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So The People May Know

A PUBLICATION OPPOSED TO UTILITY MERCHANDISING

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NO. 10

What We Expect of the Governor and Attorney General

Statements of the Candidates and Observations of the Editor

Your Political Choice May Rise to Strike You

We addressed a letter to all candidates for the office of Governor and the office of Attorney General, on July 2nd, 1932. Pertinent excerpts from that letter follows:

“The Fair Merchandising Association is not in politics as such. It has no ambition to inject itself unduly and its single problem, into the many problems confronting you. However, because it is dependent entirely for the accomplishment of its single purpose upon the views of our state government, it does feel justified in inquiring of you, your views relative to the elimination of merchandise sales by Public Utilities.”

“We will appreciate very much if you will prepare a statement ..., which we agree to publish verbatim We reserve the right to follow your statement with observations and impressions of your public record as an official, and your private record as a citizen. We state this in fairness to you.”

“Kindly feel that the offer to publish your statement is a gesture of courtesy on our part and that there is no obligation for you to make it and no demand on our part that this offer be accepted by you.”

FRANCIS M. WILSON (Democrat for Governor)

REPLY

“It is my opinion, and my record will bear it out, that any quasi-public corporation, in which class are Public Utilities, deriving power by legislative grant, should be prevented by the same legislative authority from any practice tending to destroy private enterprise

of legitimate character or from becoming unduly burdensome to the State or to the people.”

Senator Wilson has a long and distinguished record, having served his county as Prosecuting Attorney, his state as Senator, and one session as President pro tem, and his nation as United States District Attorney. He was the choice of his party for Governor at the election of 1928.

The above statement is highly satisfactory in view of his clean record in this campaign of no promises, no pledges, and no vilification, either public or private.

Senator Wilson was the author of splendid regulatory legislation, concerning railroads and other big corporations where touching the rights of private enterprise and individuals. Generally regarded as strict disciplinarian of Public Utilities and State granted privileges; can be depended upon to appoint members of Public Service Commission of his own type and belief, thoroughly honest, independent, and not utility minded. Chief opposition in this campaign attributed to Public Utilities and railroads who are known to “take a position” for their own good reasons.

The Kansas City Star, on February 27, 1932, said editorially, “Senator Wilson has established a reputation for independence of thought and action. He has a predilection for being his own boss and for keeping himself free from outside control. His record is such

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RUSSELL L. DEARMONT, (Democrat for Governor)

No REPLY

Senator Dearmont, throughout the last Legislature and during this campaign, has had every opportunity to go on record in this matter, but has failed to do so in any clear way.

He was a member of the Senate Judiciary Committee, 1931, to which the Anti-Utility Merchandise Bill was referred, opposed the Bill in Committee but did not vote at first meeting; agreed with members of the Association to vote to report the Bill to the Senate “without recommendation” at second meeting of committee, but sat mute in meeting and again did not vote nor request a question to be put that would permit report without recommendation, as agreed to.

Senator Dearmont stated openly, many times, before becoming a candidate, that he was opposed to the bill and would vote against it both in Committee and on the floor of

the Senate. Since becoming a candidate he has said only to the members of this Association that he would not, as governor, veto the bill when presented to him, unless previously declared unconstitutional.

Generally charged with being "Utility minded"; is being supported actively by utility lawyers and employees and has had Utility employment.

Attorney of record with Missouri Public Service Commission, representing Missouri Utilities Company before that body in its Cape Girardeau Rate Case, involving service and rates in twenty-eight cities in Missouri.

Special Counsel for Utilities seeking franchise for water and light in home towns; prepared franchise,
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FRANCIS M. WILSON, (Continued)

as to discourage any special interest from supporting his candidacy in the expectation of favors, should he be elected. It is a record of sincere and earnest devotion to the public service, in which the conscientiousness of duty well done is the great reward. The way he ran ahead of the presidential ticket in Missouri four years ago was testimony to the confidence of the voters in his integrity, as well as in his common sense. This confidence remains an immense asset in his present campaign."

Francis M. Wilson is not connected with or associated with any Utilities in any capacity.

Public record decidedly independent and fair, leaning toward small business and individual enterprise.

Legislative influence would be tremendous, if elected.

Highly acceptable and desirable to the cause of this Association.

GROVER CHILDERS, (Democrat for Governor)

REPLY

"Stop the unfair trade practice of Utility corporations dealing in household machinery and appliances with clerical and sales force salaries charged to the public in rates, while taxpaying dealers pay their own rates and clerical hire and contribute through Utility rate charges to the support of their unfair competitors. I have given some study of fair merchandising, and I am convinced that the State of Missouri owes it to her independent

dealers to suppress the annihilation of her citizens engaged in the merchandising business."

Hon. Grover Childers has no legislative nor public executive record bearing on the cause of the Association, nor related situations.

He is known to be honest, fair, and generally able but not experienced in handling public bodies.

Views coincide exactly with aims of the Association, statement clear-cut and forceful, could expect every possible influence for success of bill.

No public record.

Legislative influence slight.

Acceptable to the cause of the Association.

REV. JAMES L. DELK, (Democrat for Governor)

REPLY

"First, I favor the abolition of the Missouri Public Service Commission for reasons obvious. I am unalterably opposed to our Public Utilities or power companies carrying on a merchandising business in electrical or other appliances not the direct product of said Utility corporation, thus working a distinct hardship on the smaller independent merchant who renders a personal service to his community and should be protected."

The Rev. James L. Delk has had no legislative experience and has not previously sought public office.

He is known to be honest and fearless, of strong convictions and an able proponent of any cause in his hands.

Views on Utilities merchandising are in accord with the cause of the Association.

No public record.

Legislative influence negligible.

Acceptable in his views to the cause of the Association.

RUSSELL L. DEARMONT, (Continued)

plead its cause before city council and indulged in debate upon its merits before the voters. Franchise lost.

Trial Attorney for Missouri Pacific Railroad.

Credited with introducing and having passed an act prohibiting the use of slugs in

telephones, at request of Southwestern Bell Telephone Company. (Good legislation—note only association).

Voted and worked for S. B. No. 233 relieving certain stock salesman and Henry L. Doherty & Company chiefly, from paying full State fees. Bill lost.

Dividends of Missouri corporations are exempt from State Income Tax when paid to a foreign holding company making consolidated Federal Returns; not exempt when paid a Missouri resident. Practically no Missouri corporations benefit excepting Utilities and practically all Utilities are exempt. Generally regarded as Utility law. Dearmont voted for this law in 1929, aggressively opposed two amendments in 1931, either of which would have removed it.

Member of Committee recommending that S. B. 375 and 376 “do not pass.” These bills enabled the Public Service Commission to compel disclosure of holding companies and would have brought Utility ownership into the open.

The Kansas City Star on July 13, 1932, had the following to say, relative to the charge that there would be a question as to the quality of his appointments to the Public Service Commission, “the reply of Senator Dearmont ... in the Utility controversy, does not dispose of the matter. Senator Dearmont says he never has appeared before the Public Service Commission in a rate valuation case, but he “was on a case involving a franchise, once.” This reply does not meet the real point which was that as Senator Dearmont had been an attorney for a Public Utility there would be a question as to the quality of his appointments of members of the Public Service Commission, should he be nominated and elected. The public is greatly aroused over the proper regulation of Public Utilities. . . In view of this situation, the people of Missouri are vitally concerned in the attitude of the gubernatorial candidates on Utility regulation.”

The Hon. William, L. Igoe of St. Louis has asked this pertinent question, “Mr. Dearmont said that if elected Governor he would not appoint to the Public Service Commission men who have alliances with Utility interests. Under this standard, would not an attorney for a Utility be disqualified to serve upon the Commission? Yet, although under his own standards he himself should not be appointed, he asks the people of the State to give him the power to appoint others.”

The Hon. James P. Aylward says, “Also he (Dearmont) is supported by a St. Joseph lawyer who represents the Doherty interests, and various other Utility interests are friendly to him. I am informed they are doing everything within their power to bring about

his nomination. As a member of the State Senate, he was

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against the Merchandising Bill and was largely responsible for bringing about its defeat.”

Public record decidedly pro-Utility.

Legislative influence would be great, if elected.

In no way desirable to the cause of the Association.

CHARLES U. BECKER, (Republican for Governor)

REPLY

“While I do not believe that it is necessary for a candidate whose views on merchandising in Missouri are as well known as mine to restate his position, I want it understood that I have always favored the little man in business against the big corporations. Whenever you destroy the little merchant, you have destroyed one of the essential features in business life. You will recall that during the last legislature I rendered service to your cause in every possible legitimate way. I am still deeply interested in the welfare of the small merchant, and I want to assure you when I am elected Governor, I will do everything in my power to protect the little business man against unfair encroachment from, the big corporations of this State.”

The Hon. Charles U. Becker has served the State of Missouri as Secretary of State during the last twelve years. He has held public office for many years, having been continuously successful in his various campaigns.

During the last Legislature he rendered much service to the cause of the Association both thru a courteous hospitality in his quarters and thru introductions of your Legislative Committee to various and influential members of the Legislature, however, without undue pressure or affirmative influence on the members of the Legislature.

Secretary Becker’s record as an office holder is long and varied and generally approved.

He has been a great student of taxation with particular reference to Public Utilities and Public Service Corporations. He is considered fair, able and courageous.

Legislative influence would be tremendous, if elected.

Acceptable in every way to the cause of the Association.

LEO H. KOEHLER, (Republican for Governor)

No REPLY

Executive experience as County Highway Engineer, Jackson County, Missouri.

Views unknown.

Utility affiliations unknown.

EDWARD H. WINTER,
(Republican for Governor)

REPLY

"I am in very hearty accord with your Association in regard to merchandising by Public Utilities. I gave considerable study to a proposed measure along that line in the last session of the General Assembly and I shall be glad to cooperate with your Organization in the future, either as private citizen or as public official, to accomplish your aims."

The Hon. Edward H. Winter has served the State of Missouri as Lieutenant Governor for the past four years. His mode of presiding and parliamentary rulings were outstandingly admirable and fair. As Presiding Officer of the Senate, he had no legislative power, but rendered considerable legislative influence.

He is a newspaper publisher of merit and distinction and is taken seriously and soundly by his political associates.

Lieutenant Governor Winter is not known to have any Utility affiliations, is felt to be a good disciplinarian over corporations and individuals holding State grants.

Generally accepted as honest, serious and capable.

Public record acceptable.

Legislative influence would be great, if elected.

Perfectly satisfactory to the cause of the Association.

GEORGE P. CALVIN (Democrat for Attorney General)

No REPLY

Known to be fair, capable and aggressive.

Spoke in favor of the Anti-Utility Merchandising Bill introduced in the last Legislature and voted for it. Was courteous and encouraging to the Legislative Committee and of much service to it. Known to be a friend of the cause of the Association, an ardent

disciplinarian, and a splendid lawyer.

Public record excellent and dependable.

Legislative influence will be important.

Acceptable in every way to the cause of the Association.

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ROY McKITTRICK (Democrat for Attorney General)

REPLY

“How many ‘replies’ do you need? Beginning as far back as December 17, 1930, I replied that you were right and I have told you a dozen times since that you are right. I fought your battle in the Senate during the last session and I have not changed my mind nor waivered in my belief. More seriously, as Attorney General, I shall enforce the laws to my utmost ability, in a fair impartial way and any “special interest” seeking legal or technical advantage will have a lot of explaining to do with me asking the questions.”

Senator McKittrick served in the State Senate during the 1931 session. Although his first term, he sprang quickly into leadership and stands out conspicuously among the Senators, new and old, for his ready grasp of and clear cut decisions on legislature matters.

His statement above does not nearly accept full credit for the tremendous service he rendered to the cause of the Association. If any reciprocity is justified Senator McKittrick deserves the fullest consideration of every member of the Association.

He was particularly active in the fight on income tax exemptions allowed foreign holding companies. (Utility Law.)

Introduced good legislation including fair and just tax money distribution, State Farm, Relief, etc.

Able, courageous, constructive.

An important member and an organizer of the Association has written us, as follows:

“Personally, I consider the Hon. Roy McKittrick one of the best friends that the independent merchants of the State of Missouri have ever had in public office and while our Association, as such, probably should not take part in partisan politics, I do. think it only fair that every member know the record of Senator McKittrick and that support of his candidacy for the office of Attorney General and its resultant success will place in office an efficient, able and honorable gentleman who will be firm, in his convictions, fair in his

consideration of every matter coming before him and dependable to render full justice and fair play in all instances.”

Public record remarkable and distinctly favorable to the cause.

Legislative influence would be very great.

Highly satisfactory and desirable to the cause of the Association.

HENRY DEPPING (Republican for Attorney General)

REPLY

“You state that certain Utilities of this state sell appliances used in connection with their products and charge up to their cost of doing business their merchandise losses. Thereby this merchandising loss is charged up to the consumer of their products because it is included as loss for rate making purposes. It is my opinion that this practice, if it exists, should not be tolerated. It is not legally justifiable and I see no reason why, if a Utility sells merchandise at a loss that this loss should be charged to the consumers of electricity or gas or whatever product they sell, to the public. If such a bill is passed and becomes a law, as Attorney General, I will vigorously enforce the law as written by the Legislature.”

The above statement is fair and clear and reflects a consciousness of the problem presented by the merchants.

Having no opponent in the primaries seeking the same office, Mr. Depping would have had no purpose in the strength of his reply other than to reflect an uninfluenced opinion.

As a lawyer, he is highly qualified for the office sought; has acted as Counsel for the State Fish and Game Department ; until recently was Assistant Attorney General of this state; his personal record is such as to warrant confidence in his thinking and sincerity.

Public record good.

Legislative influence unpredicted.

Acceptable to the cause of the Association.

IKE SKELTON

(Democrat for Attorney General)

No REPLY

Mr. Skelton has been active in his local politics and has served his county well as

Prosecuting Attorney.

Well spoken of by his associates, as a capable lawyer, sincere and fair.

Lack of information only prevents further observations of Mr. Skeleton.

FAIR MERCHANDISING ASS'N

P. O. Box 696, Kansas City, Mo.

St. Louis, Mo., 501 Chamber of Commerce Bldg.

Kansas City, Mo., P. O. Box 696

St. Joseph, Mo.

Springfield, Mo.

Joplin, Mo.

Representing the following:

Missouri Retail Hardware Ass'n

Missouri Master Plumber's Ass'n

Missouri Retail Merchants' Ass'n

Missouri Retail Furniture Dealers

Western Retail Hdw. & Implement Ass'n

Missouri Hardware & Plumbing Jobbers

Missouri Pharmaceutical Ass'n

Electric & Radio Dealers

Department, Jewelry and Music Stores

General Merchandise Stores