

SAN ANTONIO, BEXAR COUNTY, AND THE TEXAS RANGERS: THE STRUGGLE OF  
PROHIBITION ENFORCEMENT

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## DEDICATION

I dedicate my thesis to my family and many friends who helped me along the way. A special feeling of love and gratitude for my parents, Elizabeth and Florentino Febre, whose endless love and patience made all this possible. I also dedicate this thesis to my wonderful girlfriend, Cherise Williams, who was always there to support and aid me through the entire process. Her knack for finding the most hidden and obscure sources and many of her suggestions were invaluable to crafting this thesis. Lastly, I'd like to dedicate my thesis to my best friend, Jared Allen, who was always there when I needed someone to verbalize and rant about my writings. I will always appreciate his willingness to be an audience for my many mad ramblings.

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## ABSTRACT

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### SAN ANTONIO, BEXAR COUNTY, AND THE TEXAS RANGERS: THE STRUGGLE OF PROHIBITION ENFORCEMENT

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The purpose of this study was to examine the enforcement of Prohibition in San Antonio, Texas, both before nationwide implementation and through Governor Pat Neff's Ranger occupation of the city between September 1923 to January 1925. Due to the challenges of Prohibition enforcement, Governor Neff, during his second term, created a new company of the famed Texas Rangers to police Prohibition within San Antonio with mixed results. This year-and-a-half-long enforcement campaign ended with the court case *Neff vs. Elgin* and the election of Governor Miriam Ferguson. Major primary sources of this thesis include various newspaper articles primarily from San Antonio, letters from Governor Neff and Rangers from San Antonio, including Captain Berkhead C. Baldwin, and court documents from *Neff vs. Elgin*. While Neff's occupation of San Antonio successfully enforced vice laws, the campaign proved difficult to maintain because of the unprofessionalism, uncooperativeness, and violent methods of the Texas Rangers.

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## CHAPTER I

### INTRODUCTION

With the ratification of the eighteenth amendment to the U.S. Constitution in January 1919, the Texas government quickly followed suit with their prohibition amendment on May 24 of the same year. In October 1919, the Texas legislature created an enforcement law known as the Dean Law that was more sweeping and punitive when compared to the federal Volstead Act.<sup>1</sup> After many decades of hard-fought protest and social activism, it finally appeared that prohibitionists, known as the Drys, had succeeded in criminalizing alcoholic drinks across the nation. In Texas, leaders of the crusade against liquor, notable figures including Pastor Frank J. Norris and Senator Morris Shepard, celebrated their final victory. Indeed, they might have thought their utopia was just around the corner.

To the great disappointment of the temperance movement, true Prohibition was not as simple as criminalizing alcohol. Despite the ratification of Prohibition into the United States Constitution and the creation of federal and state enforcement laws, namely the Volstead and Dean Laws, Prohibition was not as incontestable as Drys had hoped, especially so in Texas. Resistance to Prohibition laws by certain cities created conflict between state and local governments. This state and local conflict over Prohibition became even more strained with the inauguration of Governor Pat Morris Neff in January 1921. During his four-year tenure as Governor, Pat Neff, a staunch Prohibitionist, pushed for more significant law enforcement measures against liquor violations in the state legislature and executively. The Governor's use of the State Ranger force in battling Prohibition created considerable friction between the State and

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<sup>1</sup>Jeanne Bozzell McCarty, *The Struggle for Sobriety: Protestants and Prohibition in Texas, 1919-1935* (El Paso: Texas Western Press, Univ. of Texas at El Paso, 1980), 13

the localities the Governor targeted.<sup>2</sup> Some communities happily accepted the Rangers' presence, but San Antonio was not one of them.

According to *The Texas Rangers in Transition* by Charles Harris and Louis Sadler, "San Antonio was Ranger averse, the citizens enjoyed their booze, broads, and betting and resisting any effort to alter the status quo."<sup>3</sup> Aside from the citizenry who, according to Harris and Sadler, disliked the Rangers for enforcing Prohibition, other law enforcement institutions, namely the local and state courts, found the Rangers who ended up in San Antonio to be frustrating to work with. Policymakers in all levels of government, federal, state, and local, disagreed on the exact methods, regulations, and levels of responsibility for Prohibition enforcement. This confusion of federalism culminated in San Antonio during what this thesis will refer to as the Ranger occupation, an event in which Governor Pat Neff created Ranger Company E to be stationed in San Antonio to police vice laws between September 1923 through January 1925. This event saw the Rangers of Company E greatly resent both local and state judiciary and the federal Prohibition officers, whom they were supposed to cooperate with, because of what they felt were an undue amount of regulations that hampered their ability to enforce vice laws. In contrast to the feeling of persecution most strongly relayed by Captain Baldwin of Company E, the local and state courts especially felt frustrated by the Rangers' violent disregard of what seemed basic law enforcement regulations.

Ultimately, the contention between the Rangers and the City of San Antonio led to the lesser-known court case of *Neff vs. Elgin*, a court case and later an injunction that almost

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<sup>2</sup> Today we simply refer to them as the Texas Rangers, but in the past this organization was known by many names such as the State Ranger Force and the State Police. Throughout this thesis the organization will be called both the Rangers, the Ranger Force, and the State Police interchangeably.

<sup>3</sup> Charles H. Harris and Louis R. Sadler, *The Texas Rangers in Transition: From Gunfighters to Criminal Investigators, 1921-1935* (University of Oklahoma Press, 2019), 184

dismantled the Texas Rangers in 1925 as an institution. By examining how the state of Texas and the Rangers enforced Prohibition in San Antonio, this thesis reveals a previously unexplored aspect of Texas Prohibition history. My thesis is that San Antonio represents an important case study in the enforcement of Prohibition and its difficulties in maintaining enforcement over an extended period. While a determined Governor Neff could enforce strict Prohibition enforcement in San Antonio, the effort only lasted as long as he remained in office. Thus, long-term enforcement of Prohibition required cooperation between various federal, state, and local institutions, which were largely absent in San Antonio during the Ranger occupation because of the uncooperative and unruly behavior of the Rangers themselves. Despite their successes in suppressing vice crime, the Rangers' violent behavior and disregard for other law enforcement institutions showed just how difficult the transition was from advocating for Prohibition to the difficulties of enforcement. This thesis will focus on Prohibition enforcement as it developed in San Antonio, Texas, during the period between the beginning of U.S. entry into World War I, statewide prohibition in Texas as a result of the war, the beginning of the Texas Rangers occupation in San Antonio in 1923, and the end of said occupation in early 1925.

The city of San Antonio and Bexar County represent a nexus for the temperance movement, Texas Prohibition, and Texas Ranger history. As noted by borderlands historian George T. Diaz, San Antonio is a unique city that derives many of its characteristics due to its proximity to the U.S.-Mexico border.<sup>4</sup> San Antonio, the first large city across the border, was the first stop for many smugglers, and the city's anti-prohibition voting habits likely stem partly from this proximity. Much of the frustration of prohibitionists lay in the fact that San Antonio had a unique moral economy that differed from the rest of the state. The moral economy is a concept

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<sup>4</sup> George T. Diaz, *Border Contraband: A History of Smuggling across the Rio Grande* (Austin: University of Texas Press, 2015).



coined by George Diaz, which notes that even when specific activities, such as bootlegging, are illegal by the state or federal government, local communities' values and beliefs will allow them to ignore or even sometimes encourage said activity. In the case of San Antonio, this thesis argues that while San Antonio was cooperative in enforcing Prohibition under federal and state regulations, officials sending the Texas Rangers to stay permanently in the city, as well as their behavior during their stay, is the root of much of the conflict during the occupation. Despite the city's importance as a key battleground for prohibitionists before and after the implementation of Federal Prohibition, historians have overlooked 1920s San Antonio. This research is significant because it will fill a hole in the historiography of San Antonio, the Texas Rangers, and Prohibition history. Most of the secondary histories of San Antonio cover the nineteenth century, with relatively little work done on the twentieth century. Texas Rangers and Prohibition history, with a notable exception, tend to be told as separate histories despite the 1920s Rangers being deeply involved in Prohibition work. By researching Prohibition-era San Antonio, we can uncover the unique challenges of enforcing the noble experiment. Even secondary sources that discuss Prohibition in San Antonio do so briefly. In the case of Harris and Sadler's *The Texas Rangers in Transition*, they only had a single fourteen-page chapter covering the events of San Antonio.<sup>5</sup> By focusing this study on a single city, it will be possible to thoroughly examine the ramifications of how the enforcement of Prohibition in San Antonio affected both the city and the Ranger force.

This thesis uses primary sources from many different archives throughout the State. In San Antonio, the Municipal Archives and Records holds an extensive digital library of the city council minutes, resolutions, and ordinances from the 1910s and 1920s. Researching these

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<sup>5</sup> Harris and Sadler, *The Texas Rangers in Transition*, 184-197

documents provided insight into city officials' thoughts, including the city council. The San Antonio Public Library Texana Special Collection, which holds a collection of primary documents of John Tobin, who served as mayor from 1923-1927, and a collection of local newspapers from the early 1920s provided vital context and information from the perspective of Bexar County. The use of local newspapers, such as the *San Antonio Light*, the *San Antonio Evening News*, and the *San Antonio Express*, provided vital information on the different attitudes and opinions concerning prohibition enforcement and the Texas Rangers.<sup>6</sup>

Next to the Capitol building, located in Austin, lies the Texas State Library and Archives, holding two essential collections. The first collection is the Texas Adjutant General's Department Departmental Correspondence archives. The adjutant general is the public office that oversees the operations of the Texas Rangers and other Texas-related military matters and works directly underneath the Governor. This archive has received letters, telegrams, and postal cards from the adjutant general's office between 1846-1943. Boxes 401-581 through 401-610 cover the relevant years of my research. During federal Prohibition, there were six adjutant generals, but the most important one concerning this thesis is Thomas Dickson Barton, who served under Governor Pat Neff for four years. Adjutant General Barton was a key figure connecting the Texas Rangers to the Governor, so his correspondence provided an understanding of those different organizations during the period.

Also located at the Texas State Library and Archives is a collection of court case documents from the historic Texas Fourth Court of Appeals. Originally located in San Antonio, the Texas Fourth Court of Appeals had the documentation of the Neff vs. Elgin court case in its entirety. From the original court in the Fifty-seventh District Court in San Antonio to the appeal

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<sup>6</sup> The vast majority of newspaper sources come from the online archive <https://newspaperarchive.com/>, as well as a few which were derived from the University of North Texas online archive.

toward the Texas Supreme Court, this court case is the culmination of Pat Neff's Ranger occupation in San Antonio. Despite the importance of *Neff vs. Elgin* to Texas Ranger history, the court case is woefully under-researched. The consequences of the court case included the defunding of the Ranger organization for a roughly three-month period and a brief crisis of constitutionality that capped the end of Pat Neff's time in the governor's office.

The city of Waco also holds many vital archives concerning primary source documents related to this thesis, including the Texas Rangers archive and Baylor University's Pat Neff collection. The Texas Ranger archive has primary source documents, including service records of Rangers, criminal case files, photographs, correspondence, books, and other documents. The Ranger archive also has collections of individual Texas Rangers and documents relating to them. Most notable is the collection of Ranger Captain Berkhead Clarence Baldwin, who led Ranger Company E in San Antonio from 1923-1925. Aside from just the collection of primary source documents, the archivists have proven to be veritable wells of information. The archivists at the Ranger Museum have been invaluable in recommending secondary source readings and providing the contact information for other experts in Texas Ranger history. Some notable documents the Texas Rangers archivists provided include letters between Captain Baldwin and the governor and case reports from when the governor stationed Company E in Bexar County.

After his term as governor in 1925, Pat Neff would eventually become the president of Baylor University in 1932. Also coming to the university was the bulk of Pat Neff's documentation as governor. The Baylor University Pat Neff collection holds the most extensive collection of primary documents related to Pat Neff while he was governor, including separating the governor's correspondences by county. Much of this collection includes letters, telegrams, and gubernatorial speeches from all across Texas, including Bexar County, where San Antonio

resides. This collection features numerous letters between Neff and M. J. Glass, president of San Antonio's WCTU, and letters from city business leaders who comment on the Rangers' presence in the city. This collection is essential for the thesis to provide a more direct line to Pat Neff and his specific correspondences with Bexar County and, notably, the kind of people whom he chose to write.

When researching the topics of the Texas Rangers and Prohibition history, a common problem in the secondary source literature is that most of the works tend to be very large-scale analyses. Many secondary sources focused on either Texas Ranger or Prohibition history without examining how these two histories intersected. San Antonio historiography also has a notable hole concerning 1920s prohibition history. However, San Antonio has some great secondary sources of the city's role during World War I, including how the war made the temperance movement much more powerful. Similarly, Prohibition-era Ranger history is a niche subject for early Ranger historians, mainly as a footnote in the more extensive history of the force. Past the 1960s, Texas Ranger historians developed much more critical interpretations of the Prohibition era that challenged earlier secondary sources. Prohibition history began very broadly from histories of federal Prohibition to later works narrowing the scope of Prohibition history to particular localities. While there is little direct secondary source literature on Prohibition San Antonio, many sources provide essential context for the time. As time went on, historians of Prohibition-era Texas began including more research on the history as it applied to different regions, including San Antonio.<sup>7</sup>

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<sup>7</sup> For examples of secondary sources on the topic of Texas Prohibition regional histories, especially those from south Texas, consider the dissertation *The Impact of Prohibition on the Mexican-United States Border: The El Paso-Ciudad Juarez Case* by Edward Lonnie Langston, *From Vaqueros to Mafiosos: A Community History of Drug Trafficking in Rural South Texas* by Santiago Ivan Guerra, and the book *Border Contraband: A History of Smuggling Across the Rio Grande* by George T. Díaz.

When beginning research into the Roaring Twenties, there is a wealth of secondary source literature covering this period. More importantly, many Texas-specific histories document the many changes during that decade. The most comprehensive study of 1920s Texas belongs to Norman D. Brown's *Hood, Bonnet, and Little Brown Jug, Texas Politics, 1921-1928*, published in 1984. Despite being nearly forty years old, Brown's *Hood, Bonnet, and Little Brown Jug*, better than any other book, gets the reader to feel all the various forces pulling and yanking at Texas politics. Brown perfectly encapsulated just how turbulent and volatile the period was. The book's title summarizes some of the central political tensions of the period, including the Klan, Fergusonism, and Prohibition.<sup>8</sup> Another essential issue that Brown identified was the conflict between urban and rural Texas. Specifically, Brown examined what southern historian George B. Tindall described as business progressivism and how it contrasted with rural sensibilities.<sup>9</sup> This social phenomenon was a progressive movement born from the progressivism of the 1910s that emphasized good public service and efficiency while lacking comprehensive social services such as workers' compensation laws.<sup>10</sup> Brown's work is exceptional because it takes the themes in other works covering the 1920s and reexamines those themes as they are relevant to Texas history. For my purposes, it is the best comprehensive history of this period.

While Brown's work is a fantastic overview of 1920s Texas, it does suffer from its sheer length. This allows other secondary sources to focus on a smaller, more focused lens. Published in 2020, Joseph L. Locke's *Making the Bible Belt* examines the history of the Evangelical movement in Texas and reemphasizes the importance of clericalism in Texas politics and

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<sup>8</sup> Norman Donald Brown, *Hood, Bonnet, and Little Brown Jug: Texas Politics, 1921-1928* (College Station, Tex: Texas A & M University Press, 1984), 3-4

<sup>9</sup> George B. Tindall, "Business Progressivism: Southern Politics in the Twenties," *South Atlantic Quarterly* 62 (Winter, 1963): 92- 106

<sup>10</sup> Brown, *Hood, Bonnet, and Little Brown Jug*, 7, 423

Prohibition. Despite the fact that much of its focus is outside of the decade, *Making the Bible Belt* is integral to understanding the inherently religious underpinnings of the politics of the roaring twenties. Hardened by decades of battle in the Prohibition debate, supporters of the rampant clericalism movement built it with a mix of missionary work, Christian nationalism, and a faith blended with politics.<sup>11</sup> This book also provides background for many significant figures of 1920s Texas politics, including Pat Neff, Reverend Frank Norris, Senators Morris Sheppard, Earle B. Mayfield, and others.

For the early 1920s, Pat Neff and his successor Miriam Ferguson's influence in shaping the decade cannot be understated. Thankfully, new biographies of these influential governors have recently been published within the last fifteen years. Published in 2007, *The Land, the Law, and the Lord: The Life of Pat Neff* examines his career as a public figure and afterward. This book provides insight into Pat Neff's political leanings, examines his accomplishments as Governor, and, ultimately, explores many of the difficulties Neff had in dealing with his legislature. In great detail, *The Land, The Law, and the Lord* examine Neff's various efforts to pass more stringent law enforcement legislation and the multiple factors that ultimately sunk said legislation.<sup>12</sup> Better than any other secondary source covering this period, the authors of this biography show Neff's crusader-like mentality and uncompromising nature on the issue of Prohibition.

In sharp contrast, the Fergusons seemingly went against every political sentiment of the straight-laced Neff. Published in 2014, Carol O'Keefe Wilson's *In the Governor's Shadow* is the

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<sup>11</sup> Joseph L. Locke, *Making the Bible Belt: Texas Prohibitionists and the Politicization of Southern Religion* (Oxford University Press, 2020), 201

<sup>12</sup> Dorothy Blodgett, Terrell Blodgett, and David L. Scott, *The Land, the Law, and the Lord: The Life of Pat Neff: Governor of Texas, 1921-1925, President of Baylor University, 1932-1947* (Austin, TX: Home Place Publishers, 2007), 130-132

most recent biography of the Fergusons, and it showcases the consequences of their political careers.<sup>13</sup> This biography explores the Fergusons' careers and examines the strange circumstances that led to the Fergusons gaining political power in the 1924 election despite the heavy opposition against the pair. This book avoids much of the glamour and animosity that older sources shroud the Fergusons in. The book excellently shows the two governors' political thoughts on the issues of the period, namely the Klan, Prohibition, and the Texas Rangers. To be a tad reductionist, where Neff was ardently Prohibition, only meekly anti-Klan, and pushed for increases in the size of the Texas Rangers, the Fergusons were generally anti-Prohibition, outspokenly anti-Klan, and their relationship with the Texas Rangers ranged from apathetic to outright hostile. For researching the early to mid-1920s reading these two biographies as a pair provides quite different perspectives on many of the same political topics.

When researching the history of Prohibition, sometimes numbers can be challenging to find. Despite the difficulty in acquiring data and statistics for Prohibition-related topics, Jeanne Bozzell McCarty's 1980 essay *The Struggle for Sobriety: Protestants and Prohibition in Texas, 1919-1935* provides some excellent statistics to inform this thesis. McCarty's *The Struggle for Sobriety* succinctly unfolds the difficulties of Prohibition enforcement in Texas, similar to what Andrew Sinclair's 1962 work *The Era of Excess* did at a federal level.<sup>14</sup> McCarty's essay examined vital figures of the Texas temperance movement, such as Pastor Frank J. Norris. It also discussed how the Dean Law, Texas' enforcement act, compared to the Volstead Act and the difficulties of upholding Prohibition. As pointed out by McCarty, the Dean Law was much more punitive than the Volstead Act, with breaking the law being a felony rather than a

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<sup>13</sup> Carol O'Keefe Wilson, *In the Governor's Shadow the True Story of Ma and Pa Ferguson* (Denton, TX: University of North Texas Press, 2014).

<sup>14</sup> Sinclair Andrew, *Era of Excess: A Social History of the Prohibition Movement* (New York: Harper and Row, 1964).

misdemeanor.<sup>15</sup> The state government also had a tough time processing cases. According to McCarty, from 1925 to 1931, Prohibition violations accounted for 22 percent of all arrests in Texas. Of those arrested by the end of 1931, the justice system freed 68 percent, jailed 17 percent, and 15 percent of cases remained pending.<sup>16</sup> *The Struggle for Sobriety* is crucial because it sheds light on how Prohibition unfolded in Texas and shows how substantial sections of the population resisted enforcement.

Moving away from strictly political histories of 1920s Texas, the State Ranger Force has a long history, and many historians have tackled the subject enthusiastically. When researching the Texas Rangers in the 1920s, it is integral to begin in 1919 to fully understand the changes brought to the force in such a brief period. With the decade's advancement, the Texas Rangers went from a force of one thousand men strong in 1917 to a small force of only seventy-five by June 1919.<sup>17</sup> To understand why this drastic change occurred, researchers need to learn about the 1919 Canales Investigations. These investigations brought to light the many cases of abuse of power and violence by the Texas Rangers against Mexican and Tejano civilians during the Bandit Wars. The Canales Investigations ultimately reduced the Ranger force during peacetime though Texas legislators did little to reign in the Ranger's behavior.

The two most relevant books covering the Canales Investigations include Harris and Sadler's *The Texas Rangers and the Mexican Revolution*, published in 2004, and Monica Munoz Martinez's *The Injustice Never Leaves You* published in 2020.<sup>18</sup> Harris and Sadler's work is a brick of a book with over 600 pages of extensive military history written with an endless list of

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<sup>15</sup> McCarty, *The Struggle for Sobriety*, 7

<sup>16</sup> McCarty, *The Struggle for Sobriety*, 13

<sup>17</sup> Charles H. Harris and Louis R. Sadler, *The Texas Rangers and the Mexican Revolution: The Bloodiest Decade, 1910-1920* (Albuquerque: University of New Mexico Press, 2004), 324, 462

<sup>18</sup> Harris and Sadler, *The Texas Rangers and the Mexican Revolution*.



gunfights and battles in excruciating detail. *The Texas Rangers and the Mexican Revolution* is a primary source rich monograph. In this work, Harris and Sadler present extensive research concerning the Canales Investigations, particularly the proceedings and individuals involved. Harris and Sandler are a good starting place, but Martinez's *The Injustice Never Leaves You* is perhaps the better resource to look at when researching the Canales Investigation. Harris and Sadler's work is primarily a dense military history in which the Canales Investigation is lost in a thick sea of facts.

On the other hand, Martinez examines the same period through the lens of an ethnohistorian whose perspective lies with those most harmed by the Ranger's racial violence. Martinez provides much of the same background Harris and Sadler do while presenting a prominent voice for those who were the target of said violence. However, both works arrive at similar conclusions about the consequences of the Investigations. The Investigations led to minimal changes to regulate the behavior of Texas Rangers, but this was coincidentally a transition to peacetime with the expected reduction in funding drastically cutting the Ranger Force in numbers and funding.

Moving forward to my primary period of interest, three primary Texas Ranger histories covering the twenties inform this thesis. The first of these is James Randolph Ward's 1973 dissertation *The Texas Rangers, 1919-1935: A Study in Law Enforcement* is perhaps the first comprehensive study of the Rangers during the Prohibition era following Walter Prescott Webb's seminal work *The Texas Rangers: A Century of Frontier Defense* in 1935. Ward's dissertation breaks down the period by examining how the Rangers worked and organized under each governor. By doing so, Ward analyzed how the Texas Rangers changed under each administration. Ward particularly points to the Ferguson administrations as periods of decline for

the Ranger organization. One thing that made Ward unique was his acknowledgment of the court case *Neff vs. Elgin* and the trouble the Rangers had in San Antonio. According to Ward, “In effect, San Antonio provided a case study of local resistance to Ranger intervention and subsequent investigations.”<sup>19</sup> Ward stated that San Antonians resisted Ranger’s presence in several ways, including anti-Ranger pamphlets and obstruction from local law enforcement. Despite the setbacks in San Antonio, Ward argues with boundless confidence that the Rangers were effective at enforcing Prohibition and that the entire era, excluding the governance of Miriam “Ma” Ferguson, should be viewed as a rousing success story.

Following Ward is Robert M. Utley’s *Lone Star Lawmen: The Second Century of the Texas Rangers*, published in 2007. This history explores the history of the Ranger Force from 1910 to the 1990s. Like Ward, Utley’s work presents a traditional representation of the Rangers in the 1920s. Utley’s work is similar to Ward’s, especially in their opinions on the Fergusons, drawing many of the same conclusions. Utley builds on Ward by linking the transition to the Ferguson administration with the initial ruling of the *Neff vs. Elgin* court case that denied any state funds to the Ranger Force.<sup>20</sup> The first three months of 1925 were rightly a period of intense distress for the Ranger organization.

The most current book about Prohibition-era Texas is Charles H. Harris and Louis R. Sadler’s *The Texas Rangers in Transition*, published in 2019.<sup>21</sup> *The Texas Rangers in Transition* shares many similarities with Ward’s 1973 dissertation. Their similarities include breaking up the period based on the governorships and both works being comprehensive studies of the Texas

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<sup>19</sup> Ward, James Randolph. *The Texas Rangers 1919-1935: A Study in Law Enforcement*. (ProQuest Dissertations Publishing, 1972), 102

<sup>20</sup> Robert M. Utley, *Lone Star Lawmen: The Second Century of the Texas Rangers* (New York, NY: Berkley Books, 2008), 110.

<sup>21</sup> Harris and Sadler, *The Texas Rangers in Transition*

Rangers across the entirety of the state. The difference between the two works is that Harris and Sadler's book is much more extensive, and Sadler and Harris are more critical of the Texas Rangers. Harris and Sadler examined Prohibition enforcement and various other laws that the Rangers worked on, including vehicle theft, murder, kidnapping, bank robbery, and strike breaking. Harris and Saddler excel in showing how different communities responded to Ranger's presence.

Important for this research project, Harris and Sadler examined the Ranger's relationship with San Antonio a bit more extensively than either Ward or Utley. Like Ward, Harris and Sadler make it clear that Rangers were unwelcome in San Antonio, and chapter thirteen of their book examines how the city pushed back against Ranger's presence. Sadler and Harris hint toward the build-up to the *Neff vs. Elgin* court case and how that affected the Ranger organization at the time. However, while Harris and Sadler show the immediate effects of the court case, those being the dismantling of Ranger Company E and the Ranger withdrawal from San Antonio, *Rangers in Transition* does not examine the specifics of the case, the appeals process after the initial ruling, and does not provide much additional information of the plaintiffs, Captain John "Jack" Elgin and the lawyer D. B. Chapin. Despite this, Harris and Sadler's book is the most extensively researched history covering the 1920s Texas Ranger Force.

This thesis on the history of San Antonio and the Texas Rangers during Prohibition will consist of four chapters in addition to the introduction and conclusion. The second and third chapters will examine the history of San Antonio as it relates to the temperance movement leading up to national Prohibition, the vital role of World War I for the Alamo City, and the years after the passage of national Prohibition as Governor Pat Neff worked to tackle the problem of enforcement. These chapters will focus on how state and national temperance forces

pushed on the city while citizens and city officials both opposed and reluctantly complied with Prohibition regulations. An essential primary source for this section will be the utilization of the city council minutes, resolutions, and ordinances as provided by the San Antonio City Archives and Records.

Chapter three examines the early years of Prohibition enforcement in Texas during the first term of Governor Pat Neff as well as the various events, such as the thirty-seventh Texas legislative session and the events of Mexia, which greatly influenced Governor Neff's tactics in dealing with Prohibition. These chapters will also cover the Texas Rangers and their transition from primarily border patrol to the states premier Prohibition enforcement agency due to the Governor's lack of legislative support for additional enforcement regulations. Those early years of Prohibition enforcement were uncertain, and there was a lack of consensus concerning how the state government would tackle enforcement. While chapter three does not analyze San Antonio directly during the years before the San Antonio occupation, this chapter provides necessary context for why it was the Texas Rangers who the governor sent to San Antonio in July 1923.

Chapter four will examine the campaign against crime committed in San Antonio and how that community responded to the Ranger's presence. Points of interest include resistance by the local police and federal Prohibition officers, opposition from the city council, and other forms of critique mentioned but not elaborated on by Harris and Sadler, such as sermons by the local Catholic Bishop and newspapers such as the *San Antonio Light*, the *San Antonio Evening News*, and the *San Antonio Express*. Another important aspect of this chapter is determining how active the population was in anti-Ranger activism. This chapter will cover the period between 1923-1925 during the Ranger Occupation of the city leading up to the Neff vs. Elgin court case.

Chapter five will focus on examining *Neff vs. Elgin*, a critical court case for both the city of San Antonio and the Texas Rangers. The case marks a notable capstone for both the Ranger occupation of San Antonio as well as the governorship of Pat Neff. This chapter will focus on the details of the court case and the immediate consequences of the lower courts' decisions in prohibition enforcement, most notably the brief period of constitutional uncertainty on whether the Texas Rangers would continue to exist as an organization. 1925 was a year of transition for Texas, the Ranger Force, and the city of San Antonio, and the utter strangeness of an institution as recognizable as the Texas Rangers nearly being abolished, as unlikely as it was, is something worth examining.

San Antonio was the center of the great question of early Texas Prohibition that hung on everyone's minds. Citizens and politicians wondered what enforcement would look like, and according to Governor Pat Neff, enforcement looked like the Texas Rangers. Enforcement, however, did not proceed smoothly as the Texas Rangers were beset with complications, including antagonistic relations with other law enforcement agencies and a slew of scandals that repeatedly left the San Antonio company in an unwelcome spotlight. To the detriment of the Force, they were caught between the difficult transition from wartime to peace, the additional responsibilities of Prohibition enforcement, and the Ranger's own disregard for cooperation with state and federal law enforcement. The *Neff vs. Elgin* court case marked a moment when what was happening in San Antonio reached out to affect the whole state, if only briefly. While not precisely the same, the *Neff vs. Elgin* court case is similar to the Canales Investigations in that it marked a period of uncertainty for the Texas Rangers organization. For a brief moment, the longevity of the Texas Ranger's organization was in doubt. Texas Ranger historians have written a great deal about the Canales Investigations. Martinez's *The Injustice Never Leaves You* is the

most recent history covering that subject, while *Neff vs. Elgin* is lacking as a subject of discussion.<sup>22</sup> This history of San Antonio from 1923-1925 is an exciting period in Texas's Prohibition history that is woefully lacking in scholarship. This thesis hopes to be both a Prohibition and Texas Ranger history that argues that the occupation of San Antonio represents a pivotal point over the question of Prohibition enforcement. The failure to maintain a long-term force of Texas Rangers beyond the scope of a single governor brings to light the fickle nature of Prohibition enforcement itself.

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<sup>22</sup> Martinez, *The Injustice Never Leaves You*

## CHAPTER II

### THE BUILDING OF PROHIBITION IN TEXAS

Temperance supporters politicked across the State of Texas for decades before the eighteenth amendment to the U.S. Constitution passed. Despite successes in instituting local dry options across the state, temperance advocates faced great difficulty in fully pushing the state completely dry. Since the 1876 Texas Constitution, Dry legislators and temperance leaders had pushed for statewide referendums calling for a prohibition amendment to the state constitution, but every effort failed until the 1919 referendum. Between 1876 and 1920, there were four referenda considering statewide Prohibition. In 1887, 1908, and 1911 Texas voters defeated Prohibition, but the margin of victory noticeably decreased with each election.<sup>23</sup> Then in May 1919, the temperance movement finally won a referendum with 158,982 voters in favor of statewide Prohibition versus 138,907 against it. The most prominent reason for this shift in 1919 was the effect World War I had on the American political scene, as it created the perfect opportunity for prohibitionists to equate patriotism with sobriety, thus turning Prohibition into a wartime imperative that ultimately pushed well past the end of the war.

Through America's entry into World War I, Drys successfully convinced many Americans that Prohibition legislation was necessary for the war effort, and those counties, such as Bexar County, who had historically resisted attempts at Prohibition, were now forced to comply with federal regulation that mandated soldier sobriety. The thesis of this chapter is that San Antonio and Bexar County suffered the undue attention and scorn of the Texas temperance movement because of the city's reputation as a haven for vice despite the city government's best attempts to comply with state law. The conditions of World War I and the sudden ascension of

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<sup>23</sup> "Prohibition Elections in Texas," TX Almanac, accessed March 12, 2023, <https://www.texasalmanac.com/articles/prohibition-elections-in-texas>.

William P. Hobby, a Prohibitionist, to the governorship in August 1917 created the conditions that were perfect to enact sweeping statewide Prohibition across the state.

In his book *Making the Bible Belt*, Joseph L. Locke argued that one of the primary reasons for many successes of the Texas Prohibition movement during and after World War I was the clerical movement that swept the state post-1880s.<sup>24</sup> Religion is deeply rooted in the temperance movement. Locke argued that the shift in white evangelical faith in Texas from a private and personal affair to a public and political one changed Texas politics.<sup>25</sup> Many newspapers of the time, before and after the passage of national Prohibition, reflect the inherently moral nature of the liquor question. In March 1920, the *San Antonio Evening News* published the article “Nullifying the Eighteenth Amendment.” The author stated, “We can scarcely conceive of a greater moral disaster than can befall America than the turning of our liquor laws into a dead letter.”<sup>26</sup> Before the eighteenth amendment, other Dry advocates supported similar ideas on the inherent moral superiority of temperance. Cartoonist Frank Beard created numerous comics detailing the Dry perspective. His cartoon “Downward Path” illustrated the Dry belief that moderation in alcohol would inevitably lead to moral decay, so only complete Prohibition of alcohol could save people’s morals.<sup>27</sup>

The link between the success of Prohibition and the first World War is a well-documented historical phenomenon. In Joseph L. Locke’s book, *Making the Bible Belt*, he notes that “the first World War wove a nationalistic ‘100 percent Americanism’ so seamlessly into domestic moral reform that Prohibition swept through Texas and submerged the American

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<sup>24</sup> For clarification, the eighteenth amendment that essentially banned liquor in the United States was ratified in January 1919, but it would not go into effect until the following January in 1920.

<sup>25</sup> Locke, *Making the Bible Belt*, 77

<sup>26</sup> “Nullifying the Eighteenth Amendment” *San Antonio Evening News*. March 18, 1920.

<sup>27</sup> “Downward Path,” Prohibition, accessed March 12, 2023, <https://prohibition.osu.edu/anti-saloon-league/dry-propaganda/dry-arguments/downward-path>.



political system.”<sup>28</sup> However, despite how seamlessly the temperance movement paired sobriety with patriotism, some Texans opposed this trend. One article titled “Be Sure It’s a War Measure” scrutinized advocates of Prohibition as a wartime measure as little more than opportunists. The author wrote, “But it is to be noted that the advocates of national prohibition as a ‘war measure’ are largely the same people who have long urged national Prohibition as a peace measure.”<sup>29</sup> According to this article, many advocates who promoted sobriety as a wartime measure did so not because Prohibition would aid the war effort but primarily for personal morality. The conflicts that arose between Texas Drys who equated temperance with patriotism would grate against those Wets who distrusted the sincerity of wartime measures, especially in San Antonio, which boasted a city that had historically refuted Prohibition and had many military bases.

Texas did not have statewide Prohibition before the United States entered World War I. Instead, the state had what was known as the local option. The local option was a policy in which different counties voted on whether or not they would allow the sale of alcohol within their county borders. According to scholar James Seymour, “Texas contained 152 dry counties, 66 partially dry counties, and 25 completely wet counties, including Bexar County.”<sup>30</sup> This balance remained roughly the same until the United States entered World War I. After the U.S. entered the war, national and state legislators passed dry laws nationwide. In Texas, the implementation of dry laws increased as the war continued. According to historian Jeanne Bozzell McCarty, in the twenty-month interval between Texas’s ratification of the eighteenth amendment and the full ratification of the amendment by the necessary additional states, these dates being between

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<sup>28</sup> Locke, *The Making of the Bible Belt*, 187

<sup>29</sup> “Be Sure It’s A War Measure” *The San Antonio Light*. April 23, 1917.

<sup>30</sup> James B Seymour, “The Drive for Prohibition,” *Journal of the Life and Culture of San Antonio*, accessed April 19, 2022.

March 1918 and December 1919, the state legislature and Governor Hobby passed numerous prohibition statutes.<sup>31</sup>

The transition toward statewide prohibition actually began in the federal government with the passage of the Selective Service Act in May 1917, which marked a critical transition for the nation to mobilize for World War I and some of the first nationwide Prohibition regulations.<sup>32</sup> Section twelve of the Selective Service Act made it illegal to sell or provide soldiers in uniform with alcoholic liquor, and it is also unlawful to possess such items while on a military base.<sup>33</sup> This regulation, in conjunction with sections twelve and thirteen of the Selective Service Act, laid a fine of \$1,000 against any person, corporation, partnership, or association not in compliance with the law, and the law also empowered the U.S. secretary of war to do whatever he deemed necessary to suppress “houses of ill fame, brothels, or bawdy houses” within distance of military camps. This section of the act impacted San Antonio greatly because of the many military bases near the city. Bexar County hosted many military encampments, including camp Bullis, Stanley, and Travis for infantry and multiple aviation fields such as Brook, Kelly, and Stinson Fields.<sup>34</sup> Camp Travis alone hosted more than 100,000 soldiers throughout the war.<sup>35</sup> Considering just how important this location was for the war effort, the war department viewed San Antonio as a significant problem for the war department because of the roughly 270 saloons in the town.<sup>36</sup> Despite the intense pressures of the federal government, San Antonio never went fully Dry during the war. Instead, the city legislature passed a series of ordinances and

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<sup>31</sup> McCarty, *The Struggle for Sobriety*, 6

<sup>32</sup> Seymour, James B. "The Drive for Prohibition."

<sup>33</sup> "Selective Service Act of 1917." Selective Service Act of 1917, August 1, 2017. <https://search-ebscohost-com.ezp.twu.edu/login.aspx?direct=true&db=a9h&AN=21212304&site=ehost-live>.

<sup>34</sup> Courtney Q Shah, "'Against Their Own Weakness': Policing Sexuality and Women in San Antonio, Texas, during World War I," *Journal of the History of Sexuality* 19, no. 3 (2010), 461

<sup>35</sup> Shah, Courtney Q. "Policing Sexuality and Women in San Antonio," 461

<sup>36</sup> Seymour, James B. "The Drive for Prohibition."

resolutions to better comply with the federal laws against selling alcohol to soldiers while never fully committing to Prohibition as a city.

The first such legislature came into existence the following month when the San Antonio City Council passed a resolution to comply with federal regulations preventing soldiers from drinking alcohol. On June 4, 1917, the San Antonio Commission passed a resolution that outlined several city government positions and their specific goals to comply with federal regulations. In this resolution, the city council ordered the police to shut down all prostitution houses and gambling sites, arrest all prostitutes, chase out all vagrants and other “undesirable” citizens, and arrest all parties selling intoxicating liquor to soldiers.<sup>37</sup> The second part of the resolution also increased the power of the city police commissioner by authorizing the appointment of additional police officers and detectives as seen fit by the commissioner.<sup>38</sup> Though the city commissioners limited the increase of new police personnel to fifty, this was a sizable increase in the power of the city police. The last motion of June 4 was a \$100 payment for any information leading to the arrest of individuals selling liquor to soldiers in uniform.<sup>39</sup> This reward was a significant sum of money, implying that the city government was serious about complying with federal regulations. However, during the war, it became apparent that this resolution was insufficient to enforce these Prohibition regulations, so the city government would pass additional laws to best comply with federal regulations without implementing complete local Prohibition.

Following the June resolution on gambling and prostitution houses, there was little in terms of further legislation concerning vice crime until November 1917. On November 21, the

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<sup>37</sup> Meeting of the Commissioners of the City of San Antonio, Monday, June 4, 1917. 4 P.M. City of San Antonio Municipal Archives and Records, City Council Minutes: 1850-Present, Digital Collection, 2

<sup>38</sup> Meeting of the Commissioners, June 4, 1917, 2

<sup>39</sup> Meeting of the Commissioners, June 4, 1917, 2

San Antonio Chamber of Commerce called a mass meeting with over 200 businessmen after a report claiming that San Antonio had the worst vice conditions in any city amongst five other southwestern states.<sup>40</sup> George J. Anderson, a lawyer from Houston, created the report while representing the southwestern director of the law enforcement division of the War Department commission on training camp activities.<sup>41</sup> In his report, he accused the City of San Antonio of neglecting the requests of the War Department to suppress social vices and enforcement of the laws, of refusing to shut down prostitution houses, and he accused San Antonio of being the most lacking in patriotism of any state under his purview.<sup>42</sup> During this meeting, the chamber of commerce created a five-member citizens committee to investigate the report's accusations and to determine the city's vice conditions.<sup>43</sup> The citizens committee would work with and report to the city council, many of whom were present at this meeting, including Mayor Sam C. Bell, Chief of Police Lancaster, Sheriff John Tobin, and other county and city officials.<sup>44</sup> The members of this committee include businessmen from San Antonio, including the chairman Edwin Chamberlain, J. J. Hart, R. J. Boyle, Cheter Terrell, and W.W. Collier, who replaced R. Clarence Jones, who had to resign from the committee only a week after being nominated for the seat.<sup>45</sup> During the next month, the citizens committee began investigating whether the vice conditions were as horrible as Mr. Anderson claimed.

After a month of investigating, on December 27, 1917, the citizens committee reported on the enforcement of vice laws to the city council. Their findings did not shine a positive light on the San Antonio police force, but the committee's report had quite a bit of nuance. The

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<sup>40</sup> "Pledge Real Effort for a Cleaner City" *The San Antonio Light*. November 21, 1917.

<sup>41</sup> "Pledge Real Effort for a Cleaner City" *The San Antonio Light*.

<sup>42</sup> "Pledge Real Effort for a Cleaner City" *The San Antonio Light*.

<sup>43</sup> "Pledge Real Effort for a Cleaner City" *The San Antonio Light*.

<sup>44</sup> "Pledge Real Effort for a Cleaner City" *The San Antonio Light*.

<sup>45</sup> "Collier on Committee" *The San Antonio Light*. November 26, 1917.

citizens committee found the police force to be noticeably ineffective and complacent in dealing with vice.<sup>46</sup> After the initial closure of prostitution and gambling houses in June, the committee claimed that the same businesses soon reopened the following month. According to the committee, it was not until November, the same month the citizens committee formed to investigate the San Antonio police, that crackdowns on vice crimes, gambling, and prostitution, resumed.<sup>47</sup> Aside from dereliction of duty, the committee accused Police Chief Lancaster of not arresting gamblers and being uncooperative with the Vice Squad, a new task force, which began operations on November 23, meant to deal with vice crime specifically.<sup>48</sup> Following this committee's report, on January 3, 1918, the San Antonio Commissioners passed a resolution that temporarily suspended Police Chief Lancaster and Judge Ed Wilkins, accused of issuing too low fines for vice offenders, to be reviewed by the city council based on the evidence presented by the committee.

The committee's report did rebuke the Anderson report, and while the report acknowledged that vice was an ongoing issue in San Antonio, the city council has done a decent job at cooperating with federal authorities in curtailing the behavior of soldiers away from vice.<sup>49</sup> Despite the complacency noted by the city's police, the committee still reported that the number of venereal diseases and liquor consumption by soldiers appear to be reduced and trending downward.<sup>50</sup> Concerning liquor consumption, the committee had found that only one saloon had repeatedly broken the city's law against selling alcohol to soldiers and that most of the problem

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<sup>46</sup> Meeting of the Commissioners of the City of San Antonio, Thursday, December 27, A.D. 1917. City of San Antonio Municipal Archives and Records, City Council Minutes: 1850-Present, Digital Collection, 7

<sup>47</sup> Meeting of the Commissioners, December 27, 1917, 6

<sup>48</sup> Vice crime is any crime involving gambling, prostitution, and the selling of alcohol to soldiers. The consumption of alcoholic beverages would also be added to the term vice crime as state and federal Prohibition laws became more common.

<sup>49</sup> "Vice Report Filed with Mayor Bell" *The San Antonio Light*. December 27, 1917.

<sup>50</sup> "Vice Report Filed with Mayor Bell" *The San Antonio Light*.

seemed to come from bootleggers. In their report, the committee recommended a few propositions for the city council to curb the city's vice problems further. These recommendations included increasing the size of the police vice squad and providing them more funding, a complete reorganization of the police department by firing police members who had insufficiently enforced vice laws, disallowing all-night passes for unmarried soldiers by military bases, and keeping dance halls closed.<sup>51</sup>

After the committee's report, the city council held trials of Police Chief Lancaster and Judge Wilkins on January 11, 1918. The council scrutinized the police chief and the judge to determine whether or not they had willfully neglected the enforcement of the city's vice laws.<sup>52</sup> During the questioning, Police Chief Lancaster stated that he never issued an order not to enforce any law or ordinance.<sup>53</sup> In addition, the police chief said he had been one of the leading figures in creating the vice squad and had always been cooperative.<sup>54</sup> Most interestingly, Police Chief Lancaster stated that the police's workload had increased immensely with the nearby draft army.<sup>55</sup> For the San Antonio police, the attempt to regulate federal laws with thousands of new soldiers regularly cycling out of the training base was challenging, but the city council did scrutinize this defense during the trial. When questioned about why the police department had gotten more activity recently, the previous month of December and the then current month of January, it was because they were scared.<sup>56</sup> While Chief Lancaster did not elaborate further, one could hypothesize that the police were frightened because of the potential consequence of the citizens committee's investigation. Ultimately, both the police chief and the judge were

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<sup>51</sup> "Vice Report Filed with Mayor Bell" *The San Antonio Light*.

<sup>52</sup> Meeting of the Commissioners of the City of San Antonio January 11, 1918. City of San Antonio Municipal Archives and Records, City Council Minutes: 1850-Present, Digital Collection, 1

<sup>53</sup> "Testifies He Did Utmost to Enforce Laws" *The San Antonio Light*. January 10, 1918.

<sup>54</sup> "Testifies He Did Utmost to Enforce Laws" *The San Antonio Light*

<sup>55</sup> "Testifies He Did Utmost to Enforce Laws" *The San Antonio Light*

<sup>56</sup> "Chief Admits His Eyes Opened by Investigation" *San Antonio Express*. January 11, 1918.

exonerated and reinstated to their previous positions by the city council.<sup>57</sup> While it is agreeable that the police chiefs never actively worked against enforcing vice laws, even contributing to the effort by helping form the vice squad, the admittance that the reason the police department had gotten more activity done in December due to the looming citizens committee report speaks to the fact that the police could have been doing much all along.

During and after the investigation of the citizen's committee, the city council pushed for more liquor regulations with renewed vigor, perhaps under the increased scrutiny brought by the December report. The council passed two ordinances to better comply with federal laws. On December 10, the city commission passed Ordinance 59. This new regulation stated that after anyone purchased alcohol, they must sign a waiver stating they had no intention of giving or selling said alcohol to someone prohibited from consuming it, namely soldiers.<sup>58</sup> Every person who purchased alcohol had to sign the waiver with a witness, presumably the store owner, which stated, "I hereby certify and declare that I have this day purchased or received from (state dealers name) (state liquor received) and that same will not be by my or any person receiving same from me sold or given to any person forbidden by the regulations of the United States Government from purchasing, receiving or consuming same."<sup>59</sup> The punishment for noncompliance included a misdemeanor and a fine between five and one hundred dollars.<sup>60</sup> Then, on January 14, 1918, Ordinance 66 was passed, which made it illegal to sell, buy, give, or deliver alcohol within the city limits for use off-site where purchased.<sup>61</sup> In short, the new city law made it illegal to take alcohol for home use, notable exceptions being for medical or religious purposes. If you wanted to drink, you had

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<sup>57</sup> "All Police Agencies Agree to Co-Operate in War Against Vice" *The San Antonio Light*. January 20, 1918.

<sup>58</sup> San Antonio, TX. Ordinance OF-59, December 10, 1917. City of San Antonio Municipal Archives and Records, City Council Ordinances: 1850-Present, Digital Collection, Section 1

<sup>59</sup> San Antonio, TX. Ordinance OF-59, December 10, 1917. Section 2

<sup>60</sup> San Antonio, TX. Ordinance OF-59, December 10, 1917. Section 5

<sup>61</sup> San Antonio, TX. Ordinance OF-66, January 14, 1918. City of San Antonio Municipal Archives and Records, City Council Ordinances: 1850-Present, Digital Collection, Section 1

to do it at the saloon. Ordinance 66 was the last significant ordinance passed to comply with the Selective Service Act. Even with all the new regulations passed due to the citizens committee, it was still legal to purchase alcohol as long as you were not a soldier. The city council never suggested, at least in the public records, to completely make the city dry, but the right to choose whether their city was dry was about to be taken away from San Antonians by the state legislature in the new year.

The start of 1918 was an important moment in Texas Prohibition history as it was the first year after Governor William P. Hobby assumed office after the impeachment of former Governor James Ferguson.<sup>62</sup> On February 2, 1918, Governor Hobby announced he would call a special session of the Texas legislature for the specific purpose of handling vice conditions near military bases.<sup>63</sup> Governor Hobby promised, “I will submit legislation for the purpose of improving the moral surroundings and lessening the vice which resulted from the concentration of thousands of soldiers for military training.”<sup>64</sup> A special session specifically for proposing more Prohibition measures had been common since Governor Hobby took office in late August 1917. Only two months after Governor Hobby assumed his office, the Texas W.C.T.U. and the Anti-Saloon League organized a mass meeting to petition the governor to call such a special session.<sup>65</sup> Their main goals were to convince the governor for statutory Prohibition, temporary Prohibition across the state, and to submit a Prohibition amendment to the state constitution to allow citizens to vote for statewide prohibition.<sup>66</sup> These proposals were all under the pretense of

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<sup>62</sup> Governor Hobby was the lieutenant governor of Texas until Governor James Ferguson was impeached on August 25, 1917. Unlike Governor Ferguson, Hobby was a stout prohibitionist. Hobby remained governor until January 1921.

<sup>63</sup> “Extra Session in February” *Corsicana Daily Sun*. February 5, 1918.; Typically, the Texas legislature only meets for a few months in odd-numbered years. Special meetings can be called, however, by the Governor for the purposes of fixing some immediate problem or situation.

<sup>64</sup> “Extra Session in February” *Corsicana Daily Sun*.

<sup>65</sup> “Ask Gov. Hobby to Call Extra Session.” *The McKinney Daily Courier Gazette*. November 5, 1917.

<sup>66</sup> “Ask Gov. Hobby to Call Extra Session.” *The McKinney Daily Courier Gazette*.



supporting the war effort and that these positions were meant to alleviate the immoral and unwholesome conditions plaguing army camps.<sup>67</sup>

The push for the governor to call such a special session did have pushback from Texas wet advocates, who critiqued the continued push to pass temperance legislation. In a *San Antonio Light* article, “The Same Old Story” the newspaper accused prohibitionists, especially those hailing from San Antonio, of being deceitful and unpatriotic in their demands for temperance legislation. According to the newspaper, San Antonio prohibitionists believed, “in reality as their pose of casual interest would show even if there was no other evidence statewide Prohibition was their aim from the outset. They stopped at nothing- even defamation of their own city—in their efforts to get the federal government to endorse their propaganda.”<sup>68</sup> The article accused San Antonio prohibitionists of smearing the city unfairly for their ultimate goal of a total ban on liquor. Perhaps even more accusatory, the *San Antonio Light* stated, “Now the mask of pretense of patriotism is off. Made bolder by the results of their defaming methods, the Prohibitionists not only do not deny that their purpose is to secure statewide Prohibition but casually announce that such is their aim.”<sup>69</sup> From the wet perspective of the *San Antonio Light*, the prohibitionists pushing for the zoning and statewide prohibition laws were both unpatriotic and deceitful. In light of the San Antonio citizens committee’s findings, earlier in December 1917, that vice conditions were exaggerated, San Antonio wets had ample reason to distrust the supposed aims of the Texas temperance movement.

Even as dry advocates were petitioning for a statewide ban, the state legislature ratified the eighteenth amendment of the U.S. Constitution on March 4, 1918, making Texas the eighth

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<sup>67</sup> “Ask Gov. Hobby to Call Extra Session.” *The McKinney Daily Courier Gazette*.

<sup>68</sup> “The Same Old Story” *The San Antonio Light*. February 26, 1918.

<sup>69</sup> “The Same Old Story” *The San Antonio Light*.

state to ratify the amendment. The ratification of the eighteenth amendment was a politically savvy move for Texas Drys as ratification through the state legislature avoided a statewide popular vote that had previously spurned prohibitionists in 1887, 1908, and 1911. Texas was only the eighth state to ratify the eighteenth amendment, so the certainty of national prohibition would not be sure until the necessary number of states had approved the federal amendment, which would not come to pass until January 1919. Perhaps because of this, in February and March 1918, there was very little news coverage of the state's ratification of the amendment. Instead, news coverage focused on two very prominent pieces of legislation that functionally brought statewide Prohibition to the rest of the state.

Despite the critiques of Texas Wets, Governor Hobby did call for a special session that lasted from February 26 to March 27.<sup>70</sup> This special session was significant for Texas Prohibition history because of two critical pieces of legislation that came from this session. In late March 1918, Governor Hobby signed House Bill Nine, which according to the *Liberty Vindicator* newspaper, “prohibited the sale, barter or exchange of spirituous, vinous and malt liquors or medicated bitters capable of producing intoxication, within ten miles of any fort, arsenal, training camp....”<sup>71</sup> This bill was colloquially known as the zoning law in most newspapers. In addition to House Bill Nine, Governor Hobby signed a separate bill to enforce a statutory statewide Prohibition bill effective June 27.<sup>72</sup> When asked for the reasons for the statewide statutory Prohibition, Hobby said, “I approve this act believing it is, under the conditions which prevail now, a contribution to that policy which will help to win the war and which subordinates

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<sup>70</sup> “Legislative Reference Library: Sessions: Session Snapshot,” Legislative Reference Library, accessed February 10, 2023, <https://lrl.texas.gov/sessions/sessionSnapshot.cfm?legSession=35-4>.

<sup>71</sup> “Dry Zone Measure Signed By Hobby” *Liberty Vindicator*. March 22, 1918.

<sup>72</sup> “Statewide Bill Signed By Hobby” *Liberty Vindicator*. March 29, 1918.

everything else to that one thing.”<sup>73</sup> Even before the statewide statutory Prohibition, the zoning law would have functionally made Prohibition the reality for most Texas citizens, as most places that rejected local restrictions on alcohol were the larger cities, such as San Antonio, near military bases.

For many Texans, the passage of these two pieces of legislation further proved that the true aim of wartime Prohibition was the eventual passage of a statewide ban. Even before the United States entered World War I, the *San Antonio Light* newspaper was one of the leading publishers of Texas anti-Prohibition journalism. In January 1917, the *San Antonio Light* bemoaned the state of the Texas legislature and repeated prohibitionist attempts to push for liquor legislation. Published on January 20, the article “The Senate and the People” aggravatedly protested that “The People of Texas do not want statewide Prohibition. They are sick and tired of liquor legislation, as shown by their election, and reelection of a governor pledged to veto liquor legislation of any kind.”<sup>74</sup> The referendums of 1908 and 1911 certainly compounded anti-prohibitionists' frustrations.

Before the United States joined the war, anti-prohibitionists were deeply skeptical of prohibitionists and were quick to accuse the movement of sophistry. The upholding of the Webb-Kenyon act was an excellent example of the critical nature of the *San Antonio Light*. The Webb-Kenyon act was a federal law that prohibited liquor shipment from wet to dry states.<sup>75</sup> The United States Supreme Court upheld the Webb-Kenyon act as constitutional on January 8, 1917. Within a week of reporting the court decision, the *San Antonio Light* published an article quite hostile towards the goal post-shifting nature of the prohibitionist movement. Now that the Webb-

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<sup>73</sup> “Statewide Bill Signed By Hobby” *Liberty Vindicator*

<sup>74</sup> “The Senate and the People” *The San Antonio Light*. January 20, 1917.

<sup>75</sup> “Webb-Kenyon Act Upheld by Supreme Court” *The San Antonio Light*. January 8, 1917.

Kenyon act legally protected the right of dry states from neighboring wet states, the *San Antonio Light* pointed to a noticeable shift in the goals of prohibitionists. In the article “Pulling a Prohibitionist Peg” the newspaper points to the shifting purpose of prohibitionists from needing to protect the rights of dry states to now needing federal Prohibition to protect the very same dry states. The article “Pulling a Prohibitionists Peg” reads, “In their sophistry the prohibitionists claimed any intention or desire to abandon the principle of state rights. They protested that they wanted national prohibition as a means of protecting “dry” states against “wet” states.”<sup>76</sup> This article, in particular, points out the fundamental critique the *San Antonio Light* has of the prohibition movement that will be a constant theme in many anti-prohibitionist newspapers. In this article, the *San Antonio light* accused the temperance movement of being dishonest in their goals and willing to resort to deceitful tactics to push for their purpose of banning liquor from the United States.

Similar articles continued to be published once the U.S. entered the war, one example being one article by *San Antonio Light* titled “England’s Way,” which argued that it would be silly to replicate the liquor regulations enacted by the U.K.<sup>77</sup> According to this writing, the British created a liquor-control board to regulate the production and sale of liquor to accommodate the relatively smaller countries’ wartime resources in the best way possible. The *San Antonio Light* argued two things. First, the economic conditions of the two countries were far too different in scale to necessitate such a regulatory body. The resources of the United States were so much more vast as to make such a body negligible for wartime efficiency. Second, unlike the English regulatory body, U.S. prohibitionists did not propose a body to dissolve at the

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<sup>76</sup> “Pulling a Prohibition Peg” *The San Antonio Light*. January 15, 1917.

<sup>77</sup> “England’s Way” *The San Antonio Light*. August 9, 1917

war's end; instead, the temperance movement demanded a body that would last indefinitely.

These critiques continued to target the insincerity of prohibitionists in the eyes of wet advocates.

Aside from the work of journalists, other people resisted the Texas legislature's Dry laws in the form of judicial resistance. Once the statewide statutory Prohibition went into effect in late June 1918, within a week, F. Meyer, a saloon owner and citizen of San Antonio, was arrested for selling three bottles of beer on the morning of June 26.<sup>78</sup> Whether or not this was a planned arrest or an instance of circumstance is unknown. Still, the actions of F. Meyer in the Texas judicial system caused significant pushback against the March Prohibition laws. Curiously, the trial of F. Meyer acted more as a trial of the Texas law rather than of the individual as Meyer and his legal aid quickly began questioning the constitutionality of the statewide Prohibition law.

Despite his brief stay in court, F. Meyer ultimately left with the Texas Court of Appeals siding with him, and in November 1918, the court decided that the statewide statutory Prohibition was unconstitutional as a result of this court case.<sup>79</sup> Because of the court's decision, F. Meyer and other saloon owners began reopening saloons outside of the ten-mile exclusion zone. Most important for this short-lived victory were the assurances by the powers that be that there would be no direct interference with the running of any saloon as long as they were at least ten miles outside of a military base. In response to the court's ruling, San Antonio Sheriff John Tobin, soon to be mayor of the city, stated, "I don't make the law, I follow it as laid down by the judges."<sup>80</sup> The district attorney of Bexar County D.A. McAskill shared similar sentiments of not wanting to pursue the matter further.<sup>81</sup>

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<sup>78</sup> "May Test Saloon Act" *The San Antonio Light*. June 26, 1918.

<sup>79</sup> "Several Saloons May Be Re-open Outside the Zone" *The San Antonio Light*. November 28, 1918.

<sup>80</sup> "Saloon Outside Ten-Mile Zone Are Free To Open Now" *The San Antonio Light*. November 29, 1918.

<sup>81</sup> "Saloon Outside Ten-Mile Zone Are Free To Open Now" *The San Antonio Light*

However, this minor victory was short-lived as the many layers of Prohibition law functionally smothered any wet opposition. Aside from the zoning laws still in place, the other many layers of Prohibition law were still in effect; most importantly, the bill halted the reregistration of liquor licenses to saloon owners and the discontinued production of alcohol from breweries. F. Meyer, after his victory over the state law, would only have a few months of business until his license expired. According to an article by the *San Antonio Evening News*, “All other sections of the statewide law were protected by the Court of Criminal Appeals, and Mr. Looney declares that when the statewide law went into effect it suspended the issuance of licenses for the sale of liquor....”<sup>82</sup> In addition to the inability to obtain a liquor sale license, getting alcohol was becoming more difficult. The manufacture of beer was to be discontinued by the state on December 1, and the increasingly high tax revenue on liquor attacked the income of the few remaining saloons.<sup>83</sup> By December 1918, there was no legal way to purchase alcohol, even if your saloon was the appropriate distance from a military base.

Texas prohibitionists did not stop at “mostly dry” despite the functional eradication of liquor in the state. With World War I at an end, the dries in the legislature focused on a Prohibition amendment. By December 1918, a committee had formed in the Texas legislature to craft up a Prohibition amendment to be later voted on by Texans in a referendum.<sup>84</sup> Before Texans could vote on their prohibition amendment, the various State legislatures had finally accrued enough approvals to ratify the eighteenth amendment to the U.S. Constitution, the state of Nebraska being the final approval necessary for ratification.<sup>85</sup> By January 16, 1919, national

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<sup>82</sup> “To Refuse to Issue Any Liquor License” *San Antonio Evening News*. November 29, 1918.

<sup>83</sup> “Several Saloons May Be Re-Open Outside the Zone” *The San Antonio Light*.

<sup>84</sup> “Want Texas Liquor Law Amendment” *San Antonio Evening News*. December 11, 1918.

<sup>85</sup> “Prohibition is Now Part of the Basic Law of United States” *The Daily Advocate*. January 16, 1919.; To be specific, multiple states approved the eighteenth amendment at roughly the same time. It just so happened that Nebraska was the most important one being the necessary approval for the three-fourths majority.

Prohibition had finally garnered enough state approvals to adopt into the U.S. Constitution. Wet advocates in Texas seemed deflated with the devastating news that federal Prohibition was imminent. By May 1919, when the referendum to amend the Texas State Constitution with a Prohibition amendment came up, the Dry position had finally succeeded with roughly 158,000 votes for Prohibition compared to 138,000 against it.<sup>86</sup> With the success of finally turning the state bone-dry, prohibitionists now turned to the complex problem of effectively enforcing such a sweeping change of the status quo.

Following state ratification, the Texas legislature created an enforcement law that was more sweeping and punitive when compared to the federal Volstead Act, known as the Dean Law, in October 1919.<sup>87</sup> Texas's Prohibition law, named after its key legislator Senator William Luther Dean of Huntsville, made personal Prohibition violations a felony, increased the fine, and entailed more prison time.<sup>88</sup> Texas had some of the harshest Prohibition laws in the nation. However, despite the severity of Texas's Prohibition laws, it did not stop many people from violating the law, and the harshness of the Dean Law did not necessarily translate into effective enforcement.

When discussions of enforcement arose, one of the most pressing concerns was the simple question of who was meant to enforce the law. Because Prohibition was part of the Constitution, people questioned how much authority and jurisdiction was shared between the national and state governments. In an article published by the *San Antonio Express*, Pennsylvania

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<sup>86</sup> "Prohibition Elections in Texas," TX Almanac, accessed March 12, 2023

<https://www.texasalmanac.com/articles/prohibition-elections-in-texas>; The referendum of 1919 was certainly a strange election for a few reasons. While Drys managed to win with roughly 160,000 votes against 130,000 oppositional votes, the 1919 referendum had the lowest voter turnout in the history of Texas prohibition referendum voting. In comparison, the 1911 referendum had roughly 468,000 total votes compared to the 289,000 total voters in 1919.

<sup>87</sup> Jeanne Bozzell McCarty, *The Struggle for Sobriety: Protestants and Prohibition in Texas, 1919-1935* (El Paso: Texas Western Press, Univ. of Texas at El Paso, 1980), 7

<sup>88</sup> McCarty, *The Struggle for Sobriety*, 7.

Representative Henry J. Steele said, “the Volstead Enforcement Act, to be effective in any State, must be concurred in by that state; and the law cannot be enforced in States refusing to concur in it.”<sup>89</sup> This statement by the congressman implied that the federal position concerning enforcement was that it was a joint effort between the national and state governments. However, the *San Antonio Express*, in the same article, also criticized the congressman for his position as they argued, “There is no meaning, nor implication, nor even a hint that the authority of the Federal Government to enforce the eighteenth Amendment, per the Volstead Act, is utterly bound up with and dependent upon the will or ability of State authority to enforce it.”<sup>90</sup> Here there was an argument that even if a state was compliant with federal Prohibition, as was certainly the case in Texas with the passage of the Dean Law, the national government needed to play a prominent role in enforcing Prohibition.

Despite the valiant effort of San Antonio and its residents to comply with liquor regulations and fight against total Prohibition, San Antonio, like the rest of the country, ultimately lost the fight to dry advocates. However, while Prohibition was now the law of the land, the new problem of what enforcement would look like took center stage in Texas politics. The election of Pat Neff, a staunch supporter of Prohibition, to the governorship in 1921 might have indicated to an outside onlooker that there would be a smooth transition, but the next two years leading up to the San Antonio Ranger occupation would be anything but smooth. Without the patriotic enthusiasm of the war years, the desire to enforce Prohibition waned even as the new governor questioned the logistics of enforcement. Federal, state, and local law enforcement institutions had to quickly adapt to an unprecedented level of responsibility hoisted upon them.

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<sup>89</sup> “Joint and Equal in Authority” *San Antonio Express*. March 11, 1920.

<sup>90</sup> “Joint and Equal in Authority” *San Antonio Express*



At the same time, the newly elected governor faced unexpected problems enforcing the noble experiment.

### CHAPTER III

#### THE INBETWEEN YEARS

Democrat Pat Neff, a ruthless prosecutor from Waco, campaigned for governor in 1920 as the law-and-order candidate. A crusader guided by his strict morals, he sought to reform everything from law enforcement and prisons to education and public health. The abolition of alcohol was central to all his goals.<sup>91</sup> In one of his campaign speeches, Pat Neff stated, “I have been, am and always was an open advocate of Prohibition... I hope the day will never come when another saloon will open its doors anywhere under the American flag.”<sup>92</sup> Even before campaigning for governor, Neff was a zealous Prohibition activist. In 1917 Neff and his colleagues organized a local Prohibition vote in McLennan County, where his hometown of Waco resides. During one rally held on October 1, 1917, at Waco’s First Baptist Church, Neff orated for more than an hour in favor of the county’s Prohibition proposition.<sup>93</sup> Despite previously voting against Prohibition in four separate elections, McLennan County voted in favor of Prohibition.<sup>94</sup> In December 1918, Neff participated in a state-wide Prohibition conference sponsored by the Texas Democratic party, where a committee was formed to draft a Prohibition amendment which would become the 1919 Prohibition referendum.<sup>95</sup> Neff was even considered to be a member of this committee as of December 11, but by the twelfth, for unknown reasons, he was no longer listed amongst the draftees.<sup>96</sup>

His enthusiasm for the temperance movement was unquestionable, and upon his ascension to the governorship (1921-1925), Pat Neff had many plans to implement Prohibition

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<sup>91</sup> Thomas E. Turner, “Neff, Pat Morris” Texas State Historical Association Online, <https://www.tshaonline.org/handbook/entries/neff-pat-morris>

<sup>92</sup> “Neff Tells Big Audience His Platform” *San Antonio Evening News*. May 18, 1920.

<sup>93</sup> Blodgett, Blodgett, Scott, *The Land, the Law, and the Lord: The Life of Pat Neff*, 58

<sup>94</sup> Blodgett, Blodgett, Scott, *The Land, the Law, and the Lord: The Life of Pat Neff*, 58

<sup>95</sup> “Want Texas Liquor Law Amendment” *San Antonio Evening News*. December 11, 1918.

<sup>96</sup> “Prohibition Meeting Appoints Committee” *The Galveston Daily News*. December 12, 1918.

enforcement. These plans included creating even harsher punishments for liquor violations, new law enforcement regulations, and increasing Prohibition enforcement funding. However, despite his best attempts, his legislature fiercely opposed him during his 1921-1923 term as governor. Despite consistently pushing for more funding for enforcement and stricter legal penalties, his legislature thwarted the governor's attempt. My thesis for this chapter is that by 1923 Governor Neff increasingly relied on the Texas Rangers, who worked directly for him, due to a lack of resources from either his state legislature or the federal government. The lack of support from both his legislature and the federal government and the seeming success of direct intervention by the governor during his first term were key reasons why, by 1923, the governor heavily relied on the Texas Rangers to enforce Prohibition.

Pat Neff served as governor for two terms between January 1921 and January 1925.<sup>97</sup> During Pat Neff's first gubernatorial term, there were two regular sessions and several special sessions specifically to deal with what dries considered an enforcement crisis. According to his only biography, *The Land, The Law, and the Lord: The Life of Pat Neff*, his first term as governor was a legislative nightmare for Neff when it came to Prohibition.<sup>98</sup> The majority of Neff's legislative goals were, through the legislative process, systematically removed or watered down so severely as to be barely recognizable. Only a month after his inauguration, Governor Neff's relationship with his legislator quickly turned vitriolic.

In February of 1921, a split became apparent between Neff and his legislature because, despite Neff's popularity among dry and evangelical supporters, the state was full of legislators

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<sup>97</sup> Prior to an amendment to the Texas Constitution in 1972, Texas governors served for two-year terms. Now Texas governors serve for four-year terms.

<sup>98</sup> Dorothy Blodgett, Terrell Blodgett, and David L. Scott, *The Land, the Law, and the Lord: The Life of Pat Neff: Governor of Texas, 1921-1925, President of Baylor University, 1932-1947* (Austin, TX: Home Place Publishers, 2007), 131

opposed to new programs and who were sympathetic to loose Prohibition enforcement.<sup>99</sup> Also, to put it bluntly, Neff's open confrontational attitude toward the legislature did not engender a feeling of cooperation. One of the earliest bills concerning law enforcement in that first legislative assembly was the Morris bill, which, if passed, would allow the uncorroborated testimony of either an accomplice or purchaser of liquor to be sufficient evidence to convict bootleggers, a substantial change to the state's Prohibition law that would significantly increase its reach.<sup>100</sup> However, this bill died on the House floor with a vote of 61-59 against it.<sup>101</sup> After learning that this bill was defeated, Governor Neff declared in a speech, "The defeat of this bill is the greatest victory for the bootleggers and the lawless element that has been won in this state for many years."<sup>102</sup> Following the defeat of the Morris bill, Neff vetoed a bill within less than a week that would repeal a 50 percent tax placed on pistol sales in retaliation.<sup>103</sup>

The *Denton Record-Chronicle* linked the veto of this bill with the split between the governor and his legislature.<sup>104</sup> In the same *Denton Record-Chronicle* article, in an astounding 82-30 vote, the Texas House voted to have printed a speech by Representative Sid Crumpton in which he expressed the resentment toward the governor for his actions following the defeat of the Morris bill. In his address to the Texas legislature, Sid Crumpton, a prohibitionist and former lawyer, stated that allowing Neff and his cohort to pass the Morris bill would undermine the very foundations of the law.<sup>105</sup> A major part of the falling out between parts of the Texas legislature and Governor Neff were because of the deliberately combative attitude the governor had to

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<sup>99</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 131

<sup>100</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 98

<sup>101</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 98

<sup>102</sup> "Governor Neff Declared Defeat of Bill is Great Victory for the Bootlegger" *Laredo Weekly Times*. February 27, 1921.

<sup>103</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 98

<sup>104</sup> "Neff Vetoes Bill to Repeal Pistol Sales Prohibition" *Denton Record-Chronicle*. February 26, 1921.

<sup>105</sup> "Representative and Neff Lock Horns on "Bootlegger" Charge" *The Galveston Dailey News*. February 26, 1921.

Texas congressmen who voted against his bills. Neff's declaration that the defeat of the Morris bill as a great victory for bootleggers, practically the forces of evil in his mind, greatly aggrieved the members of congress who, like Representative Sid Crumpton, were against the more extreme legislation proposed even as they supported Prohibition in principle.

The repeated dismissal of the officer removal bill provides another excellent example of this inaction. Introduced to the House in February 1921, the officer removal bill was a law that, if enacted, would allow for the quick removal of local police who failed to enforce prohibition adequately, but the bill died on the Texas House floor.<sup>106</sup> On February 22, 1921, the House killed the bill on the floor by a 61-59 margin, the same voter count as the one that killed the Morris bill.<sup>107</sup> In a special session called by the governor in July 1921, Neff again brought up the officer removal bill for consideration. After being supported by the House Judiciary committee, the bill would again lack the votes and die before reaching the governor's pen.<sup>108</sup> Finally, in the regular legislative session of 1923, a version of the officer removal bill was approved that was considered vastly weaker than its prior counterparts.<sup>109</sup> The trials of the officer removal bill were reflective of the majority of the governor's legislative suggestions, and many of what he requested, including a higher budget for enforcement, lower regulations for convictions, and harsher penalties for violating the Dean Law, generally fared poorly in the political climate of the time.

Despite the lack of legislative support, Governor Neff was still a law-and-order advocate who vowed to use all the tools available to him to end lawlessness in his state. One of those tools the governor made liberal use of was the Texas Ranger Force, more commonly known as the

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<sup>106</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 98

<sup>107</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 98

<sup>108</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 107

<sup>109</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 131

Texas Rangers. The Rangers were an institution of law enforcement directly under the governor's control. In the state's early years, the Texas government primarily used the Ranger Force as frontier protection against Native Americans and bandits. The Rangers as an organization hold a mythological character for many Texans as dashing cowboy figures stoically fighting for the protection of the frontier. However, this interpretation of the Rangers is quite an outdated one, and many historians, such as Monica Muñoz Martinez in her history *The Injustice Never Leaves You*, have done excellent work in portraying the organization as one with many black spots in their past, which perhaps quite regularly fall short of their ideal. The Rangers have a pronounced history of racial injustice against minority groups, namely Mexican and African Americans. Still, much of that history was in the state's frontier, away from most major urban areas. During his tenure as governor, Pat Neff eroded the mainly frontier character of the Rangers with his war against lawlessness, which changed the Rangers into a statewide organization that operated in both rural and urban areas.

The Texas Rangers that Pat Neff had after he had entered the governor's office in January 1921 were not the same Force of even two years prior. The 1910s had been a logistical nightmare for the Rangers because of the effects of the Mexican Revolution, the Bandit Wars, and World War I. Because of these conflicts, the 1917 state legislature authorized an increase to the Rangers for 1,000 recruits and \$250,000 in funding for two years.<sup>110</sup> This was an unprecedented increase in the Ranger's numbers, but eventually, those conflicts ended, and the need for thousands of Rangers ended with them. The Ranger Organization was significantly reduced by the time Pat Neff needed them for his war on Prohibition, but there were other factors, aside from the reduced need for a robust border force, for the reduction of the Ranger Force. The de-escalation of that

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<sup>110</sup> Charles Houston Harris and Louis R. Sadler, *The Texas Rangers and the Mexican Revolution: The Bloodiest Decade, 1910-1920* (Albuquerque: Univ. of New Mexico Press, 2007), 325

war period, World War I, the Mexican Revolution, and the Bandit Wars also began a period of heightened scrutiny that harmed the Rangers' reputation leading into the 1920s.

The investigation of the Texas Rangers by Congressman Jose T. Canales in 1919 exposed many of the horrendous atrocities committed by the Force to the state legislature. The most infamous of these was the 1918 Porvenir massacre, where Texas Rangers, headed by Ranger Captain James Monroe Fox, cold-heartedly executed fifteen people, men aged between sixteen to sixty-four, in the Big Bend region of West Texas.<sup>111</sup> As noted by historian Monica Muñoz Martinez, violence against Mexican American individuals during this period was all too common across the state.<sup>112</sup> Unfortunately, one *San Antonio Light* article titled, "Says Mexican Last Seen in Custody of the Rangers Found Dead" was an all too common headline in newspapers across the state as the Rangers were known to kill Mexican prisoners either directly or indirectly through negligence.<sup>113</sup> These instances of violence prompted Texas Congressman Jose T. Canales to summarize that the Rangers consistently failed to protect the rights of both Mexican and African Americans.

These shocking revelations of blatant cruelty did not necessarily lead to the regulations that Congressman Canales sought. Rather the Canales Investigation led to protracted debate over what, or if any, appropriate changes to the Rangers should be made. Jose Canales' initial bill was quite strict, including reducing the Force's size, increasing agent salaries to attract men of better quality, and placing Rangers under bond.<sup>114</sup> Very few congressmen approved of this version of the bill. Throughout that legislative session, opposition legislators who opposed Canales' Investigation, namely Congressman Bledsoe, chipped away at Canales's bill to substitute their

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<sup>111</sup> Martinez Monica Muñoz, *The Injustice Never Leaves You*, 122

<sup>112</sup> Martinez Monica Muñoz, *The Injustice Never Leaves You*, 125

<sup>113</sup> "Says Mexican Last Seen in Custody of the Rangers Found Dead" *The San Antonio Light*. February 11, 1919.

<sup>114</sup> Martinez Monica Muñoz, *The Injustice Never Leaves You*, 175

own weaker bills. Tensions rose so high that Congressman Bledsoe, at one point, threatened to slap Canales after he tabled one of Canales's Ranger bills.<sup>115</sup> The big issue debated among legislators was whether to allow citizens to sue the Rangers for wrongdoings. Congressman Thomas King, who opposed this part of any Ranger legislation, said, "that rangers under bond will be subject to lawsuits from every man that feels the effect of the strong arm of the law."<sup>116</sup> The final version of the 1919 Ranger law excluded this portion of the law.

The final version of the 1919 Ranger bill reduced the Force's size, lowered the budget from the high of the 1917 budget, and increased agents' salaries to attract men of better quality for the job, and special Rangers, who were appointed in times of dire need by the governor, were functionally eradicated from the main body of the Force. This version of the bill was not as strict as Congressman Canales originally wanted, but there were some good things to consider. The issue of special Rangers came up as a subject frequently, as the appointment of a special Ranger lacked virtually any quality control. Many special Rangers were not lawmen before joining. Some appointees in 1918 were doctors, lawyers, and urban city dwellers who were friendly with the current Texas executive.<sup>117</sup> Special Rangers were not paid a salary and were supposed to be appointed in the case of some dire need, but Special Rangers frequently were named as perpetrators of common acts of violence and overreach of authority. Their dismissal from the Force was essential in assuring that the state government appointed quality law enforcement officers as Rangers. However, without the ability to sue Rangers for their misdeeds, ordinary Texans faced great difficulty in seeking justice when they faced unjust abuse from Rangers.

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<sup>115</sup> "Threatened to Slap Jaws of Legislator" *Daily Advocate*. March 7, 1919; Congressman Bledsoe is notable for being one of the legislators to refuse to apologize for the crimes committed by the Rangers.

<sup>116</sup> "Committee Report On Rangers Adopted" *The Galveston Daily News*. March 2, 1919.

<sup>117</sup> "Says Mexican Last Seen in Custody of the Rangers Found Dead" *The San Antonio Light*. February 11, 1919.



By the time Pat Neff oversaw the Texas Rangers, they were fewer in number, but the governor's campaign against lawlessness greatly expanded the reach of the Rangers. Rather than a strict border force, the Rangers were to be sent anywhere inside the state that the governor might require them. During his first term, Pat Neff used the Texas Rangers to help resolve many issues, but there was one particular event of great importance that illustrated just how vital the Rangers were in enforcing the governor's law and order agenda. This instance in 1922 was the crisis of the oil boom town Mexia. During the town's rapid population expansion and the various problems concerning lawlessness, Governor Neff declared martial law and sent in the Texas Rangers to rid the town of crime and bring proper order. The event of Mexia highlights in the minds of dry advocates the need for the direct intervention of the state to enforce both Prohibition and the other laws against vice.

The town of Mexia was an East Texas small town, about 30 miles east of Waco, that wildly exploded in population because of the East Texas oil boom. In roughly a year, the town went from a few thousand individuals to over 30,000 people with all the problems of rapid population growth.<sup>118</sup> In addition to a lack of housing and public services, the town also faced bootlegging, prostitution, gambling, and all the general lawlessness that Pat Neff detested.<sup>119</sup> As the ever-increasing stories of criminality of every variety made their way to the governor's office, it was becoming much too noticeable problem for the governor to leave alone, so in January 1922, he sent some undercover Rangers to uncover the full extent of Mexia's vice problems.<sup>120</sup>

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<sup>118</sup> Stanley, Mark. "Booze, Boomtowns, and Burning Crosses: The Turbulent Governorship of Pat M. Neff of Texas, 1921-1925." Thesis, University of North Texas, 2005, 45

<sup>119</sup> Stanley, Mark. "Booze, Boomtowns, and Burning Crosses," 44

<sup>120</sup> Stanley, Mark. "Booze, Boomtowns, and Burning Crosses," 51

What those undercover Rangers found in Mexia was a town that undoubtedly had some severe issues concerning lawlessness and some flagrant disregard for Texas' vice laws. According to the report provided by the undercover Rangers investigation, the conditions in Mexia would appall "civilized" society. In Mexia, "Drinking, gambling, robbery and accompanying evils were in full swing, without restraint or hinderance."<sup>121</sup> These illicit operations were flush with the protection of armed guards, and the grandest functions, such as the infamous Winter Garden gambling house, provided imported liquors and top-of-the-line gambling equipment worth up to \$700.<sup>122</sup> There was no questioning that Mexia had a vice problem among the various political camps. The real controversy of Mexia lay in Governor Neff's decision in January 1922 to place the town under martial law to clean up the town of lawlessness.

According to Neff's speech concerning Mexia, "I was unwilling for the law to bow at the foot of the bootlegger, the gambler, the thug and the crook."<sup>123</sup> The enforcement of the law was a moral necessity for the governor that, if it were not deterred, would harm the decent folk of Mexia. The governor's declaration of martial law in Mexia did indeed clean the town up as bootlegging, gambling, and other flagrant visual disregards for the State's vice laws were either eradicated or displaced away from the boomtown. Residents of the boomtown and many outside observers were not universally pleased with martial law in their town. According to one Mexia resident George McQuald, the declaration of martial law was an outrageous usurpation of 99 percent of law-abiding citizens who now suffer the stripping of their rights to local

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<sup>121</sup> "Lid Tight at Mexia with Soldiers on Deck." *San Antonio Express*. January 14, 1922.

<sup>122</sup> Knowles, Harry. "Some Inside History of Mexia Crime Raid and Investigation." *Bryan Daily Eagle*. January 17, 1922.

<sup>123</sup> "Lid Tight at Mexia with Soldiers on Deck." *San Antonio Express*.

sovereignty.<sup>124</sup> McQuald stated that he supported the use of Rangers, as they were already an integral part of the law, but his support did not extend to martial law. From his perspective, martial law was a serious overreach of the violent military might of the state against the misdemeanor acts of a few bootleggers. In contrast, dry advocates pointed toward the incompetency of local law enforcement to argue that direct intervention from the state government was necessary to enforce the state's vice laws and that not enacting martial law was to admit defeat.<sup>125</sup>

From the perspective of dry activists, the events of Mexia were the most blatant examples of local law enforcement incompetency allowing vice to happen. Newspaper writers across the state reported that local law enforcement was part of the problem, allowing these illegal operations to continue undisturbed.<sup>126</sup> For George McQuald, there certainly was a problem with some indifferent peace officers, but the more significant issue was the lack of knowledge from rural peacekeepers on how to deal with such explosive growth in population and vice properly.<sup>127</sup> The town went from only a few thousand locals to over 30,000 people in about a year. Surely, it would have been difficult for any police department to enforce the law under such conditions. These reasonings would have been insufficient for most dry advocates, and they held up Mexia as an example of the need for direct intervention by the State. The success of that intervention was a lesson that Pat Neff embraced throughout his two terms as governor.

As seen in Mexia, the Texas Rangers were essential to Neff's plan to tackle vice enforcement. After securing the votes to win a second term, Governor Neff called all Rangers to

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<sup>124</sup> "Lid Tight at Mexia with Soldiers on Deck." *San Antonio Express*.

<sup>125</sup> "Lid Tight at Mexia with Soldiers on Deck." *San Antonio Express*.

<sup>126</sup> Stanley, Mark. "Booze, Boomtowns, and Burning Crosses," 51

<sup>127</sup> "Lid Tight at Mexia with Soldiers on Deck." *San Antonio Express*.

the state capital in December 1922 to hold a conference concerning Prohibition enforcement.<sup>128</sup> This conference was the first time any Texas governor had called the entire Ranger Force to the capital; those in attendance included the Ranger Quartermaster, the four Company Captains, and forty of the forty-five members.<sup>129</sup> While the reasons for calling such an unprecedented conference were never explicitly stated, individuals at the time believed this meeting was about Prohibition enforcement. The arrival of the acting federal Prohibition director for Texas, Frank M. Cole, to Neff's Austin conference to discuss strategies and other actions to improve cooperation between the Rangers and federal agents was confirmed by December 28, 1922.<sup>130</sup> Though the details are muddy, the arrival of Frank M. Cole to this Ranger conference indicates that at least some of this meeting was about Prohibition enforcement.

The timing of the Austin Ranger conference coincided with Neff's absence from President Harding's own Conference of governors to discuss enforcement of the eighteenth amendment, though to call it a conference might be a tad over-exaggeration of journalists of the time.<sup>131</sup> The conference held by President Harding was an informal luncheon in which members of the president's executive met with whichever state governors decided to show up for the event.<sup>132</sup> Of the governors who attended, only fifteen came to Washington for the luncheon.<sup>133</sup> Though the White House sent the president's invitation to every governor, it was understood that not all would attend as the invitation was considered short notice. The actual results of Harding's informal luncheon resulted in two potential presidential proclamations, including a plea to the press to avoid jokes concerning Prohibition to not harm the moral support and a recommendation

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<sup>128</sup> "Neff Confers with Rangers on Statutes" *San Antonio Evening News*. December 28, 1922.

<sup>129</sup> "Neff Confers with Rangers on Statutes" *San Antonio Evening News*.; of the five missing rangers three were ill, one missed a train connection, and the last one was held up with unspecified pressing business.

<sup>130</sup> "Neff Confers with Rangers on Statutes" *San Antonio Evening News*. December 28, 1922.

<sup>131</sup> "Call to Rangers Believed to Be About Dry law" *San Antonio Express*. December 23, 1922.

<sup>132</sup> "Governors Invited to White House." *San Antonio Express*. December 16, 1922.

<sup>133</sup> "Dry Law to Stay Governors Believe" *The White Wright Sun*. December 21, 1922.

for judges to impose higher sentences against violators.<sup>134</sup> The exact reason for Neff's absence from this conference is never publicly stated, and the reasons could vary. Journalists from the *San Antonio Express* speculated that Neff chose to skip Harding's conference to organize his law enforcement conference because the governor believed he could be more effective by acting on his own.<sup>135</sup>

This Ranger conference in December did not necessarily mean that Neff wished to eschew all federal aid in combating Prohibition. Even in Mexico, the governor accepted help from federal Prohibition officers happily. However, Neff believed that the federal government could provide more aid and resources in the fight against Prohibition, so in January 1923, Governor Pat Neff organized a meeting with the United States Prohibition Commissioner Roy Haynes in hopes of securing more federal aid. The visit of Roy Haynes was to be a big event for the Texas legislature, and at the start of January 1923, the feeling of mutual respect between the governor and the U.S. Prohibition Commissioner seemed palpable.<sup>136</sup> Unfortunately, the collaboration between Texas and the federal government over prohibition enforcement turned sour. This meeting would turn to ash as, during their meeting, Roy Haynes informed governor Neff that the federal government intended to only focus on smuggling and manufacturing homemade stuff, leaving the majority of Prohibition enforcement up to the state.<sup>137</sup> Somewhere between despondent and enraged by the lack of federal support, Governor Neff pushed legislation that increased the severity of state law and requested from his legislature more resources to combat prohibition violations within the state. In the first detailed message to his 1923 legislature, he

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<sup>134</sup> "Dry Law To Stay Governors Believe" *The White Wright Sun*. December 21, 1922.

<sup>135</sup> "Call to Rangers Believed to Be About Dry law" *San Antonio Express*. December 23, 1922.

<sup>136</sup> "Creager to Meet Haynes Here on State Dry Chief" *San Antonio Express*. January 26, 1923.

<sup>137</sup> "Federal Failure to Enforce Dry Law Back of Neff Demand for Quo Warranto Bill Action" *San Antonio Express*. February 11, 1923.

proposed sixteen recommendations about law enforcement, the great majority of them concerning Prohibition enforcement, but this Prohibition legislation fared just as poorly as they did in the 1921 legislative session, with only five severely weakened bills being passed.<sup>138</sup>

As the early period of Prohibition went on, Governor Pat Neff increasingly relied upon the Ranger Force, which continued to shrink because of reduced funding from the state legislature, as a tool to enforce Prohibition. In June 1919, there were eighty-seven Rangers, but by August 1922, the Rangers only had forty-eight men.<sup>139</sup> With limited means, Governor Neff and his Adjutant General Thomas Barton in 1923 began an intense enforcement campaign. In July, their eyes shifted to the city of San Antonio, whose reputation as a wet refuge had seemingly never waned since World War I. Denied support from his legislature, in part because Neff alienated many of them through his combative attitude against those legislatures he deemed too moderate, and seemingly abandoned by the federal government, Neff opened up a new front in his war against liquor in the same city that had been a thorn in the sides of Texas Prohibitionists for decades.

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<sup>138</sup> Blodgett et al., *The Land, the Law, and the Lord: The Life of Pat Neff*, 131; Neff was able to pass five bills over the course of one regular session and three special sessions. These include a severely weakened version of the officer removal law, a regulation requiring detailed reports and records of liquor seized by officers, a general bill restating basic Prohibition law, a law that strengthened the penalty for driving while intoxicated, and lastly, a law that provided injunctions against hotels which allowed alcohol violations on their premises.

<sup>139</sup> Harris and Sadler, *The Bloodiest Decade*, 501

## CHAPTER IV

### RANGER OCCUPATION IN ALAMO CITY

Neff's campaign against lawlessness did not end at Mexia. Following his re-election in 1922, the governor expanded his use of the Rangers by creating a new company to be permanently stationed in San Antonio to root out vice crime. Various local groups were resistant to the continued presence of the Rangers, even as the Rangers successfully disrupted bootleggers and gambling halls throughout the city during their deployment. Despite their successes in suppressing vice crime, during the occupation of San Antonio, the Rangers were heavily scrutinized by local and state judiciary. They experienced numerous scandals, indictments from local courts, and distrust of other law enforcement agencies. My thesis for this chapter is that despite the Rangers' effective enforcement of Prohibition and gambling laws, the violent tendencies of the Rangers brought them the scrutiny of the Bexar judiciary system. Though the intense scrutiny from Bexar's judiciary system, such as District Attorney D. A. McAskill and District Judge William S. Anderson, contributed to the growing animosity, the Ranger's inflexibility while stationed indefinitely in this city was a primary contributor to this trend of hatred against the Ranger Force amongst San Antonio residents.

Going into his second term as governor, Pat Neff continued to advocate for his campaign against lawlessness throughout the state. The seeming success of cleaning up Mexia proved the effectiveness of direct state intervention concerning the enforcement of vice laws in the eyes of the governor. The next step in the governor's cleanup campaign was going to be San Antonio. As previously observed in chapter one, during the U.S. entry into World War I, the Texas temperance movement had singled out the city of San Antonio as an important place for their campaign against liquor. Because of the multiple military bases within and near the city, federal

and state officials heavily regulated the trade and consumption of liquor by soldiers until the temperance movement finally achieved its ultimate goal of nationwide Prohibition. The City Council of San Antonio also went to great lengths to comply with state and federal regulations, but, despite the city's apparent willingness to cooperate, the reputation of the city as a haven for liquor interests persisted half a decade after the passage of the eighteenth amendment and with good reason.

The most populated city in Texas, with over 161,000 residents by 1920, the Alamo City presented a continual problem for Texas Prohibitionists.<sup>140</sup> Being the first major city north of the Rio Grande made San Antonio the ideal location for bootleggers and tequileros, liquor smugglers from Mexico, to sell and distribute alcohol. Just in 1922 alone, the federal Prohibition officers in the city reported that they had captured one thousand quarts of liquor and conducted 913 raids.<sup>141</sup> According to the same report, San Antonio had a wide variety of liquors ranging from homebrewed liquor, occasionally referred to as white-mule or moonshine, and rare bottled liquors shipped in from other countries where liquor was still legal to make, such as Mexico or Canada. According to historian Robert Utley, San Antonio was a unique cocktail of factors that made it an attractive place for bootleggers. These factors included a large military garrison nearby at Fort Sam Houston, the fact that San Antonio was a popular tourist destination, and a large population of Mexican and German Americans who had historically opposed Prohibition

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<sup>140</sup> "Population of the 100 Largest Urban Places: 1920" June 15, 1998. <https://www2.census.gov/library/working-papers/1998/demographics/pop-twps0027/tab15.txt>; The other Texas city with a comparable population to San Antonio was Dallas, with roughly 158,000 residents. Houston, the third largest city, had approximately 30,000 citizens fewer than San Antonio, with about 138,000 residents.

<sup>141</sup> "Year's Liquor Seizures Range From Lowly 'White Mule' to Aged-Rare Wines" *San Antonio Evening News*. January 4, 1923.



gave the city a unique character that made the idea of breaking Prohibition laws more common than in other parts of the state.<sup>142</sup>

There were also bureaucratic problems that plagued the enforcement of Prohibition within Bexar County. According to David H. Morris, director of the Prohibition enforcement activities in Texas, it was standard practice to take violators of Prohibition law to state court where the chances for a conviction were likely, with the exception of San Antonio and Bexar County.<sup>143</sup> Director Morris ordered federal officials to take violators to federal court as the likelihood of conviction in Bexar County was slim due to the city's anti-dry sentiment.<sup>144</sup> All these factors pointed to San Antonio as a city highly resistant to Prohibition, but this was not a deterrent for the governor. Prohibition violations were widely known, and it would be the next stop for Pat Neff's crusade against lawlessness and liquor.

The first major raid of the San Antonio occupation occurred in late July 1923 at the Pastime Club, organized by Adjutant General Thomas D. Barton.<sup>145</sup> This raid which would be the precursor to a year-and-a-half-long campaign against vice was not caused by any particular event. No major riots, workers' strikes, or any other situation of lawlessness were present that compelled the city to ask for the aid of the state police. According to an article written by Walter Prescott Webb, who would famously go on to publish the first comprehensive history of the Texas Rangers in 1935, the governor's decision to send the Force to the town was because of the

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<sup>142</sup> Robert M. Utley, *Lone Star Lawmen: The Second Century of the Texas Rangers* (New York, NY: Berkley Books, 2008), 106.

<sup>143</sup> "Dry Head Says Anti Sentiment Prevails Here" *The San Antonio Light*. October 22, 1922.

<sup>144</sup> "Dry Head Says Anti Sentiment Prevails Here" *The San Antonio Light*

<sup>145</sup> Harris and Sadler, *The Texas Rangers in Transition*, 29; The adjutant general of Texas is, in essence, the chief executive of the Texas military, which, in 1923, supervised both the Texas National Guard and the Texas Rangers. While the position of the adjutant general was essential for the logistics of running these organizations, it is also important to note that the adjutant general worked beneath the governor and that the Rangers' activities were, according to historians Harris and Sadler, exclusively controlled by the governor. Any words made by Barton can be considered words by Governor Neff unless stated otherwise.

perceived lawlessness and unwillingness of local police to adequately enforce the law.<sup>146</sup>

Without permission or request from the city of San Antonio, at midnight on July 25, Adjutant General Barton and a band of Texas Rangers, including the famous Frank Hamer, raided the Pastime Club.<sup>147</sup> The raid by the Rangers ended up arresting twenty-seven men, some given misdemeanors and others felonies. The newspapers that reported the incident stated that many of those arrested were prominent men though their names were never publicly displayed.<sup>148</sup>

The raid of the Pastime Club for Prohibition law violations was not surprising in and of itself since the prosecution of those laws had been part of the Ranger's duties since the inception of those laws following the passage of the eighteenth amendment. Instead, the real surprise was the announcement of the adjutant general's prolonged stay in San Antonio that followed these raids. After the initial raid, Adjutant General Barton proceeded to spend the month of August using the Rangers in a series of prolonged investigations over alleged liquor and gambling activities.<sup>149</sup> After about two weeks, during which time the Rangers raided even more establishments suspected of violating prohibition and gambling laws, Adjutant General Barton arrived back at the capital, where he declared, "I am determined to clean up San Antonio, and if it becomes necessary I will take the entire Ranger Force over there and camp until every vestige of law violation has been removed."<sup>150</sup> Although General Barton never made good on that particular threat, the vice situation in San Antonio still seemed dire enough that Barton would hold a special meeting with the governor at the end of his investigations.

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<sup>146</sup> Webb, Walter Prescott. "Lawless Town Gets Ranger Justice: Cleanup of Law Breakers in San Antonio Is Objective Lesson Of Need Of Strong State Force" *The State Trooper*, Volume 5, August 1924, 13

<sup>147</sup> "San Antonio Club Raided By Texas Rangers" *McKinney Daily Courier Gazette*. July 25, 1923.

<sup>148</sup> "San Antonio Club Raided By Texas Rangers" *McKinney Daily Courier Gazette*. July 25, 1923.

<sup>149</sup> "Ranger Detachment Left in San Antonio" *Denton Record Chronicle*. August 1, 1923.

<sup>150</sup> "Barton Says He Will Clean San Antonio" *San Antonio Express*. August 5, 1923.

In the first week of September, the adjutant general held a conference with the governor and the District Attorney of Bexar County, D. A. McAskill, over the status of San Antonio.<sup>151</sup> As noted in an article by the *Bryan Daily Eagle*, “None of the conferees would make a statement as to the details of the conference, but it is probable that the conditions in San Antonio are not yet satisfactory, as no move has been made for withdrawal of the rangers, who have been actively engaged for weeks in a war against gambling and bootlegging resorts.”<sup>152</sup> The findings of the adjutant general’s investigation were such that Barton and the governor, in conjunction with the conference with D. A. McAskill, formed the new Ranger Company E led by Captain Berkhead Clarence Baldwin to be stationed in the city.<sup>153</sup> Unlike anywhere else in Texas, the governor and adjutant general sent an entire Ranger Company, the newly created Company E, to occupy the city permanently until the state government had contained vice crime to their liking.

While a single company was not many men in itself, a single company being about fifteen men, their presence in the city would prove to be contentious to both residents and other law enforcement agencies despite their apparent successes dealing with vice crime. The Texas Rangers were a special law enforcement unit that was, for all intents and purposes, a private arm of law enforcement directly accountable only to the governor. While Rangers of Company E only accounted for fifteen men, they could request aid and routinely worked with other branches of law enforcement, both local and federal. During their stay in San Antonio, Ranger Company E consistently worked with the federal Prohibition officers stationed in the city, even as those organizations faced many hurdles in cooperating. The mythology of the Texas Rangers was, and still is, a powerful one that represented an unyieldingly powerful force of state law to wherever

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<sup>151</sup> “Liquor Situation In San Antonio Subject Extended Conference” *Wichita Daily Times*. Sep 4, 1923.

<sup>152</sup> “Gov. Neff and Gen. Barton Confer Over San Antonio Matter” *Bryan Daily Eagle*. Sep 6, 1923.

<sup>153</sup> Charles H. Harris and Louis R. Sadler, *The Texas Rangers in Transition: From Gunfighters to Criminal Investigators, 1921-1935* (Norman, OK: University of Oklahoma Press, 2019), 186.

the governor sent them. A common phrase in Texas simply goes one riot, one Ranger.<sup>154</sup> It is a common saying even today, and it represented many Texans' common views of the Texas Rangers during this period. Thus, the decision to station an entire company of fifteen Rangers for an extended period showcases just how immense the governor's displeasure was at the state of San Antonio.

The decision to settle for such an extended period was surprising to citizens. Before this, governors had used the Rangers primarily as a mobile force on the border, as strikebreakers, and to temporarily deal with genuinely unruly oil boom towns like Mexia. To have the state government single out San Antonio as an especially lawless town was outrageous for many San Antonio residents who argued that all large cities suffered from some level of crime.<sup>155</sup> While there were plenty of gambling and liquor establishments to raid, one famous downtown venue described as a miniature Monte Carlo, many observers felt that San Antonio was not nearly lawless enough to warrant an entire Ranger company just for their city.<sup>156</sup> According to the *Brownwood Bulletin*, "The protest of San Antonians, therefore, is not unexpected: Publicity given the Alamo city as a result of the Ranger activity is very undesirable, and may cause permanent damage."<sup>157</sup> For many citizens, the Ranger's presence threatened the public image of San Antonio as a law-abiding city. One Catholic Bishop, Rev Arthur J. Drossaerts, in an address to more than 500 Catholic members of the diocese, criticized the presence of the Rangers because San Antonio, unlike hundreds of other communities across the state, had suffered no lynchings or mob outbreaks.<sup>158</sup> Unlike Mexia, which suffered problems with city infrastructure

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<sup>154</sup> Robert Nieman, "'Just One Riot' Not Withstanding," *Texas Ranger Dispatch*, 2002.

<sup>155</sup> "San Antonio Protests" *Brownwood Bulletin*. August 10, 1923.

<sup>156</sup> "Miniature Monte Carlo Raided at San Antonio" *The Galveston Daily News*. Aug 17, 1923.

<sup>157</sup> "San Antonio Protests" *Brownwood Bulletin*.

<sup>158</sup> "Catholic Bishop Scores Neff and Barton for Ordering Rangers to Clean Up San Antonio" *Wichita Daily Times*. August 8, 1923.

and rampant lawlessness, San Antonio was the largest city in the state with well-functioning public institutions. Sending the Force to stay in San Antonio for some citizens would have been seen as a slight to their city's honor, akin to a parent chastising a child for misbehaving. No other city during Neff's tenure as governor experienced anything similar, and it was common that the Rangers headquarters in Austin was devoid of Rangers.<sup>159</sup>

These protests did not deter Neff and Barton, who made their intention to stay much more permanent. On September 1, Adjutant General Barton signed a six-month lease on a two-story residence at 331 Garden Street to serve as headquarters for Company E.<sup>160</sup> A Ranger company comprised fifteen men, but many would frequently handle jobs away from San Antonio.<sup>161</sup> While this residence would be primarily used as a headquarters for Company E it would also provide as a place to stay for other Rangers who were passing through San Antonio. The Rangers extended their lease to stay at the Garden Street headquarters far longer than their original six-month lease. The placement of a new base in San Antonio had multiple benefits for the Ranger Force in their fight against vice. Since the legislature had reduced the Force from its bloated numbers during the 1910s, there were not enough Rangers to effectively patrol every part of the state. By placing a company headquarters in San Antonio, the Rangers had an effective position to send Rangers throughout much of the state's southwest. Because of their reduced size, forty-five members since December of the previous year, the Rangers had to rely on increasing their bureaucratic efficiency to keep up with crime, so the placement of an official headquarters in San Antonio aided both in the campaign in San Antonio and across the entire southwest.

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<sup>159</sup> "Ranger Headquarters Deserted During Week" *Brownsville Herald*. Sep 4, 1923.

<sup>160</sup> "Ranger Company Headquarters Is Installed Here" *San Antonio Express*. September 1, 1923.

<sup>161</sup> "Ranger Company Headquarters Is Installed Here" *San Antonio Express*.

The arrival of the Texas Rangers held mixed responses from the various residents of the Alamo City, but the support from evangelical groups was quite strong. In an interview with the *San Antonio Express* newspaper, Reverend Arthur J. Moore of the Travis Park Methodist Church declared uncompromising support for the Rangers' presence in the city. Rev. Moore stated, "If the presence of the Rangers can rid our city of the many vicious influences which have operated, already too long, I for one say "God bless you. I'm for you and want to help."<sup>162</sup> Rev. Moore also related his displeasure at the officials of San Antonio, whom he believed were not cooperative enough with the state police. The city police force's rumored uncooperativeness he attributed to wounded pride amongst city officials who thought that the governor sending the Ranger Force was insulting to the city's reputation. However, Reverend Moore dismissed city officials' concerns and focused on the potential good the Texas Rangers could do in ridding San Antonio of vice such as bootlegging, gambling, and prostitution.<sup>163</sup>

In late August, another notable endorsement came when the Business Men's League of the First Baptist Church unanimously voted to endorse Governor Neff's Ranger occupation.<sup>164</sup> The league comprised 250 businessmen whose political activism strongly sided with Neff's law and order rhetoric. In a letter sent to Pat Neff, the league's endorsement of the Texas Rangers made it clear that Prohibition was a patriotic duty, quite similar to how temperance leaders argued for Prohibition during World War I. The Business Men's League also declared that anyone who purchased bootlegged alcohol was as bad as the bootlegger.<sup>165</sup> In addition to the patriotism argument, the law and order rhetoric was condemnatory in language, leaving little

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<sup>162</sup> "City Officials Should Make Rangers Welcome Here, Says Rev. Aurthur J. Moore Sunday" *San Antonio Express*. September 10, 1923.

<sup>163</sup> "City Officials Should Make Rangers Welcome Here, Says Rev. Aurthur J. Moore Sunday" *San Antonio Express*. September 10, 1923.

<sup>164</sup> Nickerson, Lee. *Lee Nickerson to Pat Neff*. Letter. Pat Neff Collection at Baylor University. August 27, 1923.

<sup>165</sup> Nickerson, Lee. *Lee Nickerson to Pat Neff*. Letter.

room for nuance concerning the circumstances of those who rebelled against the noble experiment.

Another group of longtime supporters of the governor and his use of the Texas Rangers included the San Antonio chapter of the Woman's Christian Temperance Union. Even before Neff sent the Rangers to San Antonio, the organization in June 1923 was inviting the governor to attend events in hopes that he would speak in support of the San Antonio W.C.T.U., though, as was more often the case than not, Neff could not attend due to the arduous scheduling conflicts of governorship.<sup>166</sup> Throughout the Ranger's occupation, the president of the San Antonio W.C.T.U., Mrs. J. M. Glass, sent numerous letters to Governor Neff to invite him to conventions and letters of gratitude for his Christian sensibilities. In one letter in which Mrs. Glass thanked the governor for a speech he gave in February 1924, she assured the governor, "We feel sure that we voice the sentiment of all Christian people of San Antonio. In saying "Our Governor" is a credit to our State and Nation, for he fearlessly upholds the Constitution."<sup>167</sup> The San Antonio W.C.T.U. adamantly supported Neff's law and order rhetoric, and they spent much of their time using their political power to push for Prohibition enforcement.

Aside from continued contact with Governor Neff, San Antonio's W.C.T.U. pursued political activism in line with Neff's vision of Prohibition enforcement. One avenue of activism that the organization pursued was the formation of committees to investigate, report, and spread information concerning Prohibition enforcement. The San Antonio W.C.T.U. was an active force in bringing to light the many inefficiencies of Prohibition enforcement in the city and avid advocates for fixing said problems.<sup>168</sup> One such committee in May 1924 reported on the

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<sup>166</sup> Murray T. J. *Mrs. T. J. Murray to Pat Neff*. Telegram. Pat Neff Collection at Baylor University. June 5, 1923.

<sup>167</sup> Murray T. J. *Mrs. T. J. Murray to Pat Neff*. Letter. Pat Neff Collection at Baylor University. February 1924.

<sup>168</sup> Another interesting fact concerning the San Antonio W.C.T.U. was that in their ongoing campaign to promote dry candidates, in July 1924, the San Antonio chapter endorsed Thomas Barton, the adjutant general, for governor.

continued dismissal of court cases sent in by the Texas Rangers without search warrants.<sup>169</sup> The findings of the said committee reported an estimated 240 cases in which federal agents rejected Ranger submissions for lacking proper warrants, as well as a broad condemnation of the general public who did not actively participate in jury duty.<sup>170</sup> The solution of this particular committee and many related issues concerning Prohibition enforcement was that the current regulations concerning warrants needed to be less restrictive to allow greater authority for state officials to conduct raids and searches.

Supporters of the Rangers' presence in the city viewed themselves as the righteous and morally upstanding minority who felt as though a maliciously incompetent city government was oppressing the good people of San Antonio. Letters sent to the governor to support his use of the Rangers featured common themes of frustration and hopelessness. One inspector Hanson from the U.S. Department of Labor, stationed in San Antonio, argued that the only people who truly disliked the Rangers' presence were the city's lawbreakers and their friends.<sup>171</sup> In the same letter, inspector Hanson shared his belief that only the Rangers were the only real safeguard for the good citizens of Texas. Inspector Hanson's letter and other letters sent to the governor complained about the unfairness thrown against the Ranger Force by various entities. One letter by an unnamed San Antonian citizen complained about the uncooperativeness aimed against the Force by the district courts, county, and city officials.<sup>172</sup> However, while many secondary

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However, two months prior to the November elections, the State President of the W.C.T.U., Mrs. Chaudé de Van Watts, stated that the organization should back no particular banner. The reaction was so hostile that Mrs. T. J. Glass, president of the San Antonio chapter, started a movement to force Mrs. Chaudé de Van Watts to forcibly resign.; "W.C.T.U. Told to Spurn Political Alliances" *San Antonio Express*. August 10, 1924.

<sup>169</sup> "W.C.T.U. Will Hear Booze Case Report" *San Antonio Express*. May 22, 1924.

<sup>170</sup> "W.C.T.U. To Launch Fight To Put Into office Only Proven "Dry" Candidates" *San Antonio Express*. May 24, 1924.

<sup>171</sup> Hanson. *Inspector Hanson to Pat Neff. Letter*. Captain Baldwin collection at the Texas Ranger Museum in Waco. December 7, 1923.

<sup>172</sup> Unknown sender. *311 Florida Street to Pat Neff. Letter*. Captain Baldwin Collection at the Texas Ranger Museum Archives in Waco. December 16, 1923



sources mention pushback against the Rangers from city officials, there seems to be little in terms of official resistance or uncooperativeness from the city legislature. No official statements or laws against Ranger presence in the San Antonio city council minutes, resolutions, or ordinances passed during the Rangers' stay within the city. Instead, the biggest challenge the Rangers of Company E faced were county and federal courts.<sup>173</sup>

By February 1924, Captain Baldwin reported to Governor Neff that since August 1923, the Force in San Antonio had captured seventy-four whisky stills, destroyed thousands of gallons of whisky and mash, disposed of hundreds of gallons of finished liquor product, shut down almost every public gambling house in the city, and they had filed 170 cases with federal court for violations of Prohibition.<sup>174</sup> However, as inspector Hanson and other San Antonian citizens pointed out, the Rangers faced significant pushback in their efforts to convict vice criminals, the largest of this coming from the court system. city and federal courts dismissed or delayed hundreds of cases of gambling and Prohibition violations and cock fighting provided by the Ranger Force to the utter frustration of Captain Baldwin in particular.<sup>175</sup> In a letter to Governor Neff, Captain Baldwin complained about how often those individuals whom the Rangers arrest for vice crime either are never convicted, receive a reduced punishment, or are the trials were delayed far longer than he liked.<sup>176</sup> In August 1923, the grand jury of San Antonio had twenty-four indictments charging violations of gambling laws, but as of the time of Baldwin's letter in February 1924, none of these cases led to convictions.<sup>177</sup> As of February 1924, the Rangers had

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<sup>173</sup> Despite searching through the San Antonio archives with the assistance of one of the archivists neither of us could find any solid evidence of the city council discussing the Rangers in any official capacity during Company E's stay in the city. No evidence was found in records of the minutes, resolutions, or ordinances passed during the duration of the Ranger occupation.

<sup>174</sup> Baldwin, Berkhead C. B. *C. Baldwin to Pat Neff*. Letter. Captain Baldwin Collection at the Texas Ranger Museum Archives in Waco. February 14, 1924.

<sup>175</sup> Baldwin, Berkhead C. B. *C. Baldwin to Pat Neff*. Letter.

<sup>176</sup> Baldwin, Berkhead C. B. *C. Baldwin to Pat Neff*. Letter

<sup>177</sup> Baldwin, Berkhead C. B. *C. Baldwin to Pat Neff*. Letter

arrested sixty individuals for gambling with cards, but upon appealing their case from the city court to the county court, these cases disappeared, with few paying fines.<sup>178</sup> Once the Rangers began bringing cases to the federal courts, Baldwin noted that of the 170 cases of Prohibition violations brought to federal courts, only sixty-three had been processed as of February 1924, even as these cases were more consistently being found guilty.<sup>179</sup>

The reasons for so many dismissals of cases brought in by the Texas Rangers had many different causes. One of the primary reasons that would be a constant problem throughout the entire year-and-a-half extended Ranger stay in San Antonio was that the federal prohibition officers in the city required a more significant burden of proof than was typically required by the Rangers. According to state law, two persons must swear to the presence of liquor or equipment to make it before the courthouse provided a search warrant.<sup>180</sup> The Texas Rangers chafed under these restrictions and commonly ignored them by bringing in suspected Prohibition offenders without the proper paperwork. The inability of the Ranger Force to properly work within the regulations of Prohibition law enforcement created severe tensions between the Ranger Force and the courts.

Some key instances between the Rangers and federal Prohibition officers highlighted the various courts' expectations for law enforcement. There were federal Prohibition officers in San Antonio before Neff placed Company E in the city. According to the *San Antonio Express*, the federal Prohibition officers were working under a model of only arresting those they were confident they could convict.<sup>181</sup> In contrast, the Rangers worked a shotgun method of law enforcement where they rounded up anyone they suspected had violated the Volstead act,

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<sup>178</sup> Baldwin, Berkhead C. B. *C. Baldwin to Pat Neff*. Letter

<sup>179</sup> Baldwin, Berkhead C. B. *C. Baldwin to Pat Neff*. Letter

<sup>180</sup> "Search Writs Harder to Get" *San Antonio Express*. August 25, 1923.

<sup>181</sup> "Ranger-Pro Men Rift Is Averted Director States" *San Antonio Express*. August 30, 1923.

knowing that the courts would convict some of them. This issue was first noticed in late August when Ranger C. E. Miller took in four men for liquor law violations and insisted that the federal Prohibition officer C. W. Ware file charges against them, which he refused to do without adequate evidence.<sup>182</sup> The situation was a big enough issue that Frank M. Cole, the state Prohibition director, had to have a conversation with Captain Hamer of the Rangers to smooth over the event in which he assured the Captain that, “I will do everything in my power to cooperate with the Rangers in enforcement of the prohibition laws.”<sup>183</sup> Of the four men initially brought in by Ranger Miller, Officer Ware charged two with violating the liquor law, one of which was let loose under a \$500 bond, and then Ware released the others without sufficient evidence to hold them.

The conflict between the Texas Rangers and federal Prohibition officers did not cease in August 1923. The disputes between the Texas Rangers and federal Prohibition officers became even more complicated when Judge Duval West sent instructions to the western federal district of Texas to no longer accept petty Prohibition cases without the approval of federal Prohibition officers. In his instructions, Judge Duval West ordered, “Before taking any complaint or issuing any process thereon, for violations of the possession or transportation provisions of the National Prohibition Act, the complaint is required to have the approval, in writing, of a federal prohibition agent or that of the United States attorney or one of his assistants.”<sup>184</sup> The reasoning for this change, according to Judge West, was because Prohibition cases were crowding the docket for federal courts, and it was becoming more challenging to get to more critical cases. After the court order’s announcement, Captain Baldwin stated that it would not change the

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<sup>182</sup> “Ranger-Pro Men Rift Is Averted Director States” *San Antonio Express*.

<sup>183</sup> “Ranger-Pro Men Rift Is Averted Director States” *San Antonio Express*.

<sup>184</sup> “U.S. Court’s Order Would Limit Petty Booze Cases” *San Antonio Express*. February 10, 1924.

Rangers' activities and that they would proceed as usual.<sup>185</sup> This assurance that the court order would not affect Ranger's activity was a naïve dismissal from Captain Baldwin. The Rangers refusal to obtain the necessary paperwork and their laissez-faire attitude toward arrests was the cause of many of their problems during their time in San Antonio. In short, the Rangers believed that federal agents unfairly required more paperwork than was necessary to enforce Prohibition cases.

The relationship between Rangers and federal Prohibition officers continued to deteriorate after the court order by Judge West. By May 1924, it was standard policy for the Rangers to bring whomever they had gotten on suspicion of violations of Prohibition laws and leave it up to the federal Prohibition officers whether or not they would keep the case. According to Captain Baldwin, "We will retain our evidence until such a time that men who will act in cooperation with us are in office. The statute of limitation in these cases will not expire for at least two years."<sup>186</sup> This statement does not imply a healthy relationship between these two institutions. Three months after Judge West established the regulation to limit the number of Prohibition cases, the Rangers were still bringing in suspects without the correct paperwork. Because of Judge West's order, the Ranger's policy of simply going without warrants brought them into conflict with the federal Prohibition officers who refused to process several cases in

which they accused the Rangers of entering private property without a proper warrant.<sup>187</sup>

This regulation greatly infuriated Captain Baldwin, who, in a letter written to the attorney general of the United States, Harlan Stone, asked for an investigation into the matter because a rule that required a warrant for liquor cases before any arrests were not applied anywhere else

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<sup>185</sup> "U.S. Court's Order Would Limit Petty Booze Cases" *San Antonio Express*. February 10, 1924.

<sup>186</sup> "Rangers to Hold Evidence Refused" *San Antonio Express*. May 3, 1924.

<sup>187</sup> "Grand Jury Will Probe All Angles of Booze Muddle" *San Antonio Express*. May 10, 1924.

outside San Antonio.<sup>188</sup> Such was the importance of Judge West's order that even Mrs. J. W. Glass, president of San Antonio's W.C.T.U., wrote to Attorney General Stone to overturn the ruling of Judge West.<sup>189</sup> Later that month, Attorney General Stone stated that law enforcement could raid private residences without warrants without it being considered unreasonable search and seizure.<sup>190</sup> Despite this minor victory, these extra layers of regulations and bureaucracy were part of why Rangers in San Antonio felt that other law enforcement branches were not adequately supporting them. Rather than wholeheartedly processing every case by Rangers, regulations required federal Prohibition officers to scrutinize every little case brought to them by the Force.

Many dry advocates assumed that the problem in San Antonio was that the local law enforcement did not want to enforce prohibition laws, but that does not seem to be the case. In contrast to the Rangers, reports and articles of cooperation between local police and federal Prohibition officers in conducting raids and arrests for liquor and gambling laws are abundant enough to disprove that notion.<sup>191</sup> If this were true, after the Rangers left the city in early 1925, one would expect the city police to relax vice enforcement when that did not seem to be the case. In July 1925, Fire and Police Commissioner Phil Wright organized a shift in priorities to improve cooperation between city police and the county attorney's office to better prosecute offenders of the law.<sup>192</sup> The frustration for dry advocates seemed to be the inability to eliminate all liquor and gambling in the city. Despite Captain Baldwin and his Rangers' accomplishments in rooting out

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<sup>188</sup> "Rangers to Hold Evidence Refused" *San Antonio Express*. May 3, 1924.

<sup>189</sup> "Wurzbach Calls Liquor Squabble Merely Molehill" *San Antonio Express*. May 4, 1924.

<sup>190</sup> "W.C.T.U To Launch Fight To Put Into office Only Proven "Dry" Candidates" *San Antonio Express*. May 24, 1924.

<sup>191</sup> "Six Men, Seven Women and Booze Taken in Raid Made By Police and Federal Men" *San Antonio Express*. August 27, 1923.; "Raid Night Starts With Big Hauls" *San Antonio Express*. September 9, 1923.

<sup>192</sup> "Talks to Draw Law Ropes Tighter" *San Antonio Express*. July 21, 1921.

gambling and liquor establishments, dry advocates were continually frustrated as the Rangers continued to face legal troubles due to their aggressive law enforcement practices.

By November 1924, due to the lack of proper due diligence and cooperation on the part of Captain Baldwin, the San Antonian Rangers were involved in multiple indictments by the local district courts. In the first week of November 1924, the Grand Jury of Bexar county indicted Captain Baldwin on four counts of failing to properly report the liquor seized in raids to the sheriff.<sup>193</sup> This indictment was also accompanied by a statement by District Judge William S. Anderson of the Thirty-seventh District Court that “As a part of our work we briefly investigated the activities of our state Rangers and it is apparent that there is entirely too much brutality practiced by them.”<sup>194</sup> Though Judge Anderson did not elaborate further on this statement, it most likely referred to the destruction of property owned by vice violators or potentially various assaults committed by Rangers on suspected liquor law violators. Regardless of that specific statement, the crux of the problem in this instance appears to be a miscommunication between the Rangers, federal Prohibition officers, and Bexar County officials. According to Captain Baldwin, the destruction of liquor is standard practice for the Rangers. Captain Baldwin stated, “In Each instance we destroyed the liquor, amounting to perhaps more than 1000 gallons. Also in each instance the liquor was destroyed under the presence of a federal officer and a destruction sheet kept.”<sup>195</sup> The specific cases of mishandling of case evidence were no different than any other Ranger liquor case, so this seemed like a case of the Bexar County judiciary making a mountain out of an ant hill.

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<sup>193</sup> “Baldwin and Bledsoe Indicted by Jury” *San Antonio Express*. November 2, 1924.

<sup>194</sup> “Baldwin and Bledsoe Indicted by Jury” *San Antonio Express*. November 2, 1924.

<sup>195</sup> “Baldwin Calls Charges a Joke” *The San Antonio Light*. November 3, 1924.

Baldwin had his theory for why the district attorney specifically targeted him in November 1924. He believed it was retaliation for the Ranger's actions in watching voting booths, seen as voter intimidation by some, during the recent elections.<sup>196</sup> This specific accusation by the Captain is never officially proven, but his charge of the district attorney of a blatant attack against the Rangers for political reasons showed how much trust had deteriorated over the year-and-a-half-long Ranger occupation in San Antonio between the different law enforcement institutions. Less than a month later, Captain Baldwin was found not guilty after another Ranger, John Gillion, took the blame away from his Captain and accepted all, if there were any, wrongdoings associated with negligent conduct.<sup>197</sup> Though he was released, these indictments against him did not engender positive feelings in Captain Baldwin. The county and law enforcement agencies were most likely resisting Ranger's presence in the city. However, the Ranger Force was not without blame as the reports of the Ranger's violent conduct, as reported by district Judge Anderson, throughout their occupation of the city did not engender a feeling of hospitality.

The animosity appeared to be mutual, as throughout the Ranger occupation, Captain Baldwin had been fermenting the theory that city officials were secretly working against the Rangers. Notably, Baldwin suspected the district attorney, D. A. McAskill, of purposefully dropping cases and releasing seized gambling paraphernalia back to the streets.<sup>198</sup> The suspiciously high number of city officials that the Rangers arrested also fueled the theory of Captain Baldwin that the city government was intent on providing little support to the Ranger cause. Most notable of these arrests was the city's Mayor John Tobin, who the Rangers arrested

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<sup>196</sup> "Baldwin Calls Charges a Joke" *The San Antonio Light*. November 3, 1924.

<sup>197</sup> "Ranger Captain Found Not Guilty" *San Antonio Express*. November 21, 1924.

<sup>198</sup> Charles Houston Harris and Louis R. Sadler, *The Texas Rangers and the Mexican Revolution: The Bloodiest Decade, 1910-1920* (Albuquerque: Univ. of New Mexico Press, 2007), 190

playing cards on Thursday Night, October 9, 1924.<sup>199</sup> The club where the Rangers arrested the mayor contained cards, poker chips, and about 500 empty whiskey bottles. It was not uncommon for Rangers to apprehend citizens of high standing in these raids. The first raid on the Pastime Club arrested numerous individuals of high status without disclosing their names to the public. The humiliation of being arrested while gambling or drinking certainly strained relations between the Rangers and city officials, but it was not entirely uncooperative. District Attorney D. A. McAskill even offered to lend one of his investigators to aid the Rangers in their duty at one point.<sup>200</sup> Cooperation between the Rangers and the local judiciary was fraught and contentious, but the relationship notably soured with the Bexar Grand Jury opened investigations into the Rangers. According to the county attorney, a major concern to the grand jury was the Ranger's use of violence when raids were in progress. Captain Baldwin refuted the claims that his Rangers participated in unnecessary violence.<sup>201</sup>

While Captain Baldwin's assurance that his Rangers did not participate in property violence did not mean that property owners were entirely happy with the presence of the Rangers. The arrival of the Rangers caused a great deal of fear for many property owners who feared the Rangers would target them for connections with vice crime. Many landlords feared the punishment if the Ranger Force discovered that their rented properties housed gambling operations, even in cases when it was unknown.<sup>202</sup> There was even a push by the *San Antonio Express* urging Adjutant General Barton for harsher punishments for property owners who knowingly allowed illegal operations, notably gambling and liquor violations, to happen on their

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<sup>199</sup> "Mayor Taken In Raid By Rangers" *The San Antonio Light*. October 10, 1924.

<sup>200</sup> McAskill, Duncan A. *McAskill to Captain Baldwin*. Letter. Captain Baldwin Collection at the Texas Ranger Museum Archives in Waco. June 10, 1924.

<sup>201</sup> "Liquor Raid Activity Probe On, Report" *The San Antonio Light*. October 30, 1924.

<sup>202</sup> "Landlords Uneasy As Rangers Tighten Net" *San Antonio Express*. August 17, 1923.



properties.<sup>203</sup> Landlords initially worried they could face serious legal consequences for unknowingly harboring gambling dens. There was talk about being sent to Huntsville prison for such offenses, as the extent to which Barton and the Rangers would target landlords was still somewhat unclear in August 1923.

Despite the initial uncertainty by property owners in August 1923, the arrival of the Ranger Force did not lead to mass arrests of landlords who unknowingly or knowingly housed gambling operations. Despite Barton's proposal that he would clean up San Antonio at any cost, it seemed that he did not plan to target property owners. Instead, as noted by numerous angry *San Antonio Express* articles, property owners only risked an injunction warning, a court order telling them not to allow gambling in their residence again, and potentially a padlock on the place in question.<sup>204</sup> This relatively minor punishment was in contrast to the written law of the state as in Texas, and other similar states, knowingly renting a premise for use as a gambling house, or allowing the criminal practice to continue after learning of it, could land someone in state prison for two years.<sup>205</sup> It would not be until May 1925, well after the San Antonian Rangers had been disbanded, that a landlord, one San Antonio businessman Jules Appler, was arrested for renting one of his properties for gambling purposes.<sup>206</sup>

However, landlords were not entirely without risk during the Ranger occupation, as there was still the risk of damaged property. One notorious example was Miss Julia Gray's ruined house on 2108 Monterey Street. Ms. Gray rented her house to an unnamed individual who operated a still discovered by Rangers in early March 1924.<sup>207</sup> Upon discovering the covert

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<sup>203</sup> "Root Out the Evil!-Enforce the Law in Earnest!" *San Antonio Express*. August 7, 1923.

<sup>204</sup> "Owners of Premises That Are Used Criminally" *San Antonio Express*. August 17, 1923.

<sup>205</sup> "Owners of Premises That Are Used Criminally" *San Antonio Express*.

<sup>206</sup> "File First Charges In Gambling War" *The San Antonio Light*. May 13, 1925.

<sup>207</sup> Godfrey, Peterson. *Peterson Writing on Behalf of Julia E. Gray to Thomas Barton*. Texas State Archives. March 11, 1924.

operation, the Rangers entered the property and destroyed the still, which the rentee housed on the upper floors, without bothering to take it out of the house first. After cutting the barrels into multiple pieces, the Rangers allowed the slush of the still-cooking moonshine to flow freely throughout the house, badly damaging the property. The still fermenting mash and half-cooked liquor ran through four floors of the building, ruining the wallpaper and causing the floors to buckle and warp. Godfrey Peterson states in his letter to Thomas Barton that he supported Prohibition but that the careless neglect of the Rangers was damaging to the cause. In some frankly blunt advice to the Adjutant General, Mr. Peterson said, “You perhaps remember that one who is opposed to the eighteenth amendment and is opposed to its enforcement has said that the best way to discredit it and to build resentment against it, is to inflict upon those who approve it as much damage as possible.”<sup>208</sup> Mr. Peterson asked whether or not the Adjutant General would pay for the damages to the house, but his answer is unknown. This unnecessary damage to the home of Ms. Gray added another incident in a growing catalog of Ranger misconduct for citizens opposed to their presence to resent them.

One possible theory for why landlords were mostly untouched during the Ranger occupation of San Antonio was because of the association between vice and poverty. Gambling and alcoholism were heavily associated with poverty and moral sin. The unfortunate stereotypes of rampant alcoholism amongst the poor, eastern European immigrants, and Latin Americans were prevalent amongst White Protestant prohibitionists. One egregious example of this conflation of moral sin and a lower socioeconomic status was the idea of “the Mexican Problem.” As noted in chapter one, Mexican American residents repeatedly voted against Prohibition referendums throughout its many iterations. According to historian Joseph Locke,

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<sup>208</sup> Godfrey, Peterson. *Peterson Writing on Behalf of Julia E. Gray to Thomas Barton*.

“dry activists never forgot this demographic divide, nor did they hesitate to imbue it with transcendent value... Voting dictated morality, and Mexican American voters, as enemies of a godly crusade, repeatedly demonstrated, in the eyes of reformers, a fundamental immorality.”<sup>209</sup> For many dry advocates, enforcement of dry laws was explicitly meant for the poor and racial minorities. The seeming reluctance to fully enforce the law relating to the culpability of property owners until May 1925 perhaps stemmed from the unfair assumption that Vice laws were only meant for the lower classes. Perhaps this bias could partly explain why the arrests of many notable San Antonian citizens by Rangers always took up a considerable amount of the news, even as early as the first raid at the Pasttime Club, where many of the original arrestees were citizens of notable standing.

Property damage was not the only misconduct that grew the Ranger’s infamy. Violent assault was also an uncomfortably common practice, as pointed out by district Judge Anderson. Only a month after the Rangers had conducted their first raid at the Pastime Club, one Albert Tessman brought a Ranger to court for violent assault. On August 24, 1923, Ranger C. E. Miller and two other Rangers arrived at the residence of Mr. Tessman with a warrant to search his property for liquor.<sup>210</sup> After the search yielded no hidden liquor, Miller and Tessman both made snide remarks to each other, after which Miller reportedly struck Tessman in the head with his pistol. Immediately after the incident, Tessman reported to city officials, presumably the sheriff, and they quickly charged Miller with aggravated assault. During his court hearing, Miller denied that he had struck Tessman with his pistol, but he did admit to the jury that he had “got a little hardboiled” and did slap Tessman with his open hand.<sup>211</sup> This defense by Miller, however, was

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<sup>209</sup> 1. Joseph L Locke, “The Heathen at Our Door: Missionaries, Moral Reformers, and the Making of the ‘Mexican Problem,’” *Western Historical Quarterly* 49, no. 2 (2018): 127–53, <https://doi.org/10.1093/whq/why031>, 143-144.

<sup>210</sup> “Ranger Ready to Face Charge” *San Antonio Express*. August 24, 1923.

<sup>211</sup> “Ranger Assault Case Again Is Postponed” *San Antonio Express*. September 6, 1923.

also disputed by Albert Tessman's sister, Mrs. Agnes Lux. She stated that she saw the argument from the house window where the Ranger first assaulted her brother with his fists to knock him down, followed by a strike with his pistol.<sup>212</sup> How this trial ended between Miller and Tessman was seemingly never reported in San Antonio newspapers. However, the consequences could not have been very severe as Private C. E. Miller continued working for Ranger Company E until February 1925, when the new Adjutant General Mark McGee honorably discharged the entire company.

The incident between Private Miller and Albert Tessman was not the only time San Antonio witnessed a violent assault from the Rangers. Unfortunately, not all of them ended with a minor head wound and a court visit. On January 9, 1924, Yantis H. Taylor arrived at the home of R. L. Flowers to inspect the premises for liquor just as other Rangers had inspected Tessman's property. However, the visit turned deadly as Private Taylor shot the man in a confrontation.<sup>213</sup> During a tussle as Taylor approached Flowers to arrest him for breaking liquor laws, Taylor stated in his defense that Flowers had pulled a bottle of liquor from a pile of logs to attack him. Taylor's pistol went off during that struggle, killing R. L. Flowers. According to Taylor, the shot was an accident. When the case finally went to trial, Private Taylor requested that the state move his court venue away from Bexar County because he believed the local prejudice against Rangers would unfairly harm his chances at court.<sup>214</sup> Private Taylor was not a member of Ranger Company E, residing permanently in San Antonio. Rather he was a member of Company A who would have been one of the more mobile members of the Force who only occasionally would have passed through San Antonio. His request for a venue change indicates that the prejudice

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<sup>212</sup> "Fine Threatened Defense Lawyer in Ranger Trial" *San Antonio Express*. September 18, 1923.

<sup>213</sup> "Ranger Y. H. Taylor Murder Case Set to be Heard March 24." *San Antonio Express*. February 17, 1924.

<sup>214</sup> "100 Witnesses Summoned In Ranger's Case" *San Antonio Express*. May 16, 1924.

against Rangers in San Antonio was well known to those outside the city, at least within the Texas Rangers organization. Private Taylor's court trial experienced even more difficulties extending well into the following year, but his case became wrapped up in the strangely complicated implications of the Ranger injunction. Taylor's trial became part of the extended legal battle exploring the limits of *Neff v. Elgin*, which will be explored in a later chapter.

The year-and-a-half-long Ranger occupation from July 1923 through 1924 was a bureaucratic nightmare that frustrated almost everyone involved. While the Rangers were competent at finding and arresting those who broke vice laws, they faced many complications that were outside the norm for the Force. Uncooperativeness between various law enforcement agencies and the violence committed by Rangers in the name of enforcing the law brought the Force a high level of scrutiny for them. Instances like the murder trial of Ranger Private Y. H. Taylor and the destruction of Julia Gray's home shed light on the destructiveness that the Rangers usually reserved for border disputes or minority communities. Ultimately, policing liquor and gambling laws was a complicated task that, even if it was possible to successfully police, required the cooperative effort of federal, state, and local governments, and that simply did not happen in San Antonio during the Ranger occupation. As Governor Neff's time in office began to come to a close, there was uncertainty as to what would happen to the Rangers of Company E, but the Rangers' actions in San Antonio would soon lead them to bigger trouble in court before the year's end.

## CHAPTER V

### THE TEXAS RANGERS TAKEN TO COURT

After slightly more than a year of occupying San Antonio, the achievements of Ranger Company E were complicated. From one perspective, the Rangers were doing an upstanding job enforcing Prohibition and gambling laws. By July 1924, Captain Baldwin reported 15,000 gallons of liquor confiscated, 400 stills destroyed, filed 350 cases in federal court, and cost bootleggers a loss of at least \$500,000.<sup>215</sup> However, these successes were also met with various scandals, such as hostilities between various law enforcement agencies, destruction of property, assaults, and murder in the case of Ranger Private Y. H. Taylor. As the occupation continued onward, there seemed to be little that San Antonians could do to protest the continued presence of the Ranger Force except wait for a new governor to take over from Pat Neff. After two terms, Pat Neff chose not to run for a third term as governor in 1924. However, until Miriam Ferguson took over the governor's house in January 1925, there seemed to be little anyone could do about the Rangers in San Antonio.

That was until one San Antonian citizen, a well-respected man known as Captain John "Jack" Elgin, did the seemingly impossible and took the Rangers and the highest figures in the Texas executive branch to court. Despite the 1919 Ranger law having no mechanism for private citizens to sue the Rangers for wrongdoing, John Elgin filed for an injunction against the Rangers that he hoped would lead to a much more substantial constitutional change to get rid of the organization. Rather than pointing to any specific wrongdoing done by the Rangers, John Elgin challenged the very constitutionality of the Rangers. What started as a simple petition from Captain John E. Elgin would lead to an injunction that paralyzed the entire institution, if only

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<sup>215</sup> Harris and Sadler, *The Texas Rangers in Transition*, 194

momentarily for a few months. Elgin fundamentally challenged the constitutionality of the Ranger Force. However, while the court case known as *Neff vs. Elgin* challenged the constitutionality of the Ranger Force, higher courts upheld their constitutionality, and any subsequent downsizing of the Force resulted from the politics of the newly elected Governor Miriam Ferguson rather than any fundamental changes to the Force. Similar to the 1919 Canales Investigation, *Neff vs. Elgin* was a moment where Ranger reform was possible, but instead, the higher courts upheld the institution with minimal challenges to its authority.

The man known as Captain John “Jack” Elgin had quite a few things in common with Governor Pat Neff. Born in Austin in 1850, John Elgin was well-known as an upstanding citizen.<sup>216</sup> Like Pat Neff, John Elgin and his mother moved to Waco, where Elgin attended Baylor University to study engineering in 1871.<sup>217</sup> His time at university were formative years for Elgin. During his time at Baylor University, Elgin became a member of the Masonic Lodge ninety-two, the same lodge Pat Neff joined. Though their times at Baylor university never overlapped, their similar backgrounds and education only bring to greater contrast their contradictory political beliefs that inevitably brought them into conflict many decades after their university years.

During his time in Waco, John Elgin became a land speculator for Houston and Texas Central Railroad in the Llano Estacado lands of West Texas.<sup>218</sup> Tasked with surveying land firmly held in Native American territory, John Elgin sought the protection of a local Waco militia group known as the Minute Men by becoming captain, but to do so meant seeking the approval of Governor Edmund J. Davis, known as the carpet bagger governor during the time by

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<sup>216</sup> Grace Miller White, “Captain John E. Elgin, Texian,” *Frontier Times* 21, no. 8 (May 1944), 337

<sup>217</sup> White, “Captain John E. Elgin, Texian,” 337

<sup>218</sup> White, “Captain John E. Elgin, Texian,” 339

many Texas residents.<sup>219</sup> Despite risking the social ostracization of former confederates, Elgin asked permission. The governor approved him to become captain of the Minute Men sometime between 1871-1874, where John Elgin became affectionately known as “Captain Jack” for the rest of his life.<sup>220</sup> Despite only working briefly as a railroad land surveyor, his work garnered much respect even half a century after Elgin finished his railroad contract. In 1923, Elgin was present at the fourth annual Pioneer Freighter’s Association meeting, where the *San Antonio Express* listed Captain Jack Elgin as a principal speaker.<sup>221</sup> Despite the exact contents of his speech being unknown, Elgin’s position as an important speaker during this meeting shows the degree of respectability he had earned in his community during his lifetime.

John Elgin was also an anti-prohibitionist advocate early in his life. In his interviews with journalist Grace Miller White, he stated his work against temperance to be a particular point of pride. In the 1888 Texas Democratic Party Convention, John Elgin was the author of the “Heart of Oak” platform to turn the party against Prohibition.<sup>222</sup> Elgin affirmed his position in the platform that “a man cannot be a Democrat and a Prohibitionist.”<sup>223</sup> Elgin’s political participation also extended to the medium of journalism. In 1887 John Elgin came into ownership of the *Waco Examiner* and used it to advocate against Prohibition. In one article concerning the 1888 Democratic Party platform, the *Waco Examiner* stated, “the organization of a prohibition party in the state and nation and its persistent war upon democracy demands of the democratic party a prompt repudiation of the principles of Prohibition and a condemnation of that and all other forms

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<sup>219</sup> White, “Captain John E. Elgin, Texian,” 339

<sup>220</sup> While Captain Jack Elgin was well known as a railroad land surveyor, no sources specifically state exactly when he received his commission from Governor Davis. However, we know that the Governor’s term was between 1870-1874, and John Elgin did not graduate from Baylor until 1871. While the exact date is unknown, we know he must have received his commission sometime between 1871-1874.

<sup>221</sup> “Old Freighters Recall Experiences of Pioneer Days at Annual Outing” *San Antonio Express*. May 21, 1923

<sup>222</sup> White, “Captain John E. Elgin, Texian,” 340

<sup>223</sup> White, “Captain John E. Elgin, Texian,” 340



of sumptuary legislation, which vex the citizen and interfere with individual liberty.”<sup>224</sup> Elgin’s anti-prohibitionism would have certainly soured his opinion of the Texas Democratic Party as the party became more the party of Frank Norris and Senator Morris Sheppard, so in the 1920s, Elgin began supporting Republican candidates.<sup>225</sup> Notably, Elgin was a prominent leader in the Texas LaFollette presidential campaign in 1924.<sup>226</sup> Robert LaFollette represented a progressive third-party vision that emphasized labor much more strongly than Pat Neff’s version of progressivism. Though the exact extent that the Prohibition issue was a driving cause for party switching, Elgin’s role in supporting Robert M. LaFollette shows that Elgin, by 1924, was politically opposed to Pat Neff’s Democratic Party.

In conjunction with his support for the LaFollette campaign, Elgin had a short-lived 1924 campaign for Texas governor under the Republican Party banner after joining the primary race on August 12, which only lasted until October.<sup>227</sup> Before this, Elgin had never held public office. According to the *San Antonio Light*, “Captain Elgin’s main issue in his campaign will be the unconstitutional use of rangers to usurp the powers and functions of civil officers during elections.”<sup>228</sup> The sudden decision to attempt a gubernatorial bid seemed connected to a recent encounter with the San Antonio Rangers. In the first week of August, the Rangers raided his home for reasons never made clear, but the most likely explanation would be searching his house for any violations of Prohibition.<sup>229</sup> Despite not winning the Republican nomination for governor, Elgin was not deterred in his newfound mission to take down the Rangers.

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<sup>224</sup> “The Democratic Position” *Waco Daily Examiner*. March 28, 1888.

<sup>225</sup> Frank Norris and Morris Sheppard were a Baptist preacher and a Senator from Texas respectfully, who both greatly shaped the Texas Democratic party towards Prohibition. They were considered leaders of the Texas Prohibition movement.

<sup>226</sup> “G.O.P. Bolters Meeting in Waco” *The San Antonio Light*. August 12, 1924.

<sup>227</sup> “J. E. Elgin Named For Governorship” *San Antonio Express*. August 13, 1924.; “Elgin Says Bexar Is For LaFollette” *The San Antonio Light*. October 20, 1924.

<sup>228</sup> “Captain Elgin Slated to Accept” *The San Antonio Light*. August 15, 1924.

<sup>229</sup> *Mexia Daily News*. August 10, 1924. Pg. 2; This article had no title.

Following the raid on his home, Elgin petitioned the Fifty-seventh District Court in San Antonio to bring many people to court.<sup>230</sup> In his original suit, John Elgin filed against Governor Pat Neff, Comptroller of Public Accounts Lon A. Smith, Treasurer S. L. Staples, Adjutant General Thomas D. Barton, Quartermaster of the Texas Rangers Roy W. Aldrich, Captain of Ranger company E Burkhead C. Baldwin, and “all other officers, privates, and employees under either of said defendants, whose names are alleged to be unknown to the plaintiff.”<sup>231</sup> This suit was somewhat unusual as the plaintiff sued specific individuals in the Texas government rather than sue the State, a point that the defendants, Pat Neff and the Attorney General, will argue in their defense. The sheer scale of the suit was astonishing at the time, and the person who created the petition was similarly bombastic.

After the Rangers raided his home, John Elgin approached Dennis Bangs Chapin to represent him legally for this suit. D. B. Chapin was an eclectic individual who the *San Antonio Light* reported as one of the best defense lawyers in that part of the State.<sup>232</sup> However, despite the *San Antonio Light*’s acknowledgment of Chapin as an excellent defense attorney, that is more likely a reflection of Chapin’s name recognition than anything else. Chapin’s career was best described as a series of astounding feats of accomplishment followed by a quiet failure upwards. Examining his life leading up to *Neff vs. Elgin* gives a colorful picture of the lawyer who paralyzed the Ranger Force and the Texas Executive branch. Born to a father who was also a lawyer, Chapin practiced law in Hidalgo County until June 1907, when the Hidalgo County Commissioners announced him as the new county judge.<sup>233</sup> Even after he had ceased working as

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<sup>230</sup> Harris and Sadler, *The Texas Rangers in Transition*, 196

<sup>231</sup> “Decision of District Court Ranger case” District Court, 57th Judicial District of Texas, San Antonio, Texas. Court Number. B-37,095, 1-2

<sup>232</sup> “Bitter Legal Battle Is Expected” *The San Antonio Light*. October 12, 1924.

<sup>233</sup> “Hidalgo Happenings” *Brownsville Daily Herald*. June 5, 1907.

a judge, he would still be referred to as Judge Chapin in papers well into the 1920s. D. B. Chapin also won the seat for Texas House District 95 in 1911, but this time as a congressman would only last until 1912 because of some strange circumstances to be mentioned later.<sup>234</sup> Chapin was even important enough to have a deciding voice in moving the Hidalgo County seat to a little town named after him in his honor.<sup>235</sup>

All of this changed after the state charged D. B. Chapin with the murder of a man named Oscar J. Rountree.<sup>236</sup> D. B. Chapin shot and killed Texas Ranger Oscar J. Rountree in August 1910 in a saloon called Dan Breen's Saloon. Despite what many people saw as a clear-cut case of first-degree murder, Judge Dwyer, after hearing a quick self-defense argument, allowed a bail bond of \$10,000, after which Chapin was allowed to resume his duties as state representative. Somehow, despite shooting Oscar Rountree, Chapin cleared the charges by arguing in self-defense. Despite having his name cleared, Chapin resigned as a congressman in November 1912. The town that was going to be named Chapin in his honor was quickly renamed Edinburg by the town residents. His name tarnished by homicide, Chapin was forced to move away from Hidalgo and practice his two businesses, law and real estate investment, in California and later back in Texas. When John Elgin approached the lawyer to represent him in the Ranger case, he had somewhat remade himself as a prominent defense lawyer in Bexar County, notable court cases being the Hauptrief Poison Plot Trail, where he began working with his future law partner Davis Watson.<sup>237</sup> Though it is unknown whether or not Elgin knew about Chapin's legal troubles, both the killing of Oscar Rountree and various legal problems related to fraud, the sheer enthusiasm

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<sup>234</sup> Texas Legislative Reference Library, "Dennis Bangs Chapin," Legislative Reference Library | Legislators and Leaders | Member profile, accessed March 12, 2023

<sup>235</sup> "Chapin," Chapin | TX Almanac, accessed May 18, 2022, <https://www.texasalmanac.com/places/chapin>.

<sup>236</sup> "Murder Cases Set In Judge Dwyer's Court" *The San Antonio Light*. January 5, 1911.

<sup>237</sup> "Bitter Legal Battle Is Expected" *The San Antonio Light*. October 12, 1924.

that Chapin showed during *Neff vs. Elgin* in potentially dismantling a branch of law enforcement made him an excellent pick on Elgin's part.

The court trial began on October 6, 1924, after Captain Baldwin and various others had received a court summons from the Fifty-seventh Judicial District in San Antonio.<sup>238</sup> In the initial court summons, the nature of the suit was a direct challenge to the constitutionality of the Ranger Act of 1919, and the plaintiff, John Elgin, demanded the court restrain the defendants from acting under said Ranger Act.<sup>239</sup> The Ranger Act of 1919 was an amendment to older Ranger laws that conferred upon the Ranger Force the legal ability to arrest individuals with the authority of a sheriff. This power had always been a power the Rangers had informally held before. However, with the expanding role of the Rangers as Prohibition officers across the State, not just along the border, the Texas legislature passed the 1918 act to officially empower the Rangers in this capacity. For the plaintiffs, the issue lay in whether the governor had the authority to confer the power of sheriff onto another institution and if it was constitutional to allow the governor direct control over a law enforcement agency.

The first series of court hearings in the district court featured the plaintiff disparaging seemingly every portion of the 1919 Ranger Act. Still, specific themes emerged from Chapin and Watson's original twenty-two-page-long testimony. The first significant grievance from the plaintiffs was, in their opinion, the undue power it gave to the governor at the expense of local governments. As noted by Chapin, "It is a legislative attempt to control local affairs in each County of the State, and to take away from the constitutional officers in each county the powers conferred upon them by the constitution and bestow said power upon appointees of the

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<sup>238</sup> B. C. Baldwin Court Summons 4 August 1924

<sup>239</sup> B. C. Baldwin Court Summons 4 August 1924

Governor.”<sup>240</sup> According to Chapin, the Ranger Act of 1919 unjustly conferred upon the Rangers the same powers as a sheriff and allowed the governor to send them wherever they deemed necessary. According to the Plaintiff, this deviation from the 1876 Constitutional founders, who only envisioned the Rangers used as an institution to protect the border and not a police force. The new iteration of the Ranger Law concentrated power in the hands of the governor and abridged the rights of the citizenry, whose right to elect their sheriff was being interfered with by the governor.<sup>241</sup>

Not only did the 1919 Ranger Law empower the governor in unconstitutional ways, but it also diminished the power and rights of local governments to police themselves in two distinct ways. As the Ranger Law stood, the governor could send the Ranger Force anywhere in the state that he deemed necessary. This power is regardless of the community’s desires, which will be affected by these decisions. Using Bexar County as an example, Chapin states, “Plaintiff further shows that said alleged Ranger Force was installed in the county of Bexar without the request of the duly constituted officers... and that said force has been and is now kept and maintained in said county over the protest of said officers....”<sup>242</sup> Chapin and Watson reiterated this point later in their testimony by restating that the Rangers were, “usurping the duties of the legally constituted officers of Bexar county, and are making arrests and serving process in criminal cases, and thereby depriving the legally constituted officers of said county of their fees and emoluments of office....”<sup>243</sup> By sending the Rangers wherever he willed, the governor disregarded the very consent of those communities. As seen with the death of R. L. Flowers by

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<sup>240</sup> Official Transcript Court Case B.-37095. Pg. 8 Article 3, Section 48

<sup>241</sup> Official Transcript Court Case B.-37095. Pg. 8 Article 3, Section 48 parts h & i

<sup>242</sup> Official Transcript Court Case B.-37095. Pg. 14, part 33

<sup>243</sup> Official Transcript Court Case B.-37095. Pg. 18, section 44

Ranger Private Taylor, the consequences of sending the Rangers could very well end in the death of local citizens.

The 1919 Ranger Law also hurt local communities by unjustly using tax money to fund what the plaintiff argued was an illegal institution. The most direct critique using this argument is section twenty-eight, where the plaintiff argued that “the payments and disbursements of said sums of money hereinbefore mentioned, and each and all of them, is without color of law and in direct violation of the express commands of the Constitution hereinbefore set forth....”<sup>244</sup> Chapin and Watson reiterated this point in section forty-two of the original testimony and stated that during 1924 alone, the state had spent \$120,000, which, according to the plaintiff, was stolen from the lawful taxpayer to fund an unconstitutional institution.<sup>245</sup> This specific argument would become quite relevant to the final decision by Judge Minor, considering the injunction he would place restraining the Texas Rangers from payment and access to state funds.

In response to the twenty-two-page testimony by the plaintiff team, the defendants, represented by the then current Attorney General W. A. Keeling, presented only a brief five-page rebuttal with a generally dismissive tone throughout. In their brief rebuttal, the defense made three arguments to dismiss this case entirely. In sections one and two, the defense argued that the district court was without authority and jurisdiction to restrain the Texas executive branch. As stated by W. A. Keeling, “Because this is a suit to enjoin and restrain the Chief Executive of this State, the governor, and this court is without power, authority and jurisdiction to coerce and restrain the acts and official conduct of its Chief Executive.”<sup>246</sup> In a similar and related point, the defendant argued that, in actuality, this is a suit against the state of Texas to restrain the state

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<sup>244</sup> Official Transcript Court Case B.-37095. Pg. 12. Section 28

<sup>245</sup> Official Transcript Court Case B.-37095. Pg. 17 Section 17

<sup>246</sup> Official Transcript Court Case B.-37095. Pg. 23 Section 1, Subsection a

from carrying out the law. Because the state never consented to the lawsuit, this court was without jurisdiction.<sup>247</sup> These initial arguments show the general attitude and strategy of the state in response to Elgin and Chapin's critiques of the Ranger Force. Rather than engaging with those criticisms, the defendants outright dismissed the notion that they should be in court.

Following the previously established dismissive tone, sections three through twelve argue that the plaintiff's petition was too insubstantial to warrant a court trial. In these sections, the defense point to various areas of the plaintiff's testimony to dismiss their issues for vagueness and claim them insufficient for the court. A typical example being section five, which states, "Said defendants specially except to paragraph 16 of the plaintiff's petition and say the same is too general, too vague and indefinite to require defendants to answer."<sup>248</sup> In sections three through twelve, the defendants never engage with the arguments presented by the plaintiff and, instead, claim the petition too inadequate even to consider writing a proper defense. The position of the defense, of the State, was that they were obviously in the right, and the burden rested squarely on the plaintiff.

The last primary argument provided by the defense was an attack against the qualifications of John Elgin. Sections thirteen and fourteen argued that because John Elgin was neither a sheriff, constable, or affiliated with the legally constituted officers of Bexar County, he had no right or interest in this case on behalf of local law enforcement.<sup>249</sup> In response to such an allegation, Elgin argued that as a tax-paying law-abiding citizen of Bexar County, he had every right to be concerned with the goings-on within his community. Still, of the few arguments the defense had brought forth in the initial district court, this was the most cogent argument in their

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<sup>247</sup> Official Transcript Court Case B.-37095. Pg. 24, Section 2

<sup>248</sup> Official Transcript Court Case B.-37095. Pg. 15, section 5

<sup>249</sup> Official Transcript Court Case B.-37095. Pg. 26-27, Sections 13 & 14

brief rebuttal. As a private citizen, Elgin's suit concerning the Ranger law on behalf of local law enforcement was somewhat strange, considering his only involvement with the Rangers beforehand was the raid upon his residence. An outside observer could have logically concluded that Elgin's suit had more to do with a personal vendetta or a philosophical disagreement with the governor's policies than anything specifically wrong with the 1919 Ranger Law. However, this argument by the defense did not seem to sway the opinion of Judge Minor, who, after both sides had submitted their stances, passed his controversial judgment.

On January 15, 1925, Judge Minor passed his verdict over *Neff vs. Elgin*. He sided with Elgin and Chapin almost to a fault, and the judge ordered the injunction, which affected every member of the Ranger Force. The only major exception was to the governor, who Judge Minor gave a notable exception from the injunction because, according to Minor, "That the special exception of the defendant Pat M. Neff, governor of Texas, excepting to the jurisdiction of this court to enjoin, restrain, or coerce the acts of said defendant as governor of Texas...."<sup>250</sup> The passage of Judge Minor's ruling happened almost in conjunction with the inauguration of Miriam Ferguson as governor on January 20, 1925. With her inauguration also came the arrival of a new lieutenant governor, attorney general, and state treasurer, who were all included in place of their Neff administration counterparts in the *Neff vs. Elgin* court case. By January 15, Judge Minor had decided that his district court did not have the power to restrain the governor, but this would have hardly been a comfort to the Ferguson administration. Everyone else, including the adjutant general, the quartermaster of the Texas Rangers, the comptroller of public accounts, and the treasurer of Texas, were restrained by the injunction.

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<sup>250</sup> Official Transcript Court Case B.-37095. Pg. 36, Section 1



The combined events of the inauguration of Miriam Ferguson and the injunction proved difficult times for the Texas Rangers. The Fergusons, James and Miriam, were a political power couple whose legacy in Texas politics historians have written volumes. In short, James Ferguson was an anti-Prohibition Democrat who served two terms as Texas governor in the 1910s; he was impeached during his second term and summarily barred from public office. Undeterred, Miriam Ferguson, the wife of James Ferguson, ran for governor in 1924 under the slogan “two governors for the price of one.”<sup>251</sup> According to Carol O’ Keefe Wilson in her dual biography of Jim and Miriam Ferguson, “Animosity had long defined the Fergusons’ relationship with the Rangers.”<sup>252</sup> This air of animosity was evident after Miriam Furgeson became governor in January 1925. She enacted numerous changes to the Ranger Force that would have certainly made Elgin and Chapin smile. After ascending to the governorship, Ferguson and her adjutant general reduced the size of the Ranger Force from fifty-one to a mere twenty-eight.<sup>253</sup> Some of Governor Ferguson’s Force reduction casualties included all of Ranger Company E stationed in San Antonio, including Captain Baldwin.

For those Rangers who survived the downsizing of the Force, the specifics of the injunction were quite simple but devastatingly broad. In brief, those the court restrained could not issue state treasury warrants covering any expenditures to support or fund the Ranger Force authorized under the 1919 Ranger Act. The injunction held not only the specific individuals involved in the suit but anyone who worked beneath them. According to Judge Minor, “The injunction herein against each of the beforementioned defendants, enjoined, shall apply and be

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<sup>251</sup> Carol O’Keefe. *In the Governor's Shadow the True Story of Ma and Pa Ferguson*. (University of North Texas Press, 2014), 154

<sup>252</sup> O’Keefe. *In the Governor's Shadow*, 192

<sup>253</sup> “Adjutant General M’Gee Reduces Force from 51 to 28 in Economy Move” *The San Antonio Light*. February 20, 1925.

obligatory upon their respective subordinates, agents, servants, and employees.”<sup>254</sup> No Ranger could draw a salary, request vouchers for travel by train, or request new equipment because of the injunction. For the roughly fifty or so rangers throughout the State, the injunction immediately impacted their ability to carry out their law enforcement duties. Judge Minor had paralyzed the Texas Rangers from active duty.

Immediately after Minor made his decision and the injunction passed, the attorney general filed for an appeal in the higher court and the court to halt the injunction until they could take the trial to the court of appeals. On January 15, the defense requested the injunction be suspended, which, after the change of administration, was carried out by the new attorney general, Dan Moody. Their reasons were twofold. The first reason was that the defense believed that the higher court would uphold the various Ranger Laws as constitutional, which inevitably proved true.<sup>255</sup> The defense also argued that the Rangers were necessary to protect the State. The defense argued, “This court has held that the protection of the border and frontier by the ranger force is constitutional....”<sup>256</sup> Without the Texas Rangers, the defense argued, the border would be left unprotected from “lawless and marauding bands from Mexico, and in preventing the entrance of aliens into the State of Texas....”<sup>257</sup> Not two days later, on January 17, Judge Minor responded to the appeal to hold the injunction with a firm no and overruled the defense’s motion.<sup>258</sup> Until *Neff vs. Elgin* was taken to the court of appeals, the injunction was the law of the land.

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<sup>254</sup> Official Transcript Court Case B.-37095. Pg. 38, section 6

<sup>255</sup> Official Transcript Court Case B.-37095. Pg. 40, section 1

<sup>256</sup> Official Transcript Court Case B.-37095. Pg. 41, section 4

<sup>257</sup> Official Transcript Court Case B.-37095. Pg.40, section 3

<sup>258</sup> Official Transcript Court Case B.-37095. Pg.42

Before the case went to the court of appeals, Judge R. B. Minor wrote a summary of the various precedents that influenced his decisions relating to the Ranger case as part of the record for appeal. Among the roughly fifty pages of citations of dozens of prior court cases, references to English common law, and comparisons to other state constitutions, Judge Minor's decision concerning *Neff vs. Elgin* rests firmly in a strict originalist interpretation of the Texas state constitution. Though this document never directly addresses Governor Neff, much of the document could be a direct repudiation of Neff's specific brand of business progressivism. One specific quote summarized well how Judge Minor viewed his judicial philosophy. When encountering whether such organizations, in this case the Rangers, would be beneficial or not, Minor argued that necessity was not an essential factor. Instead, Minor argued, "Such arguments as the latter have no bearing on the question presented in this case; which is a question of constitutional law only, without regard to questions of expediency and supposed necessity."<sup>259</sup> Judge Minor shaped his judicial analysis on the intent of the 1876 Texas Constitutional founders, or, at the very least, what he believed was their intent.

Strictly reading the text of the 1876 Texas Constitution, Judge Minor argued that the current state of the Texas Rangers was unconstitutional, in close agreement with the arguments that Chapin made regarding the role of sheriff. At various points in this document, Minor examined many different prior court cases that all agreed that the Texas Constitution limited the capabilities of the Texas government to empower local governments. In the court case *Texas vs. Moore*, Minor quotes Justice Stayton, who states, "It must be presumed that the Constitution, in selecting the depositaries of a given power, unless it be otherwise expressed, intended that the depositary should exercise an exclusive power, with which the legislature could not interfere by

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<sup>259</sup> "Decision of District Court Ranger case" Ranger Case, R. B. Minor, District Court, 57th Judicial District of Texas, San Antonio, Texas. Court Number. B-37,095. Pg. 40

appointing some other officer to the exercise of that power.”<sup>260</sup> Following up on this quote, the document looks to the case of *Brown vs. City of Galveston* in which Judge Brown reaffirms the importance for local municipalities to choose their form of government free from state government interference.<sup>261</sup> This clear separation of power was crucial for Judge Minor’s interpretation because sheriffs are elected officials in Texas, so granting sheriff authority to Texas Rangers violated that separation of power.

Further expanding on the role of the governor’s authority Minor argued that the chief executive did not have the power to execute the laws himself. Instead, the governor works as a great coordinator between various branches of government to ensure the laws are being faithfully enforced. According to Minor, not even the King of England, under English common law, has the power to execute the laws himself, directly, or through officials under his command.<sup>262</sup> Though the comparison of a state governor and a monarch screams of false equivalency, it is clear that Judge Minor had a very narrow view of what the governor could and could not do. In his summation on this subject, Minor firmly sided with Elgin, stating that the governor cannot have the direct power to execute the laws by himself.

Minor’s narrow and restrictive interpretation of the Texas Constitution was an overtly strict version that would baffle even the justices in the court of appeals. The district judge did not believe that the state constitution was a living document and that the founders’ intentions at the time were paramount in his decision-making. Minor made this clear when he examined the history of the 1876 Constitution. Having nothing but scorn for the Reconstruction government of Texas, Minor compared the Ranger Force of his day to the State Police Act of the Reconstruction

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<sup>260</sup> “Decision of District Court Ranger case” Ranger Case, R. B. Minor, 11

<sup>261</sup> “Decision of District Court Ranger case” Ranger Case, R. B. Minor, 13

<sup>262</sup> “Decision of District Court Ranger case” Ranger Case, R. B. Minor, 28

era. According to Minor, the state police act “violated well nigh every private right guaranteed to the citizen by the constitution, and was subversive of the system for maintaining public order and executing the laws provided by the constitution.”<sup>263</sup> Judge Minor’s interpretation of the state police during Reconstruction was no doubt colored by a half-century of lost cause propaganda that demonized the Reconstruction governments. Still, in this instance, Judge Minor used his warped version of the reconstruction state police to strip the power of the Rangers of his time, which he perceived as similarly authoritarian. According to Minor, the present Rangers only differed from the state police in degree rather than in essential character.<sup>264</sup> In this interpretation of the 1876 Constitution, the Texas founders would have never given the Ranger Force or the governor such broad power.

The injunction against the Rangers itself only lasted until the court of appeals dismissed the lower court’s decision in late February, but, during that time, the organization experienced terrible gridlock in fulfilling their law enforcement duties as well as the general confusion caused by the reorganization of the Force by Governor Miriam Furgeson. For most of the Force, the injunction entailed waiting to see what would happen next. According to a letter by Roy Aldritch, quartermaster for the Rangers, he said, “We can none of us do a thing until the injunction matter is settled, but of course we are unable to say when this will be. We hope that it will be soon, but it may be some time.”<sup>265</sup> Without the state government providing travel vouchers, the Rangers had to sit where they were last deployed or pay out of their pocket to travel.

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<sup>263</sup> “Decision of District Court Ranger case” Ranger Case, R. B. Minor, 44

<sup>264</sup> “Decision of District Court Ranger case” Ranger Case, R. B. Minor, 46

<sup>265</sup> R. W. Aldrich to W. E. Young, February 4, 1925.

The indignity of being without a salary was not the only humiliation suffered by the Rangers during the injunction. During the court case of Y. H. Taylor, a young Texas Ranger on trial for killing a man in a liquor raid, District Attorney R. L. Darnels ordered Captain Baldwin and three other Texas Rangers to leave the trial room because, according to Darnels, the Rangers were no longer officers of the law.<sup>266</sup> The murder of R. L. Flowers initially took place in San Antonio in January 1924, but the trial was moved to Cuero for a fair trial considering San Antonio's general anti-Ranger attitude.<sup>267</sup> Not even two weeks after the announcement of the injunction and the Rangers were beginning to lose their status as law enforcement officers. Though this was only one trial, the prestige of being a Ranger was already deteriorating when the injunction began.

During the brief period when the injunction was in effect, some Rangers continued to work despite the lack of salary and state funding. The reasoning was that the injunction only prevented the payment of wages and not necessarily a ban on all Ranger activity. In San Antonio, Captain Baldwin aided Bexar County officials in finding the killer of a local chauffeur after the suspect left the body in his car.<sup>268</sup> In a similar case near Denton, Texas, the new Adjutant General Mark McGee ordered Captain Hickman to aid local police in stopping a shooting.<sup>269</sup> According to the article concerning Captain Hickman's aid in the shootout, at least by February 3, the new adjutant general had decreed that, despite the injunction, Texas Rangers may still be considered peace officers who may aid local law enforcement in their duties. In this way, the injunction made every Ranger a Special Ranger, an unpaid volunteer. For the moment, all Ranger work was voluntary until *Neff vs. Elgin* reached the appellate court.

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<sup>266</sup> "Ordered Out at Taylor Trial" *The San Antonio Light*. January 30, 1925.

<sup>267</sup> "Ordered Out at Taylor Trial" *The San Antonio Light*.

<sup>268</sup> "Rangers Aiding in Lewis Quest" *The San Antonio Light*. February 19, 1925.

<sup>269</sup> "Pair Wanted in Shooting Defying Arrest" *The San Antonio Light*. February 3, 1925.

Once the defense, headed by the new attorney general Dan Moody, reached the court of appeals, the higher court dismissed the lower court's ruling and quickly reversed the injunction. On February 25, after roughly a month and a half, the lower court no longer restrained the Texas Rangers.<sup>270</sup> In the opinion written by Chief Justice W. S. Fly, he disagreed with Judge Minor on nearly every point made by the district judge. Chief Justice Fly had three main points of contention that summarized his judicial opinion. Justice Fly had a much broader and more open understanding of Constitutional interpretation that was far less restrictive than Minor. His broader interpretation fueled his opinion concerning the role of the sheriff, which leaned more toward the concept of a living document rather than strict originalism. Lastly, despite sharing a similar bias against the Texas Reconstruction governments, unkindly referred to as the carpet bag regime in the opinion, Justice Fly vehemently disagreed with comparing the Ranger Force of his day with the state police of the reconstruction era. For Justice Fly, the Texas Rangers, despite some negative views of them in their current state, were a significant part of Texas history that the state founders baked into the 1876 Texas Constitution.

Chief Justice Fly's interpretation of the Texas Constitution leaned closer to a living document than Judge Minor, who used more of an originalist interpretation. The chief justice argued that the courts should only strike down laws passed by the legislature with great care and consideration after said law has been proved beyond a reasonable doubt that it is unconstitutional.<sup>271</sup> This difference in their interpretive framework can be seen clearly in how Justice Fly differed in opinion from Judge Minor concerning the role of the sheriff. The 1876 Constitution does not define the responsibilities of sheriffs, so according to Justice Fly, the

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<sup>270</sup> "Ruling Voids Injunction Granted Elgin" *The San Antonio Light*. February 25, 1925.

<sup>271</sup> Opinion of Chief Justice W. S. Fly, *Neff vs. Elgin*. Court of Civil Appeals, Court Number 7366, 6

legislature determines the sheriff's duties.<sup>272</sup> Similarly, Fly argued that "There is no provision of the constitution expressly denying to the legislature the power and authority to create other agencies than those named in the constitution for the preservation of law and the suppression of crime."<sup>273</sup> This opinion is in sharp contrast to Judge Minor, who argued that the state government could not create other crime-fighting agencies because sheriffs were the traditionally elected representative of the law. Any new agency would diminish the sheriff's authority by their very nature. Justice Fly disagreed with this idea as, in his opinion, the 1876 Constitution did not set the duties of sheriffs in stone, and the legislature could create any new agency they pleased as long as those offices created by the Constitution remained.

Aside from just different judicial philosophies, Justice Fly strongly disagreed with Minor's historical analysis of the Texas Rangers. For Judge Minor, the Ranger Force's constitutional role is as a military institution to protect the border from invasion or banditry. While this was not untrue, the Chief Justice argued that the Texas Rangers, since their very inception, had the law enforcement powers that Minor argued were unconstitutionally bestowed upon them by the state legislature. According to Fly, "It was the first organized agency of the Anglo-Saxon immigrants against the lawlessness and disorders which prevailed under the inadequate protection extended to them by Mexico...."<sup>274</sup> Even before the Texas Revolution, Texans conceived the Rangers as protectors of the law. The Rangers, since their inception, had been an institution that cooperated with sheriffs and other peace officers to suppress lawlessness throughout the State. Whether for good or ill, the institution had always been a Statewide organization of mounted mobile police.

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<sup>272</sup> Opinion of Chief Justice W. S. Fly, 13

<sup>273</sup> Opinion of Chief Justice W. S. Fly, 12

<sup>274</sup> Opinion of Chief Justice W. S. Fly, 8



Despite the overall disagreement Chief Justice Fly had with Judge Minor, much of his opinion had the tone of polite academic dispute, but this changed when the Chief Justice wrote concerning Minor's comparison of the current day Ranger Force with the Reconstruction era state police. The appellate court Justice vehemently disagreed with the comparison. During that section of the opinion, his tone came across as if he was personally insulted by the lower Judge's opinion. According to Justice Fly, "The Davis State police, so odious to the white people of Texas, was a very different organization and the hatred of the respectable men and women of the state was aroused by them and not by the Rangers."<sup>275</sup> The fact that former confederates hated a multi-racial police force created by the Republican Governor Edmund J. Davis to fight against the rising hate crimes post-Civil war was unsurprising. Despite the chief justice's explicit biases, he stated that the 1920s Texas Rangers were fundamentally different from the Reconstruction era state police in their intended goal. The state police were a fundamentally transformative organization that challenged the racial hierarchy during Reconstruction, while the Rangers of Justice Fly's time were an organization that upheld the status quo morality of the evangelical temperance movement despite the increasing unpopularity of Prohibition enforcement.

With the repeal at the court of appeals, the injunction ended unceremoniously, even though Elgin and Chapin continued to work the court process for months afterward. Immediately after the appeals court repealed the injunction, the adjutant general resumed payment of wages to the Rangers. Chapin took issue with this because he argued that the injunction was not over while the appeals process was being worked out.<sup>276</sup> At one point, Chapin threatened to file contempt charges against Dan Moody for not following the injunction while higher courts were reviewing the case for rehearing. Immediately upon the court of appeals reversing the district

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<sup>275</sup> Opinion of Chief Justice W. S. Fly, 12

<sup>276</sup> "Moody to Face Contempt Charge" *San Antonio Express*. April 23, 1925.

court, Chapin filed for a rehearing of the court of appeals.<sup>277</sup> The court of appeals denied a rehearing, so Chapin filed for the state supreme court in a last bid attempt. Any hope, however, was dashed as the Texas Supreme Court denied the right to appeal on April 29, leaving *Neff vs. Elgin* firmly decided in favor of the state.<sup>278</sup> Any chance to file contempt charges evaporated with the refusal of the state supreme court to review the case. The Texas Rangers would remain the law of the land, but, despite the failure of *Neff vs. Elgin* to change the Force judicially, the new governor, Miriam Furgeson, enacted a few of the changes that Elgin was seeking. In an announcement related to the downsizing of the Ranger Force, Governor Miriam Ferguson also stated she would not send the Rangers to any community unless said community requested them. Despite Adjutant General McGee's insistence that the policy change was not related to the concurring injunction, it is difficult to imagine how the two events could be separated.<sup>279</sup>

To put it simply, the crux of the issue was a matter of community consent. During the ongoing process of appealing the *Neff vs. Elgin* case, W. Albert Williamson, Texas House Representative of Bexar County, best summed the general feeling of San Antonio city officials in his proposed January 1925 bill that limited the Texas Rangers' use only to counties that requested their assistance and the border counties.<sup>280</sup> In this proposed bill, the Texas Rangers had first to be invited by the local sheriff or Mayor, and while there, they were under the direct subordination of either the sheriff or the local police chief. To extrapolate based on Representative Williamson's proposed regulation, the main contention in San Antonio was because of a lack of consent by city officials and many residents.

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<sup>277</sup> "Rehearing Asked in Ranger Case" *San Antonio Express*. March 5, 1925.

<sup>278</sup> "Controversy Over State Rangers Finally Disposed of By Decision of State Supreme Court At Austin" *Wichita Daily Times*. April 30, 1925.

<sup>279</sup> "Adjutant General M'Gee Reduces Force from 51 to 28 in Economy Move" *The San Antonio Light*. February 20, 1925.

<sup>280</sup> "Only To Be Used On Local Request" *San Antonio Express*. January 28, 1925.

Despite much of the initial drama surrounding the injunction, there was little in the way of long-term consequences from *Neff vs. Elgin* itself. After the trial, nothing fundamentally changed about the Texas Rangers that would prevent them from violating the sovereignty of local communities in the ways Elgin and Chapin were concerned. The changes that did occur in 1925, including downsizing the Force and avoiding sending Rangers into communities unless explicitly asked, were only the promises of one governor rather than an institutional reform. Similar to the 1919 Canales Investigations, *Neff vs. Elgin* was a moment in time to change the Texas Rangers for the better. Instead, the judicial system reaffirmed the constitutionality of the organization with minimal changes. While *Neff vs. Elgin* did little to change the Rangers, the court case showed the agitation and disapproval of Ranger activity, especially in San Antonio. As noted by Chief Justice Fly, “They devoted their time to suppressing high and heinous crimes and no one dreamed of quartering them on unoffending communities to establish a system of espionage on its citizens and spend their time in arresting crap throwers, chicken fighters and petty offenders against the Volstead or Dean Laws.”<sup>281</sup> The use of Rangers for policing petty crime had crossed the line for many Texans, and the suit by Elgin was simply one example of the dissatisfaction of an increasingly large number of Texans. The case of *Neff vs. Elgin* was an elaborate and bombastic example of just one of the many ways Texans rebelled against evangelical morality, and rather than seeing it as a failure, it should instead be remembered as a valiant effort in the fight against Prohibition.

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<sup>281</sup> Opinion of Chief Justice W. S. Fly, 11

## CHAPTER VI

### CONCLUSION

The city of San Antonio has always held an important place in the history of Texas Prohibition by being one of the few places that challenged the idea that the noble experiment was a good thing, even while the city council continually cooperated with federal and state regulations. It was one of the few Texas cities that repeatedly voted against the many constitutional amendments to enshrine Prohibition throughout the decades leading up to nationwide Prohibition. After the States passed the eighteenth amendment, San Antonio continued to have a reputation as a hub of bootlegging and liquor. Despite the general support for Prohibition at the end of World War I, Governor Pat Neff struggled to pass legislation strengthening the enforcement of Prohibition during his first term as governor. Faced with an unsupportive state legislature, Governor Neff relied on the Texas Rangers, the state police directly under the control of the governor, to enforce the federal Volstead Act and the state Dean Law.

The reliance on the Rangers to police Prohibition brought this historic law enforcement institution into an uncomfortable transitional period that blurred the lines between different levels and branches of government. The issue of Prohibition enforcement, especially in San Antonio, was a problem involving multiple levels of local, state, and federal government. The numerous scandals, conflicts, and court cases brought about because of the San Antonio occupation resulted from the Texas Rangers' inability to successfully cooperate with other law enforcement institutions, namely the local judiciary and federal Prohibition officers. Despite their successes in suppressing vice crime, the Rangers' violent behavior and disregard for the regulations of other institutions showed just how difficult both enforcement of Prohibition was

and the rough transition of the Rangers from border protection to a proper statewide organization.

The transition of the Texas Rangers to Prohibition officers was rough during a period of change for the institution following the end of the Mexican Revolution and World War I. The Force was reduced from over 1,000 Rangers that primarily handled border defense and frontier law enforcement to an organization with less than one hundred individuals traveling across the state at the governor's whim. Governor Neff sending the Rangers to oil boom towns such as Mexia caused minor grumblings from some citizens from those areas. Still, most citizens understood that small towns with out-of-control vice violations, such as bootlegging, gambling, and prostitution, should receive the crackdown of the state government, in Mexia's case involving full-on martial law. In contrast to Mexia, many San Antonians saw the decision to send an entire company to stay in San Antonio as excessive and undeserving. Rev Arthur J. Drossaerts' complaint that San Antonio was no small town with no lynchings or mob outbreaks portrays some of the frustration.<sup>282</sup> To send a full company of roughly fifteen Rangers to a large urban center with a fully functional city bureaucracy to be permanently stationed seemed outrageous. Their arrival to San Antonio was somewhat contentious and worsened as time passed.

The scandals faced by the Rangers during their time were numerous and did very little to warm the city's citizens to their presence. Property damage and violent assault were not uncommon during the Ranger occupation. The destruction of Miss Julia Gray's home was a particularly violent example of property damage. The Rangers' improper disposal of a still caused horrible damage to the house she was renting out. Assault was also not uncommon, as

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<sup>282</sup> "Catholic Bishop Scores Neff and Barton for Ordering Rangers to Clean Up San Antonio" *Wichita Daily Times*. August 8, 1923.

was with the example of Albert Tessman, who Ranger C. E. Miller struck with the butt of his pistol for the suspected crime of owning liquor, which was never confirmed. However, these instances of violence paled in comparison to the murder trial of Ranger Yantis H. Taylor, who killed one R. L. Flowers when searching the premises for liquor, similar to the incident involving Albert Tessman. Unlike Tessman, Mr. Flowers met an unfortunate end when Ranger Taylor shot him in a confrontation. Rather than face the prejudice against Rangers in San Antonio, Taylor requested the judge to move the location of his trial because he feared a San Antonian jury would unfairly judge him, so disliked were Rangers in Bexar County.<sup>283</sup> These various scandals involving violence against the property and people of San Antonio did not endear the citizens to the Rangers in their midst.

The Rangers faced extensive issues cooperating with local law enforcement institutions, such as the local judiciary, resulting from their improper conduct. They faced multiple indictments from the city for lack of search warrants and improper liquor disposal. The captain of Company E himself, Captain Baldwin, had multiple times been charged with improper liquor disposal by city officials. The Rangers also chaffed under the increasing regulations required by federal Prohibition officers. Thus, the federal Prohibition officers released many of the suspected criminals brought in by the Rangers because the state police, in many cases, refused to follow the proper procedures set out by fellow law enforcement agencies. According to Captain Baldwin, city and federal courts dismissed hundreds of cases brought in by his Rangers.<sup>284</sup> The cooperation between the Rangers and federal Prohibition officers had deteriorated significantly as, by May 1924, Captain Baldwin stated, “We will retain our evidence until such a time that men who will act in cooperation with us are in office. The statute of limitation in these cases will

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<sup>283</sup> “100 Witnesses Summoned In Ranger’s Case” *San Antonio Express*. May 16, 1924.

<sup>284</sup> Baldwin, Berkhead C. B. *C. Baldwin to Pat Neff*. Letter.

not expire for at least two years.”<sup>285</sup> Ten months after arriving in San Antonio, Captain Baldwin had given up on cooperating with his federal peers, instead choosing to wait until a new administration sent more cooperative agents.

Onlookers might see the various scandals and troubles of the Rangers during the occupation as a sign that they were unsuccessful in their stated goal of enforcing Prohibition, but that was not the case. In a report to the governor, Captain Baldwin reported thousands of gallons of liquor confiscated, hundreds of stills destroyed, hundreds of cases filed against offenders, and hundreds of thousands of dollars lost by bootleggers.<sup>286</sup> By most accounts, the Rangers successfully enforced the state’s law to the best of their abilities despite the difficulties they encountered. Their successes, however, did not seem to stop the general public’s scrutiny, and the Rangers’ activities brought them to court in a most spectacular fashion. Like the Canales Investigation of 1919, the trial by Captain John Elgin against not just the Texas Rangers but many of the notable members of the state executive was a crucial moment in Ranger history that brought Rangers under a critical eye. John Elgin questioned the very constitutionality of the old law enforcement institution. If, for only a few months, Captain Elgin and his lawyer D. B. Chapin impaired the Rangers immensely due to the injunction that halted the payment of Ranger salaries. Despite higher courts inevitably overturning Judge Minor’s ruling, the *Neff vs. Elgin* court case was an example of the consequences faced by the Rangers and the state government for treading on the sovereignty of San Antonio.

The history of the Ranger occupation in San Antonio was a unique convergence of Prohibition, Ranger, and local history that showed the difficulty in enforcing the noble experiment. Lacking the patriotic zeal for temperance during World War I, Governor Neff’s lack

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<sup>285</sup> “Rangers to Hold Evidence Refused” *San Antonio Express*. May 3, 1924.

<sup>286</sup> Charles H. Harris and Louis R. Sadler, *The Texas Rangers in Transition*, Pg 194

of legislative support led him to rely on the Rangers to enforce Prohibition, an issue of great importance to the governor. However, Governor Neff's desire to implement Prohibition created many additional problems that were unforeseeable to the governor. The lack of regulation amongst the Rangers of Company E and the difficulties with the local judiciary created a situation best described as toxic.

Ultimately national Prohibition would fail in 1933 with the passage of the twenty-first amendment, so Prohibition history can get swept up in the inevitability of it. However, Americans did not simply wake up in 1933 and decide that Prohibition should end. It was a process that lasted over a decade, where various communities struggled with how to enforce an increasingly unpopular law. Examining how Prohibition impacted individual locations is essential in seeing how a national movement can drastically impact local institutions. The San Antonio occupation was a prominent example of a shift in federalism. The unclear boundaries of Prohibition created situations like San Antonio, where federal, state, and local law enforcement worked together and conflicted more frequently. San Antonio officials and judges' efforts to enforce regulations and indict the Rangers for their various mishandlings of Prohibition enforcement was an instance in which the lines separating state and local government blurred. This transition was not easy, as shown by the contentious presence of the Rangers in San Antonio. Chief Justice Fly's point that no one disliked the Rangers for suppressing high and heinous crimes, but sending the Rangers to harass petty offenders of Prohibition was a blatant abuse of power for opponents of Prohibition that harmed both the legitimacy of the governor and the Ranger Force.



## BIBLIOGRAPHY

### Primary

#### Court Documents

“B. C. Baldwin Court Summons” August 4, 1924, Captain Birk Baldwin: A Collection of His Papers MS 62, Series I:C, Texas Ranger Research Center, Waco Texas.

“Decision of District Court Ranger Case” Ranger Case, R. B. Minor, District Court, 57 Judicial District of Texas, San Antonio, Texas. Court Number. B-37,095

Official Transcript Court Case B.-37095. Ranger Case, R. B. Minor, District Court, 57 Judicial District of Texas, San Antonio, Texas.

Opinion of Chief Justice W. S. Fly, Neff vs. Elgin. Court of Civil Appeals, Court Number 7366.

#### Letters

Aldrich, Roy. *R. W. Aldrich to W. E. Young*. Texas State Archives. February 4, 1925.

Baldwin, Berkhead C. B. C. *Baldwin to Pat Neff*. Letter. Captain Baldwin Collection at the Texas Ranger Museum Archives in Waco. February 14, 1924.

Godfrey, Peterson. *Peterson Writing on Behalf of Julia E. Gray to Thomas Barton*. Texas State Archives. March 11, 1924.

Hanson. *Inspector Hanson to Pat Neff*. Letter. Captain Baldwin collection at the Texas Ranger Museum in Waco. December 7, 1923.

McAskill, Duncan A. *McAskill to Captain Baldwin*. Letter. Captain Baldwin Collection at the Texas Ranger Museum Archives in Waco. June 10, 1924.

Murray T. J. *Mrs. T. J. Murray to Pat Neff*. Letter. Pat Neff Collection at Baylor University.  
February 1924.

Murray T. J. *Mrs. T. J. Murray to Pat Neff*. Telegram. Pat Neff Collection at Baylor University.  
June 5, 1923.

Nickerson, Lee. *Lee Nickerson to Pat Neff*. Letter. Pat Neff Collection at Baylor University.  
August 27, 1923.

Unknown sender. *311 Florida Street to Pat Neff*. Letter. Captain Baldwin Collection at the Texas  
Ranger Museum Archives in Waco. December 16, 1923.

#### Magazines

Nieman, Robert. “‘Just One Riot’ Not Withstanding.” *Texas Ranger Dispatch* no. 7, 2002.

Webb, Walter Prescott. “Lawless Town Gets Ranger Justice: Cleanup of Law Breakers in San  
Antonio Is Objective Lesson Of Need Of Strong State Force” *The State Trooper*, Volume  
5, August 1924.

#### Newspaper Sources

“100 Witnesses Summoned in Ranger’s Case” *San Antonio Express*. May 16, 1924.

<https://newspaperarchive.com/san-antonio-express-may-16-1924-p-6/>

“Adjutant General M’Gee Reduces Force from 51 to 28 in Economy Move” *The San Antonio  
Light*. February 20, 1925. <https://newspaperarchive.com/san-antonio-light-feb-20-1925-p-1/>

“All Police Agencies Agree to Co-Operate in War against Vice” *The San Antonio Light*. January  
20, 1918. <https://newspaperarchive.com/san-antonio-light-jan-20-1918-p-1/>

“Ask Gov. Hobby to Call Extra Session.” *The McKinney Daily Courier Gazette*. November 5, 1917. <https://newspaperarchive.com/mckinney-daily-courier-gazette-nov-05-1917-p-3/>

“Baldwin and Bledsoe Indicted by Jury” *San Antonio Express*. November 2, 1924. <https://newspaperarchive.com/san-antonio-express-nov-02-1924-p-13/>

“Baldwin Calls Charges a Joke” *The San Antonio Light*. November 3, 1924. <https://newspaperarchive.com/san-antonio-light-nov-03-1924-p-1/>

“Barton Says He Will Clean San Antonio” *San Antonio Express*. August 5, 1923. <https://newspaperarchive.com/san-antonio-express-aug-05-1923-p-2/>

“Be Sure It’s a War Measure” *The San Antonio Light*. April 23, 1917. <https://newspaperarchive.com/san-antonio-light-apr-23-1917-p-4/>

“Bitter Legal Battle Is Expected” *The San Antonio Light*. October 12, 1924. <https://newspaperarchive.com/san-antonio-light-oct-12-1924-p-20/>

“Call to Rangers Believed to Be about Dry Law” *San Antonio Express*. December 23, 1922. <https://newspaperarchive.com/san-antonio-express-dec-23-1922-p-10/>

“Captain Elgin Slated to Accept” *The San Antonio Light*. August 15, 1924. <https://newspaperarchive.com/san-antonio-light-aug-15-1924-p-24/>

“Catholic Bishop Scores Neff and Barton for Ordering Rangers to Clean Up San Antonio” *Wichita Daily Times*. August 8, 1923. <https://newspaperarchive.com/wichita-daily-times-aug-08-1923-p-10/>

“Chief Admits His Eyes Opened by Investigation” *San Antonio Express*. January 11, 1918.

<https://texashistory.unt.edu/ark:/67531/metapht434144/m1/4/zoom/?q=%22~1%22~1&resolution=4&lat=5198.27164532178&lon=3469.349666974635>

“City Officials Should Make Rangers Welcome Here, Says Rev. Aurthur J. Moore Sunday” *San Antonio Express*. September 10, 1923. <https://newspaperarchive.com/san-antonio-express-sep-10-1923-p-5/>

“Collier on Committee” *The San Antonio Light*. November 26, 1917.

<https://newspaperarchive.com/san-antonio-light-nov-26-1917-p-6/>

“Committee Report on Rangers Adopted” *The Galveston Daily News*. March 2, 1919.

<https://newspaperarchive.com/galveston-daily-news-mar-02-1919-p-3/>

“Controversy over State Rangers Finally Disposed of by Decision of State Supreme Court at Austin” *Wichita Daily Times*. April 30, 1925. <https://newspaperarchive.com/wichita-daily-times-apr-30-1925-p-1/>

“Creager to Meet Haynes Here on State Dry Chief” *San Antonio Express*. January 26, 1923.

<https://newspaperarchive.com/san-antonio-express-jan-26-1923-p-11/>

“Dry Head Says Anti Sentiment Prevails Here” *The San Antonio Light*. October 22, 1922.

<https://newspaperarchive.com/san-antonio-light-oct-22-1922-p-11>

“Dry Law to Stay Governors Believe” *The White Wright Sun*. December 21, 1922.

<https://newspaperarchive.com/whitewright-sun-dec-21-1922-p-1/>

“Dry Zone Measure Signed by Hobby” *Liberty Vindicator*. March 22, 1918.

<https://newspaperarchive.com/liberty-vindicator-mar-22-1918-p-1/>

“Elgin Says Bexar Is for LaFollette” *The San Antonio Light*. October 20, 1924.

<https://newspaperarchive.com/san-antonio-light-oct-20-1924-p-17/>

“Englands Way” *The San Antonio Light*. August 9, 1917. [https://newspaperarchive.com/san-](https://newspaperarchive.com/san-antonio-light-aug-09-1917-p-4/)

[antonio-light-aug-09-1917-p-4/](https://newspaperarchive.com/san-antonio-light-aug-09-1917-p-4/)

“Extra Session in February” *Corsicana Daily Sun*. February 5, 1918.

<https://newspaperarchive.com/corsicana-daily-sun-feb-05-1918-p-4/>

“Federal Failure to Enforce Dry Law Back of Neff Demand for Quo Warranto Bill Action” *San Antonio Express*. February 11, 1923. [https://newspaperarchive.com/san-antonio-express-](https://newspaperarchive.com/san-antonio-express-feb-11-1923-p-22/)

[feb-11-1923-p-22/](https://newspaperarchive.com/san-antonio-express-feb-11-1923-p-22/)

“File First Charges in Gambling War” *The San Antonio Light*. May 13, 1925.

<https://newspaperarchive.com/san-antonio-light-may-13-1925-p-19/>

“Fine Threatened Defense Lawyer in Ranger Trial” *San Antonio Express*. September 18, 1923.

<https://newspaperarchive.com/san-antonio-express-sep-18-1923-p-1/>

“G.O.P. Bolters Meeting in Waco” *The San Antonio Light*. August 12, 1924.

<https://newspaperarchive.com/san-antonio-light-aug-12-1924-p-7/>

“Gov. Neff and Gen. Barton Confer over San Antonio Matter” *Bryan Daily Eagle*. Sep 6, 1923.

<https://newspaperarchive.com/bryan-daily-eagle-sep-06-1923-p-2/>

“Governors Invited to White House.” *San Antonio Express*. December 16, 1922.

<https://newspaperarchive.com/san-antonio-express-dec-16-1922-p-1/>

“Governor Neff Declared Defeat of Bill is Great Victory for the Bootlegger” *Laredo Weekly Times*. February 27, 1921. <https://newspaperarchive.com/laredo-weekly-times-feb-27-1921-p-7/>

“Grand Jury Will Probe All Angles of Booze Muddle” *San Antonio Express*. May 10, 1924. <https://newspaperarchive.com/san-antonio-express-may-10-1924-p-24/>

“Hidalgo Happenings” *Brownsville Daily Herald*. June 5, 1907. <https://newspaperarchive.com/brownsville-daily-herald-jun-05-1907-p-8/>

“J. E. Elgin Named for Governorship” *San Antonio Express*. August 13, 1924. <https://newspaperarchive.com/san-antonio-express-aug-13-1924-p-5/>

“Joint and Equal in Authority” *San Antonio Express*. March 11, 1920. <https://newspaperarchive.com/san-antonio-express-mar-11-1920-p-8/>

Knowles, Harry. “Some Inside History of Mexia Crime Raid and Investigation.” *Bryan Daily Eagle*. January 17, 1922. <https://newspaperarchive.com/bryan-daily-eagle-jan-17-1922-p-2/>

“Landlords Uneasy as Rangers Tighten Net” *San Antonio Express*. August 17, 1923. <https://newspaperarchive.com/san-antonio-express-aug-17-1923-p-4/>

“Lid Tight at Mexia with Soldiers on Deck.” *San Antonio Express*. January 14, 1922. <https://newspaperarchive.com/san-antonio-express-jan-14-1922-p-2/>

“Liquor Raid Activity Probe On, Report” *The San Antonio Light*. October 30, 1924. <https://newspaperarchive.com/san-antonio-light-oct-30-1924-p-1/>

Liquor Situation in San Antonio Subject Extended Conference” *Wichita Daily Times*. Sep 4, 1923. <https://newspaperarchive.com/wichita-daily-times-sep-04-1923-p-1/>

“May Test Saloon Act” *The San Antonio Light*. June 26, 1918.

<https://newspaperarchive.com/san-antonio-light-jun-26-1918-p-14/>

“Mayor Taken in Raid by Rangers” *The San Antonio Light*. October 10, 1924.

<https://newspaperarchive.com/san-antonio-light-oct-10-1924-p-1/>

*Mexia Daily News*. August 10, 1924. <https://newspaperarchive.com/mexia-daily-news-aug-10-1924-p-2/>

“Miniature Monte Carlo Raided at San Antonio” *The Galveston Daily News*. Aug 17, 1923.

<https://newspaperarchive.com/galveston-daily-news-aug-17-1923-p-2/>

“Moody to Face Contempt Charge” *San Antonio Express*. April 23, 1925.

<https://newspaperarchive.com/san-antonio-express-apr-23-1925-p-14/>

“Murder Cases Set in Judge Dwyer’s Court” *The San Antonio Light*. January 5, 1911.

<https://newspaperarchive.com/san-antonio-light-and-gazette-jan-05-1911-p-1/>

“Neff Confers with Rangers on Statutes” *San Antonio Evening News*. December 28, 1922.

<https://newspaperarchive.com/san-antonio-evening-news-dec-28-1922-p-1/>

“Neff Tells Big Audience His Platform” *San Antonio Evening News*. May 18, 1920.

<https://newspaperarchive.com/san-antonio-evening-news-may-18-1920-p-5/>

“Neff Vetoes Bill to Repeal Pistol Sales Prohibition” *Denton Record-Chronicle*. February 26,

1921. <https://newspaperarchive.com/denton-record-chronicle-feb-26-1921-p-4/>

“Nullifying the Eighteenth Amendment” *San Antonio Evening News*. March 18, 1920.

<https://newspaperarchive.com/san-antonio-evening-news-mar-18-1920-p-4/>

“Old Freighters Recall Experiences of Pioneer Days at Annual Outing” *San Antonio Express*.

May, 1923. <https://newspaperarchive.com/san-antonio-express-may-21-1923-p-16/>

“Only to Be Used on Local Request” *San Antonio Express*. January 28, 1925.

<https://newspaperarchive.com/san-antonio-express-jan-28-1925-p-6/>

“Ordered Out at Taylor Trial” *The San Antonio Light*. January 30, 1925.

<https://newspaperarchive.com/san-antonio-light-jan-30-1925-p-1/>

“Owners of Premises That Are Used Criminally” *San Antonio Express*. August 17, 1923.

<https://newspaperarchive.com/san-antonio-express-aug-17-1923-p-6/>

“Pair Wanted in Shooting Defying Arrest” *The San Antonio Light*. February 3, 1925.

<https://newspaperarchive.com/san-antonio-light-feb-03-1925-p-1/>

“Pledge Real Effort for a Cleaner City” *The San Antonio Light*. November 21, 1917.

<https://newspaperarchive.com/san-antonio-light-nov-21-1917-p-11/>

“Prohibition Meeting Appoints Committee” *The Galveston Daily News*. December 12, 1918.

<https://newspaperarchive.com/galveston-daily-news-dec-12-1918-p-6/>

“Prohibition is Now Part of the Basic Law of United States” *The Daily Advocate*. January 16,

1919. <https://newspaperarchive.com/victoria-daily-advocate-jan-16-1919-p-1/>

“Pulling a Prohibition Peg” *The San Antonio Light*. January 15, 1917.

<https://newspaperarchive.com/san-antonio-light-jan-15-1917-p-4/>



“Raid Night Starts with Big Hauls” *San Antonio Express*. September 9, 1923.

<https://newspaperarchive.com/san-antonio-express-sep-09-1923-p-1/>

“Ranger Assault Case Again Is Postponed” *San Antonio Express*. September 6, 1923.

<https://newspaperarchive.com/san-antonio-express-sep-06-1923-p-7/>

“Ranger Captain Found Not Guilty” *San Antonio Express*. November 21, 1924.

<https://newspaperarchive.com/san-antonio-express-nov-21-1924-p-9/>

“Ranger Company Headquarters Is Installed Here” *San Antonio Express*. September 1, 1923.

<https://newspaperarchive.com/san-antonio-express-sep-01-1923-p-1/>

“Ranger Detachment Left in San Antonio” *Denton Record-Chronicle*. August 1, 1923.

<https://newspaperarchive.com/denton-record-chronicle-aug-01-1923-p-4/>

“Ranger Headquarters Deserted During Week” *Brownsville Herald*. Sep 4, 1923.

<https://newspaperarchive.com/brownsville-herald-sep-04-1923-p-2/>

“Ranger Ready to Face Charge” *San Antonio Express*. August 24, 1923.

<https://newspaperarchive.com/san-antonio-express-aug-24-1923-p-1/>

“Ranger Y. H. Taylor Murder Case Set to Be Heard March 24th.” *San Antonio Express*.

February 17, 1924. <https://newspaperarchive.com/san-antonio-express-feb-17-1924-p-12/>

“Ranger-Pro Men Rift Is Averted Director States” *San Antonio Express*. August 30, 1923.

<https://newspaperarchive.com/san-antonio-express-aug-30-1923-p-1/>

“Rangers Aiding in Lewis Quest” *The San Antonio Light*. February 19, 1925.

<https://newspaperarchive.com/san-antonio-light-feb-19-1925-p-3/>

“Rangers to Hold Evidence Refused” *San Antonio Express*. May 3, 1924.

<https://newspaperarchive.com/san-antonio-express-may-03-1924-p-8/>

“Rehearing Asked in Ranger Case” *San Antonio Express*. March 5, 1925.

<https://newspaperarchive.com/san-antonio-express-mar-05-1925-p-6/>

“Representative and Neff Lock Horns on “Bootlegger” Charge” *The Galveston Dailey News*.

February 26, 1921. <https://newspaperarchive.com/galveston-daily-news-feb-26-1921-p-1/>

“Ruling Voids Injunction Granted Elgin” *The San Antonio Light*. February 25, 1925.

<https://newspaperarchive.com/san-antonio-light-feb-25-1925-p-1/>

“Saloon Outside Ten-Mile Zone Are Free to Open Now” *The San Antonio Light*. November 29,

1918. <https://newspaperarchive.com/san-antonio-light-nov-29-1918-p-3/>

“San Antonio Club Raided by Texas Rangers” *McKinney Daily Courier Gazette*. July 25, 1923.

<https://newspaperarchive.com/mckinney-daily-courier-gazette-jul-25-1923-p-1/>

“San Antonio Protests” *Brownwood Bulletin*. August 10, 1923.

<https://newspaperarchive.com/brownwood-bulletin-aug-10-1923-p-4/>

“Says Mexican Last Seen in Custody of the Rangers Found Dead” *The San Antonio Light*.

February 11, 1919. <https://newspaperarchive.com/san-antonio-light-feb-11-1919-p-3/>

“Search Writes Harder to Get” *San Antonio Express*. August 25, 1923.

<https://newspaperarchive.com/san-antonio-express-aug-25-1923-p-16/>

“Several Saloons May Be Re-open outside the Zone” *The San Antonio Light*. November 28,

1918. <https://newspaperarchive.com/san-antonio-light-nov-28-1918-p-1/>

- “Six Men, Seven Women and Booze Taken in Raid Made By Police and Federal Men” *San Antonio Express*. August 27, 1923. <https://newspaperarchive.com/san-antonio-express-aug-27-1923-p-14/>
- “Statewide Bill Signed by Hobby” *Liberty Vindicator*. March 29, 1918.  
<https://newspaperarchive.com/liberty-vindicator-mar-29-1918-p-1/>
- “Talks to Draw Law Ropes Tighter” *San Antonio Express*. July 21, 1921.  
<https://newspaperarchive.com/san-antonio-light-jul-21-1925-p-15/>
- “Testifies He Did Utmost to Enforce Laws” *The San Antonio Light*. January 10, 1918.  
<https://newspaperarchive.com/san-antonio-light-jan-10-1918-p-7/>
- “The Democratic Position” *Waco Daily Examiner*. March 28, 1888.  
<https://newspaperarchive.com/waco-daily-examiner-mar-28-1888-p-2/>
- “The Same Old Story” *The San Antonio Light*. February 26, 1918.  
<https://newspaperarchive.com/san-antonio-light-feb-26-1918-p-4/>
- “The Senate and the People” *The San Antonio Light*. January 20, 1917.  
<https://newspaperarchive.com/san-antonio-light-jan-20-1917-p-4/>
- “Threatened to Slap Jaws of Legislator” *Daily Advocate*. March 7, 1919.  
<https://newspaperarchive.com/daily-advocate-mar-07-1919-p-1/>
- “To Refuse to Issue Any Liquor License” *San Antonio Evening News*. November 29, 1918.  
<https://newspaperarchive.com/san-antonio-evening-news-nov-29-1918-p-1/>
- “U.S. Court’s Order Would Limit Petty Booze Cases” *San Antonio Express*. February 10, 1924.  
<https://newspaperarchive.com/san-antonio-express-feb-10-1924-p-14/>

“Vice Report Filed with Mayor Bell” *The San Antonio Light*. December 27, 1917.

<https://newspaperarchive.com/san-antonio-light-dec-27-1917-p-1/>

“W.C.T.U. Told to Spurn Political Alliances” *San Antonio Express*. August 10, 1924.

<https://newspaperarchive.com/san-antonio-express-aug-10-1924-p-29/>

“W.C.T.U. Will Hear Booze Case Report” *San Antonio Express*. May 22, 1924.

<https://newspaperarchive.com/san-antonio-express-may-22-1924-p-22/>

“Want Texas Liquor Law Amendment” *San Antonio Evening News*. December 11, 1918.

<https://newspaperarchive.com/san-antonio-evening-news-dec-11-1918-p-1/>

“Webb-Kenyon Act Upheld by Supreme Court” *The San Antonio Light*. January 8, 1917.

<https://newspaperarchive.com/san-antonio-light-jan-08-1917-p-4/>

“Wurzbach Calls Liquor Squabble Merely Molehill” *San Antonio Express*. May 4, 1924.

<https://newspaperarchive.com/san-antonio-express-may-04-1924-p-13/>

“Year’s Liquor Seizures Range from Lowly ‘White Mule’ to Aged-Rare Wines” *San Antonio Evening News*. January 4, 1923. [https://newspaperarchive.com/san-antonio-evening-](https://newspaperarchive.com/san-antonio-evening-news-jan-04-1923-p-11/)

[news-jan-04-1923-p-11/](https://newspaperarchive.com/san-antonio-evening-news-jan-04-1923-p-11/)

San Antonio Municipal Archives

Meeting of the Commissioners of the City of San Antonio, Monday, June 4, 1917. 4 P.M. City of

San Antonio Municipal Archives and Records, City Council Minutes: 1850-Present,

Digital Collection.

<https://webapp9.sanantonio.gov/ArchiveSearch/Viewer2.aspx?Id={82A1E961-AAAE-458F-A123->

[1E8FF364CD1D}&DocTitle=Meeting%20of%20the%20Commissioners%20of%20the%20City%20of%20San%20Antonio&PageNo=&TotalPages=&MimeType=application/pdf&RelatedDocs=](#)

Meeting of the Commissioners of the City of San Antonio, Thursday, December 27, 1917. City of San Antonio Municipal Archives and Records, City Council Minutes: 1850-Present, Digital Collection.

<https://webapp9.sanantonio.gov/ArchiveSearch/Viewer2.aspx?Id={5D7EF5E4-0763-4945-B4E8-EBA3AFD7ED33}&DocTitle=Meeting%20of%20the%20Commissioners%20of%20the%20City%20of%20San%20Antonio&PageNo=&TotalPages=&MimeType=application/pdf&RelatedDocs=>

Meeting of the Commissioners of the City of San Antonio, Friday, January 11, 1918. City of San Antonio Municipal Archives and Records, City Council Minutes: 1850-Present, Digital Collection.

<https://webapp9.sanantonio.gov/ArchiveSearch/Viewer2.aspx?Id={05B743DD-F33A-4435-9CC7-31A64C79969C}&DocTitle=Meeting%20of%20the%20Commissioners%20of%20the%20City%20of%20San%20Antonio&PageNo=&TotalPages=&MimeType=application/pdf&RelatedDocs=>

San Antonio, TX. Ordinance OF-59, December 10, 1917. City of San Antonio Municipal Archives and Records, City Council Ordinances: 1850-Present, Digital Collection.

<https://webapp9.sanantonio.gov/ArchiveSearch/Viewer2.aspx?Id={23DCC2F9-1D87-43F7-9718->

[BD94C7D30BF3}&DocTitle=City%20Council%20Ordinance%20Book%20F%20December%2010,%201917%20-%20December%2027,%201917&PageNo=&TotalPages=&MimeType=application/pdf&RelatedDocs=](#)

San Antonio, TX. Ordinance OF-66, January 14, 1918. City of San Antonio Municipal Archives and Records, City Council Ordinances: 1850-Present, Digital Collection.

<https://webapp9.sanantonio.gov/ArchiveSearch/Viewer2.aspx?Id={8E1ECD53-1411-4777-8340-633DA2CD92F7}&DocTitle=City%20Council%20Ordinance%20Book%20F%20January%203,%201918%20-%20January%2028,%201918&PageNo=&TotalPages=&MimeType=application/pdf&RelatedDocs=>

### Secondary

Blodgett, Dorothy, Terrell Blodgett, and David L. Scott. *The Land, the Law, and the Lord: The Life of Pat Neff: Governor of Texas, 1921-1925, President of Baylor University, 1932-1947*. Austin, TX: Home Place Publishers, 2007.

Brown, Norman Donald. *Hood, Bonnet, and Little Brown Jug: Texas Politics, 1921-1928*. College Station, Tex: Texas A & M University Press, 1984.

Díaz, George T. *Border Contraband*. Austin: University of Texas Press, 2015.

Harris, Charles H., and Louis R. Sadler. *The Texas Rangers in Transition: From Gunfighters to Criminal Investigators, 1921-1935*. University of Oklahoma Press, 2019.

- Harris, Charles Houston, and Louis R. Sadler. *The Texas Rangers and the Mexican Revolution: The Bloodiest Decade, 1910-1920*. Albuquerque: Univ. of New Mexico Press, 2007.
- Locke, Joseph L. *Making the Bible Belt: Texas Prohibitionists and the Politicization of Southern Religion*. OXFORD UNIV Press, 2020.
- Martinez Monica Muñoz. *The Injustice Never Leaves You: Anti-Mexican Violence in Texas*. Cambridge, MA: Harvard University Press, 2020.
- McCarty, Jeanne Bozzell. *The Struggle for Sobriety: Protestants and Prohibition in Texas, 1919-1935*. Southwestern Studies (El Paso, Tex.); Monograph No. 62. El Paso]: Texas Western Press, University of Texas at El Paso, 1980.
- Seymour, James B. “The Drive for Prohibition.” The Drive for Prohibition | *Journal of the Life and Culture of San Antonio*. Accessed April 19, 2022.  
<https://www.uiw.edu/sanantonio/seymour.html>.
- Shah, Courtney, Q. “‘Against Their Own Weakness’: Policing Sexuality and Women in San Antonio, Texas, during World War I.” *Journal of the History of Sexuality* 19, no. 3 (2010): 458–82. <http://www.jstor.org/stable/40986335>.
- Sinclair, Andrew. *Prohibition, the Era of Excess.*: With a Pref. by Richard Hofstadter. 1st Ed.]. Ed. Boston: Little, Brown, 1962.
- Stanley, Mark. “Booze, Boomtowns, and Burning Crosses: The Turbulent Governorship of Pat M. Neff of Texas, 1921-1925.” Thesis, University of North Texas, 2005.
- Tindal, George B. “Business Progressivism: Southern Politics in the Twenties,” *South Atlantic Quarterly* 62 (Winter, 1963): 92- 106

Utley, Robert M. *Lone Star Lawmen: The Second Century of the Texas Rangers*. New York, NY: Berkley Books, 2008.

Ward, James Randolph. *The Texas Rangers, 1919-1935: A Study in Law Enforcement*. ProQuest Dissertations Publishing, 1972

Webb, Walter Prescott. *The Texas Rangers: A Century of Frontier Defense*. Boston, New York: Houghton Mifflin Company, 1935

Wilson, Carol O'Keefe. *In the Governor's Shadow the True Story of Ma and Pa Ferguson*. Denton, TX: University of North Texas Press, 2014.

#### Online Sources

Beard, Frank. *Downward Path*. Cartoon. Dry Propaganda Online Collection OSU.

<https://prohibition.osu.edu/anti-saloon-league/dry-propaganda/dry-arguments/downward-path>

“Chapin.” Chapin | TX Almanac. Accessed May 18, 2022.

<https://www.texasalmanac.com/places/chapin>.

Texas Legislative Reference Library, “Dennis Bangs Chapin,” Legislators and Leaders | Member profile, accessed March 12, 2023

<https://lrl.texas.gov/legeLeaders/members/memberDisplay.cfm?memberID=2900&searchparams=chamber#bio>.

“Population of the 100 Largest Urban Places: 1920,” June 15, 1998.

<https://www2.census.gov/library/working-papers/1998/demographics/pop-twps0027/tab15.txt>.



“Prohibition Elections in Texas.” Prohibition Elections in Texas | TX Almanac. Accessed June 15, 2022. <https://www.texasalmanac.com/articles/prohibition-elections-in-texas>.

“Selective Services Act of 1917.” Selective Service Act of 1917, August, 1. <https://web-s-ebscohost-com.ezp.twu.edu/ehost/detail/detail?vid=0&sid=7e5f8910-7c0c-43ae-addc-1fd794ec1379%40redis&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#AN=21212304&db=a9h>

Thomas E. Turner, “Neff, Pat Morris” Texas State Historical Association Online.  
<https://www.tshaonline.org/handbook/entries/neff-pat-morris>