

# BUSINESS MEN'S OPINIONS.

### Discussing the Best Means of Controlling the Liquor Traffic.

#### THEY SPEAK FROM EXPERIENCE

#### Well-known Nebraska Merchants Describe Local Conditions Under Both Dry and Wet Regimes, Affecting Retail Business and Tax Rates.

Many responsible business men throughout Nebraska have expressed their opinions on the question of the best means of controlling the liquor traffic. Some towns have voted the saloon out of existence, while others have voted for license. Quite a number of towns have reversed their policy in the matter. In cases like this, residents of those towns are in a position to form accurate judgment respecting the result of this experience. The Merchants' and Manufacturers' association recently sent out queries to business men. The following replies have been received:

**HOLSTEIN**—G. L. Fischer, grain, says: "It is true that the question of license prevailed in our town through the active influence of business men and property owners, who feared the loss of country trade, and the establishment of dives and other clandestine means of dispensing liquor incident to a dry town. The business men also believed that the dry policy would make them pay more taxes."

**STERLING**—C. W. Stuve, general merchandise, says: "Our people favor license as long as the liquor men are willing to run their places right. During the campaign the merchants urged that the dry policy would drive away the trade of farmers for miles around, since there are many Germans in this locality. It was also argued that the barring of the saloon caused merchants to pay high taxes."

**INDIANOLA**—Chester W. Dow, implements, writes: "About two-thirds of the business men of this town are license men, and they advance the theory that the license policy draws trade to their stores."

**FORT CALHOUN**—Fred H. Frahm says: "Every business man in town is in favor of high license. They argue that there is no doubt that taxes would be much higher under the dry policy. In regard to loss of trade, that is an open question."

**UTICA**—A grain merchant writes: "High license was carried here in the last election by a large majority. Most of the people of this vicinity favor high license in preference to a dry town, which would bring about bootlegging and other clandestine methods of selling liquor. If we had no saloon here, liquor would be shipped in anyway as long as it is made and our merchants believe it is better to have a saloon in order to know just where the liquor is being sold."

**CLARKS**—Campbell brothers write: "This town is dry. Many of our business men believe the policy hurts their business, since surrounding towns have saloons, and many of the farmers are Swedish, Dutch, and Bohemian. The question of increased taxes was not discussed here."

**HERMAN**—H. H. Herzog, lumber, says: "With one exception, every business man in town supported the wet ticket. The question of country patronage was the principal argument put up by the wets before election."

**SEWARD**—H. A. Graff, clothing, replies: "I believe the majority of the business men and property owners here favor the policy of license under more strict observance of the Slocumb law. Our people are demanding better enforcement."

**STELLA**—A prominent business man writes: "There seems to have been enough business men here to carry the license ticket. I am sorry to say, through fear of a heavier tax in case of the adoption of the dry policy. During the campaign, the merchants argued that the taxes would be much heavier if the town should go dry."

**KEARNEY**—Says a leading merchant: "The result of the election on the question of license in this city, we are inclined to think, was brought about under the idea that the liquor traffic could be better controlled with the open saloon than by supplying the demand for liquor through drug stores and bootleggers. Then again, many business men feared the loss of trade from the foreign element in the country; further than this, the revenue coming to the town from licenses is \$10,000 annually, which is of material help to the city, as well as to the school fund."

**FAIRBURY**—D. B. Cropsey, editor, replies: "Our business men thought the license system was the best way in which to regulate the liquor business. It is true that they feared they would have to pay too heavy a penalty in loss of outside patronage and in increased taxes as a result of a dry town."

**BLUE HILL**—C. F. Goad, cashier, says: "Our town is in a German community, hence our merchants realize that trade would suffer if a dry policy were adopted."

**SILVER CREEK**—D. F. Davis, publisher, replies: "I think I can truthfully say that our people feared a loss

of patronage from the farmers if the town should go dry. Of course, there is a division of opinion, but the prevailing sentiment seems to be that the majority who support the business interests of Silver Creek are in favor of the wet policy, and they are, as a rule, as fine a class of citizens as can be found anywhere."

**RED CLOUD**—A leading citizen says: "There are many voters of this place who favor high license because of the experience this town once had under no-license rule, when 'blind tigers' ran unhindered, and the town was disgraced beyond anything experienced under the license system. I do not believe the matter of patronage from outside territory would enter into the question to any extent."

**PLYMOUTH**—A dry goods merchant writes: "This town is only from eight to ten miles from DeWitt and Swanton, which are both wet; therefore our business men felt that if Plymouth should go dry, their business would be injured. This community does not want county option, neither does Saline county, to the north of us. The strict enforcement of the Slocumb law would be better for everybody, and our people are in favor of its better enforcement."

**VALENTINE**—D. M. Rice, editor Democrat, replies: "It is true that the business men took an active interest in our recent election upon the question of license. During the contest, the merchants argued that a dry town would produce a loss of patronage and increased tax rates. They also preferred a saloon strictly regulated to a traffic in liquor through the drug stores, bootleggers, and 'blind tigers,' which are peculiar to some of the dry towns."

**FALLS CITY**—L. J. Harris, Editor of The Journal, writes: "One reason for the result of the recent election in this city was the fact that a large portion of the population of this county is German. The influence of the business men was for license because of the probability of loss of patronage in case the town should go dry."

**KEARNEY**—F. L. Whedon, Editor of The Democrat, replies: "In the recent election upon the question of license, business men here were generally favorable to high license and the enforcement of the law. There is no doubt that business men took into consideration the probability that they might suffer loss of business in case the town should go dry, and that taxes would be increased. This sentiment, of course, had its effect."

**LINCOLN**—A. I. Israel, Editor of The Country Merchant, says: "In the recent election here I believe that the majority voted for license because the voters believe that the so-called prohibition theory will not successfully prevent traffic in liquor; also because the elimination of liquor licenses would increase the tax burden and more than probably decrease the volume of outside patronage of the city's merchants. I am also of the opinion that many business men feared that the elimination of legal liquor business would result in an increase of lawlessness and have a demoralizing effect upon the community."

**CLARKS**—William Douglas, merchant, writes: "This town went dry in the recent election owing to agitation among those who pay little or no tax. The majority of our business men believe that taxes will be much greater upon the withdrawal of license money, and they know that trade will be less, as a great many of our farmers have expressed themselves to that effect. It was the expressed wish of the best class of our taxpayers that license should carry."

**SUTTON**—F. M. Brown, Editor of The Register, replies: "I regard it as a fact that the license issue won because our business men and taxpayers feared they would have to pay too heavy a penalty in loss of outside patronage and in increased taxes as results of a dry town."

**SUTTON**—Henry Grosshans, farm machinery, writes: "We had two years of experience under the dry policy, and I regard it as very unsatisfactory, there being more drunkenness than we have had under the wet policy. Under the dry regime we had about fifteen places where bad liquor was sold, and we could not control the traffic at all; now we have but four saloons, which are controlled, and there is better order in town. I am for the wet policy and a strict enforcement of the Slocumb license law."

**PLAINVIEW**—P. F. Boyens, furniture dealer, writes: "Your information is correct. Our business men and taxpayers feared a loss of outside patronage as a result of a dry policy, because our neighboring towns are wet."

**WAYNE**—W. S. Goldie, Editor of The Democrat, replies: "The chief reason why Wayne voted wet at the last election was because of the experience of twenty years ago, when the town went dry. The man who has been marshal from that time to this, and who is one of the best officials in the state, said publicly that he had more trouble with drinkers during the one year in which the town was supposed to be dry than he had during several years under the license system. He has no use for the saloon. The Anti-Saloon league representatives put up a campaign that was somewhat disreputable, and thereby lost many votes. I believe that this town is three to one for high license in our recent election the Anti-Saloon league did about all the open fighting, but they accomplished little."

**SCHUYLER**—W. J. Higgins, dry goods merchant, writes: "As a matter of government alone, I do not think that liquor is a benefit or help to the town, but speaking from the standpoint of the business man, my observation is that in some localities, and particularly where a majority of foreigners, as it is the case in this county, reside, no doubt a dry policy would

drive such citizens away from a town as they go where they can get what they want. While I am not particularly a drinking man, when I speak of conditions in this local section, I would not favor a dry policy."

**NELIGH**—J. N. Mills, of Mills & Berry, dry goods, says: "Our experience teaches us that we have better government and less discord under the license system. When our town is dry and other towns wet, the dry town is left out. I do not think statutory prohibition is a temperance movement. The writer has been in business in this town since 1880 and has taken an active part in the liquor question. I shall always vote for the license policy as long as the United States continues to issue licenses."

**GLENVILLE**—Ernest Frisch, farm machinery, writes: "The business men took an active part in the recent election. Among them there is a sentiment that the adoption of a dry policy would be detrimental to their business because of the German element in this community. Most of the taxpayers are retired farmers of the German nationality."

**VALENTINE**—M. C. Carroll, real estate, replies: "In the recent election most of our business men worked hard for the old Board and for license, for they were sure that if the town went dry they would lose most of their outside patronage. They also said that in that event property would be taxed to the full limit. We have two weekly papers here—The Democrat and The Republican—and they worked hard for the old Board and for high license. Most of the farmers in this neighborhood are in favor of license."

**LAWRENCE**—D. Livingston, editor of The Locomotive, writes: "License won here through the support of business men who desired to please a large country trade, and who also desired to benefit by the payment of liquor license money which would relieve them of that much tax. Our business men believe that the high license system is the best way of controlling the traffic."

**SCHUYLER**—S. Fuhrman, dry goods, writes: "My experience with the dry and wet policy in this state is that when a town goes dry the surrounding towns are generally wet, and the town loses the revenue on license. The only way to deal with the liquor traffic is to regulate the same by law, and enforce the law to the letter."

**SCHUYLER**—Henry Bolton, merchant, writes: "In this particular locality we are supposed to be governed by the Slocumb liquor law. The law, however, has not been enforced, and my opinion is that if the Slocumb law were enforced it would be better for this locality than what is known as the dry policy. As a law-abiding citizen of the state of Nebraska, I believe in enforcing all the laws that are on our statutes."

**GLENVILLE**—D. K. Caldwell, banker, says: "Our business men and property owners wished the license system to prevail. They are people who favor personal liberty, regardless of the question of taxes. This county is rich. It is a German settlement of well-to-do and industrious people who have been prosperous from the beginning of the settlement of Clay County."

**PENDER**—Nick Fritz, farm machinery, writes: "In our recent village election, it was the consensus of opinion that if the town should go dry we would lose a good deal of trade on account of neighboring towns having license, as we have a good many substantial German farmers in the neighborhood."

**GRAPTON**—William G. Hainey, general merchant, writes: "I am perfectly satisfied with the Slocumb law if enforced properly, because it does away with 'bootlegging' in dry towns and places the responsibility where it belongs. In dry towns I have noticed this nefarious clandestine traffic carried on without a chance of an officer catching the sellers, and I found it to be true that there was little chance of enforcing the law."

**VALENTINE**—E. Clyde Davenport of Davenport & Co., general merchants, writes: "The result of the election was probably due to the fact that the majority of the business men are of the opinion that well-regulated saloons do no harm to a community, and the revenue derived from them is very necessary toward the support of the school and village. I think the business men were not so much afraid of the loss of outside business as they were of the increase in taxes."

**M'COOK**—John E. Kelley, real estate, writes: "I resided in Kansas in 1880 when the prohibition amendment carried, coming to Nebraska five years later. I have lived in the last twenty-three years in McCook. All of that time the city has favored licensing and regulating the traffic—the annual license fee being \$1,200. I was in Iowa both before and since the prohibition law was abolished, and am free to say that I favor the Slocumb law when properly enforced over any means of regulation that I have observed. In both Iowa and Kansas it has always been as easy to get liquor as in Nebraska, and much more so than it is in any Nebraska town that does not favor license."

**M'COOK**—P. Walsh, president McCook National bank, replies: "I am unalterably opposed to prohibition so-called, because the policy has proven to be detrimental to business interests wherever it has been tried. I believe that Nebraska at this time has better laws for regulating the sale of liquor than any other state."

A real estate man of McCook writes that he is "in favor of a strict enforcement of the Slocumb high license liquor law in order that the revenues from the traffic may make city taxes low enough so that eastern investors will not shun Nebraska." He says

prohibition only takes away the revenue and does not stop the sale.

**ARAPAHOE**—R. J. Finch, merchant, writes: "The county tributary to Arapahoe has a large foreign population and the town has always had saloons until the last year. At the election this spring all hinged on the question of license or no license and a majority of the business men seemed to fear a loss of business if the town continued dry; also, that the taxes would be heavily increased if no license money was had."

#### OKLAHOMA TOOK IT BACK

#### After Adopting Prohibition at the Polls the People Reversed the Policy.

Last fall the paid agents of the Anti-Saloon league went into Oklahoma and induced the constitutional convention to adopt an article prohibiting the manufacture and sale of intoxicating beverages. The proposition was submitted to the people last fall and carried, the law going into effect at once. It was a great victory for the league.

In spite of earnest efforts to enforce the new provision, it proved a dismal failure, and the business men of the new state demanded a change. This they had a right to do under another article of the constitution, which empowered the legislature to establish state dispensaries for the sale of liquor if it proved to be impossible to enforce prohibition. The state was overrun by bootleggers and the clandestine sale of liquor was carried on in utter defiance and contempt of law.

Responding to the call of the business men the legislature provided for state dispensaries by a law which was approved by the governor late in March. Dispensaries are established in counties and towns for the sale of liquor by the state at a profit. An Omaha distiller has just sold a carload of alcohol to the state of Oklahoma to be retailed through the dispensaries.

This is a complete reversal of the state's policy in respect to control of the liquor traffic. Judge Strang of Guthrie decided a case May 4, writing an opinion in which he held: "The dispensary law is an act regulating the sale of liquor, not one to prohibit."

Oklahoma is the last state to repudiate the policy of state-wide prohibition.

#### LICENSE SYSTEM PREVAILS.

#### Many States Have Discarded Prohibition and Adopted License System.

Agents of the Anti-Saloon league are traversing Nebraska telling the people that there is a wave of prohibition sentiment sweeping the country and that now is the time to get into their county option water wagon. They do not care to admit that the area of dry territory has been extended almost wholly in states having local option laws like that of Nebraska. To do so would be to commend the provisions of the Slocumb high license, local option law—a thing agents of the Anti-Saloon league could not do without admitting there was no need of their presence in Nebraska.

It is true that there is a growth of sentiment in favor of a more temperate use of beverages, but that sentiment has been made in high license states and not in prohibition states. In an article in the Review of Reviews for April occurs this statement: "Up to a year ago, of the eighteen states that had tried the experiment of prohibition, only three—Maine, Kansas and North Dakota—remained in the ranks." Incidentally it should be said that last fall Oklahoma adopted state-wide prohibition, only to discard it last March, because it had failed. It is necessary to say also that Georgia became a prohibition state in January, 1908.

Thus it is seen that there are but four prohibition states in the union. The advocates of prohibition are claiming large gains, but they do not tell their hearers that nearly every state has enacted local option license laws for the control of the liquor traffic. Here is a list of local option license states, as published in the New York World Almanac for 1908:

- Alabama—Local option, fee \$175-\$350.
- Arizona—Local option, quarterly fee, United States license \$25 annually. County and territorial \$300 annually.
- Arkansas—Local option, fee \$800.
- California—Local option, fee by authorities.
- Colorado—Local option, fee \$500 up.
- Connecticut—Local option, fee \$150-\$450.
- Delaware—License by courts, fee \$200-\$300.
- District of Columbia—License by ex-cise board on the written consent of the majority of the owners of real estate, fee \$800.
- Florida—Local option, fee \$1,250.
- Iaho—Annual license by authorities, fee \$750.
- Illinois—Local option license by city council or village or county board, fee not less than \$500.
- Indiana—License by county commission, fee \$100-\$250.
- Iowa—License by petition of voters, fee \$600.
- Kentucky—License by majority of voters, fee \$100-\$150.
- Louisiana—State and local license, \$100 up.
- Maryland—Local option, fee \$18-\$450.
- Massachusetts—Local option, fee not less than \$1,000; number limited one to 1,000 inhabitants; in Boston, one to 500.
- Michigan—Local option, fee \$500-\$800.
- Minnesota—License fee \$500-\$1,000.
- Mississippi—Local option, fee \$600-\$1,200.
- Missouri—The counties may, by majority vote, pass the local option law, and if this is not done, the county

courts may grant a license and fix a tax of not less than \$200, nor more than \$400 per year for state and not less than \$500, nor more than \$800 for county purposes.

Montana—Local option, semi-annual, fee \$150-\$300.

Nebraska—Local option, fee \$500-\$1,000.

Nevada—State license \$50 per annum; wholesale, \$100 per annum; retail drug store, \$12 per annum.

New Hampshire—License by majority of voters, fees based on population, maximum \$1,200.

New Jersey—Local option, fee \$100-\$300.

New Mexico—License by county commissioners, fee \$700-\$400.

New York—Local option in towns, fee \$150-\$200, according to population.

North Carolina—Local option, semi-annual fee of \$50-\$400.

Ohio—Local option, fee \$1,000.

Oklahoma—State dispensary.

Oregon—Local option, fee \$400.

Pennsylvania—License under control of courts, fee \$75-\$1,000.

Rhode Island—Local option, fee \$200-\$1,000.

South Carolina—State regulation.

South Dakota—License by local authorities, fee \$400-\$600.

Tennessee—License issued by local authorities, fee \$150-\$200.

Texas—License issued by county clerk, fee \$300.

Utah—License granted by local authorities, fee \$400-\$1,200.

Vermont—License local option act took effect March 3, 1903.

Virginia—Control of local courts, fee \$175-\$350, local option provided for.

Washington—License issued by local authorities, fee \$300-\$1,000.

West Virginia—License by courts and local authorities, fee retail, \$600; wholesale, \$750.

Wisconsin—Local option, fee \$100-\$200, with power in voters to increase from \$200-\$500.

Wyoming—License issued by local authorities, fee \$100-\$300.

Thus it will be seen that the preponderance of popular opinion is overwhelmingly for local option, high license.

#### REPUDIATED COUNTY OPTION

#### How Many Counties in Canada Stamp Out an Unwise Law.

When the business men of Nebraska get a full understanding of so-called county option they will consign it to oblivion. It is used by agents of the Anti-Saloon league as a means to an end—it is simply a method by which they expect to attain prohibition. This fact they assert everywhere—their ultimate aim is state prohibition. They are not content to let each town manage its own affairs, but send paid agents into Nebraska towns to array the non-tax-paying voters against local property owners in efforts to deprive the latter of the right to control the policy of the town whose expenses they are taxed to pay. These paid interlopers are getting voters to sign petitions to the legislature to pass a law which would give all the voters of a county a right to dictate to any town in the county as to what it must do in respect to a matter which involves thousands of dollars in loss or gain of business or of license fees.

The idea of county option was taken from Canada and transplanted into some of the southern states. Agents of the Anti-Saloon league found it to be an attractive method in localities where it had not been tried. They are careful not to say that in many Canadian counties it was long ago repudiated and stamped out. Here is what Prof. Goldwin Smith of the Toronto University wrote about it in one of his well-known essays, some years ago:

"In 1878 the Canadian Parliament passed the Canadian Temperance Act, more commonly called the Scott Act. The purpose of this Act may be described as county option. It enables any county adopting it by a simple majority of the electors to prohibit the sale of any liquor within the county for local consumption under penalty of a fine of fifty dollars for the first offense, a hundred for the second, and two months' imprisonment for the third.

In the province of Ontario there are forty-two counties. Twenty-eight counties adopted the Act, most of them in 1884 and 1885. In 1888 ten counties, nine of them at once, repealed it; and in the following year the remaining Scott Act counties also returned to license law. The majorities for repeal were overwhelming. In Ontario the Scott Act is generally regarded as impossible of resuscitation, and the advocates of prohibition legislation are turning their minds to other measures. This is a genuine verdict of the people. The liquor trade had exhausted its power of opposition in the early part of the contest; in fact it hardly appeared in the field without doing mischief to its own cause."

Townpeople repudiated the law because it enabled outsiders to dabble into local matters in which they had no moral right to interfere. It is a thing of the past.

#### BUSINESS MEN ARE ORGANIZING

#### To Protect the Material Interests of Taxpayers Against Unwise Legislation.

Hundreds of the best business houses of Omaha have joined an organization styled the Merchants' and Manufacturers' association, which is rapidly growing in strength and influence. Its avowed object is to protect the material interests of taxpayers against any movement known to be detrimental to them. Just now the association is giving its attention to the quiet but vigorous campaign being carried on in Nebraska by the paid agents of the Anti-Saloon league, who are seeking to

enforce statutory prohibition upon the people through a subterfuge which they call "county option." In other states where they have operated they openly declared that "the object of the league is statutory prohibition;" that "county option is a natural step to prohibition."

The Merchants' and Manufacturers' association stands for a strict enforcement of the Slocumb high license law, under which any village or town may, by popular vote, decide to license the sale of liquor or not. Under this law over 450 Nebraska towns have gone dry. It affords the greatest possible degree of home rule, not interfering with the right of a community to manage its own affairs. Under its provisions, outsiders cannot dictate to the people of a town or village what they must do in the matter of regulating the liquor traffic. Every state in the Union, save four, long ago adopted the license system, and nearly two dozen states have abandoned statutory prohibition in order to adopt the license system. Experience has proved that the local license system is the only practical means of regulating and controlling the sale of liquor.

The new association of business men holds to the conviction that the Slocumb high license law has been of great benefit to Nebraska since its enactment in 1887, and therefore the law must be defended from attack. They are convinced that business prosperity is possible under the license system, whereas it is easy to see that statutory prohibition injures business by causing outside capital to shun a state having that policy. They are convinced that county option means prohibition in the end, and for that reason is a menace to the business interests of the state. Their appeal is made to the merchants and taxpayers of the whole state, knowing that if the latter can be shown the true inwardness of the movement for county option, they will soon be able to effect an organization in every county strong enough to destroy the work of the imported, salaried agents of the Anti-Saloon league.

Hundreds of business men have joined the association under the following conditions:

"As business men and taxpayers we favor the movement to form an Association of Merchants and Manufacturers for the purpose of adopting measures to bring about a better enforcement of the Slocumb liquor license law throughout the state—a law making it optional with the people of a town or city to say whether or not liquor shall be sold. We believe the said law has been of great benefit to the state and that there can be no better means for regulating the sale of intoxicants. We stand for its strict enforcement. We join this association with the understanding that no distiller, brewer, liquor dealer or saloon keeper is eligible to membership. Our object is to protect property interests from the ill effects of unwise legislation."

#### WOULD DESTROY HOME RULE

#### County Option is Radically Different from Nebraska Local Option.

There is a great difference between local option as defined by the Nebraska law, and county option as defined by the Anti-Saloon league. Local option guarantees home rule and prevents outsiders from dictating to townsmen as to what policy they shall pursue. On the contrary, county option would give to voters in country precincts and in villages the right to say what another town must do in respect to regulating or abolishing the liquor traffic. County option would destroy the principle of home rule, whereas local option sustains that principle. The one is antagonistic to the other.

For instance, say that the taxpayers of a town had voted for license while other towns in a county had voted themselves dry, the policy of county option, if adopted by the legislature, would enable the voters of the dry towns and country precincts to combine and force the wet town dry. In other words, outsiders could in a town regardless of the will of the resident taxpayers. The state would of course retain the power to tax the property of townsmen while at the same time depriving them of the right to control the policy of the town government which they are taxed to maintain. Voters outside the limits of the town, whether they be taxpayers or not, would, under county option, have the right to vote upon a question concerning only the people of the town, which would be radically unjust, destructive of the principle of home rule and wholly un-American.

There is no argument that can be offered in support of county option which cannot be met and overcome by those in defense of the right of a community to manage its own affairs.

One reason why prohibition failed in Oklahoma was because the bootleggers swarmed into the new state, enabling the negro to get all the booze he could drink. The prime object of the dispensary law is to prevent the negro from getting whisky.

Agents of the Anti-Saloon league are telling of the prohibition wave said to be sweeping the country, but they fail to say that the extension of dry territory in the north has been wholly under state laws providing for the high license, local option system.

Sentiment for statutory prohibition has made headway in the south only, although two southern states sell liquor as beverages and all save Georgia have high license laws. There is a growth of temperance sentiment, but it is not for statutory prohibition. The agitation in the south is based upon a desire to keep liquor out of the reach of colored men.