

TEXAS SENATORIAL CONTEST - Snopsis of Facts

Stevenson-Johnson Contest for Seat in U. S. Senate

Election Involved: Democratic Run-Off Primary of August 28, 1948.

COMPLAINTS FILED WITH THE COMMITTEE:

1. September 7, 1948 to February 22, 1949, numerous letters and telegrams constituting general complaints.
2. October 18, 1948, letter from Coke R. Stevenson supported by transcript of testimony taken "In the District Court of the United States, Northern District of Texas, Fort Worth Divisn".
3. October 25 and 29, letters and affidavit from Lyndon Johnson and his attorneys.

Allegation:

At the first Democratic Primary held in Texas on July 24, 1948, no candidate received a majority of the votes cast so a run-off primary was held on August 28. The Democratic Executive Committee voted 29 to 28 to declare Lyndon B. Johnson the winner over Coke R. Stevenson by a majority of 87 votes throughout the State and so certified Johnson's nomination. On October 20 the subcommittee received a letter from Mr. Stevenson contesting Johnson's nomination and citing instances of fraud and containing a transcript of testimony before the U. S. District Court for the Northern District of Texas. Two U. S. Senate investigators were sent to Texas, one on October 20, another on October 22. Since ballots were subject to destruction under State law on October 27, fourteen subpoenas were issued directed to various officers in Jim Hogg, Starr, Duval, Zapata and Jim Wells Counties for preservation of ballots and records. Only seven of the subpoenas were served. All ballots and records in Duval County were destroyed by October 19; some records or ballots were missing in other counties. Such records as were obtained are now in the subcommittee's office, Room 106, Senate Office Building. Mr. Johnson and his attorney, Mr. Donald C. Cook of Washington, had requested by affidavit and letter that all ballots and records in the State be preserved but directed the committee's attention specifically to the 8 counties of Brown, Chambers, Clay, Dallas, Eastland, Galveston, Harris and Wharton. The subcommittee on October 27, 1948 by telegram directed the proper officers in the 8 counties specified to preserve ballots and records.

Results of Investigation: The two Senate investigators were withdrawn from Texas on October 29 and 30. There was actually no investigation. The Senate investigators entered Texas chiefly to preserve the ballots and records under subpoenas. Such ballots and records as were preserved under subpoena are in the Subcommittee's office; those otherwise preserved by telegram are in custody of proper local Texas Officials.

Samuel H. Still, Jr.
March 25, 1949

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