

# The Campaign In Colorado

By GEORGE J. KNAPP

WHEN I ran for Governor of Colorado in 1938, I polled 44,000 votes, although I spent only \$310 in that campaign. This year I spent \$785, and I am credited with only about 10,000 votes in the September primary election.

My failure to land the Democratic nomination for Governor is attributable to two causes:—(1) Election frauds; and (2) a sample ballot published by the *Denver Post* the day before the election and distributed all over the State, which deliberately gave the impression that I was forced out of the race by some legal disqualification. Thus, tens of thousands of voters were fooled into thinking they would be wasting their votes if they voted for me.

Both these causes hinge on one major cause:—My whole campaign was based on single-tax plans, and the political machine and the *Denver Post* were fully aware of the whole situation. They had every reason to fight me.

As for the first item—election frauds—the recent primary was the most corrupt this State has had in many years. This was shown by a court recount in the case of a contest over the Democratic nomination for District Attorney in Denver. In the course of this contest, 23 ballot boxes were opened in court, and it was found that as many as 40 votes were stolen from one candidate and counted for another in a single voting precinct. Two election officials have been made the subject of criminal complaints in connection with these frauds.

As for myself, I have not sufficient money to contest my own votes in court; but in the case that *was* contested the recount showed the losing candidate to be the winner.

The extent of the frauds may be judged from these facts:—Two years ago, when I almost succeeded in obtaining the Democratic nomination, I carried election districts X and Y by large majorities. This time I am supposed to have received but two or three votes in each of the 73 precincts, plus districts D and T. In addition, two years ago, I carried Arapahoe County handsomely. Arapahoe County adjoins Denver on the South. Upwards of 1000 voters had signed my petitions in Arapahoe County. They are all personal friends of mine, and enthusiastic for the things I stand for. Yet, on the face of the returns, I am credited with only 350 votes in that County.

Two years ago, after I had almost defeated Tellor Ammons, then Governor, for the nomination, some of the "machine" crowd told me, "We will be ready for you next



time, if you run again." Well, they *were ready* for me this time, as they have full control of the election machinery.

Corrupt as were these election frauds, the thing that did me the most harm was the *Denver Post* sample ballot, which was intended to give the impression—and succeeded in doing so—that I was out of the race; the impression that for some unstated legal reason I had been disqualified at the last moment. A section of the *Post's* sample primary ballot (published Monday, September 9, the day before the election) is reproduced herewith.

The specific point that gave the impression that I was disqualified was the use of the words "Not Qualified" after my name on the sample ballot.

In addition, the following headline and preface appeared above the sample ballot (*italics are mine*):

## BE SURE TO VOTE TUESDAY—HERE ARE MARKED BALLOTS TO HELP YOU

These marked ballots are published for the convenience of the voters in Tuesday's primary election. Cut out the ballot of your party and take it to the polls with you. It will help you in *eliminating the worst* and in selecting the best candidates. In publishing these marked ballots, the DENVER POST is not trying to tell anybody how to vote. It is merely passing on to the voters *the results of its investigation of the merits of the various candidates*. Few voters know personally all the candidates. Few have an opportunity to check up for themselves on all the candidates. As a public service, the Post has investigated carefully the candidates on both Democratic and Republican tickets. For the convenience of the voting public, the Post's conclusions are presented in the form of these marked ballots.

The Colorado State Constitution prescribes the qualifications for a candidate for Governor. I am fully qualified, according to these provisions, to occupy the office of Governor of Colorado. I am a native born citizen of the United States, am fifty-five years of age, and have lived in the State of Colorado a total of sixteen years, nine of which were immediately preceding the election.

Yet the *Post* singled me out as the one man among all the dozens of candidates for various offices on that sample ballot as being "not qualified." That fact, taken in connection with the use of the word "worst" in the heading of

the article, held me out to the world as being utterly degraded and contemptible, and as worthy of naught but scorn and ridicule. The *Post* was guilty of a false and malicious statement of fact. When they used the words "Not Qualified," without explanation of what impression they intended to convey, they perpetrated what is known in law as a *libel per se*.

The *Denver Post* has for forty years been the most notorious sheet in Colorado, and yet it has the largest circulation of any paper in the State. The paper was at one time described by the late Rev. F. O'Ryan as "a newspaper with the instincts of a hyena, the manners of a barroom, and the morals of Market Street." (At that time Market Street was the Denver red-light district.)

I was en route to Pueblo when this sample ballot was published, and knew nothing of it until I arrived at Pueblo about 9 P. M., the night before the election. It was then too late to do anything, even by radio, to counteract the mischief.

The effects of this trick can be imagined from the fact that, after the *Post* appeared with the sample ballot in it, my headquarters in Denver and Pueblo were besieged with telephone calls for hours from voters wanting to know "why Knapp has been disqualified." Tens of thousands of votes were probably lost because of this fraud.

However, aside from a libel suit against the *Post*—which I intend to undertake—there is nothing to be done about it. The *Post's* trick has affected my reputation to such an extent that it is imperative that I file an action. The prestige gained two years ago, when I lacked only a few votes of beating the "machine" in a single-handed campaign, was a valuable asset stolen from me on the eve of the last election.

Past Supreme Court decisions indicate that I have an A-1 basis for a libel action. After weeks of research, I have found a case that is admirably suited for the point I wish to make—that the *Post* publication was a libel per se. It is the case of *MacInnis v. The National Herald*, 140 Minn. 171; 167 NW 1, where the Supreme Court of Minnesota held: "A false written charge that a candidate . . . is not a citizen, when citizenship is a requisite of eligibility, is

*libelous per se*." The Court stated in its decision (italics mine): "No case holding this precise point is cited, but there is no need of one. The article assailed the legal right of the plaintiff to be a candidate." The Court further held that no matter how vague or ambiguous the charge might be, it is a libel per se.

But the campaign is over now, and "what's done cannot be undone." We must look forward to the future. It is of the utmost importance and I am greatly concerned about it. We must either achieve single-tax legislation in Colorado in 1942, or forget all about it, and count it as a lost cause, as far as this State is concerned.

Here is the reason for that:—Last summer, the ex-service men started to circulate a petition for an amendment to exempt property owned by ex-service men from taxation to the extent of \$2000 each. The exemption they proposed applied to land as well as improvements. I succeeded in dissuading them. Their proposed amendment was dropped. I told them that I would, in 1942, try to initiate a real amendment for tax exemp-

tions which would give them what they want, and also give the same exemptions to the people of the State generally. As stated, the ex-service men dropped their proposed amendment, and it was not on the ballot this Fall.

However, unless I submit an amendment in 1942, there is no doubt that these ex-service men will revive their amendment and have it on the ballot in 1942. If so, the exemptions they will provide for will be as stated, on land as well as improvements. You

can see what effect that will have on any later attempt by us to submit an amendment along our lines.

I am anxious during the next two years to organize the home-owners in all the larger cities of the State for an amendment to exempt *improvements*. I also want to organize the merchants for an exemption on stocks of merchandise.

The campaigns of 1938 and 1940 have left me very low in funds. I hope I will receive enough support from those who are interested in this plan to put it across. I want to impress all our friends with the fact stated above—that unless we submit an amendment in 1942, we may as well forget about the single-tax in Colorado for a long time.

**Sample Direct Primary Election Ballot**  
**DEMOCRATIC PARTY**

To vote for a person mark a cross (X) in the first square at the right of the name of the person for whom you desire to vote.  
To vote for another person whose name is not printed on the ballot, write name of such person in the blank space immediately following the printed names of candidates for such office. In no case shall name be written of candidates appearing on any other party ballot.

<p><b>FOR REPRESENTATIVE IN LXXVII CONGRESS 1ST CONGRESSIONAL DISTRICT</b> (Vote for One)</p> <p>LAWRENCE LEWIS <input checked="" type="checkbox"/></p>	<p><b>FOR STATE SENATOR 1ST SENATORIAL DISTRICT</b> (Vote for Four)</p> <p>A. B. HIRSHFIELD <input type="checkbox"/></p> <p>R. B. LATHIER <input type="checkbox"/></p> <p>JOSEPH F. CONSTANTINE <input checked="" type="checkbox"/></p> <p>SIEPHER B. WALK <input checked="" type="checkbox"/></p> <p>STUDSOCK BELL-SMITH <input checked="" type="checkbox"/></p> <p>VAL HIGGINS <input checked="" type="checkbox"/></p> <p>CHARLES D. STRONG <input type="checkbox"/></p>	<p><b>FOR DISTRICT JUDGE 2ND JUDICIAL DISTRICT (to fill vacancy)</b> (Vote for One)</p> <p>FLOYD F. MILLS <input checked="" type="checkbox"/></p>
<p><b>FOR JUSTICE OF THE SUPREME COURT</b> (Vote for One)</p> <p>BENJAMIN C. HILLIARD <input checked="" type="checkbox"/></p>	<p><b>FOR REPRESENTATIVE IN THE 3RD GENERAL ASSEMBLY, CITY AND COUNTY OF DENVER</b> (Vote for Fifteen)</p> <p>DONNIC A. COLGROSSO <input checked="" type="checkbox"/></p> <p>IRVING GREEN <input checked="" type="checkbox"/></p> <p>MICHAEL D. McDONALD <input checked="" type="checkbox"/></p> <p>CLEN CROWLEY <input checked="" type="checkbox"/></p> <p>GEORGE J. BAKA <input checked="" type="checkbox"/></p> <p>WILLIAM <input type="checkbox"/></p>	<p><b>FOR DISTRICT ATTORNEY, 2ND JUDICIAL DISTRICT</b> (Vote for One)</p> <p>RALPH J. CUMBRIDGE <input checked="" type="checkbox"/></p> <p>G. OTTO MOORE <input type="checkbox"/></p> <p>OSR D. BOWMAN <input type="checkbox"/></p>
<p><b>FOR GOVERNOR</b> (Vote for One)</p> <p>GEORGE E. RAUNDERS <b>BOTH QUALIFIED</b></p> <p>JOHN A. CARROLL <b>BOTH QUALIFIED</b></p> <p>GEORGE J. KNAPP <b>NOT QUALIFIED</b></p>	<p><b>FOR COUNTY JUDGE CITY AND COUNTY OF DENVER</b> (Vote for One)</p> <p>CHARLES EDGAR BERTERLING <input checked="" type="checkbox"/></p>	<p><b>FOR JUDGE OF THE JUVENILE COURT, CITY, AND COUNTY OF DENVER</b> (Vote for One)</p> <p>PHILIP B. GILLIAM <input type="checkbox"/></p>

SECRETARY OF STATE  
One

FROM THE DENVER POST  
MONDAY, SEPT. 9, 1940