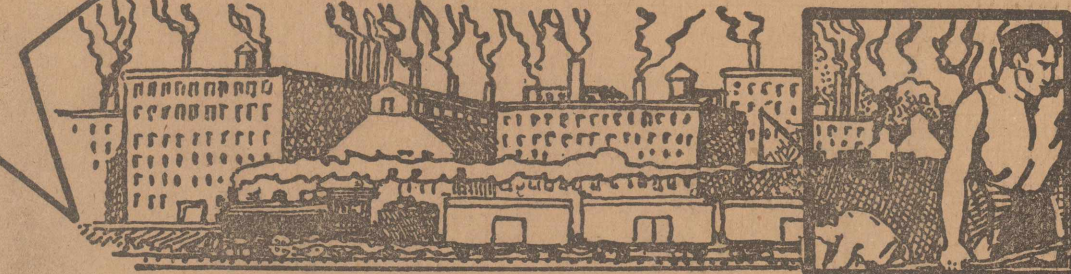


The Ferguson Forum

WE ARE
AGIN HIGH
INTEREST



WE ARE
AGIN HIGH
TAXES

VOL. IX

TEMPLE, TEXAS, THURSDAY, APRIL 1, 1926

NO. 22

FERGUSON REPLIES TO MOODY

Daniel J. Moody claiming to be a democrat is fighting and opposing a good woman for a second term in the Governor's office. He brings no charge against her or her official acts save and except that she has taken advice and sometimes follows the advice of her husband.

I am the husband that he has in mind. In his formal announcement some days ago for the first time in the history of Texas politics, he, a candidate for governor, attacks a private citizen, and he unwittingly says that I have greater power and influence than any public official. He says that Texas should not elect a woman governor for the second term because she might continue to take my advice.

If he is sincere in this charge then I suppose when he takes unto himself his bride in a few weeks as announced in the papers he will very promptly and emphatically inform her that she must not even attempt to advise him or confer with him in any way about any official duty or action because it is a crime against the public for him as a public official to take any advice from his wife. In other words wives shall be seen and not heard. They of course can vote for him, but they can not and will not be consulted. Somebody said that America had three great egotists, one being Charles Sumner of Massachusetts and that E. M. House was the other two. I think this statement is wrong and in my opinion Dan Moody is the whole three.

I think the fruit has been pulled too soon and this spoiled child has neither brains nor platform to sustain his candidacy.

Moses Moody

A few disappointed political has beens and a few more so-called high toned city women are kicking up a lot of sand and they say that Dan is the Moses to lead them out of political bondage. And then some of them thinking that would put Dan a little too much out of date now say that he is the new Savior that is sent to save the country and to prove it they say that Dan is just 33 years old and that he has been in office three years, which is just the age of the Savior and the same length of the Savior's ministry. All this may be historically correct, but I want to remind this crowd of fanatics that Moses only saw the promised land and never entered therein and that the Savior's ministry only lasted three years. Dan may be a heaven-bound soldier, but the only time he will ever look like a Savior will be when he is nailed to the cross on the 24th day of July. He may have title to mansions in the skies, but he is a gone fawnskin as far as this world is concerned. He might be a Savior if he had divinity. He might suffer crucifixion if he had a message. Lacking both he is blowed up.

History of Moody's Platform

Let us go back a little and see if we ever heard this argument about the crime of me advising my wife. This tune will be familiar to us all, because it is so recent. It is the same tune that was sung by Felix Robertson, the Klux candidate, less than two years ago. It was the same tune that was sung by Butte, the Republican-Klux candidate just a little over a year ago. All over this state this same charge was made and the people were warned against the awful danger of me whispering in my wife's ear. The people heard the argument by this same bunch of so-called would-be political Saviors and Moses. The people flatly turned it down in two elections by more than one hundred thousand majority. In those two contests where was this same said Daniel J. Moody? He was with the verdict of the people (or was supposed to be) and voted that way and I dare him to deny it. He voted to reject the crowd that was making the same argument that he is making now. If he was right then he is wrong now. If he is right now he was a hypocrite then. He had not then got the Governor's bee in his bonnet. But he no sooner had landed in the Attorney General's office when he began to find something to run for Governor on.

Personal Attacks

As he has jumped on me I suppose I won't be hung if in my own feeble, stammering way, I venture a reply to his charges. He says that I am a private citizen and

that I admitted that I am "a salaried employe of a railroad." It was not necessary for me to admit anything for I told the people in an open statement to the press in five minutes after I as a private citizen became a "salaried employe" of a railroad. If Dan Moody wants to say that it is a crime to be a "salaried employe" of a railroad then I accept the challenge and I have no apologies to offer. Although my "salaried employe" service ended on Jan. 1, yet I want to say that the "salaried employes" of the railroads of Texas are just as good, just as honorable and honest as Dan Moody and this whole durn silk stocking crowd that is running him.

Yes, I know they call me a rough neck and they say I am uneducated, but I notice they don't forget us "salaried employes" and rough necks when it comes time to pay taxes in time of peace and shoulder a gun in time of war. Say, Dan, how much taxes did you ever pay and just when did you go to war. Did you ever file a plea for exemption from service or ask deferred classification?

Moody and the Forum

Again Dan Moody says I operate a newspaper carrying expensive advertisements of corporations while legislation affecting their interest was pending. I do not know to what advertisement or corporation he refers. Let him make the charge calling names and facts. I have been running The Forum for nearly nine years and if he wants to make the charge that it is a crime to take advertisements then let him jump on the Fort Worth Star Telegram and the Houston Post-Dispatch whose daily columns are filled with advertisements of corporations while they are supporting him for Governor. But Daniel, it is up to you. If you can show any corruption in the Forum ads, the bridle is off; let the people know the facts.

Moody Seeks Ferguson Aid

I never saw Dan Moody until about two months before the last primary. In twenty minutes after he met me he asked me to support him for Attorney General. Through the influence of mutual friends I agreed to do so. I never even asked him to support my wife. I kept my promise. He was unknown in the greater part of Texas. My little paper, The Forum, boosted and bragged on him because his friends asked me to do so. The Forum was a wonderful paper as long as it was bragging on Moody for Attorney General, but when it takes a few ads to make a living for its editor then it becomes a great criminal in the mind of this young hero—the only honest man of the age—he admits it.

Ferguson and Highway Commission

Then Dan says that I have sat with the Highway Commission. The whole public is doing the same thing. Dan is mad because they won't sit with him. They said there was something wrong with the Highway Commission. The Governor told me to find out what was the matter. The thing was so big it took me about three months to get on to what was going on. To get the whole dope I not only had to sit with the Commission but I had to sit up with it. From the information which I furnished the Governor she decided to reorganize the Commission and it is now working good. That is why Dan is mad. He wants to run it. He wants to tell them what to build and what not to build. He told a senator that he was going to keep his eye on everybody in the capitol. Old Doctor Sappington, the State Health Officer, is now scared to death because he has heard that this young bachelor is not satisfied with the way he is running the child hygiene baby raising end of his department.

Moody Renders Service

Now I think some people are not fair to Dan and they are so brutal as to say what everybody knows that Dan has not rendered any real service to the state. However, I want to say for him that he is now preparing to render a lasting service to the state. He is fixing himself so he will never afflict the people again as a public official. If he had not announced for Governor the people would have given him a second term and for two years more his office would have been more or less vacant, and outside of close attention to the Travis County Grand Jury and

the Justice Courts, and official dictation to the city officials of Austin, the people would not have had much service in the Attorney General's office. But now Dan has a heart and he will soon eliminate himself and will pester the people no more.

Ferguson and Text Books

Again Dan says that I have had a member of the Text Book Commission connected with the paper of which I am the head. Jumping on the poor old Forum again. He refers to Mr. Frank Chudej, whose name among others was sent to the Governor by the board composed of the President of the University, the President of the A. & M. college, the president of the C. I. A., the president of the San Marcos Teachers college and Superintendent Marrs, as a person suitable and qualified to serve on the Text Book Commission. Mr. Chudej is of Bohemian extraction with more than ten years experience in teaching in the rural schools. He is a gentleman of character and ability. Being so recommended by the board of prominent educators, the Governor thought she was justified in appointing him.

Moody Against Bohemians

Dan Moody does not dare say he is not qualified for this responsible place and he is only mad at him because he is my friend and employe of the Forum and because he is a Bohemian. Say Dan, how many Bohemians went to war before you did from Taylor, where they say they drafted you to run for Governor? I have heard there were more than a hundred, but as you live there I am sure you can furnish the correct information.

Moody Against Ferguson Clerk

But the great crime which in the mind of this 33-year-old kid is that I have become the clerk of the Text Book Commission. In the first breath he is kicking about me being a private citizen and then he tears his hair because I become a humble clerk. I have toted in the wood and water for a year for my victuals and no clothes, and now comes Daniel with a college diploma in one pocket and a marriage license in the other and kicks about me getting promoted to clerk. It ain't fair. I ain't treated right. I ought not to be treated so bad. If I don't get more encouragement I am going to quit. I really had hopes, I thought I was coming back good, but when the Attorney General of Texas goes to pawing up the earth every time a clerk is appointed then it is mighty plain that us little fellows ain't going to get a square deal. I am agin Dan Moody for Governor. Not because he is going to bother Ma, but I am agin him because he is trying to take my clerk's job away from me.

Moody and Marrs

Now Daniel, just listen to me. What you and old man Marrs are mad about is that you did not get the book adopted that Marrs wanted. There was only one vote for the Marrs speller and that was his vote, and there were six votes for the book that was adopted, the number required by law. The people who cast those six votes are high class teachers and honest men and women. When you insinuate that there was anything wrong with the text book adoption you slander them and you are not going to deceive anybody by jumping on me. Whenever you get ready to jump on me I will endeavor to keep you from getting lonesome, but in the meantime I want to resent the insinuation that is coming from you and Marrs about there being something wrong in the actions of the Text Book Commission.

Ferguson Challenges Moody

If there is any corruption why don't you report it to the Travis County Grand Jury? You while Attorney General have been with your assistants infesting the Grand Jury rooms for five months, while the important duties of Attorney General have been neglected and you have not won an important case since you have been in office. Why did you not help the Archer County people when the bond litigation was first submitted in Washington?

(Continued on Page Three)

FERGUSON REPLIES TO MOODY

(Continued from Page One)

Unless you can produce the facts you ought to stop attacking the Text Book Commission. It is up to you. Put up or shut up.

Moody's Highway Suits

I notice Dan touched his highway suits mighty light in his announcement. This is the issue upon which Dan Moody and his crowd originally intended to mislead the people with and elect him governor on. All I ask the people to do is to not only listen to the facts but demand the official facts and then I have no fears as to what the verdict will be. Now what are the facts?

Highway Facts

On April 28, 1925, the Highway Commission by resolution duly entered in writing on its minutes accepted the proposition made in writing by the American Road Company and the Hoffman Construction Company, the proposal of the work for resurfacing the work with asphalt treatment of certain designated State Highways approximating 800 miles. This contract provided that said firms should resurface the roads with an asphalt treatment to be laid in two courses when so ordered by the State Maintenance Engineer. The price to be paid for said two course treatment was thirty cents per square yard. Mr. Moody brought suit to cancel the contracts of these two firms after they had laid one course of the treatment and in substance alleged that said firms had completed their contracts and the price contracted to be paid by the Highway Commission was so grossly excessive and unconscionable as to make it a fraud upon the state. As soon as the Attorney General filed this suit the governor asked the Highway Commission for a statement of facts covering the contracts. The Commission exhibited to the governor a statement in writing from the American Road Company which stated that said company acknowledged the right of the Highway Commission to demand a second course treatment and they were ready, able and willing to do the work, but that on account of Mr. Moody's suit they could not proceed to finish their contract in accordance with the two course specifications. When these facts were known the governor instructed the Highway Commission to appear in court and answer the suit of Mr. Moody charging the commission with fraud, and in view of the fact that Mr. Moody appeared unfriendly to the commission the governor employed two attorneys to assist the commission in making defense against Mr. Moody's suit, which was proposed to relieve the American Road Company from its contract and obligations to lay the second course of asphalt treatment. Instead of Mr. Moody's suit seeking to make the road company do something as it had agreed to do his petition sought to relieve them of their obligation to lay the second course treatment. As this meant great loss to the state the governor ordered the commission, through the attorneys appointed by her, to resist Mr. Moody's offer to relieve the road company of its obligation and to in every way protect the rights of the state.

It will be recalled that at that time there were flaming head lines about corruption in the Highway Department and all kinds of charges were made then and have been repeated down to this good hour. Under these conditions the Highway Commission appeared in court by its attorneys and offered to defend its actions in letting these contracts to these companies and offered to show if given the right to do so that the price paid was not only not unconscionable but was reasonable. I want the people of Texas to know and not forget in future discussion of this controversy that when Mr. Moody was met in court and asked to prove his charges against the Highway Commission he got behind a technicality and refused to meet the Highway Commission in open court and had the court to deny the commission the right to appear and defend itself. I submit that even a common crap shooting negro is given more rights than was given to the Highway Commission when it appeared in court and met Mr. Moody face to face upon his charges. No sooner had the court ruled that Mr. Moody had exclusive right to represent the state and the commission denied the right to appear and defend itself, Mr. Moody and the American Road Company got together and made a settlement whereby the state was to recover judgment for \$600,000.00 to be paid \$286,000.00 in cash and the cancellation of \$314,000.00 which the company had yet due and unpaid by the state. The total amount of yardage involved in that suit was 4,500,000 square yards. Dividing this sum into \$600,000.00 it shows that Mr. Moody received back 13 3-10 cents per square yard on the total price and by the terms of his agreed judgment and fixed by the court with his approval the American Road Company was paid the sum of 16 7-10 cents per square yard for the one course treatment, and by the terms of the judgment the

American Road Company was relieved of any further liability under the contract.

Let it not be forgotten when in this campaign the price of surfacing treatment comes up for discussion that Mr. Moody agreed in open court to pay the American Road Company 16 7-10 cents per square yard. Whatever else may be said he agreed that 16 7-10 cents per square yard was a fair price for the state to pay for one course and the settlement was made for that sum with Mr. Moody's approval.

After the company was thus permitted to go scot free and the state was left to finish the work of the American Road Company the Highway Commission, just as soon as the winter months were over, advertised for bids for the second course treatment which Mr. Moody had relieved the American Road Company of doing under its contract. There were some seven or eight bids by responsible firms. In order that the small contractor might bid the Commission divided the work into three sections. The lowest bid was 12 cents per square yard for one course treatment, the next lowest was 14 3-4 cents and the next bid was 17 cents, making an average of 14 6-10 cents per square yard to complete the job. Adding the price agreed on by Mr. Moody of 16 7-10 cents it appears that the cost of this work to the state will be 31 3-10 cents per square yard, or 1 3-10 cents more than the price originally contracted for by the old Highway Commission. These are facts that can not be denied and Mr. Moody's foolishness not only has not saved the state a dollar but he has lost the state at least the difference between 30 cents per square yard and 31 3-10 cents per square yard. So all his story in his announcement about the state having paid five times the actual cost of the work is a misrepresentation, and that is putting it mildly.

Let me state it another way. Moody agreed in court to pay sixteen and seven-tenths cents per square yard for one course treatment and then no bid could be obtained by reputable contractors for less than fourteen and six-tenths cents per square yard for the second course treatment. Therefore how can any sane man contend that thirty cents was unreasonable, let alone unconscionable.

The Hoffman Construction Company suit has not been tried, but that company has tendered in open court to the state a second course treatment without cost to the state and Moody has refused to accept it and thereby save the state the cost of the same.

They also offered to settle their suit on the same basis as he settled with the American Road Company and he refused to do that. Why should he be friendly with one and discriminate against the other?

Moody's Paramount Issue

Now Moody contends that the paramount and vital issue upon which his campaign is to be based is honesty in office and economy in the administration of every department of our Government. All right Mr. Moody we accept the challenge. We will go you one better and say that we are for the Golden Rule and the Ten Commandments, but all of which is high sounding phrases that don't get any body any where. You say that you are for honesty in Government. I agree with you, and if there has not been anybody dishonest you have not said anything or shown any need or demand for your candidacy. If there has been any dishonesty then tell the people who it is. If it has been the Governor I dare you to say so. If you want to say that I have been dishonest then I double the challenge. If the Governor has not been dishonest but somebody else has in some other department what argument would that make for your candidacy. You had just as well understand that I am going to keep after you and make you name some dishonest person in the Government and produce the proof. Otherwise it will show you to be insincere and unfair and I will let the people know. You forgot to tell the people in your announcement that for five long months you have neglected the duties of Attorney General and have hung around and intruded yourself upon the Travis County Grand Jury, trying to get an indictment against me and members of the Highway Commission. You had three Grand Juries and five months time. I am informed that every member of these different Grand Juries voted for you for Attorney General. You were in your home town, in your home court, in the hands of your friends with the right to make the Highway Commission and every other department of the Government produce their books and records and the witnesses in court for your rigid interrogation. Notwithstanding all this you failed to find any evidence upon which you could base an indictment against any official of the State Government, and yet you slander your state by insinuating that somebody has been dishonest in office. If you know of any dishonesty in office and have not reported it to the Grand Jury then you have not been fair with the people. If you have not been able to find any dishonesty then you ought not to slander the people. You pose as a great Bible packing scholar and a Sunday school teacher. Let me commend you to that commandment which says "Thou shall not bear false witness against thy neighbor." There is another commandment along the same line which might furnish you food for serious reflection.

If the American Road Company were so dishonest as you would have the people believe, then how come you to become so friendly with them? What was the agreement under which they readily agreed with you to deposit something over four

hundred thousand dollars in a Dallas bank. Time after time I have demanded that you show this agreement and you have failed and refused to do so. Why is it that your bosom friend Judge Ireland Graves, who was also the attorney for the American Road Company, is now boosting you so high for Governor of this State? Senator T. H. McGregor tells me that you told him that the lawyers in the American Road Company's case got \$100,000.00. I do not know of course what they got. I only know what you told Senator McGregor and I believe him. Under the agreement made by you in court the American Road Company stepped out with a profit of \$900,000. The Governor employed two lawyers at \$1,000.00 each to prevent you from making this trade and now you admit that your friends representing the road company made \$100,000.00. You are a fine man indeed to be kicking about somebody employing a lawyer to protect the interest of the state. So much for your sanctimonious appeal for honesty in Government.

Now let's see about the other end of your paramount issue, economy in Government. The present administration has brought about a net reduction in taxes of more than \$10,000,000 under the last administration under which you were appointed to office. The state tax rate this year will be reduced by more than twenty-five per cent. Now let us see what you have done to help bring about this reform. When you were running for Attorney General you made the statement many times that you could reduce the cost of that department forty per cent and you were elected on an economy platform just like the rest of the administration. When you came into office you found that office had eleven assistants at \$3,600.00 per year. Notwithstanding your promise of economy you went before the Appropriation Committee and had the salaries of every one of them raised from \$3,600.00 per year to \$4,000.00 per year, an increase of more than ten per cent. The Governor in order to make you do at least something toward economy vetoed one of your \$4,000.00 appointees. If you could not reduce the expenses of your own department, then what in the world could the people expect if you were put at the head of the State Government. If as a lawyer you could not reduce the expenses of the legal department you would rattle around like a mustard seed in a gourd when you come to grapple with the question of reducing appropriations in other lines of the Government. If this administration had increased the total appropriations in the same proportion as you increased these and wanted to increase it but for the veto of the Governor, there would have been instead of a \$10,000,000 decrease in appropriations an \$5,000,000 increase. In other words the difference between what this administration has already done and what you would be expected to do is just the small sum of \$13,000,000. The people of this state can be depended upon to have too much sense to put a \$13,000,000 baby in office.

Search and Seizure

Dan says he wants to enforce the laws. All right we all agree with him. The Governor approved the law preventing unlawful search and seizure in order that the people might be protected in their constitutional right. The Governor is still in favor of that law. Mr. Moody please tell the people where you stand on that question.

Moody and K. K. K.

And by the way Dan, I see you have failed to say anything about the Ku Klux Klan question in your platform, and I see that your friends are bragging about the fact that you run fifty thousand votes ahead of the ticket in the last election. The returns show that in the twelve big klan counties of the State, Collin, Cooke, Dallas, Denton, Grayson, Harris, Hill, Hunt, Jefferson, McLennan, Tarrant and Wichita you received a total of 104,273 votes, while your klan opponent only received 63,825 votes, a total majority in these klan counties of 40,448. If you have been really in good faith fighting the klan, then please explain to the people what caused the sudden change of heart in the klan counties from a klan candidate to you. It may be that in these figures we find a reason for you not having a word to say in favor of my wife for Governor when she was fighting the Ku Klux-Butte combination in the November election. Why should you be jumping on the Ku Klux so hard after they voted for you so strong? You seem to have a special trait of forgetting your friends just as soon as they do you a favor.

Is Moody Fit?

Moody's campaign is founded on youthful ambition and personal hate. His chief advisers and instigators of his candidacy are O. B. Colquitt and Tom Love. Is it any more crime for me to advise my wife than it would be for those two political has been to advise Moody? I am willing for the people to decide.

Moody is a band box statesman with neither training or experience in any line.

It is agreed among the good lawyers that he is in no sense even a fair lawyer. He knows nothing of farming or farmers. He never tied a hame string or filed a hoe in his life. He knows nothing of ranching or the cow man's troubles. He never roped a calf off for his mother to milk a cow thirty days in his whole life.

He never worked on the railroads or the county roads. He has never traveled—only to Arkansas a short time before Armistice and back home after Armistice.

He never had or managed any business. He has never made or lost an estate of any kind. He has never been a wage earner since he has been twenty-one years old. If there is anything that Moody has ever done that would qualify him to be Governor I would like for somebody to tell what it is.

He was raised a spoiled child in a small town and he is going to get what Paddy gave the drum on July 24th.

JAS. E. FERGUSON.

