

MIX-UP OVER AUDITING BOOKS.

County Officials Refuse to Surrender Books to County Court and Appeal to State Auditor after Contract is Signed.—Judge Frazer "Back-Slides" While Judges Bowman and Thomas Propose to Stand Pat.

If I had known that so much of interest to the people would happen during June, I would have kept the Kicker going. However, since the inside story has not yet appeared in print, it ought to convince the people that they must depend on the Kicker for such information as other papers suppress—and it is usually the suppress news that the people ought to have, but don't get.

A few months ago I called attention to a new law giving the state auditor the right to appoint men to audit the books of counties when requested to do so by the county court, or petitioned by 300 or more tax-payers.

The law is a good one, as it gives the people power to act in cases where county courts REFUSE TO DO SO. But it was never intended to be applied unless the court refused or failed to act. And it certainly was never intended to be applied where the court had already acted and contracted for the work to be done.

A blind man ought to be able to see that. It seems that this contention arose in another county, and Mr. Wyler, of the Audit Company, made inquiry of the attorney general, who gave him a letter to the effect that the new law did not interfere with the old one, and that county courts could contract with whom they pleased to audit the books. Guided by this opinion from the attorney-general, the Scott county court contracted with Mare Bros., of St. Louis, a firm of known ability.

On Monday, June 2, the Republican members of our county court decided to fulfill their previous promise to have the books of Scott county audited and contracted with the Mare Bros. because of their known ability. The agreement with the auditing company was—

1. That the work should be done fairly and impartially to both the county officials and the people—free from political prejudice.
2. That the cost should not exceed the cost if done by the State auditor's force.
3. That no information be given out until the work was completed.
4. That a bond of \$3,000 be filed by the auditors to be approved by the court on June 9.

Then there was some hustling in Democratic official circles. Evidently they appealed to the state auditor and in a few days the press dispatches contained an "opinion" by an ASSISTANT attorney general to the effect that, under the new law, county courts had no right to contract with private auditors, and that the work must be done under the direction of the state auditor.

Saturday, June 7, The Democrats had petitions in circulation asking the state auditor to do the work. The people generally did not know that the county court had already contracted for the auditing of the books and the petitions were freely signed. Very few people, so far as I could learn understood that the purpose of the petition was to take the auditing business away from the county court and place it in the hands of a state official. So they signed.

Sunday, June 8, an appointee of the state auditor arrived.

On June 9 court met and approved the \$3,000 bond of Mare Bros., with the agreement that a further bond of \$7,000 should be filed within a few days—making a total of \$10,000. Judge Frazer was not present. Strange that he should absent himself at so important a meeting.

The representative of the state auditor was here and took charge of the books. It seems that the connections between Benton and the state auditor's office were very close just at that time.

Prosecuting Attorney McWilliams got up to give the court some advice about "the law" that it had not asked for. When he subsided Judge Bowman, who served as presiding judge in the absence of Judge Frazer, announced that the contract had already been closed and would stand.

I was told that when the representative of the state auditor was asked for his authority he produced his appointment dated Saturday, June 7. On that date the petitions were in circulation here in the county. Hence it would appear that the state auditor acted before the petitions reached him.

County court adjourned before noon and the two judges and auditors went to demand the books. But the officials refused to surrender the books.

I don't know how others may view it, but to me a county court is the legislative body of a county just as a state legislature is the legislative body of a state or as congress is the legislative body of a nation. And to me it would appear quite as proper for national officials to deny the right of investigation by congress, or for state officials to deny the right of investigation by the legislature, as for

county officers to deny the right of investigation by the county court.

However the officials stood pat and defied the court.

Let's view the matter from another angle. We can best understand big things by reducing them to smaller proportions. Ben Marshall, at Blodgett, has very large interests and has book-keepers and men who handle his funds. Suppose Ben decided to have his affairs gone over, as he very probably does every year, and employed Bill Jones to do the work.

Suppose Ben went to his book-keepers and cashiers and said, "I want to see how my affairs stand and have employed Mr. Jones to go over the books and accounts. You will please turn the books and accounts over to him."

Suppose the book-keepers and cashiers got ugly and replied, "No, we won't do anything of the kind. If these books and accounts must be examined we will choose our own examiners."

What do you suppose Mr. Marshall would say to a deal like that in warm weather?

And that is exactly the situation in Scott county. The county judges are the agents of the people. They contracted to have the books audited by Mare Bros. And when your agents went to your servants and asked for the books, your servants said, in substance, "No, if these books must be audited, we will have it done by our political friend, the state auditor."

While the Kicker is not in this scrap, yet it seems to me that the position taken by the officials is not a very desirable one.

The two Republican judges had pledged themselves to an early auditing of the books and there is reason to believe that this had much to do with their election. The Democratic candidates ignored this issue and were defeated. The organ of the Democrats opposed an examination of the books—and it generally voices the sentiment of "the party."

Not until the court had contracted for the auditing did the Democrats show signs of wanting the books audited. To a man up a tree it would appear that they wanted no auditing, but when they saw it was going to be done anyway, then they proceeded to try to take charge of the job.

They say it is a political move. Perhaps so. I don't see how you are going to separate a matter that the people indirectly voted on from politics. By electing Judges Bowman and Thomas the people said they wanted to know something about how the affairs of the county were being conducted. And when these judges employed men who had done such excellent work in other counties they thought they were doing what they were elected to do. We KNOW that these men are out there doing their job. What do we KNOW about the appointees of the state auditor? About all we may be reasonably sure of is that they are Democrats.

It cannot be charged that the Mare Bros. are partisans. They examined the books of the Republican officials of Cape county and reported some of them short. They examined the books of the Democratic officials of Pemiscot county and reported some of them short. They are in BUSINESS—not in POLITICS. And to show a partisan disposition would soon put them out of business.

But politicians are often very lop-sided in their views. Our officials don't want any politics in it, they say. Yet they see no politics in insisting that their books be audited only by Democrats. If anybody is dragging this matter into politics and insisting on a partisan investigation, it seems to me that it is the Democrats.

And that looks bad on its face. Why object to anybody? If the auditors find anything they have to show it. AND IF IT ISN'T THERE THEY CAN'T SHOW IT.

The purpose of this work, as I understand it, is not to catch anybody stealing, but to get the books brought up to date by competent men—and then keep them that way by frequent audits.

In publishing the financial statements last May several errors were found in the copy that were made in the county clerk's office. In one place the figures amounted to over \$2,000. This was not intentional. But the best of us make mistakes. And if we are to have the affairs of the county straightened out, why not have it done by men of known ability and experience. This auditing department of the state was only created last winter and the men employed are necessarily new at the work. To do work well the men must not only be experts in figures, but need be thoroughly familiar with the laws governing each department, so as to be able to say to what funds the money belongs, how much less or commission the officer is entitled to, and so on.

State banks are frequently examined by appointees of the state department, yet how often is it that they are reported solvent when they are not. Such appointees are more often politicians than business men. Take for instance, the recent failure of the Pemiscot County Bank for over \$200,000. This bank had been rotten for years—although it was regularly examined. Not until the Mare Bros. went there and found the condition of county affairs had it the condition of the bank developed.

Not until after the contract was closed was there any noise made about "politics." Then the state auditor was appealed to, and he put a man on the job in double-quick time. When the officers to be investigated refused to surrender their books the Mare Bros. left. The next day the representative of the state auditor left also. Hence it appears clear that he came here only to prevent the county court from taking charge of the books.

Why? That is the question now being discussed by the people.

On Monday, June 16 court again met. Prosecutor McWilliams, who represents "the people" was on hand with some more advice. Judge Bowman raised the point that a county court had the same right to investigate county affairs as a state legislature has to investigate state affairs.

A brilliant idea seemed to take hold of the prosecutor. He said the members of the court could personally audit the books. But the members of the court doubted their ability to do so and didn't seem to hanker after the job. It seems to me that this admission on the part of McWilliams upsets their whole contention. They claim that only the state auditor's office is empowered to do it. If the county court has the right to go over the books themselves, then what is to hinder them from hiring help?

However, at this session on June 16 Judge Frazer kicked over the traces and made an order of record that the court had no right to contract with Mare Bros. because it was in violation of law, and thereby sought to repudiate the contract already closed.

The patriots are great on "the law"—when you let them say what it means. Judge Frazer is a good man—but a blind partisan. And weak. He was in the Rebel army and no one has been able to convince him that the war is over. Let a political friend intimate that it is a Republican trick and you will find Dr. Frazer on the job with hammer and tongs trying to

Why didn't Dr. Frazer think of "the law" when he helped to saddle this monstrous court house on the people without their consent? Why didn't he think of "the law" when he helped to "cite" the farmers who had dared to sign a petition against conditions as they are?

It hardly becomes him now to try to hide behind the law in repudiating a contract that he signed—and I am thinking that if the Mare Bros. do not audit these books they will make somebody smoke for having entered into that contract.

It seems to me that Judge Frazer does not realize the position he is placing himself and the tax-payers. As the matter now stands two suits against the county seem probable. The Mare Bros. will no doubt want damages for breach of contract. That means one suit.

And when the state auditor demands pay for the men sent here by him, I believe Judges Bowman and Thomas will resist payment. That means another suit. Where are you going, doctor?

Judges Bowman and Thomas hold that they acted within the law, and while Judge Frazer was "raw-fishing" they proceeded to bring action against the officials who refused to comply with the order of court and surrender their books.

Attorneys Bailey of Sikeston and Finch of Forneft were appointed by the court to proceed against the officials and compel them to deliver the books, and County Attorney McWilliams was instructed to assist them.

On that same day the men came from the state auditor's office and began the investigation. And I left for Chicago.

Saturday afternoon June 21, I returned from a week's trip and was sitting in front of the office. A neatly dressed young man came by and addressed me in a rather familiar way. I soon discovered that he had mistaken me for Mr. Dudley of the Democrat, and requested that he apologize to Mr. Dudley. That opened the conversation and I asked, "Are you one of the auditors?"

"Yes."

"How many are there of you?"

"Three."

"How far back are you going?"

"How do you mean?"

"Well, the county court's order was to go over the books for ten years back. But you have nothing

to do with the county court?"

"No; we are under the state auditor—John Gordon."

"Do you know how far back the investigation will reach?"

"I don't know that. I am working on the circuit clerk's books and was instructed to begin in 1911."

"Don't you intend to go any further back than that?"

"I don't know."

"How long have you been in the service?"

"Only about a week."

"What is your name?"

"E. E. Townsend."

"Where from?"

"Savannah, Mo."

"Who is your chief in charge of the work here?"

"Mr. ———"

"How long has he been in the service?"

"About six weeks."

From the above it would seem that the men sent here are quite new at the work. I believe it was the purpose of the county court to get a fair and impartial auditing of the books. In fact, I cannot understand how it would have been possible to have had any other kind under their contract with Mare Bros. The presiding judge is a Democrat and the two associate judges are Republicans. The cry of "politics" was of Democratic origin, and if it is a partisan investigation, they alone are responsible.

True the law provides that on a petition of 300 tax-payers the auditor shall act. But the evident purpose of this law is to give the tax-payers a chance in case the county court refuses or neglects to act—as was the case in Pemiscot county, where the court refused to act even after it had been petitioned to do so by the people.

However, in reality, the people of Scott county did not petition for the matter to be taken from the county court and placed in the hands of the state auditor. It is doubtful if one in twenty signers understood this to be the purpose.

Had the state auditor been petitioned in the regular way and sent his men here, no doubt the work would have been satisfactory. And now, since he has lusted in and shown his interest in the matter by dispatching a man here to take charge of affairs after the court had contracted to have the work done, I doubt if it will satisfy anybody.

But, anyhow, it was real funny to bring about a condition that forced "the party" to circulate in a hurry petitions asking that their own books be examined.

They sure did move some.

There are now about a half dozen of his men here.

Let me tell you how it appears to me. What follows is only guess-work—for a political machine always works under cover and is hard to trace from the outside.

The new law took effect last winter as soon as signed by the governor. It contained an emergency clause. Private audits and audits by the state department have been going on since. Not until Scott county was reached was the right of the county court questioned.

As it appears to me, the officers here immediately got in communication with the state department, seeking its protection.

The first thing necessary was a favorable opinion from the attorney general's office. The attorney general had already given his opinion in a private letter. Hence it was necessary for attorney general to render an "official" opinion that was different.

This opinion was evidently turned loose on Friday—for it appeared in the papers on Saturday morning. But the patriots here had evidently been informed by wire for they had the petitions in circulation before the daily papers reached here Saturday.

It is further evident that while these petitions were being circulated here the state auditor arranged to send a representative here to be reached here Sunday—to head off the auditing authorized by the court that was to begin on the next day—Monday.

If this is the case, then the state department acted before the petitions had reached there—and, therefore, acted without authority.

An amusing thing happened in county court Monday. County Attorney McWilliams asked the court to rescind its order instructing him to assist Attorneys Finch and Baily in proceeding against the officers who had refused to surrender their books to the court. He gave as a reason that he had already expressed a contrary opinion. Perhaps the court thought he ought not to be so handy with opinions and let the order remain.

IN WEST VIRGINIA.

For months the papers of the working class have been telling of the out-laws and horrors of West Virginia. But most of you did not believe that the conditions as described could exist in a "free" country. You didn't believe that over a territory of 150 square miles the bullet and the bayonet ruled by order of a government.

Well, it got so bad, and the protests so numerous from all over the country that congress and to take notice. A committee of senators was appointed to investigate and report.

And these senators found conditions to be just as the working class papers had described them. Ex convicts and hired thugs in the pay of the mine owners, and assisted by state troops, and in the name of law and order, shot and clubbed peaceful citizens. "The committee sat back astounded," is the press report of the investigation.

Lee Calvin was a former mine guard in the pay of the mine owners. He told the committee of the armored train that shot up Holly Grove. "There were ten or twelve men in the armored car attached to the train," said Calvin, "and when we got just above Paint Creek Junction all of them began getting rifles which were in the car. They tried to give me a rifle, but I told them I had no shooting to do. The brakeman came thru the train and turned down the lights. He told us to shoot right thru the windows. I was leaning out of an open window. As we came to Holly Grove I saw a STREAM OF FIRE start out of the baggage car just ahead where the MACHINE GUNS were mounted. The stream kept up as we went thru Holly Grove. As we passed I saw three or four flashes of fire from the tents."

"Were there any flashes of fire from the tents before the shooting began from the train?" asked Attorney Beicher for the miners.

"I didn't see any," said Calvin. "I just heard the engine whistle blow and the shooting from the train began. I am positive the shooting first began from the baggage car."

The witness said Quin Morton, one of the mine owners, was on the train. When the train had passed the miners' camp, he said, Quin Morton came running thru the car.

"What did he say?" asked Attorney Beicher.

"He said, 'Back up the train and we will give them another round,' answered the witness. 'He was talking to the sheriff, and I think he told him something about there being women and children up in those tents and he would not shoot.'"

At this statement Senator Martine of Virginia almost leaped from his chair. "What sort of a man is this man Morton?" he shouted. "Is he an ordinary American citizen that could order such a thing?"

TOO MUCH FOR BILL.

"I dunno how Bill's-a-goin' to vote in this election," said the campaign worker. "I've heard tell he's on the fence."

"He was 'thar,'" replied the neighbor; "but one of the candidates let fall a dollar on the off side of the fence, an' Bill got dis-a' fell over."—Christian Register.

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IN THE SOUTHEAST.

What the People are Doing in Other Counties that are Near.

Jefferson county got a little touch of West Virginia law and order last week. The Pittsburg Plate Glass Works are located there and employ about 1,300 men. These men work hard—12 hour shifts and average about \$1.75 a day. Representative Wolff, of Jefferson county, introduced a bill in the last legislature forbidding the working of these men more than eight hours per day. The law passed and became effective June 24. As usual the glass trust defied the law and insisted that the men continue to work 12 hours. So the men, in obedience to law, quit work and organized a strike. The first meeting was presided over by Representative Wolff himself, who encouraged the men to stand for the law. To help direct the strike President Wood, of the Missouri Federation of Labor, was sent for and came. At a meeting President Wood discovered that the hall was packed with thugs and rowdies of the glass trust to do him bodily harm. He quietly slipped out and went to his hotel. When the mob learned of his whereabouts they went to the hotel and demanded him and it was only by the brave work of the hotel people and a few others that his life was saved. The saloons were kept open until after midnight and booze flowed freely. The mob hung around the hotel until 1 o'clock, and threatened to come back next morning. Before day, however, the hotel people drove Mr. Wood to Herculaneum, where he took a train. This happened in Missouri where the good old Democratic party is in the saddle. Not an official appeared to protect Mr. Wood—although mob rule lasted for many hours. Had it been a glass trust official in danger, troops would have been hurried from Jefferson barracks by special train. But then, the blamed fool working men vote for this sort of government and why not give them all their vote for. At last accounts the prosecuting attorney had taken no action to prosecute the mob leaders, who were "prominent citizens," nor the glass trust for violating the 8-hour law. The Socialists have put State Organizer Aldrich into the strike district and appealed to Gov. Major for protection—notifying him that they will hold him responsible if harm should be done him. Aldrich will speak at Rockwell, July 19; Chaffee, July 20. Should others of the county want him, write State Secretary Otto Verling, 906, Chouteau Ave., St. Louis.

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A rattlesnake, while in the act of swallowing a muskrat, was shot near Delta. It was six feet long and had 16 rattles.

A New Madrid county man recently caught 65 turtles, which in the aggregate weighed 700 pounds.

There seems to be considerable muss in Pemiscot county as a result of the discoveries there of the conditions of public affairs. Planned road work must be abandoned and it is feared that schools will have to close for lack of funds. At a recent session of county court many school directors were present and the Pemiscot Argus says:—"There was considerable discussion among those present, not all of which was temperate, but no definite conclusion was reached upon the subject. There were probably sixty or seventy-five persons present, and it is said that the discussions even went so far as to threaten violent action in case the public schools were forced to stop."

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Looks like Socialism is beginning to take hold in Cape county. State Organizer Aldrich speaks at Neely's Landing, July 10; Cape, 11; Jackson, 12; Oak Ridge, 13; Millerville, 14; Burfordville, 15; Tilsit, 16; Whitewater, 17.

Casher Wilcox, charged with the wrecking of the City Bank, Bloomfield, was convicted on a second court last week and given three years. In his first conviction he got two years and appealed.

It cost six citizens of Madison county \$34.55 each to play a little game of poker. They should have placed their money on the stock market, where they can gamble legally.

La Grange has completed the second year of oiling its streets, with complete satisfaction. The approximate cost of the oil and its application is \$20.00 per block.

A farmer of Madison county claims to have harvested 70 loads of clover hay from twenty-five acres of ground and that the loads would average 1,500 pounds each.

Near Marquand Dr. Shell was instantly killed by lightning one day last week. He was riding on horseback when struck.

A rattlesnake, while in the act of swallowing a muskrat, was shot near Delta. It was six feet long and had 16 rattles.

A New Madrid county man recently caught 65 turtles, which in the aggregate weighed 700 pounds.

There seems to be considerable muss in Pemiscot county as a result of the discoveries there of the conditions of public affairs. Planned road work must be abandoned and it is feared that schools will have to close for lack of funds. At a recent session of county court many school directors were present and the Pemiscot Argus says:—"There was considerable discussion among those present, not all of which was temperate, but no definite conclusion was reached upon the subject. There were probably sixty or seventy-five persons present, and it is said that the discussions even went so far as to threaten violent action in case the public schools were forced to stop."