

# SCOTT COUNTY KICKER.

Vol. 4.

BENTON, MO., JUNE 10, 1905.

No. 28.

## MURDER AND SUICIDE.

### Harry Burton Kills Miss Frankie Clark and Then Himself.

It is an awful story—the killing of Miss Frankie Clark by her brother-in-law, Harry Burton, and the suicide of Burton, at Rockview, Saturday night.

Harry Burton, with his wife and babies, lived on his father's farm about two miles northwest of Bleda, on Hubble Creek. He is a son of Joseph Burton, who now lives in Illinois. Saturday evening several from the Bleda settlement went to an ice cream and strawberry festival at the school house near Rockview. In the party were Harry Burton and family, George Halter and Miss Frankie Clark.

While at the festival they learned of a ball at Feiden's place at Rockview and went over. It seems that Miss Clark was quite popular and soon found herself engaged for many dances a head. Burton repeatedly asked her for a dance, but always met the reply "I am engaged."

Just before midnight Burton insisted on the young lady dancing a set with him and asked for another quadrille. Mr. Felton said that a quadrille would run the dance into Sunday, and Miss Clark said that if another dance was danced she had promised to dance with Young Haynes. Burton was then heard to remark, "If that fellow dances with her, he will go out of here dragging his hindquarters."

Mrs. Burton urged George Halter, Miss Clark's escort to "let's go," and all started home. Mr. and Mrs. Burton were just behind George Halter and Miss Clark. A shot rang out and Miss Clark fell to her knees. Burton either pulled her around or went in front of her, dropped his knees, fired another shot into her and then turned the pistol on himself. Both fell on their backs in the road, side by side—dead.

Of course the excitement was intense. It was some time before anyone could realize what had happened. When the first shot rang out George Halter, whose arm the young lady held, ran for tall timber. It is said that he took his clothes off the second time to see if he was shot. The pistol was so close to the young lady when the first shot was fired that it set her clothes on fire.

The bodies were covered with a sheet and Coroner Cannon, of Edna, was notified. It was between 10 and 11 o'clock the next morning before he reached the scene. All this time the bodies lay where they fell. An inquest was held and the testimony as above outlined was taken down by Squire Dennenmueller, of Keosau. It developed, also, that Mr. Burton stopped at Bleda and bought something that he refused to tell his wife what it was. It is supposed that he bought cartridges. Mrs. Burton testified that her husband had, on a former occasion, shot at her sister five times in California. The Coroner's jury returned a verdict of insanity.

Miss Clark was about 23 years old and of good appearance. Mr. Burton was about 30 years old. The remains were taken to the Bleda settlement for burial Sunday afternoon.

A story outside the evidence is to the effect that Mr. Burton once eloped with Miss Clark.

## WHAT ABOUT THE LAW.

The Kicker never takes a position that it cannot successfully defend. It has said that it believes it to be wrong for the county court to call special terms to consider saloon petitions. It has said that the counting of poll tax payers on saloon petitions is wrong. And I think I can convince any sane man of the correctness of my position.

The law gives to the presiding judge of the court, or two members thereof, the authority to call a special term "when the interest of the county demands it." In its last issue the court house organ defends the special term system and says:

"If the case comes up at regular terms, and there is a contest, it means the time of the court for a day at least, and it means a delay of a day for the other people attending that court. But granted at a special term it costs the county nothing, and no one need be in attendance unless he is interested."

Think of this,—coming from E. Herbert Smith! The people who remember the ballot job, the artisan well job, the court house wings job, and other jobs, will wonder why the idea of "cost" did not enter into the calculation sooner.

The law says that a special term may be called "when the interest of the county demands it." Will the organ, or a single member of the county court, over his signature, say that the interest of the county demands more saloons with such haste that the regular terms of court cannot be awaited? Bridges may be down, roads may be impassable, but the interest of the county does not demand a special term of court to consider such matters, but let a fellow show-up with twenty dollars and a saloon petition and that august body is ready to do business. Shame!

And here is a nut I want the organ to crack. In whose employ is the county court when it acts upon a petition at a special term? It says "the petitioner pays the cost." Is not a man usually in the employ of the one who pays him? And if the petitioner pays the cost, is he not hiring the county court to do something for him? More shame!

Let us view this matter in another light. The county court is to a county what a state legislature is to a state. It acts (or is supposed to) for the people. Suppose the railroads wanted a special term of the legislature for some purpose and put up \$500,000 to pay the expenses, what do you think Gov. Folk would say to the argument that "the petitioners pay the cost?"

The law says a saloon petition shall be filed ten days before the term. It does not say special term, and therefore means the regular term. No other reasonable construction can be put on it, and Judge Fort has so held.

The Kicker does not care how many saloon licenses the court grants—provided the petitions and the proceedings are legal—but it regrets this juggling with the law. It does not favor high license. In fact I am opposed to all license. I want booze as free as water—or no booze at all. I don't like to see man have to give a bribe to engage in a business that would otherwise be illegal.

Just think this over. If I sell a bit of whiskey without first bribing the government I am a criminal and must pay a fine or go to prison. If a farmer takes of his corn, or fruit, and makes for his own use a bit of whiskey or brandy without first paying the bribe, he is a criminal and must go "over the road" along with thieves, burglars and murderers.

But it's the law—the law I want to see obeyed because it is the law. "Disregard for one law breeds disrespect for all law," says Gov. Folk, and I regret to see our county courts be so solicitous about the "cost" at the expense of the law.

Let us now take up the poll tax payer. The law says that only "assessed tax-paying citizens and guardians of minors owning property," are eligible petitioners. I will not discuss the property qualification, because that is plain as print can make it, but I want to show the ridiculousness of the contention that a poll tax payer is "assessed."

Property is assessed for taxation by the assessor and board of equalization, and you pay according to what you have. If you have much property, and don't dodge, you must pay much. If you have little property you can't dodge, and pay but little. And a record is kept, called the tax book, which is used in ascertaining the number of qualified signers necessary to constitute a majority.

With the poll tax it is different. This is fixed by the county court and falls on rich and poor alike. A millionaire must pay no more than the

poor without a change of shirts. It is a bad law, yet it is the law. The man without a team has less use for the roads than the man with ten teams, yet each must pay the same poll tax.

When a saloon petition is up for consideration, the first thing in evidence is the tax book. If a contest is on and there is reason to fear that the petition is insufficient, up goes the attorney for the saloon and introduces poll tax receipts—perhaps paid for by the petitioner. These are counted.

But—! The poll tax payers whose names are not on the petition, and whose receipts are not produced, ARE NOT COUNTED AGAINST THE PETITION. The court has nothing but the tax book before it and has no way of knowing the number of poll tax payers until after the road overseers make settlements.

If a poll tax payer is eligible to count for a petition he is also eligible to count against it. And the Kicker would suggest that the court put itself in the ridiculous position of summoning the road overseers or street commissioners and be governed by the poll tax books in the granting of license.

But, why argue this question? Has not the attorney-general passed on it and said that poll-tax payers were not eligible? But, the attorney-general is a Republican, while Scott county officials are Democrats, and it would never do for Democrats to admit that Republicans could be right about anything, and vice versa.

### B. S. CURD WANTS TO KNOW.

Morley, Mo., June 7, 1905.

To The Scott County Court: Gentlemen—I see from the county papers that you are granting saloon license on a base majority, and that to get even a majority you accept poll tax petitioners. Did you not promise the people that, if elected, you would carry out and enforce the law to the best of your ability and judgment? Are we to understand that the best of your ability and judgment is represented in a direct violation of the law?

Are you doing these things because your predecessors did? Suppose our governor had followed in the footsteps of his predecessors, and permitted booting to be continued in the established way, what would you say of him? The people elected him as they elected you—because of promises of better conditions—and so far as I can see he has kept his promise. But wherein does your policy differ from the policy of any of your predecessors? For the enlightenment of the people whose interests you are supposed to guard, will you kindly inform me wherein the action or ruling of the present court differs from the courts that the people wanted no more?

Please explain your action in granting saloon license on what the highest authority in the state—the attorney general—has said to be in violation of the law? The law says you MAY grant license on a majority. It does not say that you SHALL unless there is a two-third majority. Following the established custom, you grant licenses on a majority petition. Don't you think you are giving the saloon all it should ask when you give it all the law permits you to give without stepping outside the law to give it the advantage of illegal petition? Respectfully,

B. S. Curd.

## AROUND BENTON.

Blodgett is billed for a big barbecue and race meeting on the Fourth. They who have attended gatherings at Blodgett know that the people down there go their full length to make it pleasant for visitors, and the fact that Charley Stubbs, A. M. Sanders, Louis Guber and George Buchanan are behind the affair on the coming Fourth, is a guarantee of its success.

Editor Hafner departed, Tuesday, for Hot Springs where he will spend about three weeks, taking a much needed rest. We ask the readers of the Kicker to bear patiently with us in our humble efforts to entertain them during his absence.

The continuous performance that has been going on so long at the jail has closed down on account of the hot weather. The county court has posted a notice to the effect that there is no admittance without special permission.

D. H. Harper, the real estate agent, sold 40 acres of unimproved land in sec. 16, twp. 29, r. 13, belonging to S. R. James to Charles E. Dumey. Consideration \$10.50 per acre.

The complaint in some quarter that the deep well water is warm. The Kicker heard all along that that thing would get too hot for some.

The children of the Benton Catholic school, enjoyed an outing Tuesday and spent the day picnicking in Lagrand's grove, west of town.

## THE NEW GAME LAW.

At Morley, the other day a gentleman asked if the new game law prohibited the keeping of canary and other song birds. In these good old days of lawyer-made law, one never knows what a law means until the supreme court has reversed itself a few times and finally declares it unconstitutional. But in the opinion of the Kicker the law prohibits only game birds. The law vests the title to all wild birds, fish and animals in the state whether natives or brought in; protects all wild birds other than game birds at all times, with the exception of the English sparrow, crow, great horned owl, Cooper's hawk, goshawk and sharp-shinned hawk; prohibiting the sale of game birds or animals at all times and under all conditions, making it unlawful to sell ducks, quail, grouse, squirrel, venison, or any other game in any restaurant, hotel, shop or other place, where such game is killed in this state or any other state, or lawfully or unlawfully killed or had in possession; prohibits the sale or possession for sale of any wild native bird or plumage thereof for millinery or other purposes (except the six species); prohibits the sale of game fish under the following sizes: Trout and crappie 8 inches, pike, jack salmon and bass 11 inches; creates a game protective fund; creates the office of state game and fish warden at a salary of \$2000 per annum, with power to appoint deputies to be paid the same fees as constables in case of conviction and a salary of \$3 per day while under direct orders of the warden; places a license on resident hunter of \$1 per year for the entire state—nothing in the resident's county; places a license on a non-resident hunter of \$15 per year; prohibits all shipments of game, except when accompanied by a hunter with a license; limits the game bag to one deer, two turkeys and twenty-five birds of any species in one day, or double these figures to have in possession; gives the warden and deputies the right of search and seizure; the right to make arrests and serve processes; prohibits the hunting of water birds at night or from power boats; prohibits trapping of any birds or game; makes the receiver of shipped game equally guilty with the sender; makes an attempt to violate the law the same as an actual violation; prohibits (except in Missouri and Mississippi rivers) all seines, nets and devices for catching fish; prohibits poisons, oils and sawdust from being placed in streams, makes all marshals, sheriffs, constables and peace officers and deputies, deputy game wardens and fixes a penalty for their refusal to act under the law. Resident hunter's licenses are obtained from the county clerks and non-resident hunters' licenses from the state game and fish warden. The warden may issue permits to scientific persons to collect birds' eggs and nests, and the having in possession of the eggs of birds without a permit is unlawful. The law goes into effect June 17, 1905.

Dates when game may be legally killed are as follows: Wild turkey, quail, deer, November 1 to December 31; prairie chicken, November 15 to December 15; ducks, geese and snipe, September 15 to April 30; plover, woodcock and doves, August 1 to December 31; squirrels, July 1 to December 31.

JUST THINK IT OVER. We discovered this little gem in one of our exchanges the other day and it is so full of truth that we deem it worthy of a place in every newspaper in the land and we invite the attention of our readers to it.

"Did you ever hear of a man trying to lift an unfortunate woman when she falls from the pedestal of honesty and virtue? Nary a lift. Too much Adamic blood still creeping through our veins. When once a woman trips and falls from her high honored position, she lands in hell from which no human will stop to lift her out; husband, brother, father and son are deaf to her cries from that hour. But on the other hand how be it. We have seen men so low as it is possible for men to fall. We have seen the wife lift the husband from the gutter and press him to her breast with tears and sympathy, love and anguish trickle down her cheek in profusion. We have seen wife follow the husband through life in a constant whirl of misery and misfortune, and when at the gates of hell they are separated would stand and wring her hands in mortal agony because the curtain has fallen between them and she could go no farther. We have seen the mother follow her son through paths of crime and vice, shame and degradation through which a man was never known to follow a woman, yet who is to blame for the downfall of a woman? Who? Let the angels of heaven be the jury and God Almighty the judge."

## "THE JOB" NOT PRINCIPLES.

Kansas City (Mo.) Leader.

It seems impossible for an old party man to have an ideal above "a job." That is one thought that fills his mind. That is the one motive that moves him. He has nothing higher in view—and in fact counts getting "a job" the highest consideration of statesmanship. It is impossible for him to conceive that anyone is actuated by principle or anything above "the job."

Principle is so far above his thoughts and ideas that he does not comprehend how a man can be governed by a motive of that character. This is very forcibly illustrated by a conversation that took place in Jefferson City between Senator Ely, of Dunklin Co., and State Chairman Stokes, while the legislature was in session. The State Chairman asked Mr. Ely to vote for the bill to remove some of the hardships that are now imposed upon the minority parties and give the members of those parties right to exercise their rights as American citizens without being opposed and burdened as they are at present. The Senator's reply was that he wouldn't do it. When asked why, he said, "I am a Democrat, and it will hurt the Democratic party; that's all you are doing anyway." The chairman replied that we were not hurting the Democratic party. The Senator then said, "THE HELL YOU ARE NOT, (pretty strong language for a good Presbyterian); you come down into our country and take away such men as George Marshall and John Martin and reduce our Democratic majority. What good are you doing, anyhow? You get 'a job' out of it and that's all." "A job" that's all this senator could see. It never entered his head that there was anything better, more noble or more worthy to labor for. His mind and soul could not rise above "the job," and he represents full well the class to which he belongs.

ON THE WRONG TRACK. From Union Signal, Rutland, Vt. The way to get rid of any evil is to destroy the thing that it feeds upon. The trusts can be destroyed, not by Sherman laws and repressive legislation that will prevent rebates, tariff grafts and special privileges. The way to destroy the lobby is not by enacting laws specifically making it a crime or driving lobbyists from the state houses and the national capitol, but by electing men to office whom the lobbyists know to be of such standing and character that it would be no use to approach them. If you did not have criminal legislators you would have no criminal lobby. This universal denunciation of lobbyists that the plutocratic papers have been indulging in of late, will produce no effect at all and that is the reason that they engage in it. If one half the space was given to denouncing criminal legislators the work would soon end in success and we would know the lobbyists no more forever. Let reform papers everywhere turn their attention away from the lobbyists and denounce the criminal members of legislatures. They are the men to attack. Get on the right tracks. With honest men in the legislatures and in congress there would be no lobbyists.

TACK ON YOUR LABEL. We were surprised recently by a gentleman making inquiry as to the Eagle's political views. We thought that this was made sufficiently plain in our first issue. Both were born of Democratic parents and rocked in Democratic cradles, hence we are publishing a Democratic journal.—Prairie Eagle.

Well, why don't you tack on your label? Hoist at your masthead, "This paper is devoted to the interests of the Democratic party." In these days, when the same interests control both of the great parties, and both parties stand for exactly the same thing, how do you expect your readers to know which collar you wear unless, like David B. Hill, you come out and say, "I am a Democrat!"

In Pennsylvania the political plunderers call themselves Republicans. Here in Missouri they called themselves the "old guard" of the Democratic party. To the men who must foot the bills they all look alike. Tack on your label.

"The government will buy whatever supplies it finds to be necessary for the construction of the Isthmian canal in whatever country or market it believes it will get the most and best for the money," says a press dispatch from Washington. The dispatch would have come nearer the truth had it said that the commission appointed to buy the supplies would buy where the greatest take-off is offered the commissioners.

Statistics show that whiskey kills ten thousand persons to where a mad dog kills one. And how we do fear mad dogs, and all of us shudder at the name of mad dog, and yet we are mad and every fellow wants to get the first shot at him.

## THE CRIME OF AMALGAMATED.

### How the Captains of Industry Fleece the Public—Disreputable Methods Exposed.

Below is given what Mr. Lawson has to say in the June number of Everybody's Magazine. The story has been running for twelve months, and to get a clear understanding one should begin at the start. The whole story can be had by enclosing one dollar to the Ridge-Thayer Co., Union Square, New York City, for the "chapters that have gone before." Especial attention is called to the way the greatest financiers called in their office boys and clerks and capitalized the Amalgamated Copper Co. for \$75,000,000 without a dollar in sight, placed the worthless check in the National City (Standard Oil) bank where the government at Washington deposits the public's money without interest, sold this watered stock to the people and then redeemed the check with the money gathered in from the people.

That Mr. Lawson is telling the exact truth cannot be doubted, for he is financially responsible and any mistake would mean utter ruin to him with so powerful a concern as "Standard Oil" opposing him. Suits have already been filed against the buccaners of Wall Street to recover the money thus stolen.—Editor.

BY THOMAS W. LAWSON.

With its christening the career of Amalgamated had fairly begun. The consolidation of copper companies at last had a name. The next step was incorporation, and on the 27th of April, 1899, the corporation charter was issued by the State of New Jersey, and Amalgamated was equipped for business. It had yet to be dowered with the possessions so carefully accumulated on its behalf. These were conferred at separate solemn ceremonies fully described in preceding chapters.

In the September installment I sketched the "birthing" of our venture in the board room of the National City Bank, and explained the financial device by which the properties composing it were paid for. This was accomplished by crediting the accounts of Messrs. Haggin, Tevis and Daly in the bank with the millions due them, with the proviso that these amounts should not be drawn out until after our corporation had been fully "financed." Then came the organization of Amalgamated by clerks and office-boys, the paying in of its "cash" capital of \$75,000,000 in the form of a check by said clerks and office-boys in exchange for the entire \$75,000,000 capital stock; the turning over of this same \$75,000,000 check to Messrs. Rogers and William Rockefeller to pay for the properties that had cost them \$39,000,000 (\$24,000,000 for control of the Anaconda and \$15,000,000 for the Colorado, Washoe and Parrott mining companies), and then the further utilization of this versatile check by Messrs. Rogers and William Rockefeller to purchase from the office-boys and clerks the \$75,000,000 capital stock of the new corporation. When all these tricks had been duly registered, Messrs. Rogers and William Rockefeller had made on paper the difference between \$39,000,000 and \$75,000,000. This paper profit was, later, converted into gold of the realm by the National City Bank offering for sale to the public the \$75,000,000 of stock, the manner and method of which, and its results, I deal with in this chapter. Then the institution unwound its bookkeeping device, repaid itself the \$39,000,000 actually expended for the properties, and credited the \$36,000,000 profit to Messrs. Rogers and William Rockefeller.

Following upon the revelations contained in my September chapter came a power of contradictions disputing the accuracy of the facts and figures presented therein. From the enemies of Messrs. Rogers and Rockefeller and Amalgamated in Montana, headed by F. Augustus Heinze, came the extreme on one side, showing that the profits were \$46,000,000; in other words, that Rogers and Rockefeller had purchased the Haggin-Tevis-Daly properties for \$10,000,000 less than I had stated. This statement was absolutely devoid of truth, as those making it knew nothing of the facts. The other extreme was contained in the final chapter of the series of articles inspired by Messrs. Rogers, Rockefeller and Amalgamated Company, and written by Rogers's editor, Denis Donohue, under the heading, "Exposure of Lawson, and the Exact Statement of Facts." This says that the profits were only \$10,000,000 instead of \$36,000,000, and by way of proof the statement is made: "Now the Anaconda alone, which formed a component part of this consolidation, was capitalized at \$30,000,000, which capital stock was then selling at \$60 per share, which means that the entire property at that period was valued at \$72,000,000. During the process of acquisition the stock advanced to 70. The capital stock of the Parrott, another component factor of consolidation, was at that time worth, in the market sense, \$12,100,000, and the capital stock of Colorado Smelting and Mining Company was then worth \$7,000,000.

As in the case of Heinze's, these figures are absolutely contrary to the facts, although, unlike the Heinze statistics, they were made with the deliberate intention to deceive.

Those who made them know the facts, which were that the Amalgamated Company never owned all the capital stock of the Anaconda, but, on the contrary, only a few shares over 600,000, which represented the ownership of the Haggin-Tevis-Daly people, and which they had turned in for a lump sum before the market price had advanced. The control of the Parrott, owned by the Amalgamated Company, was purchased for a lump amount from Franklin Farrell and his associates for the sum of \$4,000,000 odd, not \$12,100,000. The Colorado Smelting and Mining Company was also purchased in a lumped batch of Senator Wolcott, not at \$7,000,000, but for \$2,000,000 odd, while the tremendous advance in the price of Anaconda in the market from 30 to 70 was due to the operations of Messrs. Rogers and Rockefeller, as I have already shown, for their private account, out of which they made a large additional profit.

There can be no possibility of mistake or successful misrepresentation of these figures. First, because the Anaconda figures are known not only to Mr. Rogers, William Rockefeller and myself, but to J. B. Haggin, and to the estates of Tevis and Marcus Daly, the Colorado figures, to associates of Senator Wolcott and to his estate; and the Parrott figures, to Mr. Farrell who received the money, and to a large number of those he had to account; and, further, these figures will all be demonstrated in open court in suits outside of any with which I have to do, which are now being brought or are pending.

On the day before Amalgamated's incorporation, Mr. Rogers and I conferred long and earnestly upon the plan of campaign for the company's organization. It was very necessary to avoid all errors, and to have everything cut and dried in advance, as we were obliged to railroad things through, and once started, a lurch or a side-track might be fatal, and I desired to have Mr. Rogers pass upon the program I had drawn up. Therein was set down the work of each captain, lieutenant and water-carrier who was to take part, and we discussed every detail to a finish. When he had approved everything up to the point where formation ended and the notation began, I said:

"Now comes the most important part of all—the offer to the public; for a slip-up, the misuse of a single phrase, or even of a word, at this point might destroy our whole structure."

"Quite true, Lawson," he answered, "but I have no fear of you there. Let me have your idea."

"First," I replied, "there should be an advertisement of the National City Bank, and one of the Amalgamated Company, and in this advertisement the story of the good things we have collected must be told in strong terms."

I am now about to explain exactly of what the First (Prime of Amalgamated) consisted, and it behooves my readers to weigh carefully the details, for I make the claim here that without further proof they will be able to realize not only my own position and purpose at this, the crucial stage of the Amalgamated enterprise, but to grasp the cold-blooded villainy of the men I am exposing.

At this time I was in a most uncomfortable and uncertain position. Each day I did business with Mr. Rogers and his associates, increased my knowledge of their cold-blooded brutality in dollar-making. I knew I was on dangerous ground; but to retreat meant my own destruction and terrible losses to my friends who had followed me and to the public which had come in on my advice. So I made up my mind to go on but to keep my eye-lids pinned back, my tongue anchored, and any gray matter I possessed oscillating. Remember, I was in no way sure that the public but I intended to mislead the public, but I suspected that his coat-aliases contained more things than his shirt cuffs, and that he was playing a game other than the one he let me see. Up to now Mr. Rogers and William Rockefeller had kept me between the people and their legal responsibilities, by having all public statements made over my signature. I had half-way concluded that this was done to avoid future accounting, but there might be other reasons. I determined when it came to the notation, which was the first time they were to take openly the public's money, to connect them publicly with my statements. It is next to impossible for any man to sit in front of Henry H. Rogers and give one reason for his actions and have another about his person; but this was a desperate contingency and I resolved at any cost to carry my point. How difficult a task I had undertaken I did not realize until I was well into it. When I had stated the form I thought Amalgamated's first announcement should have, Mr. Rogers paused. He repeated:

"The City Bank—that's the question. Now, how do you propose to go about that advertisement?" "Simply this way," I replied. "I will draw up a memorandum of the main strong points about the Amalgamated Company, and you will ask Mr. Stillman to have some of his people write them into a good, clear statement over the bank's signature, and have the Amalgamated Company indorse it, showing that it is joined with the bank in responsibility for the truth of the announcement."

(To be continued.)