

# HOME AND STATE

Volume 30, No. 4

WESTERVILLE, OHIO, APRIL 1929

\$1.00 Per Year

## SIDE LIGHTS FROM THE DISCUSSION OVER THE WIRTZ PARTY LASH BILL

Senator W. C. WOODWARD declared that to those who voted in the Democratic primary, last year, but who did not participate in the presidential conventions, there was no obligation to support the presidential nominee, that he had swallowed a bitter dose to maintain his party regularity when he voted for Mrs. Ferguson, and for Earle B. Mayfield. He denounced the Wirtz bill roundly, and lamented the fact that throughout the debate the names of the "Lieutenant Governor from Dallas" and the "Senator from Dallas" has resounded, adding: "An outsider listening in this debate would conclude that we were legislating for one or against the other of these men."

That SENATOR WOODWARD was right in this observation seemed to be the current opinions of those who witnessed the debate, strengthened by the fact that Lieutenant Governor BARRY MILLER remained out of the chair most of the time, after making notes on the speeches, especially those of Senator Love.

Senator J. W. HORNSBY defended the bill, and Senator PINK L. PARRISH, who supported Al Smith, spoke against the bill. SENATOR W. R. COUSINS spoke against the bill. Senator W. E. THOMASSON spoke for the bill and rebuked the leadership that "would stand within the ranks and strike at our party and affiliate with outside influences in an attempt to tear down our party for their own selfish purposes." Those to whom he evidently referred contended that they were endeavoring to save the party from wreck by alien influences, refused to follow the Republican leader, John J. Raskob, or the nominee who had repudiated the party's platform, and were doing it for wholly *unselfish* purposes. SENATOR TOM POLLARD, who praised those in East Texas who voted for Al Smith, spoke against the bill.

### BRING DR. STRATON'S NAME IN

SENATOR WIRTZ, author of the bill, and wet leader of the Senate brought in the name of Dr. John Roach Straton, insinuating, or possibly flatly stating, that Dr. Straton had been stirring up "religious hatred." Dr. Straton never discussed any phase of the "religious question" on his tour of Texas, but practically every wet leader makes that charge and many wet newspapers do likewise.

### THE GOVERNOR'S RACE INVOLVED

AS SENATOR WOODWARD suggested the discussion over the Wirtz bill, indicated that the bill had two purposes in view. One to punish those who balked at swallowing Al Smith and the other to exclude the dry Democrats from the primary in order to insure the nomination of the wet leader, Barry Miller, over Tom Love for Governor in 1930.

## THE GRAVES BILL ON SEARCH AND SEIZURE IN SENATE

In this issue we are reporting only on the record of the Senate. A bill had come over to the Senate from the House relating to Search and Seizure. It was known as the *Graves Bill*. This was not the Graves bill adversely discussed in the February issue of HOME AND STATE, but relates entirely to a different phase of the question.

The Dean act has an expression to the effect that before a search warrant can be issued to search a private residence, there must be affidavits by two reputable citizens showing that the law was being violated in that residence. Through all previous history of Texas affidavits to the effect that the affiants "had reason to believe and did believe" that the law was being violated, were sufficient. A decision was handed down last year by two members of our Court of Criminal Appeals to the effect that hereafter this would not be sufficient, but that the affidavits must state facts upon which they based belief that the law was being violated, and that the Justice of the Peace issuing the Search Warrant could reserve the right to pass upon such facts as being sufficient or not. This clearly made it necessary, as even some wet newspapers admitted, for the officers to have to convict the guilty twice. They had to secure evidence of guilt before they could

even search for the evidence in the case. A very unreasonable demand.

The decision was reached by emphasis upon the word "show." The two who wrote the decision contended that it had the above meaning. Judge O. S. Lattimore contended that it had no such meaning, and vigorously opposed the decision.

The *Graves bill* was written to restore the law to its old meaning. It passed the House and reached the Senate on March 8. Our report here is based upon the press reports.

The bill had been unfavorably reported by the wet *Senate Committee on Criminal Jurisprudence*. But Senators JULIAN HYER, of Ft. Worth, and W. E. THOMASSON, of Nacogdoches, brought in a minority report. SENATOR LOVE moved to substitute the minority for the majority report. SENATOR CLINT C. SMALL, of Wellington, moved to lay the Love motion on the table, and Small's motion received 13 votes and there were 13 votes against it. Lieutenant Governor Barry Miller, saying that he did not like to see a bill killed in that way, voted against tabling it.

### THE VOTE

Those voting for *Senator Small's motion to table Love's motion*, were (according to press reports):

J. W. E. H. BECK, DeKalb.  
 OLIVER CUNNINGHAM, Abilene.  
 C. S. GAINER, Bryan.  
 W. J. HOLBROOK, Galveston.  
 W. N. MARTIN, Hillsboro.  
 EUGENE MILLER, Weatherford.  
 ARCHIE PARR, San Diego.  
 NAT PATTON, Crockett.  
 GUS RUSSEK, Schulenburg.  
 CLINT C. SMALL, Wellington.  
 W. A. WILLIAMSON, San Antonio.  
 A. J. WIRTZ, Seguin.  
 WALTER WOODUL, Houston.

### AGAINST TABLING LOVE'S MOTION

W. R. COUSINS, Beaumont.  
 TOM DEBERRY, Bogata.  
 JULIAN GREER, Athens.  
 JULIAN HYER, Ft. Worth.  
 THOMAS B. LOVE, Dallas.  
 W. D. MCFARLANE, Graham.  
 PINK L. PARRISH, Lubbock.  
 TOM POLLARD, Tyler.  
 W. E. THOMASSON, Nacogdoches.  
 ED WESTBROOK, Sherman.  
 E. E. WITT, Waco.  
 W. C. WOODWARD, Coleman.

### PAIRED

J. W. STEVENSON was for tabling but was paired with MARGIE NEAL who was against tabling the motion. BARRY MILLER voted against tabling the motion.

### THE BILL KILLED ON MOTION OF SENATOR SMALL

Senator Small moved indefinitely to postpone the bill, which killed it. The vote (from press reports) was as follows:

### INDEFINITELY TO POSTPONE OR KILL

J. W. E. H. BECK, DeKalb.  
 C. S. GAINER, Bryan.  
 CARL C. HARDIN, Stephenville.  
 W. J. HOLBROOK, Galveston.  
 W. N. MARTIN, Hillsboro.  
 EUGENE MILLER, Weatherford.  
 NAT PATTON, Crockett.  
 GUS RUSSEK, Schulenburg.  
 CLINT C. SMALL, Crockett.  
 W. A. WILLIAMSON, San Antonio.  
 A. J. WIRTZ, Seguin.  
 WALTER WOODUL, Houston.  
 OLIVER CUNNINGHAM, Abilene (paired).  
 E. E. WITT, Waco (paired).  
 J. W. STEVENSON, Victoria (paired).  
 ARCHIE PARR, San Diego (paired).

### AGAINST POSTPONING, OR FAVORABLE TO THE BILL

B. F. BIRKLEY, Alpine.  
 W. R. COUSINS, Beaumont.  
 TOM DEBERRY, Bogata.  
 JULIAN GREER, Athens.  
 J. W. HORNSBY, Austin.  
 THOMAS B. LOVE, Dallas.  
 W. D. MCFARLANE, Graham.  
 W. E. THOMASSON, Nacogdoches.

W. C. WOODWARD, Coleman.  
 TOM POLLARD, Tyler (paired).  
 JULIAN HYER, Ft. Worth (paired).  
 MARGIE NEAL, Carthage (paired).  
 PINK L. PARRISH, Lubbock (paired).

The bootleggers are safe for another two years, but certain politicians will have the good women after them. Though the bootleggers need not worry, certain Senators and Representatives will need to worry much.

### MRS. WATTS' STATEMENT

Mrs. Claude De Van Watts, President of the Texas Woman's Christian Temperance Union, handed out a statement as follows:

"We, the W. C. T. U. representing thousands, are disappointed but only more determined to disseminate information concerning the viciousness of the law; how it retards law enforcement and protects the criminal at the cost of menacing society. Unfortunately, the wets of the Senate exerted such influence that our dry ideals and the bill went down. The duty before dry Texas is to see to it in the future that our Senate shall be dry. Women must rally and have a house cleaning in politics."

## BILL TO PUNISH ANTI-SMITH DEMOCRATS

At the opposite extreme from SENATOR LOVE's bill in behalf of "*Freedom of Conscience*," was SENATOR MARTIN's (of Hillsboro) bill to punish those who refused to vote for Al Smith. His bill provided that it should be unlawful for any executive, or other party, committee to print on the ballot the name of those who refused to vote for *any* party nominee. Its companion bill in the House was introduced by LUKE MANKIN. The House killed this bill and therefore it became useless to bring up MARTIN'S bill in the Senate, for had it passed the Senate, it could not have been considered in the House after its action on the MANKIN bill.

In the Committee SENATOR LOVE vigorously opposed MARTIN'S bill. He contended that the enactment of it would transform the Democratic party in Texas into a wet party by driving from the Democratic party 300,000 dry Democrats who voted for Hoover. He expressed sympathy for Senator C. C. SMALL, of Wellington, who favored the MARTIN bill, when the majority of the voters in his district had followed their conscience and voted for Hoover. He also expressed his sympathy for SENATOR EUGENE MILLER, of Weatherford, who retorted, "*I'll get along alone all right if you and Atticus Webb will leave me alone.*"

## THE WIRTZ BILL TO EXCLUDE DRY DEMOCRATS

Failing in putting over the Martin-Mankin bill to punish the Anti-Smith Democrats, *Senator Wirtz*, wet leader of the Senate, and who, with J. J. Boyle, of San Antonio, led the wets at the State Democratic Convention last year at Beaumont, introduced another bill to accomplish the same end. Wirtz's bill was introduced so late that had it been favorable to prohibition, it would not have got past the wet committee in time for consideration. But the committee reported it favorably within half an hour after it was introduced and it has passed both Houses, and now awaits the *Governor's* signature. He can veto it and kill it. He can sign it, or refuse to do either and allow it to become a law. At this writing no one seems to know what he will do. Many Al Smith Democrats are urging him to kill the bill and save the party. Others urge him to sign the bill and punish the Anti-Smith Democrats.

### HISTORY OF THE BILL

The bill looks innocent to those who do not know its purposes. It simply provides that all laws giving the State control over party affairs shall be repealed and leave it up to the State Executive Committee and its chairman to dictate whose names shall go on the ballot and whose shall not. Also, who may vote in a primary election and who shall not vote. The Democratic voters have no control over the Chairman or his committee. Dave Wilcox, the present Chairman has already announced what he will do, and under the bill voters will be helpless to prevent him doing so. *Senator Love* calls it the "*Sack-Cloth and Ashes Bill*."

(Continued on Page 5)

## WILL ATTEMPT TO PREJUDICE JURIES IN JONES LAW CASES

Group of New York Lawyers Announce Intention of "Educating Jurors" Against Jones Law

### MENACES JURY SYSTEM

More Is At Stake in This Procedure Than Success or Failure of Prohibition

An Associated Press dispatch carrying a New York date line of March 14, says:

The New York *World* tomorrow will say a committee of lawyers, including four former assistant United States attorneys, whose avowed purpose is to educate New York juries so that they will refuse to convict under the Jones law, was organized to-day at a luncheon at the Downtown Association. Frederick R. Coudert, Jr., is chairman.

Frederick C. Bellinger, who was an assistant under former United States Attorney Buckner, explained that the Coudert committee hopes to "nullify" the drastic Jones law in the same way that this was accomplished to all practical purposes when the government tried to obtain convictions of night club owners charged with conspiracy.

Federal juries invariably refused to convict in these conspiracy cases and Bellinger said his committee hoped to "educate juries to do the same thing under the Jones law," which provides a possible penalty of five years in prison and \$10,000 fine for all prohibition law violations except possession.

This perhaps is the most brazen declaration of defiance of the prohibition law uttered since the Eighteenth Amendment became operative. In every case at law, both the prosecution and the defense is entitled to an unprejudiced court and an unprejudiced jury. Time and effort is not spared to select a jury with an open mind. No pains are spared to safeguard juries from attempts by interested parties to illegally or unfairly influence them. But here, if the report is correct, is a group of attorneys including at least four former assistant United States attorneys, who frankly admit that they are intent upon "educating" prospective jurors in Jones law cases so that these jurors will not be able to render an unprejudiced verdict even if they desired to do so. Far more is at stake in a procedure of this kind than the success or failure of prohibition. By the same token what is to prevent any other group of attorneys from "educating" prospective jurors in murder trials, or in other cases involving felony charges? By such a system cases can be won before they are heard.

### INHERENTLY LAWLESS

But this incident only emphasizes the inherent lawless character of the liquor traffic. Those engaged in the traffic through all the past years have been notorious for their law defiance.

The incident further emphasizes the weakness of the dry law violator's case. It is a confession of fear to trust the verdict to an unprejudiced jury. It furthermore shows exceedingly poor sportsmanship. The violators of the prohibition law had their day in Congress when the Jones law was under discussion. There were those who plead for leniency for this group of criminals. They argued that the Jones law was too severe but they were out-voted by the representatives of the people. The law was enacted and signed by the President.

They have assailed the Eighteenth Amendment in the courts, have carried their case clear through the United States Supreme Court and have lost. They have lost their case at the polls. The verdict of the courts is against them, the verdict of the people is against them. This action by these attorneys is an indication that they purpose to win by foul means what they could not win by fair means. To put it in the mildest form, the action of these attorneys is unethical.

### BOOTLEGGERS EXEMPT

That portion of Michigan's habitual criminal act providing life imprisonment for conviction for a fourth felony so far as applicable to the dry law violators was repealed March 21 by the state Legislature.

The amendment to this law will exempt approximately 120 minor felonies, from the class of potential life sentence offenses.

Only felonies for which a maximum sentence of at least five years upon first offense is prescribed now are subject to life imprisonment. The maximum sentence for a first liquor offense is four years.

### FEDERALS AID CHICAGO

Federal Government Assigns Five Federal Attorneys to Aid in Obtaining Indictments

The Federal government, through District Attorney George Q. Johnson, has announced its intention to help police dry up Chicago, according to an Associated Press dispatch of March 13.

Five government attorneys have been assigned to obtain indictments and follow through with swift prosecution of violators under the Jones law. Johnson expressed the belief that indictments under this law in Chicago would soon average 250 a month.

Minor offenders will be turned over to state courts for trial. Well-known violators, however, will be indicted by the Federal grand jury and tried under the Jones law, with its maximum penalty of five years imprisonment and a \$10,000 fine.

## UNITED STATES ATTORNEY MAU PLEASED WITH JONES LAW

Sworn in For Second Term As United States District Attorney For Southern District of Ohio, Mr. Mau Comments Upon Prohibition Enforcement; Says Jones Law Step in Right Direction

Haveth E. Mau entered upon his second term as United States Attorney for the southern district of Ohio, March 11, 1929. He took the oath of office in open court in Cincinnati. The oath was administered by United States Circuit Judge Hickenlooper. An Associated Press dispatch carrying a Washington date line of March 19 says that the name of Mr. Mau is under consideration for appointment as assistant to the United States Attorney General.

Mr. Mau upon assuming his office delivered a brief address in which he said in part:

"Much has been said lately in reference to the enforcement of the prohibition laws. The policy of this office has been always to vigorously prosecute violations of the national prohibition act exactly the same as violations of all other Federal laws. I have long advocated and repeatedly recommended increased penalties under the national prohibition act. In my opinion the law existing heretofore has been entirely inadequate as a means of punishing the large bootlegger. To illustrate: under the Volstead act the penalty for selling a drink of intoxicating liquor is six months in jail or a fine of \$1,000, while the penalty for possessing and transporting intoxicating liquor (it might possibly be 1,000 cases), is a maximum fine of only \$500.00. It will be seen that the law has been grossly insufficient as far as the bootlegger is concerned. As in the present law, there is no minimum sentence and the court can assess a small fine if the facts warrant.

"The opinion of some people that the new law (the Jones law), will result in more trials and thus clog the dockets of the various United States courts is unwarranted. From my experience enforcing other Federal statutes wherein the penalty is substantially the same, I would say that the fact that the court has discretionary power to inflict a heavy penalty, will deter defendants from employing dilatory tactics by pleading 'not guilty.'

### SOUTH AUSTRALIA TO VOTE

About a Year Hence Parliamentary Election Will Be Held; Drys Hope to Elect a Dryer Parliament

There will be a general parliamentary election in South Australia about one year hence, but even now the Prohibition League is organizing its campaign to participate in this election. The League has secured the services of William Finlayson, formerly a member of the Victorian Parliament, to engineer the campaign for the drys.

The objective is the conversion of the new Parliament of 1930 to a more direct and sympathetic attitude on the dry issue.

The *Christian Science Monitor*, of March 19, discussing this forthcoming election says the Legislature of South Australia has always opposed the granting of a referendum on the liquor question. Prohibitionists are confident that once an appeal can be made to the people a decisive vote in favor of a dry South Australia will be recorded. Again and again Parliament has refused to grant even this democratic privilege, but the agitation is likely to take a very challenging form in the near future.

### THE ALIEN BOOTLEGGER

Judge C. M. Culver, of Bradford county, Pennsylvania, in sentencing Mrs. Catherine Tonski to pay a fine of \$100 and to serve three months in the workhouse on conviction for violation of the prohibition law, said: "These people who come to this country and try to drag down our country to the level of the country they come from—by their unlawful acts—must be taught a lesson."

### CAPITAL IN HOUSECLEANING

Police Take First Steps Toward Padlocking of All Liquor Selling Places in Washington; Example For Other Cities

Superintendent of Police Hess of Washington, D. C., on March 19, issued orders to the police force for a thorough canvass of all places suspected of selling liquors, with padlocking of every speakeasy the objective. This is considered to be the initial step in a movement to make the Capital the driest city in the United States, to make it an example to officials of every other city in the country.

It is reported that United States Attorney Rover informed the Department that in order to institute padlock proceedings evidence must be furnished to "show such a continuity of violations as to establish the fact that the particular premises are being used as a regular course of business" for keeping and selling liquor.

This indicates that the task of securing padlocks will require a great deal of systematic effort. The police accordingly are seeking to pile up all the evidence possible against places for which padlocking will be sought. The department has planned a thorough study of its records of past arrests for prohibition law violations, and evidence of arrests having a bearing on the cases in question will be employed to show "continuity of violations."

United States Attorney Rover is cooperating with the police, assisting them in every way possible. He drew up an outline of such evidence as is required to institute padlocking proceedings.

### SPECTACULAR RAIDS TABOO

It is emphasized by the prohibition enforcement bureau that spectacular prohibition drives have no place in the plan of the administration for the building up of general law enforcement which President Hoover in his inaugural address made clear will be a major policy while he is in the White House. There will be no sporadic drives of the spectacular character but rather a tightening up of the law-enforcement machinery all along the line with reorganization effected where necessary.

Attorney General Mitchell is quoted as expressing the opinion that an act of Congress will be necessary to bring about the transfer of the prohibition enforcement bureau from the Treasury Department to the Department of Justice.

It is generally conceded by Washington newspapermen that Mrs. Mabel Walker Willebrandt, assistant attorney general in charge of prohibition enforcement, will be continued as the head of the prohibition enforcement in the Justice Department and that the transfer to this department will greatly enlarge the scope of her work.

### LIVE ISSUE IN BULGARIA

Parliament Discusses Numerous Proposed Measures to Promote Sobriety

(DR. ROBERT HERCOT, Lausanne Switzerland)

The Bulgarian parliament is discussing a bill on public health, some articles of which deal with the question of alcoholism:

An inspectorate of alcoholism is to be created at the general Direction of Public Health, for the purpose, quite especially, of collecting data concerning alcoholism in Bulgaria, organizing investigations, etc. Temperance instruction in all its forms will be strongly organized. The Direction of Public Health will encourage the abstinence societies in their efforts.

No alcoholic beverages may be served to children under 16 years of age nor, during working hours, to policemen, railwaymen, drivers of any vehicles, chauffeurs, etc.

Liquor with an alcohol content of over 55 per cent and absinth are forbidden. Women as well as men have the right to vote on the closing of a licensed house.

Any person engaged in passenger transport who becomes intoxicated while on duty or immediately before going on duty, is liable to severe penalties. On a second recidivism the right to exercise his profession may be withdrawn.

## What the Current Magazines Are Saying About Prohibition and Law Enforcement

(Reviewed by Emma L. Transeau)

(*Christian Century*, February 28, 1929)  
THE TEMPERANCE PLEDGE COMES BACK  
(Editorial)

In mentioning Dr. Cherrington's approval of Dr. Charles M. Sheldon's plan for the revival of pledge signing, the editor puts in the following forceful words the relation of the foundation of the superstructure:

The legal or prohibitory fight for temperance is essential but it is not all. The educational side is at least equally important and it has been rather lost sight of in recent years while so much valiant effort has been expended in the legislative field. One way to reduce the amount of bootlegging is to cut off the bootlegger's supply of willing patrons. Strange as it may seem to those minds which delight in vicious paradox, people do not necessarily desire to do anything which the law prohibits. It is possible, by education and intelligent persuasion, to bring a great many people to the conviction that alcoholic indulgence is harmful, that to encourage the violation of the law is to injure the structure of the state, and that abstinence under present conditions is a duty to society as well as a personal benefit. The more voluntary observance of the law we can get, by pledges and otherwise, the less formidable will be the task of enforcement.

(*Christian Century*, February 7, 1929)  
SHOULD THE CHURCHES KEEP SILENT?  
(Editorial)

The opinion has been expressed by what is here called "the world's wettest newspapers" to the effect that citizens have no right to promote legislation "derived from religious beliefs, associations, or organizations and teaching through the efforts of such organizations." This reference to the action taken by church organizations to end the liquor traffic and the criticism passed upon it calls out from the editor of the *Christian Century* some militant remarks that are refreshing and should be instructive to anyone who is confused as to his Christian duty in the matter of social legislation. The following are examples of the editor's convictions on this matter:

Most Protestant Christians have arrived at the conclusion that the beverage use of alcohol is personally and socially injurious. Having some knowledge of the futility of various types of regulation that have been practiced at various times and places, and having had experience of the trickeries and subtleties, the bad faith and lawlessness, with which the liquor interests have always met all regulative measures, most of them have arrived at the conclusion that the only way to regulate is to prohibit. It has therefore come to be, not an article of faith, but the predominant conviction of the members of the Protestant churches in the United States that the prohibition law should be maintained, obeyed and enforced. The question of the moment is not whether or not they are right in this belief, but whether, since it is their belief, they have a right to act upon it, and to act through those agencies which they have created to bring the force of public opinion to bear upon those who make and enforce the laws.

The theory of the church's critics is that an appeal to law is an appeal to force because behind the law must stand the policeman to enforce it, and when the church thus "takes the sword" there is little to choose between drawing the sword to enforce acceptance of its creed and drawing it to enforce conformity with its code of conduct.

This too is fallacious. Behind the law stands the policeman, to be sure; but behind the policeman stands the power of public opinion, without which the policeman is impotent and futile.

The old charge that the dry sentiment of this country is merely that of a militant minority falls to the ground in the presence of such an unblushing claim that everybody else has a right to organize, but not the churches—which,

for this purpose, means the dregs. Protestantism has no such inherent force of cohesion and no such supreme skill in political manipulation as to be able to make a minority sentiment dominant over a majority. What the critics want is not a fair test of strength—in fact they have already had that on many a hard-fought field, and they have lost. What they want is a fight in which their enemies' hands will be tied while theirs will be free; a contest in which the opposition to prohibition or any other form of moral legislation will be solidly compacted by organization, while its advocates will be disintegrated and disunited.

The fear that churches shall get into the habit of enforcing their codes of conduct by law and may go on (or back) to the practice of enforcing acceptance of their creeds by similar means, is pure bunkum. Law deals with conduct; it does not deal with belief. If no aspects of conduct are to be controlled by law, then the whole structure of law crumbles. The argument against controlling conduct by law is an argument for anarchy.

The truth is that neither emancipation nor prohibition is a matter of private morals, or of forcing conformity to a moral code. But they are matters of public morals, involving the welfare of society as a whole. In such issues the church has a direct concern, and in such conflicts it will utilize the full forces of its influence, as far as its conscience has been enlightened, to secure and enforce such legislation as the common welfare may demand.

(*Harper's*, April, 1929)  
EDITOR'S EASY CHAIR

The editor's easy chair would appear to be too easy. It promotes slumber, all well enough if the slumber does not interrupt what might have been a train of thought.

For example. The occupant starts to find in history some light on modification of our prohibition law, and finds it in Lecky's description of what followed the popularization of spirits in England in 1724. But here he slumbers and lets the historical thread fall. He does not find what happened in 1839 when Parliament, encouraged by the Duke of Wellington, Lord Brougham, and other patriots, passed a free beer bill to wean the people from their gin. Quite as graphic a picture as the Easy Chair quotes from Lecky's account of the cellar of free straw provided for the drunken gin-drinkers is Sydney Smith's picture of the results of the Beer act:

"The New Beer bill" he said, "has begun its operations. Everybody is drunk; those who are not singing are sprawling. The sovereign people are in a beastly state."

To show that Sydney Smith was not prejudiced nor a fanatic there is the report of the Select Committee of the House of Commons saying that the Beer act "without destroying a single public house, against which the bill was intended to operate, had added fifty thousands still more baleful houses to the list of temptations so baleful to the people." And there was the recantation of the Duke of Wellington and Lord Broughton and the changed opinion of the English press which soon began to clamor against the beer remedy for drunkenness as loudly as at first it clamored for it.

Surely, let us go to history for light on the present, but when we go, let's make a thorough job of it.

The Easy Chair editor interprets Lecky as claiming that the English "got along well with beer before gin was invented" and that "long ago" they were reputed to be "the most temperate of northern nations."

How temperate that was or how far in the "long ago" is left indefinite. But there are historians (Dorchester, McPherson, Wm. Codman), who report "frightful" drunkenness in the ale-drinking times of Henry the Eighth (1509-1547), and that during the reign of Queen Elizabeth (1559-1603), more than 100 years before the gin-drinking period, "drunkenness became one of the most striking

characteristics of the nation, the public houses in London being crowded with drunkards from morning until evening." (Dorchester, "The Liquor Problem in All Ages," p. 78).

By all means let us study history.

(*Christian Advocate*, March 13, 1929)  
(Contributing Editor's Page)

THE OUTLOOK FOR PROHIBITION  
The outlook here sketched is no narrow one. It is broad enough and important enough to inspire all who are blessed with the faculty called vision.

These are some of the specifications:

Public opinion has a great task cut out for it. Far-reaching projects in church and state depend upon it for their successful issue. Legislation, diplomacy, statesmen go just so far and then halt until the man in the street and his brother say, "Forward."

The church never had a greater responsibility for human welfare than today. Churchmen believe in the ideal of brotherhood in Christ, and they know these are to be reached by and in corporate action. Such action gets under way just as soon as men and women are sufficiently convinced that a certain course should be taken, a certain cause supported. Nothing can then stop the forward movement of society.

We need something more than the repeated utterances of men who, because of their official or semi-official connection with this reform are regarded, and rightly so, as the spokesman of a nation-wide constituency.

The nation is fully committed to prohibition. There will be no going back to methods long since abandoned as stupid and ineffective. The opportunity of the church lies in helping to develop and to devise methods of expressing a public opinion in every community which will give an honest, sincere support to the new President as he takes up this confessedly difficult administrative problem.

Let us not place too much confidence in penalties and political reprisals. No great moral purpose can ever be securely established in common practice until it is actually written in the hearts of the people.

(*Public Opinion*, March, 1929)

THE SOBER SERVICES

The editor cites with much satisfaction accounts of the decrease of drinking in the British army and navy.

The Admiralty makes provision for the use of mineral water by the fleet.

The Chairman of the City Bench at Plymouth states that during the past twelve months not a single member of the navy, the army, or the air force has been charged with drunkenness.

The improvement that has taken place in the navy is not less marked in the army, for the records of that service show that the "dry canteen" enjoys a popularity amongst soldiers of to-day such as never belonged to it in any previous time.

Padlock actions against thirty premises in New York, where the prohibition law is alleged to have been violated, were begun in Federal court March 14 by Assistant United States Attorneys Shapiro and Bishop.

### ENDS 78 YEAR RECORD

The Jones law increasing the maximum penalties for violation of the prohibition law got quick action in the city of Baltimore.

Seventy-eight years ago a saloon was opened in one of the suburbs of that city. On the day it was opened the proprietor in the presence of a number of people took the key out of the door and threw it into the road with this remark, "I will never need you again."

Immediately upon the passage of the Jones act the present proprietor of the place recalled this statement of the saloon's founder and remarked that for seventy-eight years there had never been a single twenty-four hours when patrons could not get something to drink. "But, now," he said, "since the Jones law is passed I do not propose to take a chance on going to the penitentiary for five years and paying a \$10,000 fine additional." This place is now closed and will remain closed forever insofar as the liquor business is concerned.

### IDAHO KILLS "TONIC" TRAFFIC

Anti-Saloon League Starts Campaign Against "Tonics" Which Drove Traffic From State

(CHAS. HAFKKE, Supt. Anti-Saloon League of Idaho)

The ingenuity of the liquor interests in their efforts to prolong their unlawful activity is again displayed by their invasion of a virgin trade field hitherto devoted to a legitimate article of commerce. Under cover of innocent and lawful looking labels with established trade reputations, they are polluting regular channels of trade by using them as a convenient cloak to cover up their real character and purpose. Under the name of "tonics" they are pouring enormous quantities of alcohol beverages into every portion of the country. Thus by trickery, deception and fraud they are placing these destructive agencies within reach of our youth who are unaware of the real menace lurking under these innocent labels the contents of which contain more than 22 per cent alcohol. The liquor interests use regular trade channels for their distribution, such as grocery stores, drug stores, butcher shops, department stores, soft drink parlors, cigar stores, and at many pool halls it is sold by the glass. It is used by "petting parties" and it is a common beverage used at the many public dance halls.

This "tonic" campaign is one of the best planned schemes to evade the provisions of the prohibition laws, state and Federal, since their adoption. New appetites must be created, old ones must be kept alive, if the traffic is to survive, and any plan or scheme, no matter how steeped in fraud or crime it may be, is seized upon by the liquor interests in order to accomplish this purpose. Not only should the people become alarmed at the revival of this deadly drug under this innocent appearing guise, but manufacturers of legitimate tonics should actively resent this misuse of their regular business channels, by these unscrupulous and law-defying criminals, and protest against this unlawful invasion of their established business.

The danger lurking in this sale of what was really an alcoholic beverage, though labeled "tonics" was sensed by the Anti-Saloon League of Idaho, and it commenced an active state-wide publicity campaign arousing the people to the danger to which they and their children were being exposed, and in this campaign were combined the energies of kindred organizations and churches, and finally this campaign culminated in one of the most comprehensive state-wide enforcement campaigns witnessed in the state. This enforcement program by the duly constituted enforcement agencies has combined in a united front, the power of the Attorney General of Idaho, the United States Attorney, the Federal Bureau of Prohibition, the Prosecuting Attorneys and Sheriffs, and other peace officers generally throughout the state. So energetic has been the action by these enforcement agencies, and the results so effective that within a short time there was a frantic effort on the part of those handling these illicit "tonics" to rush them out of the borders of the state to prevent seizure and confiscation. These officers have taken the people seriously and believe they meant what they indicated by their action at the last election.

No more important preventive work, nor greater in constructive possibilities, can be undertaken or command the immediate and earnest attention of every one who has the welfare of our youth at heart, than to stem this tide of alcoholic beverages from reaching and debauching them. Every state can do what is being done in Idaho. The danger lurking in this situation should be promptly felt and no time should be lost in bringing educational and enforcement machinery into immediate action against it. Nearly all states have a definition of intoxicating liquors similar to that of Idaho and can put on a similar educational and enforcement program. This definition includes all liquor derived from a process of fermentation or distillation, and irrespective of whether it is intoxicating in fact or not. This rule of law is so well established as to be beyond dispute. The granting of Federal permits under which such "tonics" are manufactured does not protect the traffic either under the Federal or state laws.

## HOME AND STATE

(Established 1903)

Official Organ Anti-Saloon League of Texas

Published monthly, except August and September, by

THE AMERICAN ISSUE PUBLISHING CO.

130 South State Street, Westerville, Ohio

FOR THE ANTI-SALOON LEAGUE OF TEXAS

EDITORIAL OFFICE—412-413 Southwestern Life Bldg., Dallas, Texas

ERNEST H. CHERRINGTON, Editor  
REV. ATTICUS WEBB, State Editor

Entered as second-class matter at the postoffice at Westerville, Ohio, under Act of March 3, 1879

SUBSCRIPTION PRICE—\$1.00 a Year in the United States  
All letters should be addressed to HOME AND STATE, Dallas, Texas

## OFFICERS OF ANTI-SALOON LEAGUE OF TEXAS

President—JUDGE M. A. CHILDERS . . . . . San Antonio  
1st Vice President—GEO. W. CARROLL . . . . . Beaumont  
2nd Vice President—DR. HENRY G. BOWDEN . . . . . Fort Worth  
Secretary—JUDGE GEORGE SERGEANT . . . . . Dallas  
Superintendent—REV. ATTICUS WEBB . . . . . DallasEXECUTIVE COMMITTEE—Dr. E. A. Maness, Dr. E. D. Jennings,  
Judge W. E. Williams, Prof. H. A. Ivy, Dr. B. A. Copass.

BOARD OF MANAGERS—Judge Samuel Smelser, Texarkana; Geo. W. Carroll, Beaumont; W. L. Purdue, Big Sandy; Prof. H. A. Ivy, Sherman; Dean E. D. Jennings, Dallas; Rev. R. E. Day, Bryan; Rev. King Vivion, Georgetown; Rev. W. D. Ryan, Houston; Judge S. G. Sample, Edna; Judge W. E. Williams, Fort Worth; Dr. J. L. Ward, Decatur; Dr. J. T. Curry, San Antonio; Dr. S. L. Bachelor, Harlingen; Hon. C. E. Mead, Marfa; Dr. J. D. Sanderfer, Abilene; Senator J. W. Reid, Canyon; Dr. E. A. Maness, Commerce; H. L. Kokernot, San Antonio; Dr. J. C. Hardy, Belton.

APRIL, 1929

## Optimism Run Wild

"Hope springs eternal" in the heart of the wet newspaper correspondent. This is indicated in the frequent reference such correspondent makes in his discussion of the proposed commission to be appointed by the President to investigate law-enforcement conditions. He tries to cheer his wet friends with the thought that perhaps the situation for the wet cause is not as bad as it appears on the surface, that maybe the President has in view modification of the Volstead law. He bolsters up this hope by calling attention to the fact that Mr. Hoover has never specifically mentioned the Volstead act, that each time the President has discussed prohibition his reference has been directly to the Eighteenth Amendment.

It certainly requires a lot of optimism for these wets to make themselves believe that President Hoover will come to the belief that the only way in which to enforce the Eighteenth Amendment is to modify or weaken the law that makes the Eighteenth Amendment operative.

## To Aid the Guilty!

That group of New York lawyers who have banded together for the avowed purpose of defending persons against penalties provided by the Jones law for violation of the prohibition law, apparently do not take seriously their oath to support the Constitution of the United States.

Every accused person is entitled to his day in court with a fair hearing. Provision is justly made by the courts to supply free counsel to the defendant who is unable to meet this expense. But the question at issue in these cases, so far as it pertains to the action of these attorneys, is not a question of guilt or innocence, but wholly a question of penalty, which of course cannot be inflicted unless the defendant is found guilty.

Apparently these attorneys would prefer to see those who are trampling the Constitution of the United States under foot go unpunished—would prefer to see the country overrun with bootleggers and rum runners and makers of poisonous liquor—than to see a penalty inflicted which in their opinion is too severe.

Those who have made a special study of the crime situation in the United States, are practically a unit in the belief that one of the chief contributing causes to the prevalence of crime, is the failure to obtain convictions. To a layman it would seem that those who should be most interested in remedying this situation are the members of the bar.

The most charitable term to be applied to this group of New York attorneys is that their action is unethical and unprofessional.

## It Will Be a Long Time

Little Rhode Island is a wonder when it comes to holding a grudge. Being one of the two states that never ratified the Eighteenth Amendment she is still grouchy at her sister states for having done so. This grouch was exhibited a few years ago when an attempt was made through her attorney general to

have the Eighteenth Amendment declared unconstitutional.

Not satisfied with the drubbing she got at that time a resolution has been introduced in the general assembly again directing the attorney general to seek a ruling from the Supreme Court of the United States on whether the amendment ever has been legally enacted.

If the beer thirsty of this country are depending upon the successful outcome of this attempt of little Rhody to overthrow the Eighteenth Amendment, they are in for a long protracted drouth.

## Plead Guilty and Save Time

Federal Judge Coleman, of New York City, inaugurated a policy in dealing with bootleggers brought before his court under the Jones law which may assist materially in preventing the clogging of the courts with these cases, a situation which our wet friends mournfully and with tears in their voices say will be the result of this drastic law.

Judge Coleman has laid down a rule that those who plead guilty will be given a six months sentence, but if they insist upon a trial and are found guilty they run the risk of the maximum penalty, "five and ten," which being interpreted means five years in the penitentiary and \$10,000 fine.

## He is Over Modest

A Wisconsin state senator has introduced a resolution in the state senate memorializing Congress to hold a national referendum in 1930 on the question of modifying the Volstead act to permit 2.75 per cent beer.

The unique feature of this resolution is that it asks Congress to refuse to seat members elected from states which decline to hold these state referenda.

The senator's modesty is commendable. He might have asked Congress to refuse to seat members from those states that perhaps would vote against legalizing beer.

## Chicago's Awakening

Better days are dawning for Chicago. At least Commissioner of Police Russell is making the public reasonably secure from criminal activities of the police—and that will help some. The policeman who is discovered to be a conspirator with bootleggers and rum runners is henceforth out of luck.

This statement from the new commissioner to a squad of rookies just sworn in, is encouraging:

"Your job is to enforce the laws, and not to pick which you will enforce. You are to enforce them whether they are Federal, state or city.

"If any of you drink in soft drink parlors or any other such place and I can prove it, you will be dishonorably discharged from the police force."

## They Want More Kick

The report of the Ontario Liquor Control Board just issued, is commended to the consideration of those wets who argue that the way to wean drinkers from distilled liquor is to legalize beer sales. This report shows that the consumption of spirits or hard liquor has increased 21 per cent in the five months period between June and October, 1928, over the same period in 1927.

Beer consumption increased 2 per cent. Both beer and spirits are easily accessible but evidently the Ontario drinkers prefer the stronger drinks.

## Convincing Proof

The wet's claim that the prohibition law has resulted in increasing alcoholism deaths in the United States is knocked to smithereens by figures supplied by the United States Census Bureau. These figures cannot be explained away by wet sophistry. It is useless for the wets to lay the claim of fanaticism against the United States Census Bureau.

These figures declare first, that the 1927 death rate from alcoholism was 40 per million population. It is a decrease of 16 per million from the alcoholism death rate of the saloon era's last five normal years, 1912 to 1917.

Second, they show that at no time under prohibition has the national alcohol death rate been as high as during the saloon era.

Third, they show that where the prohibition law is best enforced the alcoholism death rate is smallest. The less prohibition the state has the greater the alcoholism death rate. This is strikingly illustrated by the figures giving the alcoholism deaths in Maryland, Montana and New York, three states

which have no state prohibition enforcement law and consequently states where prohibition enforcement is at the lowest ebb.

Maryland, which has never had an enforcement law, jumped from 76 per million alcoholism deaths in 1926 to 110 per million in 1927.

Montana's alcoholism deaths jumped from 39 per million to 81 in the first year after repealing the state prohibition law.

New York had 74 deaths from alcoholism per million in 1927.

New York and Maryland furnished more than 25 per cent of all reported alcoholism deaths, with about 12 per cent of the total population in the registration area.

What more convincing proof is needed that the wetter the state the greater the death rate from alcoholism? Yet some people apparently believe that alcoholism deaths have actually been increased by prohibition.

Further proof of the fallacy of this argument is seen in the fact that the Census Bureau figures show that the death rate from alcoholism for the entire registration area the first dry year, 1920, was 1 per million. The law was better enforced the first year than it has ever been since. Bootleggers and rum runners were not so well organized, liquor was not so accessible, hence the small death rate.

## This Explains It

An appeal to bar associations to aid it in its campaign for the repeal of the prohibition law has just been sent out by the Voluntary Committee of Lawyers of New York City. This committee was formed last January, when its organizers declared that "the situation created by the Eighteenth Amendment calls for the serious attention of the bar" and that "the existing conditions are intolerable."

It is interesting to note that among the members of the board of managers of this association is found the name of Frederic R. Coudert, the attorney who figures largely in the press dispatches relative to the action of the New York lawyers in organizing for the purpose of defending bootleggers against the penalties of the Jones law. Evidently Mr. Coudert believes that under prohibition conditions are "intolerable" for the bootlegger.

## London Police and Liquor Bribes

The recent trial of ex-Sergeant Goddard of the London Metropolitan police force for the acceptance of a bribe offered by those selling liquor after hours, attracted attention throughout England.

English newspaper comment indicates that corruption of police by the liquor group seems to be as common in wet England as the enemies of the Eighteenth Amendment would have us believe that it is in this country.

The *New Statesman*, of London, commenting upon this case in a special article nearly two pages long, asserts that such "protection" is quite common in London and declares: "But everybody who knows anything about such matters knows that similar transactions on a smaller scale are going on all the time all over central London." The English paper continues: "We do not in fact respect our present laws," and points out the other cases of common bribery after affecting parking laws and like legislation, declaring: "The constant stream of half-crowns which pass from public to police might perhaps be more properly regarded as only the oil which greases the wheels of public order and public justice."

The English people apparently expect that bribery of police by the liquor interests will continue so long as there are restrictions and regulations which interfere with folks getting drinks whenever they desire. The *New Statesman* frankly admits this when it says: "Subject to police supervision in the case of houses, whose main purpose is neither nutriment nor dancing, why should there be any legal distinction made between beer and coffee or between champagne and lemonade? Until we face this question without puritanical quakings it is impossible to hope that there will be no more Goddard cases."

What folly for the people of the United States to give even passing consideration to the proposition of the wets that the way to eliminate bribery of police and promote observance of law is to license the liquor traffic. That traffic is essentially lawless. The people of the United States whose memories go back ten years will readily recall how the license liquor traffic corrupted the police of our cities, how it even reached out to the courts and how it occasionally gained control of Legislatures. Restriction and regulation is doomed to fail in England as it is everywhere. The only certain way to suppress lawlessness of the liquor traffic is to abolish the traffic. Prohibition is the remedy.

## THE WIRTZ BILL TO EXCLUDE DRY DEMOCRATS

(Continued from Page 1)

## SIGNED BY MAJORITY OF SENATORS

When the Bill was introduced by WIRTZ it was signed by sixteen Senators, which is a majority. As reported in the press they are as follows:

A. J. WIRTZ, Seguin.  
GUS RUSSEK, Schulenburg.  
NAT PATTON, Crockett.  
J. W. STEVENSON, Victoria.  
B. F. BERKLEY, Alpine.  
ARCHIE PARR, San Diego.  
EUGENE MILLER, Weatherford.  
J. W. HORNSBY, Austin.  
C. S. GAINER, Bryan.  
C. C. SMALL, Wellington.  
OLIVER CUNNINGHAM, Abilene.  
W. N. MARTIN, Hillsboro.  
W. J. HOLBROOK, Galveston.  
W. E. THOMASSON, Nacogdoches.  
W. A. WILLIAMSON, San Antonio.

In the discussion Senator Love, of Dallas, led the opposition to the bill. He contended it was a scheme to make Al Smith the Democratic nominee in 1932 by giving his crowd complete control of the party, saying, "This bill would not only Tammanyize Texas, it would Prussianize and Russianize the Democracy of the leading Democratic State in the Union." He said it should be entitled: "An Act to enable the State Executive Committee to nominate the candidate of the Al Smith faction (Barry Miller), for Governor of Texas in 1930 without serious opposition." Senator Love referred to Wirtz as the "Lochinvar of the Al Smith forces."

In the debate on this bill, Eugene Miller, of Weatherford, repeated the age-old wet charge that Senator Love had once been a wet. Love replied: "I will give the Senator from Parker county any sort of an honorarium within my power if he will point to a single vote that I ever cast on the side of intoxicating liquor."

Senator Love charged that the purpose of the Wirtz bill was to prevent any dry candidates successfully running on a Democratic ticket in Texas by shutting out the dry voters, that it was to make the Democratic party in Texas a wet party and that the Senators were being driven to vote for it by the lash of the wet leader, Senator Wirtz.

Senator Julian Hyer, of Fort Worth, said that the Wirtz bill would bar 300,000 Democrats from the party, and appealed for reinstatement of harmony in the party ranks. Eugene Miller, of Weatherford, attempted to defend the bill. C. C. Small, of Wellington, threw more vim and vigor than usual into his speech in defense of the bill. His district went overwhelmingly for Hoover, though he supported Al Smith for party regularity. He declared that Texas going for Hoover was the "darkest page in political history," though he supported Al Smith for party regularity.

## AMENDMENTS OFFERED

Efforts were made by amendments offered to relieve the bill of being aimed solely at those who voted for Hoover. Senator Woodul, of Houston, offered an amendment, and Senator Greer, of Athens, a substitute to Woodul's amendment, each with practically the same effect, namely, to defer the operation of the bill till after the 1930 elections. (See Senate Journal p. 993, 1007.)

Either of these amendments would have allowed the Democratic voters to have a say in selecting the Executive Committee and Chairman who should apply the provisions of the law to the party. As it is, the Chairman and Committee are generally regarded as having been hand-picked by the emissaries of Tammany Hall and for the purpose of putting Al Smith over the people.

Senator Greer's substitute was lost without record vote. Senator Woodul's amendment was lost by the following vote (Senate Journal, p. 1010):

## FOR THE AMENDMENT

J. W. E. H. BECK, DeKalb.  
OLIVER CUNNINGHAM, Abilene.  
TOM DEBERRY, Bogata.  
JULIAN GREER, Athens.  
JULIAN HYER, Ft. Worth.  
THOS. B. LOVE, Dallas.  
W. D. MCFARLANE, Graham.  
JOE MOORE, Greenville.  
TOM POLLARD, Tyler.  
WALTER WOODUL, Houston.  
W. C. WOODWARD, Coleman.

## AGAINST THE AMENDMENT AND THEREBY MAKING THE BILL APPLY SOLELY TO ANTI-SMITH DEMOCRATS

B. F. BERKLEY, Alpine.  
C. S. GAINER, Bryan.  
W. J. HOLBROOK, Galveston.

J. W. HORNSBY, Austin.  
W. N. MARTIN, Hillsboro.  
EUGENE MILLER, Weatherford.  
NAT PATTON, Crockett.  
GUS RUSSEK, Schulenburg.  
J. W. STEVENSON, Victoria.  
W. E. THOMASSON, Nacogdoches.  
ED WESTBROOK, Sherman.  
W. A. WILLIAMSON, San Antonio.  
A. J. WIRTZ, Seguin.  
E. E. WITT, Waco.

## ABSENT

CARL HARDIN, Stephenville.

## ABSENT—EXCUSED

MARGIE NEAL, Carthage.

## PAIRED

W. R. Cousins, Beaumont, would have voted for the amendment but was paired with Archie Parr, absent, San Diego, who would have voted against the amendment. Pink L. Parrish, Lubbock, who would have voted for the amendment was paired with C. C. Small, absent, who would have voted against the amendment.

## WOODWARD'S AMENDMENT

Senator Woodward offered an amendment which would have compelled the Executive Committee in barring any to also bar all who bolted during the last ten years (see Senate Journal, p. 1010).

The amendment lost by the following vote (Senate Journal, p. 1010):

## FOR THE AMENDMENT MAKING BILL APPLY TO ALL BOLTERS

OLIVER CUNNINGHAM, Abilene.  
TOM DEBERRY, Bogata.  
JULIAN GREER, Athens.  
JULIAN HYER, Ft. Worth.  
THOS. B. LOVE, Dallas.  
W. D. MCFARLANE, Graham.  
JOE MOORE, Greenville.  
TOM POLLARD, Tyler.  
WALTER WOODUL, Houston.  
W. C. WOODWARD, Coleman.

## AGAINST AMENDMENT MAKING BILL APPLY TO ALL BOLTERS AND FOR MAKING IT APPLY ONLY TO ANTI-SMITH BOLTERS

J. W. E. H. DEBECK, DeKalb.  
B. F. BERKLEY, Alpine.  
C. S. GAINER, Bryan.  
W. J. HOLBROOK, Galveston.  
J. W. HORNSBY, Austin.  
W. N. MARTIN, Hillsboro.  
EUGENE MILLER, Weatherford.  
NAT PATTON, Crockett.  
GUS RUSSEK, Schulenburg.  
J. W. STEVENSON, Victoria.  
W. E. THOMASSON, Nacogdoches.  
ED WESTBROOK, Sherman.  
W. A. WILLIAMSON, San Antonio.  
A. J. WIRTZ, Seguin.  
E. E. WITT, Waco.

## ABSENT

CARL C. HARDIN, Stephenville.

## ABSENT—EXCUSED

MARGIE NEAL, Carthage.

## PAIRED

W. R. Cousins, Beaumont, present, would have voted for the amendment, but was paired with Archie Parr, absent, who would have voted against the amendment. Pink L. Parrish, Lubbock, present, who would have voted for the amendment, but was paired with C. C. Small, absent, who would have voted against the amendment.

## BILL AIMED AT AL SMITH BOLTERS

From the above record it is apparent that the bill was not in the interest of party discipline, or to preserve party regularity, but solely to wreak vengeance on those good Democrats who refused to vote for Al Smith. They voted down all amendments making it apply to bolters in general, and made it retroactive, contrary to the genius of the American spirit and American Institutions. Evidently it was, as was charged by the opponents, a bill to make the future Democratic party in Texas securely wet.

In its final passage only the following voted against the bill:

JULIAN GREER, Athens.  
JULIAN HYER, Ft. Worth.  
THOS. B. LOVE, Dallas.  
W. D. MCFARLANE, Graham.  
W. C. WOODWARD, Coleman.  
W. R. COUSINS, Beaumont (paired).  
PINK L. PARRISH, Lubbock (paired).  
TOM POLLARD, Tyler.  
ED WESTBROOK, Sherman.  
WALTER WOODUL, Houston.  
W. C. WOODWARD, Coleman.

CARL C. HARDIN, JOE MOORE and MARGIE NEAL were absent.

## SEARCH AND SEIZURE BILLS IN SENATE

On the first day of the Legislature, January 8, Senator Thomas B. Love introduced Senate Bill No. 23 proposing to repeal the Ferguson Search and Seizure Law, and Senate Bill No. 24 proposing to repeal the Ferguson Bill excluding evidence against bootleggers. The wet Committee on Criminal Jurisprudence appointed by Lieutenant Governor Barry Miller kept these bills in the Committee as long as possible, but on February 22, the first one was before the Senate too late to get by for action, if it had to go to the printer in the regular order. So Senator Love moved to have it printed in the Journal, thereby bringing it up for action sooner.

Opposition to having the bill printed, which meant opposition to the bill itself, was led by Eugene Miller, of Weatherford, A. J. Wirtz, of Seguin, and W. N. Martin, of Hillsboro. Those who supported the bill on the floor of the Senate were Thomas B. Love, Dallas, Walter C. Woodward, Coleman, W. E. Thomasson, Nacogdoches, Pink L. Parrish, Lubbock, and W. R. Cousins, Beaumont.

## ATTACK THE W. C. T. U.

Eugene Miller became heated and personal in his attacks and landed heavily upon certain women, which remarks were resented by the W. C. T. U. as aimed at them. Miller was reported to have said: "The Senator from Dallas says he is speaking for the mothers, and I'll tell you the kind of mothers he is speaking for. He is speaking for the mothers who have masculine voices and craving for headlines in the papers—publicity seekers."

Mrs. Claude De Van Watts, President of the Texas W. C. T. U. sent for Miller and engaged him in a long and spirited conversation. She said later that she resented the "reflection that the Senator had cast on the women." He assured her that he was not referring to the W. C. T. U. She said she could not but believe that the reference was aimed at her since she and the members of the State Board of the W. C. T. U. had led the fight for the repeal of the Search and Seizure law.

## SENATOR LOVE DEFENDS W. C. T. U.

While Senator Love was speaking in the defense of the bill to repeal the Ferguson Search and Seizure law Eugene Miller tried to interrupt him with a question. Senator Love said "I have no time to yield to a man who stands on this floor and ridicules the W. C. T. U. There are seven prohibition counties in his district that went for Herbert Hoover last November, yet in the face of that he comes here and indulges in this diatribe against me and the good women and mothers of this state."

Eugene Miller seemed to boil over at this rebuke from Senator Love, but his reply was so vitriolic, according to press reports, that Lieutenant Governor Barry Miller called him to order saying, "The Senator can not make such personal remarks."

Senator Pink L. Parrish, of Lubbock, supported the bill, but took occasion to say that if Senator Love ran for Governor next year he would not support him. Senator W. R. Cousins spoke for the Love bill to repeal the Search and Seizure law. A. J. Wirtz vigorously opposed the repeal of the Ferguson law. It was largely his bill when enacted.

W. C. Woodward spoke strongly for the repeal of the law and recited numerous cases where it had operated to protect and conceal evidence of robbery and murder.

## VOTE ON MOTION TO PRINT THE BILL

The vote on Love's motion to print the bill was as follows (Senate Journal, p. 928):

J. W. E. H. BECK, DeKalb.  
B. F. BERKLEY, Alpine.  
W. R. COUSINS, Beaumont.  
OLIVER CUNNINGHAM, Abilene.  
TOM DEBERRY, Bogata.  
JULIAN GREER, Athens.  
CARL C. HARDIN, Stephenville.  
W. J. HOLBROOK, Galveston.  
J. W. HORNSBY, Austin.  
THOMAS B. LOVE, Dallas.  
W. D. MCFARLANE, Graham.  
JOE MOORE, Greenville.  
PINK L. PARRISH, Lubbock.  
NAT PATTON, Crockett.  
TOM POLLARD, Tyler.  
J. W. STEVENSON, Victoria.  
W. E. THOMASSON, Nacogdoches.  
W. C. WOODWARD, Coleman.

## OPPOSED TO PRINTING

C. S. GAINER, Bryan.  
W. N. MARTIN, Hillsboro.  
EUGENE MILLER, Weatherford.  
ARCHIE PARR, San Diego.  
GUS RUSSEK, Schulenburg.  
C. C. SMALL, Wellington.  
W. A. WILLIAMSON, San Antonio.  
A. J. WIRTZ, Seguin.

(Continued on Page 8)



No, the above is not a picture of a "good will" tour of members of a Chamber of Commerce, nor of an association of merchants and manufacturers. It is a bunch of convicted bootleggers from the Western Federal District of the State of Wisconsin, arriving in Milwaukee to begin terms in the House of Correction. There are 32 prisoners, and all were convicted at Superior, Wisconsin.

## NORWAY LEAGUE ACTIVE

Anti-Saloon League Holds Third Annual Meeting; Takes Part in Local Option Campaign

(DAVID OSTLUND, Special Correspondent AMERICAN ISSUE, Stockholm Sweden)

The third annual meeting of the Anti-Saloon League of Norway ("Kristen-folkets Edruelighetsraad") was held at the Bible School House in Oslo on January 25, 1929. The president, Rev. J. M. Wisloff presided.

The secretary, Mr. O. St. Isene, presented the annual report.

There has been but one speaker employed in the lecture field during the past year, but the report shows he has been very active, having held 331 public meetings and having collected in cash contributions 5,178 Crowns. However, in addition to this regularly employed field worker several of the leading church men in Norway have held meetings from time to time.

Rev. David Ostlund, representative of the World League Against Alcoholism in northern Europe, assisted about two months during the year, holding meetings in all of the towns where a vote was to be taken on the question of licensing brandy sales.

The Anti-Saloon League of Norway at this annual meeting expressed sincere thanks for this "valuable help" received from the World League Against Alcoholism.

During the year nine issues of the League's official organ *Vardevakt* were published. Some of the editions were used for campaign purposes in the voting towns.

The financial report showed an income of 7,835 Crowns and 77 Ores. Disbursements totaled 7,823 Crowns and 84 Ores, leaving a balance of 11 Crowns and 93 Ores.

Rev. John M. Wisloff, who has served as president of the League since its organization three years ago, offered his resignation which was reluctantly accepted. Rev. K. O. Kornelius, of Hauge-sund, a State Church pastor, was elected to fill the office made vacant by Mr. Wisloff's resignation. The majority of the League's executive was also elected at this annual meeting.

Twenty thousand gallons of mash, eighty barrels of liquor and a hundred gallon still were seized by Sheriff Stone, says a Youngstown, Ohio, dispatch of March 14, in a raid on a distillery at Lowellville, near Youngstown. The two alleged owners of the distillery were arrested.

## FEAR "5 AND 10" LAW

St. Louis Chief of Police Reports 195 Speakeasies Close As Result of Jones Law

Chief of Police Gerk, of St. Louis, according to an Associated Press dispatch of March 15, announced following a survey, that 195 saloons in St. Louis are known to have closed their doors since the Jones amendment to the Volstead act, increasing the maximum punishment for first violations to five years in prison and a \$10,000 fine, became effective March 1.

Gerk said the survey was made by officers of the department and reported to him by captains of the 14 police districts. He attributed the closing to the "5 and 10" law locally. "Apparently it is having a salutary effect," he said.

Well, this is certainly gratifying news, but one wonders why the police, who apparently were well posted on the location of these places, permitted them to run in violation of the law. It would be interesting to know how many places, if any, are continuing to remain open with the full knowledge of the police.

## JUST LIKE LAGUARDIA

A special dispatch by Chicago *Tribune* Press Service carried in the Cleveland *Plain Dealer* under a Colon, March 16, date line says Congressman LaGuardia, of New York, prefers Panama's wet Hotel Central to the Panama Canal Zone's dry Hotel Tivoli, where the balance of the visiting eighteen United States Senators and Congressmen are staying.

LaGuardia is one of the active wet leaders in Congress.

## LIBERTY AT BARGAIN RATES

Appleton Bartenders Want Extra \$15 Per Week to Take Chance on 5 Years in Pen

A Chicago *Tribune* Press Service story carrying an Appleton, Wisconsin date line of March 11, in the Cleveland *Plain Dealer*, says bartender's wages in Appleton are to be increased from \$35 to \$50 a week. Liquor prices are to be doubled and speakeasies and saloons will not handle any more beer, according to a story published in an Appleton newspaper.

The reason for the change, according to interviews with some of the saloon owners and bartenders, is the fear of the recently adopted Jones law, increasing penalties for Federal liquor violations.

A bartender who will take a chance on a five-year penitentiary sentence and a \$10,000 fine for a \$15 a week raise in pay is fit subject for the insane asylum.

## MISS SLACK IN EGYPT

Miss Agnes Slack, of England, Secretary of the World W. C. T. U. and one of the international advisers of the World League Against Alcoholism, recently has been holding a number of meetings in Egypt, with remarkable success, writes Mrs. L. M. Hoyman, of the American Mission at Alexandria, organizer for Egypt.

Miss Slack took hundreds of pledges. One day she was cordially received by the Queen of Egypt, and a most interesting interview followed.

From Egypt, Miss Slack went to Palestine for a number of meetings, one of them in Bethlehem and another in Nazareth.

## WHAT AN ANALYSIS SHOWS

The Association Against the Prohibition Amendment claims that in the Congress which closed March 4 there were 129 wet votes out of a total of 531 in Senate and House. That wet society claimed 106 wet votes in the House out of 435 and 23 wet in the Senate out of 96.

A former assistant Federal prosecutor in New York took the claim of this wet society and analyzed it, and showed that of the 129 wet votes, 43, or 33 per cent of the total, came from the states of New York, Maryland, Montana and Nevada, which have no state dry enforcement law. Twenty-four wet votes, or 19 per cent of the total, came from Massachusetts and Pennsylvania, states which have had enforcement codes for only four years. He also showed that the longer states have been dry, and the longer such states have had enforcement laws, the fewer wets were elected to Congress.

In 19 states whose dry laws are more than 11 years old, there was not a wet Congressman or Senator in the recent Congress. These states are Alabama, Arkansas, Colorado, Idaho, Iowa, Arizona, Oregon, West Virginia, Washington, Tennessee, Mississippi, North Carolina, Georgia, Oklahoma, North Dakota, Kansas and Maine.

Wet sentiment decreases as the prohibition enforcement law becomes older.

## A. S. L. OF SWEDEN REPORTS

Meets in Ninth Annual Session, Hears Report of Progress and Elects Officers

(DAVID OSTLUND, Special Correspondent AMERICAN ISSUE, Stockholm, Sweden)

The ninth annual meeting of the Anti-Saloon League of Sweden was held at Stockholm, January 11, 1929.

The annual report showed a very prosperous and active year. There were 1,596 public meetings held during 1928. These were held in practically every section of the country. Eight speakers have been occupied in this work.

One hundred and thirty one thousand copies of the official organ, *Folkets Val*, have been issued and distributed. This is a monthly publication and has an average circulation of between ten and twelve thousand. About 420,000 pages of other temperance literature were distributed.

Approximately 63,000 Swedish Crowns were received and disbursed by the League during the year in the promotion of the work of the League. This in American money represents about \$19,302.00.

The following excerpt from the report submitted by the executive will be of interest to AMERICAN ISSUE readers:

"It must be said that it was a good thing that the Prohibition Congress held in Stockholm, February 10 to 12, discussed our liquor system, which system results in increased consumption of liquor. The Anti-Saloon League led the fight in this meeting which united the Swedish temperance people in the demand that the present trend toward increased consumption of alcoholic liquors be checked and that the present system of handling the liquor traffic be replaced by another looking toward the abolition of the drink habit."

As a result of the prohibition Congress a commission was appointed with the aim of making a thorough investigation of the present conditions and to propose vital changes in the system under which liquor is now manufactured and dispensed. It is hoped that this commission will be able to report during the year 1929.

The executive of the League was re-elected, president Rev. K. A. Wik and general secretary Rev. David Ostlund.

The executive was urged to expand the activities of the League especially in the cities and larger towns.

An appeal was made to church people of all denominations for more active cooperation with the Anti-Saloon League.

The martyred McKinley said, "The liquor traffic is the most degrading and ruinous of all human pursuits."

## PROGRESS IN DENMARK

### Commission Appointed by Parliament to Study Temperance Reform; Many Communes Forbid Spirit Sales

(DR. ROBERT HERCOT, Special Correspondent AMERICAN ISSUE, Lausanne Switzerland)

Some two years ago, the extra-parliamentary commission, appointed to study the revision of the Danish liquor legislation, completed its task and presented to the government a majority report and a minority report. Whilst the majority supported the *status quo* the minority made precise proposals of reform, tending to extend the application of local option to the districts and to bring about a consultation of the people on the introduction of national prohibition.

After study of the question, the government declared that it did not see its way to making any proposals to Parliament. Thereupon members of all the parties submitted to the Folketing a motion based on the proposals of the minority. The debate which has just taken place in the Folketing has led to the constitution of a parliamentary commission charged to study the proposal in detail. The Minister of the Interior, M. Kragh, is sympathetically inclined, recognizing the advisability of an extension of local option, of improved temperance instruction and, in general, of a more stringent fight against alcoholism. While temperance work encounters great difficulties in the Danish islands it is much more developed in Jutland (Continental Denmark). The deputy Helesen, leader of the parliamentary temperance group and chief signatory of the motion, has quoted striking figures on the extension of local prohibition in Continental Denmark. In the districts of Randers, Aarhus, Skanderborg and Veile, 68.6 per cent of the communes have no licensed house for the "on" consumption of spirits, and 15.3 per cent have entirely forbidden the sale of strong liquor. For the districts of Hjoering, Thisted and Aalborg, the proportion is 77.7 and 37.1 per cent; for those of Ribe, Ringkoebing and Viborg, 82.3 and 37.5 per cent. The district of Ringkoebing is the "driest" in Denmark: 91.1 per cent of the communes have forbidden the sale of spirits in licensed houses and 55.6 per cent have entirely abolished it.

## MITCHELL READY FOR TASK

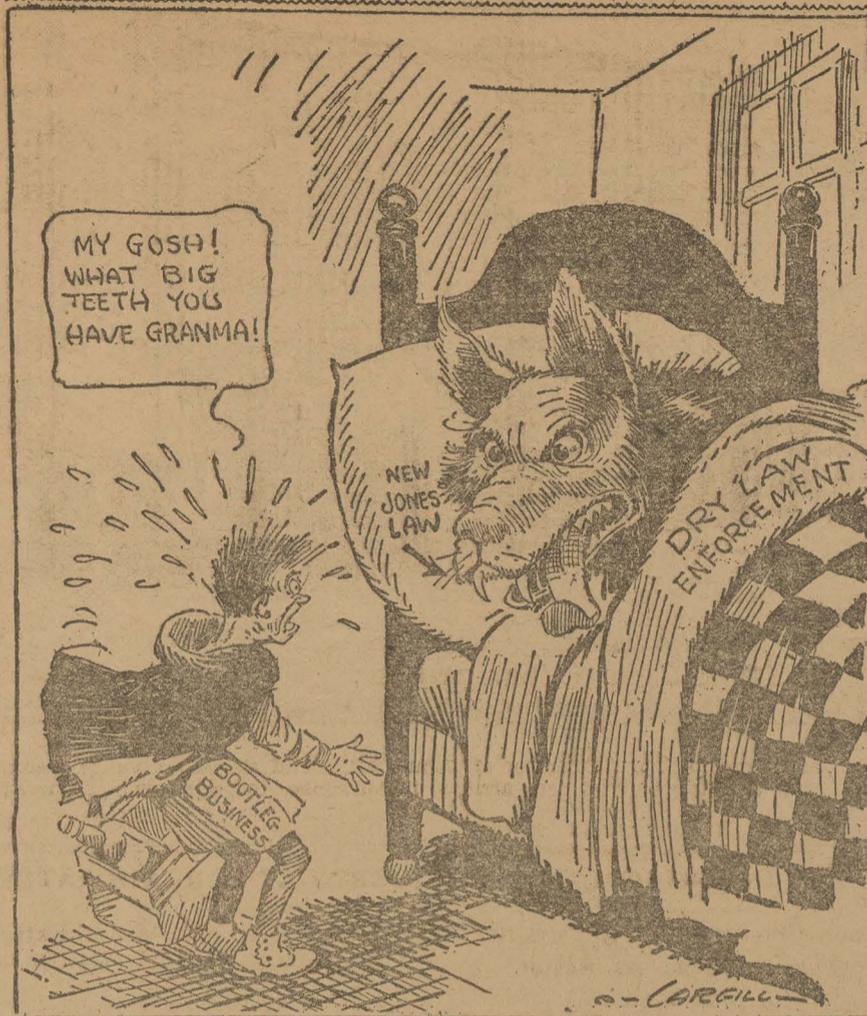
### Attorney General Says President's Inaugural Address Platform Enough For His Department

Attorney General William D. Mitchell is quoted in the *Chicago Daily News* as saying that "President Hoover's inaugural address should be platform enough for the Department of Justice. I have not had time to work out any scheme for handling the prohibition question." The news story continues: Although he has not had time to decide on how best to handle prohibition, he did not hesitate to say that if he found the work of his department was increased, through the transfer of the Prohibition Bureau from the Treasury to the Department of Justice, he would ask for more funds to carry on the work. If, as President Hoover wishes, the Prohibition Bureau is placed under the supervision of the Department of Justice, it will mean an immense increase in the work of the department.

The story then quotes Mr. Mitchell: "I think we have interesting work cut out for us. I have faith that we can improve conditions. I will have to work out the problem to see whether we will need more funds and if the problem means an increase in work or personnel I will have to ask for more money."

Mr. Mitchell said he had given some thought to the work of the commission to be appointed by President Hoover to investigate the administration of the criminal law by the Federal courts and he believed it would result in improving conditions.

## The Better With Which to Eat You, My Dear



—Lorain (Ohio) Herald

## RECORD SENTENCES IMPOSED

### United States Judge at Pittsburgh Makes Penalties Severe in Conspiracy Case

Prison sentences ranging from six months in jail to three years in a Federal penitentiary and fines ranging from \$500 to \$10,000 were imposed in rum ring conspiracy cases March 16 by Judge Nelson McVicar in the United States court at Pittsburgh.

One club and sixteen persons were penalized. Four were granted new trials. All were convicted last month during the rum plot cases heard before Judge McVicar, the defendants having been indicted as a result of the Federal grand jury probes of booze conditions in every part of Pittsburgh.

These penalties for defiance of the dry law enforcement act are said to be the heaviest inflicted by a criminal court since the law has been in effect.

## RHODE ISLAND TRYS AGAIN

### Little Rhody Wants to Know If the Eighteenth Amendment Was Legally Ratified

A resolution has been introduced in the general assembly of Rhode Island directing the state attorney general to seek a ruling from the supreme bench on whether the Eighteenth Amendment ever had been legally enacted.

The resolution directs Attorney General Sisson to seek the Supreme Court's opinion on two questions:

"Whether 36 state Legislatures have validly enacted this amendment and whether they had a right to do so."

The purpose of the new appeal to the Supreme Court, according to the terms of the resolution introduced March 15 is to "reestablish the Constitution of the United States in the hearts and minds of American citizens."

The resolution was presented by Representative William F. Fox.

The introduction of this resolution recalls the fact that Rhode Island attacked the Eighteenth Amendment, on different

grounds, in a similar fight in 1921. Rhode Island came out second best in this attack, as she certainly will in the present effort. Rhode Island is one of the two states that has never ratified the Eighteenth Amendment.

## DETROIT BOOTLEGGERS

### River Towns Report Little Booze Moving; Fear Jones Law; Also Chicago Market Slumps

Federal authorities in Detroit are making plans to enforce the Jones law.

Judge Arthur J. Tuttle, senior Federal judge announced the judiciary has inquired into the law and is ready to handle cases which are brought under it. Up to March 15 no prohibition law violator arrested since the act was passed March 2 has been brought before a Federal judge.

It is reported that between the Jones law and the Chicago St. Valentine's day massacre, rum running is practically at a standstill in downriver towns. The Chicago gang killing has resulted in many Chicago speakeasies closing, thus shutting down the market, and many bootleggers are reported to have gone into other businesses rather than take a chance on getting a "five and ten rap."

## VOTE IN NOVA SCOTIA

Nova Scotia Assembly convened February 27 and in the "Speech From the Throne" it was stated that the government had decided to submit to the voters a plebiscite on the liquor question.

No definite date has been fixed for this vote but it is assumed that its sponsors will call it at the earliest possible moment.

The dries of Prince Edward Island also are facing the fight on the liquor question.

## HITS 'EM HARD

Federal Judge Hahn, of Toledo, is no more merciful to violators of the dry law than was his predecessor, Judge Killits. Judge Hahn sentenced Edward Marks, of Tiffin, to the Atlanta prison for two years and to pay a fine of \$1,000 for operating a distilling plant near Fostoria, Ohio. Marks' son, Gilbert, was fined \$500 and another son Clarence, was fined \$200.

## IN SCHOOLS OF SWEDEN

### Temperance Is Being Taught in Swedish Schools; Excellent Handbook Supplied Teachers

(DR. ROBERT HERCOT, Special Correspondent AMERICAN ISSUE, Lausanne Switzerland)

The Swedish authorities who have already done so much in this domain, continue their efforts to improve temperance teaching. The Ministry of Public Instruction published four years ago an excellent handbook on the alcohol question which supplied the teachers with the material necessary for instructing their pupils on alcohol and alcoholism. A few weeks ago it issued a teachers' guide for temperance teaching, compiled by Drs. Dahlgren and Karl Nordlund and Prof. E. Sjoval. (1)

"While it must be recognized that the general formation of character in the family and at school is the most important factor of sobriety, it cannot be denied that temperance teaching properly so-called also contributes to put the younger generation on guard against the danger of alcohol. This teaching ought to be carefully graduated from the psychological point of view. If it is addressed to young children it should be very simple, limited to a few imperative precepts illustrated by a story or anecdote. Later on, when the critical sense of the pupil has been awakened, one must go deeper, explain the reasons for and against, endeavor to remain perfectly objective so as not to arouse the spirit of opposition in the young people.

"The personal attitude of the teacher exercises a powerful action on the efficacy of the temperance teaching. A convinced abstainer will arouse interest to a very different degree from one who is indifferent or hostile. But excess of zeal and exaggerations must be avoided.

"Temperance teaching must be given in natural connection with other branches of instruction. It must not be too scattered but must aim at a certain concentration. Two branches lend themselves specially to temperance teaching: hygiene and civic and social instruction."

## IN POOR BUSINESS

### Commissioner Doran and Mrs. Willebrandt Condemn New York Lawyers' Action

"It would seem to me that the last class of people to engage in breaking down respect for law would be a group of responsible lawyers," was the comment of prohibition commissioner Doran on the announcement that a group of New York lawyers had organized to "educate juries" against conviction of bootleggers under the Jones law.

Mrs. Mabel Walker Willebrandt, assistant attorney general in charge of prohibition in commenting upon this action by the New York lawyers said: "It is a shocking commentary on the bar that anyone who took an oath on entering his profession to support and obey the Constitution should take steps to defeat the enforcement of a law by the enactment of which Congress plainly intended to enforce the Constitution."

## ONTARIO SPIRITS INCREASE

### Legalizing Spirits to Promote Temperance by Beer Remedy, Failure

The annual report of the Ontario Liquor Control Board recently published shows that there is a steady increase in the consumption of hard liquor by Ontario drinkers, with over half of the entire total spent for booze being for this "hard stuff."

In terms of figures there has been an increase of 21 per cent in the consumption of spirits or hard liquor during the five months period between June to October, 1928, over the five months period June to October, 1927.

Evidently, easy access to distilled liquor does not encourage the use of beer, the beverage on this side of the border the wets say is non-intoxicating.

## SEARCH AND SEIZURE BILLS IN SENATE

(Continued from Page 5)

## ABSENT

JULIAN HYER, Fort Worth.  
ED WESTBROOK, Sherman.  
E. E. WITT, Waco.  
WALTER WOODUL, Houston.

## ABSENT—EXCUSED

MARGIE NEAL, Carthage.

Not all those who voted to print the bill for the repeal of the law favored its passage. Doubtless some of them felt that it was only fair play, since the committee had tried to kill it by holding it so long. Those who voted against printing the bill, of course, were so anxious to protect the Ferguson Search and Seizure law that the spirit of fair play did not so influence them.

No further action on either of Senator Love's bills was taken, and when the Braves bill was brought over from the House Senator Love gave notice that he would offer as a substitute to it, the substance of both of his bills. Then the Senate indefinitely postponed all consideration of the bills relating to the Search and Seizure question.

It is expected that the question will come up again before the call session, and we understand that some Senators who voted adversely to these bills will then vote favorably to them.

Newspapers tell us that Al Smith, who once aspired to be President of a great country, has bought himself a hand organ and grinds out "East Side, West Side." At last he has struck his talent.

Senator Love tried in vain to get the State Senate to install microphones for broadcasting what the members say and do. He might have known that they would not do it, for the wet Senators from the dry districts cuss furiously when HOME AND STATE, in its limited way, broadcasts what they say or do.

The foreign embassies at Washington hold the status of being foreign soil, and not subject to the law of our country. This is in keeping with the customs of nations. Hence they may import, possess and serve liquor. This may be all right. But this courtesy does not seem to carry with it the privilege of employing American citizens to bring in their booze to them. Recently authorities at Washington notified them that such liquors would not be safe coming to the embassies in the hands of American citizens. So a member of an Embassy had to get out a truck bringing its supply from Baltimore and drive in displaying the embassy's credentials. We believe that it will finally dawn upon high-minded Ambassadors that it will be more courteous to our people for them to dispense with booze altogether while in America.

## LEGISLATION IN THE SENATE

## Freedom of Conscience Bill—

[NOTE: The comments from Senators concerning bills here discussed are all taken from press reports, and HOME AND STATE can not vouch for their correctness, but has usually found them dependable.]

On January 8, Senator Love introduced in the Senate a bill guaranteeing liberty of conscience to voters entering the primaries, that the pledge exacted of them should not bind anyone to vote for a nominee when convinced that to do so would be against his country's best interest. The bill further made it unlawful to leave off the ticket the name of any party who had filed as prescribed by law.

## IN THE COMMITTEE

The bill met with trouble in the committee, being reported unfavorably 7 to 2. The Committee on Privileges and Elections, before whom the bill came, is composed of W. J. Holbrook, Galveston, Chairman; W. N. Martin, Hillsboro, Vice-Chairman; C. S. Gainer, Bryan; Nat Patton, Crockett; Tom Pollard, Tyler; C. C. Small, Wellington; A. J. Wirtz, Seguin; Gus Russek, Schulenburg; W. R. Cousins, Beaumont; Thomas B. Love, Dallas. The last two brought the bill into the Senate on a minority report.

Senator C. C. Small, of Wellington, and A. J. Wirtz, of Seguin, wet leader of the Senate, spoke against the bill. Alvin Moody and Mrs. Watts, President of the W. C. T. U., spoke for the bill, as did also Senators Cousins and Love. In answer to a query from Eugene Miller, Senator from Parker County, Love said, "I want the party controlled by the voters instead of by any executive committee." And answering Wirtz, he said, "I want the voter to follow the dictates of his conscience. That is the only way you can build up a successful Democratic party."

Mrs. Watts said that the women were "always going to listen to the still small voice of conscience, and vote for principle." Senator Small, of Wellington, moved to report the bill unfavorable. Senator Cousins, of Beaumont, who spoke, wrote editorials and voted for Al Smith, referring to those who voted for Hoover, said, "If we disfranchise those people, the Democratic party in Texas will be ruined for two years at least. I feel like the Democratic party is treading on dangerous grounds."

The committee voted 7 to 2 against the bill.

## BEFORE THE SENATE

On February 8 the bill came before the Senate. On the floor of the Senate Senator Love defended the bill at length. Referring to the history of the Democratic party, he said: "Its victories were won when its leaders called to the conscience of the American people, and found a response." He told of Tilden, Cleveland and Woodrow Wilson, who bolted the nominees "for conscience sake."

Senator Love explained that the bill was introduced because the present chairman of the Democratic party, Dave Wilcox, has announced that all who voted for Hoover would be punished by being excluded from the Democratic primaries next year.

## BILL KILLED

Senator Love moved to have the minority report printed. It was tabled, which act killed the bill. The vote to table, or to kill the bill, was cast by the following:

J. W. E. H. BEEK, DeKalb.  
B. F. BERKELEY, Alpine.  
OLIVER CUNNINGHAM, Abilene.  
TOM DEBERRY, Bogata.  
C. S. GAINER, Bryan.  
CARL C. HARDIN, Stephenville.  
J. W. HORNSBY, Austin.  
EUGENE MILLER, Weatherford.  
JOE MOORE, Greenville.  
ARCHIE PARR, San Diego.  
GUS RUSSEK, Schulenburg.  
C. C. SMALL, Wellington.  
J. W. STEVENSON, Victoria.  
W. E. THOMASSON, Nacogdoches.  
ED WESTBROOK, Sherman.  
W. A. WILLIAMSON, San Antonio.  
A. J. WIRTZ, Seguin.  
E. E. WITT, Waco.  
WALTER WOODUL, Houston.  
WALTER C. WOODWARD, Coleman.

Those who voted against tabling, or favorable to the bill, were:

W. R. COUSINS, Beaumont.  
W. J. HOLBROOK, Galveston.  
THOMAS B. LOVE, Dallas.  
W. D. MCFARLANE, Graham.  
PINK L. PARRISH, Lubbock.  
TOM POLLARD, Tyler.

(Pollard opposed the passage of the bill, but voted with Love to print it, according to press reports.)

Nat Patton, of Crockett, was absent. Julian Greer, of Athens, and Margie Neal, of Carthage, were excused. Julian Hyer, of Fort Worth, was paired with W. N. Martin, of Hillsboro. Hyer favored the bill and Martin opposed it.

The above will be found on page 541 of Senate Journal, loose leaf copy.

Thus the Democrats of Texas will be whipped by the party lash into voting for those whose election they believe would menace their country, or else be driven from the party.

## THE W. C. T. U.

We want to congratulate the State W. C. T. U. and its President, Mrs. Claude de Van Watts, for the splendid work it has done during the regular session of the Legislature. Under her leadership, they maintained headquarters on the second floor of the capitol, and did a splendid work for the cause of prohibition and good government. The bills they espoused were good bills. They were tireless in their efforts to secure their passage.

They had a perfect right to be there and to do what they did. Selfish interests are reported to have camped around the Legislature with lobbyists, and with lobbying influence bottled in bond, and some bottled in the barn, and that by the case. Excepting from Senator Love and one or two others we heard of no objections to the work of these selfish interests and their bottled lobby-influence. But there were continual complaints and attacks leveled at the W. C. T. U., probably the only unselfish interest there.

On one occasion Mrs. Watts felt called upon to call a young Senator from the Senate hall and to tell him just what she thought of certain remarks he had made. Every good man and woman will applaud her courage in doing so. We hope that her

organization will seek to acquaint every woman in Texas of the record of this Legislature.

To accomplish this it will be necessary to extend the organization of local W. C. T. U. into every town in Texas. We hope they will do so. It is needed. In this way they will splendidly supplement the work of the Anti-Saloon League at a point badly needed, and the Anti-Saloon League will render the most perfect cooperation. Miss Byrnes, of California, has been in the state organizing new chapters, and has done splendid work. Mrs. J. T. Bloodworth is one of the most capable women in Texas, is tireless in her work, and never loses her head. We hope that both Mrs. Watts and Mrs. Bloodworth will take the field and organize till the entire state is a network of dry women organized for the fight.

We hope our good women will everywhere greet them with open arms and open hearts fired to enthusiasm for the greatest crusade of the ages. Let the men become "honey" members by planking down a dollar membership fee. It will do them more good than harm.

## SPECIAL NOTICE

The readers of HOME AND STATE should file this copy for reference in future elections. The state election in 1930 is destined to be one of the most important for prohibition in the history of our state. The election will determine whether the friends of the bootlegger, or the friends of prohibition shall rule Texas. Much in this issue will be important to guide our readers aright during next year's campaign. File the paper and have it on hand.

## TO THE STATE SENATORS

The reference to what each Senator said, and to some extent what he did, and even some ballots referred to here, are taken from the press reports, largely the Dallas News. The duties resting heavily on the editor have kept him from personally attending the session. We usually find the press reports reliable, but if any statement in this issue, or any other, is not correct, we will appreciate it if our attention is called to it, and a correct statement given. We cheerfully correct errors, and never want to do any one an injustice.

## OUR DUTY TO THE PUBLIC

A public servant's public record is public property. We never deal with the private records of any one. Some Senators have become greatly incensed at HOME AND STATE giving their public records to their constituents. We never like to give an offense to any one. But we must discharge our duties to the public. It will do no good to rave or abuse us for doing it. If an error occurs, courteously ask for a correction, giving the facts. So far, in spite of all the kicking, no one has been able to point out an incorrect statement concerning himself. In such circumstances, he should kick himself, not us.

## Blame Prohibition

One reason given for France's small wine exports which are said to be the smallest of any of the large European wine-growing countries, is prohibition in the United States. This explains why European wine interests with headquarters in Paris have expressed willingness to give financial aid to the wets in this country to overthrow the Eighteenth Amendment. They not only have expressed willingness to do this but boasted the fact that they did send help to the wets in the Canadian provinces. Prohibition has become an international issue.

President Hoover's law enforcement program is now under way. Boost it along.

Be as outspoken in support of the dry law as its enemies are in their opposition.

President Hoover's inaugural address has done more to hearten the dries than anything which has happened since the defeat of Al Smith.

It is as much the duty of citizens to support the law of the land as for officials to enforce these laws.

The more often you read what President Hoover said in his inaugural address about dry law observance and enforcement, the more you will be convinced he is right.

"Bootleggers Quitting Business," say Washington newspaper correspondents. These bootleggers do not like President Hoover's attitude on prohibition, nor the \$10,000 fine and five years imprisonment under the Jones law.