

TO THE COURIER-JOURNAL

When a belief takes possession of a mind that a certain reform should be effected, the question would be: Can the reform be effected. And then would follow the review of the methods to be employed.

Applying this mode of procedure to prohibition, millions of the people of this country entertained the desire to make this reform effective. Did these millions inquire into the means for effecting the reform and whether the means selected would make effective the end desired?

If prohibition had been voluntarily espoused by the people of this country, shouts of joy would have gone up from every section of the republic. Why, then, has the attempt to secure the reform met with such strenuous opposition? The first opposition arose from the existence of a want of a stimulant which had been available since the country was first settled, and to the use of which millions were accustomed. This want of a stimulant created a market which bootleggers supplied in violation of law. The law did not remove the love of a drink, and millions did not think the temperate use of the stimulant was wrong. Prohibition put an end to the sale of liquors in the ways to which the drinker had been accustomed. And the bootlegger wanted the profit to be made out of the sale to those who wanted a drink. Here was the foundation for an illegal traffic, the magnitude of which depended on the demand and the supply.

Experience can be called in to explain and to verify many facts made visible by the prohibition law. Under an internal revenue tax before the Eighteenth Amendment, the Government had never been able to suppress moonshine distilleries. This tax varied from 20 ~~xxx~~ cents per gallon in 1862 to \$2.00 a few years later. The profit per gallon of whisky under the \$2.00 tax was so large and the Government lost so much revenue, that Congress, in the early years of Grant's first term, reduced

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the tax to 50¢ per gallon, with an average tax of about 15¢ per gallon in addition, as special taxes. This presents one of two methods of enforcing a revenue law --take the profit out of the illegal traffic by a lower revenue tax, or appoint an armu of police to collect the high taxes. Before the repeal of the \$2.00 tax, a larger number of illicit stills were operated in North Carolina than legal stills in all the United States. In a few years the revenue tax was raised to 70¢ per gallon, and the special taxes were repealed. In a few years this tax was raised to 90¢ per gallon, and in 1893, at the request of many legal distillers, the tax was raised to \$1.00 per gallon and the bonded period extended from 3 years to 8 years. In the wrangle during the same session over the tariff the tax was accidentally raised from \$1.00 to \$1.10 per gallon, and remained at the latter for many years. John G. Carlisle was Secretary of the Treasury at the time and positively refused to endorse the increase from 90¢ to \$1.00 per gallon, lest the increase would lead to fraud on the revenue. The country has been able to collect a revenue tax on whisky above a certain moderate rate without demoralizing society and a consequent increase in the violation of law and of good order. Contrast the profit of the bootlegger under prohibition with the profit of the moonshiner before prohibition, and all surprise at the present condition of the country may be dismissed. If the conditions under which our high customs dues are collected ~~xxxxxx~~ were similar to the conditions under which our prohibition laws are applied, the violation of customs would be flagrant in proportion to the traffic and the rate.

Parental solicitude, enforced by the moral power of religion, holds the majority of women whomgo abroad to observance of the Volstead law or a secret violation while it is well-known fact that women were the most notorious violators of the customs dues in former days.

These two facts - towit: The love of a drink and the agreeable sensations from the temperate use of a stimulant which creates and maintains a market for liquors, and the enormous ~~praxax~~ profit the law creates for its violation, explain the conditions which prevail today in this country. Mr. Wickersham should find no difficulty in locating the trouble. It is plain as the sun in the heavens.

Can force be used to enforce prohibition? Is it worth all its costs in suppression and in driving men and women into obedience? Is a nation of teetotalers held in control by an army of federal police a valuable asset? Can it be called a nation of free men? Is a man made a total abstiner by law the equal of a man made sober by self control? Is not the country serving the legal lash for the one laid aside by the immortal Lincoln?

A people are free when they can do as they please so long as they do not injure other people. A man is not a free man when a neighbor can enter his house and say with a club or pistol in his hand: "You may drink a glass of milk but you shall not drink a glass of beer."

Civil liberty and religious liberty rest on the same foundation. They go hand in hand, and any impairment of the liberty of conscience will cramp the liberty of judgement.

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The Churches have gown under liberty of conscience and never have so many united with the Church as under liberty of conscience. The right to dissent yields to the right to assent.

Drunkenness is a terrible evil, in excess, but force is an inhuman remedy. How mauch easierto keep the drunkard from drink than to keep the sober millions from drink in moderation. The conflict is between teetotalism and temperance -- not between temerance and drunk-

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eness. The drunkard can be restrained -- the sober man need not be. The drunkard ceases to be free when he passes under the control of drink. The sober man ceases to be free when he passes under a law which takes from him his right to his own harmless conduct of live in his home with his family.

A superficial reflection will convince the average mind that prohibition is not a political product. It is not a child of statesmanship. It had its origin in the desire of the sympathetic reformer to rescue the unfortunate inebriate from his ruinous habits. The purpose was good. It attracted recruits. It aroused the zeal of the reformers and the inadequacy of the remedy was lost in the noble purpose. Millions saw and felt the incentive and then the politicians began to be interested, not so much in the purpose of the reformers, as in their votes. In the progress of the movement, the Churches, especially two powerful Protestant Churches, practically accepted leadership as a contribution to the welfare of the human race. Parental solicitude led millions of parents, especially mothers, into active participation or in silent approval of the purpose of the reformers. Here was a powerful combination under the militant spirit of the reformer and the Churchmen with a noble purpose as its final achievement. It was a veritable crusade, armed with votes to control politics and with the moral power to overawe Christians who did not concur in their views and to silence professionals who wanted business. The captains of industry cannot understand why a workman would hesitate to reduce his rights to increase his bank deposit. By giving up other pleasures and by discarding many things not necessary to sustain life or to clothe nakedness, the workman could add to his bank account and as his pleasures go down his deposits go up.

A large percentage of modern commerce consists of things that may be classed as useless compared with meat and bread and clothes and shel-

ter. Who is to be the judge of a workman's expenditures? his employer or himself and family? Many changes since the war enter into the improved condition of the labor unions. The improved relations between capital and labor are far more important to the happiness and prosperity of the republic than the growth of bank deposits, which are largely the result of the improved relation.

The crushing indictment of prohibition is the change produced in our Government and in the spirit of our civilization. Of all the institutions on this earth, the Church should abhor the use of force to regulate thought and action. Look at Mexico and Russia. Compare them with the United States. State and Church are separate in the United States. Shall this be a nominal or a real separation? Does separation require the indifference of Churchmen and communicants to affairs of State? By no means. Separation requires that the Church will not, as such, try to control ~~religious~~ political action as religious liberty requires that politics shall not try to control religious belief. In the scrupulous regard for each lies the welfare of both. Every month the fact is more exposed that the prohibition movement is sustained by religious force -- by the organized power of the Churches. Righteousness and duty are the slogans today of prohibition as they were of the Puritans under Cromwell. Noble words, worthy of all homage when not misapplied and misunderstood. These words did not appeal to the English people who understood the purpose of the Puritans.

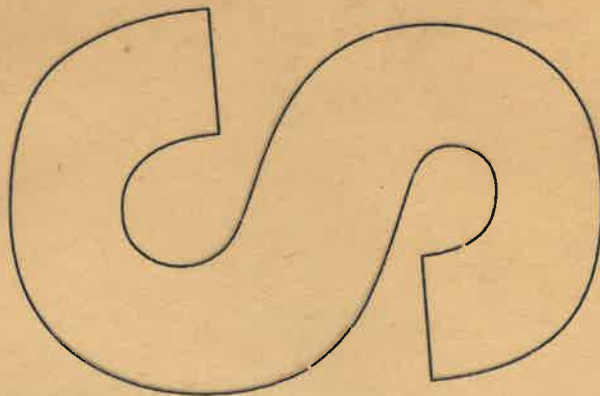
Never in all history has the Anglo-Saxon race acquiesced in laws they did not approve. Never in all history have the habits and customs of a people been changed by law. The prohibitionists made no mistake in organizing to fight intemperance. They made a gigantic mistake in the plans of campaign -- they conceived the idea of preventing intoxicating

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tion by preventing the temperate use of alcohol -- they attacked the privileges of sober millions to make it impossible for a comparatively few ~~pr~~ intemperates to get drink -- they appealed to the law and introduced force to become the active agency behind the movement. Politicians would never have proceeded on these lines, nor would politics ever have conceived these ideas. A human movement took on a religious character and adheres uncompromisingly to the policies which have a religious sanction.

The politicians have followed. They have not lead. The situation is deplorable. Force of itself arouses opposition. Successful violation of a law not held wrong in itself as a matter of pride. The rule is to keep an eye on the police and not on the law. Society is disjointed -- a fatal division is rent in the every day ranks of life. How sad to think the Church heads a movement where temperance and virtue are to be pounded into a great nation by fear of the law. Is not the policeman given the place of honor?

J. M. Atherton



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The denationalization of the prohibition question would take it out of national politics and it will never make all the people mad at one time.

How should Kentucky or any other State proceed to dispose of the prohibition question on repeal of the 18th Amendment?

1st - Decide on prohibition or control as the State policy.

2nd - If control is adopted as the state policy, the power to vote local option should not be granted to any local authority. Control as a State policy is susceptible of application all over the State. Local option is local and cannot be enforced if adjoining sections adopt control. The local authority derives no financial aid from its policy while control will pay for its enforcement. Local option holds the liquor question in politics, while control centers local authority on enforcement of law. Local option should go along with the saloon as neither was satisfactory in theory or practice.

3rd - The State by general law should prohibit the sale of liquor by the drink to be drunk on the premises regardless of the name by which it may be designated. The objection to the retail sale of liquor is, that it is a constant temptation to the public. It puts the public in the apparent attitude of extending an invitation to step in and take a drink. The legal sale only will stop the illegal sale, but the method of sale should not encourage drinking nor discourage to the extent of inviting the illegal sale. The State law should prohibit the sale to minors and to inebriates and to all persons under the influence of liquor.

4th - This leads to the only other method of sale that is quantity sale pint, quart or more. This method puts into the possession of the individual enough whisky to produce intoxication, but the individual has always had this right before prohibition and exercised it without serious complaint, the saloon being the seat of trouble. It is contrary to the spirit of jurisprudence to assume a citizen will do wrong because he enjoys the right within fixed limitations to do wrong. Personal accountability attaches to every right.

The presumption is that the citizen will make a proper use of liquor and the great majority will. This brings up the question of the intemperate - the very small percentage of any community. The intemperate makes out a case against himself and cannot justly complain of police power which imposes restraint on him to protect both the public and himself. This is the simple, fair and just way of controlling intemperance. The law lays its hands on the transgressor and does not attack the habits and customs of sober people. A place of confinement should be provided for confirmed inebriates where each would receive humane treatment and be weaned away, in many cases, from bad habits. Collecting costs from those able to pay is fair. The courts would give the word inebriate a legal meaning or at least give a legal meaning to the law which required conviction and confinement of inebriates. An occasional drunk or spree does not, in popular estimation, constitute a sot or drunkard.

The State should not enact the minute details of the law of control but confer authority on local governments to work out these details; to establish a license board to grant license for the quantity sale of liquors and fix the license fee; to appoint one or more inspectors to see the law is obeyed; to prescribe penalties for violation of law. In short, to exercise control over the sale subject to the State law.

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should not this
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prohibition
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Nothing new or complex in the matter of control. The difficulty lies - not in a plan - but in the plan which will unite the public in its support - the reasonably moderate and temperate public.

There is hidden away in human nature a reluctance to interfere with each others private personal habits and affairs generally. The zeal for reforms of a radical kind usually results, when written into the law, in innocuous disseutude. The saints have the law and the sinners have the drinks and it has been said both sides were happy. This is not enforcement of a just and reasonable law.

The permit to buy liquors is omitted as unsuited to our ideas of political equality - we are all presumed to be entitled to the same rights. But the right to buy from any licensed place of sale should be forfeited on conviction of improper use of the liquor - such as resale, sale or gift to minors; intoxication and abuse of family - as illustrative of a defensible black list. The clerk of the court could inform the license board of every conviction and the license board could forbid future sales to the guilty for a term of years - a wilful violation of the order to forfeit the license.

The license fee should be high enough to pay all expense of administration and put a moderate revenue into the public treasury. If too high the way may be opened for the illegal sale. Control should be directed to preventing the illegal traffic; to encourage temperance and to discourage intemperance.

If the State or local governments engage in the sale of liquors, the danger is that control will soon be heels over heads in politics, and again will be heard from Dr. McBride and company that control has failed to be followed by a cry for a new trial of prohibition. Control can and will succeed if the sober and moral men and women unite in a determined effort to enforce a temperate and reasonable law, and where enforced by local government a long way has been covered towards honest and economical home rule.

It may be necessary to license wholesale liquor merchants to carry on the distribution of liquors. If so, the wholesale trade should be under strict control of local authority.

It is assumed that congress will resume control of the manufacture and importation of liquors for the revenue, leaving control of sale to the States. Apart from any constitutional question, denationalizing prohibition will restore the solidarity of the political parties and permit the restoration of party government and relieve the President of the United States and party leaders of a needless harassing embarrassment. Relieve national politics of this contentious issue and State control will be made comparatively simple.

Legal sale alone will stop illegal sale. Legal sale can be controlled - illegal sale defies control. Law without enforcement, like faith without works, is dead.

J.M. Atherton

Louisville, Ky.

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If we learn system adopted from check up a license - advance the privilege or that there right to buy could be P.S. due to

Mr. de Pout Smith of people would submit to licensing but

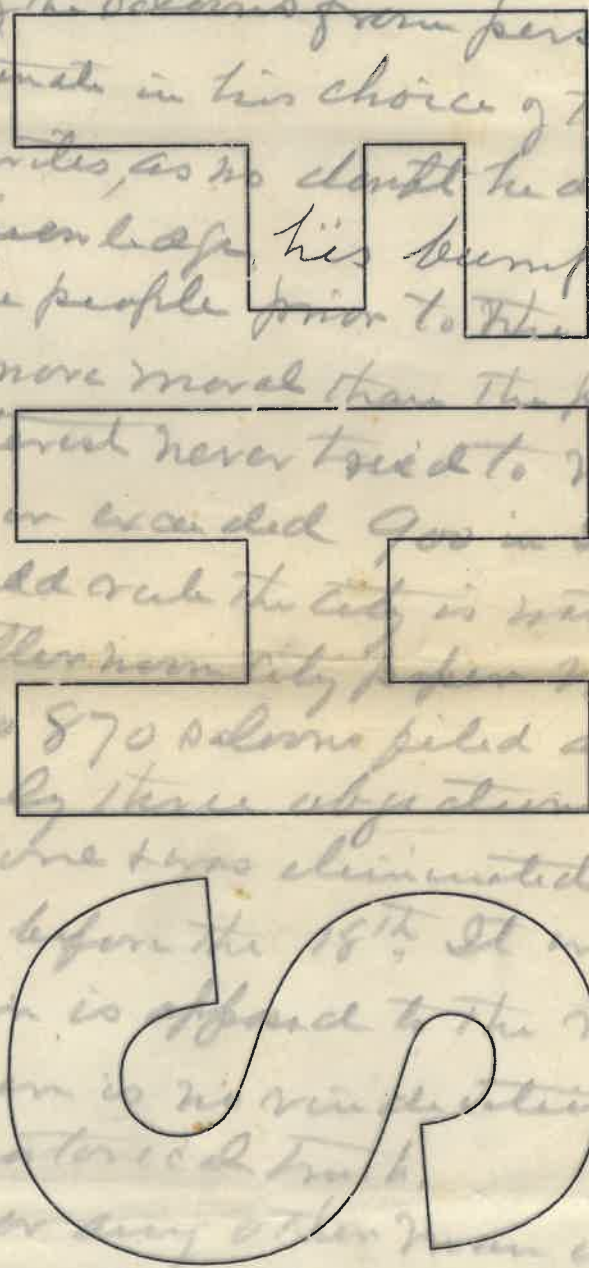
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To the Editor of Courier-Journal.

In no branch of the discussion of national prohibition has its advocates indulged in grosser exaggeration & misrepresentation than in the physiological effect of alcohol on the human system. The excessive use of alcohol is injurious. There has never been any division of opinion on that fact. But there is no valid proof that the temperate use is injurious. The alleged opinions of Scientists, Doctors & Economists, which usually come from a desire for notoriety & from minds warped by preconceived convictions, are not competent to overturn the experience of the human race or the observation of the lives of associates & acquaintances with whose habits the observer is familiar. Does not the history of our country platly contradict the theory that the temperate use of alcoholic drinks is harmful to the health, strength, mentally or morals? As a side question, what connection is there between the theory of relations advantages of Congressional or State control? The history of France & of Germany platly contradicts the theory of every modern nation circulated. The history of England is especially instructive with her hardy seamen, & her consumption of strong drinks. All this exaggeration is intended

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to justify total abstinence. Mr Morley in his
 Point of view letter goes the limit in his descrip-
 tion of the havoc & devastation caused by drink
 & the power & the pollution of the Saloons. If Mr
 Morley writes of the saloons from personal knowledge
 he was unfortunately in his choice of the ones he
 visited. If he writes, as no doubt he does, from
 propaganda knowledge, his bump of Credulity
 is abnormal. The people prior to the 18th were as
 moral & not more moral than the people of today,
 the liquor interest never tried to rule politics &
 the saloons never exceeded 900 in Louisville. How
 900 saloons could rule the city is not explained.
 Recently an afternoon city paper mentioned that
 thirty years ago 870 saloons filed applications
 for license & only three objections were filed.
 The saloon is gone & has eliminated from the
 rural sections before the 18th. It will not return.
 Public opinion is opposed to the return. The
 facts given here is no vindication of the saloons
 but of truth, historical truth.
 If Mr Morley or any other man or woman
 will give one single instance of interference with
 politics by the liquor interest I will openly
 confess my mistake & offer an abject apology.
 But admit all the charges, does it follow that



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Congress has greater fitness to control the
 Sale of liquors than the state legislatures?
 Admit that the states failed to control, has
 Congress succeeded? The country endures a
 lot of evils from Congressional control. Loss of
 revenue; one general law to govern the diversity
 of habits & forcing moral & business life to the same
 code; tearing up party lines & raising prohi-
 bition to be a topic of conversation at every
 social gathering; exciting the curiosity of young
 people to know what it is all about; the rise of
 one in place of the powerful agencies, the schools
 churches & industrial process & as the crown of
 virtue it has brought religion into politics
 & made political leaders of eminent preachers.
 The alliance responsible for the 18th were forced to
 present excuses as arguments for the submission
 of the 18th & could not escape the necessity for allying
 the inability of the states to control the traffic
 the concealed purpose of the alliance was the
 substitution of total abstinence for temperance.
 The clerical wing of the alliance in England
 the new religions dogma that the temperate use of
 alcohol is a sin to justify their interference to
 please the idealism of the good church people
 who really wanted to lead a grand reform
 movement.
 The saloon is gone & will not again be legalized.

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After Prohibition- What?

In presuming to submit a review of the proposition of Zechariah Chafee, Jr. in the January Forum, I feel it my duty to tell you briefly who I am.

I am a native of Kentucky and have lived in Louisville, Kentucky over fifty years. I was engaged in the Kentucky distillery business in Kentucky for over thirty years. Sold out this business to the so called whisky Trust in 1899 and retired from active business and have had no interest in the liquor business since selling out in 1899. Politically, I am a democrat but not of the yellow dog variety. I have taken an active interest in politics- national, state and local. Naturally I had an interest in the discussions of the temperance question and in the development of prohibition. I am an old man; now nearly 90 years of age.

This brief statement is not egoistic but is made to give you an account of myself in sending you this review.

I am opposed to prohibition on theory and practise. But this paper is not written to discuss the merits of that question.

The proposition of Mr. Chafee is a step in the way of untangling the mess the country is in under the 18th Amendment, but does not present a clean-cut issue, as I understand it. To submit his Amendment in a way the states can vote intelligently on the question of federal control of the liquor traffic, the 18th Amendment should be repealed and stricken out of the Constitution. If ratification of the Chafee Amendment repeals the 18th, the rejection of his Amendment leaves the 18th in full force. The ratification or rejection will not be a test of the comparative strength of federal vs. state control

Repeal the 18th Amendment outright and then submit the Chafee Amendment and let the people vote on ratification or rejection of that Amendment. The two questions maybe submitted at the same time provided they may be voted on by the states as separate questions. The same legislatures or conventions, as the Congress may direct, could vote for or against the repeal of the 18th Amendment and if repeal wins, then vote untrammelled on the second Amendment. If the states vote to repeal the 18th Amendment and rejects the second Amendment, Congress regains the power to tax the making of spiritous malt and various liquors which it exercised for over fifty years prior to 1920. Congress would also control the importation of liquors and have the power under the Commerce Clause to control inter-state shipments. The power to control the sale of liquors would revert to the states on repeal of the 18th Amendment and the rejection of the Chafee Amendment.

Members of Congress are elected by the voters of the states- that is, by the same people who elect state legislatures. The real vital issue presented by the Chafee, or second Amendment, is this:- Shall each state be free to act on liquor control, or shall all the states be forced to observe one general federal law? Behind this issue lies the question of enforceability, which after all is the vital question. Can one comprehensive law be enforced?

There is no material difference between a new general law to be enacted by the Congress under the Second or Chafee Amendment and the Volstead law, except the power of repeal or modification. It is not the purpose of this paper to discuss fully the relative merits of federal and state control. But every person who attempts to engage in the discussion should be willing to let his convictions on the subject matter be clearly understood.

A long contact with the liquor traffic and a close observation from selfish and public motives led to the conclusion that satisfactory control of the traffic was made difficult by corrupt government, chiefly municipal, in which the saloon was used for political purposes and by the steady growth of prohibition, backed by religious influence. Laws, ordinances and regulations were usually enacted for control of the sale of liquor, but were not enforced. Too much dissension over the enforcement to prevent the abuses which society condemned but would not unite to abate. Finally prohibition killed control and the 18th Amendment was the logical result. The saloon, that is a place where liquor is sold by the drink to be drunk on the premises, has been abolished. No responsible body of opinion favors its return. The disorders, so widely complained of, was the least of the substantial objections to the saloon, and could have been controlled. The saloon made drinking too public and really acted as an invitation to the public to drink, and could plead the license as an authority and inducement of the drink habit. The law, in my opinion, should respect the right of the individual to use liquor temperately- not wholly out of regard for personal liberty but to make a law enforceable, for the legal sale alone will stop the illegal sale.

If not sold by the drink, liquor can only be sold in quantity under strict legal restrictions. There exists no shadow of doubt that the sale of liquor can be controlled by the local authorities, to which the states can delegate well defined and limited powers of control.

The good people in every locality are responsible for the muddle the country is in, and the good people can pull the country out of the muddle if they cooperate. They will cooperate for protection when their security, or that of their children, is threatened.

Comprehensive regions of diverse habits and customs make enforcement of any law of control impossible, while restricted districts can enact the most rigid law public opinion will enforce.

The law must steer between encouragement of drink and the speakeasy. A certain degree of homogeneity is indispensable to the regulation of private habits and customs. The traffic can be controlled by the states and its subdivisions and the legal sale alone will stop the illegal sale.

A few words on inter-national affairs. If the Congress is permitted by repeal of the 18th Amendment to restore the tax on liquors and raise about four hundred millions of dollars annually, and the good people of this country refuse to use tainted money, credit it pro-rata on our foreign debts and buy back some of the popularity the Smoot tariff cost us.

Most certainly French champagne never caused much intoxication among our people and its importation would induce our rich folks to spend their money and increase our sale of automobiles in France.

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017-21

After prohibition - what.

In preparing to submit a review of the proposition of Zachariah Chaffee Jr in the January Forum I feel it my duty to tell you briefly who I am. I am a native of [redacted] Vermont I am a native of [redacted] Vermont than lived in Keenecolee Vt, over fifty years. I was engaged in the 16y. distilling business in the 16y. [redacted] from 1870 to 1899 + returned from active business + have had no interest in the liquor business since selling out in 1899. Politically I am a democrat but not of the yellow dog variety. I have taken an active interest in politics - national State + local. Naturally I had an interest in the discussions of the temperance question + in the development of prohibition. I am an old man! now nearly 90 years of age.

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Repeal the 18th outright & then submit the Chaffee amendment & let the people vote on ratification or rejection of that amendment. The two questions may be submitted at same time provided they may be voted on by the states as separate questions. The same legislative terms or conventions as the Congress may direct could vote for or against the repeal of 18th & if repeal wins then vote untrammelled on the second amendment. If the states vote to repeal 18 & reject the second amendment, Congress retains the power to tax the manufacture of liquors. Shall & various liquors which it exercised for over fifty years prior to 1920. Congress would also control the importation of liquors & have the power under the Commerce Clause to control interstate shipments. The power to control the sale of liquors would revert to the states on repeal of 18th & the rejection of the Chaffee amendment.

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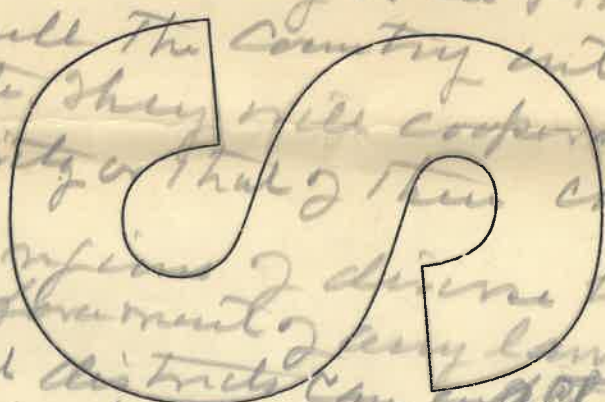
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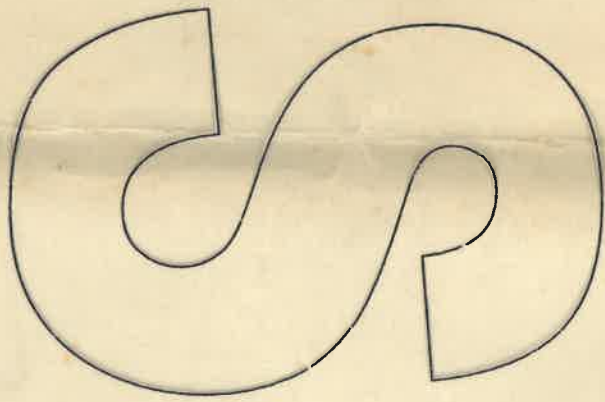
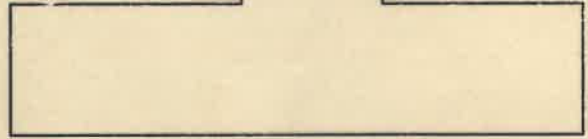
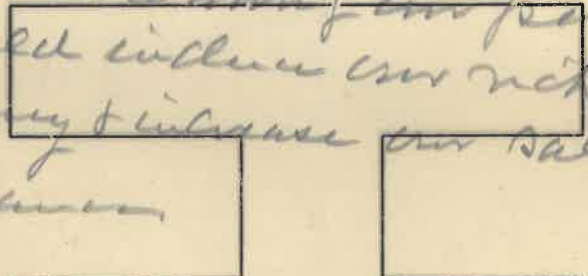
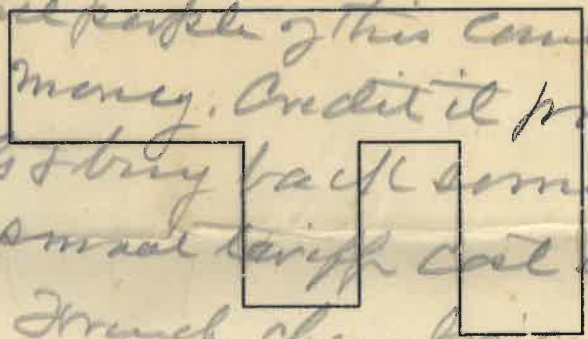
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impossible

Scale

A few words on inter-national affairs.
 If the confress is permitted by repeal of the
 18th amendment to restore the tax on liquors
 & raise about four hundred millions of dollars
 annually & the good people of this country refuse
 to use the money. Credit it pro rata on
 our foreign debts & buy back some of the
 popularity the smart tariff cost us.
 Most certainly French champagne & other
 much interesting articles from France & its
 impatation would induce our rich folks to
 spend their money & increase our sale of auto
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In presuming to submit a review of the proposition of Zechariah Chafee, Jr. in the January Forum, I feel it my duty to tell you briefly who I am.

I am a native of Kentucky and have lived in Louisville, Kentucky over fifty years. I was engaged in the Kentucky distillery business in Kentucky for over thirty years. Sold out this business to the so-called whisky Trust in 1899 and retired from active business and have had no interest in the liquor business since selling out in 1899. Politically, I am a democrat but not of the yellow dog variety. I have taken an active interest in politics- national, state and local. Naturally I had an interest in the discussions of the temperance question and in the development of prohibition. I am ~~an old man~~; now nearly 90 years of age.

This brief statement is not egoistic but is made to give you an account of myself in sending you this review.

I am opposed to prohibition on theory and practise. But this paper is not written to discuss the merits of that question.

The proposition of Mr. Chafee is a step in the way of untangling the mess the country is in under the 18th Amendment, but does not present a clean-cut issue, as I understand it. To submit his Amendment in a way the states can vote intelligently on the question of federal control of the liquor traffic, the 18th Amendment should be repealed and stricken out of the Constitution. If ratification of the Chafee Amendment repeals the 18th, the rejection of his Amendment leaves the 18th in full force. The ratification or rejection will not be a test of the comparative strength of federal vs. state control.

Repeal the 18th Amendment outright and then submit the Chafee Amendment and let the people vote on ratification or rejection of that Amendment. The two questions maybe submitted at the same time provided they may be voted on by the states as separate questions. The same legislatures or conventions as the Congress may direct, could vote for or against the repeal of the 18th Amendment and if repeal wins, then vote untrammelled on the second Amendment. If the states vote to repeal the 18th Amendment and rejects the second Amendment, Congress regains the power to tax the making of spiritous malt and various liquors which it exercised for over fifty years prior to 1920. Congress would also control the importation of liquors and have the power under the Commerce Clause to control inter-state shipments. The power to control the sale of liquors would revert to the states on repeal of the 18th Amendment and the rejection of the Chafee Amendment.

Members of Congress are elected by the voters of the states- that is, by the same people who elect state legislatures. The real vital issue presented by the Chafee, or second Amendment, is this:- Shall each state be free to act on liquor control, or shall all the states be forced to observe one general federal law? Behind this issue lies the question of enforceability, which after all is the vital question. Can one comprehensive law be enforced?

There is no material difference between a new general law to be enacted by the Congress under the second or Chafee Amendment and the Volstead law, except the power of repeal or modification. It is not the purpose of this paper to discuss fully the relative merits of federal and state control. But every person who attempts to engage in the discussion should be willing to let his convictions on the subject matter be clearly understood.

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which outlines the main points

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A few of the advantages of State Control are so obvious they defy contradiction. State Control dematerializes the controversy; strips it of its power to disintegrate both political parties + to play again in the election of President the part it played in 1928; dissipates the fear of a new irreparable conflict between good intentions backed by religious convictions + personal rights enjoyed from time immemorial. The very extent of Country with its diversity of occupations + interests which exert a positive influence on the habits + customs of the various sections condemn one general law of universal application to failure.

Laws have a direct + an indirect effect. The former is the more obvious + usually forms the basis of legislation. Good intentions do not in some beneficent result of a law; but makes repeal difficult as repeal is the confession of error which the government is reluctant to admit. Obsessed by the secrecy of their intentions the zealots reformers shut their eyes to facts + live contentedly on the soothing effect of legal paper.

Judging the past by the legal propaganda of the Anti-Saloon League + their followers, this country was cursed by intemperance. They proclaim the failure of all efforts to control the liquor traffic but do not disclose the fact that they were largely responsible for the alleged failure. Politics + Prohibition killed Control. Votes + not morals engaged the thoughts + directed the action of the responsible element

of society. The responsibility is to an individual
must secure the truth of history, the responsibility
in the future rests upon the sober & prosperous
majority & not upon the disaffected & dissatisfied minority.
Differences & discussions among the people who care
control the liquor traffic should give way to
cooperation & unity of action. To believe that five
or even ten percent of the people embracing Henry
Watterson's redness controlled the enactment & the
enforcement of law is to control the question of not
only the license laws but of home rule & free
ordinance.

Happily local government to have improved in many
respects & the hope of the future depends on a continuation
of this improvement.

The anxiety over the plan of control is needless. Every
legislative body in this country can be relied on to
adopt a plan the majority approve. The question
will, the majority enforce the law. Enforcement &
not the plan is the perplexing question & on the answer
to this question the future of the liquor traffic
rests. If the majority will not enforce a reasonable
law of control, they must suffer the consequences of
their own folly.

Self preservation is instinctive & may be relied on
to correct serious abuses & it is fair & reasonable to
conclude that the abuses & evils which threaten the
health & morals of a community will be corrected.

Prohibition has not corrected a single evil complained
of & the transfer of control from States & local authority
to the federal government has invited the controversy
with a mischievous & destructive power it can never exercise

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when stripped of its national character & restored
to an infinite number of local governments,
If the evils of the drink habit cannot be entirely cor-
rected, these evils can be much more potent to disturb
the peace & duty of the republic.

The old saloon is still held up as a danger
which Congress only can suppress. There is no
respectable body of public opinion which calls for
the old saloon. The substantial objection to the saloon
is the sale of liquor by the drink to be drunk on the
premises by public authority which gives an appearance
an invitation by the public to take a drink.

The license law must steer between the appearance
encouragement & the imposition of sufficient difficulty
to get a drink to violate the illegal sale.

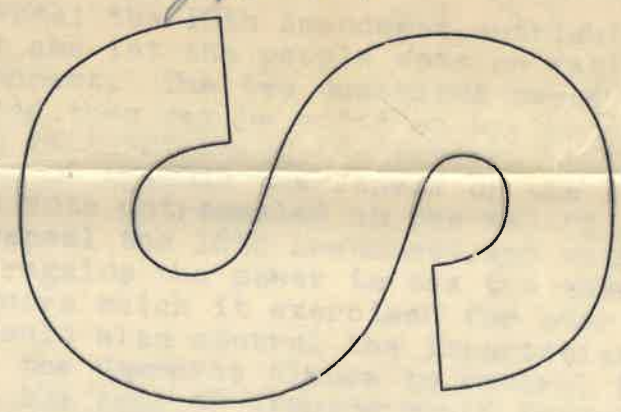
The legal sale alone will stop the illegal sale.
The public has always had the privilege of buying
liquor in quantity & the right did not arouse
serious objection outside prohibition circles. This
method of sale relieves public authority from the
responsibility for its use & fixes the responsibility on
the individual for any abuse.

The advocates of repeal have wisely avoided adding
an additional complication to the existing tangle
by submitting an agreed plan of control.

The issue is now plain & simple. Repeal the 18th amendment,
& send the matter of control back to the states. and
each state in the exercise of its sovereignty can adopt
its own plan of procedure without interference from
other states. To urge the abandonment of the present
law of territorial application by a plan of universal
application would be moving in a circle & substituting a new
tangle for the existing one. The judgment of the people

can be ascertained by the submission of the
Chaffee Amendment, & the Constitutional Question
can be disposed of without raising an issue
on the merits of prohibition. The states will have
the same power within their respective boundaries
which the 16th Amendment confers on the Congress.
A reform admitted to be wise & salutary, may be
transformed into a backword move by the manner of
its promulgation & the trouble the reform was intended
to correct may be intensified. Let the people
as speedily know their thoughts the evils of intem-
perance can be controlled more effectively.
Prolonging the controversy with no definite step
to obtain a verdict will convert an acute into
chronic disease. Enthusiasm will ripen into
apatheticism; tolerance into intolerance; sincerity into
distrust & the country will be carried farther &
farther away from a sensible solution of the
pending issues.

J. M. Atherton,



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