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HOME AND STATE

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BILLS STRENGTHENING OUR DRY LAWS BEFORE LEGISLATURE

A bill to shut off physicians from prescribing liquor for beverage purposes and restrict liquor to strictly medicinal uses has been introduced into the state Senate by Walter C. Woodward of Coleman, and Lloyd E. Price, of Daingerfield. These are among the strongest lawyers in the present Senate. Professedly the bill aims to put so much "red-tape" around the process of prescribing liquor that physicians will refuse to prescribe. This bill piles up restrictions and lays on "red-tape" that may reasonably be expected to accomplish this purpose. Whether or not the bill, if enacted, will accomplish this end we can not be certain. For a sufficient price the physician and druggist may be willing to wade through all this "red-tape," and some people are so thirsty that they will rake up the price. We have not seen th bill as re-written to be introduced. This bill is Senate Bill 106.

Another Bill Being Prepared

Another bill is under consideration as we write. It aims to reach these results in a more direct way. This bill proposes to limit the amount any druggist may sell on prescription not to exceed ten gallons in any one year. Those who propose this bill believe that with such limitations no drug store can become a saloon, that the temptation to make money will be gone, and that when this temptation is removed, the problem will be solved.

This limitation, they believe, will cause many drug stores to return their permits, and the net result will be such limited sales as to remove the scandal from the legitimate business. When this scandal is removed, high class druggists whose communities really need a little liquor for medicinal purposes may ask for permits without thus calling down upon them the opprobrium of being liquor sellers. Druggists who do not want to handle liquor will not be forced to do so by unfair competition of those who do handle it.

This bill will also contain certain restrictions on prescribing liquor that will more effectually shut out prescriptions for beverage uses, and yet not have so much red-tape. Physicians who really want to prescribe for strictly medicinal purposes will doubtless prefer this bill because it contains less "red-tape." This may prove a more effective bill than the other. We wait and see.

An "Anti-Jake" Bill

Complaint is general that "jake" (Jamaica ginger) Lyko, Force, Monticello Tonic, and other substitutes for liquor are being sold by certain drug stores till they are dubed "booze joints." A demand that these be cut out is general over those sections of the state not well supplied with "moonshine' or "bond stuff."

It is a little difficult to word an act that will effectually shut out these and not hinder legitimate medicines, but a bill is being prepared that is expected to get this result. When it is introduced those concerns making booze substitutes will have their lobbyists and attorneys there to fight this bill to a finish. If the people want relief they must be heard from now or "hereafter forever hold their peace." The bill will not hurt any legitimate concern, but a great cry will be raised, and that cry will deceive your representative, if he does not hear from you. Why not write him?

WATCH HOME AND STATE FOR INFORMATION HOW YOUR SENATORS AND REPRESENTATIVES VOTE

We deem it the duty of Home and State to keep the public informed, and no more important information is available than that showing how your Representatives in Congress or the Legislature represent you when casting their vote on important measures. We will endeavor to furnish accurate information on these matters. Two years ago we did this, and called down upon our pate the wrath of those who voted differently at Austin from the way they had talked at home. But we believe the people are entitled to this information, and we are serving the people.

We will ask our readers to clip all such information for future use.

LET YOUR REPRESEN'TIVE OR SENATOR HEAR FROM YOU

For more than a year a great cry has gone up against "drug store saloons," "jake" and other liquor substitutes. People have demanded relief. Now is the time to make that demand effective. Write your Representative and Senator to vote for the bills to give this relief—and against the proposition to take the bootleggers out of the penitentiar[illegible] assess a mere fine. Do it now!

THE TEXAS RANGERS

Our readers doubtless know of the injunction granted by a San Antonio District Judge, R. B. Minor, which, for the present, shuts off all activities of the Rangers.

This decision of a minor member of the judiciary may be reviewed by the Court of Civil Appeals, and, if sustained by that court, an appeal will be taken to the Supreme Court of the state, whose decision will be final. We can not believe that the injunction will be sustained by these higher courts.

The opinion rendered by this minor judge is said to cover fifty typewritten pages, but the newspapers did not carry a full copy. We are, therefore, unable to discuss it fully. Press reports are to the effect that one defect of the law in the opinion of this judge is that it violates the provision of the Constitution separating the legislative, judicial and executive departments. How the law violates this principle of government we are not informed, and the editor is wholly unable to find anything in it that even remotely aims at such results.

Another complaint of Judge Minor is that by this law the rangers may be sent into a county to apprehend criminals, which duty belongs to the sheriff and local peace officers. If these local officers are able or willing to perform their duties effectively, the rangers are never needed nor used. If these local officers fail or refuse to do so, are we to be left to a state of crime, disorder and chaos? This is the action of Judge Minor in a nutshell.

Is the sheriff to be the monarch of his county to mete out indulgences to crime for his friends and defiance to his critics. If the voters of a county are in the majority who want to set at naught a law enacted by the state, are they to be granted the right to elect local peace officers pledged to do so? Does the American principle of local self-government extend to granting immunity to a county who chooses to elect officers to defy the state authority and protect crime? If so can our democracy survive?

To cap the climax this decision of Judge Minor is reported to claim that by using the Ranger force to suppress crime the governor usurps authority not delegated to him by the Constitution, that the document in charging the government with the responsibility of seeing that the laws of the state are enforced, must not use force to accomplish this, but must restrict himself to giving good advice to the officers to do their duty.

This would make the government a kind of pastor over county officers to advise, but not to make serious efforts to see that his advice is followed. It must be a funny Constitution we Texans have.

If this action of Judge Minor is sustained it will create an emergency and an urgent necessity to re-write our laws for the removal of derelict officers giving adequate facilities for the removal of corrupt officers. Our present law inclines more to protect those in office from ouster than to removal from office. With our present ouster laws Judge Minor's action paves the way for a carnival of crime in Texas. Already Texas produces one-tenth of all the murders committed in the United States, and the people of the United States commit ten times as many murders per capita as any other civilized nation in the world. Will not the good citizenry of Texas awake?

THE RANGERS VERSUS THE BOOTLEGGERS

The injunction that has stopped the activities of our Rangers is the triumph of the bootleggers. This statement is not made with any reference to the injunction itself, but rather to the history of the movement to secure the injunction. The movement began three years ago when Governor Neff declared martial law at Mexia.

At the session of the State Bar Association at Fort Worth the summer following a strong attack was made on Governor Neff's use of the Rangers. Criticism of his policy has been frequent, usually by those not noted for their enthusiasm for our dry laws. A prominent prohibitionist, former Senator Collins, incorporated it in his platform in his campaign for governor. Linking this with a strong stand against any effective law for the removal of derelict county officials probably cost Senator Collins the Democratic nomination for governor, for it chilled all enthusiasm the drys could have for him, and his well known dry record chilled any enthusiasm that the wets could have.

When Governor Neff sent the Rangers to San Antonio, the rendezvous for South Texas bootleggers and distributing depot for Mexican tequila, it was more than the wet fraternity could stand. Hence the suit to enjoin the governor from shutting off the supply of tequila and "moonshine."

The Ranger force has been a strong arm for making effective the desired drouth. Captain B. C. Baldwin of the Ranger company at San Antonio, an able and conscientious officer, has proved a "holy terror" to those who handle booze. Many stills, much mash, lots of liquor, and a number of automobiles carrying liquor have been seized. Captain Roy C. Nichols, stationed at Marshall on the Jefferson highway from New Orleans into Texas and Oklahoma since last May, has seized 32 automobiles, 8,400 quarts of bonded liquor, 1,200 quarts of alcohol, 166 stills, and several thousand quarts of "moonshine," and destroyed thousands of gallons of mash.

There need be no surprise that the bootleggers and their friends should have no love to lose on the Rangers.

STALKER BILL PENALTIES MISSTATED BY PRESS

Does Not Make Jail Sentence Mandatory for First or Second Offense of Illegal Possession

JAIL SELLERS AND MAKERS

Would Imprison Sellers and Makers and in All Cases Fixes a Minimum Penalty

BILL TO INCREASE PENALTIES OF NATIONAL PROHIBITION ACT FAVORABLY REPORTED

The bill introduced by Congressman Stalker of New York, H. R. 728, to increase the penalties for violation of the National Prohibition Act, was favorably reported by the House Judiciary Committee on January 19 with amendments. The bill, as reported by the committee, in addition to increasing the penalties, proposes the following:

1. To fix a minimum which may be imposed for every offense defined by the act.

2. To make the imposition of a jail sentence mandatory in cases involving commercial transactions in illicit liquor, such as manufacture and sale.

3. To make the forging of permits or prescriptions an offense punishable by the same penalty as the illegal manufacture and sale of liquors. The bill does not, as has been commonly reported in the press, provide for the imposition of a jail sentence for the first offense of illegal possession of liquor. The penalty in the present law for a first offense of illegal possession, is a fine of not more than $500. There is no fixed minimum. Under the Stalker bill, a first offense of possession would carry a fine of not less than $100 nor more than $500, a second offense a fine of not less than $300 nor more than $1,000 or imprisonment not more than 90 days, and any subsequent offense a fine of not less than $600 nor more than $2,000 and imprisonment not less than 6 months nor more than 2 years.

Under the present law, a person who manufactures or sells liquor illegally may be fined not more than $,000 or imprisoned not exceeding 6 months. No minimum penalty is fixed. The Stalker bill would provide for a first offense of manufacture or sale a fine of not less than $300 nor more than $1,000 and imprisonment not less than 90 days nor more than 1 year, and for a second or subsequent offense, a fine of not less than $600 nor more than $2,000 and imprisonment not less than 1 year nor more than 10 years.

Under existing law, a person convicted of maintaining a liquor nuisance may be fined not more than $1,000 or imprisoned not more than 1 year, or both. No minimum is fixed. The Stalker bill provides that upon conviction of a first offense of maintaining a nuisance, there shall be imposed a fine of not less than $300 nor more than $1,000 and imprisonment for not less than 90 days nor more than 1 year. For any subsequent offense, there may be imposed a fine of not less than $600 nor more than $2,000 and imprisonment not less than 1 year nor more than 5 years.

Only three members of this large committee of the House of Representatives voted against a favorable report upon the bill. Representative Michener, of Michigan, in submitting the report from the committee, briefly summarized the reasons for the enactment of this legislation in the report which he submitted on behalf of the committee. The following are the pertinent parts of this report:

Need for Change in Penalties

Hearings on this bill (H. R. 728) were had before a subcommittee of the Committee on the Judiciary, and it was clearly shown that the experience of four years under the provisions of the national prohibition act had revealed the necessity for a change in penalties. For instance, according to the hearings the average fine in Florida, northern district, amounted to $52 in 1923, and the first seven months of 1924 to $80; in the eastern district of Louisiana the average fine in 1923 was $89 and for the first seven months of 1924 was but $86; in the eastern district of New York the average fine in 1923 was $55 and for the first seven months in 1924 was $135.

In a report recently filed by a subcommittee of the Committee on the District of Columbia, which committee made an investigation as to the illicit sale and use of intoxicants in the District of Columbia, we are informed that—

> The fines which are being imposed upon violators of the prohibition law by the courts are wholly inadequate. In 1922 the average fine for violation of the national prohibition act in the District was $43.67. In 1923 it was $79.43. It is apparent that fines of such small proportions constitute no deterrent to bootleggers. It is much less than a license. The average fine in the District is much less than for the United States, which was $170 in 1923. It is not possible to obtain exact statistics showing the average prison sentences imposed in the District. The evidence fully established that jail sentences are very few. The average in the District is much lower than the average for the entire United States, which is 29½ days. Jail sentences, in cases in which they may be imposed under the law, constitute the only deterrent to violators of the liquor laws.
>
> The inadequacy of the penalties which are being imposed in the District is further reflected in the number of cases of persons arrested for second offenses. The statistics show that from January 1, 1923, to March 20, 1924, 363 persons were arrested charged with second offenses against the prohibition laws of the District of Columbia. Much of the congestion of the dockets of the court would be eliminated if heavier penalties were imposed. The number of second offenses would also be materially reduced.

Discriminates Between Offenses

The Assistant Attorney General in charge of liquor prosecutions for the Justice Department at the hearings on this bill stated:

> It is notable that this bill discriminates very carefully and I believe very judiciously between the violations of the prohibition statutes that are generally frowned upon by everybody carrying out the existing law, to-wit, the commercial violations, and placing a minimum jail sentence for those. It does not disturb the present provision that a judge may release a defendant found guilty only of the possession feature of the national prohibition act without a jail sentence.
>
> The inadequacy of the national prohibition act has compelled the Department of Justice to issue instructions to United States attorneys, almost two years ago—more than a year ago—asking them wherever possible to secure heavy sentences for commercial violations of the prohibition laws, and as a means of so doing resort, when possible, to revenue sections instead of using the national prohibition act.

It was pointed out at the hearings that practically all of the penalties for violation of the revenue laws carry a very heavy money fine and imprisonment for the first offense. These penalties in the revenue laws are the result of more than 50 years' experience in enforcing the tax provisions of the revenue laws, and it was found necessary not only to carry heavy minimum fines but imprisonment also for the first offense, if these laws affecting liquor were to be effective.

Low Fine Equivalent to License Fee

It is believed by representatives of the Department of Justice, as well as advocates of prohibition enforcement, who appeared before the committee, that penalties prescribed at this time are such that many judges give an exceedingly low fine, which amounts to practically a license fee for law violation. Long lists of fines amounting to $5, $10, and $25 are imposed for the violation of this law.

The proposed measure discriminates between the various offenses. For instance, for possession and transportation, a money fine only is imposed for a first offense, money fine or imprisonment for a second offense, and a money fine and imprisonment for a third offense. As above indicated, one can not be imprisoned for a first offense for the possession of liquor under this section.

Forging of Permits Merits Heavy Penalty

Much difficulty has been experienced in the enforcement of the law by reason of the forging of permits for the withdrawal of liquor, as well as with forged prescription blanks. Large numbers of these permits are being forged and there is no penalty in this law for such forging. If this practice is to be stopped this offense should carry a heavy penalty.

The important change in the law is the fixing of a minimum penalty for violations of the prohibition act. The judges' discretion between the minimum and maximum penalty is not interfered with. The abuse which has arisen in giving entirely inadequate penalties has had a tendency in many places to create the impression that violation of the national prohibition act is a trivial matter.

The following states have fixed a minimum penalty for violation of their prohibition laws: Alabama, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, South Dakota, Texas, Utah, Vermont, Virginia, Washington, Wisconsin and Wyoming. (See pp. 16, 17, 18, and 19 of the hearing before the Committee on the Judiciary on H. R. 728, March 11, 1924).

It is manifest that if with practical unanimity the states have found it necessary to fix a minimum penalty for the violation of the law, that the national prohibition act should have such a provision in it. It is believed that these amendments will help to impress upon those who are violating the Constitution that it is not a trivial matter nor a joke. The President of the United States said in his message to the governors at the law enforcement conference October 20, 1923:

"A government which does not enforce its laws is unworthy of the name of a government, and can not expect to hold either the support of its own citizens or the respect of the informed opinion of the world."

It is of the opinion of the majority of the committee that these increased penalties will materially aid in the enforcement of the national prohibition law.

NATION'S WEALTH INCREASED 72 PCT. PAST DECADE

Greatest Item of Increase in Real Estate Values and Improvements; Roger Babson Gives Passing of Saloon Greatest Factor in Increased Building Activities

The wealth of the United States at the end of December, 1922, on the best estimates available of all property classified by the Census Bureau, was placed at $320,803,862,000 in a report issued in Washington January 14, 1925. This was an increase of 72.2 per cent for the decade since the 1912 census found the nation's wealth to be $186,299,664,000.

The Bureau said that many difficulties and necessarily wide margins in the estimate and error in putting together its calcuations made impossible the close estimation given to its population figures.

The item of greatest value in the category of national wealth was real estate and its improvements subject to taxation, which were found to be worth $155,908,625,000.

The second item in point of size was the grouped valuation of the clothing, furniture, vehicles and like property of individuals which totaled $39,816,001,000.

Real estate and its improvements include building activities. Roger Babson, noted economist, gives the passing of the saloon as the outstanding reason for the increased building activities of the past few years. If Mr. Babson is correct, prohibition which has been in effect for five years has certainly contributed largely to the increased wealth of the nation.

Clothing, furniture, vehicles and like property of individuals is also closely related to the prohibition question. No one disputes the fact that the clothing and furniture industry boomed with the closing of the saloons. Wage earners who formerly spent much of their earnings in saloons, with the barrooms closed turned their attention to buying what they hitherto considered luxuries, viz., clothing and furniture. Thus prohibition has greatly contributed to the second item in point of size in the category of national wealth, viz., clothing and furniture.

USE MOTION PICTURES

Suggest Pictures be Made to Correct Erroneous Idea Concerning American Social Life

At the closing session of the annual National Motion Picture Conference held in Washington recently utilization of motion pictures to strengthen prohibition sentiment was urged.

Organizations represented at the conference pledged themselves to carry out a policy of public education to obtain improvement of motion picture standards with special emphasis upon the need for eliminating films showing open disrespect for the prohibition law.

One speaker suggested to offset the erroneous picture of American social life shown by many current films that pictures should be made showing industrial and social improvements brought about since prohibition came into effect, these films to be circulated both in the United States and abroad.

AN ESTIMATE OF SUPT. KEMPER

Country Editor Gives Interesting Character Sketch of Supt. Anti-Saloon League of Arkansas

The Country Editor for October gives its readers an interesting sketch of the temperance activities of Rev. Paul E. Kemper, superintendent of the Anti-Saloon League of Arkansas. The author of the sketch, M. F. Kennedy, introduces his story with this statement:

> Probably nowhere has any unit of the Anti-Saloon League functioned with greater efficiency or achieved wider influence than in the state of Arkansas. This is due largely if not wholly to the indefatigable energy and deep purpose of those who direct its work in this important field. The officers of this branch of the League whose headquarters are located in the Donaghey Building, Little Rock, are president, Rev. C. C. Miller, editor of the Arkansas Methodist, one of the ablest and best known leaders in the Methodist Episcopal Church South; superintendent, Paul E. Kemper; and secretary, Judge John H. Wade, of the first division of the Circuit Court.

Mr. Kennedy after recounting some outstanding temperance victories won under the leadership of Mr. Kemper while serving pastorates in Ohio, says:

"It will thus be seen that Rev. Mr. Kemper was peculiarly fitted and excellently equipped for the great and onerous responsibility that immediately came to him as superintendent of the Anti-Saloon League in Arkansas. With the energy and enthusiasm that characterizes him in whatever he undertakes he at once 'fell to' at the task of building up a strong and vigorous organization on the foundation then none too strong in the state. In this work he has been so successful that today the League has sound and well organized branches in every city in the state and a spirit of thorough cooperation has been established among all pastors of all denominations. . . .

"Mr. Kemper as superintendent uses a Ford car and uses it so much that many people think he sleeps in it. He is always ready to answer any call from any community no matter how distant or how inaccessible, to chase the bootlegger and moonshiner to his lair. He addresses meetings, schools, 'foregatherings' at courthouses, picnics, excursions and homecomings in every part of the state. . . .

"Not so very long ago there were only some fifty papers in the state giving more than the merest lukewarm support to the League's work. At present more than eight hundred are listed—and this powerful combined journalistic support recently succeeded in deefating an amendment to the bone dry prohibition law.

"While this shows what man or woman working in a good cause can accomplish Mr. Kemper is the first to admit his hands would have been badly tied had he not had from the first the warm-hearted and enthusiastic and competent assistance from his staff, and his first acknowledgments go to his very capable secretary and stenographer, Mrs. Ethyl Mosely, whose whole heart is in the work."

POLICEMAN SUSPENDED

Captain Joseph Mullin of the Gresham station, a veteran of the Chicago police force, was summarily suspended January 15 by Chief Collins who charged that Mullin was drunk when he reported at the city hall for a captains' meeting at noon.

BECOMES A WAREHOUSE

Buffalo Brewery Building Remodelled for Commercial Purposes; Was Closed by Injunction

The board of education of the city of Buffalo has opened what is said to be the largest and most completely equipped commercial warehouse in the city. The building was formerly the Phoenix brewery and covers a large part of the block at Washington, Virginia, Elicott and Burton streets, and has been completely remodeled. The effective instrument bringing about this wholesome change is the injunction method applied to the law-defying booze makers and booze sellers.

HELD FOR BOOZE MURDER

Soft Drink Parlor Proprietor Thought to Have Sold Poison Liquor Which Caused Death

Enrico Staffaroni, soft drink parlor proprietor of Kinkead, Ill., and his wife, Angelina, were recommended to be held without bail on the charge of murder by a coroner's jury sitting in Taylorville January 2 in connection with the death of a Kinkaid coal miner from poison booze believed to have been purchased at Staffaroni's place. Four other Kinkaid citizens were made seriously ill, two of whom at the time of the hearing were reported near death.

NOTIFIED TO OBEY LAW

According to the Seattle Post-Intelligencer, notice has been served on all city employes of Seattle that the use by them of alcoholic liquors will not be tolerated at any time. Any person known to take a drink of such liquor will promptly be dropped from the city payroll. In order that no one can plead ignorance of the ruling department heads were required to secure the signatures of all persons working under them to a bulletin issued by the commissioner.

UNDERWORLD KING IN JAIL

Torrio and Three Other Chicago Men Serving Time for Violation of Prohibition Law

John Torrio, known as the king of Chicago's underworld, and four others were sentenced to jail the other day on pleas of guilty for violating the prohibition law. Torrio was fined $5,000 and must serve nine months in jail. Edward O'Donnell will serve eight months in jail and was fined $2,000. A third man was given six months in jail and a $2,000 fine, while a former policeman of Chicago was sentenced to spend three months behind the bars.

TO RE-TRY WEEHAWKEN CASE

Jury Failing to Agree, Discharged; Evidence Implicates United States Senator Edwards

The jury in the trial of ten Weehawken, N. J., police and two civilians charged with conspiracy to violate the state prohibition act, was discharged on January 22 by County Judge Egan following its failure to agree after nineteen hours of deliberation. The case will be re-tried within the next few weeks. It has attracted nation-wide attention because of the prominence of some of the people who have been drawn into the case.

According to the evidence rum-runners were operating under police protection and in some instances police officers were said to have helped to unload the rum boats of their contraband cargoes.

Previous to the next trial the general subject of rum running in Hudson county will be revived when Prosecutor John Milton presents to the grand jury next week the evidence brought out in the trial implicating United States Senator Edward I. Edwards in the alleged rum ring.

This evidence was introduced into the trial of the Weehawken police by three federal prohibition agents.

ILLINOIS DRYS' PROGRAM

Will Ask Legislature to Create Office of Prohibition Commissioner With State-wide Authority

The drys of Ilinois are going to make a determined fight to put through the Legislature this winter a bill creating a state prohibition commissioner to tak charge of enforcing the Volstead act in the state. The Chicago Daily News of January 16 quotes Superintendent Ebbert of the Anti-Saloon League of Illinois as follows:

"The program of the Anti-Saloon League in the Fifty-fourth General Assembly will consist of the introduction of a state prohibition commissioner bill.

"This measure provides for the appointment of a prohibition commissioner with three assistants and power to emplov not to exceed 25 investigators. The work of the commissioner will be state-wide and authority will be conferred on these men to go into every county in the state and secure evidence of violations of the prohibition law and to initiate prosecutions on their evidence. The actual prosecutions under the Constitution must be under the control of the state's attorney.

"The second step of the Anti-Saloon League's program will be to defeat any attempt of the liquor interests to change the present definition of intoxicating liquor either by repealing our state law enforcement act or by memorializing Congress to modify the national definition."

EMPLOYES MUST OBEY LAW

Hotel Company of Detroit Gives Notice No Intoxicating Liquor is to be Brought on Premises

In a bulletin issued by the Book-Cadillac Hotel Company of Detroit the management makes it clear that it is the distinct and explicit policy of the hotel to observe all laws, federal, state and city, and that each ond every employe is reminded of that paragraph of the agreement which she or he signed when they became an employe of the hotel's organization. That paragraph of the agreement to which the hotel management refers reads as follows:

"I further pledge and promise not to drink, keep, sell, give away, barter or bring intoxicating liquors on the hotel premises. Further, that the seriousness of this offense has been properly impressed upon me and I have been fully and properly informed that should I violate or be a party to violation of these laws I will receive no protection from the hotel management. On the contrary, I will be discharged and my offense referred to the proper legal authorities."

The management directed that a copy of the order be prominently placed in the locker rooms and other places frequented by employes and that a copy be given to each waiter and bellboy employed by the hotel.

DOWN GOES McGINTY

Thomas McGinty of Cleveland, Ohio, prize fight promoter, faced Federal Judge Jones of that city last week on the charge of conspiring to violate the prohibition law. He entered a plea of guilty and will promote no more fights for some time. He was sent to the Atlanta penitentiary for 18 months and was fined $8,300. His brother Joseph was given a year in prison and fined $950. Eight other defendants in the case were also sentenced and fined.

ARMY OF UNEMPLOYED DISAPPEARING FROM BOWERY

New York State Employment Bureau Busy Finding Jobs of All Kinds for Erstwhile Hoboes; Honest Work Makes Greater Appeal to Sober Men Than a Nice Soft Jail Sentence for the Winter

Wall street is not the only indication of the nation's prosperity, says a story in the Columbus Evening Dispatch carrying a New York dateline of January 15. Down along the cold shadows of the Bowery and up in the chilly confines of Madison Square Park where income tax reports cause no worry, New York's great "leisure class" has decided to go to work.

The cheerful philosophers of the park bench have felt the call of labor. At the state employment bureau where a man can apply for any kind of work and usually get it, they find themselves for the first time in years with more applicants than jobs. Men who formerly were content to accept a nice soft jail sentence for the winter have flooded the bureau with demands for work. Every day there are at lease 100 more applicants than places. Weary-eyed men of the Bowery have suddenly remembered that once they were artisans of the trades—bricklaying, carpentry, plumbing. In the office of the Charity Organization Society the records show that in the last two days 49 homeless men applied for work. This is 10 more per day than applied in October and November. Anything that is work is accepted by the erstwhile hoboes. . . . When the cold weather suddenly swooped down upon the great city charity organizations looked forward to the usual rush for shelter, but the golden era has arrived. Madison Square harbors only the few faithful characters who feel it a violation of sacred principle to go to work.

The Salvation Army reported that during this last cold spell there were no hordes clamoring for warmth and shelter. Some still do clamor but it is the opinion of the various charity organizations that the great "army" is being deserted. Said the cynical policeman at Madison Square whose stick is worn from many years of slapping thin leather sales: "They are gone and they must be working. But I can't believe it. It is too good to be true."

The hobo is disappearing with the saloon. In the days of license a nickel for a stein of beer and free lunch that went with it sufficed to meet the requirements of the day for the average hobo who was usually successful in begging the nickel. With the closing of his favorite haunts, the cheap barrel houses, the hobo has gone to work.

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JANUARY, 1925

Stalker Bill Will Make Enforcement Easier

The Stalker bill has been reported favorably by the House Judiciary Committee with but three dissenting votes.

In addition to increasing penalties for violating the prohibition law, the bill fixes a minimum penalty which may be imposed for every offense defined by the act. The bill if enacted into law will greatly facilitate law enforcement. It does not, as has commonly been reported in the press, provide for the imposition of a jail sentence for the first offense of illegal possession of liquor. It does, however, provide for a minimum fine for the first offense of illegal possession and this is of great importance. In some sections courts have adopted the plan of a fixed rate of fine for prohibition law violators. In some places this rate is as low as five and ten dollars. It will readily be seen that such a system is equivalent to the restoration of the old license system. A low money fine in most cases does not result in checking law violations. The fixing of a minimum fine will raise the standard of enforcement in many localities. The Stalker bill, does, however, make mandatory a jail penalty for third and subsequent offense of illegal possession, and also makes jail sentence mandatory for first offense of manufacture or sale of illicit liquor.

Law enforcement officials have discovered that the most effective method of suppressing the activities of the booze maker and booze seller is the application of the jail penalty.

The Stalker bill should become law.

But the "Rabbit Dawg" Is Catching the Bear

Enemies of the prohibition policy assert that the prohibition law has brought about an increased disrespect for all law. It is true that if violators of the prohibition law were given immunity for the reasons advanced by wet newspapers and wet organizations, viz., that the law is unjust and unpopular and therefore violations are justifiable, a general disrespect for all laws would result. But the government does not take this course. It has vigorously enforced the law and prohibition enforcement has proved to be the greatest influence creating respect for law and order that exists in the United States today.

So successful has been the dry law enforcement campaign that many wet newspapers are now protesting that the enforcement of other laws is being neglected because of the unusual attention being given to prohibition. As a fair exampe of this type of newspaper we cite the Chicago Tribune. The Tribune suggests that the Chicago police have been so busy hunting down prohibition law violators that other criminals have escaped their attention. This seems to have become a popular cry of the wets of the country. What right, ask these opponents of prohibition, have the city, state and federal law enforcement officials to neglect the enforcement of other laws in the interest of enforcing prohibition?

The attitude of the Chicago Tribune is well illustrated by a cartoon which recently appeared in that newspaper entitled "The Rabbit Dawg." It showed the citizen represented as a hunter and the dog designated as the law, on the trail of murderers, burglars and other felons. The tracks of these criminals were represented as bear tracks. The dog was making a desperate effort, however, to leave the trail for a hollow log by the side of the road around which were seen the tracks of a rabbit. This hollow log was labeled "prohibition offenders."

ENFORCEMENT OF DRY LAW INCREASES RESPECT FOR ALL LAW

Now what are the facts concerning law enforcement in Chicago? Is it true that the murderers and hold-up men of Chicago are evading the police, because the police are giving their whole attention to hunting down the booze makers and booze sellers? Is it true in any city?

American Issue contends that facts show just the opposite to be true. The facts show that the enforcement of the prohibition law is increasing respect for all law. In support of this contention one of many numerous cases in Chicago is cited.

On January 17 John Torrio, designated in the newspapers as "king of the south-side vice, beer and gambling and overlord of Cicero," was sentenced to nine months in the Lake county jail by Federal Judge Cliff. Four others were sentenced to jail and six fined. All were arrested in the police raid on the Sieben brewery last May and were sentenced on pleas of guilty. Dean O'Bannion, recently slain, was one of those taken in the raid and without a doubt would have been convicted and sentenced to jail had he lived to go on trial. Although O'Bannion was alleged to have committed many murders and to have broken every law worth breaking, he had one of the largest funerals ever held in Chicago and was given more publicity than usually is accorded a governor of a state. Without a shadow of respect for other laws, O'Bannion would have been compelled to respect prohibition if underworld assassins had permitted him to live for he would have been sentenced as were his associates captured in the Sieben brewery raid. **All of these men considered themselves and were considered above the law. Their immunity created disrespect for law on the part of others. No law seemed to reach them.** But prohibition demonstrated that they could be made amenable to the law, that no political boss could save them.

Another case in point is that of Terry Druggan and Frankie Lake, two notorious law breakers and law evaders who created disrespect for law. They held all law in contempt and were able to get themselves out of all legal difficulties. They were living examples of disrespect for law, but prohibition got them, too. They are now in the Cook county jail. Their punishment for violating prohibition law has aroused respect for all law among criminals and law breakers.

UNCOVERED CORRUPT PRACTICES TO DEFEAT JUSTICE

Prohibition cases in the federal court in Chicago revealed that various influences were being brought to bear to defeat justice and respect for law. One method is perjury, a means by which Dean O'Bannion before the court on a liquor violation had escaped punishment. Such an example was made of the perjurer in this case that perjury has practically vanished from the court of the southern district of Illinois.

Another method used to defeat prohibition enforcement was political influence. A political fixer was sent to Leavenworth for a year. Political fixers then disappeared from the federal building and gave all laws a better chance.

Another method was bribery. A crooked juror accepted money with the result that two bootleggers were acquitted. The bribe-taking juror found himself in the penitentiary within thirty days and the bootleggers were also retrieved and convicted. More respect for prohibition and greater respect for all other laws resulted.

With criminals escaping punishment for violation of other laws of all kinds, what further proof is needed that prohibition develops respect for all law when conviction in the federal courts invariably follows arrest for violation of the prohibition laws?

That rabbit dog of the Tribune's is not so crazy as the Tribune would have the people believe. When he traces the liquor law conspirators to their lair it not infrequently develops that the bootlegger (the rabbit) is also the hold-up man and the murderer (the bear) who has laughed at the laws against burglary and murder, and when he finally lands in Leavenworth or Atlanta even though it be on a charge of violating the prohibition law, his conviction tends to promote respect for all laws.

Prohibition enforcement is the greatest influence creating respect for law and order that exists in the United States today.

"Noblest Sport in the World"

"Aggressive fighting for the right is the noblest sport the world affords," said the late President Theodore Roosevelt, who won a place in the hearts of the people of the world for his aggressive efforts in championing every great movement looking to the betterment of mankind. Instead of complaining and criticising because you think prohibition enforcement is not what it should be, get out and do some hard fighting in its behalf.

We Know the Breed, Mackie

G. Mackie Campbell, Scotch distiller, arrived in New York on the Tuscania January 19 enroute to Montreal, and in a newspaper interview deplored the practice of bootleggers of adulterating Scotch whisky smuggled into the United States. Evidently this Scotch distiller is more concerned about protecting the product of his distillery than he is about protecting the laws of the United States. He is quoted as saying:

> When liquor leaves Scotland it is properly aged, but I am afraid that when alleged good Scotch reaches American consumers it is badly watered. There is no way to prevent unprincipled and conscienceless men from opening bottles at the bottom with a hot poker.

He said Scotch distillers were spending large sums in trying to invent bottles that couldn't be tampered with. It might be well to remind Distiller Campbell that this government is spending large sums to equip speed boats to prevent smugglers hailing from Scotland and elsewhere ("unprincipled and conscienceless men") tampering with the Constitution and laws of the United States.

Some "Heathen" Facts for "Christian" Consideration

There is oftentimes a too supercilious attitude of the white, or so-called "Christian," races toward the dark-skinned, or "Heathen," peoples. However, it is a lamentable fact that while white men, imbued with the spirit and sacrifices of Christianity, have taken the Gospel to many benighted peoples, not a small number of other white men have introduced intoxicating liquor and its accompanying vices in almost every part of the world inhabited by so-called "Heathen" peoples.

Every now and then, however, something happens as a striking commentary upon the attitude and practices of the so-called "Christian" white folks. One of the best of these we have seen for some time is contained in a letter from a correspondent in the Fiji Islands. In discussing the proposed great petition to be signed by all classes and kinds of people in Fiji pleading for the enforcement of the existing law against the sale of intoxicating liquors to the natives and their total prohibition for the entire colony, including all classes of people, we are quoting a paragraph from the letter referred to and putting in big caps the words which point the moral in this story:

"There are some 86,000 Fijians, of whom 74,000 are nominally Methodists. There are some 60,000 Indians, to whom, being Mohammedans, intoxicating liquor is prohibited, and many Hindus also are abstainers. We have only about 4,000 of a WHITE POPULATION, but I think we can secure AT LEAST A FEW HUNDRED SIGNATURES FROM AMONGST THEM."

INFORMATION WANTED

(Christian Science Monitor)

The Association Against the Prohibition Amendment, in a statement recently issued from its Washington headquarters, claimed that 3,000 fatalities and 6,000 cases of serious, permanent disability occurred in America during 1924 "due to the use of poisonous home-made liquors." It added to this declaration the gratuitous information that most of these victims "belong to that class of hypocritical citizens who proclaim to the world that they are dry," but are in reality stealthily partaking of these poisonous concoctions. And will the Association Against the Prohibition Amendment vouchsafe the further information as to how many times 3,000 individuals who used to drink are not doing so now, and as to how many times 6,000 families are happier, healthier, and better provided for as a result of prohibition?

CONGRESSMEN AND LEGISLATORS WHO DRINK

League has Never Made Total Abstinence a Test in Determining Support of Public Officials; Between Those Who Drink and Vote Dry and Those Who Abstain and Vote Wet, League Prefers Former

In an address at the Calvary Baptist Church, Washington, Sunday morning, January 18, Wayne B. Wheeler, general counsel of the Anti-Saloon League of America, discussed among other phases of the prohibition enforcement situation the question of the drinking habit on the part of public officials.

He said that during the thirty year fight for national prohibition the Anti-Saloon League of America has never made total abstinence a test in determining its support of public officials. He called attention to the fact that prohibition was not voted into existence by total abstainers alone but by millions who were determined that the people should be freed from the chains which had cursed them, and declared, "When men like this strike valiant blows at their own enemy we should greet them with a cheer instead of a sneer. In this lies the great hope of the world, that men will uphold an ideal which condemns their own mode of life and will not seek to justify their own weakness by lowering the standards by which civilization moves on."

No Law Against Drinking

Dr. Wheeler further called attention to the fact that prohibition laws have not prohibited drinking. They prohibit manufacture, sale, transportation and possession of beverage intoxicants. Some members of the state legislatures and Congress who drink liquor, who realize its evils, vote to prohibit it, while on the other hand some of the strongest opponents of prohibition are total abstainers and use that fact to attract dry votes in elections and then vote for laws that make drunkards of others. As between such the dry forces always support the man who votes for the laws to prohibit the traffic.

The Legislator Who Drinks

Commenting upon the legislator or congressman who votes dry and then fails to practice total abstinence, Mr. Wheeler said:

"One such gets more publicity than a score whose vote and daily practices harmonize. Under national prohibition the only legal supply of intoxicants is that which was procured or possessed before the Eighteenth Amendment became operative, and is used by the individual in his private residence. This applies to rich and poor alike but the rich had the advantage because they had more money with which to stock up. The Supreme Court left in doubt the legality of a law that would prohibit liquor legally possessed before the Eighteenth Amendment went into effect. Since then it has held it can be done.

The example of drinking liquor legally possessed is bad but that is a matter for the individual. A public officer or private citizen violating the law by making, purchasing or transporting beverage intoxicants is in an indefensible position. Every public official who takes an oath of office to support the Constitution encourages other law violators when he purchases liquor of a bootlegger or makes it in violation of the Constitution. A judge who gets his liquor illegally and then sentences bootleggers for violating the same law encourages anarchy instead of law and order. There is an increasing public demand that federal and state officers obey the law which by their oath they are sworn to enforce.

THOSE WHO WOULD GATHER AT THE RIVER

This story is credited to Wayne B. Wheeler and came to him in the course of his every-day work in keeping John Barleycorn under the ropes.

A preacher was discoursing on the evils of intemperance. He painted a graphic picture of ruined homes, misery, crime and murder, showing how alcohol had brought all of these crimes to a wretched world.

"Brethren and sisters," he said in conclusion, "all the intoxicating liquor in the world should be taken and dumped into the river."

The choir leader then rose, stepped down in front and said, "The congregation will now join us in singing 'Shall We Gather at the River?'"

ICEBOAT NEWEST METHOD

Rum Smugglers Have Brought Hundreds of Cases of Liquor Across Lake From Canada

And now it is reported that a rum runner has resorted to the use of the iceboat as a means of conveying his contraband into this country. Hundreds of cases of whisky and beer have come across Lake St. Claire on ice yachts, according to a Mount Clemens, Mich., dispatch of January 17.

Twelve minutes is the average time required for the trip, members of the state police and federal dry navy say—a speed greater than any pursuit machine that the authorities command. Within the last week authorities have attempted to check the traffic by using automobiles and have succeeded in making the chase too hot for the smugglers who in some cases have returned to the Canadian side, avoiding capture.

ADVANCES BUT NO RETREAT

Effort has Been to Eliminate Supplies for Bootleggers; Permit System Instituted

"Many advances but not a retreat," was the terse way Federal Prohibition Commissioner R. A. Haynes described the war on the illicit liquor traffic covering the first five years of national prohibition.

"The big job of the federal government has been to close up all roads leading to the enemy's supply base and all our guns have been trained upon those roads," said the commissioner. "We found that the main road was that leading from the bonded warehouse. Thousands of gallons of whisky withdrawn annually for non-beverage use were diverted. By instituting a permit system with thorough checks and balance this supply has been so regulated that the diversion has been reduced to a minimum."

THE BUYER IS PUNISHED

According to O. O. McIntyre, well known syndicate news writer of New York, a blind news dealer on Second avenue in that city, displays this sign above his little hutch:

"I was made blind by poison liquor. If this little warning will save others I am not sightless in vain. The pity of it is I bought from a friend."

RECORD IN BUILDING ACTIVITIES IN DRY U. S.

The Chicago Daily News prints a graph, copyright by Greenbaum & Sons Investment Company, showing the volume and trend of construction in the United States.

This graph covers the building activities of 36 of the 48 states in the Union, including all the more populous ones. It shows that contracts for residential building in 1924 totaled $2,052,000,000 in value. This exceeded the previous year's mark which was a record, by $318,000,000.

Value of contracts for public buildings which include churches, hospitals, etc., as well as those built with public funds, was $758,000,000 during 1924 and $625,000,000 during 1923.

Prohibition hasn't slowed up building activities in the United States!

SHOULD SET EXAMPLE

Olson Agrees With President Public Officials Should Practice Personal Prohibition

United States District Attorney Edwin A. Olson of Chicago fully agrees with President Coolidge that public officials should set an example by observing "personal prohibition." He is quoted in the Chicago Evening American as saying:

I am absolutely in accord with President Coolidge's attitude. Public officials must set good examples for citizens to follow. There can be no general prohibition in this country until there is "personal prohibition." Every public office holder should practice what he preaches.

SOAKING SOAKS IN TOLEDO

According to the annual report of the chief of police of Toledo, Ohio, during 1924 34 stills were confiscated by the dry police squad, and 1,403 gallons of liquor, 430 gallons of beer, and 3,425 gallons of mash destroyed. There were 680 arrests and fines imposed in the police branch of the municipal court aggregated $71,375 and costs. Ten automobiles were confiscated.

WET'S CHAMPION FAILS 'EM

United States Senator Edwards of New Jersey must be a sore disappointment to his wet friends who sent him to the United States Senate with the expectation that he would give them back their beer.

It will be recalled that as governor he was credited with having an ambition to make his state "as wet as the Atlantic Ocean." The United States Senate must have had a sobering influence on Edwards by reason of the fact that it has given him an opportunity to get a broader perspective of the prohibition sentiment of the nation. It must be that he begins to realize that the United States is not in New Jersey for he is now quoted as saying that the Eighteenth Amendment can never be repealed.

But what is worse news for the old liquor camp, he declares that the time is not ripe for the introduction into Congress of a bill repealing or even modifying the old Volstead law.

Now what do the wets think of their champion? Will they charge him with treason to the lost cause?

"HANDS-OFF POLICY," PLEASE

New York Republican Party Says No More Recommendations for Appointment of Dry Officers

Orville S. Poland, head of the legal department of the Anti-Saloon League of New York, issued the following statement under date of January 18:

The most progressive step in the interest of law enforcement taken in the state of New York in recent years is the announcement by Republican State Chairman George K. Morris that the Republican party in this state will in the future refuse to recommend applicants for appointment as prohibition enforcement agents. Mr. Morris has recognized what the Anti-Saloon League found out long ago, that to recommend the appointment of agents is a definite liability and not an asset, political or otherwise. The political leaders who recommend an applicant must assume responsibility for his future efficiency and integrity. Responsibility for the laxness and corruption on the part of enforcement agents has in the past been properly chargeable to the political sponsorship of these agents.

Every believer in official efficiency and honesty will join in the hope that Mr. Morris and Senator Wadsworth who, it is understood, has assented to the "hands off" program, will avoid the fatal mistake of making any exceptions whatever to the rule and that they will further enforce this rule of action upon minor political leaders so as to free the executive heads of the enforcement bureau from the constant pestering, nagging and demanding of special privileges for favorite political appointees.

MRS. ROBERTSON SUMMONED

Once again death has invaded a home of one of the members of the Anti-Saloon League force in Westerville. Mrs. Alice Robertson, wife of Jackson Robertson, superintendent of the American Issue printing plant, was summoned January 17. American Issue unites with the personal friends of Mr. Robertson in an expression of genuine sympathy for him in his bereavement and also expresses the sympathy of the thousands of readers who come in contact indirectly with Mr. Robertson each week through his connection with the Issue.

WIFE OF SUPT. FOREMAN DIES

Mrs. Sally Hubbard Foreman, wife of Rev. W. S. Foreman, assistant superintendent of the Anti-Saloon League of Missouri and editor of the Missouri edition of the American Issue, passed away very suddenly and unexpectedly January 3, 1925, following an operation. Readers of American Issue unite with personal friends of Mr. Foreman and his family in extending sympathy to them in this their hour of bereavement.

CONTRABAND STORAGE COSTS

According to a Washington dispatch of January 20 the expense of guarding property seized by prohibition enforcement agents in 1923 was about $44,000. For the year ending last June it was $182,000. The department is asking $200,000 for the coming year. Much of this property consists of automobiles and water craft which are later sold. In this way a large percentage of the cost of storage is refunded to the government.

DUSTS OFF OLD ARGUMENT

Chicago Tribune Endeavoring to Revive Old Economic Argument in Favor of Saloons

The Chicago Tribune is running a series of anti-prohibition articles by Arthur Evans. One of these stories recently appeared under the caption "Police Court Record Upsets Volstead Hopes. Offenses Grow Apace Under Dry Regime." The story leads off with the following: "The Volsteadian hypothesis that prohibition would stamp out crime and sin with such a heavy hobnailed heel that judges and police would have a lifelong holiday, ran into a procession of figures the other day headed in the other direction."

Saloons Conducive to Good Order(?)

Mr. Evans then quotes figures from the report of the criminal department of the municipal court which show an increase in arrests for various causes in 1924 as compared with 1923. By inference at least Mr. Evans is inclined to put the blame for increased crime upon the closing of Chicago's 7,000 saloons. If he believes this, the natural assumption then is that he believes that a drinking citizenry is more orderly than a sober one. But he can't make people who think believe it.

Invariably the first act of the police in the old saloon days when mob violence threatened such as in the case of race riots or strikes, was to close the saloons in the immediate neighborhood. Police those days didn't believe that booze drinking was conducive to orderly government.

People will be more inclined to believe that one cause of Chicago's increased crime is due to the laxity of the courts. The Chicago Journal is authority for the statement that out of 276,000 persons arrested by the police of Chicago during 1924 more than 200,000 received no penalty.

Old Argument Discarded Years Ago

Another article by this same author appears in the Tribune of January 18 under the caption, "Figures Prove Dry Era Hasn't Reduced Taxes. Census Report Reveals Cost of Prohibition." In this story he cites figures from the Census Bureau's report entitled "Financial Statistics of Cities." This report shows that there has been a steady increase since 1913 in the per capita payments of the 261 cities of the nation having a population of over 30,000 for expenses other than public service enterprises. After presenting the figures as an argument that prohibition has failed to decrease the cost of crime to the cities, he says:

> Thus follows the general trend of increased costs and expanded governmental activities and no one is arguing that prohibition has much to do with it one way or the other.

If this be true, why does the Tribune devote a column of space to a story arguing that the closing of 177,000 saloons and the diversion of the millions of dollars which were formerly spent for liquor into legitimate trade channels hasn't reduced the cost of crime and cost of caring for dependents.

These two stories are typical of the Evans series. Mr. Evans is making a poor showing in his effort to prove that the saloon is an economic asset to a community. That old argument for the saloon was put into the discard years before national prohibition was written into the Constitution.

Some public officials and newspapers find more fault with the prohibition law than with those who violate it.

CREDIT IT TO PROHIBITION

According to Frederick A. Wallis, Commissioner of Correction of New York City, the population of women inmates in the city's penal institutions has been reduced nearly 50 per cent since prohibition went into effect.

The number of men inmates also has dropped in the last five years, but not as much as the figures show in regard to women.

The average daily population of women inmates in institutions during the ten-year period, up to and including 1919, was 743. For the last five years, or since national prohibition has been in effect, these figures have been lowered to 374.

The average number of men in the same institution during the ten-year period prior to prohibition, was 3,953, and for the five-year period under prohibition was 3,410. The total daily average of men and women prisoners for the wet period was 4,696, and for the dry period, 3,744.

MAKE A COMPARISON

Suggestion of Major Haynes to Parallel Present With Past

Prohibition Commissioner Haynes, in discussing the charges that prohibition has brought about contempt for law, drunkenness in the homes, and has caused graft among public men and liquor parties among high school students, says:

"Have you ever seen a high school student drunk? How often, as compared with the days of the open saloon? Did you ever know a law that was not violated? Prohibition is entirely new to the East, especially the Atlantic seaboard. Here we are going through the experience which Kansas had 40 years ago.

"Out there, every time a man was seen drunk, or when an arrest was made for bootlegging, the wets pointed to the occasion as a demonstration of the failure of prohibition. But it was not a failure, as the records show. When a man is seen drunk on the streets today, the children stare at him. A drunk is a curiosity. The children of the coming generation will see less of it.

"There were 500,000 fewer persons arrested for drunkenness last year. There were 250,000 fewer industrial accidents. The almshouse population decreased from 91 per 100,000 of population to 71, the lowest in our history. The prison population was 5,000 less.

"We are enjoying a prosperity hitherto unknown, and many a family in this country, formerly living in poverty, will tell you that much, if not all of it, is due to the blessings of prohibition."

WOULD JAIL DRUNKEN DRIVERS

A bill has been introduced in the Ohio Legislature which if enacted will make driving an automobile while intoxicated a serious offense. For the first offense imprisonment of thirty days is mandatory instead of optional, as at present, and a second offense would carry with it sixty days' imprisonment. The bill also provides that a speeder's license be revoked for one year for first offense, and two years for second offense.

NOT FIT FOR THE JOB

Prohibition Agent Doubts if Illicit Traffic Can be Curbed

A federal prohibition enforcement officer at Philadelphia makes the statement that bootleggers in that city and vicinity made more than $100,000,000, and that "if the illegal traffic is not curbed within the next twelve months, I fear it can not be curbed."

In the first place this dry agent is merely guessing as to the money alleged to have been made by bootleggers; and in the second place the prohibition agent who intimates the illegal traffic can not be curbed is not a fit man for the job. It is a safe guess he is not in sympathy with the dry law.

LAWBREAKERS

—Columbus Evening Dispatch

EXPERT TESTIMONY

The magazine called "Adventure" has published in its latest issue the observations of an expert who has just completed a twenty months' survey of the United States. He is convinced that where there is now one man drinking there were formerly from ten to fifty. A certain industry where liquor formerly had almost one hundred per cent. sway, it now has about five per cent. The writer declares that there is no large per cent. of people who want liquor to come back. The editor of "Adventure" characterizes the author of this contribution as "a trained observer of high intelligence, whose honesty and sincerity are beyond question, as is his independence." We quote the following brief paragraphs:

"I can take you into any of the wettest places you ever saw in the United States and there will not be a dozen communities where there is even 20 per cent. as much liquor drunk as formerly.

"Liquor has not made any hypocrites who were not hypocrites before prohibition.

"Prohibition has driven liquor from 'Main Street;' it has taken it from the best business corners of the country. A few excuse their drinking by saying that prohibition drove them to it. I do not know a man who drinks now who would not have drunk far more if we did not have prohibition. I know dozens who have quit drinking.

"All the increase in bootleg production would not make a week's run of the 'license' distilleries, the huge breweries of St. Louis, Milwaukee and New York, the open liquor producers of 1912.

"Just read the old United States Treasury reports on liquor production, the hundreds of millions of gallons consumed by American liquor drinkers. Compare the bulk with the bulk of 'bootleg.' Can you not see that the old whisky railroad tank cars, the beer special trains, the wine ship loads are gone? I doubt if there is one per cent. production now that there was before prohibition."

BOOZE MAKING HOME SCORED

Not Suitable Place to Rear Children; Judge Advocates Separation of the Children from Parents

Judge Thompson of the juvenile court of Kansas City, Kansas, has ruled that the home where liquor is made or sold is not a suitable place for the rearing of children. The judge has caused the arrest of parents who had liquor in their homes on the charge of contributing to the delinquency of their children. The judge reasons in this way:

"The punishment of separating parents and children is more effective than extended prison sentences. Older children especially who dislike being sent to public institutions, rebel ainst the keeping of liquor in the home and thus exert a wholesome influence on parents. Parents who violate the liquor laws have affection for their children as do others and the probability that the children may be taken away is a deterrent to illegal practices.

LAW HELD CONSTITUTIONAL

The New Mexico prohibition enforcement law enacted in 1923 has been declared constitutional by the State Supreme Court. The purpose of the law is to promote cooperation between state and federal authorities. Its validity was attacked on a number of grounds but the law was upheld in every point.

WHAT THE CURRENT MAGAZINES ARE SAYING ABOUT PROHIBITION AND LAW ENFORCEMENT

(Reviewed by Emma L. Transeau)

(Collier's, the National Weekly, Jan. 17)

A LEATHERNECK WALLOPS THE SMALL GODS

By John Stuart

Another installment of the interesting serial story furnished by General Butler in Phliadelphia. This goes a step further than his dealings with the wide-open part of the town, which is one of the city's "small gods," and shows what he is in a fair way of doing with the other, "The Organization," Philadelphia's Tammany. His aim with this other deity came out in a talk he had with his police lieutenants after his illness.

The sole remaining trouble is that of political influence. Only people who are thoroughly corrupt would influence a policeman to do anything. When we eliminate entirely this influence—this dastardly influence—we will be a long step nearer our goal.

"It is not a question of following me or any individual man, but a question of following the principle of law and order. We want a safe and decent place for our children to grow up in. We want to satisfy the need for protection which every citizen at some time feels. After all, it is not the rich, but the baby-coach-pushing occupants of two-story houses who are the backbone of this city, and it is them we must first serve.

"And I'm going to stay here for many years," he ended, "unless God takes me away."

And there the writer hints at a tragedy in the story.

Butler has thrown down the small gods, the false gods of this town. But he slipped away from his cops when he finished this talk. He dropped into a chair and gasped. The doctors say it is nothing organic. But Butler's stout heart shows an actual muscular strain.

To change the small gods of a town is a heart-breaking task.

(The Literary Digest, January 10)

THE NEW EFFORT TO ENFORCE PROHIBITION

Two lines of newspaper opinion are quoted on the prospect of success, the hopeful and the dubious. Among the former is the Birmingham (Ala.) Age Herald, which predicts of Commissioner Haynes:

He will strengthen the forces now on guard on the Mexican border and will tie in his efforts with those of the Coast Guard. He will also place guards constantly on duty at the licensed distilleries and denaturing plants where government stocks and seizures are converted to other products. The manner in which physicians use their licenses to prescribe prohibited liquors is also under vigilant scrutiny. It is said that 3,300 such licenses have been revoked in the past year from physicians who used them improperly. It is evident that the forces of law and order are gathering themselves for an effort beside which all previous efforts have been puny.

The attitude—and language—of one of the dubious ones, the Columbia Record, is illustrated by the following prophecy:

Nothing is wrong with prohibition except that it is an unsound and monstrous farce, that has filled the land with bloodshed and discontent, lies and hypocrisy. Some day the people will kick it back into the limbo from which hired reformers dragged it.

(The World's Work, January, 1925)

CHILDREN AND PROHIBITION

Editorial

Commenting on the recent remarks of Judge Ben B. Lindsey, concerning the increase of drinking among "children of high school age" and the frequently expressed opinion that it is a result of prohibition, the editor suggests that the blame should perhaps be placed rather on bootlegging. He thinke the legalized saloonkeeper was rather more within reach of the law than is the bootlegger, to which one might retort that the laws and their enforcement were rather more under the thumb of the legalized and organized saloonkeepers than they are of the bootlegger outlaw.

Another explanation, however, is suggested by the editor:

Before this "age of sophistication" of the younger generation, it was considered a disgrace for any young man or young girl to show any evidences of intoxication at a party or dance. Now many of them consider it "smart;" liquor and tipsiness have become "the thing," no matter how hard parents and chaperons may try to "police" their parties and dances. A lively argument might be started anywhere in the country on the question whether this is one of the causes or one of the results of this so-called "age of sophistication." There is evidence on both sides, though no authoritative statistics are available to show even an increase in drinking among minors. Observations are the only evidence, but those observations are too general to be ignored.

The weight of evidence in this argument would be on the side holding that drinking is the result of the "age of sophistication" rather than of prohibition because it is even worse in non-prohibition countries than here. Australia and New Zealand are just now furnishing examples. In a recent article on the "disquieting figures" of illegitimate births, obtained by a statistical study, a New Zealand writer (White Ribbon, Nov. 18, 1924) says:

Every day at cabaret dances, in motor cars, in halls and parks liquor is given to youths of both sexes. And when under its influence, they lose their sense of personal dignity, and too often, alas, of personal decency . . . Is it to be wondered at that after such scenes we hear of women, almost nude, stupefied by drink, being found in motor cars or quiet parks, that young folks motoring home from so-called quiet dances in the midnight hours, stupefied by wine, behave in a manner which decency forbids one even to hint at? . . . And yet grave M. P.'s in committee assembled can stand at such a crisis in our national life and recommend greater facilities for drinking at such functions.

(The Literary Digest, Jan. 17, 1925)

CHICAGO'S BATTLE AGAINST CRIME

According to the Chicago newspapers quoted in the Literary Digest, there is to be a new drive against crime in Chicago. It will differ from former drives in that the "higher ups" will receive more attention. The order that has "gone forth" is,

Arrest the higher-ups. You will have fast cars and hard-shooting shotguns and pistols. Don't be afraid to use either.

Behind this order is Mayor Dever, State's Attorney Crowe, and Chief of Police Collins, and his chief of detectives. Also, there is the Ku Klux Klan, which boasts that it is organized by blocks, wards and districts for a drive against bootleggers and resort-keepers, and is ready for action the moment the word is given. One paper refers to two "kings" who are said to rule the underworld, "one arrogating to himself the spoils of vice and gambling; the other controlling the illicit liquor traffic." Another points the finger of accusation to the city council, the aldermen, without whose support no mayor, "however efficient, high-minded and forceful can deal effectually with city problems. Symptoms of intellectual and moral degradation in the city council are declared to have been manifest during the last few years." The final culprit, however, in the last analysis, is Mr. Plain Citizen, including his wife.

Says the Daily News:

"If the citizens of Chicago desire a competent, energetic council, they must proceed as the Municipal Voters' League pertinently points out, to organize in each ward and induce some person of outstanding ability, possessing the requisite qualifications, to become a candidate for alderman."

Of like opinion is the Chicago Journal of Commerce:

"America's laxity in the detection and conviction of criminals must in the long run be laid at the door of the American conscience; and similarly must Chicago's laxity be broadly attributed to the conscience of the citizens of Chicago, who choose judges, prosecutors and other public officers according to political considerations."

(The Independent, Jan. 17, 1925)

"DON'T GIVE UP THE RUM SHIP"

By Samuel Taylor Moore

One would almost think that a "Wet Admiral" would have been more careful about giving cues to the enemy than was the one who revealed to Mr. Moore certain tricks by which they try to outwit the Coast Guard, which is now "making the game tougher" for them. Here is one:

"Rum running is entirely a night trade, of course. When a boat knows it's spotted it flashes on a stern light, but it keeps on going until the warning shot is fired from the Coast Guard boat. Then a light of the same candle power, run by a battery and fixed on a buoy, is heaved over the side while the real stern light is switched off. The Coast Guard comes down on the buoy while the rummie finds safety off at a right angle to the course, or even doubling back."

One gets a faint suspicion that the author has an idea of throwing a sort of romantic glamor over the rum-runners, of setting them up as shining marks for hero-worshippers, but in doing so he slips in an "unconscious tribute" to the Coast Guard which places them on a height the smugglers can never hope to reach:

"Six months ago we weren't worrying. We could run circles around the few Coast Guard cutters being used and we never worried any about the old dry navy which was prohibition agents navigatin' in submarine chasers. They were reasonable. But you can't do business with the Coast Guard. I only know of one instance where a rummie ever got to a Coast Guardsman. We can buy local protection where we unload and travel overland . . . Now, a friend of mine has got a thousand cases of rye out on the Row. He figures $35 a case net profit. With $10,000 in cold cash it would seem as though you could buy some Coast Guard captain to take his crew somewhere out of the way on a fake trip—but it hasn't been done yet."

(The Union Signal, Jan. 8, 1925)

CUBA WHITE RIBBONERS SECURE TEACHING OF SCIENTIFIC TEMPERANCE IN CHOOLS

By Fern A. Simonds, President W. C. T. U. Of Cuba

The department of education in Cuba has granted the W. C. T. U. the privilege of introducing scientific temperance instruction in all public schools of the island. A series of twelve temperance lessons, adapted from the booklet, "Alcohol in Experience and Experiment," by Cora Frances Stoddard, has been translated into Spanish and will soon be ready for distribution. The department of education has agreed to place these in the hands of all public school teachers at government expense.

(The Nation, Jan. 14, 1925)

IS PROHIBITION WORTH WHILE?

No!—Charles Platt

YES!—Eugene Lyman Fisk

Preconception will, of course, decide many readers which side to take, but not reasoning upon facts, such as Dr. Fisk the real thinkers who like to base their gives them. They will ask Dr. Platt for other reasons than a wave of war emotion to account for prohibition. Why, for instance, was there a majority in Congress for submission before the war, and why was that majority increased by the definite choice of the people between wet and dry congressmen in the election which preceded the wave of war emotion. No one who is familiar with "the alcohol problem" in all countries, the "scourge" as it is called in France and Germany, the revelation which 1920 showed as the part alcohol had been playing in our own social welfare, can agree with Dr. Platt and others who, like him, agree that only "a few" are injured by alcohol.

No one who knows the history of one-half of one per cent., the limit first set by the liquor people themselves as the boundary between licit and illicit selling, the number of states that had adopted it before prohibition, and the reasons why Congress adopted it as the practical limit in enforcement of the law, can agree with Dr. Platt that it is absurd.

As to how rapidly we were arriving at "true temperance" before prohibition, the reader can judge by Dr. Fisk's figures concerning the effects of supposedly "temperate" drinking. His last paragraph will help also the consideration of whether prohibition has been "worth while."

It will be observed that the first reaction to prohibition was to reduce the death rate from alcoholism to about one-fifth that of pre-prohibition days. As various ways were found to market substitutes for conventional alcoholic beverages, the death rate began to rise slightly; but it is now about one-half of what it was before prohibition, and in the first quarter of 1924, according to life insurance reports, it is again going down.

Keeping in mind the high toxicity of the liquor now in circulation, we must assume that the actual consumption of intoxicating beverages for the country at large is small compared to what it was before prohibition.

LESS BOOZE, MORE NOISE

More noise and less liquor was the report of the federal dry agents and police in making a comparison of the New Year's celebration by Cincinnati this year with those of other years. Cincinnati is a different town than it was years ago when it was noted as a beer center.

SHALL WE SAVE THE BOOTLEGGER FROM THE PENITENTIARY?

At the Legislature now in session we find much sympathy for the "poor little bootlegger." There is evidently a decided propaganda in his behalf, centering mainly in a proposition to save the bootlegger from the penitentiary. This is to be done by reducing the penalty of bootlegging in Texas from that of a felony to that of a mere fine. At present, whenever a bootlegger is convicted he must have at least one year in the penitentiary—may receive five years unless they can get him a suspended sentence.

At the last session of the Legislature, Senator I. D. Fairchild, of Lufkin, introduced a bill to reduce this to a fine for the first offense. While the maximum fine under his bill reached nearly to the moon, the minimum fine was $25.00. Usually the bootleggers get the minimum, so we need not consider the maximum. It has been expected that Senator Fairchild would re-introduce this bill at the present session of the Legislature. We understand, however, that he will not so so, but will support the bill if somebody else introduces it. To date no such bill has been introduced, and the friends of temperance are expecting that possibly the bill will not be introduced, but the provisions of the bill reserved to be tacked on to some other bill as an amendment. By doing this they could rush the proposition through the Legislature without giving it time for thorough consideration, and might catch a number of the legislators napping. Sometimes such amendments are proposed when the friends of temperance are largely absent.

Such a proposition would practically take the heart out of our state prohibition laws. Whenever a distinction is made between the first, second and third offense, it complicates the situation very materially in prosecuting the bootlegger. The prosecuting attorney must look up the man's record from A to Izzard. This is usually not possible. Bootleggers are birds of passage—when convicted in one community they move on to another, change their name, or cover their identity, and, if caught would be again the "first offender," and could go on paying fines frequently as "first offenders." Such a bill also would introduce technicalities into the form of indictments that would cause the cases to be reversed frequently. There is really no good reason for distinguishing between first offenders, and second offenders. The bootlegger deliberately chooses the course of crime and deserves no commiseration. If the state would prevent the first offense there would be no second and third offenses.

To amend our state prohibition law by reducing the penalty from a felony to that of a fine would be to change our state prohibition law to make bootlegging the rich man's business. A stiff fine may put the little fellows out of business, but it would not hinder the rich bootlegger. He could easily pay his fine, and in a few days make enough bootlegging to reimburse him. He could arrange with the officers to be arrested and fined at certain intervals allowing his fine to be his license fee for continuing to "bootleg." Such a law would readily favor the rich.

Fifteen or twenty years ago Texas became convinced that nothing less than a penitentiary sentence would stop bootlegging and a specific law was passed at that time making all bootlegging a felony, with not less than a year in the penitentiary. When the present amendment to the state constitution was adopted it was written into the proposition upon which the people of Texas voted that a violation of the law should mean at least a year in the penitentiary. The people voted this at the election. No Legislature will be justified in turning down the voice of the people expressed at the ballot box.

Such a legislation will be a long step backward in our fight for the suppression of the beverage liquor traffic. Texas was one of the earliest states to make bootlegging a felony, but one after another of the various states are rapidly falling in line until possibly a majority of them today have laws similar to the Texas laws. This is especially true in the South and West. In New York and New Jersey bootleggers are too popular for them to send to the penitentiary. Laws in that section of the state are lagging far behind those in the South and West.

The plea is sometimes made that the Volstead Act does not impose such a punishment and that our state laws should harmonize with the Volstead Act. It must be remembered that the Volstead Act is largely typed by representatives from the Northeastern states. It is not for us of the South and West to lower our standards to New York and New Jersey, but rather to stand firm and help raise their standards. On the other hand there is now before Congress a bill to give every bootlegger a jail sentence under the Volstead Act. Texas should not lie down on this question when the fight is up for strengthening the Volstead Act. Also the plea is made that the juries will not convict violators of the prohibition laws when the penalty is a sentence to the penitentiary, but would convict if the sentence was a fine. This plea can not be sustained by examining the records of our courts. Recently in Corpus Christi nineteen bootlegging cases were tried and seventeen convictions had. If Corpus Christi can give such a record as that, there is certainly no grounds for the plea that juries will not convict bootleggers. We are confident that an examination of the court records of Texas will reveal the fact that a larger per cent of the bootlegging cases are convicted than there are of the murder cases. Corpus Christi has a real district judge in the person of Judge W. A. Cunningham. He is showing what can be done in any county in Texas when the district judge and the district attorney wants a conviction. If these two officers do not want a jury to convict, they can usually find one that will not convict. If they want conviction, they can usually find juries that will convict. The sheriff has much to do with this also. Reports come from Laredo that bootleggers are almost invariably convicted and sent to the penitentiary in that border town. If Corpus Christi and Laredo can do this there is no excuse for any county in Texas to claim that they can not convict bootleggers.

The plea that public sentiment does not sustain the penitentiary sentence as a punishment for bootleggers can not be maintained. It is contrary to the facts.

"CRIME OUR NATIONAL SHAME"

This work just off the press is being received most favorably by those interested in good government. Many strong letters of endorsement have been received by the editor and by the secretary of the committee.

Dr. E. House, discoverer of "truth serum," of Ferris, Texas, and internationally known as one of the foremost criminologists, writes: "Your book received. I have read it cautiously and carefully. It is a masterful presentation of a vital subject."

Dr. Homer W. Tope, superintendent of the Anti-Saloon League of Pennsylvania, writes: "It is one of the best of its kind I have ever read."

Mr. Tom Finty, Jr., managing editor of the Dallas News, in a lengthy review wrote: "It is a militant, 'peppy' book on the subject of law enforcement. Mr. Webb's criticism of the courts, lawyers, the press, the movies, the schools and churches are firm, sometimes stinging, and yet diplomatic and impartial."

Rev. W. M. Rader, pastor First Methodist Church, Arlington, said: "This book contains just what I have been wanting for years. Usually to get such weighty facts as are here given, one must wade through a lot of dry, heavy reading. You put the same information in a charming, entrancing style; I can hardly stop reading it. Every preacher and every public man needs this book."

This is the first attempt made to diagnose the conditions of lawlessness and to prescribe the remedy. Whether the good folks know it or not, a strong propaganda is being carried on to mold sentiment favorable to the criminal's interest. It may be felt any time a bill is before the Legislature calculated to strengthen our machinery of law enforcement. Its proponents take high stand upon principles of "democracy" and "local self-government." These terms are dear to every true American heart, but if the interpretation they put upon these doctrines is to prevail, chaos must be the end of our experiment at self-government.

The only hope for success in the enforcement of our laws lies in the education of the popular mind in these matters. This is why this book was written. It is to be hoped that every pastor will at once secure a copy, and join in the crusade against crime. Every lover of his country should read this book and become a center of influence to counteract the propaganda for lawlessness. Readers of Home and State may order copies from their denominational publishing house or

Baptist Book Store, 206 Browder Street, Dallas, Texas;
Lamar & Barton, 1308 Commerce Street, Dallas, Texas;
Home and State, Dallas, Texas;
Gammell's Book Store, Austin, Texas.

GOVERNOR NEFF

For four years Hon. Pat M. Neff has had his hand on the helm of state. His administration will go down in history as one marked with high ideals, efficient management, and one in which there was not a breath of suspicion of corruption. Such an administration is one to be proud of by both the state and retiring governor.

In his farewell address he said: "It has been my constant effort to do Texas all the good I could, and to do it no harm." All Texas will acclaim the success of such an effort. Criticisms have been constant, usually coming from that element of our citizenry who do not want high ideals put into practice, but no one will have the nerve to hint that the governor himself failed to hold to these ideals, or that ever there was a corrupt act or a sinister motive.

Not only has Governor Neff's administration been one of which the state may be proud but as executive head, he was a man of whom all were proud. When he appeared upon the platform every true Texan was always proud to say, "That is our governor." When he went forth among others beyond our borders, and there were many calls for him, he towered among the tallest. In councils among statesmen, upon the platform, anywhere, the Texan's heart swelled with pride as he turned to those at his elbow with the words, "That's **Our Governor.**"

We want here to extend to him before all Texas our sincerest appreciation of the personal courtesies, assistance and counsel in our work that Governor Neff has always so wholeheartedly rendered. In all the struggles of the last four years he never failed, nor shirked a responsibility. No one will ever fill the governor's office in Texas who will more truly be the servant of the people than he.

While leaving the office conscious of having done his best upon this high plane, we feel sure there is one regret. He did not accomplish all that he had his heart set to do. We are not here speaking for him. It is simply our opinion. There is a reason for this. The Legislature elected at the time he was first elected consisted of sixty-five per cent Thomason men, fifteen per cent Bailey men, and only twenty per cent original Neff men. Pat Neff had won by direct effort and not by any organized backing. It gave him a free hand in carrying out his policies, but it also was lacking in any organization for putting over these policies. There were also among the Legislatures eighty per cent of those who felt more or less sore that he had defeated their choice. The evil forces of our state never sleep. They are always ready to get in their work whenever possible. Here was a fruitful field in which to sow discord, and the sowers were at hand. The good people are too prone to conclude that everything is going to be all right, and go to sleep at the switch. They failed to back the governor's efforts as they should. Here lies the reason for any failure there may have been to accomplish more. No one can lay it at the feet of the retiring governor.

REFORM COURT PROCEEDINGS

Some of the district judges recently met and formed an organization and issued a report requesting the Legislature to modify the present court procedure in ten different points.

We have seen no notice of any bill embodying this recommendation, and the organization itself has seemed strangely silent on the question.

This move on their part is commendable. We hope the matter will not rest where it is. Of the nine suggestions for reform offered in the recent volume by the editor, "CRIME OUR NATIONAL SHAME," six are included in the report of these district judges. Probably the other three suggestions contained in this volume would have been approved, had they been presented. The approval of these six speaks well for the saneness of the views presented in the book. The best thought of the state will approve most of the recommendations it makes, and no body of men are in better position to present these views to the Legislature than the district judges of our state. We hope they will follow up their work vigorously. Nothing less will accomplish results. Merely meeting, recommending, and adjourning will not get anywhere.