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TROUBLES IN TEXAS

by Richard R. Bailey

By most standards, United States Senator Morris Sheppard built a successful career. From 1902 until 1941 he fashioned a thirty-nine year record of service to his neighbors, first as a representative, then after 1913 as senator. During that time he helped pass an impressive amount of legislation, including the Eighteenth Amendment, Sheppard-Towner Act, Federal Credit Union Act, Lend Lease, and Selective Service. Furthermore, he won every election in which he ran, many by record majorities. And he accomplished all these feats in spite of the fact that many accused him of being too liberal, too progressive, or too socialistic.

Sheppard's success, in spite of the obstacles, stemmed from several sources. Not even his opponents questioned his attention to duty or his willingness to work. In fact, he set several records for attendance in the Congress. Another source of support was Sheppard's efforts for prohibition. While many Protestant Texans did not favor some of his votes, they excused him because he fought diligently for anti-liquor legislation. Still another talent in his favor was his ability to steer clear of Texas State Democratic Party conflicts. One-party rule in Texas made internecine strife nearly inevitable and especially bitter, but Sheppard usually avoided these battles.

But in Sheppard's first Senate term, 1913-1919, he entangled himself in troubles in Texas, almost unavoidably. With reelection in 1918 uncertain, problems in Texas were significant if not ominous to him. Although his woes defy simplification, intertwining in a complex pattern, they revolved around three issues. The first of these, a persistent one in Texas history, was what to do about conflicts between Anglos and Mexicans in the Rio Grande Valley. Next, Sheppard was criticized for supporting President Woodrow Wilson's policies, especially in regard to Mexico. Equally annoying to some Texans was his progressive voting record. And what aggravated this situation even more was that he often found himself at odds with three political giants—Gov. Oscar B. Colquitt, Gov. James E. Ferguson, and Sen. Joseph Weldon Bailey.

Border violence proved the most politically volatile of these problems. Sheppard undoubtedly realized that racial, religious, and cultural conflicts in the Rio Grande Valley were as old as the state itself. In 1913, he and other Texans could look back on a long history of violence and bitterness. Since the early part of the nineteenth century, this area which was sometimes called the "borderlands," had been a land without law and order for both the Spaniards and the Americans.

Even after Mexican independence in 1821 it had remained an untamed northern frontier for the new government. Then, in the 1830s, a three-sided cultural battle emerged in Texas as Americans fought Mexicans, while both struggled with the several Indian tribes, all competing for the land. This triangular clash, including misunderstanding, raiding, stealing, and killing on all sides, continued sporadically into the twentieth century. Although Texans clearly won this almost "Hundred Years' War," in other parts of the state, victory in the Valley was still uncertain. In spite of the work of the Texas Rangers (and in some cases because of their efforts), the Texas-Mexican border was still a wild frontier when Sheppard entered the United States Senate in 1913.¹

During Sheppard's first term as Senator certain annoying international problems evolved from recent political developments in Mexico, which created a highly unstable atmosphere. A few years earlier Sheppard had seen the dictatorship of Porfirio Diaz deteriorate. Replacing the strong "*pan o palo*" rule which had dominated Mexican politics for nearly a third of a century proved difficult. Briefly, the professorial Francisco I. Madero tried to rule Mexico. But in 1912 Victoriano Huerta, with encouragement from American ambassador Henry Lane Wilson, revolted and then had Madero shot. Huerta then tried unsuccessfully to consolidate his power against the opposition of such leaders as Venustiano Carranza, Francisco "Pancho" Villa, and Emiliano Zapata.²

The United States government became further involved. Early in 1913, after President William Howard Taft decided to leave any decision on recognition of Huerta to the next administration, President Woodrow Wilson broke a long tradition of recognizing *de facto* governments and refused to support the Huerta regime. Wilson neither liked nor trusted Huerta. The fact that Americans in Mexico and the State Department rank and file wanted a strong man such as Huerta who might protect American interests in Mexico as Diaz had done confused the situation. Wilson therefore decided upon a wait-and-see policy regarding the political circumstances in Mexico, one referred to as "Watchful Waiting." He also embargoed arms sales to any of the conflicting parties.³

Sheppard expressed sentiments which in some ways supported the President but in others were far ahead of him. As early as July 29, 1913, he favored recognizing Carranza's Constitutionalist Party. Then, in a speech on August 13, he clearly opposed the Huerta regime, claiming that it was undemocratic and reactionary. Almost naively he listed the fair, honest, and democratic traits of the Constitutionalist Party and its leader, Don Venustiano Carranza. Then, portending later events, Sheppard favored the resumption of arms sales to this group and warned of the dire consequences of American armed intervention.⁴

Despite these sentiments Wilson continued his course of "Watchful

Waiting" until his growing dislike of Huerta and the ineffectiveness of his diplomatic efforts forced him to support Carranza. Early in January, 1914, Wilson recognized the belligerence of the Constitutionalists. On January 27 the State Department began discussions with Luis Cabrera, a representative of the Carranza faction, an action favored by the Foreign Relations committees of Congress. On February 3 the government lifted the embargo on arms sales to Carranza.

Throughout these proceedings Gov. Oscar B. Colquitt's position on Mexico's political problems and their subsequent impact on border violence affected events. Criticizing both Taft and Wilson, he threatened to "take the situation into his own hands." In February, 1914, Secretary of State William Jennings Bryan cautioned against sending Texas Rangers across the border. Colquitt could therefore, argue that the federal government prevented him from solving problems in the Valley. In fact, he stated that some kind of military action, including a possible invasion, was necessary.⁷

Responding on March 9, 1914, not so much as an attack on Colquitt as a defense of Wilson, Sheppard stated emphatically that the majority of Texans supported the policy of the President rather than the saber rattling rumblings of the Governor. Any sort of bellicose response or action, he asserted, might involve the United States in a war with Mexico, a situation which would be far worse than sporadic raiding. Then he explained that most of the residents of the Valley were Mexican Americans who were exploited by reactionary white bosses. He added that in border affairs Colquitt reflected the interests of the wealthy rather than that of Texans or Americans.⁸

Colquitt responded the next day at a convention of the Cattle Raisers Association meeting in Fort Worth. In a blistering speech he damned Washington in general and Wilson, Bryan, and Sheppard in particular. Using the Administration as a scapegoat, he blamed anarchy in the Valley on Wilson. He also quipped that he could get more efficient service from Mexico than from Bryans State Department. But he was especially angry at Sheppard for saying that the people of Texas did not support their Governor. He even challenged Sheppard to an old fashioned political "shoot-out," wherein both men would resign their present positions and run for the Senate seat. This contest would demonstrate clearly who had the support of the constituency. In the meantime Texans could survive without a Senator, he caustically asserted, since they had done so for years, with Charles A. Culberson ailing and Sheppard unwilling to represent the state's interests.⁹

Realizing that a debate with Colquitt would be unproductive and therefore pointless, Sheppard declined to reply. In 1914, nevertheless, he was again involved in political bickering—this time regarding the gubernatorial race. He had a minor interest in the election since the

prohibitionists were confident of victory and united behind Thomas H. Ball of Houston. But Sheppard overreacted when political newcomer James E. Ferguson of Temple entered the race. On July 16 he stated unequivocally that he, along with other prominent Democrats, including Wilson, Bryan, and even Bailey, supported Ball. Although remaining in Washington through the summer campaign, he actively opposed "Farmer Jim" for the governor's chair.¹⁰

Ferguson, to the amazement of Sheppard and other observers, won convincingly in the Democratic Primary and then overwhelmingly in the November election. In retrospect, however, his appeal was apparent. Like many Texans he had been both a poor farmer and an itinerant laborer. Although having little education, he became a lawyer and a successful businessman. Furthermore, he exploited the electorate's weariness with the liquor question by appearing neutral on the issue, even though he was an avowed "wet," and possibly more important, he had no political experience and therefore no record to defend, no enemies to fight.¹¹

For several months Sheppard had no conflicts with the new governor. But in October, 1915, he became a tool of Ferguson's unprincipled use of the news media. He did not realize that Ferguson (like Colquitt before him) would try to gain political support in Texas by using Washington as a whipping boy for border troubles. He was shocked when a series of telegrams which he had exchanged with the Governor were released to the Austin press on October 27. In the first communication he had merely expressed concern for the problems in the Valley and his willingness to help. He was astonished when Ferguson wired back an angry and facetious reply in which the Governor implied that the Senator had not been concerned until now and that his suggestions were only useless generalizations and trite platitudes. Still unaware of Ferguson's purpose, Sheppard responded naively:

I regret that you seem to have misconstrued the spirit of my telegram of this morning. I sent it in the best of feeling and good faith and with a desire as a citizen to be of some assistance to the Governor of my State and to a large section of my people in frightful crisis. After carefully looking into the situation will answer your inquiries specifically.

Then he received another full broadside:

Your telegram . . . which I more deeply resent than I did the first is received. You well know that for months the Governor of the state, the citizens of Brownsville, the State Rangers, peace officers and the National Army have heroically struggled with the border trouble. Hence your message attempting to tell me what the state should do and insinuating that the state, through me had done nothing to relieve the border situation is a piece of crude politics . . .

At this point Sheppard decided to end the cannonading, realizing that correspondence with Ferguson was fruitless and politically damaging. He simply stated that he had no feeling of resentment against the Governor. He was still bitter at such treatment, but the fight ended because of affairs in Europe and problems with Pancho Villa.¹²

On November 4, soon after his telegram debate with Ferguson, Sheppard wired President Wilson his suggestions for handling border violence. In retrospect, his analysis was incisive and his recommendations wise, for he clearly understood the racial nature of the conflict as well as the national differences. He asked that a ranking officer remain in the Valley to oversee the operation to suppress the raids. He also favored the use of radio to improve communications, autos for greater mobility, and light artillery for a possible conflict. In the long run he maintained that the federal government should build forts along the Rio Grande and a road to connect them. He further asked that some kind of reciprocal "hot pursuit" treaty (allowing authorities on both sides to chase wrongdoers across the Rio Grande) be negotiated with the Constitutionalists.¹³

After "Pancho" Villa raided Columbus, New Mexico, on March 9, 1916, Carranza and Wilson negotiated the mutual "hot pursuit" protocol—but this solution proved inadequate. General John J. "Blackjack" Pershing commanded an American Punitive Expedition which penetrated deep into Mexico chasing Villa, who frustratingly remained out of reach. Then, Carranza ordered the American forces to leave the country. Raids across the Rio Grande continued, including attacks on Glen Springs and Boquillas, Texas. With pressing concerns in Europe and no real support in the United States for a war with Mexico, Wilson complied with Carranza's demand and withdrew the Punitive Expedition on February 5, 1917.¹⁴

After this frustrating experience Sheppard renewed a battle with an old adversary, Joseph W. Bailey. Both men were nearly legendary orators, but there the similarities ended. For fifteen years they had been on opposing sides of many a political battle. Sheppard had sided with the anti-Bailey forces from the time of the Waters-Pierce Oil Company controversy.¹⁵ Not surprisingly, they also had clashed over the Texas prohibition campaign of 1911. Bailey had actively supported Jacob Wolters, Sheppard's opponent in the Senate election of 1912, and therefore had been an almost constant critic of Sheppard and his political positions, especially on woman's suffrage, prohibition, child labor, and the tariff.

Some scholars have argued that personality conflicts and interne-cine strife were inevitable in a state ruled by one party. But this Sheppard-Bailey feud was more fundamental, more significant, in some

ways symbolic of a larger debate if not a change in American society. Bailey was like a Texas live oak, strong, resilient, with deep roots in Texas soil. As a representative of nineteenth-century America, he envisioned a society in which the only participants were the people and the government. He therefore favored a *laissez faire* approach to the economy and a strict states' rights federal polity. He sincerely believed that the cause of freedom and justice was best served by protecting the individual from the federal government. Sheppard, on the other hand, reflected the philosophy of government that developed after what intellectual historian Henry Steele Commager called the "watershed of the nineties." He feared a new threat to the people, specifically the growth of huge corporations which had changed the political and economic game. He was convinced that private business could and would exploit the people as much or more than the government. He therefore rejected the dogmas of states' rights and *laissez faire* economics, while at the same time striving for the goals of human freedom and justice which those ideas had at one time served.¹⁴

These fundamental differences made conflict between the two men nearly inevitable. And Bailey was a formidable foe. In May, 1916, he controlled the Texas State Democratic Convention; he influenced that group to pass resolutions in opposition to Woman suffrage and national prohibition. He also engineered the election of William Poindexter as National Committeeman, defeating a Sheppard associate, Thomas B. Love of Dallas. As a result, every time the hint of a Bailey candidacy in 1918 arose, as it often did after 1916, Sheppard had reason to worry.¹⁵

Despite this, as well as the fact that many voters rejected Wilson and reacted to a "Red Scare" hysteria by voting against progressives, Sheppard had little opposition in the campaign of 1918. Whatever the reason, Sheppard's excellent record of service, the Seventeenth Amendment allowing the direct election of Senators, or the war, Bailey decided not to oppose the young Senator. Sheppard even received the endorsement of Jacob Wolters. So with only token opposition, he won renomination and reelection easily.¹⁶

What can be learned about the Texas electorate of 1918 from this overwhelming endorsement of Morris Sheppard? Some voted for him because of his excellent record of service in the day-to-day Senate responsibilities. Others supported his record as a progressive. Still others liked his wholesome, religious, and nearly naive image, one which gave him an appeal over the more seasoned, traditional politicians. Perhaps Texans were not as conservative as some historians have maintained, but Sheppard did fight a long battle for prohibition and he was, therefore, perceived as essentially a prohibitionist rather than a progressive. For many Texans opposition to liquor was the bridge from

the *laissez faire* approach to a more active role of the federal government in society. An Anglo Protestant Texan could easily take the short step from eliminating the evils of the saloon to stopping the wrongs of child labor. He could also see that opposition to the "beer barons" was not drastically different from curbing the exploitative practices of steel, railroad, or banking magnates. But fundamentally, emotionally, religiously, the Anglo Protestant Texas was opposed to strong drink. And Sheppard rode that emotional wave to a second term in the United States Senate.¹⁹

NOTES

¹Walter Prescott Webb, *The Texas Rangers: A Century of Frontier Defense* (Boston, 1935), 175-191.

²"*Pan o palo*," meaning bread or stick, implies that for those who would cooperate, Diaz would provide economic security. But for others who opposed him, he offered only punishment or death.

³Lesley Byrd Simpson, *Many Mexicos* (Berkeley, 1963), 258-282; Henry Bamford Parkes, *A History of Mexico* (Boston, 1938), 285-357; Anita Brenner, *The Wind that Swept Mexico: The History of the Mexican Revolution, 1919-1942* (Austin, 1943), 7-36.

⁴Arthur S. Link, *Wilson: The New Freedom* (Princeton, 1956), II, 347-416. Hereafter cited as Link, *Wilson*.

⁵*New York Times*, July 30, 1913; U. S. Congress, Sen. Doc. 21, 63rd Cong., 2d sess., 3-4.

⁶Link, *Wilson*, II, 389.

⁷*Austin Statesman*, February 27, 28, 1914; George P. Huckaby, "Oscar Branch Colquitt: A Political Biography," Ph.D. Dissertation, University of Texas, Austin, Texas, 1946.

⁸*Congressional Record*, 63d Cong., 2nd sess., 4533.

⁹*Dallas News*, March 11, 1914.

¹⁰*Dallas News*, July 15, 1914.

¹¹James Key Deshields, *The Fergusons: "Jim and Ma" the Stormy Petrels in Texas Politics* (Dallas, 1932).

¹²Sheppard to Ferguson, October 26, 1915; Ferguson to Sheppard, October 26, 27, 1915 in Sheppard Papers; *Austin American*, October 30, 1915.

¹³*Dallas News*, October 31, 1915.

¹⁴Link, *Wilson*, IV, 205-298.

¹⁵Earlier Bailey had faced serious charges of conflict of interests when he accepted a loan and a retainer from a subsidiary of the Standard Oil Company.

¹⁶Henry Steel Commager, *The American Mind: An Interpretation of American Thought and Character Since the 1880s* (New Haven, 1950), 42-55.

¹⁷Sam Hanna Acheson, *Joe Bailey—The Last Democrat* (New York, 1932), 378.

¹⁸Sheppard Scrapbook, 103, in Sheppard Papers; *Dallas News*, August 14, 1918.

¹⁹Lewis L. Gould, *Progressives and Prohibitionists: Texas Democrats in the Wilson Era* (Austin, 1973), 286-291.