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HOME AND STATE

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MANY NEGROES SUPPORTING AL SMITH

In a recent letter to the chairman of the state Democratic committee, the National committeeman from Texas, Jed Adams, got off more drivel and nonsense than we have ever seen come from his pen before, and he is rather an expert at such business.

He makes the ridiculous claim that if Hoover should carry Texas, our Jim Crow laws and our laws against inter-racial marriage would be endangered. At the same time this gentleman will claim that Al Smith could not hurt the cause of prohibition if he was elected president.

There will be no power or authority put in Hoover's hands in any way to interfere with the state laws of Texas, relating to the negro question, but there will be 100 times more power and authority placed in the hands of Al Smith to defeat the enforcement of the national prohibition laws than is put into the hands of the Governor of our state. Such nonsense as this national committeeman gets off is pitiful.

NEGROES FOR AL SMITH

Recently Robt. T. H. Simmons, a negro citizen of Mexia, is reported in the press in favor of Al Smith and threatening to bolt the Republican party to support him, and is reported to have said:

"The time has arrived in Texas for the negro citizens to divide their votes and cease following blindly and ignorantly the so-called 'Grand Old Party.'"

The newspapers were full of reports from Kansas City at the time of the Republican Convention, to the effect that that element of the Republican party opposed to R. B. Creager would organize to defeat Hoover in Texas.

As is well known, "Gooseneck Bill" McDonald, a prominent negro banker and politician in Fort Worth, is one of the leaders of that element of the Republican party in Texas, and Creager claimed that 16 of the 20 of them were negroes.

It will be recalled in the campaign of Dr. Butte against Ma Ferguson, that a large per cent of the negroes of Texas voted for Ma Ferguson. The same ones will vote for Al Smith in November. Of course they are the lower elements of the negroes.

WHITE WOMEN IN NEW YORK ASSOCIATE AND DANCE WITH NEGROES

(From the *Manufacturers Record*, P. 64, Dec. 1, 1927.)

"In New York one sees apparently respectable and well-to-do white men and women dancing with negro partners in negro cabarets. In three negro cabarets, I found each one filled with a crowd of patrons, about 50% each, black and white. White women with every appearance of refinement danced and chattered almost intimately with the negro men; white men with every appearance of prosperity and social standing, danced and chattered, often, really intimately, with negro girls and women. Negro girl dancers circled the room, making suggestive movements of their bodies and suggestive gestures to the white men. The sight was too repulsive for detailed description in a decent publication.

"Speaking as a veteran newspaper man who knew New York inside and out in the old wide-open days, I can say with emphatic confidence that old New York would not have tolerated such dives and such racial intercourse and, if there had been any lynching the white offenders would have been the victims.

"New York state has a Tammany Governor, a Tammany mayor and city council.

"If Tammany permits such scenes in a city and state which it controls, what would be the result if the presidency was turned over to Tammany and one of its proteges and products?"

SMITH AND NEGRO EQUALITY

(From the *Woman Voter*, Vol. 2, No. 6, June, 1928.)

"Under Governor Smith's administration negro equality is practiced in the public schools in New York and it is an open secret that Governor Smith believes in equality among the blacks and whites. The *Woman Voter* calls upon the Southern delegates and asks them can they conscientiously vote for a man who would try to force upon the people of the South negro equality, as Governor Smith has indicated he would do on more than one occasion.

"Harlem 'Nigger Heaven,' the lowest section of New York City, is over two-thirds owned by Tammany. The night clubs, gambling joints, speak-easies and bootleggers are financed by Tammany. In return for this Governor Smith got one of his largest votes from the whole city out of Harlem. Half a million negroes, mostly yellow, live in Harlem and not only declare themselves equal of the whites but are permitted to live as man and wife with the whites and their children allowed to attend the white schools. They have been so encouraged in Harlem under Smith's administration that they are breaking their bounds and permeating the whole city. Broadway plays are entirely given over to colored actors and they are the chief entertainers in the night clubs. Are we going to allow them to spread from New York City throughout the country? No, let us stop this while there is yet time."

CONE JOHNSON ON AL SMITH

Hon. Cone Johnson is reported to be more determined than ever to vote against Al Smith for president. He is reported in the press to have said, referring to Smith's repudiation on the platform in accepting the nomination:

"That message of Smith's was a clear bolt from the Democratic platform and no one can blame any Democrat for bolting Smith's nomination, after he (Smith) bolted first."

In addition to Smith's witness, Mr. Johnson claimed that he was nominated by the un-American element of our party. He said:

"There is a deeper significance to Smith's candidacy than even the liquor and religious issues. It is the fact that the Democratic convention was not an American assembly except here and there it contained elements of Americanism. In the main, it was a consolidation of Old World elements tempered with a little of America. I sat by the central aisle while the parade passed following Smith's nomination and the faces I saw in that mile-long procession were not American faces. I wondered where were the Americans."

Great Mass Meeting of Texas Drys Called For Tuesday, July 17

OUR READERS have doubtless seen in the public press a call for a mass meeting to be held in the crystal ball room of the Baker Hotel at 10 a. m., Tuesday, July 17, of all Democrats opposed to the election of Al Smith. This call has been issued by no faction, but by all factions of the Democrats who are opposed to the election of Al Smith. Its purpose will be to counsel together as to the best methods to pursue, form a program and organize to put that program over.

It is of supreme importance that every church standing for the enforcement of the Eighteenth Amendment get busy at once and see that a good delegation join the other elements of our citizenry in attending this mass meeting. The committee urges that every pastor bring this meeting before his church on Sunday, July 15. It is not a political question that they will consider. It will be the question of preserving the Eighteenth Amendment at the ballot box in November.

TEXT OF THE CALL

We, the undersigned citizens of Texas, and members of the Democratic party who are determined to remain members of the party but are opposed to the election of Governor Alfred E. Smith, of New York, as President of the United States, hereby call a mass meeting of all Democrats in Texas opposed to Smith's election to meet in conference at the Crystal Ball Room of the Baker Hotel, in Dallas, at 10 o'clock a. m., Tuesday, July 17, 1928, for the purpose of devising ways and means, and perfecting plans and organization to carry the state of Texas against Smith at the election next November. Let every Democrat who loves his state and wants to uphold the Constitution of the United States meet with us on the occasion named and for the purpose mentioned. Let every county, and every community in each county be represented.

The above has been signed by hundreds of dry Democrats representing all factions, but who joined in the fight to defeat Al Smith for president. Our limited space crowds out these names.

UNBIASED OPINION OF AL SMITH

The Citizens' Union, of New York, an organization of reputable citizens interested in good government, reported from year to year on the activities of New York members of the state legislature. This is what it had to say about Alfred E. Smith: It deals only with his record in the Legislature. These expressions were written under date given, and not since he has been candidate for the presidency.

"1905. Inconspicuous."

"1906. Intelligent and active. Somewhat above average machine man."

"1907. Active and aggressive."

"1908. Increasingly active and aggressive. . . . very much above average.

. . . inclined to follow machine in support of bad measures.

"1909. All the New York Assemblymen should be replaced by more reliable public servants . . . Robinson and Smith are the more dangerous because of their experience and influence. Assemblyman Smith has disappointed the expectations of those who believed he would make a proper use of his increasing influence. He introduced a bill permitting liquor traffic (previously prohibited) within 200 feet of a church or school house. . . . Voted against direct primaries. . . . Made one of the worst records of the session, constantly voting against public interest on important issues and misusing his much increased influence."

"1910. We believe that, on his record, Assemblyman Alfred E. Smith should be retired . . . worked against public interest on important issues . . . opponent of primary and election reforms."

"1911. Assemblyman Smith has never gained any reputation for independence but exhibited considerable ability as a floor leader. Introduced Wagner-Smith bill as the official (primary) proposal of the Democratic organization. Continued his opposition to progressive reforms and took responsibility for forcing passage of "ripper" charter in Assembly."

"1912. Minority leader. Opposed thorough-going direct primary bill and on other important issues voted against the public interest."

"1913. As speaker was the most influential member of the Assembly and largely dominated the action of the majority. Executed orders of the machine. Opposed primary and election reforms. Deserves credit for support of desirable home-rule legislation."

"1914. Experienced and resourceful leader of Democratic minority. Seldom exerted his influence in behalf of desirable legislation. . . . Active chiefly in support of objectionable measures."

THE IMPORTANCE OF OUR STATE TICKET

The nomination of Al Smith makes possible, but far from certain, his election to the presidency. The danger, however, is sufficiently great to put a weighty responsibility upon every friend of prohibition and good government to do everything possible to stem the tremendous battle that will be waged, not only against our national prohibition laws but also against our state laws, a battle that will reach into every nook and corner of our nation. This makes more important the election of our state ticket from constable to governor.

A set of state officers friendly to Al Smith, in case of his election, could practically deliver the state of Texas over to Tammany and the outlawed liquor traffic, just as the state executive committee, with the assistance of some state officers, have done so much to neutralize the influence of Texas at the recent convention. We will need officers, from Governor down, who will stand like a stone wall against the subtle assaults of the wet leaders. We will need no compromisers, no harmonizers, no pussyfooters, no one to shilly-shally, no one so devoted to party as to lose interest in the Eighteenth Amendment, but men who have a clear vision and the courage of their conviction.

We do not believe that such men can be found among those who have been apologizing for the necessity of nominating Al Smith, or who have, or will boost for the "nominee."

In other words, let the voters of Texas draw a sharp line between the friends of Al Smith, those who "support the nominee," and the real, honest-to-goodness prohibitionists who can see the issues and who have courage to fight Al Smith and all the cohorts of Tammany to the last ditch.

THE TEXAS DEMOCRATIC MACHINE

We believe that none but the friends of Al Smith will question the statement that the Democratic executive committee of Texas this year did its best to deliver Texas Democracy into the camp of Al Smith. This was the purpose of the "pledge" and its effect as far as they were permitted to carry it out. This was the purpose of the "uninstructed delegation" and its effect as far as they dared to carry it out.

What Texas needs is another executive committee, one that will not bow its knee to Tammany Hall for love or money.

The executive committee under the laws of Texas very largely control the destiny of the party. If the results of the general election are what we confidently expect, the present Democratic machine will have wrecked the party and we will need a new personnel and one of such moral fiber and loyal convictions as will help to save the pieces from this wreckage.

If their mechanicians should win in the general election, the more will we need a Democratic machine in Texas loyal to the Eighteenth Amendment and to honest and clean government.

These remarks are not applicable to all members of the committee, but only to those of them who controlled its action. We have not one word of criticism for many good men who are on that committee. Many of them have been double-crossed just as the people were double-crossed and deceived.

Our suggestion to the voters of Texas is to draw out from each candidate his promise whether or not, if nominated, he will become a booster for Al Smith. If he will, then vote for the other fellow. Remember, this is a fight to the finish between the moral forces and the outlawed liquor traffic.

THE LIEUTENANT-GOVERNOR

We all recognize the fact that the office of Governor is of very great importance. He is the executive head of our state. His influence as Governor is out of all proportions to his influence as a man. We need in the Governor's office a man who is not only an honest prohibitionist and a total abstainer, but one who will use the power and authority of that office in support of our Constitution as it relates to the liquor question and one who will not appoint to office booze-heads or those unfriendly to this law.

But few realize the importance of the office of Lieutenant-Governor. As it relates to the legislative work, the Lieutenant-Governor's office is more important than the Governor's office. He is the presiding officer of the senate. He appoints all the committees of the senate. The committee on criminal jurisprudence, the committee on civil jurisprudence, and the finance committee are all important, for any legislation relating to the enforcement of our prohibition laws.

Lieutenant-Governor Barry Miller at the last session stacked the committees with enemies of the prohibition laws so that they were practically able to condemn by adverse report and to kill any legislation offered before the senate.

They could smother it in the committee and not allow it to enter the senate. Those committees are very powerful in defeating legislation they do not want. The Lieutenant-Governor appoints the committee.

The Lieutenant-Governor also in many ways can promote or defeat the passage of bills. The dry forces of Texas want some relief from the dominance and arrogance of the bootleggers traveling our highways protected by the Ferguson Search and Seizure Law. Our courts need to be unshackled by the restrictions put upon the courts in the introduction of evidence against bootleggers that has made it so difficult to secure the conviction of those known to be guilty. The Texas Bar Association sponsors a program of court reform for the elimination of technicalities that have been the bulwark of defense for the criminals until life itself has become unsafe within our borders. We need a Lieutenant-Governor in sympathy with these laws and one who will appoint committees and conduct the affairs of his office in sympathy with them.

SENATOR THOMAS B. LOVE

Senator Thomas B. Love has led the forces fighting against the nomination of Al Smith and openly declares he will not support him at the general election. Senator Love's record on prohibition has been one of the most consistent of any public man in Texas. Whenever this question arises, no matter in what form, the people of Texas know exactly where they will find Senator Love.

Senator Love, probably more than most public men, has the courage to stand and fight for his convictions and if necessary, go down in defeat for them. The people of Texas can know exactly what to expect when they place the authority pertaining to the Lieutenant-Governor's office in his hands.

FORMER SENATOR H. L. DARWIN

Former Senator H. L. Darwin has had much experience in the legislative work in Texas. His position has been consistently favorable to prohibition though he fought vigorously the bill sponsored by Governor Neff which would have given the state more power in the enforcement of our prohibition laws. We are sure that he took this stand from conscientious convictions. Senator Darwin has vigorously opposed Al Smith's nomination. It is too early yet for

us to know what his attitude will be now that Al Smith is nominated. Our guess is that if he votes for him, he will do so holding his nose.

LIEUTENANT-GOVERNOR BARRY MILLER

Barry Miller has always been recognized as one of the wet leaders of the state. Our earliest acquaintance with him was when we heard him in a debate defending the saloons. As Lieutenant-Governor, he has rendered efficient service for the outlawed liquor traffic in the appointment of committees and other influences of that office. No doubt, the friends of liquor will rally around Lieutenant-Governor Miller.

HON. J. B. McCALL

Hon. J. D. McCall of Beaumont is a candidate for Lieutenant-Governor. Our information is that he is a splendid citizen, a prohibitionist and a good man. We do not know any record that he has made on this question.

FORMER SENATOR J. D. PARNELL

Former Senator J. D. Parnell of Wichita Falls is a candidate. His record as a member of the legislature and as senator, while sometimes favorable to prohibition has generally been opposed to it. He was defeated for re-election to the senate by the present senator, W. D. McFarland, principally upon his prohibition record.

CANDIDATES FOR STATE OFFICES

GOVERNOR

Governor Dan Moody: Prohibitionist and total abstainer.
 Judge Wm. E. Hawkins of Breckenridge: Prohibitionist and total abstainer. Has announced that he will refuse to vote for Al Smith.
 Mrs. Edith Willmans of Dallas: Prohibitionist and total abstainer.
 Louis J. Wardlaw, Forth Worth: Was wet until the Eighteenth Amendment. Promises the enforcement of the prohibition laws. Personal and political friend of Jim Ferguson.

STATE SUPERINTENDENT OF EDUCATION

So far as we know each of the following candidates are prohibitionists and good men.

S. M. N. Marrs H. P. Davis W. E. James W. F. Garner W. W. Bennett

LAND COMMISSIONER

J. T. Robinson: Present incumbent, prohibitionist and good man.
 G. Herschel Boggs, San Angelo: Prohibitionist and a good man. Member of the last two legislatures.
 Otis Terrell, Austin: We do not know him.
 E. I. Flynt, Quanah: We do not know him.
 Andrew J. Brittain, Quitman: Recently had a long article in the *Dallas News* demanding a modification of the Dean Act.

RAILROAD COMMISSIONER

Lon A. Smith, Austin: Prohibitionist.
 Jefferson Smith, Austin: We do not know him.

COMMISSIONER OF AGRICULTURE

Geo. B. Terrell, Austin: Present incumbent and prohibitionist.

STATE TREASURER

W. Gregory Hatcher, Austin: Prohibitionist. Has held this office for two terms and made a splendid record.
 Grover C. Harris, Dallas: Wet. We cannot endorse him.

ATTORNEY GENERAL

Claude Pollard, Austin: Present incumbent. Splendid man. Dry.

STATE SUPREME COURT

T. B. Greenwood, Austin: Incumbent, no opponent.

COURT OF CRIMINAL APPEALS

W. C. Morrow, Austin: Present incumbent. Dry.
 Lee P. Pierson, Dallas: Prohibitionist.

STATE COMPTROLLER

S. H. Terrell, Austin: Has had the office two or three terms and has not enforced the prohibition law.
 J. D. Jones, Austin: A prohibitionist. Lifelong prohibitionist.

UNITED STATES SENATE

Earle B. Mayfield: Has held the office for one term. Is a prohibitionist and gave splendid satisfaction to the dry forces.
 Tom Connally, Marlin: Prohibitionist and a good man.
 Thos. L. Blanton, Abilene: A fighting prohibitionist and a good man.
 Mrs. Minnie Fisher Cunningham, Galveston: A prohibitionist and announces she will not vote for Al Smith.
 W. A. Rowe, Houston: We do not know him.
 Jeff McLemore, Hebronville: Dripping wet.

CONGRESS

All the Democratic members of Congress from Texas have been consistently voting favorable to the prohibition laws for several terms. Some of these men are personally wet. They take the position that prohibition being in the Constitution and taking oath to support the Constitution they cannot be true to that oath and vote against bills calculated more effectively to enforce the law. Below we give the extent of our information concerning the candidates:

DISTRICT No. 1

Eugene Black: Present incumbent. Prohibitionist and a good man.
 Wright Patman, of Texarkana: Prohibitionist and good man. Former member of the legislature, at present district attorney.

DISTRICT No. 2

John C. Box: Present incumbent. Prohibitionist. A splendid and able Congressman and a leader in the fight to prevent America from being over-run with foreigners.

S. H. Sanders, Center: We know nothing of him.

W. W. King, Bronson: We know nothing of him.

DISTRICT No. 3

M. G. Sanders, Canton: Present incumbent. Dry and a splendid man. Has no opponent.

DISTRICT No. 4

Sam Rayburn, Bonham: Present incumbent. Has been voting favorable to prohibition since the enactment of the Volstead Act.

Tom W. Perkins, McKinney: Prohibitionist.

Jno. L. Andrews, Denison: Prohibitionist.

Wallace Hughston, McKinney: Prohibitionist.

En L. Shirley, Anna: Prohibitionist.

DISTRICT No. 5.

Hatton W. Summers, Dallas: Present incumbent. Prohibitionist. Has always voted favorable to the enforcement of the Volstead Act.
Worth Ray, Dallas: Prohibitionist and has announced he will not vote for Al Smith.
D. P. McCaleb, Dallas: We do not know him.

DISTRICT No. 6.

L. A. Johnson, Corsicana: Present incumbent. Prohibitionist and splendid man. Has no opponent.

DISTRICT No. 7.

Clay S. Briggs, Galveston: Present incumbent. Has voted every time favorable to the Volstead Act and its enforcement and rendered splendid service.
T. J. Holbrook, Galveston: Has been in the state senate for several years and is dripping wet. In the senate did everything possible against prohibition.

DISTRICT No. 8.

D. E. Garrett: Present incumbent and prohibitionist. Has no opponent.

DISTRICT No. 9.

J. J. Mansfield, Columbus: Present incumbent. Votes always for enforcement of the Volstead Act. Has no opponent.

DISTRICT No. 10.

J. P. Buchanan, Brenham: Present incumbent. Votes for the support of the Volstead Act. Has no opponent.

DISTRICT No. 11.

John Maxwell, Waco: Prohibitionist, good man.
O. H. Cross, Waco: We understand is wet, at least, that he is not favorable to the present prohibition laws.
Judge Lewis H. Jones, Belton: We believe he claims to be a prohibitionist. We do not know his record.

DISTRICT No. 12.

Frits G. Lanham, Fort Worth: Prohibitionist, good man. Has no opponent.

DISTRICT No. 13.

Gwinn Williams, Decatur: Prohibitionist, good man, has no opponent.

DISTRICT No. 14.

This district is now represented by a Republican. We understand that two candidates from San Antonio are running.

A. D. Rogers, San Antonio: Prohibitionist.
Augustus McCloskey, San Antonio: We understand he is wet.

DISTRICT No. 15.

John N. Garner, Uvalde: Has been in Congress a long time. Was formerly wet. Since the ratification of the Eighteenth Amendment he has gradually come around to where for several terms he has uniformly supported the prohibition laws.

Sid Harris: Prohibitionist and a splendid gentleman in every respect.

DISTRICT No. 16.

Claude Hudspeth, El Paso: Formerly wet, but since going to Congress has voted favorable to prohibition.

W. E. Reid, Colorado: We do not know his record.

DISTRICT No. 17.

This district has been represented by T. L. Blanton, who is now a candidate for the United States Senate.

R. N. Grissom, Eastland: Prohibitionist and splendid man.
R. Q. Lee, Cisco: Has made quite a reputation as a business man and is very popular throughout the West. Our information is that he is a prohibitionist and a very splendid gentleman.
T. P. Perkins, Mineral Wells: We understand he is a prohibitionist.
W. Homer Shanks, Clyde: Stated in his announcement that he is for prohibition.

Oscar Callaway, Comanche: Dripping wet, and opposed to Woodrow Wilson.

DISTRICT No. 18.

Marvin Jones: Present incumbent. Dry personally and politically. One of our finest men.

J. Ross Bell, Paducah: Do not know his record.

STATE SENATE

DISTRICT No. 1.

Dr. J. W. E. Beck, DeKalb: Is reported to be dry and a very splendid man.
Dr. J. A. Dodd, Nash: Formerly member of legislature, good prohibitionist and a fine man.
Lamar Denman, Mt. Pleasant: We do not know his record.

DISTRICT No. 3.

B. B. Perkins, Rusk; H. T. Brown, Jacksonville; W. E. Thommason, Nacogdoches. We have no detailed record on these men, but understand they are all dry.

DISTRICT No. 5.

Nat Patton, Crockett; N. H. Phillips, Crockett. We do not have detailed records of these men.

DISTRICT No. 7.

Thos. G. Pollard, Tyler: Has been senator from this district for some time and has one of the best records among the senators on dry votes and against Ferguson. Has no opponent.

DISTRICT No. 8.

Chas. R. Floyd: Has been senator for a number of years. Has usually voted dry and can usually be depended upon by the dries.

Tom DeBerry, Bogata: In the legislature during Ma Ferguson's administration, on the Amnesty bill his vote was once favorable to Ferguson and four times unfavorable.

On the Ferguson Search and Seizure law, he was absent at the first ballot and voted for it in its final passage.

On the law excluding evidence against bootleggers (S. B. 115) he voted favorable to excluding evidence against bootleggers both times.

DISTRICT No. 12.

W. M. Martin, Hillsboro: A candidate. We understand that he may claim to be dry, but has been an ardent supporter of Jim Ferguson usually.

J. R. Donnell, Hillsboro: Dry and worthy of the confidence of the dry voters of his district.

W. M. Tidwell, Ennis: Dry. Good man.

DISTRICT No. 13.

Senator E. E. Witt: Has held this position. His record has been dry at home and mostly wet at Austin and favorable to Ferguson.

W. E. Poage, Waco: Dry. Has been a member of the legislature and is a good man.

DISTRICT No. 14.

R. S. Bowers, Caldwell: Present incumbent. Dry.

Chas. S. Gainer, Bryan: We do not know him.

DISTRICT No. 18.

H. S. Bonham, Beeville: Is a candidate. Is satisfactory to the prohibitionists. Has been a member of the legislature for some time.

J. W. Stephenson, Victoria: Wet.

DISTRICT No. 20.

Senator A. E. Wood: Has been representing this district for two terms. At first his record for supporting dry measures was splendid. Of late it has not been so good. In the legislature during Ma Ferguson's administration he voted twice unfavorable to an effective bill to restrict liquor prescriptions and four times favorable to such a bill. He offered a substitute for the Price-Woodward bill, which was the bill dry forces were backing, and which substitute very materially weakened the bill. His support of the substitute placed him with the wets.

On the Anti-Jake bill (S. B. 235) he voted three times unfavorable to an effective bill to prevent liquor substitutes, but Senator Fairchild offered an amendment to the bill intended to reduce penalties on bootlegging. Senator Wood voted with the dries on this amendment.

On the Ferguson Amnesty bill his first vote was favorable to Ferguson. All the other votes were against Ferguson.

On the Search and Seizure bill (S. B. 174) he was a member of the Committee on Criminal Jurisprudence which reported the bill favorable, and was also a member of the Free Conference Committee, which framed the present law, which is even worse than the original bill.

On the bill for excluding evidence against bootlegging (S. B. 115) he was a member of the Committee on Criminal Jurisprudence, which reported the bill favorable and on the floor of the senate voted to suspend the rules and hasten its passage, which vote was unfavorable to law enforcement.

On the bill for granting bond over the head of the trial judge (S. B. 29) he was a member of the Committee on Criminal Jurisprudence which reported the bill favorable. The bill passed the senate without record vote, but was killed in the house. The bill was unfavorable to law enforcement.

On suspended sentences for misdemeanors (S. B. 10) which bill was unfavorable to law enforcement, Senator Wood voted "nay," which vote was favorable to law enforcement.

On the bill for restricting a trial judge's rights in contempt cases (S. B. 30) Senator Wood was a member of the Committee on Criminal Jurisprudence which reported the bill favorable. It was passed in the senate, killed in the house. He voted "yea" which was in favor of the bill and unfavorable to law enforcement.

(S. B. 187) for limiting rangers to counties where local officers request them, was paired against the bill and, therefore, favorable to law enforcement.

John W. Hornsby, Austin: Opposing Wood in this race, is a prohibitionist, was assistant district attorney in Travis county for a number of years, and we understand is satisfactory to the local W. C. T. U. in Austin. They know the record of Senator Wood and they know Mr. Hornsby's record better than we. They are supporting Mr. Hornsby.

DISTRICT No. 21.

Carl Hardin: Is offering for re-election. In the legislature during Ma Ferguson's administration on the Ferguson Amnesty bill he cast every vote favorable to Ferguson.

On a bill to restrict liquor prescriptions he cast six votes, all unfavorable to an effective bill and which votes we regard as wet. On the seventh ballot he was absent.

On the Anti-Jake bill which was to prohibit the sale of liquor substitutes (S. B. 235) he cast three ballots unfavorable to an effective bill, which votes we regard as wet, but voted against Fairchild's amendment to reduce the penalty on bootlegging, which vote we regard as dry.

On the Search and Seizure law he seems to have had no record vote.

On the law for excluding evidence against bootleggers (S. B. 115) the only record vote for him was on suspending the rules and hastening its passage. He voted favorable to it, which vote was unfavorable to law enforcement. On the bill for restricting trial judges (S. B. 30) his vote was favorable to law enforcement. On bill for limiting rangers to counties where officers request them (S. B. 187) his vote was favorable to law enforcement.

In general, the dry forces cannot depend upon Senator Hardin voting favorable to the dry laws.

Fred K. Stroup, Temple: Is a candidate against Senator Hardin. He is endorsed whole-heartedly and unqualifiedly by Mr. W. S. Rowland for years one of our dry leaders in Temple. From other sources we have similar information that Mr. Stroup is a high class citizen and bone dry.

DISTRICT No. 24.

Senator Jesse R. Smith, Breckenridge: Candidate for re-election. He is one of our finest men and thoroughly dry. While he voted for the Ferguson Search and Seizure law, when the effect of the law became apparent, he at once proclaimed that he favored its repeal and supported the efforts to repeal it in the last legislature. He is thoroughly satisfactory to the prohibitionists.

Oliver Cunningham, Abilene: Opponent. We have endeavored to get the opinions of local dry leaders in Abilene. The report we have are both favorable and unfavorable to Mr. Cunningham as a prohibitionist, but predominantly unfavorable.

DISTRICT No. 26.

W. A. Black, San Antonio: Former mayor of San Antonio. Dry.

T. B. Moursund, San Antonio: Do not know his record.

W. A. Williamson: Dripping wet.

DISTRICT No. 29.

Senator Ben F. Birkley, Alpine: Candidate for re-election. His record is about 50-50 wet and dry. Has no opponent.

DISTRICT No. 30.

Pink L. Parrish, Lubbock: We understand he is a good man and dry. Has no opponent.

DISTRICT No. 31.

Clint C. Small, Wellington: Has no opponent. We do not know his record. [We regret that we have not space available in which to give the records of the candidates for the legislature. If our readers are interested concerning any individual candidate, they may write us. If that candidate was a member of the legislature before the present one, we have his record in full.]

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JULY, 1928



Smith on a Dry Plank—and the New York Times

A striking example of editorial dishonesty was recently found in the New York Times. On June 19, an Associated Press news item in that newspaper carrying a Lincoln, Nebraska, date line of June 18 reads:

"Should Governor Smith, of New York, be nominated as candidate for President by the Democratic National Convention, the Anti-Saloon League will support Herbert Hoover, Republican nominee." F. Scott McBride, of Washington, D. C., General Superintendent of the League, declared here today in his first public statement since the Republican Convention. He was attending a state meeting of the League here.

"Regardless of any dry plank that may be inserted in the Democratic platform and any decision of Governor Smith to uphold dry enforcement, his past record as Governor of New York, and his public utterances against prohibition would be too unfavorable to enforcement to warrant his support by the League," McBride said.

"Al Smith has fought too long for the saloon and the brewer for him now to accept the alleged advice of Elihu Root that he should pose at the Houston government (evidently a misprint. Should read convention) as the champion of law enforcement," Mr. McBride declared.

He characterized Governor Smith as a "weak candidate."

On June 20 the following editorial appeared in the New York Times:

ENDING A FALSE PRETENSE

The General Superintendent of the Anti-Saloon League, Mr. McBride, declared on Monday that his organization will not support the Democratic party no matter how drastic a prohibition plank it may adopt. This, of course, is on the supposition that Governor Smith is nominated. In that event the Anti-Saloon League will be for Mr. Hoover even if the Democratic platform promises everything in the way of enforcing the Volstead act. It may undertake to put the entire Army and Navy into action against violators of the law. It may pledge itself to appoint 500,000 additional prohibition agents. It may offer to dam the ocean against the incoming flood of liquor, and to build a wall 1,000 feet high along the Canadian border to prevent smuggling. None of these things would move the Anti-Saloon League. It has already committed itself to the Republican Party and to the candidacy of Secretary Hoover.

Thus is destroyed in advance the League's profession of political impartiality. It was going to wait and see what the two parties would do. Upon neither was it intending to put any pressure in favor of, or against, a particular candidate. The Anti-Saloon League was to be severely non-partisan, provided it could get the platform declaration it desired from either or both the great parties. But now the false pretense is blown into smithereens by the boast, or confession, of its General Superintendent. He lets it plainly be seen that he and his society are irrevocably hostile to Smith for the sole reason that the governor is a Catholic. Thus we have the Anti-Saloon League, at this early date putting upon itself the stamp of insincerity and bigotry.

A comparison of the news item appearing in the New York Times of June 19 and the editorial ap-

pearing in the New York Times of June 20, based upon the statement by Superintendent McBride, as carried in the news item, shows a wide discrepancy between the news columns and the editorial columns of the Times.

Superintendent McBride did not mention the fact that Al Smith is a Catholic. He said, "Al Smith has fought too long for the saloon and the brewer for him now to accept the alleged advice of Elihu Root that he should pose at the Houston convention as a champion of law enforcement." In other words, Superintendent McBride voices the opinion and the sentiment of honest dries when he lets it be known that Al Smith, whose public record has been one of subserviency to the liquor interests, would not be acceptable as a candidate to those who want to see the prohibition policy succeed, even though Al Smith stood on the driest plank imaginable.

Even the wettest newspapers in the country have not hesitated to say that Smith running on a dry plank would present a most ludicrous spectacle, and when Al Smith declared on the eve of the opening of the Houston convention that he had not changed his views on the prohibition question—that he believed in states' rights permitting each state to fix its own definition of intoxicating liquor, he received the hearty commendation of these wet newspapers for his "honesty."

Al Smith on a dry platform would be no more acceptable than Al Smith on a wet platform, and the League has always taken that position since Smith has been before the public as a tentative candidate for the presidency.

Nor is this principle applicable to Smith alone. It stands for any known wet, any man whose record or present pronouncements are wet.

The New York Times is evidently peeved at the Anti-Saloon leaders because they are not gullible enough to accept an aggressive wet champion on a dry platform.

What the League urges is not only a dry platform but a candidate whose record and pronouncements guarantee that he will do his best to make that platform effective if elected to the high office of president.

Let the Democratic convention write a platform as dry as the Kansas City platform, nominate a candidate as dry as Herbert Hoover to stand upon it and there will be no prohibition issue in this presidential campaign. But it is inevitable that there will be an issue unless this is done. There will be an issue also if the Democratic convention selects a dry candidate to stand upon a wet platform.

The Kansas City Convention has nominated as its standard bearer a man who is in hearty sympathy with the prohibition policy; it has nominated also as a vice president candidate an aggressive dry and has given the candidates a dry platform. Let the Democratic party do likewise and the New York Times will have no cause to worry over the non-partisanship of the Anti-Saloon League of America.

Al Boosts Brewery Stock

The Pittsburgh Gazette, of June 29, reporting the Pittsburgh market, says one of the outstanding developments of June 28 was continued interest in the brewing issues, being marked in the case of the Pittsburgh Brewing common with an advance of 1½ points. It adds:

While it is easy to ascribe the higher prices in the brewing issues after a long quiet spell to the developments at the Democratic convention, yet it is difficult to realize that even optimists on possible dry law moderation would purchase brewing stocks on such a long-pull prospect. Spurts in the brewing stocks based on possible changes in the law are no novelty on the Pittsburgh exchange.

Here is a fine talking point for Al Smith boosters. Evidences of increased business prosperity are already apparent—that is the booze business. When it became evident that Smith would be nominated, brewery stocks in Pittsburgh rose. It will be recalled that Al is quoted in the New York Times, of March 9, 1923, when talking to reporters about a beer bill entrusted to a United States Senator of New Jersey, as saying:

"I should be glad to go down and help him put over his bill if that will get us somewhere where we can put a foot on the rail again and blow off the froth."

In the fast revolving machinery of American industries, there is no place for John Barleycorn. His banishment must be complete, and for all time.

Now then, Mr. Hoover, the country is "tuning in" to hear what you have to say on prohibition and its enforcement.

Al Smith is the Issue

Dry forces of the United States are facing the greatest battle of a generation.

The issue in the presidential campaign of 1928, as seen by the temperance forces and not only by them but by many of their opponents, is the election or defeat of Alfred E. Smith. Concerning the political parties as such, the moral reform forces have no favoritism. National prohibition was written into the constitution of the United States, the Federal laws, and into the constitutions and laws of 33 of the 48 states not by the efforts of political partisanship but by the efforts of men and women of all sections and of widely divergent partisan views. It requires this same unpartisanship to maintain prohibition.

When Governor Smith is attacked for his wet attitude and wet pronouncements, it will not be the Democratic party as such that is thus attacked, nor will it be a Democrat partisan who is attacked. It will be a man, an individual, a doctrine.

One must assume that Governor Smith is honest and straightforward in his declarations on the subject of prohibition. If so, he is far more dangerous than if he should be accepted as a demagogue or as the utterer of meaningless comments or the proponent of riddles.

The issue is clear-cut. Everything else in connection with the presidential campaign sinks into comparative nothingness. The prohibition forces are called upon to wage such a campaign as that when the votes are counted, this defender of modification and of state local option in alcoholic content will be hopelessly defeated.

Federal Constitution on Trial

Believers in the supremacy of the Federal constitution are called upon in the present presidential campaign to take just as positive and aggressive a stand for its principles as was taken nearly 70 years ago.

Happily we have reached in the United States a very satisfactory position regarding the relationships and the powers and limitations between the Federal government and the governments of the states.

No more splendid example of this has ever been seen than in the submission and ratification of the Eighteenth Amendment. That amendment was submitted by Congress, by Democrats and Republicans alike, by southern states and by northern states through their representatives in both houses of Congress. The southern states were the first states to ratify after submission. They regarded the matter of submission and ratification as being the essence of states' rights. No matter what the Federal Congress might do, the amendment could not become effective until the individual states had recorded their affirmative votes.

In the debate on ratification which arose in the Virginia legislature, a former confederate soldier, who was a member of the legislature, declared that one of his strongest reasons for voting for ratification was the doctrine of states' rights which gave Virginia, a rural and thinly populated state, the same right that the great state of New York had. The checks and balances which have maintained the proper intermeshing of Federal and State governments were working in perfect order when the Eighteenth Amendment was submitted and ratified.

Now comes Governor Smith who declares that he will if elected president urge that states be given the right of option on the matter of alcoholic content. Governor Smith would thus revive an issue which has long since been laid. He would make the Federal constitution bend to the will of the people of any state or community. His defeat will mean more than the defeat of a wet—it will mean the upholding of the constitution of the United States as a maintenance of that perfect order which for many years has been manifest in the expression of both Federal and State government.

England spends more than three times as much money for booze as she spends for education, nearly five times as much as she spends for war pensions, and more than four times as much as she spends for milk.

There is no question but that the Eighteenth Amendment will make less trouble for the country if it is enforced than if it is not enforced.

Do you know a wet who will admit that liquor drinking ever added anything to the happiness of himself and family?

To the wets: Repeal the Eighteenth Amendment if you can, but until you can, have the patriotism to obey it.

THE PLEDGE

Inasmuch as our readers are being invited to enter the Democratic or Republican primaries it is well to consider the law as it relates to the pledges required by these parties.

THE CONVENTION PLEDGE

It will be recalled that the state Democratic executive committee forced a pledge upon the Democrats at the precinct conventions. It will also be recalled that this pledge was declared illegal by the attorney general's department.

Those who were forced to take this illegal pledge in the precinct convention may form their own opinion as to the obligations upon them to vote for the nominee of these conventions; namely, the nominees of the party for the office of president of the United States.

Some of our readers may feel under obligation to support the nominee. But others of our readers may feel that the pledge was forced upon them by duress and without moral or legal force. As one man in Dallas put it:

"If a hi-jacker places a six-shooter to my breast and orders me to sign a check I will sign it, but if I can beat him to the bank, I will stop payment on it."

THE PRIMARY PLEDGE

We want to call special attention to the fact that the *convention* pledge and *primary* pledge are entirely distinct. The convention pledge relates only to the national ticket and binds no one to support the state ticket. On the other hand, the primary election pledge binds the voter to support only the nominee of the primary, or, of the state ticket, and places no obligation whatever upon him to vote for the national ticket.

The nominees on the national ticket have been named a month before ever the pledge in the primary election is taken. Obviously the primary election pledge cannot bind anyone to support any but the nominees of the primary.

THE LAW

In order that our readers may see that we are correct in this we give below the law on the question as given to us by the attorney general in a book recently issued by that department called "Texas Election Laws." The following may be found on page 82 of this book:

"No official ballot for primary election shall have on it any symbol or device or any printed matter, except a uniform primary test, reading as follows: 'I am a (inserting name of political party or organization of which the voter is a member) and pledge myself to support the nominee of this primary, and any ballot which shall not contain such printed test above the names of the candidates thereon, shall be void and shall not be counted.

PLEDGE REQUIRED ON PRIMARY BALLOT

"1. The test prescribed for participation in the primary election of any political party cannot be omitted from the official ballot for the primary election.

"2. Primary pledge imposes only 'moral obligation.'

"(a) The pledge of one who participates in a primary to support the nominee, required by Revised Statutes 1911, Article 3096 (now Article 3110) pledges him to uphold that nominee by aid or countenance, but he is under only a moral obligation to do so, since the obligation is not one that can be enforced in the courts, and a 'moral obligation' in law is defined as one that cannot be enforced by action, but which is enjoined on the parties who incur it in conscience and according to natural justice. *Westerman et al vs. Mimms*, 227 S. W. 178.

"3. Statutes not construed to prevent changes in party fealty unless intent is clear.

"(a) Revised Statutes 1911, Article 3096 (Now Art. 3110), requiring a participant in a primary to pledge support to nominee is not to be construed to prevent changes in party fealty unless the legislative intent to that effect is plain, since such construction would raise grave doubt as to the validity of the statute as an interference with the privilege of free suffrage guaranteed by the Constitution. *Westerman vs. Mimms*, 227 S. W. 178.

"4. Other court decisions relative to this subject.

"(a) All persons qualified to vote in general election can participate in party primary elections except those excluded by express provisions of the statute. *Brisco vs. Boyle et al*, Judge of Election, 286 S. W. 275.

"(b) A county executive committee held unauthorized to require a voter in a primary to make affidavit that he did not vote for, or give aid, support or comfort to any other political party in the last general election, in view of Article 3.110, prescribing test. *Brisco vs. Boyle et al*, Judges of Election, 286 S. W. 275.

"(c) Voters who voted at primary election, and later at general election scratched name of party candidate and voted for defeated primary candidate, held qualified voters under Constitution, Article 1, paragraphs 1 and 2, and Article 6, paragraphs 1 and 2, despite violation of primary pledge. *Cunningham vs. McDermott*, 277 S. W. 218."

SHOULD DEMOCRATS ENTER THE PRIMARY?

About two-thirds of the Democrats of Texas do not want to vote for Al Smith in the general election in November. There may be some who will not like to vote for some of the state nominees also. As noted in another article of this issue the primary pledge does not bind anyone to vote for the national ticket. But we want to say to all who have scruples that if they cannot in good conscience vote in the July primaries and yet in November cast a ballot against Al Smith, then they should remain out of the July primary.

Let it be remembered that all our court decisions have held that the primary pledge is not legally binding, only a moral obligation. The Supreme Court of Texas on January 5, 1921, in the case of *Westerman versus Mimms*, said:

"For many years such a test was required in party primaries while under no statutory regulation. The object of the test, when so required by party managers, was simply to determine the voter's qualification to have a part in choosing the candidates of the party or in dictating its policies. . . . The purpose of the legislature was the same as the pre-existing purpose of the party managers, and that was to exclude from party action all persons save those holding a present party allegiance and having a bona fide present intention to support the party nominees."

From the same decision we quote further:

"We do not say that circumstances might not arise under which one who

had participated in a primary would be relieved of the moral obligation which is ordinarily incurred not to undertake the nominee's defeat."

Let every reader of the HOME AND STATE hold himself conscience-free at the general election November 6th to vote for the weal of his country rather than the success of his party.

BUT—THE IMPORTANCE OF ENTERING THE JULY PRIMARY

While we must hold ourselves conscience-free to vote against Al Smith in the November election, yet we have weighty responsibilities upon us in the July primary, and we must meet them.

The purpose of forcing the pledge upon us in the May conventions was to intimidate those opposed to Al Smith and keep them out of the conventions, thus turning the May conventions over to the friends of Al Smith.

Now if we take the same attitude toward the July primaries, we will run great danger of defeating the honest prohibitionists for all state, district and county offices, and put the Al Smith-Jim Ferguson gang back into power in Texas and fill our offices of sheriffs, prosecuting attorneys, judges, and justice of the peace with friends of Smith and Ferguson who are enemies of our dry laws. This would be disastrous to our cause.

We do not believe that many are to be found on the state ticket for whom those who enter the July primaries will have very serious objections to supporting if they are nominated.

There is no doubt that there has been created a great disgust of the Democratic party in Texas by the action of the state executive committee and some politicians high up in its councils. But we should not be governed by our feelings. We should fight in every honorable way for our cause. The enemy wants the dries to stay out of our July primaries. That is a mighty good reason why we should not do so.

ENFORCING THE LAW AGAINST DOCTORS AND DRUGGISTS

Physicians and druggists of Texas are finding that the Volstead law has teeth in it. Two doctors, a druggist and a pharmacist of Dallas recently received sentences to the federal penitentiary of from thirteen to fifteen months each for conspiring to violate the Volstead act. The evidence adduced in the trial indicated that they were abusing their privileges in writing and filling liquor prescriptions. These are the first prosecutions of this sort in Texas under the Volstead act and probably the first in the United States.

The prosecution of these gentlemen has thrown a bomb into the liquor prescription business for the state. More than 200 doctors in Dallas were writing their limit of liquor prescriptions under the law. It is generally admitted that most of the prescriptions were in violation of the law. There has been tremendous propaganda throughout the state to the effect that this was an easy way of making money for the doctor and a sure way of getting "good liquor" for the drinkers. No doubt, many physicians and many drinkers grew careless of the dictates of their conscience under the tremendous propaganda that has been carried on.

Annually a lot of the druggists have made "drives" to get every doctor possible to write liquor prescriptions and send them to their drug stores for filling. These druggists would offer a bonus to the doctor above the price of his prescription and would also propose to take charge of writing the prescriptions, keeping the blanks in their drug stores so that they could supply the thirsty at will, the doctor selling his name for a price by simply signing the prescriptions.

Concerning this system and the demand for liquor prescriptions, the *Dallas Dispatch* in an editorial said:

"It should cause a feeling of guilt on the part of every man whose imagined need or desire for whisky has led him to the obtaining of one of the illegal prescriptions. It should cause a feeling of deep remorse that he has been in part responsible for the downfall of these men. In the final analysis, the doctor who issues the prescription, the druggist who fills it, are less to be censured than the man who seeks the liquor. Their customers sought them. It seems smart to get a prescription, clever to 'throw a party' and tell how easy it was to get the whisky. But every time such a party is provided with intoxicants some man or several men are one step nearer the penitentiary. The man who buys a fake prescription or bootleg liquor is making a criminal. He is making a criminal of the man who serves him and he is making a criminal of himself, though he may escape arrest and punishment while the other eventually is caught and pays."

Dr. C. M. Rosser, one of the most distinguished physicians of the state and former president of the State Medical Association is out in a statement from which we quote:

"I am not undertaking defense of those who violate the law. I have not and do not expect to have a license for prescribing alcohol. I do not believe it is an essential in medical practice. I do not criticize agents of the government for doing their duty now, but a situation well advertised should not have been overlooked during the years in which it was supposed to be of common knowledge until, little by little it was thought by many that the government was winking at it and not taking it seriously. In this the government shares in the general scandal, and in this deplorable iniquity. . . . I hope the Dallas County Medical Society, many of whose members do not have certificates, will agree at its next meeting to wipe its hands of the entire matter by returning the permits by such members as have them and that Dallas drug stores will return the supplies they have and get no more. Such action will not increase the death rate of the people but will be constructive in all respects."

A petition is now being circulated among the doctors and numerous signed intended to carry out the suggestion of Dr. Rosser, mentioned above. A similar move is also reported among the druggists. It was rumored that a movement was attempted to raise a \$10,000.00 fund to make a fight to remove the federal agents who secured the evidence on these doctors but this movement got little encouragement.

We have reports that immediately the filling of liquor prescriptions in Dallas dropped to not more than 5 per cent what it had been before this, and that in other cities there was a similar slump in liquor prescriptions. Two Dallas traveling salesmen from distilleries selling liquor to drug stores, are reported to have quit the field.

The conviction of these gentlemen has done more to create respect for law in the hearts of physicians and druggists than everything the federal or state government has done since the ratification of the Eighteenth Amendment, and the credit for the successful prosecution is to be given to Mr. M. F. Meadows, assistant federal administrator in charge of the permissive work, and Mr. Gwinn and Mr. Hamilton, agents of that department, located at Dallas. But these men could have done nothing had they not had the hearty co-operation of Federal Attorney M. A. Dodge and Federal Judge Wm. H. Atwell. These conditions had prevailed for years and federal agents had prepared much stronger cases against other physicians but the federal attorney refused to prosecute. Mr. Dodge is the new federal attorney, and we understand he is standing hitched for the honest enforcement of the law.

There is evidence available to our State Comptroller, S. H. Terrell, if he would only work up the evidence, that would send scores or hundreds of others to the state penitentiary. Mr. Terrell seems unwilling to enforce the prohibition laws. Certainly under his administration doctors and druggists have had nothing to fear. He is reported to have even refused to allow citizens to inspect the records which are public property. There is no more important office for the enforcement of the prohibition laws than the state comptroller. But since the coming of national prohibition, Texas has had no bene- whatever from that office.

TOM LOVE'S DOMINATION OF TEXAS POLITICS

[This is an address recently delivered by Senator Love, at Bells, Texas. It is valuable for its historic references. Also, Senator Love has been so assailed by the wet forces, and misrepresented, that we feel the people should know the facts contained in it. He is fought for the same reason that the Anti-Saloon League is fought, simply because he cannot be bought off, intimidated, nor misled.—EDITOR.]

This speech is a narrative and for brevity and convenience of expression must contain a good many egos, and this I regret.

Some months ago I announced my candidacy for Lieutenant-Governor of Texas, an office of great importance to the people that pays \$5.00 per day while the legislature is in session or for about one hundred days every other year. I believed that I could be of service to the cause of good government in Texas by submitting my name as a candidate for this office.

After I had become a candidate, there developed, unexpectedly, an organized "under cover" campaign to secure, through the medium of an uninstructed delegation, the votes of Texas in the Democratic National Convention for Al Smith, of New York, or some other wet candidate for president. My sense of duty impelled me regardless of my candidacy, to do what I could to defeat this sinister enterprise, and to aid in dragging it out into the light of day so that the people could see it and know what it is.

It is not unusual that such efforts as I have put forth should have brought upon me the calumnies and detractions. In this campaign it has been charged that I have supported the prohibition cause, and have opposed the nomination of Governor Al Smith, not sincerely and unselfishly, but for the purposes of political and personal aggrandizement; that because my conscience would not allow me to support Al Smith for president it was my purpose to scuttle the Democratic ship; and that I have "dominated" Texas politics long enough and that the ends of good government and the welfare of the Democratic party would be subserved by my political destruction.

Now, my life in Texas for nearly thirty years past has not been hid under a bushel. However important or unimportant, it is largely reflected in the official and unofficial journals of the time and may be known of all men. There is little room for dispute as to facts. Without apology or defense, I want to make answer to these charges by a frank appeal to the record.

1. My contact with Texas politics and with Texas began in 1896 when as a citizen of Missouri, twenty-six years of age, I attended the Democratic State Convention at Austin as one of a delegation of Missouri Democrats to promote the presidential candidacy of Richard Parks Bland, a long time friend of my father's family. As envoys from the democracy of Missouri, we respectfully suggested that, the people of Texas being for Bland, the Texas delegation ought to be instructed for him and a resolution to that effect was offered by the lamented Judge John L. Sheppard, then on the district bench, and afterwards a distinguished Texas Congressman, the father of Senator Morris Sheppard. This resolution was adopted and the Texas delegation in the convention at Chicago voted for Bland until the very end.

2. In 1899 and 1900, after I had become a citizen of Texas, I devoted several months' time at a substantial financial sacrifice to the task of raising some \$20,000.00 for Mr. Bryan's second campaign fund. This was the largest amount that had been raised in Texas for any Democratic national campaign fund up to that time and it was made up of hundreds of small contributions from all sections of the state. For this service I was proud to receive the thanks of the Democratic National Committee.

3. In 1902 I was elected Representative from Dallas county in the Texas legislature, leading the legislative ticket in a county primary election, on a platform calling for the compulsory nomination of all candidates for state and local officers in the state-wide primary elections, to be held in every county on the same day, and strictly regulated by law so that every Democrat might have a free and equal opportunity to express his choice, with an honest count, in the nomination of public officials.

4. In the legislature of 1903, and in that of 1905, I fought by the side of the distinguished Alexander Watkins Terrell, the successful battle for the accomplishment of this great reform, and I have Judge Terrell's letter expressing the opinion that without my aid it could not have been accomplished.

5. It was in this legislature of 1903, or just twenty-five years ago, that my fight with the liquor interests of Texas, or rather their fight with me, began. This fight has waged continuously since and is not yet ended. There were then several thousand saloons in Texas, several hundred in Dallas county, backed by numerous breweries and whisky wholesalers with their original political retainers, and they were demanding an amendment to our local option laws providing that after a county had voted dry, any city or town in such county might vote itself wet. I opposed this emasculation and helped to defeat it in the house after it had passed the senate, and was told by the liquor people, some of whom had supported me, that they would get my political scalp. Some of the same crowd are after it yet.

6. In 1904, on a platform defying the liquor interests I was re-elected to the legislature, leading the legislative ticket a second time in the primary election.

7. In 1905 I continued my fight in the legislature of that year against the emasculation of the local option laws and also introduced a bill taxing out of existence the cheap license beer saloons then permitted by law, of which there were thousands in Texas and hundreds in Dallas county. This bill was beaten in the House of Representatives.

8. In 1906 I was again a candidate for the legislature on an anti-beer-saloon platform and was the candidate of the dry forces of Texas for Speaker of the House. I was bitterly and extensively fought, both as a candidate for representative and for speaker by the organized brewery interests of the state, as the published records of the brewery litigation in the Texas courts abundantly establish. I again led the ticket for representative in the 1907 primary election in Dallas county and was elected speaker of the house in the Fortieth legislature, by a vote of more than two to one.

9. In this Fortieth legislature I helped to pass the law which taxed out of existence C. O. D. shipments of liquor from the wet centers into dry territory, which traffic had converted hundreds of express offices into blind-tiger saloons, and I put through the house a high license bill, applicable to Dallas county, which would have closed every beer saloon in Dallas, if it had not died in the senate. At this session I succeeded in writing into the city charter provisions which closed all the saloons located on the residential streets of Dallas.

10. During these three sessions of the legislature, as in the last session twenty years later, as the journals will show, I strongly supported every measure for the betterment of human welfare; for the promotion and improvement of the schools of Texas, from the University and A. & M. College to the one-room rural school; for the protection and safety of laboring men and women; and for the reduction of the burdens of taxation upon the farms and homes of Texas.

11. I was the author of the bill, which became a law and was fought through the courts by the street railways and finally sustained as valid by the Supreme Court of the United States, requiring street railways to carry school children at half fare. Under this law passed 25 years ago, I am told that the school children of Dallas alone are now getting the benefit of more than a million half-fares annually.

I was the author of the bill passed in 1903 requiring street railway companies to provide vestibules for the protection of their motormen from wind and storm, and of other similar measures for the safety of labor.

12. In 1907 I was appointed Commissioner of Insurance and Banking for Texas by Governor Thomas Mitchell Campbell, and held that office for nearly two and a half years at very great financial sacrifice. As a part of that service both the insurance and banking supervision systems of the state were completely reorganized and with the indispensable co-operation of Governor Campbell and the legislature and the bankers and insurance men of Texas, both the banking and insurance laws were substantially rewritten, and in the quarter of a century since these laws were enacted Texas banking and Texas insurance have made records for the expansion of business and of invest-

ment facilities for the people and for the protection of the public that are unexcelled in any state.

13. In the primary elections of 1908 and of 1910 and the legislatures following them, of which I was not a member, I favored the submission to the people of the question of adopting constitutional state-wide prohibition for Texas; and when the prohibition amendment was submitted in 1911 I fought for its adoption, speaking for it in various portions of the state at my own expense, and at substantial financial sacrifice.

14. In 1910, on the day that Woodrow Wilson was elected governor of New Jersey, I sent him a telegram of congratulations and added: "I am for you for president of the United States in 1912." This began a correspondence which only ended with his death and it began a service to his cause and fame and to the incomparable things for which he stood, which shall only end when I shall pass away.

15. In the fall of 1911, at the suggestion of other friends of Woodrow Wilson, I issued a call for a meeting at Austin of all Texas Democrats who favored his nomination for president, and at this meeting the Woodrow Wilson Democratic League of Texas was formed to manage his campaign in Texas and I was made its president; and Governor Wilson was invited, through a resolution which I prepared and presented, to address the Democracy of Texas at the State Fair of Dallas that fall. He accepted that invitation and made three speeches in Dallas and one in Fort Worth on the same day, after which there was never any doubt that Texas would give him the support in the national convention, which proved indispensable to his nomination for president and to his great service to democracy and to the human race.

16. In 1912 I did all within my power in Texas and throughout the nation to promote Woodrow Wilson's nomination for president, even against my friend and fellow Missourian, Champ Clark. To this end I urged the Texas Democrats to speak out in their precinct meetings and instruct their delegates to the county convention to instruct their delegates to the state convention to instruct their delegates to the Baltimore convention to vote first, last and all the time for Woodrow Wilson. When we had won, carrying an overwhelming majority of the counties and voting precincts, I announced that I did not desire any convention honor, but urged the selection of Senator Charles A. Culberson and M. M. Crane as delegates at large from Dallas county and that a solid Wilson-delegation to Baltimore be chosen.

17. I attended the Baltimore convention and was in the thick of the fight for Woodrow Wilson acting as substitute delegate for my friend Judge Royall Watkins who was unable to attend. I devoted myself laboriously and unstintedly, to helping to organize the Wilson delegates into an efficient fighting force, as I am sure the members of the immortal "40" now living will attest.

18. In this same year, 1912, I actively supported Judge W. F. Ramsey, our dry candidate for U. S. Senator, leaving nothing undone that I could do to promote the nomination of both of them.

19. In 1914 I devoted my time and substance unreservedly to promoting the nomination of our dry candidate for governor, my distinguished friend, Hon. Thomas H. Ball, against James E. Ferguson, the wet candidate, and also to the adoption of the platform demanded for submission of the state-wide prohibition amendment, both of which failed to get a majority of the votes in the primary, very much to my regret.

20. In 1916, I actively assisted the Dallas Mother's Council in promoting the adoption by vote of the people at a city election of a charter amendment closing the liquor saloon which, for twenty years, had been operated on the Dallas fair grounds during the State Fair. For this service I was proud to receive the thanks of the Dallas Mother's Council.

21. In 1916 I was supported by most of the dry Democrats and opposed by all the wets as a candidate for Democratic National Committeeman. About a hundred counties including most of the larger dry counties instructed their delegates to vote for me, and the chairmen of county delegations comprising a substantial majority of the state convention swore that they voted for me. The wets, through dry aid to which they were not entitled, controlled the convention organization, and the election of my opponent was certified and he was seated. It was stated by a prominent wet with reference to this state convention that "lynch law is permissible in Tom Love's case because he is not a Democrat, for he is openly in favor of nation-wide prohibition and of nation-wide woman suffrage both." I was invited by the national committee to aid its national headquarters in the 1916 campaign, and, besides a cash contribution I devoted to it several weeks work at headquarters, at my own expense, for which I was proud to receive the thanks of the Democratic national committee.

22. In 1916 I voted and worked for the nomination of Hon. Charles H. Morris, the dry candidate for governor of Texas against James E. Ferguson that year, and also for the platform demanded for submission of constitutional state-wide prohibition. Submission carried much to my delight, and Morris was defeated much to my regret.

23. In 1917, as in former years from the beginning of the fight, I lent all the aid within my power to inducing the submission by Congress of the Eighteenth Amendment providing for nation-wide prohibition, and also the passage of the law prohibiting the manufacture and sale of liquor in the District of Columbia. At my own expense I visited Washington when each of these measures was before Congress; and I recall sitting in the senate gallery, when these measures were passed by that body, and listening to the wet senators savagely denounce the "dry lobby" of which I was an humble part.

24. In 1917, I was one of those who strongly advocated the law prohibiting the sale of liquor within ten miles of army and navy training camps, enacted by the legislature that year, which closed every saloon in Texas, forever, in fact as it turned out, though nominally for the period of the war.

25. In 1917, I also contributed what I could, both in money and effort, to helping vote Dallas county dry, closing five hundred Dallas saloons in the local option election of that year.

26. In 1917, I also aided to the extent of my ability in promoting the passage of the Texas law of that year giving woman the ballot in primary elections, and making her an effective force for good government for the first time in Texas.

27. In 1917, after America entered the World War, I tendered my services to President Wilson, and members of his administration, in any capacity they might be deemed useful for helping to win the war. In the latter part of that year, without notice, I was appointed by President Wilson, upon the recommendation of Secretary McAdoo, neither of whom I had seen for several weeks, as a War Assistant Secretary of the Treasury. Mr. McAdoo informed me that I was drafted for service and placed me in charge of the Internal Revenue and War Risk Insurance Bureaus, which soon became the two largest bureaus of the government. I devoted myself unremittingly, night and day, to these great tasks until the Armistice was signed, when broken in health, I resigned and went into a hospital for a two months' period of rehabilitation. During my government service my salary of \$5,000.00 per year constituted my sole earnings and my necessary expenses were more than double that sum. As Assistant Secretary of the Treasury, among other things, I disbursed five hundred million dollars and more of government funds, and, notwithstanding the numberless hostile, partisan, investigating committees and agencies that have been making intensive investigations during the nine years since I left the service, I have heard of no transaction of mine being called in question.

28. In 1918, I did all that I could to help the dry Democrats of Texas, including the women who voted in the Democratic primaries that year for the first time, to re-elect Wm. P. Hobby, governor of Texas, against James E. Ferguson, the wet candidate. At my own expense I traveled all the way from Washington to Dallas to vote for Governor Hobby and to witness the women of Texas voting in the Democratic primaries.

29. In 1918 and in the preceding years I did all in my power both in Texas and throughout the country to promote the submission by Congress of the Nineteenth Amendment to the Constitution providing for nation-wide woman suffrage, and it gave

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STANDS ON UTTERANCES

Smith Has Not Changed Attitude
On Modification and States'
Rights, He Says

Al. Smith has not changed his attitude toward Prohibition. This he made plain to the Convention when the delegates were assembling when he declared that he stood by the declaration he made in 1924 relative to Prohibition in which he advocated states' rights, permitting each state to decide for itself what constitutes intoxicating liquor. Of course, such procedure could not possibly be brought to pass without the repeal of the Eighteenth Amendment unless it were done by flagrant nullification of that Amendment.

He again made it plain in his message wired to the Convention thanking the delegates for his nomination and assuring them that the Prohibition plank is acceptable to him.

The following is the full text of Governor Smith's much-discussed telegram to the convention:

"I received your message on behalf of the convention with a deep sense of responsibility and a fervent prayer for the guidance of Divine Providence. I accept the call of my party to lead it in the national campaign. I can think of no greater privilege in this world than to serve our country. My gratitude to the convention for its expression of confidence in me I cannot adequately express in this telegram. I will have to make it manifest single-handed devotion to the United States and her people in every section.

BACKS PLATFORM

"The happiness and welfare of millions of men, women and children who constitute the nation was the great driving force behind the doctrine enunciated by the immortal Jefferson, given life by him and carried through by Cleveland and Wilson. I am convinced that our platform voices that doctrine. I stand committed to the platform and will welcome an opportunity to reorganize and make more efficient the agencies of government to the end that the burden of taxation may be lightened.

"Our platform lays at rest the absurd claim insidiously put out by Republican propaganda that the Republican party has a monopoly upon the mechanics of prosperity. Our platform in its tariff and financial policy gives assurance to every legitimate business man, wage earner, farmer and taxpayer, that prosperity will not be conserved but fairly distributed among all.

GIVES O. K. TO PLANK

"The definite declaration of the convention to aid agriculture and the planks dealing with labor problems are sound, progressive and sincere, as is also the party commitment to the development of our water power without alienating our God-given resources. Our plank on foreign policy states the simple truth that the divine command to 'love thy neighbor as thyself' contains no limitation and was intended to apply as between nations.

"The equal and even enforcement of laws is the cornerstone upon which rests the whole structure of democratic government. If it is the will of the people of this nation that I am to take an oath as President of the United States to protect and defend our constitution and laws, I will execute that oath to the limit of my ability without reservation or evasion.

"It is well known that I believe there should be fundamental changes in the present provisions for national Prohibition based as I stated in my Jackson day letter, on the fearless application to the problem of the principles of Jeffersonian democracy. While I fully appreciate that these changes can only be made by the people themselves through their elected legislative representatives, I feel it to be the duty of the chosen leader of the people to point the way which in his opinion, leads to a sane, sensible solution of a condition which I am convinced is entirely unsatisfactory to the great mass of our people.

HITS CORRUPTION

"Common honesty compels us to admit that corruption of law enforcement officials, bootlegging and lawlessness are now prevalent throughout this country. I am satisfied that without returning to the old evils that grew from the saloon, which years ago I held, and still hold, was and ought always to be a defunct institution in this country, by the application of the democratic principles of local self-government and states' rights, we can secure real temperance, respect for law and eradication of the existing evils.

WILL BE MOST SIGNIFICANT REFERENDUM IN LAST 68 YEARS

Three Questions Will Be Decided at Referendum Next November—Prohibition, Nullification of the Constitution, and Right of a State to Interpret a Provision of the Constitution

ERNEST H. CHERRINGTON, *General Secretary World League Against Alcoholism*

"Those who have been anxious for a national referendum on Prohibition are to be accommodated. The telegram of Governor Smith to the Democratic Convention at Houston after his nomination has made such a referendum inevitable. Moreover, the issues are clear. Governor Smith has not only re-stated his well-known position but he has served notice in no uncertain terms to the effect that if elected he will unquestionably use the office of President to secure the modification of Prohibition. He declares that he would consider it his duty as the chosen leader of the people to point the way to a solution of the problem in harmony with his own opinion, which as repeatedly expressed is to let each state be its own judge as to alcoholic content, and for each state to interpret the Eighteenth Amendment to the national Constitution to suit itself.

"If this does not mean nullification of the Constitution, then Calhoun did not know the meaning of that word and the Supreme Court of the United States will need to revise its own definitions covering that ground.

REFERENDUM ON NULLIFICATION

"Hence, the national referendum in November is to be a referendum not only on Prohibition, but also upon the right of a President to use his office to secure practical nullification of the Constitution and

the right of a state to interpret a provision of the Constitution to suit itself.

"In other words, the voters of the nation at a single stroke are to decide not simply the one but the three questions. Governor Smith in his telegram, moreover, declares that if he takes the oath as President, he will execute that oath to the limit of his ability without reservation or evasion. Whatever else may be said of Governor Smith, he is consistent and by virtue of his consistency and sincerity, and in the light of his past record and known views, everybody should know what his interpretation of his oath of office will mean to him, in case he should be elected to the presidency.

SMITH WILL INTERPRET HIS OATH

"When he was elected Governor of New York, he took an oath to uphold the Constitution, which was similar to the oath he would take as President. Under his interpretation of the meaning of that oath, he performed the act which repealed the state Prohibition enforcement code which had previously been enacted to secure the proper enforcement of the Eighteenth Amendment in New York, thus leaving that state since that time practically helpless in the matter of adequate Prohibition enforcement. Certainly, therefore, if he should take the oath as President he would be entirely consistent in interpreting that oath as permitting him to use

POLITICAL STRAWS THAT BLOW

The Palace theater at Dallas, Texas, on the Fourth of July, threw upon the screen in succession a statement of the nomination, followed by the picture of Al Smith and Herbert Hoover. The applause that greeted Hoover was certainly twice as great as that which greeted Smith, indicating that the HOME AND STATE estimate that Hoover will carry Dallas by 10,000 majority is conservative. Some have thought that the opposition to Smith was simply among the church people; evidently it is also among the theatre-goers.

A 73-year-old Democrat who has not scratched a ticket for more than fifty years, lamented that his ten sons, all voters, had announced that they were all going to support Hoover. In reply to the old man's protest, the sons said, "Father, you may be wedded to the straight ticket, but the younger generation is voting for the man rather than the party."

A good lady, sending in 73 signers to the protest presented to the national Democratic convention, wrote, "Only two approached refused to sign. If time had permitted could have added hundreds more to the protest."

A good man from San Angelo, sending in 40 names signed to the protest wrote, "I approached 91 Democrats who refused to sign this protest. Everyone stated that his mind had already been made up that he was going to vote for Hoover."

The writer, waiting in a garage for his car, without asking any questions heard voluntary statements from both employees and customers, all of whom stated that they were going to vote for Hoover.

The head of a large fraternal order in Dallas tells us that practically every member with whom he makes contact, voluntarily asserts that they are for Hoover.

Candidates for office and Democrats expecting further favors from the party must maintain their regularity and are announcing that they "will support the nominee." But the people are under no such obligations. They remained away from the precinct conventions specifically to be able to swat Al Smith in the November election.

On Monday, July 2, we understand that a resolution by every Baptist pastor in Houston was sent to Herbert Hoover, pledging their vote and their influence in behalf of his election.

In Arkansas, the home of Senator John T. Robinson, candidate for vice president, and who is a Methodist, the Methodist district conference at Pine Bluff, with 150 laymen and pastors present, voted "unanimously and enthusiastically" to use their every influence to defeat Al Smith.

Dr. A. C. Miller, of Arkansas, candidate for Lieutenant-Governor, and who practically had the office in his hand, when Al Smith was nominated, withdrew from the race in order to fight Al Smith to the finish. This action brought forth loud applause throughout the state. Methodist and Baptist pastors reported to him that from 50 to 90 per cent of their members would vote against Smith in November.

SENTENCED TO SEVENTEEN YEARS IN FEDERAL
PENITENTIARY FOR VIOLATING PROHIBITION LAWS

The friends of bootleggers loudly proclaim that the law can not be enforced. In Texas they claim that the penalty, one year in the penitentiary, is too severe.

In Tulsa, Oklahoma, June 25, Judge Franklin E. Kennamer in the Federal District Court gave Frank Demayo seventeen years in the federal penitentiary at Atlanta, on three counts, and added a fine of \$10,000.00 for good measure. The terms for each count allows sentences to run concurrently, but he will have to serve at least seven years. Demayo appealed. The judge gave him fifteen days in which to perfect a bond for appeal which he set at \$25,000.00. With such federal judges the people will learn that there are teeth in the Volstead act.

his office to secure either the repeal or the practical nullification of national Prohibition.

"Assuming, as we do, that Governor Smith is absolutely honest and sincere in his convictions on the liquor question and his conception of his obligations as a chief executive of a state or nation, there can be no doubt as to what his attitude will be and as to what he will do so far as national Prohibition is concerned, if he should be elected President.

"It is, therefore, certain that the referendum in November will be the most solemn, the most far-reaching, and the most vitally significant and important to the people of any such referendum for the last sixty-eight years."

AL. RESENTS "DELIVERANCE"

Does Not Want to Advertise Signing of Repeal Measure; Scene Deleted

Al Smith is evidently not proud of the part he had in repealing New York's dry enforcement law, thereby leaving the state to the mercy of the bootleggers and rum runners except for the activities against them by the Federal Government.

A moving picture entitled "Deliverance" based on Prof. Fisher's book "Prohibition At Its Worst" showed the New York Governor signing a bill, which scene was adapted to picture him as signing the repeal measure. His friends immediately sent up a howl that was heard round the country and tried to seek an injunction preventing the use of this picture. Its promoters deleted the scene. At the same time the friends of Al protested against certain titles showing the consequences of the repeal of the Mullan-Gage law. These, however, remained. Orville S. Poland, Head of the Legal Department of the Anti-Saloon League, makes the following comment on the Al Smith scene:

"A moving picture, "Deliverance," shows Governor Smith signing the repeal of the Mullan-Gage Law. This was the action which Governor Smith took which made New York the Eldorado of the bootleggers. In practical effect, he took 32,000 police officers off the job of enforcement and closed the courts of 62 counties against the prosecution of liquor violators. He left the job to perhaps 300 federal officers and four federal courts. Of course, the Governor gave out a brave message in which he told every officer that he must do his duty. So far no casualties have been reported.

"The Governor's official family protest this picture. In the first place, the Governor is actually signing a different piece of paper. It isn't the repeal of the Mullan-Gage bill. Of course, he didn't sign that publicly. Nobody with any sense of decency would have. Furthermore, it is commonly reported that he had signed the repeal and had it in his pocket at the moment of an elaborate hearing against it. So far as the public knows, there were no witnesses to that act. But no one of his official family, who is protesting in his behalf, denies that he signed the repeal. While the Governor has opposed film censorship, he becomes a party to a kind of super-censorship when he is represented as doing something which he did do, but which may now hurt him.

"After all, if a picture which merely purports to represent an act is such a terrible thing, how much more terrible must have been the act itself. Regardless of what the picture shows, the record shows that the Governor signed the repeal, and political common-sense indicates that his influence was brought to bear upon the Smith-Tammany contingent of the legislature which voted as an unbroken unit for repeal.

"This isn't the first time that the Governor has resented publication of things he has done or said. Newspaper men all agree that he has never been happy about his famous statement that he wanted to 'put his foot on the brass rail and blow off the the foam.' Now he is in the role of super-censor of the movies. It is infelicitous that he should have assumed this role when his own actions are involved, and on a matter concerning which there is no dispute as to its truth, and about which the only indecency is the fact that he did it."

In one day recently, a New York judge padlocked 46 places in New York city for persistent violation of the Prohibition law,

TOM LOVE'S DOMINATION OF TEXAS POLITICS

(Continued from Page 6)

me great pleasure to be present when the United States Senate gave it the necessary two-thirds vote.

30. In 1919 I voted for and spoke in various sections of Texas, at my own expense, both for the state-wide prohibition amendment to the Constitution, which was adopted that year, and for the state women's suffrage amendment, which was defeated.

31. In January, 1920, when a vacancy occurred, the Democratic state executive committee unanimously elected me national committeeman for Texas, after I had frankly told them that it was my purpose to do all in my power to defeat the movement then begun in Texas to deny the endorsement to the Woodrow Wilson administration and to send an anti-Wilson delegation from Texas to the Democratic National Convention. By the overwhelming instructions of the people voiced in the precinct primaries and county conventions we defeated this movement and sent a solid delegation to San Francisco which voted first, last and all the time in accordance with its instructions for William Gibbs McAdoo. I was unanimously re-elected national committeeman by the Democratic state convention that year.

32. In 1920 I contributed largely of my time and substance to the election of a dry candidate for Governor of Texas, supporting Hon. B. F. Looney in the first primary election and Hon. Pat M. Neff in the second primary. I organized the Cox and Roosevelt Democratic League of Texas which strongly supported Governor Neff in the second primary.

33. In 1920, as Democratic national committeeman for Texas I devoted more than three months' time at my own expense to helping to finance and manage, at the headquarters in New York, the national Democratic campaign for Cox and Roosevelt, for which services I was proud to receive the thanks of our presidential candidate.

34. In 1922, I did all that I could to promote the nomination of Senator Charles A. Culberson for re-election to the United States Senate in the first primary and, after his elimination, to promote the nomination of Senator Earle B. Mayfield over James E. Ferguson in the second primary, and the election of Senator Mayfield against George E. B. Peddy, the Republican nominee, at the November election that year.

35. In 1924, I left nothing undone that I knew how to do to promote the nomination of William Gibbs McAdoo and to defeat the nomination of Governor Al Smith for president by the Democratic National Convention in New York. In doing this I was acting in accordance with the expressed wish of an overwhelming majority of the people of Texas as reflected by instructions for McAdoo in more than four-fifths of the voting precincts and five-sixths of the counties of the state. I was again re-elected Democratic national committeeman.

36. When the nomination of Mr. McAdoo became obviously impossible I did what I could to promote the nomination of John W. Davis, of West Virginia, and after he was nominated I did all in my power to promote his election, urging voters to support him in numerous speeches in Texas and contributing \$500.00 in cash to his campaign fund, for which service I was proud to receive the thanks of our presidential candidate.

37. In 1924 my conscience told me that it was my duty to support the Republican nominee for Governor of Texas, just as Lieutenant-Governor Barry Miller, who was nominated for Lieutenant-Governor in the primaries that year, had supported the Republican nominee for United States Senator two years before. I, therefore, resigned from the Democratic National Committee so that my time could be freely devoted to that end, and I spoke and worked for the election of George C. Butte, for governor, voting against a Democratic nominee for the first time in my life.

38. In 1926, I left nothing undone that I knew how to do to promote the election of Dan Moody, then Attorney General of Texas, to the governorship of this great state, which I believed indispensable to the success of good government in Texas.

Believing that I could best serve him and his candidacy and administration by becoming a candidate for state senator from the Dallas district I told him of that belief, and that, if he agreed, I would be glad to make the sacrifice and to take the obvious chances of political destruction involved in such a candidacy. I told him, sincerely, that I felt I could not give my political life in a better cause. With his approval I entered the race and in every speech I made I told the people, sincerely, that in my opinion it was more important to elect Dan Moody governor than it was to elect me state senator. I abandoned my own campaign, repeatedly, to respond to calls to make speeches for Moody in other counties, and to prepare campaign documents and to render other service to his campaign.

I was elected state senator by a substantial majority over the bitter opposition of Lynch Davidson and James E. Ferguson, both of whom denounced me in speeches made within the county, and of their 13,000 supporters in Dallas county who solidly opposed me for my outspoken support of Governor Moody. And Dallas county, at the same primary, gave Dan Moody the largest number of votes, and the largest majority of its votes that any Texas county ever gave any candidate for governor; all of which highly gratified me.

39. In 1927, as a member of the state senate, I, tirelessly, wholeheartedly and unreservedly supported Governor Moody and his administration on every single issue, great and small, that came before the legislature at the regular and called sessions. I am sure this will not be denied and the Journals prove it.

The very first issue presented was whether or not the hold-over members of the highway commission appointed by the Ferguson administration should be confirmed. If these Ferguson appointments were confirmed Governor Moody would have no highway commission to appoint. Jim Ferguson's highway commissioners would serve under Moody's administration. A majority of the state senate, as was reported in the press, favored the confirmation of one of these Ferguson appointees, and they all had substantial support. I was in the thick of the fight which kept him from getting the required two-thirds vote, and gave Governor Moody a clean slate for the naming of his highway commission.

At the called session of the fortieth legislature a bill was introduced having the effect of legislating Governor Moody's highway commission out of existence, and, to the limit of my ability, I helped defeat this proposal. It was defeated by a margin of just one vote in the State Senate. At one stage, Lieutenant-Governor Miller kept the bill alive by voting against killing it on a tie vote. In short, I voted and worked as a member of the senate to support the governor on every issue submitted by him to the fortieth legislature or which arose affecting his administration, and to confirm every appointment made by him.

40. I was elected state senator upon a platform pledging myself to support a definite legislative program, including the support of Governor Moody's administration, and I succeeded in securing the enactment into the law of substantially everything contained in the platform upon which I was elected.

41. I have agreed with the public declarations of Governor Dan Moody that Governor Al Smith ought not to be nominated by the Democratic National Convention for president. For months before Governor Moody publicly declared his position I knew that he was opposed to Governor Smith's nomination. I have wanted no leadership or responsibility in this national campaign. Far from seeking any leadership myself, from the beginning I urged Governor Moody to take the leadership of the opposition to the nomination of Governor Smith or any other wet candidate, not only in Texas but in the nation. I told him sincerely that I believed he had an unprecedented opportunity to render a great service to the cause of good government.

From the beginning to the end I have left nothing undone that I could do to promote the solidarity and prevent division of the forces in Texas opposed to the nomi-

nation of Governor Al Smith, which I have sincerely believed to threaten the paralysis of prohibition and law-enforcement, and the defeat and degradation of the Democratic party to which I have given a life-time of service and sacrifice. I have been charged with a lack of courage for having submitted uncomplainingly to every humiliation and rebuff, wittingly or unwittingly, which might promote such division, and have sincerely offered to entirely efface myself and to make any and every sacrifice which would promote the assurance of sending a dependable anti-Smith delegation to Houston. Governor Moody was right in saying that such a result would express the wishes of the overwhelming majority of the Democrats of Texas.

42. In the Beaumont state convention to the best of my ability I plowed a straight furrow and a clean one. The anti-Al Smith delegates in that convention constituted two-thirds of the whole number and I urged that the convention should be organized and its officials chosen by the anti-Al Smith majority without any aid from or obligation to the Al Smith minority. If this had been done a committee on delegates could have been appointed which would have sent a solid anti-Smith delegation to the national convention with no embarrassing obligations in the way, thus giving the dry Democrats of Texas what they were fairly entitled to. When inexplicable divisions had rendered this impossible I urged my friends to save what we could out of the wreck by supporting the Ball resolution, in response to the governor's request, and to acquiesce in the results that followed. The Democracy of Texas is entitled to a better method than the Beaumont state convention method of electing delegates to national conventions.

43. There has been no opportunity for self-aggrandizement through my political activities. I have been a candidate for office just once in the past twenty years and only four times in the past twenty-six years. I can truthfully say that I have not made a dollar directly or indirectly out of politics, for while I have never sought an office that I did not get, I have never held an office that did not involve distinct financial sacrifice. The campaigns in which I have been engaged, all of them, have involved me in substantial financial contributions and expense. The lamented R. Harper Kirby spent more than \$100,000.00 fighting the battles of prohibition in Texas. This is several times the amount of my contributions to the cause, but I am confident that investigation will disclose that next to Mr. Kirby I have contributed more money in fighting the battles of prohibition and good government in Texas during the past quarter of a century than any one else.

This peculiar selfishness of mine in supporting prohibition and decent politics in Texas, which has been complained of has cost me a good deal of money as the cancelled vouchers in my files will show.

This record must comprehend the sum total of my offending, for it is the story of my political activities from the hour I first struck Texas until this hour. If I have left out anything that any one thinks of importance I should be glad to have it called to my attention. I will be glad to frankly and candidly answer any question any one desires to submit, for I want the people to know all there is to know about my connection with public affairs.

I have believed that government and politics exist for the service of mankind and that honesty and good faith in politics are indispensable to honesty and good faith in government. Measured by this standard I have sought to find (and it is not always easy to find), the right side of public questions and political issues and to get on that side and stay there and fight for its success to the limit of my ability. This is all the politics I know. I have thought I was within my legal and moral right and duty in pursuing the course I have followed. I regret that it should have given offense to any. I have no desire for personal domination or leadership, but I do want to see honest politics and honest government dominate Texas affairs; and for that domination I must fight on to the end as I have fought in Texas for nearly thirty years, regardless of objection from any quarter.

THOMAS B. LOVE.

MILLIONS OF SOUTHERN DEMOCRATS PROTESTED THE NOMINATION OF AL SMITH

Under the direction of Bishop H. M. DuBose, president of the Anti-Saloon League of Tennessee, petitions throughout 16 Southern states were gathered and laid before the National Democratic Convention, protesting against the nomination of "any candidate who is not fully committed to the principle of complete prohibition of the liquor traffic." This petition was personally signed by 335,000 legal Democratic voters and had time been available 200,000 could have been added by Texas alone.

In addition to those personally signed, what Bishop DuBose called "collateral petitioners," by which he meant organizations voting such a request through their representatives, amounted to a total membership of six and a quarter million. Bishop DuBose estimated the real voting personnel of these "collateral petitioners" had not less than 1,000,000 individual voters.

A statement of the above was given to the national Democratic convention through its presiding officer, Senator John T. Robinson, who was later nominated for Vice-President. The statement furnished to Senator Robinson closed with the following significant statement:

"These protests all come from the South where your memorialists think is to be found the real soul of the Democratic voter and where certainly is to be found the party's surest supporters."

In the face of these millions of the Southland who stood for the honor and integrity of the Democratic party, Tammany Hall of New York and the outlawed liquor traffic of the nation, forced upon the Democratic party the nomination of one who is about as far from being a Democrat as could well be found among those parading under the Democratic banner.

When we state that the outlawed liquor traffic and Tammany Hall forced this nomination, let the readers understand that we mean the outlawed liquor traffic understood in its broader sense. By it we mean the rum runners, the moonshiners, the bootleggers and their patrons. The patrons of the bootleggers are as much a part of the outlawed liquor traffic as are the bootleggers themselves. Of course, there are a few politicians seeking to get to the "pie counter" or politicians who must maintain their party regularity in order to take care of their future political ambitions, who joined in with Tammany and the outlawed liquor traffic, but their number is insignificant. The Democratic party has a candidate for president forced upon it by Tammany Hall, probably the most corrupt political machine in existence, and by the outlawed liquor traffic, which is largely a Northern enterprise.

The South, where breathes the soul and spirit of Democracy, where lives and flourishes the old time American ideals, and as great patriots as ever answered their country's call to battle, has been insulted, denounced as hypocrites, proclaimed to be intollerant, spurned, and trampled upon in the victorious march of Tammany Hall and the bootleg brigade. But the South will have her inning at the ballot box November 6th. Then you will hear the bootleggers howl and many a political future crash.