

The Nickel Plated Highway to Hell:
A Political History of Hidalgo County,
1852–1934

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Prologue

I grew up in Hidalgo County, Texas, eight miles from the Rio Grande in the town of McAllen. It was a good place to live, new country in 1920, when my parents moved there from Memphis, Tennessee, taking me, a two-year-old, with them.

It was a land of lush vegetation, palm trees, citrus fruit, flowers, and warm weather with a fine breeze from the Gulf of Mexico. There were also areas of cactus, mesquite, and miles of flat brushland.

In the early days of Hidalgo County, however, the brushland was all there was. It took a strong, tough breed of men and women from all over the United States to turn that piece of Texas into the “Magic Valley.”

It had been a rugged, wild country in the days of the mid-1700’s when grants from the King of Spain were bestowed upon favored soldiers. It was still rugged in 1852 when the county was created. The early settlers lived in houses made of mud or adobe walls and often had thatched roofs. They used river boats on the Rio Grande for travel.

The Anglos, or “Gringos,” were pouring in and mixing with the descendants of the families of the original settlers of Spanish or Mexican heritage. In the following years these families along the Rio Grande survived raids by bandits, smugglers, and rustlers. They survived raids from Mexico, and they survived travel on impossible roads. They began building a string of modern towns along Highway 83 in a line going from west to east consisting of Mission, McAllen, Pharr, San Juan, Alamo, Donna, Weslaco, and Mercedes. Directly south of McAllen, bordering on the Rio Grande River, was the town of Hidalgo, and directly north of Pharr was the county seat, Edinburg. Elsa, Edcouch and other smaller towns were established within the county.

By 1920, Hidalgo County was no longer a vast, mesquite-covered wilderness. It was an irrigated, fertile valley. Everything had changed except politics. The same “boss” or “jefe” type government, where a handful of people controlled the political destiny of the county, was still there. It was still the same handful of

men who had controlled the county since late in the nineteenth century.

This group had brought the Valley successfully through perilous times. They had made a great contribution in taming the wilderness. Their problem was that they did not recognize that the times were changing, that “boss” rule was no longer an acceptable form of government to those coming in from other settlements in the United States.

These outsiders brought with them energy, brains, money and enough knowledge of government to understand that their political destinies and their taxes were being handled by a group who, probably because of necessity, had long ago abandoned the ideas of a citizens’ participatory government. The frontier heroes were gradually becoming the villains of the next generation.

I grew up thinking that the political battle that ensued was a clear-cut confrontation between good and evil. It was, however, more of a confrontation between the old and the new. Who were the “bad” guys in the entire western expansion? The Indians? The big cattlemen? The farmers? Each was fighting for his survival to preserve the lifestyle he prospered under and understood.

For whatever the motives, the bitter and sometimes deadly political battle was forming that would endure for the last half of the 1920’s. Hundreds of people devoted six years of their lives to ending what they considered to be corrupt and undemocratic government. There were scores of names in the newspaper accounts at the time, but the four that appeared over and over were Ed Couch, founder of the towns of Weslaco and Edcouch, Dave Kirgan, land developer and mayor of Weslaco, Frank Freeland, mayor of McAllen, and my father, Gordon Griffin, a McAllen attorney and the fiery orator of the movement.

These four men, along with countless others, believed totally that their battle was as important as that waged against Boss Tweed in New York City. They practically abandoned their businesses, their families, and sometimes they placed their lives in danger. After the six years were over the leaders of opposing factions put away their grievances, became friends again, and worked to help Hidalgo County survive the Depression. Many of my closest friends were the children of the same people father fought against so bitterly. Gordon Griffin and J. E. Leslie, who opposed each other as candidates for district judge, actually shared a law office in McAllen until my father moved to Brownwood, Texas.

So how much did these six years accomplish? It was only a small beginning, but they set Hidalgo County on the road to changing times. They promoted the onward sweep of democracy, and they brought about the first beginnings of the end of “bossism” in south Texas.

Chapter One

The history of Hidalgo County leading up to the political warfare of the 1920's actually began in 1519 when Alonzo de Pineda discovered the Valley. He came across the mouth of the Rio Grande River as he was exploring the Gulf Coast under the orders of Francisco de Garay, the governor of Jamaica. On Pineda's map he referred to the river as Río de los Pescadores (*fishermen*).

Attention was focused on the Valley by other events. In 1528, an expedition was shipwrecked there, and the few survivors spent the winter somewhere in the area of Hidalgo or Willacy Counties. The Spanish continued explorations throughout the area, and small settlements were established. Various expeditions and skirmishes occurred during the war between Mexico and Texas and later between the United States and Mexico.

Shortly before Hidalgo County, named for the Mexican patriot priest, Miguel Hidalgo, was created and separated from Cameron County in 1852, John Young of Edinburgh, Scotland, was granted a license to operate a ferry along the Rio Grande. The ferry traveled from the little village called by the Mexicans "La Habitación" or "Rancho San Luis" across the river to Reynosa. Young settled a few miles from San Luis, where he built a plant to make a crude sugar candy called "piloncillo."¹ He also prepared barrels of brown sugar for shipment.

He soon bought more land, including the village of San Luis and renamed it Edinburgh. Edinburgh, on the Rio Grande, soon became the county seat of Hidalgo County with a brick courthouse and a jail made of mesquite logs. These buildings were later washed away by flood waters of the Rio Grande. In 1885, the post office department changed the name of the town to Hidalgo.

On September 2, 1852, the first recorded meeting of the Commissioners' Court was held at Smith's Store in Edinburgh (Hidalgo). It was presided over by the Chief Justice of Hidalgo County, Madison M. Stevens. Judge Stevens had the unusual distinction of being, within a very brief time, a tavern keeper, a ranger,

¹John William Griffin, "Stories Told by John Closner," *McAllen Monitor*, May 16, 1929.

a sheriff of Cameron County, a steamboat woodyard operator, a justice of the peace, and the county judge. In spite of these varied occupations, two years later he disappeared from the records of the county.²

Thaddeus M. Rhodes was county clerk. Unlike Stevens, he had a long record of service to the Valley. Mr. Rhodes, a rancher, had a reputation among several Indian tribes as being a good medicine man. He served as county judge for seven consecutive terms from 1876 until 1890. By 1870 he owned a wide strip of land along the river and had large herds of horned cattle.

The county commissioners and other officials had both Hispanic and Anglo names, and their business was uncomplicated. They handled county finances by licensing four ferries at five dollars a month which provided the county with twenty dollars a month plus fees. The funds efficiently handled by the treasurer and even after ten years never amounted to more than a few hundred dollars. The early meetings, however, were very disorderly, and one commissioner, Martin Norgraves, was fined for “insolent language and intoxication in court.”³

There was difficulty in obtaining the tax records from the tax collector of Cameron County, J. Campbell, after Hidalgo was separated from it. Campbell disappeared into north Texas with the Cameron-Hidalgo Counties’ tax rolls. Until he could be located late in 1853, no property taxes could be collected.⁴

On February 29, 1854, there appeared another record of erratic behavior of a Hidalgo County public official. The commissioners’ court ordered the county clerk to send an advertisement to the magazine *American Flag*, to warn the public against Elisha Thoroughsmen. He had been deposed as Hidalgo County’s Deputy Sheriff and the Constable of Precinct Two and driven out of the county for horse stealing.⁵

For several years Edinburgh (Hidalgo) was plagued by border raids by Juan Cortina. In 1859, Cortina adopted guerrilla type warfare, and the Americans retaliated in kind. Cortina lost an estimated 150 men killed and more wounded. The Valley from Rio Grande City to Brownsville was in ruins from the raiding and plundering, and there remained for a time only one family in Edinburgh. The town was bankrupt because in one of the raids all the funds in the hands of the

²Frank H. Dugan, “Hidalgo County Grows Up,” *Official Historical Program, Hidalgo County Centennial, 1852–1952*, p. 10.

³Edinburg Bicentennial Heritage Committee, *Edinburg — A Story of a Town* (Edinburg, Texas, Privately Printed, 1976), pp. 27–28.

⁴Frank H. Dugan, “Hidalgo County Grows Up,” p. 10.

⁵J. Lee Stambaugh and Lillian J. Stambaugh, *The Lower Rio Grande Valley of Texas* (San Antonio, Texas: The Naylor Company, 1956), pp. 95–96.

deputy collector of customs, and all county funds, were stolen.

Governor Sam Houston and others appealed to President Buchanan for aid, so Robert E. Lee, who was then stationed in San Antonio, came to the Valley. When Lee arrived in Edinburgh, opposite Reynosa, he found these two towns almost at war with each other. He succeeded in bringing about an understanding between them and warned the Mexicans that they must prevent the raids. During the Civil War there were other raids in Hidalgo County by Cortina, who was now aiding the Federal troops.

After the war most of the soldiers were withdrawn from the lower Rio Grande Valley, and the bandit raids increased. In 1876, Captain L. H. McNelly led several raids from Hidalgo County into Mexico to recover cattle and to capture the bandits. After these bold the Texas Rangers brought peace to the county.

Politically, Hidalgo County was on its own. Except during war time or border raids, the United States and Texas simply ignored it. Consequently, the people referred to their county as the "Republic of Hidalgo" and counted on it to end the smuggling coming from Mexico, to build roads, to build schools, to make Spanish and American laws fit together, and to do all the other things that independent republics do.

The first court interpreter was "General José M. Carvajal, who, while serving the county, was under indictment in the U. S. Court in Brownsville (1852–1853) for treason."⁶ His crime was leading expeditions into Mexico from Hidalgo County, attempting to make a free state out of the Mexican state of Tamaulipas.

Violence occurred about 1890 when Thaddeus Rhodes, first County Clerk of Hidalgo County and a veteran of the Mexican War, retired as county judge after having served for many years. There were two strong factions in the county, the "Reds" and the "Blues," so designated so that the illiterate voters, both citizens and aliens of the county, would know in which column to place their mark. The factions disagreed over Rhode's successor. As a compromise, both groups agreed on a man named McCabe who was supposed to be a member of neither faction. Soon, however, District Judge John C. Russell removed McCabe, possibly for incompetence.

Judge Russell, himself, had been involved with Valley politics since his arrival there before the Civil War. He had come to the Valley from Illinois where he had studied law with Abraham Lincoln. He replaced McCabe with Max Stein, but the friends and family of McCabe were vindictive and bent on revenge. Mrs. McCabe shot Max Stein in the public plaza in Reynosa.

⁶Frank H. Dugan, "Hidalgo County Grows Up," pp. 11–12.

Judge Russell again was remembered in Hidalgo County politics for his action when a group of men, determined to capture the courthouse and the county records, gathered on the outskirts of Hidalgo (formerly Edinburgh). Judge Russell, with only an interpreter to help him, went out into the crowd of men and persuaded them to go home. This was called "The Conspiracy of 1890."⁷

Again about 1890, another political revolution occurred soon after Judge Rhodes, a Democrat, stepped down and was finally permanently replaced by Judge W. P. Dougherty, who continued the Democratic domination of the county courthouse. Dr. Alexander M. Headley and his Republican followers decided to take over the courthouse by force. The county officials, fearing they might be murdered, put in a hurried call for the Texas Rangers and fled across the river to Reynosa. Dr. Headley ruled the county for several days, calling his government "The Independent Republic of Hidalgo."⁸ He could not gain possession of the records, however, because they were locked in an iron box. He also tried to collect duties at the border, but at that invasion of federal prerogatives, a United States Marshall from Brownsville came up the river with a posse, and Headley fled back to his home in Starr County.

During the 1890's, Stanley Welch, a Democrat, became District Attorney in Hidalgo County. Later he was elected District Judge. On election morning of 1906, Judge Welch was found murdered in his bed in Rio Grande City in the neighboring county of Starr, which was also part of his district.

Eventually, Albert Carera, a Republican, was tried for the crime, sentenced to life imprisonment, and sent to the penitentiary at Huntsville. Later he escaped and fled.

Immediately after the body of the judge was found, the Texas Rangers were called in to investigate the case, but their behavior was greatly criticized. On the way from Sam Fordyce to Rio Grande City the Rangers met a wagonload of shouting, singing Mexican Americans. The Rangers ordered them to stop, but the celebrating Hispanics fired on them. The Rangers returned the fire and of their attackers.⁹

According to Miss Anna Kelsey, who remembered the incident and who was a friend of the Ranger captain, the political rivalry between the Democrats and Republicans was so heated at that time that violence was a common occurrence. The celebrating group was returning from an election party in La Grulla, a nearby

⁷John William Griffin, "Stories Told by John Closner."

⁸Frank H. Dugan, "Hidalgo County Grows Up," p. 12

⁹J. Lee Stambaugh and Lillian J. Stambaugh, *The Lower Rio Grande Valley of Texas*, p. 206.

town, and hearing the approaching Rangers, thought they were members of the opposing faction and fired on them. Thus another violent chapter was added to the political history of the Valley.¹⁰

¹⁰Anna Kelsey, *Through the Years* (San Antonio, Texas: The Naylor Company, 1952), p. 206.

Chapter Two

From 1852 until 1882, sheriffs came and went in rapid succession in Hidalgo County. In one seven-year period, eight men served as sheriff.

In the 1880's, John Closner came to the Valley and soon became a deputy sheriff. By all accounts, he was an excellent peace officer. Within weeks after he became a deputy he had several encounters with drinking, fighting men who were unaware that law enforcement was undergoing a change in Hidalgo County. He just as quickly put either lawbreakers of the "Blue" faction or the "Red" faction in jail. In 1890, he was elected sheriff along with other county officials who supported him in his peacekeeping activities. The importance of the position of a tough sheriff in those days helped to explain the powerful lock he and the next sheriff, A. Y. Baker, had on the county officials and on the political life of Hidalgo County for four decades. One of the opposing politicians hired a Mexican bandit to kill Closner. The first was unsuccessful, and another was hired. Pancho Garza was to kill both Closner and another tough law enforcement officer, Andrés E. Chávez, a customs official. A tip led Closner's deputies to surrounding the shack on the banks of the Rio Grande River where Garza was hiding. After a gunfight, Garza was killed. This ended the plotting against the life of Sheriff Closner.

By 1896, Sheriff Closner had rounded up several "gangs" of criminals and brought cattle thefts to a halt, and by working closely with a Mexican law enforcement officer he had made it almost impossible for a criminal to escape free into Mexico. There was no spring session of court in 1896 because there were no cases on the docket.¹¹

John Closner served as sheriff for twenty-two years until his resignation in 1912. At that time, he became county treasurer, and the county commissioners' court appointed A. Y. Baker as sheriff. Closner served until February, 1918, when an audit of the finances alleged that he had misappropriated over \$150,000 from

¹¹Frank H. Dugan, "Hidalgo County Grows Up," pp. 12-14.

the county drainage and school districts. He was forced to resign.¹²

Closner came from Claris, Wisconsin. He began clearing 800 acres of land six miles east of Hidalgo on a farm which was known as San Juan Plantation. While he was sheriff, he bought more land cheaply for twenty-five cents to one dollar an acre. During the drought from 1889 to 1895 he began an irrigation project.

As the water from the Rio Grande irrigated his farm land, his alfalfa and sugar cane produced bountiful crops. While others had produced cane before he had, no one had ever been as successful as he. He became known as the "Sugar King," and furnished sugar for the area from Brownsville to Laredo. When he exhibited his cane at the World's Fair in St. Louis in 1904, he was awarded a Gold Medal for the finest cane there.

As Closner was expanding his land to 50,000 acres for growing potatoes and onions, as well as alfalfa and sugar cane, W. F. Sprague of La Coma Ranch was growing cotton on 130,000 acres of land. These two large landowners were county officials, Closner still sheriff, and Sprague was a county commissioner.¹³ They also figured prominently in the moving of the courthouse from the town of Hidalgo.

The moving of the courthouse became a legend in Hidalgo County and, as with most legends, there were several versions of the story. Still to the present time the rumor persists that the action was illegal, and the county officials stole the records in the middle of the night and moved the county seat to Chapin, the present town of Edinburg. There is, however, an account of an election held on October 1, 1908, in the County Commissioner's Minutes, Vol. C, p. 150, "Order to Hold Election," and Vol. C., pp. 518-519, "Record of Election."

There were some legitimate reasons for moving the courthouse to a new county seat. The eroding waters of the Rio Grande often caused flooding. There was no other transportation to the town, and it was not in the geographic center of the county.

A better reason than all the others was the fact that John Closner, W. F. Sprague, and D. B. Chapin, all three county officials, had organized a townsite company and bought up 50,000 acres of land on which the present county seat of Edinburg is located.

Closner had sold his prosperous San Juan Plantation near Hidalgo, the county seat, for \$250,000, and Sprague, the cotton farmer-county commissioner, had put

¹²Evan Anders, *Boss Rule in South Texas: The Progressive Era* (Austin, Texas: The University of Texas Free Press, 1982) p. 239.

¹³Frank H. Dugan, "Hidalgo County Grows Up," p. 14.

up money from the sale of his land. D. B. Chapin, lawyer and county judge, contributed his legal advice and secured the land for the new company.

In 1949, Virginia Armstrong interviewed Judge Chapin in Corpus Christi three years before his death at the age of eighty-one. She quoted the judge as saying:

“As a result of this situation, I prepared petitions to the county judge (himself) to order the election for the purpose of moving the county seat to the town which I called Chapin, which consisted of one store and a post office in the middle of 50,000 acres ...

After this petition was signed by practically all the voters of Hidalgo County, I issued an order as county judge calling for an election ... to be held on a certain Saturday ...

Extensive notice was given of the act by the press of Texas and as a result thereof, the governor ordered two companies of Rangers ... to protect the peace against what my opponents called the tyranny (of myself).”¹⁴

Armstrong also stated, “Another story told at this late day is that there was an election all right, but no one knew of it much, except those who favored the move.”

Further to complicate the legend, Ann Magee, who as a child of seven, resided at the San Juan Plantation at the time of the election, wrote that she checked old minutes of the Hidalgo County Commissioners and learned that the order calling for the election was recorded September 5, 1908, by the county judge during a vacation of the commissioners’ court. In the order, Judge Chapin stated that he had carefully studied the application for an election to move the county seat of Hidalgo County from its present site to the town of Chapin and found it in order and was therefore setting an election date of October 10, 1908, and further ordered the county commissioners to meet on October 17 to canvass the returns. He saw no need to state that it was he who prepared the application.¹⁵

The results of the election were, however, canvassed by County Judge S. P. Silver on October 12. It was a different judge and a different date from the one provided for in the order. Before the election, Judge Chapin resigned and the county commissioners replaced him with S. F. Silver of Mercedes. The reason for this,

¹⁴Virginia Armstrong, “Moving of Courthouse Was Stirring Chapter in Hidalgo County History,” *Valley Evening Monitor*, November 27, 1949.

¹⁵Ann Magee, *Edinburg Daily Review*, October 12, 1955.

according to Chapin, was so there could be no charges of fraud. Another cause seemed to be that as the story of the election was rumored around the county, some in Mercedes vehemently objected to the move because they wanted the courthouse moved to their town instead of to undeveloped land with no town in sight. The county officials thought a prominent man from Mercedes serving as judge might bring in some extra votes.

As opposition grew, a group from Mercedes went to the Brownsville court to get an injunction to call off the election, however, according to Tom Mayfield, Judge Silver and the other county officials spent the day in Reynosa where no one could serve them with papers. Mayfield, a colorful law enforcement officer, was still chief of police in Pharr at the age of eighty-one. He was an employee of John Closner, a deputy sheriff, and also the precinct judge at Hidalgo in 1908. According to him, he was the only official left around, but since he was only a deputy sheriff, he could not be served.¹⁶

When the votes were to be canvassed by the commissioners' court, the same procedures were followed. An injunction was issued to stop the canvassing, but no official could be found. The result of the election was 422 for removal to Chapin and 90 against. Seventy of those opposed came from Mercedes.

By all accounts, this was an unusual election. When all reports were compared, it seemed that the election was called by a county judge in the absence of the commissioners' court, on a petition drawn up by himself and presented to himself for moving the courthouse to land owned by himself and two other county officials. The election of 1908, obscured as it is in conflicting reports, set the uncommon pattern for deciding political issues that would be used in Hidalgo County for the next twenty years.

Ann Magee continued her description by stating that at dusk on election day four wagons covered with tarpaulins with double teams of mules headed for Hidalgo. The mules were unhitched around the courthouse. The drivers and other workers began loading the records for the move to Chapin. Two other wagons were added to carry food supplies for both the workers and the animals. There were also oxcarts loaded with bricks for a temporary vault to be built in Chapin to hold the records.

Mr. W. L. Lipscomb, foreman of the San Juan Plantation and McGee's father, was in charge of the general preparations and responsible for the care of the mules and oxen. A caravan of special deputies on horseback was headed by the County Treasurer, A. Y. Baker, and assisting him were T. S. Mayfield and County

¹⁶Tom Mayfield to Gordon Griffin, September 21, 1961, G. Griffin Files.

Judge D. B. Chapin. Also in the group were John Closner, Sheriff, Andrés Chávez, County Clerk, and Joe Alamia, Tax Assessor and Collector. These men were all armed.

On the site of the future town of Chapin, waiting for those moving the records, were camped about ten engineers who had surveyed the land for Judge Chapin. With them were approximately 400 Hispanic workmen who had been hastily summoned for the job and who had barely finished clearing the brush for the site of the new county square.

They were awakened from their sleep of exhaustion about 3:00 a.m. by the sound of gunfire. A few minutes later a caravan of loaded wagons moved into the clearing led by the celebrating county officials, firing their guns in jubilation.

Engineer E. M. Card, who was supervising the clearing, described the activity in an unpublished monograph:

The wagons carried the new capital in the form of old county records, together with the all-important returns of the election and resolutions which specified that the County seat of Hidalgo County should be moved from its old place on the banks of the Rio Grande to the center of a broad stretch of delta brush eight miles from the nearest railroad, which had hitherto been inhabited only by the howling coyote and his kin of the wilds.

The next day lumber from McAllen arrived which was used for floor and walls about three feet high. Over this was spread a tent where the county records were kept. Within a few days a two-story board house was constructed, and a crude vault was fashioned from the bricks hauled from Hidalgo.

The county government quickly adapted to its new location, and the county commissioners held their first meeting on November 9, 1908. A month later the voters approved a bond issue for \$75,000 to build a new courthouse. The courthouse was completed in June, 1910. Still in government were W. F. Sprague, Commissioner, A. Y. Baker, Treasurer, and John Closner, Sheriff. In 1911, the name of Chapin was changed to Edinburg. It was named for the first county seat, the Scottish name of Edinburgh, except now the 'h' was left off the spelling.

Chapter Three

Mexico struggled internally after the resignation in 1911 of President Porfirio Díaz. For nine years there was revolution followed by counter-revolution. From 1911 until 1915 Mexico had nine presidents most of whom governed very briefly. Both President Taft and President Wilson warned Americans to leave Mexico. Wilson even sent in warships for a brief period in 1914 to protect American interests and lives. It was impossible for the Rio Grande Valley to escape the turmoil of those times.

Finally in 1915 the United States recognized Venustiano Carranza as President of Mexico. Francisco (Pancho) Villa — a bandit who had been one of Carranza's generals — now revolted against the President. Probably Pancho Villa was never in the Valley but his men were. Many acts of violence took place in Hidalgo County during these days of unrest in Mexico.¹⁷

In the midst of these troubled times rumors were widely circulated about the Plan of San Diego. The story was so incredible that most Valley residents regarded it as a joke. There were, however misgivings over the growing German influence in Mexico and over the unexplained conduct of many Mexican Americans with whom the Anglos had lived in harmony for years.

In January 1915, Tom Mayfield still deputy sheriff of Hidalgo County, arrested a Mexican national Basilio Ramos Jr. in McAllen.

He had in his possession a copy of the Plan of San Diego. It consisted of fifteen paragraphs and was signed by Mexicans from Monterrey and Nuevo Laredo. The leader was a former school teacher from San Diego, Texas, Agustín S. Garza.

On February 20, 1915, according to the plan, the people of Mexican descent were to rise up, killing all the Anglos they could and declaring the independence from the United States of the states of Texas, New Mexico, Arizona, Colorado, and California. An army was to be established consisting only of Hispanics, Blacks, and Japanese. Indians were to be encouraged to join the conspiracy. All white

¹⁷J. Lee Stambaugh and Lillian J. Stambaugh, *The Lower Rio Grande Valley of Texas*, pp. 208–10.

males over sixteen were to be taken captive and held until all ransoms could be collected for them. Then they were to be shot.

After these five states were liberated, they were to form into an independent republic that would request annexation to Mexico. Then the next six adjoining states were to be freed and organized into a Black republic which would serve as a buffer state between Mexico and the United States.¹⁸

C. H. Pease, a banker from Raymondville, attended a meeting held in Brownsville in October, called by the city's mayor. Over 200 citizens from all over the Valley attended. They were advised that there was little help from the state or federal government. The nearest help was in San Antonio. The people would have to defend their own homes. They were told to buy up the arms from local stores to prevent their falling into hands of the conspiracy leaders.

Just how extensive and serious the plot was if it had not been discovered, Mr. Pease did not know, "But," he said, "that if it would have actually been attempted there seems to be little doubt." He continued:

I felt much concerned as I boarded the train that evening for Raymondville. On the train were squads of armed soldiers in each coach. After we pulled out of Harlingen and began to enter the heavily timbered country around Comer Station, the train slowed down. Looking out of the window I saw soldiers in the baggage car ahead with muzzles of their guns projecting from the open door ready for instant action. The train proceeded at a snail's pace. Cold chills ran up and down my spine.

That night when I got home the first thing I heard was the story of another raid on a nearby ranch which had just been brought me. The next day some of us talked over the situation and discussed what we could do to defend ourselves. Raymondville and Lyford were comparatively isolated settlements. The farmers were but few and widely scattered. Hundreds of square miles of brush surrounded us on all sides, and this seemed to be the territory in which the maurauding bands were operating. We decided to appeal to the commander of the troops at Fort Brown for military protection. Before we could do so, however, something else happened.

The next morning, Friday, soon after I had come down to the bank, the telephone rang. I stepped to the phone. The call was from

¹⁸Ibid., 217-19.

one of our customers in Lyford giving the information that twelve Mexicans had just appeared at Sebastian, ten miles south of Raymondville, and held up a corn shelling outfit there. Scarcely had I turned from the phone when I noticed a crowd outside which had gathered about a car which had just driven up. The car was driven by a young man who happened to be at the corn sheller at the time of the raid. From him I heard the details of the affair and was stunned to learn that the leader of the gang was a young Mexican farmer to whom we had only a short time previously loaned \$200 on his crop, ostensibly to enable him to harvest it. He was a man we regarded as a reputable, independent farmer. This piece of news seemed to confirm our worst fears. We were in the presence of a general uprising. Who now could we trust?

Even while we talked I was called to the phone. Again I heard the voice of our Lyford customer. In tones that evidenced great agitation he gave me the startling information that later news had come from Sebastian. Mr. Austin and his son, both living in Sebastian, had been taken from their homes, led into the brush a few hundred yards away and shot down in cold blood, following which the raiders had disappeared into the brush, leaving the bodies of the victims on the ground.¹⁹

Although there was no concerted uprising, there were continuous raids resulting in death, from across the river. Many Valley citizens were panic stricken.

Then both the state and the United States governments sent military men to the Valley, and by July 1, 1916, there were 110,957 troops stationed along the Rio Grande from Brownsville to Rio Grande City. The raids came to a halt by the end of 1916.

There is no question that for many years most Anglo citizens of the border believed in the validity of the Plan of San Diego. This belief was reinforced when the Zimmerman Note was made public in 1917.

The Zimmerman Note, named after the signer who was the German Secretary of State for Foreign Affairs, was written January 19, 1917 to the German Ambassador in Mexico. In it Germany proposed an alliance with Mexico to fund an attack by that country to regain Texas, New Mexico and Arizona. The knowledge of this note which was publicized in the United States certainly gave credence to the Plan of San Diego. Also, the Mexican press was very anti-American.

¹⁹C. H. Pease, newspaper clipping found in "Ruth Clark's Scrapbook" (n.p., n.d., n.pag.).

At a later date, however, some Valley residents were inclined to think that the plot was the brainchild of some wealthy Americans whose property in Mexico had been confiscated. In 1919 and 1920 an investigation was conducted by a subcommittee of the United States Senate Foreign Relations Committee, chaired by Senator Fall. J. Lee Stambaugh and Lillian J. Stambaugh stated:

There is strong indication that Senator Fall, Captain Hanson and many of the witnesses were highly prejudiced against the Mexican government and that the principal purpose of the investigation was to bring about intervention in Mexico. Senator Fall had owned extensive oil interests and other property in Mexico, and he was the legal representative of others who owned or had owned property in that country.²⁰

Although the report was biased and anti-Mexican, it did reflect an accurate account of the suffering along the Rio Grande. The total of Anglos killed or wounded on both sides of the border from 1910 until early in 1920 was 785. Property damages and losses were over half a million dollars. The report did not tally the losses suffered by Mexican Americans, but they were heavy. Finally, however, the border raids and the bandits' destruction ended in Hidalgo County.

Time and time again in the early days of Hidalgo County the Texas Rangers were called in to quell uprisings and bring about law and order. These were tough frontier times. A criticism of them was that "they shoot first and then investigate." They often dealt with desperados and bandits where more law abiding methods might have failed.

A few of the Rangers, however, were inexperienced or needlessly harsh. As a result, some innocent citizens of Mexican descent were killed or intimidated.

In January, 1919, J. T. Canales, State Representative from Brownsville, introduced a bill to bring about reform in the Ranger organization by upgrading the pay and the skills of the Rangers. He also called for an investigation of abuses in the organization.

Witnesses testified on both sides before the legislative committee. The Republican National Committee-man from Brownsville, R. B. Creager, testified that approximately 200 Mexican Americans had been killed during the last three years, and he felt that ninety percent of these had been innocent of any wrongdoing. He advocated disbanding the Ranger organization. Others testified that the Rangers had been the only effective force against constant bandit raids throughout the

²⁰J. Lee Stambaugh and Lillian J. Stambaugh, *The Lower Rio Grande Valley of Texas*, pp. 222-24.

Valley. Feelings ran high in the Valley during these hearings and Representative Canales' life was threatened.²¹

²¹Ibid., 228, 229.

Chapter Four

Early politics in south Texas were very much like they were throughout the United States from the Civil War until World War I. “Bossism” was rampant. The Texas bosses were the best. They had refined the system to an art form. To win an election, whatever was necessary was done. If that meant recruiting voters from across the Rio Grande, then recruiting was done. A saying often used in Hidalgo County about the bosses was that they voted them “over and under” – over the river and under the ground. John R. Peavy described a typical Valley “jefe” in his book, *Echoes from the Rio Grande*, as: “... always a very proud character with an engaging personality, conversant in both languages and an unscrupulous prevaricator when necessary to accomplish his purpose.”²²

One of the ways he used to control his constituents was doing a favor at a critical time for a lawbreaker. If a person was arrested for a criminal activity, his relatives would go to the boss to plead for his influence on the judge for leniency. The boss would contact the judge, who depended on the “jefe” for his election, and suggest clemency. Then the accused and all of his family would be indebted to the boss forever.

There was the reward system. For a favor to the boss, a person might be awarded a reduction in taxes, or a road contract, or an appointive job in county, city, or school district governments.

Of course, there was the poll tax system. The Boss, or his “Las Ratas,” the rats, bought up large numbers of poll taxes made out to someone. This is where the “overs and unders” entered the picture. An illegal voter could easily be substituted for a dead man. The poll tax receipts were kept by the boss until election time when they were handed out until after the voting. Then they were collected again.

If the illiterate voter needed help, “La Rata” was always there to assist him.

²²John R. Peavy, *Echoes from the Rio Grande* (Brownsville, Texas: Springman King Company, 1963), pp. 46–52.

To make things even easier, in the general election the Democrats usually used a blue color and the Republicans used red. (In Starr County the Democrats used red, the Republicans blue. In Cameron County, the reverse was true.) All the voter had to do was to choose the proper color and scratch out the names in the other columns.

The Democratic Party was almost always in control at the state level, but not always at the county. In a Democratic primary election, the boss contacted his favorite in the governor's race to learn how many votes from that county would be necessary to win, and that is how many votes that county delivered.

To keep the elected officials in line, the boss often required from those he supported an undated resignation. If at some future time the officeholder displeased the boss, only a date was added to the pre-signed resignation.

It is surprising to know how strong the Republican Party was in the early days of Valley history. The rivalry between the two parties was so intense it sometimes resulted in political murders.

Both parties organized torch light parades the evening before the election in all of the border towns. The lead wagon of the parade was filled with kegs of beer. This was followed by a band, not necessarily good music, but loud. All along the streets beer was passed out to the bystanders who immediately joined the parade.

As the children followed Pied Piper, so did the potential voters follow the parade into a large corral prepared by either the Blues or the Reds. All night drinking, singing, and handshaking prevailed. The corral was guarded by "Las Ratas" so that no one could escape into the other party's corral. Here the celebrants stayed until the polls opened the next day, and they were then delivered to their respective voting boxes. This is the way the system worked for years in Hidalgo and other south Texas counties.

In reading Hidalgo County's history, it is obvious that by about 1890 the system was in operation. It continued unabated until it reached its zenith under the leadership of A. Y. Baker.

The name A. Y. Baker has appeared earlier in this writing. For about twenty years he was the most controversial figure in Hidalgo County. Whether he was villain or hero depended on one's point of view. He came to the county in 1896 as a member of the Texas Rangers. In 1904, he resigned to join the United States Customs Service, and in 1908, he was appointed county treasurer by the county commissioners. Baker received his appointment because of the influence of James B. Wells of Brownsville. Wells was the first of the Valley bosses. Archie Parr of Duval, John Closner and A. Y. Baker of Hidalgo, and Manuel Guerra of

Starr were all Well's proteges. He defended Baker in the Cerda murder trial in 1903. In return, Baker gave testimony favorable to Wells in a later murder case. Baker entered into the inner circle of Hidalgo County politics by being appointed county treasurer.²³ In 1912, apparently with only the county commissioners' blessing, he and John Closner, Sheriff, traded jobs.

Baker continued to be re-elected sheriff for sixteen years. He was also elected in 1919 as the first mayor of Edinburg after it became an incorporated town. He became president of the first bank in Edinburg, and he and Joe Pate owned the International Bridge crossing the Rio Grande.

Baker had a colorful career, both as a Ranger and as a sheriff. One incident in which he was involved concerned the theft of several head of cattle from the King Ranch. Sergeant Baker and two other Rangers came upon a Mexican American fence-rider more than three miles from the fence line. This aroused their suspicion, so they searched the area and found several unbranded calves tied to bushes, and a bit farther they discovered a man branding a calf. The man fired at Baker, hitting his horse in the head. Baker immediately shot his attacker with his Winchester.

The dead man was identified as Ramón de la Cerda, whose family owned the adjoining ranch to the King property. An inquest was held at which time the jurors declared that Baker fired in self-defense. He was supported by King and other prominent ranchers, although obviously not by the Cerda family. Six days later friends of de la Cerda secretly dug up the body and demanded a second inquest. This time evidence was introduced to show that the man had been dragged and mistreated in addition to being shot. There was great criticism of the Rangers in the Hispanic press. The Rangers responded with harsh treatment toward the Cerda sympathizers.

Of course, enmity between Baker and the family of the slain man erupted. Soon after, an attempt was made to assassinate Baker from ambush. He and two other Rangers were riding toward their camp when they were fired on by men using Winchesters and shotguns. Ranger W. E. Roebuck was killed as was one of the horses. Baker was wounded in the leg. One of the two men doing the shooting was Alfredo de la Cerda, younger brother of Ramón. Alfredo had previously threatened Baker.

De la Cerda was released on bond only to be shot by Baker on Elizabeth Street in Brownsville. When the grand jury met to investigate, the jury and Judge Stanley Welch (who was later murdered in Rio Grande City) "praised the Rangers

²³Evan Anders, *Boss Rule In South Texas*, p. 134.

for having performed a service which the local officers were unable to do.”²⁴

Although the grand jury and judge had praised Baker and the Rangers, a different response came from Marcelo Garza, Sr., of Brownsville, “a respected businessman, one of Brownsville’s most highly regarded citizens of Mexican descent.”²⁵ He claimed to be an eyewitness to the killing.

He stated that Cerda sat in the doorway of the store of Thomas Fernández, talking to the owner. Ranger Baker approached, “stalking him like a wild animal,” and shot the unarmed man. Then Baker ran into a nearby saloon where other Rangers were waiting for him. The entire group left the saloon by the alley door and rushed to Fort Brown for protection by the Federal troops from an angry mob of citizens.

The Stambaughs told another story of Baker after he became sheriff. A group of deserters from Carranza’s army crossed into Texas near the town of Hidalgo. There were several encounters between this group and United States soldiers. A few were killed – on both sides. Sheriff Baker and his deputies, members of the Third United States Cavalry, and a few Texas Rangers followed the raiders to the river where the deserters crossed into Mexico. Sheriff A. Y. Baker, a fearless lawyer, stood on the north bank of the river in plain view to draw the fire of the bandits so that the others could locate them. Eleven Mexicans were killed and forty were wounded. One soldier was injured.²⁶

²⁴J. Lee Stambaugh and Lillian J. Stambaugh, *The Lower Rio Grande Valley of Texas*, pp. 158–59.

²⁵Julián Sarnora, Joe Bernal, Albert Peña, *Gunpowder Justice* (Notre Dame, Indiana: University of Notre Dame Press, 1976) pp. 58–59.

²⁶J. Lee Stambaugh and Lillian J. Stambaugh, *The Lower Rio Grande Valley of Texas*, pp. 212–13.

Chapter Five

As Hidalgo County entered the twentieth century, irrigation was becoming a way of life. Brushland was cleared and converted into farmland. Townsites were laid out. In 1907, the citrus industry began when a Captain Fitch set out the first grapefruit orchard in Mercedes. The same year Charles Volz of Mission planted a grove. Cotton and vegetables were added to the produce of the Magic Valley.

By 1904, the land boom was on. Land that had sold for twenty-five cents to one dollar per acre before the railroads came had risen in 1906 to ten to fifty dollars. By 1910, the same land was bringing \$100 to \$300 per acre.

The land companies were in full pursuit of the “Snow-digger’s.”²⁷ Names associated to early Hidalgo development were those of people who were buying up tracts of land for improvement and resale. They included Jim McAllen, John Closner, John Conway, James Holt, W. E. Stewart, C. H. Swallow, Dave Kirgan, A. J. McCall, Willard Ferguson, N. Pharr and others. John Shary was the number one colonizer from 1910 to 1920 and was responsible for the settling of over 50,000 acres of Valley land, predominantly in Hidalgo County. Soon Lloyd and Elmer Bentsen began to bring in those from northern states to the county.

Trains were arriving in the Valley every two weeks from all over the country. The land companies made all the arrangements.

Books and pamphlets making extravagant claims about the fertile lands were printed along with sheets of songs extolling the pleasures of life in the Magic Valley. As the trains rolled toward the Rio Grande, the exuberant prospective buyers clapped their hands as they sang along to favorite tunes of their high expectations of a bright, new future in the Valley.

The out of state buyers were met at the train by salesmen with a caravan of automobiles. The salesmen kept their group together and isolated them from those representing other land companies very much as the “Blue” and “Red” political parties did with their prospective voters and for the same reason. Wives

²⁷Frank H. Dugan, “Hidalgo County Grows Up,” pp. 16–17.

were encouraged to accompany their husbands so the sales could be closed in the holiday atmosphere as the buyers partied, played cards and met new people.

One of the famous “snowdiggers” who was attracted to Hidalgo County in 1909 was William Jennings Bryan. He was brought to the Valley by John Conway. Bryan decided to buy forty acres in the Mission area, but when it was learned that the “Great Commoner” was in the Valley to buy property, he was so besieged by promoters that he retreated across the river to Mexico, where he stayed until he completed his deal. He became very interested in local affairs, and when he returned to the Valley, he always participated in “speaking” and events there.

Many newcomers were now entering Hidalgo County whose names would be remembered through the twenties, thirties and into the forties and fifties, as they sought to improve by their efforts not only the economics of the county, but also to promote the democratic spirit in county government. Apparently, the only records kept about the thousands of people who worked for this goal were the newspaper accounts, and while some names appeared in these stories, most were lost to history. Fortunately, the results of their dedication were not.

The town of Weslaco, organized in 1919, was home to many of those who were most vocal in expressing their displeasure with Hidalgo County government officials who, they claimed, were squandering taxpayers’ money to promote the welfare of themselves and their friends rather than that of the rest of the citizens. Perhaps Weslaco was such a seed bed of anger because until 1929 it operated as a general law city which meant that it had no charter and its city officials had to work through the county in its dealings with the state.

Two of the newcomers’ strongest voices were from Weslaco, E. C. “Ed” Couch and D. E. “Dave” Kirgan. Ed Couch was born January 8, 1879. He and Allie Couch and their five children moved from Knox City, Texas, where Couch had been president of the bank, to Hidalgo County. He and his brother-in-law started the Weslaco Townsite Company. They bought land, divided it into lots to sell. Couch was considered to be the primary founder of Weslaco. In 1926, he with another developer, laid out the townsite of Edcouch, ten miles north of Weslaco. This site was soon named for him.

Couch was president of the first bank in Weslaco and participated in other enterprises in the early history of the town.

Dave Kirgan was born October, 1877, and came to the Valley in 1919 or 1920 with the W. E. Stewart Land Company. He and R. C. Waters founded the Gulf Coast Security Land Company and brought in land parties of prospective buyers. Later, these two men both participated in the revolt of the townspeople against the county government. Kirgan was also associated with Virgle C. Thompson in

land developing. Kirgan, a big, burly man who always had a cigar in his mouth, was elected mayor of Weslaco in the spring of 1927 and served for four years. He promised to complete the work necessary for obtaining a Home Charter for his town. After his election, he kept this promise along with others calling for a city audit of its financial condition. He secured \$160,000 bond issue for streets, water and sewer, and built a fine city hall. When the building was opened and dedicated on October 16, 1928, the addresses were made by Ed Couch and Dave Kirgan.

As the roads were paved during Kirgan's tenure, the Weslaco citizens, highly suspicious of the county officials, refused to let Sheriff A. Y. Baker control the letting of the contracts as he had in the past. To be doubly sure there was no interference with their roads by the county, the Weslaco citizens stood guard with shotguns during the paving to be sure it was done to their specifications. When the city hall was awarded a Texas Historical Marker in 1978, some of those streets were still in use.²⁸

Another town that was heavily involved in the reform movement was McAllen with its mayor, Frank Freeland, as an outspoken critic of Hidalgo County government. Freeland was born May 19, 1880, in Hillsborough, Illinois. He finished his schooling in 1897 and worked with the Pennsylvania Railroad. He received a coal mining engineer certificate and worked at that profession for ten years. In 1917, he moved to the Valley and bought a farm near McAllen. He was very active in community affairs, serving as mayor from 1923 until 1929, and he served for many years on the hospital board.

Gordon Griffin was born in Lauderdale County in West Tennessee on December 25, 1888. His father, John Griffin, was from Griffin, Georgia, and as a very young man he joined the Confederate Army and fought under General John B. Gordon. His youngest son was named for the general. After the war, John never returned to Georgia. Instead, he settled in Tennessee, where he married Edmonia Eloise Bently. John Griffin died when his son, Gordon, was one year old, leaving his wife to rear eight children alone on a small Tennessee farm.

Gordon Griffin attended Laneview College in Trenton, Tennessee. Then he earned a degree in 1915 from Cumberland University Law School in Lebanon, Tennessee. He began the practice of law in Ridgely, Tennessee, where he opened the office. At the age of twenty-two, he was elected the third mayor of the town and served in that capacity in 1911 and 1912. For several years, he had a law office in Tiptonville, Tennessee, and later in Memphis. He married Mary S. Prichard

²⁸Fran Isbell, "Weslaco City Hall Application for Texas Historical Marker," 1978.

from Halls.

Gordon Griffin was exactly what the land developers in the Rio Grande Valley were looking for. He was young, energetic, loved hard work, and was always looking for greener, more exciting fields. The idea of helping to transform vast mesquite-covered wilderness into a garden spot held great appeal for him. A large picture entitled "The Valley Sales Organization Excursion Party in the Rio Grande Valley," dated July 28, 1920, in McAllen showed Griffin and sixty-six other eager prospective buyers who had been brought to Hidalgo County by the Bentsen brothers. Griffin brought his wife and baby daughter from Memphis, passed the Texas bar exam in 1920, and began a twenty-two year law career in McAllen. A portion of those years were spent in fighting what he considered corrupt boss politics, centering on Archie Parr in Duval County and encompassing all of south Texas.

Chapter Six

By the mid-1920's, hundreds of the Hidalgo County residents were beginning to wonder about privately, and later to question publicly, the fate of county funds. They also wondered why no one outside the "Baker Ring" could be elected to public office. The officeholders of the county had been a closed corporation since 1890. The voices were becoming so loud that they attracted the attention of a national magazine. Owen P. White in "High Handed and Hell Bent," *Collier's*, (June 22, 1929), pp. 8, 9, 47, explained some of the causes of such outspoken discontent.

One cause was roads. One road in particular was referred to as the "Nickel Plated Highway to Hell." It stretched less than eight miles from McAllen to Hidalgo over perfectly flat, level land and was built at a cost to the taxpayers of \$1 million, or over \$100,000 per mile. (This was in the early 1920's.) It ended at a sixty-cent toll bridge, an exclusive franchise owned mostly by A. Y. Baker, which came to a full stop at a saloon and dance hall owned by one of Hidalgo County's public officials. Many other problems with roads surfaced, the cost padded, the bonds sold to "friends" of the county officials at six percent less than was offered by other local bankers and businessmen, and the funds deposited in "friendly" banks, selected by the same county officials.

Another complaint was schools. One huge red structure called the Tabasco School was located out in the middle of mesquite bushes, miles outside of the irrigated area with less than five dwellings in sight in any direction. Its total enrollment was 129 students, and it had cost the taxpayers \$400,000. It had equipment of every type still uncrated after three years of occupancy, all bought from "friendly" firms, of course. Edinburg, a town of about 6,000 in 1929, had a school that cost the taxpayers \$3,000,000. The bonded indebtedness of the Edinburg school district was \$1,250,000, the actual value of the school properties. The officials, however, called another bond issue valued at \$1,700,000 on the same property. A notice of the bond election was posted on a couple of mesquite trees

out in the brush and one on the back door of the courthouse, where it would not show when the door was open. There were 500 votes cast, and the election carried, however, the next day 800 taxpayers signed a statement asserting that they had known nothing about the election. Only those with boss-prepaid poll taxes apparently knew of it.

R. P. Ward, an administrator employed by the combined high school and junior college, resigned in protest in July, 1928, when he learned of the new bond issue of \$1,700,000. According to Ward, there was no way the school system of Edinburg could support a \$3,000,000 school. He stated in his resignation that he had learned of the bond issue only in the afternoon of the day of the election, but that the rest of the faculty did not know of it until the next day.

There was the problem of warrants. These were interest bearing certificates of indebtedness against Hidalgo County issued by the county commissioners without the knowledge of the taxpayers, supposedly for the improvement of certain streams and rivers in the county. But no improvements were in evidence. The indebtedness of the county continued to increase, but the citizens had no knowledge of how the money was being used. Protests began. The clamor of the voters grew louder, and now an aroused citizenry planned bold new steps.

Thousands of angry residents organized into a reform organization, but there seemed to be no way this group could operate within the Democratic Party. B. D. Kimbrough, law partner of Gordon Griffin and a man with a keen legal mind, explained in McAllen to a congressional committee investigating the election frauds the impossibility of getting on the ballot as Democratic candidates.

Mr. Kimbrough stated to the congressmen that the Hidalgo County political machine or "ring" had been built around A. Y. Baker, the present sheriff, who had come to the county some thirty years before. He had been a Texas Ranger, a good officer, a fearless officer, but had instilled in the minds and hearts of uneducated farmworkers of the county an abject fear. From that beginning, the real power of his machinery was in the control he had over the illiterate voters, both alien and citizen. This block vote was used to influence bond elections as well as the election of public officials. Since the county officials controlled all the primary election machinery, there was no way to break this power within the Democratic party.²⁹

Most of those in the reform movement had been lifelong Democrats, but now they turned to the Republican Party. They did not go into the Democratic Party

²⁹House of Representatives, "Report on Campaign Expenditures," *Congressional Record*, Calendar number 720, January 2, 1929, pp. 101-06.

primary elections or conventions. They wanted to increase democracy rather than restrict it. They believed strongly in the two party system and would not go into the Democratic primary to attempt to nominate one set of candidates, and then vote for the opposing party's candidates in the general election.

The purpose of this grass roots movement, calling itself the Citizens Republican Organization, was to remove from office those who had dominated Hidalgo County politics through a large part of its history. This was to be a Herculean effort.

When the Republican Convention met in the county courthouse in Edinburg on August 4, 1928, approximately 100 people attended. In those days, the Republican Party did not have enough votes for a primary election, so they selected all of their candidates at conventions. Also, this was before the primary elections and conventions had been moved up to May and June.

The group met, held an enthusiastic convention, nominated a full slate of candidates, as well as delegates, to the state convention. They were not greatly disturbed when five delegates, two of whom had voted that same day in a Democratic primary, a violation of the law, bolted and held a rump convention in another part of the courthouse. These five were presided over by Harry Carrol of Donna. They nominated no candidates to the state convention. The original group that had selected a whole slate of candidates, was presided over by Willard Ferguson of Mission. Delegates from both groups went to the Republican State Convention in Fort Worth on August 1, 1928. The convention recognized the Carrol delegation.

While the Citizens Republican members were disappointed over this procedure, they were not too perturbed because it did not occur to them at that time that the Republican Party would really prefer a delegation that had held a rump convention of five and had chosen no candidates over a hundred people who had a slate of candidates and were prepared to go forth to do battle for them.

That, however was before the reform group understood how boss politics really worked in one party states like Texas. The Republican Party really did not want a slate of candidates opposing the Democrats surrounding A. Y. Baker. Again, the explanation was described by William A. Shepherd, "A Job for Jack," *Collier's*, (June 15, 1929), pp. 8, 9, 56, 57. Shepherd's material came from a Senate Investigating Committee under the auspices of both Democrats and Republicans and was headed by Senator Smith Brookhart of Iowa.

The facts brought to light were startling. Even though in one party states, the opposing party was often poorly organized and struggling to survive, its votes to Presidential Conventions were just as valuable as those in which the party

was in the majority. The number of these delegates was based on the population of the states, not on the number of Republicans in it. Every four years, backers of various presidential hopefuls dickered in financial terms with these delegates just as ardently as with those in the states they hoped to carry in November. After all, the delegates chose the party's nominee, not the voters.

There had always been the accepted rules that were observed by both political parties on the question of patronage. Thus, when there was a Democratic President in the White House, the Democratic congressmen were allowed to send to the various cabinet members the names of individuals from their state or district whom they wished to have appointed for such jobs as federal judge, federal attorneys, United States marshalls, custom officials, postmasters, and hundreds of other officeholders. The stronger the support of the Democratic member of Congress for the administration, the better chance that his recommended candidate had of becoming an officeholder. The Republicans followed the same procedure. But in southern one party states, there were no Republican members of Congress; therefore, in a Republican administration there were no elected officials to receive the pluses of political patronage.

In these states, including Texas, the few Republicans in the state named one of their most influential members as "referee." This referee had as much power in the Republican administration as any Republican congressman, and had millions of dollars worth of political jobs to hand out to the faithful. According to William Shepherd,

Being a political referee is about as sweet a political job as there is in politics. Do you think a Republican referee, in any Democratic state, goes into a wild, desperate fight at election time to have Republican congressmen elected from his state? He does not.

For this reason, Mr. R. B. Creager of Brownsville in Cameron County entered into the history of the adjoining county of Hidalgo. It was alleged by many Hidalgo County voters that Mr. Creager did not want any Republican candidates on the ballot in Hidalgo County opposing the perennial Democrats. He had controlled the Republican Party in Texas since 1921, and he wanted the state to remain solidly Democratic, so his power would not be diminished by having to share it with other Republican officeholders. There were also several huge books listing the pledges of over 1,000 citizens in Texas who had promised certain sums to Creager's Republican Organization for the privilege of being appointed to a federal office.

The reformers, without realizing it, had taken on not only the Democratic entrenched establishment, but the Republican one as well.

Chapter Seven

In July 1928, Carl and Ruth Armstrong became publishers and editors of a new newspaper, the *Hidalgo County Independent*, printed in Edinburg, Texas. This paper, though it changed ownership about a year later, remained staunchly committed to the reform movement. It was established as an answer to the *Edinburg Valley Review*, which took a strong pro-administration stance.

On the front page of the September 19, 1928 edition, Ruth Armstrong dramatically attacked the county government officials by stating:

Hidalgo County has suffered the pangs of political perdition from those scions of public life who have insisted on getting easy money. If you and your neighbor shall properly insist upon it, there shall be no more easy money for anyone who sits comfortably ensconced at the courthouse with nothing to do but write out a few warrants when he wishes to build a house, buy a car, or take a trip to Europe.

On September 23, 1928, the *McAllen Daily Press*, which supported the administration but was fair in its news coverage, wrote the story of the first meeting of the Citizens Republican Organization.

Declaring that most of the county offices have been “vacant” since the last election, Gordon Griffin, McAllen attorney, fired the opening gun of the campaign of the Citizens Republican ticket against the present county administration at a mass meeting attended by approximately 1,000 persons who jammed the auditorium of the McAllen High School and almost filled the corridors of the building in their eagerness to hear the speaker.

The meeting was called to order by Cecil R. Fulton, young McAllen lawyer, who introduced W. C. Baker, cashier of the Security State Bank of Weslaco, as chairman of the assembly. In a short address

before introducing the candidates running on the ticket, Mr. Baker attributed the presence of such a large number of persons to the “sentiment of an aroused public.” He said, “The government of Hidalgo County has become destructive to the life, liberty and pursuit of happiness of the citizens, and it is our duty to amend this government and to substitute the above order.”

The newspaper continued by listing the candidates for office on the Citizens Republican ticket who were introduced to the crowd. They were: E. C. Couch, Weslaco, County Judge; Ernest M. Smith, Edinburg, Legislator; F. W. Lemburg, McAllen, County Clerk; Robert Henderson, Commissioner of Precinct Two; Dr. D. R. Handley, Sheriff; Mrs. Fred Wright, Mercedes, County School Superintendent; and Harburd Tarpley, Weslaco, Tax Collector. Great applause greeted each of the candidates as they acknowledged the introduction.

Dave Kirgan, Mayor of Weslaco, and an eloquent speaker, delivered a short address in which he characterized a “protest against invisible government.” He stated that the Citizens Republican group pledged its determination to have a certified public audit of the county’s records.

As the meeting came to a close, enthusiasm rose higher and higher when the call was made for contributions, money was subscribed rapidly, approximately \$1,000 being pledged within a short length of time. The entire program was frequently interrupted by cheering, stamping of feet, yells, and outbursts of applause for the ticket that was presented and derision of the present administration. Gales of laughter swept over the large crowd time after time as the speakers referred to their opponents, but at no time did the hundreds of listeners become disorderly.

The Citizens Republicans had tried to get a good cross section of the county for its candidates. Ed Couch of Weslaco was a banker and a developer. F. W. Lemburg, born in Mason County, Texas, had been with a bank there for twenty-one years. He had moved to McAllen to be vice-president of its bank and was active in the town’s Chamber of Commerce. Mrs. Fred Wright had moved to the Valley in 1913. She had a degree from Lombard University in Galesbury, Illinois, and had done post graduate work in both Chicago University and Columbia. She had been superintendent of schools in Mercedes from 1915–1925, and was active in civic and club work. Harburd Tarpley had been a teacher in Arlington before

moving to Weslaco, where he had been both a teacher and school superintendent. In 1928, he was in real estate and President of the Weslaco Chamber of Commerce. Dr. D. R. Handley was a pharmacist, doctor, and owned an orchard. Ernest M. Smith was a native Texan, a graduate of the University of Texas Law School in 1914, and a practicing lawyer in Edinburg.

The reformers did not nominate a candidate for district clerk to run against Charles Fortson. Fortson of Mission broke with the administration and denounced its policies and attitudes.

Griffin ... so ably and fearlessly set forth his arguments ... that his mere appearance on the platform now is the signal for round after round of deafening applause ...

Griffin kept reminding the audience of the handling of the bond issues and the cost of the "Nickel Plated Highway to Hell."

Two or three meetings a week were held throughout Hidalgo County at Mercedes, Donna, Edcouch, and at each meeting the speakers, who always included Kirgan, Freeland, Couch, and Griffin, plus other aroused citizens, continued to discuss the county's administration. There was the constant complaint that the county officials were never in the courthouse or available to the public. Also, there was no financial statement of the county ever issued to the taxpayers, contrary to the law which said such a statement was required four times a year. According to both McAllen papers the attendance continued to climb so that four or five thousand people were attending the meetings. "The redemption of the past, the salvation of the present, and the hope of the future lie in the removal of that gang from Edinburg," declared Gordon Griffin, and the crowd roared its approval.

As the meetings continued, battles were being fought on other fronts. One was waged by Sid Hardin, who had not broken with the Democratic Party but had run for Congress in the Democratic Primary. He went into a district court in San Antonio asking for an investigation of voting irregularities. He charged that illegal voters had cast marked ballots in the election. He singled out the "ring" activities of Hidalgo County, composed of A. Y. Baker, L. E. Tinkler and Cam Hill, all of Edinburg, the activities of A. M. Bruni of Laredo, of Archie Parr of Duval County, and of Horace Guerra of Starr County.

Another battle shaped up concerning the Republican Party. Although the Republican State Convention, on the recommendation of the Republican Committeeman, R. B. Creager, had refused to seat the duly elected delegates led by

Willard Ferguson of Mission, Ferguson later presented the Citizens Republican slate of candidates to the county clerk, Cam Hill, to be printed on the November ballot. Hill refused on the grounds that the other delegation, the one that had nominated no officers, had been recognized by the Republican State Convention.

The reformers filed an application for a mandatory writ of injunction in the district court in Edinburg. The case was Ed C. Couch, et al., versus Cam E. Hill, et al. The mandamus proceedings came out of the refusal of the county clerk to have printed on the official ballots the names of the candidates running on the Citizens Republican ticket for county officers. The injunction was asking that the official be restrained from printing the ballot without the names of the Republican candidates. "It is said that the refusal was made for the reason that the names were not certified by the proper authority, which is the county chairman of the Republican Party."³⁰

The case was set for October in the district court. According to newspaper stories at the time, hope ran high among the members of the reform organization that the case would be decided in their favor. The district judge, Hood Boone, part of the county administration's group, decided the case against Ferguson.

Ferguson appealed to the Fourth Court of Civil Appeals which upheld the lower court, declaring that executive committees of political parties were supreme in matters settling intra-party disputes.

The Citizens Republicans, having been denied the right to list their candidates on the ballot as Republicans, still were not discouraged. Now the women, who had been active since the beginning, moved into the forefront. Early in October, sixty women met in Edinburg to organize the Women's Good Government League, and even though in the 1920's most women did not take active part in politics, the names of some women leaders began to be found in the newspaper stories. Grade Callaway, Edinburg attorney, accompanied by his brother Gibb Callaway, Brownwood lawyer who represented the candidates of the Citizens Republicans, addressed the first meeting of the women's organization. Mrs. R. A. Mittlestead was chosen the presiding officer, Mrs. Neal Brown, secretary, and a committee of four composed of Mrs. H. O. Schaleben, Mrs. E. F. Jordan, Mrs. V. C. Weinnet, and Mrs. A. G. Haige were to provide programs for their weekly meetings. The women continued to meet, and the numbers increased at each gathering.

The Women's Good Government League assumed as its major project the conducting throughout the county of schools to teach voters to write in the

³⁰*McAllen Daily Press*, September 28, 1928.

names of the candidates. The women worked tirelessly night after night teaching the intricacies of the proper procedure for write-in votes. Voters had to memorize the names of the candidates, the proper spelling of the names, and the position for which they were running. They also had to remember to scratch out the names of the opposing candidates on the ballot. The reformers also sent over 2,000 telegrams to President Coolidge, appealing to him to provide federal supervision in the November election. Several telegrams stated, "An impartial federal investigation would reveal greater corruption than Teapot Dome."³¹

A wire from Assistant United States Attorney John Marshall, in answer to the 2,000 telegrams sent to the President, advised the Hidalgo County citizens that their appeal should be sent to the United States District Attorney, H. M. Holden, at Houston. A lengthy, impassioned telegram was sent Mr. Holden. Two desperate paragraphs from the wire found in the files of F. B. Freeland stated:

Election irregularities without parallel in the United States have been in custom here for several years. There is ample evidence of illegal practices in holding elections, so much evidence in fact that only a cursory investigation on your part would convince you readily. There are conditions that you will find amazing, corrupt and totally without sanction by law.

... We must have federal relief. As leaders of the good citizens of Hidalgo County we no longer can accept the responsibility for what the people will do unless aid is sent immediately. Ten thousand attended a mass meeting last week and feeling there was such that we may not be able to hold the citizens in check much longer. We need not only guard at the ballot boxes but we need honest, forceful and intelligent supervision of the election itself.

(Signed) Committee for election relief in Hidalgo County
... F. B. Freeland, Mayor of McAllen; D. E. Kirgan, Mayor of Weslaco,
R. E. Erwin, Y. P. Yarborough, Grade Callaway.

The *McAllen Daily Press* called Mr. Holden on November 1, 1928, less than a week before the election. Mr. Holden stated that he had asked the F.B.I. to make a "preliminary investigation" to ascertain whether or not a formal investigation was necessary. Asked if there would be an immediate investigation, he told the Press, "I see no reason for any rush."

³¹Ibid., October 28, 1928.

Mr. Freeland and D. E. Worley went to Houston to present United States District Attorney Holden with affidavits and evidence pointing out alleged election irregularities of past elections. Mr. Holden promised an investigation, but warned this could not be done before the November election.

Governor Moody ordered Texas Rangers to Edinburg to preserve the peace. When the Rangers arrived they were not needed. Sheriff A. Y. Baker had already taken care of the situation by placing a large number of his armed deputies in each precinct to preserve the peace.

Chapter Eight

Owen P. White wrote in *Collier's*, June 22, 1929, p. 48,

Before the polls closed the taxpayers knew they had won if they could only get a square count, and all night long the men and women both patrolled the neighborhood of the voting booths to keep the enemy from stealing the ballot boxes.

That, however, was a useless precaution, because, as the said enemy controlled all the election machinery including the Commissioners' Court, which would certify the returns, there was no need to steal the boxes. They had other ways of doing it, but as you may recall, it was a long time before they made up their minds which method to employ.

Hidalgo County was the last county in the United States to send in its returns; 9,000 votes had been cast; more than 5,000 of those bore the names of the Republican candidates, written in by Republican taxpayers, and yet the Democratic County Commissioners certified it was a sweeping Democratic victory.

The Citizens Republicans had a candidate who was a latecomer to the November election, Gordon Griffin. After all of the other Democratic nominees had been chosen in the primary election, and after the Republican nominees had been refused a place on the ballot, J. E. Leslie, district judge, found that he had made a miscalculation about the expiration of his term of office. He thought he had two more years to go. He had been appointed to fill an unexpired term, and the county clerk had assumed that Leslie's term would run for four years. Instead, the appointment made by the governor was (by law) only until the next election. Judge Leslie had ties with the county administration but was considered a fair man. The Citizens Republicans, however, wanted a clean sweep of the incumbents, and they particularly wanted their champion, Gordon Griffin, to be the district judge.

When Jane McCallum, the Secretary of State, notified Cam Hill, the county clerk, that he had neglected to file a name for the district judge, Hill had wired McCallum for her to tend to her own business and “we would tend to our own down here in Hidalgo County.”³² So the Democratic county committee met, and contrary to law, certified Leslie’s name to the county clerk as the Democratic nominee. The Citizens Republicans immediately filed an injunction suit to prevent the clerk and officials from printing Leslie’s name on the ballot; therefore, in the district judge’s race both candidates for the position had to be written in by the voters.

The day following the election, Wednesday, headlines in the *McAllen Daily Press* stated, “Hidalgo County Election Still Undecided.” The story reported that seventeen of the twenty-one boxes had been counted, and the results gave the Citizens Republican candidates a lead. In the sheriff’s race Handly was leading Baker by several hundred votes.

The *McAllen Monitor*, a weekly, announced on November 9, 1928, the Friday following the election on Tuesday, that Gordon Griffin had been elected over his opponent, J. E. Leslie for Judge of the Ninety-Third District by a lead of 580 votes, and that Robert Henderson was elected Commissioner of Precinct Two over Marvin Evans by a lead of 71 votes. The rest of the ticket had lost. On November 18, twelve days after the election, the *McAllen Press* announced that the county commissioners had canvassed the returns and declared Judge J. E. Leslie winner of the election to the office of district judge to succeed himself. Gordon Griffin had apparently been leading by a safe majority by carrying Weslaco overwhelmingly. The commissioners, however, had found a discrepancy in the Weslaco box and had thrown it out in its entirety.

The Citizens Republicans, who had set out to defeat the Democratic incumbents in the summer of 1928, who had been denied the right to appear on the November ballot as Republicans, who had lost out in the courts to challenge the Republican party’s decision, had now been counted out, illegally, they believed, in the November election. Still they did not concede.

Instead, they charged election irregularities, reported the *Press*, because “A huge majority in favor of the Citizens Republican candidates was announced early Wednesday morning.” Those leading the fight against the county administration worked unceasingly in every precinct and amassed a tremendous amount of evidence showing election irregularities.

The reformers held a giant political rally in McAllen, renamed themselves

³²*Hidalgo County Independent*, October 12, 1928.

The Good Government League, and hired legal counsel to represent them. At the rally, Mayor Freeland presided and voiced the opinion that the Citizens Republican ticket had been elected. To this statement, the crowd reacted with loud applause. Then Kirgan spoke, urging the crowd not to violate the peace in any way and promising that the fight would never stop until victory had been won.

It was necessary to keep reminding these large crowds of the importance of remaining calm for there had been several instances, both at rallies and on the streets of the towns, of near violence. Fortunately, in the cases where armed deputies had drawn guns on their enemies, whom they referred to as “grafters,” during the heat of arguments, there had always been bystanders to urge the deputies to put up their guns. Often these bystanders had been other county officials with cooler heads. But the fear of violence was always present.

The following telegram was dispatched to Washington to the Honorable Frederick R. Lehlback, Chairman of the House of Representatives Committee on Campaign Expenditures:

Five thousand Citizens Republicans or Hidalgo County here tonight voted unanimously to respectfully request you to delay hearing on election conditions in the county until we can send representatives with certified evidence to be present at the hearing STOP Wire us whether you would grant this request and when you will grant conference with our representatives STOP Representatives ready to leave now.

F. B. Freeland
Mayor of McAllen.³³

The reply came back immediately:

F. B. Freeland, Mayor of McAllen, Texas
Select committee on campaign expenditures House of Representatives will arrive Edinburg, Texas 7:25 A.M. Monday, November 26th STOP Have witnesses present and statements outlining their testimony ready STOP Wire names of witnesses you desire subpoenaed.

Frederick R. Lehlback,
Chairman

³³Freeland Files.

When the Congressional investigating committee arrived at Edinburg on November 26, 1928, they were met at the station by about 1,000 citizens bearing signs such as "All we want is justice," "We want clean government," and other similar placards. The committee conducted its investigations and the results of its work was printed on the Calendar No. 720 of the House of Representatives on January 2, 1929. The House investigating committee consisted of the Honorable Frederick R. Lehlback of New Jersey as Chairman, the Honorable John E. Nelson of Maine, the Honorable Carl R. Chinblom of Illinois, and the honorable Loring M. Black Jr. of New York. B. D. Kimbrough of McAllen, George and M. E. Clough of Houston, Ramsower and Sewall, McAllen, and Don Bliss, San Antonio, represented the Citizens Republican Committee and presented the group's complaints to the Congressional committee.³⁴

Their first complaint was that the county officials had rejected the returns and refused to count the votes cast in the Weslaco election district without any justification by law. The informal count of the Weslaco vote indicated an overwhelming majority for the Citizens Republican candidates.

Their second complaint was that several thousand non-English speaking voters, both aliens and citizens, who did not fulfill the legal qualifications to vote, were permitted to vote with ballots marked by the "ring" workers under their direct supervision.

This reform movement was not anti-Hispanic. It was a movement against illegal voting. Some of the strongest supporters of the Good Government League were those with Spanish surnames. Unfortunately, in the early days of south Texas history there were thousands of economically deprived and educationally disadvantaged Mexican Americans who could read and write no language and who spoke only Spanish. They were unaware of the election laws, and for years had been manipulated politically by a handful of Anglos and other Hispanics who used them for their own advantage.

The third complaint was that a large number of ballots of legal voters that were perfectly valid under the law were thrown out as mutilated for having names misspelled and for devious other trivial reasons. This, in spite of the fact that legal instructions to election judges were to count votes when the wishes of the voter could be ascertained.

The Citizens Republican lawyers then explained the Texas election laws to the Congressmen. In Texas there was no registration. Voters paid a poll tax

³⁴House of Representatives, "Report on Campaign Expenditures," *Congressional Record*, Calendar number 720, January 2, 1929, pp. 5-7.

and presented the receipt at the time of voting. There was a county judge and county commissioners elected by the voters in each county. Those who held the elections were appointed by these commissioners. The election judges counted the votes for each candidate on tally sheets provided for the purpose, and then the returns were made out in triplicate. One set was to remain in the hands of the presiding election judge for one year. One set was given to the county clerk immediately on the completion of the counting, and as soon as possible the informal results were to be made public. The third set of returns was placed in a sealed envelope and delivered, together with the tally sheets, to the county judge. The county commissioners met to canvass the returns. At that time the county judge opened the sealed envelope and the returns were tabulated and the results were final.

The law stated that the envelope should be sealed, but Mr. Kimbrough pointed out that the trend of Texas court decisions had been that, in the absence of fraud, resulting from leaving an envelope unsealed, through an oversight of the election judge, the voters of the district could not be deprived of their votes.

The lawyers representing the county officials were E. A. McDaniel, McAllen, B. D. Tarlton Jr., Corpus Christi, J. R. Daugherty, Beeville, J. A. Graham, Brownsville, D. W. Glasscock, Mercedes, and E. F. Smith, Austin. The point made in their brief was that the investigating committee had no jurisdiction unless national officers such as the President were being investigated. Their second point was that since Gordon Griffin, candidate for Judge of the Ninety-Third District Court of Hidalgo County, had already filed a suit in the district court of Travis County in Austin to prevent Judge Leslie's name from being certified as the elected judge, and since a temporary injunction had been granted and a trial date set for January 8, 1929, that the proper place for the facts to be presented would be in a court rather than in a Congressional investigating committee. Their third point was that the charges were untrue. The Weslaco box was thrown out for failure to seal the election returns as required by law. They quoted a previous court case to uphold their position.

In answering charges about illegal voters, the brief stated that while party workers had paid many poll taxes for the Mexican Americans, that it had been done with money obtained from the voters themselves. As for the mutilated ballots being discarded, the brief stated that there had been a large number of such ballots because of write-in candidates, and that the election judges had been impartial in discarding them.

Chapter Nine

The Congressional committee held its first formal hearing on November 26, 1928, at the Baptist Church in McAllen. Mr. Kimbrough, representing the Citizens Republican Committee, called his first witness, Commissioner Marvin Evans, who had participated in the canvassing at which the Weslaco returns were discarded.

Evans testified that ten days after the election he saw the unsealed envelope. He was surprised that it was unsealed. He knew that Weslaco had voted heavily for the Citizens Republican ticket, but he did not look at the returns. He and the rest of the commissioners' court just threw out the ballots because the envelope was unsealed. Evans testified there was nothing else wrong with the returns.³⁵

Kimbrough asked if he knew that there were two other copies of the returns, one with the county clerk and one with the election judge. He asked if any of the court had requested to see the other two copies to see if the unsealed results were the same. Evans replied in the negative. Commissioner Evans testified that he had been on the commissioners' court for twelve years, and this was the only time during that period that the court had ever thrown out a precinct's vote.

Chairman Lehlback then asked if County Judge Cameron had seemed surprised when he found that the returns were unsealed, and had he apparently just discovered it when he turned the envelope over even though the returns had been in his possession ever since the election. Mr. Evans felt that the judge had been surprised. Since the county judge had consulted with the county attorney, A. F. Buchanan, Jr., and received a written opinion, all before the meeting of the commissioners' court, the unsealed envelope could hardly have been a surprise. With the Weslaco box counted in the returns, Gordon Griffin would be the new judge of the district court. Without the Weslaco box, Judge Leslie, the incumbent, would be the judge. The lawyers for the Citizens Republicans commented on this in the brief they prepared for the investigating committee.

³⁵House of Representatives, "Report on Campaign Expenditures," *Congressional Record*, Calendar number 720, January 2, 1929, pp. 7-9.

... but our minds are driven to the conclusion that the alleged error was of their own making, conceived in sin and born in iniquity, the result of nine days' delay in canvassing the returns, during which time the county judge, the county commissioners, and the leaders of the "ring" adopted this subterfuge as the only possible available excuse to throw out the returns showing the largest Republican citizen majority, and thereby hoping to retain their political supremacy in the county through the power of the judiciary, controlling the grand jury, and thus preventing indictments for election frauds and other crimes, and through controlling petit juries, reward their own followers, and through the strong arm of the law thus control and punish those who dare to combat the orgy of crime and corruption which has run rampant and unchecked in that section of the country.

... Electors must not be deprived of their votes on account of any technical objection to the manner in which the election has been held, or for any misconduct on the part of its presiding officers, if these have not affected the true results of the election.³⁶

Following the testimony by Mr. Evans the rest of the county commissioners took the stand, L. W. Lipscomb, W. C. Chadick, and S. M. Hargrove. The questions and answers were similar to those used with Mr. Evans.

In the congressional report, the chairman, Senator Lehlback, at times quoted directly from the testimony. At other times he summarized and included the opinions of the committee. Part of his summary of County Judge W. A. Cameron's statements was:

He testified that presiding Judge Buckow, of the Weslaco district, delivered to him personally the envelope containing the returns from the Weslaco district; that he did not at the time know whether it was sealed or not, but discovered the fact a day or two later and a week before the commissioners court met to canvass the vote. In the course of the week he did not send for Buckow to seal the envelope.³⁷

He asserted most emphatically his disbelief that Buckow would have tampered with the returns but did imply that they might not have been what they should have been. Judge Cameron also testified that he felt justified in throwing

³⁶Ibid., pp. 32-34.

³⁷Ibid., pp. 32-34.

out the returns because there had been intimidation and boycotting of voters in Weslaco before the election.

The Chairman then asked Judge Cameron if he considered it within his jurisdiction to take into consideration what happened before the election when he was deciding on the validity of the votes. The judge replied that he felt it was up to his discretion to take many matters into consideration.

When T. J. Buckow, the presiding judge of the Weslaco box, was called to the stand he testified that he had been a deputy sheriff, but because the voters of Weslaco instituted a suit to prevent his being the voting judge that Sheriff Baker had cancelled his appointment a few days before the election. He also stated that he thought he had sealed both sets of returns, the one delivered to the county clerk and the one delivered to the county judge. In answering the chairman's question if he would not have noticed such a bulky envelope being unsealed, Mr. Buckow answered, "I think so. It would be flapping around."

Y. P. Yarborough, who was one of those who helped count the votes, testified that three other counters, Buckow and he were all sitting around a table. They all signed all three copies of the returns, and Buckow then put them in envelopes, sealed them, and put them on top of the ballot box.

Mr. Kimbrough asked, "Are you certain you saw him seal the envelopes at that time?"³⁸

"Yes," replied Mr. Yarborough.

In answer to questions by the congressional committee members, Yarborough stated that there was no disorder while the polls were open. He also said that at no time did the election judge announce the vote that night. One "henchman" slipped in and got the vote off the tally sheet and took it back to the administration officials so that they would know how long they were going to have to hold back the Mercedes box and others to see the number of votes they needed to cancel out the Weslaco box. He also stated that when he asked the judge about releasing the tally of the votes after the polls closed every two hours, as the law required, he said he was told that the presiding judge had the right to do as he pleased and that he would put the first man in jail who did not do as he said.

On the matter of mutilated ballots Yarborough testified:

On the ballots there would be a vote for Tarpley, and they would spell it "Tarpely" and others would spell it "Tarpaly" and he would call it a mutilated ballot and fold it up and mark "mutilated" on it and throw that aside.

³⁸Ibid., pp. 12-13.

If the name, Handley, had a little curve on the tail of the “y,” he could call that an “e” and say that was a mutilated ballot. Lemburg – if it was written “Limburg,” that was a mutilated ballot. If it was F. W. Lemburg and it looked like a “T,” he would say that is a mutilated ballot.

Mr. Kimbrough: Lemburg and instances you gave of tickets discarded because misspelled names were on the Citizens Republican ticket?

Mr. Yarborough: All of them.

Mr. Black: Were there any Democratic votes in the mutilated ones?

Mr. Yarborough: Not a single one.

Mr. Nelson: Not a single Democratic vote?

Mr. Yarborough: Not a single one.³⁹

Mr. B. Perkins, a resident of Mercedes, took the stand. He testified that he had worked with the Baker organization until the past six years and had been friends with the sheriff. He was asked if to his knowledge any Mexican aliens had voted in the Mercedes box. He replied that something like eighty or ninety had voted. He was asked if he had personal knowledge of any poll taxes issued to voters who had not paid for them with their own money. Mr. Perkins stated that he knew thirty or forty who would testify to that, although there were many more who would not. He also said that he personally knew of eighty or ninety voters who not only had not paid for their poll taxes but who were not even citizens.

The presiding judge, Paul West, of Mercedes was called to the stand. He testified that he had deputized five guards with firearms for duty within the polling place. There were two Citizens Republican challengers present, but they were unarmed. When Mr. Kimbrough asked him where he learned that he had the authority to have armed men watching the voters, he stated that he had the same authority as a district judge and had the right to appoint anyone he saw fit to keep the peace on election day.

Mr. Kimbrough asked if West were not thinking of the law that said in an election officers might deputize individuals to suppress riots. Mr. West replied again that he had the same authority as a district judge.

Mr. Kimbrough: Do you mind telling the committee who told you that was the law, that you had authority to arm guards and keep them there?

³⁹Ibid., pp. 13–17.

Mr. West: I read it myself.

Mr. Kimbrough: You read it yourself?

Mr. West: Yes.

Mr. Kimbrough: That is all.⁴⁰

Chairman Lehlback then summarized West's testimony by saying,

... This remarkable presiding judge at the polls reads an act to suppress riots and consequently conducts the casting and counting of votes under the shadow of five armed men of his own choosing, for which there exists no authority whatsoever.⁴¹

Luther Hughes, a lawyer, took the stand and stated that he was a watcher at the polls in Panchita, but that he was not allowed within the polling place. He watched from outside, but when the polls closed he saw on the list of those voting a man whom he had visited that day who was sick in bed and could not get to the voting place. He also stated that he asked Fred Johnson, presiding judge, after the voting was over, about Mr. Montgomery, who was running for the state legislature as an administration candidate. Johnson stated that Montgomery had received 128 votes. Hughes then asked about Montgomery's opponent, Smith. Johnson replied that he had received about half that amount. He said all the ticket was running about the same.

The following day the paper reported that the election judge had returned 163 votes for Montgomery and 63 for his opponent. Hughes stated that he and the other watcher for the challengers had remained there the entire day to check the numbers of voters going into vote. When someone would come outside who they knew supported the Citizens Republican ticket, they would ask him to give his ballot number, and they put that down on a pad with the time he voted. Just before the polls closed at 7:00 p.m., Hughes sent in two men who were supporting the reformers with instructions to stay there to vote until the last minute. They returned at seven, saying the judge urged them to hurry so they could close the polls. Their numbers were 206 and 207. The watchers stayed and saw no more voters go in, yet the total number of votes reported was 226 with the list of voters showing nineteen names after the men voted just a minute before the polls closed.

⁴⁰Ibid., pp. 17-27.

⁴¹Ibid., pp. 107-120.

Mrs. Schaleben of Edinburg, testified that four years before when she and others became aware that large numbers of citizens of Mexico had voted in the Democratic primary, she went to the Mexican Consul. She received from him a list of all the Mexican citizens living in each precinct of Hidalgo County for whom he had records. She compared this with the names listed in the Edinburg box as having voted and found forty-two names on both lists. Mrs. Schaleben further stated that the Mexican citizens who took pride in being Mexican citizens did not vote, but others were persuaded to vote by the administration. She then produced an affidavit sworn to by the mother and daughter of a Mexican citizen who was a friend of hers, showing that the man had been out of the county for a week, yet his name was on the list as having voted. The brother-in-law of the sheriff was on the voter list, although he had moved to Edinburg only four months before from Oklahoma while the Texas law required a six month residency in the county and a year in the state.

When Grade Callaway took the stand, he produced affidavits from numerous Hispanics stating that they had received poll taxes through the mail that they had neither requested nor paid for. Nor had they voted. Yet their names were on the list as having voted. Callaway also said that he and another watcher were at the Cipres box, in the northwest portion of the county, from thirty minutes before the polls opened until after closing time. They kept a complete record of everyone who entered, including the judge, clerks, and officers. The total count was fifty-two and included only one woman.

He testified that he talked to the Hispanic men voters and learned from them that their wives did not accompany them, but the judge handed them two ballots and they marked them both and gave them to the election judge who placed them in the box. The men were very surprised to learn that this was against the law and stated they had always done it like that. The total votes were nearly twice those counted by Callaway, and nearly half of the names on the list were women.

Dave Kirgan and Kimbrough explained it to the committee that on the ballot presented to illiterate voters who could not write in the name of J. E. Leslie for the Democratic candidate for judge, that the name was already written on the ballot before it was given to the voter. Thus they placed no mark on their ballots.

In most cases, rough surfaces were provided as a place for marking the ballots so, as the reformers attempted to write in with stubby lead pencils all the names of the candidates and scratch out the names of their opponents, the pencil would puncture the paper. All such ballots were declared mutilated.

Mr. Kimbrough also explained the hopelessness of the court system under the present administration. There was no way the reformers could win a challenge

of the voting procedures in court.

They had tried this in Judge Boone's court attempting to get their candidates' names on the ballot. Their case was strong, but the judge said, "I do not care to hear any argument. I deny the writ."⁴²

In criminal cases where taxpayers tried to get redress for the graft in all the county contracts, the sheriff handpicked the grand jurors, so there were never any indictments against either the officials or their friends. "Everybody in the organization is completely subservient to A. Y. Baker," Mr. Kimbrough told the Senators.

The entire case for the Citizens Republicans was summed up in the brief presented by Mr. Kimbrough. He stated that every candidate of the reform ticket, with the exception of several county commissioners, were elected. By throwing out hundreds of mutilated ballots the election judges had managed to count out all of the candidates except Robert Henderson, County Commissioner, and Gordon Griffin, District Judge.

The vote for Mr. Griffin was so stupendously overwhelming that even the ingenuity of the election judges, directed by shrewd and astute private counsel employed by the "ring" politicians, could not count out enough votes to defeat Griffin and elect his opponent Leslie.

Therefore, according to Mr. Kimbrough, the county administration threw out the entire Weslaco box.

The congressional committee summed up its finding by stating that throwing out the returns from the Weslaco box was "utterly without justifiable grounds." The members believed that the law established that whether the envelope was sealed or not, the votes should have been canvassed. They concluded that the envelope had been sealed by the election judge and that if it had not been, the election judge, the county judge, and the district clerk would all have been aware that it was not sealed because of the size of the envelope and the bulk of its enclosure. Throwing out the box deprived over 1,000 voters their choice for President, Vice President, members of the United States Congress, and their state and county officials.

The committee found that evidence of the voting of thousands of those whose poll taxes had been paid by the "Baker machine" had been established. They found that "mutilated" ballots had been thrown out when, according to the law,

⁴²Ibid., pp. 145-151.

if voter preference could be ascertained, they should have been counted. The committee also found that the “Hidalgo County election on November 6, 1928, was tainted with wholesale fraud in various forms.” The committee recommended that a searching investigation be held by the United States Attorney General.⁴³

Owen P. White later described the departure of the congressional committee from McAllen:

When they were ready to leave being fully as dizzy as if they had taken a ride over the Nickel Plated Highway and refreshed themselves at the official hell at the end of it, one of them was heard to remark: “Well, this was all too fancy for us. Philadelphia at its best was never like this.”⁴⁴

White contacted Mr. Marshall McIlheney, who had served as Democratic County Chairman of Hidalgo County for eleven years, asking him about the administration’s reaction to the unfavorable report by the Senators. McIlheney’s response was that the organization was in no way troubled, and he boldly declared that the world might just as well know that, regardless of party lines, R. B. Creager and the Democratic organization of Hidalgo County “ran the show” down in their own corner of Texas.

⁴³Ibid., pp. 46–47.

⁴⁴Owen P. White, “High Handed and Hell Bent,” *Collier’s*, June 22, 1929, p. 48.

Chapter Ten

W. R. Montgomery, the incumbent, had been declared the winner of the election for state representative over E. M. Smith, the reform candidate, after the mutilated ballots and the Weslaco box had been discarded. Montgomery was also running for Speaker of the House. Smith sent letters to all the members of the legislature, telling them he was contesting the election. The Good Government League circulated two petitions, one to the Texas House asking it to reconsider its action of seating Montgomery, before it heard the evidence of election fraud, and one to Montgomery asking him to resign.

Over 500 Good Government members, both men and women, drove to Austin to present the petition to the state legislature. The Associated Press described the event this way, “Never before in the history of Texas has a demonstration similar to the one made before the legislature today by Hidalgo County been witnessed at the state capitol.”⁴⁵

It was an impressive sight. The caravan met a few miles out of Austin, and Mayor Freeland conducted it into the city. The procession proceeded slowly up Congress Avenue on its way to the capitol building on the hill. There were no blaring horns, no flying banners, but only small windshield stickers bearing the legend “Good Government – Hidalgo County.”⁴⁶ The drive was made around the granite structure and the 350 mile trip ended quietly as the cars lined up two abreast on the capitol driveway.

The group had lunch at the Stephen F. Austin Hotel before walking to the capitol, and there Gordon Griffin admonished them that their action must be above criticism. This behavior would combat the propaganda that they were just communist troublemakers rather than respectable citizens.

Then the group, four abreast, marched up the boardwalk to the capitol, led by Mayor Kirgan, Mayor Freeland, Gordon Griffin, and E. M. Smith. Griffin, as

⁴⁵*Hidalgo County Independent*, February 15, 1929.

⁴⁶*McAllen Monitor*, February 8, 1929.

the attorney representing Smith, presented to Representative Grady Woodruff of Decatur, an eight page petition to be read to the House. The petition carried the signature of 5,474 legally qualified, taxpaying voters, asking the House not to seat Montgomery until it heard the evidence. (There were also 3,800 signatures on a statement praising Montgomery from the administration and its friends.)

The League members then took their places in the galleries along the hundreds of Austin citizens plus members of the Senate who had adjourned to hear the session. The audience sat in silence as Woodruff asked the House to hear the petition. The vote was 100 to 26 to do so, but on the second vote to suspend the rules so the House could reopen the investigation, the vote fell short of the two-thirds vote needed. So on a technicality, the House refused to listen to the mountains of evidence of election fraud by the Good Government League, and they also voted “No” to the motion to spend \$25,000 on a commission to investigate the charges on the grounds that they could not afford it.

So the League was defeated again. There were tears in the eyes of many of the spectators for this “action of the House refusing even to hear the evidence was the bitterest disappointment of the entire fight.”⁴⁷ The only consolation was that Montgomery had been defeated for Speaker by W. S. Barron. The Hidalgo delegation filed quietly out of the capitol for their long journey home.

The battle to seat Gordon Griffin as district judge was a long one and ultimately no more successful than the attempt to seat Smith. But there were some moments of triumph along the way. Immediately after the November election, the reformers with Kirgan and Freeland leading the effort, obtained a temporary injunction prohibiting the Secretary of State from issuing a certificate of election to Griffin’s opponent. This meant that the returns from all the precincts would be taken to Austin for a recanvass. This also prohibited the county government from destroying or tampering with the election returns.

Then Judge George Calhoun of the district court in Austin held that he had jurisdiction to hear the Griffin-Leslie case. The lawyers for Leslie tried to get the case moved back to Hidalgo County, but Calhoun ruled against this. Next he made the injunction permanent. This made the Good Government League members believe that the Weslaco box would be included, which, in turn, meant that Griffin would be the judge.

In early April the decision in favor of Griffin was relayed to the press and the Good Government Leaguers went wild. Kirgan and Freeland quickly organized a giant parade to celebrate Griffin’s victory described in the McAllen papers as

⁴⁷*Hidalgo County Independent*, February 8, 1929.

well as in the *Houston Chronicle* of April 3, 1929, which carried a large front page picture of Freeland, Kirgan, and Griffin. Beginning in Weslaco at 10:00, the parade followed a 100-mile route through all the Hidalgo County towns, including several that were holding city and school board elections the following day. In these towns the Good Government League had candidates running. Rallies were held in the parks of Weslaco and McAllen, and ended in an enthusiastic mass meeting in Edinburg that night after an all day parade. Bands from both Weslaco and McAllen with blaring horns accompanied the more than three hundred automobiles that formed a mile and a half long parade. Exultant signs and banners proclaimed, "Hurrah for Dave and Frank," "Griffin Wins," "Eye, Bye, A. Y.," "Vote Right in City Elections," and "Votes Count, After All." At the time of the parade the votes in the judge's race, including the Weslaco box, as Judge Calhoun had instructed, was 4,173 for Griffin and 3,591 for Leslie with the Weslaco box containing 689 votes for Griffin and 93 for Leslie.

On December 20, 1929, the Third Court of Civil Appeals declared Griffin District Judge by 582 votes. The court decision stated:

It follows, therefore, we think, that the returns as sent by the county judge to the Secretary of State were false in that they showed the election of Leslie as district judge by a majority of 14 votes when in fact Griffin had been elected by a majority of 582 votes. Based upon such false returns, the Secretary of State had no lawful right to issue a certificate of election to Leslie as it admittedly appears that she would have done unless restrained.

Judge J. E. Leslie's lawyers, in the meantime had appealed to the Texas Supreme Court. This court, in March, 1930, a year and a half after the election of 1928, reversed the opinion of the district and appellate courts of Travis County. The court did not go into the merits of the case, of course, but dismissed it on the grounds that it never should have been tried in the district court of Travis County. The lawyers for Gordon Griffin moved for a re-hearing in the Supreme Court and vigorously attacked the opinion as being contrary to scores of previous decisions of the Supreme Court and the Court of Appeals.

The *McAllen Monitor* lamented:

That Judge Griffin received an overwhelming majority of the vote for district judge is admitted by his attorney and the friends of Judge Leslie, even by Judge Leslie himself. To say that Judge Griffin is without remedy to obtain the paper certifying that he did receive such a

majority of votes appears to us paradoxical ... No stone was left unturned to place him in the judgeship to which the voters of Hidalgo County, by this vote elected him.⁴⁸

The final chapter to the story appeared in the *McAllen Monitor*, June 27, 1930. The rehearing of the case was denied by the Texas Supreme Court because,

No Court has jurisdiction over an election before an election certificate has been issued and that because Leslie has never been issued a certificate of election no court can rightfully intervene.

In May 1930, Robert Henderson, feeling that he alone could do nothing to change the county government, resigned and the county commissioners' court reappointed Marvin Evans, who for eight years prior to the 1928 election, had served as commissioner. The reins of government of Hidalgo County were still safely and firmly in the hands of the "Baker Machine."

⁴⁸*Houston Chronicle*, April 3, 1929.

Chapter Eleven

The reform group, now organized under the name of The Good Government League, had learned that there were no shortcuts to defeating the Baker political organization. They had learned that there were many ways of losing an election and that even the court system, the guardian of the people's rights, was not always immune to political pressure. They were also to learn that there were hazards, other than political, confronting those engaged in fighting the status quo in Hidalgo County. Some of these hazards were amusing in retrospect. Others were deadly in their consequences.

There were Good Government League jokes such as the one about their opponents voting the "over and unders." Another was the story of the little boy in Edinburg, sitting on the courthouse steps the morning after the election, sobbing. When asked by a kindly passerby what the problem was, his response was that his daddy had been dead for six years, but that he had come back the day before to vote and hadn't come to see them. A true story was that the League had a big rally and parade planned, only to have the opposition strew the streets with tacks so that within a matter of minutes the parade had come to an abrupt stop.⁴⁹

There were all kinds of attacks on the characters of the participants. Mr. Freeland was sued shortly after the 1928 election on charges of swindling the City of McAllen. The chamber of commerce promptly met, passing resolutions expressing confidence in Mr. Freeland and asking the City of McAllen to hire attorneys to defend him. These resolutions were printed on the front pages of the local papers, and the suit was soon dropped.

Santiago Guzmán had been a deputy tax collector for the county for four years. When he arrived at work on the morning of August 16, he was fired without warning from his job. The reason given him was that there was no work for him to do, yet he had already been assigned the task of making the delinquent tax roll and had been working on it for some time. When he questioned the reason

⁴⁹C. F. Wood to R. G. Spence, August 17, 1961.

given him, he was accused of not being loyal to the tax collector and of having furnished information to the League or the “Independents,” as they were also called. Guzmán stated, “All the records of the Tax Collectors office are public. I do not know what information I could have given out to the Independents that anyone would not be entitled to.”⁵⁰

Actually Guzmán had become a highly visible speaker in the Hispanic organization that was working closely with, and as part of, the League. He also had run on the League’s ticket for the city council in Edinburg against the incumbents. The *Brownsville Herald* carried a story of the wholesale dismissal of teachers in the Edinburg school district. “Disloyalty to the school officials” was the reason given. Fifty-four of the system’s eighty-five teachers had either been fired or had received such a cut in salary that they had resigned. H. C. Baker, relative of A. Y., was the superintendent. S. D. Hendrix, principal of the A. Y. Baker Junior High School, stated he was given no reason for his dismissal. L. T. Hooker, professor of zoology in the junior college and high school, and A. M. Weir were offered a sharp cut in salary and resigned. Blanche Horton, math teacher in the junior college, was told that she was dismissed for disloyalty. All of them had been known as supporters of the Independents. Minnie Walker said she was openly told she was dismissed for voting for the Independent candidates in the Edinburg school board election.⁵¹

The following day the *Herald* continued the story by interviewing H. C. Baker, superintendent. He denied that any member of the faculty had been discharged for political reasons. On the contrary, he said they had been “dropped from the staff in the interest of harmony in the system.”

In all fifty-six teachers left the Edinburg schools. They (the teachers) interpreted the “disloyalty to the school system” as referring to voting against the administration’s school board.

“Although nothing official was told us about political affiliations, it was generally understood that the teachers had to support the administration to hold their positions,” one departing teacher said. Practically all of the teachers interviewed in connection with the matter stated the school system had been invaded by politics.⁵²

In March, 1929, a brutal attack on C. E. Kelley, age thirty-one and son-in-law of E. C. Couch, occurred. Kelley had been attacked in the home of Couch in

⁵⁰*Hidalgo County Independent*, August 23, 1929.

⁵¹*Brownsville Herald*, June 2, 1929.

⁵²*Ibid.*, June 3, 1929.

Weslaco. Couch had gone to one of the political rallies, and he had invited Kelley to spend the night in his home. Kelley awoke to find a person with a flashlight in his room. A moment later he was struck by a blunt instrument, presumably the head of a hatchet. Kelley staggered into the living room where he was found lying unconscious in a pool of blood. He made a partial recovery but never regained the power of speech. He died three months later in June, 1929.

The *McAllen Monitor* of October 11, 1929, reported:

Citizens of Weslaco were in high state of excitement Thursday morning over what some called the second attempt to be made on the life of E. C. Couch, prominent banker, Good Government League leader, and candidate for county judge in last year's election. Reverend F. G. Daily of that city called Mr. Couch about three o'clock Thursday morning and informed him that three men had just awakened him with questions as to where Mr. Couch could be found.

After they drove away, Daily notified the police. He was awakened by a light in his room from the screen door. He saw a man and walked to the door to ask what he wanted. He was ordered into the yard at gun point. There was a light from a parked car, and he saw two more men. They asked him about Couch and he told them that Couch did not live there. One man reminded him of what had happened to Kelley. After arguments and abusive language, the men drove away. The Couch home was only a block away from Reverend Daily's home. In Weslaco, feelings were electric, "especially since the belief is strong that when C. E. Kelley, son-in-law of E. C. Couch, was attacked . . . the assailant had intended to murder Mr. Couch."

Four years later on November 3, 1933, the *Hidalgo County Independent* contained an account of the indictment of one of the county officials, George C. Beck, Mateo Cuéllar, and Julián Ybarra for the murder of Claude E. Kelley and conspiracy to murder E. C. Couch. The account stated that immunity was granted by the district attorney's office to George C. Beck. He signed the confession relating his part as contact man in a plot to kill Couch. Beck was given freedom on a \$2,000 bail but was being guarded at his personal request. The former county official was taken to the county jail where he stayed for a few hours until he obtained a bail bond. Bond was at first refused, but then District Attorney Sid Hardin agreed to the setting of a \$10,000 bond. The official maintained it was all a frame-up. Mateo Cuéllar, who confessed to having committed the murder, and Julián Ybarra, self-stated accomplice, were held in the county jail without bond.

According to this account in the *Independent* of the confession, Beck stated that he had lived in a state of fear for the past three years while the murder mystery lay unsolved. He stated that early in 1929 an important Hidalgo County official (whom he named) came to his store in Hargill and asked him to come to his office in Edinburg the next morning. When he arrived, two county officials were present. One asked Beck if he could find someone to do a special job for him. Beck replied that he would try to find someone. Later he went back and told the two officials that Julián Ybarra would do the special job.

Beck was told by the officials to tell Ybarra to do away with Ed Couch to which Beck replied, "My God, what's the matter with you? Mr. Couch is not doing you any harm. The man who is hurting you is Dave Kirgan."

Beck alleged that he had been paid \$700 to give to Ybarra. Ybarra made a similar statement.

Mateo Cuéllar, Weslaco street sweeper, gave a written confession that stated he struck Kelley in the head with a hatchet after Kelley was awakened by the intruder the morning of March 18, 1929. He also said that Julián Ybarra came to see him in Weslaco several times and offered him money to kill Couch. His confession continued:

We left Julián Ybarra's car about 1,000 feet from Couch's home near some vacant lots and went to the house. I picked up a small hatchet from the back of Julián's car and he was carrying a single barrel shotgun. When we got to the house, I said, "Do you go in or do I go in?" Julián told me to go in.

The door was unlocked and I went in. I stubbed my toe as I entered and made a noise but turned to the left through the door. A man got up off the bed and came toward me but I knew it wasn't Ed Couch, because Couch was partly bald and had a different figure.

When the man started for me, I was afraid he might shoot me and I hit him once with the hatchet. Staggering back he fell across the bed and I turned and ran. Julián had also started running and when I caught up with him he asked me what had happened and I told him I hit a man in the head but he was not Couch.

We returned to Edinburg and Ybarra got \$100 for me and I left Hidalgo County in May, 1929.⁵³

⁵³*Hidalgo County Independent*, November 3, 1933.

The transferred docket sheets of the District Clerk of Hidalgo County contained the following notations: The case of the State v. George C. Beck, No. 4423, was set for June 29, 1935, dismissed on motion of the State. In the case of State v. the County Official, the case was set for three different times. Five different district attorneys were appointed to represent the state and in each case the attorneys had themselves disqualified. Finally in April 14, 1937, the case was dismissed on the motion of the sixth district attorney appointed to represent the state. In the case of the State v. Mateo Cuéllar and Julián Ybarra, No. 4422, November 8, 1933, the defendants Mateo Cuéllar and Julián Ybarra, were arraigned in open court and pleaded not guilty. The case was set for November 20, 1933, and since the defendants were without legal counsel, the court appointed four attorneys to defend them. On November 20, 1933, the defendants entered pleas of not guilty. The case was then transferred to Hays County, Texas.⁵⁴

The *McAllen Daily Press*, March 12, 18, 20 and 22, 1934, carried the end of the story. The trial was held in San Marcos. Both Cuéllar and Ybarra repudiated their confessions. They testified they had been “brow beaten” by the police officers into signing their statements, but the officers testified that they had used no such force. Regarding the \$700 that Ybarra had once testified he had been paid by the county official to kill Ed Couch, he now stated that he had borrowed the amount from the official, whom he had long supported, to buy a Ford car two weeks before the murder.

Both men were tried, found guilty, and given life sentences in prison. No connection between them and the two county officials, except for the borrowed \$700, was proved in the trial.

⁵⁴Vernon Hill to R. G. Spence, May 18, 1962.

Chapter Twelve

Apparently the Good Government League had made little difference in political affairs in Hidalgo County, and yet the organization continued to grow, and the group's enthusiasm remained high. The women were more active than ever. The Edinburg women who had first organized met every week. Other groups were established in Weslaco and McAllen. At least twice a month there was a social occasion for the whole county. These were both morale boosters and fund raisers. The women prepared suppers and the Good Government supporters bought the meals. The money was put in a fund to help pay legal costs and other expenses the group was incurring. They had entertainment and speakers at all the affairs, and a real feeling of camaraderie had grown up among them. More women's names appeared in the news stories: Mrs. E. M. Smith, Edinburg; Mrs. Harry Ratliff, Weslaco; Mrs. J. A. Card, Mission; Mrs. Grade Callaway, Edinburg; Mrs. Montgomery, Weslaco; Dr. Ila Davis. The meetings now were attended by men and women. An amusing sideline appeared in the *Hidalgo County Independent*. The same issue (January 18, 1929) that carried front page headlines of "Women Take Up Battle for Liberty" also had a story about a rumor that Hoover might put a woman in his cabinet. "Hoover will scarcely go so far as to consider a woman for a cabinet position, since those places naturally belong to the men of the country," pontificated the writer.

In March of 1929, the League of Latin American Citizens was organized. Its goals were to promote the education of Hispanic children and pride in the Hispanic nationality and culture. At the same time the members professed to be loyal American citizens who paid their own poll taxes and supported the candidates who had respect for Mexican American people, not as block voters to be manipulated.

A letter addressed to "My Mexican Texan Friends of the County of Hidalgo" from A. Y. Baker was published in the March 8, 1929 issue of the *Hidalgo County Independent*:

As a public functionary I have tried to prove that the progress of the county of Hidalgo and the welfare of its inhabitants is my greatest ambition. I have been able to maintain the Democratic Party with the aid of my Mexican Texan friends and in all the time that has passed, we have had no need for clubs or political organizations nor do I see any necessity for them at present.

A few days later, however, a combined Hispanic-Anglo meeting was held in San Manuel, eighteen miles north of Edinburg. The area consisted mostly of poor Hispanic laborers, but 400 of them attended. Santiago Guzmán spoke followed by Dave Kirgan, Mr. Brewster of Hidalgo, E. M. Card, McAllen, and Dr. H. O. Schaleben, Edinburg. All the speakers were received with enthusiasm.

The various elements of the reform movement continued to have meetings throughout 1929. Finally on February 14, 1930, a meeting attended by over 4,000 was held in McAllen for the purpose of organizing an official new Third Party, the Good Government League. Those in attendance pledged themselves to stay out of both the primaries and conventions of the A. Y. Baker Democrats and the conventions of the R. B. Creager Republicans. They would make no compromises with either group and would work only with those who pledge themselves to efficient, uncorrupted county government. The executive committee of the new party consisted of B. D. Kimbrough, Chairman, Willard Ferguson, Mission, F. H. Barfield, Edinburg, J. C. Lemen, San Juan, Y. P. Yarborough, Weslaco, Dr. Frank Osborn, newly elected mayor of McAllen, Homer Leonard, editor of the *McAllen Monitor*, C. H. Pease, editor of the *Hidalgo County Independent*, Santiago Guzmán, editor of *El Defensor*, Mrs. H. O. Schaleben, Edinburg, Fred Bennett, Mercedes, Ignacio Rodríguez and Fred Flanders, Edinburg.

The name Good Government League had been used earlier in Hidalgo County history. Rumblings of discontent against the Closner domination of the county surfaced when Closner moved the county seat to Chapin. His regime, however, was such an improvement over the constant strife of earlier times that no real opposition developed.⁵⁵

Again in 1914 about 700 Anglos paid poll taxes and attempted to have a slate of candidates run in the primary election. Unfortunately, the leadership was totally unreliable, so the League withdrew its candidates. For the next six years, however, the League existed and its auditor uncovered misappropriations which resulted in the resignation of John Closner in 1918. The Good Government

⁵⁵Evan Anders, *Boss Rule in South Texas*, pp. 168–70.

League organized in 1930 was a new party, not a continuation of the old, with plenty of strong leadership and with Hispanic membership as well as Anglo.

Now the name of C. H. Pease figured prominently in a new phase of the League's activities. Mr. Pease had been a prominent Valley banker but had moved to Washington, D.C. for three years. In August, 1929, he returned to Hidalgo County and took over the editorship of the *Hidalgo County Independent*. He was a small, dignified, graying man whose appearance belied his audacious, aggressive spirit. Other League leaders had asked for financial statements from the county administration, but Pease practically moved into the county clerk's office demanding to see the records of the commissioners' court's minutes. These were supposed to be open to the public, but Cam Hill, County Clerk, was always out of his office and his deputies declared they had no authority to produce them. Every week Pease published in his newspaper his demands to see the county minutes and financial records.

Pease had discovered that the last available entry was for April, 1921, in Volume F, although the court had met once a month during all those years. One day Pease went to the county clerk's office to inquire about a newly announced Volume J on a desk. Again he was told he at it because Cam Hill was not available to show it to him.

Finally, September 6, the two record books, Volumes G and H, were produced for Mr. Pease's inspection. They revealed an astounding account of expenditures for the past few years. In spite of the bonded indebtedness of the county and the high tax evaluation, the bond money was missing. Pease went to Judge Leslie, demanding an investigation. The judge stated he realized the necessity for one but refused to set up a grand jury because his own right to hold the position of judge was still being contested in the Texas courts.

A former county judge, A. C. Epperson, who had resigned, stated he had not signed the refunding of warrants for paving roads and for flood control, yet his signature was in the records. No work had been done, and no money was in the county's bank account.

There was a record of a payment to Pearson and Company of Houston for \$32,000 just to pave the street around the courthouse, but there was no record of public bids. Drainage District Number One had increased in indebtedness by \$500,000, yet no work had been done. Another record showed that hundreds of friends of the administration had their tax assessments reduced while the rest of the county's taxes were rising at a staggering rate.

Mr. Pease continued to dig through the two volumes shown to him by the county clerk. He discovered one overcharge after another including a simple

index system installed in Cam Hill's office at a cost of \$390,000 to the county. Pease compared this to the neighboring Cameron County's total cost of a complete courthouse and furnishings for \$200,000.

In spite of these revelations Pease became convinced that he had not been shown the complete and accurate records. He was certain the records had been tampered with and altered. Back record books, G and H were looseleaf, and he suspected that pages had both been removed and added. Every week he demanded on the front page of *The Independent* to see the true and complete account of the business transactions having taken place in Hidalgo County from 1921 through 1929.

On December 20, 1929, the *McAllen Monitor* recorded another chapter in Editor Pease's search for the truth.

Closely guarded by several deputy sheriffs, a commission of 15 men, representing a large majority of the voting strength of Hidalgo County, Monday morning saw, for what is believed to be the first time in history, the original minutes of the commissioners' court of the county.

Pease had issued an ultimatum to Cam Hill on the front page of his newspaper, stating that he and a committee of citizens would appear at the courthouse at 10:00 Monday morning and demand to see the original records. Accordingly, at the appointed time the Good Government Leaguers entered the county clerk's office and asked to see the Chief Deputy Clerk, Scott Dankers. Dankers was out, as he usually was when Pease came to see him, but this time he returned shortly. When asked for the original minutes of the county commissioners' court from 1921 to date, he stated that he had already shown Pease those records. He was then asked if he would make an affidavit to that fact. He refused. Then yielding to pressure, Dankers, F. M. Lemburg, and an armed deputy, went down into a cellar below the vault where the records were customarily kept and brought up two worn and dusty volumes labeled G and H. These two volumes contained proof of the worst fears of the frustrated taxpayers of Hidalgo County.

The county administration still used stalling tactics. The county auditor refused to let the original records of G and H be photographed, and he refused to let them be removed from his office. Mr. Pease set up a table and copied them there in the office. The County Judge Cameron was always out of his office or "too busy" to look for the remaining two books, but eventually Pease secured

Volumes I and J. The long kept secrets were now out in the open.⁵⁶

In January, 1930, a taxpayers' league was formed and the group filed case after case in Judge Leslie's court against W. L. Pearson and O. O. Norwood, contractors, and all the county officials for excessive and illegal payments. The towns, the road districts, the school districts, all began to file cases to recover their stolen funds. Fourteen lawyers donated their services to the taxpayers' league and to the government entities suing for their rightful tax money. The cases took several years to be completed. Some were dismissed, but many were won by those who had fought so tenaciously against the long standing graft of the "Baker Machine."

Among the many cases filed in Judge Leslie's court after C. H. Pease had brought to light the facts concerning the misappropriation of funds, was one in which two county judges were involved.

Judge J. C. Epperson had been county judge at the beginning of the decade. He had apparently become uneasy at the outrageous machinations of the county administration's successful efforts to make all the members of county government wealthy while at the same time plunging the county itself deeply in debt.

Unfortunately, Epperson did not disclose his misgivings but simply resigned as a silent protest. In the usual manner since 1890, the commissioners' court, without consulting anyone but themselves, replaced Epperson with his law partner, A. W. Cameron. Cameron was perfectly willing to put his signature on authorizations of refunding of bonds where Epperson was not; however, little else changed.

When cases began to be filed in large numbers against the county officials, it was rightly Judge Cameron who was named as defendant, not Epperson. Epperson, however, had not totally abandoned his ties to the administration. In fact, he had been appointed by the commissioners' court, presided over by his law partner, Judge Cameron, to collect delinquent taxes for a very generous percentage of the money. He had made \$16,000 on his collections in the first four months. He was also receiving, in addition, the same percentage even when the money was paid directly to the tax collector.

Bradley Kimbrough, representing the taxpayers league, pointed out to the court that Judge Cameron had voted for this unusually large fee to his own law partner and firm. He would share in the windfall even though as a county official, he was forbidden by law to do so. Judge Cameron insisted that he and Epperson were no longer partners, even though under Kimbrough's prodding, he admitted that they shared the same office, the same secretary, the rent, the stationery, and

⁵⁶*Hidalgo County Independent*, January 10, 1930.

still had the sign on the office door stating they were partners. Judge Leslie ruled that Epperson had to return the money to the county.

One of the last cases settled for the plaintiffs occurred in 1933. At that time the Baker mansion was awarded to the Edinburg School District when the district sued the Baker estate for the return of \$150,000 of tax money that had been used illegally in the building and furnishing of the house. The school district used the luxurious home as a fine arts building.⁵⁷

⁵⁷Judgment on Suit number B-9617, Edinburg Consolidated Independent School District v. Mrs. Lena S. Baker, 93rd Judicial District Court, July 13, 1933.

Chapter Thirteen

The Good Government League now began entering candidates in all the city and school board elections. The first in McAllen in April, 1929, was won handily by the whole slate of candidates. Frank Osborn was elected mayor. Dr. Osborn, unlike most of the other active Good Government leaders, was a lifelong Republican. He was born in Chicago in 1877, attended the University of Nebraska and graduated from Omaha Medical College. In 1907, he, his wife, and his mother were traveling to Mexico City when a revolution broke out there, so they stopped in the Valley. They never left. He purchased a forty acre farm near McAllen and began his practice of medicine in 1910. He also, for a time, served as the post-master of McAllen.

The Edinburg city and school board elections were won by the administration tickets, but by April 1930, the administration had lost in Mercedes, Pharr, and Mission. These city and school board elections had all been conducted in a fair manner with Good Government poll watchers present at each election.

Only in the Tabasco school board election did history repeat itself. Here in this tiny, peaceful community three armed deputies were standing in the doorway of the polling place and five more were just outside. The old board was re-elected by a handful of votes and the "mutilated" ballot maneuver was used again.

This time the case was quickly filed in Judge Leslie's court by Rudolfo Vela, E. J. Walker, Fred L. Mishler, and Louis L. Longoria, all Good Government League members. The judge ordered a new election to be held after hearing the evidence of glaring fraud. Both sides agreed to this solution, and in the July election the Baker organization's school board was ousted. Although every single county official was still in office, the previous supporting city and school board officials were being eliminated, election by election.

The Good Government League was gaining newspaper support. On October 18, 1929, the *Monitor* reported that two more newspapers had joined the League.

The *Rio Grande Sun* at Pharr that had been bitterly anti-League was now under the management of S. E. Tilton, and the *Donna Herald* was under the management of Mrs. Tilton, both papers pro-League.

The editor of the *McAllen Daily Press*, C. C. McDaniel, was a brother of E. A. McDaniel, a lawyer who had represented the county officials before the Congressional Investigation Committee. Mrs. C. C. McDaniel was publisher. The *Press* had been sympathetic to the administration, but it gave fair coverage to the stories about the organization of the Citizens Republican and later the Good Government League Party. In an editorial of December 1, 1929, the *Press* took its stand with the *Monitor* and the *Hidalgo County Independent*.

The editorial urged the Baker regime to surrender its control over the county government. "The growth of the county is retarded, and we as a people have no mind to go forward but come face to face with a political unrest that is staggering the foundations of our commercial life." The editorial continued:

We address this article to the officials in question . . . calling upon them, for the good of Hidalgo County, to immediately vacate the offices of the county and have the commissioners court appoint men who will be acceptable and competent, and thereby doing a great service to the county and people.

The editorial continued by saying that it was not in harmony with democracy for the same men to rule. "Long tenure in office encourages ring politics, and enables the unscrupulous politician to build up a political machine and wrest from the hands of the people the sacred power of the ballot." The paper concluded that it now was with the Good Government League.

Another crack appeared in boss control with the suit of R. B. Creager v. F. F. Collier and Son Company, et al. which was tried in the United States District Court in Brownsville. The \$1,000,000 damage suit arose out of two articles which appeared in the *Collier's* magazine entitled, "Jobs for Jack," by William G. Shepherd, and "High Handed and Hell Bent," by Owen P. White. Creager, Republican National Committeeman for Texas, branded the articles as "libelous, false, and untrue."⁵⁸ He sued the magazine for \$500,000 for each article. The *Monitor* of May 16, 1930, reported the outcome of the trial.

⁵⁸R. B. Creager v. P. F. Collier and Sons Distributing Corporation and the Crowell Publishing Company, Pleadings.

Thousands of Hidalgo County citizens were thrilled with the news Thursday morning that the jury in the Creager-Collier case had decided that Creager was not libeled by the article, "High-Handed and Hell Bent" which appeared in *Collier's* magazine on June 22, 1929, and told of conditions in Hidalgo County ...

Griffin and Kimbrough of McAllen were employed by *Collier's* to aid in the defense of the suit. About one hundred witnesses were subpoenaed, most of them from Hidalgo County and thoroughly acquainted with conditions here. Practically all of them testified to the general belief in this county that there has been a political alliance between R. B. Creager and A. Y. Baker.

The night before the court decision Mr. Creager made a speech in Brownsville promising the people in the city a \$1,000,000 public park built with the money he expected to receive from the two suits. Later the second case was dismissed.

From the date of the election in 1928, continuing throughout 1929 and 1930, the Good Government League harrassed and prodded both the state and federal governments into one investigation after another. Their cause was aided by the Senate Investigating Committee's report made in McAllen immediately following the election. A federal grand jury investigation was held in Brownsville in December 1929. The grand jury adjourned without indicting anyone for fraud in the 1928 election.

The following night the League held a giant rally in McAllen on the high school football field to insist that the federal government call a grand jury in another district outside the Valley to hear the evidence of election fraud. Each one of the 4,000 people present sent a telegram to the United States Attorney General, William D. Mitchell, requesting another federal investigation. Immediately in response to this plea, the Attorney General ordered another grand jury to be called in Houston.

On January 2, 1930, the *McAllen Monitor* informed its readers that A. Y. Baker would not be a candidate for sheriff. Baker's announcement stated that he had seen his dreams come true and that he would leave the office to "a land of happy and prosperous people" after he and the men had gathered around him had done a "noble work." The paper speculated that Baker was planning to make a race for the governor.

Several months later Cam Hill resigned and moved to El Paso. He had served as county clerk for eight years. The commissioners replaced him with one of their own, A. E. Chávez, who had served as county clerk from 1902 until 1920.

Another resignation came from H. C. Baker, kinsman of A. Y. in August, 1930. He had been school superintendent in Edinburg for many years, but after the firing and resignation of a large majority of the Edinburg teachers, the League bombarded him with petitions asking for his resignation. The rising tide of opposition to all those connected with the "Baker Ring" made his position untenable.

Jubilantly, the February 28, 1930, issue of the *Monitor* reported that the federal grand jury in Houston had returned eight indictments against five of the most prominent Hidalgo County officials, plus a former county commissioner, and two election judges of the 1928 election. All eight were indicted for conspiracy to deprive citizens of the right to vote in the general election of 1928.

The McAllen band was holding a rehearsal in the band house at the time the news of the indictments arrived in the city. It marched to Main Street and Austin Avenue where the members played for thirty minutes for a large number of excited spectators. Then they rode to Edinburg where they held a concert on the courthouse lawn. Similar action was taken by the Weslaco city band.

In the May 23, 1930, issue of the *McAllen Monitor*, Homer Leonard, editor, pleaded with the voters to stay with the courageous, those who had formed the Good Government League. He explained how the new party would operate. It would use the convention method of selecting delegates, and the number of delegates from each precinct would be based on the number of votes for the League in that precinct in the November 1928 election. He continued by explaining that "those who are still clinging to the Democratic ship" would have a primary election on July 26 to select their candidates. He declared that while many of the Democrats who had followed the administration's leaders for many years, now felt they needed new leadership, that they should have cleaned up their party earlier.

In the same paper, Bradley Kimbrough, chairman of the new party, warned against internal bickering and strife. "We have won this fight if we continue to advance with a solid, united front." He further declared that this election would mean more to the people of Hidalgo County than any election of the past and "more perhaps than anything for which they will ever in the future strive."

The Democrats held a public meeting early in June with D. F. Strickland of Mission presiding. They promised the 500 people who were there that the present Democratic Executive Committee would resign, and that a new committee would be made up of Democrats chosen at the precinct conventions. Sid Hardin denounced "the Baker machine as being one of tyranny ... that all these things be done to the end that bossism in Hidalgo County shall die and that the turmoil of the past years shall end." While condemning the Baker machine, he urged

the people to foresake the Good Government League and enter the Democratic primaries, giving the League credit for winning the battle against Bakerism but stating that no third party could last long.⁵⁹

Unfortunately for those who wanted to reunite the Democratic Party, the Baker forces refused to resign from the executive committee and disdained to cooperate with a committee of Democrats who were attempting to work out differences with the League.

The outcome was explained at a League rally attended by over 3,000 at the McAllen High School Auditorium. Homer Leonard presided. W. B. Spell spoke on the attempted compromise between the Democratic party and the Good Government League. He told the people who came to the rally how he and others had tried to compromise because they wanted to be Democrats but, "Right then and there every man in the courtroom had a chance to see the Baker machine start its iron roll and roll us out flat."⁶⁰

He announced that the following committee members who had met with the Baker people in the county courthouse in an attempt to compromise had resigned and others would follow suit: W. B. McAllen; T. C. Downs, Alamo; Josh Ewing, Donna; Ernest Calhoun, Pharr; Owen Council, Mission; V. A. Ramsower, McAllen; and C. H. Rupp, Mercedes. Spell continued:

I have seen the Baker machine in action and know now that there is no middle ground. I have been forced out of my party and back in the Good Government League to stay. I am authorized to say that Strickland, Swallow, and Hardin are now ready to join your forces and believe from 1,500 to 2,000 votes will be added to your — I mean our efforts. Let us not let anything else enter into this fight. Let's pledge our children for the next 20 years to fight Bakerism, and for God's sake let's stay together.

Many of the leaders who had spent three years of their lives for this cause spoke to the people. Many of those who had faithfully attended all the meetings, driven all over the county, to Brownsville, to Austin, had given their money unstingily, listened.

Gordon Griffin was the final speaker:

⁵⁹ *McAllen Monitor*, June 6, 1930.

⁶⁰ *Hidalgo County Independent*, August 24, 1930.

The Baker Democratic machine in this county is dead. It died Friday afternoon in the courthouse . . . when the bright moon of November rises, we will forever be rid of Bakerism. The Good Government League stands with arms open to any man or woman who hates Bakerism, the only qualification being that he must hate Bakerism worse than anything else in the world.

The *McAllen Daily Press* backed up editorially on July 1, 1930.

Not only were the Democrats in the Democratic Party waiting to join the fight in the hopes for reorganized Democratic Party, but hundreds of Democrats in the Good Government ranks as well. They were going to go into the Democratic Party and fight it out, but when it was clearly seen that there could be no reorganized Democratic Party, and the Baker-McIllhenney forces would still have charge of the election machinery, they knew they would have no chance. Then the only thing that could be done was to stay in the Good Government Party and fight it out in the November election.

The League held precinct conventions on July 19, 1930, to select delegates to the county convention. From a list of those chosen in McAllen, it was obvious that the women were there to stay. Ruth Clark, Mrs. Ida Lage, Mrs. E. D. Card, Mrs. Harry Kreidler were all on the list. The delegate selection was similar throughout the county. Mayor Osborn was the chairman of the McAllen delegation, and John Ewing, the mayor who would succeed Osborn, was also a delegate.

The county convention met the following week to choose candidates. Kimbrough served as chairman, and Neda Pedersori was secretary. The selected candidates were: County Judge, Ed Couch, Weslaco; County Clerk, L. C. Lemen, San Juan; Tax Collector, H. Tarpley, Weslaco; County Surveyor, W. Boynton, Edinburg; County Treasurer, S. C. Guzmán, Edinburg; County Attorney, Eryce Ferguson, Pharr; County Superintendent, Mrs. Fred Wright, Mercedes; Representative of the Seventy-Third District, Homer Leonard, McAllen; Sheriff, Tom Gill, Mission; and Tax Assessor, D. C. Earnest, Mercedes.

Tom Gill, the picturesque candidate for sheriff, had come to the Valley from Oklahoma, where he had been a law enforcement officer. He was a homespun humorist and a typical Texas cowboy in appearance, bearing, and diction. He helped lay out the site for the town of McAllen. He moved to Mission in 1909 and was the owner of one of the first three Fords in the Magic Valley. He opened

a taxi service, pioneered in growing cotton, was in the cattle business, and ran a Ford agency. In addition to these enterprises, he served as the first city marshall of Mission, served as constable, chased horse thieves during the Carranza War, and from 1914 to 1919 was in the United States Custom Service. In 1918, he ran against A. Y. Baker for sheriff. While losing the election, he carried his home town box of Mission two to one. Now, in 1930, he was challenging the county administration again.

Homer Leonard, Good Government League candidate for state legislature, was born in Missouri 1899. He was a graduate of the School of Mines at the University of Missouri. He came to the Valley in 1926, and he and Elmer Hall purchased the *McAllen Monitor*. He soon threw in his lot with those who were seeking to defeat the county administration. He attended every meeting, pushing the cause in his newspaper, and was often one of the speakers at the rallies. One of the youngest members of the group, he was not yet thirty when he entered the fray.

Between 6,000 and 8,000 Good Government Leaguers stood outside the courthouse waiting for the outcome of the county convention.

This was said to be the largest crowd ever gathered in Hidalgo County until that time. All stood when Dave Kirgan asked them to pledge themselves to stay away from the Democratic primary elections. His speech was followed by one from Fidencio G. García, an attorney. Grade Callaway presided and introduced the Good Government League candidates. The crowd gave them a tumultuous reception.

Every week the League held meetings to keep up the spirits of the participants and to raise money. At the meeting on September 12, Gordon Griffin presided and raised \$8,000 in pledges. This was an enormous sum for people in the midst of a depression.

The Democrats, too, held meetings. They alternated between trying to lure the League members back into the party by promising that it had reformed, and condemning them. A. E. Chávez, who had been the county clerk for twenty years and then replaced Cam Rill, referred to the Leaguers as “Republicans, Socialists, Communists, and self-seeking politicians.”

On Saturday, November 1, 1930, “three days before the general election, the totally unexpected, electrifying news spread throughout the county that Sheriff A. Y. Baker was dead. He was attending a meeting in Lynn, twenty miles north of Edinburg, with the Hidalgo County water district board, completing transactions involving hundreds of thousands of dollars for creating a new water district. He was drinking a cup of coffee when he sank to the ground unconscious.”

The funeral was held in the Edinburg Methodist Church on Sunday, possibly the largest funeral ever held in Hidalgo County. There were 260 pall bearers.

This was the end of a legend that began in 1896, when A. Y. Baker had come to the Valley as a Texas Ranger. He was fifty-five years old and had been sheriff of Hidalgo County for eighteen years. He had never lost a political election. Even his strongest detractors conceded that he had been an effective law enforcement officer.

On Monday, the day before the November 1930 election, the Good Government League assembled in Mission before noon for a gigantic parade. They left Mission at 12:00, accompanied by the city bands of McAllen and Weslaco, drove to McAllen, Pharr, San Juan, Alamo, Donna, Weslaco, Mercedes, north to Edinburg, Elsa, Edcouch, and then back to Edinburg. Here they held a 5:00 rally that was the climax of their three year campaign. The cars were decorated. The people were weary with their long struggle, but, by the thousands, they were there.

On election day of November 4, 1930, the heaviest vote in the history of Hidalgo County was recorded. After a long, unceasing battle, the Good Government League won a sweeping victory in every office by a two to one vote. Boss politics in Hidalgo County had come to an end.

Chapter Fourteen

The years of 1931 and '32 were much less drama-filled than had been the three preceding ones. The first action Ed Couch took as county judge was to hire the reputable firm of Ernst and Ernst to audit the county records. The Depression was in full swing, and the officials were attempting to cope with the \$19,000,000 debt that they had inherited from the preceding administration and also to keep the county's economy afloat in the rising tide of unemployment and bankruptcies.

Early in 1932, the League decided to field a complete ticket in the November election. Dave Kirgan's slogan was "Let's finish the job."⁶¹

A peculiar situation developed in Hidalgo County during 1932. Although it was not large in population, since 1929 it was the second county in the state in the number of cases filed in the state district courts. Many of these were the results of the taxpayers' league suing the former county officials and the construction companies associated with them. In 1932, 2,012 cases were filed.

Because of the case load, there were two state district courts wholly within the county. The judges in both courts had resigned, so two new district judges were to be elected in November.

It was almost 1928 all over again but on a limited scale. Brice Ferguson was the League's candidate for judge of the ninety-second district court and Fred Bennett was the candidate for the ninety-third. Homer Leonard was running for re-election as the representative. The boundaries of his district were also wholly within Hidalgo County.

The Democrats had taken the cases to court to keep these three men's names off the ballot because they were district officers rather than county ones. The Texas Supreme Court ruled in favor of the Democrats, declaring that a party that had no statewide slate of candidates could not run candidates at a district level, even if the district consisted of only one county.⁶²

⁶¹*Brownsville Herald*, January 30, 1932.

⁶²*Ibid.*, October 9, 1932.

Once again the Good Government League rallied its forces. It held a meeting in Mercedes of 3,000 people. Gordon Griffin presided, and Sid Hardin and Joe Alamia were the principal speakers. Again the members set up schools to teach voters how to write in the names of their three candidates. Herbert Davenport of Brownsville and Ocie Speer of Austin were the lawyers representing the League in its unsuccessful attempt to get these names on the ballot.

There was some reshuffling of alliances during the year of 1932. John Bales, who had been a deputy sheriff under Baker for years and had run for sheriff in the Democratic primary, switched to the Good Government League. D. C. Earnest, elected as tax assessor in 1930, switched to the Democrats as did Santiago Guzmán, County Treasurer. Earnest received the Democratic nomination in the primary, but was defeated by Frank Freeland in the November election. Guzmán lost the Democratic nomination in the primary and changed back to supporting the League in November.

Just from newspaper accounts, it would be hard to understand why Guzmán, who had supported the Citizens Republicans from the beginning, wanted to go back to the Democrats. After coming back to the League in November, 1932, he apparently changed his allegiance once again. By this time, he must have lost credibility from both sides and, finally, in 1934, was arrested by Tom Gill, Sheriff, a former League associate, for a disturbance in the courthouse.

On November 9, 1932, the League made a clean sweep of all the offices, including the write-in candidates. Those elected were: County Judge, Ed Couch; County Attorney, Sid Hardin; County Clerk, F. W. Lemburg; Sheriff, Tom Gill; Tax Assessor, Frank Freeland; Tax Collector, H. Tarpley; County Treasurer, C. H. Pease; Surveyor, W. Boynton; Superintendent of Schools, Mrs. Fred Wright; Representative, Homer Leonard; and the two State District Judges, Brice Ferguson and Fred Bennett. County Commissioners, R. F. Rivers, E. L. Calhoun, Willard Ferguson, and W. H. Atwood were elected also.

This election of 1932 was only the second time since 1852 that any party other than the Democrats had taken office in Hidalgo County. The political warfare, smouldering since 1926, burst into full flame in 1928. Now, since 1930, the “outsiders” had become the “insiders.”

In November, 1932, John Nance Garner had been elected to the office of Vice President of the United States. “Cactus Jack,” a drinking, swearing Congressman from South Texas for twenty-eight years, was chosen by Franklin Roosevelt to balance the Democratic ticket. Garner’s congressional district not only included Uvalde, his home, but also all of the other south Texas counties. He had been supported by most of the Valley Democrats. In fact, in the 1928 election,

Gordon Griffin had been his Hidalgo County campaign manager, even though Griffin had been involved with his own campaign for judge. Garner's most reliable constituency, however, came from those counties dominated by political "jefes." Since Garner had run for both Congress and Vice President (an action no longer permitted), when he was elected Vice President, he had to resign his congressional seat.

Gordon Griffin still had a strong following from the Good Government League. He was still spokesman for much of Hidalgo County and was often quoted in the Valley newspapers. In August, 1931, he wrote letters to Congressman Garner and Senators Tom Connally and Morris Sheppard, suggesting a moratorium be declared by Congress to be in effect in the United States on certain classes of debts, particularly against homes and farms. He declared that unless such action were taken, seventy-five percent of the people in his locality would be in danger of losing their homes under foreclosures, and many others would have deficiency judgments lodged against them. While wheat was the lowest it had been since 1852, and cotton cheaper than anytime since 1900, the loan companies who owned mortgages and liens against the farms and homes had not reduced their loans or interest rates one iota. Griffin wrote that President Hoover had declared a twelve month moratorium for Germany to help our foreign neighbors, "but had paid little attention to his own people in his own country."⁶³ Griffin asked why there could not be a two year moratorium declared on real estate mortgages and liens on obligations owed by counties and municipalities. Many of the ideas Griffin used in his congressional race in 1933 were incorporated into the New Deal's plan for long term, low interest rates for farmers and homeowners.

"Who then, could better represent south Texas to fill the vacancy left by Garner than Gordon Griffin?", asked his supporters.

"Anyone would be better," answered the Archie Parr organization and the remnants of the Baker Ring. They wanted no part of that "Ring Buster" as the newspapers were calling Griffin. The administration Democrats accused him of being disloyal to the party, although he had been the county chairman for the Roosevelt-Garner ticket in 1932.

Under an Austin byline dated January 7, 1933, and published in the *Brownsville Herald* appeared this story:

Maury Hughes, democratic state chairman, alarmed over the candidacy of Gordon Griffin, Good Government League candidate of Hidalgo County, was to meet with the candidates. Senator Archie Parr

⁶³G. Griffin Files.

of Duval County and others will be here Monday to consider a way out of the confusion.

Another story from the *Austin American Statesman* of January 25, stated:

Furor raised in the legislature about amending election laws to permit democratic primaries "so John Garner's successor will be a democrat" is not due to fear of the democratic leaders that a republican will be elected but that the "wrong democrat" will get in.

Republican candidates are just a side issue in the political affairs of the district. The real enemy aimed at by the democratic leaders is a "good government" candidate.

Gordon Griffin of McAllen is the specific candidate. He was declared defeated for district judge four years ago when the Hidalgo County Commissioners Court rejected the entire vote from the Weslaco box.

Then the Griffin faction organized a good government party for Hidalgo County. Last November they named all county officers and by a write-in campaign, elected two district judges and Representative Homer Leonard, McAllen Editor.

Now Griffin is an announced candidate for Congress. Leonard, who is a close friend of Griffin, says Griffin will enter the democratic primary. "He has always voted the democratic ticket except for the county races the past four years. He is a democrat. He was born in Tennessee, is the son of a Confederate soldier and assistant judge advocate of the Sons of the Confederacy."

There are many interesting angles to the preliminaries for the race. Leonard is chairman of the house committee on elections. Representative Milton West of Brownsville, who presented a bill to the committee to speed an election and permit a double primary in the district, is a candidate to succeed Garner. Many believe the run-off will be between West and Griffin.

The Texas laws did not provide for primary or party elections for special elections such as this one to replace a congressman. This is the reason why in 1933, the legislature had to pass a special law. It quickly went through the Texas House and Senate under the watchful eyes of Representative West and Senator Archie Parr. The first primary was February 25, the run-off primary, March 15,

and the general election on April 22. This would be a very expensive process. Primary elections were paid for partially by the candidates. The filing fee for these primaries would be excessive. Then there would be campaign expenses for three elections.

An excerpt from a long story in the *Austin American Statesman* on February 13 with a byline of A. H. Lyon explained the maneuvering that went on in the Texas legislature:

... Parr controls the biggest single block of votes in the district. His organization has its orders. With Parr for West, other regular organizations had no recourse. To back somebody else was simply to split the regular vote and so aid Griffin. So one after another they fell in line and orders have gone from Austin down home to line up for West.

Nine men announced in the Democratic Primary and one in the Republican. Oscar Dancy, an attorney from Brownsville, who had, made the same kind of reputation in Cameron County as opposing machine politics as Griffin had in Hidalgo, had announced his candidacy but withdrew early in the race, saying that he felt he was playing against a “stacked deck of cards,” and that the financial strain of “two primaries which have been wished on the voters” were only set up so that “Senator Archie Parr would be in control of the congressional seat of this district.”⁶⁴

Griffin’s supporters in the League went into action on his behalf. They formed a county committee to work for him. Each town had a separate committee to work on his campaign. In some of the other counties, those who had attempted to defeat boss controlled administration organized. Both the *Hidalgo County Independent* and the *McAllen Monitor* strongly endorsed him. The *Independent* gave him credit for leadership in the “long fight for clean government and tax reduction that has made possible the present reforms existing in and enjoyed by Hidalgo County.”⁶⁵ The *Monitor* was equally enthusiastic in praise describing him as “a candidate who is in every way qualified,” and assured the voters that Griffin was backed by no political ring. “There will be no powerful, selfish group of political manipulators who will be able to tell him what to do.”⁶⁶

⁶⁴*Brownsville Herald*, February 14, 1933.

⁶⁵*Hidalgo County Independent*, January 19, 1933.

⁶⁶*McAllen Monitor*, February 1, 1933.

Support came from a variety of sources. Mr. Pease, with the blessings of his paper, resigned as editor in order to have more time to campaign for Griffin. A Valley organization of ministers endorsed him, praising his political and moral standards. After a paid political advertisement for West appeared in newspapers throughout the Valley, stating he was endorsed by Parr and the Klebergs, a veteran organization endorsed anyone but West, and a Taxpayers' League in Cameron County "unendorsed" West after having earlier pledged him its support.

As predicted, Milton West and Gordon Griffin came in first and second in the February primary and advanced to the second election in March. All seven of the anti-Parr candidates endorsed Griffin and pledged to work for him.

At this point, Maury Hughes, Chairman of the State Democratic Committee, issued a story from Dallas, that instructions to support West had been forwarded to all Democratic district, county, and precinct organization heads "ordering them to support West."⁶⁷

In Weslaco a large group from all over the Valley met to protest the state chairman's interference in the primary election process. Joe Canales of Brownsville, a former state representative, expressed great indignation, and said he and others would oppose West and Parr to the end.

In the March 15, 1933, primary election, Milton West defeated Gordon Griffin for Congress by 14,193 votes to 10,832. Hidalgo County gave Griffin 4,134 votes to West's 2,327. The counties considered part of the "Parr block" voted as much as ten to one for West. Duval County, the home of Archie Parr, was the last county to report. The vote there was twelve for Griffin and an even 1,800 for West.

Even though Milton West had all the support of the border bosses, he proved to be a competent congressman who effectively represented his district. He was re-elected for several terms with the support of many of those who had at first opposed him.

The political year of 1934 opened on January 12 in the *McAllen Daily Press*. On that date, Tom Gill announced that he would run again for sheriff but this time as a Democrat. Soon two more former League members announced for county judge. Ed Couch, true to his campaign promise to seek office only for two terms, had announced he would not run again for the office. Early in April, J. C. Lemens and Homer Leonard both announced as Democrats. On April 8, the *Press* declared editorially that, "For the first time in four years political peace is definitely back in Hidalgo County." Nine incumbent Good Government League

⁶⁷*Brownsville Herald*, March 1, 1933.

members would be on the ballot in the Democratic Party primary.

Cases continued to be tried in the courts, both state and federal, against the former officials and their associates. Some were dismissed while others were won by the taxpayers. Several of the former officials were tried in federal courts on income tax evasion. Most, but not all, were found guilty and fined.

The Hispanic organization continued to function by holding meetings. The leaders continuously urged its members to pay their poll taxes and vote as individuals, not as blocks of votes. The Republicans in the county began to organize, encouraging Republicans to announce for local and state offices and urging them to break with the Creager machines. Dr. Osborn's name appeared in the papers once again, this time urging Republicans to attend their precinct conventions.

In 1934 the only real political excitement was surrounding the re-election of Archie Parr as state senator. Parr, from Benavides in Duval County, had served as a senator from the south Texas counties for twenty years with little or no opposition. This year was different. Because of the successful efforts of the League against the Baker administration, several strong contenders dared to run against him.

On Memorial Day in Rio Grande City in Starr County, a political riot occurred. The anti-administration forces of Starr held a large rally opposing the re-election of Parr and the Guerra faction. J. T. Canales of Brownsville and Gordon Griffin of McAllen were both asked to join the local speakers on the porch of the downtown hotel. As Canales was addressing the crowd, shots rang out. Seven men were injured and two were killed. Just who was shooting at whom was debatable since the *Press* reported conflicting accounts, one from Sheriff Gus Guerra, and one from Attorney J. T. Canales. The sheriff reported it was Canales' fault since he was "attempting to stir up trouble in Starr County."⁶⁸ Canales said that District Clerk Julio Guerra, had threatened him before the rally and promised him that the meeting would never take place, since it was in opposition to the Guerras and Parr. According to the *Press*, "The rally was the first in 28 years in opposition to the Guerra faction."

Canales finished his speech, and Gordon Griffin was introduced. The two dead men, one a rancher and one a deputy sheriff, still lay on the ground, guarded by armed deputies who refused to allow the bodies to be moved. Griffin reported later that he knew he said something but he had no idea what, with two dead men lying only a few feet from where he was standing.

In the second Democratic primary election in August, Jim Neal, a Webb County

⁶⁸*McAllen Daily Press*, May 1, 1934.

ranchman, defeated Archie Parr in the race for Texas State Senator. Archie Parr's statement to the press was: "I want to thank all of my friends in the 27th Senatorial District and over the state for their support; and as for my enemies, each and every one of them, can go to hell."⁶⁹

Three of the original aims of the reformers in Hidalgo County were to increase democracy by making it possible for more than a few hand-picked candidates to be elected, to cut down on the graft-riddled expenses of county government and thus reduce exorbitant taxes, and to abolish illegal voting. They were successful on all counts.

In the first Democratic primary election there were 227 names on the ballot. Many names were of those who had left the party, locally, for the three previous elections. Some were those who had not. That no longer seemed to be the test. Many Good Government candidates were running against each other. The Republicans also had a slate of candidates. Certainly democracy had been extended. Some money had been returned to the county through court cases. The county records had been audited, and the financial affairs were out in the open. As the Depression deepened the county officials took a cut in salary to help control the county debt.

Illegal voting had almost disappeared. If poll taxes were still being paid for illiterate voters, it was being done very quietly, and Hispanic citizens were informing themselves on the voting laws and resenting those who tried to manipulate them. There had been no repetition of the 1928 election fraud.

One of the most amazing outcomes was that friendships were quickly restored between members of the once-warring factions. Hidalgo County was once again ready to take a leading role in the growth and progress of the Magic Valley.

⁶⁹*McAllen Daily Press*, August 29, 1934.

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About the Author

Ruth Griffin Spence (21 Feb. 1918 – 3 Feb. 1998) was born in Tiptonville, Tennessee but was reared – together with her brother Gordon Jr. (1923–1995) – in McAllen. She graduated valedictorian from McAllen High School, attended Edinburg Junior College, and received her B.A. in 1939 from the University of Texas at Austin.

In 1941, Ruth married Roy Milam Spence (6 Nov. 1913 – 14 Aug. 2009). Her distinguished teaching career then began in the Rio Grande Valley. When her husband was assigned to duty in the Pacific during World War II, she joined her parents in Brownwood, Texas and opened a Mexican jewelry store.

Mrs. Spence resumed her education career after her three children entered school, teaching government and history while receiving her Masters of Education from Howard Payne University (1962). She taught for 23 years at Brownwood High School.

History, government, literature and politics were her passions. Mrs. Spence was also the author of *The Nice and Nasty in Brown County: A Collection of Stories* (Brownwood, Tex.: Banner Printing Co., 1988). She was a founding member of the Brown County Museum of History Board of Directors, a member of the Brown County Historical Society and Board of Directors for the Brownwood Public Library and Brown County Retired Teachers Association. She served as Brown County Democratic Party Chairperson.

Mrs. Spence's three children are Susan Spence (1944–1992), Mary Gordon Spence (1947–2022) and Roy M. Spence, Jr. (1948–).