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Colorless Primaries: Tampa's White Municipal Party

by Pam Iorio

The oppression of southern blacks in the late nineteenth and early twentieth century came to be known as the age of Jim Crow. Freedoms wrung from the battlefields of the Civil War, and expanded during Reconstruction, were stripped away with oppressive measures designed to assert white supremacy. The right of suffrage was quashed with a vengeance. Black men and some black women who had voted during Reconstruction, and had even held public office, were divested of this right by acts that ranged from stark intimidation and violence to implementation of exclusive primaries, literacy tests, and poll taxes.¹

In Florida, as throughout the South, the Democratic Party ruled supreme. In 1902, the state Democratic Party announced that its membership was limited to whites only; thus, black voters were relegated to the Republican Party, whose impact on Florida politics was inconsequential.² African Americans, however, could still wield influence in non-partisan municipal elections throughout the state. In the city of Tampa, on the west coast of Florida, civic

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1. For background on the Jim Crow South and the Reconstruction period, see C. Vann Woodward, *The Strange Career of Jim Crow* (New York, 1966). For urban black life between 1865 to 1890, see Howard N. Rabinowitz, *Race Relations in the Urban South, 1865-1890* (New York, 1978). Florida politics during Reconstruction is the focus in Canter Brown Jr., *Ossian Bingley Hart: Florida's Loyalist Reconstruction Governor* (Baton Rouge, La., 1997).
2. Steven F. Lawson, *Black Ballots: Voting Rights in the South, 1944-1969* (New York, 1976), 24-25; H. D. Price, *The Negro and Southern Politics* (New York, 1957), 18.

leaders in the early 1900s sought to exclude blacks from voting in the non-partisan city elections by creating a political party and primary system designed for whites only. In 1908, the White Municipal Party was created, and it dominated city politics for nearly half a century. This is the story of Tampa's White Municipal Party and the legacy of discrimination in one southern city.

At the turn of the twentieth century, Tampa was a growing city of sixteen thousand with another twenty thousand residents in the unincorporated part of Hillsborough County, which included a portion of what is present-day Pinellas County. With a brisk port trade, railroad lines, and a booming cigar industry that provided jobs for a vibrant Latin community, Tampa was poised to become a center of commerce for the state. Yet the sparkling beauty of Tampa Bay and the spiraling grandeur of railroad magnate H. B. Plant's Tampa Bay Hotel was juxtaposed against vast expanses of dreary sand flats and unpainted frame structures that passed as the business district. Infrastructure was slow in coming to Tampa, due to anti-tax sentiment of politically active property owners who, in the 1870s, prevailed in the temporary abolition of the municipal government rather than risk paying municipal taxes.³

In 1908, one of the men at the center of this "bubbling melting pot of Anglo boosterism and Latin hope" was Donald Brenham McKay, grandson of one of Tampa's first pioneers.⁴ McKay's grandfather was Captain James McKay who came to Tampa in 1846, making his home in a log house in the center of an unplatted town. Captain McKay established himself as a successful entrepreneur, starting Tampa's first sawmill, opening a general store, operating a shipping company, and dabbling in the cattle business. He was also a pivotal force in Tampa's political life, becoming mayor in 1859. Two of Captain McKay's sons carried on the political tradition by serving in public office. James McKay Jr. served as Mayor from 1902 to 1904, and John A. McKay, the father of D. B. McKay, served in the Confederate Army and later became a Hillsborough County Commissioner.

3. Karl H. Grismer, *A History of the City of Tampa and the Tampa Bay Region of Florida* (St. Petersburg, Fla., 1950), 212-214; Curtis W. Welch, *Tampa's Elected Officials: A Narrative Chronology of Municipal Elections and Tampa's Elected Officials from 1849 to 1886* (Tampa, Fla., 1997), 14-15.

4. Bentley Orrick and Harry L. Crumpacker, *The Tampa Tribune: A Century of Florida Journalism* (Tampa, Fla., 1998), 39.



D. B. McKay dominated Tampa politics for the first half of the twentieth century. A key organizer in the formation of the White Municipal Party in 1908, he also became the first mayor elected under the new primary system in 1910. *Courtesy of the Florida State Archives, Tallahassee.*

D. B. McKay was part of pioneer Florida, and his 1900 marriage to Aurora Gutierrez, daughter of a cigar industry leader, Gavino Gutierrez, broadened his civic and social ties to include part of the Latin community. Born in 1868, McKay was a young boy during Tampa's Reconstruction period, but his family's involvement in the ever-changing politics of this new town must have shaped his worldview. He was industrious, hard-working, and imbued with leadership qualities that would serve him well throughout his life. McKay went to work at age fourteen at the *Tampa Tribune*, taking on the lowest of jobs. Eventually he would own the *Tampa Daily Times*.⁵

Reconstruction had been a painful time for the pioneer white families of Tampa whose loyalty to the Democratic Party placed them squarely on the outs with Republican office holders of the time. During Reconstruction, two blacks served on the Tampa City Council. The first was Charles Cyrus elected in 1869, and the second was Henry Brumick elected in 1876, the last year of Reconstruction in Florida. Five blacks held office as County Commissioners in Hillsborough County from 1868 to 1873.⁶ Tampa historian Karl Grismer opined in 1950 that Tampa, in the post-Civil War era was "afflicted" with "wandering, rampaging Negroes," whose very behavior and presence so offended the white population that a city government was formed in 1866 to aid in law enforcement efforts. Because the white population outnumbered the black by a margin of five to one, Grismer recalls that the white residents did not have to "suffer" too much during the days of Military Reconstruction that lasted from 1867 to 1876. "Two companies of Negro soldiers were stationed for a short time at Fort Brooke," Grismer writes, "but when they became overbearing and

5. Leland Hawes, "Capt. McKay," *Tampa Tribune* 19 November 1983. McKay first started at the *Tampa Tribune*, which later consolidated with the *Tampa Journal* to form the *Tampa Daily Times*, and later the *Tampa Times*; Ernest L. Robinson, *History of Hillsborough County Florida Narrative and Biographical* (Saint Augustine, Fla., 1928), 329-331.

6. Canter Brown Jr., *Florida's Black Public Officials, 1867-1924* (Tuscaloosa, Ala., 1998), 162. Florida was the third southern state to join the Confederacy. After the end of the Civil War, the state was economically devastated, with an empty treasury and a bill due to the federal government for over \$77,000. Under the federal Military Reconstruction Act, passed in 1867, Florida's Reconstruction was overseen by federal troops that included black soldiers. Military Reconstruction ended in 1876, and a year later, Democrats gained control of the state government; David R. Colburn and Lance deHaven-Smith, *Government in the Sunshine State: Florida Since Statehood* (Gainesville, Fla., 1999), 7-12.

white citizens complained, they were quickly withdrawn and replaced by white troops."⁷

Even after Reconstruction, city election results could be unpredictable. In 1887, the year that Tampa's modern city charter was enacted, a black was elected to the City Council. Backed by the Knights of Labor, black carpenter and merchant Joseph A. Walker became the first black on Tampa's council since Reconstruction.⁸ The Knights of Labor developed into a potent political force for blacks in 1886 and 1887, helping to elect African Americans to city councils throughout the state and to the state legislature. But their success at the polls created opposition among whites, both Republican and Democratic. White Republicans formed exclusionary "Lily White" clubs across the state, including one in Tampa in 1888. Democrats, who controlled state politics, adopted legislative measures to suppress the black vote. In 1889, the Florida legislature enacted a poll tax.⁹

The issue of race is essential to understanding the political world of D. B. McKay in 1908. Tampa was a southern city; in 1905, Jim Crow came to town with segregated streetcars.¹⁰ In 1905, the voting age population of blacks for the city of Tampa was 3,122, compared to a white voting age population of 11,761.¹¹ White leaders such as McKay, saw the black vote as unpredictable, corruptible, and unstable. In 1902, the Florida Democratic Party eliminated the black vote from most elections by limiting its membership to whites.¹² While blacks could still vote in the general election, Florida was essentially a one-party state, and victory in the Democratic Party was tantamount to election.

Historian Leon Litwick describes in vivid and stark terms the Jim Crow South between 1890 and 1915. He wrote of the era of

7. Grismer, *A History of the City of Tampa*, 154-55. Fort Brooke was annexed into the city of Tampa in 1905, but during Reconstruction, it was a small town adjacent to the City of Tampa.

8. Canter Brown Jr., "Prelude to the Poll Tax: Black Republicans and the Knights of Labor in 1880s Florida," in *Florida's Heritage of Diversity Essays in Honor of Samuel Proctor*, ed. Mark I. Greenberg, William Warren Rogers, and Canter Brown Jr. (Tallahassee, Fla., 1997), 78.

9. Brown, *Black Public Officials*, 60-63.

10. Tony Pizzo, "Gleanings of Black Life in Tampa 1513-1993," *Sunland Tribune*, 19 November 1993.

11. *Third Census of the State of Florida Taken in the Year 1905* (Tallahassee, Fla., 1906), 67.

12. Price, *Negro and Politics*, 18. See also W. T. Cash, *History of the Democratic Party in Florida* (Tallahassee, Fla., 1936).

white supremacy when whites sought to elevate their own status by diminishing the status of blacks. "As an inferior," Litwick observes, "the Negro was expected to keep to his prescribed place in southern society." The idea of blacks voting put them on an equal footing with whites, an intolerable idea to white southern society. Thus, access to the polling place became the battleground for the harshest blows to black freedom. White politicians understood that if you "Shut the door of political equality . . . you close the door of social equality." The methods used to disenfranchise blacks were varied across the South; they included literacy tests, poll taxes, white-only primaries and outright violence. Regardless of the method, the outcome was clear: "to invest permanently the powers of government in the hands of the people who ought to have them—the white people."¹³

Tampa's power structure reflected the white southern paradigm of civic leadership, "a relative handful of economically powerful white people" who maintained control "by excluding from the political process all except others similar to themselves."¹⁴ The exclusion of blacks from the Democratic Party allowed white Democrats to field candidates and conduct elections without concern of the black vote. Municipal elections, however, were another matter, for they were conducted on a non-partisan basis, and blacks could still participate. The solution to this problem was premised on "reform," the idea that the black was a "controlled vote" that tainted the city's elections. This argument was not unique to Tampa because throughout the South some whites justified voting restrictions as a way to purify the voting system. By taking the "Negro" out of politics, there were fewer eligible voters and one less "special interest" group that could be induced to voting for one side or another.¹⁵ In 1912, J. J. Lunsford, a politically active Tampa citizen, recalled the efforts to establish a white-only primary in Florida, including the city of Tampa, by conjuring up the image of a controlled black vote. "When election came around I saw my candidate roll up a majority . . . of the white element, but I saw the gamblers and the corporations who were trying to control the town for their

13. Leon F. Litwick, *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York, 1998), 218-224.

14. John Egerton, *Speak Now Against the Day: The Generation Before the Civil Rights Movement in the South* (Chapel Hill, N.C., 1994), 217.

15. Litwick, *Trouble in Mind*, 227.

own ends, roll up their big majority among the purchasable negro vote and all our work went for naught." In fact, Lunsford recalled that in 1908, "white men could not get into city hall to vote on election day because of the hordes of negroes who were being run in there by that element of the whites which was willing to debauch the negro."¹⁶

Fearing future elections controlled by the "purchasable negro vote," a group of men led by D. B. McKay met and organized the White Municipal Party on August 13, 1908. The goal of the Party as reported in the newspaper was to "prevent the future operation of the Negro vote as a balance of power in municipal elections. The organization then adjourned until the approach of the next municipal campaign when it proposed to bring about a white primary for the selection of municipal officers."¹⁷ From that beginning, a primary system for Tampa city elections was designed with the White Municipal Party as the only participating party. By December 1909, Chairman McKay presided over a "well attended" meeting of the Party. McKay had put to rest allegations that the party had been created simply to further the candidacies of certain individuals. He and Party Secretary A. C. Harllee produced a resolution that made the group's intent very clear: "securin unity and co-operation of the white voters of the City of Tampa by means of a primary election where-by the influence of the colored vote shall be entirely eliminated."¹⁸

The newly formed White Municipal Party had no difficulty inserting itself into the formal apparatus of city government. Though the primary system was new to Tampa city politics, records from city council meetings of that era do not indicate a single instance of debate among its members about this new concept. Rather, the first mention of the existence of the party occurred on March 8, 1910 when the City Council approved an ordinance "requiring the City Clerk to open the registration books in his office in the City of

16. *Tampa Daily Times*, 3 April 1912.

17. *Tampa Morning Tribune*, 1 January 1909. Another key player in the formation of the party was Harry (H. P.) Baya, who claimed that the idea for the party emerged from a dinner meeting at Garcia's restaurant, a well-known Spanish eatery located in Ybor City; *Tampa Daily Times*, 27 March 1912. See also James W. Covington and Debbie Lee Wavering, *The Mayors of Tampa: A Brief Administrative History* (Tampa, Fla., 1986), 51. Other early organizers of the party included P. G. Wall, A. C. Harllee, and W. H. M. Boehning; *City Council Petition Book*, #3227, Archives and Record Service, Tampa, Fla.

18. *Tampa Morning Tribune*, 3 December 1909.

Tampa fifteen days prior to any white municipal primary election held in said city for the purpose of registering voters."¹⁹ From this point forward, the business of the Tampa city council and the White Municipal Party became one. The Party would routinely submit to the council the list of people qualified to run for office in the primary election; the city council would allow the party to utilize the city's registration books, polling places, and any other equipment needed to conduct the election.

The election of 1910 was the first test of the new party apparatus. There were three men running for mayor in the primary—W. H. Frecker, J. N. Holmes, and D. B. McKay. Voter registration was brisk for this first election, with five thousand white voters registered. Registrants not only had to register to vote with city clerk W. A. Johnson but also had to fill out a pledge card indicating a desire to join the White Municipal Party.²⁰ The *Tampa Morning Tribune* editorialized that the new primary system represented a refreshing change: "For the first time in the history of Tampa, candidates for office have not found it necessary to go down into the dives of the 'Scrub' to hobnob with the festive colored brother on his own ground, to 'fight the devil with fire' by resorting to money, used in the most shameful way, as a means of securing the bulk of the negro vote." This election would be "an honest, free and full expression of the white electorate of the city and, as such, it will come nearer representing the actual desires of the people of Tampa than any municipal election ever held here."²¹

With sixty-eight candidates running for various offices in city government, and with a lively three man race for mayor, the election generated boisterous rallies up until the April 5 election day. The executive committee of the White Municipal Party was clearly in control of election procedures and organization, spelling out voter registration requirements to the public and warning that fraudulent voting would be dealt with swiftly by law enforcement officials. Secretary Harlee of the White Municipal Party warned that the group had "a line" on twenty-four men from West Tampa who registered to vote, but would be arrested if they tried to vote in

19. *City Council Minute Book* (1910), Ordinance # 511, 356, Archives and Records Service, Tampa, Fla.

20. *Tampa Morning Tribune*, 4 April, 5 April 1910.

21. *Ibid.*, 5 April 1910. "Scrub" was a term used for an area of Tampa where the majority of the black population lived.



The dreary living conditions of the "Scrub," an area of Tampa where the majority of the black population lived, were evident in this 1927 photograph. *The Raper Report*, Tampa Bay History Center, Tampa, Fla.

the primary election. When the results were counted late on election night, McKay and Frecker found themselves in a run-off to be conducted on April 26, 1910.²²

With the race whittled down to two men, the election became bitter with the *Tampa Morning Tribune* calling it "one of the hardest fought municipal campaigns ever known in Tampa." On Election Day, D. B. McKay edged past Frecker by a margin of 136 votes out of 3,592 cast.²³

The election was not only a political victory for McKay, but also for the White Municipal Party and the primary system. The first election under this new system was deemed a success by the newspapers and the officials of the party. The *Tampa Morning Tribune*, while pleased with the exclusion of African Americans from the election, still fretted about the problem of the "ignorant and purchasable white vote." Though the general election for the city was scheduled for June, and blacks could vote in that election, it was generally accepted that the likelihood of someone running and

22. Ibid., 5 April, 7 April 1910.

23. Ibid., 25 April, 27 April 1910.

winning as an independent was remote. Party Secretary Harlee called the election an "unqualified success" and predicted that anyone who attempted to run as an independent "would meet with the disapprobation of the majority of the citizens." Harlee was optimistic of the future of the new primary system. "As long as the present system of city government continues," Harlee remarked, "the white primary will be a permanent thing in Tampa." In this festive spirit of victory, the Executive Committee of the White Municipal Party hosted a post-election dinner in Ybor City to turn over the reins of the party to the newly elected committee. Party Chairman Perry G. Wall provided a "sumptuous banquet" and a pat on the back to the initial organizers of the party whom had "started something, which will be a permanent factor in Tampa's history as an agency working for public good and betterment in the city's governmental affairs."²⁴

D. B. McKay's influence on Tampa City politics spanned much of the first half of the twentieth century. He served as mayor until 1920. In 1928, he again became mayor, serving until 1931. Four years later, he again ran for office, losing his final bid for mayor against Robert E. Lee Chancey in a wildly fraudulent election that required the presence of the National Guard to restore order. When McKay died in 1960, he was remembered for his numerous accomplishments and honors. In none of the tributes or obituaries for McKay is there a mention of the White Municipal Party.²⁵

It was not until 1931 that the party was codified in state law. Spearheaded by State Senator Pat Whitaker from Tampa, the Florida legislature passed a Special Act that created an elected Election Board for Tampa that would be responsible for the conduct and oversight of all city elections. It also formally established the primary system that the city had been operating under since 1910. Perhaps most significantly, it defined political parties for Tampa. In order for a political party to be recognized in Tampa, the party had to have a candidate for mayor that had received at least 25 percent of the vote in the previous election. Since the White Municipal

24. *Ibid.*, 27 April, 28 April, 30 April 1910. The first elected party committee members were J. S. Jones, A. C. Harlee, E. H. Baker, I. B. Miller, W. T. Kennedy, John Grinaldi, J. F. Stubbs, Harry Burke, W. H. M. Boehning, J. W. Dyke, G. E. Mabry, S. C. McConnell, J. M. McDonald, and B. F. Waters.

25. *Tampa Tribune*, 8 September 1960; "Resolution on the Death of Donald Brenham McKay 1868-1960," n.d., Records of the Hillsborough County Historical Commission, Tampa Bay History Center, Tampa, Fla.

Party was the only operating party that had fielded candidates for mayor since 1910, this definition established it as the only political party. The Act went even further, naming the White Municipal Party and its relationship to the election board. The party had a duty to nominate candidates for all city elective offices, remit the qualifying fees into the general fund of the city, and certify the names of the candidates who would appear on the ballot.²⁶ What had been an election system born of custom and acquiescence on the part of city of Tampa officials, was now codified into state law thus ensuring its continued viability.

With blacks shut out of the Democratic primaries and the city primaries, it seemed unlikely that any white politician would be concerned about the presence of black voters at the polls. But in a 1934 radio address, Senator Pat Whitaker took aim at the Hillsborough county supervisor of registration, John Dekle, charging that "Negroes are being registered as democrats so they may vote in the approaching June primary." Dekle's response reflects the dreary state of electoral affairs for blacks when he said, "Under the law, such Negroes cannot vote in a white Democratic primary even though they register as Democrats. As a matter of fact, however, there are very few Negroes registered in Hillsborough County. You may, however, rest assured that to date a Negro registration of possibly 100 out of 33,000 is no great cause for alarm."²⁷ In 1934, this exclusionary primary system, on both the state and local level, appeared ironclad. The next decade however, would bring change.

For the National Association for the Advancement of Colored People (NAACP), the road to the abolition of the white primary was long. During the 1930s, the state of Texas provided the legal battleground for court cases that challenged the exclusive primaries. Victory was hard to come by. The NAACP argued that since the primaries were tantamount to election, they were in fact quasi-governmental functions and thus, could not be exclusionary. The courts saw otherwise. Disappointed by defeat in the 1934 case of

26. *Special Acts Adopted by the Legislature of Florida* (1931), Vol. II, Pt. II, 1774-1786. Senator Pat Whitaker was considered a "political boss" of Tampa from the late 1920s to the early 1940s. The centerpiece of the 1931 legislation was the creation of an election board to conduct Tampa elections, and the move was generally considered to be an attempt by Whitaker to control elections through a corrupt board; Leland Hawes, interview with author, 2 November 1999, Tampa, Fla.

27. *Tampa Morning Tribune*, 28 April 1934.

Nixon v. Condor and the 1935 opinion in *Grovey v. Townsend*, the NAACP re-grouped and shored up their financial and legal resources for yet another challenge. In 1940, Thurgood Marshall, a young attorney from Baltimore, became special counsel to the NAACP. Thrust into a national role of real influence, Marshall devised a legal agenda for the NAACP. At the top of his list was the elimination of the white primary.²⁸

Smith v. Allwright became the test case that Marshall was confident would reach the Supreme Court and that ultimately reversed the court's thinking in the *Grovey* decision. Lonnie Smith was a Houston dentist who had been denied the right to vote in the Democratic primary by election judge S. E. Allwright. Marshall's legal strategy was carefully considered and painstakingly researched. It was with some annoyance, then, that the overworked Marshall responded to correspondence he received from E. Norman Lacey of Tampa, asking that he look into the legality of the White Municipal Party.

In July of 1941, three members of the Tampa chapter of the NAACP, E. Norman Lacey, Dan H. Malloy, and Mathew Gregory attempted to register to vote as members of the White Municipal Party. They were rebuffed. Aided by a white Tampa attorney, E. L. Bryan, the three petitioned the Circuit Court for admission to the party, maintaining that, "No Party can restrict anyone from registering and voting because of race, if he is otherwise qualified."²⁹ Attorney Bryan wrote to Marshall presenting the facts of the case. Bryan argued that the conduct of the primary election was clearly a municipal function. He noted that the city Board of Elections required candidates to pay a qualifying fee, which was then deposited into the general fund of the city, not into the coffers of the White Municipal Party. Since the city then paid for the cost of the election, the election became a municipal function, not a party function. Though defeated in Circuit Court on this issue, Bryan was confident that "the Supreme Court will agree with us."³⁰ One of the plaintiffs, Norman Lacey, also wrote to the NAACP asking for ad-

28. Lawson, *Black Ballots*, 38.

29. *Tampa Daily Times*, 18 July 1941.

30. E. L. Bryan to Thurgood Marshall, 26 July 26 1941, in *Papers of the NAACP, Part 8: Discrimination in the Criminal Justice System, 1910-1955*, ed. John H. Bracey, Jr. and August Meier (Bethesda, Md., 1988), microfilm, reel 7, doc. 146.

vice on the case. The "Negroes here are tired," wrote Lacey, "and have demanded that we do something about it."³¹

Tampa's black community was changing. Franklin Roosevelt's New Deal had brought greater educational opportunities and better housing for blacks. The opening of the Clara Frye Municipal Negro Hospital in 1940 greatly improved the quality of health care available to African Americans.³² World War II also brought change. Black soldiers stationed at MacDill Air Force base in Tampa occasionally clashed with Tampa police, and in 1944, one clash became a full-scale riot. The black newspaper at the time, the *Tampa Bulletin*, wondered when "a minority group would be protected instead of being subjected to terrorism." At the war's end, African Americans emerged "with a tempered resolve never again to accept discrimination without protest."³³ Norman Lacey, who tried to register in the White Municipal Party was a janitor, as was another active black, H. H. Hudson. Lacey's lack of a formal education and economic status did not deter him from aggressively pursuing his right to vote.³⁴

Thurgood Marshall addressed Lacey's concerns about the interest of the national NAACP in a lengthy letter in December 1941. Pointing out that "A great part of this battle for our rights depends upon strategy and timing of cases," Marshall urged Lacey to consider the possible impact to the NAACP's big picture legal strategy if each of the 410 branches expended resources on individual legal cases. He "urge[d] all of our branches to await the outcome of the new Texas primary case, which we believe will be the opening wedge to break up the white primary throughout the south, including Tampa, Florida."³⁵ Tampa's White Municipal Party, then, would not become a national test case, and blacks in Tampa and elsewhere across the South could only wait.

31. E. Norman Lacey to Mr. White, 18 July 1941, in Bradley and Meier, eds., *Papers of the NAACP, Part 8*, reel 7, doc. 141.

32. The Don Thompson Vocational School opened in the early 1940s and provided day and night classes for black men. The North Boulevard Housing Project was completed in 1940; Rowena Ferrell Brady, *Things Remembered: An Album of African Americans in Tampa* (Tampa, Fla., 1997), 100-1.

33. Gary Mormino, "GI Joe Meets Jim Crow: Racial Violence and Reform in World War II Florida," *Florida Historical Quarterly* 73 (July 1994): 23-41.

34. Harold and Doris Reddick, interview with author, 30 November 1999, Tampa, Fla.

35. Thurgood Marshall to E. Norman Lacey, 18 December 1941, in Bradley and Meier, eds., *Papers of the NAACP, Part 8*, reel 7, doc. 201.

The focus on the "Texas case" proceeded, and in the fall of 1943, Marshall, accompanied by his former Howard University law professor Bill Hastie, argued the case before the United States Supreme Court.³⁶ Victory for the NAACP and for blacks throughout the South came on April 3, 1944. The Supreme Court, in an eight-to-one decision found that the primary was indeed a quasi-governmental function, "the recognition of the place of the primary in the electoral scheme makes clear that state delegation to a party of power to fix the qualifications of primary elections is delegation of a state function that may make the party's action the action of the state."³⁷ Party primaries never were private affairs, but in the Jim Crow South, they passed for that for nearly half a century.

Thurgood Marshall had numerous judicial victories during his career, the most famous being the 1954 *Brown v. Board of Education* decision that began the dismantling of segregation in public schools. But near the end of his life, as he reflected on his life's work, Marshall called the *Smith* decision "the greatest one" of his career.³⁸ The impact of the decision on the Civil Rights movement was seismographic. It was, in the words of one black activist, a "complete revolution in our thinking on the right of suffrage."³⁹ The decision heralded "the return of the southern Negro to politics," and thus the political landscape was forever altered.⁴⁰ For whites, exclusionary primaries were a perfect foil to black participation. Whites maintained that they were not denying blacks the right to vote since they could participate in general elections, even though those general elections were meaningless. An appearance of inclusion could exist when, in fact, there was no inclusion at all. Violence, or even intimidation need not have been the club that prevented blacks from participation; it was the *system* that prevented their inclusion, the system, of course, designed and implemented by whites. And who could blacks look to in order to change this system? In Tampa, they could not appeal to city government, because city government was the White Municipal Party. They

36. Juan Williams, *Thurgood Marshall: American Revolutionary* (New York, 1998), 111.

37. *Smith v. Alwright*, (1943), 321 U.S. 649.

38. Williams, *Thurgood Marshall*, 112.

39. Patricia Sullivan, *Days of Hope: Race and Democracy in the New Deal Era* (Chapel Hill, N.C., 1996), 149.

40. Robert Howard Ackerman, "The Triumph of Moderation in Florida Thought and Politics: A Study of the Race Issue from 1954-1960" (Ph.D. Diss., American University, 1967), 25.

could not look to the state legislature, because it was the Democratic Party. They could not look to Washington because of the hold that southern Democrats had on the national Democratic Party.⁴¹ Their only hope rested with the courts, and there it was a slow and arduous process since the view of the lower courts often mirrored that of local communities. In the end, a Supreme Court, dominated by Franklin Roosevelt's appointees, saw the issue in the light of fairness and reason. Politics in the South would never be the same.

The Supreme Court may have spoken, but local election officials could be hard of hearing. In Hillsborough County, Supervisor of Registration John Dekle was in no hurry to register blacks as Democrats. One month after the court decision, some blacks attempted to register in the Democratic primary but were denied that opportunity. "Negroes will not be allowed to vote as democrats," said Dekle, insisting that the Texas decision did not affect Florida.⁴² One year later, Dekle was still unmoved by court decisions, even though a Florida circuit court judge in Pensacola ruled favorably that two Florida blacks had the right to register and vote as Democrats. Dekle was sticking to the status quo. When blacks came into the courthouse to register he said, "We didn't ask them about their affiliation. We just registered them as republicans."⁴³ At the *Tampa Tribune*, editor Ed Lambright believed that despite the *Smith* decision, the primaries would not change. "It is doubtful," he wrote, "if any Negro in Hillsborough county and very few in the state will so qualify, so the primaries will continue to be, in fact though not in theory, white primaries."⁴⁴

When city elections were held in 1945, blacks still could not register with the White Municipal Party. That year saw another significant structural change to city government that would affect African American voting power for many years to come. A change to the Tampa City Charter in July 1945 would have the Board of Representatives (City Council) elected on a city-wide basis, not by wards. For the editors of the *Tampa Morning Tribune*, this was a pos-

41. White conservative southern Democrats controlled the party's civil rights agenda in Congress. Holding key leadership positions in Congress, this faction of the Democratic Party posed a political dilemma for presidents from Roosevelt to Johnson.

42. *Tampa Daily Times*, 2 May 1944.

43. *Ibid.*, 14 June 1945.

44. Orrick and Crumpacker, *The Tampa Tribune*, 218.

itive piece of reform for it would "eradicate pernicious ward politics."⁴⁵ The *Tribune* fought hard for the change, perceiving it to be necessary to end the corrupt ward politics of city government. The change was also designed to diminish the influence of the Latin vote. But the change would also adversely affect another bloc of voters, who still had little chance of exercising their franchise in a city primary. Once African Americans could vote in city primary elections, they would now be faced with an at-large system of voting that could negate their strength as a voting bloc. Any possibility that black voters might actually elect a black to the City Council was unthinkable.

Though the actual number of blacks registering to vote for the 1945 charter election was small, the *Tribune* wrote "at times there were two or three times as many Negroes as white persons in line to register at the election board offices."⁴⁶ This reporting may have been intended to alarm whites to vote for this charter change, and if so, it worked. The referendum passed by a vote of 11,588 to 5,971.⁴⁷ The facts, however, belie the notion that blacks were registering in any great numbers in 1945. In that year, 841 blacks registered (representing three percent of the total number of registered voters). The *Smith* decision notwithstanding, African Americans could *not* register with the White Party and could only vote in the general election. There were no contested races on the ballot in the general election.⁴⁸ Thus, as blacks inched closer to participation in city primary elections, this change in governance diminished the possible influence African Americans could wield at the polls. In fact, it was not until thirty-eight years later in 1983, when an African American, Perry Harvey Jr., won a seat on Tampa's City Council.⁴⁹

The state legislature also tried to circumvent the *Smith* decision when, during the 1945 session, State Senators John Mathews and

45. *Tampa Morning Tribune*, 24 August 1945.

46. *Tampa Tribune*, 17 July 1945. Blacks could vote in this charter election since it was not a primary election.

47. Election results, 31 July 1945, Hillsborough County Supervisor of Elections Office, Tampa, Fla.

48. Registration Statistics, September 1945, Hillsborough County Supervisor of Elections Office. The voting age population of blacks in Hillsborough County in 1945 was 22,992; Allen Morris, *The Florida Handbook, 1949-1950* (Tallahassee, Fla., 1949), 222.

49. Election Results, March 1983, Hillsborough County Supervisor of Elections Office.

G. Warren Sanchez introduced a White Primary Bill designed to make primaries private, party functions. But legislators were wary of turning the primary system over to private hands with the possibility of fraud dominating elections. Thus, the bill never made it out of the senate committee.⁵⁰ A poll conducted by the Associated Press found little support among Florida lawmakers for a white primary in Florida. The *Florida Sentinel Bulletin*, Tampa's African American newspaper, applauded this progress, declaring that "the sun shines brighter down here—there is more enlightenment in the hinterland."⁵¹

Florida's secretary of state, R. A. Gray, issued a directive in late 1945 that, in light of recent court decisions, blacks should be allowed to register in any party and vote in primary elections.⁵² The *Smith* decision had been bolstered by the Florida State Supreme Court in July 1945. In *Davis v. State ex. Rel. Cromwell*, a black man named Cromwell from Pensacola had been prevented from registering as a Democrat. The justices affirmed Cromwell's right to register in the Democratic Party, leading the Florida Attorney General to remark that, "If our Florida politics get so low that the Negro can control it, he ought to control it."⁵³ The 1946 statewide elections then would be the first opportunity since the turn of the century for blacks to cast their vote in the Democratic primary. For blacks in Tampa, their time came in 1947, the next elections. They had waited thirty-seven years to vote in a Tampa election primary.

Forty thousand blacks lived in Tampa in 1947. Living conditions among many blacks, as described by the black-owned newspaper the *Florida Sentinel Bulletin*, were deplorable. Editor Blythe Andrews Sr. laid the blame squarely on the existence of the White Municipal Party, which had removed any political clout from the black community. "That thing [the White Municipal Party] is what keeps our streets unpaved, keeps us living in unsanitary conditions, prevents us from getting adequate playgrounds and park facilities. It is plain that the man who helps to elect somebody is going to be taken care of, and the other fellow will simply get the crumbs."⁵⁴ In

50. Gary Mormino, "History of Methods of Election and Disenfranchising Devices," unpublished manuscript, 40-41, in author's possession.

51. *Florida Sentinel Bulletin*, 17 May 1947.

52. *Tampa Daily Times*, 10 January 1946.

53. Mormino, "History of Disenfranchising," 39-40.

54. *Florida Sentinel Bulletin*, 24 May 1947.



C. Blythe Andrews Sr., shown here in 1936 as an officer with the black-owned Central Life Insurance Company, was the publisher of the *Florida Sentinel Bulletin*. Andrews decried African American living conditions and a political system that "keeps our streets unpaved, keeps us living in unsanitary conditions." *Courtesy of the Tampa-Hillsborough County Library System.*

the mayoral and city council races of 1947, African Americans were finally going to help elect somebody.

The first election in 1947, however, was to be an annexation election, slated for August, a month before the September city primary. The annexation would dramatically increase the size of the city of Tampa and required the approval of both city and suburban voters in order to pass.⁵⁵ The county and the city maintained separate voter rolls, and in order for county residents to vote in this annexation election they had to register with the only party in the city of Tampa: the White Municipal Party.

Yes, blacks could now register and vote in city election primaries, but they had to do so under the auspices of the party that had denied them participation for so long. Under state law, only politi-

55. The annexation vote failed. Though it carried four to one in the city, it failed in the suburbs by a three-to-one margin; *Tampa Daily Times*, 6 August 1947.

cal parties that polled at least 25 percent of the vote cast for mayor in the last regular election could participate in a city primary. Since the White Municipal Party was the sole party in existence for the 1943 election, it was the only party of choice for 1947. The *Tampa Daily Times*, apparently concerned that county residents would be unwilling to switch from a Democratic affiliation to the White Municipal Party in order to vote in the annexation election, editorialized about this temporary switch in party registration as just a "formal procedure." Acknowledging that the White Party was created "to prevent Negroes from participating in the principal city elections, the primaries," it urged the legislature to amend State law to allow city voters to participate as Democrats and Republicans in the future.⁵⁶

Thirty-six blacks took the first, historic step of joining the White Municipal Party on June 24 and 25, 1947. A black organization called the 20th Century Club placed posters around the city that stated: "Wanted!! 20,000 Negroes to become registered voters in the city of Tampa."⁵⁷ When the registration books closed for the September 2 election, the black community had fallen quite short of its goal. Only 3,865 blacks had registered to vote; another 619 blacks registered, but not as members of the White Municipal Party, thus they could only vote in the general election. With a total city registration standing at 32,691, these nearly 5,000 black registrants represented 15 percent of the registered voters in Tampa.⁵⁸

The mayoral race in 1947 pitted incumbent Mayor Curtis Hixon against challengers Don V. Giunta and George T. Taylor. Hixon handily beat his two opponents garnering 13,398 votes, with Taylor receiving 7,125 and Giunta only 1,830.⁵⁹ It was estimated that 3,000 black voters cast ballots in this election, representing a 78 percent turnout of those blacks registered with the white party.⁶⁰ The African American press expressed pleasure over the Hixon victory saying that he was "the favorite of Negro voters." The *Bulletin* called the conduct of the black voters "commendable." The goals of the black community were limited to civic improvements, com-

56. *Ibid.*, 24 June 1947.

57. *Tampa Morning Tribune*, 27 June 1947.

58. Registration Statistics, 2 September 1947, Hillsborough County Supervisor of Elections Office.

59. Election Results, 2 September 1947, Hillsborough County Supervisor of Elections Office.

60. *Tampa Daily Times*, 3 September 1947.

mented the *Bulletin*, but in the future their goals "will increase over time as the years move on. Negroes must let the politicians know that we expect and must receive the same consideration as any other voter."⁶¹

Headlines after the September 16, 1947, run-off election of the White Municipal Party cast an unfavorable light on the conduct of black voters when "Chauffeur" Williams, a black man, and Beulah Mae Reed, a black woman, were arrested and charged with election fraud. Both confessed to the fact that Williams persuaded Reed to vote in the name of another voter.⁶² Election fraud was so ingrained in Tampa elections that the illegality of one vote would not have made headlines in an earlier day. Now that blacks were voting, it was front-page news.

The *Tampa Daily Times* expressed the sentiment that after the 1947 city election, the White Municipal Party could "Be Junked." It urged the Legislature to enact a primary system along democratic and republican lines.⁶³ With four years before the next city election, there was ample time for revision to the 1931 act, but no action was taken. When the 1951 elections occurred, there was still just one political party in the city of Tampa—the White Municipal Party.

Mayor Hixon was again up for re-election as the party hosted four spirited rallies across the city for debates. Seventy-one percent of Tampa's voters went to the polls on September 4 to give Mayor Hixon an easy victory over his two opponents. The black community registered twice as many voters in the White Party (7,022) as compared to the 1947 election.⁶⁴ For this election, the two major newspapers did not focus on the black vote, since it was no longer the novelty that it was in 1947.

When did Tampa finally get rid of the White Municipal Party? A party in name only, by the late 1940s, it remained offensive to blacks who registered under its banner in order to vote. Since the party was referenced in the 1931 state act, it took another special act of the legislature to bring about change. In 1953, a bill was pro-

61. *Florida Sentinel Bulletin*, 6 September 1947.

62. *Tampa Daily Times*, 16 September 1947.

63. *Ibid.*, 19 August 1947.

64. Registration Statistics and Election results, 4 September 1951, Hillsborough County Supervisor of Elections Office. A total of 42,640 people were registered for the 1951 election; blacks represented 16 percent of all of the registered voters.

posed and passed by the Hillsborough legislative delegation that served two major purposes. First, it consolidated the city and the county voter registration rolls into one so that the county registration books would be used for future city elections. Second, it eliminated the city primary system of elections, establishing instead a first election and a run-off. All references to the White Municipal Party were repealed.⁶⁵

The year that Tampa's White Municipal Party came to an end, Tampa was still a segregated town. The nation had yet to witness the Montgomery Bus Boycott or the landmark court decision in *Brown v. the Board of Education*. Martin Luther King was still working on his Ph.D. dissertation. There was no Voting Rights Act. When the White Municipal Party fell, D. B. McKay was the county historian, writing a column for the *Tampa Tribune* called "Pioneer Florida."

But blacks in Tampa could vote. Though Tampa had its history of lynchings and violence directed towards blacks, the white power structure of this southern city chose a structural, legalistic barrier to the franchise for African Americans. Touted as "reform" but born from racial intolerance, a small, powerful group of white men formed a party and a primary system that controlled Tampa elections for the first half of the twentieth century. Their complete control of government ensured the continued viability of a system they designed. It is notable that the existence of the White Municipal Party never provoked violence or unrest among the black community, nor did its eventual repeal provoke the same among the white community.

Though Tampa's colorful history contains a wealth of material for historians to chronicle and document, the story of the White Municipal Party is not one easily found in written accounts. Even the city's well-indexed archives lack any reference to the party. When city leaders made Tampa's colorful elections "colorless" the city lost part of its richness. Tampa's cultural and racial diversity made it stand apart from other Florida cities. The legacy of the White Municipal Party is one of discrimination and of lost opportu-

65. *Special Acts Adopted by the Florida Legislature* (1953), Vol. II, Pt. II, Chap. 29562, 3054-3064; *Tampa Daily Times*, 13 May 1953; *Tampa Tribune*, 2 November 1953. Again, as with the original 1931 act, the main emphasis was not on the White Municipal Party. In 1931, the main thrust of the bill was the creation of an election board; in 1953, the desire for one unified voter registration system provided the impetus for change.

nity. A young and growing city that was reaching out to people from other parts of the world could not find room at the polling booth for its black fellow citizens. For all of its uniqueness, Tampa was, racially speaking, just one more southern city seeking to relegate blacks to second-class citizenship.