THE GOVERNOR HANNETT CASE: LAWYERS, JUDGES, POLITICS AND THE PRESS – 1927 STYLE

By Mark Thompson, Esq.

Likening the newspapers of the day to the bombastic extravagance of the carnival Barker, historian Frederick Lewis Allen named that period of time just before the stock market crash of 1929 “the ballyhoo years.” When something happened which promised an appeal to the popular mind, Allen wrote, “one had it hurled at one in huge headlines.” Just as significant to Allen, the press seemed to have the power “to excite the millions over trifles.”

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The Albuquerque Journal created a stir that gave ballyhoo some local color.

Arthur Thomas (“A.T.”) Hannett had lost his bid for reelection as mayor in 1926. Instead of returning to Gallup, where he had practiced law and served as mayor, Hannett moved to Albuquerque and opened an office in January 1927. In its Sunday morning edition on the fifteenth of that month, the Journal announced with great fanfare that Hannett would be writing a political column for its afternoon edition. Hannett’s page-one column, “New Mexico Day by Day,” contained the usual political fare, but on Jan. 24 he started a campaign, seemingly risky for a practicing lawyer, against the sitting judge of the First Judicial District, Reed Holloman. In that column he merely noted that Judge Holloman had the Republican Party “in his hand” and that he could “get the Legislature to his bidding.”

And then on May 2, Hannett accused Holloman of perverting his court into an engine of oppression,” alleging that Holloman had conspired to throw a Gallup utility into receivership. Hannett called for Holloman’s impeachment. He followed up on May 9 by accusing Holloman of threatening the Journal and alleging that he had “personally known [Holloman] to be intoxicated on the bench.”

Elected district judge in 1918 and re-elected in 1924, Reed Holloman was by 1927 no stranger to controversy. He had played a role, as a district court judge, in the efforts to discredit, or possibly imprison, the Albuquerque journalist, Carl Magee. According to one historian writing about the Magee cases, “Holloman remained on the bench and continued his partisan activities causing his legislative adversaries in 1925 to draft, although not use, articles of impeachment against him.”

The Journal wasted no time in stirring the pot. In an editorial on May 10 it declared that Holloman should respond to Hannett’s charges. Meanwhile, Hannett hired that ubiquitous company of “private eyes,” the Burns Detective Agency, to go undercover in Gallup and get evidence to back up Hannett’s allegations about the receivership conspiracy. Posing as an agent for a potential investor, the detective was on the job at least by May 20 according to his reports to Hannett. Apparently the detective played his role very well. Two legal actions were eventually brought by persons alleging that Hannett was the undisclosed principal and was bound by the act and representations of his agent, as if the activities of the detective were truly in connection with an attempt to buy the equity in the utility.

With a headline only slightly smaller than the “Lindbergh in Paris” banner it had used on May 21, the Journal announced on June 9 that the Board of State Commissioners had passed a resolution directing its committee on ethics, grievance and discipline to prepare formal charges by June 15. The resolution also provided that Hannett should file a response by July 15 and then show cause at a hearing before the Commissioners on Aug. 2 why he should not be disciplined, absent proof that the statements about Holloman were true. Hannett and his lawyers saw an opening and not only filed an answer but also a “bill of particulars” with additional specific charges giving the Journal yet another opportunity to headline the case.

It seems fair to say that the law of “lawyering” was unsettled in 1927. To begin with, both the legislature and the New Mexico Supreme Court each thought

2 Id., at p. 158.
3 Id., at p. 160.
4 From 1926 to 1933, the Journal published two daily editions, Monday through Saturday, and a morning edition on Sunday. The evening edition was probably published in an effort to adversely impact the other afternoon paper, the New Mexico State Tribune. After reading both editions for several days in 1927, I believe the editors worked on the assumption that both editions would be read by its subscribers. For convenience, I will identify citations to the Journal as either “Morning” or “Evening” edition.
5 In his autobiography, Hannett expressed his appreciation to the Journal publisher for giving him a job while he was trying to build a new practice.
8 Morning ed., p. 4.
9 Morning ed., p. 4.
11 Evening ed., 6/9/27, p. 1
12 Evening ed., 7/15/27, p. 1. The Journal used almost two complete pages of its eight column broadsheet to print the entire response, leading with a banner headline, “Holloman Sold His Influence for $500 in Franchise Deal, Hannett Charges.”