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Paul M. Lucko

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**COUNTERACTING REFORM**  
**LEE SIMMONS AND THE TEXAS PRISON SYSTEM**  
**1930-1935**

by *Paul M. Lucko*

Although prisons in Texas and the United States have endured a troubled past, they are important growth industries. The Texas Department of Criminal Justice has evolved from a single penitentiary in Huntsville that held only three prisoners in 1849 to a multi-unit, statewide operation containing nearly 50,000 inmates in 1991. Most histories of Texas prisons, whether in the form of academic investigations, popular literature, reference works, or textbook summaries, praise the achievements of Marshall Lee Simmons, general manager of the Texas Prison System from 1930 to 1935. Writers usually regard the Simmons administration as an exception to a tradition of poor management which often afflicted the state's penal institution. A closer look at Simmons and his leadership, however, suggests the error of this view and indicates that Simmons merits little of the acclaim he has received. Instead, this paper will argue that in reality Simmons implemented a program designed to counteract many of the ambitious goals held by Texas prison reformers. This study will also maintain that while Simmons' public relations skills convinced his contemporaries as well as later historians, he did not construct a modern, progressive prison system.<sup>1</sup>

A successful farmer, businessman, and ex-sheriff from Grayson County, Simmons enjoyed the friendship of several Texas political figures. Governor Pat Morris Neff (1921-1925) appointed him to a special prison investigating committee in 1923; Governor Daniel James Moody (1927-1931) named him to the newly created Texas Prison Board in 1927. Well known throughout Texas, Simmons also counted entertainment figures Will Rogers and Tom Mix among his friends.<sup>2</sup>

Typically, commentators have characterized Simmons as "reform-minded," "progressive," "enlightened," or "more than a decade ahead of his time." "The first real blast at prison reform came when Simmons ... accepted the challenge to become the general manager of the prison system," writes one admiring scholar. "The most impressive changes in the prison system were observable under the stimulating influence of Lee Simmons," adds another. "After Lee Simmons ... was appointed manager ... the prison system thereafter showed marked improvement," another author observes. "Simmons inherited a sorry situation," a former law officer recalled, "but he was improving it." Simmons guided much of the favorable historiography through a personal interview with one researcher and especially in his autobiography, *Assignment Huntsville*,

published shortly before his death in 1957. He began his story by stating: "There is no magic about getting a big job done." The remainder of his book, sometimes revealing but always self-laudatory, describes his accomplishments and his attitude toward prison reform.<sup>3</sup>

Texans have witnessed repeated reform movements and debates over prison issues. As in other Southern states following the Civil War, Texas leased prisoners to private contractors. The convict-lease system continued until the end of 1912, while the state expanded its own landholdings. Termination of the profitable convict-lease system following an acrimonious debate left an economic void for the state government as state prison farms incurred annual losses. Despite the demise of convict leasing, a work-ethic philosophy that measured penal success according to agricultural profits persisted in Texas. Fiscal failures, poor treatment of prisoners, and official corruption prompted routine legislative investigations amid seemingly constant turmoil in Texas prisons.<sup>4</sup>

Influenced by a group of women political activists, reformers in the 1920s united in the Texas Committee on Prisons and Prison Labor to demand a modern prison system. Working with national prison reformers, the Texas Committee on Prisons and Prison Labor advocated "progressive penology" which emphasized the importance of science as a tool for prisoner rehabilitation. Progressive penologists believed that psychological treatment, an end to corporal punishment, scientific classification and segregation of criminals according to rehabilitation potential, as well as inmate democracy and recreation, should characterize prison life. The Texas reformers, closely aligned with Governor Dan Moody, urged the centralization and relocation of prison properties in a penal colony near Austin. Although the Texas legislature failed to adopt the relocation proposal, voters amended the state constitution by authorizing legislative creation of a nine-member prison board. The new board, consisting of Moody appointees, first met in 1927 and contained a majority who either belonged to the Texas Committee on Prisons and Prison Labor or supported its agenda. Elizabeth Speer of El Paso, a leading activist, served as secretary to board chairman Robert Homes Baker of Houston and engaged in detailed direction of prison affairs. The reform-oriented board hired a general manager and fired employees guilty of abusing prisoners. Conditioned by progressive penology, the board limited corporal punishment, expanded convict recreational and educational activities, and promoted inmate democracy in the form of a prisoner welfare league.<sup>5</sup>

Among the members of the new board, Lee Simmons espoused a minority viewpoint which questioned the progressive program imposed by the board majority. According to a former prison official, Simmons criticized the involvement of Speer, whom he considered a "political woman;" progressive chairman Baker complained to Moody that Simmons had objected to "every constructive act" considered by the board. Skeptical towards "scientific" penology, Simmons viewed progressive

prison reformers as "theoretical" and "impractical." In a letter to Baker, Simmons advocated a "business approach" to prison administration and described Baker and Speer as "too sympathetic" with prisoners.<sup>6</sup>

Controversy plagued the prison system during the progressive ascendancy. Like Simmons, many veteran employees disdained the reformers, complaining that their management spent unnecessary funds on food and expressed too much concern for "picture shows, ball games, radios, boxing gloves, and music for the convict," while neglecting agricultural operations. The reformers desired financial self-support from prison labor but believed that prisoner rehabilitation should remain the system's key objective. Legislative battles over relocation served as a distraction when board members and the governor proved hesitant to upgrade existing facilities. Moody also contributed to problems by only sparingly exercising gubernatorial clemency, thus causing a massive overpopulation of the prison system.<sup>7</sup>

After the board's first general manager, W.H. Mead, resigned in November 1929, members, with strong encouragement from many Texas legislators and Governor Moody, offered the position to Simmons. Citing his desire to complete important projects associated with his job as manager of the Sherman Chamber of Commerce, Simmons, who initially accepted the offer, subsequently declined. By this time, Baker had resigned from the board and some of the earlier reform sentiment appeared to subside among board members. Moody's supporters may have believed that with the popular Simmons as general manager, a reluctant legislature might more willingly accede to prison relocation. Former board chairman Baker, recalling past differences with Simmons, opposed his appointment. On March 25, 1930, following the legislature's final defeat of the Moody relocation proposal, Simmons, amid widespread public approbation, agreed to assume leadership over 5,000 prisoners housed in the "Walls" penitentiary at Huntsville and at eleven prison farms covering over 73,000 acres in East Texas and the Gulf Coast.<sup>8</sup>

Unlike progressive penologists, Simmons viewed corporal punishment, which most other states had abolished, as a vital prison management tool. Convinced that strict discipline served as a guarantor of convict labor on prison farms, he described himself as a proponent of "corporal punishment-in the home, in the schoolroom, in the reformatory, [and] in the penitentiary," aware that contemporary "psychologists, psychiatrists, and penologists" disagreed. "Right or wrong," he wrote in his memoirs, "in the Texas Prison System we whipped our hardened criminals, when other means of persuasion failed." He regarded whipping as less cruel than solitary confinement, because such treatment did not keep prisoners idle. "In most cases," he asserted, "firm discipline, fair treatment, and plenty of work to keep everybody busy will keep the riotously inclined out of mischief." While he stressed that guards should not use the whip or "bat" routinely, he knew that the "hell-raiser fears nothing

more than he fears the 'bat.' ” “When I was in charge, he got it.” Simmons maintained that the bat effectively deterred convict misbehavior and that guards seldom whipped “non-incorrigible” prisoners.<sup>9</sup>

Prison regulations permitted whipping with a leather strap which was two and one half inches wide, twenty-four inches long, and attached to a wooden handle. The rules further provided that a physician must observe all whippings and that all whippings must receive written approval from the general manager. However, former convicts frequently complained that they had witnessed numerous unsanctioned beatings. Some prisoners described on-sight floggings at prison farms in which guards hit convicts with pistols, wet-knotted ropes, and hoe handles. One former inmate indicated that the most severe whippings occurred on the farms and not at the “Walls,” which frequently hosted visiting dignitaries. Nevertheless, official records reported whippings on all prison properties. Another former prisoner provided a vivid account of whippings: “When men are whipped in the Texas Penitentiary, they are stripped and laid on a blanket. Many convicts will testify to the use of larger bats—such as a trace chain placed within a rubber hose.” Often convicts, especially “trustys,” held other prisoners while guards administered punishment.<sup>10</sup>

Allegations unsupported by documentation in official records lack proof, but whipping orders from 1931 indicate beatings in that year occurred more frequently than Simmons admitted. Those orders reveal a wide variety of offenses, some major and some seemingly minor, for which prisoners might receive whippings. Contrary to Simmons’ memoirs, most whipped prisoners received a legal maximum of twenty lashes. A list from a six-month period shows that 128 prisoners received official floggings for such infractions as fighting, cursing employees, disobedience, and sodomy. Many punishments related to labor problems; the list reported whipping for “picking dirty cotton,” crop destruction, acting “stubborn and lazy,” and “assaulting fellow prisoners who were working too fast.” Additionally, several convicts experienced lashings for self-mutilations, “possessing...and selling narcotics in the yard,” “getting drunk,” and for violent acts toward other prisoners. The whippings transcended racial and ethnic distinctions; at least three women prisoners at the Goree Farm near Huntsville received whippings for “refusing to work,” “laziness,” and “impudence.”<sup>11</sup>

The use of corporal punishment reflected some of the continuing difficulties which prison administrators faced in maintaining control over their wards. Simmons felt that strong measures effectively prevented escapes. However, in most states during the 1930s, officials controlled prisoners by a process of extending and denying privileges. Until 1941, when the prison board ended whipping, Texas had no formal program based upon privileges and relied upon the bat as its principal means for providing order. Simmons reduced the use of solitary confinements during his years as general manager but allowed his warden and farm managers

to utilize the "barrel treatment" by which, in the words of an ex-convict, "a vinegar barrel was inverted and the prisoner was ordered to stand on top of it-three hours on and one off, all night long."<sup>12</sup>

Through an emphasis upon more traditional methods of management and control, Simmons probably improved morale among veteran employees. He fired "Walls" warden E.F. Harrell, whom he regarded as a good man, but "not well qualified either to handle prisoners or to gain the cooperation of the many employees of the prison management." He rehired farm manager B.B. Monzingo, whom the progressive board had terminated in 1929 for his "bad temper." Simmons named Monzingo, who publicly castigated the reformers in letters to the legislature, as manager of the remote Eastham Farm in Houston County. Eastham, sometimes referred to as "Little Alcatraz," held many of the convicts Simmons and his assistants considered most "incurable."<sup>13</sup>

As in previous and future years, rumors concerning mistreatment of convicts by employees emanated from the various prison units. Simmons may have opposed field whipping and illegal conduct toward prisoners, but, as explained to Simmons in a letter from former board member and noted prison reformer Henry Cohen of Galveston: "It may be possible, however, that certain matters are hidden from you-deliberately!" Simmons tended to reject charges of brutality, instinctively defending the capability and integrity of his subordinates. Writing to Cohen, he stressed the problems peculiar to prison management: "We must hold and control these hardened criminals and in doing so there is going to be trouble and frequently when a prisoner of this kind is released, he has all kinds of tales to report... ." He assured Cohen that "prisoners who try to get along have no trouble whatever." Reporter Harry McCormick of the *Houston Press*, however, protested that Simmons typically responded to atrocity charges through a "stereotyped declaration" that "I am going to get to the bottom of this," and then proceeded to suppress the complaints.<sup>14</sup>

Indeed, the *Houston Press* appeared to be the only major Texas newspaper to question the Simmons regime. Edited by the well-known Marcellus Elliot "Mefo" Foster, the *Press* maintained a long-standing interest in prison reform matters. Foster, like other state editors, initially hoped that Simmons would solve the problems of the prison system. Unlike the others, though, Foster and his reporter, McCormick, voiced disappointment with Simmons. After the mysterious death of a convict at the Eastham farm in 1932, McCormick berated the general manager: "The present prison program, cast upon a basis of profits under the direction of Lee Simmons, is a disgrace to a civilized people." Prison officials reported that the deceased convict had died following a fall, but McCormick found evidence that guards had allowed "a trusty" to administer punishment to a fellow-convict which included a blow that resulted in a fatal brain concussion.<sup>15</sup>

Responding to the *Press's* negative reporting, Simmons cancelled prisoner subscriptions to the publication. Foster wrote: "perhaps it is because we exposed the beating and subsequent death...at Eastham Farm, or it may be that the watchful manager thinks our news articles...will be detrimental to the morals of the prisoners." Simmons defended his actions, contending that the *Press* was "unprincipaled [sic] and that they will not hesitate to misrepresent facts and stab the Prison System in the back for selfish gain." He lamented that Foster "does not understand what we are really doing and does not believe the statement of many folks in regard to the progress in the Prison System."<sup>16</sup>

Numerous convicts in the 1930s, as in later years, intentionally injured themselves to avoid working in the fields, slashing their heels, tendons, or wrists; some chopped off their toes or even their feet. Michigan newspapers printed unfavorable articles about the crude manner in which Texas transported prisoners, often across the country, in a four-foot square cage positioned on the rear of a small truck. Escapes declined during the 1930s, possibly attributable to stricter procedures and better conditions, but probably due to liberal clemency policies adopted by Texas governors. Despite their reduced numbers, escapes continued to arouse concern. The infamy of one escape created a veritable panic among prison officials.<sup>17</sup>

On January 16, 1934, the notorious outlaw Clyde Barrow, a paroled convict, and his equally famous companion, Bonnie Parker, raided the Eastham Farm, killing a guard and freeing five prisoners. Embarrassed by the Barrow raid and the death of another guard the previous year, Simmons conceived stern tactics to deal with Barrow and two of his co-conspirators released from Eastham, Raymond Hamilton and Joe Palmer. Obsessed with "avenging the murder of my guard," Simmons obtained authorization from Governor Miriam A. Ferguson to retain former Texas Ranger Frank Hamer as "Special Investigator for the Texas Prison System." For over three months, Hamer stalked Barrow and Parker until on May 23, 1934, he and several Texas and Louisiana law officers cornered the pair near Gibsland, Louisiana. According to Simmons, Hamer followed his orders "to put Clyde and Bonnie on the spot and to shoot everyone in sight," ending the careers of two legendary criminals.<sup>18</sup>

Authorities later captured Hamilton and Palmer, who received death sentences for the murder of the Eastham guard. While awaiting execution, though, Hamilton, Palmer, and a third prisoner, with the assistance of a guard, escaped from the Huntsville "death house," only to be captured a few months later. On May 10, 1935, Hamilton and Palmer died in the electric chair. The preceding day, a legislative investigating committee had exonerated a farm manager from blame for brutalities to convicts guilty of self-mutilations. A few days after the executions, four prisoners escaped from Eastham again, killing one guard and wounding another. On May 16, 1935, the Huntsville *Item* reported that a prisoner had stabbed another convict fatally at the "Walls." Simmons, like most

prison administrators, had still not completely mastered the task of controlling inmates after over five years as general manager.<sup>19</sup>

Simmons, however, used his interpersonal skills to advantage while leading the prison system. Concerned with advancing a favorable image, he and his assistants wrote their annual reports in a positive manner, stressing improvements, obscuring internal problems, and downplaying repeated financial losses by emphasizing "savings" from reduced operating costs attributable to superior management. Although prison records confirm decreased operating expenses and lower food costs during the depression of the 1930s, an administrative study of state agencies by a private consulting firm in 1933 doubted that the system could ever attain self-sufficiency.<sup>20</sup>

New construction and improvements of existing prison facilities resulted more from legislative appropriations, beginning in March 1930, than from Simmons' managerial methods. Simmons successfully convinced legislative investigators that he had transformed the prison as he led them on tours of the facilities. Members of one such investigating committee reported in 1933: "There has been a vast improvement in our entire penal system ... The old theory that cruel treatment will make prisoners better citizens when returned to civilian [sic] life is vanishing ... ." The *Austin American* reported in 1931 that "the effect of physical changes for order, industry, cleanliness, and softening of the grimness is more marked upon the appearance and conduct of the men than is even the physical transformation." Even Foster acknowledged improvements in prison physical properties, but tempered his praise with the observation: "Mr. Simmons thought more of making crops grow and improvements that would show than he did of aiding convicts who were mistreated."<sup>21</sup>

Prisoner idleness did not present problems for Texas officials as it did for administrators in the industrial states. The large prison farms occupied most convicts who trotted as far as five miles to the fields in the morning and then returned in the same fashion during the evening. Although state regulations prohibited convict labor that exceeded ten hours per day, Simmons worked many prisoners as much as fifteen hours during at least one harvest season. Contending that an emergency required the temporary transfer of prisoners from the "Walls" to Brazos Valley lands, Simmons increased good behavior benefits for work above ten hours. "Picking cotton is not in itself such a terrible and inhuman thing," Simmons explained. "It is fair to the men, for we are doing them a favor when we find them work to do instead of letting them loaf around and be led unwittingly into mischief and trouble by hardened leaders." Simmons boasted of a one-armed African-American convict who picked 362 pounds on a single day and claimed that another prisoner actually picked 1,000 pounds in one day.<sup>22</sup>

Although the prison system remained predominantly agricultural, with over sixty percent of the convicts employed directly in farming, the prison



did operate a shoe shop, printing shop, machine and wagon shops, as well as clothing and broom factories, a brick plant, and a variety of food-processing plants. Prisoners not engaged in farming or industrial pursuits worked in construction or in prison kitchens. A few received choice positions as drivers for officials or acted as record keepers and clerks. Some prisoners acted as "building tenders" or "trustys" who supervised other convicts. A number of inmates at the "Walls" and probably at other units, worked in prison hospitals where they served as aides and nurses, even assisting in surgery. Despite concerns relating to drug usage, prisoners helped distribute pharmaceuticals at the prison dispensaries.<sup>23</sup>

Like progressive penologists, Simmons did recognize the benefits of inmate recreational activities. As during the 1920s, when not at work, convicts engaged in a variety of organized pastimes such as glee clubs, orchestras, and bands. Prison baseball teams successfully competed against teams from local towns, a radio-speaker system entertained inmates assembled in the dining hall at the "Walls," and prisoners frequently watched movies and attended performances by visiting entertainers. In 1931 Simmons began the Texas Prison Rodeo at Huntsville which attracted thousands of visitors annually until its end in 1987. As mandated by state law, Simmons maintained schools for illiterate prisoners, who often constituted a majority of the convict population. Other prisoners attended classes on a voluntary basis in both academic and a few vocational areas related to their job assignments. Academic classes met in the evening hours and did not interfere with employment; the system hired a single principal to oversee instruction conducted by convict teachers. A report by a Federal agency later in the decade, however, criticized Texas' educational operations for the absence of trained teachers and a dearth of vocational courses.<sup>24</sup>

The salience of generally nonprogressive practices such as corporal punishment and commercial agriculture overshadowed progressive prisoner welfare and rehabilitation practices in the Texas Prison System from 1930 to 1935. David J. Rothman, a leading historian of American prisons, has observed that most twentieth-century penal institutions contained "more or less progressive features." Clearly, Texas prisons, under the leadership of Lee Simmons, possessed "less" progressive attributes. Only through Rothman's cynical definition of "reform" as "the designation that each generation gives to its favorite programs," can one correctly characterize Simmons as a "reformer." Counteracting the sweeping reform program suggested by the Texas Committee on Prisons and Prison Labor in the previous decade, Simmons, with skillful use of public relations, persuaded Texans that competent administration could conduct the prison system in a "humane" and "business" fashion. His success in promoting a favorable image helped avert more comprehensive reform measures. By continuing an austere tradition, the state would later defend its correctional facilities unsuccessfully in the most lengthy prisoners' lawsuit in the nation's history.<sup>25</sup>

## NOTES

<sup>1</sup>See David J. Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston, 1971), pp. xviii-xix, 48-64, 79-88, 238-264; Blake McKelvey, *American Prisons: A History of Good Intentions* (Monclair, N.J., 1977), pp. 6-31, 34-62, 95-98, 381-384; Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19th Century American South* (New York, 1984) pp. 34-35, 41-59; David J. Rothman, *Conscience and Convenience: The Asylum and its Alternatives in Progressive America* (Boston, 1980), pp. 10-12, 32-34, 143, 151, 420-421; Roger T. Pray, "How Did Our Prisons Get That Way?" *American Heritage* (July-August 1987), pp. 92-101; New York Times, May 25, June 9, 1989, *Austin American Statesman*, November 9, 1989; *Biennial Reports of the Directors and Superintendent of the Texas State Penitentiary at Huntsville, Texas, with The Report of the Prison Physician, Commencing December 1, A.D. 1878, and terminating October 31, A.D. 1880*; *Texas Department of Corrections, Annual Overview 1988*, p. 71; *Austin American-Statesman*, February 9, 12, 1991.

<sup>2</sup>Lee Simmons, *Assignment Huntsville: Memoirs of a Texas Prison Official* (Austin, 1957), pp. 11-18, 52-59, 96-98; *Sherman Democrat*, September 19, 1957; *Austin Statesman*, September 29, 1957. Simmons was born on September 9, 1873 and died on October 12, 1957. See *Dallas Morning News*, October 13, 1957; *Huntsville Item*, October 17, 1957.

<sup>3</sup>Steve J. Martin & Sheldon Eckland-Olson, *Texas Prisons: The Walls Came Tumbling Down* (Austin, 1987), p. 11; Mike Kingston, "Crime and Punishment," in *1988-1989 Texas Almanac and State Industrial Guide* (Dallas, 1987), p. 267; James Robertson Nowlin, "A Political History of the Texas Prison System, 1849-1957" (M.A. thesis, Trinity University, 1962), pp. 151-152; Herman Lee Crow, "A Political History of the Texas Penal System, 1829-1951" (Ph.D. diss. University of Texas, 1964), p. 272; Rupert N. Richardson, Ernest Wallace, Adrian Anderson, *Texas: The Lone Star State*, Fifth Edition (Englewood Cliffs, N.J., 1988), p. 117; Crow, "A Political History," p. iii; Simmons, *Assignment Huntsville*, p. vii.

<sup>4</sup>Donald R. Walker, *Penology for Profit: A History of the Texas Prison System 1867-1912* (College Station, 1988), pp. 191-197; Thomas Michael Parrish, "This Species of Slave Labor: The Convict Lease System in Texas, 1871-1914" (M.A. thesis, Baylor University, 1976), pp. 115-121; Crow, "A Political History," pp. 179-182, 299-301; J.E. Pearce, "History of Efforts at Reorganizing and Relocating the Penitentiary System of Texas," unpublished manuscript for the Texas Committee on Prisons and Prison Labor, in Prisons Vertical File and Scrapbook (Barker Texas History Center, University of Texas Austin); Nowlin, "Texas Prison System," p. 110.

<sup>5</sup>*General and Special Laws of the State of Texas Passed by the Fortieth Legislature, at the Regular Session* (Austin 1927), pp. 298-307; Texas Committee on Prisons and Prison Labor, *Summary of the Texas Prison Survey Vol. I* (Austin, 1924), pp. 1, 8-13, 25-27, 86-87. Elizabeth Speer to Committee Member, February 24, 1925, Henry Cohen Papers (Barker Texas History Center); Elizabeth Speer to members, October 28, 1926, McCallum Family Papers (Austin-Travis County Collection, Austin, Texas); Charlotte Teagle, *History of Welfare Activities of the Texas Prison Board* (Austin, 1940), pp. 11-12, 154-157; *The ECHO* (Huntsville), November, 1928; R.H. Baker to B.B. Monzingo, January 8, 1929, Cohen Papers; List of fired guards in Records Relating to the Penitentiary, Texas State Archives, November 28, 1929, October 28, 1929; Texas Legislature, *Senate Journal of the Forty-First Legislature, of Texas Regular Session* (Austin, 1929), pp. 586-587; Baker to Lee Simmons, November 28, 1927, McCallum Papers; Frank M. Stewart and Joseph L. Clark, *The Constitution and Government of Texas* (Dallas, 1936) 85; Statement from the Executive Office, March 27, 1930, in Dan Moody Governor's Records (Archives Division Texas State Library, Austin). *Annual Report 1928*, p. 10; W.H. Mead to All Members of the Texas Prison Board, May 10, 1929, Cohen Papers; Baker to Moody, March 25, 1929, Cohen Papers.

<sup>6</sup>Baker to Dan Moody, November 14, 1929, Moody Records; Baker to Simmons, November 16, 1929, *Ibid*; Simmons to Baker, November 19, 1929; *Texas Senate Journal Forty-First Regular Legislature*, p. 589; Simmons, *Assignment Huntsville*, p. 52.

<sup>1</sup>*Texas Senate Journal Forty-First Regular Legislature, 1929*, pp. 586-587; Baker to Simmons, November 28, 1927, McCallum Papers; Fort Worth *Star Telegram*, March 4, 11, 1930; Houston *Press*, March 10, 1930; *Annual Report, 1927*, p. 66; 1928, p. 94; 1929, p. 4-E; 1930, p. 2-D.

<sup>2</sup>Simmons, *Assignment Huntsville*, pp. 57-59; Sherman *Daily Democrat*, February 25, 1930, March 25, 1930; Houston *Press*, March 26, 1930; Fort Worth *Star Telegram*, March 29, 1930; Baker to Simmons, November 20, 1929, Moody Governor's Records; Anglo-Americans composed approximately fifty percent of the prisoners; African-Americans comprised another forty percent and persons of Mexican descent included ten percent of the population. The female population at the Goree Farm near Huntsville stood at 100, nearly two-thirds of the women were African-Americans. *Annual Report, 1930*, p. 6-D; Griffenhagen and Associates, *Report of the Joint Legislative Committee on Organization and Economy* (Austin, 1933), p. 2.

<sup>3</sup>Simmons, *Assignment Huntsville*, p. viii.

<sup>4</sup>*Ibid.*, pp. vii-xi; Crow, "A Political History," pp.203-227; C.V. Compton, *Deep Secrets Behind Gray Walls* (n.p., 1940) no page numbers. See interview with ex-convict James Gillespie in the *Detroit Free Press*, (1941) in W. Lee O'Daniel Governor's Records (Texas State Archives); Joe Billings, "I Graduated From a Texas Crime Factory," (published from *True Magazine* n.d., in Texas Collection, Baylor University, Waco); Milt Good, *Twelve Years In a Texas Prison* (Amarillo, 1935), p. 68; Compton, *Deep Secrets*; see "Oldest Prison Guard Dies," *Sheriffs Association of Texas Magazine* Vol. 6 (April 1937), p. 9; John Neal Phillips and Ralph Fults, "The Man Who Ran With Bonnie and Clyde," *Dallas Life Magazine*, (Dallas *Morning News*), June 10, 1984, pp. 9, 28.

<sup>5</sup>See "Executed Whipping Orders," 1931, in Ross G. Sterling Governor's Records (Texas State Archives).

<sup>6</sup>Rothman, *Conscience and Convenience*, pp. 126-132; Simmons, *Assignment Huntsville*, pp. ix-x; Compton, *Deep Secrets*; A.L. Southwick to W. Lee O'Daniel, January 1, 1941, O'Daniel Records; Wm. J. Lawson to Compton, January 7, 1941, *Ibid*; Compton to O'Daniel, January 25, 1941, *Ibid*; Compton to O.J.S. Ellingson, May 7, 1941, *Ibid*; "Prison Board Sees Need For Prison Reforms," *Sheriffs Association of Texas Magazine*, Vol. 8, (February-March 1939), p. 33; Crow, "A Political History," p. 202; Good, *Twelve Years*, p. 46. Billings, "I Graduated;" Bill Mills, *25 Years Behind Prison Bars* (npp., 1951) 80.

<sup>7</sup>Simmons, *Assignment Huntsville*, pp. 114-178; R.H. Baker to B.B. Monzingo, January 8, 1929, Cohen Papers; *Texas Senate Journal Forty-First Regular Legislature, 1929*, pp. 586-587; *Annual Report, 1930*, "Official Directory;" Simmons to Cohen, June 20, 1933, *Ibid*; Mills, *25 Years*, p. 49; Eugene V. Simons to Cohen, December 28, 1928, March 20, 1929, Cohen Papers.

<sup>8</sup>Cohen to Simmons, June 19, 1933, Cohen Papers; Simmons to Cohen, June 20, 1933, *Ibid*; Cohen to Simmons, June 23, 1933, *Ibid*; Simmons to L.J. Taylor, March 6, 1931, Sterling Records.

<sup>9</sup>Houston *Press*, March 28, 1932; Austin *American*, March 25, 1932; Mary Carey, *How Long Must I Hide* (Austin, 1983), pp. 179-181; B.W. Burress to Sterling, March 25, 1932, Sterling Records; Sterling to Burress, April 1, 1932, *Ibid.*; Foster to Cohen, May 25, 1932, Cohen Papers.

<sup>10</sup>Houston *Press*, May 1932, in Sterling Records; Simmons to Cohen, May 8, 1933, Cohen Papers; Cohen to Simmons, May 30, 1932, *Ibid*; Simmons to Cohen, May 31, 1932, *Ibid*.

<sup>11</sup>C.V. Compton to Emmett Morse, December 1940, O'Daniel Records; C.V. Compton, *Uncle Sam Speaks: Jailers May Be Sent to Jail* (Dallas, 1956), p. 11; Carey, *How Long*, pp. 185-186; Simmons, *Assignment Huntsville*, pp. x-xi; *Detroit Times*, July 4, 1931; *Detroit Free Press*, July 3, 4, 1931; Ben M. Crouch and James W. Marquart, *An Appeal to Justice: Litigated Reform of Texas Prisons* (Austin, 1989), pp. 11-12. *Annual Report 1927*, p. 66; 1938, p. 94; 1935, p. 115; Simmons, *Assignment Huntsville*, p. 118; Houston *Post*, January 17, 1934; *Annual Report, 1931*, p. 28; 1932, p. 52; 1933, p. 4; 1934, p. 64; 1935, p. 114.

<sup>18</sup>Simmons, *Assignment Huntsville*, p. 126-135; H. Gordon Frost and John H. Jenkins, *I'm Frank Hamer* (Austin, 1968), pp. 209-212; Hinton, *Ambush*, pp. 117-168.

<sup>19</sup>Huntsville *Item*, May 16, 1935; also see the *Semi-Weekly Farm News* (Dallas), June 12, July 23, 24, 1934, August 7, 17, 1934; Simmons, *Assignment Huntsville*, pp. 148-158.

<sup>20</sup>For example, see *Annual Report*, 1930, p. 2A; 1931, pp. 5, 39-41; 1932, pp. 13-15; *Annual Report*, 1935, p. 18; Simmons to Cohen, February 24, 1933, Cohen Papers; W.A. Paddock to George Gordon Battle, July 24, 1931, Sterling Records; Paddock to Sterling, March 3, 1931, *Ibid.*; Griffenhagen and Associates, *Report*, p. 30.

<sup>21</sup>*General and Special Laws of the State of Texas Passed by the Forty-First Legislature, Fourth and Fifty Called Session*, (Austin, 1930), pp. 215-219; *An Inspection of the State Prison System of Texas*, 1933, a report in Records Relating to the Penitentiary; *Austin American*, July 1931; Foster to Cohen, May 13, 1933, Cohen Papers.

<sup>22</sup>McKelvey, *American Prisons*, pp. 251, 300-307; Rothman, *Conscience and Convenience*, pp. 137-139; Good, *Twelve Years*, p. 26; *Sherman Daily Democrat*, September 8, 9, 1930.

<sup>23</sup>Griffenhagen and Associates, *Report*, pp. 2-3, 30-33; Good, *Twelve Years*, pp. 27-28, 47-49, 63-64; See Carey, *How Long*, p. 191; B.W. Burress to Sterling, March 25, 1932, Sterling Records; Crouch and Marquart, *Appeal to Justice*, pp. 85-116.

<sup>24</sup>Wallace Edwin Lowry, "A Survey of Education in The Texas Prison System," (M.A. thesis, University of Texas, 1935), pp. 52-95; *Annual Report*, 1930, p. 1-2H; 1931, p. 32; 1932, pp. 56, 96-97; 1933, pp. 90-91; Prison Industries Reorganization Administration, *The Prison Labor Problem in Texas* (Washington D.C. 1937), pp. 86-87; Teagle, *History of Welfare Activities*, p. 164-177; Simmons, *Assignment Huntsville*, pp. 91-100; *The Echo*, January 1933, March 1930, May 1931, October 1931, January 1933, February 1933, April 1933; *Texas Department of Corrections 1987 Annual Overview*, p. 4.

<sup>25</sup>Rothman, *Conscience and Convenience*, pp. 4, 138; Simmons resigned the general manager's post on November 1, 1935 to work as Clerk for the Federal District Court of the Eastern District of Texas. Simmons, *Assignment Huntsville*, p. 207; *Annual Report*, 1935, p. 9.