

PART TWO —EDITORIAL SECTION

The Sunday Star

WASHINGTON, D. C., MARCH 13, 1938.

Crusade in Kansas City

Fusion Forces Fighting to Overthrow Boss Pendergast, Long the Dictator of One of America's Great Cities.

By O. K. ARMSTRONG.

THE last Tuesday in March will mark another election day for the municipality of Kansas City, and the big question is this: Can Tom J. Pendergast, Big Boss of the city's Democratic machine and emperor of the political destinies of Missouri, be beaten? Will the impending election bring his downfall?

In a campaign flaming with the zeal of a religious crusade forces promising to restore good government are attempting to write the answer. A fusion group is battling the machine with a vigor and determination never seen in Kansas City before. Boss Pendergast can be beaten, they say. They declare that he will be!

The elective offices at stake on March 29 are those of mayor and eight councilmen, who hold office for four years. But these offices are the key to control of the city— all appointments within the city government are made through them, all policies formed, all contracts let.

Pendergast now controls every appointive office in every department of the government. Four years ago a fusion group, the central power of which was a Youth Movement for Good Government, elected two commissioners. At this election the fusionists expect to re-elect these and at least three others. That would give them a majority. More than that would definitely clinch their victory over the Boss.

Fusion Leaders Confident.

The fusion leaders and workers are confident of electing a majority of the Council. If they do, the tremendous political empire of Boss Pendergast will come crashing down about his ears. Observers give them an even chance.

This Kansas City battle has become the year's most closely watched campaign in

American municipal politics. The forces who have been seeking to overthrow the Boss were given added strength when, on December 14, 1936, Judge Albert L. Reeves seated himself on the bench of the United States Court in the Federal Building in Kansas City and the marshal intoned the announcement opening court, ending with the traditional words—

“God save the United States and this honorable court!”

He might have added, “and help save Kansas City!” For something out of the ordinary was about to take place in the Federal Court. A judge and a Federal prosecutor were about to launch a grand jury investigation of racketeering and crime in connection with elections in the municipality, one of many conditions stemming directly from the rule of a ruthless political machine.

That session of the United States Court for the Western District of Missouri, convening on December 14, 1936, was destined to be perhaps the most important in its history. Slowly and distinctly Judge Reeves began reading his charge to a silent, serious grand jury sitting before him. He was talking about dishonest elections in Kansas City! Was some one in authority at last rising up to challenge the almost absolute power of T. J. Pendergast?

It was common knowledge, Judge Reeves was saying, that elections in Kansas City and Jackson County were a farce, shot through with fraud in registrations and balloting, controlled by ward heelers, punctuated by terrorism and crime. And he concluded his charge with these words:

“Gentlemen, reach for all, even if you find them in high authority. Move on them!”
Mentioned No Names.

Never once had Judge Reeves mentioned the name of the man who started as an attendant in his brother’s saloon in the old first ward of the young, vigorous, growing city on the banks of the Missouri, and rose to a position of political power unequaled, perhaps, in any municipality in the United States. He did not need to. Hadn’t he said to the jurymen—“Reach for all, even if you find them in high authority!”?

Headlines in papers all over the Nation heralded the fact that at last a fight had been started on Boss Pendergast and his henchmen—a fight that promised not only to break his power over the city he controlled, but to point the way to cracking up the control of bosses in other cities. Here was a spotlight of investigation, turned upon the inevitable alliance between machine politics and graft, corruption and crime. If this thing could be done in Kansas City, it could be done anywhere. Groups of public-spirited citizens,

especially those interested in good government, eagerly awaited developments.

They came swiftly. The grand jury “moved on them.” Maurice M. Milligan, United States district attorney, a Democrat, who owed no allegiance to Pendergast, young, fearless and able, led the fight. Judge Merrill E. Otis, occupying another division of the District Court for Missouri also called a grand jury for investigation and prosecution, and declared that his court would give every assistance.

The immediate point of attack was upon wholesale frauds in elections, and specific cases were drawn from the primary election of August, 1936, and the general election in November. Action of the Federal Court was based upon the fact that in those elections, members of the United States Congress were being voted upon; and Federal Courts have jurisdiction to punish frauds in such elections.

Evidences of Fraud.

What were the evidences of fraud? They were found, first of all, in the election figures themselves, Mr. Milligan pointed out to the jury. For example: In the primary election, two Democrats, Lloyd C. Stark and William Hirth, were contesting for the nomination for Governor. Stark had been approved by Pendergast, and that meant, according to the testimony of one of the election judges—one of several to plead guilty—that Hirth’s votes were to be kept “to the minimum” when the tabulation was made.

Here are the figures for the votes certified in the first ward: Stark, 18,822; Hirth, 15; Jesse W. Barret (Republican candidate), 872. Total votes, 19,709.

According to the census the total voting | population of the first ward in Kansas City is 19,929. Every man and woman in that ward except 220 must have cast a vote! And that in an election in which the average voting strength cast ran about 30 per cent!

The second ward showed even greater zeal on the part of the vote-getters. The vote for Governor was: Stark, 19,202; Hirth, 12; Barrett, 2,182—a total of 21,386. The census shows the entire population of the second ward to be 18,478, so 2,918 more names were voted than there were men, women and children in the entire ward!

Who sanctions and permits such frauds in the elections in any boss-ridden municipality? The judges, clerks and officials of the elections; the commissioners of the election boards; the city police officers, who permit coercion and terrorism; the hoodlums who are used as the tools for padded voting. That Kansas City grand jury reached for all these, and numerous political leaders, judges and clerks of the polling places—both Republican and Democratic—were indicted, arrested and brought into court.

So carefully were outstanding violators of the election laws selected, and so pains-

taking were the efforts made by the prosecutor and his assistants in securing evidence, that numerous convictions were obtained. By the close of the term of court last June the score stood:

One hundred and fifty-six persons indicted. Nine cases tried. Forty-six persons convicted. One plea of guilty. Twelve pleas of nolo contendere. And no acquittals.

Many Are Convicted.

At later terms of the court the steady pace of convictions has been maintained, and the number has gone above a hundred, including those who pleaded guilty. Most of these have been sentenced to Federal prisons and reformatories. Test cases carried by the defense to the United States Circuit Court of Appeals brought a vigorous, ringing decision, written by Judge Archibald K. Gardner, affirming the convictions and strengthening the right of the Federal Government to move on corruption in elections.

And how much longer? With a flash of his eye and a set of his jaw, Mr. Milligan says:

“We’re in this fight until every lawbreaker we can convict is lodged behind the bars!”

The trials and convictions have brought out, and will continue to bring out, the whole sordid method of corrupt political control in any American city: Fraudulent and “padded” registration, “repeater” voting, ballot-box stuffing, control of political spoils by intimidation and industrial hijacking, and alliances with criminal activities of all kinds.

Can this be broken? Kansas City proves it can!

To gain a proper understanding of how a boss can be overthrown by the power of the courts and law-enforcement agencies, backed by an aroused public opinion, we should review briefly the steps by which the greatest of all the bosses came into power.

Tom Pendergast followed his brother Jim in political leadership of the old first ward some three decades ago. The Pendergast saloon at Fifth and Main was headquarters for ward activities. He extended his liquor interests into wholesaling. He branched into the hotel and many other businesses.

Pendergast’s handling of his ward was the simple, fundamental method of extending aid in return for votes. He never ran for office himself, asking only that those he indorsed be elected to do his bidding. He looked after the material interests of his subjects with a zeal that never flagged. Did a family need coal? Get ’em coal! See that they are registered and that they get out to the polls on election day.

“Feed ’em and vote ’em!” may well have been framed as the motto to hang in the Pendergast office during those days of his rise to power—and since.

“Took Over Third Ward.”

The extension of the power of the boss to all the wards of Kansas City was well illustrated in his “taking over” the third ward, where, newspaper accounts relate, the battle was waged against another boss. A ward meeting was called to name judges, clerks and other election officials, party leaders and workers. Before the doors opened Pendergast’s followers were on hand. They stormed the hall, elected their own chairman and set up political machinery acceptable to Pendergast.

Thus his control spread over Kansas City, and thus it extended itself over Jackson County. By 1930, candidates for State and National offices were coming to that brick building at 1908 Main street, where the boss keeps his office, seeking his sup-

In 1932 the Missouri Legislature failed to establish the new congressional districts required by an act of Congress, and therefore all 13 of the State’s Congressmen had to be elected at large. That played directly into Pendergast’s hands. He named his slate of 13 Congressmen, announced his candidate for the United States Senate, and told the Democratic party in Missouri which candidate to nominate as Governor, attorney general and every other State-wide elective officer. And just by passing the word down through his vote-getting machine, everything went as scheduled—with one exception:

Bennett Champ Clark, son of the late great Champ Clark, wanted to be United States Senator. He made a vigorous campaign, openly fought the Kansas City boss, and won gloriously—the only Democrat elected to a State-wide political office in Missouri against the wishes of Tom Pendergast in the last decade.

Strong opposition to Pendergast’s rule developed in the spring municipal election of 1934, when a new group, the National Youth Movement, a fusion organization led by young and determined Joseph C. Fennelly, sounded the battle-cry of good government and entered the field to contest the power of the Big Boss in naming the city officials. That election was marked by bloodshed and terror. But the fusion- youth movement threw a scare into the Big Boss by electing two members of the City Council and by gleaning 85,000 votes— “We got that many counted,” laconically remarks Mr. Fennelly—to about 115,000 for the machine.

The biggest victory of that election was not measured in votes. It came from the demonstrable fact that aroused citizens can join hands and get the scalp of any political boss—if they’re in earnest about it.

Political power is to Pendergast, as to all political dictators, a means to an end. Some

of the business interests of Pendergast include the manufacture of cement and concrete, cement pipe, a paving company, oil distribution companies, the Riverside race track, a wholesale liquor company, a taxi company. With the control of political destinies of public officials in his hands, it is reasonable to suppose that these business interests would prosper mightily. It's not only reasonable—it's inevitable.

To the charge that he uses his political power to control contracts and furnish material for public use, Pendergast answers:

“Yes. Why not? Aren't my products as good as any?”

To the charge that Kansas City has become a “wide open” town, where gambling and prostitution flourish under police protection, the Boss answers:

“Well, the rich men have their clubs, where they can gamble and have a good time. Would you deny the poor man an equal right?”

To the charge that elections are corrupt, that registrations of voters are “padded” from tombstones and vacant or non-existent buildings, with terrorism and intimidation rampant at the polls, Pendergast has never made answer. But when lieutenants and leaders were brought into court, Pendergast saw that money was raised for the best legal talent obtainable for their defense.

That the Pendergast machine has given heart to the formation of political machines in other American cities there can be no doubt. It is certain that the example of Pendergast control in Kansas City has been followed by the Crump machine in Memphis, the Hague machine in Jersey City and the Kelly-Nash combination in Chicago.

In bold relief now stand those factors which are breaking Pendergast's political hold, and which must be employed to break the power of any political machine:

First, a fearless court; second, honest law enforcement officials, and third, strict election laws backed by militant public opinion.