

Senators Morris Sheppard Dies in Washington

Hemorrhage Is Fatal to Dean of U. S. Senate

BY BASCOM N. TIMMONS,
Staff Correspondent.

WASHINGTON, April 9.—Senator Morris Sheppard, senior Senator from Texas and dean of the American Congress, died early Wednesday at Walter Reed Hospital here.

His death was the result of an intracranial hemorrhage suffered Friday. Until his death at 5:30 o'clock, however, his physician and members of his family believed that he had a good chance for recovery.

Number Are Mentioned for Vacancy

BY BYRON C. UTECHT,

Staff Correspondent.

AUSTIN, April 9.—As news of Senator Morris Sheppard's death swept through the Capitol and legislative circles Wednesday morning, coupled with expressions of sorrow there was much active speculation as to whom Governor O'Daniel will appoint in his place. The term does not expire for nearly two years.

O'Daniel has made some unexpected appointments, having a tendency to name "dark horses," but political observers here believed he would select one of the following: Gerald Mann, Attorney General; Coke R. Stevenson, Lieutenant Governor; E. B. Germany, chairman of the State Democratic Executive Committee; Senator Jesse Martin, Fort Worth; J. M. West, Houston oil operator; Carr Collins, a charter member of the O'Daniel bloc; J. C. Hunter, Abilene oil man and at present Texas member of the Interstate Oil Compact Commission; Myron Blalock, Marshall, National Democratic Committee man.

Suggestions Being Made.

Under the law the Governor is required to call an election within 10 days to fill such post. The election must be held within 60 to 90 days, but it is further provided the Governor can appoint a temporary Senator while Congress is in session, to serve during the unexpired term. It is believed here O'Daniel will make the appointment. The Governor left for Fort Worth Wednesday morning.

While O'Daniel is not likely to make any public statement for several days regarding a successor to Sheppard, it is known suggestions already are going to him.

O'Daniel Uncommitted.

Important changes in the Texas political picture are regarded as certain. Nearly all of Mann's friends expected him to run for Governor next year, in spite of talk that he might run for the United States Senate, and Mann himself indirectly has indicated this course. If he is appointed to the Senate, and accepts, it would remove from the gubernatorial campaign one of the strongest candidates, and unconfirmed reports are that O'Daniel would like a third term in the executive chair.

Supporters have asked O'Daniel about running for another term but he has never committed himself, and some assumed he would run for the

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Burglar Flees Empty-Handed When Surprised

A burglar escaped—empty-handed—from the home of Mr. and Mrs. Charles W. Schmalzried, 5224 Meadowbrook Drive, early Wednesday after coming face to face with Mrs. Schmalzried.

Mrs. Schmalzried awakened at 3:30 a. m. and went to her daughter's room to close a window. She re-

turned to find the burglar gone. He was 66 and had served in Congress continuously for 39 years. No other member of Congress now serving had been a member of that body for so long a period.

With the Senator at the time of his death were Mrs. Sheppard and one of his three daughters, Mrs. Connie Mack Jr., who came to Washington from her home in Philadelphia at the time he was stricken.

Two Other Daughters.

Two other daughters, and one brother also survive. They are Mrs. Janet Arnold of Texarkana and Mrs. Lucille Keyes, now on her honeymoon, having been married 10 days ago, and Lieut. Col. Paul Sheppard, Medical Corps, stationed at Fort Ord, Cal.

A state funeral in the Nation's Capitol Thursday and another service at his home in Texarkana probably will be held.

Mrs. Sheppard, shortly before noon, in a conference with Dr.

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George W. Calver, Capitol physician and one of the few persons she had seen up to that time, agreed to the state funeral.

Plans for the services here were then turned over to Senate Sergeant-at-Arms Chesley Jurney, also a Texan. Jurney said that he was waiting for the arrival of Senator Connally before making detailed plans.

Will Leave for Texas.

Jurney said that the body will leave for Texas some time Thursday afternoon, after the service is held in the Senate chamber.

President Roosevelt, members of the Cabinet and all high Administration authorities in Washington at this time are expected to attend the Senate service if tentative plans prevail.

Although not so colorful as some of the other men who have served in the Senate from Texas, Sheppard rose to a place among the Senate leaders and became one of the most popular political personages of the Lone Star State.

In his quiet manner, always ready to help his colleagues or anyone from his native State, he assembled a huge circle of friends that appeared to make him unbeatable in a Texas election.

Planned to Seek Sixth Term.

He had planned to seek a sixth term in the Senate when his present term expired in 1942 and few political observers believed that he would have been defeated.

Father of the Eighteenth Amendment, which eventually was discarded in a revolt of the Nation against prohibition, Sheppard never swerved from his faith in the dry cause.

Up to the time of his death, he considered repeal of the prohibition amendment one of the greatest mistakes this country ever made and on Jan. 16, the anniversary of its original adoption, he again rose on the floor of the Senate, as was his annual custom, to predict that prohibition would return to this Nation before long.

Sheppard was not an orator in the popular conception of the word, but could, when the occasion called for it, make a speech the equal of any delivered in Congress.

Voice Usually Calm.

Usually, he spoke in a calm, quiet manner, seldom raising his voice much above a conversational tone.

But he could get excited, and when he did, his voice rose to fill the Senate chamber and he pounded

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Senator Morris Sheppard, Dean of Congress, Dies in Hospital at Washington

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the desk in front of him. It was then that this diminutive, graying man would astound the visitors in the gallery.

Sheppard, despite his usual seriousness, had a somewhat hidden but fine sense of humor. In his dinner speeches and other talks, he frequently made himself the subject of a good joke, and he always had a good story to flavor his more serious addresses.

In everything he did, Sheppard was conscientious almost to a fault. This trait, probably more than any single thing, caused his death.

No mail went out of his office that he did not personally look over and sign. His office help had orders that he should personally see all visitors. No one had too small a request for the Senator to fill.

Caused Nervous Strain.

When he was younger and Washington was not so much the center of the Nation, Sheppard was able to carry on easily. But in recent years his practice proved a great nervous and physical strain.

Sheppard spent most of his adult life in Congress. He was elected to the House of Representatives from the First Texas District in October, 1902, to serve out the unexpired term of his father, John L. Sheppard, when he was only 27.

He served in the House for 10 years and then moved over to the Senate to take the seat of Joseph Weldon Bailey, who did not seek reelection. He was nearing the close of his fifth consecutive term in the Senate, which would have ended Dec. 31, 1942.

He was born May 28, 1875, at Wheatville in Morris County. He was a graduate of the University of Texas, receiving his A. B. degree in 1895 and his law degree in 1897. He then attended the Yale law school for a year.

Strong Friend of Army.

During his entire career in Congress, Sheppard had been a strong friend of the army, although he never served in the armed services.

At the outbreak of the World War, he volunteered for active service in the army, but at the personal request of President Woodrow Wilson withdrew his offer and remained in Congress.

"I know how directly this offer comes from your heart and I honor you for it," wrote the President.

"My feeling is that we must be careful not to dislocate the processes of the Government, and I am sure that you will agree with me that unless a very plain necessity occurs we should stick to our posts in Washington."

Three Important Chairmanships.

In recent years Senator Sheppard had the chairmanship of three highly important Senate committees—Military Affairs, Commerce Subcommittee on Rivers and Harbors and the Campaign Expenditures Committee. His work on the latter had come to an end—successfully—but at the time of his death he was as active as usual on the other two.

It was probably his work on the Military Affairs Committee which contributed more than any other one thing to his death. With the Government geared to national defense and most activities revolving around defense, this committee has to deal with all legislation pertaining to military activities and the defense program.

Consequently, it meant long hours of serious, hard work day after day.

It was three years since Sheppard had a vacation and he had spent the major portion of that time working out defense problems.

Defense Work Heavy.

It was surprising to find such a mild-mannered, quiet, slender man in charge of a committee such as military affairs. But Sheppard put his full efforts into it. The job as head of the committee meant that Sheppard had to watch over and work on all legislation coming before the Senate that had to do with military activities. This became heavy with the start of the defense program.

Most of the time it was not a question of just going through bills

that went before the committee, but it meant actually working out the Nation's defense program. Not only were there long hours of open hearings that got into the papers. There were other long hours of going over plans in closed sessions and working out legislation. There were long hours of conferences with the military men and with the White House over the defense.

His activity on the military affairs committee came about from his early days in the Senate. He sought a post on the committee because of the number and size of army posts in Texas. He became a member of the committee soon after going into the Senate and was made chairman in 1933. To a large extent it was due to his efforts that the army establishments in the State have grown to their present size and importance.

On Aviation Group.

During the last war he was on this same committee serving on the aviation subcommittee which was then just starting to attain its importance. His interest in aviation was strong before that and has been ever since. Legislation he sponsored has been responsible for much of the improvement in civil and military aviation.

In the House, in 1910, he introduced the first bill ever to be presented in Congress for an airmail route. He proposed one from Baltimore to Washington. It was met with ridicule then, but he remained in Congress to see the modern development of airways, to sponsor the bill establishing the first aircraft board and the first measure authorizing the War Department to purchase land for aviation schools and proving grounds. He also was author of the first legislation authorizing postage stamps for airmail.

Down the years since the last war he had been backing and working on legislation to improve the military establishment, the Nation's defenses and the conditions in which the men live as well as their personal welfare. He had sponsored hundreds of bills to improve their welfare, as well as the military developments and the army posts.

Boosted Waterways.

As chairman of the Senate commerce subcommittee on rivers and harbors he was in position to push along many of the developments made in recent years to waterways in Texas. For a number of years he advocated the Trinity River canal project and a waterway to Jefferson.

The development of the Louisiana-Texas Intracoastal Waterway and other projects came about, to a considerable extent, because of his efforts on their behalf.

Because of the defense program, activities in general on waterways and flood control have been curtailed, but whenever there was an opportunity, Sheppard still continued to aid in their development.

As chairman of the Senate's committee on campaign expenditures and use of Government funds, Sheppard made a name for himself, known throughout the Nation, for bringing about honesty in balloting and for cleaning up elections. His work at that time, which was sensational, resulted in the Hatch Act and brought about a cleanup of WPA participation in elections, among other things.

Thought It Sidetracked.

At the time Vice President Garner appointed him as chairman of that committee, the "insiders" thought the whole investigation was going to be quietly sidetracked because Sheppard was so mild-mannered and unassuming and had not made himself conspicuous previously along that line.

They did not reckon with the Senator's ability and spirit and honesty which, before long, resulted in the sensational disclosures of not only WPA activity in behalf of certain candidates for office, but similar activities by state organizations.

By bringing that business out into the light, Sheppard succeeded in putting a stop to it.

Also, his work resulted in the passage of the Hatch Clean Politics Act. Up to then, it had been bogged down but once Sheppard made his disclosures the Senate and House were practically forced to pass it.

Sheppard's death came as a heavy

Pay-Hour Suit Warning Given by Fleming

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questions possible about this law."

The administrator has the erect bearing of a military man, reflecting his army service as an engineer. Before joining the wage-hour division in 1939 he had been graduate manager of athletics at West Point, department administrator and executive officer of the Public Works Administration, co-ordinator of the Resettlement Administration and a district engineer. He served as a colonel during the World War and was advanced to his present rank in 1940.

General Fleming spoke briefly at the morning session, announcing that the wage-hour division has been declared a defense agency to meet the problems developing in labor fields under the national defense program. Then he introduced Street.

Interstate Commerce.

"I'm charged with compelling compliance in this region, and if I can do that without resorting to penal action the result will be more lasting," Street said. "I believe that American people can be led, but can not be driven."

Street stressed that the law covers goods in interstate commerce and production of goods for interstate commerce, pointing out that the law defines exemptions and does not leave it to guesswork.

"The law applies to workers who in any manner handle goods or its derivatives shipped across state lines, and so it reaches almost all employees," Street said.

Answers made by Street and Duke to specific questions were: Payment of sick pay is not a violation; goods received from out of the State and changed in form within the State are not covered; goods brought in and sold to ultimate consumer by retail stores are not covered; oil well drillers are covered, even if the well is a dry hole, and the law might even cover geophysical exploration; the law does not "freeze" wages as long as the actual wage complies with the regulations; national, legal holidays, Christmas bonuses and similar gifts do not affect the wage rate, but production bonuses do; overtime worked by salaried persons in one week may legally be compensated during the same pay period by granting time and one-half off during the same pay period.

Morning Session.

Though the morning session was intended largely for employers, they were outnumbered by employers, attorneys and leaders of labor unions. Employes presented only a few questions.

The visitors will be guests of George W. Polk, attorney, at a chicken barbecue for a few close friends at his farm near Benbrook Wednesday afternoon. At night the wage-hour chief will be guest in the home of his sister, Mrs. Harding Polk, and Colonel Polk, 3739 Modlin Street. He will return to Washington Thursday morning.

blow to the President, Administration leaders, and his colleagues in Congress.

The President has leaned heavily on him during the past year in securing prompt Senate action on all legislation dealing with military affairs.

Although he had been critically ill for several days, because of the Easter congressional recess, many of his colleagues were unaware of his serious illness and were deeply shocked when they learned of his death.

One of the first to learn of his death was Secretary of Commerce Jones.

"The Nation has lost a faithful public servant and will join Texas in mourning this great man," he said. "Few men have been permitted to serve so long and continuously in the National Congress as Senator Morris Sheppard and certainly few have devoted their talents and energies more unselfishly."

Representative Sumners of Dallas said that Senator Sheppard's death is "one of the greatest losses in patriotism and statesmanship which we have suffered during the history of this country."