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Honors Thesis

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## The Summer Storm of Scandals in Louisiana

### Part 1: The Louisiana State University Scandals

Frank Murphy, United States Attorney General, had been a friend of Huey Long since Huey named Murphy his Attorney General in Long's autobiography My First Days in the White House. Upon receiving an invitation to speak at the commencement exercises at Louisiana State University (L.S.U.) in May 1939, Murphy wrote, "I have observed with great admiration the growth and progress of your institution and it has been a source of much regret that opportunities to visit Louisiana have been infrequent."<sup>1</sup> Both Dr. James Monroe Smith, President of L.S.U., and Richard Webster Leche, Governor of the state, were delighted to have Murphy speak in Louisiana. Murphy was near the end of a tour that had taken him to the west coast when he arrived in Louisiana. Murphy gave the baccalaureate address at the Greek Theater on the L.S.U. campus on the night of the May 29. "The dictatorships provide what we now know in Washington as synthetic safety," Murphy said. "The answer of the democracies must be true, sure, certain safety, if democracy is not to succumb. That means civil liberties. It means clean, honest government. It means that the forces of vice and crime, with the money they command, and their unholy alliance with partisan politics, must be brought to trial and convicted in honest courts, and must stand their punishment. . . . The present situation must be cleaned up."<sup>2</sup> Most people at the time believed that this speech referred to the recent conviction of political machine boss Tom Pendergast in Kansas

City, who had just been convicted in federal court. Nobody, except Murphy and maybe J. Edgar Hoover, Director of the Federal Bureau of Investigation, who had accompanied Murphy on his tour, thought that Murphy's speech would be prophetic instead of just empty political rhetoric.<sup>3</sup>

The Long machine lost political control of Louisiana in 1940. The major cause of this loss of power was the series of scandals that occurred throughout the Long government. The publicity about graft began when money and material allocated to L.S.U. went to private enterprise. The Louisiana scandals are an example of how a small corruption story can expand into a grand controversy. Power does tend to corrupt people, but the Longite turmoil also shows how a lack of leadership with centralized power and an abundance of money can be a dangerous political combination. The depth of the dishonesty within the university and the political machine illustrates a blatant disrespect for the law and also an arrogance toward the citizens of Louisiana.

Many political observers viewed Murphy's visit to Louisiana as a courtesy call. Franklin D. Roosevelt and Huey Long had been political enemies because each man had competing programs and interests in national politics. On September 10, 1935, Long died as a result of a gunshot wound received two nights before in the state capitol. Long's assassination created an uncertain future in Louisiana politics. In order to secure Louisiana's support and delegates at the Democratic National Convention in 1936, the Roosevelt administration and the Longite coalition came to an agreement. The Longite coalition, led by Seymour Weiss,

delivered twenty delegates into the Roosevelt-New Deal camp. In return for the delegates, the state received more New Deal money and projects, and the Justice Department dropped income tax investigations against certain key Louisiana politicians. This deal became known as the Second Louisiana Purchase and federal money started to flood into the state. This agreement began a period of peace between Baton Rouge and Washington that had not existed during Huey Long's rule in Louisiana and that would last for three years.<sup>4</sup>

Huey Long's death also sent shockwaves throughout the state's political system. No single politician could gather enough support to take a firm hold on the Long machine. The selection of Richard Webster Leche as the next machine gubernatorial candidate frustrated the ambitions of James A. Noe, an ally of Long who had been governor for a short period of time in 1936. Noe turned against the machine and became its most constant critic. Leche, a New Orleans judge, easily swept into the governor's mansion in 1936 along with his running mate for Lieutenant Governor, Earl K. Long, Huey's younger brother. With Robert S. Maestri's ascension to the post of Mayor of New Orleans in 1936, a triumvirate of power brokers, Weiss, Maestri, and Leche, emerged to inherit the machine.<sup>5</sup>

These circumstances formed the political background that continued through the first half of the Leche administration. In 1939, the Long machine continued to hold power with few problems. Weiss, Maestri, and Leche had a stranglehold on state politics. Federal money continued to flow into the state through the Works

Progress Administration. Potential successors lined up dutifully for the opportunity to become the next governor in 1940. Leche was being suggested for a federal judicial seat in eastern Louisiana. What no one realized was that by the end of July 1939, a series of events would reconfigure the political landscape.<sup>6</sup>

The scandals would also shake the foundation of Huey Long's prized institution, Louisiana State University, and they would lead to the creation of the modern university system. Long poured millions of dollars and valuable resources into the construction of the university. Long handpicked the President, as well as the football coaches and band directors. Long personally had the student newspaper, the Reveille, shut down because it had criticized him. He asked for and received from the state legislature the best in anything for the university.<sup>7</sup> Huey was quoted as saying, "I've got a university down in Louisiana that cost me \$15,000,000, that can tell you why I do like I do."<sup>8</sup>

The key figure at L.S.U. was its President, Dr. James Monroe Smith. Smith was born on October 9, 1888, in a log cabin near Womack, Louisiana, in eastern Jackson Parish. He graduated from L.S.U. and then earned both his master's and doctoral degrees at Columbia University. James Smith was a bald, thick-browed man around six feet tall weighing 178 pounds who had a genial personality but preferred to stay in the background. He was the Dean of Education at the Southwestern Louisiana Institute (now the University of Southwestern Louisiana) in Lafayette when in

November 1930, Long tapped him to replace the retiring Thomas W. Atkinson as President of L.S.U.<sup>9</sup>

L.S.U. grew rapidly during Huey Long's tenure. Smith had prior experience in handling some business affairs while at Southwestern. Long and Smith had a dynamic partnership and Smith was adept at handling Long's fanciful ideas for L.S.U. Smith would procure and organize all of the personnel needed to start or staff a project and Long would secure the money from the Legislature to finance it. Long spent \$13,500,000 on construction projects, including the medical center in New Orleans and the Huey Long Field House, which featured the largest swimming pool in the world at the time. The duo of Smith and Long also raised the salaries of the faculty and tried to improve the quality of the education that the university provided. Smith tended to stay in the background, but together Long and he built up the prestige of the university. After Long's death, the construction program increased as federal money subsidized building projects. Over the course of Smith's tenure, more than thirty buildings were constructed on the L.S.U. campus. The school's enrollment mushroomed from 2,100 students in 1930 to 8,550 students in 1939, and the university enjoyed immense popularity.<sup>10</sup>

James Monroe Smith manipulated state politics. As his philosophy, Smith stated, "I am not in politics but I do believe in getting along with a politician. Get him to help you and give him credit for it."<sup>11</sup> Yet, at the end of his term, Smith had become unhappy with the state's top politicians. Smith privately

disagreed with Richard Leche on the university's business affairs on three different fronts. The first major issue was the spending of bond money for Leche's "pet projects," the Law Center, the Agriculture Center, and a baseball stadium. The state bond for all of these projects was \$1,400,000, but Smith's estimate of the cost of the projects was \$2,175,000. The second issue that upset Smith was that Leche overruled him on the handling of some construction and business affairs. Leche would only allow steel and cement for construction projects to be purchased from certain individuals and groups. The third issue that caused a split was Leche's relationship with the Superintendent of Construction, George Caldwell. Smith thought that the inevitable result of this connection would be the improper use of federal money and material for private purposes. These problems caused hostility between Leche and Smith that exploded after Smith's resignation and flight.<sup>12</sup>

On June 9, 1939, the New Orleans States published an expose that badly damaged the credibility and prestige of both the state government and L.S.U. The States and the other daily New Orleans newspaper, the Times-Picayune, had always been hostile to Huey Long and his machine. This particular article had been well researched and planned, and it was splashed across the front page. Two large photographs of two L.S.U. trucks, with their license plates circled, and a copy of the Metairie property deed of the owner covered the top left hand quarter of the front page. The article stated that unmarked L.S.U. trucks had driven from Baton Rouge with window sashes from a carpenter working for



L.S.U. The sashes were delivered to a property in Metairie owned by James MacLachlan, a member of Governor Leche's administration. On other pertinent documents, such as the land deed, MacLachlan's wife, Catherine Thompson MacLachlan, was listed as the owner. Mrs. MacLachlan's father was a former police juror from the eighth ward in Jefferson Parish, and this political connection made the deal seem even more shady. The article also traced two workers, Philip Daniel and Lincoln Bryant, who were supposed to be working on the L.S.U. campus, but who were employed on the MacLachlan property.<sup>13</sup>

The reaction of the top state politicians in Baton Rouge was swift and immediate. The next day, Governor Leche declared that he would personally participate in the probe as a special assistant to Attorney General David M. Ellison. Leche said, "This business of using public property for private purposes has to stop."<sup>14</sup> Leche was setting himself up to be the protector of the rights of private citizens, but he also said that he intended to help the prosecution in the matter. Leche announced an investigative hearing to be held on the morning of June 15, 1939 in the Supreme Court chamber of the new state capitol. The hearing was to be broadcast on radio across the state so citizens could listen to the proceedings, similar to the famous "murder plot" hearings of Huey Long in January and February 1935. Eight witnesses, including the MacLachlans, George Caldwell, and important officials at both the Times-Picayune and the States, were subpoenaed as part of the investigation. Smith, still having confidence in Caldwell, insisted that the men and material

must have been properly compensated by the MacLachlans.<sup>15</sup>

Two days before the hearing was to take place, Governor Leche announced an indefinite postponement to the hearing. Ellison asked for and received more investigators to help him, even though his preliminary investigation had turned up no other evidence except the States publication. Ellison wrote to Leche that Mrs. MacLachlan had bought all the material for the construction project in New Orleans except the millwork. She paid four L.S.U. workers by check before the article was published. Ellison's report concluded that the grand total of the MacLachlan expenses concerning L.S.U. was \$263.80 and it had already been paid. Leche accused the States of publishing the article specifically to damage him.<sup>16</sup> The States responded that this postponement was ludicrous and, in reference to the part that L.S.U. played in the affair, the States wrote that Smith should "furnish the public with a list of satisfied persons."<sup>17</sup>

On June 19th, in a speech in New Orleans, Smith made a statement about the controversy that had been reported by the New Orleans States ten days earlier. Smith had been absent from the university since the States article had appeared and, therefore, avoided making many comments. Smith referred to the complexity of the university structure, in which his subordinates at the university took care of all the details and reported only the necessary information to him. Smith declared his support and confidence in E.N. Jackson, L.S.U.'s business manager, and George Caldwell. "Since the facts involved in this case have been known

for several days," Smith remarked, "it appears to me that the whole thing resembles a tempest in a teapot, or that of a mountain out of a molehill."<sup>18</sup>

To understand the events that are to follow, Smith's financial situation must be explained. Smith had an annual salary of \$18,000, a home on the university campus, and free gas and electricity. The problem was that Smith spent too much money for extravagances like trips to Europe, an elaborate wedding in New Orleans for his daughter, and expensive automobiles. Smith first had inclinations to invest in the stock market in December 1936, and it was during this month that he met his future intermediary, J.M. Brown. Brown wrote, "He (Smith) first gave me \$500 and asked me to see what I could do with that amount. I took Dr. Smith to Fenner and Beane and opened a trading account. Then Dr. Smith said for expediency he would like to operate his account in some other name. The trade name 'J. Monroe' was then adopted. Dr. Smith had not begun to trade actively until his return from Paris in September 1937."<sup>19</sup> He continued his speculation mostly through his intermediary, J.M. Brown, until June 1939. He had as many as twelve accounts and three and a half million bushels of wheat futures at one time. He invested in large quantities for several other people who were not disclosed to the brokers, but Smith assured the brokers that funds and collateral were available at all times. Because he had full financial control of the university, Smith had the ability to use unapproved university bonds for collateral on his wheat ventures without immediate detection. The bonds were certified,

but they had been canceled by the Board of Supervisors. State Superintendent of Public Funds Frank Shattuck eventually estimated that Smith had access to \$2.2 million in bonds. Shattuck estimated the amount of illegal used securities, used mostly in wheat speculation, at \$591,000. Between September 1937 and June 14, 1939, when he closed his account at the firm, Smith lost around \$460,000 in his trading at Fenner and Beane, and the firm now would not accept university bonds as payment. Smith illegally authorized a double printing of \$475,000 worth of a bond issue. Smith had also altered the minutes of several Board of Supervisors meetings in order to cover his transactions and even forged the signatures of a couple of deceased officials, including Governor O.K. Allen and Vice President of the Board of Supervisors Eugene Cazedessus, on some of the bonds. Smith knew that the Internal Revenue Service was investigating his income taxes, but his wheat transactions had placed him in financial constraints.<sup>20</sup>

To bail himself out, Dr. James Smith made a few fateful and audacious transactions that would outrage the citizens of Louisiana and send the politicians, lawyers, brokers, and banks into a fury. On May 2, 1939, Smith took bonds worth \$300,000 to the National Bank of Commerce in New Orleans. Giving the President of the bank, Oliver G. Lucas, instructions, Smith asked the bank to make out a \$300,000 cashier check to Fenner and Beane. On June 9, Smith went to the City National Bank in Baton Rouge with \$100,000 in bonds and asked the bank to give him a cashier check in the same amount to the Louisiana Savings Bank

and Trust Company. Smith then took the check personally to his intermediary, J.M. Brown, who in turn took it to New Orleans. Brown, whose real name was James Anthony Brown and had a 1931 arrest record in Pittsburgh, deposited this check and then asked the bank to make a cashier check for \$100,000 to Fenner and Beane. On June 14, Smith had a check of \$100,000 made to L.S.U. from the Hibernia National Bank in New Orleans; he deposited this check and then made another check of the same amount to Fenner and Beane. Smith's account was closed the next day and Smith's dealings with Brown ended on June 20. The immediate fallout after the discovery of all of these illegal transactions was a legal debate between the university, the banks, and the state over responsibility for the lost money.<sup>21</sup>

Smith's financial dealings had made him the center of the boiling teapot to which he had referred a week earlier. Smith had inadvertently placed his signature on the top line of a bond instead of the proper place at the bottom. This error, the only one that Smith made on any bond that he used for collateral, placed attorneys for the brokerage firm on notice. The attorneys called the bonds into question and asked for a legal opinion on the bonds. On commencement night, Smith had asked Leche to get the State Bond and Tax Board to approve some bonds of the 1936 issue. Leche said he would take care of it in a day or two, but he never secured approval for the bonds. These bonds were critical for Smith, and he was forced to withdraw them as collateral since the brokerage firm would not accept them. The legal opinion against him and his main collateral source now

unacceptable, Smith had to use other monies to bail himself out. His financial struggles now made him turn to E.N. Jackson, L.S.U.'s business manager, for an advance on his salary. When Jackson denied this request, Smith turned to Richard Leche for assistance. A call between the two men precipitated a meeting at the Governor's mansion in Baton Rouge in the early afternoon of Sunday, June 25.<sup>22</sup>

Leche and Smith met alone at the governor's mansion and each later gave a different account of the set of events that occurred on that fateful Sunday. Neither account is totally consistent with the facts of the case, and personal motivation and legal trouble explain some of the inconsistencies that each provided. The real truth as to what happened lies somewhere in between the two accounts. What Leche knew about Smith's problems was unclear, but Leche probably knew nothing except that he had heard rumors that the university was suffering from financial troubles. Smith had come to Baton Rouge to get advice from Leche on what he should do in his own personal financial situation and therefore instigated the meeting. Smith told Leche that he had borrowed funds from the university without authorization. The amount of money discussed is unclear, but Leche probably learned that Smith, the brokers, and the Internal Revenue Service investigator knew exactly what Smith had done. The meeting ended with Leche agreeing to see what he could do for Smith.<sup>23</sup>

In the early evening, Leche summoned Smith back to the Governor's mansion. Smith had two options at this time: have the L.S.U. Board of Supervisors called into a special meeting to

tell them of the financial dealings of the university before resigning, or resign his post immediately. Leche knew that politically he had no choice but to force Smith to resign soon. Smith handed over his resignation at the mansion in the early evening.<sup>24</sup>

The key question that has to be answered and cannot be confirmed is what did Leche say to Smith after the resignation. Leche told the press that he said, "Now Doc, go home and rest up and I'll call a meeting of the Board (of Supervisors) tomorrow."<sup>25</sup> But Smith later wrote: "There the governor asked me if I wanted to stay and face it or to leave and advised me to leave immediately promising to withhold any statement until 11:00 P.M. The gov. further advised that it was the duty of the AG [Attorney General]. . . to attempt to recover as much as possible of any unauthorized expenditures. He advised me to remove anything of value."<sup>26</sup> He took Leche's advice and decided to flee the state. Did Leche try to "cover up" the crime and in doing so commit obstruction of justice and tampering with evidence?

Whether he was advised to leave or not, Dr. James Monroe Smith left Baton Rouge. Around 8:30 P.M. on the night of his resignation, his house and office were raided by the state police and a warrant was sworn out for his arrest. He and his wife, Thelma, were joined by J. Emory Adams and his wife in the flight from Baton Rouge. Adams was Mrs. Smith's nephew and at one time managed the L.S.U. field house and bookstore. In June 1939, he was the manager of a chain of grocery stores in which Smith had

invested. The couples drove north from Baton Rouge to Memphis. Adams and his wife left the Smiths in Memphis and returned to Baton Rouge, where Adams was promptly arrested for aiding Smith's flight. (Adams would admit to aiding Smith soon after his arrest, but Smith later denied that Adams helped him at all). After arriving in Memphis in the early morning hours of the 26th, Smith purchased two Illinois Central Railroad tickets from a ticket agent for the train to Detroit through Chicago. While authorities were searching many parts of the United States, the Smiths purchased a new automobile in Detroit in Mrs. Smith's name. Under their correct names, the couple crossed the Canadian border at Windsor on the 27th and drove to Brockville, Ontario, a resort town on Charleston Lake, eighty-two miles from Ottawa. During his time in Canada, Smith wrote his version of events on that fateful Sunday, also explaining some of the problems at the university, and worked on a manuscript of ninety-nine pages detailing his early life and his years at L.S.U. Brockville would be the last place that the Smiths would go, for they were arrested at the end of the week.<sup>27</sup>

After his surrender on Saturday, July 1, Dr. Smith and his wife were placed under house arrest in their hotel suite. Smith made this request and Canadian authorities accepted this recommendation with a police guard at their door at all times. The State Superintendent of Police Louis Guerre chose Assistant Superintendent of State Police Murphy Roden to travel to Canada to take custody of the fugitives. East Baton Rouge District Attorney Dewey Sanchez protested vehemently that a representative



of his office should be present at the arrest. Sanchez successfully appealed to Earl Kemp Long, now Governor, for a representative, and Bryan Clemmons, a Special Investigator for the East Baton Rouge District Attorney, accompanied Roden. The two men left on Sunday, July 2, in L.S.U.'s four-seat biplane that Smith used on special occasions. After a stop in Natchitoches, Louisiana, to get extradition papers from Long, Clemmons and Roden flew to Cleveland, Ohio, where they had to spend the night because the airplane was not equipped for night flights. On July 3, the trio flew from Cleveland to Ottawa and Roden and Clemmons drove to Brockville to take custody of the Smiths. The plan of the Louisiana authorities was to take Dr. Smith back to Louisiana by airplane and Mrs. Smith back by automobile. The plan would hit an immediate snag.<sup>28</sup>

Smith had said, "I am going to back to straighten up this affair--or to assist in straightening up this affair."<sup>29</sup> He was composed and relaxed about the extradition, but his wife was extremely nervous about returning to Louisiana. Dr. Smith refused to be separated from his wife under any circumstances, and he planned to fight extradition if they were separated. Roden and Clemmons, fearful of a legal fight, negotiated for two and a half hours with Smith until they reached an agreement. The deal was that Smith would drop any extradition fight and the Smiths would return to Louisiana together. This settlement meant that the biplane in which the investigators had flown to Canada would return to Louisiana with no passengers. In the Smith's new sedan, Roden, Clemmons, and the Smiths drove from Brockville,

Ontario, to Syracuse, New York, where they spent the night of July 3rd. Roden kept the itinerary secret, and the group departed Syracuse early the next morning on a charter flight from Syracuse to Floyd Bennett Field in New York in a Beechcraft five-seater. From there, the group flew to Newark, New Jersey, where they caught a regular Eastern Airlines flight to New Orleans. After arriving at a crowded New Orleans airport, Smith and his wife were quickly ushered into a waiting police car and were escorted to the East Baton Rouge Parish Jail with four police vehicles surrounding the car followed by streams of press cars. The faculty of L.S.U managed to accumulate the \$7,500 to bail Mrs. Smith out of jail on charges of aiding and abetting Dr. Smith's flight from the jurisdiction. In order to avoid arrest by other authorities, Dr. Smith preferred to stay in the Baton Rouge jail, where he had his own private bathtub, electric fans, and magazines. Three of Smith's friends offered to pay the \$50,000 bail to get him out of jail, but Smith refused. Smith continued to keep his silence about who "advised" him to leave Louisiana despite the protests of both the New Orleans States and the New Orleans Times-Picayune. The only public statement that Smith made was his claim that his financial speculations were for the benefit of the university.<sup>30</sup>

Smith's resignation and flight had serious repercussions for the state government in Baton Rouge. On Thursday, June 22, Richard Leche had announced that he was resigning in favor of Earl Long by next Monday. He wanted his last official act to be the awarding of the construction contract on the Charity Hospital

in Monroe. When he met with Smith at the mansion on Sunday, Leche was almost completely out of the mansion. Though he had second thoughts about resigning on Monday, he resigned by proclamation at 7:00 P.M. and handed over the reigns of government to Long. Leche, however, could not avoid making public statements concerning L.S.U.'s antiquated accounting system, the resignation and motives of James Monroe Smith, and his relationship with George Caldwell.<sup>31</sup> Long pledged that he would assist all investigations in whatever ways possible, even stating, "Better is little with righteousness than great revenue without right."<sup>32</sup>

Smith's resignation had a greater effect on Louisiana State University. The presidency was now vacant and needed to be filled immediately. Leche and Long named Dr. E.S. Richardson, President of Louisiana Tech, to be the interim president of L.S.U. Richardson accepted the post at a salary of \$12,000, but resigned only a few hours later and returned to his old post in Ruston. The reason that Richardson gave for resigning was simple: the situation in Baton Rouge was much too chaotic and he wanted the job permanently instead of on an interim basis. Earl Long chose Paul Hebert, the dean of the L.S.U. Law School, to succeed Richardson. Hebert was 31 years old, an extremely young age for the Presidency of a university. Hebert aggressively pursued a reorganization of the university. He accepted the interim title at a \$12,000 salary and began the process of rebuilding the university system.<sup>33</sup>

Hebert and Long, who as governor became ex-officio President

of the Board of Supervisors, began quickly to institute reforms for the business side of the university. The board had met on June 26th, when Richard Leche outlined part of Dr. Smith's transgressions and announced that he had become suspicious of Smith's business transactions when he learned some of the deals in which the Bienville Hotel bonds were used. By June 29, when the Board next met, Hebert and Long headed the board. Hebert, along with Shattuck, fully explained Smith's bank activities of the previous two months. After worrying about the civil law liability and responsibility of Smith's action, the Board agreed to Hebert's suggestion that Colonel Troy Middleton, at that time Dean of Administration, should become acting Vice-President and Comptroller of the University. Middleton was given the authority to hire an auditing firm to review the school's records and to make his signature mandatory on any university check. In a statewide radio address on July 3, Hebert, Middleton, and Tom W. Dutton, President of the L.S.U. Alumni Foundation, urged the citizens of Louisiana to continue to support the university and insisted that the current crisis was not a reflection of the university as a whole but instead resulted from the actions of a few individuals.<sup>34</sup>

The main reforms that the administration and the Board of Supervisors undertook would come after yet another scandal rocked the L.S.U. campus. This scandal was not connected to Dr. Smith's sudden resignation and flight but instead was an extension of the New Orleans States article published almost a month earlier about the L.S.U. trucks on the MacLachlan residence. George Caldwell

arrived at L.S.U. as a construction foreman in 1931. He was a bricklayer and foreman for Caldwell Brothers & Hart, a New Orleans construction firm that had gained a major portion of the L.S.U. building contracts. L.S.U. hired Caldwell as Construction Superintendent on August 22, 1934, on a twelve month basis for a salary of \$2,700. Caldwell, a six foot tall, three hundred pound man, continued as the Construction Superintendent until 1939, despite being appointed on a temporary basis. Smith altered the Board of Supervisors minutes for December 7, 1936, which allowed Caldwell to receive a one percent commission on all university construction projects. Under a resolution dated February 19, 1938, altered from January 15, 1939, Caldwell's commission was raised to two percent by Smith. Caldwell built a colonial style house on Highland Road and moved into Baton Rouge social circles. His mansion had air conditioning (rare for 1939), gold bathroom fixtures, a badminton court, a tall fountain outside the front of the house, antique silverware, and a three car garage. The construction of the mansion began to raise suspicions that he was misusing W.P.A. money. Caldwell also did jobs for Richard Leche at Leche's 1,200 acre estate in Covington. Leche paid Caldwell by check and Caldwell did whatever was necessary to get the job done. Caldwell was helping a personal friend of Leche when the New Orleans States expose appeared.<sup>35</sup>

Caldwell used various methods to extract money from contractors. He approached contractors and offered to furnish certain items such as labor, sand, and drayage for money. The kickback would be paid, but the labor or material would be non-

existent or of very poor quality and small quantity. He forced contractors to pay cash because he did not want the money to be traced. Subcontractors paid Caldwell \$57,775.07 in these kickbacks, including a \$39,125 kickback from the W.J. Riley Construction Company. Caldwell also received \$58,010 in gifts from Riley, Alfred J. Colfrey, and Clifford King. Combined with the salary of \$27,263 that he drew over the course of five years as a university employee, Caldwell made over \$143,000.<sup>36</sup>

Louisiana Supreme Court Justice John B. Fournet, a member of the L.S.U. Board of Supervisors, told the rest of the board that Caldwell's contract should be terminated at the June 29th meeting. On July 3rd, with the university buildings construction program close to completion, Acting President Hebert asked for Caldwell's resignation, "for the best interest of the university."<sup>37</sup> Caldwell did not deny that he was getting the two percent commission that Earl Long had announced to the public earlier. In fact, Caldwell claimed that his fee was regular and that he did not know that Smith had "faked" the supervisors' minutes. The next day, Leche denied that he had any knowledge of Caldwell's use of W.P.A. men and material on his estate, claiming that Caldwell was his private contractor. On July 7th, Caldwell was arrested by federal officers after he testified before a federal grand jury in New Orleans. He was charged with diverting Works Progress Administration resources to personal use on his own home in Baton Rouge on May 29, 1939. Caldwell quickly posted the \$10,000 bond and walked out of federal custody next to his attorney, Roland Kizer of Baton Rouge.

For the L.S.U. Construction Department, affairs only got worse. James Marshall, a forty-two year old WPA foreman who helped build the university coliseum, was arrested on the night of July 7 at the Baton Rouge post office. Marshall, accused on the same charge as Caldwell, pleaded innocent. The final blow for L.S.U.'s Construction Department was the suspension of Eugene Barksdale, Caldwell's top assistant and successor, on July 10th after his arrest the day before. He was accused of conspiring with Marshall to divert W.P.A. property from the coliseum project. Barksdale was released after Caldwell posted bond for him. The federal arrest of these three men left the university vulnerable to a threatened walkout by the WPA workers in the construction department. Caldwell was indicted by the East Baton Rouge parish grand jury on charges of embezzlement of school materials.<sup>38</sup>

By the time of the next Board of Supervisors meeting on July 11, 1939, the situation in Baton Rouge had worsened for the university. Lewis Gottlieb, a Baton Rouge banker, replaced Theo S. Landry, Superintendent of State Prisons, on the Board of Supervisors. John J. Doles, a banker from the north Louisiana town of Plain Dealing, succeeded L.P. Abernathy, a State Highway Commissioner who was in his own legal trouble, on the committee. Louisiana Supreme Court Justice John B. Fournet and J.D. Womack, a Baton Rouge judge, passed a motion to close the proceedings to the public and press. Still worried about the university's civil liability, the board hired Lewis Morgan of Covington, John Tucker of Shreveport, and Benjamin B. Butler of Baton Rouge to represent

the university in all civil litigation. The next order of business was to reorganize the accounting system to prevent another scandal. Hebert hired William B. Franke, considered to be one of the best and most knowledgeable men in the country on the subject of institutional finance, from the New York accounting firm of Franke, Hannon, and Withey. Franke told the Board, which confirmed his appointment, that it would take two months to put the new accounting system in place. To make it work, an accumulation of balance sheets would go through a constant auditing system. A comptroller, auditor, and bursar (a treasurer to dispense the money) would be needed. The Board of Supervisors named Daniel Borth, a tenured professor of accounting, auditor at a salary of \$4,800, and C. Gordon Jackson maintained his duties and received the title of bursar at \$4,000 per year. E.N. Jackson, L.S.U.'s business manager, who appeared to be a target in the various investigations, was later relieved of his purchasing agent duties.<sup>39</sup>

A second major development of the morning session was the creation of the committee system of the Board of Supervisors, with the minutes of each meeting being sent to all members. A Finance Committee controlled accounting and financial matters. The Faculties and Studies Committee oversaw the faculty, tenure, scholarship, and other academic affairs. To insure that there would not be another scandal such as the Caldwell affair, a Buildings and Grounds Committee was constituted to approve construction contracts, architectural employments, bid advertisements, and other on-campus construction business.



Finally, an Executive Committee was created to act for the entire Board during the intervals between Board meetings.<sup>40</sup>

After a brief discussion on the termination of E.A. McIlhenny's contract to beautify the campus, the Board of Supervisors turned its attention to the Bienville Hotel in New Orleans. The university had spent \$650,000 in purchasing the hotel. The problem was that the university had only been authorized to buy the hotel for \$575,000. Two questions immediately arose: where was the missing \$75,000 that had been spent but not authorized; and what was the university going to do with the empty hotel? The missing \$75,000 became the most important sum of money for five central figures in Louisiana affairs and a federal mail fraud investigation. While the Board of Supervisor's Executive Committee eventually decided to let the attorneys for the Board decide what civil action to take on the subject, the repercussions of this discovery would be enormous.<sup>41</sup>

The Bienville Hotel is a story of greed, fraud, and arrogance. The hotel was built in New Orleans in 1921 at a cost of \$1.3 million, excluding the cost of the land. In 1936, after Franklin Roosevelt approved a Works Progress Administration grant of \$3.6 million for the new Charity Hospital, both the state government and the university took an interest in the Bienville Hotel. Dr. Smith had concerns about providing dormitories for the students of L.S.U. Medical Center and voiced these concerns to Governor Leche. Leche looked at this piece of property as a temporary home for the Charity Hospital while the new building was being constructed. Eventually, Leche thought that the top

floors of the Bienville Hotel could be converted to dormitory rooms, while the bottom floors could become offices for state agencies. This would be a cheaper and alternative home to these agencies, which were paying high rents in other New Orleans buildings. The Bienville Hotel would pay for itself in just a few years under this plan. Smith and Leche consulted the owner of the Bienville and Roosevelt Hotels, Seymour Weiss, about the possibility of purchasing the hotel. Weiss agreed to sell the hotel to the university for \$575,000 and assured the men that the hotel was in good shape.<sup>42</sup>

The Bienville Hotel controversy centered around the purchase financing of the hotel. The original plan was to pay \$100,000 in cash and the other \$475,000 in 4 percent serial bonds that were to be issued. The Wall Street law firm of Thomson, Wood, and Hoffman, however, refused to validate the bonds in 1936, citing that the purpose of the building was not specified in the bond application proposal and that the purchase would not be for educational purposes. On December 7, 1936, the Board of Supervisors rescinded the resolution to purchase the building with \$475,000 in bonds. The Board paid \$480,750 out of a building fund and an additional \$89,196.07 out of other bonds and interest from the proceeds of a previous \$2,000,000 bond sale. The university transferred \$100,000 of advance rentals from the Charity Hospital to the Lee Circle Hotel Company (under the control of Seymour Weiss) on October 28, 1936. On November 16, 1936, the university paid \$175,000, and on December 3, 1936, another \$325,000 to the Lee Circle Hotel Company to complete the

purchase for the entire building. On October 17, prior to any payment for the purchase of the hotel itself and without the Supervisors authority, the National Equipment Company received a \$75,000 check for the purchase of an itemized list of office equipment including typewriters, adding machines, office furniture, and two generators that were actually included in the original price of the building. A check for \$14,196.07 was made to the National Equipment Company for the taxes on the building for the entire year of 1936 even though the university did not officially complete the purchase until December 4. The agreement was for Lee Circle to pay the 1936 taxes and the university to reimburse the prorated taxes for the year.<sup>43</sup>

In 1938, Dr. Smith brought the rescinded bonds back into circulation. He illegally ordered the printing of the Bienville Hotel bonds in October 1938 by the E.A. Wright Banknote Company in Philadelphia. Dr. Smith also altered the October 5, 1936, minutes of the Board of Supervisors by adding a section stating that only a facsimile signature of the Vice President of the Board of Supervisors was needed on the bonds. Since the bonds needed the President's signature (of the university) and the Vice President's signature, the section allowed Smith to forge the signatures of Eugene Cazedessus and Judge J.D. Womack on the bonds. The rejection of the bonds caused their withdrawal from the purchase. The fact that there were Bienville Hotel bonds floating around raised suspicion that something illegal was happening at L.S.U., since those particular bonds were not supposed to be in existence.<sup>44</sup>

At the July 11 Board of Supervisors meeting, a \$75,000 discrepancy between money authorized and spent on the Bienville Hotel was discovered. It would not take long for action to take place on this missing money. On July 17, 1939, a federal grand jury in New Orleans indicted five men involved in the National Equipment Company on two counts of mail fraud. Monte Hart, the New Orleans contractor and partner of George Caldwell, had endorsed the \$75,000 check and dispensed the money between the partners. Hart gave J. Emory Adams, the nephew of Mrs. Smith who had helped the Smiths flee to Memphis, \$25,000. Adams, in turn, gave James Monroe Smith \$14,000 of this money and kept the rest for himself. Hart, who was charged with keeping \$19,066.91, deposited the rest of the money (\$50,000) in a New Orleans bank and gave Louis C. LeSage, a special assistant to the President of the Standard Oil Company of Louisiana, \$25,000. LeSage gave \$16,500 to Seymour Weiss. Because money was sent through the federal mail system, Assistant U.S. Attorney Oetje John Rogge secured the indictments for mail fraud. Smith's attorneys, Ben J. Daly and Walter B. Hamlin, made a writ of habeas corpus motion that would have allowed Smith to post the \$10,000 federal bond and return to the much more comfortable East Baton Rouge Parish Jail, but Judge Wayne G. Borah denied the motion and Smith continued to be detained until his arraignment in New Orleans. The other four defendants, Weiss, LeSage, Hart, and Adams, each posted the \$10,000 bond. Weiss left from New Orleans to New York, where he spent most of his time, despite the numerous positions that he held in New Orleans. On Friday, July 21, Monte

Hart and Dr. James Monroe Smith were indicted for mail fraud in connection with the \$14,196.07 paid as taxes by Louisiana State University to National Equipment Company for 1936. The university owed twenty-seven days of taxes to Lee Circle Hotel Company, not an entire year to the National Equipment Company. The following Monday was the scheduled date for the arraignment of the five men indicted in the Bienville furnishings scandal. The defense attorneys were successful in getting a postponement of the arraignment in order to file motions and pleadings.<sup>45</sup>

The new attorneys for the university sued the five men charged in the Bienville Hotel scandal for the money that they had bilked from L.S.U. The three attorneys, Lewis Morgan, Ben Taylor, and John Tucker, Jr., filed the lawsuit in East Baton Rouge district court, and included in their petition was a writ to place a lien on all of the property and holdings of Dr. James Monroe Smith and his wife. As of July 26, 1939, Dr. and Mrs. Smith still had \$6,715 from his flight to Canada, two houses with a combined value of \$6,600, land assessed at \$8,600, and two more houses mortgaged at a value of \$16,000.<sup>46</sup>

Unfortunately for the university, the Bienville Hotel was not the final scandal that made headlines. The state legislature had approved \$350,000 in funds dedicated to the construction of a new Geology Hall at the university. The state Conservation Department, headed by William G. Rankin, oversaw the construction of the building. State treasurer, A.P. Tugwell, an announced candidate for the governorship to be contested in January 1940, contended that the spending for the building had been highly

irregular. Rankin continually refused to open his books to inspection and auditing. After Rankin's removal, Frank Shattuck, supervisor of public accounts, found no financial problems arising from the Conservation Department's dispensing of the funds.<sup>47</sup>

The Geology Hall had caused legal problems for other people connected to its construction. No one seemed to be able to account for the purchase of the furniture for the building, other than it came from the Standard Office Supply Company of Monroe, Louisiana. When L.P. Abernathy announced that he had twenty-five to thirty percent of the stock in the Standard Office Company, his resignation from both the State Highway Department and the University Board of Supervisors was forthcoming since he had engaged in a conflict of interest. Abernathy had more than just this conflict of interest, however. On July 26, 1939, Abernathy, A. K. Kirkpatrick, another owner of Standard Office Supply, and Dr. Smith were indicted by the East Baton Rouge Parish grand jury. The indictments alleged that the three men illegally profited from the sale of \$39,922.14 of equipment to the university.<sup>48</sup>

The Construction Department, which had suffered serious setbacks after the arrests of Caldwell and Barksdale and the exposure of the Abernathy affair, began to be dismantled. The \$13,500,000 construction program was near completion and no new projects were scheduled to begin. Acting Vice President and Comptroller Troy Middleton, acting on orders from the Board of Supervisors, ordered the elimination of all construction crews

except for those needed for maintenance. One of the first men fired from the university crews was a truck driver named Hick Batts. Batts, one of four brothers on the university payroll, happened to be one of the W.P.A. workers who made the original affidavits describing the conditions and the illegal activities on construction projects at L.S.U. He claimed that his dismissal was solely the result of his affidavits to various grand juries, especially since he had seniority over other employees.<sup>49</sup> Middleton replied to the public relations problem by stating, "I can't help what attitude the newspapers take on my action. The Board of Supervisors ordered me to cut out the construction crew and I'm going to do it. I'm not going to be influenced in my actions either way by newspaper headlines."<sup>50</sup>

The Construction Department received one last major surprise, this one involving powerful wholesaler and Orleans Parish Levee Board President Abraham L. Shushan. The Board of Supervisors, at their July 31, 1939, meeting, decided to cancel the contract of Shushan Brothers of New Orleans for medical equipment for the new medical school and clinic in New Orleans. The contract amount of \$39,644.18 was canceled along with a contract for \$5,129.90 with the Loubet Glassware & Cork Co. for kitchen supplies for the new clinic. The two contracts had never been formally advertised and never had been competitively bid. In the legal opinion of the three civil attorneys whom the university had retained, acceptance of the two bids would be a bad legal decision.<sup>51</sup> In a statement to the press, Dr. Hebert announced another reason for the cancellation of the contract.

"My preliminary investigation of the Shushan orders," Habert noted, "leads me to believe the prices are higher than they would be if quotations and bids had been received from a larger representation of concerns engaged in the surgical equipment supply business."<sup>52</sup>

Tom Dutton, President of the L.S.U. Alumni Association, demanded the resignation of all of the Supervisors who had served during the Smith administration. Dutton claimed that the 17,000 alumni "do not want any 'whitewash' of 19 charges made by L.S.U. professors and deans that politics had reached down into the awarding of scholarships, appointments, and advancement of teachers and the like." In a boisterous four hour forum held on the night of July 18, Dutton's idea of resignation was wildly applauded and the idea of "depoliticizing" the Board of Supervisors gained strength. On July 24th, the Alumni Council passed a motion giving Dutton a free hand in criticizing the Board of Supervisors, and Dutton continuously used his authority to call for a mass resignation. Bob Chinn, the new President of the L.S.U. student body, said that he intended to urge the students to follow the lead of the alumni in depoliticizing the university.<sup>53</sup>

While Dutton continued to lobby for the resignations, he was given a boost from two unexpected sources. The East Baton Rouge grand jury partially blamed the Board of Supervisors for the scandals and assigned the Board partial responsibility for failing to utilize their institutional control of the Presidency. The grand jury recommended mass resignations.<sup>54</sup> The grand jury



charged, "In our opinion, this amazing neglect and astounding indifference of the members of this board have contributed in a large measure to the crimes and misconduct of the university staff."<sup>55</sup> The other unexpected source that recommended mass resignations of the Board of Supervisors that had served under Smith was T.S. Landry. Landry was general manager of the state prison farm at Angola and a former member of the L.S.U. Board of Supervisors. Landry had resigned almost immediately after the Smith scandal broke. Landry opined, "But regardless of what the board can say for itself, the fact remains that it is discredited in the eyes of the public; that its usefulness now appears to be a thing of the past, at least as far as a majority of the members are concerned. And it seems that the best they can do is to withdraw before further scorn is heaped upon them."<sup>56</sup> The ironic twist to the story is that if the Board of Supervisors had been required to read the minutes from the previous meeting, the Board of Supervisors would have been able to detect discrepancies between the meetings and the minutes. These opinions gave more credibility to the idea of mass resignation.<sup>57</sup>

The Board of Supervisors, with the support of interim President Paul Hebert, did not honor the request of Dutton, Chinn, or even the grand jury, for a mass resignation. There were, however, many changes made to the Board. Attorney General Ellison ruled on July 27th that he and N. Smith Hoffpauir were both serving on the board illegally and that Governor Long should replace both men. The reasoning behind the ruling was that each man was from Acadia Parish and that two people could serve on the

L.S.U. Board of Supervisors from the same parish, with the exceptions of East Baton Rouge Parish and Orleans Parish. Ellison was immediately replaced by Oliver P. Carriere, a former star athlete at the university from New Orleans, and D.Y. Smith of Monroe replaced Hoffpauir.<sup>58</sup>

During the month of August, three more members of the Board of Supervisors resigned. On August 5, A. Miles Pratt, a United States customs collector from New Orleans, resigned from his seat citing a state constitutional provision prohibiting federal officials from holding state offices. Pratt's replacement had been among the first seventeen women accepted to attend Louisiana State University. Matta Fuqua Scott, daughter of a former governor of Louisiana, became the first woman ever to serve on the L.S.U. Board of Supervisors. John B. Fournet resigned from his seat on August 16 and was replaced for the August 31st meeting by William Pitcher. Judge J. Hugo Dore tendered his resignation the day after Fournet resigned and was not immediately replaced.<sup>59</sup>

The administration of the university, specifically Middleton, had received major criticism for the firing of some construction workers. The Board of Supervisors stepped into a similar situation in its handling of football tickets for Supervisors. The question about whether free tickets would be available to Supervisors had been raised in early August, but a decision had been delayed until the next meeting. At that meeting, the Board of Supervisors decided to allot tickets to each member. For a group of people that had been asked publicly

to resign, this action was rather audacious. With a relatively successful football team and tickets extremely difficult to obtain, the fact that the tickets were free also added to the ire of the public.<sup>60</sup>

There were other changes made during the month of August that altered the structure of administration. D.J. Borth, L.S.U. Auditor, became the military property custodian in charge of requisitioning, accounting for, and transacting all business between the university and the United States military. The job of purchasing agent was filled by Dr. M.H. Hornbeak, who was a professor at the university. The Board of Supervisors hired O.U. Payne as general supervisor of all auxiliary agencies at the university. Payne was now responsible for overseeing the financial dealings of the cafeteria, dining halls, creamery, laundry, bookstore, other student stores, the Department of Animal Industry, laundry, and concessions. Dr. Ira S. Flory was named the acting dean of the law school, filling the vacancy caused by Dr. Hebert's move to the Presidency. Also, Dr. Thomas C. Paulson replaced Clarence A. Lorio as physician and medical director for the new university hospital.<sup>61</sup>

George Heidelberg, who held the job of secretary of the L.S.U. student employment committee, committed suicide on August 10th. Heidelberg knew of a circulating letter that stated that he had taken kickbacks from students who were employed by the university. Acting Vice President Middleton had told Heidelberg that his job was safe, but Heidelberg still feared that this letter would ruin his career and land him in jail. Heidelberg,

after drinking heavily at a bar, took a cab home. He went to the bedroom, where he committed suicide.<sup>62</sup>

Heidelberg's suicide raised suspicions in Washington about his handling of National Youth Administration (N.Y.A.) money. Aubrey Williams, National Youth administrator, announced that he was beginning an investigation of N.Y.A. funds at the university. In calling for an investigation, Williams declared that there had been no wrongdoing reported, but the investigation was merely to satisfy himself that all funds were being handled correctly. N.Y.A. funds totaled about \$11,000 per month and had just had a major increase of twenty percent since the beginning of the year. Hebert agreed that Dr. Floyd Reeves, professor of Administration at the University of Chicago, should assist in the investigation that commenced at the end of August.<sup>63</sup>

L.S.U. had one other major problem that needed an immediate solution. During the tenure of Dr. Smith, the university had accumulated a large and unmanageable debt. In his final month of running the university, Smith had, in the name of the university, borrowed \$500,000 from three different southeast Louisiana banks. In order to decide whether the university would be liable for the actions of Smith and have to pay back the half million dollars, the university would have to defend itself in three different lawsuits. Each bank, City National Bank of Baton Rouge, Hibernia of New Orleans, and the National Bank of Commerce in New Orleans, sued Louisiana State University to regain the lost money acquired by fraud because Dr. Smith would be unable to pay back the money and his assets had already been seized.<sup>64</sup>

The university expected to have a slight operating deficit due to the scandals. Instead, the audit revealed that the university was approximately \$200,000 in debt in projected operating accounts and projected disbursements for the fiscal period ending on September 1, 1939. The real surprise at the audit was the revelation of the missing sinking funds. All bond issues must have sinking funds available for the reimbursement of the bonds. The preliminary audit showed that the university never set up the sinking funds for bond issues beginning in 1934. Over a period of five years, various bond issues had been approved and passed by the state government and the university. The total amount of money that needed to be put in the sinking funds was \$547,000. The fund needed \$425,786 as of June 30, 1939, and an additional \$121,227 for July and August 1939.<sup>es</sup>

The University's Finance Committee, on motion of Ike Carriere, decided to obtain a bank loan for the \$200,000 in order to cover the summer expenses until the fall term could begin. The Board of Supervisors, after approval from the State Tax and Bond Board, chose City National Bank in Baton Rouge to get this money despite the fact that this bank potentially could be a plaintiff in a lawsuit against the university. To acquire the money for the sinking fund, the Committee of five, composed of Hebert, Middleton, Borth, John J. Doles, Vice Chairman of the Finance Committee, and William Gottlieb, Chairman of the Finance Committee, went before both Governor Long and the State Board of Liquidation and explained the problem that they had discovered. The State Board of Liquidation approved \$550,000 for the

university to use as a sinking fund for the bonds. The Board of Supervisors had to set up and initiate the methods for the sinking funds and find a financial institution that could act as a depository for the funds. Hebert, Middleton, and John J. Doles were given the task of setting up the rules for the sinking funds. Again, the City National Bank of Baton Rouge was chosen to be the depository for the sinking fund money.<sup>66</sup>

The old university system had failed at properly regulating financial activity for a variety of reasons. A system of checks and balances was non-existent, causing too much authority to be vested into one individual. Dr. Smith was personally untrustworthy. The Board of Supervisors was nothing more than a rubber stamp for the President. The accounting system for the university was shoddy, mismanaged, and easily manipulated. The university expanded at such a rapid rate that the right institutional controls were not put in place to stop corruption, especially in the construction department.

The university became a highly politicized organization. Vast amounts of money flowed into L.S.U. The temptation caused by the money was too much for some officials, and these people decided to steal from the university. Dr. Smith abused his authority and committed fraud and theft during his tenure. The problems that plagued the state government had infiltrated L.S.U.

L.S.U. had been the lightning rod to expose much of the graft and corruption of the Long machine. A few L.S.U. trucks going to a residence in Metairie had been the beginning of a major scandal. The governor had resigned, the university

President had resigned, fled, been arrested, and was about to go to trial on several of the forty counts for which he had been indicted, and one of the three state power brokers, Seymour Weiss, was also under indictment. The fallout of the scandals of the university had changed almost all of the major figures at the university in a matter of months. The lack of institutional control demonstrated by Dr. Smith's departure was in the process of being replaced. The focus of the investigations now turned directly to the state government.

## Part 2: Breakdown of the Machine

Huey Long and his successors had held the reins of power since Huey's election to the governorship in 1928. Relatively unchallenged since the early 1930's, the Long machine leadership had grown accustomed to having power and ruling the state government with an iron fist. Governor Richard Leche was extremely popular, and the 1940 election promised to bring Earl K. Long into the governor's mansion. In May 1939, the Long machine appeared to be unbeatable in any future election and the political future of the top politicians seemed limitless.

The New Orleans Times article about Louisiana State University trucks delivering goods to a private residence caused a panic within the machine hierarchy. The administration hastily called a hearing on the subject and, then, unexpectedly Governor Leche canceled the inquiry. The cancellation puzzled many people, but the Governor announced that he had checked into the delivery and that everything was legal. This action did not raise much suspicion, however.

The confusion over the transference of power from Richard Leche to Earl Long caused a disturbance within the state government. On June 26, Leche, citing health reasons and joking about entering the oil business, decided to resign in favor of Long. On the anticipated day of resignation, Governor Leche contemplated not keeping his promise and maintaining his job as governor. With no one sure what was happening and who was in charge, confusion swirled around the governor's mansion. In the



meantime, the wheat futures scandal involving Dr. Smith erupted late that night. The confusion helped Dr. Smith escape temporarily from the various Louisiana authorities and gave Dr. Smith the opportunity to place the blame for his flight on Governor Leche. Leche acquiesced and resigned by proclamation on Monday night.

The Louisiana authorities botched the return and imprisonment of Dr. Smith. A needless debate occurred between the state police and the East Baton Rouge authorities over who was suppose to bring Smith back. The extradition of Smith and his wife to Louisiana took longer than expected. The airplane taking Roden and Clemmons to Canada returned to Louisiana without either of the prisoners. Finally, once Smith was returned to Louisiana, the cell where Smith was jailed was comfortable and the prisoner was treated better than the average inmate. The mass media published all of the details of the extradition and the conditions that Smith was given. The extradition and extraordinary treatment of Dr. Smith seemed excessive to the general public.

The exacerbation of factionalism within the machine was one result of the emerging state government scandals. Three members of the organization, Earl Long, A.P. Tugwell, and James A. Noe, wanted to be elected in 1940 to the governorship. Long held the advantage of being the current governor and could benefit from being an incumbent. Tugwell and Noe disclosed scandals to shock the public and tarnish Long's image. Both Tugwell and Noe hoped to benefit from the scandals by crusading against graft. By

exposing scandal, each man wanted the public to know that he was not corrupt.

A.P. Tugwell was the state treasurer during the Leche administration. On the day of Leche's resignation, June 25, Tugwell announced his candidacy for the governorship in 1940. He knew that he would no longer have much influence or role in the Long machine. In order to be elected in 1940, Tugwell needed to cripple the machine's election day organizational power. He decided that he would try to publicly discredit the Long machine.

One of Tugwell's allegations involved some wooded land around the East Louisiana State Hospital near Jackson in East Feliciana Parish. Sold in 1936, the property, Idlewild Plantation, encompassed 1,700 acres, a two story house, and two barns. Tugwell charged that the hospital's Board of Administrators sold the land, valued at \$25,000, to W.W. Durham for \$5,000. The private sale, not a public bid auction, was conducted by Wade Long, the governor's cousin and the general manager of the hospital. The hospital for the mentally ill also returned unused funds to the state treasury, and patients suffered hardships as a result, according to Tugwell. Tugwell charged that Durham had already sold the timber for a profit before acquiring the land, an allegation that Durham vehemently denied. The allegations were strong enough to make Attorney General David Ellison announce that his office would conduct a full investigation.<sup>1</sup>

A week before his East Louisiana hospital complaint, on July 27, A.P. Tugwell asserted a potentially devastating allegation to

the Long machine. Tugwell disclosed that he personally knew that the Longite association had reinstituted the deduct system. The deduct system had been part of the Long machine since Huey Long had come into power. The Long organization reduced all state employee's salaries by taking money out of their paychecks. The deductions kept employees, who had been political supporters, in line. The public disapproved of the deduct system partially because someone had absconded with the deduct box and stole the organization's cash after Huey Long's death. Nevertheless, the machine continued to use this practice to raise funds. Tugwell's job as state treasurer gave him the appearance of personal knowledge of his allegation. Tugwell knew the public's hostility to the previous deduct scandal and he tried to play on that fear to gain political advantage. The story grew when the Times-Picayune reported that deducts were taken out of paychecks of employees at the Central State Louisiana hospital in Pineville.<sup>2</sup>

Throughout August, A.P. Tugwell also spoke out against employee bonuses and financial secrecy. He demanded that the Revenue Department open up its books. His demands caused a problem because of the inability of the administration to find the accounting books and W.A. Cooper's refusal to disclose the information. Alice Lee Tharpe, a personal secretary of Huey Long who rose all the way to head of the Revenue Department, possessed some of the records that the state and federal investigators wanted. Tugwell also alleged that Wade Long, the general manager of the hospital and the man who sold the East Feliciana

State Hospital land, received a pay raise to \$10,000 a year.<sup>3</sup>

Earl Long attempted to ignore the problems that Tugwell presented. Long tried to reconcile the differences between Tugwell and he in late July, to no avail. Realizing that Tugwell was not going to confer with him, Long took the offensive and attacked him mercilessly. Long charged that Tugwell had no interest in reforming government. Long emphasized the publicity that Tugwell received by making all of his allegations. Long maintained that while Tugwell headed the Highway Department in 1935 and 1936, he made an additional \$2,500 per year through the deduct system above his normal \$5,000 salary. Tugwell countered that Earl Long had received \$400 a month from New Orleans mayor Robert S. Maestri from a "shakedown fund." Tugwell stated that he never received his proper salary of \$7,500 at the Highway Department. Tugwell's Longite version of reform did not resonate with the voters in January 1940, for he did not win the gubernatorial election.<sup>4</sup>

Jimmy Noe was the other man who had already announced his candidacy for the governorship. In 1936, Noe became Governor after the death of O. K. Allen, and he desperately wanted to return to the governor's mansion. Noe echoed Tugwell's message of reform to a lesser degree. Noe, who had made his money in the oil and broadcasting businesses in the Monroe area, used two scandals in his hometown to gain attention.

The first scandal in Monroe was financial irregularities at the Louisiana Technical Institute (L.T.I.). A grand jury was empaneled in Ouachita Parish to hear evidence relating to the

finances of L.T.I. The director of the Institute, Dr. Harvey Dillon, resigned before all of the Institute's financial information was disclosed. Dillon continued to claim his innocence and state that his institution did nothing wrong. Noe charged that Dillon took institute property and used it for his own personal purposes. On August 9th, the Ouachita grand jury handed down a bill of indictment against Dillon for unauthorized use of public property.<sup>5</sup>

The second scandal involved the resignation of two officials in the Conservation Department. W.O. Dark, manager of the Conservation office in Monroe and L.J. Melton, field agent for the department, both resigned after being indicted for receiving bribes by the grand jury in Ouachita. Each man admitted wrongdoing in a scheme that allowed illegal and additional gas to flow from certain companies in northeast Louisiana. Noe claimed that he had furnished much of the evidence for the bribery indictments and that he had been the target of a shakedown from the two men. Noe, however, was forced to defend himself against charges that he had paid bribes, not a shakedown, in the gas transaction. Dark and Melton allegedly received bribes from J. and H. Gas Company, of which Noe was President and general manager. This information casted doubt on the validity of Noe's claims.<sup>6</sup>

Tugwell and Noe attempted to reform government from the inside of the Long political machine. Neither man had much success at convincing Governor Earl Long to change his administrative policy. The two men became virtual outcasts

within the machine. Unable to affect policy, Tugwell and Noe became spokesmen for a Longite version of reform. The voters wanted no part of Longite reform, and did not elect either man to public office in 1940.

Louisiana's state departments were not immune to the corruption plaguing the rest of the Long machine. The Department of Education had experienced a major blow in the L.S.U. problems and another setback in the L.T.I. affair in Monroe. An East Baton Rouge grand jury indicted the Highway Department commissioner, L.P. Abernathy, for his role in the Standard Office Supply Company fiasco. No one headed the Tax Department for a long period of time after July. Governor Long joked that he was holding the tax chairmanship for himself. Yet, none of these problems came close to the scandals that involved the state Conservation Department.<sup>7</sup>

The Conservation Department suffered from a leadership situation in disarray. William G. Rankin held the post of Commissioner of the Conservation Department. On July 15, Earl Long asked Rankin to resign after his involvement in the Geology Building affair was exposed. Rankin stubbornly refused to resign the post and held on to the job for as long as he could and he would not fire one of his chief administrators, Dr. J.A. Shaw. Long appointed State Senator Ernest Clemons of Oberlin to the post before Rankin resigned. Finally, on July 24, Rankin was removed from office.<sup>8</sup>

Dr. J.A. Shaw, head of the Minerals Division of the State Department of Conservation, died on August 20. The Minerals

Division oversaw all extracted natural resources including oil and natural gas. Shaw had been a dentist before his appointment to the Conservation Department. On August 17, he had testified as a government witness at the federal hearing of Freeman W. Burford, a wealthy Texas oil magnate, who was fighting extradition from Dallas to New Orleans on "hot oil" charges. A day after testifying, Shaw destroyed his car in an automobile accident, but escaped unharmed. Forty-eight hours later, Shaw apparently shot himself in the head with a revolver. His testimony in Dallas now became worthless because he had not been cross-examined by the defense counsel at the hearing. According to federal prosecutors, the trials of state officials would not be altered because of his death.<sup>9</sup>

C.A. Morvant, a state representative from Thibodaux, was the chief attorney for the Conservation Department. On July 18, A.P. Tugwell charged that Morvant, besides holding two state jobs which was illegal, was an agent of the Maxwell Supply Company. The Maxwell Company received a ten percent discount in the state for selling and delivering oil well equipment. Morvant's job as chief counsel to the state Conservation Department paid him \$5,000 a year. Morvant resigned a couple of days later, and Governor Long refused to appoint a successor.<sup>10</sup>

Joseph Airey, chairman of the Citizens Voluntary Committee, claimed that he had the names of eleven legislators who had publicly admitted to dual office holding. He informed Attorney General David Ellison stating that the dual office holding was illegal, and Ellison responded that he was investigating dual

office holding. Legislators who held jobs in the executive branch, such as Morvant, were known as "deadheads." Legislators did virtually nothing, but collected the extra state paycheck. The Louisiana Sportsman's League urged Governor Long and Conservation Commissioner Clemons to remove "at least 200 payroll deadheads" listed as license tax collectors. When the tax commission allowed the Times-Picayune to examine its books, the newspaper found not only legislators but also the relatives of legislators on the tax department payroll.<sup>11</sup>

As a reaction to the numerous political scandals that seemed to be sprouting from all corners of the state, groups of citizens formed political committees or groups that encouraged reform. These groups made proposals, held meetings, and tried to influence public opinion through the media. Their success was limited, but their ideas are noteworthy. A combination of the business community and wealthy citizens offered their ideas to help cleanse Louisiana politics. The groups began to lay the foundation for the political agenda that emerged during the Jones administration in 1940.

The New Orleans Association of Commerce, while not a new organization, proposed the most thorough and wide-ranging plan for political reform. The group advocated an independent investigation conducted by people with no connection or association with public officials or employees. The association presented a twelve point program to the governor that was "imperative to prevent malpractices in office."<sup>12</sup> While the plan had such common reform ideas as opening all state records,



eliminating dual office holding, and preventing nepotism in the state government, the plan included a couple of novel and progressive ideas. The group proposed the creation of a purchasing system that would ensure competitive bidding for all state contracts. Another recommendation which was eventually adopted by the state and federal government was the public disclosure of all income and expenditures of political campaigns and parties.<sup>13</sup>

Another group of citizens believed that the individual political organizations would not influence the situation. The Louisiana Association of Young Men's Business Clubs desired a union of all good government groups who wanted an impartial investigation. The club demanded publication of all payroll records since January 1, 1939, dismissal of the deadheads, and inspection of all state department records. Moise Steeg of New Orleans stated, " . . . what everybody wants is an impartial investigation of state departments, a ruling on the questions of public records, proper counting of the ballots in elections, and termination of a situation whereby fortunes are made off a political connection."<sup>14</sup>

One particular organization submitted an intriguing idea to the administration. The Citizens Voluntary Committee, headed by Joseph A. Airey, proposed appointing a special prosecutor. The group originated in New Orleans and organized branches in Shreveport, Monroe, Alexandria, Lake Charles, Lafayette, and Baton Rouge. The group, in a statewide meeting at Alexandria, decided to form an executive committee, composed of one delegate

from each parish, to pick three attorneys to submit to Governor Long. The executive committee chose Wood H. Thompson of Monroe, Monte Lemann of New Orleans, and Sam Houston Jones of Lake Charles. The association decided not to endorse the work of J. Fair Harden, who had been assigned by Long as a special attorney assisting the probe.<sup>15</sup>

Sam Houston Jones reacted forcefully to the idea of the special prosecutor. Jones refused in late July to participate in any investigation of the affairs of government because he wanted nothing to do with the Long administration. Jones approved of Airey's intention of a "thoroughgoing investigation," but stated that he had "consistently opposed the regime which has dominated Louisiana politics for the past decade."<sup>16</sup> In making this announcement, Jones separated himself from A.P. Tugwell and Jimmy Noe, the main gubernatorial candidates. To the anti-Longite citizen, Jones was a potential reform candidate who was not affiliated with the previous administrations. Monte Lemann also declined the nomination without a public statement. In the place of Jones and Lemann, the Citizens Voluntary Committee nominated Paul G. Borron of Baton Rouge and Eldon Lazarus of New Orleans.<sup>17</sup>

The idea of a special prosecutor lingered as a political possibility for a few days in late July. Long responded that J. Fair Hardin had been hired to conduct state probes. On the subject of the special prosecutor, Long wrote in a letter to Airey, "And yet you have the hardihood to tender to me as impartial and non-political the names of three lawyers who are

recognized as distinguished leaders in the world of partisan politics."<sup>18</sup> Long claimed that he had control of the investigation and that he did not need additional assistance. Long advocated that the judicial process should take its course. Airey decided that Long's refusal to accept a special prosecutor signaled the end of any fair and impartial investigation.<sup>19</sup>

With state authorities and politicians continuously bickering among each other, federal authorities investigated the possibility that certain individuals in state government violated the Connally "hot oil" Act of 1935. This law forbade oil production in excess of quotas set by the states. Louisiana had set a quota on itself of approximately 240,000 barrels. The Connally Act was enacted to prevent excess oil production. Long, not thinking highly of a law that an enemy of his brother had created, said, "There's nothing to that Connally ("hot oil") Act to my way of thinking; it's nothing but a gentleman's agreement."<sup>20</sup>

The man in charge of the federal officials in Louisiana was Assistant United States Attorney General Oetje John Rogge. Earlier in 1939, United States Attorney General Frank Murphy received Rogge's appointment to administer the Department of Justice's criminal division. The investigations into Louisiana politics expanded so rapidly that federal office space became cramped. A determined and stubborn advocate for the government, Rogge feared no one in Louisiana. Rogge refused to suspend the investigations after his wife and his two children were involved in an automobile accident. Someone had tampered with Mrs.

Rogge's steering wheel column, causing the accident. Rogge received two death threat letters that urged him to depart the state.<sup>21</sup> Rogge snapped back to his threateners, "In view of the threats, I'm staying in town."<sup>22</sup>

Rogge secured an indictment against Abraham L. Shushan, head of the New Orleans Levee Board on August 21. The federal government alleged mail fraud against Shushan, an important political figure in New Orleans. The charges involved a \$496,000 fee paid to the investment firm of Newman, Harris & Co. by the Levee Board for bond refunding in 1937. A \$200,000 fee paid directly to Shushan out of this debt service aroused the interest of federal postal investigators. The bond company, especially partners Robert Newman and Trent Harris, refused to remit records from the deal to federal investigators. Contempt of court charges were added to the bribery and mail fraud charges. Rogge also pursued possible jury tampering in Shushan's 1935 income tax evasion trial. In that trial, Shushan's attorneys successfully claimed that \$71,153 of unreported income was actually money for the Long machine's Louisiana Democratic Association.<sup>23</sup>

On August 7, the federal grand jury in New Orleans indicted Richard Leche, Seymour Weiss, and Freeman Burford for violating the Connally Act. In January 1936, the three men had met at the Roosevelt Hotel to discuss the scheme. The trio, with the help of Dr. Shaw, decided that a fifty-nine mile pipeline from Rodessa to east Texas was necessary for the scheme to work. Burford, of the East Texas Refining Company, received oil from the Rodessa pipeline through the Pelican Oil Company leases. He paid a ten

cent fee to Leche and Weiss for every barrel that he extracted from Rodessa. Dr. Shaw convinced then-Conservation commissioner Robert S. Maestri to increase the quota at the Rodessa field from 5,000 barrels to 20,000 barrels. The government alleged that the East Texas Refinery Company agreed to take 1,000,000 barrels of crude oil from the pipeline. From March 1936 to July 1937, the corporation transported approximately half of its allotted amount. Leche and Weiss made \$67,000 each off of the pipeline deal, according to the federal indictment. The federal grand jury accused the men of conspiring to defraud the United States government by committing sixteen violations of the Connally Act.<sup>24</sup>

Freeman Burford, through his attorneys, immediately filed a writ of habeas corpus to fight his extradition to Louisiana. Burford claimed that he intended to buy crude oil from the Rodessa oil field in accordance with Louisiana law. Burford, unable to purchase oil in east Texas, began to buy Louisiana crude because the Standard Oil Company of Louisiana purchased only half of its allotted amount of oil. Judge T.W. Davidson granted the injunction against extradition for Burford. Davidson ruled that Burford knew nothing of the ten cent a barrel charge for the Rodessa oil. Judge Davidson opined that Shaw and Maestri were as guilty as the indicted men. "I believe the time will not soon arrive in Louisiana when graft will be stopped as long as we have rubber stamp officials," wrote the judge. O. John Rogge proclaimed Burford a fugitive from justice.<sup>25</sup>

The Long machine lost power temporarily, but still was a

tremendous force in state politics. The reform candidate, Sam Houston Jones, mortal enemy of the machine, won the 1940 election for the governorship. He instituted reforms to eradicate graft and corruption from state politics. Earl Long served two terms as governor before his death in 1960. Robert Maestri continued to be the mayor of New Orleans, with less power and influence, until 1946 when deLesseps Morrison upset him in the mayoral election. Richard Leche, Seymour Weiss, and Dr. James M. Smith eventually served time in jail for their criminal activities.

The Long political machine failed to maintain power due to a lack of strong leadership. Huey Long allowed some graft and corruption, but only in moderation. Huey Long reasoned that he could control all of the members of his organization. The greed during the Leche administration began at the top of the machine leadership and filtered down to the rest of the association. No person could harness Long's political power to curb corruption. The political enemies of the Long apparatus gained political strength from the revelations of the scandals. Governor Earl Long was stuck in a difficult position because of the scandal: give full access and all of the information to investigators and risk having his group destroyed, or "cover up" the scandals and try to suppress all of the leaks. Long slowed the investigations as much as he could. Longism remained a powerful force in state politics, but the machine would never hold the amount of power that it did in the 1930's. Ironically, Huey Long accurately predicted, "If I don't live long enough to undo the centralization of government I've built up in this state, all

these men around me are going to end up in the penitentiary."28

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