

Leavenworth

FORWARDED BY BUREAU OF PRISONS

Form No. 2

This case originated at KANSAS CITY, MISSOURI

File No. 56-20

PAROLE REPORT

Report Made at: KANSAS CITY, MISSOURI Date When Made: 7-27-37

Report Made by: W. A. GIDDENS

53422-L

Name of Convict: JOSEPH MAHER

Title of Case: Samuel J. Clark, Democratic Judge

MILDRED MARIE OGDEN STARKEY with aliases: Marie Ogden, Mildred Clarice Starkey, Mildred Starkey, Mildred Ogden Starkey, Mildred C. Starkey, Republican Judge

MYRTLE E. MIDDLETON, Republican Judge

JOSEPH MAHER, Democratic Precinct Captain

HERBERT CAMPBELL, Policeman

DON PASQUALINO alias Don DePasco (Election Frauds in General Election of November 3, 1936, 28th Precinct, 12th Ward, Kansas City, Missouri.)

ELECTION LAWS

Joseph Maher was charged, in conjunction with his codefendants, Mildred Marie Ogden Starkey, Don Pasqualino, Myrtle E. Middleton and Herbert Campbell, in that he did conspire with them to injure and oppress persons in the exercising of their civil rights in

violation of Section 51, Title 18, U. S. Code, during the general election of 11-3-36 in the 28th Precinct, 12th Ward of Kansas City, Jackson County, Missouri, that the purpose of such conspiracy was to injure and oppress diverse citizens of the United States of America in the free exercise for enjoyment of rights and privileges, granted and secured them by the constitution and laws of the United States of America, by preventing such citizens from having their votes which were cast at the general election of 11-3-36 counted as cast. An indictment in two counts, charging the above violation, was returned by the Federal Grand Jury at Kansas City, Missouri, on 1-29-37. Count one of the indictment was dismissed by the Government and Maher was convicted on the second count of the indictment after a plea of not guilty and a trial by jury on 6-23-37 and on 6-29-37 he was sentenced by the Honorable Merrill E. Otis, Judge of the U. S. District Court for the Western District of Missouri, to a term of five years in the U. S. Penitentiary at Leavenworth, Kansas, and a fine of \$500.00, without costs.

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Approved and Forwarded: Special Agent in charge

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Circumstances in Maher's case which are considered aggravating are as follows: At the

time of the general election of 11-3-36 Maher was the Democratic Precinct Captain for the 28th Precinct, 12th Ward, Kansas City, Missouri, and as such he had no legal right to enter the polls after closing hour on election day. However, when the polls closed at 7:00 P.M., 11-3-36, Maher, together with codefendant Don Pasqualino and two other unknown men, entered the polls of the 28th Precinct of the 12th Ward, Kansas City, Missouri, took charge of the polls and forced a Republican Judge from the polls because that Judge refused to follow Maher's orders. Further, Maher, who had no legal right to handle the ballots, actually did handle the ballots and instructed the clerks in the total number of votes to record for each candidate. There are no mitigating circumstances in this case.

Joseph Maher is 28 years of age, married, a citizen of the United States, and has one child. As far as could be learned, his home life and family conditions are pleasant and he seems to be an average middle class citizen. He is employed in the office of the City Treasurer of Kansas City, Missouri.

No criminal record, other than the instant arrest and conviction, was found in the files of the Identification Division of the Federal Bureau of Investigation, Washington, D. C., FBI-126,869, which is as follows:

As Joseph Maher, alias Joseph F. Maher, #1771-KC, U. S. Marshal, Kansas City, Missouri, 1-30-37; election fraud; 5 years U. S. Penitentiary, Leavenworth, Kansas, \$500.00 fine without costs.