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J.C. Denious: Public Servant and State Promoter of Southwestern Kansas

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(Continued on inside back cover)

Lurry N. Lane

**J. C. Denious: Public Servant and
State Promoter of Southwestern Kansas**

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Hays, Kansas

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Larry N. Lane

Biographical Sketch of the Author

Larry N. Lane received his Bachelor of Science in Education degree from Kansas State Teachers College in 1960. After teaching in Littleton, Colorado, public schools for six years, he completed his Master of Arts in History at Fort Hays Kansas State College in 1967. Mr. Lane presently teaches at Isaac Newton Junior High School in Littleton and resides in Denver with his wife, Georgia, and their three children.

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**J. C. Denious: Public Servant and
State Promoter of Southwestern Kansas**



J. C. Denious

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INTRODUCTION

The political and public service career of Jesse C. Denious spanned those decades from 1910 to 1950 which evinced the struggles for survival and identity in the Kansas agricultural community and, especially, in those small towns about which he displayed a characteristic concern. Mr. Denious was the publisher and editor of the *Dodge City Daily Globe* from 1910 until his death in 1953. He was a Kansas Senator from the Thirty-seventh District from 1933 to 1941, and the Lieutenant Governor of Kansas from 1943 to 1947.

This biographical study is primarily concerned with the political, economic, and social activities and interests of Mr. Denious while he served in the capacity of State Senator and Lieutenant Governor. In the course of state growth and development, it is unfortunate that important contributions by certain dedicated public servants are little known or remembered. In a small way, it is the purpose of this study to help rectify this situation.

During his forty-three years of residence in Dodge City, Mr. Denious was one of the most conscientious and active promoters of community improvement in Southwestern Kansas. As a state legislator, his interests in regional and state development were numerous and diversified. It is not within the scope of this thesis to incorporate a definitive study of the total political situation of which Denious was a part, but as factual and as unbiased an account as possible of his official affairs during his tenure in public office has been attempted.

The Kansas State Historical Society in Topeka is the repository for the J. C. Denious Papers. Most of the fifteen thousand papers in this collection are correspondence of both a business and personal nature. Since this collection has not been utilized prior to this time, a major task of my research project has included the reading and selecting of the most important letters and papers to be used in writing this biography.

State newspapers, particularly the *Dodge City Daily Globe* and the *Topeka Daily Capital*, have provided a second major source of information on people and events related to Mr. Denious. Other valuable primary materials have come from official state publica-

tions. Due to the limited number of publications in the area of recent political and legislative history of Kansas, few secondary sources were utilized.

It is hoped that this method will present an accurate and representative biographical portrait of Mr. Denious and of his stature in the political, economic, and social development of the State of Kansas during his time.

Chapter 1

PRELIMINARY CONSIDERATIONS

Jess C. Denious was born on July 14, 1879, to Oliver and Martha Denious of Mogadore, Ohio. In 1883, the Denious family moved to Kansas, where Jess's father served as probate judge for Neosho County until 1893. The family lived on a farm near Parsons during this time, but eventually they moved to Erie, in the Southeastern part of the state, where Mr. Denious owned and operated a furniture store and undertaking business. Jess was one of four children in the Denious family which also consisted of one brother, Wilbur, and two sisters, Ada and Lille.¹

Jess attended rural school in Neosho County and graduated from Erie High in 1897. He was uncertain about his career aspirations after graduation. For the first three years after high school he taught in Erie and in Neosho County. Journalism seemed to hold a certain degree of attraction for the ambitious youth, so he decided to learn what he could about the printer's trade. He diligently worked as a youthful assistant throughout most of 1900 in Denver and in Pueblo, Colorado, and continued to save part of his earnings so as to return to school. In 1901, he entered Drake University, where he studied for one year before moving back to Kansas to finish his degree work at Baker University in Baldwin. He was an active debater, a member of the Kappa Sigma fraternity, and president of his senior class. In 1905, Baker University awarded Jess the Bachelor of Arts degree.²

After graduation, Denious went to work as a newspaper reporter for the first time on the *Ottawa Evening Herald*. Then in 1906, he returned to Erie where he acquired a part interest in the *Erie Record*. He was an editor of that paper for more than two years. In 1908, Henry J. Allen, Jess's former employer on the Ottawa paper, notified Denious that he would like to make him a member of the reportorial staff of his newly-acquired *Wichita Beacon*. Denious felt that this offer from his old friend was a move in the right direction and enthusiastically accepted the assignment.³

The circumstances surrounding Denious's arrival in Wichita

1. Frank W. Blackmar (ed.), *Kansas; A Cyclopedic of State History, Embracing Events, Institutions, Industries, Counties, Cities, Towns, Prominent Persons, Etc.*, III, Part II: *Biography* (Chicago: Standard Publishing Company, 1912), 1559.

2. *Ibid.*

3. *Wichita Beacon*, December 6, 1942.

and his first assignment on the *Beacon* were most unorthodox, but they ultimately showed the aggressive adaptability of the energetic young reporter. Allen had received information, in 1908, that a certain Wichita paving contractor had not fulfilled his part of a contract for resurfacing many of Wichita's streets. There was no evidence to substantiate the rumor of a city paving graft, so Allen decided, in the interest of good government, to try to uncover the facts. It was at this point that he decided to capitalize upon Jess Denious's arrival in Wichita.

Tired from his trip, Denious decided to relax after checking in at a Wichita hotel before contacting Allen. When he picked up a copy of the *Beacon*, however, he jumped with surprised indignation upon reading a front page article concerning the arrival of Jess C. Denious, the "noted paving expert," who had made the trip to Wichita in order to inspect the city's new streets. Denious was more than a little indignant when he dashed into the office of Henry Allen demanding to know the meaning of this newspaper hoax. Allen soothed the temper of his new reporter by revealing the reasons for the concocted story and then telling Jess to go out and get the facts on the paving case. Denious was not what one would call overly-enthusiastic about his first assignment, and politely but forcefully told his boss that ". . . what he didn't know about paving would fill several books." He respected his new employer's wishes, however, and proceeded to find a way of uncovering the truth.

With no formulated plan for discovering the facts, Denious rode out the next day with a city street official to the site of some new street surfacing. The paving contractor was at the site when they arrived, and it was then that Denious hit upon a very simple but direct way of discovering the quality of the paving surface. While the contractor had his back turned, Denious took a pick out of the city truck and began hacking at the pavement where his eyes had detected what seemed to him to be a thin spot. His hunch was right, and further official investigation proved that the paving contractor had pocketed several thousand dollars by paving under the required specifications. Jess Denious's first achievement in reportorial service on the *Wichita Beacon* staff began an outstanding record for willingness to tackle difficult problems in the interest of better community development.⁴

Exercising this attitude in another area of interest, J. C. Denious

4. *Ibid.*

was thoroughly convinced that the course of empire followed the development of transportational facilities. He had concluded, during his younger days in Southeastern Kansas, that railroads were one of the greatest civilizing influences that mankind had yet devised. He had long heard and read about how the building of railroads into wild and sparsely populated areas had acted almost supernaturally in transforming primitive localities into prosperous, growing, and civilized communities. Denious longed to find a small, rustic community where railroad development was planned in order to witness and play an active role in such a creative endeavor.⁵ Jess decided during his two years at Wichita that wherever the railroad dropped its next spur in Kansas would be his new home.⁶

One day in the fall of 1910, as he was working in the editorial department of the *Wichita Beacon*, a friend mentioned that he had heard that the Santa Fe was planning to construct a branch line southwest from Dodge City. Jess Denious recognized this as the opportunity and challenge for which he had been waiting. With his small but hard-earned life savings in his pocket, this thirty-one year old native of Southeastern Kansas headed for the flatlands of Western Kansas.⁷

Soon after his arrival in Dodge City, with reportorial curiosity, Denious discovered a great deal about the colorful past of the Cowboy Capital by talking with long-time local residents. Many old-timers told stories of the wild and lawless heritage of their frontier cowtown, but they were, nevertheless, proud of what Dodge City had become. Most of Denious's contacts during the first few days gave him assurances that the Santa Fe was planning to build a branch line southwest from Dodge, although the railroad management had not taken any positive action in that direction. Relinquishing his "end-of-line" ambitions, the young, optimistic journalist discovered that neither of the two weekly newspapers published in Dodge were owned by men who were hopeful about the town's future. They were, in fact, willing to sell for a low price since neither had any equipment of value, circulation was small, advertising patronage limited and credit almost nonexistent.⁸

In 1910, Dodge City had a population of 3,214, three banks, electric lights, waterworks, a fire department, public schools, an

5. J. C. Denious, "Address to the Kansas State Historical Society," October 15, 1946, *Kansas State Historical Quarterly*, XV (1947), 91-98.

6. *Dodge City Daily Globe*, December 10, 1966.

7. J. C. Denious, "Address to the Kansas State Historical Society," October 15, 1946.

8. *Ibid.*

opera house, in addition to such small businesses and services as flour mills, machine shops, an ice plant, a telephone exchange, telegraph and express offices, and several hotels and mercantile stores.⁹ With enthusiasm, Denious proceeded to negotiate for purchase of half interest in the *Globe-Republican*. He was \$200 short for completion of the transaction, but one of the local banks was willing to make him a loan to finalize the deal.¹⁰ The die was now cast which would make this exuberant editor one of South-western Kansas' most active and conscientious promoters.

W. E. Davis, then State Auditor of Kansas, was the owner of the other half of the newspaper and remained as its president for a short time. The name of the paper was changed to *Dodge City Globe*, and the first issue under the new editor was printed on October 6, 1910. Denious gave Chalk Beeson, one of Dodge City's most notable oldtimers, much credit for helping to keep the *Globe* from sinking into financial ruin in its embryonic state. Among his other interests, Beeson owned the building where the *Globe* office was located. Denious had always felt it a sound business practice to pay his debts when due and so, at the end of the first month of operation, he sent a rent check to Beeson before he received a statement. This was rather a unique trait, as far as Beeson was concerned, and he let the townspeople know that Denious was a good financial risk. This gesture of good will gave the new newspaper the requisite credit standing within the community.¹¹

Nearing the end of its first year of operation, the *Globe* was earning at least enough revenue to meet expenses. The paper was losing money, however, on its commercial printing operations. Denious was confident that the only reasonable solution to the perplexing problem was to abandon commercial printing and convert the weekly *Globe* into a daily paper. Before taking any such drastic action, Denious felt it wise to consult with the president of one of the local banks, George M. Hoover. Hoover was a man of considerable means in that part of the state, and was a most generous and active promoter of Dodge City. Conferring with Hoover, however, Denious found that he did not share his confidence in the future growth and prosperity of the community. Hoover stated, and other townspeople were apparently convinced, that Dodge would be no larger and no better in twenty-five years than it was

9. Blackmar (ed.), *Kansas Cyclopaedia*, I, 523-524.

10. *Dodge City Daily Globe*, December 10, 1966.

11. J. C. Denious, "Address to the Kansas State Historical Society," October 15, 1946.

in 1911. Denious argued that, with the railroad development progressing rapidly, Dodge City was destined to grow and, with the larger population, the prospects were excellent for expanding local circulation to secure the success of a daily newspaper.¹²

Denious soon discovered that the transition from a weekly paper to a daily was not an inexpensive process and found it necessary to inquire about a loan from the very man who so forcefully advised against the new enterprise. Hoover's attitude toward his proposal came as a pleasant surprise to Denious. Hoover stated that he had known personally and granted loans to every newspaperman who had ever tried to start a daily in Dodge, and he was not going to make an exception of Denious.¹³

With the necessary funds made available, the *Dodge City Daily Globe* made its first official appearance on December 11, 1911. To the readers of Southwestern Kansas, J. C. Denious presented the following editorial in this first issue:

With this issue the *Globe* begins the publication of a daily newspaper. In this enterprise the management has been encouraged by many and discouraged by a few. Some have said that a live daily newspaper is one of the greatest needs of Dodge City and have promised their support. Others contend that it will fail because other similar attempts have failed.

The *Globe* takes up its new task with a great deal of confidence. It does not expect to endow any universities from the profits of its first year's work in the daily newspaper field, but it does confidently expect that by economy and hard work it can live, and make for itself a place among the worthy and desirable institutions of Southwestern Kansas.

The paper today is not representative of what it will be in the future. It requires time to organize the work on a daily paper but improvements will be made in the service as rapidly as limited newspaper talents and the cash receipts will permit.

During the year and two months that the present management has been publishing the *Weekly Globe*, the paper has made many new friends in its territory, and it is hoped that those friends will lend their influence in assisting to establish this daily paper as a permanent institution in Dodge City.¹⁴

Jess Denious and his small staff had many difficult times in trying to make the daily a worthwhile institution for the people of the area. During the first years of operation, there was no wire service to Dodge; therefore, the paper concentrated heavily upon local news, with some dispatches from exchange papers from around the state, and an occasional national or international news story. After the creation of the Associated Press, the *Daily Globe* became

12. *Ibid.*

13. *Ibid.*

14. *Dodge City Daily Globe*, December 11, 1911.

more national in scope but still provided regional news stories to keep the citizens of Southwest Kansas aware of their own area's development.¹⁵

Jess Denious married Juliet Pettijohn, originally of Hugoton, Kansas, in June, 1915. In subsequent years, the Denious family grew in number and closeness with the birth of Martha Elizabeth in 1919 and Jess Junior in 1928.¹⁶

With a home, a family, and a deep-seated faith in progress, it did not take Denious long to become a leading citizen and prominent businessman of Dodge City. Through the years, he worked hard in promoting the welfare of the people in Southwestern Kansas. In his editorial columns, he spoke his mind and held an unswerving course for what he considered best for this area.¹⁷ His community activities for social and economic improvement were extensive, even before the advent of his public service career in the state legislature. Among his other activities he was a Mason, a Rotarian, a life member of the Kansas State Historical Society and president of the Dodge City Chamber of Commerce for the first time in 1918.¹⁸ His confidence that the development of transportation would bring civilizing growth and progress to Southwest Kansas never faltered. As he witnessed the doubling of Dodge City's population in the second and third decades of the twentieth century, his prodigious optimism was never greater.¹⁹ In a speech delivered to Dodge City Rotarians in 1931, he indicated this state of mind:

. . . It strikes me that no one ever would have come to western Kansas at all if he had merely been seeking an easy game. The more we learn about the history of western Kansas, the more we are impressed that the conditions of life have been extremely hard for those who have preceded us. Our stock has gone up because we have succeeded in a hard fight in changing a desert into a garden.

Easy victories are no victories at all. Anybody can do the easy things, but it takes a real man with intelligence and character and stamina to do the things that are hard to do. We need men of that type who are not afraid to tackle things merely because they are hard, and if it takes business depressions, storms and droughts to make them, possibly we are safe in concluding that adversity is not an unmitigated evil after all. . . .²⁰

This speech was only one of many concrete expressions of the hopeful attitude concerning the future of Western Kansas which,

15. *Dodge City Daily Globe*, December 10, 1966.

16. Blackmar (ed.), *Kansas Cyclopedia*, III, Part II, 1559.

17. *Dodge City Daily Globe*, December 10, 1966.

18. Blackmar (ed.), *Kansas Cyclopedia*, III, Part II, 1559.

19. J. C. Denious, "Address to the Kansas State Historical Society," October 15, 1946.

20. J. C. Denious, "Speech to the Dodge City Rotary Club," November 23, 1931, J. C. Denious Papers, Kansas State Historical Society, Topeka, Kansas.

even with the stock market crash of 1929 and the ensuing cataclysm of economic depression and drought of the 1930's, Jess Denious maintained.

By 1932, Jess's twenty-one year residence in Dodge City had made for him a great many friends and acquaintances throughout the Southwestern part of the state. By 1932, in addition, his newspaper work and community improvement efforts had made his name synonymous with public beneficence.

Before the advent of the twin disasters—depression and drought—Denious had never seriously contemplated the prospect of seeking public office in the state legislature. He had always considered his professional functions, as a newspaper publisher-editor and promoter of agricultural and industrial growth for Western Kansas, more beneficial than anything he might accomplish in public office. With the state in dire economic straits, Denious was encouraged to believe that he could bring knowledgeable and conscientious leadership to state government. He agreed to run for State Senator in 1932 from the Thirty-seventh District, representing Ford, Barber, Clark, Comanche, Gray, Harper, Kiowa and Meade counties.²¹

As a Republican, Denious's victory in the 1932 Presidential election year was an exception rather than the rule. The Democratic landslide took a devastating toll of Republican officeholders throughout the nation. Kansas was no exception. The voters went for Franklin D. Roosevelt, elected a Democrat to the United States Senate and three to the United States House of Representatives, and gave the Democrats a controlling margin in the State House of Representatives. The Republicans, however, did manage to elect Alf M. Landon Governor and to maintain a two-thirds majority in the State Senate.²² Never one to shirk responsibility, J. C. Denious entered the State Senate in 1933, hoping to learn and to accomplish much for the benefit of those who had given him their trust.

21. Blackmar (ed.), *Kansas Cyclopaedia*, III, Part II, 1559.

22. *Topeka Daily Capital*, November 10, 1932.

Chapter II

STATE SENATOR: 1933 TO 1941

During the crucial years from 1933 to 1941, Senator Denious, serving as a member of the State Senate, representing the Thirty-seventh District (it was the Thirty-fifth District after 1935), developed a genuine interest in a variety of social, economic, and political problems. Of primary concern were four major areas of personal and legislative action, including: (1) An intense interest in youth, which led to highly-developed, individualistic action, particularly on the socio-economic problems which affected young people and their future; (2) an interest in legislative problems which led to the introduction of numerous proposals, particularly those concerned with the implementation of more efficient measures in agriculture and in legislative machinery; (3) broad interest in national and international affairs which resulted in the communication of ideas between Denious and contemporaries in both state and national governments; and (4) a deepening awareness of party problems on all levels which led to constant re-evaluation of his personal political convictions and of his availability for nomination to various positions, and to a sharper critical examination of party policies and their current appeal to the voting public. Denious's interest in each of these areas can be perhaps most accurately traced through the record offered by his own personal communications written during this period.

Senator Denious's concern for the youth of his state and of the nation is most clearly shown in his record of support for and authorization of important educational recommendations. During the depression years of the 1930's, Kansas, like most other states, had been faced with the critical problem of financing public schools with the meager funds available on the state and local levels. Indeed, education at all levels needed the consideration and active support of public-spirited Kansans. Senator Denious was cognizant of the perplexing school situation and was determined to find or support an equitable solution.

For example, as a leading member of the Senate Ways and Means Committee, Denious was deeply involved in the problem of unequal school costs throughout the state. In January, 1935, a proposed solution through a redistricting of Kansas schools was turned down

by the Legislative Council, of which he was also a member, because compulsory redistricting was very offensive to the people and the experience of other states had shown that such legislation could not be effectively enforced. However, the Legislative Council did recommend a substitute bill which would give some equalization of school costs and by-pass the legislature's objections.¹ Senator Denious expressed concern to Governor Alf M. Landon, a few months later, over the financial status of public schools in Kansas, in the hope that the Governor would recommend to the legislature, at the next special session, that they adopt the Legislative Council's school equalization plan.²

W. T. Markham, the State Superintendent of Public Instruction, had sent Denious materials relative to the schools of Kansas in 1935. This information indicated that 458 teachers, in Kansas schools involving more than 8,000 pupils had been teaching without salary for several months because their districts were entirely out of funds. Many other school districts were nearing the same critical financial state.³ Although Senator Denious had formulated certain theories regarding the problem of financing public schools, he solicited and greatly appreciated suggestions or judgments, either from Superintendent Markham or from other authorities in this field, which could be of assistance to the legislature in establishing corrective measures.⁴

Denious contended that the small rural schools were a major problem in placing the state school system on a solid foundation. It was ridiculous for the state to be giving aid to schools with only one or two pupils in attendance. However, Governor Landon's contention that a rural school unit ought to include more than twelve students was of equal dismay to Senator Denious, who stated that, in his own county of Ford, if the required number of students were increased to fifteen, only eighteen out of seventy rural districts would met that requirement.⁵ In 1935 Denious opposed the suggestion, made by certain members of the legislature, that the equalization plan would have a better chance of being passed if it were confined to the elementary schools;⁶ two years

1. Letter from J. C. Denious to Frances Boyle, January 2, 1935. All correspondence cited within this thesis are letters to or from J. C. Denious (unless otherwise indicated) found in chronological order in the J. C. Denious Papers, Kansas State Historical Society, Topeka, Kansas.

2. To Governor Alf M. Landon, April 13, 1935.

3. From W. T. Markham, State Superintendent of Public Instruction, April 16, 1935.

4. To W. T. Markham, April 18, 1935.

5. To F. H. Guild, Director of Research Department of the Legislative Council, May 3, 1935.

6. To W. T. Markham, April 18, 1935.

later he changed his mind. Denious also felt that if any reduction was made in the cost of school operation, then the difference should benefit local taxation rather than the state fund.⁷

In the 1935 session of the Kansas legislature, Denious introduced a revenue measure that would have provided for a special account for Kansas school funds. He asserted later, however, that a much more workable arrangement could be created by having school revenues paid directly into the state treasury and then appropriated to the schools by a special act of the legislature as the need arose.⁸ A measure similar to the latter suggestion did pass with other revenue bills near the end of that session.⁹

Although educators and school boards deemed the needs of distressed schools to be one of the most pressing problems arising out of the economic depression, the school equalization bill, financed only by a tax on malt beverages, met too much opposition in the state legislature and was left on the calendar in 1935.¹⁰ Even Denious questioned the constitutionality of tying a taxation measure, such as that proposed on the sale of beer, to the school equalization bill. The basis of his position came from the Kansas constitutional provision that bills should deal with only one subject.¹¹

The problem of providing adequate funds for schools continued to be a bone-of-contention in the 1937 legislative session. Senator Denious was well aware of the situation related to him by Earl Walker, Dean of the El Dorado Junior College, in a letter written early that year, stating that it was vital that somewhat comparative schooling advantages be provided for the youth of poorer sections of the state with those of the more highly developed sections. Of particular concern to him were the poor mining districts of South-eastern Kansas and the farming communities in the Southwest. Mr. Walker argued that for the implementation of more rapid advancement of education in Kansas, the bill for equalization of elementary and high school opportunities, the bill for teacher certification, and the bill for junior college aid should be passed into law by the 1937 legislature.¹²

However, Senator Denious stated that *Senate Bill 125* had been changed to exclude high schools and would apply only to grade schools. This was done because it was found that any uniform plan of distribution of state funds to the high schools tended to favor

7. To W. T. Markham, May 3, 1935.

8. To J. Buhl Shahan, March 27, 1935.

9. *Topeka Daily Capital*, March 14, 1935.

10. *Topeka Daily Capital*, March 10, 1935.

11. To F. H. Guild, May 3, 1935.

12. From Earl Walker, February 17, 1937.

some and punish others. Denious felt that high schools operating on a tuition basis would have been hurt most under such a plan,¹³ and thus modified his position of 1935 regarding the school equalization plan. The measure finally passed the Kansas legislature early in March, 1937. The bill, introduced by Senator Payne Ratner, was amended to provide that each district would have a 3 mill school levy. The state would then make up the difference between the amount raised by the levy and the \$675 required for each unit. The units consisted of 12 pupils in one-school districts and 25 pupils in districts with larger or more schools.¹⁴

As to the status of junior colleges in the state, in February, 1937, Denious introduced the Junior College Tuition Bill in the Senate. He sent a copy to A. G. Schroedermeier, Superintendent of the Dodge City public schools, for his review and recommendations. Denious was sure that there would be much lively opposition to this bill in the legislature, but he hoped that the State Aid for Junior Colleges Bill, which was also pending, would soothe some of the discontentment.¹⁵ The major problem, in the junior college towns of Kansas, as Schroedermeier replied, was providing for the student who wanted to attend the junior college from territory outside of the junior college district. He was certain that Senator Denious's bill would go a long way in helping to solve this problem. He contended that any junior college community was entitled to financial support from such other communities as might desire to use their college facilities—which was the basic premise of Denious's bill.¹⁶ Unfortunately, as Denious foresaw, the tuition bill did not meet with majority approval in the 1937 legislature. However, the State Aid for Colleges Bill, which provided for \$25 state aid per student each semester for junior colleges with 60 or more students, did become law that session.¹⁷ This measure proved to be a valuable addition for the furtherance of education in Kansas.

Although always extremely concerned for the welfare and education of young people, Senator Denious took a conscientious and forthright stand against the national child labor amendment proposed for ratification in 1937. Although the worst exploitation of children who could better have profited by being in school was long in the past, a solution to the problem was still lacking in the mid-1930's. The State Senator's stand brought sharp criticism

13. To Louis P. Ruppel, February 18, 1937.

14. *Topeka Daily Capital*, March 3, 1937.

15. To A. G. Schroedermeier, February 5, 1937.

16. From A. G. Schroedermeier, February 11, 1937.

17. *Topeka Daily Capital*, March 10, 1937.

from many Kansans, but Denious considered the amendment submitted to the states by Congress as too extensive an assumption of authority for the federal government. He could not see that giving Congress the authority to prohibit all labor of persons up to eighteen years of age would be a good thing for the children or for the nation.¹⁸

Denious had a most worthy opponent on the child labor question in William Allen White, editor and owner of the *Emporia Gazette*. White, believing he could alter Denious's position, asked the Senator, in February of 1937, if Denious would do him the honor of reading an editorial from the *Gazette* on the subject of child labor. White could not understand how Denious, and a few other Republicans in Kansas, could oppose an amendment which had been endorsed by President Coolidge in 1924, by President Hoover in 1936, and by Governor Alf Landon only a short time before in 1937.¹⁹ Walter L. Bullock, a Dodge City lawyer, wrote to Denious in a somewhat humorous, yet partially serious tone that, ". . . if the Democrats continued to run the country and the dust storms continued to blow the country there would be little labor for anybody so why worry about children in the labor force?"²⁰ Bullock was entirely serious, however, in stating that reformatories were full of kids who were there partly because they had no work to keep themselves constructively occupied.²¹ Senator Denious replied to Bullock that he had received only a few expressions of opposition to the child labor amendment, and further, he had voted against the amendment in the hope of state regulation.²² The measure passed the Kansas legislature in February, 1937, as a result of Lieutenant Governor Lindsay's casting the tie-breaking vote; the measure never became law as the requisite number of states failed to ratify it; however, a federal law against the employment of children in interstate commerce and state regulations largely eliminated the problem.

These two—education, particularly the problem of adequate financial organization, and the child labor problem—were the areas of concern with youth which occupied a major part of J. C. Denious's legislative energies during his senatorial career. In addition, however, as a Senator and public-spirited citizen, Denious was actively involved in promoting a variety of programs and

18. To Mrs. H. F. McCall, January 2, 1935.

19. From William Allen White, February 3, 1937.

20. From Walter L. Bullock, February 16, 1937.

21. *Ibid.*

22. To Walter L. Bullock, February 22, 1937.

facilities to combine outdoor training and recreation for the young people of his region of the state as well as the state in general. One of the most important of these public facility developments in which Denious played a leading role was the creation of a 4-H Club camp for Southwestern Kansas.

The suggestion that some project should be undertaken for the benefit of boys and girls of the 4-H Clubs in drought-stricken Southwest Kansas grew out of a conversation, early in 1933, between W. A. Long, Chairman of the Agriculture Committee of the Dodge City Chamber of Commerce, and M. H. Coe, Kansas Director of 4-H work, from Kansas State College at Manhattan. This led to the creation of a 4-H Club Committee in Dodge City, and Jess Denious consented to be the chairman of that committee.²³

Senator Denious had been considering, for several years, the possibility of establishing a camp for the thousands of 4-H Club youth in the twenty-county area of Southwest Kansas. The depression and drought had made the problem of raising money for such a project, in the Senator's opinion, an insurmountable task.²⁴ Denious saw an opportunity for cutting costs for the camp to some extent by having the site located near the State Soldiers Home at Fort Dodge, five miles east of Dodge City. By using lumber and other materials from old barracks located at the Fort, much of the \$3,500 capital outlay, estimated by the state architect for building materials could be defrayed. The cost of labor involved in construction of the camp could also be reduced by making application for a public works loan. To obtain such a loan, the 4-H Committee would have to prove that they could put up seventy percent of the construction costs.²⁵

In a conference with Denious, early in October, 1933, Governor Landon agreed to help in any way he could to get the needed building materials at Fort Dodge through the State Soldiers Home Board.²⁶ The interest and work of M. H. Coe, the State 4-H Director, and of Walter G. Ward, the Kansas State College Extension Engineer, had resulted in the creation of a somewhat elaborate plan for the 4-H camp. This plan provided for a main building for kitchen and dining facilities, nine smaller cabins for sleeping quarters, and a fairly large swimming pool.²⁷ In November, 1933, the

23. Dodge City Chamber of Commerce, "Statement Reviewing the Origin and Developments of the 4-H Club Camp at Dodge City," May 28, 1936, J. C. Denious Papers.

24. To John G. Stutz, Director of Kansas Emergency Relief, December 21, 1933.

25. Minutes of the Dodge City 4-H Committee Club Meeting, October 5, 1933, J. C. Denious Papers.

26. To M. H. Coe, State 4-H Club Director, October 9, 1933.

27. To John G. Stutz, December 21, 1933.

Kansas legislature passed the bill authorizing its construction. Coe, and others, gave the credit to this success to Senator Denious's hard work and support of the project.²⁸

Denious was fully aware, of course, that the enterprise was still far from realization. There were still such problems as an estimated expense of \$2,500 involved in purchasing new materials such as shingles, nails, cement, and paint.²⁹ Denious had hoped that such funds could be obtained from the Civil Works Administration in Topeka. The policy of this administration, however, did not permit the allocation of money for such a project.³⁰

A rather fortunate, but somewhat disappointing twist in the entire 4-H project came about through Senator Denious's contact with the Organization of Transient Camps in Topeka. G. F. Price, State Director of Transient Services Administration, informed Denious that a transient camp would be established in Dodge City in the spring of 1934, and that their labor could be used to build the 4-H Camp at Fort Dodge. The Transient Services Administration would furnish all new materials for the buildings; however, the camp would have to be occupied by the transient workers for at least one year.³¹ Senator Denious was not pleased with the prospect that 4-H Club youth would not have access to their camp for over a year after its completion. With no other visible means of securing funds for vital construction materials, the 4-H Committee accepted the Transient Services proposition.³²

Disappointment turned into despair after construction actually began on the camp in the spring of 1934. Price informed Denious that the Transient Service would no longer have need for the camp buildings as living quarters after their completion and, therefore, his administration could not provide the new materials necessary for construction of the entire camp as originally planned. Building construction would have to be cut from ten cabins to five, and the plans for a swimming pool would have to be abandoned altogether. The most disheartening development was the fact that there would be no plumbing facilities unless funds could be obtained from some other source.³³ With this turn of events, the question was raised of the practicality of continuing with the plan for a 4-H facility. Finally, the committee decided that a small camp was

28. From M. H. Coe, December 1, 1933.

29. To M. H. Coe, December 21, 1933.

30. To M. H. Coe, January 4, 1934.

31. Minutes of the Dodge City 4-H Committee Club Meeting, January 2, 1934, J. C. Denious Papers.

32. To M. H. Coe, January 4, 1934.

33. To M. H. Coe, May 3, 1934.

better than none at all and that the facilities could be expanded at a later time when money was more available.³⁴

Senator Denious worked tirelessly, during the summer of 1934, to obtain water and sanitation facilities for the camp. His efforts were not in vain for, in July, 1934, necessary materials were granted through the approval of the Pump Plumbing Bill by the Board of Managers of the State Soldiers Home and by Governor Landon.³⁵ Construction went ahead at a snail's pace, but finally, on May 26, 1936, the formal dedication ceremonies for the first 4-H Club Camp in Southwestern Kansas took place. A great many people had worked long and diligently to bring this small but important dream to reality. To Jess Denious, however, belonged the greatest heartfelt thanks from farm youth throughout the Southwestern part of the state.³⁶

In 1939, Senator Denious took a further active, although unofficial interest in promoting park facilities. This was in connection with the CCC camp program in Clark County where a state lake was being built on Bluff Creek. In correspondence with United States Representative Clifford Hope, Denious inquired about the possibility of shifting that Civil Conservation Corps camp from the Department of Agriculture to the Department of Park Service. He stated that the lake site was in need of roads and other improvements for its full utilization as a developed park, and the people of Clark County had been unable to interest the Department of Agriculture in the necessary program.³⁷

Representative Hope informed Denious that he would be glad to check into the matter. He had never known exactly why and on what basis the CCC camps were divided among the various governmental departments. He did know, however, that, at that time, some of the camps were working with the Park Service, some with the Forest Service, and some with the Soil Conservation Service. This seemed to be another example of the New Deal expediency which did not always provide for the greatest efficiency.³⁸ Senator Denious recommended that the residents of Southwest Kansas write to the National Park Service showing community support for such a program and urging the transfer of the CCC camp in Clark County to administration under the park department.³⁹ The result

34. From M. H. Coe, May 7, 1934.

35. To M. H. Coe, July 21, 1934.

36. Dodge City Chamber of Commerce, "Statement Reviewing the Origin and Developments of the 4-H Club Camp at Dodge City," May 28, 1936, J. C. Denious Papers.

37. To United States Representative Clifford R. Hope, September 15, 1939.

38. From Clifford R. Hope, September 21, 1939.

39. To Lee Larrabee, September 28, 1939.

of this proposed community action might not have been a determining factor, but ultimately park facilities were provided for the Clark County lake.

Support in a time of stress for such regional improvements as these, particularly as they benefited young people, was of great importance to Senator Denious. Being a newspaperman and a concerned citizen, as well as an active occupant of an elective governmental position, however, Jess Denious was occupied with many legislative problems not directly involved with his concern for youth and their training.

Important among the comprehensive range of his interests and participation in the total legislative process was his work in such diverse areas as stabilization of depression and post-depression agriculture; regulation, on the state level, of liquor sale and consumption; and the creation of the Legislative Council.

The first of these problems, that of stabilization of depression and post-depression agriculture, was one of the most perplexing problems then facing legislators on both state and federal levels. It was of primary concern, of course, to farm-area representatives like Jess Denious. The appalling weather conditions during the "dirty 30's," coupled with the plight of the depression, gave Denious, as well as all Kansans, a formidable challenge in the struggle to re-create a healthful, prosperous, American life. Denious wrote to his brother in the spring of 1935, after years of depressed conditions, that drought and wind conditions in Western Kansas were so bad that it was a little difficult for residents to determine in which state they were located at any particular time. He was most accurate in stating that not only was blowing dust causing much unpleasantness, but that business was almost at a standstill in the western part of the state.⁴⁰

On March 1, 1935, the state, as part of its legislative program of relief, passed a \$775,000 appropriation bill to pay the state's share of the Kansas Emergency Relief Commission's administrative expenses for the next two years. This was a rather small sum compared to the nearly \$30,000,000 provided by the Federal government to Kansas for emergency relief.⁴¹

Senator Denious explained to John G. Stutz, the Director of Kansas Emergency Relief, on March 28, 1935, that the extent of farmer needs would depend entirely upon how the weather performed in months to come. He pointed out that, during the pre-

40. To Wilbur Denious, April 16, 1935.

41. *Topeka Daily Capital*, March 1, 1935.

ceding week, nearly every part of Southwestern Kansas had been hit by disastrous wind and dust storms. With this in mind he inquired about the availability of surplus grains for farmers who had frequent needs for small amounts to feed starving livestock. This measure, Denious felt, would necessitate only a small financial outlay from the state and it would be of immeasurable help to the farmers.⁴² Apparently no additional amounts of grain could be obtained through this means. But the Federal Emergency Relief Administration continued to supply Kansas farmers and ranchers with their monthly quotas of surplus feed grains, which in April, 1935, amounted to over 42,000 bushels.⁴³

The drought situation was little improved when, in 1937, W. G. West informed Senator Denious that the members of the Kansas Livestock Association felt that the re-establishment of drought rates for livestock and feeds would be exceedingly helpful for another year. The special drought rates for shipment of grains in Kansas had been established by voluntary arrangement with the railroads in order to encourage the retention of the state's livestock population in drouth-stricken counties.⁴⁴ Bad harvests in the western part of the state would require that cattlemen ship in large amounts of grain, and any rate reduction would, of course, be helpful. There were some irrigated tracts which had produced a considerable amount of feed; still, reinstatement of the lower rates of the previous year was of utmost concern to nearly all cattlemen, according to Denious.⁴⁵

United States Senator Arthur Capper was deeply interested in working out a constructive and practical program to benefit the people of the so-called "Dust Bowl."⁴⁶ He was on the United States Senate Committee on Agriculture and Forestry in the fall of 1937 when he sent Denious a letter which he had received from Under-Secretary of Agriculture M. L. Wilson as the result of Capper's request in relation to drouth conditions in Western Kansas. In the letter Wilson referred to his recent tour through the stricken areas of Western Kansas, when he had personally observed a rather severe dust storm weaving across the prairies, and everywhere the effects of the blowing on various treatments of the land and soil types was obvious. Wilson contended that certain soils should

42. To John G. Stutz, March 28, 1935.

43. U. S., Federal Emergency Relief Administration, *Monthly Report* (April 1-April 30, 1935), p. 56.

44. From W. G. West, October 18, 1937.

45. To W. G. West, October 22, 1937.

46. From United States Senator Arthur Capper, October 30, 1937.

not be plowed because they presented extreme soil-blowing problems and, therefore, some program would have to be worked out to retire those lands from cultivation.⁴⁷

Senator Denious favored nearly all proposals which, he felt, would be of real aid to the farmers during those desperate years. On certain occasions, however, he considered recommendations for farmer welfare to be unrealistic and in the long run detrimental to all concerned. A particular instance of this attitude surrounded the controversy over measures to be taken in relation to farm foreclosures.

Charles Hatfield, the head of AAA allotments for Edwards County, informed Governor Payne Ratner, in 1939, that weather conditions and crop prospects were still so poor that there had been several farm foreclosures in Edwards County, and that there would doubtlessly be many more before the year was out. Most of the foreclosures up to that time had been made by life insurance companies. Hatfield maintained that farmers in his county were demanding some type of farm mortgage moratorium. They favored a plan whereby loan companies would agree not to foreclose for three years if the owner of the land, during this three year period, would pay the prevailing rent of the community—which, in Edwards County, would be one-third of the crops—and one-third of all government benefits to the loan companies. Hatfield also stated that the owner would agree to insure his crop through the Federal Crop Insurance Corporation, making said insurance payable to the holder of the mortgage.⁴⁸

Senator Denious reminded Governor Ratner, in relation to this proposal, that the state legislature had passed a mortgage moratorium several years previous but the Supreme Court had set aside this action on the grounds that it was in violation of the state constitution.⁴⁹ Denious felt, therefore, that there was very little the state legislature could do.⁵⁰ Senator Denious was, in addition, much more optimistic than Hatfield in relation to the prospects of loan company foreclosures. As nearly as he could determine, there was very little to fear about farm foreclosures from the Federal Land Bank. He was convinced that, where farmers were doing their best and where

47. From M. L. Wilson, United States Under-Secretary of Agriculture, to United States Senator Arthur Capper, October 6, 1937.

48. From Charlie Hatfield to Governor Payne Ratner, June 16, 1939.

49. Denious was referring to the case of *Langworth v. Kadel* where the Kansas Supreme Court rendered the decision that the delegation of legislative power to extend the mortgage moratorium law of 1933 to the Governor's action was unconstitutional. *Kansas, Reports of Cases Argued and Determined in the Supreme Court of the State of Kansas*, Vol. CXLI (January 1, 1935 to June 7, 1935), 250.

50. To Governor Payne Ratner, June 23, 1939.

they had any reasonable prospect of paying their mortgages out in the future, the policy of the Federal Land Bank would be fair. Denious stated that there were so many mortgages overdue that the Federal Land Bank could not afford to make extensive foreclosures because of fear of affecting their own bonds. The number of mortgages held by insurance companies and by privately-owned mortgage companies in Ford County was almost negligible, but Denious was confident that these companies would follow the policy established by the Federal Land Bank.

Senator Denious asserted, in addition, that it would be most unfair to the farmers to suggest any such plan to the legislature as Hatfield had described. Denious felt it would be permissible for the farmers to agree to pay to the mortgage companies one-third of the farm crop earnings and even one-third of the conservation payments made to them by the government. That was about as far as the farmers could go, and Denious was certain that it was as far as they needed to go in order to get along with the holders of farm mortgages at that time.⁵¹

The respect and admiration that Jess Denious had for the farmers of Kansas did not wane during the perilous '30's. As the following speech indicates, his hope for the future of rural America was not shaken:

America's rural acres have always provided a 'Land of the Free,'—for those who were brave. Ours was a Promised Land, where anyone who would take, could have. As a result of the work of the early pioneers, we have an America with cotton, corn, lumber, wheat, tobacco, fruit, and cattle. It seemed at first that the early pioneers could not spread west far enough or work fast enough. They thought that the resources were boundless, so they raided the land like a despoiling army. Some writer has commented, 'We did not cultivate the soil; we mined it, like placer miners who extract the gold dust from one gravel bar, then push on to the next.'

. . . The early pioneers toiled on—not conserving their lives or the life of the soil. All empires in the world have been founded upon soil. Failure of the soil has brought blighted hope and empty purses to civilization. With our hands to the plow and our trust in God, we can develop future rural America into a paradise.

. . . America has realized in time, the need for her new pioneers. I believe that what lies ahead for rural America is constructive thinking, scientific farming, and beautification of the farm home.

The new pioneer will be a real man out in the open spaces under the blue sky, where he will spread full-bodied, like the lone oak. Yet he will be co-operative, if for no other good than for his own. Probably he will not give ear to dictation from any benevolent central government. He will listen, however, from the standpoint of self interest. It has been thought in the past that

51. To Governor Payne Ratner, June 22, 1939.

civilization was not chosen but rather drifted to its destiny. Whether it can ever do otherwise, remains to be worked out, but that does not alter the fact that Rural America probably will be very different one hundred years hence. I am inclined to believe that we can, if we will, look forward to a rural life that will combine the economic gains of commercial farming with the finer elements of a more abundant life. I am sure that the future rural America will be neither like it is today, like it was yesterday, nor like any pattern of rural life the world has ever known.

Rural America will not rise from the ashes of the dead past. It will grow from the living roots of accumulated wisdom of previous generations combined with modern science and a vision of all the good things of life.

The American landscape will have a different appearance as the years go on. It will have a neater look, with trim fields, all the ground under care, and few fence corners left to weeds. Hill slopes where the soil has been washing away will be terraced and planted to trees. The fertility of the soil will be held by cover crops. The fields, where the plow is releasing the subsoil moisture too fast, will be strip planted, and guarded against drying out by hedges, thickets, and belts of woods.

. . . Land worn out from over use will be rebuilt through soil-building practices, including rotation and deletion of crops, based on scientific knowledge. In other words, scientific management of the soil is at hand.

Vision the progress that Rural America has made for the past one hundred years—from the ox cart and ox team, to the automobile and tractor; from the cradle and flail to the combine; from the tallow candle to the electric light. We need not stop here, for without a vision the people perish. Vision means management—management means work, education, cooperation and experimentation, and all these, in Rural America, mean Progress.

It is not clear sailing ahead, but there is an open road. And in an attempt to peer into the future, we still see a land of the free and a home for the brave.⁵²

When J. C. Denious felt there was a vital need, as in the case of agriculture during the critical drouth years, he supported federal programs for the welfare of the people. He was, however, far from being an advocate of central government expansion as a permanent solution to many of the country's difficulties.

A second legislative problem in which Senator Denious took an active part was the controversy over alcoholic beverages, ultimately a relatively unimportant issue, but one which was of great popular interest in the state. In the winter of 1937 Senator Denious commented, that, as far as he could tell, there was little prospect of a 3.2 beer bill being approved by the then current legislature. He was inclined to believe that, if a law were passed on the subject, it would provide for malt beverages with an alcoholic content of only one-half of one percent. He also asserted that, whether a 3.2 or one-half of one percent malt beverage bill passed, a great deal

52. J. C. Denious speech, "What is Ahead for Rural America?" (1937), J. C. Denious Papers.

of state regulation must be enacted to prevent dealer abuses. If either kind of beverage were legalized for sale, he could see no reason why it should not bear its full proportion of public taxes.⁵³ Denious held the prevailing view that no permanent solution to the beer question could be found without first determining what the people of Kansas felt about the problem. He contended that there was a strong element among the people who felt that the vote on the Eighteenth Amendment was sufficient, and that there was another strong element which denied that that amendment was in any way concerned with the subject of beer. Senator Denious thought that the best solution to the problem lay in passing the one-half of one percent bill in the 1937 legislature and then submitting the 3.2 question to a vote of the people.⁵⁴ The legislature, however, passed a bill which defined the alcoholic content of intoxicating liquor as anything more than 3.2 percent of alcohol by weight, and Governor Walter A. Huxman signed it into law on March 27, 1937.⁵⁵ Also, a beer revenue bill was passed which provided for a five cent per gallon tax on beer sold within the state. It was estimated that this measure would produce between \$1,500,000 and \$2,000,000 in revenue each year.⁵⁶ The problem of legislating on alcoholic beverages was a typical example of the value of determining, through legislative investigation and cooperation, the best course to follow in efficient lawmaking.

One of the most worthwhile endeavors and a large step forward in Kansas legislative procedure in which Senator Denious took an active part was the creation of the Legislative Council in 1933. The members of the Council were appointed by the Lieutenant Governor and the Speaker of the House of Representatives. Denious, who personally proposed the rules for the first council, was a member through 1935. The Council was established in order to provide more mature thought concerning the state's needs in the area of general legislation.⁵⁷ When it was first created, there was considerable prejudice expressed in the legislature against the proposals for bills made by the Council. Denious felt this was a natural reaction but when this organization had proved its worth, that antagonistic feeling largely subsided. It was his judgment, in 1940, that the Council's work had been most useful and time-saving to the legislature, the result being a better quality of legislation for

53. To Albert Watkins, February 22, 1937.

54. To Oscar Matthew, March 7, 1937.

55. *Topeka Daily Capital*, March 28, 1937.

56. *Topeka Daily Capital*, March 31, 1937.

57. To Harry Waite, November 5, 1937.

the state.⁵⁸ Its reports were put to good use by the members of the legislature. New members to the State Legislature often seek appointment to the Legislative Council in order to gain research experience in legislative matters.

These and other legislative proposals occupied the greater part of the tremendous energies of Jess Denious during his senatorial service. He did, however, maintain a constant interest in both national and international governmental affairs. He was also concerned with the problems of his own party and of his position in it. He kept abreast of these affairs through extensive correspondence with various contemporaries in both governmental and editorial positions.

His relationships with United States Senator Clyde M. Reed and other isolationists were reflected in statements by Senator Denious, such as the following written in January, 1940:

. . . whatever happens in Europe I can see nothing but ruin for us if we too enter into the war. Then there would be no democracy left upon the earth, and all our ideals of freedom and progress and peace would have to be abandoned.

There is a bad spirit throughout the world these days. The worst has already happened in many countries, and it is feared everywhere else. To consider what may reasonably be expected in the future makes a person the worst of pessimists; but somehow I have a conviction that something will happen to change the attitude of people—something which has no relation to any logical developments. At least it is something for which we may hope.⁵⁹

It was perhaps natural for Jess Denious and other residents of the Great Plains to feel lost in the labyrinth of critical world events during the decade before World War II, but partisan politics offered an outlet for public expression that helped ease the tension or fix the blame on the course national or state policy was taking.

With the advent of the Democratic New Deal era, Republican Party strength and solidarity was a problem which concerned many staunch Republicans, including Senator Denious, in the heretofore Republican stronghold of Kansas. Jess Denious was not a professional politician, nor did he have any aspirations in that direction. He did, however, have certain strong convictions concerning the political shortcomings of the Western states, and the corrective necessities which were imperative if the agricultural West was to find a prosperous future in industrialized America.

Senator Denious was of the opinion, in 1935, that, through the years, the Republicans in his part of the country had allowed the

58. To Daniel C. Brandner, June 25, 1940. [From 1943 to 1947 Denious, as Lieutenant Governor, was the Chairman of the Council.]

59. To Clarence Nevins, January 18, 1940.

few so-called "farm leaders" to do most of the ballyhooing about farm business. Real Republican leadership had not taken an active part in the promotion of agricultural affairs. This made little sense since farming was the essential business in the Middle Western States.⁶⁰ Denious further contended that this practice was complicated when one considered that people in the Mid-West had been paying tribute to the Eastern population all of their lives by supporting the protective tariff. This was done, of course, for the purpose of building up markets in the East for the agricultural products of the West. Denious felt that the processing tax was, to the farmer, approximately the same thing as was the protective tariff to the manufacturer; he felt that the people in the Middle-West ought to get out and fight for their political and economic interests just as the Eastern people had done.⁶¹

Slight hope turned into positive optimism for the Republicans of Kansas as the 1936 Presidential election year came to the forefront of political activities. Senator Denious was one of the first to congratulate Governor Alf Landon on his landslide victory at the Republican National Nominating Convention held in June at Cleveland, Ohio. Denious was confident that this was the greatest honor ever to come to a citizen of Kansas.⁶²

William Allen White, when asked for criticisms of a proposed "Alf Landon for President" speech, written by Jess Denious, replied that he felt its expression of the character and public service of the Governor was excellent, but that a few additions might add to its effectiveness. White said that a paragraph about the drouth and the peculiar agricultural calamity which the people of Kansas were facing would be effective in showing that Landon would be a President who had lived through this tragedy and who understood firsthand its people and their problems.⁶³

Continuing his own political career, Jess C. Denious won a second term as a Republican Senator from the Thirty-fifth District in November, 1936. Senator Capper was one of a great many who sent congratulations to Senator Denious. Capper was most pleased with Jess's reelection and expressed his hope that now, more than ever, Republicans in the state legislature and the United States Congress would cooperate and act on a united front. Capper also offered any service to Denious and to his constituents which he

60. To Fred Brinkerhoff, May 16, 1935.

61. *Ibid.*

62. To Governor Alf M. Landon, June 16, 1936.

63. From William Allen White to Will West, August 20, 1936.

might, through his work in Washington, be able to perform.⁶⁴ A short time later, Senator Capper thanked Denious for his letter of congratulations upon the Senator's own reelection to the United States Congress. While Capper was most gratified over the success of his own campaign and Denious's victory, both men were deeply disappointed at the defeat of Governor Landon for President and at the Republican Party failure to elect William West as Governor of Kansas. This, he was convinced, was only a temporary setback and that the future of the Republican Party depended upon its building strength. Capper was not overly pleased with the prospects in Washington in the coming Congressional session. He said that with only seventeen Republicans out of ninety-six in the Senate, they certainly were helpless, except in expressing their views openly.⁶⁵

With the elections over, the problem of Senatorial organization in the Kansas legislature came to the attention of Senator Denious. The Republican situation would be radically changed, he felt, if a Democratic lieutenant governor took over the organization of Senate committees. It seemed to Denious that Governor Walter A. Huxman would doubtless make recommendations for considerable legislation involving the outlay of large sums of money which must be raised by taxation. He was sure that, if the Republicans should desire to place the responsibility for those large expenditures on the new Democratic governor instead of assuming the responsibility for themselves, they would allow Lieutenant Governor Lindsay to organize the Senate Committees.⁶⁶ Not only was there a partisan conflict in legislative affairs, but the Democratic administration in Kansas in the latter 1930's gave Republicans a challenge in future gubernatorial contests.

As early as 1937 Claude C. Bradney, the President Pro Tempore of the Kansas Senate, believed that Jess Denious could win both the nomination and the general election for Governor. He felt that Denious held the confidence of Kansas farmers and educators. He also believed that labor, or at least certain elements of it, would also rally to Denious's support. Bradney realized that it was much too early for any declarative statement, but he insisted that Denious stay in the limelight until the proper moment for making such a statement arrived.⁶⁷

64. From United States Senator Arthur Capper, November 10, 1936.

65. From United States Senator Arthur Capper, November 19, 1936.

66. To Claude C. Bradney, President Pro Tempore Kansas Senate, November 13, 1936.

67. From Claude C. Bradney, September 8, 1937.

In his rather modest manner, Senator Denious jokingly shrugged off this prospect as entirely absurd, contending that the people of Kansas should not be subjected to such a fate.⁶⁸ Although the Denious for governor talk would grow tremendously in the ensuing years, Denious's own attitude never changed. The Republican Party needed strong leadership, but Denious could not be convinced that his leadership as governor would be of benefit to the state or to the party.

Senator Capper was in correspondence with Denious, in 1938, relative to the political situation in Washington and to the future of the Republican Party. He saw hopeful signs that Kansas was swinging slowly back to the Republican banner. He stated that both statewide and nationally there were strong indications that Republican leadership would be developing in the near future. Capper expressed his faith, which was also Denious's faith, in the people, and was confident that, out of New Deal confusion, a more intelligent and practical leadership would emerge.⁶⁹

In the winter of 1940, Jess Denious made the decision not to seek reelection to the State Senate. The *Garden City Telegram* expressed the prevailing sentiment throughout most of the state when it stated that Senator Denious's announcement had come as something of a surprise to the people of the Thirty-fifth District, whom he had served so well. He apparently could have had the office for as long as he wanted it. The editorial writer also implied that Senator Denious had made the statement that, "This is the only public office I have ever held and there is no other public office that I desire," simply to keep politicians from his doorstep.⁷⁰

Senator Denious's explanation for his retirement was not . . . because it is disagreeable to me or because I was unwilling to invest more time and effort in it because I think the rewards far outweigh the cost of such service.

I am getting out because so many demands are being made upon me by the institutions I represent here that I think, in justice to the district, the representation in the Senate ought to be turned over to somebody else.⁷¹

Nevertheless, his removal from the Senate did not end support for Denious as a gubernatorial candidate. Although he would never actively seek the nomination, his supporters argued that the Republican Party would have to look hard to find a better

68. To Claude C. Bradney, September 14, 1937.

69. From United States Senator Arthur Capper, March 19, 1938.

70. *Garden City Telegram*, February 5, 1940.

71. To F. N. Gossman, February 9, 1940.

candidate to draft, and that few men in Kansas were as well equipped to take the responsibilities of such an office.⁷² Denious continued in his desire not to seek public in 1940; although many others had misgivings about Republican chances, he was confident that Republicanism in the state and nation had a strong chance for revival in that Presidential election year.

William Allen White was representative of a fear, early in 1940, that strife within the Republican ranks would be crucial unless there was established a unified purpose for the party. White stated that:

. . . In the face of a great crisis in our Government, in the face of the need of Republican unity and harmony, petty factionalists are trying to undermine Republican harmony and give the battle in this state to the enemies of our republic. It is disgraceful. What the Republican Party in Kansas needs here and in the nation is peace. . . .⁷³

Following the nomination of Wendell Willkie in the summer of 1940, Senator Denious believed that Republican strength and unity were on the upswing in Kansas, and that Willkie would without doubt carry the state in the general election.⁷⁴ Other leading Republicans in Kansas, including United States Congressman Clifford Hope, were exceedingly enthusiastic about the upcoming election.⁷⁵

However, the New Deal Democrats retained the national government; and with the nation plunged headlong into the holocaust of World War II in 1941, J. C. Denious was finally convinced he should return to public office in 1942. As *The Mullinville News* so aptly stated, Southwest Kansas had been proud of the statewide acclaim won by former Senator Denious and leading elements had sought at various times to persuade him to run for the governorship. Senator Denious had always declined such an offer, but he finally consented to seek the office of lieutenant governor. Most supporters felt his excellent background of experience, honesty and integrity, and his intimate acquaintance with the many problems of the state should make him first choice throughout the state as presiding officer of the Senate.⁷⁶

The elections of 1942 were almost a clean sweep for Republicans in Kansas. In the race for Governor, Andrew Schoepfel, a relatively new figure in Kansas politics, defeated the Democrat, William H.

72. *Garden City Telegram*, February 5, 1940.

73. William Allen White editorial, *Emporia Gazette*, reprinted in the *Topeka Daily Capital*, February 13, 1940.

74. To United States Representative Clifford R. Hope, July 18, 1940.

75. From United States Representative Clifford R. Hope, July 26, 1940.

76. *The Mullinville News*, July 30, 1942.

Burke, by about 75,000 votes.⁷⁷ With a margin of nearly 103,000 votes, Denious's victory over the Democrat, Jonathan Davis, was even more impressive.⁷⁸

At 63 years of age, Jess Denious was once again taking on the responsibilities of public office. Although the official demands placed upon the Lieutenant Governor would be minimal, this energetic and public-spirited Kansan would work tirelessly for the progress and welfare of the people and of the state during and after the critical years of world turmoil.

77. *Topeka Daily Capital*, November 4, 1942.

78. Frank J. Ryan, Secretary of State, *Thirty-Third Biennial Report of the Secretary of State: 1941-1942* (Topeka: Kansas State Printing Plant, 1943), 97.

Chapter III

LIEUTENANT GOVERNOR: 1943 TO 1947

During the war years, both statewide and nationally, controversy in politics was concentrated in the field of domestic policy. Kansas Republicans were, by 1943, largely united behind the New Deal administration in the realm of foreign policy. In addition to the natural tendency of nationalistic patriotism, it was considered absolutely vital that Americans stand as one in the fight to conquer the aggressive enemies of democratic republics. With impressive gains in the 1942 elections, Kansas Republicans felt they were well on the road to victory over the Democratic left-wingers of the state.

Lieutenant Governor Jess Denious held strongly to this limited loyalty view. The new Lieutenant Governor expressed partisan joy when the new Schoeppel administration won the reins of government in the 1942 election.

. . . Now again the Republican party has become the voice of the people. . . . It has the right and the duty to speak for a very large proportion of the American public because its program is in the public interest. It is my judgment that the people are less concerned about mere partisanship now than at any time in my experience, but never before have they been so willing and so anxious to assemble under the banner of any leadership which has the background, the intelligence, and the vision to find the way out of the present confusion and to place a controlling hand upon those mad excesses which, unless restrained, will completely change our form of government.

. . . In joining with the present national leadership in a great movement to extend the blessings of freedom to other nations, it seems necessary at times for the Republican party to remind that leadership that we, too, are a nation of people who still love freedom. However exasperating that reminder may be to the New Deal, the Republicans of the United States will continue to repeat it as long as the need exists. The present calculation is that the need for that reminder will pass with the election of 1944.

. . . In these piping times of unmeasured authority of government over the domestic activities of the people, there is a growing demand in public life for men whose sympathy is with the common folks . . . whose ruling ambition in our domestic affairs is to resist the encroachment of a grasping government upon the rights and privileges of a free people.

America is asking for leadership that is sane and intelligent and honest; a leadership too strong to be influenced by the deceptive theories of collectivism; a leadership with faith in the American people and with faith in our form of

government; a leadership that can lead the people, and the government, back into habits of thrift and sobriety, and that will encourage the American people to make the best of their glorious opportunities. . . .¹

Upon his becoming Lieutenant Governor in 1943, Jess Denious was confronted with a variety of pressing problems above and beyond the normal duties of his office. Principal among these problems was the war effort on a state political level. Denious was ready to make every personal effort in the cause of an allied victory, and he quickly assumed responsibility for numerous active-support projects.

One of the first of these projects to which he gave his energies was the National War Fund. The task confronting the nation in this unified campaign was astronomical. Many millions of dollars would have to be raised in order to provide for the needs of the United Service Organizations, for care of war prisoners, for Russian War Relief, United China Relief, British War Relief society, and for aid to the millions of people in the occupied countries of Europe.²

On June 4, 1943, a statewide meeting was held in Topeka to consider plans for organization of Kansas' participation in the fall campaign for the National War Fund. At this meeting, the Kansas United War Fund was organized and Jess Denious, who was not experienced in performing the manifold tasks involved in such a massive program, was selected as state chairman. Time was short, and the demands were great; thus, all possible expeditious methods had to be utilized to make the fund-raising campaign an ultimate success.

Three major problems faced Denious and the Executive Committee of which he was chairman. First, and of primary importance to the implementation of the project, was the selection of a state director for the difficult job of administering the entire campaign for the Kansas United War Fund. The committee felt that Frank Bynum, who had represented the National War Fund at the June fourth organizational meeting and who possessed both excellent background and extensive experience, would make an able director.³ Bynum accepted the assignment but, with his work on the National War Fund campaign organization in Denver, he was unable to take up his duties in Topeka until late in August, 1943.⁴

1. Jess Denious, "Republican Kansas Day Speech," January 29, 1943, J. C. Denious Papers.

2. To Lester McCoy, July 19, 1943.

3. To W. D. Jochems, June 14, 1943.

4. To Robert E. Stroud, Director of the National War Fund, December 6, 1943.

In addition, the Executive Committee of the Kansas group had the painstaking job of finding directors for each of the senatorial districts and chairmen for each of the counties within these districts. Before Bynum's arrival, Denious took it upon himself to secure the services of responsible individuals to fill these positions for the campaign which was to start in October. Chairman Denious realized that nearly all of those whom he was asking to give time and effort were already saddled with important programs and activities in their own communities. In his communication with the prospective officials, he pointed out that:

. . . I know that this task, like the one I have, is nothing that anybody would choose, and it certainly means a lot of work. The only reward involved is the satisfaction that comes with necessary tasks well performed.⁵

Denious and other committee members realized that, for the fund drive to be successful, it must first be a bipartisan effort, and it must be sold to the people of Kansas as such. The Executive Committee was predominately Republican, but in selecting the 150 plus directors and chairmen, it was made known that a large number of Democrats would be assigned to make this a truly nonpolitical enterprise.⁶

The third major task facing the committee was that of assigning quotas to each of the districts and counties participating. The 1943 quota for the state of Kansas, as established by the National United War Fund, was in excess of \$1,250,000.00.⁷ Each senatorial district and each county within these districts was assigned an individual quota, based upon their total populations, in order to assure that this state quota would be reached.

In relation to publicizing the Kansas United War Fund, Denious informed the Publicity Chairman, Dolph Simons of the *Lawrence Daily Journal-World*, that, to make the fund drive successful, all newspapers of the state must be supplied with factual information. In his estimation, the people would be most interested in the quota for their county, the ultimate destination of funds raised, and the identity of their county chairman and district directors.⁸

At the outset and during the summer of 1943, Denious had been a little discouraged over the slow progress being made. By November, with Frank Bynum in the Director's seat and the campaign

5. To Victor Allderice, July 6, 1943.

6. To W. D. Jochems, June 14, 1943.

7. To Victor Allderice, July 6, 1943.

8. To Dolph Simons, July 28, 1943.

in full swing, Denious began feeling much more confident of the final outcome.⁹

Denious was not only the chairman of the entire Kansas United War Fund in 1943, but he was also the director of District thirty-five, comprising his own county of Ford and seven others. The quota for his district was \$44,415 and, on November 29, 1943, Bynum was proud to inform Denious that his district was over the top with \$46,181.17 collected.¹⁰

When Robert E. Stroud, the National War Fund Director, sent a telegram to Denious, in the latter part of November, 1943, questioning the failure of some counties of Kansas in meeting their quotas, Denious was quick to give praise or to fix the blame for these problems. Denious stated that, with Bynum's late arrival, feverish haste had been necessary to organize 105 counties before the campaign could proceed. Denious admitted that some of these county organizations were completed in a rather haphazard fashion but, he pointed out, this was more his fault than that of Frank Bynum. In relation to Stroud's opinion that goals in Kansas counties were extremely conservative, Denious replied that, though he did not know what the quotas in other states might be, the National War Fund quota was the largest one which had ever been apportioned to Kansas counties in a campaign of this kind. The quotas were particularly trying on the smaller counties of the state.

Denious pointed out with pride that every county in Western Kansas, with one exception, had raised as much as its goal, and many had raised even more. It was his feeling that Frank Bynum had done a magnificent job and that those counties behind on their quotas would yet reach the goal.¹¹

In 1943, Kansas became the fifth state in the nation to reach its goal.¹² Denious expressed his pleasure and pride in the performance of his home state in an editorial printed in the *Dodge City Daily Globe* on May 4, 1943:

. . . It is no surprise to Kansans that the Midwest shells out generously in this war financing. In spite of disparaging conclusion by fly-by-night columnists who profess their amazement at the complacency of the Midwest in the war, the citizens of the big farming areas roll out the dough when Uncle Sam calls. . . . The most realistic spot, so far as war is concerned, is the

9. To Frank L. Bynum, Director of the Kansas United War Fund, November 1, 1943.

10. From Frank L. Bynum, November 29, 1943.

11. To Robert E. Stroud, December 6, 1943.

12. Frank William Zornow, *Kansas: A History of the Jayhawk State* (Norman: University of Oklahoma Press, 1957), 345.

Midwest where farms and farm community towns, although robbed of manpower by the nonsensical guess work of the manpower commission and the selective service, have produced their war demanded goals.¹³

The Kansas United War Fund had gratifying campaigns under different chairmen in 1944 and 1945 but, in the words of Frank L. Bynum:

. . . Most certainly Mr. Denious gave the War Fund an impetus that carried it through the three years of its existence in a successful and victorious way. . . . Mr. Denious organized the Kansas United War Fund in June of 1943 and Kansas will long owe Mr. Denious a debt of gratitude for his vision and outstanding experienced leadership in directing the State War Fund organization so successfully along an untraveled highway.¹⁴

In addition to this extensive work on the United War Fund, Denious was also active, following the war, in helping to make the United Service Organizations campaign a success in Kansas. Governor Andrew Schoepfel sent Denious a note of appreciation for his efforts in connection with the final USO campaign, which opened in Kansas on October 1, 1946.¹⁵

The ravages of war had brought many state and national problems which had to be solved if victory was to be effective for America and her allies. By 1943, the labor shortage problem had created a serious situation in Kansas. From reports received by Lieutenant Governor Denious in January, 1943, he perceived that Kansas would be faced in the spring with the greatest farm labor shortage of any time since the beginning of the war. It seemed apparent that, unless some type of labor force was found by summer, it would be impossible to complete the harvest. Denious informed the Dodge City Chamber of Commerce that it might be worthwhile to at least make some experiment with Japanese labor from the relocation camp at Grenada, Colorado. He felt that, if application were made early enough, it might be possible to secure Japanese-Americans experienced in farm operations who could be a boon to the farm area around Dodge City.¹⁶

Claude M. Cave, President of the Dodge City Chamber of Commerce, wrote to Denious in March, 1943, however, that there was some negative sentiment in Southwest Kansas against using this kind of labor. The problem of racial prejudice and hatred personified by the war might be too deep-seated to allow any such experiment. Cave thought that, if Denious could persuade Governor Schoepfel to make a public statement relative to this situation,

13. *Dodge City Daily Globe*, May 4, 1943.

14. From Frank L. Bynum to George Deck, July 12, 1946.

15. From Governor Andrew F. Schoepfel, September 17, 1946.

16. To Sam V. Pratt, January 19, 1943.

it might have a significant effect upon the state of mind of Kansas farmers and businessmen. He felt it well to remind the people that American born Japanese were citizens and were entitled to the same rights as Germans or Italians born in America.¹⁷

Denious was also concerned about the public's attitude but did not feel that the Governor should go out on a limb by making a public plea for cooperation in using Japanese labor. Governor Schoepfel did agree to communicate with federal authorities in charge of the Relocation program. It was his feeling that Japanese labor might be utilized if the federal authorities could guarantee that community responsibility for policing the Japanese would not be too great.¹⁸ It was soon realized that the possibility of acquiring Japanese labor for farms and ranches in the Dodge City area was too difficult a problem. Denious discovered, in correspondence with the Federal Relocation Supervisor in Denver, that the requirements for securing such a work force were too stringent for the plan to be of any value for the 1943 harvest.¹⁹

Denious' sentiments were mirrored in decisions reached at the nine district meetings called by Governor Schoepfel throughout the state in May, 1943. The effort to organize farm help to insure a successful harvest, it was decided, should not include plans for Japanese-Americans or Axis war prisoners to help;²⁰ nearly all communities were unwilling to meet terms on which the government would permit Japanese labor to work.²¹ It was decided, rather, that townsmen of all walks of life, together with high school boys and others who were physically fit would have to help in the fields.²² Thus, utilizing all possible available labor and machinery, the 1943 harvest was brought to a successful close, although the farm labor situation remained a problem of considerable dimension, requiring the attention of Denious and fellow legislators for the remainder of the war years.

As the war turned definitely in favor of the Allies midway through 1944, Jess Denious in his capacities as lieutenant governor and newspaper publisher expressed general evaluations of international and regional developments. He stated, in August of 1944, that there was no general feeling in his community that the war

17. From Claude M. Cave, March 18, 1943.

18. To Claude M. Cave, March 22, 1943.

19. To Harold S. Choate, Federal Relocation Supervisor, April 8, 1943.

20. The manpower shortage, however, was so critical throughout the country that the War Department stated in September, 1943, that 110,000 out of nearly 141,000 Axis war prisoners were being used on farms and other work in many of the states. *New York Times*, September 17, 1943.

21. *Dodge City Daily Globe*, May 20, 1943.

22. From Sam Wilson, Manager of the Kansas State Chamber of Commerce, May 7, 1943.

was nearly won, but a realization that, even when the European theater of war was brought to a close, there was still a tremendous task for the armed forces in the Pacific. It seemed to Denious, however, that the American fighting men were doing a marvelous job and making headway far beyond the earlier expectations of most people at home.²³

His sentiments were mixed as far as the assumption of wartime responsibility on the home front was concerned. Many obligations had not been handled in the most satisfactory manner. The failure in Kansas to lay down any hard and fast rules in the labor situation had resulted in a loss of valuable production. On the other hand, the individuals involved in maintaining efficient transportation facilities throughout the country under the most difficult conditions were to be much admired in Denious's estimation. Private businesses, particularly small concerns dealing in civilian needs, had been operating most inefficiently due to the appalling labor shortage, but still Western Kansas was in the most prosperous condition of any time in its history.²⁴ The people of Ford County were particularly proud when their county produced over 8 million bushels of wheat in 1944, which was the largest yield of any area of comparable size in the world.²⁵

Concern for the progress of the war and the anticipation of its final outcome was concern enough for the average citizen in America. People were fully occupied with the daily problems confronting them in a wartime economy. For some residents of Kansas, however, as for those of other states, meeting the immediate demands for war production and promotion were not ends in themselves. There was a vital need to contemplate what the future held in store, and Jess Denious was one Kansan who adhered to such a view.

During the war years he was actively involved in promoting industry for the future economic growth of the state. His prophetic attitude towards improved agricultural development in Southwest Kansas had always been of a positive nature. In the over view of the economic destiny of the region, however, Denious was pessimistic unless certain evolving conditions were corrected.

. . . It seems imperative that Kansas and particularly Western Kansas develop enough industrial activity to provide suitable employment for our

23. To Lieutenant E. G. Salyer, August 2, 1944.

24. *Ibid.*

25. To Lieutenant C. H. McCollom, December 13, 1944.

people who are no longer needed on the farms. Unless we can do so I am afraid that our economy will suffer greatly.²⁶

Throughout most of his life, Denious had considered the Chamber of Commerce to be one of the most effective organizations for improving the economic community. At the time of his election to the office of Lieutenant Governor in 1942, Denious was the President of the Dodge City Chamber of Commerce. He had some reservations as to the overall success of the Chamber during his tenure in office, but he maintained, nevertheless, that many of its achievements were of major importance to the economic life of the community.²⁷ In light of the abnormal wartime conditions, the Chamber, under Denious's leadership, was successful. It was instrumental in obtaining a comprehensive survey of flying conditions and aviation advantages offered by the community, and these were forwarded to authorities in Washington. This action ultimately resulted in the establishment of an Army Air Force base west of Dodge City for the training of B-26 bomber pilots, and while this obviously was not the type of long-range industrial or commercial achievement which Denious had envisioned for the betterment of the community, the military air field was most advantageous to the commercial life of the city during the war years. Subsequently, the Chamber of Commerce was also effective in securing approval from the Civil Aeronautics Authority for the building of a municipal airport east of the city. This was to be the largest airport in Western Kansas and was nearly completed by the time Denious assumed his duties as Lieutenant Governor. Also, the Chamber of Commerce worked through the Industrial Development Commission and Western Kansas representation in Congress to present the claims of the community as a proper location for some of the government plants for the manufacture of grain alcohol for commercial purposes. This action, unfortunately, was never successful.²⁸

The perseverance of Denious and other members of the Chamber in attempting to secure and maintain any possible economic advantages for the city was, perhaps, never more clearly shown than in the problem of retention of the B-26 flight training program. In the summer of 1943, there was a rumor floating around the Dodge City area that the Army Air Training Command was contemplating

26. To L. D. Wooster, President of Fort Hays Kansas State College, October 1, 1946.

27. Jess Denious, "Statement of Activities of the 1942 Dodge City Chamber of Commerce," January 15, 1943, J. C. Denious Papers.

28. *Ibid.*

a transfer of the B-26 Marauder bomber flight training from the Dodge City Army Air Field to some other training field.²⁹ Denious wrote to Major General Barton K. Yount, Commanding General of the Army Air Training Command, expressing his hope that such a move was not under serious consideration. Denious was advised that the only complaint was that the runways were surfaced with blacktop oil instead of concrete. Denious was confident that this situation could be rectified to the satisfaction of all by having the runways resurfaced. He expressed the sentiment that the people in the Dodge City area had great pride in the wartime achievements of the Marauder bombers and the pilots who flew them. It seemed to Denious that it would be foolish to make a transfer since the Dodge City Air Field had been organized completely for B-26 training and since it had all of the necessary equipment and personnel. He assured General Yount that the community would cooperate in any program the Army Air Training Command felt necessary to promote efficient training for the war effort.³⁰

Denious's efforts in behalf of the Dodge City training field were successful in that the B-26 program was retained at that location until the close of the war, although no such sweeping changes as the Chamber, through Denious, had expressed willingness to institute were necessary. Projects of this nature were fundamental in capturing a share of wartime industrial production, but Denious had little faith in the lasting importance of such endeavors.³¹ Before, during, and after 1942, he was preoccupied with bringing manufacturers to Southwestern Kansas for future peacetime production.

Many conscientious promoters of Kansas economic opportunity were fully aware, before the outbreak of World War II, that there was a vital need for a unified effort within the state if economic diversification was ever to be achieved. With this view in mind the Kansas legislature created the Kansas Industrial Development Commission (KIDC) in 1939.³² On the surface its purpose was direct and simple—to promote industry for Kansas. Encouraging out-of-state manufacturers to investigate the industrial advantages in Kansas was of particular importance. Many complex problems confronted this new state agency, however, which needed the concerted attention of all who were interested in the progress of Kansas.

As presiding officer of the Senate, Lieutenant Governor Denious

29. To Major General Barton K. Yount, July 31, 1943.

30. *Ibid.*

31. Jess Denious, "Statement of Activities of the 1942 Dodge City Chamber of Commerce," January 15, 1943, J. C. Denious Papers.

32. Zornow, *Kansas*, 300.

was an active promoter in the interests of the KIDC. He was very pleased when the 1943 Kansas legislature made an appropriation of \$180,000 for the Commission to be used in research programs for 1944.³³ In Denious's estimation, the KIDC research plans were farsighted but not overly visionary. He felt that they were bound to discover materials and methods that would boost the industrial program of Kansas. With funds available in 1944 the KIDC planned extensive laboratory experiments with plastics at Kansas University. At Kansas State College, experimentation with dehydration was considered to be a hopeful prospect for use in agriculture and industry. With the huge Hugoton gas field in Western Kansas, Denious was most enthusiastic over the proposed KIDC campaign to develop greater uses for natural gas, such as to produce electrical power.³⁴

More was needed, however, than a scientific research program and a massive KIDC campaign outside the state to encourage industrial immigration. Denious was inclined to believe, and rightfully so, that too many people were unaware of the extent of Kansas resources and opportunities. He was hopeful that the KIDC educational program would enlighten Kansans as to the industrial potentiality of their state. Denious felt that Kansas had lost thousands of residents in the decade from 1930 to 1940 due largely to increased mechanization on the farms. The increase in the population of Kansas from 1940 to 1945 was temporary due to the opportunities for wartime industrial and agricultural employment.³⁵ It was obvious that industrial expansion was necessary to the economic stability and growth of the state.

Denious, with others in the community, took an early and personal interest in campaigning for the manufacture of pottery, dinnerware, fire brick and other products of this kind in the Dodge City region. Denious had tried for several years to get the KIDC to investigate the prospects of such an enterprise.³⁶

Finally, in 1943, such an investigation was made by Professor Norman Plummer of the State Geological Survey. The results of this investigation further boosted the enthusiasm of Denious as well as those of the Kansas Industrial Development Commission. Plummer was of the opinion that the establishment of a pottery plant at Dodge City had every chance of being successful. His

33. *Topeka Daily Capital*, March 23, 1943.

34. To Claude M. Cave, February 9, 1943.

35. Jess Denious, "Transcribed Radio Talk for the KIDC and KDF" (1945), J. C. Denious Papers.

36. To Claude M. Cave, February 9, 1943.

report indicated that the area a few miles south of Dodge had sufficient deposits of fine pottery clay. He stated that the clay would be most suitable in the making of ovenware, dinnerware, and interior decorative tile. It was particularly adaptable to the production of heavy ware such as that used by restaurants. The fact that Dodge City was located near the Hugoton gas field was an added inducement for the location of a clay products plant, according to Plummer, since gas was the most satisfactory fuel used in pottery kilns. He estimated that it would take about \$10,000 to equip a modern plant, assuming that a building was available to house the equipment.³⁷

With these facts in hand, Denious made a trip to the East in the spring of 1943, having as one major objective the promotion of a pottery plant for Kansas. He took samples of clay, supplied by the Geological Survey Service, not only from his own county of Ford, but from Cloud and Ellsworth counties as well. At Scio, Ohio, Denious was informed by the president of one of the nation's leading pottery manufacturers that the clays seemed to be of excellent quality. His company, however, was unwilling to undertake a new enterprise during the war. He was very interested in the advantages outlined by Denious in locating a plant in Western Kansas and assured him that his company would give serious thought to the proposal after the war.³⁸

William E. Long, the Secretary-Director of the KIDC, felt, in August of 1944, that efforts to get an out-of-state pottery company interested in exploiting the valuable clay deposits in the Dodge City area were making little headway. For that reason, it was his contention that Denious or others in the community should consider the possibility of organizing their own company without the backing of a national corporation.³⁹ Wartime conditions apparently prevented any such action, but Denious continued to probe the various prospects for this type of industrial development.

In the fall of 1945, he corresponded with the Sheffield China Company, the Celanese Corporation of America, and the Corning Glass Company. The prospects were not very encouraging, but Denious's confidence in the facilities and manpower of Southwest Kansas for peacetime industry continued to be strong. He assured the Corning Glass Company of New York, as he had so many others,

37. Norman Plummer, "Kansas State Geological Survey Report," March 18, 1943, J. C. Denious Papers.

38. To Norman Plummer, May 14, 1943.

39. From William E. Long, Secretary-Director of the KIDC, August 2, 1944.

that the natural resources, particularly the ample supply of cheap natural gas, in the Dodge City area would be a most important advantage in the location of industrial sites.

His assurance of a dependable labor supply was, as always, his most immediate concern for future economic prosperity. Denious realized that, unless the farm laborers who were being replaced by improved power equipment could be relocated in industrial jobs locally, they would be forced to leave Southwest Kansas in search of employment. He also believed that labor-management conflicts which plagued the Eastern industrial centers would not be such a problem in the Midwest. In his estimation, agricultural and industrial development would work harmoniously, and farm laborers converted to industrial workers would be more inclined to cooperate with industrial management than to work at cross purposes. War industries in Kansas had found the mechanical skills and attitudes of farm workers most beneficial, and Denious reasoned that this would hold true for industries in peace production.⁴⁰

His views were assuredly not unique at war's end, but a majority of agriculturally minded Kansans were yet to be convinced that such economic diversification was necessary. For this reason and others, Denious's hopes for the development of pottery or glass manufacturing in the Dodge City area were never realized during the 1940's. Small scale industry in Kansas, however, was stimulated by World War II. That this growth should continue in peacetime was dependent upon the time and effort devoted to promotion by men such as Jess Denious.

One definite problem in this area soon became apparent. The Kansas Industrial Development Commission's campaign to promote industry was in desperate need of financial uplifting by 1945. State appropriated funds had been inadequate to carry on its activities within the state and finance an aggressive, nationwide advertising campaign at the same time. To meet this crisis, the Kansas Development Foundation was formed in 1945. This non-profit corporation was made up of a board of directors who represented a diversity of economic interests and who had an understanding of the problems of industrial expansion. Jess Denious was Vice-Chairman of this organization in 1945.⁴¹

According to its charter, the Foundation was to operate on a nonpolitical basis and would advise and financially assist the KIDC. Its initial goal in 1945 was to raise, through contributions, one

40. To the Corning Glass Company, Corning, New York, October 17, 1946.

41. From William E. Long, September 10, 1945.

million dollars for the purpose of advertising nationally the industrial possibilities of Kansas.⁴² A large proportion of this money was to come from public utilities, pipeline companies and the railroads, but Denious felt that business firms and individuals in every county would be more than willing to donate because as he said:

. . . the million dollar fund to promote the establishment of industrial plants in all parts of the state can only be regarded as the payment of a premium on an insurance policy guaranteeing the future welfare of Kansas. . . . When reconversion is accomplished and industry settles down to routine production the opportunity for large scale movement of industry will have passed. Unless Kansas takes advantage of present opportunities the road to attain industrial stability will be long and arduous.⁴³

For purposes of promotion and collection the state was divided into six districts with a director for each. Denious was the director of District Five, and was in first place, after a month of promotion, with only 3.14 percent of the total quota for his district collected.⁴⁴ This was overall a most disappointing program. In Denious's estimation, this failure was the result of many counties not having industrial leaders to promote the organization.⁴⁵ A typical reaction against the Kansas Development Foundation and the Kansas Industrial Development Commission was the position, taken by many, that the soil, climate, and general tendency of the population had made, and would continue to make Kansas an agricultural state. As one wealthy farmer evaluated the program, "it seems to me that the best way to use funds in promotion of welfare of the state is to use them in promoting the industry to which it is best adapted."⁴⁶

With American servicemen returning home and a dwindling farm population, an active industrial campaign was vital. But many in Kansas were not so easily swayed; they still felt that the production of raw materials and food products were the only necessary enterprises for state welfare.

In spite of these conflicts with certain elements within the state, however, the confidence and respect that a great many people in Kansas had for the state promotion activities of Jess Denious was never stronger than it was in 1943. Soon after assuming the duties of Lieutenant Governor, Denious's name was presented by petitions from several Chambers of Commerce presidents to the Chamber

42. Jess Denious, "Transcribed Radio Talk for the KIDC and KDF."

43. *Ibid.*

44. Kansas Development Foundation, Inc., "Progress Report to District Directors," September 10, 1945, J. C. Denious Papers.

45. To William E. Long, October 10, 1945.

46. From Ray Jackson, August 9, 1945.

of Commerce of the United States in Washington to obtain the nomination and election of Denious to the national Chamber's Board of Directors to represent Election District VII.⁴⁷ The general feeling was that Kansas deserved a position on the Board in Washington, and that Denious would be an outstanding spokesman for the interests of industrial and commercial expansion of the state and of the Midwest.⁴⁸ The Board of Directors generally met five or six times a year in Washington to determine board policies of the organization and to give guidance to the officers of the Chamber.⁴⁹ It was also an opportunity for directors to meet with representatives of big business.

Mark W. Drehmer, President of the Topeka Chamber of Commerce, headed the promotion campaign to get Denious elected to the Board at the national convention in New York in April of 1943. The campaign was handled enthusiastically and several thousand pamphlets promoting Denious were distributed throughout the Midwest before the Chamber of Commerce delegates met in New York to cast their ballots.⁵⁰ In the final balloting Denious was defeated by Charles Belknap of St. Louis. Kansas, as well as Denious, was deeply disappointed in the outcome, but the Lieutenant Governor was proud of the efforts made by members of the state's chambers of commerce. He was confident that, if Kansans decided to enter the race the following year, the benefit of past experience would assure them of victory.⁵¹

In addition to these major considerations, the official responsibilities of the Lieutenant Governor during the war years were important, though not pressing. As has been mentioned, the labor shortage necessitated that legislators spend as much time as possible in the service of their own localities and in the interests of their own business. Lieutenant Governor Denious was no exception to this rule. As presiding officer of the Senate, Chairman of the Legislative Council, and Chairman of the Commission on Interstate Cooperation, however, Denious needed no reminding that governmental functions and improvements could not be held at bay until the end of the war.

Near the end of the 1943 legislative session, Lieutenant Governor Denious expressed his admiration for the attitudes and actions of

47. From Eric A. Johnston, President of the United States Chamber of Commerce, March 5, 1943.

48. From A. Q. Miller, President of the Salina Chamber of Commerce, to the Secretary of the United States Chamber of Commerce, February 27, 1943.

49. From Eric A. Johnston, March 5, 1943.

50. From Mark W. Drehmer to Claude M. Cave, April 19, 1943.

51. To Mark W. Drehmer, May 12, 1943.

Governor Andrew Schoepfel and of the Kansas lawmakers. He felt that Schoepfel's pledge not to interfere with the work of the legislature or to politically dominate its program had been kept with most gratifying results.⁵² The legislature had been most conservative and had enacted only the most urgent and vital measures, but this was obviously necessitated by the general manpower shortage throughout the state, and by the fact that legislators were needed back home to conduct their business affairs, and to assist in war fund campaigns and other matters of similar importance.⁵³

The most spectacular and worthwhile legislative enactment by the 1943 legislature, in Denious's opinion, was a law to regulate labor unions. In general, the bill set forth the requirement for licensing of labor organizations and their business agents, and the filing of financial reports by labor unions with the Secretary of State, as well as regulating picketing.⁵⁴ Although representatives of various laboring groups brought much pressure on the Governor to veto the bill, Denious was sure that it would be signed before the legislature adjourned. Denious explained his support of this bill as due to labor union responsibility for work stoppage on vital war enterprises over the most trivial of grievances, and he believed the majority of Kansas shared the same outlook.⁵⁵ Governor Schoepfel was of the opinion that labor had advanced to the point where it must come under the same kind of regulation as management, and signed the bill on March 23, 1943.

Representatives of the CIO, the AFL, and the Railway Brotherhoods, remained vehement in their opposition. For example, the Chairman of the Brotherhood of Railway Clerks complained that the law was unconstitutional because the state could not legislate in the area of interstate commerce.⁵⁶

Lieutenant Governor Denious was proud that Kansas exercised much independent and farsighted leadership in being among the first of the states to enact labor control legislation of this type. Even if the labor unions were successful in having certain provisions of the law declared invalid by the courts as they proposed to do, Denious was confident that the major purpose of the statute would

52. To Wilford Riegle, March 15, 1943.

53. To Frank Dunkley, March 23, 1943.

54. *Topeka Daily Capital*, March 24, 1943.

55. To Frank Dunkley, March 23, 1943. Actually, this was a nationwide reaction, and the federal government was forced to establish wage restrictions, in the spring of 1943, in order to prevent labor union strikes during the critical war years.

56. *Topeka Daily Capital*, March 24, 1943.

stand.⁵⁷ And in March, 1945, the federal court actually did declare several provisions of the labor control bill unconstitutional, but upheld the right of the states to regulate labor unions.⁵⁸

The 1945 legislature, under the leadership of Governor Schoeppel, passed more tax increases and appropriated more money than had any previous session. The legislature enacted, among other provisions, a postwar highway development program, and an increased gasoline tax to provide revenue to match the available federal road funds.⁵⁹ Denious was particularly pleased over the efforts made to improve the elementary and high school systems in conformity with a two year study conducted by the Legislative Council.⁶⁰ In addition to providing more funds for high schools through county school levies, a Senate amendment, with which Denious was in complete agreement, temporarily prevented the proliferation of junior colleges in the state. This amendment resulted from the fear that postwar growth of junior colleges would be too great for possible provision of adequate financial support.⁶¹

Although the 1945 legislature failed to consider the controversial prohibition question, Jess Denious took a decided stand on this issue, in the Legislative Council, before the end of 1945. It was his contention that the "wet" or "dry" political football had been kicked back and forth by Republicans and Democrats alike for too many years. It was his opinion that resubmission was long overdue, and that the only effective solution to the prohibition conflict was to let the voting public decide the issue at the ballot box.⁶²

In the 1946 gubernatorial race, the Republican candidate Frank Carlson, asked for Denious's opinion on the advisability of making a vigorous campaign for resubmission. Denious was noncommittal but did state that it would be hazardous to anticipate too strongly what the next legislature would do on the prohibition amendment. Denious believed that more than one-third of the House members were committed to vote against this referendum if it were submitted in the 1947 legislature. In general, he presumed that a resubmission plank in the Republican platform would gain some votes in the November election but that it might also lose some.⁶³

57. To W. Lee Johnson, May 14, 1943.

58. *Topeka Daily Capital*, March 6, 1945. Validity of the Kansas labor law was attacked in separate actions brought by Dale Stapleton, a representative of the United Mine Workers; P. D. McElroy, Secretary and business manager of the Construction Trades Council of Kansas City; the AFL and the Congress of Industrial Relations.

59. Zornow, *Kansas*, 328.

60. To C. E. Birney, February 24, 1945.

61. To A. G. Schroedermeier, March 23, 1945.

62. From W. G. Woleslagel, November 21, 1945.

63. To Frank Carlson, August 21, 1946.

Carlson and the Republicans incorporated a resubmission plank into their platform and took all the state offices easily. As a result, the 1947 legislature provided for a referendum on the Prohibition Amendment, but Kansans voted heavily against prohibition in the general election of 1948.⁶⁴

In the area of legislative reform, Denious continued to work towards a more efficient and effective organization of the Legislative Council, which he had helped to found, upon becoming its Chairman in 1943. It was his contention that, since many of the standing committees of the Council such as the Committee on Banks and Banking, Building and Loans, and Interest and Finance, had had little or no work during the previous few years, it would be advantageous to consolidate or eliminate these committees. With the Council's power of appointing special committees when the situation warranted, it seemed an appalling waste of precious time for legislators to be assigned to permanent committees with little constructive legislation for their consideration.⁶⁵

Chairman Denious was also most distressed over the "little legislature" connotation that had, over the years, become associated with the Legislative Council. According to the rules, as amended since 1933, a committee of the Legislative Council would have to report favorably on a particular legislative matter before the Council itself would consider it.

Denious felt that this procedure defeated the original purpose of the Legislative Council. He proposed that the Legislative Council be considered as a committee of the legislature, and that the committees of the Council be required to submit reports on every proposal which they had considered. This would result in the Council's taking some sort of action on every proposal which came before that body during a legislative session.⁶⁶ Denious also hoped that, by bringing every proposal before the general Council for discussion, members would be fully informed on all proposals rather than just on those of their individual committees.⁶⁷

Frederic H. Guild, Director of the Research Department of the Legislative Council, considered Denious's proposals to be most realistic. Greater efficiency and cooperation between the Council and the legislature would result, he felt, only if the committees of

64. Zornow, *Kansas*, 331.

65. To F. H. Guild, Director Research Department of the Legislative Council, April 20, 1943.

66. *Ibid.*

67. To Samuel Wilson, Director of the Kansas State Chamber of Commerce, June 8, 1943.

the Legislative Council were conducted as sub-committees and the Council as the main committee, as suggested by Denious.⁶⁸

At the organizational meeting of the Legislative Council, in May of 1943, procedures were implemented along these lines. In addition to making the committees subordinate to the Legislative Council in respect to proposals for legislation, membership on committees was made much smaller to facilitate greater efficiency.⁶⁹

Denious was aware that certain drawbacks might become apparent in this reorganization over the years, but he felt that the steps taken would help rectify many of the Council's ills and provide for more proficient collaboration between the legislature and the Council.⁷⁰

As Chairman of the Commission on Interstate Cooperation, Lieutenant Governor Denious worked for a more effective organization. The Commission was affiliated with the Council of State Governments. The purpose of the Council of State Governments, during and after the war, was to work closely with regional Interstate Cooperation Commissions to bring about greater articulation in mutual legislative concerns.⁷¹

One such problem, which had been given much consideration during the war, related to the regulation and taxation of aviation lines. It was felt that, with the growth and importance of this means of transportation, there was a definite need for uniformity among the states both in respect to taxation and in regard to other regulations.⁷² Denious realized that the federal government was considering legislation which might take the whole matter out of the hands of the states, but he was inclined to believe, as were the Board of Managers of the Council of State Governments, that state regulation of aviation would work in conjunction with federal controls for more effective enforcement.⁷³

In relation to this and other matters, however, Denious felt, throughout his tenure in office, that the Kansas Commission on Interstate Cooperation had not been very effective in getting the Council of State Governments program presented to the Kansas Legislature. This, he felt, was not altogether the fault of the Kansas Commission on Interstate Cooperation. Over the years, much bene-

68. From F. H. Guild, April 22, 1943.

69. To Samuel Wilson, June 8, 1943.

70. From Samuel Wilson, June 10, 1943.

71. To Franklin Corrick, April 22, 1946.

72. To William Ljungeahl, Chairman of the State Commission of Revenue and Taxation, December 9, 1944.

73. To Senator Kirke W. Dale, May 9, 1944.

ficial information had been assembled by the Commission through regional meetings and through the office of the Council of State Governments but, in Denious's estimation, its legislative suggestions were invariably received too late to be acted upon by the legislature in the then current session.⁷⁴

Denious had been somewhat successful in reorganizing committees for more efficient work in the Interstate Cooperation Commission in 1943,⁷⁵ and he was hopeful, near the end of his term of office, that the Council of State Governments would, in the future, present their programs in time for the fullest utilization by the Kansas legislative sessions. With this achievement, he visualized that Kansas would be abreast of legislative developments in other Midwestern states and could act accordingly for the economic welfare of all Kansans.⁷⁶

The progress made in relation to improving the machinery of government was oftentimes accomplished through bipartisan cooperation. In general, however, the governmental course taken on the domestic scene during the war was largely the result of political partisanship. Many staunch Republicans, including Jess Denious, had been hopeful that Democratic New Dealism was on the way out in light of Republican victories in the 1942 elections.

Denious's enthusiasm over Republican gains in 1942 was dampened somewhat in viewing the prospects for the next Presidential year. He feared that, if the Republicans failed to elect a President in 1944, the party's prestige would sink to as low a point as that reached during the 1930's. In any case, he felt that much emphasis should be placed on preserving some semblance of private enterprise, for he could not envision that the interests of the country could be developed economically under stringent government bureaucracy.⁷⁷

When Willkie once again became a Republican contender for the presidency in 1944, he sought the support of Kansas. A full year before the election, Denious felt that Willkie's chances of carrying Western Kansas were doubtful. The farmers were divided in their opinion of Willkie, according to Denious and, since politics in his section of the country were always determined by farm sentiment, he could offer little encouragement. Most of the criticism of Willkie centered on his attitude toward domestic policy.⁷⁸

74. To Franklin Corrick, April 22, 1946.

75. To Paul R. Wunsch, April 6, 1943.

76. To Franklin Corrick, April 22, 1946.

77. To Richard W. Robbins, May 24, 1943.

78. To J. N. Tincher, November 4, 1943.

The political pulse of the wheat farmers was not difficult to find in Denious's estimation. They wanted a champion of farmer individualism. The wheat farmers did not want to share their new status in wartime production, according to Denious, with any Democratic program. In fact, Denious went as far as to say that:

. . . They have resodded large acreages, increased livestock production, practiced soil conservation, built ponds and dams. They would have done it anyway because these practices were followed years before anyone ever heard of the New Deal's agricultural magic.⁷⁹

Willkie failed to secure the nomination, and Republican hopes were pinned on Thomas Dewey. A month before the presidential election, however, many Republicans in Western Kansas were not overly zealous about the progress of Dewey's campaign. In Denious's opinion, Dewey's speeches had provided good "logical discussions" on national problems but few elections, he felt, were won by "logical discussions." The people were looking to Dewey for an aggressive attack on the New Deal and Denious considered that anything short of this would not make much of an impression on the voters.⁸⁰

In the contest for United States Senator from Kansas, Denious felt that there was little chance for any aspiring Republican to unseat Clyde Reed in the summer primary of 1944. Carl E. Friend, former Lieutenant Governor under the Payne Ratner administration, had been considering just such a move in the spring. Denious said that, if Friend decided to run against Reed, he would do all he could in Southwestern Kansas in Friend's behalf. There was nothing in Reed's personality, in Denious's estimation, that would attract the voters. However, his stand on labor unions had given him a great deal of voting strength. Farm people in Western Kansas bitterly resented the course labor union policy had been following in preceding months. When Reed critically spoke of labor unions, he immediately captured major farm support, according to Denious. He doubted that Reed could be deprived of these votes regardless of other issues that might develop during the campaign.⁸¹

In the 1944 general election, Republicans swept the state. Schoeppel and Denious defeated their Democratic opponents two to one for Governor and Lieutenant Governor. Reed had an easy victory over Thurmon Hill for the United States Senate. Repub-

79. *Dodge City Daily Globe*, May 24, 1943.

80. To Richard W. Robbins, October 4, 1944.

81. To Carl E. Friend, May 2, 1944.

licans won in all six congressional districts, and, although, Roosevelt carried the nation, Dewey won in Kansas by a very large majority.⁸²

With the elections, thus, so successfully carried by the Republicans, state political attention was soon focused, during the summer and fall of 1945, on a judicial proceeding which soon proved to be a form of effective, though reprehensible partisan political action by certain Democratic officials.

On June 30, 1945, a Federal Grand Jury in Wichita brought an indictment against Colonel William Zurbucken, the Superintendent of the Kansas Highway Patrol, for income tax evasion, in 1940, totaling \$495.37. His 1940 income tax return stated a total income of \$1,829, but the true bill indictment placed his actual income at \$8,223.40.⁸³

At the time of the alleged tax evasion, Zurbucken had been Assistant Superintendent of the Kansas Highway Patrol. During the course of the trial, the prosecution attempted to prove that Zurbucken had received nearly five thousand dollars from bootleggers in Kansas as protection money, and that this money was not reported on his 1940 income tax return.⁸⁴

It was believed, by a good many Republicans in the state, that the whole unpleasant affair was brought about by Democrats in an attempt to discredit certain prominent Kansas Republicans.⁸⁵ Zurbucken himself stated that he had received information that Lynn Broderick, a leading state Democrat, had made a statement, in June, 1945, to the effect that, ". . . after the Grand Jury convenes in Wichita and brings in certain indictments, the Republican Party in Kansas will be as dead as a doornail, and we will elect both a governor and a senator."⁸⁶ In addition to this, Zurbucken said that a certain Topeka attorney had told him that United States Circuit Judge W. A. Huxman had made the comment that,

Bill Zurbucken is only a small potato, and we are not vitally interested in him. What we are after and what we are going to get is some of the big shot blackguard Republicans who have been running at large in Kansas for a good many years. . . .⁸⁷

82. *Topeka Daily Capital*, November 8, 1944.

83. *Topeka Daily Capital*, June 30, 1945.

84. *Dodge City Daily Globe*, November 22, 1945.

85. *Topeka Daily Capital*, November 22, 1945.

86. From Will Zurbucken to Richard W. Robbins, July 19, 1945.

87. *Ibid.*

Zurbucken maintained from the beginning to end that he was innocent, and he added:

. . . If the income tax department had informed me that I owed \$495.00 in taxes I would have paid them long ago, provided it was so shown. It was a cheap trick to indict me for that amount and then allow scores of others to pay far greater amounts with the attendant noise and stink all attached to a small-fry like myself. Some persons at Dodge City paid in four figures without being arrested.⁸⁸

Before taking the position as Assistant Superintendent of the Kansas Highway Patrol, Zurbucken had served as sheriff of Dodge City. He had been a close acquaintance of Jess Denious for over twenty-five years and considered Denious the best friend he had ever had except his own father.⁸⁹ Denious retained Zurbucken's friendship and "undying gratitude" throughout the entire unsavory affair by giving much personal advice, moral support, and financial assistance for lawyers fees. Jess Denious had felt from the beginning, as apparently did the majority of Kansans, that Zurbucken had been falsely accused, and he did not wish to see Zurbucken, the State of Kansas, and honest Republicans receive a black eye due to unscrupulous partisan politics.⁹⁰

Governor Schoeppel had been out of the state at the time of Zurbucken's indictment. Upon returning, he discovered that Zurbucken had submitted his resignation from the Highway Patrol. Zurbucken had made this gesture to save the Governor from any embarrassment, but Denious and other state officials felt that Schoeppel would not accept his resignation and would stand by Zurbucken, at least until the jury had rendered a verdict.⁹¹

Lieutenant Governor Denious contacted the Governor immediately upon Schoeppel's return to Topeka and expressed the hope that he would not accept Zurbucken's resignation.⁹² Against most predictions, however, the Governor did accept the resignation. According to Zurbucken, Schoeppel had stated that he would return him to the Superintendent's office of the State Highway Patrol just as soon as he was vindicated by the jury.⁹³

Zurbucken informed Denious, a short time later, that the Governor told him, on July 18, 1945, that he was mindful of the fact that Republicans and the state government had an important stake in

88. From Will Zurbucken, July 3, 1945.

89. *Ibid.*

90. From Will Zurbucken, December 5, 1945.

91. From Will Zurbucken, July 3, 1945.

92. To Will Zurbucken, July 9, 1945.

93. From Will Zurbucken, July 10, 1945.

Zurbucken's case and that they would give him all the financial aid he needed during the trial.⁹⁴ Zurbucken later stated that he deeply regretted not having the personal funds with which to cover the costs in his case, and that:

. . . I am certain also that in this case it happened to be my bad luck to be a member of the Republican Party, and I know from previous observation that no Democrat would have been indicted under these circumstances at the present time. In fact the \$495.00 they allege I owed in 1940 is the smallest indictment ever returned. . . .⁹⁵

After all evidence and testimony had been presented in the Zurbucken trial, in Wichita, United States District Judge Guy T. Helvering informed the jury that this case had not been presented to try bootleggers, and that they should consider, in their deliberations, only whether there was a tax due and, if so, whether there was willfull intent to evade the tax.⁹⁶ The jury returned a verdict of "not guilty" on November 21, 1945, and, according to the *Topeka Daily Capital*, "Zurbucken's acquittal is regarded by many as possible damper on further proceedings directed against politically prominent Kansans."⁹⁷

Zurbucken himself wrote to Denious, shortly thereafter, that he was sure the Lieutenant Governor would agree with him that:

. . . the Democrats had out their hatchets and intended to cut me down. They failed because their case was founded on perjury and for the very important further reason that I had assistance from a few good and true friends among whom you stand in the forefront.⁹⁸

In the same letter, Zurbucken stated that he had talked with Governor Schoeppel about reinstating him to the office of Superintendent of the Kansas Highway Patrol, but that Schoeppel had refused to make any commitments at that time. He was more than a little distraught over what he considered the Governor's backpedaling. Zurbucken said that he had told Schoeppel that the Governor had not given him the support he had promised during or after the trial, and that Jess Denious was actually the only "Big Republican" who had had the "guts" to testify before the Federal Grand Jury that Zurbucken's honesty and integrity were beyond reproach.⁹⁹

Governor Schoeppel made a public statement, on November 23, that he would have to make a complete investigation of the facts

94. From Will Zurbucken, July 20, 1945.

95. From Will Zurbucken to Richard W. Robbins, August 1, 1945.

96. *Dodge City Daily Globe*, November 21, 1945.

97. *Topeka Daily Capital*, November 22, 1945.

98. From Will Zurbucken, December 5, 1945.

99. *Ibid.*

before giving any consideration to reassigning Zurbucken.¹⁰⁰ Three months later, Will Zurbucken wrote the following to Lieutenant Governor Denious:

. . . At this point I am convinced that you were one hundred percent correct in your belief that Andy [Governor Schoeppel] intended to do exactly nothing for me. . . . Andy did tell me . . . that he would absolutely see that I got a spot in one of the State Departments and I regret to have to acknowledge that his word is of little value, even though I would heretofore have sworn steadfastly by him. . . .¹⁰¹

Thus, though the Zurbucken case, born as a partisan political maneuver to discredit the Republicans, had failed in its major purpose, it had provided some basis for personal evaluation of loyalties and support within that party.

Partially as a result of this reevaluation, Republican interest in the 1946 gubernatorial contest in Kansas received an early impetus as a result of the action taken by Dallas W. Knapp, former president pro tem of the Kansas Senate and a twenty-year veteran of the legislature. He stated, in October, 1945, that a "Denious-for-Governor" club had been organized by himself and other leading Republicans in the Coffeyville area. Knapp said, "Down our way, we think a lot of Jess Denious. . . . He is honorable, capable and courageous and has a fine grasp of the state's postwar needs. . . ." ¹⁰² Other characteristics of Denious's nature had long been admired by many throughout Kansas. According to the *Pittsburg Sun* ". . . he never got excited and consequently he never got lost. Above all he never ballyhooed his causes. . . ." ¹⁰³

William E. Long, Director of the Kansas Industrial Development Commission, informed Denious, in the fall of 1945, that the governorship ". . . is a logical step for you, the state needs you and you certainly will make the best Governor that I could imagine." ¹⁰⁴ Long had already taken the liberty of discussing this situation with many of his Republican friends in Kansas and he indicated that they were all highly favorable if Denious was willing to be drafted.¹⁰⁵

Denious was, naturally, highly flattered that he should be considered for the governorship, but his attitude had not changed over the years. There was still that sense of modesty in his nature that prevented a positive attitude in relation to the expectations of that

100. *Topeka Daily Capital*, November 24, 1945.

101. From Will Zurbucken, February 26, 1946.

102. *Hutchinson News-Herald*, October 2, 1945.

103. *Pittsburg Sun*, February 2, 1942.

104. From William E. Long, October 4, 1945.

105. *Ibid.*

office. During his years as a State Senator and Lieutenant Governor, the duties of public office had not demanded his full-time efforts. There had still been time to devote to activities which he felt were in the interest of the community and of himself. The governorship was a full-time job and, at sixty-seven years of age, Denious considered the demands of that office in the postwar years to be more appropriate to the energetic spirit of a younger man. There were many things which Denious had wanted to do in his lifetime, but which he had never taken time for and, at the end of his term as Lieutenant Governor, he planned to pursue those ends.¹⁰⁶

As the time for the state primaries approached in August, 1946, Denious considered politics to be unusually quiet and uneventful in Western Kansas. In his opinion, Frank Carlson would have little difficulty in securing the Republican nomination for Governor. He felt that Western Kansas was then, in the summer of 1946, more clearly Republican than it had been at any time in his memory.¹⁰⁷ As the November election drew near, the gubernatorial contest between Carlson and the Democrat candidate, Harry Woodring, livened the political scene in Kansas, the prohibition question being the most popular issue. Denious still felt that Kansas was more thoroughly Republican than ever before, at least on national issues. He was dismayed, however, in relation to the international scene. Denious could not believe that Kansans were as apathetic as they outwardly appeared to be in the face of the communist threat to the American way of life.¹⁰⁸

The outcome of the 1946 elections gave Denious, and other Republicans, a great deal of satisfaction. As Denious projected:

. . . The results the country over indicate that the New Deal is dead. The Republicans certainly would have to make a lot of bad errors before the New Deal could get a hearing in this country again. I hope this is the turning point, and that the day of the left winged politicians is forever ended. . . .¹⁰⁹

In Kansas, the Republicans maintained their dominance in the election of 1946, but their future leadership was actually uncertain. World War II veterans and industrial workers by the thousands were making themselves known in Kansas politics. They lacked experience and training, but not enthusiasm for what they considered the needs of the state.¹¹⁰

106. To William E. Long, October 10, 1945.

107. To Lacy Haynes, July 30, 1946.

108. To William A. Long, October 11, 1946.

109. To William A. Long, November 8, 1946.

110. Zornow, *Kansas*, 329.

Governor-elect Frank Carlson was abreast of the manifold problems in Kansas which would face him and his administration in 1947, and he also knew that there was no substitute for experience in the quest to find equitable solutions. As he wrote to Jess Denious, shortly before assuming the office of Governor, “. . . I need your help and advice very much in the next legislative session and sincerely hope you will be able to spend some time in Topeka. . . .”¹¹¹

Though Jess Denious was to head the so-called “Little Hoover Commission,” which studied Kansas governmental reorganization from 1948 to 1950,¹¹² he considered his official public service career at an end by 1947:

. . . Such public service as I have performed, has in the main, been interesting and pleasant and I regard the rewards I have received as ample compensation for the time and energy I have given. . . . I have now spent twelve years in the service of the state in one capacity or another and I think that is quite long enough. Consequently, I have no ambition to serve at any other public office. There are a lot of young men available now for this sort of thing and I am happy to give them my place in the state government from now on. . . .¹¹³

Although Denious considered his official career over, the gratitude which was his as a result of his services, both public and private, to the people of Kansas and, particularly of Southwest Kansas, was continually manifested throughout the remainder of his life. One of the most memorable of these expressions of respect and gratitude took place shortly more than a year before Jess Denious was to die at the age of seventy-four. More than four hundred of the most prominent newsmen and state officials gathered in Dodge City on September 23, 1952. Ostensibly, the gathering was held to dedicate a new transmitter for radio station KGNO, owned by the Dodge City Broadcasting Company of which Denious was President. In actuality, however, the ceremonies had been planned as a surprise party to honor Jess Denious for his manifold achievements and services to the people of Kansas throughout his rich and full life.¹¹⁴

111. From Frank Carlson, December 26, 1946.

112. The results of the Denious committee work on governmental reorganization was finally submitted in the form of a bill to the 1951 Kansas legislature. Governor Ed Arn initially opposed this bill which provided for the creation of a Department of Administration, but it was ultimately passed and fiscal reorganization of the administration was completed in 1953. Zornow, *Kansas*, 351.

113. To H. S. Kilby, January 16, 1947.

114. *Dodge City Daily Globe*, September 24, 1952.

CONCLUSION

Any credible biographical study, resulting from the careful analysis of an individual's manuscript collection, should prove invaluable in an attempt to judge the personal character of the subject under consideration. It is believed that this thesis has accomplished that goal and, therefore, it is justifiable to draw certain conclusions in relation to the personal attributes of J. C. Denious.

Whether as newspaper editor-publisher or public servant, Denious was not a man to rush headlong into areas where he was unprepared or ill-advised. He was persistent and determined, however, to accomplish those ends he considered of value. His establishment of the *Dodge City Daily Globe* was indicative of this attitude. His faith in the growth and economic development of Southwestern Kansas ran counter to that of several of the leading townspeople in 1910, but his tenacious spirit was to make the *Globe* a leading voice of that region in times of prosperity as well as of adversity.

Denious was not politically ambitious, and he accepted the responsibilities of public office from 1933 to 1947 rather reluctantly. He was determined, however, to do the best job he could on any undertaking which he felt was worthwhile to the people of Kansas.

He was, most of all, a man of high principles. When he felt he was right, as he did in the case of the child labor controversy, he stood erect under the pressure of such an influential, national figure as William Allen White. On the other hand, when he realized that his thinking was faulty, as in the case of the 1935 school equalization problem, he was quick to change his stand for the benefit of all concerned.

What is perhaps Denious's most striking personal attribute is the incredible range of his interests, which were intensive as well as inclusive. He was devoted to the promotion of his city, of his region of the state, of his state, of his political party, and ultimately, of his country. All these are manifested in the variety of concerns detailed in his correspondence.

No other single endeavor was more representative of Denious's tireless efforts to promote the welfare of residents in Southwest Kansas than the creation of a 4-H Club camp in the early 1930's. Many men would have faltered under the unfavorable circumstances which confronted him in this project, but depression, drought, and

eventually war only tended to broaden the activity and scope of his regionally-oriented state of mind.

Denious had always considered the farmers to be the backbone of Western Kansas economy. Although he generally supported state and federal programs for the benefit of agriculture during the critical decade of the 1930's, he was inclined to believe, during the war years, that Democratic New Dealism would, in the long run, be detrimental to the independent action of those engaged in agriculture. Perhaps Denious's confidence in Western Kansas wheat farmers was not basically realistic considering the abnormality of the times. The demands for wartime food production was not a sound guide by which to judge the future ability of farmers to regulate their production, without the controls of governmental laws and agencies, to meet the needs of the country.

Be this as it may, however, wartime conditions accentuated Denious's enthusiasm for the development of future peacetime industry in Southwestern Kansas to buttress the declining agricultural population brought about by increased mechanization. Working individually, through the Chamber of Commerce, in conjunction with the Kansas Industrial Development Commission and the Kansas Development Foundation, Denious promoted the industrial advantages of his region as well as those of the entire state. Some endeavors were not directly or materially fruitful. His efforts to develop some kind of pottery or glass manufacturing in the Dodge City area came to naught, and the initial success of the Kansas Development Foundation fund drive in 1945 was anything but encouraging. Denious was persistent, however, in his belief that small scale industry must and would develop in Southwestern Kansas. His attitude toward the promotion of industry and commerce was held in such high esteem by leading Kansas businessmen that he was supported in a campaign to place him on the Board of Directors of the United States Chamber of Commerce. Denious failed to win this election in 1943, but the support he received from Kansas was a tribute for which he was most grateful.

Finding ways and means of improving the quality of public education in Kansas was one of the most important activities that involved the time and consideration of J. C. Denious throughout his public service career. Educational betterment was slow, particularly during the 1930's, but any advancement was rewarding to the efforts of such a man as Denious. Of less importance to the state directly, but of significant value in the interest of more efficient

government, was Denious's work in the Legislative Council. He was instrumental in its creation in 1933, and exerted considerable energy during his two terms as Lieutenant Governor to make the Council a more effective legislative tool. This, and similar efforts on the Kansas Commission for Interstate Cooperation, gave Denious a reputation for the promotion of efficient governmental organization that was later to be a prime factor in his appointment to head the "Little Hoover Commission" in Kansas.

Before the United States entered World War II Jess Denious was a typical Midwestern, Republican isolationist. In other words, he was opposed to our involvement in European conflicts or affairs that did not directly concern the United States in the Western Hemisphere or our possessions in the Pacific. Once America's involvement was an accomplished fact, however, he gave his all in its promotion. Highlighting his numerous wartime activities was the organization and success of the 1943 Kansas United War Fund Campaign.

Denious's bipartisan support for the war effort did not detract from his opposition to the overall domestic program of the New Deal Democrats. His lifetime affiliation with the Republican party was based on the concept, rightly or wrongly, that America's free enterprise system could only be maintained through the limitation of central governmental controls, except where regulation was of vital necessity to the welfare of the people.

No other instance was more demonstrative of Denious's devotion to his friends than in the case of Will Zurbucken. Denious was obviously aware that his party as well as the Democrat party was not without their corrupt or dishonest members in governmental positions, but Denious's ability to judge the character of his close acquaintances made him equally aware that Will Zurbucken could not be so classified, and he apparently never doubted the integrity of his friend.

There would seem to be little doubt that much insight to a man's character, hopes, ambitions, and philosophy can be derived from a study of his personal and business correspondence which has been saved, over the years, for posterity. Although this study was necessarily limited in relation to the entire public service and state promotion activities of J. C. Denious, it has, hopefully, revealed that here was a man truly concerned and actively involved in the welfare and progress of the State of Kansas.

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