

END ARGUMENTS ON LEGALITY OF PROHIBITION LAW

Seven Separate Proceedings Now Rest With Supreme Court for Determination—State Rights Involved.

Washington, March 30.—Arguments on the constitutionality of the prohibition amendment and portions of the enforcement act were concluded today in the supreme court. Seven separate proceedings now rest with the court for determination.

The arguments today were on appeal brought by Christian Feigenpan of Newark, N. J., from federal court decrees dismissing injunction proceedings to enjoin prohibition officials from preventing him from manufacturing beer containing more than one-half of 1 per cent alcohol and government appeals on judgments restraining officials from interfering with the Manitowoc Products company, a Wisconsin concern, in the manufacture of the beer containing 2.5 per cent alcohol by volume.

William D. Guthrie, appearing in the former, contended that by the words "concurrent power to enforce" congress intended for federal government and the states to enforce prohibition by identical legislation and that the states were to give their approval to enforcement legislation before becoming effective.

"We submit that the state legislatures must have understood that the amendment provided for concurrent enforcement as the amendment states," Mr. Guthrie said. "The construction now urged by the government would result in practically the complete loss of state control. If this point were between individuals we might well call it a point of fair conduct and morality."

Veiled charges of evidence was being "manufactured" by prohibition supporters to influence the court in connection with its consideration of the prohibition question were made by Mr. Guthrie. He called attention to an "extension of remarks" by Representative Volstead, author of the enforcement act, appearing in congressional records last week, giving what was in the minds of members in the house judiciary committee in 1917, while framing the prohibition amendment.

These views, he said, conflicted with other statements made by various members of both houses in connection with the amendment. Mr. Guthrie also referred to letters written by senators "possibly for the Anti-Saloon league" and "expressing what they now think they then thought."

Ralph W. Jackman, representing the Manitowoc Products company, took the position that the "concurrent power" congress intended in the federal enforcement act was to be supreme until a state had enacted enforcement legislation. The latter was to have complete control in enforcing prohibition within its borders. He contended 2.5 per cent alcohol was not intoxicating.

Replying to Mr. Jackman, Solicitor General King argued that were that theory of concurrent power true, then the states would have exclusive power, adding that in his opinion the term meant that both congress and the states were given authority to enact legislation for the enforcement of prohibition, but neither had power to stand in the other's way regarding enforcement.

Assistant Attorney General Frierson contended that the supreme court's recent opinion in appeals brought by Jacob Reppert, New York brewer, sustaining congress authority under its wartime powers to prescribe the maximum alcoholic content of beverages, virtually settled the validity of that provision.

No Chicago Live Stock. Chicago, March 30.—Owing to the strike of stock yards employees live stock quotations were not available in any branch of the market Tuesday.

New York Metals. New York, March 30.—Copper—Firm; unchanged. Iron—Steady; unchanged. Antimony—Unchanged. Tin—Firm; spot, \$62.50; April-May, \$62.75. Lead—Nominal; spot and March offered at \$21.00. Zinc—Steady; East St. Louis delivery, \$21.00. Spot, \$20.50. Copper—100 lbs. 100% electrolytic, 11 1/2; tin, \$25.00; lead, \$21.00; zinc, \$20.50.

New York General. New York, March 30.—Corn Meal—Steady; yellow granulated, \$1.20. Wheat—No. 1, \$1.20; No. 2, \$1.15; No. 3, \$1.10. Oats—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Rye—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Barley—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Hops—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Coffee—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Tea—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Sugar—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Rice—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Beans—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Lentils—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Peas—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Potatoes—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Apples—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Oranges—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Lemons—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. Pineapples—No. 1, \$1.00; No. 2, \$0.95; No. 3, \$0.90. 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