

A Few Things from Republican Sources Concerning the Hyde-Foster-Wilson Police Administration

Read Carefully the Yelp From the Factional Republican Newspaper, "The Star," When Its Own Ox Was Gored.

Editorial appearing in the Kansas City Star on August 30th, 1921

POLICE BRUTALITY

The brutal attack made on John A. Selby, Jr., a reporter for The Star, by Lieut. Roy Stafford and other policemen last night, as described in the news report of the affair is a demonstration of hard boiled police methods that has repeatedly shown itself in the last few months. *

Policemen were properly instructed to deal sharply with professional criminals. Many seemed to get the idea that it was a mark of efficiency to be brutal on all occasions. ***

The incident of last night ought not to have been possible in a well disciplined force. If in the confusion of the moment the police were determined that nobody should enter the place from which a murder and suicide had been reported, it was perfectly possible to enforce the rule with decency. The slugging of Mr. Selby was an instance of utter misconception of police duties, of lack of self control, and of brutality. The fact that several officers joined in the attack indicates the seriousness of demoralization in morale. It reflects on the chief and on the whole department.

Well managed police forces are not guilty of brutality. The London force probably is the best in the world. It prides itself on doing its duty without a resort to clubs. The Selby assault would have been inconceivable in London.

To the Voters:

A vote for Foster is an approval and a consent on your part for a continuance of the gross outrages so aptly described herein.

Read what Judge Thad B. Landon, Republican, had to say concerning chaos and anarchy resultant from disobedience in carrying out court orders and violations of the law by those who are charged with their enforcement.

In the Circuit Court of Jackson County, Missouri, at Kansas City

HART BRAY, Plaintiff Versus

CHARLES EDWARDS, JOHN E. WILSON, et al, Defendants.

Assignment Division No. 170858.

Appearance: Before Hon. Thad. B. Landon, Judge of Division 8, Sitting as Assignment Judge.

Plaintiff appeared by Messrs. Kirkpatrick and Crampton of Runnion, Kirkpatrick and Crampton.

Defendant John E. Wilson appeared in person and by his counsel, Mr. John M. Langworthy, Mr. Henry M. Bundschu.

HEARING OF CITATION FOR CONTEMPT

COURT'S OPINION

There is a very great tendency at large to ignore and treat lightly summonses, subpoenas, orders of the courts and it seems to be sanctioned by a great many people. A thing of that kind is abhorrent and strikes at the very root and foundation of this government. Whenever you get to the point that the courts cannot enforce their lawful orders, writs and summonses and so on, you have destroyed this country.

This petition was filed here on the seventh of March, and affidavit in all respects in

conformity with law, describing the property sought to be replevined, with the allegations that the property was unlawfully, wrongfully and forcibly seized and detained and unlawfully held and detained, without right, without due process of law. The statute of this state, which is binding upon everybody, the humblest citizen to the highest official in the land, reads: "Upon filing such affidavit the court or judge, or clerk in vacation shall make an order requiring the defendant to deliver the property specified in the affidavit to the sheriff and requiring the sheriff, if the same be not delivered to him, to take it from the defendant and deliver it to the plaintiff. Further providing that the sheriff shall not receive or take any such property until bond is given with sufficient securities to protect the sheriff," and so on.

The writ was legally issued in this cause by the Court on the eighth of March, 1922, requiring and demanding that the Sheriff do certain things in accordance with law. He proceeds with the execution of this writ of replevin. Presents it to the defendants, and they refuse to deliver the property, giving as a reason therefor that they are holding this car as evidence; it is their conclusion, stated to the sheriff, that under such circumstances they are not required to deliver the property. In other words, they are not required to obey the writ.

Now what is the effect of that? Supposing we issue a summons, as has happened, or a subpoena requiring a witness to appear here, as has happened and because it was served not by the sheriff but by an individual, the witness just sits down and says: "I don't have to obey that writ; it wasn't served on me by the sheriff; I will pay no attention to it." He is brought in for disobedience of the order. He determined the question for himself. Now, in this case, rightly or wrongfully, the Commissioners determined the question for themselves as to whether or not this writ should be obeyed. If the property was rightfully in the custody of the law, of course a writ of replevin could not issue, but that matter could be determined, and the only place it could be determined was by the court, not by some arbitrary individual, or any body thinking they had the authority to do so. If you permit those things to be done, you will have merely chaos and anarchy in this country. This is a country of law and not of men. There is nothing whatever in the world to prevent the Commissioners from appearing, as they should have done and stated, "Here is your writ that is issued; we are holding that property for evidence; it is now in the custody of the law." There is nothing to prevent the court from setting aside the order or making such regulations or rules with reference thereto as would keep the property where it could be used and all parties thereto could be protected. We cannot allow individuals to determine these matters for themselves.

I have a high regard for Mr. Wilson. I know he does not want to disobey the law knowingly. But sometimes boards, perhaps, get the idea that they can determine these matters. You have got to enforce the lawful rules and orders of the Court and if the Court doesn't do it they are lending themselves to this condition of chaos in this country.

Now, the Sheriff goes there. It is admitted by the parties they have this property in their possession. They refuse to deliver it and sit back and say it is in the custody of the law and we are going to hold it, and they set themselves up as the power to determine those matters. I am not going to make any order that is going to hamper or hinder the Commissioners in the lawful exercise of their authority or duties, but this can't continue in this way. Certainly Commissioners cannot disobey the orders of the court any more than private individuals.

Read What Attorney R. R. Brewster, Republican, Had to say on the Selby Occasion.

From K. C. Star, Sept. 4, 1921 In summing up the evidence, R. R. Brewster, attorney for John

A. Selby, Jr., made a forceful and eloquent appeal. Mr. Brewster's speech, in part, is given in the following: The fundamental principle, Mr. Brewster said, is the upholding of the law, and that the rights of citizens, whether foremost or lowliest in the community, should be protected; especially, he emphasized, by those whose duty it is to protect and uphold the law.

Whenever a member of the police department, Mr. Brewster asserted, undertakes to constitute himself an officer to try a man and puts the punishment into effect, beating him with his fists, club or blackjack, and then curses him—then an intolerable condition exists. Moreover, an officer, the attorney said, who actively or passively co-operates in such practices, ought to be put off the department.

And I want to lay down this proposition to the commissioners, if you please, and it is this: That no police officer has the right to violate the law as it is written, and it does not make one particle of difference whether he violates that law against the rights of the criminal or against the rights of the law-abiding citizen. The fundamental principle in the last analysis is to uphold and maintain the law as it is written, and that the rights of the citizen, whether he is the foremost citizen or the lowliest citizen, should be protected.

Officer Not the Judge

As I conceive it, there could be no more effective police force than one that from the very top to the very bottom was prompted by the very idea that that department should administer the law as it is written, and only as it is written. The whipping post has been abolished; there is no power given into the hands of any police officer on earth to inflict punishment; he is to arrest people who violate the law, he is but an arresting officer, and he is not a judicial tribunal who tries a man, nor is he an officer who puts in effect the punishment to be meted out. I say that whenever a policeman in uniform or out of uniform not only undertakes to constitute himself an officer to try a man and puts the punishment into effect, beating him with fists, or clubs, or blackjacks, or curses him, I say that is an intolerable condition.

You cannot shove a citizen, you cannot slap a citizen in the face, you cannot curse him, you cannot kick a defenseless negro, without breaking down the dignity of the law.

Mr. Brewster is a prominent attorney, a Republican in politics, and represented Mr. Selby at the time the Star's ox was gored by Mathew and John. Since then Gus and Matt have kissed and made up, and also since then thousands of innocent citizens have been jailed, slugged and mistreated. Due to the armistice between Gus and Matt no complaint has come from the Star.