

CHAPTER IV

FREEDOM OF THE PRESS

The strangest about Dale's appeal to freedom of the press was not the fact that he used it, but rather, that he waited so long before resorting to it. Seeing his entreaties making little impression upon the community, he began to direct them toward the entire American press. He warned his newspaper colleagues in the state that:

"If it is the law in Indiana that free speech and free press is a thing to be set lightly aside by court edict, it will mean that no newspaper in the state hereafter will dare to criticize public officials without danger of being sent to penal servitude at the penal farm for many months, besides being compelled to pay excessive fines.

If the libel and contempt laws are to be employed as a club to drive Indiana newspapers into a state of slavery and peonage, the newspaper men of the state ought to know it and get ready for the blow, in case the inconceivable thing should happen, and the law be interpreted to mean that the free and open discussion of public affairs is to be construed to be a crime, punishable by heavy fines and long terms in state penal institutions."¹

Dale warmed up to his topic as successive weeks rolled by. In this new fight for freedom of the press he began to be eloquent and emotional. Not adverse to over-emphasizing history in support of his own arguments, he talked of "mediaeval tyrants", George III, and other persons who had tried to stifle a free press and how eventually truth triumphed. Some of these editorials

¹Muncie Post-Democrat, May 4, 1923.

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would have done justice to Mr. Hearst. Said Dale:

"It was also Lord Mansfield, we believe, who wrote into the law of England, through court mandate, the rather far-fetched thought "the greater the truth the greater the libel.

It was held that inasmuch as monarchs could do no wrong newspaper attacks on the syphilitic bums who inherited kingdoms constituted sedition and treason, since the people had no vote in the matter and could not take part in a peaceful revolution by the use of the ballot!"²

Applying his arguments to the situation in question, Dale struck at the root of his troubles in Muncie. He talked about truth. He wrote the truth. The truth was the cause of all his difficulties. Friends and enemies alike agreed on this point. And if he colored his interpretations, the facts behind such interpretations were always unimpeachable. Pinching a tender nerve of the polity he said:

"The truth hurts in Muncie and there are those who seek to stifle truth. For daring to presume that our constitution, which endows every individual with sovereign rights and guarantees the right of free speech and the right to worship God according to the dictates of his conscience, the editor of this newspaper has been imprisoned, fined huge sums and pursued by flunkies and understrappers of manesty who seek his ruin in order that the truth may be stifled in Muncie.

It is almost unthinkable that in this free and enlightened city, in an age of progress unparalleled in the world's history, and with history, recording in black and white the fate of those who seek to throttle public discussion and keep the people in ignorance of the conduct of their servants in office, that such a thing should happen.

²Ibid., May 18, 1923.

What the ultimate result will be no one knows, but one thing is certain, and that is that I will not surrender my right of free speech, nor will I disgrace the memory of newspaper men who died in the tower of London for daring to print the truth--men who blazed the way and flaunted the torch of freedom in the faces of despotism, cruelty and oppression.

The Post-Democrat will continue to tell the truth in Muncie and there are not enough jails or penal farms this side of hell to prevent it. I would rather rot in jail than suffer the humiliation of running a newspaper that did not dare to discuss the acts of public officials or feel free to warn its readers when public officials are unworthy of trust."³

George Dale, the reformer, the misfit, was fighting for a principle. Combustible were his materials, but out of the explosions rang soul-stirring echos of a Zola, a Bunyan, a Garrison, even a Mann. He had thrown down another challenge.

For a time there was quiet. Dale returned to routine attacks on the Klan. A new pet editorial topic was the way in which the county Orphanage was being used as a "political football".⁴ He was especially bitter in this case because Judge Dearth was behind recent personnel changes on the Board of Children's Guardians.

If the Klan was having slight success in silencing Dale by intimidation, it still held a more powerful weapon

³ Ibid.

⁴ Ibid., May 25, 1923: June 22, 1923.

with which to smite the annoying editor--the boycott. That the small amount of advertizing in the Post-Democrat suddenly began to shrink, evidenced the Klan's power in Muncie, more accurate explanation would probably be that no one was quite sure just how strong the Klan was or who belonged to it and rather than risk loss of Klan trade or Klan violence, potential and actual Post-Democrat advertizers felt safer in forgetting this newspaper for a while.⁵ Dale, too, knew this most vulnerable spot. He had to have money to continue. Came his "last" editorial appeal to the people of Muncie for support. Once more he tried to prove his battle theirs. A note of desperation and exasperation crept into the editorial which he headed:

IT TAKES REAL MONEY

"The Post-Democrat needs the practical support of the people of Muncie and this section of Indiana who believe in political honesty, the rule of a visible government and the destruction of a masked super-government which controls police and judiciary and advocates crimes of violence, the boycott and oppression of those who refuse to bow to the invisible empire.

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Some individual's internal conflict was well demonstrated in the Post-Democrat when there appeared the following two column notice which ran for several weeks: COMPLIMENTS OF A FRIEND AND WELL WISHER (issues of June 22; June 29; July 6; July 13, 1923 and following numbers.) Torn between a conscientious desire to support the principles for which Dale was fighting on the one hand, this "friend and well wisher" was also trying to protect himself from a danger he could not actually see.

"It takes money to run a newspaper and the very fact that merchants hesitate to advertise in the Post-Democrat for fear of a Klan boycott ought to impel those who are not afraid to get in the fight with their money and their influence.

The Post-Democrat is fighting YOUR battle. We will need a big defense fund to carry our cases through the supreme court. No pains should be spared to have these cases properly presented. YOUR liberties as well as those of the editor of the Post-Democrat are directly involved.

You gave millions to keep the German menace from America shores. An enemy a thousand times more vicious is at your very threshold. Do you think more of your lousy dollars than you do of your liberty and your right to wear your hat in the presence of the masked enemy? If you do, hang onto them, and God help you. If you believe in preparedness give, and give quickly to the Post-Democrat defense fund. If this doesn't get through your hide, nothing will, so this will be the last printed word on this subject.

It is not charity we are asking. We are instead offering you the priceless privilege of lending a hand in a great fight for human liberty."

Dale certainly spoke the common man's language but he could still produce no mass action behind him. Then he showed an inconsistent streak. A champion of Catholics, Negroes, and Jews because they suffered Klan abuse, Dale would sometimes bitterly attack those groups because they lacked his courage and would not openly back him in what he felt was their fight. He was especially vicious against Catholic and Jewish merchants who would not advertise because they feared Klan boycott.⁷ Desperation and dilemma

⁶Muncie Post-Democrat, June 22, 1922.

⁷Ibid., July 13, 1923.

again evident, Dale was now attacking the few he might have counted upon for moral support at least. But he needed money and struck blindly.

As the summer of 1923 rolled on the Post-Democrat laughed at the way in which women were being duped by the Klan as badly as the men; ranted about reports of bad food in the penal farm; made Judge Dearth appear ridiculous with his decisions. Once again Dale put forth his credo explaining "that the Post-Democrat has been dedicated to the public as a vehicle of expression for the under-dog. Plain speaking is necessary, sometimes, in order to make clear to the public just what is meant."⁸ But "plain speaking" did not bring in more money and a note of supercilious contempt for those whom he thought should support him characterized some of Dale's editorials. "Talk is cheap", said he, but it was not being backed up with action. More specifically, advertising had practically ceased. The Klan was really crushing him. Going to the root of the problem he exclaimed:

"Instead of getting business from merchants who believe that we have been making an honest campaign for good government, we find ourselves in the astounding predicament of being subjected to a boycott on the part of our supposed friends.

⁸ Ibid., August 3, 1923.

They privately tell us that they are for us, but for business reasons they deem it inadvisable to advertise in a newspaper that has been telling the truth about so many people....The Lord knows, I am not mercenary; if I had been I would not have been fighting the grafters and the big interests whom I have repeatedly pointed out as being enemies of the people. The point is that I am simply sick and tired of stepping out for the best interests of the community and being penalized for it by those who offer private encouragement and then walk across the street when they see me coming, fearing to be seen speaking to an agitator.⁹

Here Dale showed one of his worst personal limitations. Although he accurately explained the situation he made no attempt to understand it, nor would he admit that there was ample reason for this lack of support. His own reforming zeal was so intense that he was unable or unwilling to understand the psychology of a community prevented by fear from ostensibly supporting him. In his lack of patience, the reformer defeated his own purpose. If the community failed to follow him after he had been beating the drums for so long in its ears he could only explain it as a weakness in the stuff of which that community was made. Never did he suggest the possibility that his appeal lacked something. Nor did it occur to him that he had deafened those to whom he was screaming as to the real merits of his pleas. Instead of gaining the confidence of the pup with kind words and a lump of sugar, he

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Ibid., August 24, 1923.

threatened first and whipped afterwards. George Dale was not a leader in the sense of one who inspired great admiration and attachment to a cause by his personal magnetism; politically he gained support by showing he could browbeat better than his opponents and that therefore it would be better to be his friend than his enemy. What power he ever enjoyed in Muncie came with the aid of those who admired his honesty on the one hand and his fearlessness on the other.

There is something about a man who is insensible to fear which inspires the secret admiration of the average person. The example of a courageous personality also stirs longings in the breasts of those who "conform" to the standards set up by the community to break away from the well worn path of "keeping up with the Joneses" and striking out in the world along some tangent uninhibited by those standards. The example of George Dale struck the imaginations of many men and women caught up in the hum-drum life of a small community. He epitomized the freedom for which they were searching. Here was romance under their very noses! Here was a story-book character in Muncie! But if they had any intention of converting moral into practical support they were stopped short by the impact of the reality of the situation. They had to live; their families had to live; the power of the Klan was a very real thing in Muncie.

And so Dale had to fight on alone. Much as he tried, he was never able to make the community understand him; much as it tried, Muncie never fathomed Dale.

From the standpoint of a practical newspaper man Dale had both feet on the ground. And although he bitterly decried the editorial meekness of the two dailies, he admitted that their indecision was most pragmatic from the standpoint of financial gain. His own experiences were teaching him the importance of financial backing. A keen sense of stubborn facts was evidenced by the following comment:

"No other newspaper in Muncie had the nerve to take a stand on the Klan question. They preserved a middle of the road attitude, as they do on all questions of moment, the theory being that it is better to stay on the fence and get business from both sides than to take a bold stand and get ripped wide open by friends and enemies alike.

In the sense that newspapers are business enterprises, run for the money, they are right. They are also wise enough to know that the people here are not yet ready for reform.

Possibly after a season of repentance in sack cloth and ashes, the people of Muncie may come to their senses and thank God that there is at least one newspaper in Muncie that is not afraid....Until that repentance matures the Post-Democrat is not going to work up a sweat any further in behalf of the dear people."¹⁰

¹⁰ Ibid., The italics are mine.

Admitting that Muncie was not yet "ripe" for reform, he was threatening to forget all about the "dear people" to let them become completely cowed, politically, by the Klan and its servants in office. To those who knew him best this was meaningless. Dale was like a fish out of water when removed from the din of battle. The fact that he and the culture in which he lived never accepted each other did not preclude his orientation as a reformer in behalf of that culture. "Sometimes we almost think the people are not worth saving,"¹¹ said Dale, but the next week his paper was as full of diatribe in the interest of the people as ever before. Dale,^{the} reformer, could not have stopped had he wanted to. He indicated his intention to create another newspaper in Indianapolis to fight the Klan.¹² The people were not to be "let down". But this new literary venture soon petered out under pressures more immediate.¹³ Dale was found guilty in Judge Dearth's court of libeling the grocer he dubbed a "draft dodger".¹⁴ Insisting that his conviction was the result

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Ibid.

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Ibid., August 31, 1923.

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See Ibid., December 21, 1923, where he announced that instead of the new paper he would concentrate upon expanding the circulation of the Post-Democrat and thus serve the same ends the new paper was to have served.

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See Chapter III, n. 44, supra.

of Klan control of the court;¹⁵ he announced the case would be appealed.

The Post-Democrat was now carrying the following coupon on its front page each week:

MY CONTRIBUTION TO LIBERTY

George R. Dale,
Editor Post-Democrat
Muncie, Indiana.

Enclosed find \$____, my contribution to the Post-Democrat defense fund. Use this in your great legal battle to defend the right of free speech and to expose the hidden hand of the Invisible Empire.

Signed _____
Address _____

This is For Your Defense as Well as Mine.

George Dale still sought the people. Said he; "Contribute to this fund now. It will be the best investment you ever made, since it is in defense of a principle as eternal as the hills, the right of free speech, without which a free government cannot survive."¹⁶ By this time his pleas had met with some response from the citizens, but still not enough.¹⁷

¹⁵ Muncie Post-Democrat, October 26, 1923.

¹⁶ Ibid.; October 26, 1923.

¹⁷ Ibid., November 2, 1923.

Evidencing a genuinely puzzled attitude as to its meagreness he said: "A few have responded to the request for funds to assist in the Post-Democrat's great legal battle. Just why the response is not more general is more than we can understand."¹⁸

By the end of 1923 Dale six cases pending in Iddiana courts. The two contempt cases were before the state supreme court, a new trial had been moved in the libel case. With a change in venue the concealed weapon case had not yet been tried nor had the "liquor" indictment.¹⁹ The editor of the Post-Democrat was certainly standing before the bar of justice and public opinion. And the need for money was becoming acute.

Raising the copy price of the Post-Democrat from five to ten cents²⁰ did not solve the problem, but Dale began to see that he had a freak appeal. People were actually buying his paper just to see what this funny old guy had to say. Lacking psychological, Dale was clever enough to understand box office tricks. He knew he must appeal to

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Ibid., November 23, 1923. The next week (Ibid., Nov. 30, 1923) Dale announced somewhat humorously a series of articles dealing with the history of the Republican Party in Delaware County. He explained that he was "going through this ordeal with much the same spirit that impelled Diogenes to fare forth with a lantern." And as an afterthought he added; "By the way the old boy must have missed Delaware County in his travels, for history fails to record that his lantern was stolen."

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Ibid., November 30, 1923.

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Ibid., January 4, 1924.

the common people, the working class. He knew they were uneducated for the most part, but if Dale had any consistent theory about journalism it was that the common man could understand ridicule much easier than unemotional editorializing. Truth tempered with wit afforded him a potent sword. When the Klan's latest browbeaten victim, the mayor, was quaking in his boots in fear of the white hoods, Dale came out in his defense, showed how funny it was to fear the Klan. Said he: "When I fight I can't laugh, and when I laugh I can't fight....I don't want to alugh, for it is no laughing matter. I want to cut loose with this old typewriter and ~~lam~~ the liver out of somebody, but just about the time I have figured out how to spell damitchell, I get tickled again and couldn't fight a baby rabbit."²¹ In coining new words Walter Winchell would be an amateur compared with Dale. "Kluckerino" was applied to all Kamiliias; "Whirling dervishes", Hooded Hyenas", "Koo Kooos of Kokomo(Ind.)" were just a few of the titles he created for his mortal enemies. And people bought the Post-Democrat.

By 1924 there were indications all over the United States and more specifically in Indiana that all was not

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Ibid., January 11, 1924

well with the Klan. Outrages, avariciousness, and political corruption were traced to that order. Similar actions to that of the Muncie Klan in passing a unanimous resolution endorsing Jesus Christ could only result in shuddering disgust from the community and the alienation of every Klan "member possessed of a shred of respectability or religion."²² But if the Klan was losing its original nucleus of "respectable" citizens the majority of its members still held together from the inertia of self-seeking or desire for self-expression. The Klan was by no means a dead issue. In Muncie the Klan was still all-powerful.

In April of this same year the liquor case against Dale was thrown out by Judge Dearth on a motion from the prosecuting attorney because of lack of evidence. Liquor had only been "smelled" somewhere in the office building where Dale was arrested. In his next editorial Dale regarded his vindication from these charges as proof of the accusations which led to the two contempt proceedings²³

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Ibid., Feb. 1, 1924. At the same time this resolution was ammended "to the effect that Jesus was not a Jew, but a native born, white Protestant American."

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Ibid., April 4, 1924. It is an interesting sidelight into Dale's character that when during this same period his son was one of several boys arrested for visiting a house of ill fame he did not hesitate to mention the fact in his front page editorial. Not willing to judge his own boy until he heard the facts in the case he looked upon the publication of the names of the arrested boys in the local dailies, an unusual practice, as an attempt to discredit the elder Dale himself. Truth was truth even when it hurt himself or his family. (Ibid., March 28, 1924.)

-- that Dearth's court was dominated by the Klan.

And still the Post-Democrat continued to grow. Over half the entire paper now containing only Klan abuse was devoted to information of interest specifically to other communities in Indiana and Ohio. In a little more than a year the circulation of the Post-Democrat had jumped from approximately twenty-five hundred to sixteen thousand copies weekly.²⁴ In recognizing that his appeal had ceased to be a purely local one, Dale changed the name of his paper to The Post-Democrat.²⁵

One thing about Dale's public career that stood out most prominently was that no matter how bitterly he fought at any given moment, he never forgot that basically he was attempting to alter the political status quo. Political reforming was the one consistent line by which

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Ibid., May 30, 1924. Compare these figures with those given in Middletown, p. 471, for the circulation of the two dailies one being 8,851 and the other 6,715 copies per day. This would indicate a significant increase in Dale's potential power in Muncie with regard to the number of people he was in a position to influence as compared with the two Republican dailies. Due allowance, however, must be made for the fact that much of this increase was accounted for in the growth of out-of-town circulation.

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Post-Democrat, July 18, 1924.

his career could be traced. If not the most bitter of his many struggles his antagonism of the Klan was certainly the longest and hardest. Withal his tendency to lose himself in the smoke of battle, to become oblivious to the possible outcome of his sometimes irrational activity George Dale's mind was seared with the belief that his was always the battle for rights. Those who have real faith can find almost super-human strength in its embrace. George Dale had a faith, a belief, in the necessity of preserving the ideals of democracy. True, his definition of those principles may not have been that of the culture in which he lived but such considerations bore little weight with him. Fused in the crucible of reforming zeal, missionary and idealist became a powerful political influence.

Thus it was with the interest of his party in mind that Dale attempted to identify the Klan with the Republican party. In so doing, he was forced to deviate continually from the Democratic party in attacking Democratic Klan members. Astride two mounts, he was often thrown off. But whether in or outside the good grace of his party he remained consistent with himself never conceding favor to anyone connected with the Klan no matter what his political affiliations. Had he not

veered from the "party line" he would never have lacked for funds. Had he never veered few people outside of Muncie would have heard of Geoge R. Dale.

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When the split in Klan ranks came to Muncie²⁶ and the old organization gave way to the Independent Klan of America, brainchild of Muncie Klansmen, Dale looked upon the death of the old order as a direct result of his attacks upon it.²⁷ It was with a note of egotism that he impressed upon his readers the fact that only he had dared openly defy the Klan. Here at last was some reward for what had looked like a thankless self-appointed task. If the giant-killer overestimated the fatal effects of his pen few begrudged him his moment of glory. Dale's star was on the ascendent - for the moment, at least.

But if he thought his many enemies made in the process of antagonizing the Klan were ready to "forgive and forget" he was sadly mistaken. On the other hand, he had no illusions about the power of the Klan name, It was still a potent force in the community. No sociologist, Dale saw deeper into the cleavage in the community which were brought about by the Klan. The fact that he

²⁶See Chapter II, n. 42, supra.

²⁷Muncie Post-Democratic, June 27, 1924.

saw a correlation between the growth of the Klan in Muncie and the increase in divorces during the same period would be unimportant if the same conclusions were not reached by more expert investigators.²⁸ If the Klan as an organization was no longer active, its psychological effects as a disrupting influence in the community remained in some form or other until the end of the 1920's.

That the Klan was a dead issue was quickly disproved when eleven hundred and fifty copies of the Post-Democrat charged with being obscene literature, were seized and burned by the municipal police of Newark Ohio. The paper had been carrying a weekly column exposing Klan politics in Newark. Dale was furious. Admitting that to publish the names of Newark Klansmen was probably obscene in itself he defied any "two by twice city judge" to constitute himself censor of a newspaper accepted in the United States mails.²⁹ With an editorial note to the people of Newark asking them to see if they could find anything "obscene" in it, he reprinted the article "showing up the slimy reptiles of the 'Invisible'

²⁸Muncie Post-Democrat, Aug. 1, 1924. See also Chapter III, n.15. supra.

²⁹Post-Democrat, August 29, 1924.

Empire".³⁰ Repetition of the confiscation and burning the next week had little effect in silencing him.³¹ The third week the Newark police allowed the Post-Democrat to be distributed for about two hours before seizing the remaining issues.³² Referring to the "budicrous aspects" of the whole affair Dale commented: "These foolish officers, who make themselves the laughing stock of Ohio, have started something. They are too stupid and too obstinate to change their course. Wise men change their minds, but wisdom and kluxism do not go hand in hand."³³ Had he followed the sage philosophy put forth here his own future political career might have been much less rough. Legally Dale's cause fared badly. An Ohio court of equity refused to enjoin the Newark police from further confiscations saying in part;

"The character of the paper which the court has examined is such that it might be that the next issue of the paper would be such that it would be the cause of public disorder, and the police in the exercise of their discretionary

³⁰Post-Democrat, August 29, 1924.

³¹Ibid., September 5, 1924.

³²Ibid., September 12, 1924. In this same issue Dale was pleased to announce the "self-inflicted death" of the Delaware County Democrat, the rival Democratic paper set up a year before.

³³Ibid.

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powers in maintaining peace and order, should be permitted to determine whether or not any particular issue of this paper should be circulated."³⁴

Answered the editor:

"Of course the Post-Democrat will not permit such a finding to go unchallenged....If the ruling....is to stand as the law of the land, then the freedom of the press will have been utterly destroyed and the right of irresponsible, Klux controlled police to burn, pillage and destroy thoroughly established."³⁵

The confiscations continued.³⁶

The next round of struggles went to Dale when a court in another county to which the case had been venued awarded Dale judgement against township trustees who had refused to pay their legal advertising bill to the Post-Democrat on the grounds that it was not a "Democractic" paper, "and was therefore disqualified under the law to carry legal advertising which public officials are requized to place in political newspapers".³⁷

This was but a feeble victory. The Klan, or rather its members in public office, whom Dale continued to pursue editorially had other plans for the editor. Finding his weakest spot a lack of money to support a family of nine

³⁴Post-Democrat, September 26, 1924.

³⁵Ibid.

³⁶Ibid., October 3, 1924.

³⁷Ibid., October 10, 1924.

people and publish a paper with small revenue, his enemies were pursuing a policy of loading him "down with criminal prosecutions".³⁸ Again Dale turned to the people pointing out that he had sacrificed "time, money and liberty in defense of the constitutional rights of the people" and therefore they should come to his aid. Once more he stood upon familiar arguments in attempting to synthesise his own bests interests with those of the people. Since it was their fight, he argued, the people should be willing to finance "some of the harassing litigations instigated by the Klan".³⁹

In the fall of 1924 Dale, thrusting the Klan more into the inside pages of the Post-Democrat, turned for a time to more orthodox forms of muckraking. This time he began to expose to his readers the story of how their road commissioners were making money from illegal gravel contracts.⁴⁰ He finally ran a "gravel edition" of the Post-Democrat in which the whole situation was put before the public together with dates and figures and accusations against city and county political officials.⁴¹ That the most bitter of these

³⁸ Post-Democrat, October 10, 1924.

³⁹ Ibid.

⁴⁰ Ibid., September 12, 1924 and following numbers.

⁴¹ Ibid., October 31, 1924.

attacks were made upon the Republican machine while at the same time Dale prayed for its defeat in the coming elections was one of the few times his personal and party interests coincided. But to no avail for although new county commissioners were elected they were soon up the the contract letting tricks of their predecessors. Dale fumed and promised to "keep the people...posted" on all the graft developments.⁴² He attributed the defeat of the Democrats to the crooked activities of the Republican machine and its backing by practically every articulate interest group in the community from the W.C.T.U. to the bootleggers.⁴³

Now Dale announced the death of the Klan in Indiana claiming it to have served its final avowed purpose in electing Ed Jackson Governor.⁴⁴ Such statements only indicated more wishful thinking. Possibly Dale had thought so much about the death of the Klan he was actually beginning to believe it. For Klan anathemas he now substituted obituaries.⁴⁵ That events belied his hopes soon

⁴²Post-Democrat, Nov. 14, 1924. Of some significance to Dale was the fact that in a state and county which voted Republican in the 1924 elections, Newark, Ohio, went Democratic and anti-Klan. Dale looked upon this as a sort of personal vindication and victory.

⁴³Ibid., November 21, 1924.

⁴⁴Ibid., November 28, 1924.

⁴⁵Ibid., January 2, 1925 and following numbers.

became evident. Even if the organization of the Klan was dead its spectre continued to haunt Muncie. Ghost or real the effect was the same. Potential advertizers were still afraid to patronize the Post-Democrat. Added to this was the cost of pending legal battles. As usual, Dale needed money and once again he appealed to the people. "THE WAR IS ON", said he, the Klan is not dead!⁴⁶ Insisting that the government of Indiana had been delivered to the Klan in the last elections he argued:

#This is the only newspaper in Indiana that had the audacity to put all its eggs in an anti-klan basket and risk exposure to the stink pots and poison gas of the klan....This is no time to go to sleep. It is time for action. The Post-Democrat is here at your service to do your fighting. We know where to shoot and what to shoot at, but it will take plenty of ammunition...If the post-Democrat is to continue in existence, it is absolutely necessary...to rally to its support."⁴⁷

The degeneration of the "new" Klan which had been started in Muncie soon became apparent when it announced that the ban on Negroes had been lifted and from that time on "the descendants of Ham", as Dale called them, were to be admitted to the sacred realm of one hundred per centism. Such a deviation from its traditional ideology could mean only one thing. A new resevoir of ten dollar bills was being tapped. Sneered

⁴⁶Post-Democrat, January 9, 1925.

⁴⁷Ibid.,

Dale, "The ultimate in klan idiocy has at last been reached in Muncie."⁴⁸ And Muncie was inclined to sneer along with him.

Very active in the primaries of 1925 Dale turned again for a time from the Klan to his role of Republican curser at the same time reaffirming that his newspaper stood "for the things that are right and decent" as opposed to the Republican machine and its robots in office. But although the people of Muncie may have been well aware of the fact that he was fighting for "the right of justice and decent government"⁵⁰ they paid little heed and returned the Republicans to office.

Whether to renew faith in himself and the things for which he was fighting or to reassure the community that he had not backed down an inch under any kind of pressure, Dale often printed a resumé of his troubles since he first established the Post-Democrat. These resumé were becoming longer and more detailed as the editor's difficulties piled one upon another. Always the argument was the same - "It has been a weary and thankless task" but Dale stands adamant.⁵¹ If he ever wondered whether such tremendous

⁴⁸ Post-Democrat, February 13, 1925.

⁴⁹ Ibid., May 8, 1925.

⁵⁰ Ibid.

⁵¹ Ibid., May 15, 1925.

personal sacrifice was worth the little return he quickly dispelled such notions at the end of most of his editorials with the new familiar "we defy any man..."⁵² Still Muncie was not convinced that he had its best interests at heart.

All through the summer and into the fall of 1925 Dale concentrated upon exposing the Republican slate. In so doing he was unusually careful to single out personalities for attacks. One of these was Judge Dearth. Crooked deals and past histories were raked into the open. It was mud-slinging of a highly technical nature. It seemed as if the Klan was being relegated more and more into the distant past. Dale still called his enemies Klansmen but that title was now used as a curse or a sneering tag. To no avail, however, for the Republicans swept back into control of the city. Coolidge prosperity healed many breaches in the economy. The Klan was something that had paraded a few years ago and was hardly a political issue any longer. Sadly, Dale announced that "having squeezed the county dry the gangsters will take the city hall on January 1."⁵³ And so he girded his loins once more and began to fight again. Once more he played the familiar theme - everything in Muncie politics is corrked; it must be reformed!

⁵² Post-Democrat, May 15, 1925.

⁵³ Ibid., November 12, 1925.

Hardly a modest person, if Dale thought he had done something laudible and worth while he was the first to recognize it in his paper. Fortunately he never carried personal praise beyond the point of showing why it was due him; the reason always being the people's interest, not his own. No one ever disputed his often repeated claim to a reputation for "truth and veracity". It gave him great pleasure to inform his readers of how much his paper instilled fear into the hearts of local gangsters.⁵⁴ Proudly he announced that after the first of the year, when the new Republican administration would take office, "the Post-Democrat will be the only 'policeman' left on guard to give the 'stop' sign to the reckless political speeders who are looking forward to an undisturbed era of loot and pillage."⁵⁵

The next week Dale's old concealed weapon case was retried before judge Dearth and the editor was found guilty.⁵⁶ He immediately announced plans to appeal. The front page of the Post-Democrat for that week carried a full description of the "kangaroo Court", as Dale called it, together with comments on the personal lives of the jurors and court officers. Sometimes later he was to

⁵⁴Post-Democrat, December 3, 1925.

⁵⁵Ibid., .

⁵⁶Ibid., December 10, 1925.

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have another libel case on his hands as a result of some of the comments about one of the jurors.⁵⁷ The case had been reopened after Judge Dearth and the prosecuting attorney had appeared before a special judge to prove that the Grand Jury which had originally indicted Dale on the gun charge in 1924 had been illegally impaneled. Commented Dale, "If anybody knows they ought to."⁵⁸ He had been charging illegal impanellings for some time now and had two contempt cases under appeal because of such accusations.

By the beginning of 1926 the Klan was mentioned only sporadically in the Post-Democrat. Dale was concerned now with fighting the county and city Republican machine. But American justice grinds out slowly and often enables the past to have a large measure of control over the present. Such was Dale's fate. He still had several cases on appeal in the courts. Their outcome was to write the final and most thrilling chapter in his fight with the dying Klan.

In March, 1926, three years after the original contempt cases, the Indiana Supreme Court hadned down its decision throwing out the indirect contempt charges but

⁵⁷ See Chapter V, n. 27, infra.

⁵⁸ Post-Democrat, December 17, 1925.

upholding the circuit court in the direct contempt decision. For the moment Dale kept his editorial temper and only sneered,

"The fact that the publication may be true in every respect cuts no figure whatever. The judge may be a burglar by night and occupy the bench in daytime, but the one who writes or speaks about the judge's nocturnal peculiarities must go to jail for it.

"No, they can't determine what the people may and may not read - like hell!

"They 'can't put you in jail for that,' either, but they do."⁵⁹

⁵⁹ Post-Democrat, March 11, 1926.