

**Patronage, Corruption, and the Republican Party in the U.S. South:
The Senate Investigation into the Sale of Federal Office in the Late-1920s**

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While Republicans enjoyed unified control of the national government during the 1920s, scandals involving executive patronage and GOP state bosses in the South dogged the national party throughout the decade. The Republican Party in the South had been a set of “rotten boroughs” for decades, used by national politicians – especially presidents – for the sole purpose of controlling delegates at the Republican National Convention. This patronage-for-delegates arrangement was generally understood among political elites, but the murder-suicide involving a U.S. postmaster in Georgia in April 1928 brought the Southern GOP’s patronage practices to national light. This forced Republican leaders in an election year to call for a Senate investigation. Chaired by Sen. Smith W. Brookhart (R-IA), the committee investigation would last for eighteen months and cover portions of two Republican presidential administrations. Based on the findings of the Brookhart committee, we show how different Republican state organizations in Georgia, Mississippi, South Carolina, and Texas engaged in office selling: who the leaders in these parties were, how they organized the sale of federal patronage, and how much money was involved.

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Introduction

The Republican Party dominated national politics during the 1920s. From the election of 1896 onwards, the GOP relied on a relatively stable electoral coalition that produced a series of landslide presidential election victories and sizeable Congressional majorities. While in the 1910s, the party saw a brief split between regulars (supporting incumbent president William Howard Taft) and progressives (supporting former president Theodore Roosevelt) which allowed Woodrow Wilson to capture the presidency in 1912 and 1916, Republicans were able to mend their intra-party disagreements and return to electoral domination in the ‘Roaring Twenties.’

But all was not well inside the GOP. While the economy boomed and prosperity spread, temptation for ‘even more’ ran rampant within the party. As the era’s majority party, the Republicans faced various charges of corruption. Perhaps the best-known cases occurred early in the decade, during the presidential administration of Warren G. Harding (1921-23), during which major financial scandals occurred within the Interior Department (Secretary Albert Fall was convicted of accepting bribes worth \$400,000 in exchange for leases on government oil reserves at Teapot Dome), the Justice Department (Attorney General Harry Daugherty was charged with accepting payoffs not to prosecute alcohol bootleggers), and the Veterans’ Bureau (Director Charles G. Forbes was convicted of defrauding the government by padding costs and pocketing the difference in the construction of hospitals).¹ Many of these scandals lingered for years in the courts – and the newspapers – and hobbled both the Harding and (after his premature death) Calvin Coolidge administrations.

¹ These scandals are discussed in Robert K. Murray, *The Harding Era, 1921-1923: Warren G. Harding and His Administration* (Minneapolis: University of Minnesota Press, 1969); Eugene P. Trani and David L. Wilson, *The Presidency of Warren G. Harding* (Lawrence: University Press of Kansas, 1977); Laton McCarty, *The Teapot Dome Scandal: How Big Oil Bought the Harding White House and Tried to Steal the Country* (New York: Random House, 2008); *A Time of Scandal: Charles R. Forbes, Warren G. Harding, and the Making of the Veterans Bureau* (Baltimore: Johns Hopkins University Press, 2016).

But while less well known, another set of scandals rocked the GOP in the 1920s involving its Southern wing. These problems concerned the role Southern Republican delegates played in Republican National Convention politics. By 1877 Democrats had taken back control of all Southern state governments in the aftermath of Reconstruction, and in the twelve presidential elections between 1880 and 1924, the GOP nominee won exactly one state in the ex-Confederacy – Tennessee in 1920, carried by Harding. To ensure they would remain in power, Southern Democrats used fraud, violence, and eventually (in the Jim Crow era) legal provisions to disenfranchise African Americans, who were almost exclusively Republican. This drove Southern GOP organizations – except in some small areas of Appalachia – into near extinction as electorally competitive parties.² Despite this, Southern Republicans remained important in intra-GOP politics, as Southern states continued to receive representation at the national convention every four years. Indeed, around 20 to 25 percent of Republican convention delegates came from the South during the first three decades of the 20th century, which provided the Southern GOP with considerable influence in Republican presidential selection.³

This conundrum – no electoral power for the GOP in the South, but continued convention power – created perverse incentives for the party as a whole and opened the door for various corrupt dealings. The classic corruption scenario involved Republican “bosses” in each Southern state who would organize convention delegations at each convention and line up their slates for particular presidential nominees. The nominees themselves sought to use the South as a foundational bloc to build a majority-winning coalition. In exchange for their delivery of delegates, the Southern GOP bosses sometimes received direct bribes from presidential hopefuls.

² V. O. Key, Jr., *Southern Politics in State and Nation* (New York: Knopf, 1949), 277.

³ See Boris Heersink and Jeffery A. Jenkins, *Republican Party Politics and the American South, 1865-1968* (Cambridge: Cambridge University Press, 2020), 34-36.

But more important was the compensation they received after a victorious election: federal (executive) patronage, which they would distribute to recipients in their state.⁴ The bosses expected the patronage recipients to reward them in various ways for being nominated for federal jobs – including bribes, “voluntary” contributions to the state GOP organization, and continued support at future state conventions (to maintain the bosses’ organizational authority).

Executive patronage came in various forms, but the most common was postmasterships. Beginning in 1883, federal law divided post offices into four classes based on their gross receipts – with salaries of first-to-fourth class postmasters, the individuals who were responsible for all the activities in their respective post offices, adjusted accordingly.⁵ Each county had a postmaster, which gave some Southern states (like Texas) well over 200 such positions. The distribution of postmasterships would be at the heart of GOP corruption scandals in the South throughout the 1920s and involve multiple states. The Republicans largely weathered these scandals until a murder-suicide in 1928 that involved a Georgia postmaster and a postal employee. The national media jumped on the story, which included multiple suicide notes and specific details of alleged GOP corruption, and Democratic senators demanded an investigation (in an election year). The Republican leadership acquiesced and organized an investigation, which stretched from the summer of 1928 through the spring of 1930. The results of this investigation would have immediate and lasting effects on the composition of the Republican Party in the ex-Confederate states.

⁴ This delegates-for-patronage system that defined the GOP South in the Jim Crow era is discussed in detail in Heersink and Jenkins, *Republican Party Politics and the American South*.

⁵ First-class postmasterships (gross receipts of \$40,000 or more) yielded salaries between \$3,000 and \$6,000; second-class postmasterships (gross receipts between \$8,000 and \$40,000) yielded salaries between \$2,000 and \$2,900; third-class postmasterships (gross receipts between \$1,900 and \$8,000) yielded salaries between \$1,000 and \$1,900; and fourth-class postmasterships (gross receipts under \$1,900) yielded salaries under \$1,000. See Claire Prechtel-Klusgens, *First-, Second, and Third-Class Post Office Receipts and Postmasters’ Salaries, 1895-1905* (Washington: National Archives and Records Administration, 2014).

Scott James argues that “patronage parties were intimately involved in the construction of the nineteenth-century American polity.”⁶ The standard story of patronage parties during this era is straightforward. Two major parties competed electorally for office. Mobilizing voters thus was key to party victory. Political operatives would compete to turn out the vote, through both legal and illegal channels, and if they were successful in getting their party’s candidates elected, they would demand payment in the form of public employment. Stated differently, they would seek executive patronage positions – funneled through state party bosses – in exchange for their (successful) partisan labor. Party bosses also benefitted financially from these arrangements. As Jeffrey Broxmeyer has argued, because demand for patronage positions was so high – and the number of claimants exceeded the number of jobs available – “a party leader ... was well situated to hold bidding wars.”⁷ Patronage sales, per Broxmeyer, thus reflected a form of “electoral capitalism”: “a category of entrepreneurship in which the capture of public office and the accumulation of private wealth are mutually reinforcing endeavors.”⁸

The story we tell below is similar but also different. Republican Party operatives in the Southern states would expend effort on behalf of their party – but *not* to elect GOP candidates, who by and large did not run for office in the Jim Crow South. Rather they worked to arrange and enforce delegate slates at the Republican National Convention. If successful – that is, if they delivered the promised delegates to the GOP nominee and he went on to win the presidency – they were compensated with control of (most or all) executive patronage positions in their state, which they could distribute to trusted lieutenants and/or sell outright to ambitious job seekers.

⁶ Scott C. James, “Patronage Regimes and American Party Development from ‘The Age of Jackson’ to the Progressive Era,” *British Journal of Political Science* 36 (2006): 39-60, 39.

⁷ Jeffrey D. Broxmeyer, *Electoral Capitalism: The Party System in New York’s Gilded Age* (Philadelphia: University of Pennsylvania Press, 2020), 9.

⁸ Broxmeyer, *Electoral Capitalism*, 6.

This non-standard story of patronage parties in American politics is less known and, we believe, deserving of greater attention. We thus provide detailed examples of how different Republican state organizations in the South engaged in such office selling: who the leaders in these parties were, how they organized the sale of federal patronage, and how much money was involved. We then provide a detailed account of the Senate investigation into federal office sales by Southern Republicans in the late-1920s. In sum, we believe this story not only presents a detailed account of a specific instance of a major, but largely forgotten, corruption scandal in American political history, but also highlights an issue that remains relevant today: in a competitive democratic system, fear of voter backlash might keep politicians from engaging in immoral activities, but what happens if those political actors are *not* constrained by voters?

The rest of the paper is organized as follows. We begin by providing some background on the Republican Party's position in the South from the end of the Civil War through 1920. We then cover the rising awareness of GOP corruption in the Jim Crow South in the 1920s, before discussing the flashpoint – the murder-suicide involving Postmaster L. S. Peterson in Georgia in 1928 – that led to a Senate investigation into the sale of federal offices. We then review the specifics of the Senate hearings, with an emphasis on the four states at the heart of the investigation: Georgia, Mississippi, South Carolina, and Texas. We conclude by considering how the results of the investigation affected the national GOP's approach to the distribution of federal patronage and the composition of the Republican Party in the South.

The Republican Party in the South, 1865-1920

Prior to the start of the Civil War, the Republican Party – founded as an anti-slavery party – was a non-entity in the states that would go on to form the Confederacy. After the war, thanks to supermajorities in Congress, Republican leaders sought to change that and establish a partisan

footprint in the South. By ensuring that formerly enslaved Blacks were granted citizenship and incorporated into the electorate and by temporarily banning Whites with connections to the Confederacy from the franchise, the GOP's Reconstruction setup created a pro-Republican voting base in the South.⁹ Indeed, per David Herbert Donald, Jean Harvey Baker, and Michael F. Holt, the GOP built a "southern wing [...] based on freedmen, anti-Confederate white loyalists, and any ex-Confederates who could be persuaded to cooperate with them."¹⁰

Thanks to their early Reconstruction efforts, the Republicans enjoyed electoral victories throughout the ex-Confederacy. But GOP success proved fleeting. With Democrats and aligned terrorist groups like the Ku Klux Klan and the Red Shirts attacking and intimidating Black voters (as well as Republican politicians), and Whites regaining access to the franchise, Democrats quickly regained control of Southern state governments. Indeed, by 1877 every ex-Confederate state was under unified Democratic control.¹¹

While Republican national leaders – including presidents Rutherford B. Hayes, James Garfield, Chester A. Arthur, and Benjamin Harrison – all sought to appeal to Southern White voters on economic issues, the Democrats (with few exceptions) dominated in the former-Confederacy well into the second half of the 20th century. Crucially, starting in the 1890s, Democratic governments in the South began adopting legal remedies – like poll taxes, literacy tests, and residency requirements – to disenfranchise Black voters. This led very quickly to the destruction of the GOP in the South – outside of a few small areas in Appalachia – as a viable electoral party.¹² As the GOP was collapsing in the South, the party was ascending elsewhere in

⁹ Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988).

¹⁰ David Herbert Donald, Jean Harvey Baker, and Michael F. Holt, *The Civil War and Reconstruction* (New York: Norton, 2001), 563.

¹¹ Heersink and Jenkins, *Republican Party Politics and the American South*, 84-87.

¹² See J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South* (New Haven: Yale University Press, 1974) and Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill: University of North Carolina Press, 2001).

the nation. Beginning with William McKinley's victory in 1896, the Republican Party enjoyed a series of landslide victories in presidential elections combined with reliable Republican congressional majorities – all without meaningful Southern support. As a result, the GOP's national leaders gave up on trying to regain a foothold in the South.¹³

In the decades that followed, most Republican organizations in the South ceased to run candidates and actively compete in election campaigns. But, despite this, Southern Republicanism remained relevant. As Boris Heersink and Jeffery Jenkins have documented, the Southern states continued to enjoy representation at Republican National Conventions. With roughly a quarter of GOP delegates at conventions prior to 1916 coming from the South, the region remained influential regarding presidential and vice-presidential nominations.

Over time, national GOP leaders – particularly incumbent presidents and presidential candidates – and Southern party leaders realized that the combination of the South's ongoing influence at national conventions and lack of electoral relevance created a unique opportunity. In exchange for support at the national convention, presidents and presidential hopefuls could offer Southern party leaders something of value. This could be direct cash payments prior to the convention. But the bigger prize was control over federal (executive) patronage for their states after the election. Famously, William McKinley – in advance of the 1896 national convention – rented a house in Thomasville, Georgia and met with Southern party leaders to discuss “patronage and other political possibilities in a relaxed atmosphere.”¹⁴ McKinley's approach proved successful, as he received nearly 88 percent of Southern votes at the convention.¹⁵

¹³ Heersink and Jenkins, *Republican Party Politics and the American South*.

¹⁴ James A. Kehl, *Boss Rule in the Gilded Age: Matt Quay of Pennsylvania* (Pittsburgh: University of Pittsburgh Press, 1981), 198.

¹⁵ *Republican National Convention, St. Louis, June 16-18, 1896* (St. Louis: I. Haas Publishing and Engraving Company, 1896), 158.

With the Republican Party winning presidential elections consistently, this system provided Southern party leaders with an important stream of income through patronage sales: since federal jobs were assigned in large part on the basis of personal recommendations from those state party leaders, they could sell their recommendation to the highest bidder. Thus, Southern party organizations “were kept alive on a diet of executive patronage in order to secure favorable delegate slates at national conventions.”¹⁶

This also meant that control of Southern state parties remained appealing even though the they were mostly non-entities electorally. In most Southern states, competition existed over control of the party organization and local patronage. As political scientist Hanes Walton Jr. has noted, much of this intra-party conflict centered on race: while all GOP state parties in the South were run initially by mixed-race coalitions (known collectively as the Black-and-Tans), over time White segregationist Republicans (known as the Lily-Whites) successfully took control of these organizations.¹⁷

Heersink and Jenkins argue that the Lily-White takeover represented a major decline in Black influence in the Republican Party. For example, while 44.8 percent of Southern GOP delegates in 1892 were Black, that number had dropped by more than half – to just 20.5 percent – in 1920. But this reduction in Black Republican participation did not happen at the same rate everywhere. Some states – like North Carolina and Virginia – effectively expelled all Black leaders from the party, while others – like Louisiana and Florida – maintained a minority Black faction. By the 1920 GOP convention – which nominated dark horse candidate Warren G.

¹⁶ Norman M. Wilensky, *Conservatives in the Progressive Era: The Taft Republicans of 1912* (Gainesville: University of Florida Press, 1965), 17.

¹⁷ Hanes Walton Jr., *Black Republicans: The Politics of the Black and Tans* (New York: Scarecrow Press, 1975).

Harding – only three Southern states still had substantial Black involvement in Republican Party organization: Mississippi, Georgia, and South Carolina.¹⁸

Allegations of Federal Office for Sale in the South

As intra-Republican factions vied for control of Southern state organizations, and patronage politics and Southern delegate slates undergirded GOP presidential nominations, the “rotten borough” system that allowed Southern Republicanism to remain relevant long after it no longer actively contested elections began to show cracks. Throughout the 1920s, allegations that state GOP leaders in the South were selling (or bartering) federal offices were widespread. For example, Joseph W. Tolbert, the Republican boss of South Carolina and a member of the Republican National Committee, received considerable attention as early as 1922 for “trafficking in offices.”¹⁹ Tolbert was under consideration for United States Marshal from the Western District of South Carolina, per President Harding’s recommendation, and Senator Nathan B. Dial (D-SC) sought to block his nomination based on the widespread sale of federal office. According to Dial, per the *New York Times*:

Tolbert had divided the State into districts, in each of which he had stationed a henchman who sold the Federal plums for one-half the first year’s salary, in sums ranging from \$600 to \$2,000. The Senator said an affidavit declared that Tolbert expected to realize \$100,000 out of the system.²⁰

Dial’s charges led to multiple Senate subcommittee investigations and threatened Tolbert’s nomination. In the interim, Harding stuck by Tolbert and twice placed him in the

¹⁸ Heersink and Jenkins, *Republican Party Politics and the American South*.

¹⁹ Ulric Bell, “Hull Flays G.O.P. In Tolbert Case,” *Louisville Courier Journal*, October 24, 1922, 6.

²⁰ “Dial Charges Sale of Federal Offices in South Carolina,” *New York Times*, July 31, 1922, 1. Tolbert was a colorful character who often made for good newspaper copy. For example, as this article states: “One of Tolbert’s peculiarities is that he never wears a necktie, leaving his brass collar button to flash brilliantly and unashamed in the sunlight.”

position via a recess appointment.²¹ Finally, in November 1923, with no resolution in sight, Tolbert resigned. The *New York Times* speculated that Tolbert’s resignation “appears to have been according to a prearranged plan,” as President Calvin Coolidge – having succeeded Harding after his death in August – immediately nominated Tolbert’s nephew (Joseph A. Tolbert) for the position of Federal Attorney in the Western District of South Carolina.²² Tolbert declared he was “entirely satisfied with this arrangement” and did not believe “he was being thrown overboard at all.”²³ Thus, after nearly a year and a half, White House officials believed they had finally solved the Tolbert “problem.”²⁴

But the charges of selling federal patronage was a story that would not go away. At the urging of Senator Robert La Follette (R-WI), who would challenge Coolidge for the presidency in 1924 as the Progressive Party candidate, further investigation into the Southern GOP followed.²⁵ In October 1924, a Senate subcommittee investigating campaign contributions and expenditures heard testimony from more than a dozen witnesses – most of whom were county Republican office holders – with findings that Republican operatives in Virginia and South Carolina had been “assessing” federal office holders – mainly postmasters – for the GOP campaign fund. The committee heard that this informal tax systems had raised over \$21,000 in Virginia. John T. Doyle, secretary of the Civil Service Commission, testified specifically about South Carolina. In one case, Doyle stated that he was told (second hand) that Tolbert had promised a postmaster that he would be reappointed “if [his] heart and pocketbook will get

²¹ “Tolbert in Office Despite Senate,” *New York Times*, October 20, 1922, 16; “Renews Fight on Harding Choice,” *Baltimore Sun*, October 23, 1922, 2; “Harding Rapped for Appointment During Recess,” *Atlanta Constitution*, March 10, 1923, 1.

²² “Tolbert Gives Up Office of Marshal,” *New York Times*, November 24, 1923, 15. See also “President Accepts Tolbert Resignation,” *Washington Post*, November 24, 1923, 5; “

²³ Tolbert Out, But Nephew Appointed by Coolidge,” *Boston Daily Globe*, November 24, 1923, 5.

²⁴ “J. W. Tolbert Resigns, Ending Controversy,” *Atlanta Constitution*, November 24, 1923, 4.

²⁵ “Sale of Patronage in South Carolina Charged at Hearing,” *Washington Post*, October 31, 1924, 4.

right.”²⁶ Doyle also testified that he was told that an assistant postmaster was charged \$500 to get promoted to postmaster, and that the money was paid to a “collector” for Tolbert.²⁷

In January 1925, Postmaster General Harry S. New responded to the allegations made against Tolbert:

After a thorough consideration of the report made by Secretary Doyle of the Civil Service Commission ... followed by an investigation instituted by myself, conducted by Post Office Inspector Williamson, I can say that there is nothing in these reports that call for any action by this department. So far as I am concerned, the matter is closed.²⁸

Coolidge disagreed and believed the matter needed further investigation. In early March 1925, he ordered the Justice Department to investigate the alleged sale of federal patronage in Georgia and South Carolina. The impetus was due largely to information provided by Senator Walter F. George (D-GA), who provided detailed reports to the White House on rumors regarding the sale of federal jobs in his state. As the *New York Times* reported: “the details of the charges were such [...] that both the President and Mr. New concluded that investigation should be made.”²⁹ And as long as Georgia – and Republican boss Henry Lincoln Johnson – was being investigated, a more thorough investigation of South Carolina and Tolbert could be conducted as well. Rep. William Francis Stevenson (D-SC) had been pushing to investigate Tolbert in the months following New’s public response, and he supplied evidence of corruption alongside the reports provided by Sen. George.³⁰ Those who sought an independent investigation aimed at ferreting out the truth were buoyed by reports that both Tolbert and Johnson, in the hopes of advancing their cases, “made fruitless efforts to see the President.”³¹

²⁶ “Jobholders Taxed, Senators Are Told,” *Baltimore Sun*, October 31, 1924, 8.

²⁷ “Charge Collection of Campaign Funds from Postmasters,” *Hartford Courant*, October 31, 1924, 1.

²⁸ “New Sees No Reason to Prosecute Tolbert,” *New York Times*, January 20, 1925, 12.

²⁹ Harry N. Price, “Alleged Sale of Patronage Ordered to be Investigated,” *Washington Post*, March 2, 1925, 1.

³⁰ “Wide Ramifications Expected in Patronage Investigation,” *Baltimore Sun*, March 9, 1925, 1.

³¹ “G.O.P. Patronage Probe To Be Deep,” *Baltimore Sun*, March 13, 1925, 2.

Yet nothing happened. A year went by with no report from the Justice Department. On March 3, 1926, Rep. Stevenson discussed what he knew on the House floor:

Assistant Attorney General [William J. Donovan] [...] said “We are going to prosecute there wherever it is necessary, and there is evidence to sustain a prosecution.” Then they sent two other fellows down there, and they got case after case which would warrant an indictment and made a report. I went to call on them and found that Mr. Donovan had been transferred to another position, and they said, “Take it up with the Attorney General.” I could not get anything out of them.³²

Stevenson proposed to introduce a new resolution calling on the Attorney General’s office to share their report – and he did so a week later³³ – but few could have believed that his efforts would be successful.

That same day, however, positive momentum for an investigation of Republican patronage policies in the South began again – and the impetus came from an unlikely source: a Southern Republican. Rep. Harry M. Wurzbach (R-TX) was in his third term representing the 14th congressional district (comprising San Antonio and outlying areas) in Texas. He had been a prosecuting attorney and judge in Guadalupe County before first being elected to the House in 1920. During his time in office, Wurzbach spent considerable time fighting with the Texas Republican boss, Rentfro B. Creager, for control of executive patronage – and typically finding himself on the losing end of those battles. At the time of his floor speech in 1928, Wurzbach was only one of three Republican House members from the ex-Confederate states.³⁴

Wurzbach gained the House floor and announced that he would speak on a topic that he had been considering for some time: “the vicious system and practice of Federal patronage distribution in Southern States.” He declared the system was not specific to the GOP, but rather

³² *Congressional Record*, 69th Congress, 1st Session (March 3, 1926): 4948-49.

³³ *Congressional Record*, 69th Congress, 1st Session (March 10, 1926): 5370.

³⁴ The other two would be from the 1st and 2nd congressional districts of Tennessee: R. Carroll Reece and J. Will Taylor.

one that the party had inherited. Regardless of origins, Wurzbach continued, “the fact remains that the cancerous growth that is sapping the vitality of southern Republicanism must sooner or later be removed, root and branch, or the party is doomed in the South.” And why was that? Because, according to Wurzbach, “the system and practice of exchanging or ‘swapping’ southern patronage for southern delegates to Republican national conventions, or vice versa, is bringing our party into disrepute and contempt with the best people of the South.”³⁵

Wurzbach spent the remainder of his floor time assailing the “pie counters” who controlled the state GOP organizations in the South, with detailed discussions of his tangles with the Creager machine in Texas, as well as national Republican leaders who benefitted from the patronage-for-delegates arrangement. Such a system should not be permitted to continue, he stated, “if national Republican leadership expects to elect Republican Congressmen from that section of the country.” And, per Wurzbach, there were reasons to believe the GOP could complete effectively in Southern elections. “We have thousands upon thousands of good, faithful, and true Republicans in the South,” he stated, “who love their party and are devoted to its principles and traditions, but they despise [...] the ‘pie Republicans.’”³⁶ Wurzbach hinted strongly in his remarks that neither state Republican leaders in the South nor national Republican leaders wanted a vibrant GOP in Southern elections.

Wurzbach’s comments were covered extensively in the press,³⁷ and other members of Congress quickly joined in castigating Republican patronage policies in the South. A week later, on March 10, Rep. Thomas Jefferson Busby (D-MS) offered a resolution to investigate corrupt

³⁵ Quotes from *Congressional Record*, 69th Congress, 1st Session (March 3, 1926): 4940.

³⁶ *Ibid.*, 4940-41. Wurzbach’s floor discussion extends through page 4950 or the *Congressional Record*.

³⁷ See, e.g., “Assail Republicans on Jobs in South,” *New York Times*, March 4, 1926, 23; “Patronage of G.O.P. in South Is Assailed,” *Washington Post*, March 4, 1926, 4; “Raps ‘Pie Counter’ Texas Republicans,” *Boston Daily Globe*, March 4, 1926, 15; “Texas’ Only G.O.P. Congressman Denounces Party Patronage,” *Baltimore Sun*, March 4, 1926, 2.

practices by the Republican boss, Perry W. Howard, in Mississippi. Per Busby: “It has been publicly charged that Federal patronage is sold to the highest bidder in Mississippi by Perry W. Howard and his subordinates. No Federal appointments in Mississippi are made with the approval of Perry W. Howard.”³⁸ He went on to claim that the sale of positions extended beyond postmasterships, and that recently two of Howard’s half-brothers had been offering a U.S. marshalship for \$1,500 cash. His state colleague, Rep. Thomas W. Wilson (D-MS), followed up that day by offering a resolution calling for the Department of Justice to investigate the alleged sale of post-office positions in Mississippi.³⁹

Almost two weeks later, on March 22, Rep. Wilson gained the floor and called on the House to honor his request and adopt his resolution. He asked: “How much longer must my people bear the humiliation of seeing Federal office sold like bales of cotton in an open market?” Of course, there was a clear racist element to Wilson’s outrage, as he complained that “the control of Federal patronage is almost entirely in the hands of the negroes. God save my country from the sad day when negroes are placed in the seats of the mighty and political control passes into their black hands.”⁴⁰ That same day, Rep. Wurzbach followed up on his earlier anti-corruption speech by introducing a bill that would compel federal appointees to file an affidavit (within 30 days of receiving a federal appointment) that they have made no campaign contributions in the hopes of securing a federal position. Wurzbach stated that he believed his bill’s passage would eliminate the patronage brokers in the state GOP organizations of the South and turn control over to the “real Republicans.”⁴¹ Not to be outdone, on March 26, Rep.

³⁸ Quote from *Congressional Record*, 69th Congress, 1st Session (March 10, 1926): 5347.

³⁹ *Ibid.*: 5370.

⁴⁰ *Congressional Record*, 69th Congress, 1st Session (March 22, 1926): 6036-37.

⁴¹ *Ibid.*: 6051; “Sale in South of Patronage Hit in House,” *Atlanta Constitution*, March 23, 1926, 1; “Patronage Issue in South Raised,” *Baltimore Sun*, March 23, 1926, 2.

Stevenson introduced a bill to prevent the purchase and sale of public office, by imposing a fine of \$1,000, a year in jail, or both to anyone convicted of paying or promising to pay money (or anything of value) to secure a federal appointment.⁴²

While the House Judiciary Committee reported adversely on Busby's resolution, finding no evidence to implicate Perry Howard in the alleged patronage abuses,⁴³ pressure from both Democratic and Republican fronts led the panel to report the Wurzbach (H.R. 10547) and Stevenson (H.R. 10739) measures affirmatively back to the House floor.⁴⁴ They were considered together on June 7, 1926, and passed unanimously,⁴⁵ after which they were reported to the Senate Judiciary Committee.⁴⁶ On June 21, both measures were reported back to the Senate floor.⁴⁷ On July 2, they were both considered and passed unanimously with light amendments.⁴⁸ The following day, the House agreed to the Senate amendments.⁴⁹ After the congressional adjournment, the bills were presented to President Coolidge on December 8, and he affixed his signature three days later.⁵⁰ They thus became Public Law #525 (Stevenson) and #526 (Wurzbach).

While many saw these two new laws as beneficial in cleaning up fraudulent patronage practices among Southern Republicans and the tying of said patronage to delegate bartering at the Republican National Convention, not everyone was so sanguine. Black Republicans believed

⁴² *Congressional Record*, 69th Congress, 1st Session (March 26, 1926): 6419.

⁴³ "House Declines to Aid Busby Probe," *Afro-American*, March 27, 1926, 2.

⁴⁴ *Congressional Record*, 69th Congress, 1st Session (May 5, 1926): 8785; (June 3, 1926): 10690.

⁴⁵ *Congressional Record*, 69th Congress, 1st Session (June 7, 1926): 10840-41. See also "House Bars Sale of Jobs," *New York Times*, June 8, 1926, 16; "Senator George Plans to Amend Patronage Bills," *Atlanta Constitution*, June 8, 1926, 1.

⁴⁶ *Congressional Record*, 69th Congress, 1st Session (June 8, 1926): 10888.

⁴⁷ *Congressional Record*, 69th Congress, 1st Session (June 21, 1926): 11653.

⁴⁸ *Congressional Record*, 69th Congress, 1st Session (July 2, 1926): 12612-13; 12629. See also "Senate Passes Patronage Bills," *Atlanta Constitution*, July 3, 1926, 18.

⁴⁹ *Congressional Record*, 69th Congress, 1st Session (July 3, 1926): 13040-41.

⁵⁰ *Congressional Record*, 69th Congress, 2nd Session (December 8, 1926): 80; (December 15, 1926): 516.

the laws would unduly harm them, and this argument was made extensively in the Black press.

For example, the *Pittsburgh Courier* reported:

Colored Republican leaders believe that these two new laws strike a death blow at the Negro in politics in the South. They point out that there will be no incentive for the Negro to be active in politics in the South, if he is denied appointment to Federal office and at the same time prohibited by law from bartering his influence in the distribution of patronage. The expenditure of large sums of money is necessary to obtain political control in the South, colored Republican leaders assert. Money for the holding of state, district and county conventions must be provided. The colored Republican in the South does not have the money to supply for the holding of these conventions and calls upon those who are the political beneficiaries for funds in exchange for Federal appointments. With this source of revenue cut off, there is nothing for the Negro in the South to do, they assert, but permit the white man to gain control of Republican politics.⁵¹

Thus, from the perspective of Black Republicans in the South, these laws did little else but redistribute the control of state GOP organizations from the “Black-and-Tan” faction to the “Lily-White” faction.⁵²

But the Democrats were not content with these two new laws. On December 17, 1926, Senator William T. Harris (D-GA) was recognized and offered a resolution to have a three-member Senate committee be appointed to investigate Ben Davis, the Republican National Committeeman from Georgia, for the bartering of federal offices. Senator Pat Harrison (D-MS) interceded and suggested that its scope should be widened “to apply to other States where rumors are current or charges have been preferred.” Senator Ellison Smith (D-SC) agreed and wanted his state to be included as well. From the Republican side, Senator George Norris (R-NE) – a progressive and longstanding thorn in the side of the GOP leadership – added his two cents:

If this matter is to be investigated, it ought to be investigated in a very comprehensive way. It should not apply to post office along; it should not apply to any State alone. If an investigation is to take place, the jurisdiction of the

⁵¹ “Bill Blow to Republicans of the South,” *Pittsburgh Courier*, December 18, 1926, A1. Reprinted verbatim in “South Patronage Hit by Bill,” *New York Amsterdam News*, December 22, 1926, 19.

⁵² For a discussion of the battle for Southern Republican control between the Lily-Whites and Black-and-Tans, see Heersink and Jenkins, *Republican Party Politics and the American South*.

investigating committee out to cover the entire country. I do not mean that the committee should go everywhere in the country and investigate, but it ought to have the power to do that. They ought to be given as broad a scope as can be given in any investigation of this kind.⁵³

After a short discussion of committee jurisdictions, the resolution was referred to the Senate Judiciary Committee (where Norris was the chairman).⁵⁴ The Judiciary Committee named a subcommittee comprised of Norris, Richard P. Ernst (R-KY), and William H. King (D-UT) to consider and report the Harris resolution.

Republicans sought to coordinate and push back against the office-bartering accusation, and Rep. Ernst led the way. On December 20, he offered a substitute resolution for the Judiciary Committee to consider, which would extend the proposed office-bartering inquiry to include an investigation of alleged disfranchisement of Black voters in the Southern states.⁵⁵ Republican opponents saw Ernst's efforts not as a genuine attempt to aid of Black citizens in the South, but rather to simply "hamstring the investigation [...] by arousing party prejudices."⁵⁶ Sen. Norris, no babe in the political woods, also recognized this. And while he supported an investigation into disfranchisement in the South, he opposed coupling it with the investigation of alleged sale of federal offices and declared:

There are some indications that those who are asking for an investigation of one of these subjects are doing so in order to suppress any investigation of the other subject. If any investigation is made of either of these alleged practices, it ought to be thorough and complete with the object of getting at the real truth, and I do not want to take any action that would enable either side to prevent a full exposure of any wrongdoing that may be discovered.⁵⁷

⁵³ *Congressional Record*, 69th Congress, 2nd Session (December 17, 1926): 634-36

⁵⁴ See also "Democrats Ask Inquiry on Use of Patronage," *New York Herald Tribune*, December 18, 1926, 6; "Inquiry by Senate into Federal Job Bartering Is Asked," *Washington Post*, December 18, 1926, 1; "Ask Senate Inquiry on Sale of Offices Throughout Nation," *New York Times*, December 18, 1926, 1; "Senate Asked to Probe Sale of Patronage," *Baltimore Sun*, December 18, 1926, 1.

⁵⁵ "Probe of Elections in South Is Sought," *Baltimore Sun*, December 21, 1926, 1; "Johnson Attacks Dawes on Primary," *New York Times*, December 21, 1926, 9; "Republicans Ask Negro Suffrage Inquiry in South," *New York Herald Tribune*, December 22, 1926, 5; "A Harmless Flourish," *New York Times*, December 22, 1926, 20.

⁵⁶ "Get At the Truth," *Atlanta Constitution*, January 8, 1927, 6.

⁵⁷ Quote in Louis. B. Lautier, "Senate on Politics in the South," *New Journal and Guide*, January 8, 1927, 1.

Instead of the Ernst resolution, the subcommittee on January 24, 1927 recommended to the full Judiciary Committee a substitute resolution offered by Norris, which broadened the initial Harris office-bartering measure from focusing only at the Southern states and extended the focus to the entire nation.⁵⁸ The Norris resolution directed the Judiciary Committee to “ascertain whether such officials of political party organization have improperly, illegally or dishonestly use the influence and power of their positions in bringing about the appointment of Federal officials, and whether they have used such influence in making assessment or demands up on any Federal officials.”⁵⁹ And on February 2, the Judiciary Committee submitted the Norris resolution to the Senate for consideration.⁶⁰ It was not unanimous, however, as Sen. Ernst submitted a minority report that warned that the cost of an investigation would be excessive and bemoaned the committee’s refusal to investigate the denial of African American voting rights in the South.⁶¹

Norris’s efforts would go for naught, however. The resolution (S. Res. 338) was sent to the Committee to Audit and Control the Contingent Expenses of the Senate for cost purposes, and to see whether an investigation could be funded during the upcoming adjournment, and was reported back on February 17. At that time, with only two weeks left in the 69th Congress, Norris asked for unanimous consent to consider his resolution, before the Senate took up another matter. Sen. George H. Moses (R-KY) objected, ostensibly because his Senate colleague (Sen. King) who was on the committee was not present, as he believed that King “desires to be present when the resolution is considered.”⁶² When Norris pressed the issue, Moses maintained his

⁵⁸ “Backs Patronage Inquiry,” *New York Times*, January 25, 1927, 11.

⁵⁹ “Inquiry Into Sale of U.S. Patronage Wins in Committee,” *New York Herald Tribune*, January 25, 1927, 7. See also “Patronage Probe Extension Urged,” *Atlanta Constitution*, January 25, 1927, 13.

⁶⁰ *Congressional Record*, 69th Congress, 2nd Session (February 2, 1927): 2748-49.

⁶¹ “Job Bartering Inquiry Voted by Senators,” *New York Herald Tribune*, February 3, 1927, 4; “Proposes Inquiry on Sale of Office,” *New York Times*, February 3, 1927, 2; Louis Lautier, “Ernst Carries Ballot Probe into Senate,” *Afro-American*, February 12, 1927, 3.

⁶² *Congressional Record*, 69th Congress, 2nd Session (February 17, 1927): 4020.

objection, and now cited the call by Sen. William E. Borah (R-ID) for the regular order a few moments earlier.⁶³ With Moses's action, the Republicans would successfully run out the clock and prevent Norris's investigation from being approved.

The remainder of 1927 passed – to Republican leaders' delight – with almost no attention given to the bartering of federal office in the South. Most political observers were focused on various questions in advance of the presidential election of 1928: would Calvin Coolidge run again?; and, if he did not, who would get the GOP nomination?; could Democratic Governor Al Smith of New York get his party's nomination, despite his Catholicism and pro-liquor stance?; would Robert La Follette run as a third-party (Progressive) candidate again?; or would another candidate emerge (George Norris?) who might be the new Progressive Party standard bearer?⁶⁴

A Murder-Suicide in Georgia and Its Repercussions on the Southern GOP

The first three months of 1928 would be more of the same. In January, the *New York Times* reported that many Republican leaders in the South were concerned about Governor Al Smith getting the Democratic nomination. If that were to occur, they feared “that their party grow too big”: specifically, they believed Smith's candidacy would result in an anti-Catholic, anti-liquor backlash that might elect Republicans to the House, creating “too many hands in the

⁶³ Realizing his earlier call was being used to kill the office-bartering inquiry, Borah sheepishly replied: “All I wanted to do was to get through the morning business.”

⁶⁴ The one time when the bartering of federal office in the South received some media attention was when Sen. Norris angrily denounced President Coolidge's potential bid for a third term. Among other things, Norris stated: “Already, in the Southern States, the Republican machine, which is universally admitted to be corrupt, is preparing to send Coolidge delegates to the next Republican convention. They are doing this as payment for the Federal offices which they now hold and control. When this influence is combined and used for the perpetuation in office of the head of our government, it is a danger to free institutions and strikes at the very root of Democracy. Political machines held together by Federal patronage constitute the greatest danger to the perpetuity of a free government.” Quoted in “Norris Assails 3d-Term Move for Coolidge,” *Baltimore Sun*, April 21, 1927, 1; “Norris Assails Third Term as Monarch Step,” *New York Herald Tribune*, April 22, 1927, 9; “Norris Attacks Coolidge Boom,” *New York Times*, April 22, 1927, 1.

fire.”⁶⁵ In effect, these GOP leaders worried they would become like Texas, where patronage handlers like Creager fought with elected representatives like Wurzbach for control. Their preference would be to elect a Republican president but for their states to elect Democrats to Congress. In February, as Secretary of Commerce Herbert Hoover’s presidential candidacy gained momentum – Coolidge had declined to run again in August 1927 – his campaign quickly and efficiently picked up the endorsement of multiple Republican patronage bosses in the South. This caused consternation among his GOP opponents and generated talk of reviving the Norris resolution to investigate the sale of Republican patronage in the South. The *Washington Post* characterized Norris himself “as seriously considering reintroducing it and pressing it to passage.”⁶⁶ But this was all talk, as through the end of March nothing more was done.

But things would change quickly thereafter. On April 2, news of a murder-suicide shook Georgia. The culprit was L. R. Peterson, the postmaster of Douglas County, who shot and killed Elton Kirkland – a money-order clerk – before turning the gun on himself. Peterson, who had just been relieved of his post, left behind a suicide letter addressed to his brother:

The Republican party has pulled me over for \$2,000 in the last five years and they are still claiming more money on me now. Thomas W. Overstreet, the inspector, and Elton Kirkland, money-order clerk, are to blame for it all. They have done everything against me that they could do. They have framed me. These donations are responsible for my financial condition. What they have taken away from me is why I am in debt today. I understand they are going to put me out tonight. For this reason I cannot face my friends any longer.⁶⁷

Authorities also found in Peterson’s pocket a note directing him to send money to Benjamin J. Davis, the Republican National Committeeman for Georgia, through an intermediary. Peterson

⁶⁵ Quoted in Carlisle Barger, “Republican Policy in South Held Help to Smith if Named,” *Washington Post*, January 5, 1928, 4.

⁶⁶ Quoted in Carlisle Barger, “Contests in South Threaten to Stir G.O.P. Convention,” *Washington Post*, February 9, 1928, 1.

⁶⁷ Quoted in “Constant Demands for Money by G.O.P. Given as Cause of Suicide of Georgia Postmaster,” *Atlanta Constitution*, April 3, 1928, 1.

was reported to have been embroiled in disagreements with Overstreet and Kirkland for some time. Rep. Lankford (D-GA) declared that he had received a letter from Peterson, detailing the various reasons for the loss of his postmaster's job, and demanded that a full investigation be conducted.⁶⁸

The next day, additional details came out: Peterson was reportedly fired for a \$214 shortage in his books.⁶⁹ Peterson's annual salary was \$2,700. And, if his letter was correct, he was required to pay \$2,000 over five years – or almost 15 percent.⁷⁰ Senators George and Harris of Georgia raised the issue on the Senate floor, and relayed some of the details to their colleagues.⁷¹ George claimed that Peterson had been “bled to death” by the “Republican state machine,” and he and Harris sought a “Senate investigation of the most searching character.”⁷² Rep. Lankford declared: “The spoils system is criminally wrong and can only lead to corruption and such tragedies as occurred at Douglas.”⁷³ Republicans were quickly put on the defensive. Davis denied receiving or demanding funds from any postmaster in the state and declared that he was the subject of a “frame up.”⁷⁴ Postmaster General New claimed ignorance of forced contributions in this case, but quickly announced – at the behest of President Coolidge who was

⁶⁸ “Georgia G.O.P. Under Fire,” *Austin Statesman*, April 3, 1928, 6.

⁶⁹ “Tells Senate G.O.P. Demands Caused Suicide,” *Chicago Tribune*, April 4, 1928, 24; “Pulled for \$2,000 by Republicans, Claim,” *Baltimore Sun*, April 4, 1928, 2.

⁷⁰ “Double Killing Laid to Georgia Political Gouge,” *New York Herald Tribune*, April 3, 1928, 10; “Blame Put on ‘Levy’ in Georgia Killings,” *New York Times*, April 3, 1928, 2.

⁷¹ *Congressional Record*, 70th Congress, 1st Session (April 3, 1928): 5826-27.

⁷² “Demand Inquiry in Georgia Killings,” *New York Times*, April 4, 1928, 20. See also “Senators Demand Patronage Inquiry,” *Washington Post*, April 4, 1928, 4.

⁷³ “G.O.P. Spoils System in Georgia Will Face Probe by Congress,” *Atlanta Constitution*, April 4, 1928, 1. On April 6, Lankford would go on to introduce a bill (H.R. 12770) “to make unlawful the acceptance or solicitation of campaign or political funds under certain circumstances, the acceptance of pay for political help, the acceptance of certain Federal positions secured by parties after making such payments or donations, and for other purposes.” It was referred to the House Judiciary Committee, where it was buried. *Congressional Record*, 70th Congress, 1st Session (April 6, 1928): 6051. See also “Georgian Prepares Bill To Prevent Political Grafting,” *Atlanta Constitution*, April 7, 1928, 1; “Bill Bans ‘Levy’ On U.S. Workers For Campaigns,” *New York Herald Tribune*, April 7, 1928, 4.

⁷⁴ *Ibid.*

“strongly incensed by reports of the Peterson tragedies” – that his department would begin a thorough investigation immediately.⁷⁵

While New sprang into action, firing two postmasters in Florida who declared they had paid (or would be willing to pay) to secure a federal postmaster position,⁷⁶ Democrats in Congress saw a golden opportunity to keep the Republicans on the run. On April 9, rather than rely solely on the Postmaster General’s inquiry, Sen. George – on behalf of himself and Sen. Harris – introduced a resolution to investigate the barter of federal offices in Georgia.⁷⁷ The resolution (S. Res. 193), which was referred to the Committee on the Post Offices and Post Roads, called for the creation of a special Senate committee to conduct a thorough investigation, including the holding of hearings and the subpoenaing of witnesses, with the intent to report back as soon as practicable. On May 3, the Post Offices and Post Roads Committee reported back favorably, authorizing a subcommittee or special committee to investigate the bartering of federal offices not just in Georgia but in various States – with a promise that Georgia would be given first attention.⁷⁸ On May 19, the full Senate authorized the investigation (S. Res. 193), as amended by the Post Offices and Post Roads Committee.⁷⁹ A three-man Senate subcommittee

⁷⁵ “Douglas Deaths Throw Spotlight Upon G.O.P. Graft,” *Atlanta Constitution*, April 5, 1928, 1; “Coolidge Demands Report on Sale of Post Offices by G. O. P. Bosses in Georgia,” *Atlanta Constitution*, April 6, 1928, 1.

⁷⁶ “Drops Postmaster in Patronage Case,” *New York Times*, April 7, 1928, 4; “New Ousts Two Fla. Postmasters,” *Baltimore Sun*, April 7, 1928, 2.

⁷⁷ *Congressional Record*, 70th Congress, 1st Session (April 9, 1928): 6062-63. See also “Demands Senate Scan Patronage Scandal in South,” *Chicago Tribune*, April 6, 1928, 17; “Asks Inquiry into Sale of Patronage,” *Boston Globe*, April 10, 1928, 13.

⁷⁸ “George-Harris Win Probe Fight,” *Atlanta Constitution*, May 4, 1928, 1. The expansion in scope of the investigation beyond Georgia was request by Senator Kenneth McKellar (D-TN).

⁷⁹ *Congressional Record*, 70th Congress, 1st Session (May 19, 1928): 9143. See also “Senate Authorizes 4 Investigation,” *New York Times*, May 20, 1928, 22; “Federal Patronage to Be Investigated,” *Hartford Courant*, May 20, 1928, 3A.

was named to the conduct the investigation: Smith W. Brookhart (R-IA), Tasker L. Oddie (R-NV), and Cyrus Locher (D-OH).⁸⁰

Brookhart chaired the investigation and announced that the first set of hearings would start in Atlanta, Georgia in July 1928.⁸¹ Brookhart was a western progressive in the mold of Robert La Follette and George Norris. He was one of “those sons of the wild jackass” – with La Follette being the wild jackass – so coined by Sen. George H. Moses (R-NH), a GOP regular or “stalwart.” As journalist Ray T. Tucker noted at the time, in his piece on the Senate rebels: “[Brookhart] is without any question, the maverick of them all; he symbolizes the supposedly uncouth and untamed forces which Moses was meant to disparage. His middle name is ‘Wildman’ and he lives up – or down – to it.”⁸² Brookhart often ran afoul of his Republican colleagues, as did many progressives of the time, for his opposition to business interests and frequent criticisms of President Coolidge.⁸³ With regard to the sale of federal offices and his role as subcommittee chair, Brookhart promised to “get to the root of this evil if there is an evil.”⁸⁴

The investigation, broadly referred to as “Influencing Appointments to Postmasterships,” would comprise six separate hearings across eighteen months. During a break in the second hearing, two additional resolutions were adopted unanimously by the Senate: S. Res 311, which extended the investigation through the end of the first regular session of the next (71st) Congress, and S. Res. 330, which expanded the investigation’s scope beyond postmasters to include “any

⁸⁰ “Way Paved For Inquiry Into Sale of U.S. Jobs,” *Baltimore Sun*, May 25, 1928, 4; “Appoint Senators to Probe P.O. Patronage,” *Chicago Defender*, June 2, 1928, 1; “Brookhart to Lead Probe on Federal Jobs,” *New Journal and Guide*, June 9, 1928, 9.

⁸¹ “Patronage Probe of Post Offices to Open in City,” *Atlanta Constitution*, June 2, 1928, 1; “Probe of Patronage Sale Charges to Begin in July,” *Baltimore Sun*, June 2, 1928, 9.

⁸² Ray T. Tucker, “Those Sons of Wild Jackasses,” *The North American Review* 229 (February 1930): 225-33. Quote on page 230.

⁸³ For more on Brookhart, see George William McDaniel, *Smith Wildman Brookhart: Iowa’s Renegade Republican* (Ames: Iowa State University Press, 1995). Brookhart was quoted as saying: “I would rather be right than be regular.”

⁸⁴ “Senate Probe of Alleged Job Sales to Start,” *New Journal and Guide*, June 9, 1928, 2.

person appointed to Federal office if the committee or subcommittee deems such investigation advisable.”⁸⁵ An additional resolution (S. Res. 42) was agreed to between the third and fourth hearings (in the first session of the 71st Congress), when it appeared the committee would need additional time to complete their investigation.⁸⁶ Kenneth McKellar (D-TN) would replace Locher on the committee beginning in the second hearing, while Daniel O. Hastings (R-DE) would replace Oddie beginning in the fifth hearing.

As Table 1 indicates, most of the witnesses – 124 in all – provided testimony in Washington, DC, but the subcommittee also traveled to Georgia and Texas to conduct interviews. Evidence was also submitted from a variety of states. For example, the Brookhart committee sought to measure the extent to which postmasters had donated to Republican causes, and asked the Postmaster General to collect affidavits of all postmasters in Georgia, Tennessee, South Carolina, and Mississippi describing “all their campaign contributions, and all expenditures they had made of any kind to secure their appointments to their offices.”⁸⁷ The effort produced responses from “every one of them in all those States,”⁸⁸ with majorities in Georgia and Tennessee claiming to have provided some donation while only minorities made such a claim in South Carolina and Mississippi.⁸⁹ As these were self-reports, they likely represent a conservative estimate of the actual donations made.

⁸⁵ *Congressional Record*, 70th Congress, 2nd Session (February 26, 1929): 4387; (February 18, 1929): 3657.

⁸⁶ *Congressional Record*, 71st Congress, 1st Session (May 6, 1929): 886. The hearings appear as six separate documents, which are often combined into one that is nearly 1,600 pages. The first part is entitled *Hearings Before a Subcommittee of the Post Office and Post Roads, Pursuant to S. Res. 193, A Resolution Directing an Investigation of the Barter of Federal Offices in the State of Georgia, Part 1* (Washington: Government Printing Office, 1929).

⁸⁷ *S. Res.* 193, p. 201.

⁸⁸ *Ibid.*

⁸⁹ The percentages of postmasters admitting to making donations to GOP causes were 81.9 (267/326) in Georgia, 64.3 (169/263) in Tennessee, 33.3 (60/180) in South Carolina, and 41.7 (111/266) in Mississippi.

Table 1: Subcommittee Hearing Dates, Locations, and Coverage

Part	Congress (Session)	Dates	Location(s)	Witnesses	Scope
1	70th (2nd)	July 9-12, December 11 & 13, 1928	Atlanta, GA & Washington, DC	28	GA, SC
2	70th (2nd)	Jan. 29-30, Feb. 5, 16, 28; March 1, 5-6, 1929	Washington, DC	21	TX, MS
3	71st (1st)	March 23 & April 5, 1929	Washington, DC	4	SC
4	71st (1st)	June 21, 27, 29; July 1, 1929	Washington, DC & Dallas, TX	65	TX
5	71st (1st)	Aug. 26; Sept. 3; Oct. 18, 22-23; Nov. 15 & Dec. 10, 1929	Washington, DC	5	SC, TX
6	71st (1st&2nd)	June 28, 1929; March 12, 1930	San Antonio, TX & Washington, DC	1	TX

With limited time and considerable work in front of them, the Brookhart committee in the end chose to focus its investigation on four Southern states: Georgia, Mississippi, South Carolina, and Texas. The committee report itself (Senate Report No. 272) was presented by Brookhart to the House on March 15, 1930.⁹⁰

Case Studies: Federal Office Sales in Mississippi, Georgia, South Carolina, and Texas

In the following subsections, we provide detailed case analyses of the Brookhart committee's investigatory work. Before getting into the nitty-gritty, however, we begin each case section with a brief overview of how the state GOP was organized at the time of the investigation, and how it had developed to that point since the end of Reconstruction.

Mississippi

After a period of post-Civil War Republican rule, Democrats regained control of the Mississippi state legislature and governorship in the 1870s and the Mississippi GOP ceased to be

⁹⁰ *Congressional Record*, 70th Congress, 2nd Session (March 15, 1930): 5356. The report was titled: *Influencing Appointments to Postmasterships and Other Federal Offices*, Senate Report No. 272 (71st Congress, 2nd Session).

a competitive force in state elections. As a result, the state party became centered on national convention representation and the division of federal patronage when a Republican was in the White House. In the late 19th century, some White party leaders attempted to exclude Black Republicans from the state organization, but by the early 20th century Black and White leaders formed a truce, leaving the organization under the control of Lonzo B. Mosley – a White man. After Mosley’s death in 1918, Michael Joseph Mulvihill – a White man who at one point had been postmaster in Vicksburg – became the state party leader, and unlike his predecessor, he refused to nominate Black candidates for patronage jobs. This put him in direct conflict with Black Republicans in the state.

One of these Black leaders was Perry W. Howard. One of seven sons born to two former slaves, Howard earned a college degree at Rust College and went on to study mathematics at Fisk University and law at Illinois College of Law in Chicago. After brief stints as the president of Campbell College and professor of mathematics at Alcorn Agricultural and Mechanical College, Howard passed the Mississippi bar exam and began working as a lawyer. By the early 20th century, Howard was part of “a small ‘second generation’ of Mississippi black lawyers “numbering perhaps only two dozen.”⁹¹ Their limited number reflected the difficult professional position they found themselves in: White clients were unlikely to hire Black counsel and Black defendants found that having a Black lawyer did not benefit them in court. As a result, many Black lawyers struggled to find clients and eventually left the state. Howard did as well, moving to Washington DC in the 1910s to become partner at the leading Black law firm Howard, Hayes, and Davis.⁹²

⁹¹ Neil R. McMillen, “Perry W. Howard, Boss of Black-and-Tan Republicanism in Mississippi, 1924-1960,” *The Journal of Southern History* 48 (May 1982): 206.

⁹² *Ibid*, 206-207.

Before moving, however, Howard had become active in the Mississippi GOP, and was widely seen as a rising star in the state party. In 1920 Howard sought to win election to a seat on the Republican National Committee from Mississippi but lost to Mulvihill. The following year, he was appointed special assistant to the Attorney General by President Warren G. Harding. In 1924, Howard again challenged Mulvihill for the RNC seat and this time succeeded. As a result, Howard was now the de facto leader of the Mississippi Republican Party – despite living and working in Washington – and gained the ability to nominate job applicants for federal positions in the state. Indeed, according to the Brookhart committee report, Howard was “the Washington referee for all patronage in Mississippi.”⁹³

By all accounts, Howard used this power to enrich himself and other close associates. In doing so, Howard not only became a central figure in the Brookhart committee’s investigation, but before that also faced two federal prosecutions against him. The Brookhart committee’s assessment of Howard was largely based on evidence collected for these criminal investigations, which found strong evidence that Howard benefitted financially from selling federal offices. For one, the federal investigation found that Howard’s bank accounts contained over \$31,000. Howard’s secretary, John T. Risher, also had roughly \$14,000 in his account. Combined, with other smaller amounts stored in different places, Howard and Risher had roughly \$50,000 stocked away – an amount equal to roughly \$830,000 today. Since Howard made only \$6,000 a year from his own position, it is unlikely that he (or Risher) would have been able to gather such wealth through their employment.⁹⁴

Indeed, testimony collected during the investigations into Howard shows a clear (and, at times, ruthless) approach to selling federal offices. The process of receiving a federal

⁹³ *Influencing Appointments to Postmasterships and Other Federal Offices, Senate Report No. 272, 3.*

⁹⁴ *Ibid.*, 3.

appointment often required interactions and negotiations between multiple individuals (who, presumably, received part of the profit) before reaching Howard, whose nomination was vital. Often, job seekers relied on an intermediary to appeal on their behalf to Republicans in the state who subsequently sent them to DC to meet with Howard. For example, a man named John P. McHenry stated in an affidavit that he had attempted to secure a postmastership in Okolona for a “Mrs. Pilgreen.” McHenry contacted Clem Bascom, a Black man who served as a key contact to Howard, who informed him that the office would

cost \$500, \$200 of which was to be in cash and the rest to be aid at the rate of \$50 a month after the appointment was received. Bascom told me that one half of this money was to go to Perry W. Howard and that he (Bascom) was to retain the other half. He stated that this money was to be used for campaign expenses, and that there was no other way for the Republicans to secure money for campaign expenses in Mississippi.⁹⁵

McHenry subsequently traveled to DC to meet with Howard who, after complaining that “very little of the money secured by these county chairmen got to him,”⁹⁶ instructed McHenry to settle any details about the transaction with Risher. During his negotiations with Risher, McHenry was told that other candidates were bidding for the same position: Bascom had in fact already endorsed a different candidate and the current postmaster in Okolona was also attempting to convince Howard to support him for reappointment. Thus, Risher argued that the ‘expenses’ related to securing the appointment now warranted \$1,000. McHenry

told him that was too much money, and then told him of the arrangements that I had with Bascom. We squabbled over the amount for a while, but finally agreed on the arrangements which I had with Bascom – that is \$500, \$200 of which was to be paid in cash. Risher stated that he would have to have this \$200 before he could do anything at all because of the expenses he had to pay. I offered to give Risher a check for the \$200 because I had sufficient money in the bank to cover

⁹⁵ Ibid., 3-4.

⁹⁶ Ibid., 4.

that amount, but Risher stated that he would not take a check and that he wanted cash, and he told me that I could wire home for the money.⁹⁷

After a back-and-forth with Pilgreen's husband, McHenry provided Risher with \$200 in cash and agreed the additional \$300 would be provided indirectly, also in cash, at a later date. Despite these payments, Howard did not place Pilgreen on the 'eligible' list of candidates for the office. It is unclear whether the money McHenry gave to Risher was refunded. That Pilgreen was unable to secure her appointment at a rate of just \$500 may not have been surprising, however, as the Brookhart committee's investigation shows other postmasterships went for anywhere between \$700 to \$2,000. For example, for the postmaster position in Tutwile – a small town about 16 miles outside of Clarksdale – Howard received the \$1,000 that Risher had demanded for the Okolona office. After two checks worth \$500 each were deposited in his accounts, Howard endorsed Mrs. C.A. Whittington for a temporary appointment as postmaster. The Brookhart committee's report notes that the Tutwile post office "is a very small and the salary is limited, but it seems that this Howard organization bleeds them to the limit."⁹⁸

Howard also did not limit his sale of federal offices to post office positions, as he was also accused of selling U.S. marshal appointments in Mississippi. In one case, Howard double-crossed some of the other players in the sale. He had made an agreement with one A.P. Russell and two other parties that he would nominate Russell for the U.S. marshal position for the southern district of Mississippi in exchange for a payment of \$2,000. However, the Brookhart committee found that

Howard got Russell to one side and instructed him to come back to Washington himself and bring the cash. So Howard double-crossed the other parties interested with him in Mississippi and sold the office for \$1,500 and deposited it to his

⁹⁷ Ibid.

⁹⁸ Ibid.

credit in a Washington bank. This only goes to show that Howard has no scruples and would double-cross his best friend, providing he could get away with it.⁹⁹

The connection between the payment and Howard's endorsement for the position was strong: Russell paid Howard on March 14, 1927, and the next day Howard send a letter to the Attorney General recommending him for the position. But, while Russell was confirmed, he resigned after just ten months, after which Howard again sold the office – this time for \$2,000.

While Russell did not benefit much from his investment due to the short period he served, had he completed a full four-year term based on estimated earnings for similar positions around that time he likely would have made around \$4,500 a year, or a total of \$18,000 for the full period. Thus, Russell paid roughly 8 percent of his expected earnings to get the job.¹⁰⁰ Others may have paid a considerably higher 'tax.'¹⁰¹ As Howard required most of these payments up front, the Brookhart committee noted multiple cases of job applicants having to borrow money to be able to bid their way into a federal position.

While it was clear that office-selling occurred, and that Howard was personally involved in these efforts, the federal investigations against him never resulted in conviction. The Justice Department began investigating Howard in 1925, but initially no charges were filed as it was not yet illegal to sell federal offices. After legislation was passed in 1926 that outlawed the practice, Howard continued to profit from his nominations – as a result, he was indicted in July 1928 by a federal grand jury regarding the sale of a postmastership in Magee and Russell's appointment as U.S. marshal.

⁹⁹ Ibid., 7.

¹⁰⁰ Rutherford Platt, *The Manual of Occupation* (New York: G.P. Putnam's Sons, 1929), 400.

¹⁰¹ Given a population of no more than 2,000 people in the 1920s, Newton is unlikely to have had a post office higher than second class – resulting in an annual wage that is unlikely to have been higher than \$3,100 for its postmaster. Howard allegedly received \$2,000 for that appointment, reflecting at least 16 percent of total wages across a four-year period.

Howard had long been unpopular with many national Black political leaders because of his reputation. NAACP leader Walter White, for example, reportedly dismissed Howard as someone “who for the sake of personal gain would knife every Negro in the country.”¹⁰² Yet, after he was indicted, Howard received support from Black leaders like W. E. B. DuBois and Howard University dean Kelly Miller. Of course, these Black supporters would not positively influence the all-White jury that Howard faced in Mississippi. But Howard also received the backing of more surprising allies: the state Democratic political leaders, including Governor Theodore G. Bilbo. Mississippi Democrats like Bilbo believed that as long as Howard ran the Mississippi GOP they would not face any meaningful opposition. However, they feared that if Howard were to be convicted and White Republicans regained control over the party a competitive GOP might arise. As Frederick Sullens, the editor of the Jackson *Daily News*, noted: “A Republican party in Mississippi under the leadership of negroes offers no peril to white supremacy. A Republican party led by white men backed by almost limitless wealth and greed for power and prestige, would constitute a decided menace.”¹⁰³ To prevent this, Democrats allegedly raised money for Howard’s defense and his attorneys provided the jury with glowing testimonials from leading (Democratic) politicians in Mississippi. And things got outright surreal when the grand dragon of the Mississippi KKK showed up in court to express support for Howard. In their closing arguments, one of Howard’s attorneys reminded the jury that 93 percent of Howard’s appointments had been Democrats and that he and the other Black Republicans were “white men’s negroes” who had “been good to the Democratic party.”¹⁰⁴ Howard was acquitted in both trials.

¹⁰² McMillen, “Perry W. Howard,” 214.

¹⁰³ *Ibid.*, 217-218.

¹⁰⁴ *Ibid.*, 219.

The Brookhart committee was not persuaded by the “not guilty” verdicts that Howard received. They were clear in their final assessment of the Mississippi case:

Your committee feels that notwithstanding action taken by the trial juries in Mississippi, that there is an abundance of evidence in the record to prove beyond a reasonable doubt that Perry W. Howard was guilty of the sale and barter of public offices in the State of Mississippi, and your committee condemns such practice as most reprehensible and in violation of Federal law. Your committee recommends that such method of appointing public officials should be abolished without delay.¹⁰⁵

Georgia

The Republican Party’s decline, after a brief period of electoral domination in the wake of the Civil War, was particularly swift in Georgia. By 1870, Democrats had taken control of the state and, in the decades that followed, the GOP was effectively an electoral non-entity: from 1874 onwards, Republicans won no seats in Congress and usually could only claim seats in the single digits in the state legislature. Indeed, the state party frequently failed to even field candidates in races against the now-dominant Democratic Party.¹⁰⁶

In this period, the Georgia GOP was consistently a mixed-race organization, though White Republicans frequently unsuccessfully tried to oust the party’s Black leaders. In 1912, after the leader of the state GOP had voted with Theodore Roosevelt’s delegates on a number of convention votes at the Republican National Convention, President William Howard Taft ordered him to be removed and replaced with a new leader: Henry Lincoln Johnson, a Black man and the recorder of deeds in Washington, DC. While Johnson continued to face challenges to his leadership from White Republicans, he was able to seat his delegates at the 1916, 1920, and 1924

¹⁰⁵ *Influencing Appointments to Postmasterships and Other Federal Offices, Senate Report No. 272*, 11. In addition, Senator McKellar said this in a separate statement: “It was quite clear that the grossest corruption existed in office mongering in Mississippi... Perry Howard was shown to be guilty of selling Federal offices in Mississippi and apparently acquired quite a sum from these sales.” See: *Ibid.*, 41.

¹⁰⁶ Heersink and Jenkins, *Republican Party Politics and the American South*, 306-310.

national conventions – thereby ensuring that he was seen as the leader of the Republican Party in the state.¹⁰⁷

After Johnson's death in 1925, control of the party switched to Benjamin Jefferson Davis, a Black man and the publisher of the Atlanta *Independent* newspaper. Davis – a complicated man who disdained both White segregationists and the “Negro aristocracy”¹⁰⁸ of Black officeholders in the state – navigated a short period of domination of the state party. Davis's control began to decline after the 1928 national convention, however, when he was replaced as RNC member by Roscoe Pickett, a White man who had been chair of the state committee since the early 1920s.¹⁰⁹ While Davis was named secretary of Georgia's GOP organization, his influence had waned.

Still, prior to Pickett's challenge, Davis – and Johnson before him – was highly effective in controlling the appointment process for federal positions in Georgia when Republicans held the White House. Davis himself, in testimony to the Brookhart committee, described the process as follows:

If the vacancy occurred before the commission of the incumbent expired the Postmaster General would notify the chairman [of the Republican State Committee] and the national committeeman that the vacancy occurred and ask them to make a suggestion as to an acting postmaster. If the commission of the postmaster expired and examination was held, when an eligible list came out the Postmaster General would send a copy of that list, one to the chairman and one to the national committeeman and we, as a rule would make a suggestion.¹¹⁰

Davis testified that in determining this suggestion he would often reach out to local officials in state districts – including Democrats: “if it was in some settlement where I did not think it was

¹⁰⁷ Ibid., 313-315.

¹⁰⁸ John H. Matthews, “Black Newspapermen and the Black Community in Georgia, 1890-1930,” *The Georgia Historical Quarterly* 68 (Fall 1984): 485-504.

¹⁰⁹ *Influencing Appointments to Postmasterships: Hearings Pursuant to S. Res. 193 Part I* (Washington DC: United States Government Printing Office, 1929), p. 56.

¹¹⁰ *Hearings Pursuant to S. Res. 193, Part I*, 7.

safe for my folks to have anything to do with it, I would ask some white man that I knew in the settlement.”¹¹¹

The Brookhart committee concluded that Johnson, Davis, and Georgia GOP treasurer John W. Martin regularly sold offices, and generally took in between 5 to 10 percent of the total wages the federal appointees received. These payments were presented as donations to the Georgia state Republican Party. During his testimony, Martin acknowledged – in a back-and-forth with Senator George – that the donors to the state party were “principally”¹¹² postmasters and carriers:

Senator George: Now, Mr. Martin, as a matter of fact, practically without exception every postmaster in the State does make some contribution to your organization?

Mr. Martin: I wouldn't say every postmaster.

Senator George: I don't mean every single postmaster, but I am speaking in general terms; generally they make some contributions to your committee?

Mr. Martin: I don't know how many postmasters there are. A good many of them make them; I would say that. Some of them.

Senator George: And they make them monthly; do they not?

Mr. Martin: Some of them monthly, and some annually.

Senator Harris: What percentage of your revenues is from postal employees?

Mr. Martin: Why, the greater part, or percentage.¹¹³

And, while Martin insisted these donations reflected postmasters' genuine desire to support the GOP, many of those who got federal jobs and made payments to the Republican Party were themselves Democrats – strongly suggesting genuinely political beliefs were not underlying their desire to contribute to the party.¹¹⁴ As Senator Brookhart noted, the Georgia GOP maintained permanent headquarters and paid staff – including Martin and Davis – year round, something he thought was unheard of in state politics at the time. Indeed, Brookhart concluded that “the only

¹¹¹ Ibid.

¹¹² Ibid., 36.

¹¹³ Ibid., 37.

¹¹⁴ Ibid., 47.

business, it would seem, that has developed here that kept them busy, is the collecting of these assessments from the postmasters.”¹¹⁵ The Brookhart committee also unearthed letters to Martin suggesting a clear connection between donations to the party and federal appointments. For example, one donor wrote Martin “inclosed [sic] please find free donation. I suppose everything is moving along all right. I have not received my commission yet. I suppose it will come on.”¹¹⁶

Indeed, according to the Brookhart committee’s findings, the Republican leadership received payments in exchange for job nominations from “the postmasters and practically all the other Federal officers appointed in the State of Georgia” in the 1920s. Like in Mississippi, these payments in Georgia were generally made up front – at the time of appointment – and directly to the party’s collection agents. However, the committee found that Davis and Martin would be flexible: “If it was impossible to secure a lump sum, then they resorted to a monthly payment proposition and the Federal officer was requested to pay a stipulated amount monthly to the treasurer of the State organization.”¹¹⁷ Records showed that some postmasters donated once, like the postmaster at Blairsville who contributed \$370 to the state GOP, while others donated the exact same amount every month over a considerable period of time. The postmaster at Hamilton, for example, donated \$12,50 every month to the Republican state committee through the entire year 1927, while the postmaster at Shellman made similar monthly payments of \$8.50.¹¹⁸

Once donated, the state organization laundered the money to party leaders in the form of wages or payment for expenses. Reportedly, Johnson received a monthly wage of \$250 to \$300 during his time as party chair, while Davis and Martin both received a monthly wage of \$250 – with additional payments to cover travel expenses. Annually, this would have made Davis and

¹¹⁵ Ibid., 63.

¹¹⁶ Ibid., 61.

¹¹⁷ *Influencing Appointments to Postmasterships and Other Federal Offices*, Senate Report No. 272, 3.

¹¹⁸ *Hearings Pursuant to S. Res. 193, Part 1*, 46, 65.

Martin roughly \$48,000 each in current day dollar value. Based on checks provided by Martin, the Brookhart committee found that the GOP state office in just one month in 1925 paid out \$1,600 in salaries – roughly \$26,000 in today’s dollars.¹¹⁹

Payments were required for reappointments as well. For example, the postmistress at Conyers secured her original appointment by providing an indirect payment of \$500 to the Davis machine – 5 percent of her four-year salary. At the end of her term, she was advised to contribute another \$500 to be nominated for a reappointment. After contacting a U.S. marshal and being informed that such a contribution was not required and that her record should easily allow her to keep her job, she did not make the donation. But quickly afterwards, the Conyers post office received notice that a search would begin for a new postmaster. Alarmed, the postmistress reached out to Pickett and arranged to pay another \$500.¹²⁰ Others paid considerably more. Indeed, the murder-suicide case surrounding postmaster L.R. Peterson revolved around him reportedly having to pay \$2,000 for his position. If correct, given that Peterson’s salary was just \$2,700 a year, over a five-year period he would have been forced to ‘contribute’ more than 15 percent of his earnings to GOP leaders in Georgia.¹²¹

Once the Brookhart’s committee investigation began to pick up steam in the spring of 1928, however, payments from the Republican state committee in Georgia began to decline. After the first public hearings on office selling in April 1928, disbursements declined. While the Georgia state GOP spent as much as \$1,686 in June 1926, by June 1928 – presumably due to the combination of legislation outlawing office sales and increased scrutiny – the payments were

¹¹⁹ Ibid., 114.

¹²⁰ *Influencing Appointments to Postmasterships and Other Federal Offices, Senate Report No. 272, 2.*

¹²¹ Note that Martin during his testimony in the Senate argued Peterson only donated \$100 to the state committee but was unable to tell whether he contributed any money to other people or organizations in the state. See *Hearings Pursuant to S. Res. 193, Part 1, 50.*

down to just \$672.¹²² Additionally, income appears to have dropped as well: on March 1, 1927, the state GOP's bank balance was over \$1,000, but by June 1, it was just \$477.

After his inauguration, Hoover quickly made it clear he would not follow the recommendations from either Davis or Pickett. Instead, Hoover selected his own local Republican leader – Josiah T. Rose, a White man and internal revenue collector in Atlanta. By spring 1930, Rose had allied with Pickett and formed a Lily-White faction recognized by Hoover. Indeed, by March 1930, the Brookhart committee's report concluded that office sales in Georgia had effectively ended:

Your committee is pleased to report that conditions have greatly improved in Georgia and the new organization handling patronage down there seems to have met with success. We have information from influential citizens of Georgia that the barter and sale of Federal offices has practically been eliminated.¹²³

South Carolina

While Republicans dominated in the first post-Civil War elections, after a period of considerable violence by terror groups against Black militiamen and voters, Democrats succeeded in regaining control of government in South Carolina state in 1876. With Republicans boycotting the 1878 elections – mostly with the goal of preventing further violence – Democrats ran uncontested in the gubernatorial election and won nearly all seats in the state assembly and senate. By the 1890s, Democrats began passing Jim Crow laws that almost entirely banned Black citizens from electoral participation. As a result, the South Carolina GOP failed to run candidates in gubernatorial elections as well as in many down-ballot races.¹²⁴

¹²² Ibid., 115.

¹²³ *Influencing Appointments to Postmasterships and Other Federal Offices, Senate Report No. 272, 3.*

¹²⁴ Heersink and Jenkins, *Republican Party Politics and the American South*, 298-301.

Instead of focusing on winning elections, the South Carolina Republican Party pivoted to patronage and national convention politics. In doing so, the party organization remained mixed-race throughout the remainder of the 19th century. Indeed, Black politicians strategically sought out White Republicans to ally with: as historian Willard B. Gatewood has argued, Black Republicans believed they had to “accept the existing repressive order and attract white men into the party who were willing to cooperate with Negroes in return for occupying the most conspicuous offices.”¹²⁵ By the early 20th century, Joseph W. Tolbert – commonly known as “Tieless Joe” (a nickname he, perhaps unsurprisingly, earned due to his refusal to wear ties) – had taken control of the state party. As V.O. Key Jr. described it, Tolbert’s party machine would come to revolve around “himself, a few other whites” – including his brother Robert Redd Tolbert – “and handpicked Negroes over the state.”¹²⁶

The Tolbert organization focused exclusively on selling offices and using its influence at national conventions for financial gain. To be sure, managing such a mixed-race organization was not without risk, as the Tolbert family faced violence and judicial prosecution by Democrats after trying to assist Black citizens in voting.¹²⁷ But controlling the state GOP at a time when Republicans held the White House was highly profitable for the Tolberts and their associates. While some witnesses at the Brookhart committee’s hearings described job applicants paying Tolbert directly, others indicated payments went through local Republican party leaders at the county level. The payments were presented as being necessary to cover campaign expenses. For example, James H. McCord – a postmaster at Hodges – stated under oath that Tolbert’s brother informed him in 1924

¹²⁵ Willard B. Gatewood, “Theodore Roosevelt and the Southern Republicans: The Case of South Carolina, 1901-1904,” *The South Carolina Historical Magazine* 70 (October 1969): 252.

¹²⁶ V.O. Key Jr., *Southern Politics in State and Nation* (New York: Knopf, 1949) 288.

¹²⁷ Heersink and Jenkins, *Republican Party Politics and the American South*, 302.

when my reappointment was pending [...] that the expenses connected with maintaining the Republican organization and assisting with the political campaign were too heavy for ‘us’ to bear alone and that ‘we’ believed postmasters who held their positions should assist in paying these expenses. It was insinuated that those who contributed would retain their positions and the impression was given me that I would meet opposition for reappointment and retention if I failed to contribute.¹²⁸

McCord testified that he paid Tolbert annually to retain his position, generally \$100 each year and sometimes \$50 – though in those years Tolbert reportedly “objected and stated I should do better than that.” In explaining the need for such ‘donations’ Tolbert stressed “the heavy expenses incident to the Republican National Convention, transportation of delegates to the convention and expenses connected with the presidential campaign.”¹²⁹ All told, McCord may have paid Tolbert \$450 over the period 1924-1928.

Testimony from other postmasters suggests that Tolbert’s machine could be quite flexible in how much it charged for different officers. A postmaster in Bowman reported that he paid \$250 in 1927 in exchange for his appointment and that this amount was “in line with what others had contributed.”¹³⁰ The postmaster at Parris Island reportedly negotiated with Tolbert that he was willing to pay \$100 a year as long as the postmastership came with a pay of \$2,500 a year – thus paying roughly the same as McCord had. But the postmaster at Society Hills reported he paid a total of \$150. Meanwhile, the postmaster at Gaffney – who was facing reappointment in 1926 – reportedly paid Tolbert \$500 in cash (in one payment) to keep his job, while the postmaster at Yonges Island paid \$750. The highest payment identified was for the postmaster position at Anderson, sold for \$1,250 (over \$20,000 in today’s money).¹³¹ These were just some of the many pieces of payment evidence the committee recovered.

¹²⁸ *Influencing Appointments to Postmasterships and Other Federal Offices, Senate Report No. 272, 11.*

¹²⁹ *Hearings Pursuant to S. Res. 193, Part 1, 247.*

¹³⁰ *Influencing Appointments to Postmasterships and Other Federal Offices, Senate Report No. 272, 11.*

¹³¹ *Ibid.*, 11-12.

To be sure, paying the Tolbert machine did not guarantee the appointment would actually come through. For example, the committee found that for the position of postmaster at Pageland one candidate, G.W. Kennington Jr., paid \$500 to one of Tolbert's associates, Parnell Meehan.

When the candidate failed to pass the examination necessary to be placed on the eligible list

he had a hard time getting his \$500 returned by Meehan, Meehan at first refusing to pay anything. However, at the point of a pistol Meehan paid Kennington \$200 back and then paid him monthly out of his salary until he had paid him \$490 of the money back. The committee has information that this office was then offered to one of the eligible on the list for \$800.¹³²

But without payment, appointments were highly unlikely to go through either. As an example of the consequences of refusing to pay the Tolbert machine, Rep. William F. Stevenson (D-SC) testified on a case in which a postmaster at a fourth-class post office in Ruby requested a transfer to a different position:

there was a vacancy on route No. 1. He applied to be transferred from the office to the route. I got an order for that transfer, and both the First Assistant and the Fourth Assistant concurred in that. After it had been ordered and before it went into effect it was held up. A man in my county who claimed to be representing the powers that be showed up and demanded \$150 from Mr. Graves as a consideration for the transfer; it could not go into effect until he paid it. Graves indignantly declined to pay it [...]. And another man was transferred. [...] In other words, Mr. Graves declined to pay, the other man that was anxious for the better route was charged with having paid \$150 and got it.¹³³

¹³² Ibid., 12. The committee's investigation also found a peculiar case surrounding the appointment of G.D. McKnight as a prohibition agent in South Carolina. The appointment is noteworthy because McKnight himself was known as one of the most active bootleggers in the area. Despite this, McKnight received support for his appointment from a broad array of actors – including the local mayor, District Attorney, and the sheriff of Berkely County. McKnight had previously been arrested for bootlegging but, despite the fact that ten distilleries and between 2,500-3,000 gallons of whiskey were seized as part of the investigation, no charges were filed. Once appointed prohibition agent, McKnight used his authority to raid competing bootleggers. McKnight testified that he had made payments to one "Mr. Seabrook" – another prohibition agent throughout the 1920s to prevent prosecution. The report did not connect Seabrook to the Tolbert machine. See Ibid., 12-19.

¹³³ *Hearings Pursuant to S. Res. 193, Part 1*, 262.

Tolbert never appeared before the Brookhart committee, but he was allowed to provide a statement. He did so, sworn and notarized, on May 10, 1929. Among other things, Tolbert made the following declaration.

I have never, directly or indirectly, sold an office for money or anything of value whatsoever, nor have I ever, directly or indirectly, authorized any person so to do, either on their own account or for me. I have never recommended anyone for office on condition that they would after appointment pay any money or other thing of value to me or to anyone for me or on my account. Any man who says the contrary is an unmitigated liar and the truth is not in him.¹³⁴

Despite Tolbert's claims of innocence, the collective weight of the evidence collected made the Brookhart committee come to a simple conclusion:

From testimony taken by the committee and summing up of the affidavits submitted with other testimony, it would indicate beyond a reasonable doubt that practically all the Federal office were placed on sale by J. W. Tolbert or through his representatives.¹³⁵

Texas

Following the Civil War, the Republicans controlled the Texas state government through the early 1870s. The GOP, however, lost their majorities in both the state senate and assembly in 1872, as well as the governorship the following year. By then, George Ruby – the leader of the Black Republicans in the state – left Texas and moved to Louisiana where he continued to support Republican candidates and Black causes.¹³⁶ One of Ruby's protégées – Norris Wright Cuney – then became the most important Black Republican leader in the state. Like Ruby, Cuney – who was born the son of Adeline Stuart, a Black slave, and her owner, Philip Cuney, a White planter and Democratic politician – would wield influence by working with White party

¹³⁴ Ibid., 761

¹³⁵ *Influencing Appointments to Postmasterships and Other Federal Offices, Senate Report No. 272*, 11.

¹³⁶ Carl H. Moneyhon, "George T. Ruby and the Politics of Expediency in Texas," in Howard N. Rabinowitz, *Southern Black Leaders of the Reconstruction Era* (Urbana, Illinois; University of Illinois Press, 1982), 366-378.

leaders.¹³⁷ However, unlike Ruby, Cuney would aspire to more – and by 1883, he had become the leader of the Texas state party.

Cuney remained in charge of the Texas GOP through 1897. Throughout his leadership, the GOP was a non-entity when it came to competing in elections. Cuney's GOP regularly refused to field a ticket for state-wide offices – with Cuney instead supporting fusion tickets, and in some cases even moderate Democrats.¹³⁸ Between 1882 and 1894, the GOP had zero state senators and its assembly membership was consistently in single digits.¹³⁹ In state-wide races, the party did little better, frequently winning less than a quarter of the vote and occasionally getting outpolled by third parties.

Texas was the first state to have an explicit Lily-White GOP coalition – founded in 1889 – and they sought to oust Cuney in order to create a state Republican Party that could actively contest elections.¹⁴⁰ Cuney held them off for years until he made the mistake of not endorsing William McKinley for the Republican presidential nomination in 1896. After McKinley's nomination and election, Cuney lost his RNC membership and was voted out as chairman of the state party convention. Several Lily-White Republicans – Robert B. Hawley, Cecil Lyon, and Henry McGregor – succeeded Cuney as GOP party boss, but they continued to work with Black Republicans in the state. Then, in 1920, Rentfro B. Creager came to power.

¹³⁷ Philip Cuney served as a member of the Texas state assembly and senate. He took particular interest in legislation intended to secure the rights of slave owners. He had several children with multiple slaves and died shortly after the end of the Civil War. See Douglas Hales, *A Southern Family in White and Black: The Cuneys of Texas* (College Station, TX: Texas A&M University Press, 2003), 3-14.

¹³⁸ “The Republican Programme in Texas,” *Dallas Morning News*, September 16, 1888; “Collector N.W. Cuney: His Views Fully Expressed on State Politics,” *Dallas Morning News*, February 13, 1892.

¹³⁹ Michael J. Dubin, *Party Affiliations in the State Legislatures: A Year by Year Summary, 1796-2006* (Jefferson, NC: McFarland & Company, Inc., 2007) p. 181.

¹⁴⁰ As or more important for the Lily-Whites was getting control of federal patronage. See Heersink and Jenkins, *Republican Party Politics and the American South*.

Creager was a lawyer, businessman, and former customs collector in Brownsville.¹⁴¹ He worked his way up through the GOP state organization and got his big break when he endorsed Warren Harding for president in 1920, when Harding was still largely an unknown. In time, he became close friends with Harding and used that relationship – and other political and personal relationships in politics – to secure firm control over executive patronage in Texas and delegate seating at the Republican National Convention. Creager, like Cuney before him, made no effort to contest elections in Texas, and thus protect his power base. As boss, he would be a more hard-core Lily White, seeking to push Blacks out of the party and otherwise marginalize them.

As Texas party boss, however, Creager was plagued throughout the 1920s by Rep. Harry Wurzbach (R-TX), a U.S. House member from the San Antonio area who supported a more Black-and-Tan party. Wurzbach, who was first elected in 1920, wanted his share of federal patronage, but Creager refused. They had countless battles over the decade, which Creager mostly won. Thus, for the Brookhart committee, Texas was different from Georgia, Mississippi, and South Carolina, in that this was a Southern state that *could* win a meaningful (in this case, federal) election. This influenced their proceedings, as they examined not only the state of the Texas GOP organization – and how they used executive patronage – but also whether they worked to support a serious and electorally active Republican Party.

In the course of their investigation of the Texas GOP, the Brookhart committee determined that Creager had built his party organization around a fund-raising system first created by Postmaster General Will Hayes in 1921.¹⁴² Creager's variation involved unsecured

¹⁴¹ For more on Creager, as well as his battles with Harry Wurzbach, see Paul Casdorph, *A History of the Republican Party in Texas, 1865-1965* (Austin: The Pemberton Press, 1965); Roger M. Olien, *From Token to Triumph: The Texas Republicans Since 1920* (Dallas: SMU Press, 1982); Wayne Thorburn, *The Republican Party of Texas: A Political History* (Austin: University of Texas Press, 2021).

¹⁴² Hays created the system to solve the Republican Party's recurrent financial problems. See Olien, *From Token to Triumph*, 19.

personal notes. The gist was that, initially, prospective office seekers would be urged to sign notes and thus promise to pay – via equal installments over a two-year period – sums ranging from \$25 to \$5,000. Taking on the note was ostensibly voluntary,¹⁴³ and the stated purpose of the payments was “in support and aid of the movement to strengthen the Republican Party in the State of Texas.” A copy of a blank note used for collection purposes in Texas was provided in the committee report.¹⁴⁴ It appears in Figure 1 below.

Figure 1: Copy of a Blank Note Used for GOP Collection Purposes in Texas

\$..... No..... Texas.....

In support and aid of the movement to strengthen the Republican Party in the State of Texas, and in consideration of similar subscriptions made and to be made by other persons for the same purpose, and in further consideration of the expenses and expenditures incurred and to be incurred in connection with and in support of such movement, and for other good and valuable considerations, receipt of all of which to my entire satisfaction is hereby acknowledged, I hereby subscribe and promise to pay to the order of R. B. Creager, chairman of the Republican State Executive Committee of Texas, at Brownsville, Tex., the sum of (\$.....) dollars, to be paid in eight (8) installments of \$..... each.

The first of said installments to be due and payable on the 1st day of..... 192....., and one such installment each three (3) months thereafter until the total amount of this subscription and note shall have been paid.

Each installment is to bear interest at the rate of 8 per cent per annum from maturity until paid.

In event of failure to pay any installment when due, the entire amount of this note at the time remaining unpaid, shall, at the election and option of the then holder thereof, become at once due and payable.

I further agree that in the event of default in payment of this note or of any installment thereof when due, as hereinbefore provided, and this note is placed in the hands of an attorney for collection, I will pay 10 per cent additional upon the principal and interest then due, as collection or attorney's fees.

Source: *Senate Report No. 272, 21.*

This system, per historian Roger M. Olien, offered the Republican Party obvious advantages:

It provided a continual flow of fund to support the permanent headquarters operation, and it did not interfere with fund-raising during political campaigns.

¹⁴³ As the committee noted in their report: “It is true that Mr. Creager had sent to the committee at his request letters from numerous appointees stating that they had not been compelled to contribute ... but [we] found that they had contributed, and if they had not in all probability they would never again have been recommended for office.” *Influencing Appointments to Postmasterships and Other Federal Offices, Senate Report No. 272, 21-22*

¹⁴⁴ See *Ibid.*, 21.

Moreover, it did not involve raising funds immediately after elections, when patronage decisions were made; and it thus deflect the recurrent charges that the party in power essentially extorted funds from federal officeholders and sold federal posts. The scheme would presumably work even when the party was out of power; still, it was wiser to solicit funds on the eve of national elections as long potential contributors, who were prospective federal employees, thought that the party's presidential candidate had a reasonable chance to win.¹⁴⁵

While Creager's initial scheme targeted office seekers, the committee determined that over time the majority of notes were secured from federal employees or those anticipating receiving an appointment. The committee's investigation uncovered that the of the 350 active notes, 242 of them were employees of the Post Office Department. And the scheme itself generated a significant revenue stream. The committee discovered that in the years 1921 through 1928 the Republican state committee took on 3,116 notes and received cash payments in the sum of \$165,170. And in 1929 alone, the GOP state headquarters in Texas collected almost \$43,000.

During its scheduled hearings, the committee took testimony from a number of individuals who signed such notes. One was Lloyd E. Hill, a former Major in the U.S. Army, who sought the postmaster appointment at Fort Worth. In May 1921, Hill discussed the matter with Creager's representatives, and it was determined that he would take on a note that would pay – over the course of several installments – \$1,200 total, which would cover a two-year period. The Fort Worth postmastership's salary was \$6,000 annually, so Hill's payment (should he receive the appointment) would correspond to 10 percent. Despite having endorsements from several Republican county and district officials, Hill did not receive the appointment.¹⁴⁶

The committee did not believe, however, that Creager was enriching himself directly from these note payments – which differentiated him from other GOP bosses in the South. As the committee stated in their report: “[We] do not claim that Mr. Creager solicit funds from Federal

¹⁴⁵ Olien, *From Token to Triumph*, 19.

¹⁴⁶ See *Influencing Appointments to Postmasterships and Other Federal Offices*, Senate Report No. 272, 19-20.

appointees for his own use as the national committeemen did in Mississippi and Georgia.”

However, the committee believed, based on various testimony received, that Creager benefitted *indirectly*. That is, Creager controlled the GOP state organization and made it known that he was the party “referee” for patronage in Texas; through these things, he claimed to have developed good relationships with men in power in Washington, DC. As a result, the committee argued, Creager received significant retainer fees for legal work done in Washington. For example, records indicated that Creager accepted a fee in the amount of \$80,000 from three wealthy Texans to represent them before the Internal Revenue Service against a charge of excess profits. It was thought that Creager accepted fees like this routinely “off the record” via a silent law partner in Houston.¹⁴⁷

As to whether the promissory-note scheme did indeed lead to the strengthening of the Republican Party in Texas, the committee was dubious. As was stated in the committee’s report:

Creager’s only interest in building up a two-party system in the State of Texas is to perpetuate himself in office as national committeeman of that State. Creager did everything he possibly could to defeat Congressman Wurzbach, the only Republican Congressman from Texas, and [we] believe that the sole purpose in his endeavor to defeat Congressman Wurzbach was to give himself absolute control of all Federal patronage in the State, which would better enable him through the distribution of public offices to retain his hold as leader of the State organization.¹⁴⁸

Indeed, the committee found that one way that Creager used the large fund collected from federal employees was to recruit and underwrite candidates to defeat Wurzbach. At other times, Creager altered the rules – like raising the filing fee to get on the ticket in one or more Texas counties – to try to push Wurzbach out of the race.¹⁴⁹

¹⁴⁷ Ibid., 32.

¹⁴⁸ Ibid., 20.

¹⁴⁹ Ibid., 22.

The committee also read into the record statements made in letters to Creager (or his Texas associates) that supported their argument. One letter was written by Majority Leader of the U.S. House, John Q. Tilson (R-CT), in March of 1926. The key portion of the letter was:

For all practical purposes, there is no Republican Party in Texas, except for the fourteenth district, which elects a Republican to Congress who stands by the Republican President and loyally helps to carry out the Republican program. It looks to use here in Washington that the remainder of the Republican Party in Texas is purely an organization for the purpose of distributing and enjoying the patronage of a Republican administration.¹⁵⁰

Another letter was written by Rep. William R. Wood (R-IN), chairman of the national Republican congressional committee. In it, he stated:

I have been endeavoring to assist, as much as possible, Republican organizations throughout the South. I fear, however, that the leaders and managers of the Republican organization in many States of the South and in your State are not desirous of having a real, militant Republican Party. It seems that those so-called Republican organizations are more desirous of the “leaves and fishes” than they are of Republican success based upon principles.¹⁵¹

The committee summarized their position as follows:

Both Congressman Tilson’s letter and Congressman Wood’s letter substantiate [our] contention that Mr. Creager’s main purpose was to run a pie-counter organization, distributing those Federal offices to parties whom he could depend on to deliver to him the delegates from the State of Texas to the national convention, and he had absolutely no interest in electing Congressmen or State officials.¹⁵²

Further testimony indicated that Creager actually worked to make sure that Republican Party candidates would *fail*, and that he often entered into arrangements with leaders of the Texas state Democratic Party to make this so.¹⁵³

¹⁵⁰ Ibid., 23.

¹⁵¹ Ibid., 24.

¹⁵² Ibid., 24-25.

¹⁵³ One letter the committee received was from Elmer S. Schlegel and others from Edinburg, Texas. It was dated February 20, 1929, and stated: “R. B. Creager, by manipulating the Republican State majority so that the Republican Party should not get the names of its candidates printed on the ballot and could not get their supervisors in the polls on election day, enabled the Democratic ring to control the last election and thereby perpetuate themselves. Most of the people feel that R. B. Creager is largely responsible for their present plight.” See Ibid., 25.

Separate from the committee report that he signed – and that Brookhart submitted – Senator McKellar filed his own report. While he said that Creager “created rather a favorable impression upon me,” McKellar stated: “I agree with Senator Brookhart entirely that Mr. Creager’s system of collecting money for party purposes in Texas was beyond the pale, and while not illegal, might well be prohibited by law.” At the same time, McKellar concluded with grudging respect: “Mr. Creager has adopted and used the plan openly and above board.”¹⁵⁴

The Aftermath of the Brookhart Committee

The Brookhart committee concluded its report with the following thoughts and recommendations:

Your committee believe that the practice of dispensing Federal appointments, as shown by this report and the evidence obtained in the investigation surrounding the barter and sale of Federal offices, should be abolished at once, and your committee condemn this practice as most reprehensible.

Your committee further recommend that the Department of Justice make a careful survey of the evidence obtained by your committee, and if the facts warrant, that they start proceedings against all persons who have violated the statute covering the barter and sale of public offices.

It is further recommended that the Federal corrupt practice act be amended so as to include any person soliciting funds from a Federal officeholder or Federal employee for political purposes, or for carrying on any organization work connected with any political organization, or accepting notes for such purpose from any Federal officer or Federal employee.¹⁵⁵

What was the result of the investigation (and report)? The investigation – notably the public hearings that were part of it – drew considerable media attention, and this made the Republican situation in the South such that the incoming president, Herbert Hoover, felt it was necessary to take swift action. He did not wait long after entering the White House.

¹⁵⁴ Ibid., 43.

¹⁵⁵ Ibid., 40.

On March 26, 1929, less than a month into his new administration, Hoover spoke on the matter of Southern GOP organization, in response to a press query: “It has been the aspiration of Republican Presidents over many years to build up sound Republican organization in the Southern States of such character as would commend itself to the citizens of those States.” He went on to praise the GOP leadership and vigorous organization in Virginia and North Carolina, before noting that “In other States including Alabama, Arkansas, Louisiana, Texas, and Florida, the Republican leadership has in recent times shown increasing strength and is now rendering able and conscientious service in maintaining wholesome organization under whose advice the appointments to public office have steadily improved and commended themselves to the citizens of those States with increased confidence in the party.”

At this point, however, Hoover’s mood darkened. The Brookhart committee had completed the first two parts of its investigatory hearings, and Hoover responded to the testimony gathered:

Recent exposures of abuse in recommendations for Federal office, particularly in some parts of the States of South Carolina, Georgia, and Mississippi under which some of the Federal departments, mainly the Post Office, were misled in appointments, obviously render it impossible for the old organizations in those States to command the confidence of the administration, although many members of these organizations are not subject to criticism. But such conditions are intolerable to public service, are repugnant to the ideals and purposes of the Republican Party, are unjust to the people of the South and must be ended. The duty of reorganization so as to correct these conditions rests with the people of those States, and all efforts to that end will receive the hearty cooperation of the administration. If these three States are unable to initiate such organization through the leadership of men who will command confidence and protect the public service, the different Federal departments will be compelled to adopt other methods to secure advice as to the selection of Federal employees.¹⁵⁶

¹⁵⁶ Herbert Hoover, Statement on the Reorganization of the Republican Party in the South. Maryc 26, 1929. Online by Gerhard Peters and John T. Woolley, The American Presidency Project <https://www.presidency.ucsb.edu/node/211022>

The next day, Postmaster General Walter Brown made clear Hoover's intention to go beyond his cautious conclusion and "not to recognize the national committeemen from Mississippi, Georgia, and South Carolina as the legitimate leaders of their state parties."¹⁵⁷ Some saw this move as a desire on Hoover's part to make the Southern GOP an exclusively Lily-White party,¹⁵⁸ but it was really about cleaning up abuse.¹⁵⁹ And the main patronage abusers were members of the Black-and-Tan faction, whether their leadership was Black (as in Georgia and Mississippi) or White (as in South Carolina). Senator Brookhart was described as "especially pleased with the views of the President."¹⁶⁰

Hoover designated two Lily-Whites to unofficially head up the Republican Party in Mississippi and South Carolina: J. Carl Hambright, a lumber merchant, and Lamont Rowlands, a wealthy business man, respectively. In Georgia, the party avoided an administrative purge by creating its own reorganization. Josiah T. Rose, a white collector of internal revenue and a member of the Black-and-Tan coalition, became the new unofficial party leader.¹⁶¹ Thus, even as the Brookhart committee continued with its work, Hoover and his aides had systematically moved against the alleged GOP patronage abusers in the South.

Thus, on March 18, 1930, shortly after the Brookhart committee's report was made widely available, President Hoover was asked in a press briefing about his thoughts on it. He responded:

I have asked the Department of Justice to consider the report of the Senate committee on Federal patronage in the South. As a matter of fact the report refers

¹⁵⁷ Donald J. Lisio, *Hoover, Blacks, and Lily-Whites: A Study of Southern Strategies* (Chapel Hill: University of North Carolina Press, 1985), 124. See also "Hoover Demands Reform of Party in New-Won South," *New York Times*, March 27, 1929, 1; "President Act to End Abuse of Patronage," *New York Herald Tribune*, March 27, 1929.

¹⁵⁸ See, for example, J. F. Essary, "Hoover to End Negro Control of Dixie G.O.P." *Baltimore Sun*, March 27, 1929, 1; "Mr. Hoover to the South," *New York Times*, March 27, 1929, 21.

¹⁵⁹ Donald Lisio argues that miscommunications on the Hoover administration's part were due to amateurish blundering and overly cautious (and thus ambiguous) language. See Lisio, *Hoover, Blacks, and Lily-Whites*, 123-27.

¹⁶⁰ See "Hoover Demands Reform of Party in New-Won South."

¹⁶¹ Ben Davis had earlier stepped down as leader, but stayed on as party secretary.

to incidents, men, and conditions which have already been cleaned up by the action I took on the 26th of March last. Under instructions to the various departments of the Government, a system has been established by which these reprehensible practices have been absolutely stopped and the system of purchase and sale of appointments, so far as it existed, has been ended. All Federal officials known to have engaged in such practices have either resigned or been removed.¹⁶²

Brookhart, though, was not satisfied. On June 5, 1930, he gained the Senate floor and spoke on the current conditions of patronage in certain of the States:

I am informed that the President has corrected the situation in Mississippi, Georgia, and South Carolina, but not in Texas. The referee in charge of those recommendations for appointment to Federal offices in Texas is Mr. R. B. Creager. I think he is the worst of all the leaders of that referee crowd, because he is smart, he is shrewd, and he has worked up a more scientific scheme of coercion in collecting money from Government employees than any of the other referees in the country.¹⁶³

But Hoover rejected Brookhart's arguments about Creager's guilt. He believed that Brookhart had developed a vendetta against Creager, based on the angry pushback that Creager made in the hearings and his criticism of the committee for uncritically believing the testimony of witnesses who had clear personal agendas. Moreover, as Donald Lisio notes, "Hoover had ordered a secret FBI investigation that failed to uncover evidence to substantiate the sensational corruption charges."¹⁶⁴ So, in the end, Hoover became convinced of Creager's innocence. His decision to keep the Lily-White Creager as party leader for Texas, however, gave more ammunition to those who believed that his administration sought to reorganize the GOP South in ways that would exclude Blacks from serious leadership positions in the party.

How did the Hoover-engineered changes in Mississippi, South Carolina, and Georgia work out? Unfortunately for Hoover, Perry Howard and Tieless Joe Tolbert would not step aside

¹⁶² Herbert Hoover, Statement on Federal Patronage in the South. March 18, 1930. Online by Gerhard Peters and John T. Woolley, The American Presidency Project <https://www.presidency.ucsb.edu/node/211669>

¹⁶³ *Congressional Record*, 70th Congress, 2nd Session (June 5, 1930): 10111.

¹⁶⁴ Lisio, *Hoover, Blacks, and Lily-Whites*, 170.

quietly, and they used their influence with Democratic senators and keen political skills to slow down appointments and undermine the new leaders' authority. And while it looked for a time that Rose would be able to unite various GOP factions in Georgia, he eventually stumbled due to poor political skills, personal scandals, and rear-guard challenges by powerful rivals.¹⁶⁵

Moreover, the corruption charges did not stick. Neither Ben Davis nor Tolbert were indicted because of insufficient evidence. And while Howard was indicted twice, he was acquitted each time. Thus, all three alleged patronage abusers were still active and seeking to regain their lost status. And Howard and Tolbert in fact benefitted from Hoover's perceived overreach of authority, as Black-and-Tan leaders in May 1932 were able to convince Republican national committeemen that "the president's reform was a very serious challenge to the autonomy and authority of the national committee itself... [and] that the sole authority to recognize and depose national committeemen resided with the Republican National Convention."¹⁶⁶ After some spirited discussions, with Hoover administration leaders pleading their case, the national committee recognized Howard and Tolbert as the legitimate leaders of their respective delegations.¹⁶⁷ Davis, on the other hand, had quietly worked various sides in Georgia and ultimately emerged as the individual national party leaders most trusted in a divided and dysfunctional state party.¹⁶⁸

¹⁶⁵ Lisio, *Hoover, Blacks, and Lily-Whites*, 123-27.

¹⁶⁶ *Ibid.*, 261.

¹⁶⁷ Theodore C. Wallen, "Chicago Sees Southern Rift on Patronage," *New York Herald Tribune*, June 9, 1932, 15; "2 Hoover G.O.P. Factions Lost Chicago Posts," *Washington Post*, June 11, 1932, 1.

¹⁶⁸ Lisio, *Hoover, Blacks, and Lily-Whites*, 265-66. See also "Georgia Lily Whites, Aided by Ben Davis, Win Contest," *Atlanta Daily World*, June 11, 1932, 1; "Ben Davis in Camp of 'Lily Whites' As Convention Opens," *New York Amsterdam News*, June 15, 1932, 1; "G.O.P. Spurns Hoover 'Lily-White Policy,'" *Pittsburgh Courier*, June 18, 1932, 1.

While Howard and Davis maintained their positions and were seated at the 1932 Republican Convention, Tolbert was the one ultimately left out.¹⁶⁹ While he won with the Republican National Committee, he lost with the credentials committee at the Republican National Convention. This occurred for a variety of reasons. He had run afoul of the Black community in South Carolina and the NAACP, as he talked up Black rights but too often failed to help Blacks in need and passed on them for important federal positions. Hambright had also worked hard to disavow his Lily-White image and had chosen four prominent Black Republicans for his rival delegate slate. All of this helped Hoover aides convince Black leaders at the convention and influential members of the credentials committee not to seat Tolbert – and seat Hambright instead – and they were successful. This allowed the Hoover administration “to save some face for its largely discredited southern reform program.”¹⁷⁰

Conclusion

The Brookhart committee’s investigation into patronage sales by Republican party officials in the American South in the 1920s represents a particular version of – what Broxmeyer defines as – “electoral capitalism.” In the traditional form of office selling, party bosses used their control over the nomination to federal offices to charge applicants money. In turn, they would use at least part of that income on expenses related to voter appeals. To be sure, these party bosses also benefitted from these sales themselves, but part of the strategic calculation of all involved was that party machines needed financial resources to ensure that their side would

¹⁶⁹ “Perry Howard Gets Mississippi Seats,” *Washington Post*, June 15, 1932, 2; “South Carolina Tolbert Group Loses Its Seats,” *New York Herald Tribune*, June 15, 1932, 8; “Hoover Group Wins Credentials Fight,” *New York Times*, June 15, 1932, 11.

¹⁷⁰ Lisio, *Hoover, Blacks, and Lily-Whites*, 264. Even this defeat did not keep Tolbert down long, as he sprang back four years later – when the Hoover administration was long gone – and led a Black-and-Tan delegation in its successful seating at the 1936 Republican National Convention. See W. A. War, “Credentials Committee Ignores 1932 Reform Move in the South,” *New York Times*, June 11, 1936, 18; “Negro Delegates From South Carolina Are Seated by Credential Group,” *New York Herald Tribune*, June 11, 1936, 7.

win future elections – and thus would be able to continue controlling patronage in the future. But no such considerations were at play in the South in this period. With Democrats fully entrenched through Jim Crow electoral rules (poll taxes, literacy tests, and so on) and the always present threat of violence, local Republican Party bosses had no illusions that they would be able to effectively compete in the region. Indeed, GOP organizations in the South often failed to even field candidates in elections.

As a result, the leaders of the Republican machines in South Carolina, Texas, Mississippi, and Georgia were presented with a set of perverse incentives: with their party in control of the White House, they were in de facto control of patronage division. And, since the state party had no real expenses, any income derived from patronage sales could go directly into their pockets. Party leaders like ‘Tieless Joe’ Tolbert, Perry W. Howard, Benjamin Jefferson Davis, and Rentfro B. Creager responded to these incentives by building intricate machines that forced job applicants to hand over large amounts of money for the privilege of being considered for a federal job. As the Brookhart investigation shows, these machines relied on a series of collaborators at different levels negotiating with job applicants or their representatives. While payment did not guarantee a job, many applicants were willing to pay as much as 18 percent of their expected earnings to be considered.

As a result, Republican party bosses in these states reaped tremendous financial benefits from this system: Tolbert regularly received hundreds of dollars for postmaster nominations, Howard (and his collaborator Risher) had more than \$800,000 in today’s dollar value stashed away at different Washington D.C. banks, and Creager parlayed his power and influence into well-paid contracts for his law firm. The incentive structure also – ironically – meant that each of these party leaders had a clear interest in keeping the Republican Party non-competitive at home:

while the GOP would need to win presidential elections for these leaders to maintain their power over patronage allocation, electoral victories in their home states only complicated the system by adding more players to the game. Indeed, in Texas, one of Creager's core goals was to defeat incumbent Republican U.S. House member Harry Wurzbach. Meanwhile, Democrats in these states largely encouraged the corrupt Republican party machines, as in their mind it reduced any future electoral threats against them.

The result was a system of corruption that was able to continue for decades in large part because nobody involved faced real electoral consequences: Republicans at the state level were not regularly running candidates for public office, and thus faced no reputational consequences, while Democrats at the state level were running unopposed and had no incentive to challenge the existing system. It was not until the massive media attention surrounding the murder-suicide of a Georgia postmaster connected to patronage sales in a presidential election year that national Republicans in Congress began to fear potential electoral consequences by allowing this system of Southern office sales to continue. Thus, the cases laid out here present not just a unique story of corruption in American history but also spotlight the broader question of electoral accountability in the United States: in areas where there are effectively no competitive elections, who can prevent abuse of power or government resources?