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# \$1,700 DISCREPANCY DISCOVERED IN CITY OFFICIALS' RECORDS

### While Investigation was Going on to Reach the Bottom of the Matter, the Books in the Office Occupied by Police Justice and Chief of Police Were Mutilated in the Darkness of Night so That the Entries are Illegible

## \$200 REWARD FOR PERSON WHO MUTILATED BOOKS

### Raleigh People Were Astounded and Outraged Yesterday to Learn That a Crime Had Been Committed That Prevents Fixing the Responsibility For the Discrepancy Between Fines of the Police Justice and the Sum Turned Over to the County Treasurer by the Chief of Police

The most dastardly outrage ever committed in the office of mayor or police justice in the city of Raleigh was perpetrated at an early hour yesterday morning—during the dark—when a vandal's hand destroyed or mutilated the records of the court from December 1st, 1905, to the present time. It is most significant that this crime was done directly after the books—the judgment dockets of the police justice's court—had been examined by a newspaper man, whose object was to ascertain the amount of fines imposed by this court during the past two years, the amount of fines paid by the Chief of Police to the County Treasurer to go to the school fund, and the amount of such fines uncollected during the same period. The examination of the books was made carefully Friday afternoon—the entire afternoon being devoted by the reporter to this work—and the books were gone over the second time by him for the purpose of guarding against a possible error. AN APPARENT DISCREPANCY OF MORE THAN \$1,700 WAS FOUND TO EXIST IN THESE BOOKS.

#### THE CRIME DISCOVERED.

Yesterday morning at six o'clock Janitor Eldridge Smith, of the City Hall, said he entered the administration building and found outside the door of the police court room and office of the Chief of Police a small pocket receipt book for sanitary licenses, which was the property of the Chief of Police, kept by him for the convenience of persons who went to his office to pay their sanitary licenses. Janitor Smith said that he found the entrance door, on the south side of the room opened about one foot. He discovered nothing unusual in the appearance of the interior of the room, save a bowl of black water and the warrants which he said he thought the Police Justice had destroyed. He stated that his suspicion was not aroused by these circumstances.

Police Justice Badger was the first to discover signs of the mischief; for when, at court, he opened the judgment docket he found black ink blots covering the fines in many places. After the court was over the Chief of Police, according to his statement, started to make his entries, and discovered that his record book had been even more mutilated than the judgment dockets. Then an examination being made the extent of the vandal's work was learned. He had gone back in the records as far as December first, 1905. Some of the pages were cut or torn entirely out of the books. Other pages were slashed with a keen-edged instrument. Portions of some pages had been cut out and in some instances only the name of the defendant, statement of his offense and amount of the fine imposed had been cut out. Most of the disfigurements in the judgment dockets for the four years were made by spreading ink over the amount of fine imposed. The record book of the Chief of Police had been treated even with less consideration. The man who did the deed used water on this book to expunge from it the records. Some object, rougher, it seemed, than a sponge, saturated in water had been rubbed across the pages, and many pages were slashed with a knife or some other sharp edged tool.

The warrants destroyed were for the past six months. Chief of Police Mullins stated that he left the office Friday night at one o'clock, and that the door found open yesterday morning was locked then. It is believed that a key was used. Those known to possess keys, as stated in the police court room yesterday morning, are Police Justice Badger, Chief of Police Mullins and Janitor Smith, and one key is kept in the Police Station under the City Hall.

Whoever committed the crime was familiar with the system with which these books were kept, and knew the books. They and the warrants corresponded, and if either the warrants or the record book of the Chief of Police or the Judgment Dockets had not been touched the devilry done would have been incomplete.

#### BOARD OF ALDERMEN MEET.

As soon as Mayor Johnson heard of the atrocious outrage he called a special meeting of the Board of Aldermen. He stated that someone had entered the room during the night and destroyed the records of the Police Justice and Chief of Police. He wanted the board to offer a reward for the apprehension of the guilty party as he has authority to offer a reward only in cases of false fire alarms.

Statements were made during the meeting about the investigation of the Judgment Dockets by Mr. Edward L. Conn on Friday, and Mr. Conn stated that from the copy of individual files for the past two years which he had taken from the Dockets and preserved the fines obliterated on the Dockets for the past two years could be replaced.

Mr. J. W. Bailey had been notified of the crime, and upon his arrival at the meeting stated that as a citizen he deplored it as an abominable thing and would join with the board in prosecuting the culprit to the full extent of the law.

On motion of Alderman Williams the board offered a reward of \$200 for the apprehension of the party or parties who mutilated and destroyed the records. The rules were suspended to make the reward available at once.

Alderman Upchurch said that the City Clerk should attend to the

ately to the matter and have the notice of the reward published directly. Then the meeting adjourned.

#### THE CRIME ASTOUNDS THE CITY.

The people of Raleigh were astounded yesterday morning to learn that city records which contain accounts of fines and penalties imposed, and of the payment or remission of these, should be suddenly in the midst of the investigation, mutilated and destroyed, with police warrants torn so as to prevent a comparison right in the office of the Police Justice and the Chief of Police.

The office on the second floor of the City Hall building was not in use Friday night for any meeting and if the officers who left it performed their duty as usual, it was locked. It is usually locked early in the night, and on the doors are spring locks, with an unusual design of key. The evidence is that entry to the room was made through one of the two doors, as the dust on the ledge of the transom which could be opened above one door is absolutely undisturbed, an examination of it being made by Mr. Edward E. Britton, of The News and Observer and Mr. A. L. Fletcher, of The Raleigh Evening Times.

#### LOCK PICKED OR KEY USED?

There are four keys known to be carried to the doors, one by Police Justice Badger, one by Chief of Police Mullins, one by Janitor Eldridge Smith, and one is kept in the Police Station in the basement of the building. None of the men who hold these keys have said that they were out of their possession last night. Was a lock picked or how was entrance obtained to the room? The locks and the doors were examined by the Chairman of the Police Commission, Mr. Lynn Wilder, and Mr. Edward E. Britton, and there was not a sign of forcible means having been used to effect an entrance.

#### INTERFERENCE OF A POLICEMAN.

The mutilated, watered, torn, cut and inked books are in evidence, and the torn warrants are in a garbage can. Having made an investigation of the books on Friday, Mr. Edward L. Conn, of THE NEWS AND OBSERVER, was on the scene yesterday investigating the matter of the destruction of the records, and while he was at this work, Mr. Edward E. Britton, of THE NEWS AND OBSERVER, reached the room. While he was there he found that Mr. Conn, in the course of his investigation, was being interrogated and questioned and catechized as to what he was doing by Policeman Abbot, who was not on duty and who had nothing to do with the matter. Mr. Britton joined Mr. Conn and the two insisted that Policeman Abbot quit interfering, which he did, and later he went to Messrs. Britton and Conn and stated that he regretted having had anything to do with the matter, which did not concern him.

#### WHAT JANITOR ELDRIDGE SMITH SAYS.

Investigation of the occurrence of the night brought out the fact that Janitor Eldridge Smith said that when entering the building at about six o'clock yesterday morning, he found at the south door of the room, in the hall outside, a small stub book used in issuing sanitary licenses, and that he had found the door partly open. He says that from the writing he thought that the book belonged to the Sanitary Department and offered it to Assistant Sanitary Officer Brown, who declined it, saying it was a record kept by Chief of Police Mullins. Thereupon Mr. Smith states that he put the book on the desk of Chief of Police Mullins.

Janitor Smith states that he found the torn police warrants on a desk back of the little iron-railing. He had at other times, by the direction of the Police Justice, torn up old warrants no longer needed, and seeing these warrants torn up, supposed that ink had been done by the Police Justice and paid no attention to them beyond putting them in the zinc ash can and they were there yesterday while the investigation was going on.

#### AT WORK FOR HOURS.

The boldness, the audacity and infamy of the parties who destroyed these important records is amazing. In the office of the Police Justice, with policemen in the building and on the street, evidently a light being kept, so as to pick out certain items which it was desired to destroy, four or five hours must have been consumed, and as the building is used for an amusement place with an attraction going on until 11 o'clock, parties leaving it after that hour, it is certain that the work of destroying the records did not begin till after midnight.

#### WHO DID IT AND WHY?

Who did this work of destroying records? What was the purpose? How was entrance obtained to the room? These and other questions crowd thick and fast one on the other. The criminal act committed right within the doors of the Police Justice and of the Chief of Police, the citizens of Raleigh look for an investigation that will investigate. Get busy, Messrs. Authorities of Raleigh!

## WHY WAS EVIDENCE DESTROYED?

We may not find out to-day who mutilated the books in the office of the Chief of Police and Police Justice.

Two things we do know:

1. Somebody mutilated them who knew how the warrants and records are kept and was familiar with the place.

2. They would not have been mutilated if THE NEWS AND OBSERVER man had not been engaged in investigating the fines imposed and the fines collected to give the public the bottom facts, and if it had not leaked out that he had discovered a discrepancy.

## STATEMENT OF THE FACTS

Personally appeared before me, Vick C. Moore, a Notary Public, this, the 27th day of March, 1909, Edward L. Conn, who being duly sworn, says:

On the morning of March 26th, I was assigned by Mr. Josephus Daniels, editor of The News and Observer, to go to the City Hall and make a thorough investigation of all the fines imposed by the Police Justice during the past two years, and to ascertain how much money had been paid by the Chief of Police for such fines to the County Treasurer for the school fund. In pursuance of this assignment I went to the office of the Police Justice and requested Justice Badger to furnish a statement of the fines imposed and collected. He turned over to me his Judgment Dockets, saying that they contained the records of the fines imposed by that court, and gave an explanation of several records made in the Judgment Dockets so that I could get the accurate information by going over these dockets. I devoted the entire afternoon to going over them case by case, putting down on a pad which I have retained every fine imposed that was recorded, except those where the record showed the fine had been remitted or where the defendant took an appeal to the Superior court. After finishing this work, in order to be certain to get the record accurately, I checked back over every item, and frequently asked Chief of Police Mullins, who was present most of the time, for information regarding certain cases. On the previous day, by assignment of Mr. Daniels, I had been to see County Treasurer Pegram and asked him for a statement by months for the past two years of the fines from the Police Justice's court, which, by law, the Chief of Police must pay to the County Treasurer for the school fund. Mr. Pegram said it would take him a little while to get up the information, but that he would furnish it the next day. He sent on the following day the information desired. On the same day (Thursday) in pursuance of my assignment, I went to see the Chief of Police and asked him for the fines imposed and collected and the amounts uncollected for the past two years. He replied that it would take two days to compile the information. On the following day (Friday) after getting the Judgment Dockets from the Police Justice, I was informed by the Police Justice that sometimes the fines were not promptly paid and in some instances parties were given as much as six months in which to pay the fines. It is, as I understood it, the duty of the Police Justice to impose the fine and the duty of the Chief of Police to collect the fine. After ascertaining the amount of fines imposed from the books furnished me by the Police Justice, I desired to secure from the Chief of Police a statement showing the amount of fines uncollected in the fiscal years of 1907 and 1908. Mr. Mullins went over his papers, each separately containing the name of the person upon whom a fine had been imposed and not paid and the amount, and called off the name of the party and the amount of the fine. I have in my possession these names and fines. The fines aggregated \$169.00. The Chief of Police also called off for me the various amounts by months paid by him to the County Treasurer during the past two years. Upon my return to The News and Observer office I found the statement from County Treasurer Pegram and Mr. Daniels gave me a statement furnished him by City Clerk Willson showing the costs collected in the Police Justice's court during the same period. It was my purpose on today to go over the costs for the same period and compare the costs collected with the costs imposed to see if they tallied. After carefully adding the figures and finding the sum of more than \$1,700 imposed as shown by the Judgment Dockets had not been paid to the County Treasurer, according to the statements of both Treasurer and Chief of Police, and after a conference with Mr. Daniels, I wrote the following article giving the result of the investigation:

In Winston-Salem—which has a population about the size of that of Raleigh—during the fiscal year

(Continued on Page Two.)

## MR. BADGER'S STATEMENT

POLICE JUSTICE INTERVIEWED WITH REFERENCE TO MATTER OF FINES—HE HANDLES NO MONEY.

A reporter of the News and Observer called upon Police Justice Badger and asked him if he desired to make a statement. In reply Mr. Badger said:

"In regard to the fines, penalties and forfeitures they are collected by the Chief of Police and accounted to the proper officers under the charter. When I impose a fine for any reason thereafter I reduce or change or remit the fine, the record of this change is not always put on my judgment docket. The only complete record of such change would be on the record kept by the Chief of Police, whose duty it is to keep this record and collect the fines unless remitted by the Police Justice. If the Chief of Police has reason to believe he can safely trust a man he sometimes gives him time to pay up the fine. The record book of the Chief of Police which contains these changes in fines, penalties and forfeitures is the only complete record showing remission, change or reduction of fines. The destruction of that record makes it impossible to ascertain any changes unless the Chief of Police can supply it from private memoranda.

"The Chief of Police reports to me that the amount of uncollected fines is \$153."

"Do you think," the Police Justice was asked, "that you remitted fines aggregating \$1,700?"

Mr. Badger replied: "I could not tell at all. I keep no record of that. I have nothing at all to do with the collection of fines. All these accounts are checked up monthly by the Audit and Finance Committee.

"When I make my statements, Mr. Mullins writes down the fine in pencil, as I sometimes change it, and the person who used a wet rag wiped over the pencil marked page and destroyed this record."

NO STATEMENT BY CHIEF OF POLICE MULLINS.

Chief of Police Mullins was seen this afternoon and was asked if he had any statement concerning the matter of the books, and he said that he had no statement to make concerning the affair.

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TUESDAY