

MR. E. H. TAYLOR, JR., of Frankfort, in a recent letter, has the following to say regarding opinions given in our issue of the 25th:

The CIRCULAR of the 25th I have read carefully. The advertisement of Hiram Walker & Sons I greatly approve.

Your editorial comments on "piratical methods," etc., meet our very full endorsement.

No single thing whatever has so prejudiced the Kentucky distilling interest.

You properly and potentially say: "It is a well-known fact that the wine and spirit trade of this country is cursed with several houses, some of them grown rich, whose stock in trade is to steal the good names that honest enterprise and merit made famous, and place them upon imitations of the vilest nature," and that "such concerns should be driven out of business."

Now as to bonded stocks. We desire to express ourselves in full accord with your position. The existing stocks of 80,000,000 gallons cover six seasons' production. Properly distributed they would not only, as you say, constitute no burden, but would command 50 to 100 per cent. higher prices than they now do.

We go on record as saying that the next four months will secure for your position a general recognition, which will insure distribution and result in largely enhanced prices for all bonded whiskies of quality in their respective lines.

We fully concur with you also in your position that the eight-year bonded period has served to restrict production, although a contrary view is most generally accepted.

SEPTEMBER 10, 1897.

The prices for all grains used in whisky manufacture promise to rule higher, during the approaching distilling season of '97-8, than any prices that have obtained in the manufacture of any of the six seasons' whiskies now in bond, and will preclude the possibility of manufacture the coming season, except at figures higher for the new goods than the existing currency of values on whiskies one and two, and in some cases three, seasons old.

It has been years since the statistical outlook justified so completely the expectation of greatly improved prices on bonded stocks, and we believe they will soon be with us.

WE have received the following interesting letter from Messrs. E. H. Taylor, Jr., & Sons:

"Our withdrawals from bond in September, while not large, were relatively one-third greater than in any previous month since the extension of the bonded period. And that they were all for immediate consumption was made plain from the fact that they were in lots of from one to five barrels, the latter number being exceptionally large. Added to this was the further proof in the shipments being made, under orders of the dealer, direct to his customer.

"The foregoing statement answers in a measure your question as to whether we 'notice any real improvement in business.'

"Touching our opinion of 'the effect of the Bottling-in-Bond law on fine Kentucky whiskies,' we would say that it is yet too soon to express an opinion founded on extended experience. The law has only become operative within the past month, and while we have been bottlers for years, we are only a few weeks old as 'bottlers in bond.'

"During this limited time our orders have been many times greater than heretofore, and the promise of continuance in that direction is indeed flattering.

"Upon the higher grades of Kentucky whiskies this wholesome law can but exercise a great and growing influence.

"The fact that the United States places its

OCTOBER 10, 1897.

stamp upon each bottle, guaranteeing age, genuineness, proof and quantity, necessarily assure a largely increased present and future use bottled whiskies.

"As the consumer becomes more and more educated to the facts of the Government guarantee, his eagerness to secure fine whiskies instead of the spurious stuff sold by many dealers as genuine Kentucky whiskies will become the basis of an active and enduring trade.

"Instead of the beautifully illustrated case and bottles of Peoria high wines, noxious health, dashed with a mere flavoring of Kentucky whisky and disguised under extracts and essences, the consumer will receive pure goods untainted by mixtures or blends, and sacredly guaranteed as the coin of the realm.

"As the demand grows with the knowledge of the beneficent opportunities of the law, the druggist, the grocer and the better saloon class everywhere throughout the land will be compelled to provide stocks bearing the stamp of purity, age and quantity.

"The impure and deceptive and counterfeit stuff must go. It will go."

MR. E. H. TAYLOR, JR., is in Chicago, giving personal attention to some large deals in his brand. He looks in splendid health, and is as energetic as ever. Speaking of his business in particular, he states that his principal difficulty nowadays is to catch up with the orders he receives for "Old Taylor" bottled in bond. Of business in general Colonel Taylor regards the outlook for fall trade as very good.

Aug. 10
1898

MR. BOURBON.

By M. Ligmot.

"WELL, well, Ligmot, I'm glad to see you," said Mr. Bourbon, when I went into the old fellow's room the other day. "And," he continued, "I want to have a good talk with you; so sit down."

After I had lighted a cigar from a box that Mr. Bourbon said Max Selliger had given him, I asked the old gentleman what was troubling him. "What is troubling me!" exclaimed Mr. Bourbon. "Why, Ligmot, I have troubles enough to supply an army of volunteers camping at Chickamauga or campaigning around Santiago. If all of my troubles were thrown into mid-ocean they would create a new continent, and if they were piled up on land they would reach to the heavens, and by their very weight throw the world out of its orbit. Cast my troubles out into space and light the gas and the astronomers would find a new comet. I tell you, Ligmot, I've got troubles to burn," and Old Kentucky Inspection rolled over in bed and groaned.

After I had given him a dose of Dr. Angelo Myers's Distillery Combination Elixir, Mr. Bourbon seemed to recover himself and resumed: "You see, Ligmot, I made a fool of myself in '90, '91, '92 and '93, just as I did in '81 and '82, and for the past five years I have suffered as no one ever suffered before. I know I deserve it all, but somehow that fact doesn't console me. Of course I've been dosed and dosed, but it doesn't seem to do any good. I've taken the eighteen months agreement tonic and the Thorne Law Eradicator, but I can't see that they have helped me any. John Ather-

ton insists that the latter prescription has done me much harm indeed, and he tried very hard to keep me from taking it. Then there was bond extension salve and the bottling in bond invigorator, but neither of these has made any perceptible progress in checking my malady."

Mr. Bourbon said he had heard of the remedy that Dr. Stoll, of New York, wants him to take, but said he was afraid he couldn't afford it. Said he thought Dr. Stoll's terms were too steep. He had also heard of Dr. John B. Thompson's five year limitation blood purifier, but hardly thought he'd try it. "I'm sick of doctors and of medicine, Ligmot, exclaimed the old fellow, pathetically," and I want to be let alone. I know I'm gone, but what of that? Millions have gone before me and millions will follow. It's all in a life." And by the beams of light from the dying orb of day that pierced the gloom of the chamber, I could see that the once proud spirit of K. Y. Bourbon was broken, and that the old man was softly crying.

Fortunately for both of us I think Col. E. H. Taylor, Jr., of Frankfort, came in just at this time, and as all who know the Colonel will readily believe, his very presence drove the gloom out of the window, and the girl came in instinctively and lit the gas.

"Well, Bourbon," said Colonel Taylor, "how are your feelings?"

"Very bad," replied Mr. B.

"Then," said the Frankfort Philosopher, "I'll read you a poem I have written." Mr. Bourbon groaned, but said he would listen if I'd give him another dose of the elixir. This done, Colonel Taylor took out his manuscript and read as follows:

Some years ago I dipped my pen in vitriolic ink,
And wrote a lot of circulars, some ten or more, I think;
And all who read them will agree my periods were fine,
And that I hewed with logic sharp exactly to the line.

These circulars were written in the hope that they would be
A guide to many barks then tossed upon a stormy sea,
But all the thanks that I received across the mighty swell
Were several invitations to go visiting in h—.

Well, time has shown that I was right in everything I said,
For all along the beach we see the dying and the dead,
And many barks now drifting on the rocks that line the shore,
And many others sweeping on before the tempest's roar.

Might be in peaceful harbors had distillers but obeyed
Their instincts, and been guided by the reckonings that I made.
It seemed to me as plain as day that we should take in sail—
I saw the signs that could but mean the coming of a gale.

The stormy petrel shot across the bosom of the deep,
The clouds upon the western sky were banked up in a heap,
The lurid lightning, followed by the thunder's sullen roar,
Told that a storm was coming such as we ne'er saw before.

It came, as I predicted, and it swept us fore and aft;
It tore the sails and rigging from the staunchest of our craft.
The weaker ones went down before the fury of the blast,
The stronger ones yet float, but who is sure that they can last?

Oct 10
1898

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278

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But, putting metaphor aside and coming down to facts,
And measuring distillers not by words, but by their acts,
I do not hesitate to say, though it may seem unkind,
That they should gaze upon the past and consolation find

In this stern fact: they made the beds on which they toss in pain;
They laughed at common sense and swore that reason was insane;
They threw statistics to the wind and calculations made,
Based on a violation of the mighty laws of trade.

It has been wisely said that as we plant so shall we reap,
And who but knows the maxim that our fowls come home to sleep?
Even as distillers find that they are reaping only woe,
Which is the only fruit that greed is ever known to grow.

When Colonel Taylor had finished Mr. Bourbon joined me in applauding the effort, which the sage of Frankfort said was his first offense. "Then let it be your last, Taylor," remarked Mr. Bourbon, "for while it is very good—far better than the ones that Gilmore writes and charges against his office boy—I do not think a philosopher ought to express himself in verse. Imagine Sir Isaac Newton writing poetry, for instance!"

"Well, but Bacon wrote poetry, if I am not mistaken," said the Colonel, "and I think I am more like Bacon than Newton. Don't you, Ligmot?" Of course, I agreed with him, for intellectual men have to be humored, but, to be honest, I didn't think much of the "poem," and I verily believe that John Atherton could write one almost as good.

E. H. Taylor, Jr., of Frankfort, who has not sold his property to the combination, but is, we understand, making some fine sales of late, takes high rank among the men who have added a charm and a prestige to the fine Kentucky whisky business. Mr. Taylor lives on one of the hills with which Kentucky's capital is surrounded, some 400 feet above the Kentucky River, and if there is anything he enjoys more than entertaining a friend at his home it is to entertain two friends. Mr. Taylor has had much to do with making Kentucky celebrated for fine whisky, for he not only makes a beverage that is universally praised, but he understands the fine art of advertising as few competitors do.

Oct 10 1898

279

Feb 25 1899

Elson Historical Society

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add---1892

In October, ~~18~~ 1892, the Kentucky Bankers' Association met in convention in Lexington. Col. Taylor, as a member, attended. One of the first courtesies extended him in the town in which he ~~first~~ forty years before, first put up his sign as a private banker, was this ~~timely~~ favor:

The Filson Historical Society

~~1892~~
280

281

Chapter

~~Taylor in the Kentucky legislature~~

Col. Taylor had not become fully settled at Thistleton before the citizens of Franklin County appropriated him for service in the lower house of the Kentucky legislature, ~~xxxxxxxx~~

~~himxxxx1891x~~ He received the nomination in June, 1891, and was elected representative from Franklin County, 3 August, 1891. He

Taylor in the legislature

resigned 1 February, 1893, to become a candidate for Senator from the 20th district, to which office he was elected ~~xxxxxx~~ exactly three weeks later, or on 21 February. He was chosen to fill the unexpired term of Judge William Lindsay, of Frankfort, for so many years one of the ablest of the attorneys retained by "old Taylor" to wage their numerous batt court battles, Judge Linday having been elected United States Senator. He was again elected Senator from the same district 3 November, 1901, and served for a term of four years.

168

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Services of E.H.Taylor Jr.,as member of the
House of Representatives from Franklin Co.

Session 1891-2-3.
=====

Voted for Hon. W.M.Moore for Speaker.
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1892. Bills introduced.

Jan.29 To complete the Buildings at the Institution for the education
of Feeble Minded Children.

Feb.19. To prevent the adulteration of Baking Powders and fixing
punishment for violation of same.

Mar.15. To authorize cities of Third Class to issue Funding Bonds.

Jun.24. To Bill in relation to cities of Third Class as to Taxes
collected to pay the Principal and interest of their
Bonded Debt.

Jul.19. To repeal Chapter 635 Session acts 1883-4. Incorporating the
Town of Bellepoint and annexing same to the City of Frank-
fort.

Oct.27. Resolution raising a joint committee to prepare resolutions
on the death of Mrs.Harrison,wife of the President.

1893.

Feb.17. Speaker Moore laid before the House the resignation of Hon.
E.H.Taylor Jr,member of the House from the County of Frank-
lin to take effect Feb,20.1893.

Feb,20. The Speaker laid before the House the following telegram from
Hon.E.H.Taylor Jr.:-

Washington,D.C. Feb.20.1893.

Hon.W.M.Moore,
Speaker of the House of Representatives,
Frankfort,Ky.

Though separated by many miles from my colleagues,
my heart goes out to each of them on this closing day of my ser-
vices as a member of the House. Imagining myself standing by your
side and looking into the faces of my brother members,there is not
one in my mental vision whom I am not proud to call my friend,and
for whom I do not cherish heartfelt wishes for their happiness and
prosperity. Whatever be our future pathways,however much they may

(2)

diverge, it will be a constant pleasure to recall all of you with the reflection that no act of unkindness, no word of bitterness or reproach, has marked our intercourse during the term of our mutual service. Will you do me the kindness to lay this message before the House as my parting salutation to yourself and the members of that body.

E.H. Taylor Jr.

Services in the Senate in Session of 1891-2-3 as successor of Judge William Lindsay, in matter of location of the Capital.
=====

283

May, 16. 1893.

Mr. G. S. Wall from Special Committee on Capital location reported that the committee had visited Louisville, Lexington and Danville, and presented the proposal of the City of Lexington offering the State all the necessary grounds for Capitol Buildings and a cash donation of \$250,000. Other cities had not as yet filed their proposals.

May, 24. 1893.

Mr. Geo. H. Alexander filed the proposal of Louisville for the location of the Capitol at that city, which was referred to the Special Committee.

May, 17. 1893.

MR. R. J. Breckenridge offered a resolution that it was the sense of the Senate that the Capital should be removed from the City of Frankfort, and the same was ordered to lie over. ##

May, 18. 1893.

Mr. Breckenridge's resolution was read the first time and ordered printed and placed on the calendar.

May, 20. 1893.

Mr. Breckenridge's resolution had its second reading.

May, 31. 1893.

Mr. David H. Smith from the Committee reported Mr. Breckenridge's resolution in relation to the removal of the Capital from the City of Frankfort, with the expression of opinion that same should not pass. Said resolution was taken up and placed upon its passage and was defeated by the following vote:-

(3)

Yeas.

Nays.

R.J.Breckenridge.

W.H.Anderson.

John M.Galloway.

C.A.Board.

Phil Roberts.

J.T.Caldwell.

A.H.Stewart.

M.S.Clark.

G.S.Wall.

Ed.Daum.

J.S.Wortham.

J.W.Downer.

G.W.Gates.

Henry George.

F.M.Hutchison.

W.H.Jones.

E.Kenton.

D.L.May.

J.W.McCann.

J.W.Ogilvie.

J.W.Orr.

J.H.Shearer.

D.H.Smith.

E.H.Taylor, Jr.

The Filson Historical Society

284

~~Handwritten scribbles~~
Judge Wm. Lindsay to Col. Taylor:

U.S. Senate Chamber,

Washington, D.C.,

5 April, 1893

~~Handwritten scribbles~~ JLS

I sympathize with you on the Capitol question. It is the
curse of Frankfort. But if you win this fight, and I am sure you
will, it will be the last of this disturbing issue.

Very truly,

William Lindsay

Hon. E.M. Taylor, Jr.

House Representatives

Frankfort, Ky.

The Filson Historical Society

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286
189

Judge William Lindsay was born in Virginia, 4 September, 1835, and educated in the public schools. When eighteen he began the study of law, and the next year, 1854, removed to Kentucky, settling at Clinton, in Hickman County, where he taught school for four years, ~~gained~~ and continued the his law studies. He was admitted to the Clinton bar in 1858 and practiced there until 1861, when he volunteered as a private in the Confederate army. He was early promoted a Captain and soon afterwards a staff officer of General Nathan Bedford Forrest. He was paroled as prisoner of war at Columbus, Miss., a few weeks before the war ended in April, 1865. He returned to his long-interrupted law practice at Clinton and, in 1867, he was elected to represent his district in the Senate of Kentucky. Three years later he was placed upon the bench of the Court of Appeals at the early age of thirty-five years. He served eight years, the last two as chief justice. In 1878 he began the practice of law at Frankfort which was ever afterwards his home. In 1890 he represented Franklin County in the State Senate; in 1893, when John G. Carlisle resigned his seat in the U.S. Senate to enter Grover Cleveland's cabinet as Secretary of the Treasury, Judge Lindsay was elected to fill out his unexpired term. The next year he was ~~re-elected~~ reelected to for a full term of six years. Judge Lindsay was everywhere recognized as one of the finest legal minds in America. He was an eloquent and witty speaker. He and Col. Taylor were friends from the time the judge came to Hickman County until the day of his death at Frankfort, 15 October, 1909. For years he maintained law offices in New York as well as in Kentucky; and he was one of the attorneys for Col. Taylor ~~on~~ on many occasions. No stone marks his grave in the State Cemetery at Frankfort.

The Filson Historical Society

SERVICES IN HOUSE ON CAPITAL LOCATION.

SESSION 1891-2-3.

1892.

Mar.11.

Mr.W.H.May,

House Bill to remove the Capital from the City of Frankfort to the City of Lexington.

Feb.6.

Mr.Shouse.

Resolution inviting bids from cities for the location of Capital.

9

Had its second reading.

12.

Referred to committee on Library and Pub.Buildings.

Jan.15.

Mr.Gardener Bill No.26 to remove the Capital.

Feb.5.

Mr.Charleton Bill No,76 authorizing Louisville to issue bonds to raise money to offer the State as an inducement to the location of the Capital in that City.

Feb.17.

Charleton bill reported unfavorably, and referred to the committee on Municipalities.

Jan.12.

Mr.Hart.

Bill to create a Board of Capital Commissioners to provide for the erection of a Capitol and other necessary buildings at the seat of government.

Jul.7.

Resolution to amend Senate resolution No.32 to appoint Joint Committee on Capital location was adopted, and the Speaker appointed the following committee on the part of the House:- Hart, Whitaker, Frazee, Spalding and Pettit.

1893.

May.16.

Mr.Frazee reported that the Joint Committee had visited Louisville, Lexington and Danville, and filed the proposal of Lexington, viz:- all the grounds necessary and \$250.000 in cash. Made no recommendation.

May.16.

Mr.May Bill No.544 to remove to Lexington was referred to the Committee on Printing and Accounts.

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288

May.31.

Mr.May. Bill No,544. Had its first reading and placed in the orders of day.

Jun.5.

Mr.May. Bill No.544. Had its second reading

Jun.6.

Mr.May. Bill No.544. Made a special order for June 14.1893.

Jun.14.

Mr.May. Bill No.544 came up for consideration. Mr.Myers offered a substitute for same,which provided that the city that would offer the state the best inducement by way of ground and money should become the location of the seat of Government;the name of the city not being mentioned in the bill or the amount.

Mr.Pettit raised the question that the bill had several blanks in it and that it was out of order,and the Speaker so decided. Myers appealed,and the House sustained him. Mr.Hart then moved to fill the first blank with the word Lexington.

Mr.Myers moved to go into the Committee of the Whole and and consider the matter. Adopted.

Jun.15

Mr.Myers moved to go into Committee of Whole to consider Capital matter. Adopted.

Mr.Myers reorted to the House that the Committee had filled the first blank in the bill with the word Louisville,and the second blank with the figures \$1.000.000 The vote being taken the reort of the Committee of the Whole was adopted.

The Bill then had its third reading and was put upon its passage and defeated by the followin vote.

Yeas 37

Nays 46.

Mr Cuyler

989

The Breckinridge

BOYS

Brother

Of course, the panic of 1893 hit Col Taylor hard; and among
of sympathetic

the many letters he received from old friends none was ever valued more
highly or more carefully preserved than this one from Judge Robert J.
Breckinridge, of Danville. Judge Breckinridge was ~~the same~~ born in
Baltimore, Md., 14 September, 1834, the son of Rev. Robert J. Breck-
inridge and the brother of Col. W.C.P. Breckinridge. He came to Ken-
tucky to live when eight years old. He was educated at Transylvania
University, Centre College, and the University of Virginia., and gradu-
ated in 1856 from the Lexington Law School. He went to St. Louis
where he practiced for two years, returning to Lexington to be e-
lected city attorney. He served with distinction in the Confederate
army and in the Confederate Congress. After the war settled on a
farm in Lincoln County and conti resumed practice of law. In 1874
removed to Danville. Two years later he was elected judge of common
pleas court in his district. In 1889 he was elected to the Kentucky
Senate and served several terms. It was there that he and Taylor be-
came ~~were~~ good friends. He died at Danville

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5/19
Woodlake, Dec. 17th, 1900

Col. E.H. Taylor,

Dear Sir:

On account of some trouble with our mail here, I did not receive your letter until late Saturday evening, for which I was very sorry, as we had a burgoon at Woodlake Saturday night; but I did you all the good I could with my r tongue. I will attend another gathering tonight, so please send me at least one-half gallon of whiskey. I think your chances are brighter every day. I offered to bet even money that you would win. No one would take it. I am doing all I can for you, which I don't suppose is a great deal; but it is like the widow's mite and every little bit helps.

Hope you will win hands down.

I am, Yours truly,

R.H. Hilson

10/10

New Chapter

"Longer Line"

What Is Coming?

WEATHER sharps hold that a calm always precedes a storm. So, too, a dry day usually precedes a wet one; from which doubtless arose the wise saying that "all signs fail in dry weather."

The transition from weather to whisky is as easy as falling off a log, hence, we come to the inquiry indicated by the head line.

A prominent whisky house, located at Peoria, is building a big distillery to manufacture spirits and other things. With an already existing capacity for the manufacture of spirits five times more than the consumption of that article, and all under a sort of joint arrangement known as the Distillers Association, the decision of the firm named to "pull out" and "go it alone" portends disturbances. A few minor rumblings are also in evidence on the part of some of the constituent parts of the association. One distiller at least has, we are told, been making overtures, privately, to certain large handlers of spirits (wholesale dealers) to supply them exclusively on terms based on a year or two's contract for steady purchases.

The recent advance of spirits to \$1.30 by the Trust, the quick objections on the part of the Cincinnati distillers, followed by the lowering of the price to \$1.28 and a few days afterward to \$1.27, would appear to indicate that the "octopus," as trusts are fishily designated, is not the whole thing.

Across the river in Kentucky humpy bubbles appear on the surface of a not altogether placid sea. One distiller, Mr. E. H. Taylor, Jr., comes to the front with a proclamation warning everybody to "stand from under." He says that in circulars issued by him in 1889-92, he informed the trade of "impending and later consummated over production," which "predictions were only too truly realized," and now "it begins to look today as if we were approaching a like condition."

Colonel Taylor, than whom there is, perhaps, no better posted distiller nor more able writer in Kentucky, reasons out these predictions of the future from the declared purposes of the Kentucky Distilleries and Warehouse Co., (the Ken-

tucky branch of the Trust) "*to increase the capacity of a number of the houses (distilleries) this summer, and some of them may be doubled.*"

As we go to press the conditions seem to bear out, in part at least, the expectation of the prognosticators. The big distillery is being rushed to completion at Peoria, and "statisticians" who have been wrestling with the Kentucky crop problem have been obliged to alter their guesses several times—the predicted output for 1901 having risen by jumps from twenty to nearly twenty-nine million gallons. And the end is not yet.

Chryse - Kentucky Immortals

In the early spring of 1901 The Lexington Herald empannelled jury composed of two hundred well-known Kentuckians to nominate Kentucky's Twelve Greatest Sons. Lists were received from one hundred and twenty-two of those asked who named one hundred nine celebrities.

The twelve whose names appeared upon the greatest number of lists in the order in which they were voted upon, were: Henry Clay (121 votes); Abraham Lincoln (107); John C. Breckinridge (102); George Rogers Clark (89); Jefferson Davis (88); John J. Crittenden (77); George Robertson (6); Daniel Boone ~~(54)~~; Albert Sidney Johnston, and Robert J. Breckinridge, 60 votes each; George D. Prentice (58), and Dr Ephraim McDowell (54).

Col. Taylor was, of course, one of those asked to submit lists and six of his twelve nominees were returned winners of the contest: Clay, Clark, Crittenden, Robertson, Johnston, and John C. Breckinridge. His six losers finished as follows: Isaac Shelby, thirteenth, (41), between Dr McDowell and Joel T. Hart, Kentucky's famous sculptor, who received 31 votes; General ~~Zachary~~ Zachary Taylor came in fifteenth, with 28 votes; Richard H. Menefee, 19th, tying for this position with his father-in-law, Matthew Harris Jouett, famous painter, and John J. Audubon, celebrated ornithologist, each receiving 22 votes; James Guthrie, twentieth, 21 votes, sharing this place and vote with Samuel Freeman Miller, native of Madison County, who went first to Iowa, and from there to a seat on the Supreme Court bench in Washington; John Breckinridge, 24th, 10 votes, same number as was received by two Presbyterian preachers, John C. Young, famous president of Old Centre College, Rev. Stuart Robinson, and Humphrey Marshall, the Kentucky historian; and the Colonel's ~~12th~~ twelfth nominee, Carter Henry Harrison, World's Fair Mayor of Chicago, was one of 49 Kentuckians who received a single vote.

Col. Taylor's demonstrated his originality of thought by naming Harrison, who has not yet been appraised at anything resembling his actual worth as a Kentuckian, which was really great; and by ignoring

319
Lincoln, Davis, and Boone, whom he must have known would be among the victors.

The contest revealed little save the inherent weakness of Kentuckians when asked to write something of value concerning the men that that have made the State what it is. The lists of Col. Taylor, ~~and~~ E.M. Costello, the Paris historical writer, Eugene Newman" (Savoyard"), John Uri Lloyd, and perhaps one or two others were the only ones revealing anything resembling information of the answers requested by the Herald.

Think ~~of~~ of Theodore O'Hara, who wrote the only only really great poem that has come out of Kentucky, receiving but a half-dozen votes!

Some of the jurors had much difficulty with the ortho orthography of the names of their nominees; but, of course, there is the poor proof reader ~~to~~ smilingly saddle their ignorance upon! Not a single one of the twenty-two men naming Richard H. Menefee put four "e's" in his surname'. Oh, Colonel! But then the Kentucky legislature, in designating a county in the state by his name, spelled the name with an "i"! But, of course, that was before ~~my biography~~ "Richard Hickman Menefee" appeared! Yes, indeed! Six years before.
~~My book contained only 320 pages.~~

As Menefee's biographer, I should be a position to congratulate Colonel Taylor on his characterization of Menefee: "a bud blasted before blossoming." That line should be cut deep in the granite of his monument in Cave Hill cemetery in Louisville. It's a one-line biography; and served almost every every purpose as my book of 320 pages.

Col. Taylor wrote as follows:

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Frankfort, Ky., March 1, 1901.

Editor of The Morning Herald:

Dear Sir—I am in receipt of your letter asking a list of the twelve greatest Kentuckians. Absence on business has prevented my replying sooner. Below I give the list:

Henry Clay.
John Breckinridge.
George Rogers Clark.
John J. Crittenden.
Richard Menifee.
Isaac Shelby.
George Robertson.
James Guthrie.
Zachary Taylor.
Albert Sidney Johnston.
John C. Breckinridge.
Carter H. Harrison.

Henry Clay was an incarnation of Old Virginia in Kentucky. By force of his personal greatness he dominated the State, and gave it more reputation than any one else who ever lived in it. His influence died with him, and none of his ideas—except possibly that of a protective tariff—are potent now.

John Breckinridge gave to the world the Resolutions of 1798, which still work as leaven amongst all liberty loving people.

George Rogers Clark was the greatest Kentuckian in the accomplishment of good results. He gave the Northwest Territory to the United States, and made the Louisiana purchase inevitable.

Richard Menifee was a bud blasted before blossoming. He was gifted with greatness, but not accorded development.

John J. Crittenden only escaped supremacy because Mr. Clay was greater.

Isaac Shelby as soldier, statesman, man of affairs, was only second to George Rogers Clark.

George Robertson had no superior as a judge. A child could understand his decisions—a philosopher could not confute them.

The campaign of Zachary Taylor in Mexico proves him the greatest soldier ever given by Kentucky to the world.

Albert Sidney Johnston might have been a greater one had longer life and opportunity been given him.

John C. Breckinridge—like Mr. Clay—was more forceful in his presence than in his memory. A statesman, a soldier, a politician, he was eminent in each department—supereminent in none.

James Guthrie and Carter Harrison were men of affairs—constructive rather than iconoclastic by nature.

Guthrie was father of the railroad development of his State, and did more to encourage material progress than any of our modern leaders.

Carter Harrison, going to Chicago as a boy, became first among his equals in every measure of development there. He was easily leader of the Illinois Democracy, and but for the work of an assassin might have changed the policy of this government, and been today the President of these United States.

Yours truly,

E. H. TAYLOR, JR.

The State Journal

(Established 1900)

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lication must be accompanied by the
name of the writer, not necessarily for
publication, but as a matter of good
faith. Otherwise they will receive no
consideration.

TUESDAY, AUGUST 15, 1922.

ROLLING 'LEVEN.

The Lexington Herald nominates the
ten greatest living Kentuckians as fol-
lows:

James Lane Allen, novelist and es-
sayist.

Cale Young Rice, poet.

Irvin Cobb, humorist and philoso-
pher.

Louis D. Brandeis, jurist.

Fontaine Fox, cartoonist.

Walker D. Hines, lawyer and admin-
istrator.

Alex P. Humphrey, lawyer.

Miss Laura Clay, publicist.

Dr. Simon Flexner, head of Rocke-
feller Institute.

Ed. Morrow, anecdotist and stump
speaker.

If you think you can suggest a bet-
ter or more representative list, we
would like to print it. What living
Kentuckian has done most for educa-
tion? Who is our greatest pulpit ora-
tor?

The State Journal would not strike
one name from the ten. We simply
wish to roll 'leven by observing that
contributing to human welfare by im-
proving a breed of beef cattle by sci-
entific selection is no small accom-
plishment, and that E. H. Taylor, Jr.,
business man and scientific breeder of
Herefords, admittedly "an improver of
the breed," and now represented in
Africa and in South America by ani-
mals of his production, should be con-
sidered, in a stock raising state.

We are devoted to Fontaine Fox's
cartoons and Ed. Morrow's anecdotes
and speeches and James Lane Allen's
novels, Irvin Cobb's humor. We
admire Cale Rice's poetry, Louis
Branadies' decisions, Alex Humph-
rey's charm of manner and man-
ner of charming well to do
clients, Laura Clay's unselfish service.
Walker Hines and Simon Flexner we
do not underestimate. But what's the
matter with our nominee?

005-12

321

Am Clough
The Senator

The Louisville Times for 11 June, 1901, carried this little story:

Who would be Governor

COL. E. H. TAYLOR'S CAMPAIGN.

Special to The Times.

Frankfort, Ky., June 11.—Col. E. H. Taylor, Jr., returned this morning from a two-months' business trip in the Northwest, and will at once begin his campaign for the Senate for which he was nominated by the Democrats of the Franklin, Mercer district. Col. Taylor will shortly make a thorough canvass of the district and may make some speeches in the fall.

AB
22
A

GOLDEN TYME
Published in Frankfort a
ry Ago—Advertising for
a Runaway Slave.

ldom that a rare and valua-
ry or journalistic curiosity
erved for a century or more
democrat has before it a copy
alladium," which announces
e a "literary and weekly po-
ository," and which was pub-
the city of Frankfort, Ky.,
k in the century last past.
ique, and well gotten up, con-
the day and age in which it
shed and written. It savors
colonial times, and its gen-
ription of news is of the an-
m and character. It bears
of March 3, 1803. It consists
e-page paper, with four col-
each page. One of the curios-
ontains is an advertisement
away slave, and was inserted
y a man well known in this
e woods. It reads as follows:
TY DOLLARS REWARD.
on the 30th of January last,
mulatto man, named
JESS,
years old, 5 feet 10 or 11
gh; a cooper by trade; speaks
d if much interrogated stut-
possible from his color, that
tempt to pass for a free man.
apprehends said fellow and
him to me in Jefferson Coun-
cky, or secures him so that
again shall receive the above
EDMUND H. TAYLOR.
ry 15, 1803.

THE COURIER-JOURNAL

GRAIN BUSINESS

**WILL BE ADDED TO WHISKY
TRUST'S LIST.**

**Immense Elevator Will Be Built In
Louisville In Order To
Handle It.**

The Kentucky Distilleries and Ware-
house Company has decided to become
a factor in the grain business in Ken-
tucky. It has commissioned a local grain
man to purchase a tract of land, on which
it proposes to erect a large grain elevator,
costing about \$100,000. The elevator will
be of sufficient size to hold 500,000 bush-
els of grain, and the company proposes
to buy and sell all kinds of grain on the
open market.

Mr. Angelo Meyers, representing the
whisky combine, said last night that the
question of building an immense elevator
had been considered for some time, and
it had finally been determined after his
arrival here. He said a man had been
commissioned to buy the land and work
on the building would begin as soon as
practicable. It is his intention to locate
the building in the city if possible, but
it will be built at the best railroad con-
nection. It will be fire-proof and modern
in every way. The elevator is made nec-
essary by the large amount of corn the
company buys during a season, in addi-
tion to other cereals, and when the build-
ing is erected it will handle grain for its
own use and buy and sell to other people.
The company expects to use about 5,000,000
bushels of corn next season, an indica-
tion that its production of whisky will
amount to 22,000,000 gallons.

believe his conclusions will be indorsed by
the patriotic people of the United States.
I have no sympathy with the efforts which
have been made to destroy the honor of an
officer under such circumstances.

NELSON A. MILES,
Lieutenant General, U. S. A.

PORTS WINE AND SPIRIT CIRCULAR

Special Tax—Duffy's Pure Malt Whisky

Druggists who sell Duffy's Pure Malt Whisky, a compound of
distilled spirits and drugs, under a label holding it out as a
remedy for diseases, and sell it in good faith for medicinal
use only, never selling it as a beverage nor selling it to those
buying it for use as a beverage, are not required to pay spe-
cial tax as liquor dealers under the Internal Revenue laws.

TREASURY DEPARTMENT,
OFFICE OF
THE COMMISSIONER OF INTERNAL REVENUE,
WASHINGTON, D. C., DEC. 11, 1901.

SIR: In reply to your letter of the 3rd inst.
you are hereby informed that if Duffy's Pure
Malt Whisky, as now put upon the market, is a
compound of distilled spirits and drugs, and is
sold only under a label holding it out as a
remedy for diseases specified therein, and not
as a beverage, it comes under the ruling in the
last paragraphs of Circular No. 608, and drug-
gists selling it in good faith for medicinal use
only, never selling it as a beverage, nor selling
it knowingly to those buying it for use as a
beverage, are not required to pay special tax
therefor as liquor dealers under the Internal
Revenue laws of the United States. But it
should be distinctly understood that this rul-
ing, which is consonant with the exempting
provisions of section 3246, Revised Statutes,
has reference only to the revenues of the
United States, and cannot be set up by any
druggist as a defense in the case of his prose-
cution under any State law or local ordinance
for selling this or any other alcoholic medicinal
compound.

Respectfully,

J. W. YERKES,

Commissioner.

MR. W. F. BALKAM, Rochester, N. Y.

GOLDEN TIME

Newspaper Published In Frankfort a
Century Ago—Advertising for
a Runaway Slave.

It is seldom that a rare and valuable literary or journalistic curiosity can be preserved for a century or more but The Democrat has before it a copy of the "Palladium," which announces itself to be a "literary and weekly political repository," and which was published in the city of Frankfort, Ky., a way back in the century last past.

It is unique, and well gotten up, considering the day and age in which it was published and written. It savors of the old colonial times, and its general description of news is of the ancient form and character. It bears the date of March 3, 1803. It consists of a four-page paper, with four columns to each page. One of the curiosities it contains is an advertisement for a runaway slave, and was inserted therein by a man well known in this neck o' the woods. It reads as follows:

TWENTY DOLLARS REWARD.
Run away, on the 30th of January last,
a mulatto man, named

JESS,

About 22 years old, 5 feet 10 or 11 inches high; a cooper by trade; speaks quick, and if much interrogated stutters; it is possible from his color, that he will attempt to pass for a free man. Whoever apprehends said fellow and delivers him to me in Jefferson County, Kentucky, or secures him so that I get him again shall receive the above reward.

EDMUND H. TAYLOR.

February 15, 1803.

THE COURIER-JOURNAL

GRAIN BUSINESS

WILL BE ADDED TO WHISKY
TRUST'S LIST.

Immense Elevator Will Be Built In
Louisville In Order To
Handle It.

The Kentucky Distilleries and Warehouse Company has decided to become a factor in the grain business in Kentucky. It has commissioned a local grain man to purchase a tract of land, on which it proposes to erect a large grain elevator, costing about \$100,000. The elevator will be of sufficient size to hold 500,000 bushels of grain, and the company proposes to buy and sell all kinds of grain on the open market.

Mr. Angelo Meyers, representing the whisky combine, said last night that the question of building an immense elevator had been considered for some time, and it had finally been determined after his arrival here. He said a man had been commissioned to buy the land and work on the building would begin as soon as practicable. It is his intention to locate the building in the city if possible, but it will be built at the best railroad connection. It will be fire-proof and modern in every way. The elevator is made necessary by the large amount of corn the company buys during a season, in addition to other cereals, and when the building is erected it will handle grain for its own use and buy and sell to other people. The company expects to use about 5,000,000 bushels of corn next season, an indication that its production of whisky will amount to 22,000,000 gallons.

1901

If Col. Ed Taylor, Jr., is chairman of that committee which is going to give our Business Men's Club a welcome when they come to the good old town among the hills June 21 look out. Nothing is going to be absent from the welcome they will get. Col. Taylor is the soul of hospitality himself and a jolly good fellow at that. He has a nature like a mint julep whose aroma makes glad the heart and head and perfumes the air around. The women all like him because he is a lady's man. Why, one of them told me once when he wished to pay a special compliment to a bloomer he dispatched a "nigger" with a waiter filled with rare fruit and flowers and trimmings, and the silver salver on which they were presented was left to accompany the gift. He treated women as the kings of France and Spain treated gifts. Anything once accepted by them could never be profaned by further use.

And he's a whole souled entertainer with the boys, too. He is a past grand master of Kentucky hospitality, and that means a whole lot—a cordial handshake, the latch string outside the door, the slaughter of the fatted calf, and the bung outside the barrel. The last time old Frankfort and its citizens took in visitors a special feature of the programme was an afternoon at one of the local distilleries. The crowd went early and stayed late. There was everything on this green earth in waiting for the guests, and, yet, two of them completely wilted the delegation by asking for a drink of water. The hosts blushed and looked confused, the other guests bowed themselves in shame, but finally it developed there was no water on the place. Two little negroes were sent instant to fetch some from a spring half a mile off, while the other members of the party took the hosts off in a corner and apologized for such a break on the part of their friends.

I guess this crowd which is going to make the grand tour of the Bluegrass is not going to make any such break.

Beckham's Successor.

Col. Taylor, the well-known distiller of Frankfort, Ky., and who is spoken of as the Democratic candidate for Governor of Kentucky, walked into Gov. Beckham's office one morning this week and said, by way of greeting, "Good morning, Governor. Look at our successor." The Governor looked up inquiringly. "Oh, I am the man," said the Colonel, laughingly. Of course, Col. Taylor was joking. He is nothing if not courteous, and could not have said such a thing seriously, but there is a prevalent impression in Frankfort that there was a prophecy in the jest.

THE PRESS CLIPPING BUREAU.

45 Vesey Street, New York,
68 Devonshire Street, Boston,
Commercial-Tribune Building, Cincinnati,
Railroad Building, Denver.

Clipping from Louisville (Ky.) Post.

Date SEP 3 - 1901

COL. E. H. TAYLOR
TO RUN FOR GOVERNOR

FRANKFORT MAN'S FRIENDS LAUNCH A BOOM THAT THEY HOPE
WILL SECURE HIM THE NOMINATION IN THE CAM-
PAIGN OF 1903.

Evening Post Special Service

FRANKFORT, Ky., Sept. 3.—The announcement that Col. E. H. Taylor, Jr., of Frankfort, will enter the race for the Democratic nomination for Governor in the campaign of 1903, will soon be made. The fact that Col. Taylor will run has been kept dark, while his friends in different sections have been quietly organizing a boom that it is hoped will sweep over the whole State.

It has long been known that the selec-

tion of proper material for the race has been a hard problem to the Democrats. Beckham, Hazelrigg, Henry D. Allen and other Democrats are not considered the men to unite the different factions.

Col. Taylor's friends think him the solution of the problem. He has always been a Democrat, but was never an enthusiastic Goebelite. He is universally popular, and as a "handshaker" is an artist of the first water. He is one of the best-known men in the State.

161901
If Col. Ed Taylor, Jr., is chairman of that committee which is going to give our Business Men's Club a welcome when they come to the good old town among the hills June 21 look out. Nothing is going to be absent from the welcome they will get. Col. Taylor is the soul of hospitality himself and a jolly good fellow at that. He has a nature like a mint julep whose aroma makes glad the heart and head and perfumes the air around. The women all like him because he is a lady's man. Why, one of them told me once when he wished to pay a special compliment to a bloomer he dispatched a "nigger" with a waiter filled with rare fruit and flowers and trimmings, and the silver salver on which they were presented was left to accompany the gift. He treated women as the kings of France and Spain treated gifts. Anything once accepted by them could never be profaned by further use.

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THE PRESS CLIPPING

45 Vesey Street, New York,
68 Devonshire Street, Boston,
Commercial-Tribune Bldg.
Railroad Building

Clipping from **Louisville**

Date **SEP 3**

COL. E TO RU

**FRANKFORT MAN
WILL SEC**

Evening Post Special Section
FRANKFORT, KY. S
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ferent sections have bee
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over the whole State.
It has long been know

1524
Clipped from
Courier Journal
Dec. 31- 1901
UESDAY MORNING.

OUTPUT CUT.

Crop of Kentucky Whisky
Will Fall Short.

PRICE OF CORN IS THE CAUSE.

DISTILLERS REDUCING ESTI-
MATES 30 PER CENT. OR
MORE.

ONE IS TO MAKE ONLY RYE.

It is now evident that the whisky production in Kentucky this season will fall far short of expectations.

Last fall an effort was made to have the distillers of the State announce to the trade what their output would be. Representatives of over 90 per cent. of the distilling capacity were willing, and from the estimates secured, the best-posted whisky men concluded that about 25,000,000 gallons would be made. Recently, Mr. T. M. Gilmore, secretary of the Kentucky Distillers' Association, wrote to every distiller in the State asking if the high price of corn would have any effect on the output as originally announced. Up to date a large number have replied and in practically every instance they say their production will be cut from 30 to 50 per cent. below the so-called allotment. One distiller said if corn continues as high as now he will make only rye whisky.

If this ratio should keep through the entire list of distillers the output for 1901-02 will fall below 20,000,000 gallons.

1901-02
New York
Whisky
Distillers
Society

07X-5560

MANY CANDIDATES FOR GOVERNOR

Democratic Nomination Causes Much Speculation as to the Outcome of the Contest

FIGHT FOR VANTAGE

GROUND IS BEING MADE

Frankfort, Jan. 2.—(Special.)—The arrival of the legislators and the politicians here has started much political gossip, and in a few days Frankfort will be the center of political activity.

The chief interest centers in the race for United States Senator, and each of the aspirants for this office have numerous friends here who can not see how it is possible for their man to lose.

All sorts of rumors are afloat to the effect that political combinations are being formed between the Senatorial aspirants and the announced gubernatorial candidates, who want to be the standard bearers of the State ticket next year.

This is occasioned by the recent announcement of ex-Congressman Jno. K. Hendrick, of Paducah, for Chief Executive of Kentucky, who hails from Congressman Wheeler's town.

Wheeler who is a Senatorial candidate has the solid vote of the First District; Hendrick is also popular with Wheeler's vote, though the two are political strangers, and it is said if he can control Wheeler's strength for second choice, as it is thought his chances for the caucus nomination are slim; the candidate so favored would most probably land the Senatorial plum, and in return would undertake to move mountains in the interest of Hendrick for Governor.

The belief in these rumors is strengthened by the fact that all of the announced candidates for Governor have a representative on the field and the canvassing of each of the candidates has begun, although the election is nearly two years hence.

There are five candidates for the gubernatorial nomination already announced, and the fight promises to be a hot one from start to finish.

Hon. Henry Watterson, editor of the Courier-Journal, would like to be Governor, and as he is a prospective candidate for President, he thinks the Governorship would be a stepping stone to the higher office. He is considered a strong factor in either of the races, and his friends are active in his behalf.

Governor Beckham will also be a candidate for re-election, one of his strongest claims being that he is entitled to a full term nomination, after serving out Governor Goebel's unexpired term so acceptably to the people and with honor and credit to himself and the Commonwealth.

Hon. E. H. Taylor, Jr., of this city, and State Senator from the Frankfort district, while not an avowed candidate, has intimated to his friends that he would not turn down the nomination if tendered him.

Mr. Taylor has an extensive acquaintance throughout the State, and in his camp are some of the best and most favorably known politicians of

the State, who assert positively that he will be a candidate. He is preparing a bill to be introduced at the coming session of the Legislature, relative to new State buildings.

Mr. Hendrick, the latest announced candidate, is a lawyer and politician with a State reputation, and comes from the First District, the Gibraltar of Democracy, which usually polls a majority of 14,000 votes. This district has never been honored with the office of Governor, and this will be one of Mr. Hendrick's chief claims for the office, aside from his true worth and virtues for the place, of which his services in the State Senate and the National Congress eminently qualified him.

Patriotism and party allegiance will not be the only motives that will prompt the Democratic leaders of the State and especially the friends of the other candidates, to make the fight of their lives, to have Attorney General Breckinridge retained in his present office. Judge Breckinridge has declared his intention of being a candidate in the event he is unseated, and all his opponents recognize in him a dangerous foe, and the man they will have to defeat. Judge Breckinridge was one of the strongest candidates on the last State ticket, and his unceasing labor in behalf of the ticket in the campaign and before the contest board won the admiration of the Democratic hosts, and the fact that he is to be the only one ousted from his office will place him before the people as deserving of some reward and recognition.

326
1902

Society

25X20

27 1902
N in Chapter = The Cause of
~~Col. Taylor's~~ Frankfort

The Legislature was organized and down to work by the end of the first week in January. ¹⁹⁰² Governor Beckham's message urging that money be appropriated from the new Capitol was received with rejoicing by the members of both house, House, and the newspaper correspondents predicted that it "would go through."

Of Col. Taylor, the Frankfort correspondent of the Courier-Journal said:

"Senator E.H. Taylor is one of the most prominent champions of the Capitol appropriations bill. He is as well qualified to put it through as any man in either house, and would probably be able to surmount great difficulties if they lay in his way, but it looks like there will be no opposition to the measure."

Col. Taylor announced that he would devote his time his sixty days in the Senate to nothing but the Capitol appropriation bill; and on the night of 17th January he started the ball rolling toward his goal by giving a brilliant dinner at Thistleton to members of the Senate. That was the Colonel's way: let's first eat, drink and be merry; and then, before we ^{go,} die, talk business!

G. Allison Holland, now of Lexington, then Henry County's representative introduced the Capitol bill in the House; but it was not reported at favorably at the proper time; and a few days later the papers announced that the Republican and the country Democrats were going to oppose Frankfort as the future seat of government, and were back of Representative Parker's bill providing that the question of removing the seat of government from Frankfort to Lexington be submitted to a vote of the people. In general way, there was the Devil to pay! And it was at this point that Col. Taylor took off his coat, even though the weather was chilly, and went to work to save the Capitol for the "sweet old town" of Mulligan.

28/ He introduced a bill in the Seante asking for that two million dollars be appropriated for the new Capitol builindgs. The money was to be raised by increasing the tax rate two and one-half cents on the \$100 for six years, or during the construction of the build- ings. At this time opinion was very unsettled as to a site for the x capitol, but it was generally a agreed that the od old ground should not be used. Some suggested th as a site the beautiful grounds of the Kentucky Feeble Minded Institute.

While the the Democrats pro-Frankfort Democrats and the anti-Frankfort Republicans and rural Democrats lined up on opposite sides to battle over the Capitol, Senator Taylor's bill amending the law relating to reports oof distillers ro tto the State Auditor regarding whiskey in bond and the withdrawals of whiskey in bond 31 Decmeber each year. The bill aboli abolished the requirements of of including the serial numbers in the reports, and gave the distiller ten days instead of only one day, as heretofore, in which to put the reports in the hands of the Auditor.

Several distillers in various counties had been heavily assessed heavy fines at recent terms of tje State Fiscal Court for not having the reports in by the time required by law. Sean- Senator Taylor showed the Seante that compliance with the law in its present form is almost impossible, and tjthat it had worked great hardships to th the whiskey interests. ~~xxxxxxx~~ It It became

It became alw law.

After sosome debate, the Seante also passed the ~~Cantrill~~ bill ~~prohibiting~~ of Sean Senator J. Campbell Cantrill of Scott county, allarge tobacco grower, prohibiting the use of Paris green or other arsenical poisons on tobacco oor other gro growing crops. crops. Senator Farris's anti-blind tiger bill also was passed. Think of these twins! Neither of them worth the paper t required to inscriv inscribe them. BottBoth ridiculous and, if Governor Beckham ever did sign either of them, that's one more ~~six~~ blot on his escutcheon!

But the Capitol bill continued to meet with unexpected opposition; and Senator Taylor girded up his loins, and with the old Taylor motto ~~xxxxxxx~~ to support him, not to mention his bank balances, went into the fray swinging his battleax and calling for his cohorts to "come across and help him deliver."

On 1 February, the Bowling Green Journal said editorially:—

"Frankfort"

Frankfort has dropped into a succession of streaks of ill-luck since the Legislature has assembled. Lexington is hot on the trail of securing the Capitol; Boone county is up in arms against an appropriation to build a new Capitol, and now the city, what little there is of it, is threatened with an unprecedented overflow and the inhabitants are not certain that they will have dry land to stand on for the next few days. The cemetery is the only place where the people feel safe in saying the Kentucky river can never reach. The city is near the danger line with high water and a thirty-foot rise is on its way from the Beattyville region, giving serious apprehension of the most disastrous inundation in the history of post bellum days.

Success

Cal Society

200

During the first two weeks of February things went from bad to worse for Frankfort. She was, in the language of the Lexington Leader, "heart-broken over the prospect of losing the capitol," a contingency which she had not regarded as even remotely possible. Blames it on the Republicans."

But on 18 February the Courier-Journal printed this story:

HAPPY

Folks in Frankfort

Because the Barton Bill
Will Be Reported

Unfavorably and the Capital
May Not Be Moved.

Boycot Has Been Placed on Lex-
ington Wares.

Democrats Don't Want Viva
Voce Voting Law.


Project To Remove Grant County
From Sixth To Ninth Congres-
sional District Seems To
Be Defeated.

SPECIAL DISPATCH TO THE ENQUIRER.

Frankfort, Ky., February 18.—Much encouragement is felt by Frankfort people to-day on account of the action of the Senate Committee on Constitutional Amendments in voting unanimously to report unfavorably on the Barton bill, which provides for submitting to popular vote the question as to whether the state capital shall be located at Louisville, Lexington or Frankfort. It has generally been conceded that the passage of the measure would mean simply and certainly the removal of the capital to Louisville. Louisville's forbearance in declining to seize the easy opportunity is something that Frankfort will treasure in grateful memory. There is quite another story about Lexington. Frankfort is convinced, and there seem to be circumstances to confirm the conviction, that Lexington has been carrying on a systematic campaign to the get the capital. To-night it is quite certain that the effort has failed, and, as a consequence, stories are in the air which prove that the feeling between the two municipalities is a bitter one. Republican Senators are authority for the statement that promises of the defeat of the viva voce voting bill in return for their votes for capital removal have been held out to them. Louisville made no such offer, for Louisville does not want the capital. Therefore, Frankfort is a good guesser as to where the offer came from. And Frankfort, knowing that 10, and possibly 11, of the Republican Senators will vote against the removal, feels called upon to chuckle in glee.

The action of the committee to-day will certainly be followed by the defeat of the Barton bill in the Senate, and it is even possible, now that the situation presents but the single question of new capitol or no new capitol, an appropriation bill may yet pass and Frankfort's fondest hopes be realized. If such should be the happy outcome Frankfort's everlasting thanks will be due Colonel E. H. Taylor, her distinguished townsman, and Franklin County's Representative in the State Senate. His efforts for a new capitol at Frankfort have been as untiring as they are unselfish.

A Frankfort merchant said to-day: "It has cost Lexington many a dollar to try to take the capitol away from Frankfort. Frankfort merchants have boycotted Lexington traveling salesmen. Even the Frankfort saloons have stopped selling Lexington beer. I believe that Lexington will lose at least \$100,000 in trade with Frankfort as a result of the capitol removal agitation."

f- 

necessary to save Frankfurt from being wiped off the
 New Chapter - Comp & Assoc
 function at Thistletoe

On the night of 11 March, he gave another brilliant social-
Then, when the Legislature was about to die, unhonored and-

proposed by
Senator Zenger

Before passing the bill, which was done by a vote of 21 to 14, the following amendments were adopted:

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and the Co.

~~to adopt amendments~~
~~Committee which had been appointed to adopt the legislative~~
~~difference.~~

of 21 March,

Col. W.C.P. Breckinridge, in The Lexington Herald, congratulated Col. Taylor on his "skillful coup," writing editorially as follows:

"Colonel Taylor showed himself to be a man of undaunted political courage and of surprising parliamentary resources when he succeeded in the Senate in having placed on the appropriation bill the rider setting apart one cent on the \$100 as a fund to be expended in the construction of Capitol Buildings at Frankfort. We have no knowledge of what the House will do; it must accept this rider or run the risk of defeating the bill and thereby requiring the call of a special session.

But Col. Taylor has put the House in a more troublesome dilemma than the mere risking of a special session. The nearly unanimous vote by which the Senate passed this rider may be taken as notice to the House that if an extra session is held the Senate will do this at that session and present to the House the sharp issue of no appropriation at all or this rider. It must be remembered that the seductive power resident in Frankfort and now being exercised for all it is worth will then be at work. The change of votes in the House required to pass this rider is not very large, and more changes have been known in the legislative history than the one required.

This parliamentary coup is the most brilliant we can recall in Kentucky legislation. By dilatory and obstructive tactics proposed measures have been defeated; but obstructive tactics savor of force and do not require high intelligence, this was a neat intellectual, skillful coup. We congratulate Col. Taylor and express our admiration for the skill shown. It is always a pleasure to witness a neat, skillful piece of work, whether at the trial of a case, in business or in politics."

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The Kentucky Society

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Before Col. Breckinridge's prophetic ~~words~~ words were more than dry, the Frankfort correspondents were busy telling the world how "how the capitol amendment was ~~beaten~~ beaten:

Frankfort, Ky., March 21. The story of how the Taylor amendment was defeated has never been told truthfully. *It* happened this way:

When the Senate and the House appointed conference committees to discuss the revenue bill and its Senate amendments, after the *H*ouse refused to concur in them, Monday the conference committee *S* returned a report advising *T*hat the Senate recede from its amendment to the bill providing that all banks alike should report for assessment to *C*ounty *A*ssessors and that the *H*ouse should accept the Taylor amendment cut half in two, *T*hat is, allowing one-half of one cent of the increase in the *S*tate tax rate for the purpose of erecting new *C*apitol buildings.

This was ~~agreed~~ agreeable to the *H*ouse leaders. A conference between the *R*epresentatives advocating the revenue bill developed an arrangement to accept this report if the *S*enate accepted it. This would have left unchanged the original provisions of the revenue bill, providing that the national banks should report as do the *S*tate banks to the *S*tate *B*oard of *A*ssessment and *V*aluation of or assessment. The *H*ouse leaders counted *n*oses, and found that they could put the bill through in this shape by a margin of some eight or a dozen votes. *B*ut the national bank people had convinced a majority of the *S*enators that the bank-taxing clause was iniquitous. *and* It was decided not to accept the report of the conference committees when it was tendered Monday evening.

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334

From the hour ^{that} the Senate killed the conference committee reported the Capitol appropriation amendment was dead in the House. When the House finally passed the revenue bill it was with the original provision as to State and national banks eliminated by the Senate. But the compromise cost the Taylor amendment.

The National bank lobby was not fighting the Capitol amendment, but by making the bank taxation provision the paramount issue in the fight and persuading the Senate to stand pat upon not allowing this ~~section~~ of the bill as drafted to go through, they succeeded in ~~an~~ ~~am~~ snowing under the amendment designed by Senator E.M. Taylor, Jr. to result in the erection of the State capitol.

But the legislature was over — *thanks God!*

Wm. Croft
Kentucky Jan 5 *Minist Julez*

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The Filson Historical Society

Wm. Chrysler = Governorial Candidate *for Governor*

Many times during the session of the legislature had the newspaper printed the rumor that Col. Taylor would enter the race for the Dec Democratic nomination for Governor of Kentucky.

Col. E. H. Taylor for Governor.
 The announcement that Col. E. H. Taylor, Jr., of Frankfort, Ky., the well-known distiller, will enter the race for the Democratic nomination for Governor in the campaign of 1903, will soon be made. The fact that Col. Taylor will run has been kept dark, while his friends in different sections have been quietly organizing a boom that it is hoped will sweep over the whole State. It has long been known that the selection of proper material for the Democratic has been a hard problem to the Democrats.
 Col. Taylor's friends think him the solution of the problem. He has always been a Democrat, but was never an enthusiastic Goebeline. He is universally popular, and as a "hand-shaker" is an artist of the first water. He is one of the best-known men in the State of Kentucky.

36
207

His official announcement was given of his intention to make the race was issued in on the evening of 23 May, 1902. It was enthusiastically commented upon by the Kentucky press, ~~and the Colonel entered upon an active career.~~

The Filson

FAVOR.

In Which Col. E. H. Taylor Is
Held by Kentucky
Press.

The Paducah News-Democrat edited by Mr. Urey Woodson, and the leading Democratic newspaper of Western Kentucky contains the following editorial:

Col. E. H. Taylor, of Frankfort, who has announced his candidacy for Governor, is a man of remarkable personalty. He has been, and is today, one of the great business men of the Commonwealth. He has made two or three great fortunes and lost them by the mutations of business chances, but now, though well up in his sixties, is fairly prosperous again. He has long been the foremost citizen of Frankfort. He is foremost in all enterprises for the welfare of his town and likewise is proud of his State. If he had been Governor of Kentucky twenty years ago, by his indefatigable effort and engaging business methods he would have enlisted vast capital for investment in the old Commonwealth that has seen spent in States south of us because of more enlightened effort. He is a tremendous worker and a great organizer. He is never daunted in any undertaking. He has had little to do with practical politics, aside from local affairs, but nobody could ever beat him for Mayor of Frankfort or a seat in the General Assembly, to which he has been repeatedly elected. He is at present a State Senator. His heart has for years been wrapped up in the building of a new capitol. He has spent thousands of dollars attempting to accomplish this. He is princely in his hospitality and his lavish entertainments during sessions of the General Assembly have for years been the wonder and admiration of visitors to Frankfort.

If Col. Taylor means to engage in earnest in a campaign for the office of Governor he will early be found an important factor in the race, and will become more dangerous to his opponents as time passes.—Paducah News-Democrat.

Ought To Get There.

Well, well, so Senator Ed Taylor, of Frankfort, is going to run for Governor. He ought to get there with both feet, Senator Taylor is a princely host, and that's what Kentucky goes in for. He has entertained more royally than nearly any man in the State, and the banquets at his home have been elegant. Senator Taylor is a man of the world, he knows the political game here and he knows, too, how to throw bouquets to the ladies and keep the ball rolling when it comes to social affairs. There is a rumor that he is one of those knights who, when he sends a woman a gift, includes the solid silver salver on which it rests. Certainly there is no

man more generous than he, and if all the bloomers had votes Senator Taylor would be escorted to the gubernatorial residence with brass bands, flying bonnets and cyclones of lost bangs waving in the winds of enthusiasm.—"Tattler" in Louisville Times.

Brainiest And Cleanest.

Col. E. H. Taylor, Jr., of Frankfort, ought to be given the Democratic nomination for Governor, on a silver salver, if it is a question of selecting the best, the brainiest, the most charming, the cleanest, the most public spirited Democrat in Frankfort. This is a compliment that can be applied either internally or externally, as a potion or as a lotion.—Louisville News.

A Dangeroue Entry.

Col. E. H. Taylor, of Frankfort, is a candidate for Governor. He is one of the most popular men in the State, being one of the best entertainers, brainy and liberal, with an acquaintance that will make him a dangerous entry in the Gubernatorial derby.—Hawesville Plaindealer.

[Elvira B. Sydnor Miller]

True and Tried.

Col. E. H. Taylor, Jr., of Frankfort, spent Thursday at the street fair, in the interest of his candidacy for Governor. Col. Taylor is a true and tried Democrat and a man of genial and charming personality. He will doubtless prove a strong candidate.—Woodford Sun

Is Popular Wherever Known.

Col E. H. Taylor, Jr, of Frankfort, is announced as a candidate for the Democratic nomination for Governor, and he will make a great change in the fight. Col. Taylor is one of the best known citizens of the Commonwealth, and is popular wherever known. He is a fine organizer, a man of wonderful energy, and would make an up-to-date Governor. — Bourbon News.

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The Filson Historical Society

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354
The Louisville Times ~~also said~~ made a remark editorially that was copied and, usually misunderstood, by almost every other paper in the State:

"There's nothing the matter with the latest Democratic candidate for Governor---Col. E.H.Taylor, Jr., of Frankfort. Col. T. is O.K. and O.F.C."

The Louisville Commercial:

"'Col. T. is O.K. and O.F.C.,' says the Times of Frankfort's favorite son, Col. E.H.Taylor, Jr., and his gubernatorial candidacy. O.K. stands for 'Oil Korrect,' but what does 'O.F.C.' stand for? It isn't meant as an offset to Col. Taylor's war record, is it?"

The Harrodsburg Democrat:

Col. E.H.Taylor has announced himself a candidate for governor. In speaking of it the Times observes: 'Col. T. is O.K. and O.F.C.' We happen to be a little better acquainted with O.F.C. than with Col. T., but if the latter is as fools as the former they are both O.K.

To think that Harrodsburg could understand something that was ~~xxxxxxxxxxxxxxxxxxxx~~ beyond the ken of the Commercial's chief editorial writer? Amazing! and what is fame?

By the first of June the race was said by the press to be warming up with six candidates in the field for the Democratic nomination: Col. Taylor, Gov. Beckham, Judge Robert J. Breckinridge, of Danville, Henry Watterson, famous editor of The Courier-Journal, Judge James D. Black, of Barboursville, and Col. John K. Hendricks, of Paducah and Smithland.

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The papers were also predicting that Gen. Percy Haly's agreement to deliver Franklin County to Gov. Beckham, would "go up in smoke, as Col Taylor would walk away with Frankfort and the county

New England = "Morse House"

In The Courier-Journal on the morning of 14 August, Col. Henry Wat-
terson, in an editorial, entitled "Exclusively Personal," and ~~addressed~~
addressed : "To the Democrats of Kentucky," ~~replied~~

"Exclusively Personal."

To the Democrats of Kentucky:

Since so much has been said on the subject without authorization of mine, it seems proper that I should in some public manner declare that I shall not be a candidate for Governor of Kentucky.

When the suggestion was originally made I gave it entertainment and consideration. It was represented to me that if I consented I might rely upon substantial unanimity in the nominating convention, and, although I am too old a hand at the bellows to take stock in any such nonsense, I confess that the thought of uniting the party in a new departure on high, broad lines of public policy, lifting the State out of the ruts of faction and restoring it to its former place at the head of the marching column of National Democracy, was not without its allurements to one who has always held office, and officialism in all its forms, in sincere aversion. There was especial attraction in the idea of going out among the Democrats of Kentucky, and from one end of the State to the other of proclaiming the doctrines of the Fathers of Democracy as the sole hope of the future of the party; of meeting all comers face to face in the substantiation of truth, in the denunciation of falsehood, and in the defense of my own record, and, by direct appeal, addressed to the good sense and good feeling, the higher nature and the loftier aspiration of the people, to win a vote of confidence after a life-time of arduous, disinterested service. I did not doubt what their verdict would be after they had heard me, nor do I doubt this now.

I think I know the Democrats of Kentucky well. They are a cranky lot; but I am something of a crank myself. We have had our ups and downs. They will give me credit at least for paddling my own canoe. Whether in the matter of 1896 they were right, or I was right, all of us paid the penalty. If they were right, they whipped me, and as on a certain occasion old Sam Houston observed, "they whipped me good." That ought to satisfy them. If I was right, and they whipped me wrongfully, Heaven knows I forgive them.

Many things have happened since then. Many things are likely to happen before the end of the chapter. In my appointed sphere and place I shall endeavor to lead, as I have always led, with the fear of God before me; answerable at all times only to God and my own conscience.

Preferment is not for me. Brought to the point where I must look the situation full in the eye I am appalled by the conditions which the successful candidate for office must needs meet and overcome; the rogues and cheats he must court, or cozen; the servility he must affect, or practice, the obligations incur; the personal solicitation, ignoble and humiliating; the use of money

Although I have never had a machine I am not a stranger either to the character, or the efficacy of machine methods. Nor do I lack some points of vantage in case I wanted to construct a machine for my own purpose. But, no unclean dollar has ever passed my hand, either coming, or going, and I am too old to turn rascal. Sometimes, I have declared that I should like the people to write "Governor of Kentucky" on my tombstone. But I should ill rest in my grave if there were the suspicion of stain upon a letter of that honorable epitaph.

It is known to those who know anything of my private affairs that I could fill no office requiring all of my time without a very serious diminution of income. Without counting the cost of a canvass, I could not exist four years in office at Frankfort except at an outlay of money greater than I feel that I can fairly subtract from the reasonable expectation of those who have natural claims upon me. Contemplated from afar, the hope of rendering the people, the party and the State, some service, a hope, which became the more inspiring as it tasted of self-sacrifice, expelled from my estimate considerations of a more material kind. With the nearer approach of the time when a decision must be made, I am admonished not less by my business obligations than by the judgment and wishes of my family to descend from the clouds and to bethink myself of these things; and, doing this, it seems little short of preposterous

that I should proceed with a suggestion, which has taken no form or body through any act of mine. In one word, let me say, that the apple tempted me; but that I did not eat, and that I shall not eat.

From many parts of the State and from some of the best men I have received assurances of friendly sympathy and support. I thank them one and all, and with all my heart. Nor am I without a certain sense of indebtedness to those enemies who by the fabrication of all sorts of pretensions on my part have sought to defame and injure me, but who have in reality much strengthened me with considerate people. In the long run, lying rarely hurts anybody except its authors. I stand upon my reputation such as it is, and, profoundly grateful to my fellow citizens for every thinking for the

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"Exclusively Personal."
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Col. Taylor 's withdrawal was not very far behind
Marse Henry's. On the night of 4 October, 1902, the Frankfort corres-
pondent of the Chicago Chronicle s filed the following dispatch
to his paper:

TAYLOR NOT FOR GOVERNOR

**Democratic Candidate for Kentucky
Chief Magistracy Resigns Race.**

[Special Telegram.]

FRANKFORT, Ky., Oct. 4.—Colonel E. H. Taylor, Jr., has formally withdrawn his candidacy for the democratic nomination for governor of Kentucky. Personally Colonel Taylor never desired the nomination, but his friends throughout the state brought forward his name and were so insistent that he finally consented. Colonel Taylor's canvass had progressed far enough to show that both the nomination and election were clearly within his grasp, when it became equally clear to him that his business interests would not permit him to fulfill the ambition of his friends.

These interests have required his presence heretofore for several months of each year in Chicago. They are rapidly growing and the conclusion was inevitable that he could not give the proper attention both to them and to his prospective duties as governor of a great state. Fully convinced of this his only possible course was to withdraw from the contest. While they cannot blame him for his decision his thousands of friends in Kentucky and in this city deeply regret the untoward circumstances which will thus prevent Colonel Taylor from being the chief magistrate of the state of Kentucky.

[Handwritten signature]
[Handwritten initials]

The Filson His...

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Col. Taylor formally announced

Yields to Pressure from Friends and

Decides to become a candidate for legislature

(Kentucky Journal, 17 March, 1904)

Col. E. Taylor, Jr last night issued a card announcing himself as a candidate for Representative from Franklin County. Several weeks ago Col. Taylor, declined a call to enter the contest and at that time issued a card saying he was not a candidate. The card of Col. Taylor, which is self-explanatory, is as follows:

Frankfort, Ky., March 16, 1904.

To the People of Franklin County:

Some days ago, during the active session of the Legislature, I contradicted through the newspaper press announcement that I was a candidate to represent Franklin County in the lower House of the next General Assembly of Kentucky.

Since then changed conditions have altered my views regarding the candidacy, and I have concluded to now offer myself to the voters of my county as a candidate for Representative, and I shall feel highly honored by their support.

E.H. Taylor, Jr.

Col. Taylor easily stands as Frankfort's first citizen, and his personal popularity is a matter that is unquestioned throughout a wide constituency. For years he has been in the forefront of the Capitol appropriation fight, which has just been carried to a successful termination.

Col. Taylor's public record is so well and favorably known that comment on it is superfluous.

Wm. Clayton - Luling Re-elected
~~to the House~~
Fought the Re-election

132
[Signature]

25X22

Clipped from
"Chicago Chronicle"
Feb. 1-1903.
IRONIC, CHICAGO, F.

FINE WHISKIES DEGRADED

Colonel E. H. Taylor Has Bitter
Words for Rectifiers.

Attacks the Report to the Louisville
Board of Trade.

Declares Figures Given Convey a
False Impression.

Fraudulent Practices Condoned for a
Cash Consideration.

[Special Correspondence.]

LOUISVILLE, KY., Jan. 30.—"The rectifiers are degrading fine whiskies to the level of a cheap and nauseous compound," declares Colonel E. H. Taylor, Jr., the distiller, in a statement attacking the report of B. Bernheim, chairman of the whisky committee of the Board of Trade. While admitting that Mr. Bernheim's figures are correct, Colonel Taylor maintains that they are so handled as to convey a false impression.

In his statement Colonel Taylor says: "The report of B. Bernheim, chairman of the whisky committee of the Louisville Board of Trade, together with the remarks of M. E. Taylor, president of that board, touching the production of tax payment of whiskies in the state of Kentucky and the city of Louisville and also the shipment and valuation of whiskies from the city of Louisville during the year 1902, deserves more than a passing notice.

"While the statistics given are admittedly correct, the impression conveyed on the mind of the reader by the specious handling is clearly delusive. And this, too, when accuracy is not only desirable but essential. Without such accuracy there is no proper basis upon which to form a just opinion of the production and distribution of the fine whiskies of Kentucky.

Kentucky Without a Rival.

"As a producer of fine whiskies Kentucky stands without a rival throughout the world. This position of preeminence is not the result of a sudden turn of fortune, but of long years of experiment under the fruitful application of exhaustive mental and physical toil, combined with the use of the best materials, the most approved machinery and the best skilled labor.

"The contributors to success become factors only when associated with the water as a basis that percolates through the bird's-eye limestone strata peculiar to the geological formation of central Kentucky.

"To maintain this rank should be directed the efforts of every manufacturer, distributor and lover of fine whisky.

"Every publication, therefore, that tends to break down the distinction between the finer and cheaper grades of whisky and to make one the synonym of the other, so as to confuse and mislead the public, is a damage to the record that Kentucky has established.

"In noting and correcting the errors contained in the report of Mr. Bernheim no disparagement is intended to the just merits of the city of Louisville. Every citizen of Kentucky is a proud admirer of the prestige it holds as the metropolis of the state, and as the head center of its wealth and power and the promoter of manifold industries.

"To concede its high rank, to lend aid to its increasing prosperity and to maintain its fair name and honor he is ever ready to devote his best energies. But we cannot conceive that the manipulation of official statistics so as to distort and misrepresent the true facts touching one of her most important industries (the whisky trade) can contribute to her welfare.

Says Figures Are Manipulated.

"Mr. Bernheim states for instance, that in 1902 Kentucky produced in round numbers about 21,000,000 gallons of whisky, and of this total Louisville produced about 13,000,000 gallons, or slightly over one-half. This is a correct statement if, instead of Louisville, the fifth Kentucky district, of which Louisville is a part, is inserted. But, while Mr. Bernheim follows the official guides as to the matter of production, he destroys the accuracy so essential to Kentucky's fine whiskies by the manipulation of the figures relating to the unbonding of whiskies in Kentucky and the shipments of whiskies from the city of Louisville. He states that there were withdrawn from bond in Kentucky during the year 1902 19,947,920 gallons and that there were shipped from the city of Louisville during the same year 352,196 barrels, or, as may be reasonably estimated, about 15,000,000 gallons, aggregating a valuation of about \$30,000,000. The plain inference from this statement is that of the fine whisky crop of 1902 Louisville tax-paid and shipped about three-fourths of the entire

proportion of the 352,196 barrels, or 15,000,000 gallons, exploited by Mr. Bernheim, the chairman of the whisky committee of the Board of Trade, and indorsed by M. E. Taylor, president of the Board of Trade, were really Kentucky whiskies and what proportion were spirits shipped into Louisville from the high wine distilleries north of the Ohio river and what proportion composed any part of the 19,947,920 gallons of Kentucky whisky tax-paid during the fiscal year 1902 or any other period?

"B. Bernheim and M. E. Taylor are both compounders and rectifiers and are, because of their being such, as well as being members of the Louisville Board of Trade, as competent as any other of the Louisville shippers of compounded goods to say how much of these 15,000,000 gallons shipped from Louisville as Kentucky whisky had first been shipped to Louisville from the high wine distilleries of Illinois, Ohio and Indiana as spirits, entering as such the back door of the Louisville rectifier under the government inspection of Ohio, Indiana and Illinois and emerging from his front door a full-fledged Kentucky whisky, under the sacred inspection and stamp of the great state of Kentucky—a blend of the first class!

"We repeat, how much of this compound was genuine Kentucky whisky and how much spirit?

Gives a False Impression.

"We would prefer not to charge that these members of the Board of Trade of the city of Louisville sought to convey the fraudulent impression that the 352,196 barrels, or its equivalent of 15,000,000 gallons, shipped from Louisville, were the production of the state of Kentucky, but we do assert that none other than the feeble-minded could receive from their statements any other impression. For ourselves, on general information, we would say that of the 352,196 barrels not as much as 175,000 barrels were of Kentucky production, or less in value than \$15,000,000 of the \$30,000,000 of Louisville exports as vaunted by the officials of the Board of Trade—the remaining \$15,000,000 having been first imported from over the river in the shape of spirits.

"This would put in a different aspect the status of Louisville as a distributing center of Kentucky whiskies.

"Mr. Bernheim closes his ingenuous, but illogical, report with this paragraph:

"It therefore should be the aim of the Board of Trade to enlighten those clothed with authority and to discourage the inimical attitude so often assumed by them, making it plain that the people do not desire to kill the goose that lays the golden egg, but rather wish to encourage the legitimate prosecution of this branch of Kentucky's mercantile activity."

"In the light of Mr. Bernheim's report as chairman, indorsed by the president of the Board of Trade, we distinctly agree that not only those clothed with authority need enlightenment at the hands of the said Board of Trade, but very many others.

"Statistics at this date show that the stock of Kentucky whiskies in bond for the years 1895, '96, '97 and '98 amount approximately to 8,500,000 gallons.

"Mr. Bernheim in his report announces with a flourish, as we repeat, that the shipments of whiskies from that city for the year 1902 amounted to 352,196 barrels, or approximately 15,000,000 gallons. In other words, that Louisville shipped in one year nearly twice as many gallons of whisky as constitute the entire bonded stocks of fine whiskies in Kentucky covering a period of four years.

"The conclusion is, therefore, unavoidable that the bulk of whisky shipments from Louisville for 1902 did not come from the bonded warehouses of this state, but were a

cheap class of goods adapted by the rectifier to the demands of a cheap trade.

"The unfortunate feature tending the manufacture (?) of this grade of cheap goods is that the authority and sanction of the government are thrown as a shield around the rectifier, while he applies his unholy methods of degrading the finer whiskies to the level of a cheap and nauseous compound. Under this government protection if the rectifier attempts by fraudulent methods to make more than the law allows and is caught in his nefarious work it is too often the case that his crime is condoned by the payment of a money consideration, in an amount unknown to the public or the trade. He then resumes his favorite occupation with a smile upon his lips and the government halo about his head.

"It is exceedingly lamentable that through the columns of one of Kentucky's leading newspapers the misleading utterances of Mr. Bernheim, with the official sanction of the Louisville Board of Trade, are given to the world.

"They are a standing menace to the accuracy attending and essential to the manufacture and distribution of fine whiskies, and an injury to the reputation acquired by other districts outside of Louisville as factors in Kentucky's production of the best and purest goods."

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Society

Col. Powers is ready to pay the bank \$14,659.25 which includes their bill for \$188. And the only thing needed for your concurrence is---he wants demand note with understanding that there there is no mention of demand as long as things work all right. And in no case of demand without 30 days notice. This is verbal assurance.

J.S.Taylor

March 18, 1903.

Mr. J. Swigert Taylor

Your note received. I have full con-

fidence in Mr Powers.

I understand "as long as things work all right" to mean if all our engagements are fully observed.

As they will be I see no object objection to the demand note thirty days notice feature. So close the matter
Yrs.

E.H.Taylor Jr
Mar. 18, 1903

J. Swigert Taylor, Esq.
Office

M 44
The Filson Historical Society



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SERVICES IN SESSION OF SENATE 1904.

CAPITOL APPROPRIATION BILL.

Jan.5.

MR.GILLENWATERS.

Senate Bill No.4. An act creating a commission for the purpose of erecting a State Capitol, and providing for expenses thereof.

Jan.12.

Had its second reading.

Jan.21.

House Bill.69.

An act to provide for the erection of the Capitol and other necessary buildings at the Seat of Government.

Jan.22.

Had its second reading.

Mr.Cammack.

From the Committee on Library and Public Buildings reported House Bill No.69 with an expression of opinion that same should pass, and moved that the Bill be made a special order for Jan.28th. at 12 O'clock.

Jan.28.

House Bill No.69 had its third reading and was placed upon its passage.

YEAS.

J.Embry Allen.

A.S.Bennett.

W.W.Booles.

C.F.Burnham

W.A.Byron.

J.W.Cammack.

J.Wheeler Campbell

J.Campbell Cantrell.

Chas.Carroll.

J.W.Catron.

John W.Combs.

W.H.Cox.

S.E.Dehaven.

D.S.Edwards.

G.T.Farris.

R.H.Fleming.

Henry George.

E.P.Gillenwaters.

S.T.Gorin.

R.R.Grady.

G.W.Hickman.

E.Kenton.

Harry Lancaster.

H.S.McNutt.

Laban Phelps.

Nat A.Porter.

L.C.Prichard.

G.W.Richardson.

G.W.Shadoan.

Brent Spence.

C.D.Sublett.

E.H.Taylor, Jr.

E.C.Ward.

W.H.Whitt.

34

NAYS.

J.F.Porter.

1.

348
Services in Senate Session 1902.
=====

Jan.7. Introduced Senate Bill No.48. An act in relation to revenue and taxation giving Distillers ten days to make their statement to the Auditor as to the number of Barrels of Whiskey in Bonded Warehouses subject to State and County taxation. Bill to change the name of the State Normal School for Colored lersons, and regulate the conduct of same.

Mar.18.

Mr.J.C.Cantrell introduced the following resolution which was unanimously adopted:-

Be it Resolved-That we extend to Col.E.H.Taylor Jr our sincere thanks for his kindness and courtesy to the members of the Senate during this session of the Legislature.
=====

Was on the following committees.

Appropriations.

Corporations.

Education.

Library and Public Offices.

Railroads.

Municipalities.

Session of Senate 1904.

Introduced resolution directing that the names of Ben.C. Milam and Cyrus Calvert be inscribed on State Monument.

225500

Just what the little green stamp over the cork does mean has been pointed out with such graphic clearness by one of the first Kentucky distillers to avail himself of its protection—Col. E. H. Taylor, Jr.—that we reprint his words as the best and briefest statement of the case, viz.:

"It tells you that the whiskey was 'bottled in bond under supervision of the United States Government in the Distillery Bonded Warehouse.'

"It tells you the age of the whiskey.

"It tells you the proof of the whiskey.

"It tells you the name of the distiller.

"It tells you the location of the distillery.

"It tells you the State.

"It tells you the quantity in the bottle.

"It tells you the date when it was bottled.

"It tells you that the whiskey is guaranteed by the United States Government to be free from adulteration."

To which should be added: it tells you that the whiskey is at least four years old—no younger goods being allowed to be bottled in bond.

Over against these sterling and unquestionable assurances, what can be said for

**"OLD TAYLOR" AT 100
PROOF.**

Editor Wine and Spirit Gazette.

Sir: We beg to call your attention to the following clipping from your valuable paper:

"The whiskey brands which have the largest sales west of the Rocky Mountains are Hunter Rye, Wilson, I. W. Harper, Paul Jones, Jesse Moore, Old Crow and Old Taylor. All these are blends, which are sold at 88 proof."

As we consider the statement that "Old Taylor" is a *blend sold at 88 proof* an error which will injure us, we feel sure you will correct it in your next issue. Our "Old Taylor" is bottled in bond at 100 standard proof.

Yours truly

E. H. TAYLOR JR., & SONS.

Frankfort, Ky., Feb. 29, 1904.

COL. TAYLOR'S LETTER.

Col. E. H. Taylor, Jr., representing his house, has addressed the following letter of inquiry and protest to the Kentucky Commission, which will undoubtedly precipitate a lively discussion:

Frankfort, Ky., March 18, 1904.

R. E. Hughes, Esq., Secretary Kentucky Commission, Louisiana Purchase Exposition, Louisville, Ky.

Dear Sir:—We have before us this morning your esteemed favor of the 22d ult. inviting us to participate in an exhibit of Kentucky whisky at the St. Louis World's Fair under the auspices of the Kentucky Commission.

As you state in your letter that the exhibit is to be one of Kentucky whiskies, and as you specifically state that under such generic name the exhibit will include both "Straights" and "Blends," we now beg to ask you for information as follows:

Are we correct in understanding that the word "Straights" means Kentucky whisky made at a Kentucky distillery and stored in a United States bonded warehouse on the distillery premises of the Kentucky dis-

tillery at which it is manufactured—in short an entire Kentucky product known as Kentucky Whisky?

Are we correct in understanding you to use the word "Blends" to mean a synthetic beverage produced at the plant of a rectifier operating somewhere in the State of Kentucky—at least 600 feet distant from any Kentucky distillery as required by law—under the license authorized by Section 3244 of the Federal Statutes which license carries with it in categorical terms the privilege of producing a "spurious imitation?"

Since you have made a distinction between "Straights" and "Blends" in the premises we beg to further ask if that distinction is going to be carried out in the proposed exhibit in such a manner that any spectator can tell by your classification in such exhibit which commodity is Straight Kentucky whisky, and which commodity is a Blend put up under Section 3244 of the Revised Statutes of the United States?

We take the liberty of asking for this information because we know, and because we believe every Kentuckian of affairs knows, that a practice prevails in our good State by which thousands of barrels of new neutral spirits are shipped into our Commonwealth each week of the year from Ohio, Indiana and Illinois, and used by these rectifiers under Section 3244 above referred to, for the purpose of degrading genuine Kentucky whisky so as to put out upon the market a spurious Kentucky whisky, and, saving the cost of legitimate manufacture and legitimate maturation. They thus secure the geographical prestige of this State, trading upon her reputation for genuine whisky and brazenly counterfeiting one of her chief staples of commerce.

With these facts easily ascertainable upon the most superficial investigation, we beg to ask before offering to take part in the exhibit, if it is possible that the magic circle of Kentucky's fame is to be drawn around the genuine and the spurious article in one single exhibit at the St. Louis World's Fair, when, as we conceive it, the purpose of the Kentucky Exhibit at St. Louis is to exploit the resources of our good State before the world in the pride of her leadership, and in the pride of her integrity!

We should not have ventured these questions unless we had been requested to take part in the Exhibit and we beg to assure you that no business house in the State of Kentucky holds in higher esteem the Honorable Commissioners in charge of the Exhibit than does E. H. Taylor Jr. & Sons.

Yours truly,

E. H. TAYLOR JR. & SONS,
By E. H. TAYLOR Jr., Pres.

*New
Whisky
at the
Fair
Enclosure Expo*

285

00572

MS2

Whisky Exhibit at St. Louis Exposition.

The editor of "Barrels and Bottles" tells about his recent visit to the St. Louis Exposition, and he grows sarcastic when he compares the exhibit Bottled-in-Bond whisky with that of the blends. He says:

"The exhibit (Bottled-in-Bond) presents a chastely artistic and impressive appearance, strikingly at variance with the heterogeneous and pitiful little booth at the other end of the building pretentiously placarded "Kentucky Whiskies," and largely made up of a lot of compounds that merely had a stop-over ticket for Louisville on their journey from Peoria to St. Louis. Lots of third-rate saloons make an equally imposing display of case goods, without thinking of calling in a \$75,000 State Commission to give them a send-off. Humped up against the magnificent showing made for Kentucky tobaccos at this end of the hall, the Grabfelder-Greenbaum exhibit of "Kentucky Whiskies" has the effect of a gad-fly on the off hind leg of a two-thousand-pound stallion. The only attempt at display is that made for "Autocrat," a "Kentucky whisky" put up by a firm of St. Louis rectifiers. J. W. McCulloch must be a proud man to see "Green River" in such company! No wonder the proprietors of "Red Top Rye" and "I. W. Harper" got as far away as they could and flocked by themselves! The Bernheims show an effective domed canopy of empty whisky bottles near the Bottling-in-Bond Exhibit. Their booth also displays an old "moonshine" still with a romantic history—if a story so very romantic can be called "history."

American Wine Press
for Aug. 1904

Wm. Clayton - Johnson wins!

Col. Taylor's opponent was Mr L.F. Johnson, who years later issued a History of Franklin County, in which he commented on this stirring struggle with the Colonel in this wise:

"The contest for Representative was probably the fiercest struggle ever had for any position in Franklin County. The successful candidate won by only four votes from his competitor, Col E.H. Taylor, Jr. Col. Taylor contested the nomination and took the case to the Court of Appeals twice before the final settlement. Col. Taylor had been Mayor of Frankfort for several terms; Representative of his county twice and State Senator twice. He was known as 'The veteran war horse of local politics.' Doubtless the cause of his defeat was his announcement in the papers that he would not make the race for Representative and was afterwards induced by his friends to change his mind. The officers nominated in November, 1904, were elected in 1905 and commenced their terms of office in January, 1906."

Under date of 10 November, five days before the ~~election~~ primary, Col. Taylor issued the following statement:

Taylor statements and letters---

(2x2)

OPENED

Was Campaign For County
Offices at Jetts Thurs-
day.

Hon. E. H. Taylor. Jr. Reads
Letters In Connection With
His Race.

Other Candidates Also Present
Their Claims To the
Voters.

The county campaign was
opened at Jett's Station Thursday
afternoon, where a crowd which
filled the school house at that
place had gathered to hear the
speeches.

The Hon. E. H. Taylor, Jr., and
Judge Geo. Bacon, candidates for
Representative, spoke, as did Mr.
Harry Shaw, candidate for
Sheriff.

Hon. L. F. Johnson, who is also
a candidate, for Representative,
did not attend the meeting.

Mr. Bacon, in presenting his
claims, declared he "was born in
Kentucky, raised in Missouri, ed-
ucated in New Mexico and got
his diploma in the Confederate
army. If such a record won't win
nothing will."

Mr. Taylor said in part:
Fellow Citizens of Jetts:—

I regret exceedingly that my op-
ponent, who was requested to be
present on this and all other oc-
casions, is not here.

This is the precinct in which I
have large business interests and
I have thought it proper to open
my campaign here, as I did in my
race four years ago for the State
Senate.

There are many matters which
I desired to discuss with relation
to this campaign that I will be
compelled to forego on account
of the absence of Mr. Johnson.

I want to say at the outset that
the morning papers contain the
information that Judge Herrick
has been nominated by the De-
mocracy of New York as their
candidate for Governor.

Judge Herrick is one of the
ablest jurists in the country, and
has been endorsed by all the fac-
tions in that great State, and will
be elected by an overwhelming
majority.

I believe that his election is as
certain as the election of the Dem-
ocratic ticket in Kentucky, and as
my nomination for the Legisla-
ture.

Upon my arrival home from a
business trip in Chicago I was

These matters I discovered
through a noble woman who had
been in my employ.

I ascertained from her that my
opponent had written a letter to
her referring to her employment
by the firm of which I am a mem-
ber in which he states that he had
employed in our bottling house
in Frankfort certain white girls
who were worked under the su-
pervision of a negro girl, and
congratulated her in giving up
her position rather than submit
to such indignity, and that we had
also prepared a communication
addressed to himself to be signed
by her, confirming these state-
ments, and that he would be un-
der lasting obligations to her if

she would sign and forward the
said prepared letter to him in the
stamped envelope which he en-
closed for that purpose.

This good lady, knowing all of
these statements to be false, en-
closed to me the letter of Mr.
Johnson, a copy of the letter pre-
pared by him for her to sign and
also a copy of her letter in re-
ply to Mr. Johnson's letter, which
correspondence I will now read
to you:

Cincinnati, O., Sept. 14, 1904.
Mr. E. H. Taylor, Jr.,
Frankfort, Ky.

Dear Sir:—

I received a letter from Mr.
L. F. Johnson this morning and
as I did not exactly understand
the meaning of it, I will write you
a copy of it, or rather a copy of
what he wrote for me to sign, and
as it was not the truth, I wrote
an answer myself, and I will send
you the letter he wrote to me, and
Mr. Taylor, if I haven't answered
this right, please let me know and
I will correct it myself.

Here is what he wanted me to
sign; he wrote it to himself:

Cincinnati, O., Sept. 14, 1904.
Mr. L. F. Johnson,
Frankfort, Ky.

Dear Sir:—

In answer to your favor of
the 12th I will state that I worked
for some time for E. H. Taylor
Jr., & Sons. I and several other
white girls were employed by Col.
Taylor in Frankfort, Ky. and we
were paid for our work the sum
of \$3.00 per week. There was al-
so employed by Col. Taylor at
the same time a negro girl by the
name of Sallie Williams. This
negro girl was sent into our room
to direct us what to do, and I re-
fused to work under a negro boss
and so I quit. Some of the other
white girls also spoke of throw-
ing up their job, and in a short
time after that all of the white
girls were discharged, and negro
girls were employed to take their
places. I was poor and needed
the work, and would have been
glad to hold my job, but I would
starve rather than to work under

Mr. L. F. Johnson,
Frankfort, Ky.

Dear Sir:—

In answer to your letter I
can say I worked for E. H. Tay-
lor, Jr., & Sons for some time, but
did not work under any negro
boss. At the time I worked there
the negro girl named Sallie Wil-
liams worked in the office down
stairs. She had nothing to do
with our work. I quit, but not
for any reason of that kind, and
the rest of the white girls did not
quit, and were not discharged, so
far as I know anything about it

Respectfully,

(Signed) Mrs. Jouett Dailey

That is what I wrote to him,
and if it is not right let me know.
(Signed) Mrs. Jouett Dailey.

(Letter from L. F. Johnson to
Mrs. Jouett Dailey.)

Frankfort, Ky., Sept. 12, 1904.
Mrs. Jouett Dailey,
Cincinnati, O.

Dear Mrs. Dailey:—

You find enclosed a letter di-
rected to me which states, as I
have learned from your friends
here, a true state of facts. I will
be under lasting obligations to
you if you will sign this letter
and return same to me in the

day.

Hon. E. H. Taylor. Jr. Reads
Letters In Connection With
His Race.

Other Candidates Also Present
Their Claims To the
Voters.

The county campaign was opened at Jett's Station Thursday afternoon, where a crowd which filled the school house at that place had gathered to hear the speeches.

The Hon. E. H. Taylor, Jr., and Judge Geo. Bacon, candidates for Representative, spoke, as did Mr. Harry Shaw, candidate for Sheriff.

Hon. L. F. Johnson, who is also a candidate, for Representative, did not attend the meeting.

Mr. Bacon, in presenting his claims, declared he "was born in Kentucky, raised in Missouri, educated in New Mexico and got his diploma in the Confederate army. If such a record won't win nothing will."

Mr. Taylor said in part:
Fellow Citizens of Jett's:—

I regret exceedingly that my opponent, who was requested to be present on this and all other occasions, is not here.

This is the precinct in which I have large business interests and I have thought it proper to open my campaign here, as I did in my race four years ago for the State Senate.

There are many matters which I desired to discuss with relation to this campaign that I will be compelled to forego on account of the absence of Mr. Johnson.

I want to say at the outset that the morning papers contain the information that Judge Herriek has been nominated by the Democracy of New York as their candidate for Governor.

Judge Herriek is one of the ablest jurists in the country, and has been endorsed by all the factions in that great State, and will be elected by an overwhelming majority.

I believe that his election is as certain as the election of the Democratic ticket in Kentucky, and as my nomination for the Legislature.

Upon my arrival home from a business trip in Chicago I was informed that rumors were current that certain matters would be sprung to my detriment, and when unfolded by my opponent would annihilate me.

employed in our bottling house in Frankfort certain white girls who were worked under the supervision of a negro girl, and congratulated her in giving up her position rather than submit to such indignity, and that we had also prepared a communication addressed to himself to be signed by her, confirming these statements, and that he would be under lasting obligations to her if

she would sign and forward the said prepared letter to him in the stamped envelope which he enclosed for that purpose.

This good lady, knowing all of these statements to be false, enclosed to me the letter of Mr. Johnson, a copy of the letter prepared by him for her to sign and also a copy of her letter in reply to Mr. Johnson's letter, which correspondence I will now read to you:

Cincinnati, O., Sept. 14, 1904.

Mr. E. H. Taylor, Jr.,

Frankfort, Ky.

Dear Sir:—

I received a letter from Mr. L. F. Johnson this morning and as I did not exactly understand the meaning of it, I will write you a copy of it, or rather a copy of what he wrote for me to sign, and as it was not the truth, I wrote an answer myself, and I will send you the letter he wrote to me, and Mr. Taylor, if I haven't answered this right, please let me know and I will correct it myself.

Here is what he wanted me to sign; he wrote it to himself:

Cincinnati, O., Sept. 14, 1904.

Mr. L. F. Johnson,

Frankfort, Ky.

Dear Sir:—

In answer to your favor of the 12th I will state that I worked for some time for E. H. Taylor Jr., & Sons. I and several other white girls were employed by Col. Taylor in Frankfort, Ky. and we were paid for our work the sum of \$3.00 per week. There was also employed by Col. Taylor at the same time a negro girl by the name of Sallie Williams. This negro girl was sent into our room to direct us what to do, and I refused to work under a negro boss and so I quit. Some of the other white girls also spoke of throwing up their job, and in a short time after that all of the white girls were discharged, and negro girls were employed to take their places. I was poor and needed the work, and would have been glad to hold my job, but I would starve rather than to work under a negro boss.

Respectfully,

Now that is what he wanted me to sign, but I did not.
Here is what I wrote:

the negro girl named Sallie Williams worked in the office down stairs. She had nothing to do with our work. I quit, but not for any reason of that kind, and the rest of the white girls did not quit, and were not discharged, so far as I know anything about it.
Respectfully,

(Signed) Mrs. Jouett Dailey

That is what I wrote to him, and if it is not right let me know.
(Signed) Mrs. Jouett Dailey.

(Letter from L. F. Johnson to Mrs. Jouett Dailey.)

Frankfort, Ky., Sept. 12, 1904.

Mrs. Jouett Dailey,

Cincinnati, O.

Dear Mrs. Dailey:—

You find enclosed a letter directed to me which states, as I have learned from your friends here, a true state of facts. I will be under lasting obligations to you if you will sign this letter and return same to me in the

stamped envelope you find enclosed.

If I have not stated the circumstance correctly, I wish you would rewrite the letter and state them as they were.

I congratulate you upon the fact that you would not permit yourself to submit to such indignity. You will never be able to do anything in life for which you will deserve more credit, and everyone who hears of the course you took will honor and praise you for the spirit you exhibited. Please let me hear from you at once.

Most respectfully yours, etc.

(Signed) L. F. Johnson.

I demand of Mr. Johnson his authority for the statement made to Mrs. Dailey that he had heard from friends of hers that such conditions existed as he wished her to subscribe to.

I have been an employer of labor for more than forty years, both white and black, and have never during all of these years placed the black labor on equality with the white, as every citizen of this community knows. I employ a negro woman at my house as cook. (I do not know her name) and employ other negroes in the capacity of servants at my house, but I have never dined with any of them as President Roosevelt did with Booker Washington.

The negro girl spoken of in the communication I have just read is the daughter of Joe Williams, a trusted employee of ours for more than 20 years.

He died in our employ. I went to his funeral, and to the graveyard and saw him buried.

This girl is employed as the janitress of our office, and her duties

are to sweep our office, carry our mails and do such other things as are incumbent upon a janitress.

And she at no time had, as a matter of course, any supervision or control of any employees of our bottling house or any other employees, or any more connection with them than she now has with the management of the World's Fair.

I will now read you a statement prepared by Mr. W. J. Peters, our former Superintendent, which is self explanatory:

Frankfort, Ky., Sept. 19, 1904.
To Whom It May Concern:

I herewith beg to state that I was Manager at E. H. Taylor, Jr.,

& Sons Bottling House at their Office Building in Frankfort, Kentucky, in 1902, having come down from their Bottling in Bond House at the Distillery for the purpose of superintending the bottling of a lot of 10-year-old Taylor whiskey, that being the only time they have run their Frankfort Bottling House since they commenced Bottling in Bond at the Distillery in 1897.

I superintended the entire bottling of this whiskey and white girls only were employed.

I had men to assist me with the heavy work, the girls doing the light work only.

The utmost feeling existed throughout the time, and no girl was discharged and no girl quit from dissatisfaction of any kind.

The young ladies were treated with courtesy and respect, and on their part were courteous and respectful.

The following are the names of those employed, viz:

J. A. Harrod, Walter Harrod, Miss Edna Harrod, Miss Hallie Moore, Mrs. Tinnie Gayhart, Mrs. Carrie Dailey, Miss Hattie Tracey, Miss Myrtle Tracey, Miss Emma Warford, Miss Mary Dailey, Mrs. Belle Wright, Miss Hallie Rossell, Miss Nettie Rossell, Mrs. Maude Dugan, Mrs. Annie Rody.

Right up to the time we quit bottling there were girls applying for positions almost daily.

Respectfully,

W. J. Peters.

We, the undersigned, endorse what Mr. Peters states above as true in every respect.

Walter Harrod, J. A. Harrod, Nettie Rossell, Edna Harrod, Annie Rody, Tinnie Gayhart, Emma Warford, Mary W. Dailey, Mrs. Hallie Glore, Mrs. Belle Wright, Mrs. Carrie Dailey, Mrs. Maude Dugan, Hattie Tracey, Myrtle Tracey.

It will be seen from the statement of Mr. Peters that all statements to the contrary, whether made by Mr. Johnson, or by anybody else, or maliciously repeated

people of Frankfort and Franklin county than any other man in the county at that important time.

I reluctantly acceded to their wishes, became a candidate and was elected.

During this campaign it has been whispered around by parties interested in the candidacy of my opponent that expenditures incurred by me during that long Legislature did not come out of my personal resources, but were provided by others.

In response to these whispered statements, for which nobody seems to be responsible, I desire to say that I expended in excess of \$15,000, and any statement that any person, or persons, or corporation contributed one single cent towards the payment of any expenses that I incurred is unqualifiedly and infamously false.

In the session of 1902-4 my expenses were over \$6,000.

Independent of this there was an additional amount expended by me at the instance of a citizen's committee, and by that committee, of \$453.50, in which amount only I was re-imbursed, and that only at the suggestion of the committee, the said expenditure being made at their motion.

And any statement that any further sum in any amount was contributed by anybody whatsoever is unqualifiedly and maliciously false.

ity. You will never be able to do anything in life for which you will deserve more credit, and everyone who hears of the course you took will honor and praise you for the spirit you exhibited. Please let me hear from you at once.

Most respectfully yours, etc.
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W. J. Peters.

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Walter Harrod, J. A. Harrod, Nettie Rossell, Edna Harrod, Annie Rody, Tinnie Gayhart, Emma Warford, Mary W. Dailey, Mrs. Hallie Glore, Mrs. Belle Wright, Mrs. Carrie Dailey, Mrs. Maude Dugan, Hattie Tracey, Myrtle Tracey.

It will be seen from the statement of Mr. Peters that all statements to the contrary, whether made by Mr. Johnson, or by anybody else, or maliciously repeated by anybody else, are absolutely and unqualifiedly false.

I did not desire to be a candidate for the Legislature in 1892-3, but was prevailed on by over-partial friends who thought I could be of more service to the

During this campaign I have been whispered around by parties interested in the candidacy of my opponent that expenditures incurred by me during that long Legislature did not come out of my personal resources, but were provided by others.

In response to these whispered statements, for which nobody seems to be responsible, I desire to say that I expended in excess of \$15,000, and any statement that any person, or persons, or corporation contributed one single cent towards the payment of any expenses that I incurred is unqualifiedly and infamously false.

In the session of 1902-4 my expenses were over \$6,000.

Independant of this there was an additional amount expended by me at the instance of a citizen's committee, and by that committee, of \$453.50, in which amount only I was re-imbursed, and that only at the suggestion of the committee, the said expenditure being made at their motion.

And any statement that any further sum in any amount was contributed by anybody whatsoever is unqualifiedly and maliciously false.

A BALD LIE NAILED!

To the Better Citizenship of Franklin County:

A bald, malignant, baseless, silly lie is being circulated, at this late day in the canvass, that I have combined with candidates for other offices in their respective races.

I am being supported by free Kentuckians, not one of whose votes I own or could transfer, did I so desire. I, nor none for me, have ever considered or discussed such unqualified nonsense.

I have rendered for years past valuable service to this constituency. I am offering and desiring to continue the service, and am in a position to do so.

Do not allow yourselves, my friends, to injure yourselves or me by crediting any reports that are being or that may be later circulated to my prejudice, in the race for your Representative to the Legislature, a race which to-day, by your partiality, is won by an overwhelming majority, and which majority you should not allow to be reduced by false representation or other corrupt means.

Be true to me, my friends, as I have been and am true to you.

Your obedient servant,

E. H. TAYLOR, JR.

STATEMENTS

From Louisville And Lexington Legislators Regarding Capitol Appropriation.

Letters to Col. Taylor From Senate And House Members.

Details of Charges of Blackmail of Members, From These Cities.

November 10th, 1904.

To the voters of Frankfort and Franklin county:

The people of Franklin county should realize that the selection of a proper person to represent them in the next Legislature is a matter of supreme importance. Notwithstanding the historic and heretofore successful efforts to permanently locate the Capitol at Frankfort and to secure an appropriation to erect the necessary buildings, it is more than probable, unless great progress has been made in the actual work of construction prior to the next meeting of the Legislature, that the fight, which has been made against our little city for the past seventy-five years, will be renewed. Newspapers and many prominent and influential citizens throughout the State, some of them members of the Legislature, have expressed dissatisfaction over the location of the capitol at Frankfort and have openly and earnestly advocated another site.

It is thus possible, and certainly probable, that at the next meeting of the General Assembly a determined effort will be made, even at this late date, to rescind the action already taken or by dilatory tactics to impede and block the actual completion of the buildings and thus seriously imperil, if not destroy, the result of years of hard labor and earnest work done by the citizens of Frankfort and this county towards settling forever this question, which at every succeeding session of the General Assembly has harassed and troubled them.

To meet this probable question we will have no local Senator in the next General Assembly, and, therefore the need of an efficient representative in the lower House will be imperative—one alert enough to discover in its incipency any effort to revive this old fight and strong enough to block it. To accomplish this, he should

and would arouse against him antagonism in other members, whom by his published statements and public speeches he had slandered and insulted.

Some of these speeches were made by Johnson at county precincts where he thought there was little chance of his statements being reported, and where, consequently, he believed himself at liberty to indulge in loose, reckless and untrue statements to deceive the voters without fear of detection, refutation, or punishment. But even foul birds come home to roost, and the evil brood he unloosed are flocking back and seeking protection from the head and tongue that gave them birth. Knowing these characteristics of my opponent, I took the precaution to send Mr. Simcox, a reputable stenographer, to the meeting held at Purrington, in this county, in October, at which Mr. Johnson spoke, to take down his speech and here are his exact words taken down in shorthand and certified to by Mr. Simcox as a verbatim statement hmhahrtrtrrrr batim report of his statements on that occasion:

Frankfort, Ky., Nov. 8, 1904.
Hon. E. H. Taylor, Jr., Frankfort, Ky.

Dear Sir:—

By your employment of me as stenographer I was present at Purrington on the night of October 8th, 1904, and reported the speech made by Mr. L. F. Johnson on that occasion.

The quotations from said speech made by Hon. Thos. Drewery in his letter to you under date of November 5th, 1904, are verbatim statements of what Mr. Johnson said.

Yours Truly,
J. S. SIMCOX.

"I will say to you gentlemen that for the past twenty-five years to my certain knowledge there has not been a member from this county who has occupied as many prominent positions on committees as were assigned to me at the last term of the Legislature.

"In the first place the Capitol Committee—you understand that the several committees are appointed by the Speaker of the House, and he agreed that I should name that committee and I did. I named every member of it, and he also agreed that I should name the Committee of Constitutional Amendments. Those Committees were essential to the work we had in hand—some one that could CONTROL the appropriation Committee and the Committee of Constitutional Amendments, and I was granted the privilege of naming those two, and in addition to this I also named the Commit-

tees on State Capitol, Constitutional Amendments, Appropriations and Municipalities is such a direct reflection on the integrity and independence of the accomplished Speaker of the House that I, in common with the other members, disdain to believe it. If true, it should brand with infamy him, who voluntarily, and to re-elect himself, divulged an arrangement evidently intended to be secret. If untrue, the author of the statement should and will merit the condemnation and scorn of every honest voter in the county.

But the most audacious and amazing assertion made by the gentleman in that speech was that "they (referring to the Senators and Representatives from the cities of Lexington and Louisville) found out they could not get anything at all unless it went through that committee and that the committee being in such shape that unless they would vote for the appropriation at Frankfort they could not hope to get anything whatever, they just agreed to quit, and that was the way in which we were able to get this appropriation."

In other words, these Legislators from Lexington and Louisville, all of whom are gentlemen of the highest intelligence and integrity, and each of whom I am proud to count as my warm personal friend, were mere puppets in the hands of Johnson and his Subservient Committees, and permitted themselves to be held up and blackmailed as to any legislation they desired for their respective cities until they obediently promised to vote for the Capitol Appropriation Bill. Such a charge, if substantiated, would forever condemn each of the reputable gentlemen as a coward and poltroon, lacking both courage and independence, and unworthy to represent in a public capacity any constituency. That the assertion was false in every particular will be conclusively shown by the following written statements of Honorables Lawrence Reichert, Christ Mueller, Jas. P. Edwards, Jno. M. Letterle, Herman D. Newcomb and J. C. O'Connor, the Louisville delegation; W. F. Klair and J. Embry Allen, of the Lexington delegation.

Louisville, Ky., Nov. 5, 1904.
Hon. E. H. Taylor, Jr.
Frankfort, Ky.

Dear sir:—

I am in receipt of your communication of the 4th inst. containing the following statement purported to have been recently made in a public speech at Purrington by Frank Johnson, Representative in the General Assembly from the County of Franklin.

"In the first place, the Capitol

...locate the Capitol at Frankfort and to secure an appropriation to erect the necessary buildings, it is more than probable, unless great progress has been made in the actual work of construction prior to the next meeting of the Legislature, that the fight, which has been made against our little city for the past seventy-five years, will be renewed. Newspapers and many prominent and influential citizens throughout the State, some of them members of the Legislature, have expressed dissatisfaction over the location of the capitol at Frankfort and have openly and earnestly advocated another site.

It is thus possible, and certainly probable, that at the next meeting of the General Assembly a determined effort will be made, even at this late date, to rescind the action already taken or by dilatory tactics to impede and block the actual completion of the buildings and thus seriously imperil, if not destroy, the result of years of hard labor and earnest work done by the citizens of Frankfort and this county towards settling forever this question, which at every succeeding session of the General Assembly has harassed and troubled them.

To meet this probable question we will have no local Senator in the next General Assembly, and, therefore the need of an efficient representative in the lower House will be imperative—one alert enough to discover in its incipient any effort to revive this old fight and strong enough to block it. To accomplish this, he should have and deserve the respect and friendship of the members of the House and command the cordial personal regard of each Representative, particularly those from Louisville and Lexington, the two cities in the Commonwealth which in past years have been the only rival candidates for the capitol.

The remarkable public utterances of my opponent, Mr. Johnson, in the prosecution of the candidacy "in his own way," as he calls it, show him to be lacking in these requirements and to have justly earned and invited, not the respect and affection of those who will be members of the next House, but their contempt and enmity. If as a member of the last House, Mr. Johnson rendered any service to this county and city, (which the facts and the records fail to show) he has by his methods in this canvass and in a way deserving the condemnation, not only of every citizen of Frankfort, but of every just and self-respecting man, neutralized that service, and put himself in an attitude in which, if elected, he could not truly be of no benefit to this county and city, but the fact of his being a Representative would be a positive detriment to their interests

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Yours Truly,

J. S. SIMCOX.

"I will say to you gentlemen that for the past twenty-five years to my certain knowledge there has not been a member from this county who has occupied as many prominent positions on committees as were assigned to me at the last term of the Legislature.

"In the first place the Capitol Committee—you understand that the several committees are appointed by the Speaker of the House, and he agreed that I should name that committee and I did. I named every member of it, and he also agreed that I should name the Committee of Constitutional Amendments. Those Committees were essential to the work we had in hand—some one that could CONTROL the appropriation Committee and the Committee of Constitutional Amendments, and I was granted the privilege of naming those two, and in addition to this I also named the Committee on Municipalities. You can readily understand how advantageous that was to our position there at Frankfort, when Louisville and Lexington have been the contending factors for the past 100 years. We have always been ready to present a fight, but when the appropriation came up both Lexington and Louisville have always claimed that one of them should have the Capitol.

"By appointing the Committee on Municipalities and having it in such shape that neither Lexington nor Louisville could get anything—you know that under our present system all measures are referred to a committee, and if the committee reports adversely, it is almost impossible to get it before the House. They found out they could not get anything at all unless it went through that committee, and that the committee being in such shape that unless they would vote for the appropriation at Frankfort they could not hope to get anything whatever, they just agreed to quit, and that was the way in which we were able to get this appropriation."

The statement that Mr. Johnson was permitted by the Speaker of the House to name and that he did name the members of the Commit-

In other words, those who come from Lexington and Louisville, all of whom are gentlemen of the highest intelligence and integrity, and each of whom I am proud to count as my warm personal friend, were mere puppets in the hands of Johnson and his Subservient Committees, and permitted themselves to be held up and blackmailed as to any legislation they desired for their respective cities until they obediently promised to vote for the Capitol Appropriation Bill. Such a charge, if substantiated, would forever condemn each of the reputable gentlemen as a coward and poltroon, lacking both courage and independence, and unworthy to represent in a public capacity any constituency. That the assertion was false in every particular will be conclusively shown by the following written statements of Honorables Lawrence Reichert, Christ Mueller, Jas. P. Edwards, Jno. M. Letterle, Herman D. Newcomb and J. C. O'Connor, the Louisville delegation; W. F. Klair and J. Embury Allen, of the Lexington delegation.

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Dear sir:—

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"In the first place, the Capitol Committee—you understand that the several committees are appointed by the Speaker of the House—and he agreed that I should name that committee, and I did. I named every member of it, and he also agreed that I should name the Committee of Constitutional Amendments. These committees were essential to the work we had in hand—some one that could CONTROL the Appropriation Committee and the Committee of Constitutional Amendments, and I was granted the privilege of naming these two, and in addition to this, I also named the Committee on Municipalities. You can readily understand how advantageous that was to our position there at Frankfort, when Louisville and Lexington have been the contending factors for the past 100 years. We have always been ready to present a fight, but when the appropriation came up both Lexington and Louisville have always claimed that one of them should have the Capitol.

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are referred to a committee, and if the committee reports adversely it is almost impossible to get it before the House. They found out they could not get anything at all unless it went through the committee, and that the committee being in such shape that unless they would vote for the appropriation at Frankfort they could not hope to get anything whatever, they just agreed to quit, and that was the way in which we were able to get this appropriation."

With reference to that part of the above statement wherein Mr. Johnson states that he named the Committees on State Capitol, Constitutional Amendments, Appropriations and Municipalities, I have no knowledge; but I desire to say, and, without intending to offend the gentleman, "that I thought that was a matter in which Speaker Brown exercised his prerogative, or at least should have," and must necessarily be sanctioned and approved by Speaker Brown to sustain Mr. Johnson's contention.

However, with reference to the latter part of the statement wherein Mr. Johnson claims that he so shaped the Committee on Municipalities that the representatives of the cities of Louisville and Lexington could not secure the approval of that committee to any legislation respecting their respective municipalities "unless they would vote for the appropriation at Frankfort, they could not hope to get anything whatever; they just agreed to quit," I wish to state emphatically that neither myself or any other member of the Louisville delegation ever received such a suggestion from Mr. Johnson or from any one interested in the passage of the Capitol appropriation, nor do I or any of my colleagues recall having made any promise "just to quit" either individually or collectively. I take it that the good people of Frankfort are familiar with the record of myself and colleagues from the city of Louisville with reference to the fulfillment of their long cherished hope—a Capitol appropriation—and therefore will not consider it presumptuous on my part to make a brief reference to same. In the session of 1902

(Mr. Johnson did not represent Franklin) the entire Louisville delegation supported the Capitol appropriation, and the late Harry McDonald, a member of the Capitol Committee in that session, was especially active in its support. In the late session the delegation was a unit in its support of the Capitol measure. This much I deem it proper to write you upon this subject in justice both to myself and colleagues from the city of Louisville. With best regards, I remain,

Yours respectfully,

(Signed) Thos. Drewry,
Chairman Committee Municipalities, Session Gen. Assembly, 1904.

We, the members of the Louisville delegation, concur in the above statement.

(Signed) Laurence Reichert,
Christ Mueller.

"I have always been for a Capitol at Frankfort before I ever heard of Johnson, and he could not have influenced me one way or the other. I made up my own mind."

(Signed) Jas. P. Edwards,
John M. Letterle,
Herman D. Newcomb.

Louisville, Ky., Nov. 7, 1904.
Mr. Thomas Drewry,

Louisville, Ky.

Dear sir:—

In reply to your request to state whether any suggestion was made to me by any one that unless the Louisville delegation was favorable to the Capitol appropriation, that there would be some objection on the part of certain members to any proposed legislation for Louisville, would say that I did not hear of anything of that

nature. I was at all times in favor of the Capitol appropriation.

Yours very truly,

Jas. C. O'Connor.

Rep. 5th Leg. Dis.

Lexington, Ky., Nov. 8, 1904.

Hon. E. H. Taylor, Jr.,

Frankfort, Ky.

Dear sir:—

I have just been handed an excerpt from a speech of Hon. L. F. Johnson at Purrington in your county, in which he is quoted as saying, in effect, that he manipulated the appointment of the House Committee on Municipalities in the last Legislature in such a way that the committee was packed against Lexington and Louisville and that, by so doing, he used this committee as a lever against the Lexington and Louisville Representatives and compelled them to withdraw their opposition to the Capitol appropriation bill before they could get any other measures through the committee for the interest of these cities.

This statement is so far from the truth and is such a direct reflection on, and insult to, every member of the Municipalities Committee, as well as to every Representative from Lexington and Louisville, that I take the liberty of writing you this letter in denial of Mr. Johnson's statement.

During my first session in the Legislature, and before I ever heard of Mr. Johnson, I introduced a bill to appropriate money to erect new Capitol buildings in Frankfort and, at the 1902 session, after I found that Lexington had no reasonable chance for the Capitol, I voted for an appropriation at Frankfort, or rather voted against a motion to lay the bill on the table which was, in effect, a vote for the bill. I also voted for the Senate amendment to the revenue bill providing for a one-half of one cent tax to raise \$750,000 for new buildings at Frankfort. On both of these propositions and during the entire fight, in the 1902 session, on the Capitol appropriation question, the whole Louisville delegation, with one exception, stood by Frankfort at all times; and now it seems to me that it comes with very poor grace from Mr. Johnson for him to say that, at the 1904 session, he deemed it necessary and proper for him to resort to the practice of manipulating committees and packing them against these Representatives in order to coerce them into supporting Frankfort's claims when these same gentlemen had been Frankfort's most loyal supporters in past sessions. Such conduct, in Mr. Johnson, had he confessed it at the time, would have lost Frankfort the support of the entire Louisville delegation and many other Representatives and would have destroyed every possibility of an appropriation at Frankfort.

However, I will say that I do not believe Mr. Johnson guilty of resorting to such methods, although he has confessed same and only on this as a reason

why he should be re-elected. I believe he is either very ignorant of what he is talking about or else is telling what he knows to be untrue. So far as I ever knew, he had nothing whatever to do with the appointment of the Committee on Municipalities, but if he did, it had nothing in the world to do with the Capitol appropriation or with influencing or coercing any member to vote for it. Neither Lexington nor Louisville had any measures before that committee that met with any serious opposition in the committee; but, even if they did, I am sure the members of that committee need no defense from me against the implication of Mr. Johnson that they were willing to stultify themselves by holding up the legislation concerning Louisville and Lexington in order to coerce the Representatives of those cities into supporting a Capitol appropriation at Frankfort, and it is equally

selfless and unnecessary for me to defend myself and the Louisville delegation against Mr. Johnson's insinuation that we deliberately sold our votes on the Capitol appropriation bill in order to get legislation for our cities through the Municipalities Committee, which Mr. Johnson claims he had caused to be packed against us.

If Mr. Johnson ever had any influence in the Legislature he has lost it now, since by his own confession he has used it against the best and most loyal friends Frankfort had, and in this I do not speak of myself, but allude to the Louisville delegation which stood by Frankfort on every proposition throughout the entire fight with the exception of one member.

Sincerely yours,
Wm. F. Klair.

Lexington, Ky., Nov. 9, 1904.

Hon. E. H. Taylor, Jr.,
Frankfort, Ky.

Dear sir:—

Having been shown the above letter of Mr. Klair's and the excerpt from the speech of Mr. Johnson to which the letter refers, I find myself very much at a loss to understand why Mr. Johnson should have made the statement attributed to him and, if he did make such a statement, it is very far indeed from being correct, as nothing could be farther from the truth than the insinuation that the Lexington and Louisville delegations were compelled to vote for the Capitol appropriation in order to get legislation for their cities through the Municipalities Committee, and this is the first intimation I ever had that those committees had been packed against Lexington and Louisville. There was no need of any coercion so far as these delegations were concerned, because the Louisville Representatives had been for Frankfort all the time and the Lexington people had given up their fight before the session began.

If Mr. Johnson made the statements attributed to him I am very much surprised indeed.

Very truly yours,
J. Embry Allen.

Being the author of such a false and slanderous accusation, seeking to besmirch the character of reputable men, what aid, co-operation or assistance could my opponent, if elected, have from any of them in any legislation he desired or measure he advocated, and what could he expect from them except well merited scorn and contempt?

But, not content with thus slandering the members of the four committees above mentioned and the delegations from Louisville and Lexington, he has made himself obnoxious and persona non grata to all hold-over Legislators by his statements in a public

of the bill for the Capitol appropriation. Judge Hazelrigg, as a member of a sub-committee appointed by the General Committee, drafted the bill which was approved and adopted by the General Committee, and subsequently passed by the General Assembly with only the Guffey amendment added. In proof of this I submit the following correspondence between myself and Judge Hazelrigg.

Hon. James. H. Hazelrigg,
Frankfort, Ky.

Dear sir:—

In a circular letter addressed by me "TO THE VOTERS OF FRANKLIN COUNTY," dated August 25, 1904, I used these words "The bill authorizing the appropriation for the new Capitol was drafted by a committee of citizens at the head of which was Judge James H. Hazelrigg."

I will thank you to advise me if I was correct in making this statement, and if incorrect, in what particular?

Yours truly,
E. H. Taylor, Jr.

Frankfort, Ky., Sept. 21 1904.
Col. E. H. Taylor, Jr.,
Frankfort, Ky.

My dear sir:—

In reply to your note of inquiry touching the Capitol bill, will say that the General Committee having the matter in charge, of which Dr. Blayney was Chairman, appointed a sub-committee consisting, as I now recollect, of General D. W. Lindsey and myself, who were to draft the bill to be proposed to the Legislature for the erection of our new Capitol buildings.

Various old bills had heretofore been drawn, but a radical change was thought necessary and at General Lindsey's suggestion I proceeded to draft a bill which subsequently met with the approval of the General Committee and which finally was adopted by the General Assembly with only the Guffey amendment added.

Respectfully,
J. H. Hazelrigg.

That Mr. Johnson led any fight to secure the passage of the bill is as false as the other statement just mentioned. There was no fight during the last session of the Legislature over the passage of the bill. The press of the State, both religious and secular, were unanimous in their approval and endorsement of the bill. The people of the State were tired of the fight and were in favor of the passage of the act, the Representatives and Senators were anxious to pass it, and those from Louisville and Lexington were outspoken in their approval and gave cordial and voluntary assistance in its adoption.

of the General Assembly which would convene next after the adoption of the Constitution. I was a member of both Houses of the General Assembly at the session following the adoption of the Constitution, being first a member of the Lower House when it organized, and afterward succeeding Judge Lindsey in the Senate. With the co-operation of the citizens of Frankfort and Franklin County, and the friends of the city all over the State, I was instrumental in securing the defeat of every measure looking toward the removal from Frankfort—and I continued the fight, with the help of the same friends of the city at the session prior to the last session, and passed through the Senate an amendment to the revenue bill, providing for a tax levy for Capitol purposes. Owing to an apprehension that this amendment would endanger the success of the revenue bill, it was defeated in the House, the friends of the new Capitol deciding to wait until the next meeting of the General Assembly, when there would be funds coming from the United States Government sufficient to erect the necessary buildings without additional taxation. The funds did subsequently come from the Government.

A large majority of the citizens of the State were anxious to terminate the fight and to have the Capitol located at Frankfort, and in accordance with popular sentiment the Representatives from the various counties united at the last session in the passage of the necessary bill appropriating money for the purpose of erecting the buildings.

I do not desire to overrate my services in this matter, through many years, and would not refer to it except for the extravagant and untrue claims made by my opponent. But every citizen of the State knows how all of my energies and whatever capacity I possess has been devoted for years to the accomplishment of this result, for the benefit of the people of this county and of this beautiful city, which is my home and which I love with a passionate devotion.

should have made the statement attributed to him and, if he did make such a statement, it is very far indeed from being correct, as nothing could be farther from the truth than the insinuation that the Lexington and Louisville delegations were compelled to vote for the Capitol appropriation in order to get legislation for their cities through the Municipalities Committee, and this is the first intimation I ever had that those committees had been packed against Lexington and Louisville. There was no need of any coercion so far as these delegations were concerned, because the Louisville Representatives had been for Frankfort all the time and the Lexington people had given up their fight before the session began.

If Mr. Johnson made the statements attributed to him I am very much surprised indeed.

Very truly yours,
J. Embry Allen.

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But, not content with thus slandering the members of the four committees above mentioned and the delegations from Louisville and Lexington, he has made himself obnoxious and persona non grata to all hold-over Legislators by his statements in a public speech at Bailey's Mill in response to an assertion of mine that I had expended \$23,000 in entertaining members of the Legislature "that such an amount was enough to have bought the whole Legislature," and coupled that outrageous avowal with the further false statement that the amount had been expended in the sessions of 1902-04, when he knew that I had stated it was during the long session succeeding the Constitutional Convention and the sessions of 1902-04.

But to still further show the reckless disregard of truth of my opponent in his eagerness to be re-elected, and his willingness to deceive you into an endorsement at the polls of him for services he never performed, in written cards sent to the voters of the county by him on September 1st, he said: "During the last session I had the honor of being the author of the bill for a Capitol appropriation and I led the fight for its passage." Such an unblushing disregard of facts exhibits a trait of character in my opponent which renders him unworthy of your suffrages.

Mr. Johnson was not the author

Col. E. H. Layton,
Frankfort, Ky.

My dear sir:—

In reply to your note of inquiry touching the Capitol bill, will say that the General Committee having the matter in charge, of which Dr. Blayne was Chairman, appointed a sub-committee consisting, as I now recollect, of General D. W. Lindsey and myself, who were to draft the bill to be proposed to the Legislature for the erection of our new Capitol buildings.

Various old bills had heretofore been drawn, but a radical change was thought necessary and at General Lindsey's suggestion I proceeded to draft a bill which subsequently met with the approval of the General Committee and which finally was adopted by the General Assembly with only the Guffey amendment added.

Respectfully,
J. H. Hazelrigg.

That Mr. Johnson led any fight to secure the passage of the bill is as false as the other statement just mentioned. There was no fight during the last session of the Legislature over the passage of the bill. The press of the State, both religious and secular, were unanimous in their approval and endorsement of the bill. The people of the State were tired of the fight and were in favor of the passage of the act, the Representatives and Senators were anxious to pass it, and those from Louisville and Lexington were outspoken in their approval and gave cordial and voluntary assistance in its adoption.

The bill was reported favorably by the committees to whom it was referred, both in the House and Senate. It passed the Senate unanimously, and in the House by a vote of ninety yeas to one nay. So that the imaginary fight which the heroic Representative from this county led was as ludicrous and the enemy as unreal as the battle with the windmill which the valiant Don Quixote charged, believing it to be an armed adversary. For there was practically no opposition to the bill.

Mr. Johnson was in no sense a factor in the passage of the bill at the last session, except to the extent of his vote. And it would have been adopted if Mr. Johnson had not been a member of the House, by the same majority it did pass. The hard work, and earnest and zealous efforts at preceding sessions of the General Assembly accomplished the result and made possible at the last session the successful termination of the fight. Section 255 of the Constitution, adopted by the Constitutional Convention of 1891, fixed the seat of Government in the City of Frankfort, unless removed by a vote of two-thirds of each House

out additional funds did subsequently come from the Government.

A large majority of the citizens of the State were anxious to terminate the fight and to have the Capitol located at Frankfort, and in accordance with popular sentiment the Representatives from the various counties united at the last session in the passage of the necessary bill appropriating money for the purpose of erecting the buildings.

I do not desire to overrate my services in this matter, through many years, and would not refer to it except for the extravagant and untrue claims made by my opponent. But every citizen of the State knows how all of my energies and whatever capacity I possess has been devoted for years to the accomplishment of this result, for the benefit of the people of this county and of this beautiful city, which is my home and which I love with a passionate devotion.

I was Mayor of the city of Frankfort for fifteen years at a paltry salary. Went, most unwillingly, as a member, to the session of the Legislature succeeding the Constitutional Convention, and at a serious and personal loss to myself—believing that I could be of substantial service to this city and county in securing the Capitol. I did expend out of my own pocket, during that session, and the sessions of 1902-4, \$23,000 in extending courtesies and showing hospitality to the members of the General Assembly—and can say, without egotism, and as a matter of pride, that I did secure the friendship and confidence and personal regard of my brother members.

In the next session there will be nineteen hold-over Senators, each of whom is a personal friend of mine. Nineteen to be elected, ten of whom will be Senators with whom I have served, and who are my personal friends. Twenty-nine out of the thirty-eight Senators honor me with a personal friendship—which is a valuable asset to my people—and upon which I can confidently rely for assistance and aid in any measure proposed for the benefit of this city and county in any proper measure. If my opponent should be elected, instead of having the friendship and alliance of members of either House, he will in the Legislature meet with the certain active hostility of the twenty-six men composing the four committees above referred to, which he assumes to have owned besides the two Louisville Senators, McNutt and Phelps, all of whom he avows that he manipulated as automatons to accomplish his own purposes, and whom, he says, he held up as to any measures they desired until he could

secure their vote in favor of the appropriation for the Capitol, all of whom, I sincerely believe, he has slandered and traduced by this statement. To re-elect this man would be an approval by the voters of this county and city of the slanders originated by him, and an insult to the men involved.

In conclusion, let me say that I seek this office not for its emoluments, for they are small; and not so much for the honor of being your Representative, though I deem that honor a great and proud one, but because I believe that I

can be of great service to the county and city at the next session in securing the final consummation of their heart's desire with reference to the erection of the Capitol in Frankfort, and because by my long past services as a member of the Lower House and the Senate, and by reason of my intimate association and friendship with those who will constitute the next General Assembly, I believe I am unusually well equipped to represent their best interests.

Your obedient servant,
E. H. TAYLOR, JR.

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[Handwritten signature]

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The Filson Historical Society

12x50

Eyelash finishes were the features of the Democratic primary election for the nomination of county officers yesterday.

In two contests, for Representative and Jailer, the vote is so close that it will take the official count to tell the tale beyond quibble.

In the race for Representative the Hon. L. F. Johnson has won over Col. E. H. Taylor, Jr., on the face of the returns by a majority of seven.

In the race for Jailer Mr. M. B. Lucas has a lead of four votes over Mr. J. W. Bridges, his nearest opponent.

PRECINCTS.	Representative	
	E. H. Taylor, Jr.	L. F. Johnson
Kenney's Mill...	92	74
Voglers.....	52	79
Gas House.....	59	38
Bridge.....	115	90
Market House..	83	61
Court House....	82	68
Gaines' Stable..	122	96
Purrington.....	66	44
Elkhorn.....	70	60
Bloomington....	30	40
Utterback's.....	44	61
Crutcher's.....	116	53
Glore's.....	27	34
Harvieland.....	44	60
Renson.....	62	67
Thorn Hill.....	83	79
Bridgeport.....	100	81
Bald Knob.....	41	32
Flat Creek.....	34	79
Bailey's Mill...	40	84
Switzer.....	89	68
Blairville.....	15	96
Peak's Mill.....	40	84
Swallowfield...	38	48
Total.....	1533	1540

361
 Johnson
 Taylor
 Bridges
 Lucas
 16 Nov.
 1902

005X2

*New Chapter - His Complaint to
"Hill's Blue"*

The 1904 legislature appropriated one million million dollars with which to build the new state house; and in January, 1905 a special session of the Assembly was called to consider the question of ~~axsite~~ suitable sui site for the proposed building. Col. Taylor, of course, was a member of the Senate at these two sessions and also of course lead the fight to settle the perplexing problem for all time. But in the 1904 he had rather easy sailing, ~~axsite~~ only one vote being cast against the million special dollar bill. The sepcial session of the following year was more interesting and much shorter.

Here us a story from the Louisville Herald for 25 January, 1905:

Louisville Herald
Jan. 25 - 1905

SENATOR E. H. TAYLOR, JR., LANDS STRAIGHT AND STRONG ON BECKHAM ADMINISTRATION

Charges on Floor of Senate That Machine Has Prostituted to Its Interests Patronage of Feeble-Minded Institute.

(Special to The Herald.)

FRANKFORT, KY., Jan. 24.—In debate on the Capitol site question Senator E. H. Taylor, Jr., delivered an attack on the State administration in the Senate this morning, charging that the immense patronage and offices of the Feeble-minded Institute had been prostituted in the interest of the machine as represented by the State administration. He said that with the single exception of the non-resident officer and head of the institution, Dr. J. W. Hill, the Superintendent, every officer, director and employe of the Institute had prostituted his office. He made the charge openly and publicly in the Senate chamber crowded with members of both houses and with visitors.

The Senators were discussing the amendment to the George bill, and Senator Campbell Cantrill had just completed an hour's address speaking in advocacy of the Feeble-minded Institute site. Col. Taylor then arose and said:

All Sites Eligible.

"To my mind, either of the three sites is eligible. The Legislature almost unanimously voted on the present site last year. That site is eligible, as is also the Hunt site and the Institute site, and there was no reason for the Capitol Commission disobeying the mandate of the Legislature last year. If we should select the Institute site, what assurance have we that the commission will say to us, 'You people haven't sense enough to select a site. You have selected the wrong site and must meet again? What assurance have we that the commission will build on the Institute site if it is selected?'"

Continuing, Col. Taylor said that from a personal standpoint it would be better for him if the Capitol should be located on the Hunt site, as that property adjoins his own farm, but that he was looking out for the interest of the people. He said:

"If we should build on the Institute site we would have to tear down the present buildings, which cost the State from \$60,000 to \$100,000.

Abolish Institute.

"The Institute itself should be abolished. It is being used for political purposes. Its offices are prostituted for political purposes. With the exception of the non-resident head of the institution, every officer, employe and director of the Institute has prostituted his office within the past four months in the interest of what is called the administration."

After the session of the Senate this morning Col. Taylor was asked to amplify the ugly charges he had made against the management of the institution and his reflection upon the integrity of the State administration. He

(Continued on Page 2, Column 4.)

(Over)

INTEREST TO 1
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SENATOR E. H. TAYLOR, JR.

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(Continued on Page 2, Column 4.)

INTEREST TO T AND LOCAL A

tiser," that being the nam
s space in a newspaper, is
ually millions of dollars.
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k the local advertiser to r
makes abundant use of
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The press of the State generally t roasted and ridiculed thi
this special session, charging that the members of both parties played
peanut politics from start to finish, staying in session thirty days
at a cost of to the people of \$1,500~~00~~ a day when the whole matter coul
could easily have been settled in a week or ten days at the outside.
The people and press apparently enjoyed a deep ~~breaty~~ breath of gra-
titude when this session ended ~~early in February~~ its antics early in
February. It ~~appropriated~~ appropriated \$40,000 with which to
purchased the Hunt property in south Frankfort ~~as a site~~

for the new Kentucky Home

The Filson Historical Society

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Mr. [unclear]
Some Law Suits

Of the several important legal actions E.H. Taylor, Jr. had with various individuals and firms, perhaps the most important was that filed against Marion Elliott Taylor, the Louisville distiller, who did business under the firm name of Wright & Taylor. 9 June, 1896, when the original petition was filed; (Footnote) The action was begun in 1902; and the last of it was heard seven years later when J. Swigert Taylor Esquire, circulated among his famous prospectus of a little book that never did get any farther than the mere announcement of it; ~~which was as follows~~

Gems from the Cross-Examination of a
Whiskey Fakir.

by the Taylors
The action was started in 1902 and asked damages from Marion E. Taylor for approximate three hundred thousand dollars. Their claim was based on the contention that the name of "Old Taylor" was their exclusive property as a name and trademark for their whiskey, and that Marion E. Taylor had no moral or legal right to use it as a name for his whiskies, which the Taylors claimed were not whiskey at all, that is, not a straight Kentucky whiskey, but a blend or rectified article. And it was alleged that Marion Taylor had made large profits through the use of the name, and the Frankfort distillers asked for an accounting and a division of profits. They also asked for an injunction to prevent further use of the name of Taylor or Old Taylor by Wright & Taylor.

The suit was first argued on 16 December, 1902, before Judge Sterling B. Toney in Louisville. E.H. Taylor was represented by Thos. F. Hargis and Wm. McKee Duncan of Louisville, ~~of Frankfort, and~~ ~~the defendant~~ and William Lindsey and Hazelrig and Hazelrig, of Frankfort. M.E. Taylor's attorneys were Humphrey, Burnet & Humphrey, the widely-known Louisville firm, of which the distinguished Judge Alex P. Humphrey was the senior partner.

Footnote: *for p. 364*

Observe the ways of the law and lawyers:

The pleadings consisted of: The petition, filed 9 June, 1896;
the answer, filed 5 Dec., 1896; the reply, 10 April, 1897;
the rejoinder, 15 April, 1897; the amended reply, 19 April,
1902; the amended petition, 19 April, 1902; the answer,
7 June, 1902.; the argument before Judge Toney, 16 Dec.
1902; his ~~decision~~ judgment, 10 June, 1903.; the appeal
from judgment, 17 Dec., 1903; brief ^{appellants} for appellants
filed 17 October, 1904; motion for and petition
for modification and extension of opinion,
13 May, 1905; supplemental statement for ap-
pellants on petition for modification, 6 June, 1905; and then
the final decision of the Court of Appeals, 17 March, 1905.
And pamphlets were made out of each of these
petitions, statements, and pleas, and opinions!

The Filson Historical Society

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After the arguments Judge Toney took the case under advisement and did not render his decision until the following June, of 1903. His opinion was a sweeping victory for Marion E. Taylor, and was, in part, as follows:

365

226

The Filson Historical Society

VICTORY FOR MARION TAYLOR.

Judge Toney Upholds His Contention in the Injunction Suit Brought by E. H. Taylor & Sons.

TRADE MARK OF WHISKY IS INVOLVED.

Judge Sterling B. Toney today handed down a learned and exhaustive opinion on the subject of trade marks in the suit brought by E. H. Taylor & Sons Co., of Frankfort, against Marion E. Taylor and others, of this city. The plaintiffs sued for an injunction to prevent the defendants from using "Old Taylor" as a trade mark for whisky, and for an accounting of all profits which have accrued from the use of the brand by the defendants.

Decision for Defendant.

Judge Toney refused to grant the injunction, and decided for the defendants on every point. The amount sued for was in the neighborhood of \$300,000.

Judge Toney's opinion is, in part, as follows:

Nature of the Case.

This is a suit in equity by the plaintiff, a corporation at Frankfort, Ky., under the corporate name of E. H. Taylor, Jr., & Sons Company, engaged in the manufacture and sale of whisky, against the defendant Marion E. Taylor, a manufacturer and wholesale merchant dealing in whisky in the city of Louisville, and a rival in business of the plaintiff, for an injunction and an accounting upon the alleged ground of an infringement by the defendant through a series of years, of the plaintiff's trade mark. This case is of great importance to the parties, and has been very fully and ably argued, both orally and by briefs, by their respective counsel. It is of the first importance to determine clearly just what are the material issues of law and of fact before the court for determination. These issues are shown alone by the pleadings; and the court, in considering and deciding this case, does not feel called upon to consider any matters outside of the material issues, however vehemently affirmed and however often repeated in the pleadings.

There are other nominal parties defendants to plaintiff's petition, but the defendant, Marion E. Taylor, is the real and only defendant in interest.

The pleadings by the plaintiff in the case are very voluminous, and charge the defendant, Marion E. Taylor, with infringement and piracy during many years of the plaintiff's trademarks, to-wit: the words "Taylor" and the word "Kentucky," connected therewith; and the words "Old Taylor" and "Old Kentucky

Taylor" and "Kentucky Taylor" and "Taylor Whisky" and "Fine Old Taylor Whisky," used upon the barrels and cases and bottles in which whisky is sold by the defendant. The plaintiff alleges that such words and phrases are its trademarks, and are worth over \$300,000, and further alleges that the defendant, Marion E. Taylor, for many years past, has pirated and infringed its said trademarks, and has made large profits by such means, amounting to over \$75,000, to which amount the plaintiff claims it is entitled, and prays for an accounting and judgment therefor.

Infringement and Piracy Denied.

The defendant, Marion E. Taylor, specifically denies that the said words and phrases constitute or are the trademarks of the plaintiff, and denies that he has infringed any trademarks of the plaintiff, or that he has made any profits to which the plaintiff is entitled.

In his answer, the defendant further pleads that long prior to the creation of the plaintiff corporation and prior to the commencement by any of its predecessors of the use upon barrels or bottles or cases and packages containing whisky as a brand or trademark of the words "Old Taylor" or "Taylor" or "Old Kentucky Taylor" or "Kentucky Taylor," etc., the said words were and had been in common and general use by others upon whisky and bottles and barrels and packages of whisky in the State of Kentucky and elsewhere; that the word "Taylor" is a common name in Kentucky and elsewhere, borne by many persons in the whisky trade at the present time and in past years.

Exclusive Use of Trade Marks.

It is an elementary principle of the law of trademarks that every manufacturer of goods and every merchant for whom goods are manufactured has an unquestionable right to distinguish the goods that he manufactures or sells by a peculiar mark or device or arbitrary symbol, or word or words, or sign, in order that they may be known as his goods in the markets for which he intends them, in order that he may thus secure the profits that the superior reputation of his goods may be the means of gaining. Such a trademark is an assurance to the public of the quality of his goods, and a pledge of his own integrity in their manufacture and sale. And to protect him in the exclusive use of such a trademark when thus adopted, is now only an act of justice to such manufacturer or merchant, but a deserved protection to the purchasing public that deals in such goods. This protection it is the especial prerogative of a court of equity to grant and enforce by its remedial preventive writ of injunction.

Marion E. Taylor, upon the principles of law above established, even if there were no priority of appropriation by others of said trademark, had and has such right to use his own name, "Taylor," and as much right to the use of the descriptive words "old" and "fine" and as much right to the use of the geographical word "Kentucky" as the plaintiff or its predecessors ever had or have. The word "Taylor" is a proper name and is not trademarkable, so as to exclude any man bearing that name from using it upon his goods, and so the word "whisky" is a name of a commodity just like wheat or tobacco is the name of a commodity, and is not trademarkable and cannot be exclusively appropriated by the plaintiff or anyone else so as to exclude a merchant or trader dealing in the same product from using the same; and so, the word "Kentucky" being a geographical name, is not trademarkable so as to exclude any citizen living in Kentucky and dealing in a Kentucky product from applying it to his own goods. The words "old" and "fine" being adjectives—descriptive words—cannot be adopted and made the exclusive property as a trademark by anyone to the exclusion of the right of others to use the same as truthfully in regard to their goods as when applied to the goods of any other. The right to use such an ordinary, common, descriptive word as "old" or the word "fine," that indicates neither origin nor ownership, but is simply descriptive of quality, is equal to all. It is open to general occupancy and is not within the range of exclusive proprietary ownership as a trademark or as a part of a trademark.

Judge Toney's Decision.

The defendant has sustained each and every defense interposed as a bar to this suit. First, as a matter of law that the name or names claimed by the plaintiff corporation as its trademark, while such might be its right as to any person having a different name from that of "Taylor," or living out of Kentucky, the same are not trademarkable as against the defendant, Marion E. Taylor, carrying on his

business in the State of Kentucky in whiskies manufactured in Kentucky. Second, that priority of adoption and use by others of the name "Taylor" and "Old Taylor" precludes the plaintiff from claiming the said words as a trademark. Third, that by the abandonment to the public by the plaintiff by express disclaimer of record of the words "Taylor" and "Old Taylor" as non-essential to its trademark in its application to the Patent Office, and in its application to the State and National authorities, and in its use by the defendant, Marion E. Taylor, has not employed any artifice, contrivance or device in connection with the words which he has an equal right with the plaintiff to use, nor attempted to mislead or deceive the public, but, on the contrary, has strenuously adopted every available means to establish a dissimilarity between his labels and brands upon his barrels, cases and packages and upon his bottles, as well as by making his said bottles as strikingly unlike as possible from those of the plaintiff in shape, size, appearance and material, and in the labels used upon the same, as it was in his power to do. It follows, therefore, that as the record shows that the defendant has only made a reasonable, honest and fair use of his own name in connection with other non-trademarkable words, which he has as perfect a legal right to use as the plaintiff or anyone else has, and that in the use of the same he has not resorted to any artifice or contrivance to deceive the public or injure the plaintiff, but on the contrary, has strenuously endeavored to avoid deceiving the public or injuring the plaintiff, and has, in fact, neither injured the plaintiff nor deceived the public, the plaintiff has failed to sustain its suit. Its petition must be and is dismissed, with costs.

The defendants were represented by attorneys Humphrey, Burnett and Humphrey.

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(e) The third reason, "Kentucky" was his home where he expected to live and die. (Ans. 34, Vol. 3, page 568.) He came to Kentucky November 1st, 1884, and adopted the brand November 1st, 1884. This was a most ardent love that had taken possession of him on short notice. A love at first sight, as it were.

(d) He was ambitious to have his name connected with whiskey as long as he was engaged in the business, and he therefore attached his family name, Taylor, to one, and his middle name, Elliot, to the other. (Ans. 59 and 60, Vol. 3, page 572.)

Was he prouder of his middle name, "Elliot," when he attached it to the high priced gentleman whiskey (Ans. 59, Vol. 3, page 572), than he was of his patronimic "Taylor," which he applied to the cheaper grade of rectified **nigger** whiskey? (Ans. 3444, Vol. 3, page 568.)

Wasn't it to get a cheaper Taylor whiskey that would undersell E. H. Taylor, Jr., & Sons' high priced "Taylor" whiskey?

If he had such a consuming desire to perpetuate his name on whiskey, why did he not use his full name, "M. E. Taylor Whiskey," and thus relieve the question of all doubt that he was the person meant, and not run the great risk of having his rectified **nigger** whiskey taken for the plaintiffs' **fine** whiskey?

If he had desired (and we say he did desire) to supplant "Old Taylor" with a cheaper whiskey, exactly this would have occurred.

Keeping in view the fact that he says when the first suggestion came to name the brand "Ky. Taylor" he knew of "Old Taylor" (1887), (Ans. 45 and 46, Vol. 3, pages 569 and 570), compare with it his statement (Ans. 1185, Vol. 3, page 778) that the reason he didn't use the brand sooner after adopting it in 1884, November 1st, was that his brother was a preacher and his mother was a religious woman and objected to such use of her name, but he had no scruples, and determined to use it, and again (Ans. 1279-83, Vol. 4, page 793) they used the various brands from 1884 to 1889, including Wright & Taylor's Bourbon. The scruples of his family didn't prevent him from using "Wright & Taylor Bourbon," because, as he says, it didn't single him out as "Kentucky Taylor" did, and bring it to their minds so conspicuously.

If he had put Mississippi Taylor on his whiskey that might have brought it to the minds of his mother and brother in Mississippi, that defendant was meant, but as he was only known to one man in Mississippi (Joe Stratton) as "Ky. Taylor," how could they (his mother and brother) suppose he was meant by "Kentucky Taylor," especially as there were "Kentucky Taylors" in the whiskey business to help him share the opprobrium. "Wright & Taylor Bourbon" would more clearly connect his name with the business because there was no other Taylor than defendant, in Kentucky, who was partner of a Wright.

It seems that long prior to all of this, before he had ever gone into the whiskey business, he had discussed this matter of scruples with his mother and family, and they told him he could do as he pleased. (Ans. 1303, Vol. 4, page 796.) These excuses bear upon their faces the evidence of uncandor and false pretense.

The height of absurdity in all of these pretenses is reached, when, on cross-examination (Ans. 923-944, Vol. 3, pages 753-736) he attempts to summarize them:

1. Supposes he is kin to Zachary Taylor.
2. His (defendant's) father in Mexican War, and his mother had told him his father knew General Taylor.
3. Father called him Cousin Zach, and he called father Cousin Gus.
4. Father graduated at **Pennsylvania** University as physician.
5. He had a great many associates who were Kentuckians.
6. Colonel John Taylor, of Newport, thinks he is a cousin of mine. He has been entertained at my house and called me Cousin Marion and my wife Cousin Frances.
7. Colonel Phil Bate thinks he is a cousin.
8. Claims to be a "Kentucky Taylor," because he has adopted Kentucky as his home, and expects to live and die here.
9. Adopted it because called "Ky. Taylor."
10. Because he came here to live and expected to come before he did come.
11. Thought it would be a good name on a brand.
12. He was proud of it and proud of the success he had made.
13. Wanted his name more closely identified with the brand than the mere fact that Wright & Taylor was on the label.

From these facts from the record it is plain, we submit, that Marion E. Taylor did not, in good faith, adopt those words "Ky. Taylor," and from the above consideration in connection with those that follow a negative answer is given to the first

1368

~~xxxxxx judgment xxxxx~~

Som time after handing down his decision, Judge Toney died. An appeal frl from his judgment was taken by the Taylors and perfected perfected on 17 December, 1903 , before the expiration of the second term of ter term of the Jefferson County court after the judgment. The brief for the appellants was written by Mr Duncan was brilliant.

xxxxxxs cull a few paragraphs of his most biting invective: He sets out to laugh this "native of Mississippi" out of court, and with the use of sarcasim, irony, invective, he fairly flayed him alive. For instance:

The Filson Historical Society

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In his brief for the appellees, ~~xxxx~~ 27 September, 1904, Judge Alex P. Humphrey~~xxxxxx~~ almost matched Mr Duncan's biting irony.

The Kentucky Court of Appeals decided on 17 March, 1905, that the Taylors were entitled to an order of inu injunction against M.E. Taylor, holding that he intentionally labeled and advertised his whiskey as he did to pass it off as the whiskey of E.H. Taylor, Jr., and Sons.

In reversing the judgment of the lower court, the ~~Court~~ justice writing the opinion for the higher court used the following language:

The Filson Historical Society

REVERSED

June 12 1902
Court of Appeals Decides In
Favor Of Geo. T. Stagg
Company.

Knocks Out the Claim of Ed.
H. Taylor, Jr. & Sons
For Damages.

Disposes of Second Appeal In
Litigation of Long
Standing.

In the Court of Appeals yesterday a decision was handed down, Judge Paynter delivering the opinion, which reversed the judgment of the Franklin Circuit Court in the case of E. H. Taylor, Jr. & Sons against the Geo. T. Stagg Co., of this city. The whole court sat in the case. The decision knocks out the big judgment for damages awarded the Taylor firm against the Stagg Company by the lower court for alleged infringement.

The lower court's decision held the Taylor corporation entitled to damages amounting to the profits on the whisky sold by the Stagg Company during a certain period, which bore the name of the E. H. Taylor, Jr. Co. It was estimated this would amount to a very large sum.

One of the attorneys in the case gave out the following statement last night:

"Much misinformation obtains in the afternoon papers as to the effect of the decision.

The effort of E. H. Taylor, Jr., & Sons was to have an old corporation styled "E. H. Taylor, Jr., Company" declared to be a defunct concern and this effort was made because the continued use of that corporate name by the Stagg Company was confusing to the business and misleading to the public.

The court held that this old corporation was created to last for a certain number of years and was not yet extinct.

The right of E. H. Taylor, Jr., & Sons to the exclusive use of their trade name and to the exclusive use of the names "Old Taylor" and "Taylor" as trade brands for their whiskies was not involved in the case and was in fact conceded to them in the case. That E. H. Taylor, Jr., & Sons may alone use the autograph signature of E. H. Taylor, Jr., in any form was also conceded by all the parties."

A petition for a rehearing will be filed.

Whisky Label Case.

The judgment of the Franklin Circuit Court in the case of the George T. Stagg Company against E. H. Taylor, Jr., & Sons was reversed, Judge Paynter writing the opinion, and the case was remanded, with directions to the court below to dismiss the petition of the appellees. The petition dismissed was filed to recover damages for alleged violation of a former judgment in the same-styled case. The alleged violation was the use by the Stagg Company of the words "E. H. Taylor, Jr., Company" in Roman letters on labels, advertising matter and packages of whisky. The original action was filed by the appellees in this case in 1889 to restrain appellants from using the autograph signature of E. H. Taylor, Jr., & Sons; to compel them to erase it from all barrels containing whisky made prior to January, 1887, the date of dissolution of partnership between Taylor and Stagg, and for an accounting by the commissioner of the number of such barrels. In dismissing the petition charging violation of the former judgment, the court here says:

"When E. H. Taylor, Jr., transferred his interest in E. H. Taylor, Jr., & Company there was nothing in the terms of the written contract which indicated that it was to cease to exist as a corporation or to discontinue the business of distiller. The corporation has never been dissolved or forfeited its right to continue business in its corporate name."

The attorneys for E. H. Taylor, Jr., & Sons will immediately file a petition for a rehearing of the case.

* * *

Judge Humphrey in his brief for the appellees, filed 27 Sept., 1904:

f It is curious that E. H. Taylor, Jr., should endeavor to be a stone-thrower, living in the glass house which is his undoubted residence. For, after selling out his stock in the E. H. Taylor, Jr., Company, which had its distilleries in Franklin county, and its office in Frankfort, Kentucky, he immediately formed a firm and then a corporation, calling it E. H. Taylor, Jr., & Sons, and advertised that as at Frankfort, Kentucky, whereas, the distillery was not in Frankfort, Kentucky, but was in Woodford county, Kentucky. More than that, he organized a company called the Old McBrayer Distilling Company, and endeavored to

manufacture and sell a whisky called Old McBrayer, although the celebrated whisky made at the Cedar Brook Distillery, in Anderson county, Kentucky, was well known in the trade as the genuine Old McBrayer. He came to grief in about two years in this venture.

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"The appellee (Marion E. Taylor) advertised his whiskey extensively and we think it reasonably clear that one reading these advertisements, who is not familiar with the whiskey trade, would understand that 'Old Kentucky Taylor' was a straight whiskey, and without going into the minutiae of the evidence we deem it sufficient to say that we are satisfied from it that the appellee (Marion E. Taylor) intentionally labelled and advertised his whiskey as he did to pass it off not as blended goods, but as the whiskey of appellant (E. H. Taylor, Jr. & Sons) which had attained a very high reputation as pure Kentucky distilled whiskey, and that his thus selling his blended whiskey was a violation of appellant's (E. H. Taylor, Jr. & Sons) rights. Appellant (E. H. Taylor, Jr. & Sons) had sent out thousands of circulars every month advertising its whiskey. It has spent hundreds of dollars in the trade journals and otherwise advertising it as the 'Premier Kentucky Whiskey' and it has thus given value to the brand. Appellee's (Marion E. Taylor) whiskey was a cheaper article and could be sold at prices at which appellant (E. H. Taylor, Jr. & Sons) could not afford to sell its whiskey. The selling of the cheaper goods under labels and advertisements which to the uninitiated would indicate that it was appellant's (E. H. Taylor, Jr. & Sons) whiskey so well advertised as a first-class article cannot be sanctioned."

And following these conclusions the action was remanded with the judgment that E. H. Taylor, Jr. & Sons was entitled to an order of injunction.

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M 72

The E. H. Taylor, Jr. & Sons

17X500

The following four years were the celebrated action was quiescent. Then Col. J. Swigert Taylor's muse went suddenly and unexpectedly into labour, producing the following ebullition

The following four years

The following year:

During the subsequent four years the celebrated action of Taylor, v. Taylor lay quiescent in the public's mind. Then, without preliminary announcement, the satiric muse of ~~the~~ J. Swigert Taylor went suddenly and most unexpectedly into labour,; and when the ^{had} it departed the following autograph manuscript signed was found on the desk of the Vice-President of E.H. Taylor, Jr. and Sons, incorporated; in their offices on the ^{top-most} ~~first~~ floor of the McClure Building in the town of Frankfort, Kentucky:

ilding in the town of Frankfort, Kentucky:

New Clarks
George for the
The Filson Historical Society
Folsom
Rueber
ak

00JX20

The Battle of the Shares

in the history of the
Another interesting court battle of the ~~tailors~~ ^{Taylor} was the action of ~~his~~ ^{their} old distiller, John William Johnson, who succeeded William F. Mitchell in that position ~~at the~~ ^{In 1904} distillery. Johnson sued ~~him~~ for a controlling interest in the ~~distillery~~ stock of the distillery, ~~contending~~ ^{contending} that he was the owner of eleven ~~shares~~ ^{shares} of the twenty shares of the capitol stock through an agreement made ~~sometime in 1894~~ ^{in 1894} with Col. Taylor and his sons. Johnson was dismissed as distiller by the ~~firm in 1897 as the result of a disagreement as to policies.~~ ^{firm in 1897 as the result of a disagreement as to policies.}

And Johnson won the first round in his battle of the shares late in April, 1906, when, in the Franklin Circuit court, ~~the late~~ Judge Robert L. Stout handed a ~~decision~~ ^{decision} an opinion ~~that Johnson~~ in which Johnson was declared to be the rightful owner ~~of a majority~~ ^{of a majority} of the stock of the corporation, which gave him, of course, a controlling interest.

But the case was immediately appealed to the Court of Appeals by the Taylor interest, and there the lower court's decision was reversed.

Bennett succeeded Johnson +

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TAYLOR, JR. & SONS &c. v. JOHNSON.

(Filed January 29, 1907—Not to be reported.)

1. Stock certificates—Alleged ownership of—Non-delivery of—The claim of J. to certain shares of the capital stock of appellant is without foundation, and his petition in this action seeking to recover them should have been dismissed. The transfer of stock to him was merely formal, it was done to relieve his friend, it was never delivered to him and the evidence shows he was never the owner of any of it. Moreover, the fact that he delayed for a period of ten years an attempt to assert any claim to the stock is insistent with his claim to it.

2. Evidence—Manifestly Mrs. T. could testify in this action for herself being a holder of certain of the stock, and she could elect to testify or have her husband testify for her.

Hazelrigg, Chenault & Hazelrigg, W. S. Pryor and B. G. Williams for appellants.

John W. Ray for appellee.

Appeal from Franklin Circuit Court.

Opinion of the court by Judge Hobson, reversing.

Some years prior to 1893 the partnership of E. H. Taylor, Jr. & Sons was engaged in the distilling business. In that year the firm made an assignment to the Security Trust & Safety Vault Company of Lexington. During the winding up of the affairs of the firm the trust company made an arrangement with Fanny J. Taylor the wife of E. H. Taylor, Jr., by which some bottles, corks, labels, stamps, whisky, &c., which belonged to the firm were furnished to her on credit for the purpose of starting a bottling business. This arrangement was due to a friend of E. H. Taylor, Jr., who was one of the managers of the trust company, and was made practicable by another friend who endorsed for Fanny J. Taylor. J. W. Johnson had for years been in the employ of E. H. Taylor, Jr. & Sons as their distiller and, for convenience, the license for the bottling business was taken out in the name of J. W. Johnson. His name was also put to the notes given to the trust company, but this was evidently only for the accommodation of his old friend E. H. Taylor, Jr., as the work was done by Kenner Taylor, and Johnson had no real part in it. After the bottling business had been run for a while they had one hundred cases of Old Taylor whisky of the value of \$10 a case, after paying all expenses and debts; and a corporation was organized under the name of E. H. Taylor, Jr. & Sons, Incorporated. The capital stock was \$2,000. The capital stock was divided into twenty shares and by the articles of incorporation J. W. Johnson subscribed for eleven shares, E. H. Taylor, Jr., three shares, J. Swigert Taylor three shares, Kenner Taylor three shares. Only ten shares of stock were issued. These ten shares represented the one hundred cases of Old Taylor whisky valued at \$10 a case, which was the property of Fanny J. Taylor; so that she paid in all the capital stock. The ten shares of stock were issued, three to E. H. Taylor, Jr., three to Kenner Taylor and three to J. Swigert Taylor. One share was issued in the name of J. W. Johnson but was never delivered to him. The whole ten shares were delivered to Mrs. Taylor. The corporation continued the bottling business and in a few months it made another \$1,000, which was put into the capital stock, and ten more shares of stock were then issued to Mrs. Taylor. This all occurred in the year 1894. The corporation after this took charge of a distillery and has operated it for many years. Johnson for a while continued as distiller, but in 1896 there was a breach between him and E. H. Taylor, Jr., and since that time he has not been employed. In 1904 he brought this suit claiming that he owned eleven shares in the corporation and praying that they be delivered to him. An answer was filed to the petition denying its allegations and on final hearing the circuit court adjudged him the relief sought. From this judgment the defendants appeal.

Johnson's whole conduct from the year 1894 to the bringing of this suit is inconsistent with the claim he now sets up. In his original petition he asserted claim to eleven shares of the stock. In an amended petition he claimed that the other nine shares belonged to him. This claim is based upon the fact that the proof disclosed that at one time an endorsement was made on the stock to the effect that it was assigned to J. W. Johnson. But the stock was never delivered to him, and, whatever the purpose may have been for which the endorsement was made, it was not carried out. It is evident from the proof that he is not entitled to these nine shares, and it is no less evident that he is not entitled to the other eleven shares. If he had in fact paid anything for the stock or if he was in truth the owner of it, it is inconceivable that he should not have claimed it in the ten years that elapsed before the bringing of this suit. The Old Taylor whisky has been much advertised as "The Premier Kentucky Whisky;" the corporation has been doing considerable business; thousands of barrels of whisky have been made, and yet for ten years Johnson, although discharged from employment, living in the same town and unfriendly to Taylor, now asserts the claim that he owned the majority of the stock in the corporation when not a dollar of stock was ever issued to him, and he has stood by for ten years and acquiesced in what was done. Johnson's own statement as to what took place between him and E. H. Taylor is as follows:

"Q. What day, if you remember, were you first approached in regard to taking stock in the corporation, and by whom?

"A. May 1st, 1894, by Mr. E. H. Taylor, Jr.

"Q. I will ask you to detail the conversation you had with Col. E. H. Taylor, Jr., and he with you in regard to stock in the corporation?

"A. There was no conversation to amount to anything; I did not know anything about they were going to incorporate until he come up there one evening and he requested me—said they wanted to incorporate, wanted me to taken eleven shares of the stock and I told him I did not know what about it. He says, you take the eleven shares, and I want to take three and Swigert three and Kenner to take three, and that will take the whole twenty shares; and I just agreed that I

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"Q. Was there anything said between you and him about how they were to be paid for, or when, or anything of that kind?

"A. Not a word about it, not a word."

This testimony shows on its face that Johnson could not but have known that he was taking this stock merely as a form and that he was not in fact to be the owner of the stock. This testimony, in connection with his subsequent conduct, can leave no doubt that such was his understanding. The Taylors, on the other hand, both state emphatically that Johnson subscribed for the stock for Mrs. Taylor and not for himself. Their testimony is substantiated by John Meagher who was intimate with the parties at the time and by the attending circumstances. If the stock had in fact been issued to J. W. Johnson and J. W. Johnson had the stock in possession and the Taylors were trying to have the stock taken away from him a different question might be presented; but Johnson is calling upon the chancellor to put forth his arm and require certificates of stock to be issued to him which he did not call for himself when he should have spoken if he had any right to the stock. Equity delights in doing justice, but the strong arm of the chancellor will not be exerted to do injustice.

It is insisted that Swigert Taylor's testimony is incompetent because he is interested. One of the exceptions to section 606 of the Code, which might have been brought by or against the wife if the husband or his wife testifying for the other is that "if the parties have been unmarried" either the husband or wife may testify. If she had been unmarried the action might have been brought against her to cancel the stock held by her. If the husband is a party to an action brought for this purpose as she now holds the eleven shares of stock in the corporation an action the husband may testify for the purpose. This was held in *Wise v. Foote*, 81 Ky., 102; *Howard v. Tenney*, 87 Ky., 52; 10 Ky. Law Rep., 1018. The case of *Bright v. Taylor*, 101 Ky. Law Rep., 369, rests on a similar holding that where the wife could not testify with a decedent, her husband, under this provision of the statute, could testify with the decedent. Manifestly, if in this action and she has the right to have her husband to testify

and for a judgment dismissing

386

Footnote for Johnson action.

John William Johnson Dies After Long Illness.

John William Johnson, one of the best known citizens of Frankfort, died at noon today at his residence in South Frankfort after an illness that has kept him in his room for many months. He was about 68 years old and was born in Woodford county, near the Old Taylor distillery, then known as Germany Road. He entered the Confederate army in 1862, under Capt. Campbell, of Versailles, and served in Gen. Abe Buford's regiment for a time and afterwards with Col. Morgan. He took part in the battle of Chickamauga and many other important battles. After the war he was employed at the Old Crow distillery for a time, where he became a practical distiller. Later he was employed as chief distiller for ten years or more by Col. E. H. Taylor. Then

he went to Owensboro and Henderson for several years, where he served as an expert distiller. He then returned to Frankfort and was again in the employ of E. H. Taylor & Sons for a number of years and was held in high esteem by them.

Mr. Johnson was always of a cheerful disposition and remained so up to the hour of his death, as some of his many friends who called on him last week can testify.

His funeral will take place Tuesday afternoon at two o'clock at the cemetery chapel. Owing to the illness of his son, Howard Johnson, no one is expected at the house tomorrow but the pall bearers, but all friends are expected at the chapel. Mr. Johnson is survived by his wife and two sons and one daughter.

Barnett served
Johnson as distiller for
#241, Old Taylor

28500

AUG. 30, 1917
LOUISVILLE (Ky.) JOURNAL

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INFRINGEMENT OF
TRADE MARK ALLEGED

DISTILLERS OF OLD TAYLOR
WHISKY SUE FRISCO DEAL-
ERS FOR \$25,000.

Infringement of a trade-mark and misrepresentation as to the agency of Old Taylor whisky in San Francisco, Cal., are alleged by E. H. Taylor, Jr., & Sons in a petition filed in Circuit Court yesterday against the Julius Levin Company, of San Francisco, in which the plaintiff seeks to enjoin the defendant from using a label similar to the one used by the plaintiff and to recover a judgment for \$25,000 as damages for the alleged unlawful use of the said label.

It is set forth in the petition that the defendant, formerly a representative of the plaintiff company in San Francisco, has adopted a yellow label similar to the trade-mark of Old Taylor whisky and that the defendant company is now advertising that it still has the agency in San Francisco of Old Taylor whisky, and is selling another brand of inferior quality under the guise of Old Taylor whisky.

005522

GET \$72,000 ON MILLION CLAIM

U. S. Court of Appeals Decides Levin's Suit Against E. H. Taylor, Jr., & Co.

The United States Court of Appeals at Cincinnati has passed on the case of E. H. Taylor, Jr., & Co. against the W. M. Levin Company, of Los Angeles and San Francisco.

Levin sued for \$1,100,000.

The lower court gave him \$183,000.

The Court of Appeals at Cincinnati holds he is entitled to \$72,000. This is a complete victory for Taylor & Co.

The suit grew out of transactions in "Old Taylor" whisky.

The Levin Company was agent for the whisky on the Pacific coast and bought whisky four years ahead. The firm had trouble with the government, however, over alleged violations of internal revenue laws, and the Taylor Company revoked the agency.

At about this time the outbreak of the war sent whisky prices sky high. The Levin Company claimed that the Taylor Company was not justified in canceling their agency and that it cost them profits of \$1,100,000.

The Taylor Company denied that it owed Levin anything save the sum of \$72,000, which was the profit it made when it sold the whisky taken from Levin to another agent. It proffered this amount but it was refused.

The Levin Company was awarded \$183,000 by the commissioner and the lower court gave judgment for this. The Court of Appeals at Cincinnati, however, decides that the Levin Company is entitled only to the \$72,000 profit. Humphrey, Crawford & Humphrey represented E. H. Taylor, Jr., & Co.

388

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Large Damage Suit.

Messrs. E. H. Taylor, jr. & Sons filed suit on Saturday afternoon against Messrs. John M. Atherton & Co. (and the members of that corporation) for \$50,000 damages for infringement of trade mark "Old Taylor" or "Taylor" whisky, ~~and~~ accounting of profits.

It appears that in the fight over the "Thorne Bill" before the Legislature it was shown that Messrs. Atherton & Co. were sending out whisky under a label marked "Taylor Whitehead Whisky," with the "Taylor" part in large letters, and the "Whitehead" part in exceedingly small letters underneath, and with the intention to make it appear as the popular "Taylor" brand of whisky. In explanation of this Mr. Atherton admitted that he used the brand, but did this at the instigation of one John Bardenhier, of St. Louis, Mo., who is a large jobber and wholesale liquor dealer. And thereby hangs a tale. Bardenhier has been in the habit of hatching all sorts of fraudulent schemes in his business of wholesale dealer.

The writer was, at one time, a Government Inspector at St. Louis, and discovered that Bardenhier was receiving Kentucky whisky, in good shape, marks, brands, &c., all correct, into his house, and when it came out the dates of inspection on the barrel heads and on the stamps were obliterated and changed so that he was able to sell whisky, some of it only six months old, and that

March 14, 1896

only one and two years old, for three year goods, having colored and sweetened the goods to make it appear as aged goods, of course at a lower price than the genuine goods could be sold for.

Under our direction a large lot of goods were seized and confiscated and Bardenhier indicted and tried criminally and only escaped conviction on the technicality that no one saw him make the changes or could swear that he had the changes made.

Bardenhier brought suit against the government officers engaged in the investigation and seizures to overcome the effect of the disclosures. But Judge Thayer said from the bench that the officers were clearly justifiable in making the seizures.

So it looks very much like Mr. Atherton is going to be caught, like old dog Tray, in bad company and will have to sweat for it.

Those able lawyers, Judge Thos. F. Hargis, of Louisville, and Mr. Jno. W. Rodman, of this city, are employed to prosecute the suit by Messrs. Taylor & Sons.

New Dispensing Company.

389

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LOUISVILLE TIMES, DECEMBER 14, 1904.

New Phase of the "Kentucky Idea" in Politics.

Interesting Story Told By Judge A. E. Richards
of a Recent Visit to the Mountain Section.

"Myself and a few friends," said Judge A. E. Richards, "own a little railroad which runs out from the Blue-grass country into the mountains of Kentucky, from which we derive little money, but a large amount of recreation."

"Thinking I would need some of the latter before I commenced the arduous duties of City Attorney, I wired my friend, Jim Amsden, president of the road, who met me at Versailles in his private car and took me up the line. I went with him to the County Clerk's office in Beattyville to look into some tax matters. While there I observed seven boxes piled under a standing desk, bearing the labels of some of the standard brands of Kentucky whiskey. I asked the clerk what it meant and he replied they were the ballot boxes of the seven voting precincts of the county."

"They bore the names of 'Old Taylor,' 'Queen of Nelson,' 'T. P. Ripy, Bottled in Bond,' 'Peach and Honey,' etc."

"Just then the Sheriff entered the office and I asked him who selected the ballot boxes for the county. He promptly answered that he did; that the county formerly had some tin boxes which he discarded and adopted these; that they would be sent out full of whiskey and brought back full of ballots. I asked him how it worked and he replied, 'splendidly;' and that the precincts were now known as 'Old Taylor' Precinct,' 'Queen of Nelson Precinct,' etc. I then inquired which brand seemed to have the best effect and he replied 'Old Taylor,' for at that precinct the voters seemed to forget that Senator Fairbanks was even a candidate and raising the cry of 'Teddy and Taylor' swept everything before them. It occurred to me that this was a new phase of the 'Kentucky idea' of politics."

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From The Louisville Times, 2 Jan., 1906)

WONDERFUL GROWTH OF BOTTLING IN BOND BUSINESS - BY EDMUND W. TAYLOR

HOW THE GREEN LABEL HAS COME INTO WIDESPREAD POPULARITY IN RECENT YEARS.

By Edmund Taylor.

In the two closing months of the calendar year 1904 the whisky trade of the country has witnessed a phenomenal demand for Kentucky whiskies bottled in bond. This demand originates in all sections. It comes from the people. An unprecedented activity in bonded bottling operations in Kentucky is the result. The demand is so insistent that it is virtually forcing all Kentucky distillers holding mature inspections to avail themselves of the Government's guarantee. Nearly every leading plant in the State has its bonded bottling house in full operation, and many of them are weeks behind in furnishing supply.

At the close of the fiscal year 1902 less than fifty distilleries in the entire United States were bottling in bond. To-day there is not a first-class plant in Kentucky, Pennsylvania or Maryland possessing whisky eligible to the bottled in bond stamp but is either actively engaged in bonded bottling or studiously shaping its business to meet the growing enlightenment of the consuming public. The official figures for November and December, when tabulated, will represent merely the limit of available supply. Demand is far in excess and the high-class standard brands which were the logical pioneers in this field are notably in disreputable lead. Three years ago the words "bottled in bond" found but occasional mention even in the technical columns of the trade journals. Yet no three words

national legislation so vested with power to readjust intrinsic values in the open market.

Growth of Bottling In Bond.

At the outset of the year 1905 no adequate interpretation of bottling in bond can be offered which does not briefly explain the reason of this power, the functions of the act itself, and several of the important outside influences which have gradually, but irresistibly, forced this protective national law into such commanding prominence.

For years a web of fiction has been spun across the length and breadth of the United States accrediting to distillers and distilling bonded warehouses a vast bulk of artificial whisky, which had neither distillery origin nor bonded age. The pre-eminence of Kentucky as the distilling source of America's finest whiskies has led, under license of lax Federal statutes to an annual pretense in the general market of alleged Kentucky whisky far exceeding the State's average annual output. Producing 25,000,000 gallons per annum at its actual distilleries, placing this crop in the distillery bonded warehouses and withdrawing for consumption some 15,000,000 gallons of various inspections per annum, Kentucky has been finding a congenial government of make-believe Kentucky whisky already in the market, annually interposed like a barrier between the real demand for Kentucky whisky and the real supply.

For years the words "production" and "overproduction," ostensibly predicated on distillery output, have been used with strange ingenueness and without statistical appreciation of the elastic overplus of the make-believe. The bottling in bond act is breaking through this web of fiction and focussing demand on the bona fide supply. Concurrent with this development the figures covering bonded stocks of Kentucky whiskies are again assuming somewhat of their legitimate economic significance in the trade.

The recent public declaration made by

feet about 85 per cent. of the so-called whisky in the American market was imitation, and only whiskies bottled in bond could be relied on, has sent the words "bottled in bond" ringing across the country.

Method of Procedure.

Under our national fiscal system real whisky, as soon as distilled, must go into a bonded warehouse on the distillery premises. As long as it remains in this distillery bonded warehouse it is protected by the Government from the addition or admixture of any foreign ingredient. The bottling in bond law was passed by Congress in 1897. It enables any distiller who has thus aged his whisky "in bond" for four years or more to get a testimonial, as it were, of constant Government protection by having the whisky transferred to bottles under Government supervision and conveyed into the market under Government guarantee. "The act was especially intended," says Dr. C. A. Crampson, Chief Chemist of the Internal Revenue Bureau, "to secure to the consumer the privilege of obtaining whisky directly from Government control. Prior to its enactment he could only secure such goods by buying an original package direct from the distillery, but now any one can purchase as small a quantity as a one-tenth pint protected by a strip stamp over the cork."

This law requires that every bottle of whisky put up under Government sale and guards in a bonded bottling house on distillery premises shall bear over its cork the official stamp of the Government, pledging under Government imprimatur, the State in which the whisky was made, the name of the distiller, the identifying number of the distillery itself, the age of the whisky and all other essential descriptive details which furnishes an authoritative pedigree that has not failed to interest the consumer.

Kentucky Chief Beneficiary.

tional in its scope, Kentucky with over 200 distilleries and with approximately 104,000,000 gallons of whisky of various inspections in distillery bonded warehouses, is, of all States, easily the chief beneficiary.

Distinctions between the finer and cheaper whiskies, even when bottled in bond, will eventually be drawn by the consumer, and the superior beverage whisky will inevitably prevail in the competition.

The bottling in bond stamp will accord credit to Kentucky only such whisky as was actually made in Kentucky. It will accord credit to a celebrated distillery only such whisky as was actually made at that distillery.

To this law, then, it seems, the distillers of Kentucky must look for the rehabilitation of Kentucky's prestige for leadership in the fine whisky business of America.

Though the bottling in bond law has been in effect for nearly eight years, it has been only within the last twenty-four months that it has become a large effective factor; and only within the last four months that it has come to the center of the stage.

In these four months bonded bottling has increased 50 per cent. over the operations of any previous quarter.

For the first five fiscal years, operations covered only about one-half million tax gallons per year, as may be seen from the following summary:

Fiscal year.	Gallons.
1898.....	585,635
1899.....	400,284
1900.....	427,719
1901.....	521,243
1902.....	535,083

But in the fiscal year 1903, under the impulse of incipient public interest, operations reached 718,440 gallons; and in the fiscal year 1904 a total of 1,067,385 gallons were bottled under the green guarantee strip stamp of the Government, over 300,000 gallons of which was Bourbon whisky. The following statistics, covering the bonded bottling operations of the several States for the past four fiscal years, show

maintained an annual record of bottling more whisky under the Government's inspection than all the rest of the States put together:

State.	Fiscal Fiscal Fiscal Fiscal
	yr. '01. yr. '02. yr. '03. yr. '04.
Kentucky.....	288,358 305,250 418,520 657,856
Pennsylvania.....	198,171 188,137 238,735 356,338
Illinois.....	21,525 29,162 38,858 44,209
Ohio.....	5,549 6,710 16,364 19,360
Indiana.....	6,999 5,733 5,664 6,297
Maryland.....	640 104 283 2,733

Recent Growth.

But, as already stated, it was during the first four months of the current fiscal year, 1905, July, August, September and October, 1904, that operations began on that enlarged scale which culminated in the yet untabulated activity of November and December. Kentucky and Pennsylvania are constantly increasing their lead over the other States, and we are rapidly drawing away from all previous records, as may be seen from the following comparison:

Kentucky—July, August, September and October.	Gals. Bot. In Bond.
Calendar Year.....	160,327
1903.....	103,008
1904.....	219,008
Pennsylvania—July, August, September and October.	Gals. Bot. In Bond.
Calendar Year.....	89,180
1903.....	120,285
1904.....	120,285

In last October West Virginia came into the ranks, with a month's record of 1,440 gallons.

The fifth and seventh internal revenue districts of Kentucky and the twenty-third district of Pennsylvania are leading all other districts in the extent of their bottling in bond operations.

While bottling in bond totals in Kentucky for the fiscal year 1904 amount to but 4 per cent. of Kentucky's withdrawal, the remarkable impetus of the last few months has left this percentage with-out significance in calculating the scope of operations for the current fiscal year.

When Congress passed the bottling in bond law no provision was made for giving it publicity. For nearly five years all knowledge of the subject was practically confined to the trade, and figures were virtually at a standstill. During all this period, however, one or two concerns, believing that in this law rested potentialities for the restoration of genuine values, tenaciously sought to advance its recognition in the trade.

In the early part of 1903 the Western newspapers began to see the news value of a national law which provided for the identification of bottled whisky, and Western consumers learned that "the ill-fated green stamp over the cork" could be secured by any distiller in the United States whose whisky could actually meet the standard requirements imposed by the act.

Papers on the subject were read before the State Pharmaceutical Associations of Kentucky, Ohio and other Western States, and in the summer of the same year the American Pharmaceutical Association gave the matter its attention. The first material step toward general ex-

Paul in July, 1903, the National Association of State Dairy and Food Departments officially indorsed the law as the means of distributing pure whisky from the distiller to the consumer. As this association is composed of the Food Commissioners and chemists of the various State Governments, the indorsement naturally commanded wide extension.

When in addition to this, however, the same association devoted a section of its official exhibit at the St. Louis World's Fair to educating the public concerning the law, and displayed to the fair commissions had found that the green guarantee stamp of the Government protects the public and that "bottling in bond is an absolute guarantee of purity and genuineness of the contents of the bottle" the whisky business realized a progressive public demand for the stamp.

In September of the current year, and immediately preceding, charges were made by Chief Chemist Wiley as to the enormous extent of substitution in the whisky business. The International Pure Food Congress held at St. Louis also officially indorsed the bottling in bond act as a means of distributing pure whisky.

As this congress consisted of leading Government food officials—including Dr. Wiley himself—food control officials and chemists of the State governments and the authority of this indorsement immediately caused an overwhelming demand for whiskies bottled in bond. Since the recent exposures as to the widespread presence of adulterated whisky the National Association of State Dairy and Food Departments has sent out thousands of copies of the official resolutions of the International Pure Food Congress, just what the "Bottling in Bond Act" is, and stating in specific language that the unbroken stamp of the United States Government over the cork of the bottle protects the consumer from imitation and adulterated whisky.

Public demand has promptly followed public education, and he who forecasts bottled in bond figures for the next several years must have his computations or something else than the abstract index of past statistics.

EDMUND W. TAYLOR

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In the early part of 1903 the Western newspapers began to see the news value of a national law which provided for the identification of bottled whisky, and Western consumers learned that "the ill-fated green stamp over the cork" could be secured by any distiller in the United States whose whisky could actually meet the standard requirements imposed by the act.

Papers on the subject were read before the State Pharmaceutical Associations of Kentucky, Ohio and other Western States, and in the summer of the same year the American Pharmaceutical Association gave the matter its attention. The first material step toward general exploitation, however, was accomplished when, at its annual convention at St.

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whisky will inevitably prevail in the competition.

The bottling in bond stamp will accord to Kentucky only such whisky as was actually made in Kentucky. It will accord to a celebrated distillery only such whisky as was actually made at that distillery.

To this law, then, it seems, the distillers of Kentucky must look for the rehabilitation of Kentucky's prestige for leadership in the fine whisky business of America.

Though the bottling in bond law has been in effect for nearly eight years, it has been only within the last twenty-four months that it has become a large effective factor; and only within the last four months that it has come to the center of the stage.

In these four months bonded bottling has increased 60 per cent. over the operations of any previous quarter.

For the first five fiscal years, operations covered only about one-half million tax gallons per year, as may be seen from the following summary:

Fiscal year.	Gallons.
1898.....	355,535
1899.....	400,284
1900.....	427,719
1901.....	521,243
1902.....	535,088

But in the fiscal year 1903, under the impulse of inchoate public interest, operations reached 718,440 gallons; and in the fiscal year 1904 a total of 1,087,335 gallons were bottled under the green guarantee strip stamp of the Government, over 600,000 gallons of which was Bourbon whisky.

The following statistics, covering the bonded bottling operations of the several States for the past four fiscal years, show that Kentucky and Pennsylvania have held the lead, and that Kentucky has

Kentucky Chief Beneficiary.

Although the bottling in bond is na-

Under our national fiscal system real whisky, as soon as distilled, must go into a bonded warehouse on the distillery premises. As long as it remains in this distillery bonded warehouse it is protected by the Government from the addition or admixture of any foreign ingredient. The bottling in bond law was passed by Congress in 1897. It enables any distiller who has thus aged his whisky "in bond" for four years or more to get a testimonial, as it were, of constant Government protection by having the whisky transferred to bottles under Government supervision and conveyed into the market under Government guarantee. "The act was especially intended," says Dr. C. A. Chamption, Chief Chemist of the Internal Revenue Bureau, "to secure to the consumer the privilege of obtaining whisky directly from Government control. Prior to its enactment he could only secure such goods by buying an original package direct from the distillery, but now any one can purchase as small a quantity as a one-tenth pint protected by a strip stamp over the cork."

This law requires that every bottle of whisky put up under Government safeguards in a bonded bottling house on distillery premises shall bear over its cork the official stamp of the Government, pledging under Government imprimatur, the name of the distiller, the identifying number of the distillery itself, the age of the whisky and all other essential descriptive details which furnishes an authoritative pedigree that has not failed to interest the consumer.

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For Charles - father of this!
Smiths - Kentucky Whiskies

The Filson

Manuscript -

398

What is Whiskey?

"What is whiskey?" was first asked by Col. E.H. Taylor, Jr. He propounded it as far back as 1904, two years before Dr Harvey W. Wiley wrote his famous Pure Food Law. And from 1904 to 1912 it was asked oftener and answered more ways than any other question launched for the consideration and delectation of the American people since the question of slavery was up for discussion. It really did ~~not~~ crop out in the papers and magazines until ~~August~~ about August, 1914, when the only thing that could crowd it off the front page was the beginnings of the World War.

From the ~~first~~ very start Col. Taylor agreed with Dr Wiley ~~and~~ when the famous chemist answered the question of What is whiskey? by saying that whiskey is whiskey when it is "straight." or, better, as Col. Taylor put it: "Old Taylor, a straight Kentucky whiskey." Both went after the whiskey fakirs, the pos poisoners, the blenders, the rectifiers, and some other nince names they coined ^{the} from time to time. The Colonel and Doctor worked shoulder to shoulder for years to make the Pure Food law a real, live, acitve law of the land. Both ~~R~~ T.R. and Taft wrestled with the answer to this famous question of what is whiskey? Col. Taylor, of course, belived that T.R. answered it correctly when he upheld Dr Wiley's, his Attorney -General Charles J. Bonaparte and the Federal Courts, and that Taft answered it co incorrectly when he reversed T.R. and Wiley and threw donw all the restrictions erected by the Pure Food law.

A few newspaper stories will bring the matter into the reader's quick understanding:

12X5500

This is the label on the
Genuine Taylor Whiskey

Remember the Portrait
and Signature!

"OLD TAYLOR"



E. H. TAYLOR, JR. & SONS,
FRANKFORT, KY.

This is the label on

The Genuine Taylor.

BEWARE of a compound or any
Whiskey, especially advertised
"Old Taylor Whiskey"
which is neither fine nor
pure Kentucky, nor Taylor, nor
"Old Taylor Whiskey." A compound
Whiskey under a false name is a
deception as it does not
contain the pure spirit of the
Kentucky grain, and is not
genuinely altered and created
in the genuine grain of the grain.

WE OFFER
5 CASES

OF

OLD
TAYLOR

BOTTLED IN BOND



E. H. TAYLOR, JR.,
President

E. H. Taylor, Jr. & Sons
DISTILLERS, FRANKFORT, KY.

FOR THE BEST ANSWERS TO THE FOLLOWING QUESTIONS:

QUESTION—What is the difference between a Distiller of Kentucky whiskey and a Dealer
operating in Kentucky?

ANSWER—

QUESTION—What action of the Federal Statute prohibits Dealers from selling Kentucky
whiskey?

ANSWER—

QUESTION—What is the chief fault of the "spurious imitation"?

ANSWER—

QUESTION—From what source is the purest spirit of the Kentucky grain?

ANSWER—

QUESTION—How much distilled spirit of the grain is enough to make a barrel of the
"Old Taylor Whiskey" and how much of the grain is enough to make a barrel of the
"Old Taylor Whiskey"?

ANSWER—

QUESTION—What is the name of the Act of Congress which enables any purchaser of a bottle of
whiskey to know that he gets it unadulterated?

ANSWER—

QUESTION—What year was it passed by Congress?

ANSWER—

QUESTION—Can a Kentucky Distiller ever own and operate a Kentucky distillery as a decoy
to his own distillery and as a mere accessory to his rectifying operations, so as to call
himself a Kentucky distiller and better than his "spurious imitation"?

ANSWER—

QUESTION—What percentage of whiskey shipped out of Kentucky as Kentucky whiskey is
genuine and what percentage is bogus? (Estimate.)

ANSWER—

QUESTION—What amount of tax did the Kentucky distillers pay into the Kentucky State
Treasury for the fiscal year 1903?

ANSWER—

QUESTION—What amount of tax did the Kentucky rectifiers pay into the State Treasury for
the fiscal year?

ANSWER—

QUESTION—What is the name of the Act of Congress which enables any purchaser of a bottle of
whiskey to know that he gets it unadulterated?

ANSWER—

QUESTION—What year was it passed by Congress?

ANSWER—

Note: Write answers in pencil on separate sheet
and cut coupon along which these are
sent to the contest.

All Answers Must Be In Before April 11, 1904.

Anybody in Kentucky Eligible.

Try for the Prize.

E. H. TAYLOR, JR., & SONS,
INCORPORATED
DISTILLERS, FRANKFORT, KY.

Hulmar Ehrmann & Co., Louisville Distributors,
266 East Market St.

The 5 Cases Will Be Delivered to Winner April 12, 1904.

Roosevelt, and the Courts.

Editor of The Globe, Sir—Last now, when Mr. Taft is urging the inevitability of the courts, it may not be untimely to inquire why he himself, as president, "reversed" eight Federal Court decisions which had sustained the ruling of Mr. Roosevelt on "What Is Whiskey?" under the food and drugs act, popularly known as the pure food law.

If, according to Mr. Taft, a majority of all the people cannot, even by specific statute, acquire a shadow of right under the Constitution to review the courts, can you tell me what clause of the Constitution empowers the president to reverse these tribunals by a mere executive order?

Eight Federal Court decisions had upheld the Roosevelt position when Mr. Taft came into the White House. Yet in April, 1909—his second month—we have the incredible spectacle of a group of defeated litigants "appealing" to this foremost champion of the judiciary to extricate them from the findings of the courts. And on Dec. 27, 1909, Mr. Taft made public an executive "opinion" reversing Mr. Roosevelt, contravening his solemn judgments of the courts, extricating the defeated litigants from the court judgment, and, mind you, all this without so much as even mentioning that the courts themselves had ever passed upon the subject matter involved. Here is a brief synopsis that will furnish an index to the amazing facts:

THE ROOSEVELT RULING.

Following Mr. Roosevelt's message to congress in 1906, recommending the passage of the pure food law, it was enacted, and Mr. Roosevelt signed it June 30, 1906.

Among the leading interests that had fought its passage were the makers of what section 3244 of the revised statutes had already denominated "spurious, imitation" whiskey.

As this article typically involved the two principles of sophistication—imitative color and flavor—Chief Chemist Wiley proceeded against it, and the Department of Agriculture in December, 1906, issued food inspection decision 45, condemning the product (dilute neutral spirits, colored and flavored like whiskey) as "imitation."

Its powerful makers protested to Mr. Roosevelt. Mr. Roosevelt referred the question to Attorney-General Bonaparte. On April 10, 1907, the attorney general upheld Wiley. On April 12, 1907, Mr. Roosevelt's famous ruling upholding Wiley and Bonaparte, and declaring that "imitation whiskey will be labelled as such," was promulgated.

A storm of opposition by the makers of "imitation" whiskey again arose. Mr. Roosevelt allowed Attorney-General Bonaparte, to give the interests another hearing. The attorney general again reported that the article was "imitation whiskey," and on May 29, 1907, Mr. Roosevelt again approved.

On Jan. 11, 1908, the attorney general advised the secretary of the treasury to make internal revenue branding conform to Mr. Roosevelt's ruling. On May 2, 1908, the secretary of the treasury issued Regulation 723, so providing.

THE COURTS.

Having failed to get immunity from the brand of "imitation whiskey" from President Roosevelt, the makers of this article proceeded to the courts.

Accordingly suits for injunctions to prevent officers of the internal revenue from carrying out the Roosevelt ruling on "imitation whiskey" were instituted in the Federal Court of the Southern District of Ohio, the Federal Court of the Southern District of Illinois, etc.

THE COURT DECISIONS UPHOLDING THE ROOSEVELT POSITION.

I.

On Aug. 24, 1908, the Federal Court of Cincinnati upheld the Roosevelt ruling that "it should be branded as 'imitation whiskey.'"

II.

On Aug. 27, 1908, the same court, refusing an application for a rehearing, delivered a second opinion upholding the Roosevelt ruling. The court said: "Diluted spirits artificially colored and flavored in imitation of whiskey should be branded 'imitation whiskey.'"

III.

The United States Circuit Court of the Southern District of Illinois followed close with another opinion upholding the Roosevelt ruling. (The decision is in full in the United States Treasury Decisions, 1425, Vol. II., Dec. 1908.) The court said: The record shows that diluted spirits treated with artificial coloring matter and essences are not sold to the trade as such, but are always presented under such labels, terms, and descriptions as import age and maturity, and which consumers identify with the genuine product whiskey. The regulation is in all respects reasonable, and therefore legal."

IV.

Federal Circuit Judge Cochran, sitting at Richmond, Ky., on Feb. 4, 1909, in the case of Cheesman et al. vs. Meyers, upheld the Roosevelt position as taken by the postmaster general. The court said: "It was not whiskey. It was whiskey compounded with grain distillates. It was to reach a wider market that they represented it to be whiskey instead of whiskey compounded with grain distillates."

V.

The Court of Appeals of the District of Columbia on Aug. 11, 1908, upheld the Roosevelt position as taken in the Department of the Interior. The court held: "Neutral spirits, on the contrary, as the term suggests, is a colorless liquid, has neither flavor nor character, and is not a beverage at all." "It has been palmed off on the public as a beverage by mixing it with something to give a flavor and character."

VI.

The United States District Court of the Western district of New York upheld the Roosevelt ruling on July 7, 1908. The court confirmed the "libel" of the government by decree, the government alleging "imitation whiskey."

VII.

The Supreme Court of the District of Columbia upheld the Roosevelt ruling by decree, in the case of "United States vs. 4 barrels of liquid purporting to be whiskey." Justice Anderson said: "Said liquid is not old, mature whiskey, but is an imitation thereof."

VIII.

On Oct. 26, 1908, the Federal Court at Baltimore, Md., again upheld the Roosevelt rulings.

MR. TAFT'S REVERSAL OF ROOSEVELT AND THE COURTS.

Those who cannot easily credit the fact that Mr. Taft in an "opinion" on Dec. 27, 1909, made an entirely new ruling, reversing Mr. Roosevelt by contradicting and subverting the findings of these courts without so much as dignifying those tribunals with casual mention, need only secure a copy of that opinion and read it. Let them also secure and read food inspection decision 113, made under the new Taft opinion by Secretaries MacVeagh, Nagle, and Wilson, and see how the very article condemned by Roosevelt as "imitation whiskey" and declared by the federal courts to be "imitation whiskey" can now be labelled "whiskey without qualification."

HENRY WARREN.
New York, Jan. 22.

2100

W. J. Society
Commercial
ventur
20 Jan. 1912

22500

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THE TIMES, LOUISVILLE,

MARCH 22, 1907.

OLD TAYLOR

Whisky To Be Taken On Next Expedition To North Pole.

E. H. Taylor, Jr., & Sons, have just made a shipment of Old Taylor bottled in bond to the "Wellman Polar Expedition" at New York, thence to Norway and from there to Spitzbergen.

Accompanying the order is the statement that the expedition's commissary will contain only a single brand of any one line of supplies, and that they come to Kentucky for the best whisky, and have selected the Old Taylor as the best of the pure Kentucky distilled article.

The Filson Historical Society

005X22

Straight Whisky Men Win on Decision Of the Attorney General; Labels for All "Imitations," "Blends" and "Compounds"

Bonaparte, in Exhaustive Opinion, Rules That Rectifiers Must Designate Products by Descriptive Names.

WASHINGTON, April 10.—The Attorney General's opinion as to the proper construction to be placed on the law has been awaited with great interest by distillers and rectifiers all over the country. Before the question was sent to the Department of Justice it was very thoroughly investigated by the Department of Agriculture. The questions at issue arose in connection with the labeling or branding of the different kinds of spirits, claimed by their manufacturers or proprietors to be entitled to the name of "whisky" with or without qualifying words. After discussing the "primary purpose of the pure food law," the Attorney General says:

"First—Under what circumstances should distilled spirits be labeled or branded 'whisky' without any qualifying words?"

"Second—Under what circumstances should a liquid be marked a 'blend of whiskies,' or 'blended whisky,' or 'blended whiskies'?"

"Third—Under what circumstances should a liquid be marked as a 'compound of whisky,' or 'compounded whiskies,' and what word or words, if any, must be added to such title to make the same appropriate under the law?"

"Fourth—Under what circumstances, if at all, could a distilled spirit, with additions of coloring and flavoring substances, be termed 'imitation whisky'?"

Whiskies Compared With Wines.

Referring to sherry, port and madeira, whose flavors he says are distinct from each other, he points out there is an evident distinction to be drawn between them and champagne, and adds: "In the view of a chemist or physicist, champagne would be doubtless described as a 'compound,' for it consists essentially of a wine, of sugar and of an aerating gas, three substances obviously 'unlike.' The law, however, in my opinion, does not contemplate that an article should be marked as a 'blend,' 'compound' or 'imitation' unless its designation would be otherwise 'false or misleading' to the consumer; and the name 'champagne' would indicate to any would-be purchaser who was ordinarily intelligent and well informed a wine artificially sweetened and aerated, or, in other words, a composite substance."

"Compound" and "blend" are substantially synonymous, the Attorney General says, when applied to mixtures of liquids in ordinary speech, but the pure food law establishes a distinction between them based upon the character of the ingredients. "It is my opinion," he adds, "that effect will be most surely given to the evident intent of this provision of the law if it be held that 'blend' as a substantive or 'blended' as an adjective, can be properly and legally used in brands or labels under the act of 1906 only when a single substantive, either in the singular or in the plural, need follow to appropriately and adequately designate the combination. Thus we can speak of a 'blend of teas,' or a 'blended tea,' but not of a 'blend of tea and coffee.'"

It is the intent of the act of 1906 that the term 'blended sherry' or 'blend of sherry' or 'blend of sherries' shall designate a mixture of two or more kinds of sherry; while the titles 'compound or port and sherry' or 'compounded port and sherry' would appropriately designate a mixture of two unlike substances in the view of the law, namely, two distinct and different kinds of

The long expected opinion of Attorney General Bonaparte concerning the proper labeling of whisky under the pure food law, approved June 30, 1906, was made public at the White House yesterday. Its purpose is briefly told in the following letter addressed by the President to the Secretary of Agriculture:

"In accordance with your suggestion, I have submitted the matter concerning the proper labeling of whisky under the pure food law to the Department of Justice. I enclose the Attorney General's opinion. I agree with this opinion and direct that action be taken in accordance with it. "Straight whisky will be labeled as such."

"A mixture of two or more straight whiskies will be labeled blended whisky or whiskies."

"A mixture of straight whisky and ethyl alcohol, provided that there is a sufficient amount of straight whisky to make it genuinely a 'mixture' will be labeled as compound of, or compound with, pure grain distillate. "Imitation whisky will be labeled as such."

"THEODORE ROOSEVELT."

wine 'unlike,' just as diamonds and coal are 'unlike' substances. * * * The mixture of a spirit properly designated as 'whisky' with another spirit, which, standing alone, would not be properly designated as 'whisky,' such as ethyl alcohol, must be labeled or branded as a 'compound,' or as 'compounded.'"

Compounds and Blends.

The Attorney General declares that according to the true intent of the pure food law, a mixture of whisky with a neutral spirit must be deemed a "compound" and not a "blend," although the spirit may be a distillate from the same substance used to furnish the whisky, and that such a mixture stands on the same footing as a mixture of whisky and brandy or of

Blenders Will Test Opinion in Courts—Distillers in Kentucky Rejoice at Favorable Finding.

whisky and rum. The definition of "whisky," he says, "as a natural spirit, involves as its corollary that there can be such a thing as 'imitation whisky.' If the same process were followed of which we spoke in connection with artificial wine, namely, if ethyl alcohol, either pure or mixed with distilled water, were given by the addition of harmless coloring and flavoring substances, the appearance and flavor of the whisky, it is impossible to find any other name for the product, in conformity with the pure food law, than 'imitation whisky.'"

The Attorney General says the most difficult question was "whether a mixture of a liquid such as has been described or, indeed, a mixture of ethyl alcohol itself with whisky, ought to be labeled 'whisky' at all."

"When," he says, "the words 'compound' or 'compounded' are used in the act, it is, in my judgment, ordinarily necessarily that two substances at least should be mentioned as entering into the combination described. In other words, it would not be accurate to call a mixture of port and sherry 'compounded sherry' or 'compounded port,' such a mixture must be designated as 'sherry compounded with port' or 'port compounded with sherry,' or 'compound of port and sherry.' As above stated, this would be, to say the least, no less true if an imitation sherry were used to mix with a genuine sherry, and, at first sight, it would seem that the same reasoning would deny the name 'whisky' to a compound of 'straight' whisky and ethyl alcohol whether with or without coloring and flavoring sub-

(Continued on Page 8, Column 5.)

APRIL 11 1907.

JOURNAL, LOUISVILLE,

PREDICTS PURE FOOD LAW FOR KENTUCKY

COL. E. H. TAYLOR, JR., SAYS IT
WILL COME NEXT YEAR.

PREPARING OPEN LETTER ON
PRESIDENT'S RULINGS.

ISSUE WITH MR. M'NAMARA.

"That the Kentucky Legislature will enact a pure food law at its next session, requiring rectifiers to tell the facts about the mixtures they compound and sell in the State markets, now seems amply forecast," said ex-Senator E. H. Taylor, Jr., the prominent distiller of Frankfort, who has been leading the State and National movement for pure whisky, and who arrived in Louisville last night.

Col. Taylor is preparing an open letter in which he declares that the recent ruling of President Roosevelt insuring pure whisky in the interstate markets, and the recent decision of the Kentucky Court of Appeals, upholding the Legislature's tax upon adulterated whisky, now only need to be supplemented by a labeling law in this State practically to eliminate whisky adulteration in Kentucky.

"Fourteen States," said Col. Taylor, "have already enacted such laws in conformity with the national law."

Col. Taylor regards the rulings issued by President Roosevelt requiring pure whisky in interstate commerce as so conclusive that even the organization of a Pure Food Distillers' Association seems now unnecessary.

Asked about the contention of the rectifiers that President Roosevelt has "taken sides" with the straight whisky distillers, Col. Taylor said: "The plea of 'trade fight' urged by the rectifiers was given the fullest consideration by the Government, as Attorney General Bonaparte explains in his opinion. The President's ruling simply means 'let the label tell.'"

"All so-called whisky was being sold as straight whisky. It was not until the pure food agitation that Kentuckians knew that there were any rectifiers. Everybody thought that these rectifiers were distillers turning out straight, aged Kentucky whisky. The 'trade fight' cry is best answered by the Kentucky Court of Appeals in its decision of April 19, declaring that rectifiers adulterate pure distilled whisky by making five barrels out of one."

"The talk of persuading the President to repeal his ruling is not taken seriously by the trade," said Col. Taylor, "since the President's whole proposition is merely that the label shall denote the true contents of the bottles."

When shown the open letter of T. E. McNamera, of Terre Haute, Ind., which the Courier-Journal quoted a few days ago, Col. Taylor said: "The proposition of Mr. McNamera, the Terre Haute distiller of neutral spirits, to fix a commission of neutral spirits' distillers and rectifiers to acquaint President Roosevelt with the 'primary object of the pure food law' is somewhat belated. For years past the National Wholesale Liquor Dealers' Association, of which the imaginary commission is an element, was given many hearings before the committees of Congress preceding the passage of the pure food law. The Department of Agriculture has accorded the same privilege, as have also the State food chemists of the various States. Here in this city four months before the President's ruling the joint authorities of the Federal and State governments allowed the rectifiers a full hearing."

"The Federal Government received the advantage of this elaborate information. In addition to all this, Attorney General Bonaparte opens his exhaustive opinion by stating that he has before him the brief of the attorneys for the rectifiers. Every phase of the question has been illuminated to President Roosevelt, and the masterly opinion of the Attorney General, indorsed by the President, is the fruitage of knowledge accumulated by the Government over a period of many years. Secretary John Hay covered the same ground for the United States Government in a controversy with Japan. Attorney General Alphonso Taft ruled similarly for the United States Treasury Department in 1872. It was not until now, however, that the Government had a pure food law, enabling it to enforce its position in interstate commerce."

"The commission suggested by Mr. McNamera, therefore," continued Col. Taylor, "is somewhat after the fact, especially since it is proposed that it consist of Mr. Sunstein, of Pittsburg, ex-president of the association which Dr. Wiley alleges to have continuously fought the Pure Food Bill, and various other members of the same association."

"It is no reflection on Mr. McNamera's selection of Mr. N. M. Uri, of Louisville, and Mr. E. J. Zitler, of Cleveland, for imaginary commissioners to say that the pure food law itself duly provided its own commission—the one that gave the rectifiers a hearing and its personnel included representatives of three Federal departments best qualified to rule on the most intimate details of the whisky business; one of these being the Treasury Department, which has had daily official insight into the minutest details of the whisky

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"The talk of persuading the President to repeal his ruling is not taken seriously by the trade," said Col. Taylor, "since the President's whole proposition is merely that the label shall denote the true contents of the bottles."

When shown the open letter of T. E. McNamara, of Terre Haute, Ind., which the Courier-Journal quoted a few days ago, Col. Taylor said: "The proposition of Mr. McNamara, the Terre Haute distiller of neutral spirits, to fix a commission of neutral spirits' distillers and rectifiers to acquaint President Roosevelt with the 'primary object of the pure food law' is somewhat belated. For years past the National Wholesale Liquor Dealers' Association, of which the imaginary commission is an element, was given many hearings before the committees of Congress preceding the passage of the pure food law. The Department of Agriculture has accorded the same privilege, as have also the State food chemists of the various States. Here in this city four months before the President's ruling the joint authorities of the Federal and State governments allowed the rectifiers a full hearing."

"The Federal Government received the advantage of this elaborate information. In addition to all this, Attorney General Bonaparte opens his exhaustive opinion by stating that he has before him the brief of the attorneys for the 'rectifiers.' Every phase of the question has been illuminated to President Roosevelt, and the masterly opinion of the Attorney General, indorsed by the President, is the fruitage of knowledge accumulated by the Government over a period of many years. Secretary John Hay covered the same ground for the United States Government in a controversy with Japan. Attorney General Alphonso Taft ruled similarly for the United States Treasury Department in 1872. It was not until now, however, that the Government had a pure food law, enabling it to enforce its position in interstate commerce."

"The commission suggested by Mr. McNamara, therefore," continued Col. Taylor, "is somewhat after the fact, especially since it is proposed that it consist of Mr. Sunstein, of Pittsburg, ex-president of the association which Dr. Wiley alleges to have continuously fought the Pure Food Bill, and various other members of the same association."

"It is no reflection on Mr. McNamara's selection of Mr. N. M. Uri, of Louisville, and Mr. E. J. Zittler, of Cleveland, for imaginary commissioners to say that the pure food law itself duly provided its own commission—the one that gave the rectifiers a hearing and its personnel included representatives of three Federal departments best qualified to rule on the most intimate details of the whisky business; one of these being the Treasury Department, which has had daily official insight into the minutest details of the whisky business since 1862."

"This special commission selected by Congress gave full hearings to the rectifiers in New York City before the regulations were formulated."

"President Roosevelt has even had the benefit of Cabinet discussions," concluded Col. Taylor, "and it is reasonably fair to assume that such men as the President, Secretary Root, Attorney General Bonaparte and the other men of large ability, to whom the American people are intrusting the ship of State, can grasp a mere question of labeling a commodity so that the public may know just exactly what it is getting."

404
Society

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THE FREE PRESS

THE OFFICIAL LIQUOR TRADE PAPER OF KENTUCKY.

Entered as second-class matter March 19, 1904, at the post office at Louisville, Ky., under the act of Congress of March 3, 1879.

Vol. 10, No. 32.

LOUISVILLE, KENTUCKY.

AUGUST 10, 1907.

COL. E. H. TAYLOR JR. REJECTS THE OLIVE BRANCH

That Was Profered By The
Blenders.

Will Have No Compromise On
"Kentucky Whisky."

For some time there has been considerable talk in the Kentucky Wholesale Liquor Dealers' Association, of bringing about harmony between the straight whisky people and the blenders and the rectifiers. Col. E. H. Taylor Jr. of Frankfort is the recognized head of the straight Kentucky whisky people, otherwise the bottlers-in-bond, and the Kentucky Wholesalers have been trying to reach a basis of co-operation with him. The following is Col. Taylor's answer to the overtures, and it is evident that there is no immediate prospect of the establishment of what the diplomats call, a "modus vivendi:"

Frankfort, Ky., Aug. 4, 1906.
W. O. Bonnie, Esq.,
Louisville, Ky.

FIRST—If it isn't a fact that there has been each year a certain amount of whisky made at the Kentucky whisky distilleries said output being Kentucky whisky and constituting the entire manufacture of Kentucky whisky for each of the said years?

SECOND—If it isn't a fact that millions of gallons of neutral spirits are imported into Kentucky annually, used as a filler or expander, and manipulated with prune juice, artificial flavors and colors, and shipped out of this State, containing, perhaps, a portion of real Kentucky whisky, and the whole resultant admixture labelled and advertised and sold in such a way as to make the public believe that it was the bona fide, homogeneous output of Kentucky distilleries?

THIRD—Is'nt it a fact that the practice described in the second enquiry is a practice of substitution and sophistication, when the article is labelled as you know it has been labelled, in such a way as to indicate, not that it was a mixture of neutral spirits, whisky, prune juice, etc., but the whisky made at a Kentucky distillery?

FOURTH—Is'nt it a fact that every rectifier who is engaged in this practice poses as a distiller, using letter heads and labels and advertising matter before the general public to indicate that he is exclusively a distiller and that his product is the product mentioned in enquiry No. 1?

EIGHTH—Is'nt it a fact that the "quarrels and dissensions among the trade" are resulting in forcing the rectifier to differentiate his synthetic mixture from the natural output of the Kentucky whisky distilleries?

We believe that there is an issue so important before the trade that it must be absolutely settled prior to any unity of action.

In your postscript you deprecate the *publication* of practices engaged in by a certain rectifier, but you make no mention of deprecating the practice itself and we would like to ask you categorically, if you approve the *practices* before we will know just how to discuss certain other details of your letter?

We believe that the genuine distilling interest of the State has, and can continue to have, a standing before the Kentucky Legislature.

We believe that the element of the trade which is selling mixtures that do not come from Kentucky distilleries and labelling said mixtures as though they did come therefrom, is in disrepute with the Legislature.

We believe that a distinct separation between these two elements has been accomplished before the Legislature, and we anticipate that the next session of the Assembly will perhaps, give its specific attention to placing further restrictions on the practice of sophisticating and imitating Kentucky whisky.

This purpose, however, can be effectually diverted and the entire attention of the Legislature can be

WILLIAM GEMMON

405
Society
Mr. Taylor
Have letter to the

whisky, the products known as

Wholesale Liquor Dealers' Association, of bringing about harmony between the straight whisky people and the blenders and the rectifiers. Col. E. H. Taylor Jr. of Frankfort is the recognized head of the straight Kentucky whisky people, otherwise the bottlers-in-bond, and the Kentucky Wholesale salers have been trying to reach a basis of co-operation with him. The following is Col. Taylor's answer to the overtures, and it is evident that there is no immediate prospect of the establishment of what the diplomats call, a "modus vivendi."

Frankfort, Ky., Aug. 4, 1906.
W. O. Bonnie, Esq.,
Louisville, Ky.

My dear Mr. Bonnie:—

Your valued letter of the 16th ultimo has been held among my private papers pending a short absence of mine from home, and I now give it my prompt and careful consideration.

Permit me to thank you for the courteous spirit in which you have written your suggestions and to assure you of my cordial disposition to discuss these matters with you on their merits.

There are a number of details in your letter which it gives me pleasure to have the opportunity to canvass with you.

The proposition that "It is certainly high time for quarrels and discussions among the trade to cease and all unite to defend ourselves against the common enemy," seems to be the principal position taken by you and it is to this proposition that I give my first attention.

What is the issue which has brought about the contention you deprecate? The writer knows that you are intimately acquainted with the situation that has prevailed in this State for years past and will ask you,

It was the bona fide, homogeneous output of Kentucky distilleries?

THIRD—Isn't it a fact that the practice described in the second and sophisticated, when the article is labelled as you know it has been distilled in such a way as to indicate, not that it was a mixture of neutral spirits, whisky, prune juice, etc., but the whisky made at a Kentucky distillery?

FOURTH—Isn't it a fact that every rectifier who is engaged in this business poses as a distiller, using letter heads and labels and advertising matter before the general public to indicate that he is exclusively a distiller and that his product is the product mentioned in enquiry No. 1?

FIFTH—Isn't it a fact that these two products under discussion should be sold on their separate merits and neither one should mask as the other?

SIXTH—Isn't it a fact that prior to the time that the "quarrels and discussions among the trade" began several years back the practice of sophistication and substitution in the State of Kentucky was virtually exterminating the bona fide distiller, and yet every drop put out in this process of substitution was represented as the product of Kentucky distillers, either in express terms or by careful implication?

SEVENTH—Isn't it a fact that it would be to the credit of "the trade" to draw a distinction between the output of the Kentucky distillery and the output of the Kentucky rectifier in such a way that the public will be plainly notified, and isn't it a fact that the rectifying element of the trade has resisted this distinction before the public and persisted in selling whisky, neutral spirits, prune juice, etc., as the output of Kentucky distilleries?

We believe that the element of the trade which is selling mixtures that do not come from Kentucky distilleries and labelling said mixtures as though they did come therefrom, is in dispute with the Legislature.

We believe that a distinct separation between these two elements has been accomplished before the Legislature, and we anticipate that the next session of the Assembly will perhaps, give its specific attention to placing further restrictions on the practice of sophistication and imitating Kentucky whisky.

This purpose, however, can be effectually diverted and the entire attention of the Legislature can be concentrated upon the question of prohibition, if the prohibition issue is forced upon it by a continuous of the policy which the rectifiers of Kentucky have pursued in the defense of their privileges, labelling neutral spirits, etc., as Kentucky whisky, paying no taxes to the State of Kentucky on the said neutral spirits, prune juice etc., and yet putting every drop of it in the market labelled as Kentucky whisky and in competition with the real taxpaying Kentucky whisky, from which the State has been unusually drawing a revenue.

The writer modestly believes that he knows the temper of the Kentucky Legislature as well, if not better, than any individual distiller in the State of Kentucky, and it is his belief that the Kentucky Legislature will pass no prohibition measure unless exasperated into doing so by the Kentucky rectifiers. As stated above, however, before we elaborate upon certain details of your letter we desire to ascertain some common premise, and that premise is only to be ascertained by again asking you if you approve of the *practice* of mixing with a certain proportion of Kentucky

Mr. Bonnie
Some letters

And do you consider it an "unnatural quarrel" or an "effort to obtain advantage of one branch of the trade over another" if Kentucky distillers whose business it is to make Kentucky whisky at a Kentucky distillery, endeavor to protect their rights from "a branch of the trade" which is floating in the market an expanded and sophisticated *fake* labelled, advertised and sold as the product of Kentucky distilleries?

I trust you will pardon my desire to arrive at a common ground before going further into this matter, as the propositions you have mentioned in your letter are most interesting to this writer, and I think are entitled to more detailed discussion. Inviting your early reply and assuring you of the pleasure it will give me to correspond with you further on this subject matter, I am,
Yours truly,
E. H. Taylor, Jr.

Feb. 14, 1909

408

Progressive Frankfort Edition.

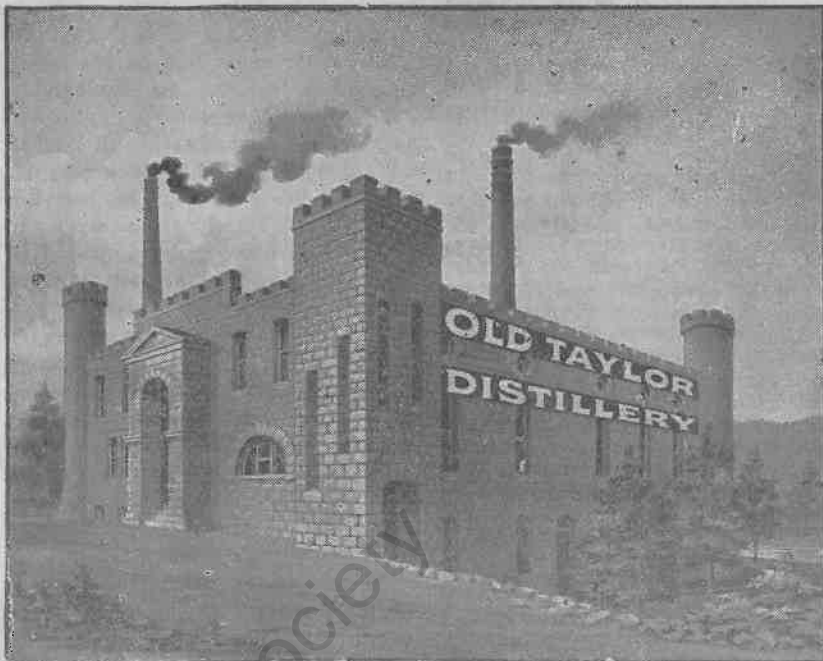
The Kentucky State Journal

E. H. TAYLOR, JR. & SONS

(Incorporated.)

Pays \$500,000 Yearly in U. S. Revenue. Consumes 125,000 Bu. of Grain Yearly and Uses 2,500,000 Bottles. One of the Largest State, County and City Tax Payers. Business Founded 1868. Sole Brand "Old Taylor." Stands Unchallenged As A Pure and Wholesome Tonic.

To write a descriptive article concerning the particular features that identify Frankfort as a place of note, and therein fail to emphasize the prominence of E. H. Taylor, Jr., & Sons, Incorporated, Distillers, would be to write of the glories of France and omit the Napoleonic regime. In every phase of industrial activity and commercial enterprise, in every move-

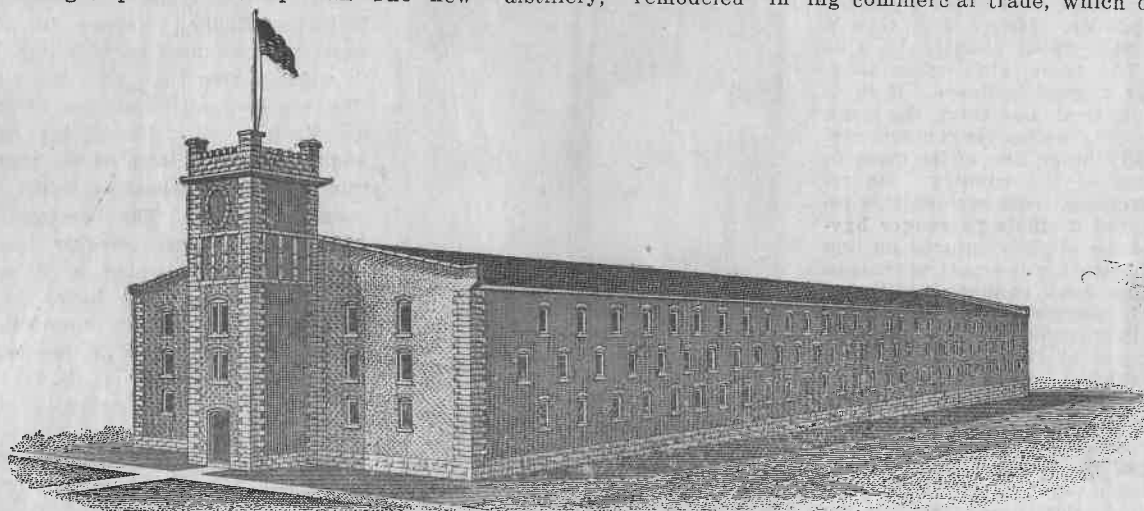


OLD TAYLOR DISTILLERY, NO. 53, WOODFORD COUNTY KENTUCKY.



E. H. TAYLOR, JR., PRESIDENT.
ment tending to promote metropolitan

of hygienic purity, have been sedulously adhered to and the only brand ever produced at this famous distillery, "Old Taylor," represents the crystallization of the science and art of distilling—the pure and wholesome essence of American grains. Of the E. H. Taylor, Jr., distilleries, much could be written, as their character is most interesting, Col. E. H. Taylor, Jr., having, since 1868, been actively engaged in the construction of distilleries upon varying models, in the improvement and perfecting of mechanical distillery appliances and processes, and in advocating and pushing the standard of the higher grades of whiskies to that pre-eminence to which they are rightfully entitled. The distilling plant occupies a commanding location on Glens' Creek, in Woodford county, Kentucky, 7 miles South-east of Frankfort, and includes 21 buildings. Each individual structure is a model of architecture of its kind, and punctuates an epoch of advancement through the research and initiative of the founder. The new distillery, remodeled in trade. To manufacture this quantity of whiskey the company consumes yearly 125,000 bushels of selected grain, and to assist in the shipment of the product an average of 2,500,000 bottles is required annually. From its annual volume of business, which aggregates \$1,000,000 the company pays out \$500,000 in U. S. Revenue tax. The Company is also a large State, County and City tax-payer, and spends large sums in the purchase of grain. The force of employes totals 90, many of whom are skilled men, and the payroll is commensurate. No distiller excels it in the beauty and artistic taste with which it prepares its bottles, cases and large packages for the market, and in the designing, engraving and printing of labels, stamps, seals, etc., the most liberally-paid talent is incorporated. Its office apartments in the new McClure building combine every feature of convenience, adaptability and utility essential to the conduct of its extensive manufacturing operation and the successful management of its constantly increasing commercial trade, which occupies



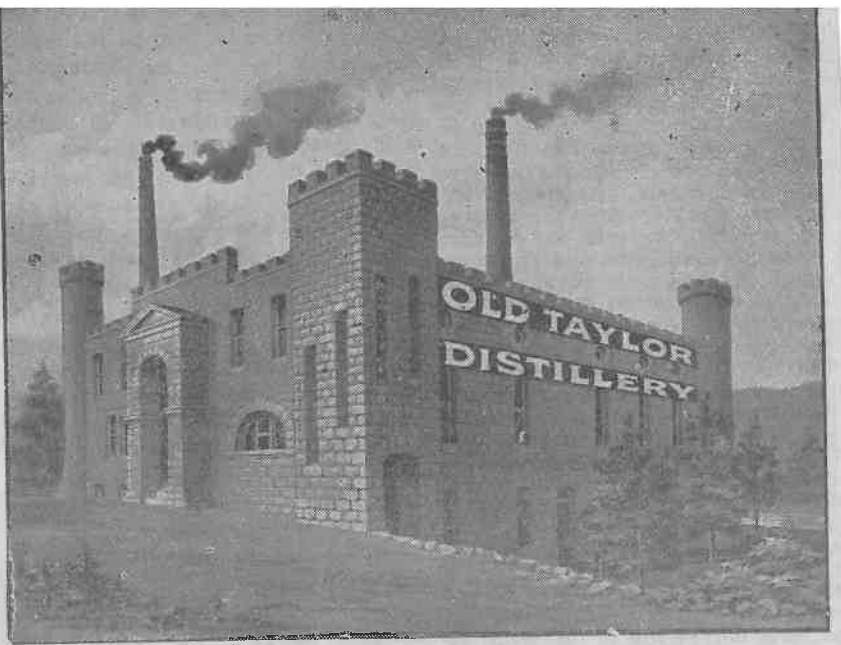
THE LATEST WAREHOUSE ERECTED AT THE OLD TAYLOR DISTILLERY, AND KNOWN AS UNITED STATES DISTILLERY WAREHOUSE, NO. 53, K.

growth, E. H. Taylor, Jr., & Sons, Incorporated, have demonstrated an intelligent partnership and a liberal and zealous spirit. From the early days of the Internal Revenue system, that drew its primal breath from English precedent, to the present elaborate and extensive tax code and official supervision, Col. E. H. Taylor, Jr., the head and founder of this influential corporation, has given his life-work to the production of the purest and best whiskies and the development of a position, National and International, that is unexcelled by any other dealer in pure Kentucky whiskies. More than any other, E. H. Taylor, Jr., & Sons, Incorporated, have attained a national celebrity as promoters of that distinctive industry known as "Bottling-in-bond" and as co-workers in the enactment and enforcement of pure food laws in its connection with distilled spirits. Its thoroughly equipped and skilled representative was ever on the ground and crossed lanes

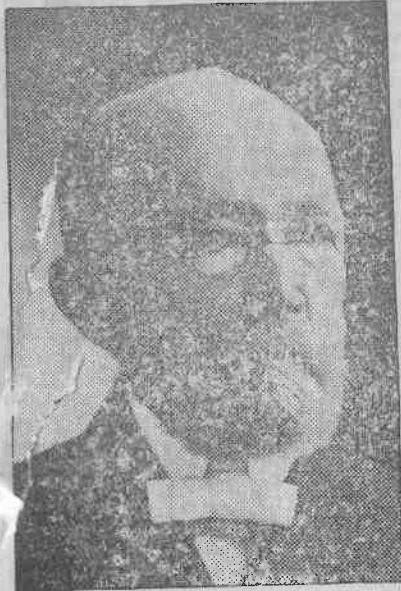
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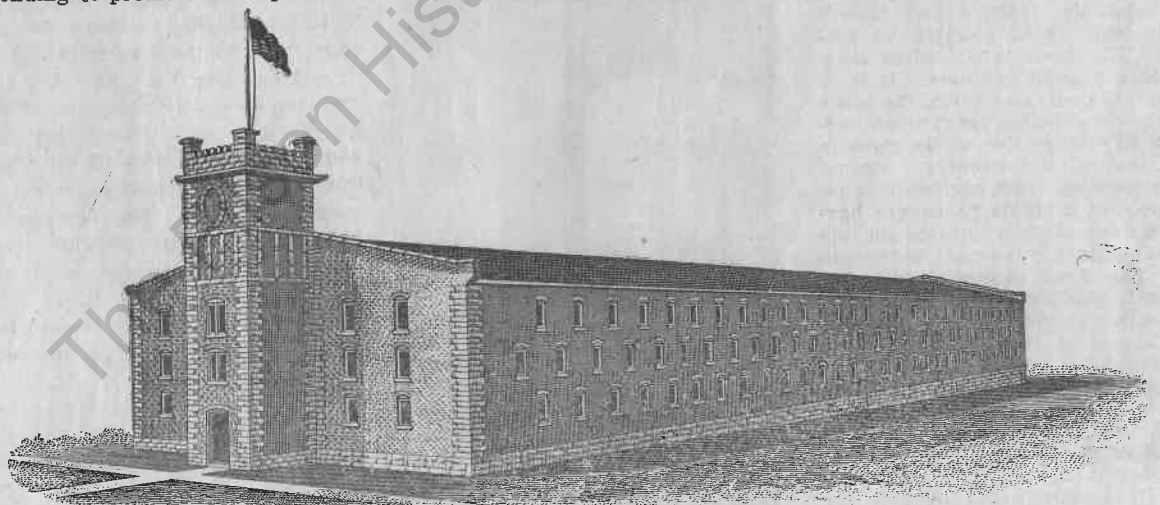
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THE LATEST WAREHOUSE ERECTED AT THE OLD TAYLOR DISTILLERY, AND KNOWN AS UNITED STATES DISTILLERY WAREHOUSE, NO. 53, K.

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1906 is constructed on the architectural design of a feudal castle of ancient type, with tower and turret and presents a most attractive feature in picturesqueness of outline. Its equipment is perfect with every appliance essential to the production of a perfect whiskey. The processes employed are those which have resulted from long experience and the most constant and approved tests. Cleanliness is the key-note in every department of production and the whiskey is aged naturally, without the aid of artificial heating of any kind. As a result, "OLD TAYLOR" stands unchallenged in reputation and unexcelled as a high grade product of Kentucky distillation and whether bottled or barreled, is to be found in every market where excellence is the standard. The annual output of the E. H. Taylor, Jr., & Sons distillery reaches 10,000 barrels, each year's production remaining in the bonded warehouses for an average of 5 years before reaching the consumer through the channels of the entire whiskey trade.

a position, National and International, that is unexcelled by any other dealer in pure Kentucky whiskies. More than any other, E. H. Taylor, Jr., & Sons, Incorporated, have attained a national celebrity as promoters of that distinctive industry known as "Bottling-in-bond" and as co-workers in the enactment and enforcement of pure food laws in its connection with distilled spirits. Its thoroughly equipped and skilled representative was ever on the ground and crossed lances, with distinguished success, in the legal battles that attended the enactment and interpretation of pure food laws, with the able and high salaried counsel of the rectifiers. Probably no other company in Kentucky has gone to greater expense, or exhibited more zealous care in guarding the straight whiskey interests of Kentucky from invasion, injury and usurpation by the opulent and powerful rectifiers' trust. In this great work their reputation has grown to be co-extensive with

THE IMPORTANCE OF DISTILLING INTERESTS

The Part They Have Played In Kentucky's Development and Their Influence Upon the Industrial Life of the State—What Their Extermination Would Mean to Every Line of Business.

Man, in his physical anatomy and in his mental and moral attributes for usefulness, combines many elements of strength and prowess.

All are intimately connected and work in harmony for a common purpose. Destroy or maim the leg or arm and you limit the body in its lifework. Impair the mental faculties or distort the moral vision and man is no longer capable of that sublime career which his ambitious spirit craves.

So the greatness of Kentucky in its material interest lies along the same lines.

Not one element of material development, but the combination of all, intertwined and interlaced in accord and uplift, has wrought that wonderful change from infant industries and small beginnings to a commonwealth breathing with industrial activities.

Railroads cobweb the State as the arteries of commerce. Rivers and roads are the veins along which flow the rich blood of national prosperity.

Mills and manufactories hum with the revolutions of machinery that converts the crude material into products of increased value.

The Kentucky Evening Gazette, Jan 1908

Coal, iron and oil are dug from the earth; forests are felled and sawn into lumber; and tobacco, wheat, corn and other products are transported to market as agricultural riches.

Evidences of Prosperity.

All these proofs of a growing State, these evidences of material prosperity are the results of a co-operative commercial spirit and of favoring protective legislation.

The law-making power has recognized the right, constitutionally given, of the people to choose the road to wealth, of the laborer to be employed and of the possessor to enjoy the fruits of his labor.

As a part and parcel of this combined movement towards the greater life for Kentucky, the whiskey and beer interests have cut no small figure.

Recognized and protected by equal legislation—given a fair deal in the area of commercial growth—nurtured by public sentiment and an element of social welfare, they have become as much a part of state wealth, growth and enterprise as any other feature of industrial activity.

Great sums of money have been employed in the erection of extensive plants, in the purchase of costly and elaborate machinery, and in paying liberal wages to thousands of employees.

The expense involved in the cost of grain and other materials, in transportation, in rents, and in taxes to relieve the burdens of counties and municipalities are almost fabulous.

Vast Injury Possible.

The movement to eliminate this great factor from the industrial and commercial activities of the commonwealth, so rashly urged by a certain class of our fellow-citizens, is the logical counterpart of the injury inflicted by cutting off the leg or arm of the physical man.

This industry has grown with the state, is an important part of its material wealth, is linked hand in hand with its greatest business interests, and to tear it rudely away would not only cause immense financial loss of legalized investments, but produce great social disturbance in all the metropolitan centres.

The distilling and whiskey interests of Central Kentucky are intimately associated with every other interest, real estate and mercantile, within its territorial limits.

The precipitate destruction of millions of dollars worth of invested capital would upset values, paralyze trade and bring destitution and want to thousands of families.

Effect Upon the Whole.

You cannot wipe out one great branch of industry without involving all other branches in the same calamity, no more than you can destroy a mental or physical faculty without diminishing man's capacity for usefulness.

The railroads and steamboats convey distillery supplies and products; the farmers sell them corn, rye and barley; dealers have their cattle and hogs fed and fattened for local and foreign markets; lumbermen supply material for cooperage and building constructions; manufacturers make wood, copper and iron utensils for converting the raw material into the finished and valuable product; the vast army of employees are customers, with their families, of those who sell things to eat, to wear and to bring comfort and happiness.

The vast internal revenue coterie of inspectors, gaugers and storekeepers have employment almost wholly in their continued existence.

Destruction to the distilling and whiskey interest would bring unlimited injury to all the other industrial interests to which we have alluded and to scores of others not specifically named.

Breach of Faith.

Besides, is it not a breach of faith? For more than a century, in fact since Kentucky became a commonwealth, the civil law and social order has recognized, authorized and encouraged the manufacture and sale of ardent spirits. It has silently and without remonstrance permitted the building of distilleries, warehouses, storehouses and all the valuable adjuncts of a great growing and costly branch of state industry. Around it has been thrown the sanction and protection of the law.

Under any claim of reform or social revolution, to hastily precipitate, at this late day, a devastating movement involving the wiping out of vested rights and century old customs, is to load upon the Commonwealth a moral turpitude like unto that which attended the passage of the alien and sedition laws, or the repudiation of state debt.

EDMUND H. TAYLOR, JR.

410

A Frankfort man has attained more prominence than any other Kentuckian in the long fight that has been waged in Washington over the question, "What is Whisky." Edmund Watson Taylor, youngest son of Col. E. H. Taylor, has spent the better part of the past year in Washington representing the interests of the straight whisky people. He knows the whisky business from the "ground up" and knows more about the subterfuges that have been adopted by the rectifiers to imitate and counterfeit real whisky, than any learned attorney that could be employed. He has appeared before Congressional committees, before the attorney general of the United States, before the Solicitor General and lastly before the President himself and not once has any of the shrewd attorneys for the rectifiers been able to trip him up or score a real point against his unanswerable arguments. It is well recognized in Washington that young Taylor is the mainstay of the straight whisky people in their fight to uphold the pure food law, and as a proof of what is thought of him, the Baltimore American, which is one of the big dailies of the East, in a lengthy article on the question of "What is Whisky," publishes a picture of Edmund Taylor side by side with that of Joseph Choate, former Ambassador to England and recognized as the greatest lawyer in New York, and that of John G. Carlisle, and says these three are the leading attorneys in the whisky controversy. This is a high compliment for young Taylor, but he deserves it because there is not a quip or turn in the whisky trade that he does not know all about. Frankfort is proud of him and the straight whisky people are too.

FRIDAY, MARCH 26, 1909

WHAT IS WHISKY?

New Light in Judicial Statement
on the Problem.

What is whisky?

The question seems to be as popular as the Eastern question in Europe. It has been asked many times, and many persons have tried to answer it, and some say and others admit they have succeeded, but in spite of whatever success has been attained by the definers, Judge A. M. J. Cochran of the United States Circuit for the Eastern district of Kentucky tries his hand at answering the question in the decision he rendered in the case of the Government against the York distilling company of Newport. The judge says: "Quite a controversy has arisen, and still rages, as to what liquor is entitled to the use of the generic term whisky. It exists between the representatives of what is known as rectified whisky on the one hand and the representatives of what is known as straight whisky on the other hand. Straight whisky is the spirits distilled from grain with the fusel oil in them produced during fermentation of the mash reduced to potable proof. Rectified whisky is the same spirits after the fusel oil has been removed from them by the rectifying process reduced to potable proof. The former article is barreled in charred barrels. In the course of time the container has an effect on the fusel oil in the spirits contained by it. At one time it was thought that this effect was to remove the fusel oil therefrom. It seems now to be thought that its effect is to conceal or cover up its existence. At least it is now so claimed by some persons. But, whatever the effect is, the producers of straight whisky maintain that the barrel charring process gives to it a characteristic color, aroma and flavor which make it a superior article to that which has been rectified, and the longer it is subjected to that process the better it gets. Such seems to be the popular notion. This popular idea is referred to by the chemist in his affidavit in the compilation made on behalf of the National Association of Blenders, and it is voiced by Col. Ingersoll in the famous tribute to the flask of choice whisky which he sent to a friend, in these words: 'Forty-seven years this old joy has been imprisoned within staves of oak awaiting an opportunity to touch the lips of man.'

KENTUCKY
STATE JOURNAL

TUESDAY, JUNE 18, 1907.

CREDIT

FOR FIGHT THEY HAVE MADE

IS GIVEN COL. E. H. TAYLOR AND
HIS SONS BY PAPER THAT
KNOWS—HAVE LED CRUSADE
FOR REAL WHISKY ALMOST
SINGLE-HANDED.

The Louisville Free Press says: In all this agitation of the Pure Food law, it should be remembered that E. H. Taylor, Jr., & Sons, of Frankfort, the distillers of the famous Old Taylor, were the men who made the name "Kentucky Whisky," the subject of universal interest that it is today. Almost single-handed, this old-fashioned firm which has never learned any of the short cuts of the business, has contended for the right of the consumer to get what he calls for when he wants real Kentucky whisky. They have fought for this principle in the courts, in the public press and in the halls of Congress, and they have spent a fortune without any hope of return, for every one thought they could not succeed.

Today E. H. Taylor, Jr. & Sons have the right to be proud of the work they have done. Their own business has reaped a rich harvest from the increased demand for Old Taylor that has come with the public demand for straight whisky, the result of their long and costly campaign of education. That they make the finest whisky that can be made in the good old way that their predecessors in the Kentucky whisky business followed, need hardly be mentioned—that is too well-known. And what is more, there are no cleverer gentlemen in the business, than they.

PIONEER

IN THE FIGHT FOR STRAIGHT
WHISKEY, WAS COL. E. H.
TAYLOR, JR., OF FRANK-
FORT.

Col. E. H. Taylor, Jr., is the original fighter for pure whiskey, which he has kept up with most gratifying success. The following article shows that away back in 1904 and long before he was as he still is most aggressive:

The San Francisco correspondent of Bonfort's Wine & Spirit Circular, of New York, in its issue of May 10, 1904, writes of Senator E. H. Taylor, Jr., and his fight on Imitation Whiskey, as follows:

"E. H. Taylor, Jr., has always been a picturesque character in Kentucky. He has always been aggressive; he is acknowledged to be one of the best distillers the old Commonwealth has ever known. In manners he has been referred to as a Chesterfield, and he is one of the best dressed men in the "Blue Grass" region. As a writer we do not think he has an equal in our trade, his language being incisive, his periods well rounded, and he is a master of satire and invective; he has made several brands of whiskey famous, which brands have helped to make Kentucky famous. He seems to have found the spring that Ponce de Leon sought for in vain; for many years he has been the political dictator at Frankfort, and he has served that city in the capacity of mayor a number of terms.

For a great many years he has represented his district in the State Senate and his name has been prominent

SUNDAY, APRIL 11, 1909

THE KENTUCKY STATE JOURNAL

OF A PERSONAL NATURE.

Col. E. H. Taylor, Jr., left Monday morning on a business trip to Washington City. Ordinarily that mention would be "nuf sed," but on this occasion the departure of the genial Colonel deserves more than "honorable mention."

Strictly speaking, it is not his fault that caused the C. and O. to leave the Frankfort shed about a minute late—it was his Easter outfit that caused the commotion.

Now, anybody that knows anything at all knows that Col. E. H., is the best groomed man in—no, not in Kentucky alone, but in the United States.

If I should tell you that when he left for Washington to interview Mr. Taft on special business, he wore a pair of black and white check trousers, tan "spats" and patent leathers, a long black frock coat, an illustrated vest of dots and dashes in tan and wood browns and all this was partially hidden by a long short-waisted overcoat in invisible green checks, you would be very apt to exclaim "how very horsey."

But, it was not "horsey." Colonel Taylor is one of the few lucky mortals on this terra firma who dominate their clothes and do not allow their sartorial outfit to submerge their individuality.

He is a figure that causes the busy throng on Broadway, New York, to turn for a second glance at the distinguished Kentuckian. He causes the breezy Chicagoan to sit up and take notice as he strides down State street or into the Palmer house, where he is virtually handed over the keys to the establishment.

But, we digress. On this occasion several ladies were standing on the platform when the Colonel's gaily illustrated vest came up for conversation. "I don't believe it," was the remark to one when its mysteries were unfolded to her.

Gently tapping on the window of the train to attract his attention, the Colonel very politely came to the rear end of the car and stepped off.

"Colonel," said one. "Won't you please show this doubting Thomas your beautiful vest?"

Without a moment's hesitation and although the conductor was trying to shoo him on board, he calmly displayed the full glory of that waistcoat and held the train fully one moment to do so.

"I am going to try to subdue Mr. Taft," was his answer as to what was taking him to Washington. It's the writer's humble opinion that he will not subdue his Excellency—he will intimidate him if he persists in presenting himself in those joyous clothes. If Col. Taylor does not get what he wants from the President it will be a plain and unmistakable case of jealousy.

April 5,

H. H. Taylor
J. H. TaylorH. H. Taylor
J. H. Taylor
Chy E. H. Taylor
H. H. Taylor
H. H. Taylor

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April 1909 137

ONE PHASE OF THE
WHISKY QUESTION.

(Philadelphia North American.)

We have all proper respect for the good men and women who regard the use of intoxicants as exclusively a moral and religious issue, who let themselves be enticed into futile and fruitless discussion concerning the fermentation of wine at the beginning of the Christian era or the exact verbiage of Lincoln's temperance utterances; who, with the purest and best of motives, would force upon large cities and unwilling communities prohibitive laws which, not representing the will of the majority, would be made a farce and so create revulsion and discredit a good cause.

But the North American insists upon being practical. The liquor trade is a legal one everywhere that the popular vote has not made it illegal. We never have been able to regard as a diabolical possessor of cloven hoofs, horns and forked tail the maker, seller or drinker of wine, beer or whisky.

We believe heartily in according to every community the right to say whether or not intoxicants shall be made or sold within its borders. We believe that steadily increasing restriction is certain by the working of the economic laws which will dominate at least the first half of the twentieth century.

But as long as makers and sellers and drinkers of intoxicants are law-abiding citizens we believe in reasoning with them on the basis of common sense and square dealing and self-protection.

And it is just because we concede the legal, while we deny the moral right of a man to damage his own health and efficiency, that we say he should not be swindled into quicker wrecking of his physique.

President Taft is hearing pleas from lawyers like Choate and Evarts to discredit Dr. Wiley and break down his rulings against swindling in drink as well as food. This Pennsylvania snake is simply part of the bigger game of a rich crowd of poisoners to force the whisky drinker to consume not whisky but a thieving substitute infinitely more harmful.

That is why we think it time to talk about "What is whisky?"

In the times of our fathers stills were set up beside the purest streams or springs, preferably where the water ran over limestone. The finest grains, corn or rye, were selected. The distillation done, the product was placed in oak barrels, well charred inside. These were stored in airy lofts where the wind and the sun caused speedy evaporation of the fusel oil and all the most deadly contents of that barrel, reduced by evaporation nearly 40 per cent., was considered good, drinkable whisky.

Later on certain shrewd men concluded to follow the example of the distillers of Scotland and Ireland. They found that the flavor of the naturally aged whisky was so potent that a small amount of it mingled with a newer, cheaper whisky would disguise the rawness and the harshness. So honest "blending" came to be practiced.

But there came a later lot of traders who figured in this wise: Whisky once made must be put into the government warehouse to be withdrawn only when the tax of \$1.10 a gallon is paid. The government charges for gauging and regauging concern mainly the taxpayer. But aside from the loss of actual quantity due to the natural evaporation, every year that the whisky is allowed to ripen means a loss of interest on the investment and costly idle capital.

So the search began for adulterants that would make raw, rank, unripened, poisonous whiskies become palatable. And so the "blenders" came into being. They started modestly. They have developed their outrageous methods of adulteration until nowadays one barrel of honest whisky rolled into a foul city cellar is reincarnated into forty barrels of a compound which, when bottled, is labeled "Pure old time—that."

But thieves breed thieves. And the perversion of chemical discovery into a tool of greed has brought about the making of "hell broths" that are called whiskies, but in reality are murderous mixtures of cologne spirits, prune juice, pignolia juice, aniline dyes, burnt sugar, tobacco stems and coal tar flavorings.

The exact formula of any especial poison handed over the best bars of the clubs and restaurants and hotels is not easy to state. Because the United States government has not money enough to buy the way of an expert chemist into the poison dens that call themselves blending establishments.

We know only through scientific tests the weakened, softened, drugged stuff that whisky drinkers buy and think that they are buying whisky. "Pure grain distillate" is a favorite ruse of the poisoners. That means anything, including "cologne spirits," which does not improve with age, never shrinks in quantity, but makes in the system of the man who swallows a permanent poison.

April 5,

Dr. Wiley
J. H. Taylor

Wm

J. H. Taylor

Chas. E. H. Taylor

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25x50

The Law of Kentucky Regulating Distillers, and Defining Who are Distillers.

(Section 2572a, Kentucky Statutes 1909 Ed.)

This Law is Being Widely and Flagrantly Violated.
There are Many Firms Posing as Distillers who are
in no Sense Distillers, and the attaching Penalties are
Heavy.

READ THE LAW

ARTICLE III.

Distillers--Regulation of

Sec. 2572a. 1. Distiller, who is in meaning of this section. That every person (firm, joint stock company or corporation) who produces distilled spirits, or who brews or makes mash, wort or wash, fit for distillation, or for the production of spirits, or who by any process of evaporation separates alcoholic spirits from grain, molasses, or fruit, or any other substance fermented, or who making or keeping mash, wort or wash, has also in his possession or use a still, is within the meaning of this act a distiller.

2. Distiller to operate in his own name---exception---That it shall be unlawful for any distiller to manage and operate a distillery in this Commonwealth under any other than his actual or real name, or under such one distinguishing trade or business name or style as he shall have openly adopted for carrying on the business of his distillery; and no distillery shall be operated under more than one name or style, during any one distilling season, beginning the first day of August in each year, and ending the thirty-first day of July in the succeeding year, except in case of death, insolvency, or actual sale or *bona fide* lease of the distillery, and only then after the distillery has ceased operations for a period of at least thirty days.

3. False representations as to products. That it shall be unlawful for any distiller in this Commonwealth to hold out or represent to the public the products actually distilled by him at his distillery as having been distilled by any other person, firm, joint stock company or corporation.

4. Name or trade-mark of another person not to be used by distiller--penalty. That it shall be unlawful for any person, firm, joint stock company or corporation not actually engaged at the time in the business of producing distilled spirits in this Commonwealth to permit his or its individual business or trade name to be used by any distiller as the operator of his distillery, and any one so offending shall be subject to an indictment in any court of competent jurisdiction, and, upon conviction, shall be fined in any sum not less than five hundred dollars nor more than two thousand dollars for each offense, at the discretion of the jury.

5. Penalty for violating this section. That any distiller or other person who shall willfully and knowingly violate or evade or attempt to evade any of the provisions of the foregoing act, shall be guilty of a misdemeanor, and shall be subject to an indictment in any court of competent jurisdiction, and upon conviction, shall be fined in any sum not less than two hundred dollars nor more than one thousand dollars for each offense, at the discretion of the jury. Each day that a distillery is operated contrary to the provisions of this act shall constitute a separate and distinct offense.

6. Warehouse receipts to be issued by distiller--penalty. That no person, firm or corporation shall issue or sign any warehouse receipt or substitute for such receipt on whiskey stored in a distillery bonded warehouse in this Commonwealth, except the distiller, and any person other than the actual owner and operator of a distillery, who shall issue or sign any warehouse receipt or substitute therefor in violation of section 2 of this act, shall be guilty of a felony, and, upon indictment and conviction, be confined in the penitentiary for a period of time not less than two nor more than ten years at the discretion of the jury. (See; further; secs. 4768-80.)

7. Trade-mark may be used---where to be placed. That any distiller may use and brand upon the commercial head of the package or cask any name or device as his trade-mark selected and owned by him or the name or trade-mark of any customer of said distiller. But nothing herein shall permit any such brand or name or trade-mark to be put upon the stamp head of such package or cask. (This section is an act of March 27, 1896. The numbers of sub-sections are the same as the numbers of sections in the act.)

BEE
OMAHA, NEB.
JUL 8 1909

414

What is Whisky?



IT FEELS LIKE WHISKEY



IT SOUNDS LIKE WHISKEY



IT LOOKS LIKE WHISKEY



IT SMELLS LIKE WHISKEY



IT TASTES LIKE WHISKEY



BY JINKS IT IS WHISKEY

UNCLE SAM DECIDES WHISKEY IS WHISKEY.

From the Baltimore American.

005X20

JUNE 30, 1909.

STRAIGHT

Whisky Men Talk About the "Pure Stuff."

PRESIDENT TAFT LISTENS TO
THEIR ARGUMENTS.

MESSRS. TAYLOR AND CARLISLE
CHIEF SPEAKERS.

THE DEBATE GROWS SPIRITED.

Washington, D. C., June 29.—[Special.]—After hearing Edmund W. Taylor and the Hon. John G. Carlisle for two hours to-day on the straight whisky side of the labelling provision of the Pure Food Act, the President signified that he was prepared to consider the case without further argument.

The attorneys are given permission to file briefs until July 20. Mr. Taylor made the opening speech for the straight whisky industry, addressing the President for an hour and a quarter, and Mr. Carlisle closed for the same side, speaking for an hour. Marshall Bullitt and John B. Thompson, of Louisville, were also present.

New Feature Injected.

A new feature was injected into the hearing to-day by the appearance of Dr. William Frear, State Chemist of Pennsylvania, and Prof. James H. Shepard, State Chemist of South Dakota, representing the State food officials engaged in enforcing the State pure food laws of some thirty States. The States take the attitude that the contention of the straight whisky people is correct and that the compounders should be required to so label their mixed products as to differentiate them from the pure, straight article.

Mr. Taylor Talks.

Mr. Taylor declared that under the Bowers report a rectifier could take an imitation whisky, mix it with the genuine whisky, mark the result as whisky and sell it to the public as the genuine article. Such indulgence, he declared, would destroy the effect of the pure food law, and subvert the will of Congress as expressed in that statute. He produced internal revenue records to show that the rectifiers or compounders are an actual expense to the Government instead of a source of revenue. Turning to Mr. Choate, Mr. Taylor asked: "If this neutral spirit is such an excellent product, why don't your clients parade its virtues on the label and sell it under its own name? Upon the theory of equity do you decry straight whisky in one breath and in the next breath insist upon your right to color neutral spirit and sell it under the name of the very article you endeavor to impugn?"

Turning to the President, Mr. Taylor said: "If the clients of these gentlemen are sincere, why are they not here appealing for the right to sell their neutral spirits under its own name instead of asking the privilege of selling it under the name of whisky?"

Gives Illustrations.

Mr. Taylor gave the President an illustration of how the rectifiers adulterate whisky by stretching it with new neutral spirits. He declared that age gave great value to the genuine article. He said that a rectifier could take a barrel of ten-year-old whisky and a barrel of cheap neutral spirits, five minutes old, and mix the two together. Theoretically, the rectifier claims that this is an improvement. "Then," said Mr. Taylor, "will Mr. Choate explain why it is that the rectifiers immediately use caramel coloring to make the new mixture assume the distinctive color of the original ten-year-old whisky, and thereby conceal the presence of the new neutral spirits and then label the mixture with all the terms of the genuine old whisky?" There was considerable cross

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*** Mr. Carlisle Speaks.

Mr. Carlisle recited the terms of the Pure Food Law and declared that if the Bowers report is indorsed by the President, honey can be stretched with invert sugar and marked genuine honey; maple sugar with sucrose and marked genuine maple sugar; olive oil with cotton seed oil, and vinegar with abstract acetic acid. "The Federal Congress," said Mr. Carlisle, "has expressed its will in the Food and Drugs Act. It has said in effect that a mixture of whisky and neutral spirits must be marked 'compound.' The chief executive of this Government," said he, turning to the President, "has powers perhaps unequalled by those of the sovereign head of any country in the world, but as the President himself knows full well he cannot, under our system of government and under the constitution of the United States, ignore and override the will of Congress when that will has been written into statute."

Mr. Carlisle devoted most of his attention to reviewing the legal decisions in support of his position. One of those upon which stress was laid was the opinion of Attorney General Taft, father of the President, to the effect that alcohol is not whisky.

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416

President Taft answered the question of What is whiskey? on 27 December, 1909. Declaring that "straight and spirits mixed are a blend; whiskey made of neutral spirits is whiskey when reduced to potable strength; use of rectified products must be so noted on the labels; labels must tell exact truth. His decision, of course, negated Bonaparte, and Solicitor-General Bowers; T.R., Dr Wiley; followed lines laid down by Great Britain in answering the question .. Taft spent his 1909 Christmas closeted with Col. Taylor's famous query.

"Taft whiskey" immediately became popular in the United States/ the public deciding that whiskey is whiskey, and holding that the fat fellow's ~~xxxxx~~ answer was a "triumph of non-commitalism." Cf. appendeix for full text of Taft's decision:

~~xxxxxx~~

Col. Taylor had out the following statement to the press on P the President's answer to his ~~xxxxxx~~ *must question;*

COL. TAYLOR

ON TAFT'S DEFINITION OF WHISKEY

THINKS CONCLUSIONS REACHED
BY PRESIDENT WILL BENEFIT
ALL STRAIGHT WHISKY
DISTILLERS.

The efforts of years of hard work on the part of Col. E. H. Taylor, Jr., for straight whisky have been rewarded and his life's work has been accomplished if the ruling of President Taft is what Col. Taylor and the majority of whisky men in this city understand it. The one thing that Col. Taylor has fought for, and the one object that he has had in view from the beginning to the end is the honest labelling of whisky.

The situation never became too gloomy, the prospect too dark, or the opposition too strong for Col. Taylor to quit the fight for straight whisky, or even to slow up a second in his efforts to accomplish what he started out to accomplish. Col. Taylor has the reputation of doing what he starts out to do, and the ruling of President Taft is a great and conclusive victory for Col. Taylor and his followers, and in this fight he took the lead and retained it until the finish.

Col. E. H. Taylor, Jr., comments on the "Whisky Ruling" of President Taft as follows:

"If the President's ruling is enforced according with its evident intent, as I understand its intent, everything I have sought would seem accomplished, namely, honest labelling.

"I assume, however, that the factors that have so long been obstructors, will attempt to reach the Supreme Court, securing further delay thereby in the execution of the beneficial Pure Food Law."

005X22

TAFT'S DECISION IS NOT APPROVED

Col. E. H. Taylor, in New York,
Says It Admits Too Much
Water For Home Folk.

The Times Special Service.

New York, March 15.—Col. Edmund H. Taylor, of Frankfort, Ky., who was one of those who tried to help President Taft solve the question, "What is Whisky?" is in New York and says that not a single Kentuckian has been satisfied with the definition announced by Secretaries MacVeagh, Wilson and Nagel and made a ruling in the pure food law.

He says that Kentucky has preferred to adopt the definition of Mr. Roosevelt, who, when it came to whisky, at least knew what he was talking about, and, furthermore, he says that the straight whisky interests, of which Taylor's business is a part, are going to carry the question up to the Supreme Court for a final decision.

"For one thing," said Mr. Taylor, "a true Kentuckian objects to the use of water in whisky, such as is permitted under the Taft definition. And," speaking seriously, "he objects to what is used as the basis of the so-called whiskies as under the new ruling can be sold lawfully as whisky."

"According to the Taft definition, whisky can be neutral spirits reduced by water to the proof of whisky and artificially colored. A peculiar phase of the situation is that Roosevelt on April 10, 1907, had defined straight whisky, blended whisky and imitation whisky, had directed that they be labeled as such, and the courts had upheld his ruling."

417

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ATTACK ON WILEY LAID TO WHISKEY TRUST AND ALLIES

Interests Hit by Pure Food Laws
Are Accused by Chief Chemist's
Friends, and House Com-
mittee Will Investigate.

CHAIRMAN MOSS ISSUES
CALL FOR MEETING TO-DAY.

Will Issue Subpoenas and Learn
Truth, He Declares—Cli-
max of Long Fight.

(Special to The World.)

WASHINGTON, July 13.—While Dr. Harvey W. Wiley will not himself discuss the movement, which has taken concrete shape here, to force him to resign as chief chemist and pure food expert of the Government, his supporters in that service declare that they have evidence to show that the prime mover is the Whiskey Trust, aided by manufacturers who have been fined for violation of the Pure Food and Drugs act.

The fight of the Whiskey Trust dates back to 1907, when the Bureau of Chemistry was called upon to decide "What is Whiskey?" The decision did not please the trust.

The Sugar Trust is not friendly to Dr. Wiley, nor are the fruit canners, whose business has been hit by decisions rendered by Dr. Wiley.

Committee Will Investigate.

The effort to oust Dr. Wiley will be investigated, beginning to-morrow, by the House Committee on Expenditures in the Department of Agriculture.

"We are going to the bottom of it," said Chairman Moss to The World correspondent this evening. "We want to see who is behind it. I have sent a call to the members of the committee for a meeting to-morrow. We will discuss every phase of the matter and then subpoena witnesses."

The charge against Dr. Wiley is that he was party to an attempt to circumvent the law in the method chosen by the Bureau of Chemistry to secure the services of Prof. H. H. Rusby of Newark, N. J., as pharmacognocist for the bureau. Under the law no expert may be employed at a salary greater than \$4,000 a year, about \$11 a day. This compensation was not satisfactory to Prof. Rusby, and he was employed at the rate of \$20 a day for laboratory work under a special construction of

AW.

Some Notable Things Dr. Wiley Has Done for Public Welfare

Was the author of the Pure Food law.

Founded the beet sugar industry, that has employed hundreds of thousands of farmers and earned them millions of dollars.

Caused the removal of the tax on non-potable alcohol, since used extensively in mercerized cotton manufacture and as fuel in engines of various types.

Championed the insecticide law recently passed, which penalizes severely the misbranding of chemical compounds sold to farmers.

Won his fight for the exclusion of saccharine from food products as a substitute for sugar on the ground that it was deleterious to health.

Fought benzoate of soda and sulphur as fruit preservatives.

Contended that whiskey is whiskey only when a straight distillate, unblended, undiluted and uncompounded with flavoring extracts or coloring matter.

Has been chemist of the Department of Agriculture since 1883.

What He Has Done Amiss According to Accusers.

Failed to conform to the strict letter of the law in fixing the compensation of an eminent laboratory expert.

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New England
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COL. E. H. TAYLOR, JR. CONVERTS

TEXAS MAN TO KENTUCKY FAITH.

420

Nov. Jan 17-1910

Col. E. H. Taylor Jr.'s great article The Rule of The Regions and Distilling in Kentucky, written especially for the Jubilee Edition of The Louisville Times, December 31st, 1909, is attracting wide attention and comment throughout the whisky trade of the country and from general readers. In the large correspondence reaching E. H. Taylor, Jr. & Sons office on the subject of this article "The Times" and Kentucky itself come in for applause. An interesting letter in this connection follows:

OFFICE HOUCK AND DIETER CO.

El Paso, Texas, Jan. 10, 1910.

Col. E. H. Taylor, Jr.,

Frankfort, Ky.

My Dear Sir—I have just read your article in the Louisville Times on "Distillation in Kentucky," and wish to thank you for the pleasure as well as the instruction it gave me. Your description of the distillation of whisky in Kentucky from its crude beginning to its complete perfection, is certainly very clear and impressive.

From your standpoint you make it perfectly clear why some whiskies are superior to others, and after reading your article, I am inclined to agree with you. While in California some years ago, I became aware of the value of different kinds of soil in the growing of various fruits, and was particularly impressed with the merits of that impregnated with lime, the water of which was always

superior and much sought after for drinking purposes, but I am indebted to you for the knowledge that its influence is manifest in the distillation of whisky. I had not dreamed that its influence was so far reaching. I think I made this plain in some former correspondence, but I am now free to admit that water percolating through a limestone formation may, and undoubtedly has, its influence in flavoring the beverage distilled by it.

I congratulate you upon the able manner in which you have presented this fact to the public in the article in question, and I feel deeply indebted to you for the enlightenment.

Hereafter whenever I take a sip of "Old Taylor" I shall associate with it the Blue Grass region of Kentucky and the "depressed apex of the bird's-eye limestone formation" near the Old Taylor Distillery.

I am also pleased to note that the "narrow confines" of this restricted and valuable region possesses journalistic talent of a high order, as is evidenced by the very excellent paper above referred to—in fact, everything that comes from that section of the country has the earmarks of merit and good quality.

Again thanking you for the pleasure afforded in reading your contribution to the Times, and assuring you of my great respect and esteem, I remain, dear sir,

Very sincerely yours,

H. C. MARKS.

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00542

DISTILLERIES

CLOSE DOWN FOR SEASON

SUCCESSFUL YEAR FOR ALL OF THEM ALTHOUGH SOME OF THEM DID NOT HAVE AS LARGE RUNS AS USUAL

None of the large distilleries in or around this city will be running later than June 15, and several of them have closed down already for this season. They will remain closed until November when they will start up again.

There have been between 85,000 and 90,000 barrels of whisky made in Franklin county and at the Old Taylor and Old Crow distilleries in Woodford, during the past season. The largest amount of whisky was distilled at the Old Crow plant and the smallest at the Old Judge.

There have been fattened at these distilleries during this year, something like 5,500 to 6,000 cattle which will be shipped to England to become the food for the lords and dignitaries of that country. Most of the cattle were purchased in this and the adjoining counties, and have been fattened by Simon Weil, Jonas Weil, Sim Weil, and Adolph Beck.

Average To Barrel.

There is an average of about fifty-five gallons of whisky to the barrel, so that there were made here this year about 4,050,000 gallons of whisky, more than enough to float a battleship. Little or none of this whisky however will be sold for five years, for it must be aged before it is put on the market.

Frankfort is the home of pure whisky, and its whisky brings more on the market than any in the world. Practically all of the Frankfort whisky now days is sold bottled in bond, and it is shipped all over the civilized world. No where is there a city of any consequence in which whisky is sold that Frankfort made whisky will not be found.

Pure Water The Cause.

There are several reasons why the Frankfort whisky is the best of all whiskies, and that is because of the fine springs which are so abundant in this county and because so many men have been engaged in the business for so many years and the art of making and distilling whisky has been handed down from father to son, and

from father to son. The Frankfort distillers too deserve a greater success than those of practically any other section of the country, for they all are the most extensive and most generous advertisers in that business in Kentucky.

They advertise in magazines, newspapers, on bill boards, in theatre programs and every other method that will enable them to get their product before the public. They have spared neither expense, nor energy to make their business the greatest in the country, and in this respect they have been eminently successful.

Estimate As To Amount Made.

In securing a list of the distilleries and the number of barrels made this year, in several instances the number of barrels distilled this year had to be estimated, as the owners of the plants in practically all instances were not where their books were at hand, but they know within a few hundred barrels of the whisky they made this year.

The Frankfort Distilling Company owned and conducted by Baker Brothers, made 14,000 barrels of bourbon, and 1,000 barrels of rye. They fed 800 cattle that belonged to Jonas and Simon Weil. They employed between forty-five and fifty men, many of whom will continue in service during the summer.

There are two distilleries at the O. F. C. plant, and they turned out 10,000 barrels of bourbon and 1,000 barrels of rye. They also slopped 700 cattle and employed about 100 men, and many of these men will be kept at work during the year.

At Other Places.

The Hermitage distillery turned out about 2,000 barrels of bourbon and 3,000 barrels of rye, but they slopped no cattle and will keep the most of their men employed during the year.

Old Taylor made 10,000 barrels of bourbon, slopped 900 cattle and worked 120 men, most of whom will be kept on the pay roll getting things in readiness for next year's work, and looking after the large stock on hand.

Old Judge made 500 barrels of bourbon and 500 barrels of rye, and fed 120 head of cattle and gave employment to nine men.

Labrot and Graham's Distillery made 1,560 barrels of whisky, and fed 250 head of cattle. This distillery closed April 25. The cattle belonged to Simon Weil.

Blakemore made 5,000 barrels of bourbon and fed 300 head of cattle, and 200 head of hogs.

Saffell made about 3,000 barrels of bourbon and fed 200 head of cattle.

Cochran distillery made about 1,000 barrels and fed 300 head of cattle.

Old Crow is estimated to have made 25,000 barrels of whisky, and fed over 1,000 cattle. This distillery will not close until June 15.

421
 N. W. Taylor
 O. F. C.
 Hermitage
 Old Taylor
 Old Judge
 Labrot & Graham
 Blakemore
 Saffell
 Cochran
 Old Crow