

MONTGOMERY COUNTY ARCHIVES

Guide to the Records of the

**MONTGOMERY COUNTY CHARTER
COMMITTEE**

1942-1954, 1968-1976

Record Group 18: Civic Organizations

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**GUIDE TO THE RECORDS OF THE
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1942-1954, 1968-1976
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ADMINISTRATIVE HISTORY

Until the 1940s, Montgomery County was governed by a County Commission with few responsibilities, while true power was in the hands of state-appointed commissions and the Montgomery County Democratic machine. However, in the 1930s, many Montgomery County citizens began to advocate a more professionally-run and locally-controlled government, and called for the adoption of a home rule charter and the hiring of a professional county manager. Civic organizations, including the Montgomery County Civic Federation (MCCF) and the League of Women Voters, proposed sweeping changes and, in 1939, the Board of County Commissioners provided funds for a study of County government to be conducted by the Brookings Institution. The Brookings report was published in 1941, and recommended such reforms as the replacement of the County Commissioners with a nonpartisan County Council, the institution of a merit system for County employees, placement of the County on firmer financial ground, removal of law enforcement from the patronage system, improvements to the school system, consolidation of the welfare system, establishment of a full-time County attorney, and improved professionalism in the County engineer's office. While the County Commissioners adopted a few of these changes, the County's government remained essentially unchanged. Employment and services were held firmly in the hands of the Montgomery County Democratic machine, and were dispensed only at its behest.

In June 1942, the MCCF established the Montgomery County Charter Committee (MCCC) to work for the adoption of a home rule charter. Its first president and one of its most active members was Allen H. Gardner, a prominent attorney who lived in Silver Spring. In 1937, he had headed a MCCF committee charged with studying the reorganization of County government. Other members of the MCCC, including Mrs. Stella [John H.] Werner and Frederick P. Lee, were also active in the MCCF.

The Maryland State Constitution required that, once twenty percent of the registered voters in any county had signed a petition requesting a referendum on home rule, the voters would then select at the next election a Charter Board to draw up a home rule charter, which would be placed on the ballot during the following election. The MCCC first set up a hierarchy of organizers and field workers to canvass Montgomery County neighborhoods, hand out literature, explain the advantages of a government with more local control, and urge residents to vote. It also mailed out letters and literature, and publicized the campaign through the newspaper and radio. In 1942, after accumulating over 8,000 signatures to meet the first requirement, the MCCC saw the election of every candidate it had nominated for the Charter Board. The Board drew up a charter and submitted it to the County Commissioners in April 1943, but it was defeated in the 1944 election. However, the MCCC decided to organize on a permanent basis, embark on a public education program, and begin the process over again with a revised charter.

After the 1944 election, the Democratic machine arranged to set up a Montgomery County Advisory Committee on Post-War and County Planning in Annapolis in order to enact some of the reforms advocated by the MCCC without relinquishing power in the County. It advocated the establishment of a merit system, the hiring of a county manager, sounder fiscal practices, and broader powers for the County Commissioners. The MCCC refused to support the recommendations, describing them as having “the appearance but not the substance of improvement in county government.” Its chief objection was the lack of a provision for nonpartisan elections, which was included in the Charter advocated by the MCCC. Federal workers, who comprised a sizeable force in the County but who were prohibited by the Hatch Act from taking part in partisan politics, could actively participate only in nonpartisan elections. As the charter movement gained strength, E. Brooke Lee, who ran the Montgomery County Democratic machine, arranged with State Senator Lindsay of Baltimore County to introduce in the state legislature a law requiring that nominations and elections for home rule county councils follow the same procedures as elections to the General Assembly. With this law in effect, the County’s efforts to govern in a nonpartisan manner would be severely hampered, and the Democratic machine would maintain its influence within the County.

To permit the participation of all Montgomery County residents and to maintain its strict adherence to nonpartisanship, the MCCC solicited from every candidate his or her opinion on the Charter and supported candidates from both parties who were in favor of it. The MCCC also began its efforts to transfer planning and development functions from bi-county commissions and agencies, such as the Maryland-National Capital Park and Planning Commission (MNCPPC), which had authority over the location to parks and highways, jurisdiction over building inspections and subdivisions, and advised on zoning regulations.

After another successful campaign to collect the necessary signatures, a Charter Board endorsed by the MCCC and the other candidates whom it supported were easily elected in 1946. In this battle to enact the Charter, the MCCC waged a two-pronged campaign. It actively sought out and investigated instances of waste, corruption and favoritism in the County government, and brought them to the attention of the citizens and press. In Annapolis, it aided Montgomery County representatives in their efforts to repeal the Lindsay Act or circumvent it so that federal employees could actively support their chosen candidates or run for office themselves. Although the publicity campaign in Montgomery County was successful, the legislative and legal maneuvering in Annapolis proved fruitless due to the power of the state Democratic party. The party also protected the powers of the MNCPPC. Ordinarily, other state delegates accepted the decisions of the representatives of the affected districts when it came to local laws, but the Democrats refused to extend this courtesy to the Republicans of Montgomery County. Thus, when the Charter was passed in 1948, the MCCC continued its efforts to achieve nonpartisanship in governing and elections, and to seize planning and oversight functions from the MNCPPC.

On January 18, 1949, the first elected County Council took office. Two of its members were Allen H. Gardner and Frederic P. Lee, who was elected president. The Council set up citizens' advisory committees, published zoning decisions, took steps to improve the County's financial condition, and provided funds for the building of schools.

For more information, see *A Grateful Remembrance: The Story of Montgomery County, Maryland* by Ray Eldon Hiebert and Richard K. MacMaster, published by Montgomery County Government and the Montgomery County Historical Society, Rockville, Maryland, in 1976.

PROCESSING PROCEDURES

General processing procedures consisted of discarding duplicates, unnecessary binders, and routine transmittals. Oversized documents and photographs were removed from the original location in their assigned series and placed in separate containers. Separation sheets were inserted in the original location within the folder to indicate the new location of any records placed elsewhere.

Preservation copying of newspaper clippings was performed whenever feasible. Records in folders were arranged, unless otherwise indicated, in forward chronological order, with undated records appearing at the end of the folder.

PROVENANCE

Not applicable.

SCOPE AND CONTENT NOTE

The records of the MCCC comprise 1.0 cubic foot of material dating from 1942 to 1954 and 1968 to 1976. The records include correspondence; constitutions and by-laws; lists; election brochures, flyers, broadsides, sample ballots, and artifacts; reprints, newspaper clippings; handbooks and manuals; press releases; transcripts of telephone conversations, radio talks, and an oral history; speeches; form letters; notices; minutes; draft and final charters; legislative bills; budgets; statements; memoranda; reports; agendas; calendars; legal briefs, opinions, and decisions; and a newsletter. The records of the MCCC end in 1954, but this record title also contains material from 1968 to 1976, when they document the solicitation of materials from and the taping of an oral history by Allen H. Gardner for the Marie Bennett Memorial Library established by the League of Women Voters. Significant topics include the MCCF, the MNCPPC, election law, the Montgomery County home rule charter movement, the County Advisory Committee on Post-War and County Planning, the establishment of the Montgomery County Council and its early years, E. Brooke Lee, the Lindsay Act, effective county government, and nonpartisan government and elections.

The records are primarily those of Allen H. Gardner, a member of the MCCF and first president of the MCCC, and document all the activities of the Committee from its inception in 1942 to a 1954 memorandum reevaluating its role and discussing its future. Frederic P. Lee and Stephen James, two later presidents, are also well represented in the collection. There are several histories of the charter movement scattered through the records, including a reprint of an article in the April 1943 *National Municipal Review* written by Stella B. Werner, and a partially edited draft by Martin W. Moser in Folder 16. A copy of the first Charter can be found in Folder 3, and the revised Charter, which was passed in 1948, is found in Folder 12, along with comments and changes suggested by members of the MCCC. Every campaign, from the organization of field workers and the initial collection of signatures to County Council elections, is fully documented, and campaign material, including brochures, flyers, sample ballots, broadsheets, and artifacts, can be found throughout the collection. Frequently, material from both sides of the issues is included. Financial records primarily consist of campaign expenses and lists of contributors, but they are significant in Folder 16 where they document the efforts of the first Council to set the County on firmer financial ground. Material documenting these first years of the Montgomery County Council can be found in Folders 15 to 23. Also significant is the material relating to the MCCC's increasingly aggressive campaign to expose some of the waste and corruption in County government by conducting investigations and accumulating evidence. This effort began after the 1944 Charter defeat and culminated in several press releases given out just before the 1948 referendum. The records are especially complete in documenting the legal and political maneuvering by both the Democratic machine and the charter movement in the state legislature and through the courts over local government issues and nonpartisan elections. The MCCC's belief in nonpartisanship and its workability within the context of partisan politics is eloquently expressed in correspondence between Gardner and John E. Bebout, Assistant Secretary for the Municipal League, and can be found in Folders 21 and 22.

An oral history transcript taped by Allen H. Gardner in 1973 can be found in Folder 23. The original transcript is located in Record Group 16: Oral Histories.

The records are arranged in chronological order.

BOX INVENTORY

Box 1 (Located D3b)

June-September 1942
October-December 1942
1943
1944
January-April 1945
May-December 1945
January-April 1946
May-August 1946
September-October 1946
November-December 1946
January-March 1947
April-December 1947
January-September 1948
October-December 1948
January-May 1949
June-December 1949
January-March 1950
April-June 1950
July-September 1950
October-December 1950
January-April 1951
May-December 1951
February 1952-May 1976

Flat File 13

April-December 1947: Voters, Know Your Charter! 1947 (1 Broadside)