

# SOME EMINENT NEBRASKANS

Endorse the Slocumb License, Local Option Liquor Law.

FROM PERSONAL OBSERVATION

So-Called "County Option" is Shown to Be County Prohibition—Anti-Saloon League Would Deprive School District of License Money—False Pretenses.

Eminent Nebraskans have expressed emphatic opinions upon the question of the best means of controlling the liquor traffic. They all base their views upon personal observation. No one knowing the high character and standing of these men can fail to attach importance to their statements. They are well worth reading.

Those who have given the most study to the question of the best means of regulating the liquor traffic have reached the conclusion that experience the last fifty years has proven that its eradication is impossible; therefore the only debatable question is as to what method for the regulation and control of the traffic is most effective.

Without referring to the fifty years' failure in Maine, let us take examples nearer home. The editor of the Kimball (Neb.) Observer is a former resident of Kansas. In May he wrote the following letter to the Merchants' and Manufacturers' association, Omaha:

"I came here over a year ago from Kansas, where I lived fifteen years. I had ample opportunity to observe the workings, or rather the non-working qualities, of the prohibitory law. I am sick and tired of drug store saloons and joints which pay no license and which cause more drunkenness than open saloons. The Slocumb law in Nebraska is all right as it now stands, and needs no changing. A saloon run strictly in accordance with this law is a great deal more to be desired than a 'dry' town with its drug stores, its bootleggers and its numerous shipments of 'hard' order booze and consequent drunkenness."

A veteran editor of North Dakota, Hon. D. R. Streeter of the Linton Record, recently wrote as follows:

"I have published a paper in this (Emmons) county since 1884, part of the time under license and part under prohibition, and I find little difference as to the amount of liquor consumed. Those who were drunkards under license are drunkards under prohibition. I can see no change. But if Nebraska wants to put a premium on hypocrisy and violation of law, she should at once follow in the footsteps of North Dakota. In this state, where there is a federal law preventing the interstate carriage of whisky, wine, and beer to all but druggists, and the druggists' permits to sell were taken away by the legislature, we would be tumbling over one another to get under the license banner."

With a knowledge of many similar facts, prominent Nebraskans have expressed their views on the subject in letters to the Merchants' and Manufacturers' association. From such letters the following extracts are taken:

Says Hon. L. D. Richards, an influential banker of Fremont:

"I am in hearty sympathy with the purposes of the Merchants' and Manufacturers' association to secure the better enforcement of the Slocumb liquor license law. No state in the Union has a better law for controlling and regulating the liquor traffic than Nebraska, and it only remains for the temperance and right-minded people to see that this statute is enforced, when many of the existing drink evils will be removed. Under the local option provisions of the Slocumb law any community can vote and secure as effective prohibition as is possible under the strictest state prohibition law ever enacted. My old state of Vermont had prohibition, so-called, and the effort to enforce it made liars and hypocrites out of many otherwise respectable people, without lessening the evils arising from drink. This has been the experience of all the states which have for any length of time had prohibitive legislation, and some of them have returned, as has Vermont, to license and regulation."

Hon. W. H. Thompson, the well known lawyer of Grand Island, writes:

"If I understand you, the object of your association is to aid in the strict enforcement of the Slocumb law of this state. In such an effort each citizen should lend support. I believe it to be the best enactment on the subject now on the statute books of any state in this Union, if its provisions are enforced as they should be."

Dr. George L. Miller, for many years the most influential Democratic editor in Nebraska, says:

"The question is an old one. Charles E. Dana proved by overwhelming testimony, derived from an exhaustive investigation, that for more than thirty years prohibition in Maine utterly failed to prohibit. It fails now, as everybody knows. Ten years of the most demoralizing struggle in Iowa resulted in failure and in a repeal of the law. Local option under the Slocumb law is the true remedy for alcoholic evils—regulation and control, not prohibition, which is impracticable and impossible in this free country of ours. Besides, prohibition is a rank

invasion of personal rights and liberty from the vain attempt to make man good by statute. I have combated it for sixty years, and combat it now, on this principle."

Dittmar & Sisler, owners of a large mercantile house in Geneva, write:

"We believe that the law now in force in Nebraska is good and should not be repealed, because as prohibition cannot possibly prevent the sale and use of liquor; license, properly adjusted and regulated, controls the liquor traffic most effectively. Comparison of the years when this place went 'dry' and those in which license carried shows that the city was much better governed, was quieter, had less litigation, and more public improvements were made during license rule."

Every Nebraskan may well be proud of the career of General Charles F. Manderson, soldier, statesman, lawyer, patriotic citizen. Upon request for his opinion of the Slocumb law, the general wrote the following:

"This is the best liquor law in the United States, and when enforced it leads to sobriety and respect for law and is productive of much good. The country suffers frequently from imprudent and unwise legislation, and prohibitive legislation as to the liquor traffic has done infinite mischief and great harm. It leads to clandestine evasion or direct violation, and with either there comes contempt of all law, good or bad. I have spent much time in prohibition states and nowhere has the use of liquor been prevented, and the results have been deplorable. The temptation to violate the law is great and the results flowing from clandestine and illegal drinking have led not only to contempt of all law, but have increased the liquor habit."

President P. Walsh of the McCook National bank writes:

"I am unalterably opposed to prohibition because it has proven to be detrimental to business interests wherever it has been tried, and I share with you in your views that Nebraska has at present the best laws regulating the sale of liquor of any state in the Union."

Hon. W. D. Haller of Blair, whose record in the Nebraska legislature stamped him as an able man, writes:

"My observation convinces me that no state in the Union has any law that so fully controls the sale of liquor as does the Slocumb law of this state. Prohibition in other states has been a failure. Not only is there as much liquor consumed in prohibition states as in this state, but no revenue is received therefrom."

Mr. Thomas B. McPherson, the South Omaha banker, is known to business men all over Nebraska. He writes:

"I lived in Pennsylvania under prohibition for years and found more drunkenness and corruption of youth there, to the township, through the process of 'bootlegging,' than has ever existed in the whole state of Nebraska under the Slocumb law, even with a lax enforcement of its provisions. We now have the very best law for the regulation of the liquor traffic to be found in the United States. All we need is its proper and rigid execution. Your association is certainly moving in the right direction, and should receive the assistance and hearty cooperation of all good citizens."

## A WISE CONCESSION

Law-Giving Body of Methodist Church Indorses Local Option.

The Baltimore Sun of May 26 contains the following report, showing that the great law-giving body of the Methodist church was wise enough to concede that local option is an effective means of controlling the liquor traffic. The report reads:

"For three hours locked in a fierce struggle, the advocates of local option as the road to prohibition fought things to a final settlement in the general conference of the Methodist Episcopal church at the Lyric yesterday. The result was an overwhelming triumph for the local optionists. Individually, it was a spectacular triumph for Governor J. Frank Hanly of Indiana, whose speech in defense of the majority report of the temperance committee, of which he is chairman, aroused unbounded enthusiasm. His was a powerful appeal that swept the conference from end to end and scattered the opposition like chaff before the wind until there was a bare corporal's guard of them left to protest. Some few refused to surrender and insisted upon their privilege under the rules to have their votes recorded by name against the report."

The debate was long and exciting. The most conspicuous man on the side of the vanquished was Chancellor J. R. Day of Syracuse, N. Y., who, in an impassioned speech, urged the conference to declare solely and straightly for prohibition; asserted that the words "local option" did not and never had sounded right to him.

Dr. A. B. Leonard vigorously and with intense earnestness attacked the majority report because of its indorsement of local option.

"Local option," he declared, "means prohibition or permission."

Dr. Leonard, when he could make himself heard, insisted that that was what it did mean, and predicted that if the majority report should be adopted the conference would regret it and that three months from now those who voted for it would be wiser than they are today. He declared that if the conference indorsed local option it indorsed the right of a majority of the people in any given district to legalize the sale of liquor."

However, the report was adopted. This notable action of the Methodist church is causing widespread comment. The Clay Center (Neb.) Sun, of which W. L. Palmer is editor,

in its issue of June 5, makes the following comment on the subject:

"It is enough to make Slocumb the author of the Nebraska local option law, turn over in his grave and take notice when the M. E. general conference invokes the aid of his law."

Local option, as defined by the Nebraska statute, means that any village or town may decide at the ballot box whether or not it will issue saloon licenses. This must not be confounded with so-called "county option," which means simply county prohibition because its advocates decline to give to the voter any option in the matter. Under their program he must vote for L. license or not at all.

## Mulcting the Taxpayer.

The object of the Anti-Saloon League is to bring about county prohibition (under the name of county option) and thus, by extending dry territory, ultimately to reach state-wide prohibition. To attain this object, the league adopts in one state methods differing from those practiced in others; for instance, the league in Massachusetts is waging a campaign for a state law which will take from local school districts moneys received from licenses and fines and put it into the state treasury. The agents of the league explain their action to be based upon the fact that local communities, in most cases, have refused to vote for county prohibition because it would forfeit the revenues from licenses and fines which now go into the school fund to pay for the maintenance of the schools. The forfeiture of this money, of course, means that local taxpayers must submit to an additional levy to make up the deficit. In Omaha, for instance, that deficit would amount to over a quarter of a million.

There is no doubt that agents of the league are correct in their statement that a state law requiring all license money and revenue from fines to be covered into the state treasury would be a powerful lever in the hand of the league to bring about state-wide prohibition. It is equally true that such a policy would recoil with terrific effect upon the taxpayers of every school district.

The program of the league includes the raising of this issue whenever it can be done without jeopardizing chances of success. It would be well for Nebraska taxpayers to give this matter earnest attention before it is too late.

## OKLAHOMA'S FLOP

Editors Agree With Judge Strang that the Dispensary is to Sell Liquor—Not to Prohibit.

Perhaps the strangest of all the things done by Oklahoma was its adoption of an article in the constitution prohibiting the manufacture and sale of liquor, only to repudiate such action the following year. Last fall the people adopted prohibition at the polls, but the unusual part of it is that the legislature took advantage of an alternative clause in the constitution and reversed the will of the people respecting prohibition, putting in its place a state dispensary. Under the new law, the state is now selling liquor to the exclusion of all private business houses; whereas the people decreed that liquor should not be made nor sold within the boundaries of Oklahoma.

Some of the prohibitionists contend that Oklahoma did not reverse its policy, and that the dispensary is a measure promotive of prohibition, as defined by the state constitution. However, it is difficult to see how any fair-minded man could be deceived by this pretension. Judge Strang of the district court of Guthrie, early in May, in a case brought before him involving a collateral issue, decided the point with emphasis. He held that "the dispensary law is an act regulating the sale of liquor, not one to prohibit."

The editor of the State Capital, in a recent letter to a Nebraskan, said:

"Responding to your query, let me say that the people adopted state-wide prohibition last fall by a majority of 18,000. The legislature repudiated this action by the passage of the dispensary law. The dispensary law will simply develop into a lot of state saloons."

The following are a few brief quotations from newspapers in Oklahoma bearing on the point:

"Prohibition carried by nearly 20,000 votes at the last election. But the legislature and governor are ignoring the wishes of the people and are establishing saloons in every county of the state."—Texhoma Times.

"Just as sure as there is a just God in heaven, the politicians will have to answer to an outraged people for their broken prohibition promises. Oklahoma did not vote for a dispensary system of dram shops. They voted for prohibition."—Erick Altruist.

"After voting 18,000 strong for prohibition, the people find that the prohibition law was only a horrible farce, and they are now placed in the saloon business themselves."—Carmen Headlight.

The action of the legislature in reversing the policy of the state respecting prohibition should not be judged too harshly. It was taken upon representation of citizens of the state that the prohibition amendment (effective upon its ratification) had been utterly ignored in nearly every community of the new state—the people paying no more attention to its provisions than do the people of the larger cities of Maine and Kansas pay to the prohibitory laws of those states. There is much evidence showing that bootleggers in large numbers pervaded the state, and that the clandestine sale of liquor was practiced everywhere. Very naturally, many people saw that this state of affairs would bring disaster,

and they appealed to the legislature for protection.

It so happened that the framers of the Oklahoma constitution inserted a clause empowering the legislature to establish a state dispensary upon a showing of fact that the policy of prohibition could not be enforced. When such showing was made the legislature acted accordingly, just as did the Iowa legislature in 1894.

## MR. BRYAN AND PROHIBITION.

An Associated Press dispatch, dated at Lincoln, June 11, says:

Replying to a dispatch from Milwaukee concerning his attitude on the question of prohibition, Mr. Bryan said:

"I have received many letters from prohibitionists and many from opponents of prohibition, and I have answered them all in the same way. I have told them that I did not regard the question as a national one. While it is an issue in a number of states, I do not expect it to be made an issue by either the Republican or Democratic national conventions. I have made it a rule not to discuss questions outside the platform, because the candidate has no right to inject issues which his platform excludes."

"In answer to questions about my own record on the subject, I have stated that so far as my personal habits go, I am a teetotaler, never having used liquor as a beverage, but in 1890 I voted against the state prohibition amendment because I thought the license system we had, with local option, was better suited to the conditions we had to meet in our state."

It will be remembered that Mr. Bryan in 1890 stumped Nebraska against a proposed prohibition amendment to the state constitution and helped to defeat it by a large majority.

## Secretary Taft's Opinion.

Secretary of War William H. Taft, in his book, "Four Aspects of Civic Duty," page 46, explains why statutory prohibition cannot be enforced, as follows:

"Nothing is more foolish, nothing more utterly at variance with sound policy than to enact a law which, by reason of conditions surrounding the community, is incapable of enforcement. Such instances are sometimes presented by summary laws, by which the sale of intoxicating liquors is prohibited under penalties in localities where the public sentiment of the immediate community does not and will not sustain the enforcement of the law. In such cases, the legislation usually is the result of agitation by the people of the country districts who are determined to make their fellow citizens in the city better. The enactment of the law comes through the country representatives, who form a majority of the legislature, but the enforcement of the law is among the people who are generally opposed to its enactment, and under such conditions the law is a dead letter."

## Full and Frank Discussion.

One of the best weekly newspapers in Nebraska is the Greeley Citizen, published by Messrs. F. P. and E. E. Compton. Its editorials are uniformly well written and forceful. Its issue of June 5 contained the following:

"It is but just to state that the Merchants' and Manufacturers' association is not a saloon organization, nor is there a saloon man (either wholesale or retail, nor a brewer) among its members. It is an organization of manufacturers, wholesale and retail merchants of that city, banded together for the distinct purpose of working for what they deem for the best interest of Omaha and the state. Some of the best and most influential papers in the state have published the article and we call our readers' attention to it on the last page.

"The Merchants' and Manufacturers' association of the Anti-Saloon League should enjoy equal facilities at the hands of the Nebraska press and, with few exceptions—notably our contemporary—they will, and a full and frank discussion of any public question will never injure the morals of any one, and no one, but a hypocrite would object."

There is no such thing as county option. It is simply county prohibition. Its advocates are working to have the question put to vote in their way, and that way is to let the voter have a chance to say no licenses shall be issued, but they will not give him a chance to say licenses shall be issued. It is a one-sided, jugged proposition. The voter has no option. It is "Hobson's choice."

## False Pretenses.

When the Anti-Saloon League labeled "county option," it hoped to derive some benefit from the popularity of local option as defined by the Slocumb law, but the league is guilty of false pretense when it uses the term "county option." If the league would take off the mask and use the true term, "county prohibition," it would not deceive half as many as it does, and in many places where the league now gets a hearing, its pretensions would not be tolerated.

Paid agents of the Anti-Saloon League are agitating prohibition in Nebraska. They force resident voters to defend existing law. They are getting the farmers to sign petitions to the next legislature for so-called county option, which is nothing but county prohibition, the ultimate aim being state-wide prohibition. Taxpayers should compel them to take off the mask, and to abandon the false pretense that there is the slightest degree of option in the bill which they are advocating.

## County Prohibition.

Agents of the Anti-Saloon League

who are so zealously working in Nebraska for so-called county option can not be expected, of course, to tell the people the true inwardness of the movement. The term "county option" is a misnomer. No doubt it was chosen because of the popularity of the local option clause of the Slocumb law of Nebraska, which has worked to perfection in so many cities and towns. There is no option in the plan proposed by the Anti-Saloon League. The dictionaries tell us that to exercise option is to have the power of choice. The program of the Anti-Saloon League respecting the giving to voters of a county a chance to vote in regard to the liquor traffic prevents the exercise of choice. The bill introduced in the last legislature providing for so-called county option intended to make it possible for voters to express their will only upon the negative side of the proposition as to whether or not saloons may be licensed. Under that bill, if enacted into law, it would be impossible for the voters to express a desire for license; therefore, the quality of option does not attach to the measure.

The agents of the league ought to be frank enough to say that they are seeking county prohibition as a means of bringing about state-wide prohibition through the voters of the several counties. Their plan is severely criticized because it does not give the voters an option or an alternative in an election to determine the question whether or not licenses shall be issued. Their program is unfair and unjust, and can not win among voters who take the trouble to learn all phases of it.

## Why Hoke Smith Was Defeated.

Politicians will cite the case of Governor Hoke Smith of Georgia as an example of the folly of leaders of any party leading up with the issue of prohibition. Hoke Smith is one of the best men of the south, where nearly every white man is necessarily a Democrat. He has made an excellent record as governor, and was entitled to a renomination for a second term. Partisan oracles of the north will not be slow to perceive that Hoke Smith's defeat was due to his championship of prohibition in the face of a popular movement among business men of Georgia for a revision of the law which was put into effect only last January. This law was enacted to abolish the black man's saloon, but it was not intended to prevent the white man from getting liquor. The net result, however, is the loss of hundreds of thousands of dollars in trade, according to the estimate of the Savannah Chamber of Commerce, and this has led to a concert of action of boards of trade throughout Georgia to bring about a revision of the law. Immense quantities of liquor are being shipped into the state in original packages, so that while there is no diminution of the amount consumed, there is an enormous outgo of money from the state to outside dealers.

Hoke Smith's competitor, Joe Brown, is said to have promised the business men to approve any bill the legislature would enact affording them relief. This is why he was successful in the Democratic primaries, which triumph is equivalent to an election. In other words, Georgia business men have risen, as did Iowa business men, and demanded of the dominant party relief from damaging conditions. They are for any candidate who is willing to help them.

In a nutshell, this is the whole story of the overthrow of Governor Hoke Smith and the breaking of time honored precedent, which calls for the giving to a good governor a second term.

## Dr. Lyman Abbott on Prohibition.

Dr. Lyman Abbott, editor of the Outlook and an eminent divine, in his book "The Rights of Man," page 248, says:

"My objection to prohibitory laws is not that they cannot be enforced, but that they ought not to be enforced. . . . Has a rural county in Maine, which thinks the saloon is an injury, a right to prohibit the saloon to the people of Bangor or Portland, who entertain a different opinion? If so, on what is that right based? It is not based on their right to protect themselves, for drunkenness and disorder in Portland or Bangor inflicts an insignificant amount of injury upon the inhabitants of the remote rural county. It must be based on the supposed right of the majority to impose their conscience on the minority, to determine for them what is safe and right, to act toward them in loco parentis; and this right of the majority to act in loco parentis toward the minority is fundamentally antagonistic to the essential principle of a democracy, which is founded upon local self-government."

When a paid agent of the Anti-Saloon League begins to make an argument for what he calls county option, voters should require him to explain why he makes use of the word "option," since he would give voters a chance to vote only for no license, and would prevent them from voting for license. The agent should be forced to admit the truth, viz: that his pretended county option is nothing but county prohibition.

## THIS IS SOUTHERN PROHIBITION

(New York World.)

Henry Watterson says, "Nobody can be a Democrat and a Prohibitionist." If the venerable principles of democracy mean anything, nobody can at the same time advocate personal liberty and then undertake to dictate what some other man shall or shall not drink.

A man can be a Democrat and a total abstainer. He can be a Democrat and smoke or not smoke. But he cannot without casting aside the fundamental Jeffersonian principles undertake to regulate by law another man's habits or morals any more than another man's religion or tastes.

In the southern states where prohibition has been adopted it is enforced chiefly as against negroes and not against white men.

The system of white men's clubs, original packages by express and drug store saloons enables the white man to regulate the negroes' habits without changing their own, somewhat as they regulate the diet and work of the horses and mules which are no more indispensable on a southern plantation than is negro labor.

This is southern prohibition.

## How Kansas Is Hampered.

There is a variety of opinion as to the success of prohibition in Kansas. This is due to the fact that in some of the country precincts the law is, for the most part, effective, while in all the towns and cities it is a dead letter. In an effort to get the truth of the matter, the Merchants' and Manufacturers' association addressed a number of letters to members of boards of trade and commercial clubs throughout Kansas. Many replies have been received, but, for want of space, only one is given herewith. It is signed by a member of the Fort Scott Commercial club, under date of May 20, and reads as follows:

"In answer to your letter of May 29 regarding the effect of prohibition, will say that your editorial informant at Kimball, Neb., is entirely correct.

The writer has studied and seen the effects of the prohibitory law in Kansas since its inauguration over twenty-five years ago. At no time, present included, has it been impossible to procure liquor, and that, generally speaking, of the very worst quality. The drunkards of ten years ago, if still alive, are the drunkards of today. If not alive, their places have been taken by an army of new recruits.

"Kansas, with its natural resources, is the most productive state in the Union, and yet we have gained less in population than almost any other state in the Union—the increase of population in this state being less than the birth rate. The writer has seen more blackmailers, more perjurers, and more dissension caused among good people by this same prohibitory law than from any other cause that may be named. The majority of our people in this locality feel that it is an unjust law, and that it has greatly hampered our progress and well-being."

"I sincerely hope that the merchants and solid business men of Nebraska will not burden themselves with such a law. You may rest assured that if they do you may bid goodbye to progress; at least, our experience is that way. About the only benefit the law has proven to us is to give a good advertising medium for sensational preachers, evangelists and grafting politicians. Furthermore, any representative business man of any town in Kansas, if he speaks the truth, is bound to tell you the same thing."

## The Case of David City.

Last spring David City decided by vote to issue no saloon licenses. This was done under the provisions of the Slocumb local option law, and the sequel shows that actual prohibition prevails in that city. The result may be satisfactory to a portion of the people, but not to the merchants. A banker said recently that mercantile business had been injured to the extent of 50 per cent since the closing of the saloons, while towns to the east of David City, which are wet, now enjoy unprecedented trade—the increase coming from men who formerly went to David City to do trading. West of that city, where there are no saloons, there has been a large increase of trade with mail order houses located far beyond the limits of the county. This shows that there are many farmers who will not trade in a dry town if they can help it. Many farmers in the vicinity of David City are foreign born and many are not. All are thrifty and well-to-do. Not paying taxes in town, they have no right to say what the people there may or may not do, but of course they can trade where they please.

The unfortunate part of the matter is that the loss falls heavily upon the merchants, who are the heaviest taxpayers. While their profits are reduced one-half, their taxes must be increased to make up for the loss of revenue to the school fund derived from license fees. In a year or two they will feel the pinch more than they do now, and when conditions become intolerable, they will demand a change. That demand will result in one of two things, to-wit: The reissuing of licenses or the going dry of every town in the county, for the merchants cannot sit still and see their trade going to wet towns.

The Anti-Saloon League is profiting by its false pretense concerning "county option" because of the popularity in Nebraska of local option. The league's program is devoid of the quality of option. It is nothing but county prohibition, pure and simple.