the lead. Civil rights of large number of citizens are involved. If condition is allowed to continue same situation will exist in General Election. Chronicle adds it appeal for your intervention to secure real investigation to those you have probably already received. May we request an early reply as to your attitude.

/s/ Houston Chronicle

WESTERN UNION

1948 SEP 4 PM 12 58

LONG WZO21 LONG PD=HOUSTON TEX 4 1112A=

Senator C. Wayland Brooks, Chairman Committee on Rules
and Admittance= U S Senate

Several days ago Johnson was quoted as Quotes being being assured
Unquote Recount would show him winner in Primary. Recount is
about to prove him correct. This Primary has all earmarks of a
big vote manipulation to put in Johnson and defeat majority will.
Suggest immediate dispatch of observers least your Committee
can do to secure integrity of elections and enable subsequent in-
vestigation to have any chance of successfully establishing facts.
Noteworthy that Valley vote long considered in Texas a controlled
vote is proving principal source of Johnson's newly acquired lead
on recount.

/s/ Robert Eikel

WESTERN UNION

1948 SEP 7 PM 1235

WZO19 RX PD=HOUSTON TEX 7 1043A=

Senator C. Wayland Brooks, Chairman
Committee on Rules and Admittance

Reports of vote manipulation in run off for Texas Democratic
nomination for U. S. Senate warrant your immediate investigation
to guarantee justice. This I strongly urge.

/s/ ANDREW JACKSON WRAY

WESTERN UNION

1948 SEP 3 PM 11 36

DA473

D.HSB148 NL PD=HOUSTON TEX 3=

Senator C. Wayland Brooks, Chairman Committee on Rules and
Admittance=WASH DC

Suspicious circumstances surrounding returns in runoff for Texas Democratic nomination U. S. Senate suggests that manipulation may cancel the lawful majority vote. I urge immediate investigation to protect the right of suffrage. Examples are: Duval County Saturday night reported 4195 Johnson 38 Stevenson as "nearly complete" and then Sunday afternoon when Stevenson slightly ahead reported 4622 Johnson 40 Stevenson. You know there is no community where 124 out of every 125 votes for same candidate. Neighboring Counties: Webb 5554 Johnson 1179 Stevenson Star 2988 Johnson 171 Stevenson. Zapata first reported complete 711 Johnson 158 Stevenson and then revised to 669 Johnson 71 Stevenson. Today when Stevenson leading statewide by 157 Jim Wells County revised adding 202 Johnson one Stevenson thus giving Johnson 44 vote lead. Election practices of this nest of counties have been notorious for years.

/s/ LAMAR FLEMING JR

WESTERN UNION

1948 SEP 7 PM 8 03

DA473

D.HSC739 NL PD=HOUSTON TEX 7 =

I believe an investigation should be made of the Senatorial runoff in Texas. I am firmly convinced that the result in Southwest Texas counties was caused by manipulation and padding of the ballot boxes. I do not believe it possible that where the vote was as close as it was in Texas that a few counties could vote one hundred to one for one candidate.

/s/ W P HAMBLIN

A. H. & C. L. ROWAN
Fort Worth, Texas
Telephone 2-2394
LD 193

September 7, 1948

Senator C. Wayland Brooks,
Chairman, Committee on Rules and Admittance,
United States Senate,
Washington, D. C.

My dear Senator:

You are no doubt familiar with the close Democratic primary election which was held in Texas recently to nominate a candidate for United States Senator from this State to succeed the Hon. W. Lee O'Daniel, who has chosen not to run for reelection. I am sure you are also acquainted with the fact that the lead was switched from Lyndon Johnson to Coke Stevenson and from Stevenson to Johnson a number of times, and certain Counties have been holding back and not making their final returns, and changes in the official returns have varied greatly with the totals reported in the unofficial returns.

All of this implies, but does not prove, fraud. It is a matter that should be clarified so that the people of Texas may know just who is the legally constituted nominee of the Democratic Party for the United States Senate. The Supreme Court of the United States, in one of the negro cases, has held that a Democratic Primary in Texas was tantamount to election and that it was therefore subject to Federal inquiry. I hope that your committee will see fit to hold hearings and investigate and collect evidence on this primary election so that the people may know that it was or was not honestly held. If the returns have been made honestly, the people are entitled to have the suspicion which now exists removed. If there was any fraud, your committee should be able to find it and it should be your duty to keep the ballot honest so that representative government may be maintained in this country.

Yours very respectfully,

/s/ A. H. ROWAN
A. H. Rowan

AHR:JB

Cable address
"Evans"

EVANS & COMPANY
Cotton
Houston, Texas

September 7, 1948.

Honorable C. Weyland Brooks,
Chairman, Committee on Rules and Admittance
United States Senate,
Washington, D. C.

My dear Senator:

I am enclosing you a couple of clippings from the front page of the HOUSTON CHRONICLE of today, which I think will be of quite a bit of interest to you. This is our leading afternoon paper and perhaps the largest in Texas, and is owned by Jesse Jones whom I think you know quite well.

In order to identify myself, I might say that I have sat on the U. S. Chamber of Commerce Board for some seventeen years, which I believe constitutes an all-time record. Silas Strawn and I were very, very intimate friends and on one occasion he introduced me to you, although I am sure you would have no recollection of it as it was a very casual meeting.

This last election created a tremendous lot of unfavorable comment all over Texas and what I am pleased to call our good citizens are very much up in arms. We have some eight or ten border counties which are largely populated by Mexicans, many of whom do not read or write English and a considerable per centage do not even speak it intelligibly. In these counties Mr. Johnson got a majority which probably totals some 25 or 30 thousand and one of the curious things is that, whereas in this county (Harris) somewhere around 40% voted, in Duval County better than 80% voted; and I am sure the per centage over the state did not run as high as 50. Another peculiar circumstance is that Stevenson got 599 in the first primary and in the second 40. Out of an experience of many, many years, I have never known 2% of the people who voted for one candidate in the first primary and who switched in the second.

I could write on and on; but I think you have been informed as to the state of things down here; but if I can be of any service please do not fail to call on me.

I might add that this county (Harris) is the most populous in Texas, as we have some 700 thousand people in it.

As the election stands today, in a total of approximately one million votes, Lyndon Johnson has a majority of 162 votes and if one were to eliminate these counties which are from 60 to 80 per cent Mexican, Governor Stevenson would have been elected by a substantial majority.

If you have any misgivings as to my own responsibility, I would appreciate your asking Senator Tom Connally, whom I have known many, many years in a very friendly fashion. I have also done business with the First National Bank of Chicago for more than thirty years, as my firm used to be a very large exporter of cotton.

Thanks you for your careful attention, I am

Sincerely yours,

/s/ J. W. EVANS
Joseph W. Evans

Coke R. Stevenson

Coke R. Stevenson, Jr.

STEVENSON RANCH
Junction, Texas

Oction 18, 1948

Senator C. Wayland Brooks
Chairman, Committee on Rules and Administration
Senate Office Building
Washington, D. C.

Dear Senator Brooks:

I desire to contest the purported nomination of Lyndon B. Johnson as the candidate of the Democratic Party in Texas for the office of United States Senator; and I respectfully request the United States Senate to investigate the August 28, 1948 run-off primary election, held in Texas on that date, insofar as the same pertains to the nomination of a candidate for the office of United States Senator from Texas.

You are familiar with the procedure prescribed for making nominations in the Democratic Party for United States Senator according to laws in force in Texas and it will be unnecessary to refer to any of the statutory provisions in this letter except to call your attention to Article 3128, Vernon's Civil Statutes of Texas as amended Acts 1941, Forty-Seventh Legislature, page 1400, chapter 635, paragraph 3, which authorizes the destruction of ballots if no contest is filed within sixty days after a primary election.

The two candidates who received the highest number of votes for United States Senator from Texas in the first primary election which was held on July 24, 1948, were Lyndon B. Johnson and Coke R. Stevenson. These two names were certified by the proper authorities in Texas to be placed on the ballot for the run-off primary election on August 28, 1948 result of said primary election, Lyndon B. Johnson was declared by the Democratic Executive Committee, by a vote of 29 for Johnson to 28 for Stevenson, to be the winner of the August 28, 1948 primary election by a margin of 87 votes, the vote which was certified to the Secretary of State being 494, 191 votes for Johnson and 494,104 for Stevenson.

I had, following the run-off primary, made charges of fraud in the voting and especially in altering the returns of the voting in certain counties in South Texas and friends of mine had started an investigation. Mr. Johnson then secured an injunction in the State courts which restrained the officials of the Democratic Party in Jim Wells County, Texas, from correcting the fraudulent returns which had therefore been made and which included the addition of 200 votes for Johnson in Precinct 13 of Jim Wells County and which 200 votes were added to the total for Johnson several days after the polls had closed on August 28.

My attorneys then filed a petition with Federal Judge T. Whitfield Davidson of the Northern District of Texas and which was sworn to by me under oath setting out in detail the fraudulent returns made in Jim Wells and Zapata Counties, Texas by which 200 votes in Jim Wells County and 106 votes in Zapata County were added to Johnson's total. It was further pointed out in said petition that the vote in Duval County which was returned as 4622 for Johnson and 40 for Stevenson was prima facie evidence of fraud. The effect of the fraudulent returns from these counties resulted in changing the returns of the election and enabled Johnson to be certified as the nominee of the Democratic Party, when in truth and in fact, he did not receive a majority of the votes which were actually and legally cast at said primary election on August 28, 1948.

I am enclosing transcript of the testimony presented before Judge Davison at the hearing held on September 21 and 22, 1948 in Fort Worth, Texas. I did not testify at said hearing, but I have personal knowledge as to the change of handwriting on the poll list which is reflected by the testimony of B. M. Brownlee beginning on page 13 of said transcript and by the testimony of H. L. Adams, beginning on page 4 of said transcript. You will note that Mr. Brownlee testified that he was present on the occasion when I was refused permission to make any notes from the poll list (see bottom of page 14 of transcript).

After the hearing held before Judge Davidson on September 21 and 22, he granted a temporary injunction restraining the Secretary of State and other officials of the State of Texas from placing the name of Lyndon B. Johnson on the official ballot as the nominee of the Democratic Party for United States Senator and, at the same time, appointed commissioners to take testimony in the counties of Jim Wells, Duval and Zapata.

While the commissioners were engaged in taking such testimony, all proceedings were halted by an order of Mr. Justice Hugo Black. Before such proceedings were halted, however, considerable testimony was heard by the commissioners and a transcript of such testimony is now being prepared and will be furnished if required. This testimony, in my judgment, reflects conclusively the perpetration of fraud in altering the returns and in stuffing the ballot box in Precinct 13 of Jim Wells County with 200 ballots which were never, in fact, cast by any voter, and in altering the returns in Zapata County in a manner which added 46 votes to Johnson's total and took 60 votes away from the number which I actually received in that county.

The main purpose of this letter is to advise the proper authorities of the United States Senate that I desire to contest the nomination of said Lyndon B. Johnson and to request appropriate action to impound the ballot boxes which were used in said run-off primary on August 28, in order that the contents of said boxes may not be destroyed pursuant to Article 3128 above mentioned. This sixty days will expire October 27, and it is important that immediate action be taken by the United States Senate.

Will you kindly advise me at once of your action by letter or telegram collect, to Honorable Dan Moody, one of my attorneys, whose address is Capital National Bank Building, Austin, Texas.

Respectfully submitted,

/s/ Coke R. Stevenson
Coke R. Stevenson

CRS/jm

Miscellaneous

1. From Mrs. Ruth Rankin Milliken, 4448 Southern Avenue, Dallas 5, Texas - dated February 20, 1949: Inquiring why Coke Stevenson has not been given a hearing.
2. Mrs. A. A. Looock, 2014 W. Capitol, Houston, Texas - undated: received Jan. 21, 1949: Thinks the U. S. Senatorial election should be investigated; does not think Johnson is entitled to a seat in the Senate.
3. Dr. F. B. Clark, College Station, Texas - dated Jan. 16, 1949: Enclosing copy of his booklet, "The Other Side of Hot Political Issues," letter to Atty. Gen. of Texas, letter to Dist. Judge of Brazos County informing him of intention to institute quo warranto proceedings against Johnson, copy of request for action by county attorney.
4. From Thos. Cuneo, Austin, Texas - dated December 15th: Requesting Senators Jenner and Myers to use their influence in permitting Texas to settle senatorial contest within the borders of the state with a called election.
5. From A. J. Newton, 1111 River Street, Dallas, Texas - dated 10/29/48: Requesting Jenner to follow through with investigation of primary in Texas.
6. From S. Abernathy, Box 530, New Braunfels, Texas - Oct. 30, 1948: Congratulating committee on its investigation, condemning Johnson, and advising Committee what to tell Johnson.
7. From S. Abernathy, Box 530, New Braunfels, Texas - Oct. 27, 1948: Referring to different highlights of election and advising Committee what to do.
8. From J. W. Daniel, 1728 St. Louis Ave, Fort Worth - dated ? asking for an investigation of election.
9. From R. L. Heflin, Sherman, Texas - dated Oct. 29, 1948: To Colonel Wm. E. Ruggles, Dallas News, Gov. Thos. E. Dewey, Albany, Gov. Earl Warren, Sacramento, Hon. Jack Porter, Houston, and Sen. Wm. E. Jenner, Washington: Says in part "We all of course know that every possible

effort will be made by Sam Rayburn and his fellow hypocrits to seat Lyndon Johnson." The letter goes on and tells Gov. Dewey and Warren how to run the Government after they are elected Pres. and VP. Talks about good government, Judge Bryant and Joe Stalin; no other mention of Senate race.

10. From Mrs. Smith, Dallas, Texas - dated Oct. 30 in longhand addressed to Hon. Wm. E. Jenner: Asking Jenner to "be fair for both sides" and saying further "I think Johnson is honest." Letter hardly makes sense with incomplete sentences, etc.

11. Postcard addressed to Senate of U. S., postmarked from Kerrville, Texas, Oct. 29, 1948, referred to Committee on Privileges and Elections by Senator Connally; card signed by Peter Toler: Card says "I urge you to seat Mr. Lyndon Johnson, etc." Very favorable.

12. Another letter from Abernathy dated Oct. 1, 1948, addressed to Deranian: Enclosing more clippings; speaks of "Tom Parr is the Czar of all three (Zapata, Duval and Jim Wells Counties)". Letter generally favorable to Stevenson; very unfavorable to Johnson.

13. Letter from S. Abernathy dated Sept. 23 to Deranian enclosing clippings from Dallas News: /Says "there is no doubt there is something shady in those three counties down in the Rio Grande Valley which are controlled by one man - Tom Parr." Accuses Parr of being very wealthy and charging fifty cents per head per voter; says "people in Texas don't expect any help from the FBI because of Tom Clark - FBI could get the dope all right, but Tom Clark would cover it for fear it would take a vote from Truman - people down here fear the fact that Lyndon Johnson is a wild-haired ex-New Dealer."

14. Wm. T. Sain, P. O. Box 572, San Antonio, Texas, dated Nov. 5, 1948-top of letter head has "(representing Manufacturers)": Encloses clipping from paper believed to be Express of UP story carrying Austin dateline of Nov. 2nd which is a story about Senator Johnson's statement on oilcrats. Letter generally accuses Johnson of stopping investigation by appealing to Supreme Court. Refers to burned ballots in one Jim Wells precinct. Resents Sen. Johnson's oilcrats statement; calls it "slander."

15. Letter to Nelson Deranian from Mrs. Albert Neff (Vernall W. Neff) dated Oct. 27 from Box 1968, San Benito, Texas: Says in part "Texas -- this part -- needs Americanized." "Fixed up records, greased palms, whitewashing, are the general practices." "We need law and order here; we need honest voting."

16. Letter to Nelson Deranian dated Oct. 20 from Austin; no return address; mailed in blank envelope, 11 pages of longhand unsigned; very critical of Sen. Johnson; obviously from someone interested in 1946 congressional campaign; quotes Dan Moody's speech in Wooldridge Park; talks about Ray Lee and the post office; Mr. Taylor and the Taylor Construction Company/, Bob Phinney; Johnson ~~son~~ Connally; refers to Sen. Johnson's two stations (KTBC and KVET); Mr. Johnson's apartment houses; Gene Autry's visit to Texas during '46 campaign; the watermelon parties; among other things said "God have mercy upon Texas if Lyndon goes to the Senate with Thornberry as our Congressman; copies verbatim, apparently, the story from the Austin paper headed Lyndon's relatives bring back loot from Germany. (JBC's guess is the letter was written by Mrs. Hardy Hollers).

17. Letter to Senator Brooks of Illinois from Mrs. Joe C. Cooper, Route 5, Box 432-A, Austin, Texas, in which she recommends that the Johnson Stevenson race be run over.

18. From George W. Burrows on letterhead of E. Newt Spivey, Atty. at Law, Texarkana, Texas, dated Jan. 18, 1949, addressed to Frances J. Myers: pro-Johnson letter; says "that old (billygoat) Coke Stevenson is still prodding at him" -- "Mr. Johnson just flat beat him" -- "he (Stevenson) belongs on the goat ranch which he claims he has."

19. Letter from F. M. Fitzpatrick, atty at law, 506 Liberty Bldg., Waco, dated Jan. 17, 1949 to Francis J. Myers -- very pro Johnson (sent Sen. Johnson a copy of this letter).

TEXAS

Candidates Complaints

UNITED STATES SENATE

Memorandum

This letter was prepared as answer to Cook letter
but another letter received from Johnson before this
was mailed -- hence not mailed.

UNITED STATES SENATE
COMMITTEE ON RULES AND ADMINISTRATION
Sub-Committee on Privileges and Elections

October 26, 1948

Donald C. Cook, Esquire,
Cook and Berger,
Ring Building,
1200 18th St., N. W.
Washington 6, D. C.

Dear Mr. Cook:

Pursuant to the request made in your letter of October 25th on behalf of Congressman Lyndon Johnson, and our conversation of that date, steps have been taken on behalf of the Subcommittee on Privileges and Elections to prevent the destruction of the ballot boxes in all of the counties in the State of Texas. Attached is a copy of the telegram to each of the County Clerks.

For your information, let me say that as of the present time, the only specific charges of fraud, or irregularities, alleged to have occurred during, or in connection with, the Democratic Primary of August 28, 1948, which have been duly presented for the consideration of the Subcommittee, are those submitted by former Governor Coke R. Stevenson. Those charged are based on testimony given under oath.

It seems to me that no specific, or even general, charges of fraud or election irregularities are presented for the consideration of the Subcommittee by your letter, and none has been received on Congressman Johnson's behalf from any other source. Definite factual specifications are essential to even a preliminary consideration of such matters.

In the light of those facts, I am sure you will appreciate that the action of the Subcommittee in acting on your request, was only as an accommodation to Congressman Johnson until you or he submitted your specifications in accordance with the Subcommittee's established require-

Donald C. Cook, Esquire.

October 26, 1948

ments. In the event you are not familiar with those requirements, a memorandum thereon is attached for your information and guidance.

I assume that you will comply with the Subcommittee's requirements without delay. In the absence thereof within a reasonable time, I feel quite certain that the Subcommittee will release the ballot boxes to the County Clerks for disposition.

Very truly yours,

Nelson Deranian, Counsel,
Subcommittee on Privileges
and Elections.

Encls.
ND:bjd

TELEGRAM

SAN ANTONIO, TEX 29 1118A

1948 Oct 29 PM 1 02

SENATOR WILLIAM E. JENNER, CHAIRMAN

SENATE ELECTION SUB-COMMITTEE SENATE OFFICE BLDG

TODAY'S SAN ANTONIO EXPRESS PUBLISHES WASHINGTON REPORT THAT
JACK PORTER, REPUBLICAN NOMINEE FOR U. S. SENATOR FROM
TEXAS, REPORTED SPENDING UP TO OCTOBER 20TH \$14,228.58 IN
HIS CAMPAIGN. MAXIMUM LAWFUL AMOUNT ALLOWED IN THIS CAMPAIGN
\$11,500.00. AS A LEGAL CANDIDATE IN THIS U. S. SENATE RACE
IN TEXAS I RESPECTFULLY REQUEST AN IMMEDIATE INVESTIGATION
OF CAMPAIGN EXPENDITURES OF ALL THREE CANDIDATES.

SAM MORRIS 191 E EDGEWOOD PLACE

File also contains copy of Jenner's reply, also in "Telegram" file.

TELEGRAM

OCTOBER 29, 1948

MR. SAM MORRIS
191 EAST EDGEWOOD PLACE,
SAN ANTONIO, TEXAS.

REURTEL ON CAMPAIGN EXPENDITURES. YOUR ATTENTION IS DIRECTED BY
WAY OF EXPLANATION TO SECTION 309 CLAUSE (C) OF FEDERAL CORRUPT
PRACTICES ACT WHICH PROVIDES AS FOLLOWS:

"MONEY EXPENDED BY A CANDIDATE TO MEET AND DISCHARGE ANY ASSESSMENT,
FEE, OR CHARGE MADE OR LEVIED UPON CANDIDATES BY THE LAWS OF THE
STATE IN WHICH HE RESIDES, OR EXPENDED FOR HIS NECESSARY PERSONAL,
TRAVELING, OR SUBSISTENCE EXPENSES, OR FOR STATIONERY, POSTAGE,
WRITING, OR PRINTING (OTHER THAN FOR USE ON BILL BOARDS OR IN NEWS-
PAPERS), FOR DISTRIBUTING LETTERS, CIRCULARS, OR POSTERS, OR FOR
TELEGRAPH OR TELEPHONE SERVICE, SHALL NOT REPEAT NOT BE INCLUDED
IN DETERMINING WHETHER HIS EXPENDITURES HAVE EXCEEDED THE SUM
FIXED".

NELSON DERANIAN, COUNSEL
SUBCOMMITTEE ON PRIVILEGES
AND ELECTIONS.

Next the file contains the following:

1. Original of letter dated October 29, 1948, from Lyndon B. Johnson to Senator Jenner
2. Original of letter dated October 25, 1948, from Lyndon B. Johnson to Senator Brooks
3. Memorandum in pencil on yellow sheet summarizing the charges made by Johnson with reference to certain counties
4. Original of letter dated October 25, 1948 from Donald C. Cook to Nelson Deranian
5. Original of letter from Coke R. Stevenson dated October 18, 1948, to Senator Brooks, referred to Senator Jenner by reference of Senator Brooks
6. Transcript of Testimony In the District Court of the United States, Northern District of Texas, Fort Worth Division, Coke R. Stevenson, vs. Tom L. Tyson, et al, No. 1640, Tried Sep. 21 & 22, 1948

TEXAS

Telegrams:
Re Records

TELEGRAM

October 26, 1948

To:

County Clerk of _____ County
_____, Texas

IN CONNECTION WITH A CONTEST REFERRED TO THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS OF THE COMMITTEE ON RULES AND ADMINISTRATION OF THE UNITED STATES SENATE, CHALLENGING THE VALIDITY OF THE NOMINATION OF LYNDON JOHNSON AS A CANDIDATE FOR THE UNITED STATES SENATE, THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS HEREBY DIRECTS YOU TO SECURELY PRESERVE INTACT, SUBJECT TO THE FURTHER ORDERS AND DIRECTION OF THE SUBCOMMITTEE, ALL BALLOT BOXES CONTAINING THE BALLOTS CAST IN THE DEMOCRATIC PRIMARY ELECTION HELD ON AUGUST 28, 1948, AND DEPOSITED WITH YOU PURSUANT TO THE PROVISIONS OF ARTICLE 3128 REVISED CIVIL STATUTES, 1925, TOGETHER WITH ALL OFFICIAL RECORDS IN CONNECTION THEREWITH, WHICH YOU HAVE NOT ALREADY DELIVERED TO A SUBCOMMITTEE REPRESENTATIVE ON PREVIOUS ORDERS THEREFROM.

WILLIAM E. JENNER, USS
CHAIRMAN, SUBCOMMITTEE ON
PRIVILEGES AND ELECTIONS
U. S. SENATE

Above telegram sent to following:

Jim Hogg County, Hebbronville, Texas
Starr County, Rio Grande City, Texas
Jim Wells County, Alice, Texas
Duval County, San Diego, Texas
Zapata County, Zapata, Texas
Brown County, Brownwood, Texas
Dallas County, Dallas, Texas
Harris County, Houston, Texas
Galveston County, Galveston, Texas
Clay County, Henrietta, Texas
Eastland County, Eastland, Texas
Wharton County, Wharton, Texas
Chambers County, Anahuac, Texas

COPY

Receipts for the telegram sent under date of October 26, 1948,
to various county clerks were received from the following:

Lawrence Knickles, County Clerk, Clay County, Henrietta, Texas
County Clerk, Duval County, San Diego, Texas
County Clerk, Zapata County, Zapata, Texas
County Clerk, Jim Hogg County, Hebbbronville, Texas
County Clerk, Starr County, Rio Grande City, Texas
Holmgreen, County Clerk, Jim Wells County, Alice, Texas
Deputy County Clerk, Duval County, San Diego, Texas
Miller, County Clerk, Harris County, Houston, Texas
County Clerk, Brown County, Brownwood, Texas
County Clerk, Dallas County, Dallas, Texas
County Clerk, Galveston County, Galveston, Texas
County Clerk, Eastland County, Eastland, Texas
County Clerk, Wharton County, Wharton, Texas
County Clerk, Chambers County, Anahuac, Texas

TELEGRAM

To: Chairman of the

County Democratic Executive Committee
of _____ County
_____, Texas

IN CONNECTION WITH A CONTEST REFERRED TO THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS OF THE COMMITTEE ON RULES AND ADMINISTRATION OF THE UNITED STATES SENATE, CHALLENGING THE VALIDITY OF THE NOMINATION OF LYNDON JOHNSON AS A CANDIDATE FOR THE UNITED STATES SENATE, THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS HEREBY DIRECTS YOU TO SECURELY PRESERVE INTACT SUBJECT TO THE FURTHER ORDERS AND DIRECTIONS OF THE SUBCOMMITTEE, ALL RETURNS OF THE DEMOCRATIC PRIMARY HELD ON AUGUST 28, 1948, PREPARED BY THE ELECTION JUDGES IN THE SEVERAL PRECINCTS OF _____ COUNTY, AND FILED WITH YOU PURSUANT TO ARTICLE 3124, REVISED CIVIL STATUTES, 1925, AND ALL TALLY SHEETS, VOTING LISTS, POLL LISTS AND OTHER RECORDS AND DATA IN YOUR POSSESSION RELATIVE TO SAID PRIMARY ELECTION AND THE VOTES CAST IN SAID COUNTY.

WILLIAM E. JENNER, U.S.S.
CHAIRMAN, SUBCOMMITTEE ON
PRIVILEGES AND ELECTIONS
UNITED STATES SENATE

Above telegram sent to following:

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Starr County, Rio Grande City, Texas
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Clay County, Henrietta, Texas
Eastland County, Eastland, Texas
Wharton County, Wharton, Texas
Chambers County, Anahuac, Texas

Western Union reported the County Chairman telegrams delivered as follows:

Jim Wells County, Alice, Texas
Jim Hogg County, Hebbbronville, Texas
Duval County, San Diego, Texas
Starr County, Rio Grande City, Texas
Zapata County, Zapata, Texas
HarrisCounty, Houston, Texas
Brown County, Brownwood, Texas
Dallas County, Dallas, Texas
Galveston County, Galveston, Texas
Clay County, Henrietta, Texas
Eastland County, Eastland, Texas
Wharton County, Wharton, Texas
Chambers County, Anahuac, Texas

OTHER TELEGRAMS IN FILE

OCTOBER 28, 1948 12:54 PM

WILLIAM E. JENNER, CHAIRMAN, REPORT DELIVERY
UNITED STATES SENATE SUBCOMMITTEE ON ELECTIONS

ALL RECORDS CALLED FOR IN YOUR TELEGRAM OF OCT 27TH ARE IN
MY POSSESSION SUBJECT TO YOUR ORDERS. WOULD LIKE TO DELIVER
THEM TO YOU IMMEDIATELY IF DESIRED OTHERWISE WILL HOLD THEM
IN OUR OFFICE INTACT. I WELCOME AN INVESTIGATION QUICKLY.

ARTHUR STEVENSON DEMOCRATIC COUNTY CHAIRMAN
DALLAS COUNTY TEXAS

OCTOBER 27, 1948 7:27 PM

HONORABLE WILLIAM E. JENNER
UNITED STATES SENATE CHAIRMAN SUBCOMMITTEE ON
PRIVILEGES AND ELECTIONS WASH DC

RETEL CONCERNING RETURNS DEMOCRATIC PRIMARY TALLY SHEETS
POLL LISTS, ETC., BEG ADVISE AM FULLY COMPLYING YOUR
TELEGRAM AM FREEZING ALL DATA IN MY POSSESSION AND HOLDING
INTACT SUBJECT YOUR FURTHER INSTRUCTIONS. ASSURE YOU MY
FULL COOPERATION YOUR INVESTIGATION OUR 95,000 VOTES CAST
THIS COUNTY.

BOB TUCKER CHAIRMAN HARRIS COUNTY DEMOCRATIC
EXECUTIVE COMMITTEE

OCTOBER 27, 1948 2:57 PM

SENATOR WM E JENNER
CHMN SUB COM ON PRIVILEGES AND ELECTIONS US SENATE

IN REPLY TO YOUR TELEGRAM WILL PRESERVE ALL RECORDS AS REQUESTED

THOS H TAYLOR CHAIRMAN BROWN DEMOCRATIC EXEC COMM

COPY

812 South Texas Building,
San Antonio, Texas

Senator Francis John Myers
Senate Office Building
Washington, D. C.

Dear Sir:

Ever since the Democratic run-off primary, held in August of last year, for the nomination of a candidate for U. S. Senator from Texas, I have been convinced that there is strong evidence of fraud in South Texas, particularly in Duval and Jim Wells Counties.

In Duval County, the one-sided vote was by a ratio of 115 to 1, in favor of Lyndon Johnson, or better than anything either Adolf Hitler or Joe Stalin was ever able to boast of in any of his so-called elections. Any fair-minded Democrat in Texas took that County's vote to be a prima facie case of fraud.

Friends of mine in Jim Wells County, who were impartial observers, frankly told me that in Precinct 13, in the town of Alice, it is a well known fact that 202 votes were added to the total in that Precinct, three or four days after the election had been held for the avowed purpose of changing the outcome of the race.

As an average voter, I write to you, the Chairman of the Committee charged with the duty and responsibility of looking into any irregularities and evidence of fraud in an election for membership to the Senate, and respectfully request that your Committee investigate the charges made and examine the evidence offered. It appears to me the Senate as a whole would welcome a thorough investigation for its own sake. Governor Stevenson and his attorneys, most of whom I personally know, are all responsible men and their character is above reproach. Not only am I of the opinion that you would want any doubt removed as to whether Johnson was actually nominated, but also that if Johnson himself feels in his own heart he honestly won, he ought not to object to such an investigation.

Up to this good hour, the case Governor Stevenson has made has not been tried on its merits. Certainly he is entitled to his day in court -- a matter of right, which should not be denied any citizen, and not as a political consideration. He asks no more and expects no less. If Mr. Johnson really believes he has title to a seat in the Senate, why should he want to rest his laurels on a technicality?

COPY

If we Americans are to be successful in our efforts to teach Russia and the rest of the World the virtues of Democracy, let us begin to set the example of honest elections, honestly conducted here at home; and let us start with August 28th, 1948, here in Texas.

Once it was said, "the whole art of democratic government consists in being honest." That statement from Jefferson should not be objected to in this instance -- not even by Lyndon Baines Johnson.

We Texans, Texas Democrats, if you please, feel we are entitled to know who has the right to represent us in the Senate and as a voter. I favor a full investigation of the charges and then let the country know the truth of the matter, once and for all.

Personally, I dislike the idea of any politician or group of politicians swindling history into recording a loser as having been elected to public office. In this case, his cohorts stole an election with the approval of that candidate by way of an injunction in the District Court of Jim Wells County to prevent a recanvass to correct the injustice, and now he drapes himself with the toga of a Senator, and everybody in the State is disgusted with him. The matter should be looked into without further delay.

Respectfully yours,

/s/ BEN F. TASTO

BFT:al

COPY

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Senate Office Building
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Respectfully yours,

/s/ BEN F. TASTO

BFT:al

COPY
WESTERN UNION

1949 Jan 16 PM 8 0 6

DA108

D.AUA273 NL PD - AUSTIN TEXAS 16

Senator Francis J. Meyers, Chairman
Senate Subcommittee on Elections Wash DC

Texas newspapers quote you to the effect that no contest has been filed in the Senate against the legitimacy of Lyndon Johnson's title to a seat in the Senate and further that all your Committee had before it was a batch of petitions from several hundred citizens urging that Johnson not be seated. There is on file with your Committee copies of court records including a transcript of testimony taken in open court showing fraudulent votes in favor of Johnson sufficient to more than account for his majority and this is backed up by findings to that effect by the Judge who heard the witnesses. There is before your committee testimony taken by Commissioners appointed by a United States District Judge which shows wholesale stealing of votes in Duval, Zapata and Jim Wells Counties. If anything else is needed to invoke your jurisdiction to go into the fraudulent practices displayed in Texas, please advise what it is. You may be sure, Senator, that more than half of the electorate of Texas protests and contests this outrage.

Twice in the last twenty-five years Republican Senators whose claims to election were tainted with fraud were rejected by Republican Senates. Is it thinkable that this Senate will be any less sensitive to open fraud?

Coke Stevenson

COPY
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COPY

Floydada, Texas

January 18, 1949

Mr. Myers, U. S. Senator,
Chairman of Senate Committee on Elections,
Washington, D. C.

Dear Senator Myers:

Re: Lyndon B. Johnson, election as U. S.
Senator from Texas.

Newspapers report that a formal contest to the right of Mr. Johnson to this office has been filed with your committee.

As a friend to Mr. Johnson I recently wrote him a letter urging that he use his influence to see that the proper Senate Committee thoroughly go into this matter that the voters of Texas might know the facts and be able to clear from their minds the doubt that he is rightfully entitled to his Senate seat. I think his friend and political foes alike all want the matter cleared up. He should want it this way so that he can properly serve his state and have the respect that he is entitled to. It would appear to me that most all the people of Texas want to know what took place in Jim Wells County, Texas, and any others where irregularities appeared.

I do not think at all that Mr. Johnson had anything to do with these irregularities. But they were to his advantage, but it appears he wants to keep that advantage whether right or wrong. In his reply to my letter he thought people ought to be satisfied with what had already been done in the matter and the subject dropped.

I know neither Mr. Johnson nor Mr. Stevesson personally. I am not a lawyer or politician, and this is the second letter I have ever written to a Senator or Congressman. I am a farmer and stock grower trying to be a good citizen and help every one get justice, and I want to lend my voice in urging a fair and complete investigation of the matter.

Yours very truly,

/s/ J. V. DANIEL

COPY

Floydada, Texas

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COPY

AIRMAIL
SPECIAL DELIVERY

October 25, 1948

Dan Moody, Esquire,
Capital National Bank Building,
Austin, Texas.

Dear Governor Moody:

Re: Charges of Fraud in Texas Democratic
Primary.

Since our telephone conversation of last Wednesday I have carefully examined Governor Stevenson's letter and the attached transcript of the sworn testimony in the United States District Court at Fort Worth in the case of Stevenson vs. Tyson, et al, which were transmitted to Senator Brooks under date of October 18th, and referred by him to Senator Jenner, Chairman of the Senate Subcommittee on Privileges and Elections.

As you know, immediate steps were taken in the direction of the preservation of the election records and ballots in question in accordance with Governor Stevenson's letter.

It is one of my responsibilities as counsel for the Subcommittee, to accumulate for the consideration of the Subcommittee as much of the available records in these matters as is possible under the circumstances. Our files should contain the following additional information regarding the matter:

1. Although the above transcript of testimony in the District Court contains considerable information, it does not provide a full record of that case. I would appreciate having copies of all pleadings, briefs and other papers filed in that case, together with copies of all of the orders of court as a result thereof.

2. It is important, also, that we have complete records of all of the other litigation in the various Texas

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3. I understand that commissioners of the Federal Court, and others, conducted investigations and prepared reports in this matter. We will need copies of every such report or statement, official or otherwise, which may have a bearing on the determination of the real facts in this matter.

4. It is my understanding, also, that there were certain proceedings before the canvassing Subcommittee and the full committee of the Democratic State Executive Committee and the Democratic State Convention involving various aspects of this matter, including arguments presented by the respective parties and their supporters. It would be of material assistance to have a record of those proceedings or a synopsis of what transpired in the event no record is available.

5. In order to have a full understanding of what actually transpired each step of the way from the beginning of the primaries to date, it would be of great assistance to have a complete chronology thereof.

6. I wonder if there is not already in existence, a brief statement of the various sections of the Texas Election Laws which come into play in the consideration of this matter and how they may be applicable. It would be very helpful to us here.

Although I do not wish to burden you unduly, I should, nevertheless, appreciate very much if you would be kind enough to arrange to have the above records and information made available to the Subcommittee at the earliest opportunity. I know, from telephone conversations with our Mr.

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Breor, that some of this information is, or shortly will be, in his possession. I hope that the balance of it is also available and may be collected by Mr. Breor with your guidance and assistance.

I do not, as yet, have any of the details of the charges regarding Jim Hogg and Starr Counties which you mentioned in our telephone conversation. The rules of the Subcommittee require that affidavits containing the factual specifications underlying those charges be on file with the Subcommittee. Attached is a Subcommittee memorandum in that connection.

Respectfully yours,

Nelson Deranian, Counsel,
Subcommittee on Privileges
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Encl.

ND:bjd

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October 27, 1949.

Senator John W. Bricker,
Washington, D. C.

Dear Senator Bricker:

Re: Complaints Growing Out of Texas
Senatorial Primary Election

By reference to my letter of September 10, 1948, regarding the above matter, you will recall that the Houston Chronicle and seven individuals complained to the Subcommittee concerning the conduct of the Senatorial Primary election and called for an investigation.

In accordance with your Subcommittee rules requiring such complaints to contain factual specifications under oath, and at the request of Senator Jenner, I advised the complainants of the Subcommittee's requirement.

Only one response was received in reply to my letters. The Houston Chronicle replied September 23rd and simply called attention to the fact that the controversy growing out of that Primary had reached the Federal courts and stated that the findings of the court would provide much more detail regarding the situation than the complainant could furnish.

No further communications were received in this matter until October 20th (after the conclusion of litigation) when there was referred to the Subcommittee, from Senator Brooks' office, a letter from former Governor Coke R. Stevenson, dated October 18th to which was attached a copy of the transcript of testimony given under oath before the United States District Court at Fort Worth, Texas. Governor Stevenson stated that the purpose of his letter and the transcript was to advise the proper authorities of the United States Senate that he desired to contest the nomination of Lyndon Johnson and to request appropriate action to impound the ballot boxes in question in order that the contents of those boxes would not be destroyed at the close of October 27th in accordance with the laws of Texas.

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Senator Jenner felt that inasmuch as Governor Stevenson's communication met the requirements of the Subcommittee, the Subcommittee might be considered to have been remiss in its duty if it did not move immediately to preserve the records involved. An investigator was thereupon immediately dispatched to Texas in order to determine the names and locations of the persons actually having custody of the ballots and records involved and on the basis of that information, subpoenas were issued thereon and service thereof, where necessary, will probably be completed today.

In the meantime, at about 5:15 p. m. on October 25th Congressman Lyndon Johnson's counsel, personally delivered to me a letter from the counsel to me calling attention to the fact that "Mr. Johnson is also advised that charges of election irregularities throughout many of the counties of Texas have been made", and requested that all of the ballot boxes in Texas be impounded. I explained to him the Subcommittee's rule on the presentation of charges and requested that the Subcommittee be given specific information naming specific counties and the nature of the fraud or irregularities involved with as much particularity as possible and to provide it in affidavit form.

Subsequently, during the afternoon of October 26th Congressman Johnson's counsel personally delivered to me a letter from the Congressman addressed to Senator Brooks and to my attention. The letter was sworn to and set out the names of several counties in which, it was rather generally alleged, some irregularities had, or may have occurred. He further requested impounding all ballot boxes on the theory that the Subcommittee might want to recount all the ballots cast in the Texas Primary.

On the basis of that communication, and at the suggestion of Congressman Johnson's counsel that such procedure would be sufficient under the circumstances, and because of the short time remaining, I transmitted telegraphic directions to the custodian of the ballots and records involved, directing that they be preserved subject to further orders of the Subcommittee. As of this moment, steps have been taken

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to preserve the records in the following counties (asterisks mark those suggested by Congressman Johnson's letter): (1) Brown*, (2) Chambers*, (3) Clay*, (4) Dallas*, (5) Duval, (6) Eastland*, (7) Galveston*, (8) Harris*, (9) Jim Hogg, (10) Starr, (11) Jim Wells, (12) Wharton*, (13) Zapata.

No other counties have as yet been named specifically for consideration on the basis of anything approximating even a general charge of fraud. I do not believe that we can assume the existence of fraud where it is not charged.

Investigators have been instructed to return from Texas as soon as they have completed their immediate assignment in connection with preservation of records.

This letter is the result of Senator Jenner's request Monday, to bring Subcommittee members up to date on the details of this matter as soon as possible.

Respectfully,

Nelson Deranian, Counsel,
Subcommittee on Privileges
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ND:bjd

cc: Senator William E. Jenner.

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Nelson Deranian, Counsel,
Subcommittee on Privileges
and Elections.

ND:bjd

cc: Senator William E. Jenner.

COPY

Coke R. Stevenson

Coke R. Stevenson, Jr.

STEVENSON RANCH
Junction, Texas

Oction 18, 1948

Senator C. Wayland Brooks
Chairman, Committee on Rules and Administration
Senate Office Building
Washington, D. C.

Dear Senator Brooks:

I desire to contest the purported nomination of Lyndon B. Johnson as the candidate of the Democratic Party in Texas for the office of United States Senator; and I respectfully request the United States Senate to investigate the August 28, 1948 run-off primary election, held in Texas on that date, insofar as the same pertains to the nomination of a candidate for the office of United States Senator from Texas.

You are familiar with the procedure prescribed for making nominations in the Democratic Party for United States Senator according to laws in force in Texas and it will be unnecessary to refer to any of the statutory provisions in this letter except to call your attention to Article 3128, Vernon's Civil Statutes of Texas as amended Acts 1941, Forty-Seventh Legislature, page 1400, chapter 635, paragraph 3, which authorizes the destruction of ballots if no contest is filed within sixty days after a primary election.

The two candidates who received the highest number of votes for United States Senator from Texas in the first primary election which was held on July 24, 1948, were Lyndon B. Johnson and Coke R. Stevenson. These two names were certified by the proper authorities in Texas to be placed on the ballot for the run-off primary election on August 28, 1948 result of said primary election, Lyndon B. Johnson was declared by the Democratic Executive Committee, by a vote of 29 for Johnson to 28 for Stevenson, to be the winner of the August 28, 1948 primary election by a margin of 87 votes, the vote which was certified to the Secretary of State being 494, 191 votes for Johnson and 494,104 for Stevenson.

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I had, following the run-off primary, made charges of fraud in the voting and especially in altering the returns of the voting in certain counties in South Texas and friends of mine had started an investigation. Mr. Johnson then secured an injunction in the State courts which restrained the officials of the Democratic Party in Jim Wells County, Texas, from correcting the fraudulent returns which had therefore been made and which included the addition of 200 votes for Johnson in Precinct 13 of Jim Wells County and which 200 votes were added to the total for Johnson several days after the polls had closed on August 28.

My attorneys then filed a petition with Federal Judge T. Whitfield Davidson of the Northern District of Texas and which was sworn to by me under oath setting out in detail the fraudulent returns made in Jim Wells and Zapata Counties, Texas by which 200 votes in Jim Wells County and 106 votes in Zapata County were added to Johnson's total. It was further pointed out in said petition that the vote in Duval County which was returned as 4622 for Johnson and 40 for Stevenson was prima facie evidence of fraud. The effect of the fraudulent returns from these counties resulted in changing the returns of the election and enabled Johnson to be certified as the nominee of the Democratic Party, when in truth and in fact, he did not receive a majority of the votes which were actually and legally cast at said primary election on August 28, 1948.

I am enclosing transcript of the testimony presented before Judge Davison at the hearing held on September 21 and 22, 1948 in Fort Worth, Texas. I did not testify at said hearing, but I have personal knowledge as to the change of handwriting on the poll list which is reflected by the testimony of B. M. Brownlee beginning on page 13 of said transcript and by the testimony of H. L. Adams, beginning on page 4 of said transcript. You will note that Mr. Brownlee testified that he was present on the occasion when I was refused permission to make any notes from the poll list (see bottom of page 14 of transcript).

COPY

After the hearing held before Judge Davidson on September 21 and 22, he granted a temporary injunction restraining the Secretary of State and other officials of the State of Texas from placing the name of Lyndon B. Johnson on the official ballot as the nominee of the Democratic Party for United States Senator and, at the same time, appointed commissioners to take testimony in the counties of Jim Wells, Duval and Zapata.

While the commissioners were engaged in taking such testimony, all proceedings were halted by an order of Mr. Justice Hugo Black. Before such proceedings were halted, however, considerable testimony was heard by the commissioners and a transcript of such testimony is now being prepared and will be furnished if required. This testimony, in my judgment, reflects conclusively the perpetration of fraud in altering the returns and in stuffing the ballot box in Precinct 13 of Jim Wells County with 200 ballots which were never, in fact, cast by any voter, and in altering the returns in Zapata County in a manner which added 46 votes to Johnson's total and took 60 votes away from the number which I actually received in that county.

The main purpose of this letter is to advise the proper authorities of the United States Senate that I desire to contest the nomination of said Lyndon B. Johnson and to request appropriate action to impound the ballot boxes which were used in said run-off primary on August 28, in order that the contents of said boxes may not be destroyed pursuant to Article 3128 above mentioned. This sixty days will expire October 27, and it is important that immediate action be taken by the United States Senate.

Will you kindly advise me at once of your action by letter or telegram collect, to Honorable Dan Moody, one of my attorneys, whose address is Capital National Bank Building, Austin, Texas.

Respectfully submitted,

/s/ Coke R. Stevenson
Coke R. Stevenson

CRS/jm

COPY

DAN MOODY
Attorney at Law
Austin, Texas

October 30, 1948

Mr. Nelson Deranian
106 Senate Office Building
Washington, D. C.

Dear Mr. Deranian:

Receipt is acknowledged of your letter of October twenty-fifth.

Complying with your request, I have sent to you under separate cover copies of various documents filed in the District Court, in the Circuit Court of Appeals and in the United States Supreme Court in the Stevenson - Johnson litigation.

Mr. Arthur Boeor told me over the telephone last night that he has a transcript of the testimony taken before the Commissioners appointed by the District Court. At his request, I have previously given him a volume of Vernon's statutes which includes the Texas primary election statutes.

There were some proceedings before the State Democratic Executive Committee. I was not present at the time, but it is my information that there was no stenographic transcript of the proceedings. The Executive Committee in canvassing the returns acts as a canvassing board, and it does not have power when so acting to conduct an election contest (Ferguson vs Huggins, 122 Tex. 95, 52 S. W. (2d) 904).

With regards, I am

Yours very truly,

/s/ DAN MOODY

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September 10, 1948

Honorable Francis D. Myers
307 Senate Office Building
Washington, D. C.

Dear Senator Myers:

The Subcommittee on Privileges and Elections has received a number of brief telegrams and letters from the following sources urging an investigation of the Texas Democratic senatorial primary run-off of August 28, 1948:

The Houston Chronicle, Houston - telegram
Mr. E. B. Germany, Dallas - telegram
Mr. Robert Eikel, Houston - telegram
Mr. LaMar Fleming, Jr., Houston - telegram
Mr. Andrew Jackson Wray, Houston - telegram
Mr. W. P. Hamblen, Houston - telegram
Mr. Joseph W. Evan, Houston - letter
Mr. A. H. Rowan, Fort Worth - letter

Inasmuch as the above communications were phrased in general terms and did not provide factual specifications, there was dispatched to them identical letters directing their attentions to the deficiencies.

In accordance with Senator Jenner's request, a copy of one of those letters is transmitted herewith for your information.

Respectfully,

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Alice, Texas
Nov. 10, 1948

Senator William E. Jenner,
Washington, D. C.

Dear Sir:

It is my understanding that you have charge of seating new senators and investigating their elections, and I am therefore writing you about the investigation of the Texas run-off primary election that has been started.

I have lived in Alice, Jim Wells County, Texas for 30 years, and I am very familiar with its politics as my husband, who is now dead, was sheriff of Jim Wells County for 36 years.

This letter is to urge you to continue this investigation of the election, especially in the South Texas Counties of Duval, and Jim Wells, as it is my deep belief that the election was stolen from Coke Stevenson by the political machine of this area. As you are probably aware the Supreme Court stopped one investigation of this election just as it was beginning to get results; and now it would seem nothing will be done about the condition down here due to the November 2nd election. I believe that you would find lots of people in this county who would cooperate with any further investigation. Also, something must be done to stop the stealing of any more elections.

There are many people here besides myself who will be grateful for an investigation.

Sincerely,

/s/ Mrs. C. W. Price

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/s/ Mrs. C. W. Price

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Hon. William E. Jenner, Chairman,
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Dear Senator Jenner:

I am one of many life long Democrats in Texas who heartily agree with your investigation of the recent Texas Democratic Primary. In spite of charges on both sides, the State Democratic Committee made no effort whatever to determine if there were any irregularities in the primary and it does seem that in the face of these charges that the declaring of a nominee on a supposedly majority of 87 votes out of about one million cast was not fair to the voters.

You are familiar with the court action and the opposition of Lyndon Johnson and the Johnson controlled State Committee to any attempt to have the courts look into any contest. Possibly there were irregularities on both sides and if this is a fact the people of Texas should have that information. It appears to many of us that it was merely delaying tactics until the ballots could be destroyed under the 60 day provision of the Texas election laws, and our last hope is to have the U. S. Senate make its own investigation, which many of us hope you will have as completely and thoroughly as possible, Senator Myers not withstanding.

Yours very truly,

/s/ PAUL W. BOWMAN
(Paul W. Bowman)
2205 Lindell Ave.,
Austin, Texas.

(PS - I am just a rank and file voter, without influence)

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Hon Alexander Wiley United States Senator
US Senate Bldg Wash DC

I request a Senate investigation of the Senatorial race here in Texas between Lyndon Johnson and Coke Stevenson. I do not agree with the decision of Federal Judge T. Whitfield Davison. I further request that immediate investigation be made by the United States Senate of all the counties in Texas be made in the Senatorial race. I await your early reply to the above matter.

Walter B. Carson Sr 1611 South Main Street

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THE HOUSTON CHRONICLE
512-20 Travis Street
Houston 2, Texas

M. E. Walter
Editor

September 23, 1948

Mr. Nelson Deranian,
Counsel, Subcommittee on
Privileges and Elections,
United States Senate,
106 Senate Office Building,
Washington, D. C.

Dear Sir:-

Since wiring Senator Brooks regarding the
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has reached the Federal Courts.

Judge Whitfield Davidson of the North Texas
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Johnson's name off the November general election
ballot until he can investigate the charges of fraud made
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We appreciate very much your letter showing that
you are interested in the situation down here.

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/s/ M. E. WALTER
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MEW/dp

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THE HOUSTON CHRONICLE
512-20 Travis Street
Houston 2, Texas

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1948 SEP 6 AM 11 59

WZO23 DL PD=DALLAS TEX 6 945A=

**SENATOR C. WAYLAND BROOKS
CHAIRMAN COMMITTEE ON RULES AND
ADMITTANCE U S SENATE**

**Urgently request your Committee investigate very bad
Texas situation. Texas Senate Primary race just closed
looks like conspiracy to defeat the will of the people.
A nomination this Primary tantamount to election.**

E. B. GERMANY

COPY

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E. B. GERMANY

COPY

September 7, 1948

The Houston Chronicle
Houston, Texas

Gentlemen:

This will acknowledge receipt of your telegram of September 3, 1948 regarding the recent Texas Senatorial Primary Election.

Inasmuch as your telegram deals with a subject which falls within the activity of the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, of which Senator William E. Jenner is Chairman, I am today referring your telegram to Senator Jenner for appropriate attention.

Sincerely yours,

C. Wayland Brooks, Chairman
Committee on Rules and Administration

CWB:v

COPY

WESTERN UNION

1948 SEP 3 PM 11 21

.DA432

D.HSB 969 LONG PD= HOUSTON TEX 3 734 P=

Senator Wayland Brooks, Chairman Committee on Rules and Admittance
United States Senate Wash DC

Indignation is rampant in Texas over recent Senatorial Primary Election. Vote reported from some counties has aroused public suspicion. One county for example reported count of 4622 to 40. Some of these counties have been notorious over the years for block voting but public was apathetic because apparently the vote of these counties did not determine results in any state election. In present race because U S Senate is involved and because owing to closeness of race the vote of one of these counties may determine the result. The public is very much concerned and would be behind a real investigation. Federal Government has jurisdiction and facilities for making adequate probe. Both candidates are charging fraud in connection with election and also in connection with frequent revisions of totals reported from different counties which for a week have put first one and then the other candidate in the lead. Civil rights of large number of citizens are involved. If condition is allowed to continue same situation will exist in General Election. Chronicle adds it appeal for your intervention to secure real investigation to those you have probably already received. May we request an early reply as to your attitude.

/s/ Houston Chronicle

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COPY

WESTERN UNION

1948 SEP 4 PM 12 58

LONG WZO21 LONG PD=HOUSTON TEX 4 1112A=

Senator C. Wayland Brooks, Chairman Committee on Rules
and Admittance= U S Senate

Several days ago Johnson was quoted as Quotes being being assured
Unquote Recount would show him winner in Primary. Recount is
about to prove him correct. This Primary has all earmarks of a
big vote manipulation to put in Johnson and defeat majority will.
Suggest immediate dispatch of observers least your Committee
can do to secure integrity of elections and enable subsequent in-
vestigation to have any chance of successfully establishing facts.
Noteworthy that Valley vote long considered in Texas a controlled
vote is proving principal source of Johnson's newly acquired lead
on recount.

/s/ Robert Eikel

COPY

WESTERN UNION

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COPY

WESTERN UNION

1948 SEP 7 PM 1235

WZ019 RX PD=HOUSTON TEX 7 1043A=

Senator C. Wayland Brooks, Chairman
Committee on Rules and Admittance

Reports of vote manipulation in run off for Texas Democratic
nomination for U. S. Senate warrant your immediate investigation
to guarantee justice. This I strongly urge.

/s/ ANDREW JACKSON WRAY

COPY

WESTERN UNION

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COPY

WESTERN UNION

1948 SEP 3 PM 11 36

DA473

D.HSB148 NL PD=HOUSTON TEX 3=

Senator C. Wayland Brooks, Chairman Committee on Rules and
Admittance=WASH DC

Suspicious circumstances surrounding returns in runoff for Texas Democratic nomination U. S. Senate suggests that manipulation may cancel the lawful majority vote. I urge immediate investigation to protect the right of suffrage. Examples are: Duval County Saturday night reported 4195 Johnson 38 Stevenson as "nearly complete" and then Sunday afternoon when Stevenson slightly ahead reported 4622 Johnson 40 Stevenson. You know there is no community where 124 out of every 125 votes for same candidate. Neighboring Counties: Webb 5554 Johnson 1179 Stevenson Star 2988 Johnson 171 Stevenson. Zapata first reported complete 711 Johnson 158 Stevenson and then revised to 669 Johnson 71 Stevenson. Today when Stevenson leading statewide by 157 Jim Wells County revised adding 202 Johnson one Stevenson thus giving Johnson 44 vote lead. Election practices of this nest of counties have been notorious for years.

/s/ LAMAR FLEMING JR

COPY

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COPY

WESTERN UNION

1948 SEP 7 PM 8 03

DA473

D.HSC739 NL, PD=HOUSTON TEX 7*

I believe an investigation should be made of the Senatorial runoff in Texas. I am firmly convinced that the result in Southwest Texas counties was caused by manipulation and padding of the ballot boxes. I do not believe it possible that where the vote was as close as it was in Texas that a few counties could vote one hundred to one for one candidate.

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COPY
A. H. & C. L. ROWAN
Fort Worth, Texas
Telephone 2-2394
LD 193

September 7, 1948

Senator C. Wayland Brooks,
Chairman, Committee on Rules and Admittance,
United States Senate,
Washington, D. C.

My dear Senator:

You are no doubt familiar with the close Democratic primary election which was held in Texas recently to nominate a candidate for United States Senator from this State to succeed the Hon. W. Lee O'Daniel, who has chosen not to run for reelection. I am sure you are also acquainted with the fact that the lead was switched from Lyndon Johnson to Coke Stevenson and from Stevenson to Johnson a number of times, and certain Counties have been holding back and not making their final returns, and changes in the official returns have varied greatly with the totals reported in the unofficial returns.

All of this implies, but does not prove, fraud. It is a matter that should be clarified so that the people of Texas may know just who is the legally constituted nominee of the Democratic Party for the United States Senate. The Supreme Court of the United States, in one of the negro cases, has held that a Democratic Primary in Texas was tantamount to election and that it was therefore subject to Federal inquiry. I hope that your committee will see fit to hold hearings and investigate and collect evidence on this primary election so that the people may know that it was or was not honestly held. If the returns have been made honestly, the people are entitled to have the suspicion which now exists removed. If there was any fraud, your committee should be able to find it and it should be your duty to keep the ballot honest so that representative government may be maintained in this country.

Yours very respectfully,

/s/ A. H. ROWAN
A. H. Rowan

AHR:JB

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Yours very respectfully,

/s/ A. H. ROWAN
A. H. Rowan

AHR:JB

Cable address
"Evans"

COPY

EVANS & COMPANY

Cotton
Houston, Texas

September 7, 1948.

Honorable C. Weyland Brooks,
Chairman, Committee on Rules and Admittance
United States Senate,
Washington, D. C.

My dear Senator:

I am enclosing you a couple of clippings from the front page of the HOUSTON CHRONICLE of today, which I think will be of quite a bit of interest to you. This is our leading afternoon paper and perhaps the largest in Texas, and is owned by Jesse Jones whom I think you know quite well.

In order to identify myself, I might say that I have sat on the U. S. Chamber of Commerce Board for some seventeen years, which I believe constitutes an all-time record. Silas Strawn and I were very, very intimate friends and on one occasion he introduced me to you, although I am sure you would have no recollection of it as it was a very casual meeting.

This last election created a tremendous lot of unfavorable comment all over Texas and what I am pleased to call our good citizens are very much up in arms. We have some eight or ten border counties which are largely populated by Mexicans, many of whom do not read or write English and a considerable per centage do not even speak it intelligibly. In these counties Mr. Johnson got a majority which probably totals some 25 or 30 thousand and one of the curious things is that, whereas in this county (Harris) somewhere around 40% voted, in Duval County better than 80% voted; and I am sure the per centage over the state did not run as high as 50. Another peculiar circumstance is that Stevenson got 599 in the first primary and in the second 40. Out of an experience of many, many years, I have never known 2% of the people who voted for one candidate in the first primary and who switched in the second.

COPY

I could write on and on; but I think you have been informed as to the state of things down here; but if I can be of any service please do not fail to call on me.

I might add that this county (Harris) is the most populous in Texas, as we have some 700 thousand people in it.

As the election stands today, in a total of approximately one million votes, Lyndon Johnson has a majority of 162 votes and if one were to eliminate these counties which are from 60 to 80 per cent Mexican, Governor Stevenson would have been elected by a substantial majority.

If you have any misgivings as to my own responsibility, I would appreciate your asking Senator Tom Connally, whom I have known many, many years in a very friendly fashion. I have also done business with the First National Bank of Chicago for more than thirty years, as my firm used to be a very large exporter of cotton.

Thanks you for your careful attention, I am

Sincerely yours,

/s/ J. W. EVANS
Joseph W. Evans

Cable address
"Evans"

COPY
EVANS & COMPANY
Cotton
Houston, Texas

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Sincerely yours,

/s/ J. W. EVANS
Joseph W. Evans

COPY

812 South Texas Building,
San Antonio, Texas

Senator Francis John Myers
Senate Office Building
Washington, D. C.

Dear Sir:

Ever since the Democratic run-off primary, held in August of last year, for the nomination of a candidate for U. S. Senator from Texas, I have been convinced that there is strong evidence of fraud in South Texas, particularly in Duval and Jim Wells Counties.

In Duval County, the one-sided vote was by a ratio of 115 to 1, in favor of Lyndon Johnson, or better than anything either Adolf Hitler or Joe Stalin was ever able to boast of in any of his so-called elections. Any fair-minded Democrat in Texas took that County's vote to be a prima facie case of fraud.

Friends of mine in Jim Wells County, who were impartial observers, frankly told me that in Precinct 13, in the town of Alice, it is a well known fact that 202 votes were added to the total in that Precinct, three or four days after the election had been held for the avowed purpose of changing the outcome of the race.

As an average voter, I write to you, the Chairman of the Committee charged with the duty and responsibility of looking into any irregularities and evidence of fraud in an election for membership to the Senate, and respectfully request that your Committee investigate the charges made and examine the evidence offered. It appears to me the Senate as a whole would welcome a thorough investigation for its own sake. Governor Stevenson and his attorneys, most of whom I personally know, are all responsible men and their character is above reproach. Not only am I of the opinion that you would want any doubt removed as to whether Johnson was actually nominated, but also that if Johnson himself feels in his own heart he honestly won, he ought not to object to such an investigation.

Up to this good hour, the case Governor Stevenson has made has not been tried on its merits. Certainly he is entitled to his day in court -- a matter of right, which should not be denied any citizen, and not as a political consideration. He asks no more and expects no less. If Mr. Johnson really believes he has title to a seat in the Senate, why should he want to rest his laurels on a technicality?

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If we Americans are to be successful in our efforts to teach Russia and the rest of the World the virtues of Democracy, let us begin to set the example of honest elections, honestly conducted here at home; and let us start with August 28th, 1948, here in Texas.

Once it was said, "the whole art of democratic government consists in being honest." That statement from Jefferson should not be objected to in this instance -- not even by Lyndon Baines Johnson.

We Texans, Texas Democrats, if you please, feel we are entitled to know who has the right to represent us in the Senate and as a voter. I favor a full investigation of the charges and then let the country know the truth of the matter, once and for all.

Personally, I dislike the idea of any politician or group of politicians swindling history into recording a loser as having been elected to public office. In this case, his cohorts stole an election with the approval of that candidate by way of an injunction in the District Court of Jim Wells County to prevent a recanvass to correct the injustice, and now he drapes himself with the toga of a Senator, and everybody in the State is disgusted with him. The matter should be looked into without further delay.

Respectfully yours,

/s/ BEN F. TASTO

BFT:al

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WESTERN UNION

1949 Jan 16 PM 8 0 6

DA108

D.AUA273 NL PD - AUSTIN TEXAS 16

Senator Francis J. Meyers, Chairman
Senate Subcommittee on Elections Wash DC

Texas newspapers quote you to the effect that no contest has been filed in the Senate against the legitimacy of Lyndon Johnson's title to a seat in the Senate and further that all your Committee had before it was a batch of petitions from several hundred citizens urging that Johnson not be seated. There is on file with your Committee copies of court records including a transcript of testimony taken in open court showing fraudulent votes in favor of Johnson sufficient to more than account for his majority and this is backed up by findings to that effect by the Judge who heard the witnesses. There is before your committee testimony taken by Commissioners appointed by a United States District Judge which shows wholesale stealing of votes in Duval, Zapata and Jim Wells Counties. If anything else is needed to invoke your jurisdiction to go into the fraudulent practices displayed in Texas, please advise what it is. You may be sure, Senator, that more than half of the electorate of Texas protests and contests this outrage.

Twice in the last twenty-five years Republican Senators whose claims to election were tainted with fraud were rejected by Republican Senates. Is it thinkable that this Senate will be any less sensitive to open fraud?

Coke Stevenson

COPY

Floydada, Texas

January 18, 1949

Mr. Myers, U. S. Senator,
Chairman of Senate Committee on Elections,
Washington, D. C.

Dear Senator Myers:

Re: Lyndon B. Johnson, election as U. S.
Senator from Texas.

Newspapers report that a formal contest to the right of Mr. Johnson to this office has been filed with your committee.

As a friend to Mr. Johnson I recently wrote him a letter urging that he use his influence to see that the proper Senate Committee thoroughly go into this matter that the voters of Texas might know the facts and be able to clear from their minds the doubt that he is rightfully entitled to his Senate seat. I think his friend and political foes alike all want the matter cleared up. He should want it this way so that he can properly serve his state and have the respect that he is entitled to. It would appear to me that most all the people of Texas want to know what took place in Jim Wells County, Texas, and any others where irregularities appeared.

I do not think at all that Mr. Johnson had anything to do with these irregularities. But they were to his advantage, but it appears he wants to keep that advantage whether right or wrong. In his reply to my letter he thought people ought to be satisfied with what had already been done in the matter and the subject dropped.

I know neither Mr. Johnson nor Mr. Stevenson personally. I am not a lawyer or politician, and this is the second letter I have ever written to a Senator or Congressman. I am a farmer and stock grower trying to be a good citizen and help every one get justice, and I want to lend my voice in urging a fair and complete investigation of the matter.

Yours very truly,

/s/ J. V. DANIEL

COPY

AIRMAIL
SPECIAL DELIVERY

October 25, 1948

Dan Moody, Esquire,
Capital National Bank Building,
Austin, Texas.

Dear Governor Moody:

Re: Charges of Fraud in Texas Democratic
Primary.

Since our telephone conversation of last Wednesday I have carefully examined Governor Stevenson's letter and the attached transcript of the sworn testimony in the United States District Court at Fort Worth in the case of Stevenson vs. Tyson, et al, which were transmitted to Senator Brooks under date of October 18th, and referred by him to Senator Jenner, Chairman of the Senate Subcommittee on Privileges and Elections.

As you know, immediate steps were taken in the direction of the preservation of the election records and ballots in question in accordance with Governor Stevenson's letter.

It is one of my responsibilities as counsel for the Subcommittee, to accumulate for the consideration of the Subcommittee as much of the available records in these matters as is possible under the circumstances. Our files should contain the following additional information regarding the matter:

1. Although the above transcript of testimony in the District Court contains considerable information, it does not provide a full record of that case. I would appreciate having copies of all pleadings, briefs and other papers filed in that case, together with copies of all of the orders of court as a result thereof.

2. It is important, also, that we have complete records of all of the other litigation in the various Texas

COPY

State and County courts, the United States Circuit Court, the United States Supreme Court (including the proceedings before Mr. Justice Black). In such cases, we should have available all of the pleadings, briefs and other papers filed in connection therewith, and a full transcript of all testimony, exhibits and arguments of counsel, if any.

3. I understand that commissioners of the Federal Court, and others, conducted investigations and prepared reports in this matter. We will need copies of every such report or statement, official or otherwise, which may have a bearing on the determination of the real facts in this matter.

4. It is my understanding, also, that there were certain proceedings before the canvassing Subcommittee and the full committee of the Democratic State Executive Committee and the Democratic State Convention involving various aspects of this matter, including arguments presented by the respective parties and their supporters. It would be of material assistance to have a record of those proceedings or a synopsis of what transpired in the event no record is available.

5. In order to have a full understanding of what actually transpired each step of the way from the beginning of the primaries to date, it would be of great assistance to have a complete chronology thereof.

6. I wonder if there is not already in existence, a brief statement of the various sections of the Texas Election Laws which come into play in the consideration of this matter and how they may be applicable. It would be very helpful to us here.

Although I do not wish to burden you unduly, I should, nevertheless, appreciate very much if you would be kind enough to arrange to have the above records and information made available to the Subcommittee at the earliest opportunity. I know, from telephone conversations with our Mr.

COPY

Breor, that some of this information is, or shortly will be, in his possession. I hope that the balance of it is also available and may be collected by Mr. Breor with your guidance and assistance.

I do not, as yet, have any of the details of the charges regarding Jim Hogg and Starr Counties which you mentioned in our telephone conversation. The rules of the Subcommittee require that affidavits containing the factual specifications underlying those charges be on file with the Subcommittee. Attached is a Subcommittee memorandum in that connection.

Respectfully yours,

Nelson Deranian, Counsel,
Subcommittee on Privileges
and Elections.

Encl.
ND:bjd

COPY

October 27, 1949.

Senator John W. Bricker,
Washington, D. C.

Dear Senator Bricker:

Re: Complaints Growing Out of Texas
Senatorial Primary Election

By reference to my letter of September 10, 1948, regarding the above matter, you will recall that the Houston Chronicle and seven individuals complained to the Subcommittee concerning the conduct of the Senatorial Primary election and called for an investigation.

In accordance with your Subcommittee rules requiring such complaints to contain factual specifications under oath, and at the request of Senator Jenner, I advised the complainants of the Subcommittee's requirement.

Only one response was received in reply to my letters. The Houston Chronicle replied September 23rd and simply called attention to the fact that the controversy growing out of that Primary had reached the Federal courts and stated that the findings of the court would provide much more detail regarding the situation than the complainant could furnish.

No further communications were received in this matter until October 20th (after the conclusion of litigation) when there was referred to the Subcommittee, from Senator Brooks' office, a letter from former Governor Coke R. Stevenson, dated October 18th to which was attached a copy of the transcript of testimony given under oath before the United States District Court at Fort Worth, Texas. Governor Stevenson stated that the purpose of his letter and the transcript was to advise the proper authorities of the United States Senate that he desired to contest the nomination of Lyndon Johnson and to request appropriate action to impound the ballot boxes in question in order that the contents of those boxes would not be destroyed at the close of October 27th in accordance with the laws of Texas.

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Senator Jenner felt that inasmuch as Governor Stevenson's communication met the requirements of the Subcommittee, the Subcommittee might be considered to have been remiss in its duty if it did not move immediately to preserve the records involved. An investigator was thereupon immediately dispatched to Texas in order to determine the names and locations of the persons actually having custody of the ballots and records involved and on the basis of that information, subpoenas were issued thereon and service thereof, where necessary, will probably be completed today.

In the meantime, at about 5:15 p. m. on October 25th Congressman Lyndon Johnson's counsel, personally delivered to me a letter from the counsel to me calling attention to the fact that "Mr. Johnson is also advised that charges of election irregularities throughout many of the counties of Texas have been made", and requested that all of the ballot boxes in Texas be impounded. I explained to him the Subcommittee's rule on the presentation of charges and requested that the Subcommittee be given specific information naming specific counties and the nature of the fraud or irregularities involved with as much particularity as possible and to provide it in affidavit form.

Subsequently, during the afternoon of October 26th Congressman Johnson's counsel personally delivered to me a letter from the Congressman addressed to Senator Brooks and to my attention. The letter was sworn to and set out the names of several counties in which, it was rather generally alleged, some irregularities had, or may have occurred. He further requested impounding all ballot boxes on the theory that the Subcommittee might want to recount all the ballots cast in the Texas Primary.

On the basis of that communication, and at the suggestion of Congressman Johnson's counsel that such procedure would be sufficient under the circumstances, and because of the short time remaining, I transmitted telegraphic directions to the custodian of the ballots and records involved, directing that they be preserved subject to further orders of the Subcommittee. As of this moment, steps have been taken

COPY

to preserve the records in the following counties (asterisks mark those suggested by Congressman Johnson's letter): (1) Brown*, (2) Chambers*, (3) Clay*, (4) Dallas*, (5) Duval, (6) Eastland*, (7) Galveston*, (8) Harris*, (9) Jim Hogg, (10) Starr, (11) Jim Wells, (12) Wharton*, (13) Zapata.

No other counties have as yet been named specifically for consideration on the basis of anything approximating even a general charge of fraud. I do not believe that we can assume the existence of fraud where it is not charged.

Investigators have been instructed to return from Texas as soon as they have completed their immediate assignment in connection with preservation of records.

This letter is the result of Senator Jenner's request Monday, to bring Subcommittee members up to date on the details of this matter as soon as possible.

Respectfully,

Nelson Deranian, Counsel,
Subcommittee on Privileges
and Elections.

ND:bjd

cc: Senator William E. Jenner.

COPY

Coke R. Stevenson

Coke R. Stevenson, Jr.

STEVENSON RANCH
Junction, Texas

Octon 18, 1948

Senator C. Wayland Brooks
Chairman, Committee on Rules and Administration
Senate Office Building
Washington, D. C.

Dear Senator Brooks:

I desire to contest the purported nomination of Lyndon B. Johnson as the candidate of the Democratic Party in Texas for the office of United States Senator; and I respectfully request the United States Senate to investigate the August 28, 1948 run-off primary election, held in Texas on that date, insofar as the same pertains to the nomination of a candidate for the office of United States Senator from Texas.

You are familiar with the procedure prescribed for making nominations in the Democratic Party for United States Senator according to laws in force in Texas and it will be unnecessary to refer to any of the statutory provisions in this letter except to call your attention to Article 3128, Vernon's Civil Statutes of Texas as amended Acts 1941, Forty-Seventh Legislature, page 1400, chapter 635, paragraph 3, which authorizes the destruction of ballots if no contest is filed within sixty days after a primary election.

The two candidates who received the highest number of votes for United States Senator from Texas in the first primary election which was held on July 24, 1948, were Lyndon B. Johnson and Coke R. Stevenson. These two names were certified by the proper authorities in Texas to be placed on the ballot for the run-off primary election on August 28, 1948 result of said primary election, Lyndon B. Johnson was declared by the Democratic Executive Committee, by a vote of 29 for Johnson to 28 for Stevenson, to be the winner of the August 28, 1948 primary election by a margin of 87 votes, the vote which was certified to the Secretary of State being 494,191 votes for Johnson and 494,104 for Stevenson.

COPY

I had, following the run-off primary, made charges of fraud in the voting and especially in altering the returns of the voting in certain counties in South Texas and friends of mine had started an investigation. Mr. Johnson then secured an injunction in the State courts which restrained the officials of the Democratic Party in Jim Wells County, Texas, from correcting the fraudulent returns which had therefore been made and which included the addition of 200 votes for Johnson in Precinct 13 of Jim Wells County and which 200 votes were added to the total for Johnson several days after the polls had closed on August 28.

My attorneys then filed a petition with Federal Judge T. Whitfield Davidson of the Northern District of Texas and which was sworn to by me under oath setting out in detail the fraudulent returns made in Jim Wells and Zapata Counties, Texas by which 200 votes in Jim Wells County and 106 votes in Zapata County were added to Johnson's total. It was further pointed out in said petition that the vote in Duval County which was returned as 4622 for Johnson and 40 for Stevenson was prima facie evidence of fraud. The effect of the fraudulent returns from these counties resulted in changing the returns of the election and enabled Johnson to be certified as the nominee of the Democratic Party, when in truth and in fact, he did not receive a majority of the votes which were actually and legally cast at said primary election on August 28, 1948.

I am enclosing transcript of the testimony presented before Judge Davison at the hearing held on September 21 and 22, 1948 in Fort Worth, Texas. I did not testify at said hearing, but I have personal knowledge as to the change of handwriting on the poll list which is reflected by the testimony of B. M. Brownlee beginning on page 13 of said transcript and by the testimony of H. L. Adams, beginning on page 4 of said transcript. You will note that Mr. Brownlee testified that he was present on the occasion when I was refused permission to make any notes from the poll list (see bottom of page 14 of transcript).

COPY

After the hearing held before Judge Davidson on September 21 and 22, he granted a temporary injunction restraining the Secretary of State and other officials of the State of Texas from placing the name of Lyndon B. Johnson on the official ballot as the nominee of the Democratic Party for United States Senator and, at the same time, appointed commissioners to take testimony in the counties of Jim Wells, Duval and Zapata.

While the commissioners were engaged in taking such testimony, all proceedings were halted by an order of Mr. Justice Hugo Black. Before such proceedings were halted, however, considerable testimony was heard by the commissioners and a transcript of such testimony is now being prepared and will be furnished if required. This testimony, in my judgment, reflects conclusively the perpetration of fraud in altering the returns and in stuffing the ballot box in Precinct 13 of Jim Wells County with 200 ballots which were never, in fact, cast by any voter, and in altering the returns in Zapata County in a manner which added 46 votes to Johnson's total and took 60 votes away from the number which I actually received in that county.

The main purpose of this letter is to advise the proper authorities of the United States Senate that I desire to contest the nomination of said Lyndon B. Johnson and to request appropriate action to impound the ballot boxes which were used in said run-off primary on August 28, in order that the contents of said boxes may not be destroyed pursuant to Article 3128 above mentioned. This sixty days will expire October 27, and it is important that immediate action be taken by the United States Senate.

Will you kindly advise me at once of your action by letter or telegram collect, to Honorable Dan Moody, one of my attorneys, whose address is Capital National Bank Building, Austin, Texas.

Respectfully submitted,

/s/ Coke R. Stevenson
Coke R. Stevenson

CRS/jm

COPY

DAN MOODY
Attorney at Law
Austin, Texas

October 30, 1948

Mr. Nelson Deranian
106 Senate Office Building
Washington, D. C.

Dear Mr. Deranian:

Receipt is acknowledged of your letter of October twenty-fifth.

Complying with your request, I have sent to you under separate cover copies of various documents filed in the District Court, in the Circuit Court of Appeals and in the United States Supreme Court in the Stevenson - Johnson litigation.

Mr. Arthur Boeoe told me over the telephone last night that he has a transcript of the testimony taken before the Commissioners appointed by the District Court. At his request, I have previously given him a volume of Vernon's statutes which includes the Texas primary election statutes.

There were some proceedings before the State Democratic Executive Committee. I was not present at the time, but it is my information that there was no stenographic transcript of the proceedings. The Executive Committee in canvassing the returns acts as a canvassing board, and it does not have power when so acting to conduct an election contest (Ferguson vs Huggins, 122 Tex. 95, 52 S. W. (2d) 904).

With regards, I am

Yours very truly,

/s/ DAN MOODY

COPY

September 10, 1948

Honorable Francis D. Myers
307 Senate Office Building
Washington, D. C.

Dear Senator Myers:

The Subcommittee on Privileges and Elections has received a number of brief telegrams and letters from the following sources urging an investigation of the Texas Democratic senatorial primary run-off of August 28, 1948:

The Houston Chronicle, Houston - telegram
Mr. E. B. Germany, Dallas - telegram
Mr. Robert Eikel, Houston - telegram
Mr. LaMar Fleming, Jr., Houston - telegram
Mr. Andrew Jackson Wray, Houston - telegram
Mr. W. P. Hamblen, Houston - telegram
Mr. Joseph W. Evan, Houston - letter
Mr. A. H. Rowan, Fort Worth - letter

Inasmuch as the above communications were phrased in general terms and did not provide factual specifications, there was dispatched to them identical letters directing their attentions to the deficiencies.

In accordance with Senator Jenner's request, a copy of one of those letters is transmitted herewith for your information.

Respectfully,

Nelson Deranian,
Counsel, Subcommittee on
Privileges and Elections

ND:pd
Enc.

COPY

Alice, Texas
Nov. 10, 1948

Senator William E. Jenner,
Washington, D. C.

Dear Sir:

It is my understanding that you have charge of seating new senators and investigating their elections, and I am therefore writing you about the investigation of the Texas run-off primary election that has been started.

I have lived in Alice, Jim Wells County, Texas for 30 years, and I am very familiar with its politics as my husband, who is now dead, was sheriff of Jim Wells County for 36 years.

This letter is to urge you to continue this investigation of the election, especially in the South Texas Counties of Duval, and Jim Wells, as it is my deep belief that the election was stolen from Coke Stevenson by the political machine of this area. As you are probably aware the Supreme Court stopped one investigation of this election just as it was beginning to get results; and now it would seem nothing will be done about the condition down here due to the November 2nd election. I believe that you would find lots of people in this county who would cooperate with any further investigation. Also, something must be done to stop the stealing of any more elections.

There are many people here besides myself who will be grateful for an investigation.

Sincerely,

/s/ Mrs. C. W. Price

COPY

October 30, 1948.

Hon. William E. Jenner, Chairman,
Elections Sub-committee,
Senate Office Bldg.,
Washington, D. C.

Dear Senator Jenner:

I am one of many life long Democrats in Texas who heartily agree with your investigation of the recent Texas Democratic Primary. In spite of charges on both sides, the State Democratic Committee made no effort whatever to determine if there were any irregularities in the primary and it does seem that in the face of these charges that the declaring of a nominee on a supposedly majority of 87 votes out of about one million cast was not fair to the voters.

You are familiar with the court action and the opposition of Lyndon Johnson and the Johnson controlled State Committee to any attempt to have the courts look into any contest. Possibly there were irregularities on both sides and if this is a fact the people of Texas should have that information. It appears to many of us that it was merely delaying tactics until the ballots could be destroyed under the 60 day provision of the Texas election laws, and our last hope is to have the U. S. Senate make its own investigation, which many of us hope you will have as completely and thoroughly as possible, Senator Myers not withstanding.

Yours very truly,

/s/ PAUL W. BOWMAN
(Paul W. Bowman)
2205 Lindell Ave.,
Austin, Texas.

(PS - I am just a rank and file voter, without influence)

COPY

WESTERN UNION

1948 SEP 23 AM 4 54

.DAO28

D.HSA084 NL PD - HOUSTON TEXAS 22 -

Hon Alexander Wiley United States Senator
US Senate Bldg Wash DC

I request a Senate investigation of the Senatorial race here in Texas between Lyndon Johnson and Coke Stevenson. I do not agree with the decision of Federal Judge T. Whitfield Davison. I further request that immediate investigation be made by the United States Senate of all the counties in Texas be made in the Senatorial race. I await your early reply to the above matter.

Walter B. Carson Sr 1611 South Main Street

COPY

THE HOUSTON CHRONICLE
512-20 Travis Street
Houston 2, Texas

M. E. Walter
Editor

September 23, 1948

**Mr. Nelson Deranian,
Counsel, Subcommittee on
Privileges and Elections,
United States Senate,
106 Senate Office Building,
Washington, D. C.**

Dear Sir:-

**Since wiring Senator Brooks regarding the
senatorial primary election in Texas, the controversy
has reached the Federal Courts.**

**Judge Whitfield Davidson of the North Texas
Federal District has issued an injunction keeping Lyndon
Johnson's name off the November general election
ballot until he can investigate the charges of fraud made
by Stevenson's attorneys. The findings of the commission
will give much more detail regarding the situation in some
of the South Texas counties than we could furnish.**

**We appreciate very much your letter showing that
you are interested in the situation down here.**

Sincerely,

**/s/ M. E. WALTER
M. E. WALTER**

MEW/dp

COPY

WESTERN UNION

1948 SEP 6 AM 11 59

WZO23 DL PD=DALLAS TEX 6 945A=

**SENATOR C. WAYLAND BROOKS
CHAIRMAN COMMITTEE ON RULES AND
ADMITTANCE U S SENATE**

**Urgently request your Committee investigate very bad
Texas situation. Texas Senate Primary race just closed
looks like conspiracy to defeat the will of the people.
A nomination this Primary tantamount to election.**

E. B. GERMANY

COPY

September 7, 1948

The Houston Chronicle
Houston, Texas

Gentlemen:

This will acknowledge receipt of your telegram of September 3, 1948 regarding the recent Texas Senatorial Primary Election.

Inasmuch as your telegram deals with a subject which falls within the activity of the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, of which Senator William E. Jenner is Chairman, I am today referring your telegram to Senator Jenner for appropriate attention.

Sincerely yours,

C. Wayland Brooks, Chairman
Committee on Rules and Administration

CWB:v

COPY

WESTERN UNION

1948 SEP 3 PM 11 21

.DA432

D.HSB 969 LONG PD=HOUSTON TEX 3 734 P=

Senator Wayland Brooks, Chairman Committee on Rules and Admittance
United States Senate Wash DC

Indignation is rampant in Texas over recent Senatorial Primary Election. Vote reported from some counties has aroused public suspicion. One county for example reported count of 4622 to 40. Some of these counties have been notorious over the years for block voting but public was apathetic because apparently the vote of these counties did not determine results in any state election. In present race because U S Senate is involved and because owing to closeness of race the vote of one of these counties may determine the result. The public is very much concerned and would be behind a real investigation. Federal Government has jurisdiction and facilities for making adequate probe. Both candidates are charging fraud in connection with election and also in connection with frequent revisions of totals reported from different counties which for a week have put first one and then the other candidate in the lead. Civil rights of large number of citizens are involved. If condition is allowed to continue same situation will exist in General Election. Chronicle adds it appeal for your intervention to secure real investigation to those you have probably already received. May we request an early reply as to your attitude.

/s/ Houston Chronicle

COPY

WESTERN UNION

1948 SEP 4 PM 12 58

LONG WZO21 LONG PD-HOUSTON TEX 4 1112A-

Senator C. Wayland Brooks, Chairman Committee on Rules
and Admittance= U S Senate

Several days ago Johnson was quoted as Quotes being being assured
Unquote Recount would show him winner in Primary. Recount is
about to prove him correct. This Primary has all earmarks of a
big vote manipulation to put in Johnson and defeat majority will.
Suggest immediate dispatch of observers least your Committee
can do to secure integrity of elections and enable subsequent in-
vestigation to have any chance of successfully establishing facts.
Noteworthy that Valley vote long considered in Texas a controlled
vote is proving principal source of Johnson's newly acquired lead
on recount.

/s/ Robert Eikel

COPY

WESTERN UNION

1948 SEP 7 PM 1235

WZ019 RX PD=HOUSTON TEX 7 1043A=

**Senator C. Wayland Brooks, Chairman
Committee on Rules and Admittance**

**Reports of vote manipulation in run off for Texas Democratic
nomination for U. S. Senate warrant your immediate investigation
to guarantee justice. This I strongly urge.**

/s/ ANDREW JACKSON WRAY

COPY

WESTERN UNION

1948 SEP 3 PM 11 36

DA473

D.HSB148 NL PD=HOUSTON TEX 3=

Senator C. Wayland Brooks, Chairman Committee on Rules and
Admittance=WASH DC

Suspicious circumstances surrounding returns in runoff for Texas Democratic nomination U. S. Senate suggests that manipulation may cancel the lawful majority vote. I urge immediate investigation to protect the right of suffrage. Examples are: Duval County Saturday night reported 4195 Johnson 38 Stevenson as "nearly complete" and then Sunday afternoon when Stevenson slightly ahead reported 4622 Johnson 40 Stevenson. You know there is no community where 124 out of every 125 votes for same candidate. Neighboring Counties: Webb 5554 Johnson 1179 Stevenson Star 2988 Johnson 171 Stevenson. Zapata first reported complete 711 Johnson 158 Stevenson and then revised to 669 Johnson 71 Stevenson. Today when Stevenson leading statewide by 157 Jim Wells County revised adding 202 Johnson one Stevenson thus giving Johnson 44 vote lead. Election practices of this nest of counties have been notorious for years.

/s/ LAMAR FLEMING JR

COPY

WESTERN UNION

1948 SEP 7 PM 8 03

DA473

D.HSC739 NL PD=HOUSTON TEX 7+

I believe an investigation should be made of the Senatorial runoff in Texas. I am firmly convinced that the result in Southwest Texas counties was caused by manipulation and padding of the ballot boxes. I do not believe it possible that where the vote was as close as it was in Texas that a few counties could vote one hundred to one for one candidate.

/s/ W P HAMBLIN

COPY
A. H. & C. L. ROWAN
Fort Worth, Texas
Telephone 2-2394
LD 193

September 7, 1948

Senator C. Wayland Brooks,
Chairman, Committee on Rules and Admittance,
United States Senate,
Washington, D. C.

My dear Senator:

You are no doubt familiar with the close Democratic primary election which was held in Texas recently to nominate a candidate for United States Senator from this State to succeed the Hon. W. Lee O'Daniel, who has chosen not to run for reelection. I am sure you are also acquainted with the fact that the lead was switched from Lyndon Johnson to Coke Stevenson and from Stevenson to Johnson a number of times, and certain Counties have been holding back and not making their final returns, and changes in the official returns have varied greatly with the totals reported in the unofficial returns.

All of this implies, but does not prove, fraud. It is a matter that should be clarified so that the people of Texas may know just who is the legally constituted nominee of the Democratic Party for the United States Senate. The Supreme Court of the United States, in one of the negro cases, has held that a Democratic Primary in Texas was tantamount to election and that it was therefore subject to Federal inquiry. I hope that your committee will see fit to hold hearings and investigate and collect evidence on this primary election so that the people may know that it was or was not honestly held. If the returns have been made honestly, the people are entitled to have the suspicion which now exists removed. If there was any fraud, your committee should be able to find it and it should be your duty to keep the ballot honest so that representative government may be maintained in this country.

Yours very respectfully,

/s/ A. H. ROWAN
A. H. Rowan

AHR:JB

Cable address
"Evans"

COPY
EVANS & COMPANY
Cotton
Houston, Texas

September 7, 1948.

Honorable C. Weyland Brooks,
Chairman, Committee on Rules and Admittance
United States Senate,
Washington, D. C.

My dear Senator:

I am enclosing you a couple of clippings from the front page of the HOUSTON CHRONICLE of today, which I think will be of quite a bit of interest to you. This is our leading afternoon paper and perhaps the largest in Texas, and is owned by Jesse Jones whom I think you know quite well.

In order to identify myself, I might say that I have sat on the U. S. Chamber of Commerce Board for some seventeen years, which I believe constitutes an all-time record. Silas Strawn and I were very, very intimate friends and on one occasion he introduced me to you, although I am sure you would have no recollection of it as it was a very casual meeting.

This last election created a tremendous lot of unfavorable comment all over Texas and what I am pleased to call our good citizens are very much up in arms. We have some eight or ten border counties which are largely populated by Mexicans, many of whom do not read or write English and a considerable per centage do not even speak it intelligibly. In these counties Mr. Johnson got a majority which probably totals some 25 or 30 thousand and one of the curious things is that, whereas in this county (Harris) somewhere around 40% voted, in Duval County better than 80% voted; and I am sure the per centage over the state did not run as high as 50. Another peculiar circumstance is that Stevenson got 599 in the first primary and in the second 40. Out of an experience of many, many years, I have never known 2% of the people who voted for one candidate in the first primary and who switched in the second.

COPY

I could write on and on; but I think you have been informed as to the state of things down here; but if I can be of any service please do not fail to call on me.

I might add that this county (Harris) is the most populous in Texas, as we have some 700 thousand people in it.

As the election stands today, in a total of approximately one million votes, Lyndon Johnson has a majority of 162 votes and if one were to eliminate these counties which are from 60 to 80 per cent Mexican, Governor Stevenson would have been elected by a substantial majority.

If you have any misgivings as to my own responsibility, I would appreciate your asking Senator Tom Connally, whom I have known many, many years in a very friendly fashion. I have also done business with the First National Bank of Chicago for more than thirty years, as my firm used to be a very large exporter of cotton.

Thanks you for your careful attention, I am

Sincerely yours,

/s/ J. W. EVANS
Joseph W. Evans

Processing Note:

1/27/2025

There are a total of 3 copies of the following three-page document. Only one copy has been scanned.

Robert Mar

Digitization Technician

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Miscellaneous

1. From Mrs. Ruth Rankin Milliken, 4448 Southern Avenue, Dallas 5, Texas - dated February 20, 1949: Inquiring why Coke Stevenson has not been given a hearing.
2. Mrs. A. A. Loock, 2014 W. Capitol, Houston, Texas - undated: received Jan. 21, 1949: Thinks the U. S. Senatorial election should be investigated; does not think Johnson is entitled to a seat in the Senate.
3. Dr. F. B. Clark, College Station, Texas - dated Jan. 16, 1949: Enclosing copy of his booklet, "The Other Side of Hot Political Issues," letter to Atty. Gen. of Texas, letter to Dist. Judge of Brazos County informing him of intention to institute quo warranto proceedings against Johnson, copy of request for action by county attorney.
4. From Thos. Cuneo, Austin, Texas - dated December 15th: Requesting Senators Jenner and Myers to use their influence in permitting Texas to settle senatorial contest within the borders of the state with a called election.
5. From A. J. Newton, 1111 River Street, Dallas, Texas - dated 10/29/48: Requesting Jenner to follow through with investigation of primary in Texas.
6. From S. Abernathy, Box 530, New Braunfels, Texas - Oct. 30, 1948: Congratulating committee on its investigation, condemning Johnson, and advising Committee what to tell Johnson.
7. From S. Abernathy, Box 530, New Braunfels, Texas - Oct. 27, 1948: Referring to different highlights of election and advising Committee what to do.
8. From J. W. Daniel, 1728 St. Louis Ave, Fort Worth - dated ? asking for an investigation of election.
9. From R. L. Heflin, Sherman, Texas - dated Oct. 29, 1948: To Colonel Wm. E. Ruggles, Dallas News, Gov. Thos. E. Dewey, Albany, Gov. Earl Warren, Sacramento, Hon. Jack Porter, Houston, and Sen. Wm. E. Jenner, Washington: Says in part "We all of course know that every possible

COPY

effort will be made by Sam Rayburn and his fellow hypocrits to seat Lyndon Johnson." The letter goes on and tells Gov. Dewey and Warren how to run the Government after they are elected Pres. and VP. Talks about good government, Judge Bryant and Joe Stalin; no other mention of Senate race.

10. From Mrs. Smith, Dallas, Texas - dated Oct. 30 in longhand addressed to Hon. Wm. E. Jenner: Asking Jenner to "be fair for both sides" and saying further "I think Johnson is honest." Letter hardly makes sense with incomplete sentences, etc.

11. Postcard addressed to Senate of U. S., postmarked from Kerrville, Texas, Oct. 29, 1948, referred to Committee on Privileges and Elections by Senator Connally; card signed by Peter Toler: Card says "I urge you to seat Mr. Lyndon Johnson, etc." Very favorable.

12. Another letter from Abernathy dated Oct. 1, 1948, addressed to Deranian: Enclosing more clippings; speaks of "Tom Parr is the Czar of all three (Zapata, Duval and Jim Wells Counties)". Letter generally favorable to Stevenson; very unfavorable to Johnson.

13. Letter from S. Abernathy dated Sept. 23 to Deranian enclosing clippings from Dallas News: /Says "there is no doubt there is something shady in those three counties down in the Rio Grande Valley which are controlled by one man - Tom Parr." Accuses Parr of being very wealthy and charging fifty cents per head per voter; says "people in Texas don't expect any help from the FBI because of Tom Clark - FBI could get the dope all right, but Tom Clark would cover it for fear it would take a vote from Truman - people down here fear the fact that Lyndon Johnson is a wild-haired ex-New Dealer."

14. Wm. T. Sain, P. O. Box 572, San Antonio, Texas, dated Nov. 5, 1948 - top of letter head has "(representing Manufacturers)": Encloses clipping from paper believed to be Express of UP story carrying Austin dateline of Nov. 2nd which is a story about Senator Johnson's statement on oilcrats. Letter generally accuses Johnson of stopping investigation by appealing to Supreme Court. Refers to burned ballots in one Jim Wells precinct. Resents Sen. Johnson's oilcrats statement; calls it "slander."

COPY

15. Letter to Nelson Deranian from Mrs. Albert Neff (Vernall W. Neff) dated Oct. 27 from Box 1968, San Benito, Texas: Says in part "Texas -- this part -- needs Americanized." "Fixed up records, greased palms, whitewashing, are the general practices." "We need law and order here; we need honest voting."

16. Letter to Nelson Deranian dated Oct. 20 from Austin; no return address; mailed in blank envelope, 11 pages of longhand unsigned; very critical of Sen. Johnson; obviously from someone interested in 1946 congressional campaign; quotes Dan Moody's speech in Wooldridge Park; talks about Ray Lee and the post office; Mr. Taylor and the Taylor Construction Company/, Bob Phinney; Johnson; Connally; refers to Sen. Johnson's two stations (KTBC and KVET); Mr. Johnson's apartment houses; Gene Autry's visit to Texas during '46 campaign; the watermelon parties; among other things said "God have mercy upon Texas if Lyndon goes to the Senate with Thornberry as our Congressman; copies verbatim, apparently, the story from the Austin paper headed Lyndon's relatives bring back loot from Germany. (JBC's guess is the letter was written by Mrs. Hardy Hollers).

17. Letter to Senator Brooks of Illinois from Mrs. Joe C. Cooper, Route 5, Box 432-A, Austin, Texas, in which she recommends that the Johnson Stevenson race be run over.

18. From George W. Burrows on letterhead of E. Newt Spivey, Atty. at Law, Texarkana, Texas, dated Jan. 18, 1949, addressed to Frances J. Myers: pro-Johnson letter; says "that old (billygoat) Coke Stevenson is still prodding at him" -- "Mr. Johnson just flat beat him" -- "he (Stevenson) belongs on the goat ranch which he claims he has."

19. Letter from F. M. Fitzpatrick, atty at law, 506 Liberty Bldg., Waco, dated Jan. 17, 1949 to Francis J. Myers -- very pro Johnson (sent Sen. Johnson a copy of this letter).

Processing Note:

1/27/2025

There are a total of 3 copies of the following six-page document. Only one copy has been scanned.

Robert Mar

Digitization Technician

COPY

TEXAS

Telegrams:
Re Records

TELEGRAM
COPY

October 26, 1948

To:

County Clerk of _____ County
_____, Texas

IN CONNECTION WITH A CONTEST REFERRED TO THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS OF THE COMMITTEE ON RULES AND ADMINISTRATION OF THE UNITED STATES SENATE, CHALLENGING THE VALIDITY OF THE NOMINATION OF LYNDON JOHNSON AS A CANDIDATE FOR THE UNITED STATES SENATE, THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS HEREBY DIRECTS YOU TO SECURELY PRESERVE INTACT, SUBJECT TO THE FURTHER ORDERS AND DIRECTION OF THE SUBCOMMITTEE, ALL BALLOT BOXES CONTAINING THE BALLOTS CAST IN THE DEMOCRATIC PRIMARY ELECTION HELD ON AUGUST 28, 1948, AND DEPOSITED WITH YOU PURSUANT TO THE PROVISIONS OF ARTICLE 3128 REVISED CIVIL STATUTES, 1925, TOGETHER WITH ALL OFFICIAL RECORDS IN CONNECTION THEREWITH, WHICH YOU HAVE NOT ALREADY DELIVERED TO A SUBCOMMITTEE REPRESENTATIVE ON PREVIOUS ORDERS THEREFROM.

WILLIAM E. JENNER, U.S.
CHAIRMAN, SUBCOMMITTEE ON
PRIVILEGES AND ELECTIONS
U. S. SENATE

Above telegram sent to following:

Jim Hogg County, Hebbbronville, Texas
Starr County, Rio Grande City, Texas
Jim Wells County, Alice, Texas
Duval County, San Diego, Texas
Zapata County, Zapata, Texas
Brown County, Brownwood, Texas
Dallas County, Dallas, Texas
Harris County, Houston, Texas
Galveston County, Galveston, Texas
Clay County, Henrietta, Texas
Eastland County, Eastland, Texas
Wharton County, Wharton, Texas
Chambers County, Anahuac, Texas

COPY

Receipts for the telegram sent under date of October 26, 1948,
to various county clerks were received from the following:

Lawrence Knickles, County Clerk, Clay County, Henrietta, Texas
County Clerk, Duval County, San Diego, Texas
County Clerk, Zapata County, Zapata, Texas
County Clerk, Jim Hogg County, Hebbronville, Texas
County Clerk, Starr County, Rio Grande City, Texas
Holmgreen, County Clerk, Jim Wells County, Alice, Texas
Deputy County Clerk, Duval County, San Diego, Texas
Miller, County Clerk, Harris County, Houston, Texas
County Clerk, Brown County, Brownwood, Texas
County Clerk, Dallas County, Dallas, Texas
County Clerk, Galveston County, Galveston, Texas
County Clerk, Eastland County, Eastland, Texas
County Clerk, Wharton County, Wharton, Texas
County Clerk, Chambers County, Anahuac, Texas

TELEGRAM
COPY

To: Chairman of the

County Democratic Executive Committee
of _____ County
_____, Texas

IN CONNECTION WITH A CONTEST REFERRED TO THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS OF THE COMMITTEE ON RULES AND ADMINISTRATION OF THE UNITED STATES SENATE, CHALLENGING THE VALIDITY OF THE NOMINATION OF LYNDON JOHNSON AS A CANDIDATE FOR THE UNITED STATES SENATE, THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS HEREBY DIRECTS YOU TO SECURELY PRESERVE INTACT SUBJECT TO THE FURTHER ORDERS AND DIRECTIONS OF THE SUBCOMMITTEE, ALL RETURNS OF THE DEMOCRATIC PRIMARY HELD ON AUGUST 28, 1948, PREPARED BY THE ELECTION JUDGES IN THE SEVERAL PRECINCTS OF _____ COUNTY, AND FILED WITH YOU PURSUANT TO ARTICLE 3124, REVISED CIVIL STATUTES, 1925, AND ALL TALLY SHEETS, VOTING LISTS, POLL LISTS AND OTHER RECORDS AND DATA IN YOUR POSSESSION RELATIVE TO SAID PRIMARY ELECTION AND THE VOTES CAST IN SAID COUNTY.

WILLIAM E. JENNER, U.S.S.
CHAIRMAN, SUBCOMMITTEE ON
PRIVILEGES AND ELECTIONS
UNITED STATES SENATE

Above telegram sent to following:

Jim Hogg County, Hebbbronville, Texas
Starr County, Rio Grande City, Texas
Jim Wells County, Alice, Texas
Duval County, San Diego, Texas
Zapata County, Zapata, Texas
Brown County, Brownwood, Texas
Dallas County, Dallas, Texas
Harris County, Houston, Texas
Galveston County, Galveston, Texas
Clay County, Henrietta, Texas
Eastland County, Eastland, Texas
Wharton County, Wharton, Texas
Chambers County, Anahuac, Texas

COPY

Western Union reported the County Chairman telegrams delivered as follows:

Jim Wells County, Alice, Texas
Jim Hogg County, Hebbrownville, Texas
Duval County, San Diego, Texas
Starr County, Rio Grande City, Texas
Zapata County, Zapata, Texas
Harris County, Houston, Texas
Brown County, Brownwood, Texas
Dallas County, Dallas, Texas
Galveston County, Galveston, Texas
Clay County, Henrietta, Texas
Eastland County, Eastland, Texas
Wharton County, Wharton, Texas
Chambers County, Anahuac, Texas

OTHER TELEGRAMS IN FILE

COPY

OCTOBER 28, 1948 12:54 PM

WILLIAM E. JENNER, CHAIRMAN, REPORT DELIVERY
UNITED STATES SENATE SUBCOMMITTEE ON ELECTIONS

ALL RECORDS CALLED FOR IN YOUR TELEGRAM OF OCT 27TH ARE IN
MY POSSESSION SUBJECT TO YOUR ORDERS. WOULD LIKE TO DELIVER
THEM TO YOU IMMEDIATELY IF DESIRED OTHERWISE WILL HOLD THEM
IN OUR OFFICE INTACT. I WELCOME AN INVESTIGATION QUICKLY.

ARTHUR STEVENSON DEMOCRATIC COUNTY CHAIRMAN
DALLAS COUNTY TEXAS

OCTOBER 27, 1948 7:27 PM

HONORABLE WILLIAM E. JENNER
UNITED STATES SENATE CHAIRMAN SUBCOMMITTEE ON
PRIVILEGES AND ELECTIONS WASH DC

RETEL CONCERNING RETURNS DEMOCRATIC PRIMARY TALLY SHEETS
POLL LISTS, ETC., BEG ADVISE AM FULLY COMPLYING YOUR
TELEGRAM AM FREEZING ALL DATA IN MY POSSESSION AND HOLDING
INTACT SUBJECT YOUR FURTHER INSTRUCTIONS. ASSURE YOU MY
FULL COOPERATION YOUR INVESTIGATION OUR 95,000 VOTES CAST
THIS COUNTY.

BOB TUCKER CHAIRMAN HARRIS COUNTY DEMOCRATIC
EXECUTIVE COMMITTEE

OCTOBER 27, 1948 2:57 PM

SENATOR WM E JENNER
CHMN SUB COM ON PRIVILEGES AND ELECTIONS US SENATE

IN REPLY TO YOUR TELEGRAM WILL PRESERVE ALL RECORDS AS REQUESTED

THOS H TAYLOR CHAIRMAN BROWN DEMOCRATIC EXEC COMM

Processing Note:

1/27/2025

There are a total of 3 copies of the following seven-page document. Only one copy has been scanned.

Robert Mar

Digitization Technician

COPY

TEXAS

Candidates Complaints

COPY

UNITED STATES SENATE

Memorandum

This letter was prepared as answer to Cook letter
but another letter received from Johnson before this
was mailed — hence not mailed.

UNITED STATES SENATE
COMMITTEE ON RULES AND ADMINISTRATION
Sub-Committee on Privileges and Elections

October 26, 1948

Donald C. Cook, Esquire,
Cook and Berger,
Ring Building,
1200 18th St., N. W.
Washington 6, D. C.

Dear Mr. Cook:

Pursuant to the request made in your letter of October 25th on behalf of Congressman Lyndon Johnson, and our conversation of that date, steps have been taken on behalf of the Subcommittee on Privileges and Elections to prevent the destruction of the ballot boxes in all of the counties in the State of Texas. Attached is a copy of the telegram to each of the County Clerks.

For your information, let me say that as of the present time, the only specific charges of fraud, or irregularities, alleged to have occurred during, or in connection with, the Democratic Primary of August 28, 1948, which have been duly presented for the consideration of the Subcommittee, are those submitted by former Governor Coke R. Stevenson. Those charged are based on testimony given under oath.

It seems to me that no specific, or even general, charges of fraud or election irregularities are presented for the consideration of the Subcommittee by your letter, and none has been received on Congressman Johnson's behalf from any other source. Definite factual specifications are essential to even a preliminary consideration of such matters.

In the light of those facts, I am sure you will appreciate that the action of the Subcommittee in acting on your request, was only as an accommodation to Congressman Johnson until you or he submitted your specifications in accordance with the Subcommittee's established require-

Donald C. Cook, Esquire.

COPY

October 26, 1948

ments. In the event you are not familiar with those requirements, a memorandum thereon is attached for your information and guidance.

I assume that you will comply with the Subcommittee's requirements without delay. In the absence thereof within a reasonable time, I feel quite certain that the Subcommittee will release the ballot boxes to the County Clerks for disposition.

Very truly yours,

Nelson Deranian, Counsel,
Subcommittee on Privileges
and Elections.

Encls.
ND:bjd

TELEGRAM
COPY

SAN ANTONIO, TEX 29 1118A

1948 Oct 29 PM 1 02

SENATOR WILLIAM E. JENNER, CHAIRMAN
SENATE ELECTION SUB-COMMITTEE SENATE OFFICE BLDG

TODAY'S SAN ANTONIO EXPRESS PUBLISHES WASHINGTON REPORT THAT
JACK PORTER, REPUBLICAN NOMINEE FOR U. S. SENATOR FROM
TEXAS, REPORTED SPENDING UP TO OCTOBER 20TH \$14,228.53 IN
HIS CAMPAIGN. MAXIMUM LAWFUL AMOUNT ALLOWED IN THIS CAMPAIGN
\$11,500.00. AS A LEGAL CANDIDATE IN THIS U. S. SENATE RACE
IN TEXAS I RESPECTFULLY REQUEST AN IMMEDIATE INVESTIGATION
OF CAMPAIGN EXPENDITURES OF ALL THREE CANDIDATES.

SAM MORRIS 191 E EDGEWOOD PLACE

File also contains copy of Jenner's reply, also in "Telegram" file.

COPY

OCTOBER 29, 1948

MR. SAM MORRIS
191 EAST EDGEWOOD PLACE,
SAN ANTONIO, TEXAS.

REURTEL ON CAMPAIGN EXPENDITURES. YOUR ATTENTION IS DIRECTED BY
WAY OF EXPLANATION TO SECTION 309 CLAUSE (C) OF FEDERAL CORRUPT
PRACTICES ACT WHICH PROVIDES AS FOLLOWS:

"MONEY EXPENDED BY A CANDIDATE TO MEET AND DISCHARGE ANY ASSESSMENT,
FEE, OR CHARGE MADE OR LEVIED UPON CANDIDATES BY THE LAWS OF THE
STATE IN WHICH HE RESIDES, OR EXPENDED FOR HIS NECESSARY PERSONAL,
TRAVELING, OR SUBSISTENCE EXPENSES, OR FOR STATIONERY, POSTAGE,
WRITING, OR PRINTING (OTHER THAN FOR USE ON BILL BOARDS OR IN NEWS-
PAPERS), FOR DISTRIBUTING LETTERS, CIRCULARS, OR POSTERS, OR FOR
TELEGRAPH OR TELEPHONE SERVICE, SHALL NOT REPEAT NOT BE INCLUDED
IN DETERMINING WHETHER HIS EXPENDITURES HAVE EXCEEDED THE SUM
FIXED".

NELSON DERANIAN, COUNSEL
SUBCOMMITTEE ON PRIVILEGES
AND ELECTIONS.

Next the file contains the following:

1. Original of letter dated October 29, 1948, from Lyndon B. Johnson to Senator Jenner
2. Original of letter dated October 25, 1948, from Lyndon B. Johnson, to Senator Brooks
3. Memorandum in pencil on yellow sheet summarizing the charges made by Johnson with reference to certain counties
4. Original of letter dated October 25, 1948 from Donald C. Cook to Nelson Deranian
5. Original of letter from Coke R. Stevenson dated October 18, 1948, to Senator Brooks, referred to Senator Jenner by reference of Senator Brooks
6. Transcript of Testimony In the District Court of the United States, Northern District of Texas, Fort Worth Division, Coke R. Stevenson, vs. Tom L. Tyson, et al, No. 1640, Tried Sep. 21 & 22, 1948