

JONATHAN M. DAVIS, FARMER IN THE STATE HOUSE

by

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PREFACE

Jonathan M. Davis was elected Governor of Kansas in 1922. He was a Democrat in a usually Republican state, he was a farmer, the first Governor whose principal occupation was farming, and his opponent was an editor-publisher as were Davis' three predecessors. This study is an attempt to account for the election of this farmer-Democrat and show what he was, what he stood for, and what he did. In this endeavor, an attempt is made to relate Davis to national and state political and economic factors and movements.

The first chapter lays the groundwork of agriculture and politics in the period when Davis was elected and served as Governor. The second, third and fourth chapters develop Davis' background, explain his election and outline his administration. The final chapter attempts to evaluate Davis.

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CHAPTER I

AGRICULTURE AND POLITICS, 1914-1924

Throughout American history, there have been recurring financial crises and resulting movements of protest. These protest movements had often been led by farmer-debtors. Prior to the Revolutionary War, there were protests by frontier farmers. In the Confederation period there was Shays' Rebellion, and in the 1790's there was the Whiskey Rebellion. The election of 1800 could be considered a farmers' protest and so could the election of 1828. After Jackson, there was agrarian unrest due to the Panic of 1837. In the 1870's there was the Granger movement, which was followed by the Populist Revolt in the 1890's. These expressions of discontent all came when a period of agricultural growth and speculation was followed by a depression. Farmers went into debt to expand and buy land and then, when the bottom fell out, they sought relief from their government or an end to economic discrimination.

By 1896, the national economy had recovered from the depression that started in 1893, and Populism died out soon thereafter. In 1907, there was a money panic but it was of short duration. Prior to the start of World War I, in 1914, American agriculture was in a favorable position. Reforms of the Progressive Era had eliminated many of the abuses of middlemen and, the farmer was receiving a good price for his products in relation to what he had to pay for his purchases. Conditions were so good that in future years, farmers became interested in

restoring "parity," this advantageous relation of prices paid to prices received that existed during the years from 1910 to 1914.

In the world war, Europe became occupied with fighting. Many agricultural areas became battlefields and there was a shortage of labor with an accompanying reduction in agricultural production. Greater demands were placed upon American agriculture and these demands were met. At first voluntarily, and after the United States entry into the war, with government stimulation, farmers increased their acreage under cultivation and their total production. At the same time there was a price increase, and because of the shortage of agricultural commodities, there was an increase in the ratio of prices received by the farmer to prices paid by the farmer. Table I¹ clearly indicates the increase in farm production as evidenced by the

¹Table I, Agricultural Production, United States, 1914-1925

Year	Number of farms in 1,000	Income in millions of dollars	Parity index	Mortgages in millions of dollars	Acreage in millions under cultivation
1914	6,447	6,036	98	4,707	910
1915	6,458	6,392	94	4,991	917
1916	6,463	7,747	103	5,256	925
1917	6,478	10,736	120	5,826	933
1918	6,488	13,467	119	6,537	940
1919	6,506	14,538	110	7,137	948
1920	6,518	12,600	99	8,449	956
1921	6,511	8,058	80	10,221	950
1922	6,500	8,575	87	10,702	943
1923	6,492	9,545	89	10,786	937
1924	6,480	10,225	89	10,665	931
1925	6,471	11,021	95	9,913	924

U. S., Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1957, (Washington D. C.: 1960). pp. 278, 283, 286.

increase in farm income, and an increase in the number of farms and in acreage planted; but also shows an increase in the parity ratio with an increase in mortgage indebtedness.

Table II,² shows the increase in production of crops, and Table III,³ shows the increase in production and price received for wheat. In the period shown by these tables, there was very little change in the number of farms or in acreage under cultivation, but there were

²Table II, Index of Gross Production of Crops, 1914-1925

Year	Index	Year	Index	Year	Index
		(1947-49=100)			
1914	75	1918	75	1922	76
1915	78	1919	76	1923	76
1916	70	1920	83	1924	76
1917	75	1921	71	1925	78

U. S., Bureau of the Census, Historical Statistics, p. 296.

³Table III, Wheat Production, Price and Acreage, 1914-1925.

Year	Production in millions of bushels	Price per bushel in dollars	Acreage in millions
1914	897	.975	56
1915	1,009	.961	60
1916	635	1.434	54
1917	620	2.047	47
1918	904	2.050	61
1919	952	2.163	74
1920	843	1.827	62
1921	819	1.030	65
1922	847	.966	61
1923	759	.926	57
1924	842	1.247	52
1925	669	1.437	52

U. S., Bureau of the Census, Historical Statistics, p. 297.

wide fluctuations in farm income, total production, wheat prices, and the parity index. There was a steady increase in capital value of mortgages until 1923. In addition, there was an increase in the percentage of farms mortgaged. In 1910, 33.2% of all farms operated by owners in the United States were mortgaged; in 1920, 37.2% were mortgaged;⁴ and in 1925, 36.1% of all farms in the United States were mortgaged.⁵ While there was little change in total acreage under cultivation, there was a shifting to "money" crops such as wheat as shown in Table III. As both Tables II and III indicate, there was a peak of production with no accompanying price rise in 1915, and a higher peak in 1919 which was accompanied by a rise in wheat prices and a peak in farm income.

Most of this increase in prices was due to a price support that was placed on wheat after the United States entry into World War I. Domestic consumption increased, but in particular, export of agricultural commodities increased. European agriculture recovered rapidly after the war, and the export of agricultural produce was decreased sharply. In May of 1920, the government ended the price support on wheat and all farm prices fell rapidly.⁶ The figures in the tables above reflect prices received at the farm. The prices at the markets show the same trends. At Milwaukee, in the summer of 1920, top-grade

⁴U. S., Bureau of the Census, Fourteenth Census of the United States: 1920. Agriculture, VI, Pt. 2, 21.

⁵U. S., Bureau of the Census, Census of Agriculture: 1925, I, 16.

⁶James H. Shideler, Farm Crisis, 1919-1923 (Berkeley: 1957), pp. 15-44.

wheat sold for \$2.94; by December of 1920 it was down to \$1.72; and by December, 1921, it was down to \$.92. Beef dropped from \$14.95 a hundred-weight in September, 1920 to \$7.31 in November, 1921. Cotton dropped from 37¢ a pound in July, 1920 to 13 and 14¢ in December, 1920. Corn followed the same pattern, dropping from \$1.82 a bushel in July, 1920 to \$.70 in December, 1920.⁷ This depression reached its nadir in 1921 and was felt at all economic levels in agriculture.

There were demands for remedies and remedies were offered from all farm areas. Actually, even in the prosperous times there had been some successful expressions of farmers' demands in farm organizations. In 1915, Arthur C. Townley set out to gain control of North Dakota through his Non-Partisan League. With his great ability as a drummer, he was able to sell thousands of farmers the idea of state-owned elevators, state inspection of grain, tax benefits, state insurance and rural credit banks. He not only got members but they each paid \$1.50 for the privilege of joining. In 1916, Townley's organization gained control of the Republican party via the primaries. His candidates won in the general election of 1916 and North Dakota was under Non-Partisan League control except for the holdovers in the State Senate.⁸ The Senate was able to block the League's program effectively although a few points of lesser importance were enacted.⁹

⁷Gilbert C. Fite, George N. Peek and the Fight for Farm Parity (Norman: 1954), p. 4.

⁸Dale Kramer, The Wild Jackasses, The American Farmer in Revolt (New York: 1956), pp. 144-66.

⁹Ibid., pp. 170-71.

Townley persisted and made organization drives into Minnesota. In the 1918 elections, the League did not carry Minnesota, largely because of pacifist and leftist charges against Townley and his candidate Charles A. Lindbergh, but in North Dakota the League swept into control of all departments of the government.¹⁰ Unfortunately, the League had almost too much power and some members resented Townley. The entire League program was enacted but, the League itself split and in 1920 it lost out at the polls. Townley remained on the scene but, the League was ineffective after 1921.¹¹ Pro-League sentiments persisted in Colorado, the Dakotas, Nebraska, Wisconsin, Iowa, Oklahoma, Kansas, Texas, Montana and Idaho which had been the scenes of organization efforts but, there was no body to channel this feeling.¹²

After the depression came, there were other attempts to rectify the condition to which the farmer had fallen. Some experts felt that the problem of over-production would be only temporary, that the natural population increase would yield enough new mouths to consume the surplus. Farmers themselves, with their lack of control over their markets have attempted to solve their dilemmas by producing more crops.¹³ This made things worse though, and one proposal, that

¹⁰Ibid., pp. 180-81.

¹¹Ibid., pp. 184-90.

¹²Theodore Saloutos and John D. Hicks, Agricultural Discontent in the Middle West, 1900-1939 (Madison: 1951), pp. 186-218.

¹³Fred L. Parrish, "Kansas Agriculture 1901 to 1930," in John D. Bright, (ed.), Kansas, The First Century (New York: 1956), II, 125.

of holding crops off the market also would not have had any effect because of the problem of control but, also because when the glut of the withheld commodity was released on the market, the price would again fall.

In all his dealings, the farmer was at a disadvantage. He sold in an open market where supply and demand had an effect, but he bought in a closed, controlled, protected market not too affected by supply and demand. He sold in a wholesale market and felt price declines suddenly, but the retail market he bought in was less immediately sensitive to price fluctuations. He bought F.O.B. Chicago and paid the freight from there, he sold in a nearby market and paid the freight to that market. All his dealings involved middlemen and he felt that they overcharged him. He was the last example of American individualism but he was pitted against corporate powers.

Another point should be made about the farmer's position and this was the changing role of taxation. In the Nineteenth century, wealth was in the form of tangibles such as land. The basis of taxation by the States therefore was land but late in the Nineteenth century, and into the twentieth century, the basis of wealth shifted from tangibles to intangibles. The burden of taxation was still upon tangibles, especially land. The farmer who had bought land in a prosperous speculative time was stuck with a mortgage that was all but impossible to pay with a low return on his produce, and in addition had to pay heavy taxes on the often inflated valuation of his land.

Voluntary schemes to restrict crop production were attempted, but these were ineffective because of insufficient controls and because

they did not cover a large enough area. In California, Aaron Sapiro had been very successful with cooperative marketing and he became a spokesman for this cause. However, a large measure of Sapiro's success was due to the specialty nature of the crops involved in California and this scheme was not very successful elsewhere.¹⁴

George N. Peek as President of the Moline Plow Company realized that he would be unable to sell plows and other implements unless farmers made enough to buy them. Unfortunately, the Moline Plow Company folded before farmers got enough money but Peek was independently wealthy and through the twenties led a fight to aid the farmers. He argued that manufacturers not only could charge the price that they liked but, behind a high tariff wall, they could "dump" their excess production abroad at lesser prices. Peek felt that the government should step in and aid the farmer with a tariff and allow him to sell at home in a protected market and dump the excess abroad. Thus, the farmer could produce more and more and receive a just return. Peek's plan came out in the McNary-Haugen Bills and in the McNary-Haugen movement.¹⁵

There were a number of established farm organizations that tried to work for agricultural aid. The Grange existed mostly for social purposes but was a voice for some farmers.¹⁶ The Farmers Union started in the South but spread, in 1900, into Illinois, Missouri and

¹⁴Shideler, Farm Crisis, pp. 99-104.

¹⁵Fite, George N. Peek, pp. 37-63.

¹⁶Saloutos and Hicks, Agricultural Discontent, p. 112.

Kansas. Under the lead of its President, Charles S. Barrett of Georgia, the Union was an effective voice of farmer protest. Its especial program was establishing the "cost of production" as a basis of agricultural prices. The farmer should receive his cost of production plus a reasonable profit. This is what corporations such as utilities did and it had a lot of appeal to farmers when it became cheaper to burn corn than to market it.¹⁷

John D. Hicks mentions the anti-monopoly legacy of populism that came out in the Farmers Union.¹⁸ The Farmers Union at times attacked capitalism itself.¹⁹ It opposed the state agricultural colleges and the county agents who taught and disseminated ideas of how to produce more at a time when producing less was the problem.²⁰ The Farmers Union represented the more radical midwestern farmer who was often the less efficient farmer. The Union at times welcomed the support of labor.²¹ The more efficient larger-scale farmers, who were more conservative, found their organ of expression in the American Farm Bureau Federation. This group got its start through the county agent system, and was the first powerful federation of small farm groups. From the start, the Farm Bureau was anti-radical, which meant that they accepted

¹⁷Ibid., pp. 220-32.

¹⁸ John D. Hicks, "The Legacy of Populism in the Western Middle West," Mississippi Valley Historical Review, XXIII, No. 2 (September, 1936), 125.

¹⁹ Saloutos and Hicks, Agricultural Discontent, p. 232.

²⁰Ibid., p. 229.

²¹Ibid., pp. 225, 252.

the glories of efficient production and opposed union with the forces of labor. Through its county agent ties, the Farm Bureau had connections in Washington, D. C. Its policies were similar to those of the administration.²²

None of these groups was as active politically as the Non-Partisan League but they were effective as protest agencies. They were all active in cooperative marketing and buying schemes but these certainly were not a solution to the distress of agriculture.²³

The federal government was not too responsive to farmer's needs. By late 1916, the government was turning to thoughts of war, and reform, including aid to agriculture, was no longer seriously considered. Through 1919, there was a concern with the war and then the peace. With the peace came the problem of demobilization, the problem of restoring "normalcy." Normalcy seemed to mean aiding business. After 1920, agriculture had a friend in Henry C. Wallace as Secretary of Agriculture, but the rest of the government, led by Hoover and Harding, while quite willing to aid business, felt that agriculture should restore itself naturally.

It should be mentioned that most people in and concerned with agriculture felt that its ills were only temporary. If some type of temporary and emergency aid could be secured, then the farmers could solve their own problems. Others however, felt that if business could work itself out without any government interference, (other than a

²²Ibid., pp. 255-85.

²³Ibid., pp. 238-52, 265, 285.

high protective tariff and a friendly Department of Commerce,) agriculture should do the same. Wallace was aware of the farmer's problems, but he was essentially too conservative to resort to any schemes that involved massive government action. He did in time come around to the idea of tariff aid and exporting of surplusses for agriculture, but there was a split in the administration and he was on the wrong side.²⁴

In the Congress, there were a group of midwestern representatives and senators who banded together in the Farm Bloc. This group worked openly and between party lines. They felt that not only was the farmer entitled to treatment equal to that given to other producers but, because the prosperity of agriculture was basic to national prosperity (agrarian fundamentalism) the farmer deserved something more from his government and he at least deserved parity. The Farm Bloc was allied with the Farm Bureau and consisted of from 25 to 30 Senators, and about 95 Representatives.²⁵ The Farm Bloc did secure the Emergency tariff of 1921 and agricultural duties in the Fordney-McCumber tariff of 1922, but for the most part all it achieved was "dust in the farmers' eyes."²⁶

There is a fairly good correlation between the decline of farm income and defeat of Republicans in Congressional races. In 1920, the nation was for the first time in a decennial census, more urban than

²⁴ Shideler, Farm Crisis, p. 266.

²⁵ Saloutos and Hicks, Agricultural Discontent, pp. 321-24.

²⁶ Fred A. Shannon, American Farmers Movements (Princeton: 1957), p. 86.

rural, in terms of people living in centers of population of over 2,500.²⁷ Also for the first time, a higher percentage of those over ten years of age and gainfully employed, were found in manufacturing than in agriculture.²⁸ These figures would tend to limit the effect of farm income and the farm vote on Congressional elections, but the relation of voting to agricultural prosperity was more pronounced in the areas that were more rural than urban and where more people were engaged in agriculture than in manufacturing.²⁹ Table IV³⁰ shows the strength of the Democratic Party in national elections, and if compared with Tables I through III,³¹ the relation of Democratic strength to farm weakness is apparent.

²⁷U. S., Fourteenth Census, III, 15. 49.6% rural.

²⁸Ibid., IV, 52-53. Manufacturing accounted for 32.9%, agriculture for 29.8%.

²⁹Saloutos and Hicks, Agricultural Discontent, pp. 188-90, 346-51.

³⁰Table IV, Strength of Democratic Vote, United States, 1914-1924.

Year	Percentage of Popular Vote for President (Two-Party)	Number of Senators (Total of 96)	Number of Representatives Elected (Total of 435)
1914	....	56	230
1916	51.7	53	216
1918	....	47	190
1920	36.1	37	131
1922	....	43	205
1924	29.0*	39	183

*Percentage of three-party vote.

U. S., Bureau of the Census, Historical Statistics, pp. 685-87, 691.

³¹Supra, pp. 2, 3.

The Presidential elections all came in good years for agriculture, and the Senatorial figures were misleading since only one class of Senators was elected at each biennial election, but the increase in 1922 was significant. The figures for the House of Representatives indicated a relation of low farm income to Democratic voting strength. In the agriculturally depressed middle-west in particular, a more pronounced Democratic resurgence was apparent. In the elections of 1922, in the nine states that Hicks called the "western Middle West;" (North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Missouri, Wisconsin, Illinois and Kansas) farmer, progressive, anti-administration or Democratic candidates were elected in five out of five Senatorial races, and in four out of six Gubernatorial races.³²

The conservatives still held control of the Administration and were able to prevent any effective aid for agriculture. At the same time, the Farm Bloc was able to prevent enactment of some legislation desired by the administration. By 1924, the whole economy had recovered and although agriculture was lagging behind, it was improving and could not effect much in government. Between the 1922 and 1924 elections, there were farm movements that might have led to another agrarian revolt in a third-party, but the rise in farm income negated these movements by the 1924 elections.³³

³²Saloutos and Hicks, Agricultural Discontent, pp. 346-50; and Shideler, Farm Crisis, pp. 221-29.

³³Shideler, Farm Crisis, pp. 230-242.

In Kansas, agriculture was affected by the War in much the same manner as the nation as a whole, but to a greater degree. In 1920, Kansas was 65.1% rural,³⁴ and 42.8% of its people were engaged in agriculture.³⁵ Thus any effect of agriculture upon government and politics would be more pronounced in Kansas where the economy was more dependent upon agriculture than in the nation as a whole. Kansas had been the home of the Populist uprising but this died out as a major factor by 1900, and prior to World War I, Kansas agriculture was in a good position. Kansas responded to the demands of the war with more fervor than the rest of the nation. The United States as a whole increased its wheat acreage by 50%, Kansas nearly doubled her acreage and harvested nearly twice as much wheat as ever before.³⁶ Kansas felt a spectacular rise in the value of her farm income as shown in Table V.³⁷

³⁴U. S., Fourteenth Census, VI, Pt. 2, 725.

³⁵Ibid., IV, 52-53.

³⁶Saloutos and Hicks, Agricultural Discontent, p. 91.

³⁷Table V, Farm Income, Kansas, 1914-1926.

Year	Income in millions of dollars	Year	Income in millions of dollars
1914	377	1921	351
1915	343	1922	357
1916	371	1923	385
1917	507	1924	502
1918	592	1925	419
1919	747	1926	469
1920	699		

Kansas had a production high in 1914, a peak in 1919, and a collapse in 1921. Accompanying the rise in farm income was a rise in mortgages. In 1910, 44.3% of all owner operated farms in Kansas were mortgaged, and in 1920 the figure was 45.4%.³⁸ In 1925, 46.5% of all owner operated Kansas farms were mortgaged.³⁹ Kansas was affected by the drop in prices. The prices cited above for agriculture nationally apply equally to Kansas, but again since a greater percentage of her citizens were engaged in agriculture, and since in Kansas the speculative boom reached greater heights, the effect on the economy wrought by the drop in prices was greater.

Kansas was active in all the agitation over agricultural problems. The Non-Partisan League had made organization drives into Kansas, but did this for the most part after it had started to decline. In addition, the Non-Partisan League was successfully identified with radicalism by the Republican press and there were a few outbreaks of violence in conjunction with its organization efforts.⁴⁰ The Farmers Union was highly successful in Kansas. Throughout the twenties it had a membership of over 120,000.⁴¹ The Farmers Union was especially active in cooperative schemes, it operated elevators, conducted markets, sold insurance and even set up its own bank.⁴²

³⁸U. S., Fourteenth Census, VI, Pt. 2, 725.

³⁹U. S. Agricultural Census, 1925, I, 22.

⁴⁰Topeka Capital, January 3, 21, 1921.

⁴¹Saloutos and Hicks, Agricultural Discontent, p. 225.

⁴²Ibid., p. 244.

The Grange was still active in Kansas, but again it was primarily a social and educational body; also it did not favor government intervention in agriculture.⁴³ Most of the counties in Kansas had county agents and there were a number of county farm bureaus with a certain amount of power. But, the Farm Bureau was allied with business, banks, the railroads, and was too conservative to bring about much in the way of aid to agriculture. For the most part they offered a chance for conservative politicians to throw a sop to the farmers. In Kansas, Arthur Capper, owner of the Topeka Capital, and a leading figure in Kansas Republican politics, worked with the Farm Bureau people in the Farm Bloc. Even their limited proposals were too much for the National administration.⁴⁴ The State government in Kansas reflected the National government in its response to the plight of the farmer. The 1921 legislature went on a spending spree and increased rather than reduced taxes.⁴⁵ Henry J. Allen, Governor from 1919 to 1923 was noted for his opposition to labor and his support of the law creating the Kansas Court of Industrial Relations. This court was to limit strikes and industrial disturbances through compulsory adjudication of industrial disputes.⁴⁶

⁴³Shannon, American Farmers, pp. 86-87.

⁴⁴Ibid., p. 86.

⁴⁵Topeka Capital, January 6, 1920.

⁴⁶Ibid., March 22, 1921.

Kansas elections also showed a relation of farm income to Democratic strength, and since Kansas was almost two-thirds rural in 1920 and had almost half of her population engaged in farming, the effect of a decline in farm income can be taken to be more direct upon voting.

It is hard to deduce any pattern from the data presented in Table VI.⁴⁷ Kansas showed an increase in Democratic voting strength in the election of 1922 after the low point of farm income in 1921, but although in the western Middle West, there was a decided trend

⁴⁷Table VI, Strength of Democratic Vote, Kansas, 1914-1924.

Year	1914	1916	1918	1920	1922	1924
Percentage of popular vote for President (two-party)	....	53.2	....	33.2	....	23.6*
Number of state Legislators (total of 125)	49	37	15	12	30	33
Number of Representatives elected (total of 8)	6	5	1	0	1	2
Percentage of popular vote for Governor (two-party)	30.6	33.0	30.7	39.3	50.9	27.7*
Number of state Senators elected (total of 40)	....	9	....	2	....	8

*Percentage of three-party vote.

Kansas, Secretary of State, Biennial Reports, XIX-XXIV, 1915-1925.

away from the Republicans, in Kansas, in the state and national elections for representatives, there was only a slight increase in Democratic strength. However, on the national scene where agriculture must have had a lesser effect there was an increase in the Democratic strength in the House to 205 out of 435 members. In Kansas, the judiciary and all but one state office went to the Republicans in 1922.⁴⁸ However, the Democratic "dirt farmer," Jonathan M. Davis, won election as Governor.

⁴⁸Kansas, Secretary of State, Biennial Reports, XXIII, 69-80.

CHAPTER II

EARLY LIFE AND POLITICS

Jonathan M. Davis was born in a log cabin three miles north of Bronson, in Bourbon County, Kansas, on April 27, 1871. His family background was Scotch-Irish from Pennsylvania, and he was descended from James Barclay, a Revolutionary War soldier, along with Adlai Stevenson and Alben Barkley. The Davis farm had grown from the original homestead of his father and as Davis was growing, a community named Eve, after his mother, developed with a church and school. He attended this little country school and was something of a scholar. He was brought up in the Cambellite faith but in his teens he switched to the Methodist church.¹

In 1890, Davis went to the University of Kansas to study law under James Canfield. In 1892, Canfield left the University of Kansas for the University of Nebraska and Davis followed, by request. At Lincoln, Davis worked in a law office doing odd jobs and sweeping up for his keep. He became acquainted with Charles Lord, a neighbor and political associate of William Jennings Bryan. Lord managed Bryan's 1892 campaign for Congress and Davis participated in the campaigning.²

¹Interview with Mrs. Dewey Z. McCormick, May 11, 1962; and manuscript material on Davis at the Kansas State Historical Society, Topeka. (Hereafter: KSHS).

²Interview with Mrs. McCormick; and Milton Tabor, "Administration of Governor Jonathan M. Davis," in William E. Connelley, (ed.), History of Kansas, State and People, (Chicago: 1928) II, 808-10.

In 1893, his father, Jonathan M. Davis Sr., died and Davis had to leave his law studies and go back to Bronson to run the farm. The senior Davis had brought Democracy with him from Pennsylvania and although an often unsuccessful Democratic candidate for the State Legislature and the national Congress, he served for many years on the Board of County Commissioners of Bourbon County.³

Davis set out to run the family farm but he hoped to return to his studies. He was a good student and even had an offer from the University of Kansas to teach Latin and Greek. In 1894, Davis married Mollie Purdom, the daughter of a Bronson banker. Shortly after his marriage he ran for the state Legislature as a regular Democrat but finished a poor third behind a Republican and a Populist; the vote was 1270, 1237 to 278 for Davis.⁴

From just before their marriage until they left for Topeka in 1923, Mrs. Davis was a correspondent from Eve for the Bronson Pilot. The Bronson paper was quite aloof from politics but Mollie reported on her husband's travels. In the 1890's, Davis was for the most part occupied with the farm. His father had acquired his additional holdings through mortgage purchases, and Davis was saddled with quite a task to make the farm pay, especially in the depressed conditions of the 90's. The Bronson Pilot column from Eve tells of many trips around nearby communities buying and selling stock and supplies.⁵

³ Interview with Mrs. McCormick.

⁴ MS at KSHS; and Fort Scott Tribune, November 16, 1884.

⁵ Bronson Pilot, passim, 1894-1899.

In 1896, Davis did not run for office himself, but was quite active in support of Bryan for President. There are a few references to his attendance and speeches at Silver Rallies. The Democratic-Populist Fusion ticket carried the county.⁶ In 1898, there was a reference to Davis making a speech but, he again abstained from the political wars as a candidate.⁷ In 1899, Davis had the honor of being appointed Postmaster at Eve. In later years he bragged about his having been a "McKinley appointee."⁸

In 1900, Davis again campaigned for the state legislature. He was active that year in Democratic Party affairs, attending the state convention and the national convention at Kansas City.⁹ Press coverage was rather limited, but the Fort Scott Tribune, a Republican paper mentioned Davis' attendance at a Bryan rally and in spite of this, supported him because of his father.¹⁰ He defeated his Republican opponent 1,413 to 1,363 although McKinley carried the county by 800.¹¹ The election was contested, and since another contested election had been decided in favor of a Republican, it appeared that Davis might not represent the district at Topeka, but he was seated in the House in 1901.¹²

⁶Ibid., October 22, 29, 1896. . . .

⁷Bronson Record, October 27, 1898.

⁸Interview with Mrs. McCormick.

⁹Bronson Record, May 24, July 5, 1900.

¹⁰Fort Scott Tribune, October 25, November 1, 1900.

¹¹Ibid., November 8, 1900.

¹²Ibid., February 21, 1901.

The Kansas Legislative Journals did not contain a full report of debate, so it was difficult to establish Davis' legislative record. However, explanations of votes, bills introduced, and petitions introduced were reported. In 1901, Davis' first session, evidences of his dedication and public service were apparent. He missed only two sessions, and these by leave.¹³ He introduced four bills: one to take road building powers away from County Commissioners; one to restrict the printing of forms by counties; one to repeal a bill that had established a city court in Fort Scott; and one to regulate corporations.¹⁴ He presented a number of petitions in support of the city court bill and the road bill. The road bill was passed and became law.¹⁵ Davis explained a vote against a change in the Textbook Law as the new law merely provided that all five textbook commissioners would be Republicans, and therefore so would the books they might choose.¹⁶ He voted in favor of a bill to regulate railroads saying that it was better than nothing.¹⁷

Davis did not run for office in 1902. At that time, he was the father of three children, a boy and two girls; and the Little Osage Stock Farm with over 1,700 acres was a task to manage. Davis raised Percheron horses, shorthorn cattle and Poland China hogs. The little

¹³Kansas, House Journal, 1901, p. 263.

¹⁴Ibid., p. 120.

¹⁵Ibid., pp. 265, 508, 547, 667, 822.

¹⁶Ibid., pp. 1083-84.

¹⁷Ibid., pp. 1144.

community at Eve was very active. There were always five or six families at the Davis farm helping out, and there were a number of community social events. Davis' daughter said that her father supported the little country church and that without him it would have ceased to exist. His daughter stressed that Davis was a very successful farmer, but that he often loaned money or stock to men working at his farm so that they could start on their own farms. Unfortunately, many of them were not so lucky and many of these loans were never repaid.¹⁸

In 1904, Davis was back in the race, but lost the contest for the state Legislature 1,242 to 1,114.¹⁹ In 1906, Davis ran again. One issue in the campaign was the question of railroad passes. The railroads were in the habit of providing free passes to delegates to state party conventions. Davis did not accept his free pass, although he did attend the Democratic State Convention. The Republicans from Bourbon County were not so fastidious, they accepted passes from a railroad that had its property valuation lowered by \$26,000 in 1905 when all other valuations were raised ten percent.²⁰ Davis campaigned in opposition to the free passes, in favor of lowering railroad passenger fares to two cents per mile, and on his record of securing repeal of the County Road Law, that had allowed County Commissioners to expend revenues without referring the matter to the voters and

¹⁸ Interview with Mrs. McCormick.

¹⁹ Fort Scott Tribune, November 16, 1904.

²⁰ Fort Scott Tribune-Monitor, May 1, 1906.

taxpayers. The election night count apparently showed that Davis had lost by six votes, but the official count certified him to the state Legislature 1,170 to 1,152.²¹

The nation was at this time in the throes of Roosevelt Progressivism and Kansas was having her "Progressive lurch." The "Boss-busters" led by Walter R. Stubbs gained control of the Republican Party and in 1906, Edward Hoch was elected to his second term as Governor. He proposed a number of liberal reform measures to the Legislature in 1907.²²

In the 1907 Legislature Davis was appointed to the Ways and Means Committee and the Mines and Mining Committee.²³ He was nominated and defeated for election as Speaker pro tempore, and nominated William A. Harris for the United States Senate but, Harris was also defeated.²⁴ In this session, Davis proposed a number of bills that would have regulated the railroads, but most of these were reported unfavorably by the Railroads Committee headed by William Y. Morgan, his 1922 opponent. Morgan's committee recommended "no passage" on a bill to require railroads to install telephone booths in their depots, and on another to make railroads provide daily freight and passenger service. Davis was successful in securing passage of a bill to require railroads to provide double-decked stock cars for sheep.²⁵ Instead of a

²¹Ibid., November 3, 10, 1906.

²²William Frank Zornow, Kansas, A History of the Jayhawk State, (Norman: 1957), pp. 212-14.

²³Kansas, House Journal, 1907, pp. 87-88.

²⁴Ibid., pp. 25, 140.

²⁵Ibid., pp. 18-19, 101, 110, 581.

two cent fare, the Legislature passed a bill providing for a three cent fare and a two cent fare on 1,000 mile tickets. Davis protested this as discriminatory and mentioned the presence of the General Passenger Agent of the Santa Fe railroad, in the lobby.²⁶

Davis introduced a bill to define and tax express companies and a Senate version became law. He secured passage of a bill to establish a High School at Hiatville.²⁷ He presented petitions in favor of stricter enforcement of the Prohibitory Law and introduced legislation to prohibit C.O.D. shipment of liquor, but there was no action taken.²⁸ He was successful with a bill to allow cities of over 500 population to dispose of parks, and with a motion that there be a convention to propose amendments to the Constitution.²⁹ He was unsuccessful with bills to prevent political contributions by banks, to provide for a per capita tax, to allow permanent voter registration, and to set up a State School Book Commission that would print books, at cost, for the pupils of the state. All these proposals were killed in committee.³⁰ The last, for a state School Book Commission became a pet of Davis', and he worked for it until he was successful.

The 1907 session of the Legislature followed a number of Hoch's recommendations. A maximum freight-bill, an anti-pass bill, and a tax-commission bill all were enacted, but the Governor's recommendation of

²⁶Ibid., p. 1110.

²⁷Ibid., pp. 110, 261, 485, 519.

²⁸Ibid., pp. 284, 1160.

²⁹Ibid., pp. 85, 162, 324, 894.

³⁰Ibid., pp. 435, 453, 479, 500, 612, 661, 714.

a Primary Law and the two cent fare failed. The Governor threatened a Special Session, but the railroads adopted the two cent fare to forestall this move. Hoch then called a Special Session in January, 1908 in order to secure a Primary Law and a Bank Guarantee Law.³¹

In this Special Session, Davis was again on the Ways and Means and Mines and Mining Committees.³² He introduced three bills, one to require railroads to provide telephone booths, one to require railroads to provide daily passenger and freight service, and one to repeal a law that allowed peremptory challenges of jurors that had formed an opinion about the case at hand. He favored repeal of this bill as it was so worded that it could delay trials at great cost to the taxpayer. All three bills were killed in committee, and the hand of William V. Morgan as chairman of the Railroad Committee was evident in the death of the first two.³³ The Session enacted the Primary Law and the law which insured bank deposits.³⁴

In 1908, Davis ran again and campaigned again on free passes, the two cent fare, and his record. He won reelection in a close race by 1,279 to 1,247.³⁵

Stubbs and his reformers came back in stronger control of the Republican Party, because of the new Primary in 1908. Stubbs was

³¹Zornow, Kansas, p. 214.

³²Kansas, House Journal, 1908, pp. 8-9.

³³Ibid., pp. 52, 63, 105.

³⁴Topeka Capital, January 31, 1908.

³⁵Fort Scott Tribune-Monitor, November 11, 1908.

elected Governor, and he called for a broad reform program from a Legislature that was largely progressive.

In the 1909 session, Davis was a member of the Ways and Means Committee, the Penal Institutions Committee, the Judicial Apportionment Committee, and was Chairman of the Engrossed Bills Committee.³⁶ Early in the session he presented a Resolution that a committee to draft an Anti-Lobbying Bill be established, and he was named a member after the committee was established. His bill to register lobbyists and regulate their activities was killed by this committee.³⁷ Davis again introduced some bills in regard to railroads, one to reduce passenger fares to two cents a mile, one to require safety equipment, and one to limit free passes, but these were all assigned to the Railroad Committee headed by W. Y. Morgan and were all killed.³⁸ His bill to require all corporations except railroads and farms to pay wages twice a month instead of every Friday was amended to allow payment for the second half of the month on the second Saturday of the next month, and was killed by the Committee of the Whole in this form.³⁹

Davis tried again on some other bills, one to set up a per capita tax, one to prohibit political contributions by banks and one to repeal peremptory challenges if a juror has formed an opinion. As in

³⁶Kansas, House Journal, 1909, pp. 68, 86, 103, 112.

³⁷Ibid., pp. 52-53, 94, 126.

³⁸Ibid., pp. 114-15, 361, 553, 640, 1008.

³⁹Ibid., pp. 134, 272, 662.

the 1907 session, these bills were killed in Committee.⁴⁰ He was successful in securing passage of an award to a guard at the Osawotomie Asylum who had been injured by an inmate, and in securing passage of a law to establish a bounty on crows.⁴¹ He called for an investigation of railroad practises of charging to Kansas City, Missouri for stock that was actually carried only as far as Kansas City, Kansas, and an investigation of the purchase of new furniture for the House chamber at a time when money was scarce. Both these resolutions failed, but Davis did register a protest over paying Crosby Brothers for the furniture.⁴² This session secured the Bank Guarantee Law, reduction in freight rates, publicity for campaign contributions, and an appropriation to build a Memorial Hall for soldiers and sailors of the Civil War. A Woman Suffrage Amendment failed as did Stubb's bill to prevent the overcapitalization of public utility stock.⁴³

In 1910, Davis ran again for the State Legislature, and was not opposed in either the Democratic Primary or the General Election.⁴⁴ In the 1911 session, Davis was again on the Ways and Means and Mines and Mining Committees, and served on the Immigration Committee too.⁴⁵ Stubbs was reelected Governor, and he carried on a battle with the Legislature controlled by his Republican party. Davis sat on the

⁴⁰Ibid., pp. 134, 240, 282, 419, 554.

⁴¹Ibid., pp. 215, 235, 300, 512, 652, 802, 969.

⁴²Ibid., pp. 100-102, 871-73, 1034.

⁴³Topeka Capital, March 13, 1909.

⁴⁴Fort Scott Tribune-Monitor, August 9, November 15, 1910.

⁴⁵Kansas, House Journal, 1911, pp. 25, 47, 56.

sidelines and introduced resolutions that upbraided the Governor for political interference in legislative affairs and reminded him of his item veto over excessive appropriations. The House passed these resolutions.⁴⁶ Davis voted for what he felt were excessive appropriations, but again reminded the Governor of his item veto.⁴⁷

He presented a few of his old favorites again; the two cent fare bill, the State School Textbook Commission bill and a railroad safety bill, but these were again killed in committee.⁴⁸ Davis supported a number of Progressive reforms such as recall, direct election of Senators and a Presidential Preferential Primary commenting that this would "let the people rule."⁴⁹ All these proposals were either tabled or killed. He favored the creation of the Public Utilities Commission, but felt that it should be elective and that its members should be paid less. He supported a measure to limit the holding of state offices by members of the Legislature, but said that it was too limited. He backed the Workman's Compensation Law as a needed measure, but voted against submission of a jury trial amendment to the Constitution as he felt that a tax amendment was more important.⁵⁰

⁴⁶ Ibid., pp. 257-58, 760-61.

⁴⁷ Ibid., pp. 987, 991, 1007.

⁴⁸ Ibid., pp. 6-27, 241, 252, 370, 387, 519-20.

⁴⁹ Ibid., pp. 187, 235, 627.

⁵⁰ Ibid., pp. 419, 767, 867, 925. The legislature could only submit two amendments per session.

The Legislature was paid only \$3.00 a day as fixed by the Constitution but, Legislatures were in the habit of supplementing this with allowances for postage and telegrams. Davis voted against an allowance of \$25.00 per member saying that they were underpaid but, that it was a matter for the people to rectify in the Constitution, "Postal expenses [were] not a legislative right."⁵¹ He offered a number of petitions against Sunday baseball, and others favoring an independent board to examine osteopaths.⁵² He introduced a measure to punish the owners of dogs that worried sheep, and this became law. Another bill to allow farmers along a section line to petition for a road was killed in committee.⁵³ His bill to establish rates of bond for executors and administrators of estates was passed by the House but died in the Senate. A Habitual Criminal Act sponsored by Davis was killed in the House.⁵⁴ The House passed his bills to repeal a law that allowed cities and counties to sell their railroad bonds to decrease their bonded indebtedness but the Senate took no action. The following bills that he introduced were killed by committee: one to set attorney's fees if a corporation is involved in a case; one to create a State Fair Board; one to limit bonded indebtedness in first-class cities; one to create State Normal Schools; one to repeal an act requiring registration of stallions with Kansas State Agricultural

⁵¹Ibid., p. 971.

⁵²Ibid., pp. 2, 119, 166, 179.

⁵³Ibid., pp. 67, 79, 94, 96, 153.

⁵⁴Ibid., pp. 93, 133, 311, 504, 814.

College; one to make railroads liable for fires caused by their engines; one to regulate lobbying; and one to prevent cancellation of unexpired fire insurance policies in the case of loss or damage.⁵⁵

This session saw the ratification of the Federal Income Tax Amendment, and the enactment of "blue sky" laws to provide for state inspection of all stock to be sold in Kansas. The Legislature submitted a Woman Suffrage Amendment.⁵⁶

In 1912, with the experience of four terms in the Legislature to his credit, Davis entered the race for the state Senate. In the 1911 Legislature his proposal for a Constitutional Amendment to provide for direct election of United States Senators had not been adopted, but the Primary Law of 1911 had provided that Legislative candidates should state that they would vote in the Legislature for their party's primary choice for the United States Senate, or that they would consider this primary choice merely a recommendation. Davis filed for election under the first statement, that he would vote for his party's primary nominee. He campaigned on his record, for a State Textbook Law, for an anti-lobbying law and against postage graft in the Legislature.⁵⁷ Davis won election to a four year term by 2,429 votes to 2,063.

⁵⁵Ibid., pp. 155, 211, 267, 269, 304, 306, 327, 402, 512, 579.

⁵⁶Topeka Capital, March 14, 1911.

⁵⁷Fort Scott Monitor-Tribune, May 7, October 29, 1912; and Bronson Pilot, November 1, 1912.

Shortly thereafter, he was mentioned as a possible Gubernatorial candidate for 1914.⁵⁸

The Kansas Senate in 1913 was controlled by the Democrats 21 to 19, the Governor was a Democrat, and the House was Democratic. This was the only time in the history of the state that a Democratic Governor had a Legislature of his own party to work with. In 1912, the Republicans had followed the split in national ranks and the Democrats came in with Wilson who carried the state.⁵⁹ In the Senate, Davis was a member of the Ways and Means, Railroad, Telephone and Telegraph, Cities of the First Class, Charitable and Penal Institutions, Public Buildings, Education and Educational Institutions and Fees, Salaries and Mileage Committees, and was Chairman of the Live Stock, Fish and Game Committee.⁶⁰ Early in the session, Davis introduced his bill to create a State School Textbook Commission, that would select and print all school books for the state. He met some opposition from what he called "the book trust," but got the bill out of committee and on the floor. He was able to secure defeat of a delaying tactic that called for further investigation and the bill passed the Senate. It was amended by the House, but a Conference Committee worked out the differences and the bill became law.⁶¹

⁵⁸Fort Scott Tribune-Monitor, November 12, 1912; and Fort Scott Republican, February 21, 1913.

⁵⁹Zornow, Kansas, pp. 221-22.

⁶⁰Kansas, Senate Journal, 1913, p. 859.

⁶¹Ibid., pp. 35, 220, 249, 271, 404, 430, 482; and Fort Scott Tribune-Monitor, February 25, 1913.

Davis secured passage of a bill that repealed a law exempting women from jury service and a judicial reapportionment law. His bills setting the limit of bond required for executors, appropriating money to send a representative from Kansas to the Panama-Pacific International Exposition at San Francisco, and authorizing and regulating indemnity contracts all became law.⁶² He introduced a number of bills for his farmer constituents and these received a mixed reaction. A bill that provided for free distribution of the State Secretary of Agriculture's Biennial Reports became law, as did a bill that provided for an acknowledged count of livestock being shipped, but bills to give a lien on offspring to breeders and to cease registering stallions at the State Agricultural College received no action after favorable committee reports.⁶³ He worked unsuccessfully for a bill to regulate the purity of concentrated feedstuffs, and for a Kansas Fair Board.⁶⁴

For the railroads, he offered a two cent fare, and daily passenger and freight service, but neither was reported favorably out of committee. He tried to establish a state department of labor and to abolish such agencies as the State Association of Miners, and to extend Workman's Compensation to hazardous industries but to no avail.⁶⁵ In the realm of taxation he tried to secure repeal of a law

⁶²Kansas Senate Journal, 1913, pp. 43, 52, 71, 166, 219, 227, 296, 457, 579, 645, 677.

⁶³Ibid., pp. 52, 71, 73, 142, 199, 296, 577.

⁶⁴Ibid., pp. 95, 142, 227, 336, 569, 650.

⁶⁵Ibid., pp. 58, 82, 166, 271, 307, 326, 433.

that allowed cities to levy taxes for a music fund, and to secure a per capita tax but again, the bills were reported unfavorably. He was unsuccessful in his proposals for a usury law, a widow's pension, laws for free counsel for those unable to provide their own lawyers, State Life Insurance and Old Age Annuities, and a State Fraternal Benefit Association that would pay death benefits to all men from 20 to 50.⁶⁶

His proposal to regulate and register lobbyists received a "no passage" recommendation from committee, as did bills to provide for semi-monthly paychecks, the dissolution of partnerships in personal property, Presidential Preferential Primaries, regulation of billiard establishments, non-cancellation of unexpired insurance policies in the event of a claim, setting attorney's fees in corporate cases, reorganization of the State Militia, insuring certain state property, uniform county records to be printed by the state, allowing counties to buy their own rock crushers for road work, and granting to interurbans eminent domain rights for their right of way.⁶⁷

His resolution that the state should cease distributing free garden seeds, because of the needless expense was passed by the Senate as were resolutions calling for local option in taxation, a Constitutional Amendment to allow the Legislature to submit as many as ten amendments per session, and a resolution condemning "log-rolling"

⁶⁶ Ibid., pp. 43, 59, 68, 83, 127, 129, 165, 167, 169, 232, 287, 363, 372.

⁶⁷ Ibid., pp. 43, 52-53, 71, 84, 151, 165, 166, 170, 207, 259, 270, 287, 304, 307, 359, 360, 390, 409, 433, 446, 501, 594, 606, 831.

and "pork barreling." Of these only the resolution condemning log-rolling and pork barreling was passed by the House and signed by the Governor. Additional resolutions calling for a Constitutional Amendment to increase legislator's pay and to investigate business practices were killed by committees. Davis was unable to secure a suspension of the rules so that he could introduce a resolution opposing lobbying.⁶⁸

Davis voted for an increase in appropriations for Memorial Hall as it was for ex-servicemen but said he was opposed to additional expenses. He voted for what he felt was an excessive appropriations bill, but again reminded the Governor of his item veto. He voted for the creation of the State Fair at Hutchinson as it would be of great value to livestockmen and would add no additional expense to either the county or the state. He voted against the creation of a State Fire Marshall as this was an addition to the already too numerous crew of state officials and the office would benefit only the insurance companies. He voted for a bill that raised the salary of the Attorney General, as it also provided that certain of his excess fees would henceforth be deposited in the State Treasury, and would thereby save the state money.⁶⁹ A number of measures that Davis had worked for were passed by the Legislature including the establishment of a debtors court and control over shipments of intoxicating beverages. The

⁶⁸ Ibid., pp. 130, 159, 172, 211, 232, 240, 267, 268, 273, 300, 319, 497, 498, 804.

⁶⁹ Ibid., pp. 417, 516, 524, 794, 816.

Legislature also adopted the Massachusetts ballot, repealed the inheritance tax, prohibited white slave traffic, created a tuberculosis sanitarium, ratified the Federal Amendment calling for the direct election of Senators, provided for the regulation of motor vehicles and banks, and set up a uniform course of study in rural schools.⁷⁰

In the 1914 election, the Progressives fell apart, and the "standpat" element was back in control of the Republican Party. The Democrats also suffered a factional split between the Governor, Hodges, and William H. Thompson, the United States Senator who had defeated Stubbs in 1912. This split revolved around the federal patronage dispensed by Thompson and the state patronage dispensed by Hodges. Hodges lost the 1914 election to Arthur Capper, and the Republicans regained the state Legislature while remaining out of control of the national Congressional delegation.⁷¹

In the 1915 Senate, Davis was a member of the Committees on First Class Cities, Education, Fees and Mileage, Minerals and Mining, Penal Institutions, Railroads and Corporations, and Ways and Means, and was Chairman of the Livestock Committee.⁷² He saw his bill to make all corporations including railroads pay wages at least semi-monthly become law, and when hoof and mouth disease broke out among Kansas cattle,

⁷⁰Topeka Capital, March 18, 1913.

⁷¹Zornow, Kansas, pp. 222-24; and Marvin Andrew Harder, "Some Aspects of Republican and Democratic Party Factionalism in Kansas," (unpublished Ph.D. dissertation, Dept. of Political Science, Columbia University, 1959), p. 166.

⁷²Kansas, Senate Journal, 1915, p. 830.

he secured a suspension of the rules and his bill to stop the spread of the disease was rapidly enacted. He had no success in trying to secure compensation for those whose animals had to be destroyed though.⁷³ His bills to provide for a Preferential Presidential Primary, to abolish the Hotel Commission as unnecessary, and to make hotels keep registers all passed the Senate, but were not favorably treated by the House.⁷⁴

For his farmer constituents he was unable to secure passage of bills that would have established County Livestock Health Officers, regulated the selling of seed and insured its purity, established County Livestock Sanitary Officers, taken from the State Agricultural College the duty of insuring the purity of feedstuffs, limited the State Board of Health in its right to remove nuisances, established a State Fair Board, and limited commission charges on livestock shipments.⁷⁵ In regard to the railroads, Davis unsuccessfully attempted to regulate the size of cabooses for employee safety, establish compensation for fires caused by railroad engines, establish a two cent passenger fare and force the railroads to safely maintain their tracks.⁷⁶

In the area of general reform, Davis' proposals for free counsel for those unable to provide their own, for a State Insurance Fund for

⁷³Ibid., pp. 10, 56, 186, 276, 405, 695.

⁷⁴Ibid., pp. 46, 144, 290, 345, 347, 466, 600.

⁷⁵Ibid., pp. 24, 87, 138, 146, 259, 283, 300, 329, 355, 625, 692, 697.

⁷⁶Ibid., pp. 81, 199, 201, 216, 271, 396, 631.

Life, Accident and Old-Age Benefits, for a Fraternal Benefit Association, to allow profit sharing insurance by employees, to prevent insurance companies from canceling contracts in case of a claim, to provide for a widow's pension, to regulate pool halls, to register mortgages, and to dissolve partnerships in personal property, were all reported unfavorably by committee and dropped.⁷⁷ For general government reform, Davis' measures to establish uniform bookkeeping systems for counties, cities and townships with the state printing standard forms, to make the State Superintendent of Public Instruction and County Probate Judges non-partisan, to limit campaign contributions by banks and corporations, to provide for insuring certain state property, to allow the Textbook Commission to condemn the privilege to print textbooks for the state, and to provide that the Secretary of State furnish information to the public about primary elections were all reported unfavorably by committee and dropped.⁷⁸

His proposal for a law to register lobbyists and regulate their activity was shunted to two committees and killed by delaying tactics. His bill for a per capita tax was killed in committee as was a proposal to repeal the exemptions in the State Bank Guarantee Law, under which larger banks did not contribute.⁷⁹ Davis unsuccessfully

⁷⁷Ibid., pp. 51, 59, 73, 93, 109, 117, 120, 147, 201, 216, 271, 283, 297, 298, 300, 319, 376, 381, 422, 427, 625, 712.

⁷⁸Ibid., pp. 24, 56, 73, 155, 188, 201, 290, 300, 301, 327, 340, 355, 422, 573, 710.

⁷⁹Ibid., pp. 46, 51, 84, 156, 294, 340, 380, 674.

proposed Constitutional Amendments that would have provided for a four year term for the Governor, made property taxes a local option, allowed ten Constitutional Amendments to be proposed per session, allowed the Legislature to organize the judiciary, and provided for Initiative and Referendum. The last mentioned was killed only because other proposals had already provided for these procedures.⁸⁰

Davis successfully proposed a resolution that the Kansas representative to the Panama-Pacific Exposition at San Francisco should give an itemized accounting of his expenditures to an investigative committee. Davis was appointed to the committee which cleared the representative. His resolution that he none-the-less return part of his salary was voted down, but another that the representative return all his salary was adopted.⁸¹ Certain state officials were in 1915 entitled to retain certain excess fees that they collected. Davis introduced a resolution that was adopted that called for an investigation of the use of these excess fees by the State Auditor and State Treasurer. The investigating committee and the Attorney General found that the men had pocketed \$2,000 and \$5,000 respectively, but this was all legal. Davis' resolution that although they had a legal right to the fees, they had no moral right and should return the money, was adopted.⁸²

⁸⁰Ibid., pp. 65, 67, 78, 102, 141, 151, 156, 494.

⁸¹Ibid., pp. 148, 219, 220, 277, 321, 425, 449.

⁸²Ibid., pp. 261, 361, 492, 562.

In explaining his votes, Davis said that he voted yes on the creation of a Civil Service Board in spite of the many exemptions and the fact that the highest and best need not be appointed because it was better than nothing. He voted against his own bill that would abolish the Hotel Commission as it had been amended to the point that it created additional jobs and expenses. He voted against a pay raise for the Adjutant General, although he was a friend, because those were "hard times" and too much money had already been appropriated.⁸³

Governor Capper had called upon the Legislature to be economical and efficient. They enacted legislation that prohibited false medical advertising, lessened the working hours of women and children, established a mother's pension fund, prohibited "fee splitting" by doctors and surgeons, and provided for further mine safety equipment.⁸⁴

In 1916, Davis stood for reelection for the state Senate. He again campaigned on all the various reform measures that he had advocated in the Legislature, in particular mentioning his success with the Textbook Commission law. He was defeated by 4,195 votes to 3,696. John Barr who had defeated him died late in 1917, and Davis sought the unexpired term in the 1918 elections. He won the Democratic nomination in the Primary, but was again defeated in the General Election by 3,077 votes to 2,868.⁸⁵

⁸³Ibid., pp. 347, 532, 662.

⁸⁴Topeka Capital, March 25, 1915.

⁸⁵Bronson Pilot, April 17, October 27, November 10, 1916, August 9, November 8, 1918; Fort Scott Tribune-Monitor, November 14, 1916, November 7, 1918; and Topeka State Journal, July 31, 1918.

The period of Davis' consecutive terms in the House and Senate, 1907 to 1915 corresponds with the "Progressive lurch" in Kansas politics. Davis voted for most of the reforms that the Republican progressives proposed, but he felt that they were not enough and did not go far enough. His brand of Progressivism or Liberalism was different from that of the Republicans. Their leaders were predominantly prosperous, professional men. In Kansas, Progressivism was of the Theodore Roosevelt variety. These statesmen hoped to save the people and some foolish businessmen from their own foibles. The government would be made more efficient and businesslike for the people. They did propose improvements in the processes of democratic government but, the stress was on direction from the top. Davis, in addition to holding desires for more reform, included the people in his processes, i.e. that the government should be made more efficient by the people. In local tax affairs, Davis favored decisions by the people. Davis was not only imbued with ideas of popular rule, but he also held agrarian ideas that the Progressives in Kansas lacked. Many of his proposals were for the farmers, and against the big businesses and monopolies. The Progressives, following Roosevelt's lead, favored exposure and regulation of the large corporations. Davis with an agrarian anti-monopolism favored stricter regulation and prohibition of abuses. The Progressives settled with railroad acquiescence in the case of the two cent fare, Davis pursued legislation to force a two cent fare. The Progressives provided for exposure of campaign contributions by banks and corporations and for exposure of lobbying tactics. Davis sought prohibition of these campaign contributions and stricter regulation of the lobbyists.

By 1918, Progressivism or Liberalism had lost its popular appeal. In the nation as a whole, and in Kansas, Progressives and Democrats went down to defeat. Henry J. Allen, who had been associated with the Progressives for a time and had run as a candidate for Governor on the Progressive ticket in 1914, was safely back in the fold and was elected Governor as a compromise between the "standpat" and Progressive factions in the Republican Party. Allen radically proposed a Constitutional Convention but with no success. A few reforms of a minor nature were passed by the Legislature.⁸⁶ In 1919, as mentioned above, there were nationwide strikes. Kansas was in particular affected by the coal strike and Allen secured an act that created a Court of Industrial Relations from a Special Session of the Legislature in 1920. This court had the authority to compulsorily adjudicate labor disputes.

During his absence from elective office, Davis was busy on the farm. He remained active in Democratic Party affairs, attending all meetings and conventions. He attempted to straddle the factional splits in his party, but was allied with the Hodges forces rather than the Thompson forces. With both men out of office, and with no patronage to be dispensed, the Democratic Party was wide open. Davis entered the Democratic Gubernatorial Primary in 1920. The Primary had enabled Stubbs to take over his divided party, and Davis in 1920 had an

⁸⁶Zornow, Kansas, pp. 235-36.

opportunity to unite the Democrats when he won the nomination for Governor. Allen was renominated by the Republicans.⁸⁷

There was some farmer agitation in Kansas because of the removal of the federal price supports in May, 1920, and Davis received an endorsement from the Non-Partisan League. The Bourbon County Democratic Convention had condemned the Industrial Court, but the State Convention was silent about it. Alexander Howat, President of the local of the United Mine Workers that was involved in the coal strike in Kansas, endorsed Davis because Allen had pressed for the court law. Davis did not attack the court law, but spoke out against a hard roads amendment to the State Constitution that he felt would be too costly. Davis supported the Wilson Administration and the League of Nations, and the Republicans attacked Wilson and the League. The Republicans swept into control of Kansas with the national tide in 1920. Davis was defeated soundly, receiving only 39.3% of the vote.⁸⁸

⁸⁷Topeka Capital, February 20, June 15, 1920; and Bronson Pilot, August 13, 1920.

⁸⁸Topeka Capital, February 7, May 7, July 30, November 4, 1920.

CHAPTER III

DAVIS' GUBERNATORIAL ELECTIONS, 1920-1922

The 1908 Primary had enabled Walter Roscoe Stubbs to gain control of his divided party. In 1920, Jonathan M. Davis gained control of the Democratic Party by winning the gubernatorial Primary, but the party was weak. In 1918, it had lost every major state election, elected only one Congressman out of eight, and remained out of control of the state Legislature by a lopsided margin. The Democrats still controlled the national administration, but there too the party had lost out in 1918, and there was little patronage to be dispensed. What little there was created dissension as to how it should be split and this deepened the party rift.

In the 1920 General Elections, Davis led his party in an all but futile campaign. Those groups that would come to his aid with votes in 1922, the farmers and labor, could not be effectively marshalled in 1920. The price support on wheat was removed in May, 1920, and by December the price had fallen from \$2.94 a bushel to \$1.72 a bushel at the markets, but this could have been viewed as an "adjustment" and in any case it had not yet produced a severely depressed condition that might affect the farmer at the polls.¹ Labor, led in Kansas by Alexander Howat, opposed Henry J. Allen because he had secured passage of the Industrial Court law which they felt limited labor's right to

¹Fite, George N. Peck, p. 4.

strike, and although Davis came from the "Little Balkans" coal mining area of the state and had supported labor, the Democratic platform had not opposed the court. The Non-Partisan League endorsement of Davis could have had little effect, again because of the radicalism charged to them by the press.

The year 1920, was a year for "back to normalcy." Normalcy in Kansas meant Republican rule and Allen, the whole state ticket, and all eight Republican Congressional candidates swept into office with the national tide. Harding received 64.7% of the popular vote in Kansas. Margins of that nature had previously been given only to Lincoln, Grant and Roosevelt.² The state Senate in 1921 consisted of only two Democrats out of forty, and the state Legislature had twelve Democrats out of one hundred and twenty-five.

The Democrats in Kansas presented a thoroughly beaten and discouraged party. There were no federal or state jobs to be dispensed, but there were now petty fights as to who should be blamed for the defeat. The Democratic Club held annual meetings in Topeka on Washington's birthday. In election years, these meetings "kicked-off" the Democratic campaign. In post-election years, they were the scenes of either back slapping or back biting. The 1921 "Love feast" featured much back-biting. There was criticism of the Republicans who were then engaged in the state Legislature's session, but it had a hollow ring to it.³

²U. S., Bureau of the Census, Historical Statistics, p. 686; and John D. Bright, "Kansas During the T. R. Era," in Bright (ed.), Kansas, The First Century, (New York: 1956), II, 1.

³Topeka Capital, February 23, 1921.

The Republicans were having their several difficulties too. Governor Allen proposed a number of reforms, but his party would not enact his proposals. In particular, they refused a bill that would have consolidated the seventeen various state departments that dealt with agriculture into one. Fewer laws were enacted than in any session since 1909, but more money was appropriated than ever before. The Industrial Court was divorced from the Public Utilities Commission, and the Court took over the work of other departments that had dealt with labor matters. The Public Utilities Commission was given power over stockyards and packing houses, a county road fund was established, motor car license fees were increased, authorization was made for girls' dormitories at the state schools, and an amendment providing for a soldier's bonus was submitted to the voters.⁴

As 1921 wore on, the agricultural depression deepened. Labor was having its troubles too. Alexander Howat, President of the Kansas Mine Worker's Union, refused to order his striking miners back to work although ordered to do so by the United Mine Worker's John L. Lewis. He was then placed in jail for violating the Industrial Court Law by calling the strike in the first place. The miners went back to work, but then struck again in protest of Howat's imprisonment. Packing plant workers in Kansas City, Kansas, voted to ignore an Industrial Court order to appear at a hearing over a proposed strike, and in December, National Guardsmen were called to the coal fields to prevent violence. In January of 1922, Howat, from prison, ordered his

⁴Ibid., March, 22, 23, 1921.

miners back to work having proven, he said, that the Industrial Court Law was ineffective.⁵

The 1922 meeting of the Democratic Club was not too harmonious. They were well aware of the hard times that had fallen upon farmers, and that they had better chances in an election with this background of discontent, but there was still a certain amount of division. Davis was on the Resolutions Committee that opposed condemning the Industrial Court, but the Club as a whole voted 642½ to 306½ to endorse repeal of the Court and substitution of a Court of Conciliation. Davis was not a candidate, saying he had "no desire to run," but he introduced a resolution that the Democratic Club not endorse a gubernatorial nominee at that time. This resolution was adopted and Davis then proposed that the state Party Convention should name three to seven candidates for each position on the Primary ballot. This resolution was also adopted. A Davis backer, Carl J. Peterson of Iola, who had been Secretary of the Central State Committee in 1920 and had managed Davis' 1920 campaign, was reelected Secretary.⁶

At the Party Convention held in May at Hutchinson, Samuel Amidon of Wichita, the National Committeeman, made an attempt to nominate only Leigh Hunt as Governor, but the Davis forces got up enough support to see to it that the Convention named three, Hunt, Henderson Martin, a former National Committeeman, and Davis. All three declared against the Court of Industrial Relations. Davis stated that he would

⁵Ibid., September 28, 30, October 3, December 2, 14, 1921, January 12, 1922.

⁶Ibid., February 22, 23, 1922; and Fort Scott Monitor-Tribune, February 23, 1922.

work to abolish all unnecessary board and commissions, and give the people home rule.⁷ The Republicans were in distress. Allen had been a compromise candidate between the Progressive and stand-pat wing in 1918 and he had turned out to be too progressive. The 1921 Legislature's spending record was creating dissatisfaction at the grass roots. Stubbs was campaigning for the gubernatorial nomination and had the support of the Progressives. William Y. Morgan, editor of the Hutchinson News, a former legislative adversary of Davis, a former State Printer and Capper's Lieutenant Governor was also running and had the support of the stand-patters. Tom McNeal, associated with Capper Publications, was in the race with Capper's blessing. The major oratorical warfare was waged between Stubbs and Morgan, but it was a three-way race and there were four other minor contenders. Morgan had been appointed State Printer by the Legislature in 1899 before the job was elective. Then, certain state offices, among them the Printer's, received excess funds and the officeholders pocketed this excess. This was all quite legal although unethical and Stubbs and his campaign manager, Joseph N. Dolley, reminded Republican voters of this. They accused Morgan of having printed too many Legislative Journals, and then burning them just to make a little extra pocket money.⁸

McNeal and Morgan both endorsed the Court of Industrial Relations as it was, Stubbs favored combining it with the State Supreme Court.

⁷Topeka Capital, May 25, 1922.

⁸Ibid., May 26, 1922; and interview with William G. Clugston, Topeka, April 21, 1962.

Stubbs spoke out against the building of hard roads as this would cost the farmers additional taxes. This was the reason for Stubbs' opposition to the Industrial Court, and in general he favored drastically reduced expenditures and aid for the farmer. McNeal said that Morgan's nominating petitions were obtained fraudulently and Stubbs chimed in that he was spending up to \$100,000 for the nomination although only \$300.00 was allowed. McNeal and Morgan both endorsed a budget system, such as had recently been adopted by the national government, to make the state government more efficient and economical and thereby reduce taxes.⁹

Davis campaigned as the "dirt farmer." His daughter stated that he coined the phrase. He stressed his work for the School Textbook Law, for semi-monthly payment of wages, for direct election of Senators and his progressive legislative record. He spoke for more service to the state and her people and less personal and party politics. All those working for the state would have to serve full time, all unnecessary jobs would have to be eliminated. This would reduce expenses and in addition all unnecessary tax laws would be repealed. There could be no tax-exempt bonds, and in matters of local taxation the people would have to have the right to decide. All taxation would have to be equal. The Public Utilities Commission would have to be eliminated and control over utilities be restored to municipalities. He called for the repeal of the Industrial Court

⁹Topeka Capital, June 16, 22, 24, July 23, 30, 1922.

Law, and asked all to support him and return Kansas to progressivism.¹⁰

Davis won his Primary with ease. William Y. Morgan won the Republican nomination in a very close three-way race. The Republican Press immediately endorsed Morgan and loudly proclaimed that all splits were healed. The New York Times examined the returns and concluded that Morgan would be a "shoo-in" in the General Election and that the voters in farm areas supported the Industrial Court as that was where Morgan had his greatest support.¹¹ Carl Peterson started a newspaper in Topeka called the Democratic News, which proceeded to become Davis' organ. It reminded the voters of the Stubbs' charges as to Morgan's campaign expenses, but defended him in regard to his job as State Printer. J. N. Dolley had charged that Morgan pocketed \$400,000 as State Printer, but Peterson's paper asserted that it could find proof that he pocketed only \$389,000. It reminded the voters that the railroads had doubled their profits in the past year but that whereas farmers' tax levies had been reduced, in seventy-two counties their tax valuations had been increased. It stated that corporation taxes were being reduced, but farmer's taxes were rising and in some counties the valuation on wheat was greater than the market price.¹²

¹⁰Ibid., June 11, 1922; and interview with Mrs. McCormick.

¹¹Topeka Capital, August 3, 6, 1922; and New York Times, August 5, 1922.

¹²Democratic News, August 22, 29, September 26, October 10, 1922.

The Republicans pictured the Democrats and Davis as "reactionary" and opposed to the previous ten years of progressive government. Henry J. Allen attempted to draw parallels between Democratic opposition to his Industrial Court and their opposition to prohibition in the 1880's. To Allen, the Democrats were "nullifiers," and thus the bloody red shirt was waved for surviving Grand Army of the Republic members. The Republican platform supported lower taxes, ratification of the bonus amendment, retention of the Industrial Court and a budget system for the state. The Topeka Capital said that Davis could offer nothing positive but was merely appealing to discontent and unrest. It reminded the farmers that the Republicans had done so much for them and said that when labor struck, the farmer paid. It attacked Davis, saying that his only appeal to farmers was that he was a farmer himself. He campaigned on the issue of reducing taxes, but they had already been reduced and he talked about unnecessary laws, but there were no unnecessary laws. It felt signs of a swing to Morgan and mentioned Davis' 1920 losing fight.¹³

The Democratic News was only a weekly paper. There was only one major large city paper that favored the Democrats in 1922, and this paper, the Wichita Eagle, was mostly interested in reelecting former Congressman William A. Ayres. The Davis campaign was strictly a two-man show. Davis toured the state in a Model T Ford and stopped and talked wherever he could find any listeners. While he was out on the

¹³Topeka Capital, August 30, 31, September 17, October 15, 22, November 1, 2, 3, 4, 5, 1922.

stump, Peterson, the "one-eyed Swede," ran the party organ and the state organization with "no funds and no help."¹⁴

The Ku Klux Klan became a minor issue in the campaign. Allen as Governor had spoken out against the Klan on many occasions and continued to do so in the campaign. Neither Davis nor Morgan paid any attention to the Klan,¹⁵ but the Kansas City Star accused Davis of "playing up" to the Negro vote in Wyandotte County.¹⁶ Peterson reminded the voters that Allen would not debate with Davis, nor would Morgan, and compared the calloused hands of Davis with the lily-white hands of Morgan who wore a wrist watch. The voters were told to remember that the Republican Legislature in 1921 voted itself \$24,500 in postage and telegraph fees and spent \$43,013 for employees, but that in 1915, Davis' last session, only \$2,050 was appropriated for stamps and only \$26,817 for employees. Just after the Primary it was disclosed that Morgan and the Topeka ladies of the Woman's Republican Day Club were planning how to decorate the executive mansion.¹⁷ The Republican press was certain of Morgan's victory but, the Wichita Eagle said that although Morgan had all the money and press support

¹⁴Interview with Mrs. McCormick; and W. G. Clugston, "Kansas' Dirt Farmer Worries the Politicians," The Dearborn Independent, XXIV, No. 33, (June 30, 1923), 10.

¹⁵Harder, "Some Aspects," pp. 102-03.

¹⁶Kansas City Star, November 6, 1922.

¹⁷Democratic News, August 29, September 19, October 3, 1922; the Fort Scott Tribune-Monitor on October 26, 1922, defended Morgan's wrist watch, saying that he had only a plain strap. They added that he had hairs in his nose.

behind him, he was "no cinch," and their straw poll indicated a two to one vote for Davis.¹⁸

With a record vote, Davis was elected by a margin of 18,456. All other state offices went to the Republicans by margins of from 25,000 to 40,000. The state Legislature was Republican by a margin of 95 to 30, only one Democrat, W. A. Ayres, was elected to Congress out of eight, and the holdover state Senate was Republican by 38 to 2.¹⁹ A number of reasons have been offered for the Davis victory. The New York Times said that Davis received the support of the regular Democrats along with enough of the farmers, labor people, Radicals and the Klan. They laid heavy stress upon the Industrial Court issue saying that only Morgan had stood squarely for it in the Primary.²⁰ The Wichita Eagle made the court issue the sole reason for Davis' victory,²¹ but the Topeka Capital mentioned in addition, taxes, general dissatisfaction, the Klan, the question of how roads should be built, and local issues.²² W. G. Clugston asserted that a general grass roots dissatisfaction with Morgan and his wing of the Republican Party was the reason for the Davis' election.²³ Davis thought that his

¹⁸ Topeka Capital, August 6, October 22, November 3, 4, 5, 1922; Kansas City Star, November 5, 1922; and Wichita Eagle, October 29, November 5, 1922.

¹⁹ Kansas, Secretary of State, Biennial Reports, XXIII, 16-19, 66-80.

²⁰ New York Times, November 11, 1922.

²¹ Wichita Eagle, November 9, 1922.

²² Topeka Capital, November 9, 1922.

²³ Interview with W. G. Clugston.

victory was due to the high tax burden borne by the farmers.²⁴

An analysis of the election returns by county indicated that there was a significant shift to the Democrats in 1922. In each of the one hundred five counties of Kansas except one, there was an increase in the percentage of popular vote polled by Davis. In this one county, Greeley, the vote cast for Davis increased from 115 to 143. Table VII,²⁵ shows the percentage of popular vote cast for Democratic gubernatorial candidates.

In examining this data it was apparent that since the low point of Democratic voting was 27.7% of the popular vote in 1924, this could be considered the "regular" Democratic vote. In 1914 and 1918, the two previous "off years," the Democrats polled 30.6% and 30.7% which could be considered the regular off-year Democratic vote. What could have accounted for the difference between these years and 1922? Why did the additional Democratic votes appear then? A possible answer was shown by the data presented in Table VIII.²⁶

At first glance it was clear that the agricultural depression of 1922 was widespread in Kansas. Every county showed a considerable decline in the value of its farm products. Although only one county did not increase its Democratic vote, there was not a direct correlation between percentage of decline of farm income and percentage of increase of Democratic vote. The counties with the greatest decline in farm income did not show the greatest increase in Democratic vote.

²⁴Topeka Capital, November 12, 1922; and Kansas City Star, November 12, 1922.

²⁵Appendix, pp. 116-18.

²⁶Appendix, pp. 119-21.

However, the value of the state's farm production decreased forty percent from 1918 to 1922, while in those counties that voted for Davis it decreased forty-one percent. When only the predominantly rural counties that voted for Davis were considered, a decline of forty-two percent was discovered. This difference was held to be of little consequence, and although there was no direct correlation, the decrease in farm production was related to the increase in Democratic vote. Davis' campaigning was aimed at the farmers. He called himself the "dirt farmer." His big issue was taxes, and it was taxes that the farmer was paying. The Democratic News contrasted farmer's taxes with those of the railroads and corporations. The Republicans offered nothing in their platform for the farmer.

The Industrial Court issue was in part a farmer's issue. In the Republican Primary, Stubbs had attacked the court because of the additional expense. Davis used this argument too, the court was related to the increased cost of government that the farmer was bearing. In 1924, the Topeka Capital felt that Davis' election was due to the unfavorable economic conditions of agriculture.²⁷ Labor felt that it had elected Davis and there were a number of periodical articles to this effect.²⁸ However, Kansas was predominantly agricultural in 1922

²⁷Topeka Capital, August 10, 1924. The obvious inference was that in 1924 the unfavorable conditions had ended and a return to the Republican fold was in order.

²⁸Charles B. Driscoll, "Kansas Cleans Up Governor Allen's Mess," Nation, CXV (December 6, 1922), 600-01; Herbert Feis, "The Kansas Court and the National Strikes," Survey, XLIX (December 15, 1922), 372-74; and Mary Heaton Vorse, "Ma and Mr. Davis, The Story of Alexander Howat's Fighting District," Survey, XLIX (December 15, 1922), 359-60.

and a strictly labor vote against the Industrial Court was unlikely. Also, dissatisfaction with the court could not have been very widespread in an era when the only mass communications media were the Republican dominated newspapers, which favored the court.

The Klan had apparently little effect in the election.²⁹ Again, the Kansas City Star just before the election accused Davis of playing up to the Negro vote, and then before the final returns were in, they felt that Davis' narrow lead would be cut into by the Klan vote.³⁰ The question of roads had some effect but, Davis played upon the high cost aspect of hard roads built by the state rather than the dirt roads built by the counties. The idea of local issues having effect seemed irrelevant when the results of the legislative elections were examined.

The remaining answer offered was a split on the part of the Republicans. Marvin Harder's thesis is that the Democrats can win in Kansas only when there is a Republican split. In his analysis of documentary material, he concluded that the agricultural depression was the reason for Davis' election,³¹ but in addition he consulted some seasoned political observers who were on the scene in 1922 and who felt that a Republican split was the answer. William G. Clugston and Alf Landon both felt that when Morgan, who had been Allen's Primary

²⁹Harder, "Some Aspects," pp. 102-03.

³⁰Kansas City Star, November 6, 8, 1922.

³¹Harder, "Some Aspects," pp. 87-91.

opponent in 1918 and who represented the stand-patters, won the nomination over Stubbs, progressive Republicans fled to Davis.³²

Figure I³³ delineates voting by counties, in terms of strong Republican, weak Republican, weak Democratic and strong Democratic. There was a regional effect, the counties voting Democratic appeared in the central part of the state and in the southeast. The strong Republican areas were the far west, the north and the east. The counties that voted Democratic in 1922 were for the most part the counties that voted Populist in 1890 and 1894. The agrarian appeal of Dr. John R. Brinkley was expressed in these same counties in 1930 and 1932.³⁴ This tended to reenforce the idea that the Davis vote in 1922 was a farm vote, however, the ninety counties that in 1912 endorsed Theodore Roosevelt included all but one of the counties that went for Davis in 1922,³⁵ so this gave support to the idea that progressive Republicans also voted for Davis.

Burton K. Lyman examined all the Kansas gubernatorial elections up to and including 1936, and he discovered that the twenty-four largest counties in the state decided the elections. In all elections up to that date, the candidate that won most of these twenty-four counties, won the election. In 1922, Davis won nineteen of these

³²Ibid., p. 107, quoting Clugston and Landon.

³³Supra, p. 57.

³⁴Clarence J. Hein and Charles A. Sullivant, Kansas Votes, Gubernatorial Elections, 1859-1956, (Lawrence: 1958), pp. 26-27, 30-31, 66-69.

³⁵June G. Cabe, and Charles A. Sullivant, Kansas Votes, National Elections, 1859-1956, (Lawrence: 1957), pp. 30-31.

counties.³⁶ A further examination of the data in Table VII revealed that these twenty-four counties which accounted for 48.7% of the vote gave 54.1% of their votes to Davis. The rest of the state gave 49.5% of its vote to Davis. This indicated that the urban or labor vote elected Davis, but the 49.5% figure was a plurality in the rest of the state, and had Davis not won a plurality there, he would have been defeated.

Harder indicates that there were three types of Republican defection that caused the Democrats to win: abstention of Republican voters, Republicans voting for a third-party candidate, and Republicans voting for a Democrat. In 1922, the last case applied. Harder states that this defection could be due to a disturbance or to the popularity of the Democratic nominee. He dismisses the popularity question though, limiting it to war heroes.³⁷ Davis was not a war hero, but he was popular. One writer attributed his election to the fact "that Davis . . . was well liked."³⁸ It seemed reasonable that Davis' popularity must have had something to do with his election. Even if the thesis that all Democratic victories were due to Republican splits was accepted, it does not follow that every Republican split produced a Democratic victory, and if so, then the issues, conditions, or the

³⁶Burton E. Lyman, "Voting Behavior of Kansas Counties, 1862-1936, as Measured by Pluralities for Governor and Secretary of State," (unpublished M.A. thesis, Political Science, University of Kansas, 1937), pp. 148-51.

³⁷Harder, "Some Aspects," pp. 48-49.

³⁸William Huey, "The Kansas Court of Industrial Relations," (unpublished M.A. thesis, Kansas State University, 1933), p. 51.

candidate must have made the difference. A further point in opposition to the idea that a Republican split was decisive in 1922 is the election on the Republican ticket of other "stand-patters."³⁹ The Lieutenant Governor, Ben S. Paulen, and the Secretary of State, Frank J. Ryan, were both members of the conservative wing. It was found that Democrats have been very unsuccessful in elections to state offices other than Governor. From 1896 to 1956, Democrats won election to these positions only six times in two-hundred forty-eight contests, in spite of the various splits and difficulties that led to Democratic victories elsewhere. In spite of the Republican hold on these other offices, the election of other stand-patters in 1922 indicated that the split was not decisive. Harder reenforces this when he states that Republican splits were more open than Democratic splits and were better reflected at the polls.⁴⁰ If the split was decisive, why were other Republican stand-patters elected?

In 1922, the Republicans were split, but there was also an agricultural depression. Harder mentions that Kansas Republican splits are often related to national politics.⁴¹ The year 1922 was an off-year, and therefore insulated from national happenings, but as was mentioned in Chapter I, nationally and especially in the mid-West, there was a shift away from the Republicans in 1922. Thus, the 1922

³⁹Kansas, Secretary of State, Biennial Reports, XXI-II, 71-80.

⁴⁰Harder, "Some Aspects," pp. 27, 173-74.

⁴¹Ibid., pp. 18-19.

Kansas gubernatorial election can, in part, be laid upon the agricultural depression and farmer discontent. Had the progressive Stubbs been the Republican nominee, it seems unlikely that Davis would have been elected, since Stubbs' major appeal as a progressive was to the farmers. In the Primary campaign he offered programs similar to those that Davis offered in the General Election campaign. The Court issue could not have been decisive. Labor had too small a proportion of the Kansas electorate and both Davis and Stubbs stressed the economy of abolishing the Court. The other issues were also of too little consequence to be decisive. The Davis election was due to a combination of a Republican split, an agricultural depression and labor dissatisfaction. The regular Democrats all supported Davis, there were some Republican defections and the workers supported Davis, but the deciding factor was the economic condition of agriculture. Davis received a number of letters from Republican farmers who stated that they voted for him because he was a farmer, stood for the farmers and was going to lower taxes.⁴² Davis ran ahead of his party especially in the contests for the state legislature, but these contests were more responsive to local conditions. The conclusion that Davis' election was due to the agricultural crisis was reinforced by the predominantly farmer composition of the legislature.

Between election time and the inaugural in 1923, Davis was a busy man. He had to straighten out his affairs at his farm and

⁴² Jonathan M. Davis Papers, Farmers and Taxes, Division of Archives, LSRS.

prepare to move into the executive mansion. He had time for a few speeches and advocated equality for all as the solution of the tax problem. He told laboring men at Union Hall in Topeka and striking shop men in Pittsburg that he would secure repeal of the Industrial Court. It was discovered that seventy-two members of the new Legislature were farmers and Davis prepared to try and form a "farm bloc" in Kansas to work for farmers. Morgan felt that the election was a mandate for the Republicans and the Topeka Capital agreed. Davis appointed Mark Cretcher as his private secretary and notified the Adjutant General, Charles I. Martin, who had campaigned for Morgan, that he would be replaced by R. Miell Rahn.⁴³

Davis spoke at the College of Emporia and the State Normal School, and addressed the Farm Bureau and the Chamber of Commerce. He urged a reduction in state expenditures. He specifically urged a building holiday at the state schools but no reduction in salaries, enactment of an income tax law, state printing of county forms and a reduction of the salaries of all state officials. Then after a round of receptions in Bronson and Fort Scott he headed for Topeka and a quiet and simple inaugural.⁴⁴

⁴³Democratic News, November 14, 1922; and Topeka Capital, November 18, 20, 25, December 1, 3, 24, 1922.

⁴⁴Bronson Pilot, January 5, 1923; and Topeka Capital, December 14, 15, 1922.

CHAPTER IV

THE DAVIS ADMINISTRATION

Jonathan M. Davis was inaugurated Governor of Kansas on January 8, 1923, at Topeka. In his Inaugural Address, Davis spoke of the economic conditions and especially of the problem of the farmers. He mentioned that the general election campaign was quiet when compared to the bitter fight waged by the Republicans in their primary. But, he, as the Democratic farmer candidate had rallied the people in a classless victory over the representatives of a small faction of the Republican Party. He mentioned the need to seek solutions to the problems created by the Great War and the subsequent disturbance of agriculture. He put it in terms of all producers. Finally, Davis reminded all that as elected officials, they were servants of the people and although divided in elections into two parties, they should now strive to work together and serve the people.¹ The importance of Davis' election was shown by the fact that among the distinguished guests in the audience were William Jennings Bryan and William Gibbs McAdoo. The press reacted favorably to Davis' calls for statesmanship and inter-party cooperation, but raised questions as to how he could effect much when the Legislature was controlled by another party.²

¹Jonathan M. Davis, Inaugural Address, (Topeka: 1923), pp. 1-7.

²Topeka Capital, January 9, 1923.

On January 10, 1923, Davis delivered his message to the Legislature. He proposed sixty-three specific measures that he wished the Legislature to enact. His first general proposal was to reduce taxes. According to Davis, political pressures had produced too many unnecessary increases in state services. The only justification for an increase in services was a population increase or a new need. Farms were the basis of wealth in Kansas, and given their depressed condition, it was essential that the cost of government be reduced. Excessive boards had to be eliminated, bank deposits had to be taxed, bonds could not be exempted from taxation, utilities would be taxed at the same valuation that was used for rate setting, local bonded indebtedness had to be limited and restricted to popular approval, and an income tax, and estate tax were necessary. In regard to roads, Davis stated that the state should adopt road programs in order to secure federal aid, but it should limit the construction to dirt roads and thereby save the farmers additional taxes. The Public Utilities Commission had failed to bring down railroad rates and utility rates, and this should be rectified. Control of utilities should be returned to municipalities. The Court of Industrial Relations had been created to prevent industrial strife but had failed; and it should be replaced by a commission of arbitration. The Industrial Commission should be given the power to sit in on corporation board meetings. The prohibitory law should be enforced as should the tax laws. In regard to law enforcement generally, the penitentiary was full and there should be some changes in the criminal code to make "the punishment fit the crime." In regard to banking,

Davis suggested that in addition to the Guaranty Law, there should be an Advisory Board of six members to advise banks that ran into difficulties. Loans to bank officials and directors should be prohibited. Loans in general should be limited; there should be no branch banking; the "blue sky" laws should be enhanced to restrict advertisements, and banks should not be allowed to sell insurance or stock. Davis indicated that corporations were to be prohibited from holding any stock as this tended toward monopoly. Workman's compensation should be placed under a state fund rather than individual employers' insurance. Counties were to be given the power to build grain elevators and the state possibly should extend credits to farmers secured by either grain or cattle. Davis stated that there were too many county officials and courts and these should be reduced. Members of the Legislature should not be allowed to hold appointive executive offices, all boards should be made bi-partisan, recall should be made effective and initiative and referendum should be submitted to the people. Davis suggested that the state should adopt a budget system, contingent funds should be watched closely, license plates should be manufactured at the State Reformatory, the laws of Kansas should be codified, a provision for the uniform adoption of school textbooks should be enacted, "truth in cement" and "fraud in public contracts" laws should be passed and there should be a building holiday for state institutions. Davis closed by advocating the "greatest good for the greatest number, equal rights to all and special privileges to none." He cautioned the Legislature to avoid lobbyists and selfish interests and reminded them that they were

the representatives of the people and had been selected by the people.³

Davis' recommendations were not condemned by the press which apparently had adopted a wait and see attitude.⁴ He pressed for prompt action and all his proposals were introduced in the Legislature by loyal Democrats, but received little support. The measures were referred to committees for action and were promptly killed. The press labeled these measures "Davis bills" and were happy to report their demise. Davis became annoyed about the use of the term "Davis bills" and he issued a statement that while he had recommended these measures, they were for the people and were therefore their bills. The Topeka Capital followed a report of the Davis statement with the headline, "Another Davis Bill Introduced." Davis complained to the press about the Legislature's having appropriated too much for postage and telegraph fees, and they then cut off all stamp money. In spite of the appellation "Davis bills" and their treatment, relations between Davis and the Legislature were at first rather harmonious.⁵

This harmony was shattered when the question of appointments came up. Governor Allen had made a number of recess appointments, which had, of course, never been considered by the Senate. The Republicans caucused and in a three-hour session decided that they would take up and confirm these appointments before Davis could

³Kansas, House Journal, 1923, pp. 9-25.

⁴Topeka Capital, January 11, 1923.

⁵Ibid., January 17, 18, 19, 21, 23, 26, 1923.

submit his nominees. They had confirmed R. Meill Rahn as Adjutant General on the day after Davis' address, but now there were rumors that no Davis appointments would be confirmed. Davis and his staff dug through records, and discovered that a few Allen appointments had been made during the 1921 Session, but had never been confirmed, so he prepared to submit names not only to replace the Allen recess appointments but also these names that had been before the Senate but had not been acted upon. The Senate confirmed the Allen recess appointments but refused to consider the men whom Davis nominated for these positions. Davis appointments to fill offices where the incumbent had resigned or where his term had expired were promptly confirmed. The Republican Attorney General, Charles Griffith, ruled that the Allen recess appointments would stand. Davis appointed Carl Peterson as Bank Commissioner, but did not submit his name as he feared that the Senate would refuse confirmation. After the Attorney General ruled on the Allen appointments, Davis placed Peterson's name before the Senate, and Peterson was promptly confirmed. This did not end the patronage battle. Davis brought suit to oust Allen appointees that had either been appointed too late in the 1921 Session for confirmation or had been placed before the Senate early in the 1921 Session but had not been acted upon. This suit was carried to the Kansas Supreme Court, which decided that all the Allen appointments should stand.⁶

⁶Kansas, Senate Journal, 1923, pp. 25, 94, 109, 123, 130, 207, 210, 323, 346, 352, 399, 426, 447, 448, 493; and Topeka Capital, January 17, 18, 21, March 7, 8, June 16, 1923.

The Legislature went on its merry way killing Davis' proposals and passing legislation that he felt he had to veto. They then overrode his vetoes. This was the first time since 1869 that a Governor's veto had been overridden and before the session was over, all the vetoes that the Legislature considered were repassed. Since the Legislature had not followed any of his recommendations, Davis came before them halfway through the session and delivered a second address. Cutting his proposals down to nineteen he called for: reduced expenditures, readjustment of salaries, elimination of useless jobs, combination of boards and commissions, a mortgage tax law, repeal of tax exemption for certain bonds, restriction upon county and township indebtedness, an income tax law and an income tax amendment. He requested repeal of the inheritance tax and enactment of an estate tax, a production tax on gas, workman's compensation by the state, repeal of the Industrial Court Law, restoration of local control over public utilities, banking and "blue sky" reforms, prohibition of corporations owning of stock, credits for stored grain, limitations upon county tax levies, county control over roads, and a constitutional amendment for a more just and uniform tax. Davis reminded the legislators that what he proposed was for the people and that they were the representatives of the people. He said that it was not too late for them to act, and that they could restore Kansas to her rightful place as a leader among the states.⁷

⁷Kansas, House Journal, 1923, pp. 215-19; and Topeka Capital, February 14, March 22, 1923.

The Legislature did not heed Davis' exhortations and the bills poured out and the vetoes and veto messages rolled in. Most of the veto messages are on one theme, that the measure set up an additional unnecessary appropriation that the people could not afford. Davis reminded the legislators that both parties had stood for economy in the 1922 campaign, and that they should therefore restrict expenditures. He sent a number of special messages reminding the lawmakers that the people were depressed and could not afford increased taxes or bills that would allow local areas to increase taxes. He took the advice that he had offered other Governors and chopped into appropriation bills with his item veto. He vetoed measures designed to establish new boards and commissions, allow political control of cities by setting up a commission form of government, and require a party affiliation in the primary and possibly limit voter participation. Davis could send only one congratulatory message as only one of his proposals, that of giving control over road building to the counties and thereby limiting the construction of expensive hard roads, was enacted by the Legislature.⁸

The Legislature was underpaid, and the members' compensation was fixed by the Kansas Constitution at \$3.00 per day. They voted themselves \$5.00 a day in addition to this figure, but backed down when the Republican Attorney General brought suit in the Supreme Court to

⁸ Kansas, House Journal, 1923, pp. 106, 220, 245, 306-07, 380, 397, 443, 465, 494, 499, 505-06, 531-32, 551, 572, 573, 590-92, 626, 633, 635, 637, 654, 667-76, 676.

invalidate this "salary grab." They did resort to the old dodge of postal and telegraph expenses, and voted themselves \$25.00 and \$50.00 each respectively. Davis promptly vetoed this action saying that although they were underpaid, these were hard times, and in any case this was a matter on which the people should vote. His veto was promptly overridden.⁹

Less than two weeks before the close of the session, Davis threw a bombshell at the Legislature when he sent a special message about certain improprieties in the offices of the State Auditor, Norton A. Turner and the State Treasurer, Elmer T. Thompson. Howard Payne had been employed by Turner as an assistant while he was City Clerk of Kansas City, Kansas. The Home State Bank of Russell, in which Turner owned 33% of the stock, was a depository for state funds with an insufficient bond, and the Home State Bank loaned \$3,500 to Thompson. Davis demanded an investigation of the charges and cited statutes that had been violated. He inferred that Turner and Thompson were worthy of prosecution and possible impeachment. Turner sent an open letter to the House in which he denied the charges. He explained that there was nothing wrong with the payments to Payne, and that they were for services rendered. He said that upon his election regular state funds were removed from his bank, that only special funds were deposited there, and that the loan to Thompson was properly secured. The Speaker of the House appointed a special probe committee to look into the charges. Davis told the House that Thompson had had relatives on

⁹Ibid., pp. 532-33; and Topeka Capital, January 21, February 4, 1923.

his payroll and that this too should be examined. Four days later, Davis sent another special message, in which he accused Thompson of having drawn salary funds for people not in state service and of having deposited state funds above the statutory limit in four banks. Davis followed this message with a demand for impeachment of Turner and Thompson.¹⁰

In the background of these charges is the appointment of Dan Henry as State Auditor by Governor Davis. Henry had been snooping around various Republican-held offices looking for discrepancies and the legislators decided to follow one of Davis' recommendations, in this case, and eliminate what they felt was an unnecessary job. Davis then came back with charges of misconduct and illegal activity. The House Committee that investigated the charges was bi-partisan. Having no power to subpoena witnesses or to take testimony under oath, it cleared the two officials after a cursory examination. The two Democrats on the committee, filed a minority report which requested a further investigation by a plenipotentiary committee. Then a Senate bill providing for such a committee was passed by the House and the committee was established.¹¹

Davis had accused the Legislature of "whitewashing" the whole affair, and the special committee meeting after the close of the

¹⁰ Kansas, House Journal, 1923, pp. 466, 480-83; Topeka Capital, March 9, 13, 1923; and Topeka State Journal, March 9, 13, 1923.

¹¹ Kansas, House Journal, 1923, pp. 525-27, 528-29, 545, 552, 559-60; Topeka Capital, March 15, 1923; and Topeka State Journal, March 15, 16, 17, 1923.

session proceeded to complete the job. It met behind closed doors, and Davis accused it of being a "Republican star chamber." The committee was bi-partisan, but contained five Republicans and only two Democrats, and they decided that there were no grounds for impeachment. Turner had paid Payne from the wrong fund, the special funds, one of which should not have existed at all, had been illegally deposited and the excess deposits in the four banks were illegal. This apparently satisfied Turner who felt he had been given a "clean bill," and Davis said that it substantiated his charges. Laws had been broken, but there was no wrong done.¹²

Davis sent a final general message to the Legislature just before it adjourned. He went into the problem of the agricultural depression, and noted that the prosperity of agriculture was basic to the national prosperity. He asked the Legislature if they could not have done more to restore economic balance by assisting the farmers to greater purchasing power. The legislators could have reduced the burdens upon farmers, assisted them with credit facilities, given them more control in governmental affairs, and generally assisted them and thereby have brought about an improvement in the whole general economy. He asked if in the time remaining they might take up some measures of importance rather than frivolously discussing the location of lights on motor vehicles or methods to acquire more control over political appointments. He again exhorted them to make laws in the interest

¹²Democratic News, July 11, 1923; Topeka Capital, March 27, April 1, June 27, July 10, 1923; and Topeka State Journal, March 27, 28, May 5, July 10, 1923.

and for the benefit of the people and not be content with having set a record on funds that they had appropriated for themselves. He closed with a reminder of the general depressed economic picture, and in a call to place aside politics, urged that they do all for the people that they rightfully could.¹³

The session closed with a mad race to override vetoes. Davis closed his office to avoid receiving bills and thereby hoped to avoid having some of his vetoes overridden. The Legislature did reduce appropriations by \$2,000,000 under 1920, but only one of Davis' proposals, a County Road Bill, was enacted. He vetoed sixty-two bills and resolutions, and the Legislature repassed thirty-one of these. Every bill or resolution that was vetoed, and reconsidered was repassed. In spite of the overall reduced appropriations, which for the most part hurt the state educational institutions, the session was noted for its record postage and telegraph appropriation.¹⁴

Davis had been unable to secure repeal of the Industrial Court Law, but he did parole Alexander Fowat and five other Miner's Union officials from prison where they had been serving sentences for contempt of court. Davis did make one appointment to the three-member tribunal during the 1923 Session, and early in 1924, there would be another vacancy for Davis to fill. In the Spring of 1923, there were two strikes in Kansas, and the Industrial Court was unable

¹³Kansas, Senate Journal, 1923, p. 472.

¹⁴Democratic News, March 21, 1923; and Topeka Capital, March 15, 18, 19, 1923.

to cope with them. Davis asked the members to either abolish their positions or drastically reduce their expenditures. They refused, and in June of 1923, the United States Supreme Court handed down a decision that the court was unconstitutional in attempting to fix packing house wages. Davis considered calling a Special Session of the Legislature to abolish the court, and Henry J. Allen agreed that it should be "modified." The judges decided that they would operate at the "least possible cost," and Davis decided to leave abolition of the court up to the people in the 1924 election. In March, 1924 Davis made his second appointment to the by then, ineffective tribunal, and in 1925, the Legislature did abolish it.¹⁵

Davis was the only Democrat elected in 1922 at the state level. All the other elected offices at the state level, including the courts, were held by Republicans. In spite of this, relations within the administration were generally friendly. However, Davis did run into some difficulties over patronage, especially that concerned with the State Board of Health. The Board of Health's Secretary, Dr. Samuel J. Crumbine had been in office for nineteen years, and had become a national figure with his "swat the fly," paper cup and general sanitation improvement campaigns. Some of these campaigns affected various vested interests, and on occasion, he had been opposed and threatened. He became involved in the American Medical Association's campaign to improve professional standards, and many doctors with

¹⁵Fort Scott Tribune-Monitor, February 15, 1923; and Topeka Capital, April 6, May 10, June 12, 14, 30, July 3, 4, 1923, February 3, March 19, 1924, March 16, 1925.

questionable qualifications opposed him. Much of Davis' voter support came from areas that would later support John R. Brinkley, and these citizens resented some of Crumbine's campaigns. Since he was a national figure, Crumbine was often off on state-paid junkets, as Davis said when vetoing an appropriation, "North in the summer and South in the winter," and the expense of these trips plus the expense of operating the Board of Health were frowned upon.¹⁶

The Board of Health consisted of ten members appointed by the Governor for staggered three-year terms. They selected a Secretary who also served for three years. Three members of the Board had been appointed by Allen in 1921 but never confirmed by the Senate, three were recess appointments and two resigned, so Davis appointed eight new members in April, 1923. There were immediate outcries and protests over Davis' action, and the old Board members refused to surrender their offices. The old Board met in May and voted to retain Crumbine. Davis then demanded his resignation. Crumbine refused to resign, and Davis revoked the commission of one member whom he had appointed because the member favored retaining Crumbine. Crumbine was offered a job with the American Child Health Association in New York by Herbert Hoover, and did resign. The old Board then appointed Dr. Milton O. Nyberg as Secretary, after the Attorney General ruled that they were the rightful office holders. Then, one day in June,

¹⁶ Kansas City Star, February 25, 1913; Topeka Capital, April 5, 1912, February 25, March 7, June 10, 1913; Topeka State Journal, March 11, 1913; Kansas, House Journal, 1923, p. 635; and Jonathan M. Davis Papers, Division of Archives, KSHS, Miscellaneous Correspondence.

while the old Board was out to lunch, the new Board broke into the Board of Health offices and proceeded to elect its own Secretary. They fired former employees, but the State Executive Council, composed of Davis and the Republican members of his administration, closed the office, and the Republican postmaster in Topeka refused to deliver the mail. The statute relating to the Board of Health stated that the Senate had to confirm the appointments, but the Republican Kansas Supreme Court decided otherwise, and all the Allen appointments were held valid. In 1924, the Democrats finally got control of the Board because of expired terms, and they were able to restrict the powers of the Secretary and to give some jobs to deserving Democrats.¹⁷

Davis was only able to make appointments to offices where the incumbent's term had expired. The press gave him a rough going over on this whole question of patronage accusing him of "partisan appointments," to which Davis replied: "Why [ere] my appointments more partisan than Allen's?" The Democratic News chimed in saying that when a regular Republican managed to acquire a sinecure and hold on to it for twenty years, it became "non-political." Keeping the Board of Health out of politics seemed to them to mean keeping it Republican. The Republicans thought they found evidence of wrongdoing on the part of the Democrats in the matter of political contributions. The Democrats were left with a debt of \$3,000 after the campaign and needed to clear it up. Democrats appointed to state

¹⁷Samuel J. Crumbine, Frontier Doctor (Philadelphia: 1948), p. 260; Democratic News, April 25, 1923; Topeka Capital, April 19, 24, May 5, 18, 20, 22, June 1, 2, 6, 9, 10, 12, 16, 1923; June 1, 1924; and Topeka State Journal, April 18, May 17, June 1, 5, 9, 1923.

jobs were apparently asked to contribute 2%% of their salaries to the Party to eliminate the debt. Attorney General Griffith uncovered this and tried to establish some wrong-doing, but he was unable to prove that the contributions were not voluntary. Bank Commissioner Peterson defended them in any case saying that he gave 10% of his salary to his church. Part of the motivation for Griffith's disclosure was Davis' attempt to have the Attorney General investigate the issuance of passes to the Public Utilities Commission. Griffith refused, and nothing was done about passes until the Democrats gained control of the Commission when Republicans' terms expired. The Democrats restricted the use of passes by Commission members.¹⁸

During the Spring of 1923, Davis received a number of letters from farmers complaining about their depressed conditions. When the Legislature failed to provide them with any relief, they wrote and asked for a Special Session to take up their problems. Analysts of pressure group activities have said that the most hard-shelled politicians can be moved to tears by a pencil-scrawled letter from a farmer constituent. Davis received many of these pencil-scrawled missives and they all favored a Special Session to reduce taxes. In particular, farmers wanted a tax on gasoline so that the users of roads would pay for them. Davis spoke to farmers groups about calling a Special Session for this purpose.¹⁹

¹⁸Democratic News, March 13, 1923; Topeka Capital, January 23, February 1, 17, 29, March 2, 5, 6, 16, 18, 1924; and Topeka State Journal, February 29, 1924.

¹⁹Davis Papers, Farmers, Roads, and Taxes; and Topeka Capital, July 17, 1924.

Davis did call a Special Session, but it was concerned with the matter of the bonus for World War veterans. The voters in 1922 had endorsed a Constitutional Amendment that authorized a veteran's bonus, and the 1923 Legislature authorized \$25,000,000 in bonds to raise the money. A question arose as to whether regulars, those who were career members of the military, were entitled to the bonus, or whether it should be limited to citizen soldiers. The Legislature dodged the issue but, the Kansas Supreme Court decided that regulars were entitled to the bonus. The Court said that the Legislature could issue more bonds, or could reduce each veteran's compensation and prorate each claim. This necessitated a Special Session which Davis called after the Republicans agreed to limit it to consideration of the bonus. The Legislature met, voted \$7,000,000 in additional bonds, provided funds to rebuild a dormitory that had burned down, endorsed a memorial for the recently deceased President Harding, and went home. The distribution of the bonus created something of a problem. Each Party wanted to be identified with the bonus, but it was handled rapidly in spite of a few difficulties.²⁰

Davis missed this Special Session of the Legislature. On the day it convened, he went to bed with a high fever and what appeared to be pneumonia. Then it was decided that he had the flu. Finally the case was diagnosed as typhoid fever. The Legislature sent messages of sympathy over his illness, and the Republican press

²⁰ Topoka Capital, February 4, March 3, 20, 23, July 26, 28, August 6, 7, 8, 9, 10, September 25, 26, 1923. In the Davis Papers, there are many letters relating to claims, and three letters expressing thanks.

praised his likable human qualities. He passed through crises and relapses, recovered and went down to Bronson to recuperate. While he was sick, W. G. Clugston asked Lieutenant Governor Paulen what his policies would be to which Paulen replied: "I'll be damned if I'll put on a man's shoes before he's dead." From mid-August till mid-November, Davis was incapacitated.²¹

While he was sick, some of his appointees were busy doing something for the farmers. Davis had requested all County Boards of Assessment to go over their work and try and lower the assessments such as the ones wherein farmers were taxed on a valuation higher than market prices. In the area of corporate taxation, Davis appointees to the State Tax Commission adopted the formula that tax valuation should equal valuations used for rate-making. Southwestern Bell Telephone Company which had a valuation for rates of seventeen million dollars, had its tax valuation raised from ten million to almost fifteen million.²²

Some of the letters that Davis received have been mentioned above. A public official is always offered much advice on how to do his job. Davis got many solicitations for political appointments. Farmers often complained about their problems and Davis replied that there was little that he could do because of the Republican Legislature. Early in his term, many students wrote for information about

²¹Democratic News, September 13, 1923; Topeka Capital, August 6, 7, 8, 9, 10, 16, 18, 19, 23, 24, 26, September 30, October 10, 24, November 23, 1923.

²²Topeka Capital, August 19, 1923, January 31, 1924.

the Industrial Court for debates on papers. Cranks wrote about vivisection, cigarettes, capital punishment and the Ku Klux Klan. Hardship cases were referred to his assistants to see if they could secure publicity, and Davis sent a five-dollar check to one destitute old-timer. A loyal Democratic undertaker who advertised in the Democratic News throughout 1923 and 1924, complained that he was not getting as many bodies from the Topeka State Hospital as a noted Republican. He received a reply from the Governor's secretary explaining how the bodies were distributed, and saying that it was fair. Davis' letters evidenced a folksy style of writing, and he frequently used the salutation, "Dear Friend."²³

As the former Governor of an agricultural state, Davis received some national attention when he was elected. Davis worked not only for Kansas farmers, but addressed himself to the national problems of agriculture. He spoke to a Kansas Farmers Union meeting in the presence of their national President Charles Barrett, and advocated co-operative marketing. On another occasion he recommended a boycott of sugar until its price came down. He addressed a meeting of the Farmer-Labor Party and advocated co-ops again. Aaron Sapiro came to Topeka to talk to Davis. Davis issued a proclamation calling for a National Wheat Conference along with the Governors of Indiana, Minnesota, Missouri, Ohio and Oklahoma, and sent the conference a telegram in support of co-operative marketing. He told a farm group

²³Davis Papers, Cigarettes, Industrial Court, Prisons, Miscellaneous Correspondence.

that the price of production was the only fair basis for agriculture and proposed a wheat sellers strike. He advocated the federal government's stepping in and buying up surpluses. He attracted the attention of national farm leaders and national Democratic figures (such as Bernard Baruch). He was mentioned as a possible Presidential candidate.²⁴

Martin Harder states that Democratic factional splits were related to national politics and the Presidential ambitions. Two leading Kansas Democrats, Dudley Doolittle, and Jouett Shouse, were national Congressmen from 1912 to 1914, and were associated with the Wilson administration thereafter. Shouse worked under William G. McAuloo, and favored him for the 1924 Democratic Presidential nomination. Samuel Amidon, the National Committeeman, also backed McAuloo, but former Governor Hodge, Carl Peterson and Davis were Bryan men and opposed McAuloo. Davis was mentioned as a "dark horse," and a statewide club was formed to boost his candidacy. The McAuloo men had backed Davis for Governor in 1920 and 1922, but they did not feel that he had the requisites for the Presidency. The 1924 Democratic Club meeting on Washington's birthday, was the scene of much political maneuvering. Davis was warned by the representatives of the railroad unions that they favored McAuloo and advised him to step aside. The former Mayor of Kansas City, Rogers, Harry Burton, a member of the Railway Switchmen, announced that he would oppose Davis for the

²⁴ Topeka Capital, January 12, 19, 20, May 5, 15, 22, July 5, 6, 15, 1923; and Davis Papers, wheat.

Gubernatorial nomination. Davis won a specific endorsement for President, but McAdoo was generally endorsed. Various Democratic groups around the state lined up on either side, and William Jennings Bryan made a short trip to Topeka and endorsed Davis as did the State Democratic Convention and the Farmers Union. This was a hollow victory since Davis had the endorsement and therefore the favorite son votes on the first ballot, and the McAdoo men controlled the Kansas delegation.²⁵

The Kansas Governor's headquarters were opened in a room at the McAlpin Hotel in New York a few days before the start of the national convention. The New York Times mentioned the candidacy of the "dirt farmer," and commented editorially that he was as good a Governor as a Republican Legislature would allow. Davis' name was placed in nomination by Congressman William Ayres, and a syndicated columnist commented on how easy it was to see Davis for an interview. The writer found no host of secretaries and assistant secretaries around him. In the 1924 Democratic Convention, neither McAdoo nor Alfred L. Smith, the other major contender, could secure as much as a majority of the votes. A two-thirds vote was necessary for the nomination. Davis was deserted by the Kansas delegation but he did receive 32.4 votes on one ballot, and when it appeared that a dark horse would get the nomination, he was mentioned. Another Davis, John W. of New York won the nomination. Jonathan Davis was mentioned for the Vice-

²⁵Harder, "Some Aspects," pp. 166-68; Democratic News, February 21, March 27, April 3, 10, 1924; and Topeka Capital, July 30, November 4, 25, December 6, 9, 16, 1923, January 19, February 22, 23, March 5, 25, April 3, May 15, 1924.

Presidential nomination, but this went to William Jennings Bryan's brother, Charles, the Governor of Nebraska, while Davis received four votes for the second position.²⁶

Following the Convention Davis returned to Kansas for the Primary campaign for the gubernatorial nomination. He faced a battle. The McAldoo men supported him but there were bitter feelings over their lack of support for his Presidential campaign, and Harry Burton was a formidable opponent. In addition, Carl Peterson and John Trouble of the Farmers Union had filed for the nomination in the hope that Davis might win the Presidential nomination. They were unable to remove their names from the ballot, and there was a danger that the Davis vote might be split. Burton had been outspoken against the Ku Klux Klan, and debated with Dr. Harry Graham of Boston against the Klan. He opposed Davis' presidential ambitions, his friendliness to Howat and his miners, and his vetoes of bills for Kansas City, Kansas, and brought the Klan issue into the campaign. Burton was hospitalized with a knife wound in his throat four days before the Primary, and Peterson and Trouble loudly urged Democrats to endorse Davis.²⁷

Davis again won the gubernatorial nomination with ease, and Democratic hopes were strengthened when it was announced that they received 23,000 more votes than ever before in the Primary. Davis'

²⁶ New York Times, June 19, 20, 1924; and Topeka Capital, June 22, 27, July 1, 8, 1924.

²⁷ Democratic News, July 17, 24, 1924; and Topeka Capital, May 8, 1922, April 13, June 8, July 12, 13, 23, August 2, 1924.

opponent in the November election was Ben Paulen, his Lieutenant Governor. The Republican platform endorsed Coolidge, the Party's national platform, the Kansas Republican Representatives and Senators in Washington, an anti-lynch law, laws to aid farmers, and a state budget system. They spoke for road laws to bring about greater federal aid, revision of railroad freight rates, removing the state bank department from politics, and attacked the Democrats' issuance of too many paroles and the Davis administration generally. The Democrats denounced the Ku Klux Klan by name and praised John W. Davis, the Democratic Congressional Candidates, and Jonathan M. Davis and his operation of the Public Utilities Commission and Tax Commission. They favored a stronger Bank Guaranty Law and economy in government by abolishing excess boards, defended Davis' handling of the road question and his taking regulation of the banks out of politics, and closed by condemning the extravagance of the 1923 Legislature, with their increase in taxes, and the Republican nominee.²⁸

Davis had favored the anti-Klan resolution that had been voted down by the Democratic National Convention in New York, and the anti-Klan plank in the Kansas Democratic platform was reputed to have been written by him. The Klan was an extremely touchy issue. The Democratic platform condemned it by name while the Republican platform was silent, but neither Davis nor Paulen would publicly speak out against it. Paulen was rumored to have the support of the Klan. Attorney General Griffith, running for reelection was an outspoken foe

²⁸ Topeka Capital, August 22, 27, 1924.

of the Klan and had brought suit against it to bar it from the state. Davis had been very cooperative with Negro groups which had written to him for aid or endorsements, but his appointees on the State Board of Review had approved the showing of the film, The Birth of a Nation. There had been some controversy over this film, and Republican Boards of Review had not allowed its showing within the state for ten years. It portrayed the Negro in an unfavorable light and justified the post Civil War birth of the original Klan. The Board of Review had deleted many scenes from the film before they approved its release in Kansas.²⁹

Both parties feared losing votes over the Klan issue, but the Democrats did condemn it by name. The Klan had been endorsing candidates, and in the April, 1924 Municipal Elections, their candidates had won. Griffith had been attacking them, but as the Democratic News said this gave them lots of free publicity. Griffith was not so outspoken as to try and "pass the buck" to Davis when it came to prohibiting Klan demonstrations, gatherings and parades with their masks on.³⁰

William Allen White had been outspoken in condemnation of the Klan. He had long been identified with the progressives in the Republican Party, but, in 1924, he saw his candidate, Clyde Reed, a fellow publisher and former Chairman of the Public Utilities Commission lose the Republican nomination to Paulen and the Stand-

²⁹ Davis Papers, Censor Board, General and Miscellaneous Correspondence; Democratic News, December 6, 1923; Topeka Capital, August 26, 27, 1923; and James M. Putnam, "The Attorney General of Kansas," (Unpublished M.A. thesis, Dept. of Political Science, University of Kansas, 1937), pp. 113-14.

³⁰ Democratic News, May 16, 1923; and Topeka Capital, June 21, July 22, 1923, April 2, May 6, September 2, 1924.

matters. White looked around for a Republican to oppose Paulen, found none and in September, 1924, he filed for election as an Independent. White was against the Klan, but he was also opposed to Paulen and his wing of the Republican Party. White received the endorsement of his fellow editors and the Kansas City Star. W. G. Clugston said that the white campaign was a play by the Star to gain control of Kansas. White laced into both Davis and Paulen on the Klan, but especially Paulen. Paulen debated with Davis, and attacked his party but would not speak against Davis directly. The Topeka Capital belittled the Klan issue and remained behind Paulen. It attacked Davis' record on paroles and reminded farmers of the thirty percent rise in their income. The Democratic News and the Topeka State Journal, both linked White with the Star, and asserted that his campaign was based on the fact that both Paulen and Davis had not been susceptible to the Star's attempts to "buy" them. The News went further and identified White with the Doherty gas interests and linked Paulen with the Santa Fe Railroad and Southwestern Bell Telephone Company.³¹

Paulen won easily with 49% of the vote, Davis got only 27.7% and White ran a poor third. All state-wide offices went to the Republicans. The data in Table VIII³² indicate that the white candidacy

³¹Democratic News, September 4, October 9, 30, November 6, 1924; Kansas City Star, November 2, 1924; New York Times, September 22, November 4, 1924; Topeka Capital, August 26, 27, September 5, 7, 9, 21, 23, October 5, November 3, 5, 1924; Topeka State Journal, October 7, 1924; and Interview with W. G. Clugston.

³²Appendix, pp. 119-21.

cut heavily into the Davis vote. If the thesis that Davis' 1922 victory was due to economic factors is accepted, then part of his loss in 1924 must be accredited to economic factors. But, overall in the state, the Democrats increased their membership in the state Legislature from thirty to thirty-three, their membership in the Senate from two to eight, and their representation in Congress from one to two. Totals of the White and Davis vote were within four percent of Davis' 1922 vote in thirty-five counties, and the State total of Davis and White votes was within one percentage point. The one county that White carried, Ellis, was the most Democratic county in the state, the only one that returned Democratic pluralities over half of the time. The counties in which White ran second were in consistently Republican areas and in the areas where Davis got his support in 1922 as was indicated in Figure I. It seemed that there were three types of voters who backed White: Republicans who would only vote Republican and favored White over Paulen, progressives who would otherwise have voted for Davis and anti-Klan voters who would have gone to Davis rather than Paulen. Davis would most probably not have beaten Paulen in a two-way race, because of the improved agricultural picture, but it seemed that most of White's support came from voters that would otherwise have supported Davis. The Klan issue had some effect on the election, but Attorney General Griffith, the only outspokenly anti-Klan candidate won reelection without difficulty with 51.3% of the vote. Griffith failed to carry only twenty-nine counties in the state. Paulen carried twenty-seven of these counties, fifteen by a majority

and twelve by a plurality. In all but one of these twelve counties, White ran third. This reinforces the idea that Paulen was more favorable to the Klan than Davis. The 1924 Republican split seemed to have had little effect on the outcome of the election, and the only thing that can be safely concluded is that White's candidacy made Paulen a minority rather than a majority victor.³³

Davis was a "lame duck" Governor after the election, but he still was in office, and stirred up one more hornet's nest when he presented Chancellor Ernest H. Lindley of the University of Kansas with a belated "Christmas present," his dismissal. All state institutions, schools, hospitals, the prison, etc., were under the control of the State Board of Administration and the Governor was ex officio Chairman. Davis therefore could exercise some direct control over the University. Davis had had difficulties with the administrations of both the University and the State Agricultural College. His greatest success in reducing appropriations had been in the area of the state's educational institutions, and this was resented. In addition, he had tried to place Democrats in positions at these institutions and he had handled many complaints from citizens who felt that they were not getting proper services from them. Davis was an honorary alumnus of the University and at first his relations with

³³Kansas, Secretary of State, Biennial Report, XXIV, pp. 14-17, 88-103; and Lyman, "Voting Behavior," p. 129.

Lindley were harmonious. Lindley invited him to Lawrence to football games and to speak on various occasions.³⁴

Lindley came to Lawrence from a position as President of the University of Idaho. In the background of his coming was the will of William Rockwell Nelson, founder and publisher of the Kansas City Star. The Nelson will provided for a trust fund to be administered by a board chosen by the Heads of the Universities of Kansas, Missouri and Oklahoma. The Star was in a position where it could profit by the administration of the trust fund, and it persuaded Governor Allen, in 1919, to remove Chancellor Frank Strong and bring in someone more friendly. In 1920, Lindley took over and in 1921, the Legislature granted the University a large increase in funds. Relations with Davis, while at first pleasant, gradually deteriorated. Lindley was not pleased with reduced appropriations and the building holiday, but there he accepted. There were some cases of crossed and lost letters and a general lack of rapport between the two. In December of 1923, during the winter recess, a student died during an operation at the University Medical Center, and Lindley went along with Davis' recommendation that the doctor be dismissed but, there was some misunderstanding. Davis asked Lindley to remove a Dean and the Superintendent of Grounds, and Lindley protested. He also resented

³⁴Davis Papers, Board of Administration; University of Kansas, Chancellor's Office Files, Correspondence with Governor Davis.

Davis' attempts to promote various appointments.³⁵

By the summer of 1924, relations had deteriorated to the degree that Lindley had the Dean of the Law School check up on how much power the Governor had over him. He was distressed to learn that Davis could dismiss him "at pleasure." The recently chosen Alumni Secretary, Fred Ellsworth, was set to work by Clyde Miller, State Chairman of the Republican Party and Pullen's Executive Secretary after he got in office, to secure a grass roots alumni protest against the rumored removal of Lindley. Davis then discovered some discrepancies in the purchasing of supplies by the University, and Lindley suspended four students who had been on a joy ride with four coeds in Topeka and had had an accident after drinking some whiskey. But the 1924 election campaign was underway and nothing was done.³⁶

In November of 1924, after the election, Davis and Lindley met a few times, but it appeared that there would be no action taken against the Chancellor. To guard against the possibility Fred Ellsworth stepped up his output of telegrams to Alumni Clubs around the state to get more letters favoring Lindley in to Topeka. Just before Christmas, Lindley was called to Topeka for a conference and things appeared to be settled. On December 28 however, Davis requested Lindley's

³⁵Davis Papers, State Board of Administration; University of Kansas Chancellor's Office Files, State Board of Administration and Correspondence with Governor Davis; and Kansas State News (Topeka), January 22, February 12, 1925. The Kansas State News, was a new name adopted by Peterson for the Democratic News.

³⁶Davis Papers, State Board of Administration; University of Kansas Chancellor's Office Files, Dismissal of Chancellor Lindley; "Chancellor Lindley and Governor Davis," scrapbook in University of Kansas Library; and Interview with Fred Ellsworth, Alumni Secretary of the University of Kansas, Lawrence, April 23, 1962.

resignation and when he refused the Board of Administration fired him. A howl arose in the press, and telegrams and letters poured in to Davis in condemnation and to Governor-elect Paulen in hopes that he would reinstate Lindley. At the University, there were meetings and protests. Lindley was not well liked by the faculty although there is often a lack of popularity in academic administrations, and a Faculty Senate meeting when offered a resolution that endorsed Lindley and deplored political interference in educational matters, refused to endorse Lindley but, did vote to condemn political interference.³⁷

Paulen's first official act as Governor was to reinstate Lindley. The 1925 Legislature, after much prodding by the Governor, passed a law providing for a Board of Regents. This board was to administer only the State's five institutions of higher learning, and although there was no requirement for bi-partisan composition, it was to be non-political. Paulen's first appointment to the board was William Y. Morgan.³⁸

One issue that the Republicans played up in the 1924 campaign, was the issuance of excessive pardons and paroles by Davis. This is always a rather touchy issue and Kansas in the 1920's had a lack of

³⁷ Davis Papers, State Board of Administration; University of Kansas, Chancellor's Office Files, Dismissal of Chancellor Lindley; Kansas State News, December 25, 1924, January 1, 1925; Topeka Capital, December 24, 28, 29, 30, 1924, January 4, 5, 1925; Interview with Fred Ellsworth; and Interview with Dr. James Malin, Topeka, April 16, 1962. The Minutes of the January, 1925 meeting of the University of Kansas Faculty Senate are curiously missing.

³⁸ Francis D. Ferrell, "Dr. Lindley's Christmas Present," Kansas Historical Quarterly, XXII, No. 1 (Spring, 1956), 67-77; Kansas State News, April 9, 1925; and Topeka Capital, January 14, March 16, 1925.

space in her prisons. There was a necessity therefore of paroling prisoners who were deserving and thereby reducing the prison population. Many Kansas Governors had been accused of issuing excessive paroles. The selling of paroles, or receiving "attorney's fees," was said to be a means of supporting the party. Davis had been accused of issuing too many paroles throughout his two years in office, and the press had miscalled them pardons. Davis received many letters about these "pardons," and he replied to all of them stating that he had issued only paroles and that former Governors Capper and Allen had issued more than he had. In 1923, a Democratic member of the Legislature had been investigated by a committee and by the Attorney General for selling paroles in Davis' name, but he had done so without authorization, and there was never enough evidence produced to warrant an indictment.³⁹

After Lindley was removed, there was some talk of investigating Davis' parole policies, but the matter was apparently dropped. Three days before Davis' term as Governor was to expire, his son, Russell, was caught accepting \$1,250 for a pardon from a paroled embezzler. George H. Wark, a Kansas Republican and a Federal Prohibition Officer said that he was a witness and had gone to the scene to investigate a reported liquor violation. A Republican Legislator, a shorthand reporter, W. G. Clugston, then a reporter for the Kansas City

³⁹ Davis Papers, Miscellaneous Correspondence: Democratic News, December 11, 1924; Topeka Capital, September 13, 1924; and Topeka State Journal, August 4, 6, 7, 17, September 26, 1923.

Journal-Post, and Ben Johnson a former official at the state prison were also very conveniently in the audience. Davis and his son were both arrested just an hour before Paulen was due to be inaugurated. Davis was released on bond and spoke at Paulen's Inaugural. He praised Paulen, and evidenced no bitterness, but he denied that he had committed a crime and cited that it was the first time that a Governor of Kansas had left office under arrest.⁴⁰

Other parole sales were mentioned in the press, and the Attorney General launched an investigation of all paroles issued by Davis. Carl Peterson was pressured into resigning as State Bank Commissioner, and he too was arrested on charges of selling paroles. Davis and his son were arrested a second time for another case. The big issue was the \$1,250 that Russell Davis had accepted from Fred Pollman. Pollman was a banker who became involved with a woman and took some of his depositors' money. Davis had been a character witness for him at his trial, and after a year in prison, Governor Allen had paroled him. He had some business interests out of the state and desired a full pardon so that he could leave Kansas permanently. Davis' policy on pardons was to grant them only when a man was dying or when he had served out the full term of his sentence, and he refused Pollman's request. Pollman persisted and also worked to try and get a pardon for a former prisonmate, Glenn Davis, a tailor who was convicted of murder. At Jonathan Davis' trial it was inferred but never proven, that Glenn Davis had established a homosexual relation with Pollman.

⁴⁰ Kansas City Journal, May 1, 10, 1925; and Toledo Capital, January 10, 11, 12, 13, 1925.

at prison and that in return for his favors, Pollman saw to it that other prisoners gave him some of the coal that they mined. This enabled Glenn Davis to establish a record as a coal miner and made him appear to be a model prisoner. Jonathan Davis paroled Glenn Davis for sixty days and was floundered by Glenn Davis and Pollman for pardons. According to Pollman, the Governor had intimated that he would have to buy a pardon if any was to be forthcoming. Pollman said that Davis wanted him to buy a bull in return for his freedom. Davis and his son-in-law asserted that Davis had done no such thing but had complained that a bull he had wanted to buy was declared Champion of the American Royal and was therefore beyond his means. Davis' daughter said that Pollman and Glenn Davis pursued poor Russell Davis and that he feared for his life and never would have accepted the bribe or payment had he not been intimidated. The Kansas City Journal-Post somehow got involved in the case and was financing Glenn Davis.⁴¹

Jonathan and Russell Davis were tried on one charge of accepting bribes in May of 1925. The state was unable to furnish other than circumstantial evidence, the Davises were able to offer other possible explanations, and they were both acquitted. In February of 1926, Carl Peterson was acquitted of selling paroles, and in April of 1926, the two Davises were acquitted in a second case. In the summer of 1926,

⁴¹ Kansas State News, January 15, 29, April 30, May 14, 1925; Topeka Capital, January 16, 18, 23, 29, February 1, 21, 22, March 13, 14, 1925; Interview with Mrs. McCormick; and Interview with W. C. Clugston.

Davis' wife, 'ollie, died. He and his family always felt that it was the scandal and drawn out prosecution that killed her.⁴²

The Davis administration was colorful and stormy. Davis had to contend with opposition from the Legislature and from every other elected state official. He was unable to secure any of his programs, he had great difficulties in making appointments, and members of his own Party deserted him in New York. He worked hard for his former supporters but could do little for them. He left office in disgrace and brought ridicule upon the state of Kansas.

⁴²Kansas City Journal, May 16, 1925; Kansas State News, May 28, June 4, 1925, February 4, 18, 1926; Topeka Capital, May 15, 16, 19, 20, 21, 22, 1925; and Interview with Mrs. McCormick.

CHAPTER V

JONATHAN M. DAVIS, AN EVALUATION

Jonathan M. Davis became Governor of Kansas at a time when the nation was in the midst of an agricultural crisis. This crisis came during a period of reaction after the expressions of positive government in the Theodore Roosevelt and Woodrow Wilson administrations. Kansas had had her brief flirtation with Progressivism, but she reflected national feeling when she too, failed to do anything for the farmers.

Davis was a farmer, he called himself a "dirt farmer." His father was a Democrat who often served his party as a losing candidate, and occasionally served his county as an official. Davis had wanted to be a lawyer, and set out to study law, but his father's death forced him to take over his family's farm. He remained an active reader although he never returned to his studies, and he became well acquainted with the works of William Jennings Bryan, Theodore Roosevelt and Woodrow Wilson. The public record of these men impressed him and he followed his father's and their ideas about public service by offering himself as a candidate for the state Legislature. Davis was elected to the Legislature four times, and was successful as a candidate for the state Senate. Four times he was his party's candidate for Governor, and he also ran for the United States Senate.

While Davis was a student, he met Bryan and campaigned for him, and throughout his life he called himself a student of Bryan. He was

an advocate of free silver. In the Legislature, the bills that he supported and proposed fall into five categories: railroads and corporations, taxes, farmers, popular rule and welfare services. Davis was opposed to the railroads' domination of Kansas politics, and he attempted to end this domination by prohibiting one abuse that had aided railroad power, free passes. He also sought regulation of fares and freight rates, and better safety practises for both employees and the public. In the realm of taxes, Davis sought not only a general reduction, but a shift of the burden of taxation to the newer types of wealth, and in particular he insisted that the railroads and corporations should pay their fair share. Davis sought to relieve farmers such as himself from some of the excessive encroachments made upon them by various state agencies, and to use the power of the state to aid them. In all his proposals, he favored increasing the voice of the people in their government through such means as Initiative, Referendum, Recall, direct election of Senators and the direct primary. He also favored the states' stepping in and caring for those unable to care for themselves: the needy, the sick, and those working against large oppressive forces.

There was a relationship between all the things that Davis favored. His farmers were the common people most constrained by the power of the corporations and railroads, and by the inequitable burden of taxation. Restoration of control of the government to these people would eliminate the worst effects of the forces working against them, and at the same time, the government could aid the needy among them. Kansas' progressive lurch was in progress during most of Davis' career

in the Legislature, but it was a half-hearted conservative reform era. Kansas is normally a Republican state, and the Republicans as a whole were not overly enthusiastic about the proposed innovations. Some of the Republican progressives represented, supported, and were supported by some of the railroad and corporate interests whose abuses they were seeking to curtail. Progressivism in Kansas Republicanism had its basis in a power struggle, and although many leaders sincerely believed in the reforms that they advocated, the power struggle for control of the Republican Party remained in the background.¹ The generally powerless Democrats had less support from corporate interests, and the Democratic progressives evidenced less leadership that was drawn from the successful business and professional men.

With the coming of World War I, the nation entered upon an hysterical wave of intolerance and opposition to reform. The progressive changes were not removed, but the control and direction of the new processes were turned over to those who had opposed their inception. The electorate denied the opportunity for public service to men such as Davis. But, the very denial seemed to create a need for their services. In 1920 and 1921, the nation entered a period of depression that was particularly severe upon the agricultural Mid-West. The 1922 elections in this area indicated the possible beginnings of an agrarian protest. It cannot be monistically asserted that only the economic factor accounted for the results in the 1922 elections, especially in Kansas where an interfactional split in the Republican

¹Harder, "Some Aspects," pp. 154-55.

Party had some effect, but this was the most important cause. The depressed state of agriculture in both the nation and Kansas, must bear more weight than factional disputes. And, it was highly possible that the condition of agriculture contributed to the split.

Davis was elected on the crest of this agrarian tide. All the other elected officials in his administration were Republicans, and this led to a certain amount of difficulties. Davis started his term as Governor with a plea for non-partisan unity of purpose in returning Kansas to progressivism and the carrying out of the will of the electorate. This theme permeated most of his addresses, especially those to the Legislature. Davis felt that his election had given him a mandate from the people, but the Republicans, with some justification since they controlled the Legislature by an overwhelming majority, felt that they owned the mandate. Davis proposed sixty-three measures to the Legislature, all within the five categories in which he had placed particular stress while a member of the Legislature. He had success with only one of his specific proposals, that of returning the direction of road building to the counties. This measure was a step backward for Kansas, for it reduced the cost of road building by sharply curtailing the construction of hard roads that the country needed and that the rest of the country was building. The Legislature did follow him generally in reducing overall appropriations, but most of the reductions came from a sharp curtailment of the growth of the state's educational institutions. Davis exhorted and pleaded with the Legislature to heed his requests and do something for the people, the farmers, but they would not listen to his entreaties. In addition,

they enacted legislation, most of it in the area of appropriations that Davis felt he had to veto. All of the vetoes that they reconsidered, they re-passed. His Legislature was noted by the Speaker of the House as being outstanding for what it had not done.²

The State Auditor and the State Treasurer were found to be handling State funds in violation of statutes, but the Legislature would do nothing more than "slap their wrists." Almost all the appointed officials in his administration were Republicans when Davis began his term, and Davis sought to procure his "rightful" share of patronage. There should be no need to go into the question of patronage and its relation to the democratic process, but here, as the chief executive, Davis did have a mandate. He could have waited until vacancies were created by expired terms, deaths and resignations but, he discovered that a number of Governor Allen's appointments were illegal or had never been confirmed. Allen's recess appointments were entitled to their positions, but it appeared that the illegal appointments and regular term appointments that had never been confirmed were not valid. The Republican Attorney General and judiciary decided otherwise, and Davis was able to make appointments only after the offices had been vacated.

Davis also tried to gain control of the State Board of Health which employed a number of individuals in positions that were exempt from Civil Service. He pressured Dr. Samuel Crumbine, the longtime secretary to the Board, into resigning, but he was replaced by a

²Democratic News, April 11, 1923.

Republican doctor with a Republican Board, and it was only in the last eight months of his administration that Davis could dispense patronage in this area. He was successful in appointing new tax commissioners, and in directing reassessment by the county tax assessors. Together, they accomplished a reduction in farmer's tax valuations and an increase in railroad and utility evaluations to a level almost equal to that of their rate-setting evaluations. During his administration, the Industrial Court became ineffective but this was due to a United States Supreme Court decision rather than any action on his part.

He spoke out on agricultural issues and attracted enough attention nationally that he received a number of votes for the Democratic Presidential nomination but, he lost the support of members of his state Party. He so efficiently administered the disbursement of the World War I bonus that there was not as much as a whisper of scandal. He called a Special Session of the Legislature to secure additional funds to finance the bonus, and realizing that he would get nowhere with other proposals, he limited it to the bonus. During this Special Session and for a while after, Davis fought off an attack of typhoid fever. In a campaign that was confused by an independent candidate and the Ku Klux Klan issue, Davis lost a bid for reelection, and the improved state of agriculture was probably as important a reason for his defeat as any other force.

Just before he left office, Davis fired the Chancellor of the University of Kansas because of maladministration but, the Republicans were able to make his attack on Lindley appear to be an attack on the University and Davis' successor promptly reinstated the Chancellor.

Davis left office under a cloud of suspicion and under indictment for selling paroles and pardons. He was exonerated.

The Davis administration had been successful in reducing state expenses and farmer's taxes, but these gains were only temporary as the succeeding Republican Legislatures and administrations negated them. But, for two years, the farmers and common people had had a spokesman, representative, defender and martyr in the State House.

What Davis was, or at least why he was Governor has been demonstrated. What he stood for and what he worked for have also been shown. It seemed appropriate to attempt to determine what Davis was politically. Franklin Delano Roosevelt told a reporter that he was a Christian and a Democrat, and this could be said of Davis. His Christianity has been established, he was a Campbellite who switched to Methodism, but his Democracy, what type of Democrat he was, needs to be clarified.

Davis was a Bryan Democrat, he was a progressive Democrat, he was a Silver Democrat and in later years, he was a New Deal Democrat. He disliked monopolies, and had a special distaste for railroads and public utilities. He favored prohibition and woman's suffrage. He favored increasing and enhancing the scope and area of government to make it do new things. He favored an increasing role in government of the people, and a decreasing role, decreasing to the point of absence, of special interests. He stood for public service, and for high ideals of statesmanship. In true Jeffersonian style he favored the simple farmers above all other interests and felt that the prosperity of the farmers was basic and essential to the prosperity of all.

This is very much the same as what the Populists held, but Davis was not a Populist. He had been a regular Democrat during the 1890's, and lost an election to a Republican while running a very poor third behind a Populist. The Progressive movement is usually disassociated from Populism because of its conservative, non-agrarian coloring, but is there a tie between Bryanism, as exemplified by Davis, and Populism? Bryan rode to prominence on the galloping hoofbeats of agrarian protest, but he too was a regular Democrat. Bryan did adopt Populist proposals though, and Bryan Democracy certainly held to what Hicks calls the two fundamental tenets of Populism: that government should restrain the selfish tendencies of those who profited at the expense of the poor and the needy, and that the people must rule.³ Bryan was not a Populist, and one essential difference was the question of the third party. Bryan accepted third-party endorsements, but he was well within the two-party framework. The same could be said of Davis.

Shideler raises the question of neo-Populism in discussing agrarian movements in 1923, and although Davis is given only brief mention, since his election was related to regional farm protest, he can be tied in with neo-Populism. Shideler limits his discussion of neo-Populism to third-party movements, but Davis can be linked with these.⁴ Davis gave moral support to the formation of the Kansas Farmer-Labor Party, and addressed it but, unfortunately, at its national gathering, the Communists moved in and discredited the

³John D. Hicks, The Populist Revolt, (Minneapolis: 1931), p. 406.

⁴Shideler, Farm Crisis, pp. 243-45.

organization.⁵ Davis' Presidential candidacy was linked with the idea of an agrarian protest, and although this coupled with the same reforms that the Populists sought, with up to date additions, did not make Populism or neo-Populism, there was a relation. Davis proposed what the Populists had proposed, and for the same reasons. Davis wanted to achieve the power and glory of elective office, but he was a consistent and persistent spokesman for the Populist and Progressive reforms.

As a politician, Davis was not a complete success. One essential of politics is the ability to get elected but, in addition, the officeholder must build up an effective organization through patronage, and continue in office. Davis came into office with an administration composed almost completely of Republicans. The state civil service regulations had enough loopholes that almost all of the civil service jobs were held by Republicans, and there was no statutory requirement that the various boards and commissions be bi-partisan, so they were completely Republican. These appointed officials took care of the hiring and firing of unclassified employees, and so most of them were Republicans. Davis adopted a policy of trying to make all boards bi-partisan and insisted that his appointments would be bi-partisan, but given the almost totally Republican make-up of the state officials, he would have had to appoint only Democrats so that even a semblance of bi-partisanship could be attained. Most of the boards and commissions did not come under Democratic control until the second year of Davis' administration, and he was then able to appoint a number of Democrats.

⁵Ibid., pp. 246-47; and Topeka Capital, May 15, 1923.

However, his attempts to build up an effective organization were fruitless. His party seemed to turn to petty squabbling and he as its titular head could not control it enough to secure its support for the Presidential nomination. The party did support him for his reelection bid, but this attempt failed.

Davis was accused of being a man with a moral confusion, and of being too trusting to men.⁶ He brought disgrace upon the name of fair Kansas, but he was never convicted of selling paroles. W. G. Clugston in 1925, accused the Poolen administration of "hushing up" the parole scandal, but they did prosecute the cases, and did offer as much evidence in court as the newspapers had broadcast in their disclosures.⁷ Davis did not issue more paroles than his two predecessors did in their terms of office. Capper paroled 109 in an eighteen month period, Allen paroled 110 in a comparable period, and Davis paroled 75 in a like period.⁸ In regard to his paroles, Davis was defended as not having sold any, and as having been pursued by plotters who were able to compromise his son. On the other hand, it could be said that Davis was merely inept, in that he attempted to greedily pocket all the proceeds of parole sales. If this view is accepted then Davis should have used an attorney as a middle man, split the "payoff" with him and all would have been legal. In any event, Davis was acquitted of all charges by two juries.

⁶ W. G. Clugston, Inside State Government, (Salina, Kansas: 1925), p. 6; and Mrs. McCormick lent enforcement to the idea of her father's overtrusting nature.

⁷ Clugston, Inside State Government, p. 4.

⁸ Kansas, Kansas State Penitentiary, Biennial Reports, XXI, 18, XXIV, 22; XXV, 30.

Davis' attempted to remove the Chancellor of the State University for what was charged as maladministration, but it appeared that the Chancellor's political connections were also a causative factor. It appeared that Davis had enough evidence of wrong-doing to warrant Lindley's dismissal, and since he could dismiss him "at pleasure," there should have been little controversy. Davis handled this whole affair poorly. He dismissed Lindley so soon after his defeat for reelection and so close to the end of his term, that it appeared to be revenge. Clugston said that Paulen agreed to not reinstate Lindley, but that he was pressured by his party and gave in.⁹ Had Davis not waited so long, he could have appointed another educator to the post and not, in effect, aided Lindley in the establishment of a secure possession of his office.

As a politician, Davis had to work against all the entrenched hoard of Republican officeholders, his Legislature, his administration, the newspapers and vested interests, and he did not succeed against this array. For a season, he did bring popular rule to Kansas, but all his gains were overturned. His party was again beaten and bruised.

Davis was his party's gubernatorial nominee in 1926, but went down to an overwhelming defeat. He remained on the scene and in 1930 was defeated in his bid for the United States Senate. In 1936, he campaigned for the gubernatorial nomination and lost, and in 1942, he fought a losing fight for the position of Lieutenant Governor. He

⁹ Interview with W. G. Clugston.

died on June 27, 1943 at the age of seventy-two. It was difficult to assess his life and service to the state, but W. G. Clugston who told of his moral confusion in 1925, declared in 1962 that Davis was the nearest thing to a statesman that Kansas had ever seen.¹⁰

¹⁰Ibid., and Wichita Eagle, June 29, 1943. The reendorsement of Davis in 1926 by a divided party, reinforces the idea of his innocence.

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APPENDIX

Table VII. Percentage of popular vote cast for Democratic Gubernatorial candidate, Kansas, 1914-1926.

County	1914	1916	1918	1920	1922	1924	WAV	1926
Allen	35.2	29.2	25.6	34.7	47.3	30.1	26.5	34.0
Anderson	38.8	37.0	34.7	42.7	59.5	35.3	25.1	49.8
Atchison	25.3	26.8	28.7	37.2	44.8	22.0	30.1	40.4
Barber	36.3	29.5	30.8	36.8	46.5	24.4	33.5	24.9
Barton	31.1	39.4	30.7	46.1	62.6	23.2	31.3	37.7
Bourbon	39.0	38.9	38.0	52.1	59.9	44.2	24.2	47.1
Brown	27.3	27.4	24.2	29.2	43.1	28.6	17.2	24.3
Butler	30.2	39.6	31.7	28.4	56.7	27.6	19.5	29.4
Chase	32.6	33.5	28.0	39.5	59.2	29.4	24.3	38.0
Chatauqua	23.5	22.5	24.7	30.5	38.1	29.2	20.3	26.2
Cherokee	33.2	37.0	39.7	45.7	54.4	32.7	18.5	42.3
Cheyenne	37.3	28.2	26.7	27.4	38.3	43.7	17.0	39.6
Clark	36.4	33.6	29.2	43.3	51.9	32.3	17.3	30.9
Clay	27.4	28.6	28.6	27.2	46.8	40.4	14.1	43.3
Cloud	31.3	32.5	28.0	28.9	39.7	26.2	27.6	32.2
Coffey	37.3	38.9	31.9	35.9	51.4	31.4	22.7	44.6
Comanche	24.9	24.7	30.2	42.6	47.3	28.8	17.0	28.3
Covley	29.4	26.5	30.1	44.9	60.2	27.2	21.8	26.2
Crawford	22.5	26.2	28.6	52.9	63.4	33.0	20.9	45.1
Decatur	48.2	51.1	47.6	47.0	53.6	40.6	14.4	49.2
Dickinson	31.2	34.8	26.2	35.9	53.2	24.5	23.3	31.9
Doniphan	26.1	21.7	20.7	24.5	30.9	22.9	18.9	28.5
Douglas	27.7	25.9	19.9	25.7	39.2	16.6	37.0	29.1
Edwards	34.4	34.6	23.5	46.3	60.3	23.6	25.6	39.2
Elk	33.8	33.8	32.0	35.4	41.4	29.6	21.1	37.1
Ellis	36.6	51.7	46.1	41.3	58.8	30.0	45.0	49.3
Ellsworth	25.6	39.3	33.4	44.2	54.5	30.0	27.1	36.1
Finney	26.8	28.3	24.2	25.7	43.4	32.2	21.0	31.1
Ford	35.2	38.1	30.5	49.1	64.7	28.4	23.6	32.2
Franklin	35.7	31.3	27.8	38.4	52.7	31.8	23.7	33.7
Geary	26.2	34.2	27.1	35.5	45.4	20.6	29.0	36.3
Gove	30.5	31.9	26.6	28.3	46.5	33.1	17.5	41.5
Graham	39.5	41.0	35.5	33.7	54.2	46.0	16.3	53.5
Grant	31.6	25.1	27.7	24.2	37.1	22.6	24.6	29.5
Gray	27.3	34.5	27.2	43.7	51.9	32.8	16.7	38.3

Table VII (cont.).

County	1914	1916	1918	1920	1922	1924	1926	1928
Greeley	12.4	17.5	13.9	30.5	29.9	22.6	21.6	28.5
Greenwood	32.8	33.5	28.6	33.3	41.2	26.8	20.2	32.8
Hamilton	32.2	31.1	28.9	40.0	42.2	35.6	17.1	38.4
Harper	30.2	28.6	31.5	44.1	56.9	36.5	21.8	28.0
Harvey	28.1	29.4	29.4	43.4	54.7	29.1	22.8	32.2
Haskell	31.3	30.1	26.2	27.7	32.1	30.5	13.9	30.6
Hodges	29.7	32.0	29.4	27.4	44.1	29.4	25.5	30.8
Jackson	24.3	33.9	27.4	44.1	42.1	23.3	19.6	31.7
Jefferson	29.3	33.4	30.3	36.2	45.9	16.2	22.1	31.1
Jewell	36.0	35.9	35.2	34.4	43.1	33.1	19.1	32.2
Johnson	44.7	31.4	29.4	33.7	47.7	17.6	29.3	27.7
Kearny	28.8	27.2	26.0	30.8	44.6	30.2	18.7	41.6
Kingman	35.6	33.9	37.2	45.0	59.1	25.2	25.5	27.7
Kiowa	28.4	27.1	22.7	32.9	48.2	24.9	19.5	23.4
Labette	33.3	33.8	30.9	46.5	58.2	27.8	21.1	39.0
Lane	35.1	33.2	33.0	34.8	60.7	38.3	12.5	45.8
Leavenworth	18.6	32.7	34.6	42.5	43.7	10.7	41.0	27.1
Lincoln	38.7	38.1	31.9	35.4	44.6	27.1	22.9	37.5
Linn	34.0	31.5	31.3	41.7	50.7	40.8	13.8	52.2
Logan	30.6	28.9	27.3	28.0	40.9	28.5	31.3	25.2
Lyon	35.7	29.8	29.3	42.8	55.1	23.0	36.0	35.8
McPherson	30.0	32.1	27.9	35.3	54.2	31.0	20.9	40.3
Marion	32.1	29.1	23.6	34.8	52.3	30.0	27.1	35.3
Marshall	29.9	33.0	30.0	30.1	45.9	24.7	26.0	34.2
Meade	27.3	29.7	24.8	31.7	42.2	28.8	22.2	27.2
Miami	36.2	38.9	38.1	45.6	57.8	29.6	22.9	47.4
Mitchell	36.5	36.2	34.9	33.6	50.8	36.6	18.3	47.6
Montgomery	31.4	29.5	27.7	42.4	47.9	19.2	24.5	28.8
Morris	29.9	29.8	29.8	37.1	48.8	28.8	18.9	36.7
Morton	32.7	27.1	26.0	26.1	38.7	32.3	21.5	28.1
Nemaha	38.9	37.6	35.5	31.7	46.3	30.9	27.7	42.0
Neosho	37.1	41.3	36.5	46.1	53.5	29.6	20.1	42.5
Ness	32.6	28.2	25.5	25.3	44.3	22.8	26.6	29.9
Norton	37.4	43.3	35.6	42.4	47.4	27.9	17.2	39.8
Osage	26.9	33.9	31.9	45.3	56.6	30.1	14.7	45.9
Osborne	26.2	28.9	27.7	27.1	35.8	25.9	18.0	26.7
Ottawa	39.0	42.8	34.6	40.0	50.4	36.7	15.9	40.9
Pawnee	40.6	39.4	35.4	42.8	53.2	36.2	15.1	33.2
Phillips	38.1	38.8	34.6	31.3	41.8	44.8	13.1	48.6
Pottawatomie	26.2	31.6	28.2	28.9	41.6	28.8	30.6	28.2

Table VII (concl.).

County	1914	1916	1918	1920	1922	1924	WAW	1926
Pott	33.7	32.5	29.3	40.0	55.8	31.1	29.0	36.6
Hawkins	41.4	38.3	34.3	28.7	42.8	46.7	14.8	49.0
Reno	31.0	35.5	28.0	39.3	53.8	29.5	16.1	30.7
Republic	35.8	36.1	35.4	32.2	49.0	35.2	13.8	37.0
Rice	32.3	27.3	28.0	33.6	51.9	29.0	23.0	31.1
Riley	23.2	27.4	24.9	27.3	38.6	25.6	19.9	30.1
Rooks	34.6	31.5	34.4	29.4	43.1	41.2	12.8	33.3
Rush	32.8	44.0	36.6	27.7	51.7	40.5	14.6	43.0
Russell	30.3	35.1	27.9	27.6	36.4	21.5	31.3	30.9
Saline	41.2	46.7	36.7	38.3	57.1	25.4	26.0	34.0
Scott	31.4	27.5	35.3	39.4	56.5	44.6	15.6	44.5
Sedgewick	25.6	28.7	38.0	52.5	58.3	23.3	27.3	29.7
Seward	34.8	34.2	32.8	38.3	52.3	30.6	21.3	32.6
Shawnee	12.3	26.7	21.6	39.5	51.4	22.1	17.7	33.6
Sheridan	42.8	34.6	42.0	33.1	45.9	31.0	21.4	43.1
Sherman	37.4	35.2	39.5	44.2	56.4	39.6	13.3	40.5
Smith	33.7	36.7	32.7	32.0	43.8	45.4	13.3	46.7
Stafford	35.5	33.8	27.7	35.9	58.7	23.9	17.2	35.4
Stanton	27.8	23.3	26.0	26.8	32.8	33.1	19.5	29.2
Stevens	32.8	29.5	28.9	26.8	46.7	31.9	17.1	30.6
Sumner	35.0	32.3	34.2	45.4	55.7	26.7	27.0	26.5
Thomas	45.7	46.8	44.1	43.1	53.6	44.5	17.8	45.3
Trego	30.8	35.0	32.4	27.6	43.9	31.8	27.7	34.3
Wabaunsee	16.9	27.8	23.1	32.3	43.8	21.6	23.3	29.2
Wallis	26.0	31.0	25.2	26.0	37.5	23.8	30.5	29.9
Washington	24.7	31.0	29.8	27.6	40.1	31.3	21.0	29.8
Wichita	29.6	27.6	24.4	25.1	40.1	33.2	24.2	40.8
Wilson	31.0	29.7	28.0	35.4	49.7	27.8	12.6	40.7
Woodson	32.2	31.9	27.4	35.7	48.7	33.3	19.4	46.7
Wyandotte	29.1	38.2	31.2	44.5	50.1	22.6	28.3	32.2
State Total	30.6	33.0	30.7	39.3	50.9	27.7	23.3	35.3

WAW indicates the percentage of popular vote received by William Allen White in 1924.

Source: Clarence J. Hein and Charles A. Sullivant, Kansas Votes, Gubernatorial Elections, 1859-1956, pp. 51-63; and Kansas, Secretary of State, Biennial Reports, XIX-XXV.

Table VIII. Total value of all farm products,
Kansas, 1914-1926, in thousands of dollars.

County	1914	1916	1918	1920	1922	1924	1926
Allen	3123	2252	5230	5247	2847	4034	5125
Anderson	3328	2684	5182	5551	3046	4119	3893
Atchison	3050	3573	6397	6019	3080	4920	4112
Barber	3836	3329	6376	4449	3457	4165	4976
Barton	6344	7078	10370	12964	5544	9603	9216
Bourbon	3342	2658	4955	5800	3607	4315	5295
Brown	5430	6433	9792	10072	5647	7573	6882
Butler	5928	6024	12318	9671	6523	7454	6657
Chase	2665	2756	5314	4528	2556	3564	3422
Chatauqua	2202	1738	3353	3172	2035	2273	2694
Cherokee	2810	1910	5020	4280	2223	3094	4113
Cheyenne	1812	2721	4182	7036	3421	4262	1689
Clark	2780	3161	2914	2742	2056	4001	3777
Clay	4339	4591	5904	9505	4863	6233	5539
Cloud	5149	5451	4586	10558	4728	6942	5106
Coffey	3922	2653	6452	7293	3452	4970	4869
Cotton	2949	2899	4310	2740	2319	3439	4017
Cowley	5860	5913	13250	13177	6776	7198	9068
Crawford	2923	2098	4540	4648	2629	3243	3746
Decatur	3358	3758	2921	8331	3266	4467	1617
Dickinson	6859	4370	12046	12060	7750	8333	11100
Doniphan	3336	4533	6964	6695	3580	5351	5681
Douglas	3378	3092	7016	7012	3424	4903	4673
Edwards	3531	3503	3001	4189	2307	4315	4921
Elk	2436	2497	4712	4927	2693	2961	3038
Ellis	4585	4555	5914	8590	2217	6139	4416
Ellsworth	4630	3991	4407	7950	3549	5280	4927
Finney	1334	2476	4345	5098	2215	3023	3253
Ford	5421	5638	2355	7454	3080	7733	10008
Franklin	3676	2996	7462	8182	5035	5719	5474
Geary	1963	2718	3422	3634	1857	2446	2306
Gove	1073	2843	1075	9877	2079	3410	1577
Graham	4235	5026	2382	9325	2518	4204	1059
Grant	199	257	369	901	607	1408	2322
Gray	1466	1987	1429	3664	2113	4214	4355
Greeley	124	140	336	262	291	664	393
Greenwood	5373	4206	6752	9329	4708	5792	5269
Hamilton	218	360	692	652	534	558	436
Harper	5367	3769	8353	5271	3616	5367	7188
Harvey	4523	3813	7148	5587	4533	4932	5792

Table VIII (cont.).

County	1914	1916	1918	1920	1922	1924	1926
Haskell	287	428	908	1002	1076	1633	3083
Hodgeman	2726	1813	1467	1745	1964	2914	2362
Jackson	4043	4037	7270	9727	4754	6761	5530
Jefferson	4473	3736	767	8807	4141	5969	5292
Jewell	5831	6320	11231	11636	5642	7951	4540
Johnson	3255	2943	7044	7047	3320	5251	4254
Kearny	401	897	1634	1656	759	744	1074
Kingman	4907	3511	8130	5345	4083	5346	7167
Kiowa	3767	4057	4206	3455	2488	3350	4959
Labette	4154	4197	7999	7221	4377	4245	4986
Lane	1327	1671	1600	3777	857	2371	1697
Leavenworth	3209	2797	7031	6912	3135	4979	3590
Lincoln	3626	3937	3023	7590	4226	5182	3956
Linn	2738	2430	4408	4640	2550	3702	3696
Logan	733	1125	1453	2238	1205	1765	806
Lyon	5535	5278	10072	10175	5346	7278	6374
McPherson	7142	6091	13631	11848	7280	6524	10075
Merion	6617	6060	12304	9871	5993	7110	7310
Marshall	5786	6599	8297	12077	5925	8314	6828
Meade	2356	2627	2802	3468	2377	4614	6057
Missi	3221	3152	7115	6397	2913	5232	4259
Pittchell	4146	5008	4737	8626	2013	5456	3384
Montgomery	2642	2427	6398	4859	2507	3507	3813
Morris	4535	4108	8075	8211	4756	6099	6297
Morton	277	273	1528	1244	881	1136	1697
Nezaha	4921	5786	10535	11900	6125	9770	7603
Neosho	2972	2560	5306	4802	2388	3836	3988
Ness	3613	2411	2587	6316	2243	4587	3561
Norton	3838	3887	4063	7751	3905	4350	1844
Osage	4158	3625	8164	8500	4522	6740	6089
Osborne	4458	5446	5614	9251	3657	4949	2359
Ottawa	4678	4283	5149	8994	3847	5056	4094
Polk	6528	5713	5338	8145	4220	6663	5719
Phillips	4894	4321	5587	9366	4257	5210	2588
Pottawatomie	4590	4582	7388	9005	4651	6219	5751
Pratt	4032	4513	8254	6880	4242	6259	7304
Rawlins	2234	3973	3236	7439	3500	4835	1859
Reno	9638	6619	15934	12086	8469	12345	14600
Republic	5233	5254	6190	9266	4762	7070	5304
Rice	5283	4177	9747	8204	5302	6543	6856

Table VIII. (concl.).

County	1914	1916	1918	1920	1922	1924	1926
Riley	3396	3738	5682	7138	3834	5273	4526
Rooks	5104	5073	3967	12319	7418	4059	1633
Rush	4627	4108	2330	7734	2601	5650	4974
Russell	4034	3927	4541	6903	2942	5004	4502
Saline	5365	4216	8321	9047	4683	6004	6008
Scott	584	979	1075	2471	801	1344	628
Sedgewick	7492	6372	16135	11303	9181	10390	14429
Seward	1194	1569	3228	2957	1685	2556	3922
Shawnee	5897	6232	10910	11891	7353	9934	8422
Sheridan	2637	2996	1396	8199	3129	3647	1387
Sherman	1062	1378	2098	2938	2102	3547	1519
Smith	5864	6095	1307	11683	4598	4798	3641
Stafford	1225	4341	9593	6770	4106	5954	7519
Stanton	143	258	621	495	443	733	973
Stevens	662	1377	3218	3296	1710	2626	4080
Sumner	7738	5993	17215	15615	7109	8272	12505
Thomas	2318	4556	2698	7754	3643	3425	1866
Trego	3074	4720	2399	7279	1834	4415	2503
Wabaunsee	4713	2010	712	7643	4337	4907	5121
Wallace	297	393	1072	745	727	825	326
Washington	5401	5767	7350	11357	5523	7921	6817
Wichita	273	267	613	702	409	931	528
Wilson	2336	2226	5265	4801	2406	3503	3390
Woodson	1932	1630	3068	3140	1682	2555	2502
Wyandotte	973	1041	1657	3127	2321	2902	3066
State total in millions of dollars.	376	371	592	609	357	502	469

Source: Kansas, Secretary of Agriculture, Biennial Reports, XIX-XXV.

JONATHAN M. DAVIS, FARMER IN THE STATE HOUSE

by

ROGER WHEELER CORLEY

B. A. Brooklyn College, 1956

AN ABSTRACT OF A MASTER'S THESIS

submitted in partial fulfillment of the

requirements for the degree

MASTER OF ARTS

Department of History, Political Science,
and Philosophy

KANSAS STATE UNIVERSITY
Manhattan, Kansas

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ABSTRACT

The years 1921 and 1922 were years of an economic crisis in agriculture. Farm income fell, and the national administration did not act. In the 1922 elections, a number of Progressive and Democratic Governors and Congressmen were elected in the Mid-west. Jonathen M. Davis was one of these; he was elected Governor of Kansas.

Davis was a farm boy and his father was a loyal Democrat. Davis was a good student and set out to become a lawyer. His father died and he had to return to the farm and manage it. He became acquainted with William Jennings Bryan and the progressive ideas of Wilson and Roosevelt. He served four terms in the Kansas legislature and one in the state Senate. He consistently supported and proposed progressive measures in an era when the prairies were aflame with progressivism. He ran for Governor of Kansas in 1920, when the nation was undergoing the purgative of reaction, and was defeated but won election in 1922.

There were many issues in his successful election campaign, but the two most important were the farm crisis and a split in the Republican Party. This thesis stresses the role of the farm depression in Davis' election, but also lends some support to the factional split.

As Governor, Davis had to contend with a hostile legislature and administration. He was able to effect only one small point of his program, and issued a record number of vetoes. In seeking to secure patronage and to put an end to certain illegal practices, he ran

against the stone wall of a Republican judiciary and a Republican Attorney-General. He created furors over his attempts to gain control of the State Board of Health and to oust the Chancellor of the state university. He became involved in a division of his party because of his Presidential ambitions, and he was defeated for reelection in a campaign confused by a third party candidate and the Ku Klux Klan issue. He left office under a cloud of suspicion and doubt when a parole scandal was disclosed.

In assessing Davis, the thesis attempts to relate Bryan Democracy as exemplified by Davis to Populism. A distinction was made between Progressivism as exemplified by Walter R. Stubbs and William Allen White and the Davis or Bryan brand of Democracy. Davis stood for the same things the Populists had stood for, and for the same reason. As a politician, he was not corrupt, but he was inept. While he did face a hostile administration and a party divided by national issues, he was unable to secure patronage and reelection. However, this thesis is in general agreement with the statement of William G. Clugston that Davis was the nearest thing to a statesman that Kansas had ever seen.

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