

HOME AND STATE

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SPECIAL ANNOUNCEMENT

Due to shortage of funds, the "Home and State" will not be able to bring out the August and September issues. We regret this very much, but can not help it. We entered upon this year's work with a deficit of \$5,000.00. We have wiped out about one-half of it in our program of economy. We must wipe out the balance.

If every person who has a pledge in to the Anti-Saloon League of Texas would pay up during the summer months, it would prevent that deficit increasing, and would enable us to launch the Fall campaign of education for temperance and respect for law, with great vigor and effect. Will the reader not look over his bank account and see if he can not possibly write a check in full for all the balance of the pledge he has made to the League? The League has no other source of funds whatever. The strength of the League lies entirely in the moral and financial support our readers give it. If our readers have received a statement of unpaid pledge this month, we trust they will get it out, see what they are yet behind, and send a remittance at once to cover it in full.

READERS WILL RECEIVE THE "SOUTHERN ADVANCE"

In order that the prohibition work may be kept before our people, at our request the "Southern Advance" will be sent to those on the mailing list of the "Home and State." The "Southern Advance" is a new prohibition paper just being launched by the dry Democrats and is to be published from Houston. The management of this paper was kind enough to extend an invitation to the editor of the "Home and State" to become a contributing editor of the "Southern Advance." We accepted with the distinct understanding that it would be our function to discuss prohibition and its enforcement only. We trust that the public generally will understand that, for the Anti-Saloon League is pledged to neutrality upon all other questions but prohibition, and we have strictly adhered to that policy in the past and will not deviate from it now. We believe that the invitation to become contributing editor to the "Southern Advance" extended the field of our labors very much and will enable us to accomplish more good for the cause we represent. This is also why we asked them to substitute for

the "Home and State" during the next two months. But let our readers understand clearly that we are not in any way responsible for anything in the "Southern Advance" except the prohibition question.

There are many things that need discussing, and much information that the people need to know that has much to do with the success of prohibition, and that we have always thought went beyond the limitations laid upon the Anti-Saloon League and the "Home and State" by its policy of neutrality upon other issues. These questions the "Southern Advance" will discuss. We commend it to all friends of prohibition and good government.

The "Southern Advance" is being financed and sponsored by Mr. Alvin Moody and his friends who led the fight against a wet President last year. Dr. J. B. Cranfill, of Dallas, is to be associate editor and the "Southern Advance" absorbs his paper. There is not a more splendid writer in the Southland than Dr. Cranfill, and he always rings true to the cause of prohibition and the better things of public life. We commend the circulation of the "Southern Advance" to our readers.

"PROHIBITION KILLINGS"

The newspapers are being imposed upon by the news-gathering agencies which are reporting the bootleggers' story of killings by prohibition officers, and carefully phrasing their "stories" for propaganda effect. In the "Congressional Record" of June 14, 1929, is a complete list of all prohibition officers killed and all persons killed by them, with a detailed account of the facts in the case. This office has made a careful analysis of that report. The news "stories" have made the public believe that these killings were all of "innocent citizens." In reporting what Senator Brookhart said upon the Senate floor recently one agency stated that he was defending the killings of "155 innocent persons."

The following facts taken from the "Congressional Record" referred to will show how "innocent" they were: Of the 155 killed, 55 were shooting at the Federal officers when the officers began to shoot, 10 others engaged in shooting with the officers, 32 others pulled their guns first but the officers were better shots, 12 others made attempts upon the lives of the officers with other instruments than guns. Most of the others were endeavoring to escape. In 149 cases of the 155 the "innocent citizen" was known to be a bootlegger.

Among the 6 innocent parties killed, one was a boy who was around the still when it was being raided, was not seen till after the fight was over, and then found wounded 200 yards away. Another, when the officers were chasing a boot-

legger, suddenly stepped out from behind a truck in front of the officers' car. The officers had no time to stop before striking him. The third case was not killed by a Federal officer, but by a man who was piloting the officers to a still, and who ran into another car and killed its driver. He received a prison sentence of from one year to life. A man and his daughter were killed in a boat collision and another was killed as he handed a gun to his confederate, believed to be for the purpose of killing the officer.

In 65 cases of the above killings, the grand juries, after hearing the evidence, refused to indict the officers. In 59 instances the officers were indicted, but acquitted on trial. As indication of how unfairly we have treated the prohibition officers, of the 4 convictions had, one of them was being shot at by the bootleggers before he returned the fire, and yet he received a three-year sentence for killing the bootlegger in self-defense. No bootlegger in America would have been convicted under such circumstances. In numerous instances where the officers were killed by the most outrageous methods on the part of the bootleggers the bootleggers have gone scot-free, as was the case at El Paso. The fact is, we are so unfair to our officers that there is not a law upon the Federal statutes by which a man can be tried for murdering a Federal officer.

Will those who are howling about these bootleggers being killed in open defiance of our laws, permit me to call their attention to the fact that 55 of our Federal officers have been murdered by

the bootleggers and several hundred of our state officers have been murdered? These 155 citizens, with six possible exceptions, were all guilty of defying the laws of their country. These officers were all innocent citizens and died in the line of duty just as much as did any American soldier who died upon the battle-field of France.

As President Hoover said recently, the outlawed liquor traffic is at war with our government. And he has repeatedly called upon American citizens to show their loyalty to their government in this crisis. We have nothing against the citizens of Germany, but when their government was at war with ours, we much preferred seeing her soldiers fall, than to seeing our own soldiers fall in battle. In this war between the outlawed liquor traffic and the government we much prefer seeing the enemies of our government fall than to see our own faithful officers die in battle in behalf of our country's honor, and we believe every loyal American citizen will take the same view.

Because Hoover was elected as a dry and is honestly trying to enforce the law, the outlawed liquor traffic is doing its best to discredit both prohibition and the Hoover administration. This is the reason that our papers are filled with these gross misrepresentations concerning the killing of "innocent citizens." One wet organization, I understand, has announced that they have 200 news reporters pledged to get their story of the news into the papers.

Let intelligent American citizens not be misled.

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THE CONSTITUTION AND THE WETS

What Will Have to be Done Before the Liquor Traffic Can Begin a Constructive Program to Legalize the Manufacture and Sale of Intoxicants and Re-open Saloons

The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all the territory to the jurisdiction thereof for beverage purposes, is hereby prohibited.

So says the Eighteenth Amendment to the Federal Constitution. This amendment has been ratified by a majority of both branches of 46 of the 48 state Legislatures.

The language of the Constitution can not be changed by Congress. Prohibition is not a matter of statute. It is in the organic law. Wets of low and high degree may rail, wail and condemn, but the Eighteenth Amendment will remain in the Constitution until it is removed by the power of the people who placed it there.

Wets are without a constructive program. They want to rid the country of the Eighteenth Amendment, but how? Some want state option, some want government control, some want the ban to remain on whisky but lifted on beer and wine. Some plead for one thing and some for another—**BUT TO GET AWAY FROM THE EIGHTEENTH AMENDMENT THEY MUST REPEAL IT.**

AS FIRM AS THE GOVERNMENT

The Eighteenth Amendment has been held valid by the Supreme Court of the United States. When this was done it was tested by some of the most eminent lawyers, including Elihu Root. Legally and judicially the Amendment is as firm as the government itself.

For the sake of argument, suppose President Hoover's law enforcement commission should recommend that the Eighteenth Amendment be repealed. Of course it will not do so, but suppose it should, what would happen? Of course wets would be encouraged, and they would at once form their ranks to bring about repeal. **BUT WHAT WOULD THEY HAVE TO DO?**

They would have to change the complexion of Congress, **NOW THREE TO ONE DRY, TO TWO TO ONE WET.** Congress has been at least two to one dry ever since prohibition was submitted to the states. Now it is three to one.

VIEWED BY WET PRESS

The Country "Rocked" by Merri-ment and not by Horror

As one wet paper put it, "the country is rocked by the shooting of innocent people by prohibition enforcement thugs." That paper is mistaken. If the country is rocked, it is because of laughing at the senseless attitude of part of the wet press in picturing prohibition agents as the scum of the earth and dry law violators as little less than angels.

When the news was carried that the government is considering uniforming the border patrol somewhat similar to the Canadian police, the Columbus *Citizen* cartooned the two—the American officer represented by a thug in uniform and carrying a huge revolver, and the Canadian officer every inch a gentleman. The American officer was pointed to as the man who killed the "innocent" Detroit youth.

In the same issue of the paper in which the cartoon appeared was a story from Detroit telling about the release of the officer who shot the young man, as investigation showed the young fellow was one of a number of young men engaged in bringing liquor across the Canadian border.

No wonder the country was "rocked," but it was by mirth of the wet press.

COCKTAILS IN FRANCE

Academy of Medicine Reports Cocktails Are Wrecking Health of the People

The Academy of Medicine, says a Paris United Press dispatch, after an investigation shows a sweeping condemnation of

the cocktail. A report prepared by Prof. Guillaïn declares that cocktail drinking is ruining the health of the French people and he predicts a prohibition law abandoning the cocktail will be written into the statutes much in the way absinth was banished from the cafes.

The professor deplored the virtual abandonment of the normal wines of France for the cocktail.

Now this is interesting. For we are told by the wets of this country that if wine is legalized there will be no desire on the part of the drinkers for hard liquors? France is steeped in wine which it now appears from the evidence, creates the appetite for the cocktail.

EUROPE TAKE NOTICE

Ford Foreign Auto Plants to be Dry; Same Policy as Here to be Enforced Abroad

In a recent visit with President Hoover, Henry Ford expressed the hope that the national law enforcement commission appointed to make a searching investigation of the whole structure of the Federal system of jurisprudence, including the method of enforcing the Eighteenth Amendment, would bring in a recommendation for the strict observance of the prohibition law.

In an interview with the representatives of the press, Mr. Ford said that he had plans for the expansion of his motor car industry in Great Britain, France, Germany, South America, and in the British colonies.

Reuter news agency reports to the Glasgow *Herald* that Mr. Ford declared that prohibition is to be rigidly enforced in his foreign plants, as it has always been enforced in his American factories.

NULLIFICATION PROPOSED

Senator Moses Says the Eighteenth Amendment Will Never Be Repealed

United States Senator Moses, of New Hampshire, was in Columbus, Ohio, recently to address the United Commercial Travelers. In an interview he is quoted in the Columbus *Evening Dispatch* as saying:

"The Eighteenth Amendment may become like the Fourteenth, impossible to enforce, although it will never be repealed in the halls of Congress.

"If there is any solution for the question it is in the employment of common sense, acquiescence in the facts which confront us, and in shutting our eyes to the acts which are going on."

In short he advocates hoisting a white flag to the criminals.

CATHOLIC STUDENTS RESOLVE

A resolution "that intoxicants shall not be carried or consumed at social functions" was adopted by all sodalities in the United States and Canada at the National Catholic Students Spiritual Leadership Convention held in Chicago last week. The resolution was the same as that adopted by the sodalities of St. Johns University at Toledo last winter. After a discussion of several hours, the resolution presented by the Toledo delegates and adopted last winter was passed unanimously by the delegates of the sodalities both in the United States and in Canada.

You say "let the saloons come back—they will not hurt me." How would you like one to open next door to your home?

IT WOULD BE DIFFICULT

But should the commission recommend repeal, the way is clear and as difficult as it is clear. Many dry Congressmen would have to give way to wets. **CAN YOU CONCEIVE OF A CONGRESS TWO TO ONE IN FAVOR OF REPEALING THE EIGHTEENTH AMENDMENT?** You might imagine it being done, but your imagination would play you false. It will require at least a generation to bring about such a result.

But imagine Congress two to one wet, and an amendment submitted to repeal the dry amendment. The submission of a repeal amendment does not end the matter. Before the amendment takes the place of the dry amendment in the Federal Constitution, **IT MUST BE RATIFIED BY A MAJORITY VOTE IN BOTH BRANCHES OF 36 STATE LEGISLATURES.**

You say some of the eastern states would ratify a repeal proposal. No doubt about it. **BUT WOULD 36 LEGISLATURES RATIFY SUCH REPEAL?** Or turn the proposition of ratification about, **CAN YOU IMAGINE A TIME WHEN DRYS CAN NOT CONTROL 13 STATE LEGISLATURES FOR THE DEFEAT OF THE WET PROPOSAL?**

You know it is easy to name twice thirteen states which would fight repeal—yes, a number more than twice thirteen.

NOT IN A GENERATION

For the most temperate wet to even dream of a time when wets will control 36 states, and thus make possible a repeal of prohibition is impossible to realize. **THAT TIME IS NOT IN THE LIFE OF THIS GENERATION.**

Then what can be done? Prohibition can not be erased for the very good reason that the American people believe in it, and it is growing in popularity all the time. **THE WALLS OF THE WETS ATTEST THE POPULARITY OF PROHIBITION.** The thing to do is to make prohibition **INCREASINGLY EFFECTIVE**, and this can be done by officials and people doing their duty—officers enforcing the law and the people standing back of these officers. **THIS CAN BE DONE AND IT WILL BE DONE.**

Public sentiment made prohibition legally possible, and public sentiment will maintain and enforce it, regardless of those who are trying to nullify the law, knowing they are too weak to bring about its repeal.

TO CLEAN UP DETROIT

United States Marines May be Sent There by President Hoover

Washington news writers say that the use of United States marines to assist Federal Prohibition authorities in their enforcement activities around Detroit is under serious consideration by the administration.

It is authoritatively understood that the President has had the matter laid before him by James M. Doran, Prohibition Commissioner, who has spent considerable time in Detroit recently where the government is concentrating enforcement forces in an effort to put an end to organized bootlegging operations.

Twenty-seven more coast guard patrol boats have been ordered to the Detroit area. Ten of these ships are very fast boats, each carrying crews of eight men and equipped with rapid fire guns. A number of prohibition agents and customs officers from various parts of the country have also been sent to Detroit. Within a few days, several hundred men will be available there determined to clean up the organized smuggling and bootlegging.

According to the Washington newspaper men, the President is known to be keeping a close watch on developments and is understood to have notified the Prohibition Bureau that he wants a thorough job done. It is the President's opinion that conditions existing about Detroit can be cleaned up and the dry law enforced.

Prohibition is here to stay, if its friends "stay" on the job. It does not help prohibition much to let the wets do all the voting.

What the Current Magazines Are Saying About Prohibition and Law Enforcement

(Reviewed by Emma L. Transeau)

(Literary Digest, May 11, 1929)

GRAPES AT THE VOLSTEAD BAR

Commissioner Doran's proposal to find out what if any part of California's grape juice is flowing into bootleg channels or into the manufacture of wines has received considerable facetious comment from more or less wet newspapers, such as the Springfield Union, the Washington Star, the Philadelphia Evening Public Ledger, the Virginia Pilot, the Baltimore Sun and the New Haven Journal. The nature of their comment shows the justification for Commissioner Doran's quest for facts. They ridicule the very supposition that California's increased grape production has any other explanation than increased wine-making.

NO WAR OVER "I'M ALONE"

(Literary Digest, May 11, 1929)

Newspapers are said to be virtually in approval of the decision to arbitrate the dispute between the United States and Canada on the sinking of the vessel I'm Alone. Much is said of the possibility that Canada might abrogate the one-hour-sail treaty in regard to chasing run-running vessels. The opinion of the Canadian Minister, Vincent Massey, "that the most essential elements of justification under the doctrine of hot pursuit appear to be lacking," is contrasted with the opinion of United States Secretary of State Stimson who says in justification of the sinking:

The undisputed evidence is that the master of the I'm Alone refused to stop, although repeatedly warned, and that there was no way of boarding it while in motion, and that the Coast Guard officials had the choice of allowing it to escape or sinking it. A significant fact in the case is that the master of the I'm Alone preferred to be sunk rather than be taken into court, where the nature of its activities, its distance from the coast, its speed and the other factors in the case would have been subject to impartial judicial examination.

WHY RE-EXPERIMENT?

(Collier's, June 8, 1929)

Collier's accordingly now proposes an amendment to the Eighteenth Amendment. [Amendment Suggested]: "The Congress shall have the power to regulate or prohibit the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof, but such grant of power shall not be construed to require that such regulation or prohibition shall be uniform throughout the United States nor deprive the states of power to impose additional regulations or prohibitions upon such manufacture, sale, transportation, importation or exportation.

Such an amendment would be merely a grant of power. It would not be a definition of policy. Under it any number of experiments, Federal, state or local, might be undertaken. The adoption of such an amendment would leave Congress and the states free to deal with the alcohol traffic as conditions and public opinion warrant.

This is Collier's answer to Senator Borah's challenge to those who do nothing but "denounce the law, decry its advocates and embarrass those who would enforce it."

Its own columns the preceding week (June 1), showed how its proposal would fail. Its writer on South Carolina explains (page 9) that "South Carolina has the legislative rather than the executive form of government, so a governor can not do much. He is more an administrative than executive officer. County Sheriffs are not subject to his will. Magistrates are appointed by and with the advice and consent of the Senate, which means that the Senator from a county names the magistrates for his county, or leaves their selection to popular vote in the primary. No Legislature has ever made a large appropriation for the governor's law-enforcing constables, a handful of officers who actually are subject to the chief executive."

And yet the local officers, sheriffs, and their assistants, rural police, city police, who are supposed ordinarily to enforce all state laws, often "pass the buck," to this very "handful of officers" composing the governor's constabulary. Why do they? For the same reason that they would continue to do so if the state had its own, more or less permissive liquor law—fear of losing office if they opposed the side that might marshal the most votes. And if a legalized liquor traffic were in the saddle, it would see to it that the fears of those who opposed it were justified. History would repeat itself. We should copy the progress of the crab.

(The Century Magazine)

IT DOES NOT OPERATE THAT WAY IN CANADA

Congress can, by decent amendments of the Volstead act . . . limit "liquors" to its true trade significance—distilled spirits—and permit wine and beer to be manufactured and indulged in under reasonable regulations; and this should operate to put at an end the traffic in distilled intoxicating liquors.—"The Indictment of Prohibition," by Joseph S. Averbach.

Since the legislation here suggested has been in operation in Canada the traffic in distilled spirits as shown by the government sales in the several provinces, has boomed instead of dwindled. Returns from Ontario in 1927 showed over 60 per cent of the sales going to spirits against 36 per cent to beer and 3 per cent to wine. Alberta, under government promoted beer consumption has increased its "hard liquor" consumption (1925-1926) 32.4 per cent; Saskatchewan has had a 33 per cent increase; British Columbia, 50 per cent.

The relation of beer drinking to spirit drinking is not that of a cure, but a lure.

(Century Magazine, June, 1929)

A VERY ONE-SIDED PRESENTATION

The prohibition is complete, and the physician who prescribes for a patient more than a pint of liquor in any ten days becomes a criminal, though the ministry be for alleviation of pain, the prolongation or even the saving of life.

Moreover, the conclusions of eminent medical authorities submitted to the Supreme Court in the Lambert case are that, notably in febrile cases, where the stomach may resent the reception of food, the amount of alcoholic liquor required is often as much as a pint a day for arresting the disease.—"The Indictment of Prohibition," by Joseph S. Averbach.

When 49 per cent of the 32,585 physicians who answered the American Medical Association's questionnaire about the necessity for whisky in medicine replied that

they did not think it necessary, should not the modest laymen hesitate about dogmatizing on it until the doctors have come more nearly to an agreement?

The paroxysms of indignation expressed here, and by some other writers, over an assumed loss of life because of dearth of alcohol proclaims either a prejudice which prevents just treatment of physicians who get better results without alcohol than with it, or ignorance of the existence of such physicians and their evidence.

If the energy now spent in emotionalism over prohibition were spent on the study of the thing prohibited, there would be fewer ugly epithets, less war paint and more brotherly love and appreciation.

(The Century Magazine, June, '29)

WHERE THE WARRANT FOR SUCH EXPECTATION?

When the Amendment was proposed for adoption no thought was in the mind of the Legislatures or citizens generally that it would forbid the use for beverage purposes of liquor not in fact intoxicating.

There was the thought, too, in the minds of many, that intoxicating liquors were to be interpreted in their trade sense as distilled spirits, and not as beer or fermented wines. But assuming this latter suggestion not to be wholly warranted, it can be safely said that the people of this country were shocked, when Congress acted upon the assumption that a roving commission had been conferred upon it to commit the wrong of enacting the "one-half of one per cent" limitation of alcoholic content.—"The Indictment of Prohibition," by Joseph S. Averbach.

How could any one outside of the brewers' organization and their literary bureaus expect that "intoxicating liquors" would be taken to mean only distilled spirits when the liquor laws of at least 25 states definitely stated that the words covered both malt and fermented liquors and in most instances specifically named, ale, beer and wine "and other intoxicating liquors." Thirteen states added the limitation adopted by the United States Revenue Department in 1902, one-half of one per cent, at the suggestion of the brewers.

Of course the author is speaking in *synecdoche*, the figure of speech which puts a part for the whole, when he describes "the people of this country" as "shocked" at the Volstead limitation. With rather more warrant could "the people" be represented as "jubilant" at this termination of the legalized liquor traffic, for they expressed their joy by the ringing of church bells and other audible and visible demonstrations of approval.

(Collier's, June 8, 1929)

TO WHAT PURPOSE?

Collier's has pictured the evils which have grown up under prohibition—the drinking, the bribery, the corruption, the crime, which are national scandals.

Yes, but not—at least not recently—the evils that thrive under the legalized liquor traffic, although hedged about with all the

restrictions that could be enacted against the traffic's organized opposition. As Senator Borah, in his masterly arraignment of the evils of drink and of those who offer nothing but censure of the law by which the United States proposes to end them, says of these pictures:

For what purpose are these facts gathered? Are they to be used to break down the law and stop there? Are they to be used in support of another program? If so, what is the program? Are they in justification of the old days or in support of government ownership? Is it to be assumed from these facts that no violations of liquor laws ever took place except under this law? The whole question is: What are we going to do, admitting all these things that are now charged to be true?

If, instead of the saloon system, you consider government ownership and control, we meet with the same ruthless disregard of the law. . . . There is not an element of disorder, not a form of vice, not an incentive to crime, not a crime charged under prohibition that is not duplicated in any country and under any system designed to control the liquor traffic. . . . Long before the adoption of the Eighteenth Amendment, there were twelve murders in the city of New York to one in London. There were twenty robberies in Chicago for one in all England and Wales combined. . . . We had better deal with the liquor traffic as an outlaw than as something legalized and to be controlled.

(Outlook and Independent, June 5, 1929)

WHY DRINK COCKTAILS WHEN WINE IS PLENTY?

When the cocktail was banished from America it came to Europe. The real American cocktail, I mean—not its degenerate successor, concocted from synthetic mysteries in defiance of the law, which still irrigates and poisons Americans of the Prohibition Era. Over here in Europe, the genuine American cocktail of pre-prohibition days flourishes in a glory brighter than ever before—so much so indeed that it is causing acute worry among the conservatives of France.

One doctor, lecturing before the Paris Academy of Medicine the other day, told his auditors of a great increase in the consumption of alcohol among the upper classes in France—due largely to the vogue of le cocktail. "A bas le Cocktail!" shout these champions of yesterday against the inroads of today. Nevertheless, a new "American Bar" seems to spring up everyday and the list of "American cocktails" lengthens daily.—T. R. YBARRI, Paris.

Why, if wine is the superior soul and body satisfying beverage that its friends—and dealers—claim, should any one turn to stronger drinks? For precisely the same reason that French wine drinkers once graduated from wine to absinth before the country, as a war measure, prohibited that destructive drink. The Paris Academy condemned absinth, as it now condemns the cocktail, and there were not lacking in that scientific body members who could describe the gradations from the weak wine stage to the strong "liqueur" stage. As soon as a drinker began to drink his red wine for its effect, its "kick," in American slang, he found he could get the effect quicker with the stronger white wine. Then he must have brandy to produce the desired effect, and then the little glass, in addition to all the others.

The French wine merchant is far from solving in his own country the problem of teaching a people how to drink alcoholic wine and be free from the desire for the alcohol effect.

ROOSEVELT ON LAW

"The worst possible lesson to teach any citizen is contempt for law. No man should take a public office unless he is willing to obey his oath and to enforce the law.

"If the poor man has a right to break the law on Sunday to get beer he has a right to break the law on every day to get bread. It is a good deal more important to the poor man that he should get fed on week days than that he get drunk on Sundays. The people who try to teach him that he has a right to break the law on one day to get beer are doing their best to prepare him for breaking the law some other day to take bread."—THEODORE ROOSEVELT.

THE JONES LAW

The Act That Has Terrified Bootleggers and Enraged Wet Newspapers

AN ACT TO AMEND THE NATIONAL PROHIBITION ACT, AS AMENDED AND SUPPLEMENTED

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That wherever a penalty or penalties are prescribed in a criminal prosecution by the National Prohibition Act, as amended and supplemented, for the illegal manufacture, sale, transportation, importation, or exportation of intoxicating liquor, as defined by Section 1, Title II, of the National Prohibition Act, the penalty imposed for each such offense shall be a fine not to exceed \$10,000 or imprisonment not to exceed five years, or both: *Provided*, That it is the intent of Congress that the court, in imposing sentence hereunder, should discriminate between casual or slight violations and habitual sales of intoxicating liquor, or attempts to commercialize violations of the law.

SEC. 2. This Act shall not repeal nor eliminate any minimum penalty for the first or any subsequent offense now provided by the said National Prohibition Act.

Approved, March 2, 1929.

N. B.—Penalties are *alternative*, a fine "or" imprisonment "or" both. *Maximums* are given. *Minimums* are left to court discretion.

"The intent of Congress is "the court . . . should discriminate between casual or slight violations and habitual sales . . . to commercialize violations.

It is aimed at big offenders—bootleggers—not at small.

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JULY-AUGUST, 1929



MOTHERS OF SANANTONIO PROTEST TO HEARST

Mr. W. R. Hearst owns 27 daily papers and a number of magazines, and he has been pouring the full strength of those papers into the propaganda against prohibition. His methods and style of writing are the most obnoxious possible to the decent citizenry, but Texas has largely been deprived of the curse they bring into the home. Only one Hearst paper is published in Texas, according to our information, and that is the San Antonio *Light*. Through that paper Hearst has been making the most vicious and most outrageous attacks upon prohibition and decency that it is possible for his writers to make.

The mothers of San Antonio got tired of it, and through the Woman's Christian Temperance Union have written a very plain protest to Mr. Hearst himself, from which we copy the following:

"Do you realize that the mothers and wives of this country have prayed and fought for many, many years to bring about prohibition, in order to protect their homes and save their husbands and sons from drunkard's graves, and that the earnings might feed and clothe the family instead of being spent to obtain the poisonous stuff with which men debauch themselves and bring their families to want and woe? Now that the prayers of the women have been answered insofar that prohibition has become a law, they will not stop there, but will continue to pray and fight to help sustain the law and enforce it.

"Mr. Hearst, you, being the editor of so many publications, are in a position to render the people of your country great service if you will use your influence for good and encourage the enforcement of the laws instead of encouraging a disregard for them. If you will not advocate the enforcement of the laws, please do not hinder them by decrying them through the press. You can never annul the Eighteenth Amendment, nor even modify it. It is here to stay and even the devils in hell can not annul or destroy it nor break down its moral effects.

"We implore you to let your publications stand with the great moral forces of this country instead of with its political enemies which include the criminal element imported from foreign countries, who would again turn loose the demon rum to degrade and debauch man."

WISCONSIN'S EFFORT TO CALL CONSTITUTIONAL CONVENTION

Under article 5 of the United States Constitution, provision is made for calling a convention to propose amendments to the Federal Constitution, but no such convention has ever been held in the history of the United States.

This article of the Federal Constitution provides that when two-thirds of the several states shall apply to the Congress that they shall call a convention to propose amendments to the Federal Constitution.

The Legislature of Wisconsin is asking the legislators of the various states to urge Congress to call such convention on the ground that two-thirds of the states have made such application. The fact upon which they base their claim is that from time to time during the last one hundred years or so, some state had passed such a resolution, usually in response to some question which was being agitated at that time. But those questions have all passed from the minds of the public, except that right recently two or three states have passed such resolutions with a view to getting rid of the Eighteenth Amendment. Naturally, the common sense view of the question would be that, since the issues that occasioned the resolutions passed fifty or one hundred years ago have now been forgotten, that the resolution then passed is not now effective. But the wets contend that they are effective, and they think in it they have a trick by which they will be able to get rid of the Eighteenth Amendment.

Their resolutions were put up to the State Senate of Texas recently and voted down by a vote of 19 to 3. We have not a record of how the Senators voted.

Such a convention will never be called, for it would open up the way for amendments of all kinds to be proposed, and conflicting interests of every variety will work against calling such a convention, each one fearing that

while getting what he wants he may be forced to take a lot he doesn't want. The wets of Wisconsin are chasing a will-o-the-wisp.

FOSTERING SCHOOLS OF CRIME

Hon. Frederick H. Tarr, Federal Attorney in Connecticut, recently addressing a professional women's club in Boston, said some wise things. We quote:

"Almost every bottle of liquor served by our hospitable friends who prize personal liberty so highly has behind it a history of crime or bribery or theft, and many times of violence and murder, and sometimes of all these crimes. Few realize how difficult it is for the bootlegger to succeed.

"Many of our reputable citizens are fostering a training school for crime and are supporting its graduates with large rewards of cash, and these criminals are extending their activities from bootlegging and smuggling, to robbery, theft, assaults, and murder."

He further charged that in several instances the banks "are subject to reasonable suspicion that they deliberately and intentionally finance, for a substantial consideration, men whose business is the illegal liquor traffic," and thus foster the very schools of crime which lead, among other crimes, to bank robberies.

RANGERS AT BORGER

We noted in the press reports from the state Legislature to the effect that Representative John White, of Borger, took steps to cut the rangers force down to one-half by cutting off the appropriation. His measure was also signed, so a newspaper stated, by Representative Dr. C. J. Sherrill, of Clay County, and James Finlay, of McCullough County, A. S. Johnson, of Smith County, and Reno Eickenroht, of Guadalupe County, the Republican member of the Legislature.

The editor spoke at Borger recently, and in the words of introduction by the pastor he stated that the day before he heard three men standing around a car next to his, talking. One of the men said in substance that he had six stills running, and could only get 90 cents a gallon for his liquor, and that he had to pay one-half of that to the officers for protection, and that he could not make any profit at that rate. We replied to the pastor that possibly the Borger folks had cut out liquor drinking was the reason the price was so low. But if the officers are guilty of what this man was stating, Borger needs the rangers and we are equally sure that certain elements of Borger do not want the rangers. We believe that if Representative White will consult the better element of his constituency, he will cease to work to cut down the ranger force.

LATER: Since writing the above, the Federal forces have raided Borger, and, we understand, caught some of those officers, one of whom, we understand, confessed to having been sent to the pen from Dallas. Representative White should counsel with a different class of constituents, or he may lose some of them.

SENATOR LOVE ANNOUNCES FOR GOVERNOR

Senator Thomas B. Love has announced that he will be a candidate for Governor next year. A number of others have announced, whose candidacies are not seriously considered by the public. It is generally understood that the wets will run the Lieutenant Governor, Barry Miller, and the fight at present seems to be between these two gentlemen.

In the campaign of last year, Senator Love grew very strong in the hearts of citizens who are interested in law enforcement and the destruction of the liquor traffic. We have heard a number of such citizens express themselves as being delighted to have the privilege of casting a vote for Senator Love for Governor.

Every effort has been made to prejudice the minds of the people against Senator Love. He will lose the votes of the wets and of some dries whose choice at the ballot box is largely determined by prejudice rather than principle. Of course, there will be others who are dry and yet who will vote against Senator Love, but not many.

Senator Love is clean in his personal life, honest and straight in his private dealings, a sincere prohibitionist for practically his entire life, dry inside and out, and one of the ablest men in public life to-day in Texas.

GEORGE PURL ANNOUNCES FOR THE SENATE

Honorable George Purl, at present a member of the House of Representatives from Dallas, has announced to succeed Tom Love for the Senate.

Mr. Purl's record in the present Legislature has been, so far as we have observed, favorable to law enforcement and for those things that the better element of our citizenry stand for. He is a unique character, a good mixer. When he first went to the Legislature he was raw and said and did many things that were objectionable, but with the experience he has grown in weight and in influence and steadied himself for the better things.

TEXAS CHURCHES OBSERVE LOYALTY DAY

The request of the Anti-Saloon League and also of the Federal Counsel of Churches that the pastors give June 30 to a consideration of loyalty to the President's movement for law enforcement, received a hearty response from Texas. Many pastors preached upon the subject that day and much of what they said was given into the local press. We haven't space to notice these responses individually, but we want to thank the pastors for their cooperation in the movement.

"YOUNG DEMOCRATS"

Mr. Jack Kellar, of Dallas, a member of the State Legislature, announces through the public press the organization of what he terms "the Young Democrats." The announcement of the principles for which this organization will stand as he gives them, classifies the organization as Tammany Democrats, trotting down the same path that the Al Smith Democrats trotted last year. We understand that he proposes to make it a state-wide movement.

Is this not the same name that was applied to the work of organizing that Tammany launched immediately after the Madison Square National Convention in 1924, and which resulted in the nomination of Al Smith for President?

Another pertinent question: Is, or is not, this a part of the movement of the organization launched by John J. Raskob and some other wet Republicans, for the Democrats in Washington City, over which Mr. Shouse is the nominal head?

In other words, is not this movement headed by Mr. Kellar a movement to cinch the South for Tammany principles and candidate in 1932? Mr. Kellar says he is opposed to the candidacy of Senator Thomas B. Love personally, and that the organization he is launching will take prominent part in the gubernatorial race next year. This would seem to indicate that the organization is to back Barry Miller for Governor next year.

REPEAL OF THE SEARCH AND SEIZURE LAW

At last, after repeated efforts, two bills, we understand, have passed the Legislature and have been signed by the Governor, repealing provisions of the Ferguson Search and Seizure law. Whether these bills wipe entirely from the statutes those obnoxious bills passed while M. A. Ferguson was Governor, we do not know, as we have not seen a copy of the bills.

We note that Senator A. J. Wirtz, author of the Ferguson Search and Seizure bills, claimed that the bills passed by this Legislature are ineffective, but doubtless Senator Wirtz had to save his face with his crowd.

Senator Tom Love says they are good bills and will be very effective.

We have not the Journal giving the ballot on these bills, and therefore can not give that vote. We hope to do so later.

PROHIBITION SAVES MANY LIVES

A comparison of automobile fatalities in Great Britain, where liquor flows freely, with those in America, indicates, according to the *Methodist Clip Sheet*, that prohibition saves annually 188,000 lives in the decreased automobile accidents in America. Great Britain has 723,000 motor cars. The United States had 24,731,600, yet last year Great Britain had 6,138 deaths from automobile accidents. If automobile accidents in the United States had been as numerous as in Great Britain in proportion to the number of cars on the highways, we would have had 209,647 deaths, in the United States, whereas we actually had only 21,160, which is a saving of human life by our prohibition laws to the number of 188,487. Not so bad, after all, but if we could kill off a few more bootleggers it would save innumerable other human lives.

THE NEW PRESIDENT OF SOUTHWESTERN UNIVERSITY

Dr. King Vivion, member of the Board of Managers of the Anti-Saloon League of Texas, since our last issue was inaugurated president of Southwestern University. Dr. Vivion is a brilliant young man who has the courage of his convictions and one who easily wins the following of the youth of our country by his many qualities. Southwestern University is our Alma Mater, and we congratulate that institution on the selection of Dr. King Vivion as its president. We know of no man in Texas who would have been a better choice.

THE LUTHERAN CHURCH AND PROHIBITION

Recently the public press has had a number of so-called "news" items regarding what the leaders of the Lutheran Church said at the meeting of the Synod at River Forest, Illinois, those news stories committing the Lutheran church emphatically against prohibition and criticizing the government on the "prohibition killings."

Believing that the newspapers had possibly failed to convey the correct proceedings, the editor wrote to President J. N. Brown, of Concordia College of Moorhead, Minnesota, who was quoted in some rather strong statements regarding the prohibition killings, and sent him a copy of a statement which occurs in this issue of HOME AND STATE on the subject. In justice to the Lutheran Church, we take pleasure in quoting from Dr. Brown's letter as follows:

"I regret very much the statements made regarding prohibition at this gathering. I know that it is not representative of the Lutheran Church in America. On the whole, I believe the Lutheran Church has been as instrumental as any other religious organization in America in writing the Eighteenth Amendment into the Constitution. The statements coming from the River Forest Convention are therefore not to be understood as representing more than the synod at this gathering. I am personally acquainted with many good friends of prohibition in this synod also."

METHODIST BISHOPS ON LAW ENFORCEMENT

The College of Bishops of the M. E. Church, South, at their last meeting sent a telegram to President Hoover expressing appreciation for his stand on law enforcement. It is reported that two of the Bishops refused to sign the telegram. Dr. E. V. Cole, editor of the *Texas Christian Advocate*, who has been giving a number of ringing editorials, and who opens the columns of his *Advocate* to the friends of good government in a reasonable way, has written an editorial on the action of these two Bishops, from which we quote as follows:

"When this nation forged to the front in its fight against the saloon, citizens held public mass meetings and denounced the lawlessness of the saloon crowd. These same bishops delivered themselves in public and private against this evil. Bishop Candler in particular was known as a dangerous foe of the liquor traffic. But the saloonkeeper had some justification in law for his business, and the bootlegger has none. What is the matter that the citizens have assumed a negative attitude? Why do we not have law enforcement meetings, and good citizens' mass meetings as we did twenty years ago? Have the leaders of such movements all passed into the great unknown, and left no successors? Is there a hopeless division of sentiment among the moral forces? While we talk about the union of churches, can we not agree on so plain a duty as the overthrow of the enemies, not only of the church and of society, but of the nation itself? If President Hoover is trying to find out what is the matter, can we as citizens assume that we should not do likewise?"

"While more than two hundred paid propagandists, selected from the ranks of literary men, and with good wages for their war against prohibition, hurl their poisonous darts into the magazines and newspapers, shall the pulpits be filled with 'dumb dogs that can not bark?' Can laymen who ought to take action justify their silence? Are we going to take this defiance to all society lying down? Let the thousands of law-abiding citizens in this state in a thundering chorus answer NO!"

Bishop Candler, to whom Dr. Cole refers as one who refused to sign the telegram "on the ground that it was not a function of the College of Bishops to take such action" did see fit last year during the presidential campaign to write an extended article and circulate it throughout the South and possibly in the North that was one of the most damaging articles to prohibition enforcement in the whole campaign. While he did not advocate the election of Al Smith for President, the nature of his article indicated that it was designed to lull the preachers and church members to sleep during a crisis. It counted heavily for Al Smith.

CONVERTING MEDICINAL TO BEVERAGE LIQUOR

One of the distinguished citizens testifying as a character witness for the Republican organization before the Brookhart Commission in Dallas quietly testified to serving liquor to guests in his home. When questioned closely as to the legality of his conduct he stated that he got medicinal liquor and served that, contending that he was not violating the law in doing so, that the violation of the law occurred in the selling of it, not in the serving.

We are sure this distinguished citizen was perfectly sincere, but we must challenge his authority. If a citizen secures medicinal liquor with the connivance of the doctor or druggist, both the citizen and the doctor and druggist are conspiring to violate the Volstead act and the penalty for such conspiracy may reach as much as three years in the penitentiary and \$10,000 fine. If, however, the citizen puts it over the doctor and druggist that he wants it for medicinal purpose, and they are honest in their action, and the citizen either uses it as a beverage or serves it as a beverage in his home, he has converted non-beverage into beverage liquor and under the Volstead act may be fined up to \$500.00. Under the Dean act he has committed a felony and may be sent to the penitentiary from one to five years. So this distinguished citizen, whether he knew it or not, had committed a felony.

ABOUT FRUIT JUICES

A similar error was made by the head of the California Vineyardists' Association. On the night of January 29, in a great rally of 1,500 business men and grape growers at Fresno, California, managing director of this organization, Donald D. Conn, made the contention publicly that "the manufacture of wine in the home is not a violation of the Volstead act. Section 29 was placed in the Act to exempt fruit juices. It was the intent of the law to permit the householder to make fruit juices. Let the householder make his juices and forget the bootlegger." He then went on exhorting them to make and sell unfermented fruit juices to patrons for making wine in their own home out of fruit juices.

Mr. Conn is entirely wrong in his interpretation of the law. Courts have held and convictions have been had on the part of those who sold grape juice for use in making intoxicating liquor for the home, and Section 29 of the Volstead act does not have the meaning which Mr. Conn gives it, and was not written for that purpose whatever.

Section 29 of the Volstead act reads as follows: "The penalties provided in this Act against the manufacture of liquor without a permit shall not apply to a person for manufacturing non-intoxicating cider and fruit juices exclusively for use in his home, but such cider and fruit juices shall not be sold or delivered except to persons having permits to manufacture vinegar."

That language was written into the Volstead act because in making certain non-intoxicating preparations from fruit juices, it was recognized that at certain periods fermentation might cause more than 1/2 of 1 per cent alcoholic content, and yet the citizen be innocent.

The readers will note that the language states explicitly that this exception applies only "to a person for manufacturing non-intoxicating cider and fruit juices."

Mr. Conn's interpretation made it apply to those who were manufacturing intoxicating cider and fruit juices.

We call attention to this because so much propaganda to the same effect has filled the press that it has misled many persons into violating the law through ignorance.

NEWSPAPER PROPAGANDA

Readers of the HOME AND STATE will recall that for several issues we have been exposing the newspapers of Texas in their unethical policy of carrying propaganda against prohibition under the guise of "news." We are glad to see a strong and favorable reaction in response to our efforts.

In this issue we are carrying an able article from the pen of Judge C. E. Mead, of Marfa. It is calm; no bitterness in it, but hits the black.

The *Texas Christian Advocate* has had an able editorial along the same line. Some of the weekly papers have spoken out on this question, and we are in receipt of a letter from Congressman Gwinn Williams, from which we take the privilege of quoting as follows:

"You are correct about the newspapers issuing statements which are for the molding of sentiment against the enforcement of the prohibition laws, and my observation is that most all who are killed by prohibition enforcement officers are active in the distribution of liquor, and while every one deplors the killing of any one, yet how are the officers going to enforce the law? That is one of the principal troubles with the enforcement, and as for statements carried in papers I find upon investigation that many of them are not correct.

"As you know, my idea is to enforce the law, and it is up to us who believe in the enforcement of this law, to continue the fight, and as long as I am a member of Congress I shall continue to vote for measures which will assist in the enforcement."

A PROTEST AND WARNING TO THE PRESS

By JUDGE C. E. MEAD, Marfa, Texas

[EDITOR'S NOTE: This article is from the pen of a distinguished jurist of West Texas and former assistant Attorney General of Texas.]

I subscribed a short time for the *El Paso Post*, an evening paper reaching us in the morning, but after seeing it for a month, I ordered it stopped and informed them that I would not allow it thrown in my yard if it came free. If the paper was edited by the liquorites it could not serve their purpose any better. The front page is used continuously to magnify and misrepresent any reference whatever in regard to the enforcement of the prohibition law. The *El Paso Times* is nearly as bad. I swapped over to the *El Paso Herald*, it is a little more respectable. Its editorials at least are not abusive of the prohibition law, and occasionally commends the officers for trying to do their duty.

I have been reading the *San Antonio Express* for many years, which is a very good newspaper, and editorially, is generally in favor of decency. However, it gives prominence on the front page to a great deal of the wet propaganda and quite often gives misleading headlines. Recently, when Mr. Hoover stated that all the trouble in the Detroit section was on account of the organized law violators and that he deplored the killings by enforcement officers, the big headlines referred to the deplorable killings, in place of the cause of the trouble as stated by Mr. Hoover, which any fair newspaper knows should have had the prominent place in the headlines.

I think the newspapers have gone so far with this line of stuff that it has become ridiculous. It has reached the point that any kind of a cold-blooded murder committed by a person who is not an officer, is insignificant as compared to any kind of a killing, accidental or in self defense, when committed by any kind of an officer at any time or place. It is not news any more for brave officers to be murdered in the discharge of their duty; it is not news for bankers and innocent bystanders to be murdered by hi-jackers, but if an officer kills or wounds one of these lawbreakers, the headlines of the papers and the text sent out invariably carry with it the impression that the officer was the criminal and he must prove himself innocent.

I think it is high time for all of the churches and church papers and other religious organizations of every kind, to center fire on this abominable practice and I believe the reaction will be beneficial for the enforcement of the law.

I think it is not only wrong because these supposed high-class news agencies are willfully or negligently lying every day, but it is fearfully wrong in that it is giving encouragement to every class of lawbreakers large and small. I think the conduct of many of these news agencies is but little short of treason, and I am just wondering how long it will take the public to convict them of the crimes they are committing and hold them responsible for a part of the difficulties which are encountered in the enforcement of law.

It may be that the churches and other moral and civic organizations will be forced to establish news agencies to give the people the truth, and probably the government may be forced officially to take notice of the matter. I know that something must be done in self defense, or else there will be a breaking down of government. These

lawbreakers and apologists are doing all of this for the purpose of breaking down the prohibition law, but common sense teaches that they can not break down this law without breaking down all the worthwhile laws and without licensing lawbreakers generally to ignore all laws.

It would seem that the great newspapers of the country would realize that they can not be protected in their property and have any assurance of safety for the future, if they temporarily sell themselves to such a dangerous agency. Anyway, if they persist in the course they are now pursuing, I know that the mask should be snatched from their faces and they should be made to appear as hideous to the public as they are in fact. I think when the searchlight of truth is turned on them and the conscience is better awakened, they will hunt cover very rapidly and the pendulum will swing so far the other way that they will be afraid to lend encouragement in the remotest degree to the organized lawbreakers.

I am glad to see the Anti-Saloon League doing what it can to rectify this great wrong, but I realize that it is going to take much more to counteract the evil than can be accomplished through any one organization. I congratulate you on what you are doing and assure you that you have my hearty support and good wishes.

STUDENTS TAKE THE PLEDGE

Prospective students of Washington and Lee University at Lexington, Virginia, will be asked to sign a pledge not to drink intoxicating liquors while they are students at the institution, and the President has suggested to parents of prospective students not to send their children if they are not inclined to sign the pledge.

Good for Washington and Lee University! That University has all down the years maintained standards and ideals in keeping with the two men whose names appear in the name of the University, Washington and Lee, names that charm the hearts of every true American. We take our hats off to that institution! We would see its praises sung wherever student bodies gather!

The action seems to have been taken as a result of a lot of agitation on student drinking which arose in some way in connection with the University of Virginia. Last year the president of that University took a leading part in fighting for Al Smith, and denounced the ministers for opposing him. Following this the press contained reports of liquor drinking at the University of Virginia that was embarrassing, if our memory serves us correctly.

The suggestion has been given out that educational institutions throughout the nation follow the lead of the Washington and Lee University. The president of one of our educational institutions in Texas has suggested that a systematic campaign of pledge signing, not only among the college students, but among the young people's societies of the churches, should be launched. We have asked him to prepare the pledge, and if the Anti-Saloon League will be given that cooperation that will make it possible for us to do so, the plans are to lay these matters before the student bodies generally, beginning this fall. In order for the League to be able to do it effectively, it will need not only the moral support of the institutions involved but stronger financial support. It will require the services of a person largely devoting himself to that one work, and he must needs receive a salary and his traveling expenses, in addition to the present budget of the League.

IOWA CONGRESSMEN DENOUNCE SYMPATHY FOR SLAIN BOOTLEGGERS

We are indebted to Iowa for having two men with courage to speak out in the face of the fierce opposition of the wets. United States Senator Smith W. Brookhart called upon members of the Senate to cease their "gush" over the killings of bootleggers in their war with United States officials, and Congressman Cole, also of Iowa, is quoted as asking for more sympathy for "prohibition officers killed in the line of duty and less for slain bootleggers." He continued:

"When rum-runners fire on police boats, practically declaring open warfare, it is time we stop maudlin sympathy on bootleggers and indorse the men who are willing to put on a star and enforce the laws of our nation.

"There has been a big howl about the innocent man who was shot by enforcement officers, but there was hardly a thing about the three innocent law officers who were shot recently.

"I have faith in the present system of prohibition enforcement and I don't believe that a better one can be found."

Our Southern dry Congressmen have been taking the attitude that Congress is overwhelmingly dry and everyone knows that prohibition is here to stay, why should we waste time arguing about it? In this they are right, on general principles, but when the small minority representing the outlawed liquor traffic raises such howls as they do in Congress, we believe the time is ripe for our Southern Congressmen and Senators to be heard from. They understand there that all this denunciation of prohibition and of prohibition killings is pure propaganda, but the people do not so understand it, and when only one side is heard from, it has its effect upon public sentiment. We wish more of our dry members of Congress would be heard from and see that the news agencies get what they say, as do the news agencies get every dripping from the lips of the wets.



—Courtesy of Christian Herald

HOOVER--Or the Wet Press?

There is a well-used road, to-day, that leads away from Americanism. It is a road paved by the paper that runs from the Nation's Wet Press. Traveling it, under Wet Press banners, are the friends of violation: the unassimilated alien, the bootlegger and the gunman, in league with the sophisticate and the social climber who ignore the law.

On a different--an American--highway, march the forces represented most dramatically by President Herbert Hoover. The choice is clean-cut. It lies between lawlessness and law-enforcement--between respect for the constitution and its ideals, and an alien anarchy. Law abiding American citizens will not hesitate. They will not only take their stand behind Herbert Hoover, but, because they have always opposed disloyalty, they will now oppose the policies, the ideas, and the following of the Wet newspapers.

STANLEY HIGH

—Christian Herald

FOR BORDER PATROL

Reorganization of Law Enforcement Methods Provided for in Hudson's Bill

There is now pending a sweeping reorganization of law enforcement methods on the Canadian and Mexican borders. President Hoover has approved the proposal and Congressman Grant M. Hudson, of Michigan, former Superintendent of the Michigan Anti-Saloon League, has introduced a bill creating a "United States border patrol service."

The proposed service is patterned somewhat on the idea of mounted police of Canada and would embrace the customs service, immigration inspectors, prohibition and coast guard officers, and also bring under its jurisdiction some department of agricultural agents.

Before introducing the measure, Mr. Hudson, who is one of the leading dries of the House, discussed the plan with President Hoover who approves the principle. There are now 712 customs agents on the borders, 870 immigration inspectors, 90 inspectors of the agricultural department, aside from prohibition agents and many coast guardsmen. They frequently duplicate the work of each other and smugglers of all kinds profit by division of authority and duties according to Hudson.

If the bill becomes a law, the border patrol will be uniformed. As according to Mr. Hudson, "it is unanimously agreed that a uniform, when the wearer is considered a real officer, is a horror to criminals."

Mr. Hudson's bill would give the President power to consolidate agencies by executive order placing the new border patrol under the Department of Justice. One of the chief arguments for it, he said, is that criminals operating along the borders usually engage in more than one violation. The violations led under certain rings include smuggling of aliens, liquor smuggling and the narcotic traffic.

DRUNKENNESS ABROAD

(W. C. T. U. Bulletin)

Although many returning travelers tell the newspapers that "they traveled all over France and never saw a drunken Frenchman," the Paris police have no difficulty in locating public drunks according to latest official statistics.

One has to be thoroughly drunk to be arrested in Paris, yet arrests for drunkenness are three times as great per ten thousand of population as in New York, the wettest of American cities. In Paris the arrests for drunkenness are 50 per ten thousand while in New York they are 15 per ten thousand. In Paris the police are inclined to leniency in making such arrests, whereas in New York they are inclined to arrest anyone seen drunk.

In London the convictions for drunkenness, not arrests, have ranged from 48 to 50 per ten thousand in the past few years. In Edinburgh the arrests for drunkenness are startling. They have recently gone as high as 153 per ten thousand, while the highest mark in New York's arrests for drunkenness since prohibition has been a fraction more than 18 per ten thousand in 1924.

These figures, we trust, will put an end to the declaration that there is no drunkenness in wine drinking, whisky guzzling Europe.

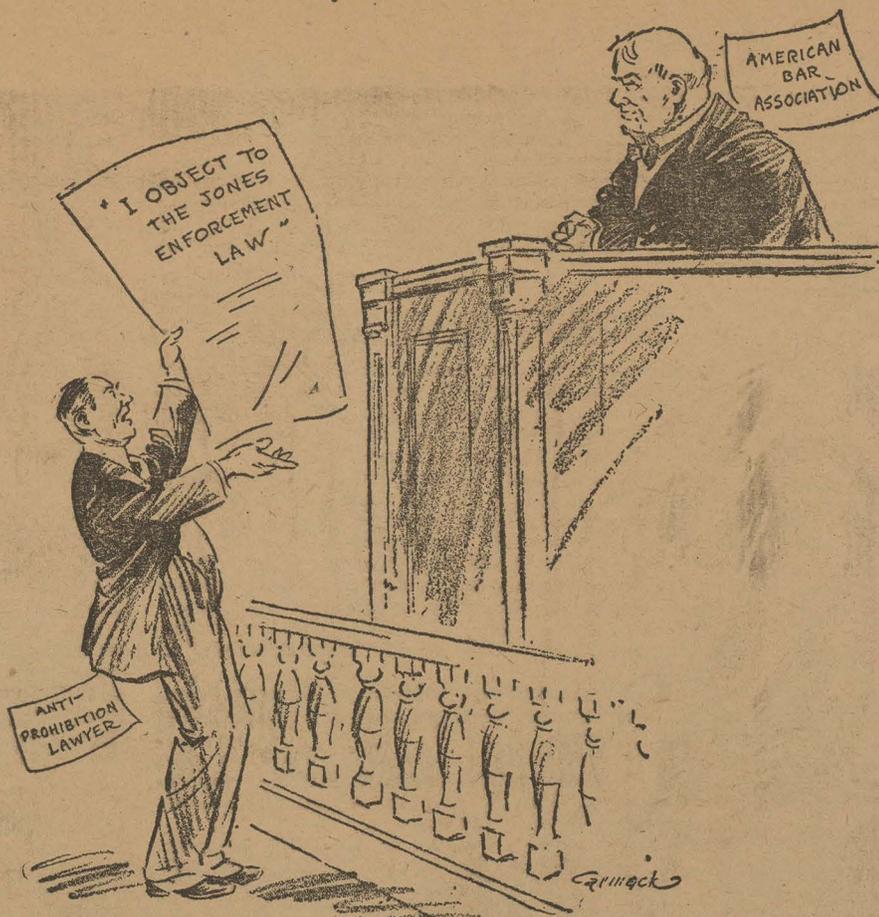
WOMEN BAN DRINKS

Society Functions Going Dry; Drink Not Considered Good Form

Mrs. George H. Strawbridge, prominent in Philadelphia society, has sent a letter to a number of women who are doing a great deal of entertaining, asking them to refrain from serving alcoholic drinks at social functions, "in order to create a sentiment for prohibition in support of President Hoover's efforts to make the prohibition law effective."

This appeal is meeting with most gratifying responses. It is reported that guests are accepting the absence of liquors at social functions without complaint, in fact that it is beginning to be considered bad form to expect drinks. As one hostess expressed it "it simply isn't being done any more."

"Objection Overruled!"



—Christian Science Monitor

DEATH OF DR. MCSURELY

HUGH FULLERTON in *Columbus Dispatch*

Dr. William J. McSurely, librarian emeritus of Miami university and the oldest alumnus of the Oxford college, who died at Oxford, was the father of the temperance crusade which swept the Middle West in 1873 and resulted in the formation of the Woman's Christian Temperance Union.

Dr. McSurely was then a young minister in the Presbyterian church at Hillsboro, Ohio. It was early in his pastorate, which lasted more than a quarter of a century before he resigned to become librarian at his Alma Mater—Oxford.

Dio Lewis, lecturing on "Our Girls"—a temperance lecture—came to Hillsboro just before Christmas, 1873, and, at the conclusion of his lecture, he declared that the women should organize a campaign of prayer and "moral suasion" against the saloon.

The women, following his suggestion assembled in the "Crusade church" the following morning, the morning of Christmas eve. After the meeting had been in session for a short time Dr. McSurely said: "We men seem to have failed. Perhaps the women may succeed. I suggest that we men retire and permit the women to pray."

The men went outside the church. The

women, after a short prayer, decided to act. They elected Eliza J. Thompson (Mother Thompson), wife of Judge Henry Thompson and "Peggy" Foraker, mother of the afterwards Governor and Senator Joseph B. Foraker, as their leaders and marched from the church, to kneel and pray in and in front of the saloons.

The movement, known as the Women's Crusade, swept the entire country, closed thousands of saloons and resulted in the organization of the W. C. T. U. Dr. McSurely remained as minister in the Crusade church until 1899, when he went to Oxford, where he taught, preached and acted as librarian. He preached his last sermon less than a year ago.

His son, Judge William McSurely of the superior court of Chicago, and his daughter, Ella, survive.

WANT LAWS ENFORCED

A demand for the enforcement of all laws was made at the closing session of the State Grange at Spokane, Washington. A resolution passed by the members specifically emphasizes enforcement of the Eighteenth Amendment because of the organized and malicious attacks upon it by the liquor interests which hope to nullify it.

A PERSONAL LIBERTY CODE

Methodist Clip Sheet

A Catholic clergyman has submitted a prospectus of real personal liberty to Mr. Patrick Henry Callahan, of Louisville, Ky.:

1. The man who becomes intoxicated has, for the time being, given up his personal freedom. He is no longer master of his own actions.

2. The man who acquires the habit of drinking to excess has given up his freedom even more fully. He is a slave to the habit, and simply can not help drinking, thus periodically putting himself in a position where he is not at all master of himself.

3. While a great many persons can remain moderate drinkers all their lives, the percentage, 10, 15, 20—whatever it may happen to be—will become slaves of the drink habit. No one can tell beforehand in which group he will ultimately be. The only safe thing is not to drink

at all. Every drunkard was once a moderate drinker.

4. Even a slight amount of drinking interferes with liberty to some extent in this automotive age. Probably the majority of automobile accidents could be traced back to drink. When a man under the exhilaration of drink takes an unnecessary chance and causes an accident, he has seriously interfered with the liberty of other people.

5. Stress should be laid upon one's liberty not to drink. There are more ways of interfering with personal freedom than by law. Group opinion is much more powerful, and many people who are shouting loudest for personal freedom as against the Volstead law are doing everything they can in their groups to compel persons to drink. He is afraid that he will not get a certain business opening or an invitation to a particular set,

PROHIBITION AND BUSINESS

(Alfred (N. Y.) Sun)

Impressive evidence of the good results of prohibition comes from another quarter—the National Retail Dry Goods Association. A speaker before a convention of the association last week said that prohibition is diverting not less than \$5,000,000,000 a year that would ordinarily be expended for alcoholic liquor.

A return of the pre-Volstead conditions, he said, would mean several billions of dollars less business in home furnishings, automobiles, musical instruments, radio, travel, amusements, jewelry, insurance, education, books and magazines.

People have more money to spend or to save; that is the one plain, indisputable lesson of prohibition, even imperfectly enforced. And it makes a very embarrassing argument for those who are trying to make the country believe that prohibition is sending us all to the bow-wows. Most of us are willing to go there if it means more than \$28,000,000,000 in the savings banks, \$100,000,000,000 invested in life insurance and \$5,000,000,000 more to spend in the stores for things we want.

One can not look about at the every day facts on every side without seeing some extraordinary force at work that is giving people of all classes many blessings that they never had before. If that force is not prohibition, what is it? Do the people who hold their precious "personal liberty" at such dear account wish to give up their automobiles, their radios, their Oriental rugs, their comfortable homes?

Prohibition, it is true, has not yet brought in the millennium; it has not given every man in the country a job and it has not distributed prosperity with entire equality among all businesses. But it has put into men's hands and pockets money that they never had before. That is one fact so obvious that even the anti-prohibitionists do not attempt to argue it.

DIPLOMATS VIOLATE LAW

Washington Police Chief Reports the Arrests of Ambassadors for Traffic Violations

Foreign diplomats, from an ambassador and ministers plenipotentiary down to ordinary attaches, were halted by police on the streets of Washington, D. C., 37 times within recent years for driving automobiles while drunk and for other traffic violations, Major Henry G. Pratt, police superintendent, reported to the Senate on June 28 in response to a resolution of inquiry.

The police chief's report showed that but 14 diplomats were halted by the police for traffic law violations in the eleven years from 1917 to 1927 inclusive. Last year, however, there were 13 diplomats halted while in the first five months of this year, the report showed a growing "crime wave" among the foreign representatives, with police forced to halt 10 violators of the traffic code.

The police superintendent did not cite which diplomats were caught driving while drunk and which violated other traffic laws.

APPEALS TO HOUSE

Congressman Hudson, of Michigan, Urges Colleagues to Stand with the President

In Congress before the summer recess Congressman Hudson, of Michigan, in replying to a wet representative from his state who had demanded that "the reign of terror of the Detroit river" be stopped, said: "When we attempt to deal with a great traffic at whose base is greed and appetite we have a very serious problem, but I stand here and plead that this house give to the government's enforcement officers the same moral support as is seemingly given to rum-runners and traffickers in so-called contraband. I plead with this house that it stand for order and stand with the President for bringing about law observance and not for anything else."

Before prohibition there was annually consumed in the United States an aggregate of 130,000,000 gallons of whisky. Last year's withdrawals of tax-paid whisky amounted to 1,542,204 gallons. reforming himself.

AT LAST VOICE FROM THE SOUTH FOR SOUTHERN DEMOCRACY

In the last issue of the HOME AND STATE, referring to the banquet given by the friends of Al Smith in Washington City, with a view of drawing the Democrats closer to them, we voiced a general call from Southern Democrats for some one from the South to be heard from in Congress in defense of Southern traditions and Southern ideals, especially a call to the Democrats to be true to the Constitution of our country.

We are glad to report that such a voice has been heard. Hon. John C. Box, of Texas, delivered a memorable address in the House on June 14. We wish that we had space to quote his speech in full, but we have not. We quote from him as follows:

"First. I note that there is to be a reorganization drive, downward from Mr. Raskob through the ranks to the precincts. While millions of Democrats have been hoping that a movement from the ranks would result in a new national leadership, this announcement makes it plain that Mr. Raskob and his supporters intend to reorganize the party to suit themselves rather than have its national organization reorganized to suit the party. Therefore the people interested in the party's activities and purposes should take notice that the Raskob administration proposes to do the reorganizing, which is exactly the opposite of being reorganized out of control. The people may now look around them for evidence of this shaping of the Democratic Party to make it more to the liking of Mr. Raskob and the regime which he heads.

"Second. The movement seems to be well financed. These last words when spoken concerning Democratic Party movements, will sound strange to the ears of those who have become accustomed to seeing their party embarrassed for lack of funds with which to carry on its fight for the principles and purposes which have kept it alive and vital for successive generations, notwithstanding its shortness of funds. The party has heretofore lived on principle. Mr. Raskob has no Democratic principle to promote among the American people to supply new energy for the party, but he seems to have easy access to the sources of finance and to rely on that.

"Every Democrat wants the party's debts paid, but no sound-minded Democrat wants its honor stained, or any obligation or embarrassment laid upon it by an unexplained transformation suddenly lifting it out of its honorable poverty in such a manner as to make honest people wonder what is the secret of its new financial strength.

"There is still no profession that Mr. Raskob is anything but a Republican of the high-finance type, with no interest in Democratic principles; though without sufficient depth of political conviction to prevent him from trying to defeat and destroy the party in which he believes. If it is not his purpose to endanger his own party and subvert his own political faith, then his purpose is to so handle the Democratic organization as to degrade it by perverting it to some unworthy purpose, or to destroy it so that it can not soon become a dangerous opponent of his own party.

"Either of these purposes makes him utterly unworthy to be the head of the Democratic Party and would make the party unworthy to live if it should knowingly and permanently accept such leadership."

MODIFYING THE DEAN ACT

Judge P. A. Martin, of Wichita Falls, seems to have been the leading spirit in bringing before the Texas Bar Association resolutions requesting the modification of the Dean act, providing lower penalties for those who violate our state prohibition laws. Judge Martin is president of the Board of Temperance and Social Service of the North Texas Conference of the M. E. Church, South, and twice has brought that question before that board and urged the North Texas Conference to endorse that move. Both times the Board overwhelmingly voted it down.

Judge Martin is convinced that it would aid in better enforcement of the law, but he could not convince the members of the Board. Many good men agree with Judge Martin's views, but we think we represent a larger and more considerate views of the dry leaders in Texas in opposition to such modification to the Dean act. We believe that one of the arguments that confuses those who advocate such modification unwittingly misleads them. Their argument is that if you lowered the penalty, you would get more conviction of bootleggers. In this they are doubtless correct. There are far more convictions of bootleggers in the Federal courts than there are in the state courts, but it does not follow from that that the cause of prohibition is better served by the Federal courts. The fact is that the bootleggers have a holy horror of the state courts, but until the Jones act was passed had almost a contempt for the Federal courts, except in a few districts where they had what they regarded as "hard-boiled" Federal judges who went the limit in penalties.

The purpose of the Dean act is not to secure many convictions, but to suppress the traffic in intoxicating liquors. One penitentiary sentence will do more to accomplish this purpose than 50 fines. In fact, the fines become merely cheap licenses to carry on a traffic in intoxicating liquors.

Proof of the correctness of this is found in the effect that the Jones law has had. From every source comes reports of more respect for the law on the part of bootleggers under the Jones act. Here in Dallas, the Dallas Dispatch reports that the home brew trade is at a very low ebb, due to the fear of the Jones act should they

manufacture home brew. Recently, a salesman in the Wichita Falls section of the state, who sold last season 24 car loads of malt, reported only 2 car loads sold this season and resigned his position, entering upon some other line of work. He gave as the reason for his decrease in malt sales the influence of the Jones act.

This proves to be true what the dry leaders of Texas have known for a long time, that to make the penalty for bootlegging a fine would be to make the law a farce, but that the penitentiary sentence would put the fear of the law into the hearts of the bootleggers. Judge Martin has a tremendous influence, being a very prominent District Judge, but the people of Texas will not follow him in this direction.

DRINKING POISON LIQUOR

The common impression to-day is that bootleg liquor is poisoned liquor. This is true, but it is not the whole truth—all liquor is poison liquor. The following startling statement is quoted from Dr. George H. Bigelow, commissioner of Public Health of Massachusetts:

"It is claimed by many persons that if pure whisky is furnished it can be drunk with impunity and without injury. Persons making this argument ignore the fact that alcohol, the principal constituent of whisky, is a poison. Others have stated that raw, unaged whisky is full of fusel oil, aldehydes, etc., which are violent poisons. It can be readily ascertained by looking over that literature that aged liquor, or so-called pure liquor, contains more fusel oil, aldehydes, acids, etc., than does unaged liquor."

Dr. Arthur Dean Bevan, Professor of Surgery, Rush Medical College, Former President of the American Medical Association, says:

"Viewed from the standpoint of modern scientific medicine, alcohol belongs to the group of narcotics which consist of alcohol, ether, chloroform, chloral and similar drugs, such as sulphonal and veronal."

Is Dr. Bevan correct? Listen to what the greatest British authority has to say: "It is, in short, from the first to the last a narcotic drug." This statement was made by the Alcohol Investigation Committee appointed by the British Medical Research Council at the request of the Secretary of State for Home Affairs of the British Government.

The simple truth is that in not exceeding one bottle of liquor out of every one hundred sold by the bootleggers, is there anything more poisonous than is the alcohol, to get which they drink the liquor. Yet some fanatics claim that the government ought to furnish that poison through the government stores.

WHY SHOULD UNITED STATES SENATOR LIE ABOUT PROHIBITION?

Elsewhere in the columns of this issue will be found the data concerning "prohibition killings." As a sample of the misrepresentation we quote below a statement made on the floor of the Senate concerning one of the killings, made by Senator Tydings, of Maryland. This is the same Senator that grossly insulted Bishop Cannon before the platform committee at the National Democratic convention at Houston last year. We quote Senator Tydings from the *Congressional Record*, of June 19, page 3,226, as follows:

"I would like to say to the Senator from Iowa that Lawrence Wenger was a farmer in Harford County, Maryland, and while on his own farm was driving home the cows near a clump of woods. The prohibition agents from Baltimore were in that section hunting a still. Some one had tipped off the people who were operating a still near there as to the approach of the prohibition agents, and when they arrived at the still they saw no one of the men they were after, but they did see Wenger some distance away driving in his cows. They opened fire on him and shot him.

"Then realizing that they had perhaps made a mistake, they loaded him into an automobile and drove him for an hour to the county seat in Belair, Md. They passed two or three villages and any number of homes where they could have stopped and summoned the nearest doctor, but they did not take him out of the automobile, under the actual testimony, their own testimony, until he was practically dead. He was dying all the time when he was in the machine. Finally, when he was taken into the doctor's office at the county seat, within two or three moments he expired. The people of my county were greatly incensed over this unwarranted killing of an innocent citizen on his own land, who was not violating any law."

THE FACTS IN THE CASE

As to the facts concerning this killing, we quote from the *Congressional Record*, of June 14, page 2,982, being an official report on the above killing:

LAWRENCE WENGER

"Facts of the case: On November 19, 1924, Prohibition Agents Barton, Ely, Ford and Stevens were searching for a still near Madonna, Md. They found what appeared to be a still in the process of construction. The agents then placed themselves in hiding near the still to see if anyone would approach the place. After some time a man came to the place. Upon ascertaining the presence of the agents he fled. The agents pursued him, firing their revolvers in the air in an effort to stop him. However, he escaped from them. A short time later, when leaving the place, they found the man who had fled, who was ascertained to be one Lawrence Wenger, lying dead from a revolver wound.

"Disposition of the case: Agents Barton, Ely, Ford and Stevens were indicted by the Harford County Grand Jury, February term, 1925, on the charge of manslaughter. Agents acquitted March 6, 1927, in Federal court, Baltimore, Md."

It is quite evident that Senator Tydings was telling the bootleggers' story of the killing. We prefer to accept the government story.

But why should a United States Senator lie about it? He had the government record available.

AMBASSADOR DAWES TO KEEP EMBASSY DRY

Startling news was brought to America to the effect that our new Ambassador to Great Britain, former Vice President Charles G. Dawes, had announced that the American embassy in Great Britain would be dry. The newspapers had kept us so thoroughly informed to the effect that everybody in Washington drank and that all public officials violated the law, until this announcement from Ambassador Dawes is startling.

Mr. Dawes' announcement is couched in still more startling language. He said, "I never served alcohol in my home in Washington, or in my home anywhere before that, and I see not reason why I should change now that I am in London."

The news-gathering agencies that have been able to get so much information about how everybody was drinking and nobody respecting the Eighteenth Amendment, seemed unable to get on to the fact that even while Vice President Mr. Dawes did not flaunt the Constitution of his country, but respected the laws. We have wonderful news agencies to-day, most all dripping wet.

MIRABALE DICTUM!

Wonderful to be told—but the Associated Press has at last found out that some other public officials respect our dry laws. Our readers may not be able to believe it, if they have been reading the newspapers for the last 8 years, but the following is brought us by the Associated Press from London:

"The American Embassy, in London, now dry in accordance with the decision of Ambassador Dawes, is not the only dry spot in the American diplomatic service.

"No spirits have been served in the American Legation in Denmark for the last two years.

"The Embassy in Berlin is officially dry and only tea and coffee were served at the 'house-warming tea' in April, the only official entertainment yet held in the new building.

"Since his arrival, Ambassador Schurmann always has lived in private quarters at his own expense. At official dinners of the past, the Ambassador followed the European custom of serving the usual wine courses.

"The American Embassy in Paris has been closed since the death of Ambassador Herrick. No liquor ever is served in the diplomatic chancellery, which is the only part of the Embassy now functioning.

"The American Minister at Oslo is a total abstainer and the question of serving alcoholic beverages has not arisen there."

STATE SENATE

Senator Thomas B. Love, of Dallas, introduced a resolution into the State Senate congratulating Ambassador Dawes on his bold stand for prohibition and loyalty to American principles, but the State Senate refused to pass the resolution. Having refused to require of their own employees that they abstain from the use of bootleg liquor, the State Senate could hardly have the face to endorse Ambassador Dawes' loyalty to American ideals.

"SOB STORY PROPAGANDA"

Our soul has been so vexed by the outrageous falsehoods on prohibition appearing in the public press that we have given utterance to some pretty pointed statements concerning the policy of our newspapers. Possibly some of our readers have thought we were too strong in our statements. We are glad to quote from the editor of the *Texas Christian Advocate* in an editorial under the title of "Sob Story Propaganda," which was both sensible and humorous. The editor said:

"If an enforcement officer kills a bootlegger they put it on the front page along with a story so worded as to incite resentment, if not rebellion, against the prohibition law."

He might have added that it was the custom to continue repeating the story under some pretense in a different language for a week or ten days in order to make a greater impression against prohibition. Again we quote from the editorial as follows:

"If a bootlegger kills an enforcement officer they are more than likely to slip that into one of the back pages with a bare recital of the facts. Observant readers of the daily press can hardly miss the subtle propaganda behind all this. Wholesale handling of the news in this fashion doesn't happen by accident. Dig back far enough into this thing and it will be found that selfish interests are behind it seeking to discredit the Eighteenth Amendment."

This editorial, which hit the black, closed with the following words:

"Some of these days some poor oppressed bootlegger will be forced to pawn his wife's engagement ring to pay himself out of jail. The tear-puller will have another golden opportunity then. He'll spud in again and bring in another gusher."