STATE AND BAR-ROOM.

HIGH LICENSE OR PROHIBITION.

REPRESENTATIVE MEN DISCUSS THE LIQUOR LAWS.

WHAT IS DONE IN VARIOUS STATES TO REPRESS INTEMPERANCE.

REPUBLICANS, DEMOCRATS AND PROHIBITIONISTS HANDLE THE QUESTION VIGOROUSLY—SEVERAL STATUTORY CHANGES SUGGESTED—THE LESSON FOR NEW-YORK.

THE TRIBUNE begins this morning the publication of the outlines and salient features of the laws of all the States of the Union affecting the sale and use of alcoholic liquors, together with the opinions of prominent persons as to the effect of the liquor laws of their respective States in meeting the evils of intemperance.

The presentation of the expression of sentiment on this subject has been as impartial as possible. A letter was sent to the Secretary of State in each State, except New-York, asking him to send references to their latest liquor legislation and also the names and addresses of three prominent persons in his State from each of the three parties—Republican, Prohibition and Democratic—whom he considered especially competent to express an opinion upon such laws and their effects.

THE QUESTIONS PROPOUNDED.

Responses were received from all the Secretaries of State except six. To all the persons whose names and addresses were so received letters were sent requesting answers to three questions relative to the liquor laws of their respective States. The questions upon the slip were as follows:

1. Does the liquor law of your State operate to repress intemperance?

2. Is it the best liquor law for that purpose?

3. If not, what statutory changes should be made most effectually to accomplish that purpose?

In the case of States whose Secretaries of State did not send such lists, they were obtained from the next most available sources. The names of Prohibitionists were kindly furnished by officers of the Prohibition National Committee, while the representatives of the other parties were named by members of Congress from those States.

FOUR HUNDRED LETTERS SENT OUT.

A similar letter with the same questions was also forwarded to the Governor of each State. Consequently, including New-York (where the number was increased to ten of each party, or with the Governor, thirty-one in all) about 400 such letters of inquiry were sent out. The body of such letter was uniformly the same through the whole of the 400 copies and read as follows:

THE TRIBUNE will shortly publish a full synopsis of the liquor law of each State. The Editor desires, at the same time, to publish the views of thoughtful and leading men of each party, relative to the workings of the liquor laws of their respective States. For that purpose this letter is sent to three Republicans, three Democrats and three Prohibitionists in each State, and, in addition, to the Governor, irrespective of his party affiliations.

An expression of opinion from you, as one of such representative persons, is, therefore, respectfully requested, in the form of answers to the questions upon the accompanying slip. A brief statement of the reasons for the opinions expressed would also be desirable. The necessity for terseness to meet the exigencies of newspaper publication will readily be understood.

Kindly return in the enclosed envelope the question-slip with your answers thereon.

To these letters about 250 replies have been received, representing all shades of opinion upon this interesting and important subject. The most of the replies were, as requested, short and terse. But some of the writers allowed their interest and enthusiasm to carry them into such full discussions that the striking out of considerable portions of some answers became necessary. This was especially true of some of the most valuable and admirable of the responses made by supporters of "high license."

These laws and opinions thereon will be published in three or four instalments, the first of which is presented to-day. It embraces the States the initial letters of whose names are included in the letters of the alphabet from A to K, inclusive. For Illinois two lists of names were received, and the letters were sent to five persons representing each party, besides the Governor, or sixteen in all. In the case of others of the States, on the other hand, particularly Delaware, and some of the more distant States, the names were not obtained soon enough to permit full lists of replies to be received.

THE RELATIVE DENSITY OF POPULATION.

As one of the most important factors in an intelligent consideration of this subject is the relative density of population, the caption of the synopsis of the law of each State sets forth data showing the State's population to the square mile, the population of the largest city and of the entire State, as well as its area in square miles. These figures are taken from the census of 1880, and, of course, in many instances, in the growing States of the West furnish very inaccurate statements of the population as it now exists. Chicago, for instance, instead of being a city of 503,185 inhabitants, as the census of 1880 states it, now contains, it is asserted, 800,000 and 900,000 inhabitants. But it furnishes an approximate basis for comparisons, and the only one that rests upon authentic figures. The publication has been under the supervision of a member of the New-York bar, by whom the summaries given of the liquor laws of the different States were made. Although the changes that are frequently occurring in such laws, and the questions constantly arising as to whether later statutes have repealed previous ones make it extremely difficult entirely to avoid some errors, it is believed that, with few unavoidable exceptions, these abstracts of the existing laws will be found accurate and correct. The minutiae and details of the laws provisions are, of course, either greatly abridged or omitted. But the purpose has been to publish all the salient features of each law necessary for comparison with the liquor laws of the other States.

GEORGIA.

LOCAL OPTION AND LOW LICENSE.

NUMBER OF INHABITANTS TO THE SQUARE MILE, 25; LARGEST CITY, ATLANTA, 37,409—TOTAL POPULATION, 1,542,180—AREA 59,475 SQUARE MILES.

The local option law of Georgia that went into effect in 1885 has attracted wide attention because of the exciting and close contests that have since taken place under it. The statute provides that on the petition of one-tenth of the qualified voters in any county, an election shall be held, separate from other elections, to determine whether licenses shall be granted within the county for the ensuing two years.

The punishment for selling liquor in "no license" localities or for fraud in such elections may be "a fine not to exceed $1,000, imprisonment not to exceed six months, to work in the chain gang on the public works as the county authorities may employ the chain-gang not to exceed twelve months and any one or more of these punishments may be ordered in the discretion of the judge." The same penalties fall upon the head of wholesale dealers, under the act of 1887, who in any locality where "no license" has been voted shall sell without paying the tax required by law. But this tax for selling in "no license counties" costs every such wholesale dealer $10,000 a year; but they are forbidden selling in quantities less than a quart, and in prosecutions under the act the burden of proving the right to sell falls upon the defendant.

A provision in the election laws against selling on election days within two miles of any polling place is, by an amendment of 1887, made to include "primary elections." In counties where licensing of retail sellers is not forbidden under the local option law, persons desiring such license "must apply to the Ordinary of the county in which they desire to retail, who has power to refuse or grant such application." The applicant must give a bond in $500 that he will keep an orderly house and abide by the law. He must also make affidavit to the same effect, and that he will not sell to a minor nor a drunken person. The license fee is $25. The punishment mentioned above is also inflicted upon those who sell without a license in any part of the State.

REPUBLICANS.

Ex-Governor Bullock takes the following position:

(1) Our liquor law provides for local option as to prohibition or license. Do not think intemperance can be "repressed" by law.

(2) Think local option the wisest law on this subject.

(3) Do not think the purpose can be effected by "statutory changes." Use moral influences to promote temperance. RUFUS B. BULLOCK.

Atlanta, Ga.

W. A. Pledger writes:

(1) No.

(2) No.

(3) Remove the requirement to pay a poll tax before being permitted to vote and then the people can all speak. When legislation on moral questions is attempted, since it requires a healthy sentiment to enforce, every citizen should have his say. As it is in Georgia the opulent and bourbonistic control these elections, often throwing out enough votes to change results. This is one reason the negro opposes prohibition. He fears the Greek though he bears presents. As to myself I oppose sumptuary legislation. Healthy restriction and moral suasion are the remedies for intemperance. W. A. PLEDGER.

Athens, Ga.

A. E. Buck expresses the following as his temperance creed:

(1) It does.

(2) I think it is as good as any tried anywhere thus far.

(3) Instead of the local option law we now have—each county or city acting for itself, voting prohibition or failing in the attempt, and the attempt probably renewed again in two years under the law—I think it would be well to pass a prohibitory law for the State. Then contiguous counties would not be troubled by free whiskey or license in one and prohibition in another, as is now the case. This conclusion is based on the idea that the local option law has so educated public sentiment that four-fifths of the counties are successfully enforcing prohibition and that a majority of the people are now ready to enforce a prohibitory law throughout the State. A. E. BUCK.

Atlanta, Ga.

PROHIBITIONISTS.

From C. R. Pringle comes the following:

(1) It certainly does: it breaks up barrooms, and thereby stops the manufacture of drunkards. And while there are a few old topers who will not stop drinking after a county has adopted prohibition if they can manage to get it, there are a great many who do stop drinking, either because they cannot get it or because the temptation of the saloon is removed; in either case it lessens intemperance.

(2) The principle of local option is a good one, but our local option law might be improved upon; but at the time it was passed by the Legislature about three years ago there was much opposition to any kind of a prohibitory law, and the friends of prohibition had to accept some amendments to the bill as originally introduced that were objectionable in order to pass it.

(3) This general local option law might be amended so as to make it more effective, but as four-fifths of the counties are now under prohibition—and as the few counties in the State not under prohibition will prevent the successful operation of the adjoining counties that are under prohibition, it might now be best to pass a general law for the State.

Sandersville, Ga. C. R. PRINGLE.

W. H. Searcy holds to these sentiments:

(1) Yes!

(2) There might be a provision to sell by a State agent in each county, liquors for medicine. The law would then be very near perfect. I was official law reporter of the Flint Circuit (covering eight counties). I received pay according to the work I did. As one after another of those counties adopted the liquor law (all but two adopted it), my fees decreased greatly in the criminal side of the court. W. E. H. SEARCY.

Griffin, Ga.

The Rev. J. B. Hawthorne, whose controversies with ex-Governor Bullock on the temperance question attracted something more than local attention, gives the following as his answers:

(1) The local option law does markedly tend to the repression of temperance. Under it the sale of liquor is absolutely forbidden in more than 100 of the 137 counties of this State, and its use therein, while not entirely prevented, is very greatly lessened.

(2) In the present condition of the local habits and general sentiment of the people of this State, I think it is the best law that could now be enacted for the accomplishment of that purpose.

(3) No change of this law is deemed necessary or advisable at this time. The public sentiment in this State in favor of prohibitory laws against the manufacture and sale of liquor has been of progressive, not to say rapid, growth, and until such sentiment shall have become dominant or overwhelming further legislation is perhaps unnecessary. J. B. HAWTHORNE.

Atlanta, Ga.

Professor Scomp, of Emory College, expresses the following opinions:

(1) Georgia has very little legislation upon the liquor question. Her chief statute of this character—the Local Option act—is of only local application. Defective as this law confessedly is, it has nevertheless, been productive of vast good wherever honestly enforced. As for license laws, they are miserable failures.

(2) The law is too local in its workings, too temporary, too susceptible of change, being only statutory; and already too much the creature of local and clique politics.

(3) A prohibitory amendment to the Constitution is necessary; and, as to execution, officials in sympathy with this law are the sine qua non for its proper administration. But first and foremost of all, are needed the repeal of the Internal Revenue system, so far as liquor is concerned, and a discontinuance by the National Government of its protection to the tariff. This money power of the great liquor-dealers of the North, we feel in every local election in which the interests of liquor are involved. H. A. SCOMP.

Emory College, Oxford, Ga.

FLORIDA.

HIGH LICENSE AND LOCAL OPTION.

NUMBER OF INHABITANTS TO THE SQUARE MILE, 4—LARGEST CITY, KEY WEST, 9,890—TOTAL POPULATION, 269,493—AREA, 58,680 SQUARE MILES.

Persons engaged in a large proportion of the various kinds of employment or trade are obliged to pay an annual license fee for the privilege in Florida. This rule includes "merchants," "storekeepers," "druggists," "sewing-machine, lightning-rod and insurance agents," "land-agents," "keepers of livery stables," "bankers and brokers," graded according to the amount of business from $100 down, and many other occupations. Among the revenue laws is the following: "No merchant, storekeeper or other person shall keep for sale or sell pistols, bowie knives or dirk knives, without first paying a license tax of $100."

The license act affecting the sale of liquors provides that dealers in spirituous, vinous or malt liquors shall pay a license tax of $400 in each county for each place of business. . . . Distillers of spirituous liquors shall pay a license tax of $300 in each county for each place of business. . . . Druggists may sell such mixtures as are made official in the United States Dispensatory without "being required to take out a license to sell spirituous, vinous or malt liquors."

In any county one-fourth of the registered voters may by written application call upon the board of County Commissioners to hold an election to determine by majority vote whether the sale of liquors shall be permitted in that county for the ensuing two years. The penalty for selling in "dry" counties is a fine not exceeding $500 or imprisonment not exceeding six months, or both. Any person who sells liquor without a license in a county where the licensing of the business is legal, may be fined as for a misdemeanor in a sum not exceeding twice the amount of the license fee. The former law still continues in force, requiring the applicant to present to the County Commissioners when he seeks a license a petition signed by a majority of the registered voters of the precinct.

GOVERNOR PERRY'S POSITION.

The following response was forwarded to THE TRIBUNE by Mr. Wombwell, the private secretary of Governor Perry, who was too ill to answer personally:

(1) It does to a certain degree.

(2) That remains to be seen, as the present law has only been in force since August, 1887.

(3) The last query can be better answered after our present laws have been thoroughly tested.

REPUBLICANS.

C. F. A. Bielby holds to the following opinons:

(1) From present observations my impressions are, that it will entirely suppress the use of fermented, very largely decrease the consumption of vinous and reduce the amount of alcoholic liquors drank by thirty or forty per cent, while it will almost entirely do away with the common forms of street drunkenness. I write this for the counties that have voted for the option and gone "dry."

(2) The old laws that are retained on the statute book, together with the county and precinct option granted by the new law, make the Florida law as perfect as the present state of public opinion will permit.

(3) The law should be changed in one particular only, to allow the sale, under proper restrictions—I care not how despotic these may be—of wines, liquors and alcohol for sacramental, medicinal and mechanical purposes. C. F. A. BEILBY.

De Land, Fla.

S. C. Cobb writes:

(1) Yes.

(2) It is my opinion that it is.

(3) No changes are needed. As it now stands the question is one of morals and political economy combined, and the elections, under the law being removed from State or National election days, are decided at least without partisan bias. The measure of effective enforcement of the law is the moral consciousness that any community is willing to attain. That must be determined by its own people. I thank you for this good work of presenting the legislative position and opinions of the whole country in order to secure "the survival of the fittest." S. C. COBB.

Pensacola, Fla.

William Watkins Hicks sends the following answer:

(1) Yes. Even where, in "dry" towns, the law is evaded, drunkenness is perceptibly decreased, and liquor drinking is driven from the light of day. The effect of the law upon the laboring classes is most marked and gratifying. I know colored men who now own homes and are thrifty, healthy and happy, owing to this new "homestead law."

(2) Yes, in the present condition of public sentiment. That sentiment is a great moral atmosphere covering the whole State. It approves, sustains, and, if invoked, will enforce the law. The enforcement of the law—admitting evasions—is the practical abolition of the saloon and the suppression of public dram-drinking. The law is a great beneficence, the child and guardian of public good, and I think of no statutory change necessary to make it more so. Let it be enforced. W. W. HICKS.

Fort Mason, Fla.

DEMOCRATS.

E. C. Love writes:

Our liquor law is what is known as local option. This county and three others in which I practice are what are known as "dry counties." But in all candor I cannot see that intemperance is in the least prohibited or temperance repressed. I am fully persuaded that the best liquor law is a high license law. This will diminish the number of barrooms, place them in the hands of more responsible persons, and at the same time obviate the necessity of requiring those who will drink from procuring liquor in quantities and keeping it at home. It will also confine the sale of liquor to cities and towns of some size, where there are police regulations to punish disorderly conduct. I would also require liquor dealers to give bonds conditional to keep an orderly house, and not to sell or give liquor to minors or drunken men under severe penalties. I am a temperance man but not a prohibitionist, because reason and observation teach me that laws that are not sustained by public opinion cannot be executed and thereby breed a contempt on the part of the masses for the law. E. C. LOVE.

Quincy, Fla.

From George A. Hanson comes the following:

(1) Yes, in counties refusing license.

(2) Amended and perfected it surely would be.

(3) We only need such amendments as would promptly and adequately punish those who violate the law. We now have a large majority of our counties without barrooms, and the sale and consumption in "dry" counties will not average one-fiftieth part of what it was with barrooms. And the "jug trade" grows less all the time, while barrooms increased the sale all the time. If illegal sales were punished promptly all the counties would soon be "dry." Barrooms, like other business, only prosper when permanency is assured.

Bartow, Fla. G. A. HANSON.

KANSAS.

THE SEVEREST OF PROHIBITORY LAWS.

NUMBER OF INHABITANTS TO THE SQUARE MILE, 12—LARGEST CITY, LEAVENWORTH, 29,268—TOTAL POPULATION, 996,096—AREA, 82,080 SQUARE MILES.

Certain severe punishments that recently have been imposed upon offenders against the prohibitory laws of Kansas have given it the reputation of being the State in which the lot of the liquor dealer is more unhappy than in any other part of the Union; but of the operation of the law in repressing intemperance there has been very little general knowledge. Of the intentions of the authors of this law in making it as strictly prohibitory as possible, no one can read its provisions without being entirely satisfied. Not only is the druggist the only individual authorized to sell alcoholic liquors, but the circuitous and tedious procedure which even he must follow to sustain this right must, if he is conscientious enough to observe the law, frequently make a druggist's life seem too great a burden to stagger under.

It is the "probate judge" who gives to the druggist the license to sell liquors "for medical, scientific or mechanical purposes." But there must first be a petition signed "by the applicant and twenty-five reputable freeholders having the qualifications of electors, and twenty-five reputable women over twenty-one years of age" who live in his city or town, or, in large cities, in his ward. The petition must set forth the good character of the applicant, that he is not himself a drinker, that he is a genuine druggist with a stock in a large city of not less than $1,000 worth of drugs on hand and elsewhere of not less than $500. He must publish the notice of his application thirty days before it is heard; then he must prove the statements of the petition under oath, and may be cross-examined by any citizen. Even after all that it rests on the discretion of the judge whether he will grant the license upon the applicant giving a bond in $1,000 not to sell except in accordance with the law. If, after a druggist obtains a permit to sell, a petition signed by a similar number of people of the same class is presented to the same court, complaining that the licensee is violating the law, there must be another investigation, and if the charge is sustained the permit must be cancelled. Or the probate judge may cancel it at any time of his own motion. The probate judge who acts in bad faith in respect to the law may be fined from $500 to $1,000 on conviction; and the person who signs such a petition as is mentioned above in bad faith, is liable to be fined from $50 to $100. A physician who gives a prescription for alcoholic stimulus in evasion of the law is guilty of a misdemeanor, for which he must upon conviction be fined from $100 to $500 and imprisoned from ten to thirty days.

But it is not alone the druggist and the physician who are held by rigid mandates of the law; the buyer of liquor himself is in every instance required to make affidavit as to the use to which it is to be put, which use must come within the prescribed rules. The affidavits are made upon blanks furnished by the County Clerk. The druggists themselves are authorized to administer the oaths. Once a month the same blanks must be filed with the probate judge, before whom the druggist must give account under oath of every sale of liquor he has made since his last previous report. It is under the provisions that follow, however, that the heavy penalties incurred under the Kansas prohibitory law have been inflicted. These provide that any person making a materially false affidavit rebutted under the statute shall be guilty of perjury, shall be punished by imprisonment in jail not less than six months, or by confinement and hard labor not exceeding two years. A person who signs another than his own name to such an affidavit is guilty of "forgery" in the fourth degree, and is punishable accordingly. For a person who so unlawfully obtains liquor, and either sells, gives away or uses it, the punishment is a fine from $100 to $500 and imprisonment from thirty to ninety days.

Liquors can be manufactured in the State only for the same restricted purposes—medical, scientific and mechanical. The manufacturer must go through a more exacting ordeal than the druggist to obtain his license. His petition must be signed by 100 resident electors; his bond must be in $10,000; he must file quarterly a verified statement of all sales, with names, dates, etc. Any person selling or manufacturing without a license may be fined from $100 to $500 and be imprisoned from thirty to ninety days. A druggist violating the law in any respect is subject to the same penalty. The County Attorney may summon any person before him and take his sworn statement as to violations of the law, and such depositions may be used as criminal complaints. In case of conviction the liquors seized with the prisoner are publicly destroyed. The building in which the liquor is unlawfully sold becomes a nuisance to be abated. The real estate is also liable to the payment of any judgment recovered against the liquor seller for injuries to the wife, child, parent, guardian or employer of the purchaser resulting from such sale. Any member of a drinker's family may forbid even a druggist to sell to him, and if the druggist does subsequently so sell it is a misdemeanor for which he is to be punished as above stated.

REPUBLICANS.

P. I. Bonebrake, the chairman of the Republican State Central Committee, sends the following response:

(1) Yes. For illustration, the city of Topeka is the capital of the State, and has 40,000 population. At the time of the adoption of the Constitutional Amendment prohibiting the manufacture and sale of intoxicating liquors, there were more than one hundred saloons in the city. To-day there is not one, nor is there a place in the city where there is public drinking. It is safe to say that one saloon sold, as a beverage, more whiskey in one day during the saloon license period, than is sold now by all the drug stores combined in the same length of time. There are seven towns in the county where no liquor is sold for any purpose. In nine-tenths of the counties of the State the laws are as well enforced as in this, Shawnee County. One of the most encouraging features of the temperance movements in this State is shown in the change and growth of public sentiment in favor of prohibition. It would be safe to say that if candidates in each one of the 165 Senatorial and Representative districts would announce themselves for the repeal of the amendment and prohibitory laws, not ten of them would be elected. The foregoing will also answer your second interrogatory.

(3) The laws prescribing the duties and the penalty for the non-performance of duties of public officers should be made more stringent and the penalties heavier I see that you seek information from different sources, notably Republicans and Prohibitionists. They are one and the same here. A Republican Legislature submitted the amendment to the people. A people that gave Blaine 60,000 plurality adopted it, and a Legislature four-fifths Republican made the laws in pursuance of it. The Democrats opposed it step by step, and the "third party" is too weak to make a factor in the contest.

Topeka, Kan. P. I. BONEBRAKE.

Assistant Attorney-General Hallowell puts himself on record in this manner:

(1) It does. In all the smaller towns of the State it places intoxicants beyond the reach of men who buy only by the drink, and in the larger cities forces the illegal sales to such remote places that men are loth to follow it. Illegal sales are less frequent, and under the law only druggists with ironclad permits can sell legally, and that in cases of necessity.

(2) In my judgment the Kansas prohibition laws are by far the best to repress intemperance. Our laws fully recognize the evils of the liquor traffic and place a ban upon it—that creates a healthy sentiment against the use of intoxicants as well as the traffic, and daily the sentiment grows stronger. J. R. HALLOWELL,

Wichita, Kan. Asst. Atty. Genl.

PROHIBITIONISTS.

Ex-Governor St. John, the Presidential candidate of his party in 1884, sends the following replies:

(1) Yes.

(2) The best yet adopted, but may be improved.

(3) Amend the law so as to make it a penitentiary offence for an officer to neglect, or wilfully fail, to do his duty. JOHN P. ST JOHN.

Kansas.

The following reply was not signed, but being postmarked at Topeka. It probably comes from A. B. Campbell, a prominent Prohibitionist of that city:

(1) Yes. It has abolished fully nine-tenths of the drinking and drunkenness of former years.

(2) It could be improved in some respects.

(3) The judicial forms for the removal of officers whose duty it is to enforce the law should be simple, direct and speedy. They would then see to it that the law was enforced, as it can be by any county attorney or sheriff who is disposed to do his duty fairly and faithfully.

The Rev. Bernard Kelly sends the following:

(1) Yes, most assuredly. It has virtually wiped it out of our State.

(2) Without a question. With one or two slight changes it is about perfect.

(3) We need added to our law a strong search and seizure clause. The adding of Mr Ryan's resolution to the "interstate law" prohibiting the importation into a State of any article the use of which is prohibited by the laws of said State, would greatly aid us, and all the States which have Prohibition.

Emporia, Kan. BERNARD KELLY.

DEMOCRATS.

General Glick expresses the following sentiments:

(1) It does not.

(2) It is not.

(3) I regard a high-license system the most effective and the best system devised to control the liquor traffic and reduce the evils to a minimum. The attached slip explains truthfully the Prohibition system under our law. G. W. GLICK.

Atkinson, Kan.

The slip which General Glick incloses, cut from "The Atchison Patriot" (Dem.), is an editorial from which the following is an extract:

Every settlement, village, town and city, has its whiskey drug store. Go where you may, and if you want whiskey you need not want long. Right under the very shadow of the State Capitol it is sold by the legal fiction known as the drug store permit, and right here let us say that one whiskey drug store turns out more perjurers in a day than the devil could assign to duty in a week. And yet our apostles of Prohibition go about the country proclaiming that Prohibition prohibits in Kansas.

Following are the answers of Charles W. Blair:

(1) To a certain extent I think it does.

(2) I think not.

(3) Changes embracing local option, high license and severe penalties against selling impure liquors, together with State inspection of all liquors sold, and destruction of all containing poisonous ingredients or mixtures. CHARLES W. BLAIR.

Fort Scott, Kan.

ILLINOIS.

HIGH LICENSE AND LOCAL OPTION.

NUMBER OF INHABITANTS TO THE SQUARE MILE, 54—LARGEST CITY, CHICAGO, 503,185—TOTAL POPULATION, 3,077,871—AREA, 56,650 SQUARE MILES.

The High License law of Illinois has attracted wide attention because of the simplicity as well as the strictness of its provisions and of its application to one of the largest as well as one of the most active and enterprising of the cities of the Union. No license to sell wines and distilled liquors can be granted in the State of Illinois for a less sum than $500 a year. With that limitation as to the minimum license fee its amount is left to the local authorities, who can make it as high as they see fit. The same rule applies to the license to sell malt liquors except that the minimum fee is $150. Druggists are allowed to sell for medicinal and scientific purposes under permits from local authorities who may also regulate such sales by ordinance.

The local authorities are authorized to "grant licenses to keep so many dram shops in their county as they may think the public good requires upon application by petition of a majority of the legal voters of the town, if the county is under township organization, and if not under township organization, then of a majority of the legal voters of the election precinct or district where the same is proposed to be located." There are penalties of fine and imprisonment not exceeding $100 and thirty days for selling strong liquor under a malt liquor license. A $3,000 bond is required for the payment of damages on sales to drunkards, minors, etc.

The places where liquors are unlawfully sold become nuisances and whoever keeps such a place is fined from $50 to $100 and imprisoned from twenty to fifty days for each offence; the place is also kept locked up until the keeper gives bonds in $1,000 not again to violate the law in that manner. The act further provides:

Every person who shall by the sale of intoxicating liquors with or without a license cause the intoxication of any other person, shall be liable for and compelled to pay a reasonable compensation to any person who may take charge of and provide for such intoxicated person, and $2 per day in addition thereto for every day such intoxicated person shall be kept in consequence of such intoxication, which sums may be recovered in an action of debt before any court having competent jurisdiction.

Any member of the drunkard's family who can prove that he is pecuniarily injured by the sale of liquor to him may sustain an action for such damages not only against the seller but also the owner of the building in which the liquor is sold and may also recover exemplary damages. As no one can engage in the liquor business without the approval of a majority of the voters of the town or district, the local option feature of the law is one of its prominent features.

GOVERNOR OGLESBY'S TEMPERANCE SENTIMENTS

Governor Oglesby, while not answering specifically the questions propounded, gave permission for the publication of the following extracts from a letter which he had previously sent to Mr. Lloyd of "The Tribune" staff:

The act of 1874 was regarded as the final settlement of the law upon the temperance question up to that time and down until 1883, by all parties. The high license act was offered upon the part of the people to meet the new idea and organization to prohibit the manufacture and sale of all intoxicating drinks. It was mainly, almost exclusively, the work of the Republican party; enough Democratic votes were obtained, however, to pass the act; thus the matter stands up to the present time. You are aware, however, that there is an organized Prohibition party in the State which proposes to repeal all existing laws upon the subject for licensing the sale of intoxicating liquor, and in place of it substitute prohibitory legislation.

We have no statistics here (since the law does not require any) to show the practical and actual effect of the license law upon the number of licensed saloons or dram shops since the act of 1883; it is a notorious fact, however (and I believe conceded all round), that the number of licensed saloons has very considerably diminished in consequence of the high rate fixed by statute. You will not forget, however, that there is no restriction upon county boards or upon municipal authorities which will prevent them from demanding a higher rate of license than that prescribed in the statute of 1883. Our cities frequently fix the rate at $1,000 and more per annum, the effect of all of which has been to reduce the number of saloons in the State. There are enough, however, as every one knows for all practical purposes. The Republican party of Illinois has earnestly endeavored to deal with this question in the best interests of temperance and morality and good sound political government. We still feel as a party that we cannot afford to see the strength of the party weakened by outside and independent organizations if it can possibly be avoided. We know of no party in the United States at all comparable to the Republican party for all purposes of public and national welfare. We do as a party and as citizens all that is possible to restrain the vice of excessive indulgence in intoxicating liquors. R. J. OGLESBY.

Executive Chamber, Springfield, Ill.

REPUBLICANS.

William H. Harper, who is the author of the Illinois High License Act of 1883, responds as follows:

(1) Yes.

(2) Yes.

(3) A law that meets such general commendation should not be changed. The advantages and pecuniary benefits of this law are not only wonderful, but almost incalculable. In the City of Chicago the revenue arising therefrom has been increased from $200,000 to $1,750,000, and the city has reduced the number of saloons from 3,800 to 3,600, or 200 less, while the population has increased from 450,000 to 700,000 and has added to the police force. Statistics, numberless and incontrovertible, could be added, showing the incalculable value and benefits of this law to the people and the municipal corporations throughout the State. In the State at large the revenues derived from the enforcement of this law have been increased from $700,000 to over $4,500,000, and hence the burden of taxation on other articles has been lessened, thereby enhancing the wealth and peace of the people of this great commonwealth, reducing the number of saloons in the State from 13,000 to less than 9,000, enabling cities like the Capital, Chicago, Peoria, Quincy, Bloomington, Jacksonville and many others to pave and beautify, police, and improve in all respects their order and sanitary condition.

Chicago, Ill. WILLIAM H. HARPER.

Following are the views of A. M. Pence, chairman of the Committee on Political Action of the Chicago Union League Club:

(1) Yes. My reasons are as follows: It has reduced the number of saloons at least 33 per cent. This is a great gain. In villages and smaller towns the number of customers is too small to justify an enterprise requiring so great an advance payment as our high license law demands. In our greater cities, such as Chicago, the number going into the business in no manner corresponds with the increase of population. The number of saloons in 1880 was about 4,000, and the present number is only 3,952. Our high license law discriminates between distilled and fermented liquors, and thus the tendency is to abandon the sale of whiskey. The saloons by reason of this high license are more respectably conducted, as the keepers have more fear of being deprived of their licenses. It is claimed by prohibitionists that the number of arrests for drunkenness is greater than before the high license law. This is not true. The temperance sentiment not only in this city but throughout the State has been greatly increased, very largely indeed as the result of this law.

(2) It is difficult to answer this question. It may be the best law that is attainable under the present conditions in our State. The best law would be one that would entirely repress the sale of distilled spirits as a beverage, and no man who cares for his kind ought to doubt it. But such a law in a State with our mixed population is simply impossible of execution.

(3) I think the line should be strictly drawn between distilled and fermented liquors. Our statute puts wine with distilled liquors and requires a $500 license for its sale. Wine should be placed with beer, under the lower license. It is also my opinion that the license should be higher. Our people would easily stand a $1,500 license for whiskey and $500 for beer and wine. In Chicago beer and wine now pay $500, but whiskey should pay $1,000 or $1,500. Such a license fee would at once reduce whiskey saloons to a minimum. One department of our city government to-day advocates the raising of the license as may be done under the law. In connection with high license we should have a local option law extending not only to counties, villages, towns and cities, but also to wards of a city and to portions of the ward. This would be practical prohibition, but only as fast as the people of each locality should desire. This would be a true compromise. Such a law could be executed—but a general prohibition law in great cities cannot be.

Chicago. A. M. PENCE.

Isaac L. Morrison writes:

(1) Yes, especially since the High License Act of 1883 became operative. It has suppressed very many saloons, and has compelled others to clear away many offensive features of the places where intoxicating liquors are sold.

(2) I think the law of this State is about as good for the purpose of repressing the use of intoxicants as we can reasonably expect to make it. The license is about as high as public sentiment will support. I know it to be a fact that many of the members of the House who opposed the passage of the act of 1883 now support it, and believe its operation has been highly beneficial. In fact, I think no political party in the State will take ground in favor of its repeal. I do not claim that the Illinois Statute is perfect, yet I have no amendments to suggest at this time.

Jacksonville, Ill. ISAAC L. MORRISON.

Milton Hay says:

(1) Our present high license law is a decided improvement on former laws.

(2) The law could be further improved with advantage to the public.

(3) The bonds required should be made by responsible freeholders of the ward or district in which the saloon is set up, and no brewer, manufacturer of liquors or wholesale liquor dealer should be taken as a bondsman. A large proportion of saloons are set up by these men to promote their trade. M. HAY.

Springfield, Ill.

James H. Miller, formerly Prosecuting Attorney of Stark County, answers the inquiries as follows:

(1) Yes. It has reduced the number of saloons 25 per cent, restricted the balance materially, decreased arrests and prosecutions for crimes.

(2) I think it is, so far as my observation goes. In addition to all the restrictive provisions of the law, it has increased the revenue largely—in Chicago alone $1,250,000. And while that city has doubled her population in the last ten years, yet the number of saloons has increased but little if any.

Toulon, Ill. JAMES H. MILLER.

PROHIBITIONISTS.

U. Z. Gilmer, an active Prohibitionist, writes:

(1) So far as my observation goes it does to a limited extent.

(2) I think not.

(3) We shall have the repeal of the license clause, making it a straight prohibitory law and the passage of an act analogous to the Kansas Pharmacy law.

The so-called option feature of the law has operated in many places as a prohibition of the saloon. This is necessarily limited in its operation and is its only advantage. But it leaves the matter not in the hands of a majority, but in the hands of boards of aldermen and supervisors. It tends to close the more respectable places leaving open those places where the sale of liquor is the only business. Such places are the resort of the disorderly and lawless. It is but little of a check upon illicit sales by druggists. They should be held to a rigid observance of the law.

Quincy, Ill. U. Z. GILMER.

Herrick Johnson expresses the following opinions:

(1) Probably not as a whole.

(2) No.

(3) Prohibitory statutes in place of license and local option.

Reasons for answers to (1) and (2): Localities under the local option feature may repress even to prohibition. But the high license feature proves too tempting a bait for the ordinary taxpayer and furnishes intrenchment for the traffic in the huge revenue. As a step toward repression of intemperance, high license in Illinois is a delusion or a fraud. Under the local option feature, localities blow hot and cold, as taxes pinch, or exigencies of party arise.

Reasons for answer to (3): Not that prohibition could be at once and successfully enforced in Chicago. Most Prohibitionists would support effective local option, but always with total prohibition in full view as their objective point. Prohibition could be at once and thoroughly enforced in five-sixths of the State; and that would be an immense gain to the cause of temperance. All enforced prohibition is a tremendous object lesson. HERRICK JOHNSON.

Chicago, Ill.

J. B. Hobbs writes:

(1) Yes. Wherever the people refuse to license.

(2) No, for any law that is simply repressive or is subject to political contest bi-annually, is not the best.

(3) A statutory or constitutional provision, prohibiting its manufacture and sale is an absolute necessity to the effectual destruction of this curse.

Chicago, Ill. J. B. HOBBS.

Hale Johnson gives the following answers:

(1) Yes, so far as it is prohibitory.

(2) No. Any law which permits the traffic to exist by law is not the best for that purpose.

(3) Local option by counties would be better than the present law. The total prohibition of the traffic better yet. The license feature of our law does not reduce the amount of the intoxicants consumed. Nor the evil effects of the traffic. The higher the license the greater the temptation to the saloon-keeper to violate the law, and the less likelihood of his being punished for violations. He must make his license money and a livelihood. When a license is granted the community feel that he should be allowed to do this, and consequently wink at such violations as selling to minors, to habitual drunkards and on Sunday. Intemperance and all its attendant evils has increased in all parts of our State where the traffic is licensed, and decreased where it is prohibited.

Newton, Ill. HALE JOHNSON.

DEMOCRATS.

Alfred Orendorff expresses the following opinions:

(1) The local option feature has worked well.

(2) The high license attachment has probably decreased the number of saloons in large cities, and increased them in the other localities. Anti-license localities have been tempted by the large revenue to be derived from licenses and have not withstood the plausible argument that liquor will be sold any way and it should be made to pay a large portion of municipal expenses.

(3) In the present state of public opinion I do not think any statutory regulation would more effectively supervise the liquor traffic than a local option law. There is a growing sentiment in this State that the use of intoxicating liquors to excess is an evil that can and should be largely controlled by the influences of the school, church and home, and that these factors will be more potent in the repression of intemperance than any legislative enactments. Such influences have the additional recommendation of not being an improper interference with the individual responsibility or personal liberty of the citizen or in any manner trenching upon the constitutional prohibition against sumptuary laws. ALFRED ORENDORFF.

Springfield, Ill.

William J. Onahan responds as follows:

(1) It does by regulating and restraining the sale of liquor through the operation of local option and high license.

(2) It is a reasonably good law and I believe is regarded throughout the State with general favor.

(3) Provided the local and municipal authorities carry out loyally the provisions of the "Harper" High License law, there would seem to be little ground for complaint. We now have local option and high license. Under these conditions there can be (and is) practical prohibition in localities—as even in parts of the city, in the newly annexed territory of Hyde Park—and proper regulation and restriction everywhere if only the law shall be strictly and impartially enforced. WILLIAM J. ONAHAN.

Chicago, Ill.

CONNECTICUT.

LOCAL OPTION AND HIGH LICENSE.

NUMBER OF INHABITANTS TO THE SQUARE MILE, 124—LARGEST CITY, NEW-HAVEN, 62,882—TOTAL POPULATION, 622,700—AREA, 4,990 SQUARE MILES.

Connecticut believes in local option. Its laws of 1882 as amended in 1883 and now in force provide that upon petition of twenty-five voters a ballot shall be taken at the next town meeting "to determine whether any person shall be licensed to sell spirituous and intoxicating liquors in said town. This vote remains operative for a year. Violations of the liquor law are tried before the county commissioners, who may in their discretion revoke the licenses. They also grant licenses in towns that have so voted. Applications for licenses are indorsed "by five electors and taxpayers of the town," and are published in local newspapers once a week for two successive weeks at the expense of the applicant. Objections may also be filed by other citizens, and then there is a hearing before the commissioners after which they decide whether a license shall issue. Licensees file $300 bonds.

The license fee in places of less than 3,000 inhabitants is $100 for liquors and $50 for ale, beer, cider and Rhine wine. From this amount the license fee varies up to $500, "as said county commissioners shall determine in each particular case." Druggists' licenses to sell upon physicians' prescriptions cost $12 in large and $10 in small towns; to sell liquors in quantities not exceeding one gallon, not to be drunk on the premises, the druggists' fee is $50. But where the town has voted against license the druggist can only obtain the smaller license and sell upon physicians' prescriptions.

A conviction of a license for unlawful selling revokes his yearly license and prevents its renewal during that year. The employment of a minor in any liquor-shop works the revocation of the license. A search warrant will issue for the searching of premises suspected of illegal liquor selling, upon sworn complaint of two legal voters. The liquor found under such circumstances is seized; if the charge is sustained the liquor is declared a nuisance and destroyed. Penalties for violation of the liquor law vary from a fine of $50 to a fine of $100 and imprisonment for sixty days. If a dealer sells to a drunkard after notice from an entrusted member of his family, he may be fined $50, imprisoned not exceeding two months and deprived of his license. He is also subject to the same fine and imprisonment if he sells liquor to any person upon the list of persons furnished by the selectmen of those who have within six months received "town aid for support."

PROHIBITIONISTS.

P. M. Augur, of the State Board of Agriculture writes:

(1) No statistics from the report of prisons and jails filed in office of Secretary of State, show an alarming increase of drunkenness and crime.

(2) No.

(3) Let all provisions for license be abrogated. Then reinstate our law of 1854, with an added provision for a State constabulary force to aid in enforcing the law. P. M. AUGUR.

Middletown, Conn.

The Rev. Mr. Forbes sends the following answers:

(1) Official records show a large increase of drunkenness and crime under it. 1,470 commitments for drunkenness in 1872—the last year of the prohibitory law. 2,125 commitments for drunkenness in 1873—the first year under license law. 3,388 commitments for drunkenness in the year ending June 30, 1887. Total commitments for crime in 1872, 2,985; in 1873, 4,481; in 1887, 6,849.

(2) No.

(3) Abandon the license policy. Re-enact prohibition with such special statutory provisions as will render its enforcement possible. This opinion is justified by the early history of our prohibition law.

Rockville, Conn. S. B. FORBES.

DEMOCRATS.

General Bradley sends the following:

(1) In my opinion it does.

(2) I consider it a good law and abreast with the sentiment of the people of the State at this time. This is shown, especially, in the enforcement of it. Prosecutions for violations of the law are usually successful when backed by fair legal proof. The number of liquor licenses here is somewhat less now than when the major part of the present law was enacted in 1882, notwithstanding the increased population of the city. The effect of the law has been to close saloons. It has also assisted in securing the improved moral tone in this State regarding temperance, which, I believe, now prevails. Regarding the local option clause of the law, I would say that where towns have, in a fair election, voted against license, especially if by a respectable majority, I believe it has had the effect to prevent, substantially, all public selling, though, of course, it could not prevent liquor being brought in from license towns for private use by individuals. The County Commissioners, sustained by a favorable sentiment in the community, have gradually increased the license fee until it is now uniformly $300 in New-Haven.

(3) Perhaps in our larger cities the power still further to increase the price of licenses may be advisable in the near future, also that the fixed sum of $100 for licenses in towns of not more than 3,000 inhabitants be changed so that the present sum will be the minimum, and that a higher price may be charged at the discretion of the Commissioners. As for prohibitory laws, I believe such, at present, would be detrimental to our best interests, causing retrograde instead of advance in our temperance and moral status. The present law is flexible, efficient and well enforced. E. E. BRADLEY.

New-Haven, Conn.

REPUBLICANS.

Charles E. Searls holds to the views below:

I answer questions one and two emphatically in the affirmative. Legislation in advance of public opinion is abortive, and to gauge accurately such opinion and to formulate statutes in accordance with it is to the law-maker ordinarily a most difficult problem. In the law in question we find, I think, a happy solution of this difficulty. While the extreme prohibitionist will be satisfied with nothing short of a Constitutional amendment, the mass of the people give the present law a hearty support. When the people are ready it will make Connecticut a prohibitory State.

Putnam, Conn. CHARLES E. SEARLS.

N. D. Sperry sends this response:

(1) Yes, in my opinion.

(2) It is the best we have had, all things considered in our State. I do not say it is perfect.

(3) I want a less number of saloons. I favor license. I am for a law to regulate the sale of liquors that public opinion will sustain. I am not for prohibition. Seven years ago we had in New-Haven 520 saloons. Under the license system the number of saloons has decreased to 320, and our population is some 10,000 more than seven years ago.

New-Haven, Conn. N. D. SPERRY.

IOWA.

PROHIBITION AND RIGID PENALTIES.

NUMBER OF INHABITANTS TO THE SQUARE MILE, 31—LARGEST CITY, DES MOINES, 32,469—TOTAL POPULATION, 1,624,615—AREA, 56,025 SQUARE MILES.

The prohibitory law of Iowa is plain and simple. The illegal manufacturer of liquors on his first conviction must pay a fine of $200 or be imprisoned not exceeding six months; for a second conviction the penalty is a fine from $500 to $1,000 and imprisonment for a year. Manufacturers and druggists licensed to sell for medicinal or other exceptional purposes must make a monthly report under penalty of $100 fine. The general punishment for illegal selling is a fine from $50 to $100 for the first offence; for a subsequent offence a fine of from $300 to $500 and imprisonment not exceeding six months. But the chief means by which the law seeks to prohibit illegal liquor dealing is by strict procedure against the building in which the unlawful traffic is carried on. The building with its contents, fixtures, furniture, etc., becomes a nuisance. Whoever is convicted of maintaining it must pay a fine from $300 to $1,000.

If the existence of the nuisance is established the liquor is seized and destroyed, the fixtures are sold and the place is kept locked for one year under contempt penalties unless released by the owner. The method of obtaining a release is by giving a bond in the full value of the property, conditioned for the future observance of the law. No railway company or other common carrier or individual can legally transport liquor into or through the State without a certificate of the County Auditor that the person to whom the delivery is made is authorized to sell liquor. The penalty for violating this provision is $100 for each offence.

WHAT GOVERNOR LARRABEE SAYS.

The response of Governor Larrabee is as follows:

(1) Yes.

(2) Yes; in Iowa. WILLIAM LARRABEE.

Des Moines, Iowa.

DEMOCRATS.

Judge L. G. Kinne expressed the following opinions:

(1) It is a difficult question to answer. It has resulted in the greater part of the State in closing the saloons and hence making liquors more difficult to obtain, but I am not prepared to say that the law is wholly ineffectual, though I am fully satisfied it falls far short of effecting the results claimed for it.

(2) No.

(3) The enactment, in lieu of it, of a high license, local option law with proper regulations and restrictions. L. G. KINNE.

Toledo, Iowa.

John F. Duncombe makes the following reply:

(1) It has not here.

(2) No.

(3) A high license. J. F. DUNCOMBE.

Fort Dodge, Iowa.

Congressman Walter I. Hayes was not one of those to whom letters of inquiry were sent. But the following extract from a letter from him to Mrs. M. A. Weaver, who, on behalf of the Woman's Christian Temperance Union of Washington, asked him to present an Iowa petition to Congress, shows his position in the matter:

As I have no desire to abridge the right of petition I return the same to the end that this may be done, if desired, by some more congenial spirit, but I must decline to lend even quasi indorsement to the scheme, even to this extent. I am absolutely opposed to prohibition on principle, and a long residence in Iowa has shown me that it is an infamous, intolerant, cruel, blighting curse when attempted to be put in practice. It has there no feature to commend it. It is a failure in practice and has brought to the surface, to fatten on the earnings of honest men and to play tyrant and oppressor over helpless women and children, a set of legalized spies and informants.

REPUBLICANS.

The Rev. H. E. Wing, who was one of the regular war correspondents of THE TRIBUNE in the Army of the Potomac in the summer of 1864, after avowing himself a Republican, "first and all the time," thus defines the position of the Republican party in Iowa:

(a) The people may vote on prohibition.

(b) Having voted for prohibition, their will shall be respected.

(c) A prohibitory law having been enacted, it shall be enforced.

Mr. Wing's answers to THE TRIBUNE questions are as follows:

(1) It does.

(2) Nearly.

(3) Greater restraints should be put upon the pharmacists. Some provision should be made by which the police judges, marshals, etc., of our cities shall be selected from the law-respecting class.

Muscatine, Iowa. H. E. WING.

Dr. E. R. Hutchins, commissioner of Labor Statistics, sends the following reply:

(1) Yes. In upward of eighty counties the law is successful. In a large number of our county jails

HOW A DYING CHILD WAS SAVED!

CICERO, Hamilton Co., Ind., Sept. 19, 1887.

The following is a true account of what your S.S.S. has done for our little daughter, Hazel, now four years old. When twelve months old a lump appeared on her heel, which slowly grew larger. The family physician thought it was caused by a piece of broken glass or needle, but failed to bring anything to light. The child became feebler all the time, seeming to lose the use of her leg, and finally quit walking entirely. The middle finger and thumb of either hand became enlarged, the flesh becoming hard. The hip joints became involved, so that when seventeen months old she could not stand, having lost the use of leg and arm. Partial curvature of the spine also followed. The nervous system was wrecked, muscles contracted, and there was general wasting of flesh and muscle. At eighteen months of age she was placed under the treatment of a prominent physician of Boston, Mass., but at the end of ten months she had declined to such a degree that she was in a dying condition. This was in April, 1885. We took the child away not knowing what to do. In this dreadful dilemma we were over-persuaded by friends to try "one bottle" of SWIFT'S SPECIFIC, which we did, and before it had all been taken we saw a change for the better in her symptoms. We kept it up, and have done so to this day, and will keep it up, if the Lord wills, for many days to come, for it has brought our dying Hazel to life, to vigor, to strength and health again. The ashen hue of her cheeks has changed to a rosy tint. She is able to walk anywhere, her languor and melancholy have passed away, and she is now a blithe, cheerful, happy romping child. Should you wish to increase your testimonials of proof of the virtue of S. S. S., our names and what we have said is but a portion of what we owe to you, should you wish to use them. Kindly yours,

BEN. F. SWIFT.

P. O. Box 66. GERTRUDE E. SWIFT.

Treatise on Blood and Skin Diseases mailed free.

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