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Prohibition and Its Consequences to American Liberty

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PROHIBITION

AND

ITS CONSEQUENCES



GEORGE WASHINGTON

BY

ANTI-PROHIBITION LEAGUE OF MISSOURI

1923

PROHIBITION
AND
ITS CONSEQUENCES
TO
AMERICAN LIBERTY

INTERESTING FACTS CONCERNING PROHIBITION IN A GOVERNMENT
OF, BY AND FOR THE PEOPLE, WRITTEN, COLLECTED
AND ARRANGED

BY

M. J. EDWARD HARTMANN

1400 Euclid Avenue, St. Louis, Mo.

Secretary Anti-Prohibition League of Missouri

1923

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PREFACE

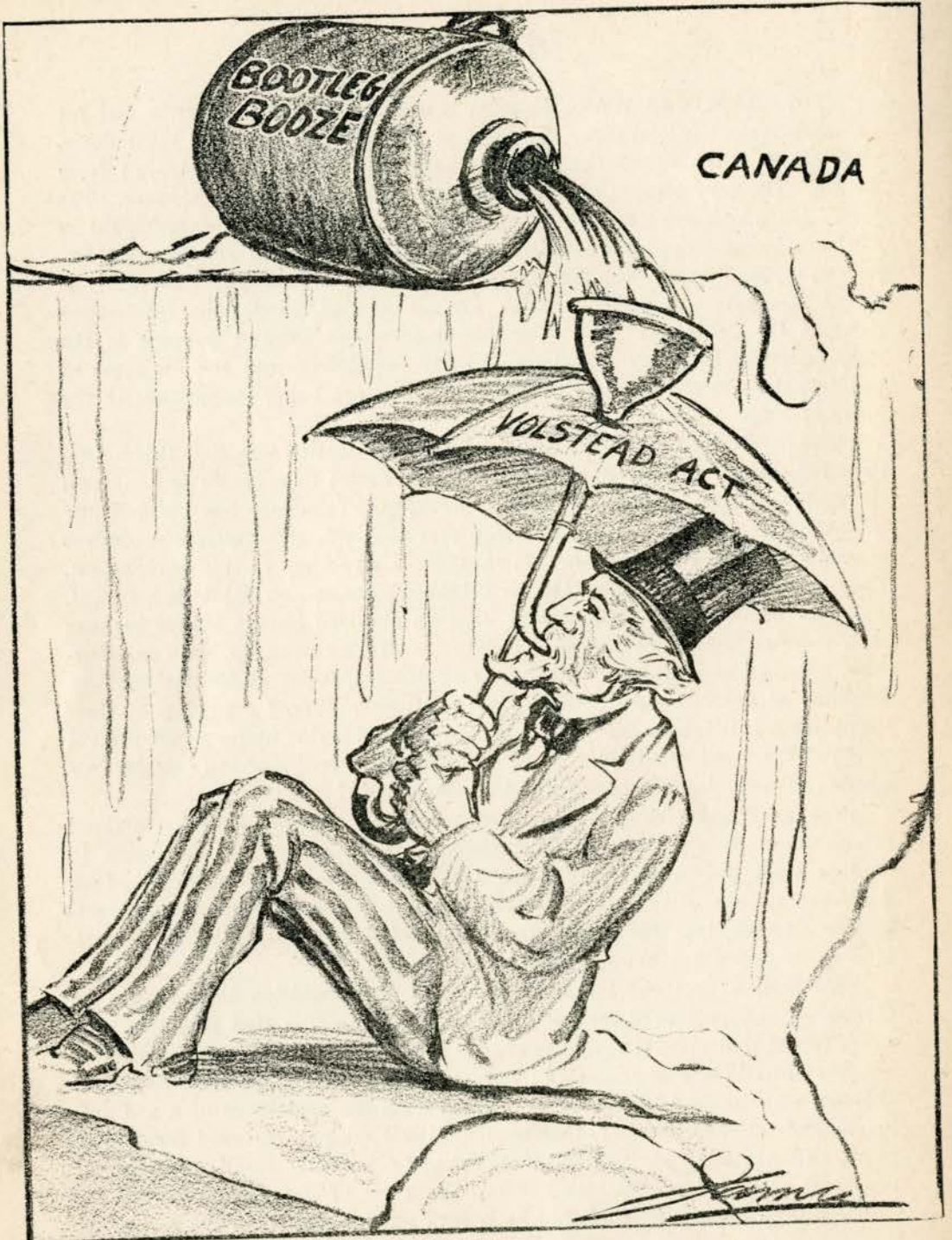
INTOLERANCE IS WAR; America is engaged in a great war, a war for and against intolerance. Its citizens are now thinking and must determine whether the foundations of this government shall be destroyed from within. The very temper of true Americanism is placed in the balance. The ideals for which our forefathers founded and dedicated this government in 1787 are being seriously questioned. Sectional, racial and religious intolerance is trying to prove the legitimacy of its birth. To this end nationality is pitted against nationality, section against section. Religious intolerance tightens the death-like grip. Organizations whose avowed purpose is the suppression of race, creed and true liberty crawl from out the darkness of our despair, and the greatest crimes of the day are being committed in the name of 100% Americanism.

The cardinal idea of the framers of our Constitution was that this nation shall for ever be an asylum of freedom. Any desire to regulate or condition the status of liberty, race or creed is anarchy. Tolerance has builded our Country up,—and only intolerance can tear it down. The man who desires to ram his beliefs down the throats of others is an enemy of this government. The man who desires to regulate his neighbor's tastes and habits is a tyrant. The man who dares to discriminate between civilized human beings because their color or birth are different is a despot. Every citizen, by birth or otherwise, whether he is a Jew, Catholic, or Protestant, white or black, kneels at the altar of America's goddess of liberty; all have offered a portion of their blood there. Is it fair to deny an equal citizen equal rights under a government which is the creation of their brain and brawn, or is it playing fair for law makers to make laws in opposition to natural laws?

The Anti-Prohibition League of Missouri feels that the time has arrived to publish authentic facts about prohibition laws as we had occasion to observe their enforcement since the 18th Amendment with the "Volstead Act" became operative, with comments on prohibition by some of our trustworthy citizens; together with current national news obtained by the Associated Press and other news agencies.

We believe that the insidious workings of prohibition laws should be chronicled and preserved for future generations in order that posterity may never forget that eternal vigilance only is the price of Liberty and Justice.

We introduce our subject in defense of our ideals, as free American citizens, and "second to none", in defense from the aspersions of a self sufficient and satisfied sanctity, that contents itself with a wretched formula of piety, and like the Pharisee, in all its actions retails its small samples of doctrinal and professional selfishness with an air of superiority toward his fellow citizens, thanking God that he is very much better than the rest of us.



The above cartoon is kindly furnished by the St. Louis Star

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ERRATA

Page 66 Chapter XI (in caption) read "Fiftieth General Assembly of Missouri."

Page 112 Chapter XIV-A.

Page 127 (Under caption) W. C. T. U. Littleness, in seventh line, read "may be a matter of opinion."

CHAPTER I

Democracy

Now that Prohibition has become a temporary American Institution it is not going amiss to examine the causes which brought it about, and its effects on the Country's economic welfare.

That our Country is badly in need of a political economic rejuvenation is generally admitted, how to obtain it is another question. Some suggest a new political party; yet, such movement depends entirely upon the efforts and sacrifices that friends of democracy and social justice are willing to make. We all know that a foundling-child has been discovered at the door of our Constitutional Fortress; how to get rid of it is the problem to be solved by Miss, Democracy.

All of us know that the old political parties are moribund; that the majority of the useful people of our Country are not represented in the law-making bodies, especially State and National; the farmers, the artisans, the mechanics (the workers) constitute the majority of the people of our Country; yet, would any one dare say that they are properly represented in the law-making bodies of our State or Nation. Under a democratic form of government these classes of people ought to be in the majority and their practical experience in Human Economics ought to be paramount.

That a new and virile political party is needed at the present time is readily admitted by political economists. Many of the evils of which our Country now suffers can be traced to political activities of Plutocracy (Money) which always resorts to Election frauds, party trickery, bribery and treason in order to obtain legislative sanction and enactment of laws for selfish purposes, in opposition to public welfare.

It is not the welfare of the people which prompted the political prohibition despots to champion the reforming of perhaps certain transgressions of public decency and morals, but, graft was the "Nervus rerum" for their assumed solicitude for other peoples welfare and comfort.

Why were the forces of useful human economy deprived of representation in a democracy for the last fifty years, if it wasn't for the purpose of keeping them in ignorance and servitude for predatory interests. Why are all the forces of refined profane artifices lined up against this class of people, and

why shall they not have equal rights along with other classes of people whom are a negligible minority and factor in the upkeep of our government and Country?

Our forefathers selected a democratic form of government; this involves individual duties for all of us, but, have we faithfully performed all of our duties? Often the word "democracy" is used as if it were synonymous with political justice. This view, though it is exceedingly popular among demagogues and newspaper writers, proceeds from confusion in their upper compartment. Democracy is only one form of several forms of government. In a Monarchy the government authority is in the hands of one: In an Aristocracy it is in the hands of a few, and in a Democracy it is in the hands of many (of ALL).

All these forms of governments have, in the abstract, equal moral validity and command respect. Many monarchies have been almost ideal governments; many democracies have been inefficient, corrupt and tyrannous; many bad things have been done despotically, yet, is it not a curious fact that we who live in a democratic Country, extol democracy as something almost divine, something worth dying for, and the principle cause for which we entered into the late war; and at the same time we spare no laugnage of abuse of the democratic government we have elected; we call our representatives, incompetents and grafters; we have become almost reconciled to corruption as a necessary means by which political parties can get into power, and the very name "Politician" has become a term of contempt.

If our political system is as bad as we represent it to be, wherein lies the virtue of the democratic principles upon which it is based. History is full of records of democracies which failed and gave way to despotism. The state of the World, today, is no proof of the superiority of democratic systems.

The two most powerful and progressive nations have been Germany and Britain. In Britain the influence of the democratic element is checked and balanced to a very considerable extent by the hereditary House of the Lords.

In Germany which now lays prostrate at the feet of the Allied Nations, and which for the last fifty years has been considered as an invincible and a model monarchy, the real democratic influence was almost nil.

France is the leader of modern democracy in Europe, but it cannot be said that French democracy has been a success. The revolution of 1870-71 and 1848 succeeded the one of 1789, and the Third Republic seemed none too stable when the late war broke out.

Portugal and Mexico are Republics, but they will not be preferred to monarchies like Belgium and Denmark. In the civil war it emerged triumph-

antly through a tremendous test, but, it may be said without distraction that our Country has still to prove its ability to act with the full power of Nationhood. Prohibition and Sectarian politicians are now trying to reorganize a country which was in danger of degenerating into a "Democracy" during the late war by the magical force of Prohibition. Had the recent race riots occurred in Moscow and Petrograd instead of in Chicago, East St. Louis, Arkansas or Herrin, etc., etc., millions of American citizens would unfailingly have hailed them as evidence of Russia's inability to govern itself.

We teach our children that we have a government of, by and for the people, and never consider that we are fooling ourselves by electing practically no others but representatives of selfish interests to run our government. Are these interests the American people, and painfully as it is to acknowledge the fact, our stupidity as Americans and democrats does not seem to have reached its Zenith.

For the last fifty years, election after election, we voted for the same class of representatives at Washington, we never give other classes of useful citizens due consideration.

For over fifty years Congress was composed of over eighty-five per cent Lawyers who generally represent corporate interests of all kinds, a few preachers and elders of churches, some M. D.s, a banker, or two, representing the money interests, two or three farmers, the balance professional politicians; does this prove that we have a government of the people; where are the industrials, the mechanics, the farmers and other useful classes of our Democratic Country. Further; the Supreme Court of our Country is a very formidable check on Democracy; and its powers of veto exercised for the protection of predatory interests is superior to that of the British House of Lords. Has Congress ever thought of this. No good comes from the adulation of democracy as something of self-evident superiority. Nevertheless, the free nations of the World have not been entirely mistaken in speaking of democracy as the ideal political system. Properly understood, democracy is the ideal political system, but it is an ideal that is realized nowhere, except partially in practice at the present day. And this failure of democracy is only made worse by pretending that mere counterfeits of democracies are the real thing.

CHAPTER II

Our Judicial System

Alas! The worst crimes in history have been committed with judicial sanction. The blood of martyrs and patriots, crying from the ground summons it to judgment. It was a judicial tribunal which condemned Socrates to drink the fatal hemlock; which pushed Christ barefoot over the pavement of Jerusalem, bending beneath the cross on which He was to be crucified. It was a judicial tribunal which, against the entreaties of her father, surrendered the fair Virginia as a slave; which adjudged the fathers of the early Christian Church to a martyr's death in all of its dreadful forms, and afterward enforced the tortures of the inquisition amidst the shrieks and agonies of its victims; while it compelled Galileo to deny the great truth he had discovered and disclosed.

It was a judicial tribunal in France which made itself the instrument of every tyranny, and did not hesitate to send forth the un pitying assessor of the un pitying guillotine. It was a judicial tribunal in England, surrounded by all the forms of law, which sanctioned every despotic caprice of Henry the VIII from the unjust divorce of his Queen to the beheading of Sir Thomas Moore; which lighted the fires of persecution that glowed at Oxford and Smithfield, over the cinders of Latimer, Ridley and John Rogers; which after elaborate argument upheld the fatal tyranny of Ship-money against the patriotic resistance of Hempden—; which in defiance of justice and humanity, sent Sidney and Russell to the block—and, which afterward, with Jeffreys on the Bench, crimsoned the pages of English history with massacres and murder, even with the blood of innocent women. It was a judicial tribunal in our Country, surrounded by old forms and bad laws, which hung and burned witches at Salem; which affirmed the constitutionality of the Stamp Act, while it admonished jurors and people to obey; which in our late days lent its sanction to the unutterable atrocity of the fugitive Slave Act. It was a judicial tribunal which yielded to the opinion of public clamor at San Francisco, and hung Durant on flimsy circumstantial evidence, and four years later the real murderer, Rev. Gibson, confessed the crime on his death-bed; who sent Eugene V. Debs to the penitentiary for the crime of speaking against war while Ford and many others did the same thing, but stayed home, etc., etc.

The cold facts are; they forget that the judiciary is a creation of the people through the adoption of the Constitution. A judge is human and needs the means (money) to live, and by being paid for his services by the people,

makes him the servant of the people, whether common Justice of the Peace, or a judge of the Supreme Court of the land. A man, when employed by a captain of trade or industry, or simple farmer, if he fools his time away in idleness, foolishness or doing the opposite of what he is expected to do, will soon be discovered and discharged; a judge who fools his time away with lawyers pleading a cause, or allowing delay in trials, continuations, etc.—or admiring the technical points in the case, or holding back decisions longer than ten days after hearing the case, should be kicked out of his job at once, and with an extra pair of boots made by the legislature for such purposes. Judges of this class, when discovered should be treated as criminals of the worst sort, and shunned as moral lepers; no matter how well a government may be organized, or the high degree of public morality, it cannot, in the long run, withstand the malign and destructive influence of its poison.

The machinery of our court system has been considered as a safeguard against legislative usurpation, but this is a debatable question, and must be settled by the legislative power, because the legislative power created the judicial, "any thing created cannot be greater than its creator". It is the distortion of justice which brought down the judicial system of our country to such almost universal contempt.

In his admirable address at the Chase Hotel, in St. Louis, Mo., on January 20, 1923, Mr. John W. Davis, President of the American Bar Association, spoke of a meeting to be held at Washington, D. C. in February, 1923, in order to establish a body that will undertake the immense task of simplifying, "restating and classifying the American Law".

It ought to be clear to lawyers—it certainly is to laymen—that this work must be done. If it is not done our American system of jurisprudence will break down. As it is, it no longer functions as originally contemplated. The intricate court practice that has been evolved serves more effectually now, in many instances, to prevent justice than to accomplish justice.

Two local examples may be given. A man charged with murder, confessed the crime, was tried and convicted, but the decision was overruled and the case remanded because of the trial court's error in admitting certain evidence. A far sadder instance is that of a man blinded in an industrial accident. It was three years before this man was able to get his day in court. Finally the doors of the temple of justice creaked open and he won a verdict. Yet, three years later this judgment was overruled, because of faulty instructions by the trial court. The net result of all this is that the unfortunate man has had no compensation whatever for the loss of his sight in an accident for which he was not responsible.

Mr. Davis said, "I wish to direct attention to the particular fact in the two instances mentioned: It was the Court in both cases that erred. In the murder case society, possibly, has been done an injustice through the incompetence of a Court. In the civil case an individual has certainly been done a grave injustice, which has imposed grievous hardship on him and his dependant family, through the incompetence of a Court. Society may neither have, nor want to have, a cause of action against a Court whose blunder suspended a verdict against a confessed murderer. But surely the individual whose righteous claim for damages has been set aside and perhaps vitiated ought to have redress. Mark you, the litigant was not at fault, but it is the litigant who has to pay the price of the Court's incompetence—and a dreadful price it is in the case of this wronged blind man to whom justice has been denied."

Is there a remedy? Well, there has got to be, if our courts are to endure. The remedy is simple, too, thought drastic. In a civil case where a judgment for damages is annulled through an error of the Judge of the trial court, that Judge should pay the penalty. If an error of this kind should disqualify the trial Judge and compel his retirement, such blundering would cease abruptly. For two reasons it would cease: First, the trial Judge would see to it that the case was correctly conducted, both as to evidence and instructions. Second, the Appellate Court would hesitate long before disqualifying a Judge on a far-fetched technicality."

He goes on and says, "Perhaps the remedy suggested is not practicable. Very well. Then let our laws be simplified and made intelligible and let the whole abominable ritual of technicalities, which is now hamstringing justice, be cast out. In any event, innocent litigants with just claims should not be the victims of judicial incompetence on any bench."

* * * * *

Attorney-General Daugherty, on August 31, 1921, speaking before a joint session of the American Bar Association and the Ohio State Bar Association on the subject, "Respect for Law", said: "Disregard for Law has manifested itself in the past mainly by large corporations or aggregations of wealth, commonly known as big business, and by labor organizations in relation to such business, etc."

* * * * *

The five-to-four decisions of our Supreme Court upon great constitutional questions are always a matter of deep regret—regret upon the part of the Court, and certainly upon the part of the public generally, for in the last analysis it comes down to the proposition where one Justice has the power to "uphold the law or its defeat." Judgments so rendered cannot command the universal respect which should be accorded to the highest court in the

nation, and it is worth while for the lawyers of the United States to consider whether a practical remedy for such discord may not be discovered and recommended to Congress for remedial action.

At the Lincoln birthday celebration in St. Louis, Mr. Frederick Landis, of Logansport, Indiana, speaking, (if correctly quoted), called on the courts and lawyers to "come out in the open, repent, reform and make a new oath of allegiance", and declared every court in the country to be a source of weakness. "We must rout out the prostitution of our public courts."

Mr. Guy A. Thompson, president of the Bar Association of St. Louis, expressed his conviction that 90 per cent of the miscarriage of justice in Missouri was due to the inadequate scholastic training of members of the Bar, a condition which applies also to the judiciary, which is drawn from the rank and file of the bar. And, further: "What is the situation in Missouri today. The members of the profession you have commissioned to furnish your chief executives and the predominant influence in the making of your laws and of the judges are not even required ever to have looked upon a schoolhouse. It is sufficient if they have the equivalent of a common grammar school course of study, and possess a fair knowledge of history, literature, and civil government, whatever that may mean.

* * * * *

Such conditions and court transactions, multiplied in a thousand ways all over the country, is what makes our Court System the most elaborate, the most costly, and the least efficient compared to any court in the civilized world.

In nothing else in our conception of government do we allow our common sense to be outraged as in our present system of jurisprudence; and allow its clamor for more courts, while the real remedy is fewer courts and a radical pruning of the excrescences of the profession of law and its system.

The Constitution provides that the judges of our Courts shall be appointed by the President, with consent of the Senate. Experience teaches such appointments are generally made on recommendations or endorsements by predatory interests from all over the Country, including political party interests, which, of course, is represented by their leaders. We should have a law compelling the President to publish in the metropolitan press of the Country every recommendation received by the president in favor of any candidate for judgeship submitted to the Senate for confirmation, under penalty of forfeiture of office if the president fails to so do. The people should have a chance to know the interests that are behind of such candidates, if any. Such law would have the effect of considerably

removing prejudice from the public mind, under which shadow the Supreme Court now rests.

Contracts

The sacredness of contract theory has been emphasized to such a point by the United States Supreme Court, in the case of the Hitchman Coal and Coke Company vs. the United Mine Workers and, the Eagle Glass and Manufacturing Company vs. the American Flint Glass Workers Union, that Anti-Union employers have a new weapon in their fight against organized labor. These two concerns do business in West Virginia. They are avowedly non-union, and do not indulge in "Open Shop" camouflage or other tricky terms. Before a worker could secure employment in either of these plants he had to promise not to join the union, although it was agreed that this pledge could be broken by the worker quitting his employment any time he saw fit. Later, several of these workers became interested in trade unionism, and at the request of the companies an injunction was issued by Federal Judge Dayton's Court against officers of the miners and glass workers union from attempting in any way to unionize these properties. The order was set aside by the Federal Court of Appeals, at Richmond, Virginia. The United States Supreme Court refused to accept this decision. It sustained Judge Dayton's injunction and, in effect, gives this hint to anti-union employers everywhere: "When a worker asks you for employment have him agree not to join a trade union while employed by you. In protecting you by the injunction process the Court will not consider the equity theory in contracts, and will not consider whether the worker, because of home and family needs, was forced to accept an agreement which compells him to surrender constitutional rights that babes may be fed. These contracts are inviolate, regardless of how they were secured, and the worker must quit his employment in your non-union plant if he exercises a right the law recognizes--to join a union". In the mine decision, which was the most extensive, the Court's persistence in dealing only with things on the surface is shown in this statement: "The disordered condition of a mining town in time of strike is a matter of common knowledge."

It is also stated in the Hitchman concern, that, it might find it difficult to secure a complete "gang" of new men if a strike occurred "when there might be a reasonable apprehension of violence at the hands of the strikers and their sympathizers."

These reflections on striking trade unionism are significant when it is remembered that at that time the Baldwin-Feltz gunmen, employed by West Virginia mine operators were in control of certain sections of that State, and have killed and wounded several miners and other citizens. The report of the committee, appointed by the United States Senate to investigate conditions in Cabin Creek and other sections of West Virginia, in which outrages of gunmen and operators were recorded, is fresh in the minds of many people.

While acknowledging that the Hitchman agreement could be broken "at will" by either party, the Supreme Court held that this "is of no consequence" as the company was, and is, entitled to the good-will of its employees, precisely as a merchant is entitled to the good-will of his customers, although they are under no obligations to deal with him".

"The value of the relation", continues the Court, "lies in the reasonableness and probability that by properly treating its employees and paying them fair wages, and avoiding reasonable grounds of complaint, it will be able to retain them in its employ, and to fill vacancies occurring from time to time, by the employment of other men on the same terms. The Court seems to be under the impression that organizers call strikes, instead of the men directly interested, as it is stated. "Upon all the facts we are constrained by defendants to bring about a strike at plaintiff's mines in order to compell plaintiff, through fear or financial loss, to consent to the unionization of the mine as the lesser evil, was an unlawful purpose." In the Eagle Glass case, the Court takes the same position—that organizers can call strikes, for it rules against the American Flint Glass Workers Union, "because the case involved no question of the rights of employees, and their right to quit their employment gave to defendants no right to instigate a strike". (Here as in many other cases, the Court takes upon itself to make laws; which is not its function. Congress, Legislatures are the sole and proper masters of this function. Will they ever do it. The result of such decisions are obvious; every individual, firm or corporation, has a right to ostracize unionism, and every peaceful strike that tends to unionize labor, is unlawful.

The people of our Country now stand before the question, as to whether the Unions are necessary for their mutual protection, and for the protection of the individual against industrial exploitation, and, if they are detrimental, or inducive to the peace of the community and the State. Business and Industry claim that organized labor is detrimental to its interests, that they demand unreasonable interference in its affairs; while on the other hand, Unionism claims that without unionism labor is subject to all kinds of persecution and degradation, and without protection; the individual workingman is too weak for self-protection against encroachments of capital. In view of these facts, and the decisions of the Supreme Court, the Country, before long, will stand before a terrible conflict between capital and labor; under the present system, the appearant harmony between capital and labor is nothing but a test of power, if times are good, labor will win, if times are bad, capital will win. Labor is continually trying to get as much for labor as possible, on the other hand capital is continually trying to get labor as cheap as possible, and during their squables the public suffers, and in the long run, the looser. If this condition keeps on going, some day, perhaps not too far to guess, the people themselves will undertake to adjust our broken-down system of jurisprudence.

CHAPTER III

A Little History on Prohibition

Prohibition legislation is nothing new ; but since Congress passed an Act "VOLSTEAD ACT", in conformity with the 18th Amendment ; "*which was forced into the Constitution of our Country by unfair means*", it is something different, because it becomes a daring experiment with the life of a liberty loving people of a nation and affects all of us.

That Wine had its recognized place in the economy of nations, from time immemorial, was a matter of little concern to the champions of prohibition.

From the early history of the colonist we learn that the few rich adventurers have not neglected to have distilling apparatuses imported from Old England and other Countries, in order to be able to manufacture their necessary spirits to help them overcome the incidental sufferings in the task of colonizing a new country. It did not take a long time until every man with means had his still ; Rum was at first imported and purchased with tobacco, hides, furs, etc., etc., but when they could make their own rum and brandy, and buy other necessities of life from the London Company, in exchange for tobacco, it was nothing but common sense.

Things went on all right with the different colonies, and sometimes they had a glorious time with the aid of the colonial beverage (whisky), until the commencement of the French and Indian War of 1754, when a spirit of intolerance in religious matters developed, in accordance with the spirit of the age, which manifested itself in their legislative assemblages, where it was decreed that no minister should preach or teach, except in conformity to the Church of England.

While puritanism and republicanism were prevailing in England, leading the way to the downfall of monarchy, the Virginians drank their whisky to the health of the King, and kept the strongest attachment to the Episcopal Church and the cause of royalty. In our present days the former are working on the destruction of the Republic, and the establishment of an Autocracy.

Down the line, from the beginning of American history to our present days whisky was the national beverage ; the Hessians who stayed in our Country (after the signing of the Peace Treaty, of November 30th, 1782), and their descendants were the ones that undertook to make milder beverages in

their different settlements by brewing German beer and raising grapes for wine-making; their sobriety and industrial life of these settlers attracted the attention of the preachers and ministers of the gospel, who recognized the value of beer and its effects on public morals, its wholesomeness and alimentary properties of beer and wine, they started a national campaign in favor these milder beverages; many of these preachers and ministers organized and subscribed to stock in order to construct breweries in larger centers of population. The people gradually became more sober, more industrious, public morality improved, crimes receded, brewing became an art and national industry, sobriety and contentment of the people was the long-looked for change from the habits of colonial days; the pendulum swung in the right direction; but now, professional perfidy has stopped the movement of the clock of moral progress and sound political economy. That prohibition is unenforceable and leads to public immorality will be shown in the following pages. The result of a national investigation by men of unimpeachable character will prove the facts.

In 1893, a group of gentlemen known as the Committee of Fifty, decided to concentrate their attention on the liquor question in the United States. Meetings of the committee were held from time to time in the City of New York. The majority of the members were from the Eastern States, yet, a few were from distant States, as far as Milwaukee and St. Louis, Mo. The committee was composed of the following members; to-wit: Dr. Felix Adler, Bishop E. G. Andrews, Dr. J. S. Billings, Professor C. A. Briggs, Dr. G. Alder, Blumer Z. R. Brockway, Esq., James C. Carter, Esq., William Bayard Cutting, Esq. William E. Dodge, Esq. Rev. Father A. P. Doyle, Rev. Father Walter Elliott, Dr. E. R. L. Gould, Rev. Dr. W. R. Huntington, President Set Low, Rt. Rev. H. C. Potter, Rev. Dr. W. L. Rainsford, Jacob H. Schiff, Esq. of New York, Professor H. P. Bowditch, J. H. Brooks, Esq., Rev. Dr. Thomas Conaty, Rev. Dr. S. W. Dike, President Charles W. Elliott, Dr. Edward M. Hartwell, Professor F. G. Peabody, General Francis A. Walker of Massachusetts, Professor W. O. Atwater, Professor R. H. Chittenden, Professor Henry W. Farnam, Jacob L. Green, Esq., Professor J. J. McCook, Rev. Dr. T. T. Munger, Charles Dudley Warner, Esq., Hon. David A. Wells, of Connecticut. Professor C. W. Shields, Professor W. M. Sloan, of New Jersey. President James MacAlister, Robert C. Ogden, Esq., of Pennsylvania. C. J. Bonaparts, Esq., President D. C. Gilman, Dr. William H. Welsh, of Maryland. Rev. Dr. Alexander Mackay-Smith, Hon. Carroll D. Wright, of Washington, D. C. Rev. Dr. Washington Gladden, Professor J. F. Jones, of Ohio. Frederic H. Wines, Esq., of Illinois. Professor R. T. Ely, of Wisconsin. Hon. Henry Hitchcock, of Missouri. Rev. T. F. Gailor, of Tennessee; and President William Preston Johnston, of Louisiana.

This committee, meeting in New York City on October 20, 1893, appointed four sub-committees on different aspects of the drinking problem. One on the physiological aspects, one on the legislative aspects, one on the economic

aspects, and one on the ethical aspects. The committee on legislation began its researches on the first day of May, 1894, and practically worked during two years investigating the result of prohibition laws in Maine, Iowa, South Carolina, Massachusetts, Pennsylvania, Indiana, Ohio, and Missouri. Here is what the committee, in substance reports: Experience with prohibition legislation has brought into clear relief the fact that sumptuary legislation which is not supported by local public sentiment is apt to prove locally impotent, or worse. On this fact are based the numerous kinds of liquor legislation which may be grouped under the name of local option. Prohibitory legislation has succeeded in abolishing and preventing the manufacture on a large scale of distilled and malt liquors within the areas covered by it. In districts where public sentiment has been strongly in its favor it has made it hard to obtain intoxicants, thereby removing temptation from the young and from persons disposed to alcoholic excesses. In pursuing its main object—which is to make the manufacture and sale of intoxicants, first, impossible, or, secondly, disreputable if possible—it has incidentally promoted the invention and adoption of many useful restrictions on the liquor traffic.

But prohibitory legislation has failed to exclude intoxicants completely, even from districts where public sentiment has been favorable. In districts where public sentiment has been adverse or strongly divided, the traffic in alcoholic beverages has been sometimes repressed or harassed, but, never exterminated or rendered unprofitable. In many States there have always been counties and municipalities in complete and successful rebellion against the law, and prohibition has, of course, failed to subdue the drinking passion, which will forever prompt resistance to all restrictive legislation against a free people. There have been concomitant evils of prohibitory legislation. The efforts to enforce it during the last forty years past have had some unlooked-for effects on public respect for courts, judicial procedures, oaths, and law in general, and for officers of the law, legislators and public servants.

The public have seen law defied, a whole generation of habitual law-breakers schooled in evasion and shamlessness, courts ineffective through fluctuations of policy, delays, perjuries, negligences, and other miscarriages of justice, officers of the law double-faced and mercenary, legislators timid, insincere, and bribetakers, candidates for office hypocritical and truckling, and office-holders unfaithful to pledges and to reasonable public expectation. Through an agitation which has always had a moral end, these immoralities have been developed to almost unbelievable heights.

The liquor traffic, always being very profitable, has been able, when attacked by prohibitory legislation, to pay fines, bribes, hush-money, and assessments for political party purposes to large amounts. This money has tended to corrupt the lower courts, the police administration, other enforcement agents, political organizations, and even the electorate itself. Wherever the voting force of the liquor traffic and its allies is considerable, candidates

for office and office-holders are tempted to serve a dangerous trade interest, which is often in antagonism to the public interest. Frequent yielding to the temptation causes general degeneration in public life, breeds contempt for public service, and of course, makes the service less desirable for upright men. Again, the sight of justices, constables, and informers enforcing a prohibitory law far enough to get from it the fines, fees and often hush-money which profits them, is demoralizing to society at large. All legislation intended to put restrictions on the liquor traffic, except perhaps on the simple tax, is more liable to these objections; but the prohibitory legislation is the worst of all in this respect, because it stimulates to the utmost the resistance of liquor dealers, bootleggers and their supporters.

Of course there are disputed effects of efforts at prohibition of intoxicants. Whether it has or has not reduced the consumption of intoxicants and diminished drunkenness is a matter of opinion, and opinions differ widely. No demonstration on either of these points have been reached, or is now available, after more than sixty years of observation and experience.

LOCAL OPTION. Experience with prohibitory legislation has brought into clear relief the fact that sumptuary legislation which is not supported by local public sentiment (Local Option), is apt to prove locally impotent or worse.

In the legislation of the eight States studied, five forms of local option occur: In Massachusetts, a vote was taken every year at the regular election in every city and town on the question, "SHALL LICENSES BE GRANTED", and the determination by the majority of votes, lasts one year. In Missouri, a vote may be taken at any time (but not within sixty days of any State or Municipal election) on demand of one-tenth of the qualified voters (town or city voters having no county vote), *and vice versa*, and the vote being taken not oftener than once in four years; but in counties or municipalities which have voted for license, no saloon can be licensed unless the majority of the property-owners in the block or square in which the saloon is to be situated sign a petition that the license be issued. In South Carolina, every application for the position of county dispenser must be accompanied by a petition in favor of the applicant, signed by the majority of the freeholders of the incorporated place in which the dispensary is to be situated (operative for two years) in the township in which the dispensary is to be placed. In Ohio, local prohibition is permitted, the vote being taken at a special election on the demand of one-fourth of the qualified electors in any township. In Indiana (Law of 1895), a majority of the legal voters in any township or ward of a city may remonstrate against licensing a specified applicant, and the remonstrance voids any license which may be issued to him within ten years.

The main object and advantage of local option is that the same public opinion which determines the question of license or no license is at the back of all the local officials who administer the system decided on. The Missouri provisions seem to be the most complete and justest of all. One year being too short a period for a fair trial of either license or no license, Massachusetts towns and cities have to guard themselves against a fickleness from which the law might protect them. Under local option, many persons who are not prohibitionists habitually vote for no license in the place where they live, or where their business is carried on. Persons who object to public bars, although they use alcoholic drinks themselves, may also support a local no-license system. By forethought, such persons can get their own supplies from neighboring places where license prevails. If their supplies should be cut off, they might vote differently. There has been no spread of the no-license policy in Massachusetts cities and towns since 1881, except by the votes of suburban towns in the immediate vicinity of license towns and cities.

LICENSES. The facts about licenses and the methods of granting them are among the most important parts of the result of this study. There is general agreement that licenses should not be granted for more than one year. The Massachusetts limitation of the number of licenses by the population (one license to 1,000 inhabitants, except in Boston, one to 500) has worked well, by reducing the number of saloons, and making the keepers more law-abiding; but the evidence does not justify the statement that it would work well anywhere. The Missouri restriction—no license within five hundred feet of a public park—and the Massachusetts restriction—no license within four hundred feet from a schoolhouse—are both commendable. Another Massachusetts restriction—to the effect that a holder of a license to sell liquor to be drunk on the premises, is well conceived; but the means of executing it have not been thoroughly worked out. Pennsylvania, outside of Philadelphia, licenses only taverns and restaurants to sell intoxicants for consumption on the premises. County Courts have been, and still are, common licensing authorities in the State reported on. Officials elected for short terms, like the mayor and aldermen of cities, make bad license authorities; for the reason that the liquor question thereby becomes a frequently recurring issue in municipal politics. A Massachusetts law of recent date, provides for the appointment by the mayor of any city of three license commissioners, each to serve six years, one commissioner retiring every second year. This arrangement provides a tolerably stable and independent board, without violating the principle of local self-government.

Every licensing authority should have power to revoke a license promptly, and should always have discretion to withhold a license, no matter how complete may be the compliance of the applicant with all preliminary conditions.

The objections of using courts as licensing authorities are grave. In cities, licenses are large money-prizes, and whoever awards them, year after year is more liable to the suspicion of yielding to improper influences than judges ordinary are in the discharge of strictly judicial duties. Wherever the judgeships are elective offices, it is difficult for candidates to avoid the suspicion that they have given pledges to the liquor interests. Since judicial purity and reputation for purity are much more important than discreet and fair licensing, it would be wiser not to use courts as licensing authorities.

There are always grave and inherent objections to the whole licensing system, when resting on the discretion of commissioners, which the experience of these eight States cannot be said to remove. No other element connected with a license does so much to throw the liquor traffic into politics. It compels the traffic to be in politics for self-protection. It makes of every licensing board a powerful political engine. A tax law avoids this result, and is so far an improvement. The Ohio law is a case in point.

Bonds are generally required of licenses. Experience has proved that wholesale dealers get control of the retailers by signing numerous bonds for them. This practice can be, and has been, prevented by legislation of various sorts,—as, for example, by enacting (Iowa, 1894) that no person shall sign more than one bond, or (Pennsylvania) that bondsmen shall not be engaged or interested in the manufacture of spirituous or malted liquors. The appearance of office-holders and politicians on numerous bonds, as in Philadelphia, might be prevented by a law declaring that holders of public offices shall not be accepted as bondsmen for licenses. Before a license for a saloon can be issued, Massachusetts requires the consent of the owner of the building in which the saloon is to be, and the consent of the owners of property within twenty-five feet of the premises to be occupied by the saloon. Iowa requires the consent of all property owners within fifty feet of saloon premises. The Missouri law is a thorough one, and can be evaded only at considerable cost and risk. Known methods of evasion are building and tenements so as to increase the number of voters in the block, dividing ordinary lots into many small lots held by different persons.

It has been common practice to require every applicant for a license to file a certificate, signed by twelve or more respectable citizens, testifying to the applicant's citizenship and good character. This certificate is of some value to a careful licensing authority, but it may conceal the carelessness of an unconscientious authority. In connection with a tax-law it might work well. In 1872-73, at a time when the Supreme Court of Iowa had declared local option unconstitutional. Iowa demanded that this certificate should be signed by the majority of the voters in the township, city or ward for which the license was asked—thus securing a kind of a local option.

As a rule, the upper limit of a license fee in cities and large towns has by no means been reached. The example of Missouri and St. Louis (combined fees), North Adams in Massachusetts, and Boston prove that the traffic can be made to yield much more revenue than has been supposed. In 1883, in St. Louis, the traffic pays a State tax, a County tax, and an ad-valorem tax on all liquors received, and a municipal tax which sometimes reaches \$300 a month for a single saloon. When a license attaches to a place and not to a person, the owner of the shop fixes the rent, not by the value of the building for any business, but by the special value of the license. That is a profit which the municipality might absorb in the license fee.

RESTRICTIONS ON THE SALE. The most important question with regard to any form of liquor legislation is this: Is it adapted to secure the enforcement of the restrictions on the sale of intoxicants which experience has shown to be desirable, assuming that only those restrictions can be enforced which commend themselves to an enlightened and effective public sentiment. The restrictions which the experience of many years and many places has proved to be desirable are chiefly these—There should be no selling to minors, intoxicated persons, and habitual drunkards. There should be no selling on Sundays, election days, or legal holidays in general, such as Christmas Day, Memorial Day, and the Fourth of July. Where, however, such a restriction is openly disregarded, as in St. Louis, it is injurious to have it in the law.

Saloons should not be allowed to become places of entertainment, and to this end they should not be allowed to provide musical entertainments of any sort, billiard or pool tables, bowling alleys, cards, or dice games. Saloons should not be licensed in theatres or concert halls; and no boxing, wrestling, cock-fighting, or other exhibition should be allowed in saloons.

Every saloon should be wide open to public gaze from the highway; no screens or partitions should be permitted to obstruct public inspection from the highway.

There should be a limit to the hours of selling, and the shorter the hours the better. In the different States saloons close at various time. Thus, in Maine cities in which saloons are openly maintained, the hour of closing is 10 p. m., and in Massachusetts it is 11 p. m.

It has been found necessary to prevent by police regulation, the display of obscene pictures in saloons, and the employment of women as bar-tenders, waitresses, singers, or actresses. Most of the above regulations and restrictions can be executed in any place where there is a reasonable good police force, provided that the public opinion accepts such regulations as desirable. If public sentiment does not support them, they will be disregarded or evaded,

as they are in St. Louis; although the Missouri law is a good one in respect to restriction on license. The prohibition of selling on Sunday is an old restriction (Indiana, 1816), and the more Sunday is converted into a public holiday, the more important this restriction becomes, if public sentiment will sustain it.

All restrictions on the licensed saloons have a tendency to develop illicit selling; but much experience has proved that illicit selling cannot get a large development by the side of licensed saloons, if the police administration is anyway effective. "IT IS ONLY IN REGIONS WHERE PROHIBITION PREVAILS THAT ILLICIT SELLING OF LIQUOR ASSUMES LARGE PROPORTIONS."

In license cities, where the regulations forbid sales after ten or eleven o'clock on Saturday evenings and sales on Sundays, the illicit traffic is most developed after hours on Saturday and Sunday.

DRUGGISTS LICENSES. The selling of intoxicants by druggists has been a serious difficulty in the way of enforcing the laws. In Iowa when the law of 1886 closed large numbers of saloons, the druggists were almost compelled to sell liquors—at least to their own customers and acquaintances. In Maine, the sale by druggists has always been a favorite mode of evading the law. States which have insisted on proper education of pharmacists, have had an advantage, when the closing of saloons has brought a pressure on drug-stores to supply intoxicants; for the supervision of the State secures a higher class of men in the pharmacy business. The checks on selling of liquor by druggists are chiefly these: first, none but a registered druggist shall be entrusted with a license; second, no druggist shall sell in small quantities without a written prescription by a physician, and this physician must not be the druggist himself or one interested in the drug-store. The sale of liquor by druggists cannot be perfectly controlled, however, by either or both of these regulations.

LIQUOR CASES IN THE COURTS. Under all sorts of liquor laws great difficulty has been found in getting the courts to deal effectively and promptly with liquor cases.

Alike under the license law in Massachusetts and under the prohibition law in Maine, this difficulty has presented itself. In Maine, after more than forty years' experience, and after frequent amendment of the law of 1651 with the object of preventing delay in dealing with liquor cases, it is still easy to obtain a year's delay between the commission of a liquor offense and sentence therefor. In Massachusetts, so many cases were placed on file and nolle prosecuted that, in 1885, a law was passed against the improper cancelling of cases. This law checked the evil. In 1884, seventy-eight per cent of all the

liquor cases were placed on file or nolle prosecuted; in 1885, thirty-four per cent; and in 1893, only three per cent. Wherever district-attorneys and judges are elected by the people, this trouble is likely to be all the more serious. One consequence of the delays and miscarriages in liquor cases is that the legal proceedings in enforcing a liquor law become very costly in proportion to the number of sentences imposed. Experience in various States has shown that the penalty of imprisonment prevents obtaining conviction in liquor cases. This penalty has been tried over and over again by ardent legislators, but in practice, has never succeeded,—at least for first offences. Fines have seemed to ordinary judges and juries sufficient for liquor offences. Laws with severe penalties have often been passed, and courts have often been deprived of all choice between fine and imprisonment; but in practice such enactments have proved less effective than milder ones.

A wise discrimination is made, in some States, between the fines and selling liquors in counties or municipalities which have voted for no-license. The first offence requires the heavier fine. In Missouri, for an offence of the first sort the fine is from \$300 to \$1,000; for an offence of the second sort, from \$40 to \$200. In States where a license system prevails throughout, the fine for selling without a license needs to be high, thus in Pennsylvania, the fine for this offence is from \$500 to \$5,000. It is, of course, important that the fine for selling without a license should be decidedly higher than the annual cost of license. It has been thought necessary to stimulate the enforcement of liquor laws by offering large rewards to informers. Thus, in Ohio, half of the fine imposed goes to the informer, whenever a house of ill fame is convicted of selling liquor. In South Carolina, twenty cents on every gallon of confiscated liquor is paid to the informer, and any sheriff or trial justice who seizes contraband whiskey or liquors is paid half their value. Laws like these excite intense animosities, and necessitate other laws for the protection of informers. They have been effective, however in some instances.

TRANSPORTATION OF LIQUOR. The subject of the transportation of liquor into or within a State has been a very difficult one for legislators in every State which has tried the policy of prohibition, or of local or no-license, or of State monopoly. Maine has struggled for more than forty years with the problem of preventing the transportation of liquor intended for sale, but with very limited success. That State, however, presents peculiar difficulties; for it has a much indented coast and several navigable rivers, so that many of its principle towns and cities are accessible by water as well as by rail. The most minute and painstaking legislation has failed to attain the object of the prohibitionists. In South Carolina, the legislature has been more successful in defending the State monopoly. The lines of transportation are comparatively few. Severe penalties have been enacted against the transportation of contraband liquors; arbitrary and vexatious powers have been given to sheriffs, constables, and policemen; and the activity of the local police has been stimu-

lated by a provision that negligent municipalities may be deprived of their share of the profits of the State Dispensary. Legislation of this sort intensifies political dissensions, incites to social strife, and abridges the public sense of self-respecting liberty. In States where local option prevails, transportation by express between licensed communities is practically unimpeded.

ARRESTS FOR DRUNKENNESS. Doctor Wines and Mr. Koren, both dwell at various points on the great difficulties of drawing useful inferences from tables of arrests from drunkenness during a series of years. The statistics are often imperfect; or the tables have been constructed on different principles in different years; or the police administration, in the same city, changed its methods during the period of tabulation; or the drunk law has been altered; or the policy of liquor-sellers in regard to protecting intoxicated persons from arrests for drunkenness has been different at different periods. In spite of these difficulties, the statistics of arrests for drunkenness may sometimes afford satisfactory evidence, concerning the working of the prevailing liquor legislation, although the precise cause of the increase or decrease of arrests may remain in doubt. Thus, in South Carolina, diminution of the number of arrests was an undoubted effect of the Dispensary Law; but it is not sure whether the diminution of public drunkenness was due to the early hour, (6 p. m.) or to fact that no drinking on the premises was allowed in the State Dispensaries, or to the great reduction in the total number of liquor shops in the State. In Massachusetts, an important change in the drunk law made in 1891, caused an increase in arrests, but a decrease of the number held for trial. In Philadelphia, the percentage of arrests for intoxication and vagrancy to all arrests, declined after the enactment of the so-called "High License Law"; but the probable explanation was that the keepers of both licensed saloons and of illicit shops protected people. Another possible explanation was the inadequacy of the police force of Philadelphia. In St. Louis, where the saloons are numerous and unrestricted, public order is excellent, and arrests for drunkenness are relatively few; but this condition is perhaps due to the quality of the population as to the wisdom of the liquor legislation. The fact suggests the doubt whether the amount of drunkenness is anywhere proportionate to the number of saloons.

REMOVING THE MOTIVE OF PRIVATE PROFIT. Iowa endeavored to carry out the Philadelphia idea of removing from the liquor traffic the motive of private profit, so long ago as 1854, by legislation which appointed salaried County Agents for the sale of liquors, the specific reason given for this legislation being that no private person might be pecuniarily interested in the sale of liquor. No State has thus far succeeded in carrying out this idea. The Dispensary Law of South Carolina proposed to create a complete State monopoly, with no private licensed traffic and no illicit traffic, and with all the profits of the business going to the public treasury. This law, if successfully carried into execution, would, it should seem, remove from the

traffic the motive of private gain. The law has not been entirely successful in this respect, because the salary of dispensers are made to depend on the amount of business done in their respective Dispensaries; and it therefore becomes the private interest of the dispensers to enlarge their business as much as possible. There is at present no American Legislation effective to this desirable end.

THEORETICAL DIFFICULTIES ON LIQUOR LEGISLATION. The South Carolina Dispensary Law well illustrates the theoretical difficulties which beset liquor legislation. It proposes to maintain a highly profitable State monopoly of the sale of intoxicants. The revenue purpose is extremely offensive to prohibitionists; yet this motive appears plainly in the practical administration of the Law, as well as in its theoretical purpose. Thus, for example, the State Dispensers sell the cheapest kind of distilled liquor, because it is more profitable to sell that liquor than any other, the tastes and capacities of their customers being considered. Again, the law does not prohibit the manufacture of distilled, malt, or vinous liquors; but, on the contrary, in some respects encourages those manufacturers within the State. The fundamental conception in the law is distinctly antagonistic to the theory that liquor-selling is sinful and unholy; for the State itself assumes the whole of that business and takes its profits. Although supported by prohibitionists at the time of its enactment, *it flies in the face of all logical prohibitory theory*. It has been enforced with a remarkable degree of success but at great cost of political and social antagonism. The theory of the Ohio legislation is interesting in itself, and also because it suggested the present Iowa legislation. In Ohio, licensing is prohibited by the constitution; but when a person is found selling liquor, he is required to pay a tax of \$250, and to give a bond to observe certain restriction on selling. The tax is far too low, particularly for city saloons, and the restrictions are not sufficiently numerous, and in many places are not enforced. Under the law as practically administered, saloons are much too numerous. On the other hand, this law prevents, in some measure, the evil effect of liquor legislation on politics. There are no licensing authorities, no political offices for conducting or supervising the liquor business, and only a moderate amount of liquor legislation. These are weighty recommendations of the law, it has a very different theoretical basis. In Iowa, prohibition is the rule; but by paying a fee or tax, and submitting to numerous well-devised restrictions, a liquor-seller may procure exemption from the operation of the prohibitory law. Neither the Ohio theory nor the Iowa theory is satisfactory from the point of view of the prohibitionists, any more than the theory of the South Carolina Dispensary Law. In the present state of legislation, different laws must be judged by their practical effects, and not by their theory on which they rest.

PROMOTION OF TEMPERANCE BY LAW. It cannot be positively affirmed that any one kind of liquor legislation has been more successful than another in promoting real temperance. Legislation as a cause of improvement

can rarely be separated from other possible causes. The influences of race or nationality are apparently more important than legislation. That law is best which is best administered. Even when external improvements have undoubtedly been effected by new legislation, it oftens remains doubtful, or at least not demonstrable, whether or not the visible improvements have been accompanied by a diminution in the amount of drinking. Thus, a reduction in the number of saloons in proportion to the population undoubtedly promotes order, quiet and outward decency, but it is not certain that the surviving saloons sell less liquors in total than the previous more numerous saloons. Again, it is often said that restriction on drinking at public bars tend to increase drinking at home or in private, and there is probably truth in this allegation; but comparative statistics of public and private consumption are never attainable, so that, it is impossible to hold a well-grounded opinion on this point. The wise course for the community at large is to strive after all external, visible improvement, even if it be impossible to prove that internal, fundamental improvement accompanies them.

LIQUOR LAWS IN POLITICS. Almost every sort of liquor legislation creates some specific evil in politics. The evil resulting from prohibitory legislation have been already mentioned. Under a license system, there is a great liability that the process of issuing licenses will breed some sort of political corruption. Whenever high-paid offices are created by liquor legislation, those offices become the objects of political contentions. When a multitude of offices are created in the execution of liquor laws, they furnish the means of putting together a strong political machine. Just this has happened under the Dispensary system in South Carolina, where a machine of great capacity for political purposes has been created in a very short time, with the governor of the State as its engineer. The creation of this machine has intensified the bitter political divisions which caused the adoption of the Dispensary Law and made possible its enforcement. The activity of liquor-dealers' associations in municipal politics, all over the United States, is in one sense an effect of the numerous experiments in liquor legislation which have been in progress during the last fifty years. The traffic, being attacked by legislation, tries to protect itself by controlling municipal and State legislators.

The commonest issue over which contentions about local self-government have arisen has been the liquor issue. The prohibitionists early discovered that local police will not enforce a prohibitory law in places where public sentiment is opposed to the law. They therefore demanded that a State Constabulary should be charged with the execution of the law. This issue has arisen in States whose legislation stops far short of prohibition. Thus, in Missouri, the governor appoints the excise commissioner who is the licensing authority in St. Louis; and in Massachusetts where local option and high license prevail, the police commissioners of Boston are appointed by the governor. So far as

the enforcement of the law goes, State appointed officers or commissioners have often brought about great improvements. In South Carolina, the Dispensary Act could not have been enforced had it not been that the governor was empowered to appoint an unlimited number of constables to execute that one law. He was also empowered to organize at any moment a Metropolitan Police for any city in which the local officers neglected their duties in regard to the enforcement of the Dispensary Act. Nevertheless, violations of the principle of local self-government are always to be deplored, unless a municipality has exhibited an absolute incapacity to govern itself, or unless the violations are plainly placed or based on another valuable principle, namely; that of voluntary co-operation for common ends whose scope transcends the limits of single municipalities.

There are, of course, other promising directions for efforts to promote temperance; such as the removal of the motive of private gain in stimulating the liquor traffic, the substitution of non-alcoholic drinks for intoxicants as refreshments or means of ready hospitality, and the giving of preference in certain employments to total abstainers, or to persons who never drink alcoholic beverages while on duty, particularly in the employment which has to do with the care or supervision of human beings, animals, and machines, or with transportation by land or sea; but since these interesting topics do not strictly belong to the legislative aspect of the drink problem the sub-committee do not dwell on them.

Charles W. Elliott
Set Low
James C. Carter

Sub-committee.

CHAPTER IV

Our Social-Economic Condition. Money Power

Let us consider for a few moments the present conditions of our Political-Economic system. The number of millionaires in the United States has more than tripled since the beginning of the late war, according to official statistics just made public by the commissioner of internal revenue. In 1914 there were just 7,509 persons in the United States with incomes of \$50,000 per year, but in 1916 there were 17,085, or, in round figures, two and one-third times as many. That it is highly conservative to rank people with fifty thousand dollar incomes as millionaires is universally admitted. Let us look into this matter in another way. At the beginning of the war there was just one millionaire for every thirteen thousand ordinary American citizens, now there is a millionaire for every five thousand, nine hundred of the people. If these millionaires were evenly distributed throughout the Country there would be one in every town of six thousand people, but they aren't. Instead, statistics show that about a third of them are in New York city and at least another third in other great cities, chiefly in the East.

Many of the millionaires migrate to the cities after they had made their piles in industrial towns or mining camps. The largest increase was in the number of "big rich" people, with incomes of half a million dollars or more, worth at a conservative estimate from ten million, up. While the number of ordinary millionaires doubled; the number of these multimillionaires more than tripled, increasing from one hundred seventy-four in 1914, to five hundred and eighty-two in 1916.

These, be it remembered, are minimum figures; they represent only the number who reported their incomes to the revenue collectors, if we knew the truth, the number would probably be twice as big.

In 1910, two per cent of the people of the United States owned sixty per cent of the wealth. Today, it is certain this two per cent owns and controls at least seventy per cent of the nation's wealth and resources. The seventeen thousand millionaires paid taxes, last year, on a totals of two billion four hundred sixty-nine million dollars incomes—equivalent to the income of two million four hundred and sixty-nine ordinary families averaging \$1,000 each.

There are only about twenty million families in the United States, so these seventeen thousand millionaires received as much income as one-eighth of all the American people.

A packing company, of Chicago, declared a cash dividend, on stock and cash, of one hundred million dollars, another packing company, a cash and stock dividend of ninety-eight million dollars. In 1916, one of these companies made about fourteen million dollars in excess of its profits the previous year. Sundry other industries report similar gains. Conditions such as these provide the best culture-medium for anarchistic ferment. Strikes all over the Country indicate that there is working a leaven of discontent which can scarcely be suppressed by an appeal to loyalty and patriotism. The above-mentioned class don't seem to understand that they are sitting on a powder magazine of their own manufacture, and that it takes only a spark to touch it off and start a conflagration the extent of which none of us can foresee.

We see labor standing aghast at the stand the daily newspapers are taking; boasting of the opportunities of this land of the free, and "point with pride" to the immense fortunes amassed by a few men starting out in the struggle for life as common day-laborers, and pretending to be horrified at labor disturbances and riots; such as happened at East St. Louis, Illinois, and further, pretending that the I. W. W. were paid by foreign agents to accomplish their work of destruction; while the simple unvarnished truth is that all these outbreaks are traceable to American employers of labor, who have created these conditions above stated all too long. They have blinded themselves to the fact that the great majority of the workingmen have been unjustly underpaid, and that defraudation of their wages helped largely to build up the millionaires' speedily gotten fortunes.

In the present unsettled conditions of our Country the workers have seen their opportunity; they have determined at all costs that the steel and copper and food magnates shall not go on accumulating huge abnormal hoards without sharing with them on a larger scale, the profits which their toil made possible. Organized labor does not justify every measure sometimes resorted to by individual workers, and quite likely to be resorted to in greater degree in the future in order to gain what they consider their rights and just compensation, but government statistics prove beyond a doubt how inadequate wages are in the majority of industries.

In 1910, of the thirty million ninety thousand five hundred and sixty-four male persons in the United States, who were listed as bread-winners, approximately ten million four hundred thousand were engaged in that unskilled work from which the migratory class is recruited. What was their wage, and how long a period in each year were they employed? A typical Chicago slaughter house, in 1912, paid eighty-two per cent of its employees less than twenty cents per hour. (Human flesh was cheap.) This company worked their men on an average of thirty-seven and a half hours a week, and this gave the fifty-five per cent of the men who averaged seventeen cents an hour, a weekly income of six dollars and thirty-seven cents.

THE STEEL INDUSTRY. In the steel industry the government report of 1910, shows that twenty-nine per cent of the employees worked a seven-day week, twenty per cent a seven-day week with a twelve hour day, and forty-three per cent a twelve-hour day, six days a week. This federal study reports that forty-nine, sixty-nine per cent of the employees received less than eighteen cents an hour. In the steel industry eight per cent of the workers earned less than fourteen cents per hour, and twenty per cent less than sixteen cents per hour. The Federal Immigration Commissioner's Report for 1910 announced that not one of the twelve basic American industries paid the average head of a family within one hundred dollars a year of the minimum for family subsistence, and that two-thirds of the twelve industries paid the family head less than five hundred and fifty dollars a year. Professor Frankfurter's brief before the Supreme Court in the minimum wage case (1916) alleges that half of the wage earner's families in the United States have an income below that needed for adequate subsistence. Warren and Syndenstrieker, investigators for the Federal Health Service, state that in the principal industries, fully one-fourth of the adult male workers who are heads of families earn less than twelve hundred dollars; one-half earn less than six hundred dollars; and less than one-tenth earn as much as one thousand dollars a year.

Approximately one-fourth of the women workers, eighteen years and over, employed in the principal manufacturing industries earn less than two hundred dollars a year, and two-thirds less than four hundred dollars per year.

Concerning the even more vital statistics of total family income, those same investigators say: "The conclusion is also indicative that one in every ten or twelve working-class families had, at the time of investigation (1912-1914), an annual income of less than three hundred dollars a year; that nearly a third had incomes of less than five hundred dollars a year; and over one-half of the families had incomes of less than seven hundred and fifty dollars a year."

The numerous studies of the costs of living in this period are fairly unanimous in stating that, **EIGHT HUNDRED DOLLARS IS ABSOLUTELY NECESSARY FOR THE ADEQUATE MINIMUM OF SUBSISTANCE FOR AN AMERICAN LABORING CLASS FAMILY.**

Professor Fairchild, of Yale, said in 1913: "If we fix those standards of living in mind, and then look back over the wage-scales given on the foregoing pages, we are struck with the utter inadequacy of the annual incomes of the foreign-born to meet these minimum requirements of common decency."

In the face of these undeniable facts, it is foolhardy and dangerous chicanery to talk in grandiloquent terms of the opportunities of labor; to reproach the laboring men with lack of patriotism; to advocate a policy of coercion that shall reduce the wage-earner to a slave with a standing little less than of a Roman "slave". Carlton H. Parker, dean of the school of Business Administration and head of the Economic Department of the University of Washington, writing in the *Atlantic Monthly*, for November, 1917, chronicles this illuminating anecdote:

"In the State of Washington there have recently been mass meetings, private and public, devoted to the problem of the I. W. W. In one informal meeting, a lumber-mill operator of long experience, advanced a policy of suppression, physical violence, and vigilant activity. A second operator, listening, observed, "If you lost your money, you would be the best I. W. W. in the State". The operator who provoked this cutting, directly-to-the-point retort, is a typical representative of a large class of employers who fail to see that the workers have any rights to organize for self-protection. Manufacturers and corporations band together in strong organizations for their own protection, but primarily for the purpose of opposing with their united strength all demands and all efforts of organized labor to better the conditions of employees. A strange illogical state of mind, indeed that claims for itself a right absolutely denied to labor "*under pain of being discharged or black-listed.*" Yet, this same employers are not altogether hard-hearted, but are generous contributors to the Y. M. C. A. and other benevolent organizations, such as a milk station, ice fund, Christmas Tree celebrations, etc., etc., interested in the uplift of the worker and his family; it is not charity, however, that the workers expect, but justice.

Another paradox which is a modern replica of ancient intolerance and persecution carried through by men sincerely ready to sacrifice kin and wealth in the cause of liberty; the typical American steel industry. Two of its strongest organizations are the National Founders Association, and the National Metal Trades Association. Jointly they publish "in the interest of their workmen", a monthly magazine "THE REVIEW". "Their declaration of principles", as there recorded, states among other things:

"RELATION OF EMPLOYEES. No discrimination will be made against any man because of his membership in any society or organization. Yet, month after month the "REVIEW" is filled with attacks upon organized labor and the eight hour day; one sided reports of strikes and lockouts, making it appear that every strike is a malicious and unpatriotic act not to be condoned; that, in fine, "Organized labor stands forth in hideous nakedness revealed as the half-brother of the I. W. W."

Although denied in theory, discrimination against men who belong to organized labor organizations, or who promote them among their fellows, is frequent, and a matter of record among employees to keep the workers isolated and alone, in absolute subjection and complete dependence upon the employer, so that the latter may at discretion fix a scale of wages which "HE" judges to be "FAIR", is, of course, the obvious purpose of this policy

But, it is just this tyrannical, anti-social policy that leads to interminable recriminations, ever-recurring strikes, and sometimes to violence when the workers deem their rights cannot be secured, or their grievances redressed in any other way. And what takes place in the steel industry, takes place in other industries as well. No mutual understanding is possible as long as the employer denies to his laborers a right which he claims for himself. The employee being weaker and less well provided for, because of insufficient wages, against lack of work, accident or sickness, stands all the more in need of the right to organize. Men are equal at least in their right to a just compensation for their labor "a reasonable remuneration" that must be enough to support the wage earner in reasonable comfort, in spite of "ABNORMAL FOOLISH JUDICIAL DECREES". If through necessity or fear of worse evil the workmen accepts harder conditions, because an employer or contractor will give no better, he is the victim of force and injustice.

Capitalism will have to divert itself of many hoary prejudices and disassociate itself from many hitherto unquestioned practices. No half-way measures or make-shift policies will avail. The statistics quoted above show plainly how general and deepseated is the evil of insufficient wages. That fact, with all its fateful implications and possibilities of serious danger, is to be faced resolutely, now more than ever, on account of our new mushroom growth of war-time millionaires. (Dr. Culemans, in the America.)

CHAPTER V

Our Benevolent Monopolists

The first public hearing before the Federal Trade Commission on December 20, 1917, at Washington, D. C., to determine whether the meat packers, Armour, Swift, and Morris, have a monopoly by which they control prices in buying cattle, sheep and hogs, and also control prices to the consumer, developed, under the skillful questioning of Francis J. Henry, of San Francisco, special counsel of the Commission, a chain of stock manipulation of startling and fascinating interest.

The Commission, acting under authority of a resolution of Congress, has sought, first, to ascertain if the packing firms control railroad terminal facilities as means of making a monopoly. The packers admit they control the railroad stock yards terminals in St. Paul, Omaha, Sioux City, Kansas City, and Fort Worth, but denied that they control the Chicago terminal.

The control of the railroad facilities at the Chicago stock yards is, therefore, the objective of the present hearing.

The principal witness was F. A. Pegram, who on a salary of \$2,000 a year as cashier of the Chicago stock yards company, with an additional \$500 as treasurer of a subsidiary company, acts as a dummy stockholder for the packers.

Pegram was the nominal owner of 79,990 out of 80,000 shares of the Chicago Stock Yards Company, although he said he had never seen the stock, except during the few minutes in which he was occupied in endorsing it over as directed to do by his employers.

Following the order to dissolve the packing trust in 1911 and 1912, the old Chicago Stock Yards Company, organized under the laws of New Jersey, was compelled to give way to a new device to control the Stock Yards Terminal.

To test the right of the packers to pay bonuses to control trade, a test case was brought before the United States Commerce Court by a small independent packer, named Faelzer. The case was carried on up to the United States Supreme Court, which held that the Chicago Stock Yards Company was subject to the Interstate Commerce Commission and could not pay bonuses which correspond to rebates.

It was then decided to get around the difficulty by organizing a holding company, and a committee, consisting of the late Richard Olney, Secretary of State in the Cleveland Cabinet; Samuel Carr; Guy Norman; S. L. S. Shoemaker, E. V. R. Thayer and F. R. Hart, was named to arrange the transaction. Under the laws of Maine, a new stock yard company, familiarly known in the proceedings as "The Old Colony Company" was formed.

A syndicate embracing the Old Colony Trust Company, of Boston, Merchants National Bank of Boston, Chase National Bank of New York, the brokerage firm of F. S. Moseley, of Boston, and F. H. Prince & Company, bankers and brokers, of Boston, was organized to put up the purchase of the \$8,000,000 of capital stock of the old company.

This stock already paid a dividend of eight per cent, and the proposition made by the syndicate was to give bonds with a guaranteed interest of nine per cent for all the common stock of the old company brought in. As the plan worked out, practically all the stock of the old company was thus acquired. The committee's proposition was made through the "Old Colony Trust Company", and stock certificates were deposited with the concern until it was assured that the deal would go through, and then it took the committee only a short time to conclude the whole transaction. For one block of fifty shares the committee paid \$1,000 a share. For another of fifty shares they paid \$300 a share.

Pegram acted as a dummy treasurer of the company through all the transactions, doing, as he said, whatever he was told to do by Mr. Prince or his attorney, Bradley Palmer. The old stockholders, in making the transfer from the old to the new company, simply had their certificates stamped with the guarantee of the new company that they would get nine per cent on their holdings.

Prince and Armour put in \$4,400,000 of stock of the old company and so became majority stockholders of the new company which acted simply as a holding company for the Chicago Stock Yards Company.

Pressed on the question that he is merely a dummy in the company, Pegram confessed: "Yes, I'll sign anything they put in front of me." Heney also showed that the communications from the Federal Trade Commission to Pegram were not answered by him, but that he merely went "through the action" in replying, the answers being dictated by others. Letters addressed to the company at Chicago were found in the Prince offices at Boston.

Innumerable cases like the foregoing could be cited; it shows that lawyers and jurists as a rule worry little about decisions of Courts or legislative acts; no matter how much confidence the people may place in their honesty; no

matter how much they may have been honored with public trusts and exalted positions, their consciences will always elastically correspond to the needs of the occasion and conditions.

It is the profession of law that the people must continually watch, more so than any other class of citizens, in order to keep good government in navigable waters; for it is from their breasts and minds that flows a continuous stream of deceit, which, if not curbed, eventually will destroy our government, the history of many nations proves the fact. It must be remembered that our genial Ex-president Taft, with his experience as a lawyer, Judge, and administrator, urged to make certain trade practices unlawful in order to permit speedy correction, "Without the necessity for the formidable array of witnesses and lengthy trials essential to establish a general conspiracy," namely; the granting to a trade commission the power to make the decrees of the Courts effective. If the Federal Trade Commission finds itself without power to cope with the oil situation, the act creating it must be very defective. The public has been led to believe that the correction of such conditions was one of its chief functions. The Republican National Convention of 1912, at the recommendation of President Taft, included a recommendation for a Federal Trade Commission, on the ground that this would "promote promptness in the administration of the law and avoid delays and technicalities incident to Court procedures", but, in fact, it was only a pussy-footing around the real remedy. Mr. Taft knew very well that himself, and the Republican party, never believed in such action. In Cincinnati, on August 10th, 1919, Mr. Taft declared himself against the Plumb Plan in the following terms: "It is radically wrong, socialistic and ought to be fought"—"I very much disapprove of the plan"—"I am certain the Republicans will oppose the Plumb Plan, and I hope the Democrats do too"—"We should not let the Soviet system gain even a toe hold in America", he says, "I do believe in close supervision of the railroads, but such supervision as we have had has been too severe"—"We should give the railroads a chance, give them adequate revenue by proper rates so that they can attract the necessary capital for necessary maintenance and improvements"—"We have not allowed the rates to go up as they should." Referring to the strike of railroad shop-men throughout the Country, and the demand of other railroad unions for increased wages, Mr. Taft said, "While I have not gone into the subject with a thoroughness to warrant final judgment, I will say from what I do know, it seems to me that the men are requesting a greater increase than the percentage of increase in the cost of living warrants". Thus, it appears they are asking more than they are entitled to receive.

The Non-Partisan League of North Dakota, provided for a system of State-owned mills, elevators, warehouses, refrigerating houses, and marketing places; a State banking business; extend loans to farmers at low rates of interest, refraining from collecting interest on these loans in case of crop

failure; State-owned association which will advance money for home building on condition of a small initial payment; State-owned and operated lignite mines, and a new tax code which exempts from taxation farm implements and improvements.

In Mr. Taft's opinion, he also brands these measures revolutionary; they may be so-called without undue straining of language; but none of these measures inflict injustice upon any person or class of persons, nor does it unduly restrict economic opportunities of individuals; there is no intrinsic reason why these measures should not work out successfully. Everything will depend upon the manner in which they will be administered—to denounce them as Soviet systems, socialistic, etc, will prove nothing and change nothing.

The American people, as a rule, are opposed to reaction or violent revolution; yet, our social economic system must be revised and reconstructed by the useful citizens; not by the useless ones; if law, efficiency, economy, speed and security were all, then we might pray for a wise and paternal despot and yield him our liberty in exchange for his goodness. But we should make a bad bargain. Since freedom is necessary for the full development of all humanity, we should not part with it; we shall keenly watch of losing any measure of our lawful liberty without gaining as a reward in our government any of those good qualities, which characterize autoocracy, plutocracy and despotism—a catastrophe which is likely enough to occur under our present system. The American people have a tremendous task to break through the old political party lines and its entanglements in order to go successfully over the top, but, has the real liberty-loving American people ever undertaken any job which it failed to carry out?

CHAPTER VI

Money Power.

Our government at Washington seems to be an organization for the protection of predatory interests, not in the interest and welfare of the people at large who maintains the government. The money power "Plutocracy" seems to be the only ideal for which the government exists and should be maintained at all costs. Yet, it is the manifestation of this power in politics which always did, and always will be the main agency by which public morals can be corrupted, and government finally destroyed.

The history of the World attests its influence, for corruptive purposes, when in the hands of a few devoid of public morals and decency.

To cite a few instances which still are within the memory of some of us:

A man named John Edward Addicks died alone and without friends. When death came he was living in a cheap furnished room, and according to newspaper reports did not leave money enough for a decent burial. This same man, twenty-five years ago, was a power in the financial world and his wealth was estimated at more than twenty millions. The fact that he died alone in a cheap furnished room, in this case, proves that there is a higher power that metes out punishment when our laws fail to protect the general public, for if there was ever a human being that deserved punishment it was this man Addicks.

This man committed more crimes than any other dozen men of the most noted criminals now serving time in all the penitentiaries of the Country; and yet, so great was his power of wealth that his liberty was never in jeopardy.

Addicks organized a score or more of street railroads and gas companies, and every company was organized on a plan where Addicks took everything and gave nothing. The investing public lost millions of dollars through Addicks "High Finance system", but as this man had the backing of the "High Interests", of Wall Street he was immune from both publicity and punishment, and in spite of the fact that the biggest "get-rich-quick" grafter was a piker compared to Addicks.

After amassing a fortune estimated at twenty to forty millions, this noble creature decided that he would make an ideal United States Senator, and being a man who had always got what he wanted, he proceeded to make plans whereby he would be duly elected to represent the people in the highest legislative body in this Country.

In those days United States Senators were elected by the State Legislators, so Mr. Addicks went on the theory that as every man had his price, it was only a question of buying enough votes to secure the coveted seat.

For many years the fight of Addicks for a seat in the United States Senate was a National scandal, and in all the history of dirty politics there is nothing to be compared with the corruption of the Delaware Legislature with Addicks millions.

In the end Addicks failed, but he would not acknowledge failure until the entire State had risen in arms and openly threatened legislators that intimated that they favored Addicks. A great many newspapers referred to those eight years of corruption and bribery as "Addicks' folly", but, "Addicks' punishment" would be a better name because it was through this fight that Addicks lost his money which, of course, represented his power.

Addicks' life is a striking example for the fact that it is one instance of record of where money failed to gratify an ambition.

* * * * *

We all remember the SPENCER-WILLIS NEWBERRY RESOLUTION, as drawn by the junior senator from Missouri, (Mr. Spencer) and adorned by a senator from Ohio, (Mr. Willis) which reads as follows:

Resolved,

(1) That the contest of Henry Ford against Truman H. Newberry be, and is hereby, dismissed,

(2) That Truman H. Newberry is hereby declared to be duly elected Senator from the State of Michigan for the term of six years commencing on the 4th day of March, 1919, and is entitled to hold his seat in the Senate of the United States of America.

(3) That whether the amount expended in this primary was \$195,000, as was fully reported or openly acknowledged, or whether there were some few thousand in excess, the amount expended was in either case too large, much larger than ought to have been expended.

The expenditure of such excessive sums in behalf of a candidate, either with or without his knowledge and consent, being contrary to sound public

policy, harmful to the honor and dignity of the Senate, and dangerous to the perpetuity of a free Government, such excessive expenditures are hereby severely condemned and disapproved.

In other words, the resolution condemns the use of too much money to buy a seat in the United States Senate, and in the same breath recommends that the fellow who bought the seat shall keep it.

Many other crimes against the people have been committed by the "money power" and are still committed every day. Not very many people can be made to believe that there are so many thousands of people in our Country who care to make it a business of being their brother's keepers without due remuneration for such service; our professional prohibitionists are no more able to live and thrive without eating than a fish, the money must come from someone somewhere, if not from those who directly profit by it.

CHAPTER VII

Prohibition's Triumph

Our good, and more or less capable President said at the opening of the last Congress: "The eighteenth Amendment denies to a minority of fancied sense of personal liberty, but the Amendment is the will of the American people and must be sustained by the Government and public opinion, else contempt for the law will undermine our very foundations".

That seems to be the Republican doctrine in principle.

Mr. Tumulty's account of the attitude of Woodrow Wilson during his Presidency toward national prohibition contains the draft of a plank covering the subject which was drawn up by the President for submission to the convention at San Francisco. It read as follows: "We recognize that the American saloon is opposed to all social, moral and economic order, and we pledge ourselves to its absolute elimination by the passage of such laws as will finally and effectually exterminate it. But, we favor the repeal of the Volstead Act and the substitution of it of a law permitting the manufacture and sale of light wines and beer."

That seems to be the Democratic doctrine; also in principle.

Our present Secretary of War, Mr. Weeks, publicly declared in a speech held last June: "If I were in Congress now, I would vote for a modification of the Volstead Act, permitting light wines and beer. I see in the times a more liberal interpretation of the eighteenth amendment. "The people eventually will have their say," he said, "and sentiment undoubtedly will manifest itself in the next election. I find that sentiment is against the strangling restrictions of the Volstead Act. In my opinion, candidates who favor amendments to the Volstead law are sure of election."

Mr. Laskar, the President of our Shipping Board that is to create an American Merchants Marine, now claims "that he has a legal right to sell liquor outside of the three-mile limit on the high seas." He furthermore claims "that the welfare and perhaps the life of the American Merchant Marine depend upon selling liquor on its vessels." And so he proceeds, quietly at first, then obstreperously, to serve the patrons on his ships with beer, wine, and brandies, all things that we declared highly immoral, and even traitorous on land.

But Mr. Busch, having enjoyed Mr. Lasker's hospitality of a very wet kind on one of the United States ocean steamers, writes an open letter to the President, in which he reveals the sad contradiction between the law of the land and the practice at sea, and suggests that either the practice be accommodated to the law, or the law be accommodated to the practice; the question of loss or gain having no more importance on shipboard than on land. One of the great Brewer's defenders thus ridicules Mr. Lasker's second point, that "the life of the American Merchant Marine depends upon selling liquor on its vessels". What if it does?

Comes the answer:

"The business of many brewers, distillers and dealers depended upon the right to sell liquor. Yet they were put out of business with no thought of the consequences to them. If, on the plea of the general welfare, they should be made to suffer loss, can the Government consistently do the very thing it has forbidden them to do on the plea that "There's money in it"? What right has a Government to declare a certain Act wicked and immoral, prosecute and send men to jail for breaking the law which forbids it, and then do the very thing itself, saying, when reproached with inconsistency, "We need the money". "It is a pitiful exhibition of logic for this great Government."

Now, comes Mr. Daugherty, the Attorney General of the United States, a Republican, of course, and issues a decree, that the sale and manufacture, and even the carrying of any kind of intoxicating beverage must be stopped, not only on our American ships, but on all ships within the three-mile limit. Thus, we have got prohibition down to the bedrock, and our glorious shipping, majestically sailing o'er the stormy main, always rests secure of harm and moral contamination, upon the broad stone of honor: *The Eighteenth Amendment to the Constitution.*

This solemn and joyous fact leads the "Freeman" to break forth in a tremulous burst of exultation in verse: "Men and brethren, rejoice with us as we go to press in uncommonly high good humor. We do not know when we have been so tickled as by the news of the ruling on maritime prohibition-enforcement. Mr. Lasker is formally out of the boot-legging business. American ships are dry, and best of all—O! glorious! foreign ships cannot carry any hootch within the three-mile limit, whether in cargo or in stock or in sealed bars, or any way at all. This is ripping. We congratulate the Canadian shipping-interests, always good friends of our, on the volume of passenger business that they will do henceforth, and we are hoping hard to live until the next touring season opens, so that we can compare the clearance of passenger vessels from New York and Seattle with those from Montreal and Vancouver, and count upon the crack steamers that are diverted to the Canadian routes. Last week was a great week for the moral element in our civilization, a great

week for the Port of Montreal and a great week for us. We have half 'a notion to ask our readers' indulgence to suspend our paper over one issue while we visit the Canadian metropolis and suggest to Sir Thomas Shaughnessy that, under the circumstances, he ought to 'set 'em up'. Sing, brother, sing! Glory, glory, halleluja.

* * * * *

Lawlessness is the curse of prohibition. This absurd, ludicrous, insane and monstrous principle inspires crime, multiplies graft, and tends to destroy respect for all law.

Prohibition is a prolific old hag—the mother of boot-leggers, blind-tigers, hypocrits, liars, frauds, sneaks and petty tyrants. It repels respect for law and invites contempt.

Machinery devised for its enforcement, is the invention of tyranny. Despots alone are capable of putting it into operation. Traitors to liberty are its patron saints. The whole works constitute a school of graft—a university of crime—where the petty offender graduates into the sneak-thief, and the gunman is evolved from the bootlegger. Here the sub-normal and abnormal—the weaklings—listen to first-class citizens—bankers, lawyers, farmers, merchants, and wage workers, recite their adventures experienced while securing liquors contrary to the United States Constitution. They outwit enforcement officers, circumvent regiments of prohibition spies, and brag about it. They gloat over, and glory in their lawless exploits. The thousand and one methods of defeating the Volstead Act and nullifying the Eighteenth Amendment are too well known to require repetition. Infringement of the Volstead Act brings no shame or guilt. It forbids certain acts which are not contrary to moral law; it forbids that which God specifically permits in moderation; it forbids things which Jesus did, acts which intelligence never can regard as criminal.

Every good citizen will help enforce law against theft and murder, because it is everybody's business whether a man steals or kills. Such deeds do not become evil by excess, but are evil by se.

Drink is not evil per se, but becomes evil only by excess. So long as you drink in moderation, it's nobody's business. Laws that forbid drunkenness command respect. Laws that prohibit drink inspire disgust and invite contempt. Therefore, their enforcement cannot have the hearty support of all good citizens. Only the most hardened, most hopeless hypocrit will help enforce a law which he violates for profit or pleasure. Having heard good citizens boast of violating the law, and for which they manifest no shame or guilt, the weakling makes no distinction between acts that are evil per se, like theft or murder, and things that are not evil in themselves, but become evil by abuse, or excess. He argues that if the most respectable citizens in

the community can violate the Volstead Act and experience no compunction or sense of guilt, he ought to show equal contempt for laws designed to protect the other fellow's life and property.

Bootleggers who have provided good citizens with their contraband liquor, grow bitter when caught by enforcement officers who permit their customers to go scott free.

There is no distinction between the acts of buying and selling. In one case the dollar buys the liquor, in the other, the liquor buys the dollar.

The bootlegger having been dragged to court for selling liquor to some of the best people in the community, and his name entered in the docket as a criminal, finds the next step not only easy, but inevitable. He looks for bigger game. Instead of peddling moonshine for bread, he buys a gun and goes after a bank roll, or a registered mail bag.

Having established by law a school of crime, we should not be surprised at the increase, activity and efficiency of its graduates.

We have now been cursed with the "blessings" of prohibition for more than three years, and conditions are gradually growing worse. Its so-called benefits are chimerical, its evils real, palpable, gross and monstrous. The advocates of prohibition promised to give us fish and gave us vipers; they said that when workers stopped spending money over the bar, it would go for hats, shoes, food, and clothing. This would give employment to everybody, settle labor troubles and bring prosperity to all.—They lied. We have had more idle people, less prosperity and more industrial hell in three years than was ever experienced in any decade of our history.

They said it would lessen domestic misery, raise the standard of morality, refine, and purify political life, etc.

They lied. Divorce has increased by leaps and bounds, moral standards were never so low, and political graft and corruption are rampant everywhere.

They said prohibition would abolish ninety per cent of crime, lessen taxes, and reduce the cost of government by emptying jails and insane asylums.—

They lied. The record shows a vast increase in violent crimes. Jails are jammed as never before. Insane asylums are crowded to the limit. Taxes have more than doubled, court dockets are glutted, and the cost of government climbs by leaps and bounds.

Instead of temperance, prohibition gave us excess. Instead of the heaven it promised, it brought us hell.

It has even transformed many of its own agents from good citizenship into dishonest, corrupt, grasping grafters. Had it saved every drunkard in America, the good would not counter-balance the blighting curse which fell upon many who undertook to enforce its provisions.

Even if prohibition had saved for better use all the money formerly spent over American bars, the benefit would not have balanced the curse that has been visited upon our young men and women through street-drinking. Many that would never have met the saloonkeeper are on intimate terms with the bootlegger. Millions who formerly refused to drink good liquors now drink patent concoctions that taste like barb wire and hell-fire. Prohibition has made getting a drink an adventure; people get a "kick" out of their efforts to secure something with a kick in it. Prohibition has failed to either save the drunkard or his money. Moonshine cost more and is more intoxicating than beer and wine, or the whiskey formerly sold in first-class saloons. Prohibition has substituted bad liquors for the best, increased the price five hundred per cent without reducing the volume. The supply of moonshine is limited only by the greed of its vendors and the law of fermentation whose operation is perpetual and universal.

The idea that prohibition stopped people spending their money for drink; that it greatly increased savings bank deposits; elevated the moral standard, or lessened poverty, insanity and crime, is the crudest, craziest, most ridiculous bouquet of lies ever garnered from the garden of Hell. Instead of abolishing the old evils we have seen that prohibition hatched a new brood of serpents that attack the vitals of the nation.

In many of the great cities, the political boss has formed a partnership with the bootlegger and moonshine maker. The profits are split and the boss stands ready to destroy any statesman who would dare to favor the repeal of the Volstead Act. Prior to the inauguration of prohibition the boss didn't know what his job was worth. This aggregation of moonshiners, bootleggers, and political bosses, are in alliance with the prohibition preachers. Their motives are different, but their devotion to the cause is the same. Their interests may not be identical, but they stand shoulder to shoulder against repeal of the Volstead Act.

There must be something radically wrong with a principle—with any proposition in government, or society—which makes possible a union between prohibition preachers and grafting politicians, of forces, advocates of temperance to make common cause with moonshiners, and makes brothers in arms of church-workers and bootleggers.

It all comes—this curse of prohibition—from trying to make a wrong principle right. The evil cannot be cured by further or more drastic legislation.

The idea that government should forfeit one man's liberty because of another man's act, is prohibition, but it is wrong in principle. The idea that government should fix a standard for the weakling and compel the strong to adjust their habits, tastes and lives to such a standard, is prohibition, but it is not only wrong in principle, it is insane.

The time has come to discard prohibition as a crazy experiment. The political party that frees America from the curse of prohibition will earn the everlasting gratitude of future generations.

“Brann's Inconoclast”

CHAPTER VIII

Ideas

Ideas! Yes, they are the greatest thing in the world. It is really the only thing that ought to carry any person into prominence, office and wealth. They are possessed by the rich and the poor, the high and the low, alike—the “open sesame” to office.

The Country is filled with men possessing ideas, especially the real politicians and reformers; they are thoroughly acquainted with machine methods as used by politicians almost anywhere; they always bring to the office an experience and an acquaintance with conditions that will peculiarly fit them for the office at any particular time, especially when well oiled machine politics must be carried out at any cost, and seemingly for no other reason than to get a good paying office, and to rob a political party of its decency. Political Economy to these idealists sounds like a “Fairy Tale”.

The reformers seem to be suffering from a special Idea, known as “Paranoia”, they claim for themselves the right to dictate what the other fellow should eat, drink or otherwise do for the enjoyment of life or health, especially if the other fellow is not allowed by law or ethics to prefix his name with “Dr.”, or “Rev.”, or “Prof.”, or is of different “breed, creed, race, or color”; they have attained some of their aims, among which are (1) An army of idle men who are condemned to become useless, paupers or perhaps criminals; (2) they have fostered and promoted a general contempt for law and order; (3) they have fostered and promoted added friction between capital and labor, with a further acerbation of the poor against the rich, whose wealth enables them to evade the entanglements and weight of prohibition laws; (4) they have fostered and promoted a disregard for Christ’s examples and teachings, and exalted Islamism; (5) they have fostered an army of blockade runners, contrabandists, moonshine distillers, home-brewers, hypocrites, perjurers, liars, and murders; together with a brood of grafters, legislative, and judicial buzzards, challenging every civilized government. They betrayed their political party, and with foul means they proceeded and succeeded to convince the candidates of the dominant political parties that the people in his district really demanded prohibition; they deluged the legislators with letters, telegrams, press-clippings, pamphlets, and matters of all sorts calculated to persuade them that their people at home desired and demanded prohibition; they made the legislators believe that if he opposes prohibition they would go in his district and do their best to break him forever, and in

many cases they carried out their threats; by damnable means they entered into political fights solely for the purpose of defeating any man they could not control; they riddled with concentrated barrage fire some particular persons until they were removed as a factor against them—and why not? It is easier to change the mind of a few congressmen and state legislators than that of millions of people; *hence they opposed a referendum to the people.*

By reason of such actions we have become to be the worst ruled, controlled, dominated and ridiculed people and nation on Earth, no longer a government of representatives by conviction and the vote of the majority, but a government by the opinion and duress of a small group of dominant men with despotic propensities.

To a well-balanced observer of the psychology of Arch-reformers it looks like their ideals emanate from the schools of old-time Slave-Barons, and were transmitted to some of the American churches who mostly represent the cotton, sugar, oil, iron, beef, food, and other Trust-Barons of the present generation.

The assumptions of our political prohibitionists, no doubt, will not cease with the elimination of wine, beer, and other liquors from the tables of the American workers, but will go on further, and we must be prepared to accept or reject the yoke of puritanism and slavery.

Another great business "IDEA" was executed by our American Medical Association ("Organized Medicine") who, not so long ago, and little by little, organized a model "Labor Union" with a special code of ethics borrowed from the Money Trust, the Industrial Trust, the Newspaper Trust and the Labor Trust.

Many of us remember the time when "Organized Medicine" had their little controversies about "Patent Medicine" manufacturers who made their profession unreasonably unprofitable; their wonderful discoveries and cures with the aid of "Serums", which of course, killed millions of their suffering patients; their little quarrels with Homeopaths, Hydropaths, Osteopaths, and sometimes with real Allopaths, etc. Then came the Drug Acts, also a child of their ethics and especially enacted for this special "Organized Medicine". Things were improving under such special measures, they had their meetings and exchanged Ideas for the improvement of the castes business; dear reader, ideas are great; they exchanged ideas with the Brethren from different prohibition States, in which the Brethren were doing fine prescription business. There always was a kind of inexplicable feeling of lassitude among the majority of the people in these dry States, which never could be stamped out, and Doc. so-and-so was the only one who could help. The prescription only cost a dollar and invariably read: Aqua Frumenti, 16 oz., Sic. two oz. at a time until relieved. This idea was a great one. It was taken up at one of their meetings held June 6, 1917, when Dr. Charles Mayo had a resolution passed which read as follows:—

Whereas; We believe, (they were not sure of it) that the use of alcohol is detrimental to the Human Economy, and,

Whereas; Its (alcohol) use in therapeutics as a tonic or stimulant, or a food, has no special value; therefore be it

Resolved; That the American Medical Association (Union) is opposed to the use of alcohol as a beverage; and be it further

Resolved; That the use of alcohol as a therapeutic agent should be further discouraged.

Now get that; The Medical value of alcohol, as food, was known to the Babylonians, Phoenicians and Jews, probably in the days before history was written.

Of course, such resolutions were welcome news to the political prohibitionists and Anti-Saloon Leaguers and the W. C. T. U. who found a new powerful ally, they made good use of him, although not so long ago alcohol was recognized as a food by an English Court.

But, what has an English Court to do with an American Union? ("Organized Medicine") its ethics and interests.

A programme was then adopted by this Medical Union which provided for the following principles:

First—Control of Medical education and license to practice, by the State, including suppression of independent opinion and conduct. (That is going some.)

Second—Compulsory publication of proprietary formulas, and control of the sales through physicians prescriptions.

Third—Compulsory health insurance, or, in other words, a State subsidy for the "ORGANIZED MEDICAL UNION". Of course, the Medical Union had to go in politics and elect some of their members as State Legislators, Here in Missouri (St. Louis) we had Dr. Lutz, politician and——, all that was to be done was to control the Legislature, elect the Judges, and oil the machine right. "Can any farmer or labor union beat it?"

Then the Life Insurance Corporations came forward with statistics on deaths from different diseases and causes; direct deaths from alcoholism were negligible and of little importance (deaths from "gluttony" were far more), but they tried to make the people believe that many diseases and deaths

were to be charged directly to alcohol. Then came Prof. Dr. Fisk's book on alcohol, written for the benefit of some (Business Concerns) which of course, was endorsed by prominent members of the American Medical Association sitting on the Hygiene Reference Board of the Life Extension Institute (Rockefeller Institute).

Of course, the Anti-Saloon League, the sincere Prohibitionists, the W. C. T. U. and the Ministerial Alliance took advantage of this formidable array of financial possibilities, a propaganda in the shape of emotional literature and meetings, and an effective barrage fire on a highly respectable U. S. Senate and Congress?—Result, the Eighteenth Amendment and the Volstead Act, the former now commonly understood as the "Bastard Child of the Constitution."

The members of "Organized Medicine", together with the allied national grafting unions are now reaping the fruits of their immoral and avaricious selfishness, sanctioned by laws enacted by incompetent, or servile legislators, and approved by learned Courts. A little statistical demonstration will give us an inside view of its viciousness and financial possibilities.

According to the official Directory of E. W. Hayes, of Detroit, Michigan, for 1922, on the number of Physicians, Druggists and Dentists in the U. S., we cull the following:

There are 141,474 Physicians. If every Physician (according to the rules of the Prohibition Enforcement Bureau, at Washington, D. C.) is entitled to 100 whiskey prescription permits each month, that will make 1,200 permits per year. 141,474 multiplied by 1,200 equals 169,408,800 prescriptions, @ \$3.00 each, will give us a sum of \$508,226,400, graft for Physicians, each year.

We have 45,052 Druggists in the U. S. who are supposed to fill these prescriptions. 169,408,800, (Pints) @ \$3.00 per Pint, totals \$508,226,400. Each Pint cost the Druggist on an average of \$1.25. Deduct \$1.25 cost from \$3.00, leaves a profit of \$1.75. 169,408,800 times \$1.75 leaves a profit for the Druggist of \$211,761,000.

Of course, not all Physicians submit to the degrading of their profession to the level of a bartender, but we also must take in consideration that we have 43,135 Dentists in the U. S. They also use whisky as a powerful disinfectant and—heart-stimulant before and after the pulling of a tooth. The Physician is now the Licensee, and the Druggist, Bartender, and their combined revenue, profit or graft, amounts to \$719,987,400 each year. Under such circumstances, it cannot be denied that prohibition is a success and very good thing for some of the people all over the Country.

Let us not forget that there is another formidable idea that enters into consideration, it is the idea of appropriations made by Congress for the purpose of enforcing the prohibition laws; \$10,000,000 each year will not be enough to keep John Barleycorn from breaking through our blockade on land and sea, if things will go from bad to worse as it has been going of late; why not bring our army home from some of our peaceful possessions, who don't need them, we know we need the boys right here at home; and if the present strength should not suffice, why not let us resort to compulsory draft; the farmers and workers will eventually pay the bill anyhow?

But there is a ray of hope, a silver lining on the clouds of despair, our prohibitionists tell us that the fines and costs imposed upon lawbreakers, together with the confiscation of liquors, moonshine, stills, accessories thereof, wagons, automobiles, and the sequestration of other property will finally bring a happy end, but in truth, it is only an economic waste.

CHAPTER IX

Prohibition and the Farmer

Those of us possessing an ounce of common sense perfectly understand that the farmers produce the main necessities to maintain life in the cities. Yet, the land which is the farmers paramount necessity, is gradually slipping away from him into the hands of the most unmerciful vampires of the species; he cannot dodge his taxes, for everything he possesses is visible; if he need money to help him bridge over a stream of hard luck, he must pay an interest rate of from two to five per cent more than any other industry, and often in order to get money, by loan, he must mortgage his coming wheat, corn, and perhaps his live stock; his products are always manipulated by merchants and speculators, in such a way, that the real profit of the sale of his surplus products will seldom reach his jeans.

Land speculation has broken out in virulent form, and this is one of the reasons why the farmers of Missouri are emigrating to Canada (see government report of 1920). The craze to get rich without work is spreading throughout the Country; the bankers in the rural districts and the wealthy of the towns, together with some speculating ministers of the gospel, are taking "fliers" in real estate.

A few years ago our government abolished gambling by lottery; betting on a game of chance or even on stocks has little effect upon any but those directly taking part; whether stocks are up or down the wheels of commerce go on just the same; but when the price of land goes up it means making homes more difficult to get for home builders, it means farms more difficult to get for farmers. When the price of land has advanced beyond the point at which farmers can buy, then the market breaks and prices come tumbling, bringing ruin in their wake to those who have put in their all, and face a mortgage foreclosure. This experience has come to many men, many times, and always with the same results. Yet, the government paid little attention to this class of gambling.

For the last fifty years has our government associated itself with a class of men to an extent that staggers the dullest imagination, after raising his corn, rye, grapes, plums, apples, etc., the farmer was not allowed by the government to make use of his own products as he saw fit, like other industries, and to his advantage, he had to sell his products to speculators and gamblers who generally set the price at the grain exchanges of the Country, or at the provision exchanges; millions of bushels of corn and rye were

bought by the distillers to be converted into alcohol for beverage purposes; the government knew it but has sadly neglected its duties to protect public health and public morality. Whenever the farmer needed a few gallons of whisky he had to buy it from the whisky trust, of which the government was the partner, receiving its share of the profit by way of excise tax (other industries were not taxed likewise); the whisky trust got rich, and the farmers lost their farms. During all these years, millions of dollars worth of surplus fruits had to go to waste and rot on their farms.

Now, the report of the bureau of statistics of Missouri, for 1920, shows that since the census of 1910, Missouri lost 1,250,000 fruit trees; what does this mean? It means a decline of the products of the farm; it means a general decrease in farm values; it means a loss to Missouri farmer of at least \$2,000,000 dollars each year, and this financial loss will increase each year in proportion of the agricultural decay in our State, with a corresponding ratio of impoverished farmers. The laws governing the sustenance of a large population should never be interfered with for the purpose of protecting special interests, but with due respect to the farmers' interests in order to encourage agriculture, horticulture and viticulture as a most vital industry.

It would have been a thousand times better for all of us if our representatives at Washington and Jefferson City would have kicked these prohibition politicians and grafters out of their halls and leave this liquor business in the hands of the farmers, where it naturally belongs, and allow the manufacture of alcohol made out of grain under strict government supervision of its manufacture and sale for art and scientific purposes only, and imposing a severe punishment for transgressors of a law to this effect. Such a law would have been a powerful stimulant for farmers to raise more fruit trees, and use their surplus fruits for the manufacture of liquors which are wholesome. Such liquors could be made by farmers during winter months, when the farmers are at leisure, and such liquors should never be taxed. With such policy, we would never have cheap whisky, for the reason that the price for such liquors would regulate itself on a basis of quality produced, by the competing farmers, and would help the farmers and all of us more than all the combined theories of our subsidized medical profession, and other self-constituted guardians of public morals and health.

Quite many of our farmers, all over the Country, are now making desperate efforts to save themselves from bankruptcy, the paliative "Farm Loan Bank" will not cure the evils of which they suffer, but will aggravate them.

Diversified farming is the key to success on the farm, any farmer with a little sense knows that; for instance, our Ozark region is a splendid region to raise fruit of all kinds, the grape is sadly neglected, yet, needs very little

attention, the production of the grape for wine would become a natural industry, but with prohibition, the farmers in that region will never see prosperity; prohibition will only bring desolation to their homes.

The American people, of which its farms are the stock yards for the recruiting of cities, and form the great majority of our population, have sold their liberties very cheap by allowing themselves to be hypnotized into the belief that prohibition is a good thing for the Country, and especially for the farmer. The American farmer of today cannot claim to have the same amount of ginger that the farmers in 1776 had. Not much, then they fought for their rights; they refused to pay an exorbitant tax on tea, etc. It seems more that if the American farmer of today had been in existence in 1776, he would not only have paid the taxes, but would say "Thank you, George. Make it more next time. We are willing."

Farmers in our days do not seem to perceive their cunning and artful deceivers, who constantly whisper or thunder envy and prejudice into their ears against the city folks on the stump and—sometimes in the churches. They don't seem to understand that a town or city is a great "institution," (corporation) but has little political power, and functions chiefly in manufacturing and trading, and must be managed by business men of thorough efficiency and vision; its workers must be at it every day from 8 to 10 hours on a continuous stretch; and as much for the benefit of those on the farms as in other branches of human activity; now why this brutal decision to put the workers in the cities and towns under a special diet while the workers at the farms can have their wine and cider in the state in which God Almighty intended it to be.

* * * * *

An interesting effect of the prohibition amendment on certain lines of industry was disclosed by the census bureau at Washington, in announcing the value of malt and vinous liquors and alcoholic products manufactured in 1921 as compared with statistics for 1919 and 1914.

Products of the three classification aggregated \$155,596,000 in value in 1921. In the pre-prohibition year of 1914, they were estimated at \$665,546,000, and in 1919, the year in which national prohibition became effective, they were valued at \$529,213,000.

Manufacturers of malt liquors turned out non-intoxicating products valued at \$122,050,000 in 1921. Their output in 1914 totaled \$442,149,000, and in 1919 approximately \$379,905,000. A total of 75,404 persons were engaged in the industry in 1914, while last year, in 1922, the number was 22,416. Practically 52,988 lost their jobs.

Manufacturers of vinous liquors in 1921 totaled \$4,747,000 in value. \$17,454,000 in 1919, and \$16,618,000 in 1914.

Manufacturing establishments engaged primarily in the distillation of ethyl alcohol and other liquors, whether sold for industrial or medicinal uses, or in a denatured form, reported products valued at \$28,789,000 in 1921. Their output in 1914 was \$206,770,000, while in 1919 it totaled \$31,854,000.

The prohibitionists have accomplished their aim for the present, King Alcohol has received a stunning shock, thousands of men lost their employment and thousands will follow; already the W. C. T. U. has sounded the reveille for an attack on "King Nicotine" (tobacco), in 1924.

These Christian Temperance ladies are Amazonant; with their acquired mobility and perseverance in battle against alcohol, they will likewise undertake the job against tobacco (provided their war-chest will permit the campaign.)

Their propaganda shall begin with the children in the schools; these children shall be used to foster and promote discord and quarrel within their families, they shall make it clear to their fathers that they are making themselves guilty of an abominable and dirty manner of conduct if they smoke a cigar or a pipe, or if they indulge in chewing tobacco; and that they are not worthy of the love and affection of children. They will resort to foraging in order to raise millions of dollars to fight this poison, and of course, old man Rockefeller, with his sympathetic heart will be approached for a contribution to a good cause, with a substantial check; as usual, a good deal of such money will be used for the welfare of children, their health and morals during their attendance at kindergartens and schools. And of what shall this furtherance consist? Dear reader, you would not guess it, but let us have it. "It consists of baiting and instigating a thrust against tobacco, in such a manner, that the children will be incited against their own fathers." The usual morals of the reformers are of a peculiar form, a great many people never dreamed that these good Christian ladies were capable of playing such nasty tricks. Yet, it is the same weapon they used to bring about prohibition.

As in the campaign against alcohol, they already opened the battle in the Legislatures of Georgia and Utah, by introducing a bill making it a crime (felony) to use tobacco in any form, anywhere in the State; other States will be invaded as condition will permit.

This struggle against tobacco, like the one against alcohol is a sign of the times. It will not cease with the elimination of whisky, wine and beer, or tobacco, which at present, seems to be a thorn in the side of these reformers and grafters; but will go on further, and we must be prepared to accept, or reject, the yoke of absolute slavery. Are true Americans willing to accept and bear it?

Perhaps those farmers and workers who supported prohibition for certain selfish or other foolish reasons will now open their eyes; they can daily observe that tyranny will propagate, and will not stop short at prohibition of whisky and tobacco, but will keep on with their tyranny until all of our constitutional rights are neutralized, by morally rotten legislators and servile Courts, obsessed by the spirit of despotism. As liberty and equal rights loving citizens, we must organize public mass meetings during the coming years—and demand from our representatives in Congress a referendum on this burning question; the howl of the pack must not be taken as the voice of the people; a pitiable mob of grafters and bigots must not be allowed or permitted to destroy the moral code upon which our Country and its institutions were founded.

We are now in a period of after-war reconstruction; almost all of us had practical experience of what we may expect in the future if we throw our future into the hands of unprincipled professional politicians and scoundrels; let us wake up and do our duty at the polls on election days. If we love to have a government of the people, a Democracy, then we must be prepared to give battle, at any time. Democracy, leavened with Christian moral principles, is something worth to fight and die for; it was the ideal of the fathers and founders of our government, and it is up to us to keep the purifying fires of their ideals a burning.

The Republic of the "AGE OF REASON" now looks like ruin; what is the government of our present days as distinct from the Republic for which our fathers fought, bled and died for but a corrupt capitalism, crawling with worms and parasites (bribe-givers and bribe-takers, defrauders of elections, etc.) The time is now that we can ask the "Goddess of Liberty" have you filled full men's starved out souls? Have you brought freedom and peace on Earth? What about a Republic that has rotted into a filthy Plutocracy in less than a hundred years? Which, in our days, has most to do with shakels, the preacher or the politician? Who is making poison out of the blood of the martyrs of the Republic? Can we say it is anything like the real sense in which we do say, that intolerance and rotten journalism make a poison out of the blood of the soldiers who bled and died for Democracy in the late war? Who, as a loyal citizen would dare to mutilate, rape and render impotent our time-honored Constitution?

The above evils are only some of the causes from which we are now suffering, if not corrected by the patriotic citizens of our Country, the Republic through our own carelessness, will die.

We have nine lawyers as Supreme Judges of our Country, all human beings, subject to "err", a majority of nine is five, therefore one of these five lawyers decides, by constitutional proviso, the law of the Country, this might have been acceptable 134 years ago when we had only 3, 925,000 inhabitants; today conditions are different.

In the Declaration of Independence, we read: "All men are created equal, and are endowed by the Creator with certain inalienable rights; among these are life, liberty to enjoy the gains of men's labor and industry"; (and there are others), but these are some of the sovereign rights of the people; further on we read, "to secure these things governments are instituted among men deriving their just power from the consent of the governed, and when a government does not confer this thing, it fails of its chief duty." There is but one true meaning in the words "All men are created equal", if it includes Adam and Eve, Thomas Jefferson was right; if not, Moses was right.

The Tenth Amendment recognizes the inherent power of the people in these words, "The power not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people". The words "or to the people" implies the right of a referendum to the people, together with a reasonable discussion of its merits (18th Amendment) or demerits as the majority of the people may decide by ballot.

The Fourth Amendment to the constitution reads, thus: "The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The Volstead Act provides for the enforcement of the 18th Amendment, thus: "Any room, house, building, boat, vehicle, structure, or place where intoxicating liquor is manufactured, sold, kept, or bartered in violation of this law is declared a public nuisance, and any persons found guilty of maintaining such a place, shall be guilty of a misdemeanor and upon conviction will be fined or liable to be fined, of not less than One Hundred Dollars or imprisonment of not more than a year, or both." Further, "It is unlawful to possess any property designed to manufacture liquor for sale in violation of the law, and no property right exists in such property, search warrants may be issued and such property as a tub, a dipper, a bucket, a crock, etc., may be seized and the owner fined, put in jail, or both."

It would be a good thing for every farmer to write to his Congressman for a copy of this Law, so he can see what kind of stock he raised; one-half or one per cent is the danger line. Whither are we going?

CHAPTER X

Chronology of Prohibition

On November 13th, 1913, the Anti-Saloon League launched the campaign for the submission of National Prohibition to the Congress of the U. S. On December 22, 1914, the House of the Sixty-third Congress failed to give the necessary two-thirds; but gave a majority of votes in favor of the Amendment.

On December 14, 1916, the House Judiciary Committee, by a vote of 12 to 7, reported favorably the proposed amendment; and on December the 16th, 1916, the Senate Judiciary Committee, by vote of 13 to 3, reported favorable the proposed Amendment. On August 1st, 1917, the Senate, by vote of 65 to 20, voted to submit the Amendment to States.

December 17th, 1917, the House, by vote of 282 to 128, voted to submit the Amendment; not voting, 23.

On December 18th, 1917, because of difference in wording, the Senate passed the Resolution of the House, and, thus, "passed the buck to the States".

The dates of ratification of Prohibition Amendment herewith follow in numerical succession:

	In 1918						
1	Mississippi	Jan.	8	17	Oklahoma	“	7
2	Virginia	“	10	18	Ohio	“	7
3	Kentucky	“	14	19	Tennessee	“	8
4	South Carolina	“	23	20	Idaho	“	8
5.	N. Dakota	“	25	21	Maine	“	8
6	Maryland	Feb.	13	22	West Virginia	“	9
7	Montana	“	19	23	Washington	“	13
8	Texas	Mar.	4	24	California	“	13
9	Delaware	“	18	25	Arkansas	“	14
10	South Dakota	“	20	26	Illinois	“	14
11	Massachusetts	April	2	27	Indiana	“	14
12	Arizona	May	22	28	Kansas	“	14
13	Georgia	July	22	29	North Carolina	“	14
14	Louisiana	Aug.	3	30	Alabama	“	14
15	Florida	Dec.	14	31	Iowa	“	15
	In 1919			32	Colorado	“	15
16	Michigan	Jan.	2	33	Oregon	“	15
				34	New Hampshire	“	15

35	Utah	“	15	41	New Mexico	“	20
36	Nebraska	“	16	42	Nevada	“	21
37	Missouri	“	16	43	Vermont	“	29
38	Wyoming	“	16	44	New York	“	29
39	Minnesota	“	17	45	Pennsylvania	Feb.	25
40	Wisconsin	“	17				

Connecticut, New Jersey, and Rhode Island have not ratified.

From December 5th, 1917 on, memorials and petitions began to reach the House, endorsing National Prohibition on the Judiciary Committee. The Old Times Printers Association, of Chicago, Illinois, was the first organization, who, through Mr. Fuller, of Illinois, memorized Congress (House) in favor of prohibition; on the same day also followed with petitions by the Free Baptist Church, of Island Falls, Maine; of the Women's Auxiliary of the First Baptist Church, of Denver, Colorado; of Rev. J. J. Williams, pastor of Broad Street Baptist Church, Central Falls, Rhode Island; of Joseph A. Newton, of Pawtucket, Rhode Island; of Rev. Wm. J. Smith, and twenty-five others, of Burrilville, Rhode Island. Also of congregation of the First United Presbyterian Church, of Los Angeles, California; also petition of ninety voters, of Downey Precinct, California. Also a memorial of Epworth League of First Methodist Church, of Pomona, California; one by the congregations of the Second Presbyterian Church of Long Beach, California, one of Washington St. Methodist Sunday School, Pasadena, California; also a protest of Protestant Churches, of Norwich, N. Y., against waste of \$150,000,000 worth of food-stuffs in the manufacture of intoxicating liquors. A petition of members of the First Baptist Church, Staltsburg; voters of New Bethlehem and vicinity; Protestant Church of Clisner; National Prohibition League of Foxburg; Women's Christian Temperance Union, Apollo; Women's Missionary Society, Apollo; and letters from A. F. Deemer, Marion Foreign Center; Mrs. Amos Hiles, Oak Ridge; G. W. Moody, Oak Ridge; Baptiste C. Scott; A. R. Hilty, J. H. Hartman; Frank B. Rumbaugh, Apollo. All in the State of Pennsylvania. On December 7th, (in the House), the American Red Cross of Sandwich, Illinois, also requested Prohibition.

It also must be remembered that during this Session of Congress, Women's Suffrage was a dominant question before the House. On December 17th, 1917, (Monday) "see Congressional Record, Vol. 56, Part (I). 65th Congress." The vote of the United States Senators on the submission to the States for ratification of the 18th Amendment, (according to the Congressional Record of August 1st, 1917, (Senate), Page 5666, Vol. 155, Part 6. 65th Congress, 1st Session) is recorded as follows:

YEAS

Ashurst, Hy. Fountain, Arizona	D.	Beckham, J. Crepps Wickliffe,	
Bankhead, John Hollis, Alabama	D.	Kentucky	D.

NOT VOTING

Dillingham, Wm. P., Vermont R.
 Fall, Albert B., New Mexico R.
 Gallinger, New Hampshire
 Goff
 Hughes

Johnson, Edwin S., S. Dakota D.
 McLean, Geo. P., Connecticut R.
 Smith, John W., Maryland D.
 Thomas, Chas. S., Colorado D.
 Tillman, S. Carolina
 Townsend, Chas. E., Michigan R.
 Total 11

Members of 65th Congress (House) who voted for submission of the 18th Amendment, on December 17th, 1917, according to States:

ALABAMA

Henry Bascom Steagall L. D.
 Wm. Bacon Oliver L. D.
 John Lawson Burnett L. D.
 Edward B. Almon L. D.
 Wm. D. Bankhead L. D.

ARIZONA

Carl Hayden D.

ARKANSAS

Tad H. Caraway L. D.
 Wm. A. Oldfield L. D.
 John N. Tillman L. D.
 Otis Wingo L. D.
 Henderson M. Jacoway L. D.
 Sam M. Taylor L. D.

CALIFORNIA

John E. Raker L. D.
 John A. Elston L. R.
 Charles H. Randall L. P.
 Wm. Kettner D.
 Henry Z. Osborne

COLORADO

Benjamin C. Hilliard L. D.
 Charles B. Timberlake F. R.
 Edw. Keating D.

CONNECTICUT

None

DELAWARE

Albert F. Folk L. D.

FLORIDA

Herbert J. Drane L. D.
 Frank Clark L. D.
 Walter Kehoe L. D.
 Wm. J. Sears L. D.

GEORGIA

James W. Overstreet L. D.
 Frank Park L. D.
 Charles R. Crisp L. D.
 Wm. C. Adamson L. D.
 Wm. Schley Howard L. D.
 *James W. Wise L. D.
 Gordon Lee F. D.
 Charles H. Brand L. D.
 Thomas M. Bell (clerk) D.
 *Carl Winson L. D.
 J. Randal Walker L. D.
 Wm. W. Larsen L. D.

IDAHO

Burton L. French L. R.
 Addison T. Smith L. D.

ILLINOIS

Medill McCormack R.
 Wm. W. Nelson L. R.
 George E. Foss L. R.
 Ira C. Copley L. R.
 Charles E. Fuller L. R.
 John C. McKenzie L. R.
 Wm. J. Graham L. R.
 Edw. J. King L. R.
 Clifford Ireland L. R.

John A. Sterling	L. R.	KENTUCKY	
Joseph G. Cannon	L. R.	Allen W. Barkley	L. D.
Wm. B. McKinley (Banker)	R.	David H. Kincheloe	L. D.
Henry T. Rainy	L. R.	Robert Y. Thomas, Jr.	L. D.
L. E. Wheeler (politician)	R.	Ben Johnson (politician)	D.
Wm. A. Rodenberg	L. R.	Harvey Helm	L. D.
Martin D. Foster (M. D.)	D.	Wm. J. Fields	L. D.
Thomas S. Williams	L. R.	John W. Langley	L. R.
Edw. E. Denison	L. R.	Caleb Powers	L. R.
INDIANA		LOUISIANA	
George K. Denton	L. D.	J. Thos. Watkins	L. D.
Oscar E. Bland	L. R.	Riley J. Wilson	L. D.
Wm. E. Cox	L. D.	Jared Y. Sanders	L. D.
Lincoln Dixon	L. D.	James Benj. Aswell	D.
Everet Sanders	L. R.	MAINE	
Richard N. Elliott	L. R.	Louis B. Goodall	R.
Merrill Moores	L. R.	Wallace H. White	L. P.
Albert H. Vestal	L. R.	John A. Peters	L. R.
Fred S. Purnell	L. R.	Ira G. Hersey	L. R.
Wm. R. Wood	L. R.	MARYLAND	
Milton Kraus	L. R.	Jesse D. Price (industrial)	D.
Louis W. Fairfield (editor)	R.	Fred N. Zihlman (glass wkr.)	R.
Hy. A. Barnhart (editor)	D.	MASSACHUSETTS	
IOWA		Allen T. Treadway (h't'lm'n)	R.
Charles A. Kennedy	R.	Calvin D. Page (banker)	R.
Burton E. Sweet	L. R.	Fred W. Dallinger	L. R.
Gil N. Haugen (Politician)	R.	Alvan T. Fuller (auto dealer)	
James W. Good	L. R.	Wm. H. Carter (mfg cotton gds)	R.
C. Wm. Ramseyer	L. R.	Richard Olney (wool dealer)	D.
Cassius C. Dowell	L. R.	MICHIGAN	
Horace M. Towner	L. R.	J. M. C. Smith	L. R.
Wm. R. Green	L. R.	Edward L. Hamilton	L. R.
Frank P. Woods	L. R.	Carl E. Mapes	L. R.
George C. Scott	L. R.	Patrick H. Kelley	L. R.
KANSAS		Louis C. Cramton	L. R.
Dan R. Anthony, Jr.	L. R.	Jos. W. Fordney (lumber)	R.
Edward C. Little	L. R.	Jas. C. McLaughlin	R.
Phil. P. Campbell	L. R.	Gilbert A. Currie	L. R.
Dudley Doolittle	L. R.	Frank D. Scott	L. R.
Guy T. Helvering	L. D.	W. F. James (real estate)	R.
John R. Connelly (politician)	D.		
Jouett Shouse (farmer)	D.		
Wm. A. Ayres	L. D.		

MINNESOTA

Sydney Anderson	L.	R.
F. F. Ellsworth	L.	R.
Ernest Lundeen (editor)		R.
Harold Knuston (editor)		R.
Andrew J. Volstead	L.	R.
Clarence B. Miller	L.	R.
Halver Steenerson	L.	R.
Thomas D. Schall	L.	R.

MISSISSIPPI

Ezekiel S. Candler	L.	D.
Hubert D. Stephens	L.	D.
Benjamin G. Humphreys		D.
Thomas Upton Sisson		D.
Wm. W. Venable	L.	D.

MONTANA

John M. Evans	L.	D.
Jeanette Rankin	L.	R.

NEBRASKA

C. Frank Reavis	L.	R.
Chas. O. Lobeck (preacher)		D.
Charles H. Sloan	L.	R.
A. C. Shallenberger	L.	D.
Moses P. Kinkaid	L.	R.

NEW HAMPSHIRE

Sherman E. Burroughs	L.	R.
Eward H. Wason	L.	R.

NEW JERSEY

Wm. J. Browning		R.
Elijah C. Hutchinson		R.

NEW MEXICO

Wm. B. Walton	L.	D.
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NEW YORK

Fred C. Hiels	L.	R.
Fred W. Rowe	L.	R.
Edmund Platt (editor)		R.
James S. Parker		R.

Pat Harrison	L.	D.
Percy E. Quin	L.	D.
Jas. W. Collier	L.	D.

MISSOURI

Wm. Waller Rucker (X)	L.	D.
Milton A. Romjue (X)	L.	D.
J. W. Alexander (X)	L.	D.
Chas. F. Booher	L.	D.
Clement C. Dickinson (X)	L.	D.
W. P. Borland	L.	D.
C. W. Hamlin	L.	D.
D. W. Shackelford	L.	D.
W. L. Hensley	L.	D.
J. J. Russell	L.	D.
P. D. Decker	L.	D.
Thos. L. Rubey (teacher) (X)		D.

On Monday, July 14th, 1919, The Agricultural Bill, Vetoed by the President (Wilson) came up and was carried over the veto. The Missouri members who voted for the Volstead Act are indicated by X.

Geo. R. Lunn (preacher)		D.
Bertrand H. Snell (clerk)		R.
Luther W. Mott (banker)		R.
Norman Judd Gould		R.
Harry Heyt, Pratt		R.
Archie D. Sanders (merchant)		R.
Chas. M. Hamilton		R.

NORTH CAROLINA

Claude Kitchen	L.	D.
George E. Hood	L.	D.
Chas. Manly Stodman	L.	D.
Leonidas D. Robinson	L.	D.
Robt. L. Doughton (farmer)		D.
Edw. Y. Webb	L.	D.
Zebulon Weaver	L.	D.

NORTH DAKOTA

John Miller Baer (flax king)		
George M. Young		R.
Patrick Dan Norton	L.	R.

OHIO

John S. Snook	L.	D.
Chas. C. Kearns	L.	R.
Simon D. Fess	L.	R.

Robert Mauck Switzer	L.	R.	Wm. F. Stevenson	L.	D.
Clement Brumbaugh		D.	J. W. Ragsdale	L.	D.
George White (oil)		D.	A. F. Lever	L.	D.
Roscoe C. McCullough	L.	R.	SOUTH DAKOTA		
Wm. A. Ashbrook (editor)		D.	Chas. H. Dillon		R.
Dav. A. Hollingsworth	L.	R.	Royal C. Johnson	L.	R.
John G. Cooper (mechanic)		R.	Harry L. Gandy (publisher)		D.
OKLAHOMA			TENNESSEE		
Wm. W. Hastings	L.	D.	S. R. Sells (lumber)		Indept.
Chas. D. Carter (merchant)		D.	R. W. Austin		L. R.
Tom D. McKeown	L.	D.	J. Austin Moon		L. D.
Jos. B. Thompson		D.	Cordell Hull		L. D.
Scott Farris	L.	D.	Wm. C. Houston		L. D.
Jas. V. McClintic		D.	Jos. W. Byrns		L. D.
Dick Thompson Morgan		R.	Lemuel P Padgett		L. D.
OREGON			Ted W. Sims		L. D.
Willis Chatman Hawley	L.	R.	Finis J. Garrett		L. D.
Nic J. Sinnot	L.	R.	Hubert Fred Fisher		L. D.
PENNSYLVANIA			TEXAS		
Peter E. Costello (real est)		R.	D. E. Garrett		L. D.
Geo. P. Darrow (insurance)		R.	Eugene Black		L. D.
Thos. S. Butler	L.	R.	James Young		L. D.
John R. Farr (publisher)		R.	Sam Rayburn		L. D.
Louis D. McFadden (banker)		R.	Hatton W. Sumners		L. D.
Edgar R. Kiess (speculator)		R.	Alex. W. Gregg		L. D.
Benj. K. Focht (publisher)		R.	Tom Connally		L. D.
Aaron S. Krieder (shoe meht)		R.	Mervin Jones		L. D.
John M. Rose	L.	R.	UTAH		
A. R. Brodbeck (merchant)		D.	Milton H. Welling (Morman)		D.
Chas. H. Rowland (coal)		R.	Jas. H. Mays		L. D.
Edw. E. Robbins	L.	R.	VERMONT		
Bruce F. Sterling	L.	D.	Porter H. Dale		L. D.
Henry W. Temple (preacher)		R.	VIRGINIA		
Nathan L. Strong	L.	R.	Wm. Atkinson Jones		L. D.
Earl H. Beshlin	L.	R.	Edw. E. Holland		L. D.
M. C. Kelly (publisher)		Ind't	A. Jackson Montague		L. D.
RHODE ISLAND			Walter A. Watson		L. D.
Walter R. Stiness	L.	R.	Edw. Watts Saunders		L. D.
SOUTH CAROLINA			Carter Glass (publisher)		D.
Richard Smith Wheley	L.	D.	Thos. W. Harrison		L. D.
Jas. F. Byrnes	L.	D.	Chas. C. Carlin		L. D.
Sam J. Nichols	L.	D.	Campbell Bascom Slemph		L. D.
			Henry Delaware Flood		L. D.

WASHINGTON

Linley H. Hadley	L.	R.
Albert Johnson (editor)		R.
William L. LaFollette		R.
C. C. Dill	L.	D.

WEST VIRGINIA

Geo. M. Bowers		R.
Stuart F. Reed		R.
Harry C. Woodyard		R.
Edw. Cooper	L.	R.
Adam Brown Littlepage	L.	D.

WISCONSIN

Henry Allen Cooper		R.
John M. Nelson		R.
John J. Esch	L.	R.
Edward E. Browne	L.	R.
James A. Frear	L.	R.
Irvine L. Lenrott	L.	R.

WYOMING

Frank Wheeler Mondell	L.	R.
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Territorial Delegates had no vote on the issue, but were greatly amused at Uncle Sam's dramatic show, by seeing his main actors jumping from the frying pan into the fire, seemingly unhurt and fire-proof.

January 17th, 1920, Prohibition was in effect, and will forever be a disgraceful plot on the pages of our history and of this generation.

CHAPTER XI

Fifteenth General Assembly of Missouri

On January 15th, 1919, the following resolution for ratification of the 18th Amendment was presented to the House and Senate, at Jefferson City, Mo.:

MEMBERS OF THE SENATE AND HOUSE MISSOURI LEGISLATURE
CARE OF SPEAKERS:

Resolution for Ratification

Resolved; That while regretting the failure of the State of Missouri to pass the State Constitutional Prohibition Amendment, we do rejoice with prayer and thanksgiving over the many prohibition victories of the past year, and do most earnestly appeal to the members of both houses of our State Legislature to promptly ratify the national constitutional prohibition Amendment, thereby placing Missouri in the honor list with such other States having already ratified.

Further resolved: That copies of this resolution be sent to the President of the Senate and Speaker of the House of the Missouri Legislature and to the Public Press of St. Louis.

(Signed) Women's Christian Temperance Union of St. Louis,

Fannie D. Robb, President
Sussie E. Ingalls, Vice-President
Mrs. T. E. Hayward, Jr., Corresponding Sec.
Corine E. Pratt, Recording Sec.
Mrs. E. A. P. Hayes, Treasurer.

January 6th. 1919.

AN AWFUL EXECUTIVE BLUNDER: When the 18th Amendment to the constitution of the United States came up for ratification by the 50th General Assembly of Missouri, Frederick D. Gardner was Governor; Wallace Crossley was Lieutenant Governor; Frank W. McCallister was Attorney General, all three were Democrats; when they were installed into office they took an oath to protect the Constitution of our State. Yet, not one of them raised his voice in protest against the violation of ARTICLE II, SECTION 3, of our State Constitution which reads thus:

LOCAL SELF-GOVERNMENT NOT TO BE IMPAIRED—That Missouri is a free and independent State, subject only to the Constitution of the United States; and as the preservation of the States and the maintenance of their governments are necessary to an indestructible Union, and were intended to co-exist with it, the Legislature is not authorized to adopt, nor will the people of this State ever assent to any amendment or change of the Constitution of the United States which may in anywise impair the right of local self-government belonging to the people of this State.

Have they protected the constitutional rights of the people of Missouri?

SENATE

On Thursday, January 16th, 1919, Senator George W. Glick, of Mound City, Holt County, Mo., called up joint and concurrent resolution No. 1, ratifying a proposed Amendment to the Constitution of United States of America.

The resolution was declared passed by the following vote:

YEAS

NOTE—L. denotes Lawyer; D denotes Democrat; R denotes Republican; F denotes Farmer; E denotes Editor; and B denotes Banker.

Senator, Chas. J. Belken	R.	Fredericktown	Madison County
" Wm. W. Bowker	L. D.	Nevada	Vernon "
" Soloman E. Bronson	L. R.	Ozark	Christian "
" Walter Brownlee	B. D.	Brookfield	Linn "
" Carter M. Burford	L. D.	Ellington	Reynolds "
" S. A. Cunningham	L. D.	Eminence	Shannon "
" Jesse J. Duncan	L. D.	Silex	Lincoln "
" George W. Glick	F. D.	Mound City	Holt "
" Walter C. Goodson	L. D.	Macon City	Macon "
" Howard Gray	L. D.	Carthage	Jasper "
" O. S. Harrison	L. D.	Columbia	Boone "
" R. M. Livesay	L. D.	Versailles	Morgan "
" R. S. McClintic	L. D.	Monroe City	Monroe "
" F. H. McCullough	L. D.	Edina	Knox "
" M. A. McGruder	L. D.	Sedalia	Pettis "
" Jas. W. McKnight	L. D.	King City	Gentry "
" Von Mayes	L. D.	Hayti	Pemiscott "
" O. A. Pickett	F. R.	Trenton	Grundy "
" L. E. Seneker	L. R.	Mt. Vernon	Lawrence "
" Dav. W. Stark	F. D.	West Line	Cass "
" Clark B. Wix	L. R.	Spruce	Bates "
" S. M. Young	L. R.	Hamilton	Caldwell "

There are 34 Senators.

Total Yeas	22
Total Nays	10
Absence with leave, Senators Greene and Harris	2
Total	34

HOUSE

In the House the vote stood as follows:

Agee, S. W.	L.	R.	Linn	Osage County
Allee, W. Joe	F.	R.	California	Moniteau "
Allison, G. M.		D.	St. Joseph	Buchanan "
Babeock, Geo. W.	L.	R.	Poplar Bluff	Butler "
Bailey, Walter E.	L.	R.	Carthage	Jasper "
Bales, D. L.	F.	D.	Eminence	Shannon "
Barry, R. A.	F.	D.	Charleston	Mississippi "
Becker, Chas. U.	E.	R.	Bolivar	Polk "
Berry, Geo. W.	L.	D.	Hanna	Pulaski "
Blades, B. L.	F.	R.	Minaola	Montgomery "
Booth, W. Henry		R.	Buffalo	Dallas "
Botts, W. W.	L.	D.	Mexico	Audrian "
Brooks, W. M.		D.	Centerville	Reynolds "
Brookshire, J. D.	B.	D.	Diamond	Newton "
Brown, Thos. A.		R.	Melbourne	Harrison "
Buster, A. J.		R.	Wheeling	Livingston "
Campbell, John Wm.	L.	R.	Stockton	Cedar "
Carpenter, Geo. H.	L.	D.		Morgan "
Carrington, Francis M.	F.	D.	Broadway	Maries "
Cave, Nick D.	L.	D.	Fulton	Callaway "
Chalfant, H. W.	L.	R.	Linn Creek	Camden "
Chambers, Albert	F.	R.	Eldorado Springs	St. Clair "
Chancellor, H. C., Jr.	B.	D.	Minden Mines	Barton "
Clapper, Jas. S.	F.	D.	Greentop	Schuyler "
Clark, Albert M.	L.	D.	Lawson	Ray "
Clay, Oliver C.	L.	D.	Monticello	Lewis "
Coon, Bryon	L.	R.	Joplin	Jasper "
Corbett, Sam. J.	L.	D.	Caruthersville	Pemiscott "
Cordry, L. M.		R.	Otterville	Cooper "
Dawson, Robert D.		D.	New Madrid	New Madrid "
Day, H. Clay		R.		Webster "
Dixon, W. O.		D.	Anderson	McDonald "
Dunlap, Fred L.	F.	R.	Gallatin	Davies "
Dyott, John C.	L.	R.	Willow Springs	Howell "
Earl, A. J.		D.	Milo	Vernon "
Edwards, Casper M.	L.	D.	Malden	Dunklin "
Ely, A. Lee		D.		Ralls "
Evans, Chas. W.	L.	R.	Mountain Grove	Wright "
Farris, F. H.	L.	D.	Rolla	Phelps "
Ferguson, Chas. L.	L.	D.	Doniphan	Ripley "
Foster, E. H. (minister)	D.		Salem	Dent "

Hackett, Ellis L.	L. R.	Sedalia	Pettis	“
Hall, Villard P.	F. D.	Liberty	Clay	“
Harwood, Sam. F.	F. R.	Rockbridge	Ozark	“
Haynie, Edw. H.	F. D.	Marshall	Saline	“
Head, John W.	F. D.	Palmyra	Marion	“
Holbert, Wm. T.	R.	Ozark	Christian	“
Holcomb, Lyman	F. R.	Amazonia	Andrew	“
Hopkins, Frank H.	F. R.	Westboro	Atchison	“
Hostetter, Jeff D.	L. D.	Bowling Green	Pike	“
Houston, Clarence O.	F. D.	Salisbury	Chariton	“
Howell, L. D.	D.	West Plains	Oregon	“
Hubbard, W. A.	F. R.	Marionville	Lawrence	“
Hunter, Oak	L. D.	Moberly	Randolph	“
Job, Wm.	F. D.		Nodaway	“
Jones, Frank	B. R.	Stanberry	Gentry	“
Jones, McLain	L. R.	Springfield	Greene	“
Jones, Elmer O.	L. D.	LaPlata	Macon	“
Jones, C. H., M.D.	D.	Brunot	Wayne	“
Joyce, G. L.	L. D.	Bucklin	Linn	“
Keenan, D. M.	D.	Kansas City	Jackson	“
Killiam, David Edw.	L. D.	Troy	Lincoln	“
Langley, Isom P.	F. D.		Laclede	“
Lehr, John H.	F. D.	Ellsinore	Carter	“
McCray, Millard F.	F. R.	Cowgill	Caldwell	“
McKay, J. S.	R.	Republic	Knox	“
McMillan, J. S. (contractor)	R.	Republic	Greene	“
McMurray, Wesley M.	F. D.	Rutledge	Scotland	“
Maxey, H. O.	L. D.	Butler	Bates	“
Miles, Chas. H.	E. R.	Warsaw	Benton	“
Morgan, Jas. G.	E. R.	Unionville	Putnam	“
Moyes, Geo. A.	D.	Union Star	DeKalb	“
Nelson, Chas. S.	F. D.		Cass	“
Nevils, John B. (minister)	R.		Douglas	“
Nickell, Joe	F. R.	Browning	Sullivan	“
Norman, F. M.	F. D.	Dexter	Stoddard	“
O'Fallon, Sam L.	L. R.	Oregon	Holt	“
Pelts, Wm. S.	L. R.	S. Greenfield	Dade	“
Powell, Truman S.			Stone	“
Posten, Jeff D.	F. D.	Bonne Terre	St. Francois	“
Prewitt, J. Allen	L. D.	Independence	Jackson	“
Sapp, Wm .H.	L. D.	Columbia	Boone	“
Settle, Frank	L. D.	Platte City	Platte	“
Shepard, Wm. T.	F. D.	Houston	Texas	“
Shoemaker, E. L.	F. D.	Plattsburg	Clinton	“

Shouse, Wilson L. (ins.)	D.	Leonard	Shelby	“
Speer, Dasier J.		R. Greenbrier	Bollinger	“
Stephens, W. A.	F. D.	Warrensburg	Johnson	“
Todd, James E.		R. Princeton	Mercer	“
Tolson, John Depew, Jr.	F. D.	Fayette	Howard	“
Viles, G. D.	B. R.	Norbone	Carroll	“
Waring, Guy H.		R. Webb City	Jasper	“
Warren, D. F.	L. R.	Trenton	Brundy	“
Watts, N. B.	B. E.	Fredericktown	Madison	“
Weatherman, Jas. A.	F. R.	Forsyth	Taney	“
Webber, Oscar H.		R. LaPlata	Adair	“
Witaker, O. B.		R. Weaubleau	Hickory	“
Whitecotton, W. E.	L. D.	Paris	Monroe	“
Wilkinson, Frank C.	L. D.	Kansas City	Jackson	“
Williams, Uel		R. Crane	Barry	“
Willson, I. J.	F. R.	Farmington	Clark	“
Wilson, Jas. H.	L. D.	Clinton	Henry	“
Wyman J. E.	F. D.	Grant City	Worth	“

The House was composed of 143 members.

Yeas	104
Nays	36
Absent by leave	2
—	
Total.....	142

And the Speaker of the House 143

These representatives were divided among the following classes: Lawyers, 50; Farmers, 30; Newspaper Editors, 4; Bankers, 4; the balance were Automobile Agents, Insurance Agents, Rubber Tire Agents, Railroad employees; a few country Merchants, a few Ministers of the Gospel, some Preachers and Deacons, a few Physicians, and the balance Politicians with ambitions.

In the Senate, which is composed of 34 members, 21 were Lawyers. From the above facts one might deduct that the Legislature was well supplied with leaders and protectors of public morals, in order to keep democracy in clear navigable waters. Yet, the violation of Section 3, Article II, of the Constitution of Missouri, together with the violation of the oath of office taken by the members only six days before, by which they obligated themselves to uphold the Constitution of the United States and the Constitution of the State, seemed to have been of very little importance to the minds of the legislators; they gave away the sovereign rights of the state and the rights of its people, cheap, very cheap. The State is now gradually sinking into the

quick-sand mires of political immoralities and corruption with its deadly miasmatic effluvia; no longer a sovereign State, entitled to govern itself, but subject to be governed by an assumptive bureaucracy.

MISSOURI'S UNTERRIFIED

Our "Unterrified Democracy", in Missouri, has given us a fine exhibition of its democratic training during the 52nd General Assembly, by passing Senate Bill No. 124, now known as Prohibition Act of 1923. It is worth while that their names shall be recorded as the "MISSOURI IMMORTALS", who voted for its enactment.

In the Senate, according to the official roll call, we have:

District	Name	Residence	Occupation	Party
1.	La Favor	Parnell	Merchant	R.
2.	Ernest, James	St. Joseph	Lawyer	D.
3.	Gordon, B. T.	Liberty	Lawyer	D.
4.	Pickett, O. A.	Trenton	Farmer	R.
6.	Brownlee, Walter	Brookfield	Banker	D.
8.	Painter, W. R.	Carrollton	Journalist	D.
10.	Cave, Nick T.	Fulton	Lawyer	D.
11.	Hostetter, Jeff D.	Bowling Green	Lawyer	D.
12.	McMurry, Wesley M.	Rutledge	Banker	D.
13.	Whitecotton, Jas. H.	Paris	Lawyer	D.
14.	Bagby, David	Fayette	Lawyer	D.
15.	Collins, Wm. A.	Sedalia	Lawyer	R.
16.	Snodgrass, Sam. M.	Eldorado Springs	Druggist-Physician	D.
17.	Tout, B. B.	Archie	Druggist-Minister	R.
18.	Brunk, Larry	Aurora	Mine Operator	R.
19.	Bennett, Phil. A.	Buffalo	Editor	R.
20.	Hamlin, Willard W.	Springfield	Lawyer	D.
21.	Penzel E. E.	Poplar Bluff	Lawyer	R.
22.	Cunningham, Sam. A.	Cabool	Lawyer	D.
23.	Anderson, Tillman W.	Commerce	Farmer	D.
24.	Farris, Frank H.	Rolla	Lawyer	D.
28.	McCawley, A. L.	Carthage	Lawyer	D.

N. B.— D denotes Democrat; R denotes Republican.

Democrats	15	Total yes	22
Republicans	7	Total No.	10
	—		—
Total	22	Total votes	32

Members of the House that voted for the Prohibition Act, according to the official Roll Call:

Name	County	Address	Occupation	Party
Allison, E. W.	Maries	Safe	Teacher	D.
Arnstrong, James W.	Pulaski	Richland	Banker	D.
Bales, D. L.	Shannon	Eminence	Printer	D.
Barbour, Edw. A., Jr.	Green	Springfield	Lawyer	D.
Bell, Lewis B.	Ralls	Monroe City	Farmer	D.
Black, Redmon	Iron	Shepard	Farmer	D.
Botts, W. W.	Audrain	Mexico	Lawyer	D.
Bowman, Thos. K.	Breene	Springfield	Carpenter	D.
Brumley, John D.	Miller	Tuscumbia	Farmer	R.
Bulger, Miles	Jackson	Kansas City	Merchant	D.
Bush, Edwin G.	Jackson	Kansas City	Clerk	D.
Buster, A. J.	Livingston	Wheeling	Banker	R.
Case, Monroe	Webster	Elkland	Merchant	R.
Cockrum, Leland V.	Lewis	LaBelle	Physician	D.
Corwin, C. B.	Cole	Jefferson City	News Agent	D.
Cottrell, Geo. G.	Barry	Shell Knob	Preacher	D.
Crawford, Al. J.	Macon	Atlanta	Farmer	D.
Dale, Dick B.	Ray	Richmond	Lawyer	D.
Doerner, Hans E.	Pemiscot	Steele	Lawyer	D.
Donnelly, Phil. M.	Laclede	Lebanon	Lawyer	D.
Drury, Fred H.	Putnam	Unionville	Farmer	R.
Edwards, Caspar M.	Dunklin	Malden	Lawyer	D.
Freeland, Wm. E.	Taney	Forsyth	Farmer, Editor	R.
Galloway, S. J.	Howell	West Plains	Farmer	D.
Goodnight, Chas. G.	Jefferson	DeSoto	Theatre Manager	D.
Grant, Emmet J.	Calloway	Bachelor	Farmer	D.
Hains, Robert L.	Saline	Slater	Banker	D.
Highleyman, S. L.	Pettis	Sedalia	Retired	R.
Hopkins, Frank H.	Atchison	Westboro	Farmer	R.
Howard, Albert	Caldwell	Kingston	Merchant	R.
Howell, Frank	Lincoln	Troy	Lawyer	D.
Hull, Lafayette	Madison	Marquand	Physician	D.
Inglish, M. A.	Moniteau	California	Farmer	D.
Jackson, J. A.	Vernon	Harwood	Farmer	D.
Job, Wm.	Nodaway	Maryville	Farmer	D.
Johnson, Hiram C.	St. Francois	Bismarek	Insurance	D.
Judson, Clayton O.	Buchanan	St. Joseph	Civil Engineer	D.
King, Lon	Camden	Linn Creek	Merchant	R.

Lay, William R.	Crawford	Steelville	Lawyer	R.
Lehr, John H.	Carter	Ellsinore	Farmer	D.
McClelland, D. V.	Adair	Kiksville	Farmer	D.
McGregor, W. B.	Linn	Brookfield	Insurance	D.
McLaughin, C. T.	Worth	Sheridan	Farmer	R.
McReynolds, Robert	Knox	Knox City	Physician	D.
Martin, Robert O.	Ripley	Naylor	Farmer	D.
Maxey, Herman O.	Bates	Butler	Lawyer	D.
Miller, G. H.	Oregon	Gatewood	Merchant	D.
Mitchell, Carl D.	Mississippi	East Pairie	Insurance	D.
Morrison, Allen D.	Sullivan	Green City	Banker	D.
Nelson, Madison	Marion	Palmyra	Farmer	D.
Oak, Hunter	Randolph	Moberly	Lawyer	D.
O'Donnell, M. A.	Jackson	Kansas City	Lawyer	R.
Peck, Wm. R.	Dent	Salem	Merchant	D.
Pence, Harry R.	St. Clair	Roscoe	Merchant	D.
Peters, Garnett M.	Clay	Liberty	Insurance	D.
Powell, R. W.	Stone	Reed Springs	Farmer	R.
Prichard, Wm. M.	Davies	Jameson	Farmer	D.
Reid, Alex.	Harrison	Bethany	Minister	R.
Rigney, Thos. N.	Gentry	Albany	Farmer	D.
Rollins, James S.	Boone	Columbia	Lawyer	D.
Roney, Thos. J.	Jasper	Webb City	Lawyer	D.
Roy, Amos C.	Wright	Mansfield	Real Estate	D.
Russell, J. H., Jr.	Johnson	Chilhowee	Farmer	D.
St. Clair, I. T.	Howard	Fayette	Teacher	D.
Shnuck, John H.	Cooper	Boonville	Farmer	R.
Severns, E. T.	Dalas	Buffalo	Farmer	R.
Shelman, C. E.	DeKalb	Cameron	Farmer	R.
Shelton, Fred C.	Schuyler	Queen City	Merhcant	D.
Shoemaker, E. L.	Clinton	Plattsburg	Farmer	D.
Smith, R. W.	Jackson	Kansas City	Real Estate	R.
Smith, Mrs. Melcene	St. Louis Co.	U'v'sity City	Clerk	D.
Stivers, Geo. W.	Wayne	Piedmont	Publisher	D.
Summers, James S.	Jackson	Kansas City	Lawyer	R.
Sutton, Chas.	Renolds	Ellington	Farmer	R.
Swiers, J. Dal	Christian	Sparta	Salesman	R.
Thiebaud, Edw.	Barton	Lamar	Farmer	R.
Tucker, Wm. L.	Stoddard	Bloomfield	Lawyer	D.
Turner, Sarah Lucille	Jackson	Kansas City	Lawyer	D.
VanCleave, A. J.	Henry	Clinton	Banker	D.
Ward, G. E.	Jasper	Joplin	Optometrist	D.
Whitaker, O. B.	Hickory	Weaubleau	Teacher	R.

Whitecotton, W. E.	Monroe	Paris	Lawyer	D.
Wilhite, Alwin W.	Cass	Garden City	Merchant	D.
Williams, J. T.	Morgan	Versailles	Farmer	R.
Williams, Joseph N.	Texas	Licking	Farmer	D.
Wilson, J. W.	Grundy	Sprickard	Banker	R.
Winfrey, C. A.	Jackson	Buckner [†]	Banker	D.
Wisdom, Carroll	Pike	Bowling Green	Farmer	D.
Witty, Lee T.	Scotland	Memphis	Farmer	D.
Wolcott, H. A.	Jasper	Carthage	Miner	D.
Wood, C. L.	Shelby	Shelbina	Farmer	D.
Yates, Harry C.	Buchanan	St. Joseph	Banker	D.
Young, Chas. A.	Washington	Cadet	Merchant	R.
	Total Yes	93		
	Total No.	12		
		—		
	Total votes	105		
	Absen	45		
		—		
	Total	150		

N. B.—The absentees count as voting against the measure at any Roll Call. The reader is also invited to study the occupations of the members.

From the foregoing we learn that the State Senate had 12 lawyers, 2 farmers, 2 bankers, 2 journalists, 1 merchant, 1 minister, druggist and physician, 1 mine operator, and 1 druggist, all voted for it; and in the House of Representatives we had 32 farmers, 17 lawyers, 8 bankers, 9 merchants, 4 insurance agents, 3 physicians, 2 preachers, 2 real estate agents and 1 news agent; they all voted for the law.

The farmer is being made the goat of this prohibition law. The lawyers with the Rev. Shupp at the head drafted the law, the farmer, the lawyer, the banker, the real-estate agent, the merchant, the insurance agent, the physician, and the preacher voted for it; they made the Country dry.

The farmer reserved to himself under these laws the right to make industrial alcohol, but, the reverend, oil agents, the bootleggers, the real estate agents, of which Rev. Shupp admitted that he is one of many reverends who are speculating in Mississippi bottom lands, dictated the legislation, and wrote the regulations that will send the farmer, like any other one, to the penitentiary if he follows these very laws, and the bankers will get his farm, the real estate agent his commission, the lawyer his fees, etc., etc.

The farmer is now afraid to try to manufacture industrial alcohol; and while he can produce alcohol on the farm for about 8 to 9 cents a gallon, which is equivalent to and better for most purposes than gasoline, he loses the material that would make good alcohol, and must go to the market and buy gasoline at 22 to 25 cents a gallon, an extremely high price. Now the farmer howles and wonders why prohibition does not help him to keep out of debts.

As long as the farmer lends his ears to smooth talking machines, land agents and speculators, crooked country lawyers, get-rich-quick schemers, oily salvation peddlers and political party demagogues instead of minding his own farming business, as a farmer, so long will the farmer be the goat and victim of present days public moral corruptionists.

CHAPTER XII

Morality by Statute

It is a sorry outcome of our century and a half of existence, as an independent nation, proclaiming to the world the best possible method of providing for liberty under law, that we should now be pointed at as the law-breaking nation "par excellence" in the world.

The theory that public morals can be improved by statutes "Laws" which fundamentally constitute tyrannical infringements upon private rights of individuals, as the Eighteenth Amendment and Volstead Act does and which has been sanctioned by a bare majority of our Supreme Court, as a principle, is beyond the average human comprehension, with its experience since creation of governments. If the fathers who founded our government could know of it, it would make them rise from their graves. Through centuries a habit of obedience to the Ten Commandments has been built up (partially), but the Ten Commandments cannot be enforced, not even with all the armies in the world. Only the influence of a sound education and true religion, if really believed in, would in time build up a spirit of obedience to the law which no possible system of law enforcement could bring about.

Our Legislatures, both State and National, which are largely made up by would-be lawyers or semi-lawyers are the cause of our national disgrace. Their ruling passion is to make laws, laws and laws, and administrative orders. They have a decided taste for laws, they can eat them for breakfast, dinner and supper, every day in the week, and their constant appeal is to force, to what is called, police power of the State, and they can exercise it to a queen's taste. In less than fifty years these political lawyers made over seventy thousand laws, state and national, passed for our guidance and government; and this is the reason that we have so much lawlessness in our Country. They think that if once a law is enacted by the legislature and upheld by a competent court it must be the law. This is an illusion, it is only part of the law if general public opinion upholds them; there is a silent referendum in the minds and hearts of men on every important enactment by a legislature and on every important decision by a court which involves a fundamental principle of civil liberty. Without a favorable issue in that referendum, the law and the decision alike are written in water. Let us not forget that law is but one form, of many, of social control.

We have now two fundamental laws in our Constitution which perhaps in the future seem most likely to bring on an "Argumentum ad hominem", one of them proclaimed in 1870 the other in 1919. Although the American people, as a whole cannot escape responsibility for these two influences, which in part are due to passion, and never ending audacity of persons elected to make law. In form and fact, judged by the usual tests and standards, these two amendments are part of the organic law of the United States, with all the rights and authority which attach thereto. Nevertheless, they are not obeyed by large members of highly intelligent and morally sensitive people, and there is no likelihood that they can ever be enforced, no matter at what expenditure of money, effort or other cost of infringement or neglect of other valid provisions of the same Constitution. The purpose of those who promoted these two amendments was excellent, but they did not stop to deal with the realities of politics and of public morals, particularly the last one, which stands under a cloud of having been leavened with the passion of envy and malice, and which never has been given a chance to be considered by the people for its approval. Its enactment and ratification, seemingly, will never be considered as begotten by public morality, or the will of a majority of the people.

When the thirteenth amendment, abolished slavery, and when the fourteenth amendment provided for the reduction of the representation in Congress from any State which bridged the right of any citizen to vote, except for participation in rebellion or other crime, the matter might well have rested there. All that was needed was the courage and the public opinion to enforce the fourteenth amendment, and speedily the several States would have made provision for their own protection by which the intelligent colored man would have been permitted to vote. General Robert E. Lee himself testified in this spirit before the Reconstruction Committee of the Congress. The civil war had just ended, however, the passions ran high. Therefore the fifteenth amendment was proposed and ratified, and the right of suffrage was given a national basis and protected by a national guarantee. What has been the result? After a half century the colored man votes in those states where he voted when the fifteenth amendment was passed, but he rarely votes, and certainly does not freely participate in public life, in those states where he did not vote then. Every attempt to enforce the fourteenth or fifteenth amendment has been denounced as a force bill. Oddly enough, it has been so denounced by those very Senators and Representatives who will go to any length to enforce the provisions of the eighteenth amendment, they are the ones that furnish the oil to keep the fires of ill-will a-burning.

The practical question is not, whether or not, the colored man should vote in the Southern States, but whether the American people will frankly face the problem presented by the nullification throughout a large part of the

land of a most important provision of the Constitution of the United States. Every one knows what political results follow from the failure to enforce the provisions of the fourteenth amendment, and from the skillful measures which have been enacted to escape its provisions without actually violating it. All this is a matter of history. No one in his senses wishes to overturn white government in the Southern States; but every one with the American spirit in his heart wishes fair play and a fair chance for the colored man, and the removal of any continuing cause of lawlessness which has its foundation in the organic law itself. It is elementary that an individual or community may not defy law in one respect without developing a habit of disregard for all law. If the American people stand idly by and see the fifteenth amendment unenforced and unenforceable because it runs counter to the intelligence and moral sense of large elements of the population, must they not either remove the offending cause from the law, or leave off bewailing the lawlessness to which its presence naturally leads?

The situation with regard to the eighteenth amendment is even worse, because the revolt is not confined to men and women of intelligence and moral sensitiveness in one section of the country alone, but is nationwide. It will not do to attempt to silence these persons by abuse, lies, or by catch-phrases from the Bible, for they dissent entirely from the grounds upon which the case for the eighteenth amendment was built up, and they regard its provisions and those of the statutes based upon it as "a rape", an immoral and a tyrannical invasion of their private life and personal conduct.

The great majority of them have no possible interest in the liquor traffic, and they are perhaps without exception opposed to the American saloon. But they are also equally opposed to making the Constitution of the United States the instrument of a police regulation, originally reserved to the States, and now affecting the entire country, and dealing not alone with matters of public interest and public reference, but with the most intimate details of personal and private life, including introducing food, drink and medical treatment. The moral sense, as well as the common sense, of very many people, is affronted by a policy which will expend millions of dollars of the taxpayers' money to be used by Czarist Russia and Spanish inquisitorial methods to enforce one provision of law, while others of far greater significance and public importance are accorded conventional treatment or less.

It will startle many excellent people to hear the following sentences from the recent book of "Outspoken Essays"; Second Series, written by the dean of St. Paul's Cathedral, London. The author, Dr. Inge, is one of the most learned and most eminent of English churchmen. "Suppose", says Dean Inge, "that the State has exceeded its rights by prohibiting some harmless act such as the consumption of alcohol. Is smuggling, in such a case, morally justifiable? I should say, yes; the interference of the State in such

matters is a mere impertinence. Or, if one crosses the Atlantic he may find with increasing frequency expressions like the ones unanimously expressed by a recent grand jury in Kings County, New York, whose limits are identical with those of the community which has long been known as the City of Churches." Referring to the existing laws for the enforcement of the eighteenth amendment, this grand jury expressed itself as follows; "Whatever may be our individual ideas upon the subject of temperance and prohibition, we believe that there can be no doubt but that this law tends to debauch and corrupt the police force. It interferes with the liberty and private life of moral, law-abiding citizens. It even goes so far as to brand good men felons, because in their own conscience they desire to indulge in personal habits in which they see no harm. It has not checked the misuse of intoxicating liquors, but it has seriously hampered their proper use. We feel that it can never be enforced, because it lays down rules of private conduct which are contrary to the intelligence and general morality of the community. It is an attempt by a body of our citizenship, thinking one way, to interfere with the private conduct of an other body, thinking another way".

These are not expressions of lawlessness. They are a simple declaration of the fact that lawlessness is certain to follow from some types of law. The answer which is made is instant and resounding. We are told that the eighteenth amendment was adopted in accordance with the provisions of the Constitution itself, and that its validity as an amendment has been affirmed by the United States Supreme Court. We are told then that all of those who disagree with its principles and purposes have to do is to accept defeat, to recognize themselves as in the minority, and to obey the law or leave the Country. Perhaps this ought to be the case, but it is not. The moral right is higher than the right of a majority of Senators and Congressmen who never inquired into the moral standards of their electors or their moral convictions on the issue. Nor is a decision of a majority of nine mortal men to be considered as the acme of principle or moral law, nor were ever any government formed for the purpose of regulating each other's habits or destruction, but always for their mutual protection against the enemies of the species. A majority is not always right, nor is its verdict always final; history is full of examples and we perceive this truth almost every day in jury rooms of our courts, or in other human activities.

If we have taken untenable and harmful positions in respect of securing suffrage for the colored man, and in respect of promoting the cause of temperance and total abstinence, and in removing the abuse or nuisance of the American bar system; then we should be willing to retrace those steps and start into more practical paths, with vision and prudence to some particular provision of law which at least upholds general public consent.

We have reached a distressing goal in the history of our Country, on many angles; we must learn to think and act differently, the time is right now, unfortunately there are not many men who are willing to take the lead and risk of being unpopular for the sake of being right.

Much agitation and propaganda against the American saloon has been indulged in for the last few years, there was perhaps good reason for it; nevertheless if any immoralities existed it must be charged against the people themselves who generally favor party success on election days in preference to quality of man running on another ticket; they don't seem to understand that good government must be the cardinal issue and that good government can only be expected if they elect men to office whose record entitles them to consideration and support, it is folly to expect good law enforcement from strict party men, known to be good fellows. Every state and community has its police power, if the people insist on its enforcement, there can not be any bad saloons. The truth is that the saloons at their worst were a great deal better than any of the present-day substitutes that have grown up under prohibition, this is now admitted to be true by honest men anywhere; to argue upon recollections of what the thing was at its lowest and worst is just as sensible as arguing against Christianity on the ground that certain ministers and churchgoing people are notorious swine.

The utterly vicious saloons were always relatively rare, even along water fronts, and a strict enforcement of the laws governing those places has always settled the question on short order, this has been proven on many occasions. The very existance of bad saloons, anywhere, was a proof, not that the saloon *per se* was evil, but simply that it could be made evil by corrupt methods of politicians, and every sensible man knows that the poor man never corrupts politics.

The well conducted saloon was a public necessity, it was an exchange for the mental and social intercourse of the worker, "a club" where he often could meet better company than in the workshop or at some churches, in fact, it was a kind of school of ethics, education and refinement to which other avenues, to him, were barred. To put the blame on the saloon for such evils would be as sensible as blaming the Constitution of the United States as the evil which prompted Palmer, Burleston and many others to violate it. The normal saloon was not of evil influence in its neighborhood, it would not be tolerated, but in many respects a good influence, even for churches who fail to eject their hypocrites, snobs and scandal-mongers.

A few years ago our interesting Governor of Missouri, in an address to the Brotherhood Club of the Presbyterian Church at Webster Groves, said, "If you disagree with the dry-law, go to the ballot box and not to your boot-

legger." The people of Missouri went to the ballot box on the question of prohibition on three different occasions, with telling effect; here is the result in figures taken from the official returns:

1910	
Against prohibition	425,406
For prohibition	207,281
	<hr/>
Majority against.....	218,125
1916	
Against prohibition	416,826
For prohibition	294,288
	<hr/>
Majority against.....	122,538
1918	
Against prohibition	297,582
For prohibition	223,618
	<hr/>
Majority against.....	73,964

At the time the vote was taken in 1918, the members of the 1919 Legislature were elected. Against this pronounced majority, the members of that body voted to make Missouri one of the 36 States that voted the Country dry. In enough Counties and Senatorial Districts the legislators refused to be guided by the expressed will of their constituents and ratified the eighteenth amendment. Were those fellows traitors, or highly and sensitive moralists? What was the reason and cause for such damnable action? Was there any graft in it? There were 49 lawyers members of that legislature, 21 in the Senate and 28 in the House, so far none was able—to give us a reasonable explanation as to how it came to pass.

CHAPTER XIII

Churches in Action

Journalism is one of the most modern of all professions, yet it has become the greatest power, in the natural order, in all the world, unless we except the power of capital, which controls and abuses it. Because there is scarcely any illiteracy today in our Country, because present day papers contain something for everybody, everybody reads them. They are the one piece of literature in universal demand. Hence, it is safe to declare that the journalist is more indispensable, in the estimate of the masses today, than any other person, not excepting preachers, who have discovered it and know how to take advantage of it.

It is the view of the army of ex-clergymen who are in possession of the best political jobs connected with prohibition enforcement that education will, in time, make for universal submission by the citizen to be regulated in his habits by the government. And in pursuance of this policy the budget of \$9,000,000 or so, for 1923 expenses, includes a considerable sum for the employment of press agents and public lecturers in addition to the daily lies put out from Washington headquarters, narrating the progress of prohibition; many audiences throughout the Country will be exhorted to remain docile and law-abiding, unaware that those attending are paying the speaker with their taxes.

It is the policy of the Prohibition department not to disclose the fact that the lecturer is on the government payroll, ostensibly he is giving his time to uplift humanity from pure love for his fellow-men. Propaganda is unquestionably a potent influence in forming public opinion, when intelligently directed; so much so, in fact, that the constant reiteration of an untruth may even in time be accepted as gospel. But, unless all of the avenues to correct information are closed an ultimate disillusionment is sure to follow. New York's distinctive, if not most distinguished citizen, Mr. W. H. Anderson, of Anti-Saloon League fame, (or notoriety), made some very interesting statements in court. He frankly declared that the Anti-Saloon League had a voters list of between 300,000 and 400,000 names, supplied by Protestant members; that \$250,000 was collected annually to carry on the campaign; that ministers "talked up" certain candidates from the pulpit; and, that voters lists were broadcasted.

To understand the full force of this statement, one must be familiar with the grossly hypocritical charge periodically launched against American Catholics, that they are laboring for a union of Church and State, a union which Protestants declare would be disastrous to the Country. A good deal obviously depends upon the ownership of the ox that is being gored.

The Brooklyn Tablet in commenting on the statement in court, has this to say, "A more damning indictment of the union of Church and State, and of the Protestant Church in politics, was never given in the history of America. If Catholic priests, or a Catholic organization, ever attempted to put over a political deal one-tenth as bold and brazen as someone has called it—a cry would be sent up that would rock the heavens."

In the Post Dispatch, of January 30, 1923, we cull the following; "It was disclosed yesterday that John D. Rockefeller and his son have ceased their contributions to the Anti-Saloon League, whose New York superintendent, William H. Anderson, is under investigation by Acting-District Attorney Pecora in connection with his management of the organization's finances."

The importance of the Rockefeller defection, suspected for months, is almost greater in a moral, than in a financial sense from the fact that the Rockefeller contributions were in effect a certificate of character and influenced giving by others, because of the well-known care with which the oil king and his son investigate every application for money. The actual amount they have given is not known, but John D. Rockefeller, Jr., is on record as stating that in 1918-19, he and his father gave the League \$85,000 and that their total contributions up to that time had been approximately \$350,000. They contributed in 1919-20, 1920-21, and again last year. No contributions had been made this year, and there is the best of authority for stating that none will be made.

The actual break in friendly relations, synchronized with the dismissal of O. B. Phillips from the League's services as a collector, the Rockefellers refusing appeals for more money later in the year, and in one way or another investigating the charges the former collector had made against Anderson. In the course of this investigation Raymond B. Fosdick, the Rockefeller attorney, saw Anderson several times and the Rev. Dr. David J. Burrell, president of the League, by whom a report in writing on the "facts" was submitted. Fosdick appeared yesterday before Pecora, who said Fosdick was entirely frank in telling what he knew about the League.

Fosdick, the last visitor of the day to the District Attorney's office, was closeted with Pecora an hour. Pecora declared he felt "confident our inquiry meets with his approval".

Miss Maude M. Odell, for twenty years Anderson's confidential aid and the person relied upon by him to break some of the charges against him by Phillips was also at the District Attorney's office, and Pecora said she was proving "a most interesting witness".

Anderson charged yesterday that Phillips had tried to sell the charges to the newspapers; that an afternoon paper was seeking to drive him out of the League and had attempted to coerce a member of his office staff into giving testimony against him, using the Rev. Andrew B. Wood, former assistant superintendent of the League, for that purpose. Anderson, in return for a forty-eight hour respite, agreed to produce the account books of the League tomorrow.

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From the Wall Street Journal, under caption, "GOVERNMENT BY INTIMIDATION", we read:— Upon what is the strength of such irresponsible organizations as the Anti-Saloon League founded? No one, except their salaried and interested defenders pretends that they represent more than a fraction of American public opinion.

They are based solely and squarely for all practical and strategic purposes, upon the cowardice of the politicians.

It is a question whether Anderson and the organization he represents, or the women in the passage of the suffrage amendment, were first in the field with a system which amounts to organized intimidation—, influence over the politician by personal pressure. Intimidation need not be exercised to extord money; it can be, as has been many times, used to influence votes where those votes will have the most effect, as, for instance, the election of Congressmen and State legislators.

These voluntary organizations maintaining expensive lobbies in Washington, apart from effrontery and assurance—, developing into bluff, where necessary—, have a tangible asset in a system of card indexes. They do not deal in generalities. So long as the politician votes dry his relation with his private boot-legger are not molested, although they are recorded where possible, as a club to hold over him; this is despotism pure and simple, extolled by some Christian preachers and their Churches. The pity of it is, that so many good people and sympathizers with the temperance question of our Country have been separated from their money by scoundrels parading under the cloak of Christian endeavor.

The trouble with Prohibition is that it has not got and never will get the moral sanction to make it effective. Public opinion will back up the law restricting and regulating the sale of intoxicants, but it does not follow it, for one thing, namely, in defining a beverage with an alcoholic content of one-half of one per cent of alcohol as intoxicating. When it comes to that, Public Opinion laughs, because that is contrary to its experience. Furthermore, public opinion shows as yet no particular fervor about achieving a total stoppage of alcoholic supplies from those who want them. No serious stigma attaches to violations of the Volstead law by private buyers. Fines and like embarrassments may result, but not disrepute. A good many fairly decent people seem to buy what they want, and do not conceal it.

Moral sanction is the life of every law, if that life is lacking the individual and community does not feel itself bound to obey a law. Why is this moral sanction lacking in regard to the Volstead Act? This question was asked the Reverend Dr. W. C. Shupp, superintendent of the Anti-Saloon League of Missouri, the answer came thus:— Because a very large per centage of the American people are immoral, and cannot be made to obey a law, except by force. This, of course, is pure slander and false, the American people have always enjoyed the distinction of being a law-abiding orderly people. The great mass of the American people, whether native born or not, have a deep regard for the Constitution and the laws of the land. But, they have the deep seated feeling also, that the law proposed to them must be just and in consonance with the blessings of liberty and of the inalienable rights of men guaranteed by the Constitution; where these qualities are missing, moral support of men is withheld, and the law ceases to be a law, mere bugaboo cannot scare free men into obedience and submission, especially when a law makes people unruly and rebellious.

Prohibition is an act of injustice because it imposes the duty of abstinence on all people, without any benefit to them, but with a serious damage to many, no one but a fanatic will claim that the act of drinking a glass of wine or beer or even a glass of whisky is detrimental to the health or the morals of a normal man.

Ah, my dear sir, will some hypocrit say, "Not the drinking of the damned stuff is prohibited, but the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States, and all territory subject to the jurisdiction thereof for beverage purposes is prohibited. True indeed, yet this very fact shows the prohibition act in its ugliest form. Those that can afford to get their wine or whisky (possession is not forbidden) may drink it without any qualms of conscience, except the possible qualms of the day after, but all others can not even get a cool can of beer that would refresh them after a hard day's work

and that would give them strength. We ask, why not?— and the answer comes—because they might get drunk. There is no one who hates drunkenness more than the members of the Anti-Prohibition League, do; and it is for this reason that we have no sympathy with a law that really promotes drunkenness under the guise of preventing it. Everybody, but the morally blind and deaf, knows this. The old drunkards are either dead, or drunkards still. The price of drinks is much higher, and the stuff ordered much more deadly than it ever was. The reason for this is:—There is no government supervision as to the purity of the product of the countless stills now in operation, thus leaving the responsibility for the wholesomeness of the wine, beer and whisky to one of two unknown individuals; there is, however, government espionage through practically irresponsible individuals over the manufacturers of the forbidden stuff that renders the business dangerous and the product itself costly.

Prohibitionists have whined long enough about the poor family of the drunkard, being deprived of the necessaries of life by the greed of the round-bellied saloonkeeper. Let them now consider the sorrows of the families due to the moon-shiners and boot-leggers which the prohibitionists in their blind folly have created; they had a fair trial for the last three years but no one has perceived any improvements in public morals, nor have many churches been built with the money made by high salaries, prohibition enforcement officers and their allies. Let them for a while consider (1) If preachers sometime go wrong. (2) If preachers sometimes have more than one wife. (3) If preachers sometimes are tried in courts for stealing, holdup, robbery, or stealing some other man's wife. (4) If all laws made by church people and parsons are good for the nation as a whole. (5) If Jesus Christ ever made civil laws for the people. (6) If the K. K. K. are the best members for any church. (7) If preachers who do go wrong that we should be governed by them in any way. Perhaps the consideration of the above paragraphs at church meetings will bring a better attendance to the present day churches.

CHAPTER XIV

Comments

Chas. E. Chidsey, a judge at Pascagoula, Miss., in a letter to the Post-Dispatch, published on February 12th, 1923, writes:- Sir: On January 1, 1923, I tried two young white girls—natives of the vicinity—ages 13 and 17. for transporting liquor. I suspended sentence to permit their mother to take them to a distant point where they may have an opportunity to redeem themselves. Both of them were infected with social diseases. On January 2nd, 1923, two white boy tramps, ages 15 and 17, were brought before me. They were intoxicated when arrested and had the remnants of a bottle of whisky in their possession. The officer requested that they be tried only for vagrancy to which I consented. While these trials were going on in the Courthouse prohibition propagandists in the streets were proclaiming the great success of the Volstead Act in saving the young from vice and intoxication—saying that when the “old booze heads died out the young would not know the taste of intoxicating liquor”. Several months ago I called the attention of a prohibitionists to this matter, and he replied, rather testily, “There is no truth in this. It is only propaganda to discredit prohibition.” Now, I wish to place myself on record as saying that when prohibitionists claim that prohibition is saving the young they lie, and they know they are lying.

To have sent the two young girls I mentioned to the chain gang among negroes and hardened criminals would have been to send them to a living hell. The “goodly” in their “moral legislation” have made no provision for the youthful boot-legger, always proclaiming that under prohibition vice and crime would cease to exist.

My course with these children is very reprehensible for a judge, but I have no apologies to make. In this section of the Country, at least where ever you find a prohibitionist you will find one who is openly in sympathy with the K. K. K. and its terrorism—tar and feathers, midnight whippings and kidnapping—though they disclaim any sympathy with assassination. They all protest that the crimes charged against the men at Mer-Rouge were not done by the members of that order, but by outsiders who seek to place the blame upon the K. K. K. and that the greater part of the stories told of the doings of the K. K. K. is mere fiction invented by newspapers to discredit that order.

Now, I am not as simple as to undertake the job of whitewashing the daily press—I fear the world's supply of whitewash would run out; but to charge the story of K. K. K. horrors to the imagination of newspaper reporters is ridiculous. It is giving the newspaper men credit for more inventive genius than they possess. The most vivid imagination among all the star reporters of the nation could not invent such chapters of horrors and make them appear creditable.

I have several times remarked in public print that alike always produces a like effect. To find a parallel to conditions as they exist today we must hark back 400 years to 1552, when Joseph Munzer started in Bohemia and Thuringen his reformation. This terminated in "Peasants' War" which devastated Germany and ended in fire and blood. It was the teaching of Munzer that the "ungodly" had no right to live longer than the "godly" would permit. The ungodly were those who did not accept the teaching of Munzer and his disciples. Poor Munzer perished miserably when he fell into the hands of his enemies at the age of 27.

In 1922 we find preachers of the gospel and "great editors" proclaiming from press and pulpit that the doctrine that man has any personal liberty is all bunk: That the old common law doctrine that "every man's house is his castle" is bunk (the same doctrine taught by Munzer and Rousseau), and along with this we have men and women taken out of their homes, tarred and feathered and subjected to cruel whippings and assassination by masked men who proclaim that their victims are "ungodly" and that they themselves are the "godly" and have a right to inflict such punishment as they see fit upon those whose public or private conduct they did not approve. Can you see any difference between the teachings of the "godly" of 1522 and the "godly" of 1922? If so, will you be so kind as to tell me what it is?

We have been living in an era of "excessive repression", an era of moral idiocy. The reaction that must come must be equally as great. As Lord Macauley expresses it, "An age of vice must always follow an age of hypocrisy". The thought of what will follow the debauchery of public and private life by the moral and political charlatans who are responsible for the conditions of the day must make a thoughtful man shudder with horror when he thinks of it. Those of us who saw the coming of the evil and warned against it might feel some gratification of the realization of their predictions were it not for

"The pity of it, Iago, the pity of it".

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The New York World of October 29th, 1919, comments on the action of Congress in repassing the prohibition enforcement bill over President Wilson's veto, as follows: While the House of Representatives were passing the prohibition enforcement bill over the veto of the President, Judge Walter Evans of the United States District Court in Louisville, Ky., was ruling that the war-time prohibition act violates the fifth amendment in that it takes private property without just compensation.

That the act confiscates private property cannot be denied, but Congress has never shown any concern about the question. The manner in which the House over-rode the President's veto was characteristic of its attitude toward the whole issue of prohibition. Out of a total of 435 members only 231 were present, barely a quorum. There was no debate. There was no discussion of the President's reason for vetoing the act; there was no consideration of consequences. The prohibition lobby ordered the bill passed over the President's veto and the House promptly obeyed. The 176 members who voted to over-rule the veto comprising only 40 per cent of the entire membership.

In the same fashion the bill was disposed of yesterday by the Senate, by a vote of 65 to 27.

Members of the House and Senate are forever assailing the Bolsheviki for doctrines that are subversive of property rights and human liberty; but no Bolshevism is more contemptuous of property right and personal liberty than a Congressman who is carrying out the mandate of the Anti-Saloon League. Nor is any labor leader anywhere more arbitrary in his abuse of power than this Congress.

In the case of war-time prohibition it is defiant of truth and justice and property rights. It has made its will law because it knows that there can be no final decision from the United States Supreme Court before the eighteenth amendment takes effect, and hence victims of war-time prohibition can have no redress.

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The St. Louis Star, on March 30, 1922, has this to say:— It has long been known that news travels slowly between the various bureaus and departments at Washington, but it comes somewhat as a surprise to learn that the bureau of fisheries has not yet heard of the passage of Amendment No. 18 and its corollary, the Volstead Act. We must assume that it hasn't, else how can we explain the recent booklet of recipes issued from its office for the purpose of developing a taste in sea food among the American people? Recipe No. 23 in the bureau's "economic circular No. 18, revised" deals with sherried oysters and admonishes the house-wife to add two tablespoons

full of BRANDY to give it flavor. Recipe No. 14 in the same ingenuous booklet tells how to prepare oysters a la Newburg, which we learn is a rather flat dish unless two tablespoons of sherry wine are added to the concoction.

The circular explains where the oysters may be obtained, but is silent on the whereabouts of the sherry and the brandy. Perhaps the bureau intends these recipes only for homes where the "private stock" is as yet unexhausted. Hasn't the bureau violated the Volstead Act by prescribing liquor without having a medical license? This is something for Wayne B. Wheeler to look into.

MORAL REFORM THROUGH POLITICAL AGITATION

The following editorial from the Chicago Tribune is worth chronicling. Says the editor:— Strict Sabbatarianism seems to be organizing in a very comprehensive way in all parts of the Country. The Rev. Wilbur F. Crafts of the International Reform Bureau, an active lobbyist and propagandist at Washington, is in the foreground, but the principal agency seems to be the Lord's Day Alliance, whose secretary is the Rev. Harry Bowlby. Rev. Bowlby was quoted to the following effect: "We are well financed. Our lobby at Washington will be an effective and experienced one. We shall work in every congressional district in every State. We shall agitate and spread propaganda and cause voters to write unceasingly to their representatives; who cares to stay in Washington and Congress will dare refuse to vote for our measures? These were the methods used by the Anti-Saloon League, and they were effective."

A hint of easy and rapid organization is herein given. The men and women who had employment in the prohibition movement find that occupation gone, but the sabbatarian movement can take them over and make use of their skill and experience. "The spirit of the movement seems to be expressed in the interview with the Rev. Bowlby already quoted. Here is the program as reported in the Ledger interview."

"We propose to pass no blue laws. There are no such things as blue laws—never were. And we don't propose to legislate people into church. We propose, by legislation, to make it easier for people to go to church. In other words, we shall try to close the base-ball parks, the golf links, the motion picture and other theaters, the concert halls, the amusement parks, the bathing beaches, and so on. We shall fight all amusements where an admission fee is charged. We shall oppose golf, tennis, baseball, football, and other sports, even if purely amateur and void of financial cost to those watching or taking part, because they set bad examples for children who might otherwise

be content to go to Sunday School. We shall see to restrict the sale of gasoline for pleasure automobiles, and urge other measures that will stop Sunday automobiling and joy riding. This will not bring the old fashioned horse and buggy back, because we believe that the Lord's day should be a day of rest for man and beast. Excursion steamer rides on Sunday will be opposed by us on the ground that they are unnecessary to the moral welfare of Christian America." We also learn that the Rev. Bowlby sees no reason why public libraries or art galleries should remain open on Sunday, and not only are Sunday newspapers to be abolished, but we shall seek to establish a censorship over the stuff that gets into them on other days.

The reader who is inclined to smile at this as a futile fanaticism is not wise. There is a very large part of our population which does not have access to Sunday recreations, newspapers, libraries and art galleries. In rural districts and small towns, this is the case where traditions and moral conceptions of what is wholesome and permissible are slowly yielding to modern necessities. Men are usually willing to prohibit to others what they do not care for themselves, and it is easy to rouse our moral enthusiasm for imposing upon our neighbors a code which is satisfactory to us. Respect for freedom of conscience has not marked our history at all times since the men and women who left England in the seventeenth century for the freedom to worship in their own way, persecuted those within their gates who asked no more than the same freedom. One would think that freedom of conscience needs no defence in America in our day, but it does, and the Sabbatarian movement proves it. That defence cannot be allowed to rest with the public intelligence; it needs as thorough organization and as active propaganda as Sabbatarianism is employing.

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Rabbi Thurman addressed his congregation at the United Hebrew Temple, St. Louis, on the subject, "Does the world need a new decalogue?" Extracts from his address follow: The Decalogue or "Ten Commandments" has been, is and no doubt will be for many centuries to come, the basic law of civilization, but attracts little or no attention until violated. "No matter of what we may believe as to the origin of the Decalogue, whether it was revealed to Moses on Sinai, or whether it was the careful and deliberate codification by wise men of laws, based upon the experience of what was most best and safest for the conduct of men and society; the truth is that no code of laws has as yet been discovered which excels or equals it, either in conscience of form or in comprehensiveness of content." How can the world be in need of a new Decalogue, when it has not fully tried out, practiced or lived up to the old one? Indeed civilization would have to retrace every step that it has made in its progress if it were either to abolish the Decalogue or weaken it by loose and exotic interpretations.

“Whatever laws or statutes men have enacted or may establish, the Decalogue is the foundation stone of social justice and righteousness, of morality and social stability. And no step in the direction of progress has been made, or can be made, without the Decalogue as the chief guide and law of life.” We say, amen.

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Now comes Mr. Albert D. Lasker, President of the United States Shipping Board, on October 20, 1922, at a banquet in the Drake Hotel at Chicago, and says:— “I can prove that Attorney General Daugherty is the greatest law-maker of all times. Moses only made the red sea dry. Daugherty made practically all seas dry, at least for American ships; we only deceive ourselves to think that America rules the world. I plead with you to help get America out of the morass of prohibition. America owns One thousand five hundred steel ships that cost billions. They are operated by the government at a loss of \$50,000,000 dollars a year. Passenger ships without passengers are costly jokes.....Tyranny and hypocrisy are costly policies, our fanatical prohibition laws are costly, not only in money, but in morals, shipping failures, character deterioration and disrespect for laws.

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Bishop Tuttle, of Christ’s Church Cathedral, St. Louis, on his eightieth birthday, was asked what he thought of prohibition. Here is his answer:— Prohibition, as I understand it, deems it a sin to make liquor or to sell liquor. It does not seem to me that the sin lies there. Nor does it lie in drinking liquor. But it lies in drinking to excess.

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We cull from the Chicago Tribune:— The Board of Temperance, Prohibition and Public Morals of the Methodist Episcopal Church has issued a statement at Washington demanding that the United States seize the rum-runners lying outside American waters. “The only thing to do”, the Board said, “is to detail United States destroyers to round up these ships, bring them to port and confiscate ships and cargoes, jail every man found on board them.” It adds that if international law forbids this the United States should change the law “within the next few hours”. (That is a large order.) Many of the ships are British. Much of the property is British. Many of the rum-runners are British subject. They are out in the waters which the United States does not control. The quick way of dealing with them is of course, to ignore international law, to act as a lawless nation; to undertake piracy, and to seize the ships. That is a quick way to get British battleships off the American coast instead of rum-ships. We have never heard of Great Britian being indifferent to the rights of British subjects on the seas. They urge lawlessness and invite war. They proceed from indifference to personal rights to indifference to national rights. When they have an object to attain their regard for laws and the rights of others stop. They complain of disrespect for law and are the first to put law aside. They are responsible for a condition which permits a person to be punished twice for one crime. They are responsible for the

theory that wet communities should be disfranchised. They would violate sea laws. They promote pacificism in the United States and would destroy the army and navy, but are willing to have the country go to war as a law-breaker. (Fanaticism is blind.)

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THE PHARISEES

In the Post-Dispatch, of April 10, 1923, we read:— To the Editor of the Post-Dispatch. INTOLLERANCE! This is prohibition. A self-appointed faction proceeding from a false philosophy of life and a visionary system of ethics, has elected to say "Thou shalt not". They are utterly incapable of comprehending the rights of others. They will tell you, "We have incorporated prohibition into the Constitution and now you have to obey." If they quote scriptures they select only those which enjoin drunkenness and avoid those which sanction the use of wine. They eschew any plea for temperance and moderation. They are so immoderate in themselves that temperance to them means only total abstinence. Yet, they cannot and will not tolerate the individual, his rights or liberty to be a total abstainer, or a temperate user of alcoholic beverages. They are like the Pharisees of old—the same element that said to Christ "Behold! He cometh as a wine-biber and glutton, drinking and eating."

With prohibition we have as much or more crime, and the appeals of various charities are greater than before, but they will not admit it. Unbiased statistics will prove this. They will cite an empty jail in a remote town as evidence of the effect of prohibition, but they will ignore an adjoining town's jail that has more than its quota of felons. Truly, prohibition is the height of intolerance. Like begets like. What must be the feeling of those who cherished fairness, personal liberty, individual rights, and who are thus involuntarily coerced into accepting the guardianship of these self-constituted monitors.

A learned judge, the other day, in addressing a bar association, said: "The Constitution should be the slave and not the master of the people." The saloon *per se* is neither good nor bad; it is an inanimate thing. Its moral atmosphere is neither better or worse than the ethical and social standards of its patrons and proprietor. No one advocates drunkenness. Summary laws deal with inebriety. Alcohol is the spirit and essence of the fruit, grain and vine and nature's elixir. It is one of the crowning glories of creation. The abuse is the evil thereof. It is criminal to drive an automobile at excessive speed, and we endeavor to arrest and punish violators, but we do not abolish automobiles because some abuse their right to drive moderately.

Eugene J. Nichols.

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LAWS WILL NOT SETTLE LIQUOR QUESTION: The liquor question is a moral issue and intemperance never will be settled by legislation, says Rev.

Leon M. Birkhead, former pastor of the Wagoner Memorial Methodist Church, now a Unitarian minister, at Wichita, Kans., Dr. Birkhead has been an active figure in the controversy over the "bone dry" bill in Kansas. It remains to be seen, he said, whether the extreme legislation represented by the measure is wise.

A recent controversy in that State prompted the statement from him that "any Kansas church that desires to use fermented wine in its sacramental services had a constitutional right to do so."

Dr. Birkhead resigned from the local pastorate in 1915, giving as his reason that he was too radical for the Methodist Episcopal ministry. In sermons later he scored orthodoxy as having "many speakers and few workers."

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We cull from the London Sunday Express: by G. K. Chesterton:— America, in repealing the Declaration of Independence, and at last officially denying the Jeffersonian view that all men have inalienable rights to life, liberty, and the pursuit of happiness, did something that goes far beyond the small and special occasion of some ephemeral hypothesis about "alcohol". The question of prohibition has very little to do with the question of drink....It might be interesting to speculate on how far this curious negative type of materialism tends to recur and rage in certain places on the edges of European civilization, in the deserts of Arabia, or the prairies of America. It might be interesting and entertaining to ask whether such unnatural simplicity in any way connects the American with the American Indian. A savage will sometimes burn a tomahawk to punish it for committing a murder; and we can easily imagine the same savage breaking a bottle of fire-water and thinking he had extinguished all the fires of human passion. But God forbid that we should believe any moral view founded on ethnology; and, in fact, all this question of the advisability of drinking is quite separate from the question of the right to drink.

A man may easily happen to drink water himself, or even think others would be wiser to do so. And yet he may be so perverse as to doubt the wisdom of allowing the Government to draw up every menu for every meal. He may still hesitate about having a policeman behind his chair, like a butler, to count the number of spoonfuls of soup. He may question even the proposal that a doctor should suddenly appear at breakfast-time, and dash the fork from the hand as it is about to take a third rasher of bacon. It has nothing to do with the question of whether he should have the right to act as a despot.

In weighing this question, it is well to realize, by way of a preface, that if the man cannot be treated as a man, the only logical alternative is that he

should be treated as a madman. If a private man cannot be trusted with his own private habits in his own private house, then he can only be trusted in a madhouse. Lunacy simply means the loss of the right and responsibilities of an ordinary person. If they are not, he has no other; he cannot conceivably have any other. This truth is so extraordinarily simple that it could not have been missed by the queer modern trick of never beginning with the first facts, but always with the last facts, which are called the latest news..... In journalism we get the tail-end of every story, as we were dipping into the last chapter of a serial. Prohibition, that shapeless and toppling object, blocks up all the perspectives of history, which are full of the hostelryes and vineyards of humanity, merely because it happens to have been stuck up yesterday, and will probably tumble down tomorrow.

Is there any meaning whatever in the word liberty? Has the citizen any rights, as the Declaration of Independence and the old democratic theory said he had? If he has not, we have only to clear all our language, past and present, of a very vast accumulation of cant. If he had rights, what are they if they do not include the right to choose his own diet, and take the daily risk and responsibilities of his own health? There cannot be any personal right more personal. To deny that liberty, and respect any other liberty, is like forbidding legs and elaborately preserving trousers, or cutting off a man's head, and declaring the immortal sanctity of his hat. If you do not leave him private liberty, you cannot possibly leave him any more public liberty. It is ludicrous, for instance, to leave him any liberty of speech.

It may well be maintained that ultimately nearly all social evils, all the corruption of the young, all the hardening of the old, all the swindling and snobbery and false standards, are due to the abuse of speech. And I presume that when progress has advanced yet further, men will all wear muzzles, to prevent the spread of the rabies of random conversation. Or their gags will only be removed in the presence of police, at certain stated hours of the day, when each man will be allowed a certain number of selected sentences; two well-chosen epigrams about the weather, a few loyal sentiments indicating the rapture of being ruled by a paternal and scientific Government.

But, at present the system is less logical; indeed, it is a mere muddle in the mind. This is proven by the fact that the prohibitionists, when confronted with the common sense, can only stammer certain set phrases which were already rather stale and stupid when they were used by Tarquin or Torquemada. They will murmur, "Liberty is not license"; to which the obvious answer is, "If choice of diet, is license, choice of what is liberty?" Why should a man not be forced to take a walk, or go to the twelfth lamp-post instead of turning back at the tenth, so that he may take enough exercise? His health, we are told, is the concern of the whole community. Or they will say that a

man may have liberty if he does not interfere with others, though it is obvious that his taste in drink only interferes with others in the sense that every human action interferes with others.

What interests me, therefore, is not this one fugitive fad, but the loss of the whole idea of liberty, the denial of any proper province for the choice of the citizen. The original human tradition was that the free man, as distinct from the slave, could be trusted with a certain group of normal functions, could choose a mate, could rear a family, could eat or drink what he could produce, or purchase, and so on. The democratic tradition is that no man should be slave, but that all men should be trusted with the normal functions. The modern movement is that all men should lose all their functions, not in logical order, but in a series of raids by random sectarians. The eugenists will take away the choice of a mate. The servile States will take away the choice of a job. Irregularly and in patches, like all kind of barbaric things, the heathen slavery will return.

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THEY CAN'T BE ENFORCED

A certain Prosecuting Attorney who for obvious reason does not want his name mentioned has this to say:— I am a Prosecuting Attorney of one of the lower Counties in the State of Missouri, and a conservative prohibitionist. I believe in the 18th Amendment, which reads, "The manufacture and sale of intoxicating liquors is prohibited." This means clearly that any person manufacturing and selling intoxicants is violating its provisions, but the radical element of prohibitionists composed mainly of ministers, had a delusion that they could prevent intoxicants altogether by very drastic enforcement laws, therefore, they substituted in the law the word "or" for "and" which then read, "The manufacture or sale of intoxicating liquors is prohibited." After several years they came to the conclusion that the law was not drastic enough to prevent its violation so they added more severe punishment for its violation, which of course smells strongly unreasonable. If this prevents the violation, why not apply the same principle to all laws.

Take, for instance, murder in the first degree. The punishment is death on the gallows. Why not make it read as follows, "Any person found guilty of murder in the first degree shall be skinned alive with red-hot tongs and placed in a frying pan and fried over a fire until life is extinct." This ought to get them boot-leggers and moonshiners, they would think twice before laying themselves liable to the above punishment. But this would not prevent murder, boot-legging or moonshining, and it would be impossible for the State to secure conviction, as no jury would inflict the above punishment on any person, nor would a judge in our days.

A Prosecuting Attorney.

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Mr. James Weldon Johnson, Secretary National Association for the Advancement of Colored People, has this to say:— As an American citizen having no interest for or against prohibition cannot fail, nevertheless, to be impressed by the discrepancy between the eagerness displayed in the South for the enforcement of prohibition Amendment and the expressed determination to nullify the thirteenth and fourteenth Amendments to the self-same Constitution. As evidence on the latter point, permit me to offer a brief quotation from editorial attributed by our press clipping agency to the Columbia (S. C.) State of February 10th: “Is it wonder that with the constant menace of negro rule under the system of universal manhood suffrage, decreed for the South by the North, that the representatives of civilization here took measures to restrict that suffrage and perpetuate civilization?” This paragraph constitutes one of innumerable public admissions by Southern citizens, newspaper editors and public men, that the United States Constitution is to continue being made a scrap of paper when the White Southerner does not happen to like its provisions. It remains a question whether there is greater danger to civilization in permitting the negro to exercise his constitutional prerogatives or in nullifying the basic document of that civilization at the will of dominant majorities. (Moral: “The worm, when hurt and before he dies, wiggles.”)

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The editor of the P.-D. issue April 14th, 1922, under caption: —“ASSASSINATING THE CONSTITUTION” makes the following comment:— The “leading lawyers” of Pemiscot County are reported to have pledged themselves “not to defend” any person, co-partnership or corporation charged with violating the provisions of the liquor laws.” This organization of lawyers is described as “the most extraordinary alliance of law and order leagues in Missouri since citizens banded themselves together to mete out justice in the days of Jesse James and the Younger Brothers”. And the law and order leagues are said to be backed by the Missouri Anti-Saloon League, which plans to use them in its political activities as well as in the stultification of the legal profession.

It would be impossible to believe this report were it not for the fact that the Anti-Saloon League has already demonstrated its eagerness to smash down every fundamental right and Constitutional guarantee in its determination to enforce its own special enactments. Among the frenzied proposals, either originating with the Anti-Saloon League or enjoying its enthusiastic sanction are the following: To expatriate any citizen who leaves the country, or conspires with the nationals of any other country to violate our liquor laws; to deport any alien convicted of boot-legging; to search the ships of any nation on the high seas; to void the constitutional provision requiring a warrant before house or person may be searched. Further, an attempt was made by the Anti-Saloon League’s Washington lobby to insert into the bill creating additional Federal Judges, a provision to the effect that Judges

might be shunted about from circuit to circuit in the trial of liquor cases so as to secure the certainty and maximum severity of conviction.

The effort to terrorize and dominate the judiciary, it seemed, was about as far in enormity as madness could go. Yet, if lawyers can be persuaded or compelled to betray their oath, renounce the organic law, with its sacred fundamentals, abandon the ancient tradition that a person must be presumed to be innocent until proven guilty—if such a legal block can be organized and made to function generally, then constitutional government has been assassinated and the lawyers and the Anti-Saloon League are the assassins.

Consider Pemiscot County if the reported Law and Order League is a fact. Here is a society in which the murderer, the robber, the man charged with the most loathsome crime is entitled to the service of a lawyer, and if unable to retain one himself, the Court will appoint a lawyer to defend him. But let the unfortunate citizen be accused of violating any provision of the liquor laws and he cannot procure the services of a lawyer at that bar. Accusation is construed as guilt by the ukase of the Anti-Saloon League and in that hideous perversion of law and justice the lawyers of this so-called Law and Order League acquiesce.

What further excesses the Anti-Saloon League may commit in its orgy of power defy prediction. But the lawyers of the country should hesitate about joining in the debauchery of the covenant and the desecration of its fundamentals. "There is thunder on the horizon as well as dawn".

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SMALL-TOWN PROHIBITION. Rhey McCord, Jr., writes to the editor of a daily paper thus:— Like many other well-meaning but sadly misguided young men, I voted for prohibition. The motive in my case was probably the same as in all—, a desire to help those few who had become the victims of excessive drinking, even at the cost of my own personal comfort and liberty. Surely no harm to anyone could lurk behind such good intentions. Well, a few weeks ago while on my vacation I visited a small country town within our State where I had quite a few friends, and where before prohibition, two saloons eked out a lean existence by selling a few glasses of beer to the staid farmers who came to town to do their trading. In this little place a young man who "drank" was looked upon as a disgrace to his family, and was kindly, but firmly excluded from all social activities. There were few such cases before prohibition set in, but fairness demands mention of them. A young girl who would take a drink of anything alcoholic was unheard of and could not be even imagined. Today, in the same little town, a knowing look, a wink of the eye, a lift of the arm or casual mention of thirst

will bring several accomodating young men to your side, anyone of whom will supply your alcoholic wants promptly and at moderate price. And why not? With every other farmer in the community operating a still, competition is keen, and as in most other lines, competition is the life of trade. There is much drunkenness among the young men now, and girls who refuse to drink are not "good fellows" and are considered hopelessly gone by the up-to-date young fellows of the town. What a ghastly travesty on reform. What an unpardonable and irreparable wrong against the rising generation, and what an outrage against the liberties of what was once the most law-abiding people on earth. It is never too late to right a wrong, if possible. Prohibition has back-fired; it has accomplished the very opposite of everything expected by those who voted for it; it has made criminals of former law-abiding citizens....., hootch-hounds of men who were formerly satisfied with an occasional glass of beer, drunkards of men who never drank, seriously, very seriously endangered the youth of the Country, deprived citizens of rights guaranteed by the Constitution, and, least important of all, is robbing the Country of millions of dollars of revenue that is badly needed, and materially help to reduce taxes which have become an unbearable burden.

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Most Rev. John J. Glennon, Archbishop at St. Louis, when a guest at the Ambassador Hotel, at Atlantic City, N. J., on August 9th, 1922, criticised the Eighteenth Amendment as follows:— The Eighteenth Amendment suppresses freedom and is therefore not consistent with the remainder of the Constitution. "The Constitution has been considerably weakened by the addition of the Eighteenth Amendment; for, the prohibition clause limits rights, while the rest of the Constitution grants rights. In my opinion the Eighteenth Amendment detracts from the dignity of this important vehicle. Such matter, (referring to alcohol and drugs), should be left for the police courts of the various cities and States." When asked if he thought prohibition is a benefit to the Country, Archbishop Glennons reply was brief, "For those who drink too much, yes."

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Tanquery and Noldin teach that the traffic in intoxicants is forbidden, and the ratio is the danger of life and liberty, —as well as scandal originating from the habitual contempt for civil law; now we may ask "Has the Volstead Act all the qualities required in a law?". In a true democracy the people must be the author of a law, through its political parties conventions, in order to make it binding to a public conscience, if a majority of the people sustains it at a general election. Now, were the people in every State ever consulted in a party convention (except in the prohibition party) which promoted the Amendment for the past fifty years, but never got the support of the people. What moral right did Congress possess in order to proceed with legislation foreing to American Institutions; what moral rights have Legislatures to ratify Amendments to the Constitution without sanction from the people, and

particularly in States where such acts are forbidden by the Constitution. Are such acts legal acts, acts to command respect by a free people? How can a democracy be kept alive after having been inoculated with the virus of despotism; the law of self-preservation forbids its moral support. The Volstead Act is the spring from which flows a constant stream of political corruption whose stench paralyzes public morality, conscience, and patriotism; it is a brutal law and brutalizes the people, makes the people suffer, and therefore becomes an incentive to rebellion against the law, and ultimately against authority itself.

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After three years of trial and attempted enforcement of prohibition one cannot perceive any benefit worth-while talking about except for office-holders and other grafters; drunkenness has not decreased, its advocates claim it did but fail to present uncontestable proof. To the contrary, records of the city hospital and city dispensaries department show an increase of nearly 40 per cent of alcoholic treatments in the fiscal year closing March 31st, 1923. In the fiscal year just closed 4,528 alcoholites were treated at the city hospital and the dispensary clinics. While 3,347 cases of alcoholism were recorded in the fiscal year 1919-20, in 1921-22, 4,595 cases of alcoholism were treated, a total slightly in excess of the number handled in the year just closed. In 1920-21 the records show 3,457 cases of alcoholism, while two pre-prohibition years 1916-17 and 1917-18, show 5,748 and 5,208 cases respectively. Thirteen deaths from alcoholism were recorded last year, an increase over the three preceding years; but far below of the rate of 1916 when 63 deaths were recorded as alcoholism; but that don't signify anything, in 1916, '17, '18, etc. automobile accidents were always charged up to King Alcohol.

N. B.—The above record does not include treatment and deaths from alcoholism in private hospitals. Violations of prohibition laws are on the increase, nobody can deny the facts.

Iowa had prohibition before the Volstead Law became operative, yet, the Des Moines "REGISTER", of September 4th, informs its readers that there have been four times as many cases of violation of the Volstead Law in 1922 so far as there were a year ago. And, the paper, adds, by this time, (meaning by beginning of September), the number of cases probably approximates 20,000. Which evidently shows that bone dry prohibition is doomed to failure. And, so it is in every State. Anyone can understand that if the Volstead Law were popular in the U. S., the people themselves would attend to its enforcement.

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Dr. Cotton, superintendent of the State Hospital, at Trenton, N. J., in his yearly report of 1922, states that 51 per cent of his cases today are alcoholic, where the average formerly was 21 per cent.

Mr. D'Arcy, Jail Warden at Trenton, N. J., states that in 1919, 852 persons were committed to the Mercer County Jail; in 1922, however, the number had increased to 1,259, almost 50 per cent gain. Crimes chargeable to drink have increased steadily and the users of drugs and dope are on a steady increase, as many as 16 addicted to narcotics were guests at the county hospital and never in the past has the number been so large. More persons were treated for "Delirium Tremens" during 1922 than during the 11 years that I have been in charge of the jail. A young man 26 years of age—patron of bootleggers, suddenly stopped work and asked his neighbor worker in the factory to come over to him at once, when asked what he wanted he said bring me to a doctor at once, I am blind, and can't see; when they got to the doctor who examined him, the doctor said, *yes you are blind for life, you have been drinking wood alcohol.*

A well-to-do gentleman and highly educated, came home from the Club; when ready to go to bed he sat down on the floor and began to pull out his toes, (laughable, yes), his wife horrified by his actions, called a doctor, who came immediately and found him occupied as stated above; nine days later he was planted for good, hootch brought him to an early grave. Doctors have now acquired a habit of whispering when they meet and speak of cases under their observations, but never disclose to the public of the terrible effects of the poisonous drinks now indulged in by high and low (of course, there are exceptions), and of which the A. M. A. is to a great extent the cause. How many are meeting sudden death at their work or in their homes, the cause of which can be traced to over-indulgence in a dry Country?

Liquor is too easy to get in the vicinity of Koch Hospital, according to Dr. J. F. Bredeck, tubercular comptroller of St. Louis, Mo. An investigation is being made by the city authorities.

Hospital Commissioner, Dr. Jordan, has been corresponding with the federal prohibition enforcement authorities for some time, according to Dr. Bredeck. "The last letter was last week, I believe," he added, "Our main trouble is with employees. Some of our patients had to be discharged because of intoxication, but the most serious difficulty is that the employees themselves get drunk. Our labor turnover is enormous, because we cannot keep intoxicated employees. The morale is noticeably lowered. I do not know of a single case where a nurse has left because of abuse by drunken patients, but I do know of a lot of cases where employees have been discharged because they were drunk, themselves."

On May 2nd, 1923, a certain enforcement agent handed his resignation to Mr. Nations, chief enforcement agent at St. Louis, Mo., when asked his reason

for so doing, he said, "I'd rather be a dog catcher and be respected than keep on grafting in this hellish business of prohibition enforcement; you cannot be honest and play favorites at the same time, for my part I got enough of it."

* * * * *

We are now in the process of fostering a new industry in our Country, smuggling and rum-running, killing all respect for law and order, stimulate the consumption of alcohol in its worst form. Wines and beer are interdicted, but gin, rum and other brands of whisky, containing high per centages of alcohol find their way into a dry Country, the money goes out and nothing comes in. Even Uncle Sam is engaged in law-breaking; Uncle Sam spent \$139,472.47 in assisting boot-leggers and speak-easy's during the first year ending June 30, 1922, for the purpose of collecting evidence for prosecution. Think of it, dear reader, is there anything more disgraceful, more illegal, more corruptive of public morals, more monstrous an example to set to the youth of our land? Do we have to commit burglary in order to catch burglars? Do State and County prosecutors have to commit bigamy in order to catch bigamists? Do they spend the peoples' money for the purpose of enticing women into white-slavery in order to catch the white-slave traffickers? Nor do they practice adultery in order to catch the fornicators, or burn down houses in order to catch those guilty of arson,—etc., etc.; yet, here we have a law in our U. S. Statutes book which almost sanctions these monstrosities in violation of the principle of plain common decency; plus, the rich, as a class, are always shown favors while the poor are prosecuted and persecuted.

No honest man, nor political party worth-while talking about will attempt to justify policies of these kind, the very men, not all, of course, who passed this Volstead Act, violate it almost daily in private and in your presence; many of the sworn officers of the law, even Judges on the bench do not respect this law, how then can one expect the rank and file of citizenry to obey, and the most astonishing fact is that the W. C. T. U. and the Y. M. C. A. do not hesitate to violate this law at private and public dinners where liquor is dispensed.

By hypocrisy we have been making law-breakers, not of the worst, but out of millions of our best citizens of America, a condition never before reached and recorded in the history of our Country; and the worst of all is that we close our eyes to such monstrosities, like true hypocrites. This is not a theory, but a condition which should wake-up every honest man and woman of our Country, a condition which invites upon our heads unmitigated contempt and ostracism from the civilized world.

* * * * *

IT'S DAWNING. Emotion has long been charging King Alcohol as the agent of all the crimes on the calendar, fake science, half-sister of emotion,

endorsed its abolition obviously for selfish purposes, and Dr. Fisk's books is no longer the code of applied science in therapeutics. Now science, in the person of Dr. Pearl, professor of biometry at John Hopkins, has given alcohol a certificate of reasonable good conduct in reasonable good Human Society, with the result that Miss Emotion appears as a libelous and scandal-mongering character assassin.

Dr. Pearl first experimented with chickens. Those that were put on a alcoholic diet swept past the abstainers amazingly. They developed superior virility, surpassing beauty, and a good deal more enjoyment of life in every way; they became the aristocrats of the barnyard. Their progeny carried on the tradition, and invariably carried off the honors at shows and fairs.

Those tests were carried out with great patience and thoroughness, both essential virtues of the true scientist, and the secret of the old chicken fanciers was no longer a secret.

In consequence of this discovery, the doctor's curiosity was aroused as to the accepted effects of alcohol on man. Researches along this line had been made, but not of a character to satisfy the exacting Dr. Pearl, he undertook a survey of his own. His observations disclosed the fact that moderate drinkers of alcohol enjoy a vital advantage over total abstainers, save for an interval at the age of 55, where they drop slightly, only to resume leadership and retain it to the end of the expected long life. More surprising than that, is the discovery that the heavy drinkers have a lower morality rate than the total abstainers up to the age of 40, and even after that age the disparity between the abstemious and excessively indulgent is inconsiderable.

It was also discovered, from numerous autopsies, that many deaths charged to alcohol, such as cirrhosis of the liver, are not of alcoholic origin, as the medical profession is prone to make us believe.

Brushing aside the bogies of emotionalism, the principle value of Dr. Pearl's researches lies in the fact that the moderate use of alcohol as a beverage does not diminish the expectancy of life, but at up to 55, and after 65 the moderate drinker is a better insurance risk than is the total abstainer.

Whatever the ultimate effect of these investigations with others that ought to follow may be, is, of course, conjectural. But, if Dr. Pearl's observations are true, and can be verified by competent and honest allies, the demand for a moderate restoration of alcohol as a beverage, will become uncheckable. The insurance companies, challenged by the facts, would have to change their business policy, and naturally would exact a higher premium from total abstainers than from moderate drinkers.

* * * * *

To show our readers how far the absurdities of the Volstead Law will lead us to, let us cite an incident that happened in one of our Justice of the Peace Courts. A stalwart Hungarian was brought before the Judge and the following interrogatory brought out the following facts:—

Judge—You are accused of brewing beer?

Defendant—Yes.

Judge—Have you any children?

Defendant—Yes, your honor, six, and one on the road a-coming.

Judge—What do you do for a living?

Defendant—I work in a shoe factory.

Judge—How often do you make beer?

Defendant—Every two or three weeks.

Judge—In a brewery?

Defendant—No, I make beer for myself and family only.

Judge—Where?

Defendant—At home.

Judge—Your home is a brewery?

Defendant—No, sir, its my homè where I live in.

Judge—When you make beer at home, your home becomes a brewery.

Defendant—But, Judge, I never sell any beer.

Judge—It makes no difference, your home is a brewery. What is your wife doing?

Defendant—She sews, cooks, and keeps house, makes dresses for the children, washes and gives them baths, learns the children to pray, brings them to school, does her own laundering, raises chickens and the children.

Judge—that's enough, what are you doing when at home?

Defendant—I repair the shoes for the children, grind the meat and make sausage, carry out the ashes, bring in the coal, last night I made sauer kraut, and,

Judge—That's enough, TWENTY-FIVE DOLLARS FINE, AND COST. You seem to be a very busy man. Mr. Marshal call the next case.

When the poor devil got home, his wife asked him how he got along, he answered, "Oh very well, we are getting rich; our home is now a brewery, a children factory, a dress factory, a shoe factory, a boarding house, a bathing institute, a laundry, a chicken farm, a sausage factory, and a sauer kraut factory. Oh! Home, sweet home."

Make no mistake, Puritan.

We, lovers of liberty, are against you.

"He that is not with me is against me"

It was no Puritan,

But a consorter with publicans and sinners:

A consorter with, but neither a publican nor a sinner;

A giver of wine rather than water;

And the best of wine, no mere grape juice;
 A drinker of wine, but no drunkard.
 Because we would be free and happy;
 Happy because free.
 You condemn us as debauchers and malefactors;
 So did your predecessors in all ages.
 How can we compromise with each other
 While you assert that liberty must be license?
 Make no mistake, Puritan,
 We, lovers of liberty, are against you.

H. M. Williams.

* * * * *

Some members of the United States Senate begin to decry the present mania for calling upon Congress to effect by legislation a ready cure of our ills. Thus, Senator King, of Utah, says:

“If evils exist among the people they can be cured only by the people themselves, either individually or in the smaller units of States, and localities. We are witnessing in America today, a demonstration of the fact that great reforms, particularly in the moral line, cannot be grafted on the social organism from one centralized point. There are great reforms needed—there is no question of that,—yet, the only way they can be effectively established is to start with the people themselves, in their local units. Only then can you have behind them the public sentiment necessary to back them up. “But today, when confronted with these problems, we organize great mass-meetings and propagandas and rush for the passage of laws conferring on a centralized bureaucracy the powers and authority and sovereignty which are the precious possessions of the people themselves as individuals. The result has always been the same. When you centralize power you build up bureaucracies, bureaucracies lead to despotism and despotism leads to revolution and ruin.”

“It is very well”, says the P.-D. “to lecture the people on their ignorance and indifference, but the plain facts are that the members of Congress are their political representatives, installed in Washington for the very purpose of preventing the tragic eventuality Senator King pictures. The people did not create the Federal bureaucracy now regimenting the citizens of this Country. It is the creation of Congress, which has ignorantly or spinelessly yielded to the threats of highly organized fanatical groups, skillfully marshaled by high-salaried professionals.” We may add, that according to Washington, Sept. 22, 1922 (by U. P.)—Bootleggers have killed 125 prohibition enforcement agents, and wounded more than 3,500, Prohibition Commissioner Haynes estimated today. Of this number, twenty-four were Federal Agents

and the remainder State, County and Municipal. Fewer than fifty bootleggers have been killed in the same time, Haynes said. If this is not war, what is it?

THE BATTLE OF THE CHASE

W. F. Brashears, in the same paper, writes as follows:— The only citizens who defend the Chase Hotel raid, seem to be preachers or professional prohibitionists. The Eighteenth Amendment and the Volstead Act have two fatal defects that are a bar to their being regarded seriously by citizens. The first is that it was “engineered” through, and the second is that it is a church-made law. The Anti-Saloon League is a church organization. Its president is a Bishop of the Methodist Church, and all of its leading officials are ministers. Indeed, it proclaimed itself, “The Church in Action” until the question of church and state was brought up. The League held the signed pledges of every legislator, state or national, to vote for prohibition, who voted for the passage of these laws.

As many voters did not know that their candidates had signed these pledges, and the issue was submerged, the passage of the law was a prostitution of the representative form of government. It was never a plank in either the Democratic or Republican national platforms on which the voter could express his opinion at the polls.

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The Anti-Prohibition League of Missouri, organized July 25th, 1921, held twenty-one public meetings during the years 1921-22. The first one at New School Hall, 1420 Mallineckrodt, Sunday, Nov. 27, 1921; Drill Corps Hall, Iowa and Sidney St., Sunday, Dec. 4, 1921; at St. Anthony's Hall, Jan. 30, 1922; at Bundeschor Hall, 14th and Howard St., Feb. 13, 1922; Wieser's Hall, 20th and East Grand Ave., Feb. 20, 1922; Kulage's Hall, Warne and Kossuth, Feb. 27, 1922; Rodenberg's Park, 6200 North Broadway, March 7, 1922; Neumeyer's Hall, 8th and Lafayette Ave., March 13, 1922; Triangle Hall, 4100 S. Broadway, March 20, 1922; Dewey Hall, 2301 South Broadway, March 27, 1922; Gill's Hall, Easton and Marcus Ave., April 9, 1922; South-West Turner Hall, Potomac and Ohio Ave., May 13, 1922; North St. Louis Turner Hall, 1928 Salisbury St., May 26, 1922; Rock Springs Turner Hall, Boyle and Chouteau Aves., June 6, 1922; St. Andrew's Hall, Hoffmeister and Military Roads, June 23, 1922; Triagle Park, 4100 South Broadway, July 6, 1922; Creve Coeur Lake Farmers' Club Hall, July 29, 1922, and other Halls. These meetings were all well patronized and lectures were given on the Constitutional right of the people by the President of the Organization, Mr. Thos. E. Mulvihill (lawyer), Mr. E. V. P. Schneiderhahn (lawyer), Mr. Henry A. Kersting (lawyer), Mr. Lorenz F. Padberg, President of Padberg Mercantile Co., Mr. Bernard P. Bogy, candidate for Congress 11th Congressional District, St. Louis, Mo., and others. Mr. Bogy (has been the contestant of the election of Mr. Harry B. Hawes), at the meeting at St. Anthony's Hall, made the following statement:

“I spent the greater part of the Spring and Summer of 1921 in the Capital and as I was contending for a seat in the House of Representatives, I became acquainted with a large number of the members.

“I have traveled extensively in Europe, Asia, Africa, Mexico and other countries, as well as in this Country, and in my opinion there is no community on the face of the earth, where liquor is so generally used as in Washington, and no class of men who so generally drink, and so copiously drink whisky as the members of the House of Representatives of the United States of America.

“It is a well-known fact that whisky can be obtained, in any quantity, by the members of Congress right in the House Office Building, and it is my firm belief that it is consumed in greater quantities by some of the ‘dry’ members than it is by the ‘wet’ members. I am not a ‘snitch’ so I won’t mention names, but I have never drank better whisky, gin, and other alcoholic drinks in my life than I have in the offices of some of those distinguished ‘statesmen’, who vote ‘dry’ and keep comfortably ‘wet’. I was sitting in the front row of the gallery one day with a well-known newspaper woman, and saw the Sergeant-at-Arms (I believe it was Col. Jordan) go to one of the members, help him up from his seat, and almost carry him from the floor. He was disgustingly drunk. I asked the newspaper woman who he was and she told me that he was one of the prominent ‘dry’ leaders.

“I have frequently seen such things and it is a well-known fact that there is a deal of indulgence that goes on in the cloak room. In former days when they had saloons or ‘Cafes’ right in the Capitol Building, if a member wished a little stimulant he would go to one of the places where they sold it in the building, take his drink like a man, and go back to the floor in a sober condition. Now, when he wants a drink he goes secretly to the cloak room, or some other place, like a cowardly hypocrit and hits the bottle, and possibly does not stop until the bottle has been properly ‘killed’. Then he can go to the House of Representatives Building and replenish his supply without limit.

“One of the most unjust features of this entire unjust un-American law is that while the congressman who voted for this unfair law, gets good liquors, his victim, the ordinary every day worker, if he wishes to drink at all, and refuses to become a slave to a fanatical minority of hypocrits, must drink rotten, poinous ‘hootch’ that is filling our hospitals, insane asylums, blind asylums, jails, and GRAVES with the unfotrunate victims of that unfair, tyrannical minority, who were too cowardly to allow the matter to go before the people of the country for a referendum vote. While I was in Washington waiting a decision it was proposed to me that if I would agree to vote with the ‘drys’ for all measures that would be for the strict enforcement of pro-

hibition I could count on being seated in Congress; I replied that being a real one hundred per cent American, a real son of the revolution; and firm believer in real American Liberty, that if ninety-nine per cent of the people of the Country believed in prohibition, I would stand against a wall with the remaining one per cent and be shot full of holes rather than vote for any measure that would nulify the great American doctrine of inalienable right to Life, Liberty and the pursuit of Happiness," and added that he never met a dry advocate whom he did not regard as a hypocrit, and if necessary could mention the names of Congressmen who vote "dry" on the floor, and would get very drunk in other places.

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Washington, Jan. 10, 1923. (Universal Service)—Representative William D. Upshaw, of Georgia, declared in a speech in the House yesterday, that he knows enough about liquor drinking among high officials in Washington "to well night break the heart of any man who loves to see public men walk in sobriety and righteousness before the youth of our land." "I have seen with my own eyes," he said, "some of the highest officials in Washington, not members of either branch of Congress, lifting the devilish bottle to their lips."

"I declare now what most of you know, that boot-leggers ply their devilish trade among too many public men in Washington. No 'dry' official will stand up and declare an alibi, because his reputation does not make it necessary, and the drinking one will not dare deny, for there were other witnesses besides me. And as for members in this House, God knows I find no pleasure in this disclosure, but the bright daughter of one of the best men in Congress said to me 'We are with you'. I wish you could stop liquor selling and drinking in this House Office Building.' And here is a signed letter(holding aloft the communication) that says: 'A professional boot-legger told me a year ago 'The House Office Building furnishes my best costumers, and as long as those 'blankety-blanks' keep buying I am going on selling'. I have reported him several times, but they let him pay a fine and he goes right back to boot-legging. He does nothing else. The man, congressman or other high official, who sneakingly helps that scoundrel to damn the youth of our Country is unworthy to hold any office beneath the flag.'" (Here we have proof on the Congressional Record).

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His Eminence, Cardinal Gibbons, in 1918, according to the Baltimore press, spoke decisively against the national prohibition Amendment, we quote from the "Baltimore Sun". "I feel", said the Cardinal, "that if the amendment is ratified there will spring up in all parts of this Country illicit stills that will manufacture a low grade of whisky that will do more harm than the good grade is alleged to be doing. Beer and light wine will pass out of existence, and the man who wants a drink will have to resort to the brand of in-

toxicant that is made surreptitiously, and we all know what effect that will have on the men of the Country."

It is argued by those favoring the ratification of the amendment that liquor is injurious and therefore should be exterminated. There are many articles in the average drug store that are more injurious to the human system; many articles that are deathly if taken internally, yet we would not think of closing the drug stores of the nation because a few persons now and then get from the druggist poisons with which to end their lives. The nation would not for a moment consider the abolition of medicinally necessary poisons from these stores. Liquor is an aid to health at times, as any reputable physician will tell you if you take the trouble to inquire. It has been used to great advantage in the preservation of health and it therefore is something that does not injure the human system when taken in moderation.

"There is no greater advocate of temperance than myself. I have preached it on every occasion when I have had the opportunity. I felt that this is the only way to overcome the evils of drink that do exist. I am certain that it cannot be done by the Prohibition Amendment, for there will be as nearly as much liquor available, but of a low and harmful grade.

"Liquor is one of God's creatures, Christ proved that at the wedding feast when He changed water into wine and blessed it. Our Saviour would never bless something that was to be a curse to the human race, as the advocates of prohibition would have us believe. Some try to argue that the drink that Christ made for the wedding feast was comparable to the modern grape juice, but this is not so. It was wine in every sense of the word. It seems that some of our legislators would make Mohammedans of us. Mohammed's tenets forbid the use of wine, yet the Mohammedan drinks in seclusion his wine or his other liquor despite his faith.

"It will be a calamity if this amendment is adopted. It will be only a step for the abridgment of other liberties that we enjoy. Those favoring the amendment will not be satisfied with this victory and they will try to impose other obnoxious laws upon us that will make our personal liberty worth very little.

"If the members of my Church carried on a campaign in the legislative halls of the Country with the same vigor as the Prohibition advocates they would be accused of trying to seize the reins of Government and of pushing the Country into a terrible plight. I feel deeply this attack on our liberty of living and partaking of those things which the Creator has provided for us, and trust that legislators will have the courage of their convictions and vote

to retain the power of the State over this business which can be made as clean as any other."

Commenting upon the Cardinal's statement, the "Baltimore Sun" very aptly says:— There are, on both sides of the liquor fight, men who are actuated by personal interest. The paid agents of the organizations working for prohibition are of this class; so, on the other hand, are the distillers and the brewers. The men who have a personal interest in the result are in the forefront of the fight. They are very vocal. The personally disinterested men, however, the honest and sincere men who form the great mass, both of those who favor and those who oppose prohibition, are heard from less frequently. They keep in the background.

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'THE MINUTE MAN', issue of August 22nd, 1922, furnishes a clue, if such were needed. It is characteristic of human nature that people are wont to judge others by themselves. The anti-Catholic forces are no exception. It is an open secret, acknowledged by Protestant leaders, recognized by people in general, that the non-Catholic Churches are "in politics". Notable among the "moral forces" which not only seek to influence our government, but succeeded in doing so, are two or three of the larger non-Catholic denominations. Oddly enough it is these same denominations, busily engaged in political activity, who are loudest in their denunciation of the supposed political activity of the Catholic Church. They cannot believe that Catholics and the Catholic Church are not altogether like themselves. Their knowledge of the Catholic Church being entirely derived from sources avowedly hostile to the Church, makes them ready to believe, that, like themselves, we are interested, not in religion, but in politics. Lest this should seem too strong a statement, and lest we should be accused of lack of charity in making it, we should submit the Article from The Minute Man, which speaks for itself: "THE PROTESTANT BUILDING"—The Board of Temperance, Prohibition and Public Morals of the Methodist Episcopal Church is sending appeals to men of wealth throughout the Country for a contribution of One Thousand Dollars toward the erection of what they call "The Protestant Building", in Washington, to be erected on a site facing the Capitol. They state that this building will cost \$500,000, toward which sum they have already in hand \$250,000—The appeal is accompanied by a blank form for subscription headed "For a Permanent Protestant Building at the Nation's Capitol", and by a little circular which reads, in part, as follows: "The Methodist Board of Prohibition, Temperance and Public Morals is preparing for the erection of a half-million dollar building adjoining the Capitol Grounds at Washington, D. C., facing the Capitol Building. This project has been advertised nation-wide and received the approval of the Board of Bishops of the General Conference of the Methodist Church."

“The purpose of this building will be to furnish a Christian Center where legislation for moral uplift shall be encouraged and aided in passage through Congress. The closest watch is kept upon Congress and notices dispatched to the friends of moral legislation when the same is pending, and danger signals sent out when good laws now embedded in our statutes are threatened with repeal. (Prohibition.)

“In order to care for increased demands upon us, and in order to defeat the false propaganda regarding the effectiveness of moral legislation, which is being sent broadcast throughout the world, we need not only to increase the output of information which is being requested but to have a headquarters, the character and position of which will command the attention and respect of the whole civilized world.

“Whenever any important legislation is pending we welcome co-operation of all classes of people, Jew or gentile, Catholic or Protestant, regardless of race or color, partisan or Church affiliation.”

We need not comment, says “The Minute Man”, on the extraordinary logic which leads the Board to, as they express it, welcome co-operation of all classes of people, including Catholics, as in view of their well-known sentiments in regard to the Catholic Church this will merely cause amusement among members of that great Communion, but it is interesting to note the enormous sums of money, at the disposal of this body, whose interference in politics is so strongly and rightly condemned by all citizens who know the value of the American tradition of the separation of Church and State.

CHAPTER XIV

Prohibition Afloat

Interesting facts, bearing on the enforcement of the Volstead Act on the part of the Government supported by documentary evidence were published in pamphlet form by Anheuser-Busch, Inc., St. Louis, Mo., on June 15th, 1922; and statements especially prepared by George W. Eads, Publicity Representative Anheuser-Busch, Inc., and published in the "CAVEAT", issue of October 1922, as follows:—

Letter from Adolphus Busch III, transmitting to the President of United States a letter from August A. Busch, President of Anheuser-Busch, concerning the violation of the Prohibition Laws by a department of the United States Government:

St. Louis, Mo., June 8, 1922.

My Dear Mr. President:

I am transmitting herewith a letter we have just received from my father, August A. Busch, president of Anheuser-Busch, Inc., written on board the United States S. S. "George Washington." Kindly note that he expresses astonishment that the Prohibition Laws of the United States are violated openly upon steamships owned by the United States and flying the United States flag. A copy of the wine list, enumerating intoxicating liquors of every character, is enclosed for your information.

Because it is axiomatic that American ships, wherever they float, are American territory and under the jurisdiction of the laws of the United States, the Government's liquor policy with respect to the ships of the United States Shipping Board constitutes a violation of the Constitution and the Volstead Act in at least three important respects:

As American sovereignty follows the flag, it is a violation of the Constitution and the Enforcement Act for the Government to sell intoxicating liquor or permit its sale on board any ship of the United States anywhere in the world.

It is a violation of the Constitution and the law for the Government ships to transport intoxicating liquor within the three-mile coast line.

It is a violation of the law for a Government ship to possess intoxicating liquor within the three-mile coast line.

We are reliably informed that the advertisements of the United States lines, published in European newspapers, announce "choice wines and liquors," on ships of the United States. The Government, however, appears to have thought it unnecessary or inadvisable to take the American public into its confidence by announcing that it had found it necessary, for business reasons and for the defense of the country, to exempt one of its own great business enterprises from the operation of the Constitution and the Enforcement Act.

We are also reliably informed that during all the time that the Government has been violating the Prohibition Laws it has had public speakers touring the country for the especial purpose of preaching respect for the Prohibition Laws to the American people.

We are enclosing what appears to be a Government-inspired newspaper editorial making a plea for the continued violation of the Prohibition Laws on board United States ships. We had authoritative information, the day before this editorial was published, that it was to appear the following morning.

The Government's disregard of the Prohibition Law and its policy of inspiring editorial support of the exemption of one of its business enterprises from the operation of the law, on the one hand, and its feeble attempt to enforce it, and the employment of skilled orators to counsel respect for the law, on the other hand, appear to be most inconsistent.

It seems to us that the Government's own policy of exempting itself from the law, for financial reasons, or even for defensive reasons, does more to create disrespect for the law—and for all other laws—than anything the Government possibly could do. The American people are continually being told by department officers, and by some super-Governmental organizations which appear to control the acts of the Enforcement Department, that all who fail to obey the Prohibition laws—and even those who favor their reasonable and sane amendment—, are disloyal to the Constitution.

May we not suggest, with all dues respect, that if the Government wishes the American people to respect the Eighteenth Amendment and the Enforcement Act, it should prove its sincerity by setting the example of obedience to the Amendment and the Enforcement Act itself, or change the law.

With assurances of esteem,

Sincerely,

To the President,
The White House.

ADOLPHUS BUSCH III,
First Vice-President.

Letter from August A. Busch, President of Anheuser-Busch, Inc., written on board the United States S. S. George Washington, and mailed from Cherbourg, France, to his board of directors, instructing them to inform President Harding that the Prohibition Laws are openly violated on ships owned and operated by the United States and flying the United States flag, that passage is sold on these ships on a money-refunded guaranty that the Prohibition Laws will be disregarded, and that this makes the United States Government incomparably the biggest "bootlegger" in the world.

Aboard Steamship "George Washington."

May 15, 1922.

My Dear Associates:

We are now approaching the coast of France and have nearly completed the first part of our journey.

As this vessel is operated by the United States Shipping Board, I was amazed to learn that the Shipping Board vessels are the "wettest on the ocean." Never before have I crossed the Atlantic and found so much liquor sold as on this ship. This statement can be verified by many of my fellow passengers.

I learn that passage on these ships has been sold with a positive money-back guaranty that the bars for the sale of intoxicating liquors will be thrown wide open as soon as they pass outside of the three-mile coast line.

This makes the United States incomparably the biggest bootlegger in the world.

There are two reasons which I believe should impel us to bring this information to the attention of the President: the Chief Executive is charged with the duty of defending the Constitution and taking care that the laws are faithfully executed and should be informed of this fact. As manufacturers of legal products, we have been forced for more than two years to meet unfair and unlawful competition in practically every town and city in the United States. For the United States to set aside its Constitution and laws, in the operation of its own business enterprises, increases our difficulties many fold, because, it encourages violators of the law to renewed and greater activity.

I understand that the Shipping Board brought to the notice of high officials of the Government the fact that it could not compete on the high seas with ships of other nations and obey the Constitution and the Volstead Act. And that either by direct or indirect means the Shipping Board is permitted to do in the dark that which it is illegal to do—, in order that it may make money.

I venture to remind the administration that every bootlegger, every moonshiner, every illicit manufacturer and distributor of beverages containing as much as one-half of one per cent of alcohol, violates the Constitution and the Volstead Act for precisely the same reason—, financial gain.

Will juries be inclined to punish individuals charged with violation of the prohibition laws, when they know the Government is itself the greatest, most flagrant and most inexcusable violator of the laws which it invokes against its citizens.

We presented to the President in December, 1921, facts which prove that the government has not been fairly and impartially enforcing the prohibition laws as between its own citizens, and that its methods were penalizing those who were obeying the laws, and enriching those who, with impunity and without fear of punishment, were violating them, and the President said in a letter, dated December 19, 1921, to our attorney Oliver T. Remmers (a copy of which I brought with me to show to some friends in Europe):

“I can say, however, that the Government is honestly attempting to enforce the prohibition law, though it must be confessed that many difficulties are put in the way of those charged with this responsibility. I do not think they are permanently insurmountable. If such an unfortunate state is ultimately proven, it will be a matter for the various consideration of both the legislative and executive branches of the Government.”

We should submit to the President, that the Government's toleration of the violation of the law by the Shipping Board is proof that the prohibition laws, as now written, are either impractical and non-enforceable, or are being disregarded deliberately.

Public opinion is not always accurately reflected in legislative enactments —, often forced under pressure of a highly organized minority—, nor even in the election returns. But the habits, practices and desires of the people in their everyday life do give us an absolutely true expression of public opinion. The fact that citizens of the United States would not buy passage upon ships of the United States so long as the Volstead Act was operative upon these ships, gives us the real sentiment of a considerable part of the American people with respect to prohibition, and we believe that a great majority desire a modification of the Volstead Act.

Many prominent citizens now think the time has come when the Congress of the United States should be frankly informed by the President that the utmost efforts of the Government have failed to such substantial extent as to prove the need of a reasonable amendment. In this connection it is sug-

gested that the Government's practice in exempting its ships from the operation of the prohibition law is an admission that the law cannot be impartially and adequately enforced.

Cordially and sincerely,

AUGUST A. BUSCH.

Editorial published in the Chicago Tribune, May 6, 1922, following a visit to the editorial offices by an official of the United States Shipping Board. At the time of the publication of this editorial there had not appeared any news dispatches revealing the facts as here outlined. The general but not invariable rule in metropolitan newspaper offices is that editorials are based upon facts published in the news columns. On May 5 we were informed that this editorial would appear on May 6—, and the information did not come from the editor of the Tribune. These facts indicate that this editorial might have been inspired or the information supplied by an official of the United States to support the Shipping Board in its enterprise in having United States ships arbitrarily and illegally exempted from the Prohibition Law.

CHICAGO TRIBUNE—The World's Greatest Newspaper

PROHIBITION AND AMERICAN SHIPS

Judge Hutchinson of the federal district court in Texas has ruled that it is unlawful for American ships to carry and supply liquor even outside the three-mile limit. The ship itself being part of the national territory the prohibition enforcement law applies, and passengers cannot be served with liquor. The federal prohibition officers had seized liquor on the shipping board vessel Mount Evans and the legality of the seizure was tested in court.

This decision may stand in the higher courts and it will affect the American merchant marine unless congress can and will exempt American shipping, when outside of American waters, from American sumptuary law.

The great fast boats which are invaluable as auxiliaries to a navy are made possible by people of means—unless they are supported by heavy subsidies. It is the demand of people of wealth for speed and comfort in travel which produces the great lines and sustains them in operation.

Most people of wealth will not submit to American prohibition laws when they leave the United States—; not many of them will travel on American boats if on them prohibition spreads all over the seas. Many Americans who are not plutocrats will not travel on a prohibition boat when they can take passage on a fine ship under another flag. No foreigner will take a dry American ship.

At first the shipping board thought that prohibition must follow the flag but realized that in such case travel would not, and the new American mercantile marine enterprise would be a failure. Therefore the board decided to make the success of the marine the first consideration, and liquor has been served on American ships just as it is served on the ships of other flags.

Sincere prohibitionists may believe that the facts of the case should be otherwise, but their belief will not make American passenger ships operate. The nation never before needed a merchant marine as it needs one now. Under the naval limitation a large part of competition has been transferred from war ships to merchant ships, and if the United States cannot maintain a merchant fleet it cannot keep its place in the naval ratio. It has trusted its defense to the ratio and it loses its defense if it loses its place.

The ships particularly needed as auxiliaries are the great, fast ships convertible into cruisers, into transports and probably into airplane carriers. Here speed and size are essentials and it is precisely this class of ships which, to be sustained on the seas, demand the patronage of the people who pay top prices for passage and demand in their service the things which money can buy. They will not travel dry, not many of them, when they can take a British, French or Italian, or any other boat and get what they want.

If the United States government were operating the American ships there might be an embarrassing inconsistency in permitting the service of liquor, but, the American government proposes to subsidize and not to operate the ships. They will be privately operated under the American flag and available for the American navy if needed. Is it not a stretch of national conscience to permit an American ship, when outside of American waters, to provide the service found on the ships of other nations?

If the United States does not do this it will not have any liners, not any which depend upon passengers for their operation.

Facsimile of the Wine List of the United States S. S. George Washington, listing all the popular varieties of intoxicating liquors, and the prices at which they are sold by the United States. This list was mailed by August A. Busch, from Cherbourg, France, when he was a passenger on the George Washington. The George Washington is a former German liner, awarded to the United States Government as a war prize.

United States Lines

WINE LIST

S. S. "George Washington"

PRICE LIST OF WINES, ETC.				Bergundy (Red):	
Champagnes				Volnay	2 50
	\$	cts.	\$	Poncie Fleurie	2 00
				Moulin au Vent	2 00
		Qts.	Pts.	Cote de Beaune	2 00
1911 Gordon Rouge	5	00	2	Pommard	2 50
1906 " "	5	00		Beaujolais Fleuri	2 00
Moet & Chandon, Brut				Santenay	2 00
Imp.	5	00	2		
Heidsieck's Dry Mono-				Bergundy (White):	
pole	5	00	2	Chablis Clos 1916	2 50
Mercier Private Cuvee	5	00		Chablis Superior	2 50
Burgeff & Co., Sparkling				Rhine Wine:	
Hock	3	50	2	Alsheimer Sonnenberg	2 50
Kupferberg (Gold)	3	50	2	Deidesheimer Neuberger	2 50
Henkel, Dry	3	50		Ruedesheimer Bischofs-	
Mattheus Mueller	3	75		berg	2 00
Pommery, greno nature	4	50	2	Ruedesheimer Oberfeld	2 00
				Duerkheimer Riesling	2 50
Bordeaux (Red):				Steeger Riesling	2 00 1 00
Pontet Canet	2	00		Hainfelder	0 75
Margaux	2	50		Moselle Wine:	
St. Emilion	2	00	1	Aldegunder Palmberg	1 50 0 75
Haut Brion Larrivet				Piesporter Goldroepfchen	2 00
Pessac	2	50		Wiltinger Volz	2 50
Phelan Segur St.				Alfer Herrenberg	2 50
Estephe	3	00		Berneastler Riesling	2 50
Chat. Mille Secousses			1	Vermouth, Port, and Sherry:	
Chat. Senilhae 1918			1		\$ cts.
Bordeaux (White)					Per Glass
Barsac	2	00		Italian Vermouth, Cizanno	
Sauterne Calvet	2	25		& Martini & Rossi	0 20
Sauterne Haut	2	50			

French Vermouth Francais	
Noilly	0 20
Port Wine, old	0 20
Sherry Wine, Dry	0 20

Spirits and Liquers:

	Per Drink
Scotch Whisky, Black & White	0 20
Scotch Whisky, Sandy	
MacDonald	0 20
Scotch Whisky, J, Walker	0 20
Scotch Whisky, Haig & Haig	0 20
Scotch Whisky, Canadian Club	0 20
Irish Whisky, Jameson's	0 20
American Rye Old Charter	0 30
Old American Rye Moonshine	0 30
Gin, London Dry	0 20
Gin, Bols	0 20
Steinhager	0 25
Cognac (Martell's***) per pony	0 30
Hennessey	0 30
Benedictine	0 30
Old Rum	0 30
Jamaica Rum	0 30
Chartreuse, yellow and green	0 30
Cointreau	0 30
Creme de Cocoa	0 30
Creme de Menthe, white and green	0 25
Curacao, Gilka Kuemmel and Grenadine	0 25
Fleischhauer	0 50

Boonekamp, Underberg	
Albrecht	0 25
Aromatique Lappe	0 25
Cocktails, Manhattan, Martini	0 25
" Bronx, Old Fashion	0 30
" Clover Club	0 35
Beer, Stout, and Mineral Waters:	
Bass's Ale	Per bot. 0 30
Guinness' Stout	per bot. 0 30
Beer	per 0.3 Ltr. Glass 0 10
"	Per 0.4 Ltr. Glass 0 15
Beer Dressler's Pilsener, per quart bottle	0 40
Beer, Dressler's Pilsener, per pint bottle	0 25
Budweiser Beer, per pt, bottle	0 20
Budweiser Ginger Ale	per pt. 0 20
Ginger Ale, imported C & C	
per pt.	0 25
Sarsaparilla	per pt. 0 15
Rhenser Water	per pt 0 25
Schweppes Soda	Split 0 15
Apollinaris	" 0 30
Harzer Sauerbrunnen	" 0 25
French Vichy, Celestine Qt. Bot.	0 60
French Vichy, Saint Yorre	Qt. Bot. 0 60
White Rock	Pint Bot. 0 35
White Rock	Split 0 20
Poland Water	Qt. Bot 0 50
Poland Water	Pint Bot. 0 30
Apenta	1 00

Note "American Moonshine Whisky" 30c a pony

U. S. LINES

(Ex-United States Mail Steamship Co.)

BREMEN — SOUTHAMPTON
CHERBOURG — NEW YORK

George Washington

(25,740 Tons)

From Southampton and Cherbourg

NOV. 24-JAN, 5

AMERICA

(22,622 tons)

From Southampton and Cherbourg

NOV. 17-DEC. 15

LONDON — BOULOGNE
NEW YORK

(First Class Only)

PANHANDLE STATE.....Nov. 10
CENTENNIAL STATE.....Dec. 1
PANHANDLE STATE.....Dec. 10

Excellent Cuisine

Choice Wines and Liqueurs

PARIS, 18 Place Vendome. Tel.,
Louvre 50.92

ZURICH, 40 Bahnhofstrasse, Meiss
and Co.

LONDON, 14 Waterloo Place. Tel.
Gerrard 2094

Copy of an advertisement published in the Paris edition of the New York Herald, announcing "choice wines and liquors" on United States ships. Observe that this advertisement was published last November. The announcement that wines and liquors are sold on "Uncle Sam's" ships does not appear in American newspaper advertisements.

How steamship companies, operating steamers of the United States Shipping Board, and flying the United States flag, solicit business by assuring prospective travelers that all kinds of liquid refreshments are available. All American ships flying the United States flag, whether owned and operated by the United States or leased from the United States, or privately owned and operated by American individuals or corporations, are under the jurisdiction and protection of the United States wherever they sail. Passing outside of the three-mile coast line does not transform them into foreign steamships nor does it take them out of the jurisdiction of American laws.

MUNSON STEAMSHIP LINE

82 Beaver Street
New York City

Operating Steamers of the UNITED STATES SHIPPING BOARD
New York to Rio de Janeiro—Santos—Buenos Aires

Mr. Fred Wehmiller,
4660 West Florissant Ave., St. Louis, Mo.

New York City, May 3rd, 1922.

Dear Sir:

This will acknowledge receipt of your letter of April 28th, and in reply

to your inquiry we wish to take this opportunity of advising you that it is possible to secure not only real beer on our steamer, but we also carry all other forms of liquid refreshments. Such refreshments are available after the steamers leave the three-mile limit and until they return to within the three-mile limit.

All our South American passenger steamers carry the American flag throughout.

We trust that under these circumstances we will hear from you again shortly requesting us to make reservation for your engineer from New York to Rio de Janeiro.

In accordance with your request, we are sending you herewith our latest sailing schedule in this connection. You will note our leaflet shows the old rates, which have been substantially reduced and that now the minimum first-class fare from New York to Rio de Janeiro is \$295.00, plus \$5.00 stamp tax.

Yours truly,

MUNSON STEAMSHIP LINE,
F. W. WOLFE, Per W. W. E.,
Passenger Traffic Manager.

(Original on file in the office of Barry-Wehmiller Machinery Company, St. Louis.)

Facsimile of a letter from Prohibition Commissioner Haynes, dated January 14, 1922, stating that prohibition enforcement "is really a matter of education and will require time and patience." This letter was written the day the Commissioner gave out newspaper interviews indicating that prohibition enforcement was a wonderful success and the consumers of alcoholic liquors had been reduced to a negligible number. This letter was in response to our protest that the laws were so loosely enforced that law-abiding manufacturers were being heavily penalized. Several manufacturers have appeared before the Commissioner and demanded an equitable enforcement of the law as a protection to their lawful business. This letter from the Commissioner is a sample of the protection they get:

Office of
Federal Prohibition Commissioner
Pro-Counsel
HMB—068310

TREASURY DEPARTMENT
Bureau of Internal Revenue
Washington

Mr. Oliver T. Remmers,
9th and Pestalozzi Street,
St. Louis, Missouri.

Sir:

Your letter of December 30, 1921, addressed to the President of the United States, has been referred to this Bureau.

Careful consideration has been given to the contents thereof and you are advised that this Bureau is keenly alive to the situation throughout the country. Every effort is being put forth to stop the unlawful manufacture and sale of intoxicating liquor. This is really a matter of education and will require time and patience.

Respectfully,

R. A. HAYNES,

OE

Prohibition Commissioner.

Mr. Remmers is attorney for Anheuser-Busch, Inc.

Copy of an announcement we published in Washington to inform Congress of the violation of the Prohibition Law by a department of the United States. A copy of this booklet has been mailed to each member of the Senate and House of Representatives and the President's Cabinet.

To the Congress of the United States:

Because American ships, wherever they float, are American territory, we have presented to the President, the Secretary of the Treasury, the Internal Revenue Commissioner and the Prohibition Commissioner, a protest against the violation of the Prohibition Law on board the ships of the United States. We have mailed to each member of the Senate and House of Representatives a copy of this protest, containing the proof that the Prohibition Law is deliberately and openly violated on the ships owned and operated by the United States Government and flying the United States flag.

We have repeatedly brought to the notice of the Congress of the United States and the administrative officials the fact that the Prohibition Law is so loosely enforced as to invite its violation and that under these conditions the manufacturers of lawful products are being driven out of business.

When the Government of the United States permits one of its departments to violate the Prohibition Law on the most extensive scale in the world, it helps create a condition which aggravates the difficulties of those manufacturers who have spent millions of dollars to convert their properties for the production of lawful products and who, as a matter of good citizenship, have obeyed the law.

We suggest that when the Government itself violates its own law, to

make money, it sets an example of hypocrisy unapralleled in the history of the Republic.

How, may we ask, can the Government of the United States expect its citizens to respect the Prohibition Law and obey it—, when the Government itself is the chief offender?

We have submitted to the President, and to you, further proof that the Government of the United States is not content merely in the role of chief offender, but that it appears to have inspired editorial propaganda in support of its violation of the law, based upon the fact that the ships of the United States Government cannot be profitably operated without selling liquor in violation of the law.

We have also submitted copies of advertisements published in European newspapers announcing the sale of "choice wines and liquers" on board the ships of the United States.

This condition of affairs has existed since last August, without public protest by any Department of the Government, or by the Anti-Saloon League, which we are informed by Government officials in position to know, has been practically in complete control of the Prohibition Enforcement Department, and, we believe, seeks to use that Department for the spread of its own propaganda.

Although the Prohibition Commissioner issues frequent press bulletins concerning the activities of the widely advertised Prohibition Navy, we have not heard of any bulletin announcing the seizure of United States ships for the sale of intoxicating liquors, or for transporting intoxicating liquors, or for possessing intoxicating liquors—although the Department has full information on the subject.

In view of this extraordinary condition with respect to the violation of a solemn enactment of the Congress by a Department of the United States Government—, and the steadily increasing volume of violations of the Prohibition Law throughout every section of the United States—, we renew our request for an exhaustive Congressional inquiry.

As proof that the Prohibition Law is not being enforced ashore, we submit, in the documents we have mailed you, a facsimile copy of a letter from the Prohibition Commissioner, dated January 14, 1922. This letter was written on the day the Prohibition Commissioner gave out press interviews stating that law violations had been reduced to a minimum; that drinking had practically ceased among all classes of people, and that law enforcement

was practically 100 per cent effective. You will note that the Prohibition Commissioner tells us, in response to our presentation of acutal conditions, that enforcement is "a matter of education and will require time and patience."

Our reason for the publication of this announcement is that we are informed that members of Congress receive such a large volume of mail from their constituents that they sometimes fail to see important communications. We are therefore issuing this public announcement to direct your attention to the copy of our statement to the President and other officials, which we have mailed you.

Since American sovereignty follows the American flag wherever it floats; since the exemption of a Government Department from the Prohibition Law amounts to an official admission that the law cannot be enforced; since this law constitutes the greatest single contributing factor to the business depression; since it is responsible for the almost universal disrespect for law that has grown up among all classes of people during the past two years; and since it has utterly failed to remedy the evils aimed at, we respectfully suggest that the time has come when the law should be rationally amended that it may be fairly administered in the interest of the general welfare of of the nation.

Respectfully submitted,
 ANHEUSER-BUSCH, Inc.,
 St. Louis, U. S. A.

* * * * *

The Censor, Vol. XXVII, 50, writes as follows:—FORCING THE 18th AMENDMENT AND VOLSTEADISM UPON HUMANITY.

Through the courtesy of Paul Bakewell, eminent attorney, of the firm of Bakewell & Church, the Censor has obtained copies of two very important opinions rendered by the United States Supreme Court in cases involving construction of certain phases of the Eighteenth Amendment and the Volstead law. While it was known almost a year ago that such opinions had been handed down, it has not been possible to obtain "advance copies" thereof, because of the delay incident to the printing of these opinions by the government instead of, as in former time, by a law publishing company.

Commenting on the opinions, Mr. Bakewell most appropriately says, "The opinions deal with a very interesting question concerning the eighteenth amendment and the Volstead act in the light of the still existing treaty between England and the United States, which preceded the eighteenth amendment and the Volstead act. This is an instance, it seems to me, where the dissenting opinion is a stronger and sounder opinion than is the decision of the majority of the court. Moreover, this dissenting opinion of Justice McKenna is a classic, it seems to me—a really good piece of literature.

The case is entitled *Grogan v. Walker & Son*. In fact, there are two cases covered in both the majority and dissenting opinion. In them both is raised the question as to whether the eighteenth amendment and the Volstead Act prohibits or can prohibit the shipment of liquors in bond across or through the United States from one foreign port to another, and the transshipment of liquors from one British ship to another British ship in New York harbor. At the time the opinions were given there were eight justices sitting. The majority opinion, which was delivered by Mr. Justice Holmes, was concurred in by Chief Justice Taft, Justices Holmes, Vandevanter, McReynolds and Brandeis. The dissenting opinion, written by Mr. Justice McKenna, was concurred in by Justices Clark and Day. The ninth member of the court, Mr. Justice Pitney, was ill and not on the bench at the time. So at best, there is a majority of only two against Justice McKenna's opinion.

Stripped of its legal verbiage, etc., the gist of the majority opinion is that no injunction can lie against interference with shipments of liquor through this country in bond from one foreign port to another—, that the eighteenth amendment and Volstead act prohibit such shipment, in spite of the treaty between this country and Great Britain for reciprocal action in relation to trade through or across the respective countries, in bond, without subjection to custom charges. In short, as a layman might put it, prohibition legislation in this country supersedes the preceding treaty between the two countries; in effect abrogates or nullifies such treaty. Supporting this ruling, it is argued in the majority opinion that—"The eighteen amendment meant a great revolution in the policy of this country, and presumably and obviously meant to upset a good many things on as well as off the statute books. It did not confine itself to any metriculous way to the use of intoxicants in this country. It forbade export for beverage purposes elsewhere. It is obvious that those whose wishes and opinions were embodied in the amendment meant to stop the whole business. They did not want intoxicating liquor in the United States, and reasonably they may have thought that if they let it in some of it was likely to stay."

That is about the sum and substance of the opinion in the question of liquor passing through this country in bond. In the matter of transfer from ship to ship, the argument of the majority opinion appears to have been that such movement was not "transportation", since the liquor remained in possession of the owner all the time. So in the former case the opinion of the lower court was reversed, thus sustaining the right of interference by injunction; in the other the lower court was affirmed, permitting removal of liquor from ship to ship of the same nation.

The dissenting opinion takes an almost diametrically opposite position, holding that interference with shipments through or across this country from Canada to Mexico cannot be stopped by injunction under the eighteen amend-

ment and the Volstead act, because of the existence of the treaty between this country and Great Britain permitting such shipments of freight in bond. After discussing the whole question involved in the two cases in a learned and most interesting manner for members of the legal profession, going into the details and intricacies of the issues and the principles involved, Mr. Justice McKenna and those who concurred with him say, in part:

‘There is appeal in the declaration (that the eighteen amendment meant a great revolution in this country). It presents the attractive spectacle of a people too animated for reform to hesitate to make it as broad as the universe of humanity. One feels almost ashamed to utter a doubt of such a noble and moral cosmopolitanism, but the facts of the world must be adduced, and what they dictate. They are the best answer to magnified sentiment; and the sentiment is magnified. The amendment and the Volstead act were not intended to direct the practices of the world. Such comprehensive purpose resides only in the assertion and conjecture, and rejects the admonitory restraint of the treaty with Great Britain and the non-interfering deference that nations pay to the practices of one another. If such mission had been the purpose it would have been eagerly avowed, not have been left to disputable interference. Zeal takes care to be explicit in purpose. * * * The treaty is a reciprocation of privileges. Merchandise arriving at ports in the United States and destined for British possessions in North America may be entered at the proper custom house and conveyed in transit through the United States without payment of duties. A like privilege is given United States merchandise arriving at ports in the British possessions for transit through those possessions. In other words, the treaty is an exchange of trade advantages, not necessary to the commerce of either, but affording to that commerce a facility.

‘‘Yet it is said it is the object of the eighteenth amendment to take away that facility, and to take away the right of transshipment of liquor in an American port from one British ship to another. This is the only accomplishment! What estimate can be put upon it? It takes away not a necessity of British commerce, as I have said, but a convenience to it, in disregard of a concession recognized by law and by treaty. * * *

‘‘It is said that the amendment and the Volstead act have a practical concern. If liquor be admitted for transit, is the declaration, some may stay for consumption. The apprehension is serious—not of itself, but because of its implication. It presents the United States in an invidious light. Is it possible that its sovereignty, that what it can command, cannot protect a train of cars in transit from the Canadian border to the Mexican border, or the removal of liquors from one ship to another from the stealthy invasion of inordinate appetites or the daring cupidity of boot-leggers? But granting

that the care of the government may relax, or its watchfulness be evaded, is it possible that such occasional occurrences, such petty pilferings, can so determine the policy of this country as to justify the repeal of an act of congress, and violation or abrogation of a treaty obligation by implication?

“I put my dissent upon the inherent improbability of such intention—, not because it takes a facility from intoxicating liquor, but because of its evil and invidious precedent—and this at a time when the nations of the earth are assembling in leagues and conferences to assure one another that diplomacy is not deceit, and that there is a security in the declaration of treaties, not only against material aggression, but against infidelity to engagements which interest tempts or some purpose antagonizes.”

Having read this masterly declaration of the high principles of right, honor and justice, one wonders that Mr. Justice McKenna did not make specific reference to viciousness of regarding treaties between nations as “scraps of paper,” in view of the opinion sustaining the right to abrogate or nullify a treaty between nations by mere legislative act or court opinion in one of those nations.

* * * * *

W. C. T. U. LITTLENESS

It seems as though we haven't been hearing as much about the activities of the W. C. T. U. since the world's war as we formerly heard—, not nearly so much as we did before the Anti-Saloon League put temperance out of business and dealt Christianity such a black eye by foistering prohibition on the country. Whether this is because of the revelations or accusations against the W. C. T. U. in the matter of its wartime capers, or because of the “masterful” work of the Anti-Saloon outfit, may be a matter of opinion; but it certainly is a fact that nothing like temperance could possibly stand as against that monstrous intemperate thing, prohibition, and it is beyond belief that nothing even pretending to be Christian could survive such un-Christian viciousness as was charged—and not disproven—against the W. C. T. U. in the war. Whatever the cause, though, some sort of a silencer or muzzle seems to have been in operation.

They do poke up their heads and let out a sort of cheep, cheep, cheep, now and then, however, as note the teapot tempest attempted to be fomented over the proposition that the W. C. T. U. tea or something or other be pulled off at the Hotel Chase. It seems that the dear girls of “long, long ago, long ago”—as the ancient song used to run when they had their singing voices still with them—just couldn't stand for any sort of a foregathering in any such a sinful place as a hotel into which the minions and myrmidons of prohibition had once intruded in pursuit of something or other that displeased “Rev.” Shupp. It would never do in the world, some of the dear girls fairly

shrieked. "The place is polluted, tainted, disgraced and rendered everlastingly unfit and unclean, and all that sort of thing; and besides we can get cheaper rates and a better rake-off elsewhere." And so the W. C. T. U. bobs up and declares itself.

It is almost impossible to believe that an organization claiming to be of women, to be Christian, to represent and stand for temperance, could be so stinkingly little! But it is, after due consideration, seen to be entirely characteristic of this outfit through its entire history. Pretending to be for temperance, it is and its members are utterly intemperate in all things. With permission, I will hark back a bit in history: One of the former heads of the organization in St. Louis, Mo. used to make it her special business to go to Jefferson City, Mo. and cavort around the halls of legislation and the committee rooms. It was her specialty to appear before committees, and always she managed to get in some sort of personal attack on the men prominent in the brewing industry in St. Louis. Her attacks with her tongue became vicious, and she included in them members of the families of the men against whom she tried to make war. She attacked—or tried to attack the wives and the daughters, and made vicious allegations against the personal and social lives of these people. She was warned against by personal acquaintances that she would get herself into serious trouble—and she did. Her venom became so offensive that a sort of back fire was inaugurated. Her family history was exhumed, and some of her own doings—notably a story of cocktails drunk on the lawn of her residence.

She was given a tip that the thing was being done, and she fairly threw a fit. She went into hysterics; took to her bed; sent for acquaintances, one after another, notably preachers and newspaper men, and begged them to save her. The burden of her cry was: "For God' sake do something anything, everything, to head this thing off. Don't let them dig into the graves of my poor old mother and father." and a lot more of the same sort. Her own words were, when she learned that the story of her personal and early family life had been put on paper, "I am groing through hell right now!" There you have this W. C. T. U. outfit at its worst and at its best; and in this Hotel Chase matter you have it at its normal littleness.

The Censor suggests, just by way of salutary retaliation, that the hotel people of St. Louis resent this assault on the hotel business by barring completely the W. C. T. U. bunch and its membership from all St. Louis hotels. If these females may make viragoish attacks on a hotel because something occured therein or is charged to have been done therein that doesn't suit their fancy, then the hotel men have a right, are morally obligated, to protect themselves and their business by fighting back. Of course they're only women—but a class of women who are responsible for a vast deal of the troubles and indecencies of life and the worries of business.

CHAPTER XV

Validity of Prohibition Amendment still open to Supreme Court Decision

In the "Globe-Democrat", issue of June 19, 1921, former Federal Judge Henry S. Priest, in special article, says review of original decision seems to be expressly invited by Justice McReynolds. The statement follows:— Let me restate my topic; I affirm that in the American conception of free government it has no powers except those specifically delegated by the people, and the only powers the people can delegate to it are such as will secure to each member of the society the enjoyment of his natural right to Life, Liberty and the pursuit of Happiness; that it has or can have no capacity to endow any person with any rights of special privileges.

In a former contribution I endeavored to illustrate this principle by its violation rather than by its observance. The government, assuming that it had the authority from some source to license the devolution of the property of deceased persons to their natural heirs, imposed a tax, commonly called an inheritance or death tax, upon the descent. This I endeavored to show was a usurpation of power, because no such right existed in any free government whose chief purpose was to protect natural rights, not to create them; that it was a false assumption of power that logically end in disastrous and slavish communism.

I now propose to illustrate another phase of the disregard of the fundamental spirit of our government by a fanatical fancy of superior morality that has seized an unwary and unwatching people by the throat and impounded their Liberty. Fanaticism always means force. This illustration will deal with the Eighteenth Amendment to the Federal Constitution and its enforcing act, styled the "Volstead Act".

DIFFERENCE IN CRIME AND VICE. I want at the outset to make a distinction between crime and vice and to insist that the state may properly punish a crime but ought not to meddle with vices. The one is a legitimate subject of state punitive and remedied control; the other of personal regulation. Nothing should be denounced or punished as a crime by that state that does not infringe upon another's natural personal rights or impair the efficiency of the state in protecting those rights. In respect of personal conduct that does not interfere with another's rights or hinder or embarrass the state in the protection of those personal rights, the state—I mean a free state—has no authorized cognizance. Punishment for one's

vices must come from the society with which he mingles. Intemperance is a vice, and a detestable one, but so long as it interferes with no one else in the enjoyment of his natural right it is not a crime. It may lead to crime, so may many other vices. It may excite evil passions, and so may many others. But the liberty to choose between the good and the evil is the liberty of free men. Covetousness is a vice that leads to all sorts of crime—murder, theft, arson etc.—and its root is in property. Must we therefore destroy all property? Impiety is a vice. Must we therefore legislate for or against churches and religion?

--- I want to consider this constitutional amendment from the point of view that it is destructive of the symmetry and harmony of our system of dual government and its tendency is to centralize all power in the Federal Government and consequently destroy the power of community control which is vested in the states; that it is an usurpation of power by the state, that it is promotive of dangerous tyranny, and that it is immoral.

Prior to the adoption of the Eighteenth Amendment, the United States was a pure federation of independent sovereign states. It regulated their mutual relations and their foreign affairs as members of a federation. It was intended to do those things for the states that they, acting separately, could not do for themselves. It exercises no direct authority over the subjects of the different states, except as to those things that directly affected the federal relations. It was not meant that it should. Its field of activity in conception and early practice was different. It was created after the states and by them to perform certain functions which the states were inadequate of performing or to accomplish. The states were complete sovereigns in all domestic affairs. This is the marked difference between our Federal Government and the federation of German States. The latter had the power and did legislatively act directly upon the people of the states in their domestic affairs. This, in fact was a centralized, while ours was a distributed power—the power of the community. History instructs us that no government far removed from the people can long endure, or endure long free from an odious despotism. All tyrannies are alike in effect. The despotism of democracy is just as offensive as that of monarchy. The revolts of the past were not against the form, but against the conduct of government. They sprang from the anguish of people oppressed by burdens of taxation and enslaved in their freedom. Stealthily and insidiously their rights were invaded by the ruling classes until the burden of living was greater than the terror of death, liberty and the pursuit of happiness that the people, in the words of the Declaration of Independence, exercised “the right to alter or to abolish it and to institute a new government”. The most usual and intimate relations of life are in the community, where customs, habits of thought and ideas make the rules of conduct. Communities differ in all those respects quite as much as nations or individuals.

RADICAL CHANGE IN STRUCTURE. So, by this amendment we have introduced a radical change in the organic structure of our Federal Government. We have commissioned it to legislate upon purely local and domestic affairs of every community in every State of the Union, and have expressly denied to them the power they have been accustomed to exercise for more than a century and a quarter. We have begun the first step towards the centralization of political power at Washington and the destruction of the natural right of the communities to regulate their conduct according to their own conception of propriety.

The states and the communities within the states are comparatively quite as distinct from the seat of the Federal Government as were the colonies from London at the time of the revolution of independence. It was not the distance from the seat of ultimate governmental authority, nor the dislike of association that provoked the declaration of independence, but the local wrongs inflicted by the British Government. It can as truly be said now under the Eighteenth Amendment and the Volstead Act of the Federal Government as it was of King George: "He has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out their substance", and has forbidden us to enact "laws the most wholesome and necessary for public good."

The conduct of men is governed by certain factors, such as inherent, external, nonpolitical and political. We have not the time or space to analyze these different factors. We may safely assert, however, that the most potent are those which play the part in the active life of the community and are nonpolitical in character. Aside from those inherent in man, those relating to his intercourse with his fellow-men in close community contact are the most potent in promoting progress in happiness and prosperity; in material welfare, such as custom, ethics, the parental and marital associations, public opinion or community of thought. It necessarily follows that community government is always the best government for community people—one which more really meets their needs and desires, than a government far removed from them, being unacquainted with their notions and needs of life, unsympathetic with them, and hence arbitrary. So, our fathers, with an appreciative understanding of the motive factors of human conduct and learned in the experiences of the world, provided for, and insisted upon local government in all the relations involving human conduct.

CONFEDERATION HAD NO POWER. The states were independent sovereignties, possessed of all the attributes of sovereignty, before the present constitution was adopted, and the citizen of each state owed undivided loyalty to it. Under the articles of confederation they felt a sense of insecurity and realized a sense of impotency in commanding of the citizen of the respective states those duties and responsibilities necessary to secure its efficiency. The

confederation had no power whatever over the citizens of the respective states and no authority to command the states themselves. So, in order to form a more perfect union, insure domestic tranquility, provide for a common defence, it became necessary for the states to cede a part of their sovereignty and the citizens of the states a part of their fealty to the Federal Government, This was done by the constitution of 1789. That instrument expressly defined the sovereignty that the states and the citizens of the states ceded to the Federal Government and contained a clearly implied reservation of all not expressly ceded, which was by later amendment (Article Four) made explicit. I used the word "ceded" by the states. Article I, Section 1 uses the word "granted". It says "all legislative power herein granted". So, it must be admitted, in the light of language and of history that the Federal Government was founded by cessions, grants or conveyances to it by the states and the citizens of the states. If a simple contract between sovereign states, the right of secession, upon the breach of any covenant by one, could not be denied; but if a grant or conveyance, the things granted or conveyed could not be reclaimed by the grantor. It was the latter, and hence the Union became indestructible. It being then a grant, it must be strictly construed and the grant itself contain nothing that was not expressly granted. So it was affirmed expressly by Article 10, of the Amendments, which was submitted by the First Congress, "The powers not delegated to the United States by the constitution, nor prohibited by it (the constitution), to the states, are reserved to the states respectively, or to the people". These first ten amendments were regarded as a bill of rights, for which Mr. Hamilton contended there was no necessity, because clearly implied from the text of the constitution, but insisted upon in the vote of ratification by many of the states.

IS GOVERNMENT NOT AN USURPER? "Regarding, then, the federal powers as being a conveyance, *pro tanto*, by the states and the citizens of the states and limited to only such as were conveyed, we then inquire, by what just authority could the Federal Government, *in vitum*, compel any state to grant or convey to it any further part of its sovereignty. If it assumed to exercise the sovereignty of any state that it does not voluntarily grant, is it not a usurper? If it undertakes to regulate the domestic affairs of any state that such state has not conceded to it, does it not do so by "vis major"—by conquest?

But it is said the constitution provides it may be amended (Article V.). It is true the constitution provides it may be amended and in the manner of making the amendments (Article V.). But, does this mean that the creature of the states and the citizens of the state may so amend its powers as to compel its creators to give it "that which they did not cede to it"; that by self-assertion it could create powers not inherently possessed, and seize from the states and the people the added power; that because power is given the creature may seize all the power the creators possess? Upon the same argu-

ment, if a benevolently disposed person gives a part of his substance to public beneficence, the beneficiary could seize the whole. Such argument would seem to be absurd. The true construction of the right of amendment in Article V., that the amendment must relate to the powers and methods of exercising them within the grants of the constitution or instrument of conveyance. We cannot refrain from here quoting the argument made by the learned lawyer and philosopher, Mr. George Ticknor Curtis, in his valuable treatise on the constitution. He said (Page 160): "The ninth and tenth amendments are in themselves express fundamental provisions, fixing immutably the reserved rights of the states.

If three-fourths of the states were to undertake to repeal them, or to remove them from their place in the foundations of the Union, it would be equivalent to a revolution. There would remain nothing but the dominant force of three-fourths of the states, and this would soon end in a complete consolidation of the physical forces of the nation, to be followed by a different system of government of a despotic character. "It seems to me, therefore, that while it is within the amending power to change the framework of the government in some respects, it is not within that power to deprive any state, without its own consent, of any rights of self-government which it did not cede to the United States by the constitution, or which the constitution did not prohibit it from exercising. In other words, I think the power of amending the constitution was intended to apply to amendments which would modify the mode of carrying into effect the original provisions and powers of the constitution, but not to enable three-fourths of the states to grasp new power at the expense of any unwilling state."

Again he says (Page 163): But when the constitution, as originally framed and promulgated, came before the people of the several states for adoption and ratification, they were not content to leave this very important matter (original sovereignty of the states) to implication; they demanded an express reservation of all the powers which were not to be ceded by the people of the several states to the Federal Government, or which they were not to be prohibited from exercising. Accordingly the tenth amendment, adopted in 1789-91, was made to declare: "The powers not delegated to the United States by the constitution, nor prohibited by it to the states are reserved to the states, respectively, or to the people."

DECISION NOT CONVINCING. By this reservation every state remains a self-governing political community, in respect to its own inhabitants in every relation in which those inhabitants are not by the constitution of the United States placed under the authority of the Federal Government. It is this mass of rights, privileges and powers not vested in the Federal Government, but retained by the people of each state, that constitutes the state sovereignty. It follows as a necessary consequence from this system,

that the people of every state in this Union have under their entire control every relation of their inhabitants that is not under the control of the United States by reason of some provision in the Federal constitution. With the domestic relations of their inhabitants the states can deal as they see fit.

It is contented, however, that this is no longer an open question; that it is foreclosed by the decision of the Supreme Court in the national prohibition case, 253 U. S. 350. Such conclusions were there announced "without exposition of the reasoning by which they have been reached". The decision is not, therefore, convincing, and, like many antecedent cases, is still open for review. That court reversed its first decision on the legal tender act. That involved quite as important a question of Federal power as does this. A review of this prohibition decision of the court seems to be expressly invited by Justice McReynolds.

Every word of a constitutional provision must be given significance. Here the Supreme Court has stricken out the concurrent power of the states. It may properly be asked whether the states would have ratified the amendment if it deprived them of the concurrent power of enforcing the provisions of the amendment. Was it a mere camouflage to decoy the states into a ratification? If the amendment passed equivocal expressions that might deceive, and by deception undo the intent of those called upon to approve them, then it is not a law, for the reason that it is not understandable by the plain people called upon to give sanction to it.

All legislation of this character, dealing simply with actions or habits not harmful in themselves, but only evil if abused, are unfortunate for the public welfare and morality of the people. They are usually imposed upon at least a very large minority, who feels a sense of wrong in their imposition and are hence resentful and comply with such regulations in ill humor and grudgingly, or by force. The minority resent and defy it. It begets habits of disregard of political authority and weakens the patriotism of citizens. One cannot love his country that is intolerant and shrewd, any more than he can a parent of like disposition. Not only this, but it also begets hypocrisy. Men knowing the law knowingly violate it and only observe it when they believe spies are lurking about. An army of spies and informers cannot suppress either the manufacture or use of alcoholic drinks.

The enforcement of the Volstead Act is imposing a tremendous tax on the people in an endeavor to suppress a vice that never has been and never can be suppressed. If the disregard of its provisions be a crime, then the country is being filled with criminals. If drinking is immoral, then it, like all other immoral things must be subdued by the force of moral persuasion. Compulsion—brutal force—has many times been tried, without avail, to convert sinners into saints. Reform the heart and you reform evil practices.

Fanatics, never want force applied to themselves; they always want it used upon the other fellow, and to enforce their notions, not the other's.

On May 3rd, 1923, The Missouri Branch of the Association Against the Prohibition Amendment forwarded to President Harding a communication attacking the Federal prohibition amendment as violative of the rights of the states, challenging its constitutionality because of duplicity of provision, and requesting the President to submit the memorial to the consideration of the conference of state Governors, called by the President. The memorial was signed by former Judge Henry S. Priest, President of the Association. In part the address follows:

"In the light of the moral and physical calamities attendant upon the past efforts at enforcement of the Volstead Act; is it not better to allow it to lapse into a state of innocuous desuetude, a happy fate, similar to that of many other like efforts, such as the 'blue laws' and the enforcement acts passed pursuant to the thirteenth, fourteenth and fifteenth amendments?

"We have an association composed of thousands of most excellent, good and 'intelligent' women and men, greatly interested in these questions from purely patriotic and moral considerations, who desire in this way through you to make certain representations to the congress of executives for their earnest consideration. They are seriously of the opinion that no law that offends—the moral sense of a very large minority of the people and that punishes the innocent for the sins of the transgressor, that attempts a moral reform through force, can ever be successfully enforced, except through the most offensive and cruel tyranny.

"There is great dissatisfaction with the methods employed in passing this amendment. It was pressed at a time when the soul of the nation was afire with the direct concern of the late war. Millions of dollars were raised and presumably used to aid its passage. A lobby was ever present to challenge any act not conducive to the one purpose of passing the amendment. It was bold enough to challenge the power and influence of the President. Congressmen were intimidated by threats of defeat at election. The avarice of employers was enlisted in the thought of more work, and more efficient work with the same compensation, from employes. Every corrupt, selfish and superstitious factor was brought into the arena to wage the contest in behalf of force and intolerance. The people have not been allowed to vote upon this question—in our state the legislature rejected the popular vote by adopting the amendment.

"NOT FREE FROM DUPLICITY. But the amendment is not free from duplicity, (National prohibition cases; 253, U. S. 350—). Constitutional enactments are supposed to be within easy understanding of the ordinarily intelligent person. This is lacking in the quality of clarity. It may have

been designed for equivocation, to overcome the judgment of those who believe in the rights of states to regulate their domestic affairs. Section 2 of the amendment giving the states 'concurrent power to enforce this article by appropriate legislation' was eliminated by the Supreme Court.

"Again, by the eighth amendment to the constitution 'cruel and unusual punishments' are interdicted. Under the eighteenth amendment, when the states and Federal Government exercise 'concurrent power' to enforce its provisions by legislation, a single act of violation is visited with a double punishment. (U. S. vs. Vito Lanza et al., U. S. Sup Ct., decided December 11th, 1922.) Each penalty imposed by either sovereignty is presumably reasonable or usual. This may be legal but it is not just, neither does it comport with the benevolence of our institutions. Two punishments for the same act is clearly unusual if not cruel. We submit such inconsistencies and doubts should be cleared up by appropriate legislation. While we insist upon obedience to the law and its enforcement so long as it remains unrepealed, we entertain fundamental objections to it arising from other considerations. If this law is strictly enforced upon all alike it will soon have many of the 'sane, virile thinking men in jail and the country controlled by fanatics'."

* * * * *

J. S. A. writing in a newspaper under date of January 12, 1922, comments as follows:— The fanatics of the land have undertaken to make tyranny popular by teaching obedience to oppressive legislation. They have made of "law" an instrument of tyranny, and now seek to extol the virtue of that which has been used for infamous ends. The task these fanatics have set for themselves is impossible of attainment—unless the human race has ceased to love liberty more than authority.

This Republic is the creation of "law-breakers". The men who framed the constitution resisted authority to the point of rebellion. The North swept aside the "laws of a land" to free the slaves. The "best citizens" of the North offered—in defiance of "law"—refuge to the escaped slaves of the South, and there are none so base today as to speak ill of those who offered this refuge to human beings fleeing from bondage. It is only the fool who does not know that respect for just law is the basis of security and order; and it is only the fool who does not know that man will ever refuse to submit to a tyrannical law. If the latter were not true, the first despotism ever erected would have endured unto today.

Law within itself is by no means sacred or just. Unless law through the virtue of its absolute justice is sacred, it can lay no claim to sacredness. Respect for law must be founded upon laws respect for the rights of every man. The purpose of law should be to secure for every man his rights—not

to violate these rights. When the law is made the means whereby one man's particular concept of life is forced upon another man, it is against right, and will be defeated by force—or subterfuge. The history of law is one of dishonor as well as honor. Throughout the ages man has been oppressed and enslaved by law. Man has worn the yoke and chain—through law. Man has died at the stake and on the rack—through law. Man has cried, "Give me Liberty or Death!" and died for his courage—through law. Man has died on the field of battle to perpetuate the rule of his oppressor—through law. The curses and the infamies of the ages have been made possible—through law. Law! Its record is red with blood and black with dark deeds.

The founders of the Republic knew that the oppression of the human race has ever come through "law", and they undertook, through the constitution to make the rights of the individual paramount to the power of government. It was their purpose to establish forever the rights of the individual by restricting the powers of law-making bodies; and upon this single principle of Liberty and Justice, the greatness and happiness of the American people rest. When the rights of the individual are disregarded any form of government becomes despotiè. All tyranny is based upon disregard of man's innate rights.

Let those who are mad for the lack of brain, and those who are mad for the want of gold remember this; the road to liberty is not a highway of "Law and Order", but a path strewn with broken statutes and the shattered thrones of "duly elected" law givers.

What crime has not been committed in the name of prohibition? What outrage of liberty has not occurred in the name of this futile fanaticism? We have seen, in two years, more lives sacrificed to prohibition than the open sale of liquors would take in half a century. We have seen public officials debauched to defeat a form of sumptuary legislation to which mankind has never submitted—and never will submit. We have seen legislative bodies prostituted in the name of "morals", and these law-making bodies enact legislation as pleased the fancy of fanatics; and slick reformers who live in ease and luxury through the oppression of the American people.

We have seen the constitution scoffed and mocked by advocates of prohibition; and its guarantees overridden in a vain attempt to compel the people to submit to a tyranny more absolute than ever dared by the people of old. We have seen even the home ruthlessly invaded by officials of the law, in defiance of the fourth amendment to the constitution, and to the outrage of every concept of liberty. In the name of prohibition, we have seen the constitution—a document written to express the hopes of mankind for thousands of years—undermined and ridiculed so that the spurious amendment attached thereto through hypocrisy and cowardice may be forced upon a people who object to its tyranny.

We have seen the laws of fanatics strike down the exhalted patriotism of millions of our citizens; and turn love of country into distrust of country. We have seen millions of our youths sent forth to die for liberty; and those who returned told that "Liberty" is the moth-eaten fallacy of the enemy they faced that freedom might endure.

We have lied, we have oppressed, we have groveled in the mire of deceit, served the ends of fanaticism and tyranny. Today we are reaping the harvest of infamy that we have sown. Today we hear the cry going up that we are sweeping forward to the destruction of all law and order; the result of arbitrary legislation which was to make of us a nation of wingless angels.

Liquor is a mixture of smiles and tears, of happiness and sorrow; even as love is. In it lurks danger, as lurks danger in gold, government and religion, when abused. Its evils are many and its joys are more. But, accuse it as one may; prove its evils as one can, it has never in all the ages swept a nation into tyranny and destruction. But despotism and fanaticism have wrecked nations from the beginning of history. They will wreck ours if we submit.

Let the fanatics take note of the fact that Liberty is too big a price for prohibition.

On May 3rd, 1922, Bishop William Lawrence of the Episcopal diocese of Massachusetts, in his annual report to the Diocesan Convention, asked whether it was not time to recognize the right of every citizen who did not believe in constitutional prohibition to say so and in public.

"Hundreds of thousands of working men who found solace and comradeship after the day's work in what they felt to be their innocent glass of beer had it snatched from them", the bishop said, "and thousands of reputable citizens found their personal liberties and domestic habits broken in upon. Surely it is competent for every citizen to speak, work and do everything consistent within the law, to have a law either amended or rescinded." The bishop asked, "How are those directors and officers who drink liquor going to answer the question of men under their employ? Why is that which is bad for our efficiency not just as bad for your efficiency? The plain people who have invested their earnings in these corporations are also asking these questions and they have got to be answered".

The good bishop is right, those questions must be answered at the proper time, which should be at the polls. Yet the real good church people seem to believe that political parties are the salvation of Christianity, or to some extent the medium for Christian progress; they willingly contribute money and sacrifice Christian principles in the belief that phariseeism is not

sinful; they follow the blarney of demagogues and filthy partisan newspapers who "skillfully promote party bluster", and sell their individual and collective independence for a cloud of economic mist, and like sheep, elect their own butchers.

When we take into consideration that among ninety-six U. S. Senators representing the inalienable rights of the people at Washington, and of whom eighty-three per cent admit to profess some Christian Church doctrine, yet, sold their brethren into slavery at the request of the "Ministerial Alliance" supported by the W. C. T. U. who take it upon themselves to Christianize an already Christianized country, (Supreme Court decision), but, they tell us we need to be reformed; well, let us hear what a Baptist minister has to say.

In the San Antonio (Texas) Express, of September 3, 1922, we read:—
To the Editor of San Antonio Express: I am begging to protest against a secret oathbound organization prostituting Protestantism into waging a religious and race war in this country.

We are no longer in the dark as to what the objects of the Ku Klux Klan are. Their recently chosen Grand Lecturer for the United States came over here from Austin and told us, taking two speeches—one at Bowen's Island, the other at Beethoven Hall—in which to do it. He was a Baptist minister, and so am I. When it comes to honorary titles and former important positions in religious work, I am his equal, and then some. Having preached for fifty-six years, I have a right to speak out to preachers and other church workers of every name, on this subject.

The Grand Lecturer told us distinctly, in both lectures, that the Klan is a religious organization, for the purpose of taking care of Protestant Christianity; and, as shown by the tone and matter of his addresses, to do this as against Catholics and Jews. I am denying the religious right of any number of men to unite in a secret, oathbound organization for the purpose of promoting or defending Christianity. Jesus Christ, conceded by the lecturer and those for whom he speaks to be the Divine Son of God, organized His church for the purpose of propagating His cause. To His saved members He gave commissions. Hear Him, "And ye shall be witness unto me both in Jerusalem, and in all Judea and in Samaria, and unto the uttermost part of the earth." (Acts, 1:8). Everyone of those to whom He delivered this commission, just before He ascended on high, was a Jew. He, the Protestant's Lord and Savior, was a Jew. Every book of the Bible which Baptists and Protestants hold to be their law, was written by a Jew. He commanded His disciples to "go into all the world and preach the gospel to every creature", and, in another connected, he said, "beginning at Jerusalem".

The Apostle Paul, the Jewish messenger to the gentiles, wrote: "For I am

not ashamed of the Gospel of Christ; for it is the power of God unto salvation to every one that believed; to the Jew first, and also to the Greek". (Rom, 1:16). Again he wrote: "For though we walk in the flesh, we do not war after flesh; for the weapons of our warfare are not carnal, but mighty through God to the pulling down of strongholds." (2 Cor. 10:3-4). In the light of these, and dozens of other Scriptures of like import, I submit that it is not competent for any organization to attempt the conquest of the world for Jesus Christ by any process save that of preaching the Gospel. Is the Klan also a preaching organization? If not, then hands off this work of the church! When the Grand Lecturer spoke at Beethoven Hall—where I replied to him the following week—the table on the platform was covered with the flag of the United States. On top of this an open Bible was placed. On top of the Bible was laid a gleaming naked sword. What did this mean? If anything, it was anti-Christian. If nothing, then it was silly.

In view of the above quotations from the Bible, it is clear that the mission of all who would represent Jesus Christ is to the whole world, both Jew and Gentile. That is in harmony with the spirit of the facts of crucifixion. Jews accused Jesus; a judge of a gentile government sentenced Him. Jews walked about the cross on which He hung, deriding Him and challenging Him to come down. Gentile soldiers, who had driven the nails through His feet and hands and the spear into His side, gambled for His garments at the foot of the cross. He did not call down twelve legions of angels, as He had told Peter when He ordered Him in the garden to put up his sword, He could do; but, instead, He prayed the Father to forgive both Jews and Gentiles.

Then, why should men organize themselves and send out emissaries over the country, the effect of whose missions can only be to stir up and incite race prejudice? How can preachers—who are called, if called at all—afford to join in with a secret organization that discriminates against many of the very people to whom they claim they are called to preach? Do they not see that in so doing they are building unscalable walls about their churches, and themselves? Why should churches spend vast sums of money to send the Gospel message to Jews and Catholics in foreign countries, as they are doing, while their preachers and leaders at home build these walls?

How about preachers and leading church members fostering an organization that engenders a spirit like that? That spirit that will not allow a qualified man to teach a Bible class unless he joins in with, or at least keeps silent about an organization he does not approve, will, if it keeps at it, precipitate a conflict between races, religious bigots and classes that will make innocent blood flow in this country as it did in France in the days of the commune. I am pleading to avert it.

J. M. Robertson,

517 Avenue B., San Antonio, Texas.

"The song of the moonshiners" as read in the **Congressional Record** by Senator Stanley, of Kentucky, on September 23rd, 1921, during discussion of the anti-beer bill in the senate (Universal Service) It follows:

(1)

My country 'tis of thee,
Land of grape-juice and tea,
Of thee I sing.
Land where we all have tried,
To break the law, and lied,
From every mountain side,
The boot-legs spring.

(2)

My native country, thee,
Land of home breweries,
Thy brew I love.
I love thy booze and thrills,
And thy illicit stills,
The moonshine runs in rills,
From high above.

And we may add

(3)

From every angle, side,
Come forth a drolly sight,
From moonshine's blight,
From every hill and dell,
Bootleggers give thee hell,
And "Heimgemachtes", well,
They say, it's swell.

Prohibition, summed up in its essence, is the fruit of a perverted morality in the heart and mind of the A. M. A. and its allied. The Volstead Act is its child, and will never be recognized by sane American citizens. Take the right of the physician to prescribe alcohol out of the law, and your prohibition is at an end. The wind-jamming of preachers about prohibition enforcement is nothing but comedy now played in many of the Christian churches, instead of the Gospel, it is more remunerative.

The American people must eradicate this evil, or confess, before the world, their incapableness of self-government.

ANTI-SALOON LEAGUE VICIOUSNESS

From preachers of a certain sort come the frequent boast that "we and the Anti-Saloon League put prohibition over." From Anti-Saloon League superintendents and other officials comes the same boast, the other way about—"We and the church people put it over." Under the sham and shadowy pretense of enforcing the eighteenth amendment and Volsteadism, there have come revelations almost without limit PROVING both the Anti-Saloon League leaders and the prohibition preachers to be hypocrites of the most vicious kind. With these bald and indisputable FACTS established, there can be no honest difference of opinion as to what prohibition really means.

Let us look a little into detail: Right here in St. Louis, Mo. a preacher who has made a lot of nasty noise on prohibition, accidentally let a bottle half filled with whiskey fall from his hip pocket at a meeting of an organization of preachers. It caused a mild sort of sensation among the brethren, and immediately the fellow entered into a long and labored explanation, which explanation he is still making whenever he can get anybody to stand still and listen: He and a brother preacher had seen a drunken tramp on the street, and admonished him; conscience stricken, the tramp handed the other preacher the bottle containing the whiskey; the other preacher had handed it to his fellow parson because his own pocket was too small to chamber the bottle; he had brought it along to the meeting, forgetting all about it until he had accidentally dropped it from his pocket. But that preacher never did produce the tramp; never did tell who the other preacher was who was with him; never did explain why he didn't break the bottle and spill the whiskey on the street, and DID put the bottle back in his pocket and take it away from the meeting with him. Any person of even ordinary intelligence can take those simple facts and make his own natural deductions. That bottle-dropping preacher was and is a specimen prohibition prating hypocrite of the pulpit.

In New York, one Anderson, state superintendent of the Anti-Saloon League, quarreled with some of his associates and assistants, and they "snitched" on him. They told how Anderson had collected money for which he had not accounted to the amount of more than \$24,000 in a single year. Anderson made vigorous denial as long as he could; then he admitted it, and said he had spent the money secretly in Anti-Saloon League work, and finally, when cornered by the prosecuting attorney, he declared he had spend the major part of the money as "bribes for reporters on anti-prohibition papers" to induce them to betray their employers and sneak in stuff favorable to the Anti-Saloon League or keep out stuff unfavorable to the league. The fellow has told so many stories that it is difficult to decide which of them, if any,

are true; but on his own declaration, to defend himself from the charge of stealing the money, he denounces himself as a bribe-giver and a corrupter of men—and he claiming to be a preacher of the gospel. Out of his own mouth he utters his condemnation.

Now let's come back home, and take the little matter of "Rev." Shupp, holding the position of state superintendent of the Anti-Saloon League for Missouri—the same position held by Anderson in New York. Almost everything short of murder has been charged against him, and much of the viciousness proven; but let us take his own words in condemnation of himself: Under oath and as a witness in a legal proceeding, he said he did set his son up in business as a putative chemical manufacturer and seller. To do this he made his son a partner with a man whom he himself KNEW to be a law breaker and a bad man, under the ban of the U. S. courts. The pretended prime purpose of this putative chemical concern was to manufacture and market a fake preparation to negroes on the pretense that by its use the black man could make himself white. Right here we have the fellow, by his own declaration, engaging in a fraudulent scheme with an unlawful purpose, and prostituting himself so low as to use his own son for his dirty business—the same son over whom he moaned and mourned when the exposure came.

For the benefit of this fake chemical proposition, as rotten a scheme as ever was concocted—taking Shupp's own statements for it—Shupp used his pretended pull with prohibition enforcement authorities to obtain special favors in the matter of permits to obtain alcohol in larger quantities and oftener than was legally right and proper. When the exposure came—under oath, mind you, and in a legal proceeding—"Rev." Shupp "experienced a nervous breakdown," and went into hiding. The pretense set up was that he wanted to get away from "those infernal reporters," the same fellows his prototype in New York courted and catered to with bribes—or pretended to have done when there was no other way to account for the missing funds.

If prohibition is a good thing, why is it necessary to employ scoundrels and crooks to maintain and enforce it?

The End

THE REMEDY

The reader, by this time, ought to have a fair knowledge of what prohibition really is; its advocates, for the last fifty years have sown wind and are now reaping a storm that is uprooting the foundations of our government; of course, as long as the law is there we should live up to it, but we must prepare for a battle-royal at the next year's elections, a battle for true democracy, justice, liberty and inalienable rights of men. The smooth deceptive party demagogue and spineless politician must be retired and kept at home, and treated by their neighbors as they deserve, yet, with pity; men who have no regard for their neighbors' rights, men who volunteered to put the yoke of despotism and slavery upon the neck of the American people must be shunned as the worst enemies of democracy. The issue is plain, we must choose whom we will elect regardless of party affiliation. The battle is on and will never be settled until this question is settled right, and by the people themselves. The Volstead Act must be repealed first, and then the removal of the 18th Amendment from the Constitution by the people themselves for it has no legitimate claim to be a part thereof.

If we want immorality, vice, crime, intemperance, and boot-legging to propagate and prosper, then we must stand by the Volstead Act and the 18th Amendment; if we want decency, temperance, law and order and home rule, we must forget party lines and vote for the man who stands for these things openly, the issue is plain and clear.

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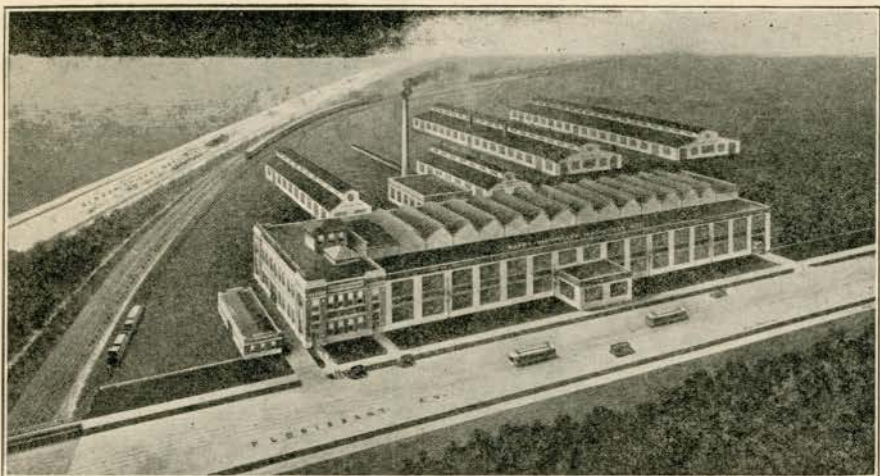
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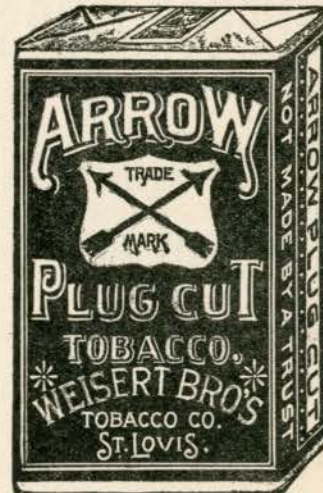
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