

SELECTIONS

Giving the Truth About the Amendment

Issued by the Prohibition Campaign Committee of Montgomery County

Montgomery, Ala., November, 1909

A Matter of Common Knowledge

It is a matter of common knowledge that the brewers of the United States have set aside a half million dollars to be spent towards crippling the Alabama statutes if possible, and have secured the services of one of the most prominent and active young lawyers in the State to take charge of their interests.—Extract from Montgomery special to the Birmingham Age-Herald.

Three hundred thousand dollars—possibly \$50,000 less, probably \$50,000 more—is the price the allied brewing interests of St. Louis are paying in their desperate battle to stem the tide of prohibition in Alabama.—Extract from St. Louis special to The Birmingham News.

"I know, because I am in a position to know, that the money of the brewers and distillers is being used in this State to defeat the adoption of the Constitutional Amendment."—Extract from speech of E. O. McCord, brother of Leon McCord, of the Safe and Sane League, published in the Birmingham Age-Herald.

It has been known here for some time that a great deal of money—buckets full of it, has been turned loose in Montgomery. * * * It is estimated that the expenses of this bureau, (Safe and Sane League) during the thirteen weeks of the campaign have easily gone to \$100,000.—Extract from Montgomery special to The Birmingham News, Nov. 5.

"Of course, we are obliged to fight for our property. Your people would not blame us."—Extract from interview with President Fleming, of the Indiana Brewers Association, talking to staff representative of The Birmingham News.

Providing constitutional prohibition

is not secured by the "drys" of Alabama, strenuous efforts will be made at the forthcoming session of the Legislature of Alabama to secure modification of the new liquor law of that State * * * There is no doubt but that the entire law will be practically nullified by amendments.—Extract from editorial in the November issue of the American Brewer, the official organ of the United States Brewers Association.—*Birmingham News.*

LITTLE BITS OF HISTORY.

Men now living well remember that before the civil war people could make and did make not only wine and such things but also brandy and whiskey for their private use. About the close of the war the whiskey trust was formed which prevailed upon Congress to impose a heavy tax and pass stringent revenue laws to the end that no one could make liquors who could not pay the tax. No man dares today to make a drop of brandy or liquor even for private use. He must buy it from the liquor trust.

If he makes it, his home will be invaded and he will be dragged from his castle by the hair of his head and sentenced to hard labor.

How is that for Personal Rights taken away by the Liquor Trust—the curse of the human race—the lying Beast that now talks to the people about their personal liberties, their sacred rights, magnor charter, King John and Runnymede.

Fortified with laws practically of its own making the Liquor Trust set about without delay to exploit the business of selling liquor for profit without regard to effect or consequences.

The helpless South, crushed by war and worse that followed, was the easy field. Its negroes, just loosed from slavery were feeling their freedom and whiskey was just the thing they craved. The white people of the South endured the agony; the liquor trust got the money.

That horrible nightmare could not

continue. Strong men prepared to fight the evil that was thrust upon them. The saloon was forced from the vicinity of the school house and then from the community, from beats and from county.

Driven by steps from the rural localities, the liquor forces took refuge in the towns and cities and there, entrenched with money and political machinery, defied the strong men of the country to rout them. From these strongholds they continued to sell whiskey and of the drunken negro of the farms they made the drunken negro of the public highways.

Intolerable conditions caused strong and determined men to move again and statewide prohibition was enacted, to reach the defiant saloons supplying liquor from the towns and cities.

Although passed by a very great majority and backed almost unanimously by the people, the liquor demon became enraged that its liberties should continue to be interfered with. Great conventions of Brewers and Distillers were held in cities of the North and West and resolutions were passed and money in abundance was appropriated for the avowed purpose of crippling and ultimately defeating the prohibition laws made for the people.

Strangers with ample supplies of both Brass and Gold soon appeared in Alabama and with their appearance the work began undoing the people's will. Liquor sellers in the towns and cities still doing business in defiance of the statewide laws became strengthened by the presence and the money of these men. Soft drink stands increased by hundreds and clubs sprang up by scores where whiskey could be kept in closets. A case was sent up to "Test the Law" and the Supreme Court decided that liquor was property and that it could be stored in soft drink stands. It was also found that liquors could not be confiscated and destroyed and therefore, in effect, the liquor forces had put out of operation the statewide prohibition will of the people.

The chaotic condition of affairs made imperative a call for an extra session of the Legislature and as the liquor agents anticipated that such a call must and would be made—they went further in their effrontery and in the face of our statewide prohibition laws caused notice to appear in various papers in the State as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama at its next special session when called by the Governor, for the passage of an act in substance as follows:

AN ACT.

To authorize the manufacture, sale or other disposition of alcoholic, spirituous, vinous and malt liquors within the limits of Montgomery County.

Section 1. Be it enacted by the Legislature of Alabama, that it shall be lawful for any person, firm, corporation, or association, to manufacture, sell or otherwise dispose of any alcoholic, spirituous, vinous or malt liquors within the limits of Montgomery County.

Sec. 2. That the provisions of this act shall not repeal any local law which prohibits the manufacture, sale, barter, exchange, or giving away of any alcoholic, spirituous, vinous, or malt liquors or intoxicating bitters, or beverages, or other liquors or beverages by whatsoever name called, which, if drunk to excess will produce intoxication, which applies to any particular locality in Montgomery County.

Sec. 3. That all laws or parts of laws which conflict with the provisions of this act be and the same are hereby repealed.

Sec. 4. That this act shall go into effect immediately upon its approval by the Governor.

(See Montgomery Advertiser, July 14, 1909, for this and other notices.)

The Anti-Saloon League of Alabama, an organization representing the Christian manhood of Alabama and the same agency that had for years been leading the prohibition movement, set to work to protect the people of Alabama against the onslaught being made by liquor men and money.

The extra session of the Legislature convened, as was inevitable and as was foreseen by the whiskey people as well as by the representatives of the people.

In addition to laws which were passed for strengthening statewide

prohibition the Legislature very wisely prepared the way so that the people themselves might vote upon this important question and end at once and for all time a struggle that had been on for years and that would surely be continued so long as the opportunity remained open to repeal the laws that forbid saloons in Alabama.

The Amendment thus comes to the people for ratification. Its adoption and that alone, will preserve to the people that for which they have fought and which they have won step by step in community, beat and county.

Legislative enactments at best are temporary. The liquor traffic, its effects and its money are lasting. Let us not feel secure in dealing with such a foe by temporary methods. Let us deal with this lasting enemy in an everlasting manner by provision in an eternal constitution.

Suppose you have received a summons to serve upon a jury to try a case which involved the welfare of your neighbor or to try a case of such nature that the jury's verdict would be the making or the unmaking of the community or of the commonwealth, and suppose further that you have heard evidence and argument upon one side only, would you then be ready to go into the jury room to make up your verdict? Would you insist that since you had heard one side that it was enough for you? Not at all. Such a man would be unfit for jury duty. And just so is a man unprepared to vote who has been taken in by the flood of vicious, misleading cartoons and literature sent out by the Liquor Trust and who before voting does not look well to discover the fountain head of such stuff. Read the Amendment yourself and you will see that it merely guarantees to you the principles of prohibition which any man with Southern blood knows is good for all the State. Only that and nothing more.

Alabama has no office to offer to any man or any set of men that is equivalent to the great sum of money which is being spent in Alabama to defeat the Amendment. And no man nor any set of men in Alabama could pay such a price for office. The money is spent to defeat the Amendment for its defeat will mean more saloons and more money to the Liquor Trust. It's Dollars against Homes.

MONTGOMERY'S RECORD

Records of the police department for the year ending September, 1907,

show that during that year the police took into custody 5,690 persons for various offenses. In 1908 the number of arrests is shown to have been 6,096. These arrests were made before prohibition went into effect. The report for this year states that 5,766 arrests have been made for all violations of the law. This is a reduction of 330 arrests.

It is interesting to note the reductions which have been made. In 1907-08, when the city was "wet," eight persons were arrested for murder; in 1909, under prohibition, the murder cases were reduced to five.

The following table shows reductions in other crimes. The police year begins and ends on October 1:

Assault to murder, 28 cases, 1907-1908, as opposed to 8, last year.

Assault and battery, 38 cases, 1907-1908, as opposed to 315 last year.

Larceny, petit and grand, 403 cases, 1907-08, as opposed to 344 last year.

Vagrancy, 311 cases, 1907-08, as opposed to 280 last year.

Disorderly conduct, under this head most drunks are recorded, 2,234, and 1,922.

The table shows a falling off of 3 cases in the murder class; 277 in the assault to and battery charges, 20 cases in the assault to murder class; 59 in the larceny cases, 31 under the head of vagrancy and 312 cases in the disorderly conduct class.

The following tables will show the number of arrests month by month for first four months of the last year of the saloon and of the first year of prohibition.

January, 1908, 529; January, 1909, 390; decrease, 139.

February, 1908, 553; February, 1909, 467; 86 decrease.

March, 1908, 475; March, 1909, 534; 59 increase.

April, 1908, 512; April, 1909, 461; 51 decrease Total decrease, 217.

Think of it, a decrease in crime during a period when the prohibition laws were openly defied and violated in Montgomery. Liquor makes crime. Prohibition even partially enforced, lessens crime. Prohibition rightly enforced will reduce crime to its minimum proportion.

WHY IS IT?

Why is it that, at heart, some few of the patriots who are now on the stump proclaiming the present constitution too sacred an instrument for the people to change did not go on the stump last year and make a few speeches of that kind when an election was on for the purpose of adding not one, but three amend-

ments to the constitution? Can you answer this question, dear reader? We can for you. There were no brewers, whiskey distilleries or saloon operators interested in that fight hence nobody to fork up a campaign fund, and no faint hopes for the deceased political leaders, many of whom are now on the stump, to get in the lead of a following possibly large enough to once more resurrect them. See?—*Opelika News*.

If the anti-amendment newspapers and speakers have not yet learned that upon Nov. 29, NO MAN AND NO SET OF MEN, IS TO BE VOTED UPON, that very fact shows that they are not competent to guide the voters of Alabama.

To hear the anti-prohibitionists take on about "tearing the mask off the politicians," wildly claiming that "politicians" are behind the amendment, and that they themselves are trying to "save the people of Alabama from the politicians" and then to look over the lists of their speakers, see who are the leaders, and who are the "politician-destroyers," is ludicrous in the extreme. Was General Harrison ever in politics, and did he ever have any railroad connections? Was W. D. Jelks ever in politics? Was Peyton G. Bowman? Was Emmett O'Neal, and did he ever run for Lieutenant Governor? Was Blackmon? Was Perry Thomas? Was John V. Smith, and did he ever oppose a man who is now Governor of Alabama? Would Jesse Stallings, Max Hamburger, F. S. Moody, Federal Judge Thomas G. Jones—formerly a railroad attorney, quoted in favor of the Montgomery conference, and whose injunction tied up the railroad laws of Alabama until released by the Appellate Court, in New Orleans, since when the people of Alabama are riding cheaper and having their freight hauled cheaper than ever before—Charles Henderson, R. E. Spragins, and others, including the many railroad representatives from official and attorney rank, who are to "save the State from politicians" know "politics" if they were to meet it in the road? If the people are to be "saved" by them from the "politicians," have not the people an even better right to "save" themselves from the above who are clearly "politicians" themselves, and vote for the Constitutional Amendment, which is the only question for Nov. 29—a moral and not a political question?

There are perhaps some in Alabama who believe the defeat of the

Constitutional Amendment would not give encouragement to the saloon interests, and believing that resent the statement that prohibition is an issue in this fight. The Chicago Tribune is near headquarters of the liquor forces in America, and we believe that paper states correctly the situation in Alabama when, in a recent issue, it says:

"As the saloon people see it, the defeat of the Amendment would show that there was widespread dissatisfaction with the present laws, and they could make a stiff fight before the Legislature, with fair hope of success.

"On the other hand, the adoption of the Amendment would make further fighting useless, at least for a number of years, and they would be forced to abandon, for a time at least, a once profitable field. They will, therefore, put forth every possible effort to defeat the proposition, and will have the sympathy and encouragement of the liquor interests of the whole country in the struggle."

WHY DESERTED COUNTRY HOMES?

What is the meaning of so many deserted homes, once the scene of peace and prosperity, in the black belt today? The explanation is that the faithful old ante-bellum type of negro has largely passed away, and many a man has taken his family from the ancestral farm because of drinking and carousing negroes taking possession of the roads at times when intoxicants are in their reach, with their wild shrieks, demoniac yells, firing of deadly weapons, their bloody and death-dealing combats begotten in drunken revels, and the white lady, far from neighbors or assistance, knows not at what moment of such times the dark shadow may fall upon her own threshold.

Think upon that, men with Anglo-Saxon blood in your veins!

Not alone is the wife in danger from drunken molestation, as told in many a chapter of Alabama's history, written as the result of the work of the northern brewers and distillers now seeking by deception and misrepresentation to again obtain a foothold in Alabama, but as some one has strikingly said, into many a home there has come some day a little blue-eyed, fair-haired daughter, and ere long the father sees he must break up his farm home and move to some town where he has neighbors and protection for the mother and also the child. Do you get the full significance of that? Live in the black belt awhile, until you get to

know the people and can enter fully into the heart thoughts of the husbands and fathers, and you will not need any additional explanation.

BREWERS SEARCH AND SEIZURE UNDER JONES, OATES AND JELKS.

Below is given one of the most drastic search and seizure laws that can be imagined. By reading it you will see that if two milk bottles, two soda water or beer bottles of the kind described in the law are innocently hidden away by the little child of the family where the milk man delivers the milk, or the beer or soda water is drunk that the house can be entered and searched for these empty bottles. Why should the BREWERIES be given this entrance to the home to search? Why a special law on this subject allowing search of the home? But the law is more drastic still: Section 7320 immediately preceding this shows if the bottles have been used, however innocently, that the mere fact of use is presumptive evidence of guilt. Our friends on the anti side will be surprised and pained to know that this law was passed in 1891 and approved by the then Governor, Thos. G. Jones, and that it has lived through the administrations of Governor Oates and Governor Jelks.

The law is as follows:

Code 1907, Section 7321: Whenever any person or corporation, or his agent, shall make oath before any justice of the peace that he has reason to believe and does believe that any of his bottles, boxes, siphons, fountains or kegs, a description of the name, marks or devices whereon has been filed and published as provided in this article, are being unlawfully used or filled, or had by any person or corporation manufacturing or selling soda, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream small beer, lager, weiss beer, white beer or other beverages, or that any junk-dealer or dealers in second hand articles, vender of bottles, or that ANY PERSON or corporation has any such bottles, boxes, siphons, fountain, or kegs in HIS POSSESSION, or secreted in ANY PLACE, such justice of the people must issue a search warrant to DISCOVER and SEIZE such property, and thereupon such proceedings must be had as in other cases in which search warrants have issued"—

"The claim of saloon keepers to freedom in their traffic is the claim to spread disease, sin, pauperism."—*Archbishop Ireland*.

NO TRIALS IN POLICE COURT.

There were no trials at the morning session of the police court. Judge Feagin states that it is the first time in the history of the court that no lawyers were interested in any of the cases. There were six cases on the docket for Friday morning and the defendants in every one pleaded guilty. The morning session of the court lasted about ten minutes. Judge Feagin believes that prohibition has decreased the criminal record by a large per cent.—*Birmingham News*.

U. S. SENATOR JOSEPH F.
JOHNSTON,
on
MONTGOMERY ADVERTISER.

On May 19th, 1894, a reporter for the Montgomery Advertiser called on now United States Senator Joseph F. Johnston and asked for an interview. The following signed statement was given the reporter:

"I consider the Montgomery Advertiser an unreliable and unprincipled sheet, that it will scruple at nothing, descend to any depths, sacrifice truth, decency and the best interests of our party and people to override the will of the white democracy and to accomplish its purpose.

"It is unworthy of public confidence or respect, and for these reasons I decline to be interviewed for that paper."

(Signed) JOSEPH F. JOHNSTON.
For verification:

Advertiser, May 20th, 1894.

Birmingham News, May 19th, 1894.

Montgomery Journal, May 20, 1894.

Files of Advertiser at Carnegie Library.

"You can't legislate a man into heaven," is a favorite expression of the opponents of the Constitutional Amendment. No, but you can legislate men, women and children into hell by legislating liquor back with all its evils, as the leaders of the anti-amendment crowd want to do.—*Jasper Eagle*

SOLICITOR J. F. THOMPSON IN
MOBILE.

(*Wilcox Banner*)

Solicitor J. F. Thompson quoted a recent decision of our Supreme Court in his Mobile address:

"I lay down this proposition, that Section 2 does not give the Legislature the right or authority to pass a law preventing any man from keeping a pint, gallon or barrel of whiskey in his own home for his own use. The only authority given the Legis-

ture, independent of the amendment, is that derived from the POLICE POWER. Now, what is the police power of the State? It is that inherent power which resides in every government to pass laws for the protection of the public health, public morals or general safety. And I say that a law that makes it criminal for a person to keep whiskey in his own home for private use is not a law for the protection of the public.

"Our Supreme Court has already defined the meaning of 'police power' and declared what laws can be passed under that power and what cannot.

"In the Smith Eidge case, which was decided by our Supreme Court but a short time ago, the judge of the court said in part as follows:

"In the case of West Virginia vs. Gilman, 5 L. R. A., 848, the defendant was charged under a statute which made it an offense to keep his possession for another spirituous liquors, etc. The court observing that the provision of the statute which prohibited the keeping in possession for another had no reference to the intent or purpose for which the liquor was kept, but denounced as a crime the simple fact that the liquor was kept in possession for another, however innocent the act or commendable the purpose, and announcing its opinion that if it be a crime for a person to keep it for another, it would be equally so for him to keep it for himself said, "The keeping of liquor in his possession by a person whether for himself or for another, UNLESS HE DOES SO FOR THE PURPOSE OF AN ILLICIT SALE OF IT, or for some other improper purpose, CAN BY NO POSSIBILITY INJURE OR AFFECT the health, morals, or safety of the public; and therefore, the statute prohibiting such keeping in possession IS NOT A LEGITIMATE EXERCISE OF THE POLICE POWER."

The self-respecting people of Alabama cannot help feeling indignant over the insult to the womanhood of this State by the horrible cartoon circulated by the whiskey people and presenting the picture of a white woman approaching the marriage altar leaning on the arm of a black negro, who is represented as the groom. The question naturally suggests itself to what depths the liquor interests will sink in their desperate efforts to defeat the amendment, whose purpose is to keep the saloon and its demoralizing influence out of Alabama.—*Birmingham News*.

No Wonder Women Plead For Amendment

This line represents the proportion of criminal assaults upon white women by drunken negroes during the last year of the open saloon in Alabama.

This line represents the proportion of criminal assaults upon white women in Alabama since the saloons were abolished.

—*Birmingham News*.

MEN, GET BUSY and forever end the possibility of even one assault in a year upon the defenseless women of Alabama.

REMEMBER THE LABELS ON THE BOTTLES.