

it interferes with constitutional rights, because the Constitution itself provides a way by which it can be amended—that is, in fact, the most important provision in the constitution. The dead have no right to bind the living. A Constitution made one hundred and thirty years ago can hardly be invoked against the recorded will of the people, recently expressed in an amendment adopted in accordance with the terms of the Constitution itself. If the PRESENT generation now has no right to change the Constitution, how long will it be before it will acquire such a right? Or, if not this generation, what generation in the future will be able to add by constitutional methods to a Constitution written in 1789? The Constitution has already been amended eighteen times and the nineteenth amendment is nearly ratified.

When the Constitution was written, slavery existed in many of the states, an institution that had come down from the most ancient times, and yet it was abolished. In no state in the Union can a black man be held in involuntary servitude.

The Constitution provided for the election of senators by state legislatures, but in 1913 an amendment was adopted which changed the method of electing senators and provides for election by popular vote instead of by state legislatures.

The Constitution has also been so changed as to authorize the collection of an income tax and we are collecting a graded income tax, running sometimes as high as 60 per cent on the income. All of these amendments were adopted according to the terms of the Constitution, by three-fourths of the states, and this is the only amendment that the Democratic State convention of New York sees fit to "unalterably" oppose. And this opposition is in spite of the fact that this amendment has been ratified by forty-five states, New York included among the number. It must not be forgotten, that the question of ratification was an issue before the voters of New York in 1918. The Republican candidate for governor had recommended ratification and was a candidate for re-election. So the people had full notice. The Democratic candidate for governor did not run upon a platform declaring the party unalterably opposed to the amendment, but upon a platform advocating the submission of the amendment to a popular vote. He was elected by a small majority and that due to an unprecedented Democratic vote in the city of New York against an unprecedented Republican vote in the state outside of the city. Why this stronger statement of opposition AGAINST the amendment has been ratified by forty-five states than before ratification was completed—and when the position of the state of New York was still undecided?

The second sentence quoted from the platform would be amusing if it did not deal with a serious subject. Those who wrote the platform "feel" that the prohibition amendment was "imposed by an active minority against the wishes of the great majority of the American people." Men who FEEL that a plain falsehood is true are not safe advisors. One does not need to be well informed to know that prohibition was not imposed by "an active minority against the wishes of the great majority of the American people." On the contrary, it was imposed by the conscience of a considerable majority of the American people, expressed after long deliberation, and the triumph was won over a very "active minority"—a minority led by men without conscience and with money sufficient to employ the ablest lawyers—like ex-Secretary Root, for instance—and to corrupt politics as shown in many places, and impudent enough to attempt to terrorize those whom they could not buy.

Thirty-four states have gone dry by state action—nearly all of them by popular vote. Those that went dry by statute, have since elected legislatures pledged to continue the policy of prohibition. In the states that ratified, the majority was in many instances overwhelming. In the states that have not gone dry by their own act, there is a very strong minority favorable to prohibition, as is shown by the popular vote cast. Take Missouri and California, for instance, where they voted directly on the question of prohibition, and Pennsylvania and New York, where the Republican candidates for governor were known to be for prohibition. Governor Sproul, of Pennsylvania, made his fight for the nomination on a platform declaring in favor of ratification and he was elected by about a quarter of a million majority over a Democratic candidate who ran on a wet platform.

What shall we say of Democratic leaders who allow their FEELINGS to overcome their respect

for the facts of history? No open influence can account for this strange "feeling;" what secret influence is back of it? Why is it that they not only disregard the facts but make the liquor traffic an object of worship? They do not deny that the amendment was ratified in exact accord with the terms of the Constitution; they do not contend that the members of the legislatures in forty-five states did not know what they were doing or did not mean to do what they did, but they seem to deny the right of a legislature to do on this subject what the federal Constitution and the constitutions of the states authorize.

Why this distrust of state legislatures? They are permitted to act upon very important matters. The descent of property is a matter of state statute; domestic relations and the rights of children are defined and safeguarded by state statute; life and property are protected by state statute, and men are executed by states in accordance with statutory provisions. It is only when the legislature dares to lay its hands upon the liquor traffic that it forfeits the respect of the men who wrote the New York platform and arouses their unalterable opposition. It would, of course, be a reflection upon the heads and the hearts of the men responsible for the New York platform, to say that their opposition is a matter of PRINCIPLE. There are no such isolated principles. Nothing but FEELING can explain the attitude of these unalterable opponents of prohibition, and they do well to use the word "feeling," instead of "conscience" or "intellect." If the FEELING is due to thirst, it is a disease that needs a remedy; if it is due to coercion brought to bear upon them by the representatives of a revengeful and outlawed liquor traffic, it is a disgrace, but whether the feeling that is so feelingly expressed is a disease or a disgrace, it is an insult to the Democratic party and to the nation.

But passing from the "unalterable" objection to the federal amendment, we come to something even more startling; viz., the sentence in which they declare, not only for the speedy repeal, although that is bad enough, but to the statement that, "until such time as this repeal may be brought about," they, "declare the right" of the state of New York, "in the exercise of its sovereign power to so construe the concurrent clause of the eighteenth amendment as to be in accord with the liberal and reasonable views of our people." If this is not the doctrine of nullification, it has no meaning; if it is the doctrine of nullification, it raises an issue greater than any other now before the country. The right of a state to nullify the federal Constitution was settled in the negative nearly sixty years ago, and the case will not be reopened merely to please men with an appetite or men who want to re-enter a crime-creating business. And this in the name of Personal Liberty! The statistics show that the saloon is the creator of crime, here and everywhere. It increases the number of accidents in industry; it pauperizes on a large scale; it disrupts families; it starves children and increases the death rate among infants. It is the direct and active cause behind crimes of every kind. In the city of Birmingham, (Ala.) the number of murders fell off 64, more than one-half, (from 124 to 60), in the two years following the adoption of prohibition as compared with the two years immediately preceding. I had occasion to examine the statistics in Cincinnati and Cleveland last fall and I found that crime had fallen off in both of those cities during the first four months after the adoption of war prohibition, and that, too, in spite of the fact that the liquor opposition was trying to make the showing as bad as possible—in order to help it in its fight against prohibition in that state.

Is it possible for the American people to allow the friends of a criminal business to nullify the Federal Constitution and encourage lawlessness? Is it possible that the Federal Government will permit its law enforcing power to be scoffed at and thus invite violation of every law? If a brewer, distiller or liquor dealer can violate a federal statute based on the interpretation by congress of the Federal Constitution, why should any of the smaller criminals be required to obey the law? If a state can repudiate a federal constitution and one federal statute by a construction palpably false, why can it not repudiate all national authority?

The issue raised by those who wrote the New York platform is nothing less than that of national supremacy vs. state sovereignty. Can any larger issue be raised? Can any greater menace to law and order be imagined? If a home has no right to protect itself from a saloon, what

right has a bank to protect itself from a burglar? Are the dollars of the banker more precious than a mother's children? Will the New York Democrats—not the New York Democracy—but the spurious representatives of New York's Democracy—who insolently attack the homes of the nation—will these men say that a broken-down horse is more deserving of protection from the horse thief than the boys and girls are from the liquor dealer who attempts to snare them and lead them down to ruin for so many dollars per life? If New York's Democrats are willing to endorse the astounding and shameful performance of the leaders who assumed to speak for them at Albany lately, they must expect the contempt of the Democrats of the nation, for the Democratic party can not descend to the level of those who wrote that platform and it can not permit them to speak for the democracy of the nation. The right to demand the return of the saloon as a means of securing a drink is not an inalienable right. The right to run a saloon is not included in the right to life—one can live without it—or in the right to liberty, for it has nothing to do with liberty; or in the right to the pursuit of happiness, for it does not bring happiness. The saloon brings misery; it brings vice; it brings crime. It is dead—dead beyond the hope of resurrection. The Democratic party has a nobler mission than to become intoxicated with "feeling" and lie down in the grave with this monstrous evil, man's greatest evil, the saloon.

W. J. BRYAN.

## Old-time Democracy

Vice-President Marshall announces himself as candidate as delegate to the National Democratic convention, and expresses a desire for the nomination of a candidate upon "an old-time Democratic platform." The Vice-President in his statement of his views is not as happy as he usually is. His style is, as a rule, quite clear and his meaning obvious. Now, however, he deals in generalities instead of "speaking out in meeting." The only thing that he says that indicates the trend of his thought is his reference to "Unbridled Democracy." The Vice-President is on record against initiative and referendum; is this what he refers to by the phrase, "Unbridled Democracy?" If so, he will find that the bridling of democracy can better be left to the Republicans who, because of the things they stand for, have reason to fear the people. Our Government rests upon the consent of the governed or it does not. If it does not, it is not a Democracy; if it does, we need not be afraid to let the people have their way. Nobody knows better than the Vice-President, the frailties of representatives, for he has seen representatives use for their own advantage the power intrusted to them. If Mr. Marshall is asking the Democrats to have confidence in him, he ought to take them into his confidence and apply his generalities to questions now before the country, in order that the voters may know just how far they agree with him and to what extent they differ from him. And, by the way, are prohibition and suffrage sufficiently "old-time" to suit the vice-president?

### EDWARDS BOOM COLLAPSED

Governor Edwards' withdrawal of his name from the presidential primaries in Nebraska, Illinois, Indiana, and other states, ends the brazen effort of the brewers to wage an open fight against the prohibition amendment. Finding it impossible to make the United States "as wet as the Atlantic ocean," the representatives of the liquor traffic will now try to elect a wet congress and a wet president on a non-committal platform. The friends of national prohibition will insist on a dry plank and a dry candidate for a saloonless nation.

### WILLIAM SHERMAN JENNINGS

In the death of William Sherman Jennings the South lost one of its greatest and best men. He went from Illinois to Florida when a young man, and by his rise to fame and growth in popularity proved anew the irresistible power of industry when combined with rare ability and high character. As judge, legislator, speaker and governor, he rendered invaluable service and contributed largely to the development and progress of Florida. His career was a priceless legacy to his family, his friends and his state.

W. J. BRYAN.