

Maryland Patronage Folder
1941

BF
Maryland Patronage
Folder

Mrs. Brady
for confidential
filing

R.B.

Sen. Kilgore

18 or 19
25

THE WHITE HOUSE
WASHINGTON

file

6-16-41

MEMORANDUM FOR THE PRESIDENT:

Matt McGuire called me up and said that he had unmistakable evidence that Millard Tydings is prepared to make a terrific fight on Bob Jackson, provided the two Assistant Attorneys in Baltimore are not appointed. He says he has gotten the Judge and the District Attorney over there both saying that they are so short-handed they cannot work.

In the attached memorandum, prepared by Matt McGuire and signed by Jim Rowe, they recommend strongly that the two recommendations of Tydings and Radcliffe be approved by the President.

Radcliff
E. M. W.

*This appointment
never made.*

June 18

**THE WHITE HOUSE
WASHINGTON**

June 16, 1941

MEMORANDUM FOR

GENERAL WATSON

Will you get Radcliffe
down the end of this week or early
next week and let me have this file
before he comes in.

F. D. R.

THE WHITE HOUSE
WASHINGTON

June 10, 1941

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Memorandum For The President.

Maryland Patronage

On May seventh Senator Tydings wrote you a letter which in effect frankly asked you what the patronage situation in Maryland is. (I have prepared a draft of reply).

Behind this letter lies the whole problem of control of Maryland patronage. There are at present two specific problems:

(1) Two U. S. Assistant District Attorneys - Two years ago when Frank Murphy was Attorney General, you promised Congressman D'Alesandro two Assistant District Attorneys. Since then I have been struggling to get them for him but naturally the Maryland District Attorney, a Tydings man (whose reappointment I successfully held up until Tydings promised "to go down the line" for you in the last campaign - and of course didn't open his mouth) refused to take D'Alesandro's choices. Practically from the history of American patronage, District Attorneys have been allowed to select their own assistants and this patronage has always gone to Senators, never to Congressmen. I have succeeded in getting D'Alesandro three jobs in the Department of Justice in Washington and I think he is paid off. In the meanwhile, the Tydings selections have been held up for months and both Maryland Senators, the District Judge and the District Attorney have been complaining -- undoubtedly for the purposes of the record (the Judge is violently anti-Roosevelt).

(2) Magruder and Dailey. This is more important. They are the Collector of Internal Revenue and Collector of Customs, respectively, and were the only Federal appointees who had nerve enough to come out on your side during the Tydings "purge". Since then Tydings has been "gunning" for both of them and Radcliffe is after Dailey.

At one time Radcliffe had convinced Ed Flynn that Truman Cash, your Maryland campaign manager in 1940, should replace Dailey. I protested strongly to Flynn that although this may be the political custom ordinarily, nonetheless, you owed the duty of protection to both Magruder and Dailey because of their stand during 1938. I also pointed out that I discerned not the slightest activity on the part of Cash for you in 1940, and I did not see how there could have been any because Cash spent most of his time in Washington trying to get insurance on national defense contracts. In the meantime quite a storm has blown up. Davey Lewis has written you a note asking for an appointment to urge that you protect Magruder and Dailey. Congressmen D'Alesandro and Sasser have written to you protesting this new so-called "purge". Drew Pearson has also protested vigorously.

This case seems to be clear. These men fought hard for you in 1938 and the psychological effect of their removal would be bad. There may be other fights in the future and if these men were removed no Federal appointee would dare take his life in his hands to oppose his Senator.

In the meantime Senator Radcliffe has been calling consistently to point out that he has supported you with the exception of the Tydings "purge" and Court Plan and believes he deserves some consideration. Of course, he is usually just a "front" for Tydings. The Senators have publicly broken on patronage, but the other side tells me this is a "phoney" fight.

The solution. Realistically, patronage is useful to a President only when he is having a battle over specific legislation with Congress. Whatever battles you will have in the future undoubtedly will concern foreign affairs. Because of the pressure of public opinion, patronage will not be of too much effect. In any event, the Baltimore Sun, which is pro-Roosevelt on foreign affairs, should keep Tydings and Radcliffe in line. As a matter of fact, Tydings has never lived up to his patronage promises on votes anyway.

Radcliffe is somewhat different. He was your campaign manager for two terms and supported you vigorously (and quite obviously selfishly) in 1940. But in general his heart is in the right place. I would suggest the following procedure:

You personally see Radcliffe and tell him:

- (1) He can practically handle Maryland patronage if he will make it Radcliffe patronage and not discriminate against your Maryland friends in Congress.
- (2) You would prefer that Radcliffe get two new candidates for Assistant District Attorney, his own men, but if he is adamant, allow him to have the two he now wants.
- (3) Under no circumstances will Magruder or Dailey be removed because they supported you and you will protect them. Some effort will be made by Flynn to get a job for Cash.

I think Ed Flynn will go along with this program.

Tydings gets nothing -- which is as it should be.

This will be successful if it came from you. If, however, you are too busy to see Radcliffe (whose feelings are hurt because he can't get an appointment with you) I think I should tell him, as distinguished from Flynn because Flynn is naturally not interested in protecting the two Federal officials, but in getting harmony with the Party.

J+R

James Rowe, Jr.

THE WHITE HOUSE,
WASHINGTON

June 10, 1941

Dear Senator:

This is in reply to your letter of May seventh in which you say that the two men you have recommended to the Department of Justice for Assistant United States District Attorneys for Maryland have been held up. You also mention that the Collector of Internal Revenue for Maryland did not ask you for recommendations for the appointment of a number of deputies in his office.

I am sending to you a memorandum to me from the Secretary of the Treasury discussing the second point you have raised in your letter. In these days I do not have too much time to look into such matters, but I am looking into the subject of these two Assistant District Attorneys and will let you know.

Very sincerely yours,

Honorable Millard E. Tydings
United States Senate
Washington, D. C.

THE WHITE HOUSE

Honorable Millard E. Tydings

United States Senate

Washington, D. C.



TREASURY DEPARTMENT

WASHINGTON

May 17, 1941.

Memorandum for the President:

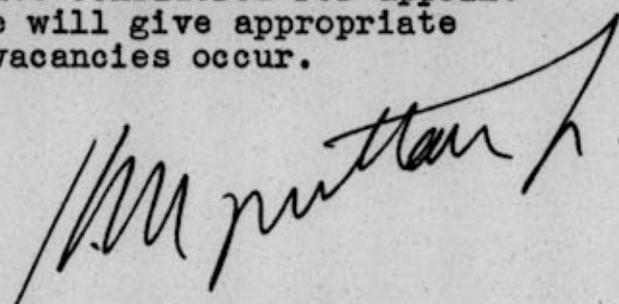
Reference is made to your memorandum of May 14th with which you transmitted a copy of a communication addressed to you by Senator Millard E. Tydings with respect to certain matters of appointment in the State of Maryland, both under the Department of Justice and under the Collector of Internal Revenue of the Maryland District.

Of course, this Department is without knowledge of the situation with respect to appointments under the jurisdiction of the Department of Justice. In view of the fact that Collectors of Internal Revenue are held responsible under heavy bond for the faithful performance of their duties, this Department has taken the position that it should consistently refrain from interfering with the Collectors in their right to appoint Deputy Collectors who are competent and qualified in every way to perform their duties. Of course, the Department has exercised its right to reject any recommendation the consummation of which would be contrary to the best interests of the Government. This practice has proven to be a proper one under the method of appointments prescribed by law for Deputy Collectors.

The matter of Senator Tydings' inquiry has been brought to the attention of Collector Magruder. Information has been received from the Collector to the effect that when it became necessary to appoint additional Deputy Collectors for the important work of administering the increased duties imposed upon his office by the Revenue Act of 1940, he did not invite Senator Tydings to submit recommendations for the appointment of this additional personnel. The Senator states that he has made no recommendations to the Collector's office since the primary campaign of 1938. The Collector indicates that this is literally true. It is Collector Magruder's position that inasmuch as the Senator submitted

-2-

recommendations concerning appointments prior to 1938 without invitation from him that no invitation was necessary subsequent to that time. The Collector further indicates that he would have been willing to have given consideration to any recommendations submitted by the Senator inasmuch as his first concern was to secure the services of persons properly qualified to perform the duties. Furthermore the Collector states that if the Senator will submit to him the names of properly qualified persons whom he would like to have considered for appointment in the Maryland District he will give appropriate consideration thereto whenever vacancies occur.


Secretary of the Treasury.

June 10, 1941

Dear Senators:

This is in reply to your letter of May seventh in which you say that the two men you have recommended to the Department of Justice for Assistant United States District Attorneys for Maryland have been held up. You also mention that the Collector of Internal Revenue for Maryland did not ask you for recommendations for the appointment of a number of deputies in his office.

I am sending to you a memorandum to me from the Secretary of the Treasury discussing the second point you have raised in your letter. In these days I do not have too much time to look into such matters, but I am looking into the subject of these two Assistant District Attorneys and will let you know.

Very sincerely yours,

F. D. R.

Honorable Millard E. Tydings
United States Senate
Washington, D. C.

JHR:G

MILLARD E. TYDINGS, MD., CHAIRMAN
CARL HAYDEN, ARIZ.
ROBERT R. REYNOLDS, N. C.
ROBERT T. BONE, WASH.
KENNETH McCELLAR, TENN.
BURTON K. WHEELER, MONT.
PETER G. BERRY, R. I.
JOHN E. HELLER, ARIZ.
DENNIS CHAMBERLAIN, N. MEK.
AME MURDOCK, UTAH

HERALD P. WYLLIE, N. DAK.
ARTHUR H. WOODBURN, MISS.
HENRY (BOB) LOOSE, JR., MASS.
JOHN A. DANAHY, CONN.
CHARLES W. TERRY, N. H.
WARREN R. Austin, VT.

MISS CORINE BARNER, CLERK

United States Senate

COMMITTEE ON
TERRITORIES AND INSULAR AFFAIRS

RECEIVED
OFFICE OF
THE ASSISTANT

May 7, 1941

MAY 21 10 33 AM '41
TO THE
ATTORNEY GENERAL

Honorable Franklin D. Roosevelt
President of the United States
The White House
Washington, D.C.

Dear Mr. President -

Some months ago, Senator Radcliffe and I recommended to the Department of Justice two men for Assistant United States District Attorneys for Maryland. The vacancies were occasioned by the call to military service of two men who had been holding these positions.

The two men we recommended were those the United States District Attorney for Maryland stated were the best qualified of all the applicants for these positions.

These recommendations have been pending in the Attorney General's office for some months. The District Attorney for Maryland has repeatedly asked Senator Radcliffe and me to aid him in getting action on these appointments as he needs the additional help to handle the increased work of his office.

From a reliable source, I am advised that Mr. Eugene Casey, one of the White House secretaries, has asked that these appointments be held up, and that the reason for this is because I have endorsed them to the Attorney General.

It has likewise been published in the press of Maryland, that Mr. Casey is handling Maryland patronage for the White House.

The above circumstances lead me to call to your attention still another matter, about which I am sure you have no previous knowledge. A short while after your trip to Maryland last fall inspecting military preparedness, the Collector of Internal Revenue for Maryland sent word to the Maryland delegation in Congress, exclusive of me, that there were some fifty deputies to be appointed and he wished recommendations made to him for

these places. Several of the Congressmen, knowing I had not been consulted in this matter, offered to give me a part of their allotment.

However, for the record, I did not accept their offers as I was not included among those asked to make recommendations to the Collector.

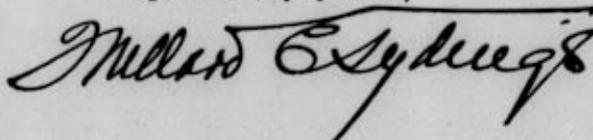
Indeed, I cannot recall that I have made any recommendations to the Collector's office since the primary campaign of 1938.

Please understand, Mr. President, that I am not making the slightest complaint to you about the above. I am simply stating the facts quite frankly, to ascertain whether or not, now that these matters have been called to your attention, it is your wish for this procedure to continue. My main thought in writing is to request that you kindly advise me what the patronage situation is in Maryland, so I may advise those who apply to me accordingly.

I regret to bring such a matter to your attention in such troublesome times, and have refrained from doing so until I felt, in justice to myself and those I was elected to represent, I had no other course.

Trusting this finds you in good health, I
am

Respectfully yours,

A handwritten signature in cursive script, reading "Millard E. Ely". The signature is written in dark ink and is positioned below the typed name "Respectfully yours,".

THOMAS D'ALESSANDRO, JR.
3d DIST. MARYLAND

COMMITTEES
LABOR
EDUCATION
INVALID PENSIONS
PATENTS
DISTRICT OF COLUMBIA

Congress of the United States
House of Representatives
Washington, D. C.

April 21, 1941

PERSONAL AND CONFIDENTIAL

The President
The White House
Washington, D. C.

Dear Mr. President:

Following the old Biblical term of having both of my cheeks slapped, I am writing to you for advice as to what is the next thing for me to do in so far as my securing two appointments in the District Attorney's office as Assistant District Attorneys.

As you will recall, when I was in the White House speaking to you in regard to the positions of District Attorney and Marshal in Baltimore City, you advised Jim Rowe to contact General Murphy so that he in turn could contact the District Attorney and Marshal so that I might receive two appointments in each office. So far I haven't received any in either office.

Before the District Attorney and Marshal were reappointed, they were willing to appoint men that believe in the same philosophy as you do, but after their appointments were confirmed by the Senate, under the leadership of Senator Tydings, they proceeded to make two appointments in each office for the Tydings Clan.

There are two vacancies in the District Attorney's office at this time and once again I submitted the names of Bernard Meyer-son and August Kozlovsky, but Senator Tydings has submitted two other names, which were recommended by the District Attorney to the Department of Justice for their consideration. One of his recommendations resides in my District and is obnoxious to me.

Don't let Tydings belittle our crowd by making all the appointments and at the same time build up an organization to punish these same people that believe in you.

Respectfully yours,

Thomas D'Alessandro, Jr.
Thomas D'Alessandro, Jr., M. C.
3rd District, Maryland

TD'A:EG

Copy

TREASURY DEPARTMENT

WASHINGTON

May 20, 1941

Memorandum for the Attorney General:

I send you the attached memorandum of May 14 addressed to us jointly by the President asking for the preparation of a reply to Senator Tydings' letter of May 7 addressed to the President.

I am also sending forward a memorandum to the President, which I have signed, advising with respect to the appointment of deputy collectors of internal revenue.

I assume that you will prepare a reply to Senator Tydings' letter covering the appointments under the jurisdiction of your department and the information contained in my memorandum may be used with respect to deputy collectors of internal revenue.

(s) H. Morgenthau

Secretary of the Treasury.

THE WHITE HOUSE
WASHINGTON

May 14, 1941.

MEMORANDUM FOR SECRETARY MORGENTHAU ✓
AND THE ATTORNEY GENERAL:

For preparation of reply.

F. D. R.

May 17, 1941.

Memorandum for the President:

Reference is made to your memorandum of May 14th with which you transmitted a copy of a communication addressed to you by Senator Millard E. Tydings with respect to certain matters of appointment in the State of Maryland, both under the Department of Justice and under the Collector of Internal Revenue of the Maryland District.

Of course, this Department is without knowledge of the situation with respect to appointments under the jurisdiction of the Department of Justice. In view of the fact that Collectors of Internal Revenue are held responsible under heavy bond for the faithful performance of their duties, this Department has taken the position that it should consistently refrain from interfering with the Collectors in their right to appoint Deputy Collectors who are competent and qualified in every way to perform their duties. Of course, the Department has exercised its right to reject any recommendation the consummation of which would be contrary to the best interests of the Government. This practice has proven to be a proper one under the method of appointments prescribed by law for Deputy Collectors.

The matter of Senator Tydings' inquiry has been brought to the attention of Collector Magruder. Information has been received from the Collector to the effect that when it became necessary to appoint additional Deputy Collectors for the important work of administering the increased duties imposed upon his office by the Revenue Act of 1940, he did not invite Senator Tydings to submit recommendations for the appointment of this additional personnel. The Senator states that he has made no recommendations to the Collector's office since the primary campaign of 1938. The Collector indicates that this is literally true. It is Collector Magruder's position that inasmuch as the Senator submitted

-2-

recommendations concerning appointments prior to 1938 without invitation from him that no invitation was necessary subsequent to that time. The Collector further indicates that he would have been willing to have given consideration to any recommendations submitted by the Senator inasmuch as his first concern was to secure the services of persons properly qualified to perform the duties. Furthermore the Collector states that if the Senator will submit to him the names of properly qualified persons whom he would like to have considered for appointment in the Maryland District he will give appropriate consideration thereto whenever vacancies occur.

(Signed) H. Morgenthau, Jr.

Secretary of the Treasury.



Office of the Attorney General
Washington, D. C.

May 23, 1941

MEMORANDUM FOR HONORABLE JAMES H. ROWE
ADMINISTRATIVE ASSISTANT TO THE PRESIDENT.

I am returning herewith the following correspondence with reference to the appointment of Assistant United States Attorneys and the Collector of Internal Revenue for the District of Maryland:

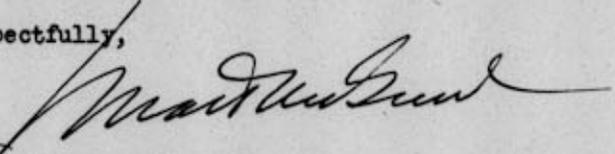
Letter from Senator Tydings, addressed to the President, dated May 7, 1941;
Letter from Congressman D'Alesandro, addressed to the President, dated April 21, 1941;
Copy of memorandum addressed to the Attorney General from the Secretary of the Treasury, dated May 20, 1941;
Copy of memorandum for the President, prepared by the Secretary of the Treasury, dated May 17, 1941.

Under the provisions of the statute, Title 28, Section 483 (Act of May 28, 1896, c. 252, §8, 29 Stat. 181; July 19, 1919, c. 24, §1, 41 Stat. 209), Assistant District Attorneys are appointed by the Attorney General. From time immemorial, however, United States Attorneys have been permitted to choose their assistants, and in every state the practice has grown up of having the United States Attorneys consult with the Senators relative to these appointments. The Assistant United States Attorneys for a long time have consequently been regarded as Senatorial patronage. Every Senator knows this -- learning it almost immediately when he takes his oath -- and it would be extremely difficult to fly in the face of such long-established routine.

I thought you would want to have these facts, and I wanted you to know exactly what we are up against in this matter. Should you select one Congressman, to the exclusion of others, and permit him to name assistants in the office of the United States Attorney, against the expressed wish of the United States Attorney and of the two Senators from the State, it seems to me that you are opening the door for a lot of trouble. The query is whether the whole affair is worth it. I have no personal predilection in the matter, and have never had any.

With respect to the situation in the office of the Collector of Internal Revenue, this is a matter for the Treasury Department and one which cannot be solved over here.

Respectfully,


Attorney General

THE WHITE HOUSE
WASHINGTON

May 21, 1941.

MEMORANDUM FOR

JIM ROWE

Do you think the thing
to do is to get this in-
formation to Tydings?

F. D. R.

THE WHITE HOUSE
WASHINGTON

May 19, 1941

MEMORANDUM FOR MR. ROWE:

I got this letter this
morning from Drew Pearson.

HARRY L. HOPKINS

THE DAILY
WASHINGTON MERRY-GO-ROUND
WASHINGTON, D. C.

ROBERT S. ALLEN
1525 TWENTY-NINTH STREET, N. W.

DREW PEARSON
1515 TWENTY-NINTH STREET, N. W.

May 15, 1941

Mr. Harry Hopkins
The White House
Washington, D. C.

Dear Harry:

You may recall that during the 1938 senatorial primary campaign in Maryland you and Tom Corcoran and various others agreed upon the wisdom of getting support for David J. Lewis from federal appointees in Maryland, namely the Collector of Customs, Collector of Internal Revenue, U.S. Marshal, and District Attorney. Subsequently, the first two, Collector of Customs Gilbert E. Dailey and Collector of Internal Revenue Hampton Magruder, did come out emphatically for the President's candidate in Maryland and for the President himself. The latter two officers, District Attorney Flynn and U.S. Marshal Klecka, were emphatically opposed to the President's candidate and also opposed to him subsequently in many other political matters.

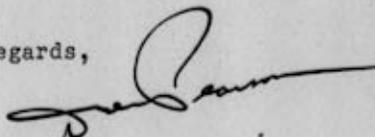
However, the U.S. Marshal and the District Attorney have been re-appointed, while I now learn that thanks to the wirepulling of Tydings, Mr. Truman Cash, who officially handled the President's campaign in 1940 but actually did almost nothing, is about to be appointed replacing Mr. Gilbert Dailey as Collector of Customs.

You ~~wrote me a note~~^{showed me} last spring asking about Cash as the campaign manager for Maryland. I replied that he was no ball of fire but might be all right as a compromise. Later I wished that I had not given that advice because he turned out to be merely a stooge for Tydings. If it had not been for Preston Lane, the Democratic National Committeeman, the results in Maryland would not have been so good. Cash didn't raise a penny himself and scarcely lifted a finger. Now Tydings (through his close cooperator Radcliff) is asking to have Cash put in place of the man who really went down the line for the President.

This kind of thing is what makes it so hard to build up a Liberal Democratic Party in Maryland. In 1938 the President and I had a long talk about this, but every time we attempt to reward a man who has supported the President we get kicked around by some unseen forces inside the Administration.

How come?

Regards,



LANSDALE G. SASSER
8TH DISTRICT MARYLAND

COMMITTEE
NAVAL AFFAIRS

Congress of the United States
House of Representatives

PERSONAL

Washington, D. C.

May 22, 1941

Mr. Eugene Casey
The White House
Washington, D. C.

Dear Gene:

Since the Lewis senatorial fight efforts have been made from time to time by the Senators to replace the Federal appointees who stood loyal with the Administration in that fight. You recall last Fall that at the instance of the senior Senator from Maryland, Mr. Flynn and Mr. Klecka were reappointed U.S. District Attorney and U.S. Marshal. I understood at that time that Gilbert A. Dailey, Collector of Customs, and the other Federal appointees who remained with the Administration in the Lewis fight were to be protected and retained in their positions. Had Mr. Dailey not remained with the Administration in the Lewis fight he like Mr. Klecka and Mr. Flynn would undoubtedly have been reappointed.

Efforts are again being exerted to replace Mr. Dailey, and there is a rumor that the senior Senator is to be permitted to effect the appointment of Mr. Truman B. Cash in Mr. Dailey's place.

I am enclosing a copy of a telegram which I received from several leaders in South Baltimore where Mr. Dailey resides, which is in my District.

Your familiarity with the Maryland situation is such that it is unnecessary to tell you what the psychological effect would be in the event the Administration permits Mr. Dailey to be purged on account of the Lewis fight.

Dailey is a highly competent Collector of Customs.

I will appreciate any effort you can consistently exert to prevent this rumor from becoming a actuality.

With kindest personal regards, I am

Sincerely yours,

Lansdale G. Sasser