

No. 87188-4

RECEIVED BY E-MAIL /

SUPREME COURT OF THE STATE OF WASHINGTON

WASHINGTON ASSOCIATION FOR SUBSTANCE ABUSE AND
VIOLENCE PREVENTION, a Washington non-profit corporation, and
DAVID GRUMBOIS, an individual,

Appellants,

v.

The STATE OF WASHINGTON,

Respondent, and

JOHN MCKAY, BRUCE BECKETT, COSTCO WHOLESALE
CORPORATION, WASHINGTON RESTAURANT ASSOCIATION,
THE YES ON 1183 COALITION, MACKAY RESTAURANT GROUP,
NORTHWEST GROCERY ASSOCIATION, SAFEWAY, INC., THE
KROGER COMPANY, and FAMILY WINERIES OF WASHINGTON,

Respondents.

BRIEF OF *AMICUS CURIAE*
LOCAL GOVERNMENT OFFICIALS

Hugh D. Spitzer, WSBA No. 5827
P. Stephen DiJulio, WSBA No. 7139
Attorneys for *Amicus Curiae*

FOSTER PEPPER PLLC
1111 Third Ave., Suite 3400
Seattle, WA 98101-3299
Telephone: (206) 447-4400
Facsimile: (206) 447-9700

ORIGINAL

FILED
SUPREME COURT
STATE OF WASHINGTON
2012 MAY -7 P. 1:33
RONALD R. CARPENTER
CLERK

TABLE OF CONTENTS

	Page
I. INTRODUCTION.....	1
II. IDENTITY AND INTEREST OF <i>AMICI CURIAE</i>	3
III. STATEMENT OF THE CASE.....	3
A. I-1183 Allocates Funds From The Private Sale Of Liquor To Local Governments.....	3
B. The Trial Court Found Section 302 And The Remainder Of I-1183 Constitutional.....	5
C. Washington Has A Long History Of Allocating Liquor Revenues To Local Governments Based On The Relationship Between Liquor And Public Safety.....	5
1. Prohibition Through The Enactment Of I-1183.....	6
2. I-1183 And Subsequent Legislation.....	10
IV. ARGUMENT	12
A. A Rational Relationship Exists Between I-1183 And The \$10 Million Allocation For Public Safety.....	12
B. The \$10 Million Allocation Addresses The Possible Increase In Public-Safety Expenditures.....	14
C. The Legislature Interpreted Section 302 As A Limitation On Local Government Funding, Not A Gift.....	16
D. Section 302 Addresses An Otherwise Unfunded State Legislative Mandate On Local Government Services.....	18
E. Restricting Section 302's Allocation To "Alcohol-Related" Expenses Would Be A Burdensome Departure From Washington Practice.....	19
V. CONCLUSION	20

TABLE OF AUTHORITIES

	Page
CASES	
<u>Amalgamated Transit Union Local 587 v. State,</u> 142 Wn.2d 183, 11 P.3d 762 (2000).....	16
<u>American Legion Post No. 32 v. City of Walla Walla,</u> 116 Wn.2d 1, 802 P.2d 784 (1991).....	19
<u>Citizens for Responsible Wildlife Mgmt. v. State,</u> 149 Wn.2d 622, 71 P.3d 644 (2003).....	13
<u>City of Seattle v. Webster,</u> 115 Wn.2d 635, 802 P.2d 1333 (1990).....	16
<u>City of Tacoma v. State,</u> 117 Wn.2d 348, 816 P.2d 7 (1991).....	18
<u>Haas v. City of Kirkland,</u> 78 Wn.2d 929, 481 P.2d 9 (1971).....	10
<u>Morin v. Harrell,</u> 161 Wn.2d 226, 164 P.3d 495 (2007).....	17
<u>State ex rel. Tunstall v. Bergeson,</u> 141 Wn.2d 201, 5 P.3d 691 (2000).....	13
STATUTES	
RCW 9A.20.021	15
RCW 35A.11.020	15
RCW 36.27.020	15
RCW 43.135.060	18, 19
RCW 66.08.170	9

RCW 66.08.190	9, 12, 19
RCW 66.08.210	19
RCW 66.24.065	17
RCW 66.24.190	4
RCW 66.44.010	15
RCW 66.44.180	15
RCW 82.08.170	9
Chapter 62, Laws of 1937 (H.B. 175)	8

CONSTITUTIONAL PROVISIONS

Wash. Const. art. II, § 1(a)	18
Washington Const. art. II, § 19.....	5, 12, 17, 20
Washington Const. art. XI, § 11	10, 20

OTHER AUTHORITIES

CITY OF LAKEWOOD, <u>A Brief Review of Local Government Issues in Washington’s Liquor Privatization</u> (Feb. 2012)	19
Hugh D. Spitzer, <u>Municipal Police Power in Washington State</u> , 75 WASH. L. REV. 495, 496 (2000)	20
J.W. Gilbert, <u>Liquor-By-Glass Campaign Lost</u> , SEATTLE SUNDAY TIMES, Jan. 24, 1937	7
Nick Schiffler, <u>Who Has Applied for Most Liquor Sale Sites?</u> <u>Safeway</u> , PUGET SOUND BUSINESS JOURNAL, Mar. 15, 2012.....	4
SEATTLE POLICE DEPT., <u>Seattle Police Department Annual Report</u> Jul. 31, 1936.....	8

UNIV. OF WASH., <u>Twenty-Five Years of Governmental Research and Service</u> (Apr. 1959).....	7
W. J. Rorabaugh, <u>The Origins of the Washington State Liquor Control Board, 1934</u> , PACIFIC NORTHWEST QUARTERLY 159 (Fall 2009)	7
WASH. ASS'N FOR SUBSTANCE ABUSE AND VIOLENCE PREVENTION, <u>Easily Accessible Alcohol Undermines Community Safety and Health</u>	1, 11, 15
WASH. CITIES, <u>City Liquor Revenue Impacts</u>	12
WASH., OFFICE OF FIN. MGMT., <u>ESHB 2823: Local Government Fiscal Note</u> (Apr. 18, 2012)	4, 9, 11, 17
WASH., OFFICE OF THE SEC'Y OF STATE, <u>2011 General Election Voter's Guide: Statement Against Initiative Measure 1183</u>	14
WASH., OFFICE OF THE SEC'Y OF STATE, <u>2011 General Election Voters' Guide: Initiative 1183 Fiscal Impact Statement</u>	5, 9
WASH., OFFICE OF THE SEC'Y OF STATE, <u>The State-Wide Prohibition Initiative Measure No. 3, Official Arguments For and Against as Filed with the Secretary of State 39</u> (1914)	6
WASH. STATE ARCHIVES, LEGISLATIVE ORAL HISTORY PROJECT, <u>Charles Hodde: Mr. Speaker of the House, Vol. 2</u> (1986)	7
WASH. STATE ARCHIVES, <u>Records of the Liquor Control Board, 1934-93: History of Washington State Liquor Control Board</u>	7
WASH. STATE CENT. COMM., <u>Prohibition Party Campaign Text Book for the State of Washington</u> (1892).....	6
WASH. STATE LIQUOR CONTROL BD., <u>State Liquor Store Auction Totals \$30.75 million</u> (Mar. 5, 2012)	4

I. INTRODUCTION

Since the end of Prohibition, cities and counties have received distributions of liquor-related revenues from the State, due in part to concerns about the impact of liquor consumption on public safety. For decades, local governments have paid and continue to pay substantially for the police, courts, and jails necessary to enforce liquor-related laws.

During the election campaign, most cities and counties did not take a position on whether Initiative 1183 should be approved. However, parties opposing I-1183, including Appellant Washington Association For Substance Abuse and Violence Prevention (WASAVP), argued that expanding the availability of spirits would result in increased burdens on public safety: “The initiative will burden Washington with a double whammy—the economy has reduced available resources for public safety and prevention at the same time alcohol problems increase.”¹

The Office of Fiscal Management projects that I-1183 will increase liquor revenues by more than \$25 million per year. The Initiative itself provides that local governments receive “no less” than the amount historically allocated from state Liquor Board operations, plus an additional \$10 million “for public safety.” § 302.

¹ WASH. ASS’N FOR SUBSTANCE ABUSE AND VIOLENCE PREVENTION, Easily Accessible Alcohol Undermines Community Safety and Health, <http://wasavp.org/Documents/Community%20Safety%20Fact%20Sheet.doc-1.pdf>.

Given the long-held view (and practice) that a portion of liquor revenues should be allocated for local government public safety, and given I-1183 opponents' argument I-1183 will increase public safety requirements, it is surprising that Appellants argue that the allocation of an additional \$10 million for local government safety is an "unfettered gift."

I-1183's funding provisions were not interpreted by the Legislature as a gift. Though the Legislature enacted a bill adopting I-1183's requirement that local governments receive "no less" than historic amounts plus \$10 million from one liquor-revenue account, it simultaneously reduced allocations from the other account by \$10 million. Local governments end up with no additional funding.

Recognizing the need for a continuing dialogue about the impacts of I-1183 on local public safety funding, the Legislature authorized a joint select committee to make recommendations on liquor revenue distributions. The framework for the dialogue is clear: I-1183 has been approved by the voters; and, it is projected to provide for greatly expanded funding that could be allocated to local governments consistent with historic revenue-sharing formulas.

This Court will recognize local governments' interests in receiving its share of available funds to ensure public safety needs are addressed. The debate about the merits of I-1183 during the election and the ongoing

discussion between local governments and the Legislature about the proper allocation of liquor-related funds to local governments demonstrate the logical, rational connection between the measure and the \$10 million additional allocation it provides for local government public safety.

II. IDENTITY AND INTEREST OF *AMICI CURIAE*

This *amicus curiae* brief is submitted by the following city and county-elected officials from across Washington state: *Maureen Atkison*, Yakima City Council and Deputy Mayor; *Steve Buri*, Newcastle City Council; *Don Gough*, Lynnwood Mayor, *Lenny Greenstein*, Lacey City Council; *Mark Lamb*, Bothell Mayor; *Richard Muri*, Pierce County Council; *Lynn Schilaty*, Snohomish City Council; and *Kevin Wallace*, Bellevue City Council. These *amici* are interested in the implementation of I-1183 in their communities, particularly the allocation to local governments of liquor-related revenue for public safety purposes.

III. STATEMENT OF THE CASE

A. I-1183 Allocates Funds From The Private Sale Of Liquor To Local Governments.

Nearly 60 percent of participating Washington voters approved I-1183 in November 2011. The Initiative modifies liquor distribution laws, including closing state-run liquor stores and allowing private parties to sell and distribute spirits. Starting June 1, as state-run stores close, retail licensees may begin selling spirits to consumers. I-1183, § 102.

More than 1000 grocery stores and other retailers have applied for the right to sell spirits.² The State recently auctioned the rights to operate private liquor stores at the sites of current state-run stores, earning nearly \$31 million from final bids.³

Fees from the spirits distribution and retail and licensees will replace state liquor store revenues. See I-1183, § 103(4). State liquor store revenues are currently deposited in the Liquor Revolving Fund, and excess amounts are allocated 50 percent to the State General Fund, 40 percent to Cities and 10 percent to Counties (after Liquor Board expenses and distributions for drug and alcohol research, municipal research services, and to border areas). RCW 66.24.190.

Initiative 1183 requires that local governments continue to receive “no less” than their historic allocation from the Liquor Revolving Fund — about \$39.4 million⁴ — plus an additional \$10 million for public safety. I-1183, § 302. However, I-1183 is projected to increase revenues

² Nick Schiffler, Who Has Applied for Most Liquor Sale Sites? Safeway, PUGET SOUND BUSINESS JOURNAL, Mar. 15, 2012, <http://www.bizjournals.com/seattle/news/2012/03/15/who-has-applied-for-most-liquor-sale.html>.

³ WASH. STATE LIQUOR CONTROL BD., State Liquor Store Auction Totals \$30.75 million (Mar. 5, 2012), <http://liq.wa.gov/retail/auctions>.

⁴ WASH., OFFICE OF FIN. MGMT., ESHB 2823: Local Government Fiscal Note, (Apr. 18, 2012), <https://fortress.wa.gov/binaryDisplay.aspx?package=32593>.

This source is included for the Court’s convenience in the attached Supplemental Appendix (“SA”) at SA-1 – 3.

available to local governments from the Fund by much more than \$10 million; an increase of \$25 to \$55 million per year is projected.⁵

B. The Trial Court Found Section 302 And The Remainder Of I-1183 Constitutional.

The parties submitted cross-motions for summary judgment to the trial court on the constitutionality of I-1183. E.g., CP 444-541; 2222-46. Following oral argument, the trial court ruled that one sentence of § 302 of the Initiative violated Article II, § 19 of the Washington State Constitution. CP 1614-25. The court ruled that the “\$10 million per year from state coffers to public safety programs ... is neither germane to nor has any rational unity with the rest of the initiative.” CP 1622.

Respondents moved for reconsideration. CP 2068-81; 1748-52. The trial court granted reconsideration, explaining that he was mistaken and that Section 302 was, in fact, rationally related to Initiative 1132. CP 1988-91; VRP (3/19/2012 at 23:9-13).

C. Washington Has A Long History Of Allocating Liquor Revenues To Local Governments Based On The Relationship Between Liquor And Public Safety.

The connection between liquor consumption and public safety has been a consistent part of the policy debate throughout Washington’s

⁵ WASH., OFFICE OF THE SEC’Y OF STATE, 2011 General Election Voters’ Guide: Initiative 1183 Fiscal Impact Statement, http://wei.secstate.wa.gov/osos/en/PreviousElections/2011/general/Pages/OVG_20111108.aspx?ElectionID=42&sorttype=Measures#ososTop. (A copy of the Voters’ Pamphlet is also located at CP 234-44.)

history – from territorial days, through Prohibition and its repeal, to the I-1183 campaign and the last legislative session. This theme demonstrates a rational relationship between liquor laws and funding for local government public safety, including criminal justice and land use.

1. Prohibition Through The Enactment Of I-1183.

Even before statehood, the Prohibition Party used public safety issues to campaign for a dry Washington Territory. The party argued for prohibition in its campaign textbook because “liquor traffic” is the “citadel of the forces that corrupt politics [and] promote poverty and crime. . . .”⁶

An initiative brought Prohibition to this State five years before the 18th Amendment was ratified. During the 1914 campaign for Proposition 3, the impact on crime rates from alcohol consumption was widely debated. One prohibition advocate asserted in the Voter’s Guide that “the cause of criminality . . . was the same old arch-troublemaker—alcohol. . . .”⁷

Eighteen years later, in 1932, Washington voters repealed Prohibition by passing Initiative 61. CP 1035. For a short time, liquor sales were essentially unregulated. Local governments, like Seattle, however, stepped in to license drug stores to sell spirits in bottles and

⁶ WASH. STATE CENT. COMM., Prohibition Party Campaign Text Book for the State of Washington 3 (1892). SA-4 – 7.

⁷ WASH., OFFICE OF THE SEC’Y OF STATE, The State-Wide Prohibition Initiative Measure No. 3, Official Arguments For and Against as Filed with the Secretary of State 39 (1914). SA-8 – 31.

licensed and taxed beer taverns. CP 546-55.⁸ When government-owned liquor stores were proposed as a model for distribution, “city officials, especially in Seattle, were calling for city-owned liquor stores.”⁹

In 1934, the Legislature determined that the State, not local governments, would regulate and sell liquor through government-run stores when it enacted the Washington Liquor Act (“Steele Act”), CP 1051-1100. Cities and counties lobbied to divide liquor taxes and profits with the State, arguing that local government “had police authority and they had some additional police duties because of liquor.”¹⁰

For a time, the State and local governments split the net profits from operation of the state-run liquor stores 70-30, with the majority going to the State.¹¹ In 1937, local governments lobbied the legislature to increase their share of the profit to 50 percent, largely “based upon the

⁸ W. J. Rorabaugh, The Origins of the Washington State Liquor Control Board, 1934, PACIFIC NORTHWEST QUARTERLY 159, 161-62 (Fall 2009).

⁹ Id. at 162. See also WASH. STATE ARCHIVES, Records of the Liquor Control Board, 1934-93: History of Washington State Liquor Control Board I, <http://www.sos.wa.gov/archives/FindingAidXML/AR80.xml>. The Association of Washington Cities had been formed in 1933 for the purpose of influencing the Legislature’s consideration of liquor legislation. UNIV. OF WASH., Twenty-Five Years of Governmental Research and Service (Apr. 1959).

¹⁰ WASH. STATE ARCHIVES, LEGISLATIVE ORAL HISTORY PROJECT, Charles Hodde: Mr. Speaker of the House, Vol. 2 72-77 (1986). SA-32 – 33.

¹¹ J.W. Gilbert, Liquor-By-Glass Campaign Lost, SEATTLE SUNDAY TIMES, Jan. 24, 1937, at 8. SA-34.

facts that they must furnish the police protection and that they formerly had all the profit from licenses.” Id.

In support of this 1937 legislation, House Bill 175, the Association of Washington Cities “sent a questionnaire to a number of representative cities regarding increased cost of police department since repeal of prohibition.”¹² The surveyed cities reported an increase in public safety costs from 11 percent (in Anacortes) to 300 percent (in Pasco). Id. The City of Seattle also found a significant increase in liquor-related arrests after the end of Prohibition.¹³

While the arguments for allocating state-run store profits to local governments centered on public safety, when House Bill 175 was enacted it did not direct how the local government allocation would be spent. See Chapter 62, Laws of 1937 (H.B. 175) (SA-35 – 38).

Recently, local governments have received liquor-related revenues from two State sources, Liquor Excise Taxes and the Liquor Revolving Fund. Liquor Excise Taxes are distributed 80 percent to cities and 20

¹² Bulletin from Ass’n of Wash. Cities to The Honorable Mayor and City Council and Commissions of all Cities and Towns of Washington, 3 (Feb. 8, 1937). SA-39 – 42.

¹³ See SEATTLE POLICE DEPT., Seattle Police Department Annual Report Jul. 31, 1936 (available in the Municipal Reference Division, Seattle Public Library) reporting arrests for drunkenness and offenses due to drunkenness or the liquor business for pre-prohibition, prohibition, and post prohibition years. SA-43 – 46.

percent to counties (based on population). RCW 82.08.170. Two percent of these distributions must be spent on alcoholism treatment programs. Id.

The Liquor Revolving Fund includes revenues from state liquor stores, certain beer and wine taxes, and permit fees. RCW 66.08.170.¹⁴ After payment for costs to operate the Liquor Control Board, distributions are made first to specific state accounts (such as for university drug and alcohol research), and to border communities. E.g., RCW 66.08.190. The remainder is allocated 50 percent to the state general fund, 40 percent to cities and towns and 10 percent to counties. Id.

In recent years, cities and counties received about \$54 million per year from the two funds: \$14.5 million per year from the Liquor Excise Fund and \$39.4 million from the Liquor Revolving Fund.¹⁵ The Fiscal Impact Statement for I-1183 projected an increase in local government revenues from the Fund of between \$25 and \$56 million per year, and it assumed proceeds from the Liquor Excise Fund would remain constant.¹⁶

¹⁴ See also OFFICE OF FIN. MGMT., ESHB 2823: Local Government Fiscal Note at 3. SA-3.

¹⁵ Id.

¹⁶ OFFICE OF THE SEC'Y OF STATE, 2011 General Election Voters' Guide: Initiative 1183 Fiscal Impact Statement. It also assumes an increase in local B&O taxes of \$3 million over six years, or \$500,000 per year.

2. I-1183 And Subsequent Legislation.

Initiative 1183 was approved by a wide majority of the voters in November 2011. It eliminates liquor store profits because it closes state-run stores. The Initiative replaces liquor store revenues in the Liquor Revolving Fund with spirits licensing fees, which are to be distributed to:

border areas, counties, cities, towns, and the municipal research center ... in a manner that provides that each category of recipient receive, in the aggregate, no less than that it received from the liquor revolving fund during comparable periods prior to the effective date of this section.

I-1183, § 302. In addition to its continuing local law enforcement authority, local governments' public safety control over land use issues is maintained. I-1183, § 101(2)(i).¹⁷

The Initiative also requires that an "additional distribution of ten million dollars per year from the spirits license fees must be provided to border areas, counties, cities, and towns through the liquor revolving fund for the purpose of enhancing public safety programs." I-1183, § 302. This \$10 million allocation is less than half of the projected increase in amounts available to local governments under the initiative.

¹⁷ Washington Const. art. XI, § 11 refers to city and county authority over "local policy, sanitary and other regulations." This "police power" encompasses the complete range of local governments' authority (including criminal, zoning and licensing codes). Article XI, § 11 is a "direct delegation of the police power as ample within its limits as that possessed by the legislature itself." Haas v. City of Kirkland, 78 Wn.2d 929, 932, 481 P.2d 9 (1971).

In campaigning against the initiative, Appellant WASAVP asserted that I-1183 would increase the need for public safety funding to local governments. WASAVP argued that:

- I-1183 would “result in a five-fold increase in outlets for hard liquor across the state, lead to an increase in drinking and **jeopardize community safety.**”
- “An increase in alcohol outlets **leads to more crime, violence and other harms.**”
- “I-1183 will hit at a time when law enforcement has reduced resources. The initiative will burden Washington with a double whammy – the economy has **reduced available resources for public safety and prevention at the same time alcohol problems increase.**” CP 1634.¹⁸

I-1183 went into effect on December 8, 2011. Soon after, the Legislature changed liquor-related distributions to local government to address the State’s budget deficit. See ESHB 2823, ESHB 2127.

The Legislature eliminated Liquor Excise Tax distributions to local governments for fiscal year 2013 entirely, and reduced future distributions by \$7.5 million (2014) and \$10 million (2015 and thereafter) annually. See ESHB 2823.¹⁹ The Legislature adopted the I-1183 formula for local government distributions from the Liquor Revolving Fund, including the

¹⁸ WASH. ASS’N FOR SUBSTANCE ABUSE AND VIOLENCE PREVENTION, Easily Accessible Alcohol Undermines Community Safety and Health, <http://wasavp.org/Documents/Community%20Safety%20Fact%20Sheet.doc-1.pdf> (emphasis added).

¹⁹ OFFICE OF FIN. MGMT., ESHB 2823: Local Government Fiscal Note at 3, SA-3.

additional \$10 million for public safety. *Id.* at § 8. As a result, by 2014 local governments will receive “approximately the same distribution of liquor revenues (liquor excise taxes + liquor revolving fund) as in 2011.”²⁰

To address concerns about these budget changes on local governments, the Legislature authorized a joint select committee to “review the impact of the passage of Initiative Measure No. 1183 on public safety needs, and provide a sustainable plan for use and disbursement of excess liquor revenues.” ESHB 2127, § 101. Citing concerns about “public safety and health costs at the local level” due to increased access to alcohol, Washington cities and counties have asked the Governor to veto the revenue-reducing provisions of ESHB 2823.²¹

IV. ARGUMENT

A. A Rational Relationship Exists Between I-1183 And The \$10 Million Allocation For Public Safety.

Article II, § 19 requires that “[n]o bill shall embrace but one subject, and that shall be expressed in the title.” Wash. Const. art. II, § 19. Whether I-1183 covers more than one subject is determined by analyzing whether there is a “rational unity” among the provisions of the law.

²⁰ ASS’N OF WASH. CITIES, City Liquor Revenue Impacts 1, <http://www.awcnet.org/portals/0/documents/legislative/LiquorRevenueImpacts042312.pdf>.

²¹ Letter from Ass’n of Wash. Cities to The Honorable Christine O. Gregoire, Governor of Wash. (Apr. 20, 2012), <http://awcnet.org/portals/0/documents/legislative/ESHB2823PartialVetoRequest.pdf>.

Citizens for Responsible Wildlife Mgmt. v. State, 149 Wn.2d 622, 631 (2003). “Any reasonable doubts [about an initiative] are resolved in favor of constitutionality.” See Citizens for Responsible Wildlife Mgmt., 149 Wn.2d at 635; State ex rel. Tunstall v. Bergeson, 141 Wn.2d 201 (2000) (statutes must be proved unconstitutional “beyond a reasonable doubt”).

Section 302’s \$10 million allocation responds to new and additional burdens that WASAVP itself acknowledges are placed on local government by I-1183. It is inconsistent for WASAVP to argue that the \$10 million allocation is a “gift” to local government when it asserts that additional burdens would be placed on the local governments. Appellant’s Brief 23. A rational relationship undoubtedly exists between liquor reform and the \$10 million allocation for public safety expenses.

First, Section 302’s funding provision was intended to *offset* additional public safety-related expenses WASVAP argued local governments may face when spirits sales are allowed by private parties.

Second, the Legislature has interpreted Section 302, not as a “gift,” but as a limitation on funding that would otherwise be allocated to local governments from the Liquor Revolving Fund. Ten million dollars represents less than half of the \$25 million in projected increases from that fund. Coupled with other changes the Legislature has made to liquor

revenue distributions, local governments will likely receive no more total liquor proceeds (of any type) than before the Initiative was enacted.

Third, as has been permitted since the end of Prohibition, Section 302 allows local governments flexibility to use liquor-related funds for any public safety-related purpose, rather than tying up funds through a complex analysis of what is “alcohol-related.”

B. The \$10 Million Allocation Addresses The Possible Increase In Public-Safety Expenditures.

WASAVP admits that an initiative satisfies Article II, § 19’s single subject test if the challenged “subject within the measure ... bear[s] a close interrelationship to the measure’s primary objective.” Appellant’s Brief 20 (citing Fritz v. Gordon, 83 Wn.2d 275, 290 (1974)).

During the campaign, WASAVP made spirited arguments that demonstrate the rational relationship between the increased availability of alcohol under I-1183 and the additional burdens that may fall on local governments. WASAVP has repeatedly argued that increased access to alcohol through privatization will lead to more drinking and related-crime, which could “overburden[] police and first responders” and other local government law enforcement.²² WASAVP based its opposition to I-1183

²² WASH., OFFICE OF THE SEC’Y OF STATE, 2011 General Election Voter’s Guide: Statement Against Initiative Measure 1183, http://wei.secstate.wa.gov/osos/en/PreviousElections/2011/general/Pages/OVG_20111108.aspx?ElectionID=42&sorttype=Measures#ososTop.

on a “more consumption, more problems” motto, stating: “An increase in alcohol outlets leads to more crime, violence and other harms.”²³

Local governments will bear the cost if WASAVP is correct. Violations of liquor sales laws are enforced by county and municipal peace officers, who have the “duty of investigating and prosecuting all violations.” RCW 66.44.010(1); see also RCW 36.27.020 (requiring county prosecutors to provide the Liquor Control Board with a written report of all prosecutions brought under the state liquor laws).

District and municipal judges have concurrent jurisdiction with the Superior Courts over violations. RCW 66.44.180. Most liquor sales violations are punishable as misdemeanors. Misdemeanor sentences are served in jails operated by cities and counties. See RCW 9A.20.021 (“Every person convicted of a misdemeanor ... shall be punished by imprisonment in the county jail ... or by fine.”); RCW 35A.11.020 (code city criminal law jurisdiction).

The increase in crime and public safety impacts predicted by WASAVP under I-1183 will burden local government planning, as well as

²³ WASH. ASS’N FOR SUBSTANCE ABUSE AND VIOLENCE PREVENTION, Easily Accessible Alcohol Undermines Community Safety and Health, <http://wasavp.org/Documents/Community%20Safety%20Fact%20Sheet.doc-1.pdf>.

police, courts, and jail resources.²⁴ WASVAP cannot meet its burden to show beyond a reasonable doubt there is no relationship between increase liquor availability and the need for additional public safety resources. Indeed, WASVAP has asserted that there is a relationship between I-1183's subject and the need for additional public safety funding.

C. The Legislature Interpreted Section 302 As A Limitation On Local Government Funding, Not A Gift.

When faced with multiple interpretations of an initiative, courts construe the legislation in favor of constitutionality. See Amalgamated Transit Union Local 587 v. State, 142 Wn.2d 183, 205, 11 P.3d 762 (2000) (any reasonable doubt or ambiguity is resolved in favor of finding initiatives constitutional); City of Seattle v. Webster, 115 Wn.2d 635, 802 P.2d 1333 (1990) (the presumption of constitutionality "should be overcome only in exceptional cases").

The Legislature has interpreted I-1183, not as requiring additional funding to local governments, but as a *limitation* on distributions from the Liquor Revolving Fund. With the recent budget shortfall, the State turned to liquor revenues as a source of additional funding and made significant changes to distributions from the Liquor Excise Tax fund and the Liquor Revolving Fund. See ESHB 2823, ESHB 2127.

²⁴ See generally Letter from Ass'n of Wash. Cities to The Honorable Christine O. Gregoire.

The Legislature determined that local governments would receive distributions from the Liquor Revolving Fund only as outlined in I-1183 – that is, historic levels, plus \$10 million for public safety expenses. See ESHB 2823 § 8(2) (incorporating RCW 66.24.065, the codification of I-1183, § 302).²⁵ The remainder is to be transferred to the State’s general fund. Id. at § 8(3). In light of the projected increase in Liquor Revolving Fund revenues from I-1183’s fees, this legislation imposes a significant limitation on the liquor revenues allocated to local governments.

The Legislature also eliminated Liquor Excise Tax distributions to local governments for fiscal year 2013 entirely, and reduced future distributions by \$7.5 million (2014) and \$10 million (2015 and thereafter) annually. See ESHB 2823.²⁶ The impact of these changes to the Liquor Revolving Fund and Liquor Excise Tax distributions is that local governments are now projected to receive (after 2014) the same amount of liquor-related distributions from the state *after* I-1183 as before.

I-1183 should have been interpreted to increase the allocation of liquor-related funds to local governments. The initiative states that local

²⁵ The Legislature’s adoption and incorporation of Section 302 into ESHB 2823 also constitutes “a later amendment to or reenactment of the statute” which “ ‘cure[s] any defect’ in the earlier legislation,” including an alleged violation of Article II, § 19. Morin v. Harrell, 161 Wn.2d 226, 231, 164 P.3d 495 (2007) (citing Pierce County v. State, 159 Wn.2d 16, 39-41, 148 P.3d 1002 (2006)).

²⁶ See also OFFICE OF FIN. MGMT., ESHB 2823: Local Government Fiscal Note at 3. SA-3.

government funding should be “no less than ... received from the liquor revolving fund during comparable periods prior to the effective date of this section” plus an additional \$10 million for public safety purposes. I-1183 § 302. The Legislature, however, disagreed, at least for this year.²⁷

D. Section 302 Addresses An Otherwise Unfunded State Legislative Mandate On Local Government Services.

Funding provisions in legislation, including an initiative, that offset the costs of meeting that legislation’s mandates are rationally related to its subject.²⁸ Washington requires that state legislative mandates to local governments designate the funds necessary to pay for those new or expanded programs. RCW 43.135.060;²⁹ see City of Tacoma v. State, 117 Wn.2d 348, 816 P.2d 7 (1991) (relating to domestic violence).

Initiative 1183 imposes new and expanded responsibilities on local government. See, e.g., I-1183, § 209 (liquor seal possession); § 210 (unauthorized sales); § 211 (adult supervision of spirits sales). Liquor outlets are predicted to expand from about 400 to over 1400.³⁰ If

²⁷ This may change in the future. In its budget bills, the Legislature created a joint select committee to now “review the impact of the passage of Initiative Measure No. 1183 on public safety needs, and provide a sustainable plan for use and disbursement of excess liquor revenues.” ESHB 2127, § 101.

²⁸ Initiatives are legislative acts and should be subject to the same unfunded mandate concerns. See Wash. Const. art. II, § 1(a) (initiatives are a legislative power of the people).

²⁹ RCW 43.135.060 was adopted pursuant to Initiative No. 62 (1979).

³⁰ Letter from Ass’n of Wash. Cities to The Honorable Christine O. Gregoire.

WASAVP is correct, and such expansion results in more crime, I-1183 will expand local governments' law mandatory enforcement obligations. Cities and counties will also deal with land use permitting of new retail and wholesale liquor retailers.³¹

Whether or not RCW 43.135.060 applies to I-1183, the public policy it expresses demonstrates the rational relationship between the mandates on local government in the initiative and the allocation of additional \$10 million to meet any increase in public safety requirements.

E. Restricting Section 302's Allocation To "Alcohol-Related" Expenses Would Be A Burdensome Departure From Washington Practice.

Despite the long-standing public discourse on liquor consumption and local government public-safety funding, the allocation of Liquor Revolving Fund revenues to cities and counties has generally not been restricted to a particular purpose. E.g., RCW 66.08.190. With the exception of funding for alcohol abuse programs, distributions from the Fund are contingent only on whether the sale of liquor is "forbidden" in that jurisdiction. RCW 66.08.210.

This makes sense. Local governments are entitled to discretion in managing their financial resources and burdens. See generally American

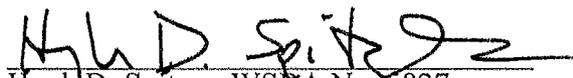
³¹ CITY OF LAKEWOOD, A Brief Review of Local Government Issues in Washington's Liquor Privatization 8-12 (Feb. 2012), http://www.cityoflakewood.us/documents/community_development/current_project_documents/liquor_privatization.pdf.

Legion Post No. 32 v. City of Walla Walla, 116 Wn.2d 1, 7, 802 P.2d 784 (1991) (city not constitutionally required to use gambling tax primarily for the enforcement of gambling regulations). Local government work related to liquor touches on many aspects of public safety, not just the police force. Public safety is a term that addresses all “police power” activities of governments, including police, fire, public health, building and zoning regulations. See Washington Const. art. XI, § 11.³² Revenue from liquor programs support local governments’ public safety efforts to deal with liquor and other community burdens.

V. CONCLUSION

A direct and rational unity exists between liquor and funding for public safety in Washington. Section 302 of Initiative 1183 does not violate Article II, § 19 of Washington’s constitution.

RESPECTFULLY SUBMITTED this ^{30th} day of April, 2012.


Hugh D. Spitzer, WSBA No. 5827
P. Stephen DiJulio, WSBA No. 7139
FOSTER PEPPER PLLC
1111 Third Avenue, Suite 3400
Seattle, Washington 98101-3299
Telephone: (206) 447-4400
Facsimile: (206) 447-9700
Email: spith@foster.com,
dijup@foster.com

³² See also Hugh D. Spitzer, Municipal Police Power in Washington State, 75 WASH. L. REV. 495, 496 (2000) (describing traditional concepts of police power as including the “general governance of the community”).

**SUPPLEMENTAL APPENDIX TO
BRIEF OF *AMICUS CURIAE*
LOCAL GOVERNMENT OFFICIALS**

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 2823 E S HB	Title: State revenues/general fund
--------------------------	------------------------------------

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: Cities and counties would experience substantial reductions in liquor excise tax fund and liquor revolving fund distributions. Cities, counties and special districts would also experience substantial reductions in Public Works Assistance loans.
- Counties: Same as above
- Special Districts: Same as above
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

Jurisdiction	FY 2012	FY 2013	2011-13	2013-15	2015-17
City	(24,785,280)	(84,690,880)	(109,476,160)	(96,379,913)	(73,688,187)
County	(688,480)	(15,456,880)	(18,145,360)	(11,433,512)	(10,174,281)
Special District	(8,950,240)	(9,288,240)	(18,238,480)	(20,574,884)	(13,361,995)
TOTAL \$	(34,424,000)	(109,436,000)	(143,860,000)	(128,388,309)	(97,124,463)
GRAND TOTAL \$					(369,372,772)

Estimated expenditure impacts to:

Jurisdiction	FY 2012	FY 2013	2011-13	2013-15	2015-17
City	(24,785,280)	(84,690,880)	(109,476,160)	(96,379,913)	(73,688,187)
County	(688,480)	(15,456,880)	(18,145,360)	(11,433,512)	(10,174,281)
Special District	(8,950,240)	(9,288,240)	(18,238,480)	(20,574,884)	(13,361,995)
TOTAL \$	(34,424,000)	(109,436,000)	(143,860,000)	(128,388,309)	(97,124,463)
GRAND TOTAL \$					(369,372,772)

Part III: Preparation and Approval

Fiscal Note Analyst: Jaime Kaszynski	Phone: 360-725-2717	Date: 04/18/2012
Leg. Committee Contact:	Phone:	Date: 04/11/2012
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 04/18/2012
OPM Review: Cherie Berthon	Phone: 360-902-0659	Date: 04/18/2012

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

Section 1 amends RCW 43.135.045 to suspend the annual transfer of \$102 million from the General Fund to the Education Construction Fund during the biennium ending June 30, 2015.

Section 2 amends RCW 82.18.040 to direct solid waste collection taxes to the General Fund (rather than the Public Works Assistance Account). The entire amount would be directed to the General Fund for Fiscal Year 2012 through Fiscal Year 2015, and one half of the amount would be deposited in the General Fund in subsequent years, with the remainder deposited in the PWAA.

Section 3 amends RCW 82.08.160 to provide that, for Fiscal Year 2013, all receipts from the liquor sales tax and liquor excise tax be deposited in the General Fund (rather than being distributed to local governments).

Section 4 amends RCW 82.08.170 to provide that \$2.5 million dollars per quarter be transferred from the liquor excise tax fund to the General Fund (rather than being distributed to local governments).

Sections 5, 6 and 7 delete provisions and sections of RCW 43.110 that pertained to the City and Town Research Services Account and County Research Services Account.

Section 8 amends RCW 66.08.190 to provide a new process for distributing liquor revolving funds. Funding for municipal research and services, border areas, counties, cities and towns would be distributed as provided in RCW 66.24.065 (Section 302 of Initiative 1183), and remaining funds would be deposited in the general fund (rather than being distributed to local governments).

Section 13 provides that Section 2 takes effect immediately.

Section 14 provides that sections 1 and 3 through 12 take effect on July 1, 2012.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

The proposed legislation would reduce the availability of Public Works Assistance Account (PWAA) loans to local governments, resulting in reduced expenditures to repay those loans and construct public works projects. The reduction of solid waste taxes in the PWAA would total \$188,522,000 between FY 2012 and FY 2017, as shown in the Department of Revenue fiscal note, and repayments on those loans would have totaled \$12,152,452 (estimated by the Department of Commerce Public Works Board staff) between FY 2014 and FY 2017.

As discussed further below, reductions in the distribution on liquor excise taxes and liquor revolving funds to local governments would total approximately \$73 million in the current biennium, \$49 million in the next biennium (fiscal years 2014-2015), and \$46 million in the subsequent biennium (fiscal years 2016-2017), for a total reduction of \$169 million during the period covered by this fiscal note. Local government expenditures funded through this revenue include, but are not limited to, alcohol treatment, prevention and education, and law enforcement.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

The proposed legislation would reduce local government revenues by approximately \$144 million in the current biennium, \$128 million in the next biennium (fiscal years 2014-2015), and \$97 million in the subsequent biennium (fiscal years 2016-2017). Of this total \$369 million reduction over six years, approximately \$200 million would represent reduced loans from the Public Works Assistance Account and the remainder would represent reduced distributions of shared liquor excise tax and liquor revolving fund revenues. (Please note: Those figures do not include reductions in funds transferred to the Education Construction Fund pursuant to Section 1.)

Public Works Assistance Loans:

Section 2 would reduce funding available from the PWAA, which would in turn result in reduced loan repayments for jurisdictions that would otherwise have received the loans. This results in an additional decrease in revenue that would be available to loan to local governments of the same magnitude as the reduced expenditures discussed above. In total, this section would therefore reduce funding available to local governments by the following amounts:

FY 2012 - FY 2013: \$70,148,000 (re-directed solid waste tax funds only)
FY 2014 - FY 2015: \$79,134,167 (re-directed solid waste tax funds, plus \$2,587,167 in reduced repayments)
FY 2016 - FY 2017: \$51,392,285 (re-directed solid waste tax funds, plus \$9,565,285 in reduced repayments)
Total: \$200,674,452 (\$188,522,000 in re-directed solid waste tax funds, plus \$12,152,452 in reduced repayments).

In past years, approximately 72 percent of PWAA funds have been lent to cities, 26 percent to special districts, and 2 percent to counties. These figures were used to estimate impacts by type of jurisdiction. Actual impacts would vary based on the prioritization of projects in future years.

Liquor Revenue Distributions:

Eliminating the FY 2013 distribution of liquor excise taxes would reduce city and county revenue by about \$28,767,000 in the current biennium, as shown in the fiscal notes prepared by the Department of Revenue and Office of the State Treasurer. In FY 2014 this distribution would be reduced by \$7.5 million and in future years this distribution would be reduced by \$10 million annually. Eliminating the sharing of liquor revolving fund revenues (beyond those maintained by I-1183) would reduce distributions to cities and counties by \$44,945,000 in FY 2013, \$18,990,703 in FY 2014 and about \$13 million each in fiscal years 2015, 2016 and 2017, as shown in the fiscal notes prepared by the Office of the State Treasurer and Liquor Control Board. (This estimate assumes that distribution of liquor revolving funds to local governments during the remainder of FY 2012 are not impacted.)

These reductions would total about \$73 million in the current biennium, \$49 million in the next biennium (fiscal years 2014-2015), and \$46 million in the subsequent biennium (fiscal years 2016-2017), for a total reduction of \$169 million during the period covered by this fiscal note. City revenue reductions would be about \$135 million (80 percent of the total) and county revenue reductions would be about \$34 million (20 percent of the total).

Background:

Liquor excise tax revenues fund cities and counties, with 80 percent going to cities and 20 percent going to counties. (Individual jurisdictions receive these revenues according to their population.) Two percent of the total distributed to any local government must be spent on alcoholism treatment programs. Liquor revolving funds are distributed to 40 percent to cities and 10 percent to counties. (Individual cities receive these revenues based on population and individual counties based on unincorporated population.) Two percent of the total distributed to any local government must be spent on alcoholism treatment programs. Certain cities and counties (border areas) receive 0.3 percent of liquor profits based on border area traffic totals, border-related crime statistics, and per capita law enforcement spending.

The recent passage of Initiative 1183 provided that local distributions of liquor profits must remain at the level of prior comparable time periods before the passage of the Initiative, and that an additional \$10 million be distributed to local jurisdictions for public safety purposes. (This "hold harmless" provision does not impact the distribution of revenues from liquor taxes.) OFM staff indicate that a total of \$39.4 million in liquor profits were distributed to local governments during the four quarters from December 2010 to September 2011. Therefore, the initiative requires that at least \$49.4 million be distributed to local governments on an annual basis. The above estimates of local liquor revenue distribution reductions that would result from the proposed legislation are assumed not to reduce local liquor revenue distributions beyond this figure.

SOURCES:

Department of Revenue fiscal note
Office of the State Treasurer fiscal note
Liquor Control Board fiscal note
Association of Washington Cities
Department of Commerce, Public Works Board Staff and repayment model
OFM calculations of I-1183 "hold harmless" provision

PROHIBITION PARTY
Campaign Text-Book

FOR THE

State of Washington,

1892

M
K CS

V
S

PROHIBITION

PARTY

Campaign * Text-Book

FOR THE STATE OF WASHINGTON

1892

Prohibition party, Washington (state)

ISSUED BY THE
STATE CENTRAL COMMITTEE

TACOMA
Puget Sound Printing Company
1892

INTRODUCTORY.

THIS TEXT-BOOK needs no introduction from other sources than its own. Its strength lies in the facts and principles it contains, the righteousness and justice of which have been recognized for years by the grandest, best and ablest men of all political parties as true—not only true, but that the future prosperity and perpetuity of our Government depend upon the carrying out of these fundamental principles.

We, therefore, believing that the best interests of our country require these great and most necessary reforms, and knowing from past history that no hope can be entertained of these reforms being seriously attempted by any of the now organized parties, except the Prohibition party, present this work, giving our National and State platforms—documents setting forth more and greater needed reforms than any similar document ever published—and the letters of acceptance from our leaders, whose documents are as remarkable as the men who wrote them; clear, logical and unanswerable, they stand forth appealing to the better judgment of all classes, clearly showing the true policy of government. Also a short biography of each of the candidates, so that all may know who and what kind of men have been placed on the ticket. While the sketch of each has, of necessity, been abridged, yet enough has been written to show the character and disposition of each, that they have all shown themselves men of ability in the various avocations of life; that each in his sphere has proven himself capable to represent the principles advocated in our platforms, and, if elected, would faithfully make and enforce such laws as would most speedily bring about these great reforms.

All these, with some facts and figures pertinent to the principles we advocate, we present for the candid consideration and careful investigation of all who love country, home and family, for these are all questions that must, of necessity, be settled by the voters of the Nation, the settlement of which will decide the destiny of this Government.

W. H. Gilstrap,
Secretary of Committee.

R 229.8
P 943P
1892
nw

National Platform, 1892.

The Prohibition Party, in National Convention assembled, acknowledging Almighty God as the source of all true government and His law as the standard to which human enactments must conform to secure the blessings of peace and prosperity, presents the following declaration of principles:

1st. The liquor traffic is a foe to civilization, the arch enemy of popular government and a public nuisance. It is the citadel of the forces that corrupt politics, promote poverty and crime, degrade the nation's home life, thwart the will of the people and deliver our country into the hands of rapacious class interests. All laws that, under the guise of regulation, legalize and protect this traffic, or make the government share in its ill-gotten gains, are "vicious in principle and powerless as a remedy." We declare anew for the entire suppression of the manufacture, sale, importation, exportation and transportation of alcoholic liquors as a beverage, by federal and State legislation. The full powers of government should be exerted to secure this result. No Party that fails to recognize the dominant nature of this issue in American politics deserves the support of the people.

2d. No citizen should be denied the right to vote on account of sex, and equal labor should receive equal wages without regard to sex.

3d. The money of the country should consist of gold, silver and paper, and be issued by the general government only, and in sufficient quantity to meet the demands of business and give full opportunity for the employment of labor. To this end an increase in the volume of money is demanded. No individual or corporation should be allowed to make any profit through its issue. It should be made a legal tender for the payment of all debts, public and private. Its volume should be fixed at a definite sum per capita and made to increase with our increase in population.

4th. Tariff should be levied only as a defence against foreign governments which levy tariff upon, or bar out our products from their markets, revenue being incidental. The residue of means necessary to an economical administration of the government should be raised by levying the burden on what the people possess instead of upon what they consume.

5th. Railroad, telegraph and other public corporations should be controlled by the government in the interests of the people, and no higher charges allowed than necessary to give fair interest on the capital actually invested.

6th. Foreign immigration has become a burden upon industry, one of the factors in depressing wages and causing discontent; therefore, our im-

1163038

migration laws should be revised and strictly enforced. The time of residence for naturalization should be extended, and no naturalized person should be allowed to vote until one year after he becomes a citizen.

7th. Non-resident aliens should not be allowed to acquire land in this country, and we favor the limitation of individual and corporate ownership of land. All unearned grants of land to railroad companies or other corporations should be reclaimed.

8th. Years of inaction and treachery on the part of the Republican and Democratic parties have resulted in the present reign of mob law; and we demand that every citizen be protected in the right of trial by constitutional tribunals.

9th. All men should be protected by law in their right to one day of rest in seven.

10th. Arbitration is the wisest and most economical and humane method of settling national differences.

11th. Speculations in margins, the cornering of grain, money and products, and the formation of pools, trusts and combinations for the arbitrary advancement of prices should be suppressed.

12th. We pledge that the Prohibition Party, if elected to power, will ever grant just pensions to disabled veterans of the Union Army and Navy, their widows and orphans.

13th. We stand unequivocally for the American public school and opposed to any appropriation of public moneys for sectarian schools. We declare that only by united support of such common schools, taught in the English language, can we hope to become and remain a homogeneous and harmonious people.

14th. We arraign the Republican and Democratic Parties as false to the standards reared by their founders; as faithless to the principles of the illustrious leaders of the past to whom they do homage with the lips; as recreant to the higher law which is as inflexible in political affairs as in personal life; and as no longer embodying the aspirations of the American people or inviting the confidence of enlightened, progressive patriotism. Their protest against the admission of "moral issues" into politics is a confession of their own moral degeneracy. The declaration of an eminent authority that municipal misrule is "the one conspicuous failure of American politics" follows as a natural consequence of such degeneracy, and is true alike of cities under Republican and Democratic control. Each accuses the other of extravagance in Congressional appropriations, and both are alike guilty. Each protests, when out of power, against infraction of the civil service laws, and each when in power violates those laws in letter and in spirit. Each professes fealty to the interest of the toiling masses,

but both covertly truckle to the money power in their administration of public affairs. Even the tariff issue, as represented in the Democratic Mills Bill and the Republican McKinley Bill, is no longer treated by them as an issue between great and divergent principles of government, but is a mere catering to different sectional and class interests. The attempt in many States to wrest the Australian ballot system from its true purpose, and so to deform it as to render it extremely difficult for new parties to exercise the right of suffrage, is an outrage upon popular government. The competition of both old parties for the vote of the slums, and their assiduous courting of the liquor power and subserviency to the money power, have resulted in placing those powers in the position of practical arbiters of the destinies of the nation. We renew our protest against these perilous tendencies, and invite all citizens to join us in the upbuilding of a party that has shown, in five national campaigns, that it prefers temporary defeat to an abandonment of the claims of justice, sobriety, personal rights and the protection of American homes.

15th. Recognizing and declaring that Prohibition of the Liquor traffic has become the dominant issue in national politics, we invite to full party fellowship all those who, on this one dominant issue, are with us agreed, in the full belief that this Party can and will remove sectional differences, promote national unity and insure the best welfare of our entire land.

Dicta of the U. S. Supreme Court.

"No legislature can bargain away the public health or the public morals. The people themselves can not do it, much less their servants. . . . Government is organized with a view to their preservation, and can not divest itself of the power to provide for them."—Stone vs. Mississippi, 101 U. S., 816.

"If the public safety or the public morals require the discontinuance of any manufacture or traffic, the hand of the legislature can not be stayed from providing for its discontinuance by any incidental inconvenience which individuals or corporations may suffer."—Bear Co. vs. Massachusetts, 97 U. S., 32.

"The State cannot by any contract limit the exercise of her power to the prejudice of the public health and the public morals."—Butchers' Union Co. vs. Crescent City Co., 111 U. S., 751.

"There is no inherent right in a citizen to thus sell intoxicating liquors by retail; it is not a privilege of a citizen of a State or of a citizen of the United States."—Crowley vs. Christensen, 137 U. S., 86.

THE BOOK CONTAINS

The State-Wide Prohibition

Initiative Measure

No. 3

Wash. Soc. of States

**The Official Arguments
For and Against as Filed
With the Secretary of State**

**A Compilation of Facts
ABOUT PROHIBITION**

Sherman Printing & Binding Co. 807-809-811 Western Ave., Seattle

**TO THE PEOPLE OF THE STATE OF
WASHINGTON:**

INITIATIVE BILL NO. 3, State-Wide Prohibition, is one of the questions to be voted on at the general ELECTION to be held NOVEMBER 3, 1914:

It is only FAIR that each voter shall be fully advised of the FACTS.

In this booklet will be found a copy of the PROPOSED LAW, together with the OFFICIAL ARGUMENTS, for and against. This is THE RECORD, and SHOULD BE READ by every person exercising the right of suffrage.

The ISSUES INVOLVED are set forth FAIRLY and IMPARTIALLY. Evidence is submitted from the MOST COMPETENT SOURCES AVAILABLE.

READ the BILL and the ARGUMENTS. STUDY the question carefully. It merits careful study, for the issues involved strike home to every citizen.

This is NOT an appeal to PASSION OR PREJUDICE. Read and glean the facts for yourself. DO YOUR OWN THINKING.

THE BILL

READ SECTION 15. STUDY ITS PROVISIONS.

"AN ACT relating to intoxicating liquors, PROHIBITING THE MANUFACTURE, Keeping, sale and disposition thereof, except in certain cases, the soliciting and taking of orders therefor, the advertisement thereof and the making of false statements for the purpose of obtaining the same, declaring certain places to be nuisances and providing for their abatement, regulating the keeping, SALE AND DISPOSITION OF INTOXICATING LIQUORS BY DRUGGISTS AND PHARMACISTS, THE PRESCRIPTION THEREOF BY PHYSICIANS, the transportation thereof, and providing for the search for and seizure and destruction thereof, prescribing the powers and duties of certain officers, and the forms of procedure and the rules of evidence in cases and proceedings hereunder, and fixing penalties for violations hereof, and the time when this act shall take effect. Be it enacted by the people of the State of Washington:

"Section 1. This entire act shall be deemed an exercise of the police power of the state, for the protection of the economic welfare, health, peace and morals of the people of the state, and all of its provisions shall be liberally construed for the accomplishment of that purpose.

What It Includes.

"Sec. 2. The phrase 'intoxicating liquor,' wherever used in this act, shall be held and construed to include whiskey, brandy, gin, rum, wine, ale, beer and any spirituous, vinous, fermented or malt liquor, and EVERY other LIQUOR OR LIQUID CONTAINING INTOXICATING PROPERTIES, which is capable of being used as a beverage, WHETHER MEDICATED OR NOT, and all liquids, whether proprietary, patented

Read Section 7. The Joker is there.

Read Section 15. Read it carefully.

So long as the appetite for liquor remains, means for satisfying the appetite will be found. Education is the remedy and not force.

Read Sections 7 and 15.

Read Section 7. Study It Closely.

Read Section 29.

Read Sections 11 and 14.

Secy of State

R 178.5
W 279 S

355008
EDUCATION

Shipments of liquor from without the state are not limited to the permit provision of Section 15.

Read Sections 7 and 15.

If it is a crime to manufacture and sell liquor it is a crime to buy it and drink it. Initiative Bill No. 3 is only aimed at the manufacture in this state and encourages the purchase from other states.

or not, which contain any alcohol, which are capable of being used as a beverage.

"Sec. 3. The word 'person,' wherever used in this act, shall be held and construed to mean and include natural persons, firms, copartnerships and corporations, and all associations of natural persons, whether acting by themselves or by a servant, agent or employe.

Closes Breweries.

"Sec. 4. It shall be UNLAWFUL for any person TO MANUFACTURE, sell, barter, exchange, give away, furnish or otherwise dispose of any intoxicating liquor, or to keep any intoxicating liquor with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same, except as in this act provided; Provided, however, that it shall not be unlawful for a person to give away intoxicating liquor, to be drunk on the premises, to a guest in his private dwelling or apartment, which is not a place of public resort.

"Sec. 5. It shall be unlawful for any person owning, leasing, renting or occupying any premises, building, vehicle or boat to knowingly permit intoxicating liquor to be manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of in violation of the provisions of this act, or to be kept with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same in violation of the provisions of this act thereon or therein; and all premises, buildings, vehicles and boats whereon and wherein intoxicating liquor is manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of or kept with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same in violation of the provisions of this act, are common nuisances, and may be abated as such, and upon conviction of the owner, lessee, ten-

Prohibition is a fake political issue. After sixty years of trial in Maine and thirty-four years in Kansas it is still the great cause of political controversy to the exclusion of consideration of more serious and vitally important subjects.

Read Section 29. Another Joker.

Section 29 makes it unlawful for the individual to carry in from without the state "IN EXCESS" of one-half gallon, 12 quarts or 24 pints.

Initiative Bill No. 3 destroys local self-government and replaces the present adequate local option law with a system that is impossible of enforcement.

Read the Bill.

Read Section 11.

Initiative Bill No. 3 offers a premium on blackmail and perjury.

ant or occupant of any premises, building, vehicle or boat of a violation of the provisions of this section, the court shall order that such nuisance be abated, and that such premises, building, vehicle or boat be closed until the owner, lessee, tenant or occupant thereof shall give bond, with a sufficient surety to be approved by the court making the order, in the penal sum of one thousand dollars, payable to the State of Washington, and conditioned that intoxicating liquor will NOT thereafter BE MANUFACTURED, sold, bartered, exchanged, given away, furnished or otherwise disposed of thereon and therein, or kept thereon or therein, with intent to sell, barter, exchange, give away or otherwise dispose of the same contrary to law, and that he will pay all fines, costs and damages that may be assessed against him for any violation of this act; and in case of the violation of any condition of such bond, the whole amount may be recovered as a penalty, for the use of the county wherein the premises are situated; and in all cases where any person has been convicted before a justice of the peace of a violation of the provisions of this section, and no appeal has been taken from such conviction, an information or complaint may be filed in the Superior Court of the county in which such conviction was had to abate the nuisance, and in any such action, a certified copy of the records of such justice of the peace, showing such conviction, shall be competent evidence of the existence of such nuisance.

"Sec. 6. It shall be unlawful for any person to take or solicit orders for the purchase or sale of any intoxicating liquor, either in person or by sign, circular, letter, poster, hand bill, card, price list, advertisement or otherwise, or to DISTRIBUTE, PUBLISH or DISPLAY ANY ADVERTISEMENT, SIGN OR NOTICE, NAMING, REPRESENT-

Prohibition means high taxes, idle men, lost revenues, vacant buildings, barren hop yards and barley fields, business stagnation, fake drug stores and busy bootleggers.

Read Section 13.

READ THE BILL.

Initiative Bill No. 3 makes county auditors, druggists and physicians liquor dispensers for the state, with bootleggers, under guise of mechanics, as assistants.

Initiative Bill No. 3 prohibits legitimate manufacture with its vast pay roll and encourages the illicit making of vile substitutes for properly manufactured government-inspected liquor.

READ THE BILL.

Read Section 14.

Initiative Bill No. 3 gives every officious meddling person an excuse to have his nose in someone's else business.

ING, DESCRIBING, OR REFERRING TO THE QUALITY OR QUALITIES OF ANY INTOXICATING LIQUOR, or giving the name or address of any person manufacturing or dealing in intoxicating liquor, or stating where any such liquor may be obtained.

Bootleggers' Opening.

"Sec. 7. NOTHING IN THIS ACT SHALL BE CONSTRUED TO PROHIBIT A REGISTERED DRUGGIST OR PHARMACIST FROM SELLING INTOXICATING LIQUOR FOR MEDICINAL PURPOSES, UPON THE PRESCRIPTION OF A LICENSED PHYSICIAN, as herein provided, OR FOR SACRAMENTAL PURPOSES, UPON THE ORDER OF A CLERGYMAN, as herein provided, OR FROM SELLING ALCOHOL FOR MECHANICAL OR CHEMICAL PURPOSES ONLY; but it shall be unlawful for such druggist or pharmacist to permit any such liquor to be drunk upon the premises where sold. Every DRUGGIST or PHARMACIST selling intoxicating liquor or alcohol for the purposes above provided shall keep a true and exact record in a book provided by him for that purpose, in which shall be entered at the time of every sale of intoxicating liquor or alcohol made by him or in or about his place of business the date of the sale, the name of the purchaser, his place of residence, stating the street and house number (if there be such), the kind, quantity and price of such liquor or alcohol and the purposes for which it is sold, and, when the sale is for MEDICINAL OR SACRAMENTAL purposes, the name of the PHYSICIAN issuing the prescription or of the CLERGYMAN giving the order therefor, and, when the sale is of alcohol for mechanical or chemical purposes, the purchaser shall be required to sign the record of the sale

Initiative Bill No. 3 permits druggists to sell unlimited quantities of alcohol for mechanical and chemical purposes. Bootleggers could drive a team of horses through this hole in the proposed law.

Read Sections 7 and 15.

Study Sections 7, 11, 13, 14, 15, 27 and 29.

The individual must elect of his own free will to be temperate. Initiative Bill No. 3 applies: no such rule.

This search and seizure clause of Initiative Bill No. 3 in its intent is identical with the "writs of assistance" which was one of the great causes of the American Revolution. The American love of personal liberty was no higher developed then that it is today.

READ THE BILL.

Read Sections 14 and 27.

in the book. Whenever any DRUGGIST OR PHARMACIST fills a prescription for intoxicating liquor, he shall cancel the same by writing across the face thereof, in ink, the word: 'cancelled,' with the date on which it was presented and filled, and shall keep the same on file, separate from other prescriptions, and no such prescription shall be filled again. Such book and all prescriptions for intoxicating liquor filled shall be open to inspection by any prosecuting attorney or city attorney, judge or justice of the peace, sheriff, constable, marshal or other police officers, or member of the city or town council. It shall be unlawful for any druggist or pharmacist to fail or neglect to keep such record, or to destroy or in any way alter any such record or entry therein or any prescription filled, or to permit or procure the same to be destroyed or altered, or to refuse inspection thereof to any person entitled to such inspection, or to fail or neglect to cancel any such prescription, or to refill any prescription or to sell intoxicating liquor for medicinal purposes except on a written prescription of a licensed physician, or for sacramental purposes without an order signed by a clergyman, or to sell any alcohol for mechanical or chemical purposes without obtaining the signature of the purchaser: Provided, that nothing herein contained shall be construed to prohibit the SALE BY A DRUGGIST OR PHARMACIST OF SUCH INTOXICATING LIQUOR AS MAY BE NEEDED BY OR FOR A SICK PERSON IN CASE OF EXTREME ILLNESS where delay may be dangerous to the patient. A druggist or pharmacist who has been convicted of selling intoxicating liquor or for any other act in violation of this section, shall not, within two years thereafter, either personally or by agent, sell intoxicating liquor for any purpose whatsoever; and upon a second conviction of a violation of the provisions of this

Prohibition is less respected in states where it is on the statute books than any law ever written. It makes liars out of men and women.

Read Sections 7, 14 and 27.

READ THE BILL.

If it is a crime to sell liquor it is a crime to drink it, and in all prohibition states a majority do one or the other.

READ THE BILL.

Initiative Bill No. 3 would destroy \$4,000,000 of annual rentals.

Read Sections 7, 11 and 15.

Read Sections 15 and 29.

section, such druggist or pharmacist shall forfeit his right to practice pharmacy, and the justice of the peace or Superior judge before whom such druggist or pharmacist is convicted of a second violation of this section shall so adjudge, and shall send a copy of such judgment to the Board of Pharmacy, who, upon receipt thereof, shall forthwith cancel the license of such druggist or pharmacist, and no other license shall be issued by the Board of Pharmacy to such druggist or pharmacist within two years from the date of such cancellation.

Liquor Prescription.

"Sec. 8. It shall be unlawful for any licensed physician to issue a prescription for intoxicating liquor except in writing, or in any case, unless he has good reason to believe that the person for whom it is issued is actually sick, and that the LIQUOR IS REQUIRED AS MEDICINE. Every prescription for intoxicating liquor shall contain the name and address of the physician, the name and quantity of liquor prescribed, the name of the person for whom prescribed, the date on which the prescription is written, and directions for the use of the liquor so prescribed. Upon the conviction a second time of any licensed physician of a violation of the provisions of this section, it shall be unlawful for such physician thereafter to write any prescription for the furnishing, delivery or sale of intoxicating liquor, and it shall be unlawful for any druggist or pharmacist to knowingly fill any such prescription written or signed by any physician who has been convicted the second time of a violation of the provisions of this section.

"Sec. 9. The issuance of an internal revenue special tax stamp or receipt by the United States to any person as a retail dealer in intoxicating liquor, shall be prima facie evidence

Initiative Bill No. 3 is not a temperance measure. It encourages intemperance.

Initiative Bill No. 3 would destroy 61 trades.

READ THE BILL.

Read Sections 14 and 27.

Initiative Bill No. 3 permits invasion of the home without just cause to satisfy the jealous whim of any political business or social enemy.

Read Sections 7, 15 and 29.

READ THE BILL.

The poor man may have his beer, but the cost is increased. The rich man, with his wine cellars, is not hurt.

of the sale of intoxicating liquor by such person at the place of business of such person where such stamp or receipt is posted if, at the time, the stamp or receipt is in force and effect; PROVIDED, THAT THIS SECTION SHALL NOT APPLY TO DRUGGISTS. A Copy of such stamp or of the records of the United States Internal Revenue Office certified to by any United States Internal Revenue officer, deputy or assistant having charge of such records or stamps, which shows that the United States special liquor tax has been paid by any person charged with selling, bartering, exchanging, giving away, furnishing or otherwise disposing of intoxicating liquor in violation of this act, shall be competent and prima facie evidence that the person whose name appears on said records or stamp, as shown by said certified copy, has paid the special liquor tax for the time stated therein.

"Sec. 10. It shall be unlawful for any person to directly or indirectly keep or maintain by himself or by associating with others, or to in any manner aid, assist or abet in keeping or maintaining any club house or other place in which intoxicating liquor is received or kept for the purpose of use, gift, barter or sale or for the purpose of distribution or division among the members of any club or association.

Search Homes.

"Sec. 11. If, upon the sworn complaint of any person, it shall be made to appear to any judge of the Superior Court or justice of the peace that there is PROBABLE CAUSE TO BELIEVE THAT INTOXICATING LIQUOR IS BEING MANUFACTURED, sold, bartered, exchanged, given away, furnished or otherwise disposed of or kept in violation of the provisions of this act, such justice of the peace or judge shall, with or without the approval of the prosecut-

Initiative Bill No. 3 legalizes the shipment of enough liquor from without the state every twenty days to keep the person receiving the same drunk three weeks.

READ THE BILL.

Read Section 25.

Initiative Bill No. 3 promotes the use of "Wild Cat" liquor, the kind that is made by fake druggists.

Prohibition deprives men and women of employment. It was never designed to prohibit liquor drinking among the rich.

Study Section 15.

Read Sections 14 and 27.

Read Sections 15 and 29.

Take away from the individual his personal liberty, and he will soon lose all else worth having.

Initiative Bill No. 3 would close all Washington breweries, but permit beer shipments from other states.

Read Section 7.

ing attorney, **ISSUE A WARRANT DIRECTED TO ANY PEACE OFFICER IN THE COUNTY, COMMANDING HIM TO SEARCH THE PREMISES** designated and described in such complaint and warrant, and **TO SEIZE** all intoxicating liquor there found, together with the vessels in which it is contained, and all implements, furniture and fixtures used or kept for the illegal manufacture, sale, barter, exchange, giving away, furnishing or otherwise disposing of such liquor, and to safely keep the same, and to make a return of said warrant within three days, showing all acts and things done thereunder, with a particular statement of all articles seized and the name of the person or persons in whose possession the same were found, if any, and if no person be found in the possession of said articles, the return shall so state. A copy of said warrant shall be served upon the person or persons found in possession of any such intoxicating liquor, furniture or fixtures so seized, and if no person be found in the possession thereof, a copy of said warrant shall be posted on the door of the building or room wherein the same are found, or, if there be no door, then in any conspicuous place upon the premises.

"Sec. 12. Upon the return of the warrant as provided in the next preceding section, the judge or justice of the peace shall fix a time not less than ten days, and not more than thirty days thereafter, for the hearing of said return when he shall proceed to hear and determine whether or not the articles so seized, or any part thereof, were used or in any manner kept or possessed by any person with the intention of violating any of the provisions of this act. At such hearing, any person claiming any interest in any of the articles seized may appear and be heard upon filing a written claim setting forth particularly the character and extent of his interest, but upon such hearing the

The present Washington Local Option Law permits majorities in any community to determine the liquor question for themselves. Under local option, a community may have more effective prohibition of the liquor traffic than can be secured through the operation of Initiative Measure No. 3. The majority of the people of any community can stop the sale of liquor in that community, so far as it can be stopped by any law, and it does not require the destruction of industries, labor, pay roll and markets to the extent that would be brought about by the passage of Initiative Bill No. 3.

Initiative Bill No. 3 would destroy \$4,000,000 of annual rentals.

Note the words "IN EXCESS" in Section 29.

Initiative Bill No. 3 makes the individual pay for the privilege of using liquor instead of the manufacturer and dealer paying for the right to make and sell it.

READ THE BILL.

Read Section 15.

Initiative Bill No. 3 specifically exempts the manufacture and sale of unfermented fruit juice. Any fruit juice can be fermented to 15 per cent alcohol by a very simple process and at no expense.

sworn complaint or affidavit upon which the search warrant was issued and the possession of such intoxicating liquor shall constitute prima facie evidence of the contraband character of the liquor and articles seized, and the burden shall rest upon the claimant to show, by competent evidence, his property right or interest in the articles claimed and that the same were not used in the violation of any of the provisions of this act, and were not in any manner kept or possessed with the intention of violating any of the provisions of this act. If, upon such hearing, the evidence warrants, or if no person shall appear as claimant, the judge or justice of the peace shall thereupon enter a judgment of forfeiture, and order such articles destroyed forthwith: Provided, however, that if in the opinion of the justice of the peace or judge, any of such forfeited articles other than intoxicating liquor are of value and adapted to any lawful use, such judge or justice of the peace shall as a part of the order and judgment direct that said articles other than intoxicating liquor shall be sold as upon execution by the officer having them in custody and the proceeds of such sale after the payment of all costs in the proceeding shall be paid into the common school fund of the school district in which the same were seized. Action under this section and the forfeiture, destruction or sale of any articles thereunder shall not be a bar to any prosecution under any other provision or provisions of this act.

Informers Wanted.

"Sec. 13. In any action or proceeding under this act or under any other law relating to the unlawful disposition or possession of intoxicating liquor, no person shall be excused from testifying in any court or before any grand jury, on the ground that his testimony may incriminate him, but no person shall be prosecuted or

If it is right to buy liquor from other states and ship it into Washington it is right to make it at home, from home-grown products and by home labor.

READ THE BILL.

Read Section 7.

Read Sections 7, 11, 13, 14, 15, 27 and 29.

In prohibition states men and women aid and abet violators of the law. This engenders disregard for all law. Initiative Bill No. 3 is opposed to every principle of American government. It confiscates property and destroys personal liberty.

punished on account of any transaction or matter or thing concerning which he shall be compelled to testify, nor shall such testimony be used against him in any prosecution for any crime or misdemeanor, under the laws of this State.

For Meddlers.

"Sec. 14. ANY CITIZEN OR ORGANIZATION WITHIN THIS STATE MAY EMPLOY ANY ATTORNEY TO ASSIST THE PROSECUTING ATTORNEY IN ANY ACTION OR PROCEEDING UNDER THIS ACT, and such attorney shall be recognized by the prosecuting attorney and the court as associate counsel in the case, and NO PROSECUTION SHALL BE DISMISSED OVER THE OBJECTION OF SUCH ASSOCIATE COUNSEL until the reasons of such prosecuting attorney for such dismissal, together with the objections of such associate counsel, shall have been filed in writing, argued by counsel and fully considered by the court.

May Ship Liquor Into the State.

"SEC. 15. THE COUNTY AUDITOR OF EACH COUNTY WITHIN THIS STATE SHALL PROCURE AND KEEP, AS A PART OF THE RECORDS OF HIS OFFICE, A WELL BOUND BOOK OF BLANK APPLICATIONS FOR PERMITS TO SHIP OR TRANSPORT INTOXICATING LIQUOR. ANY PERSON DESIRING TO SHIP OR TRANSPORT ANY INTOXICATING LIQUOR SHALL PERSONALLY APPEAR BEFORE THE COUNTY AUDITOR AND SHALL FURNISH HIM THE NECESSARY INFORMATION TO FILL IN A BLANK APPLICATION, WHICH APPLICATION SHALL CONTAIN THE NAME OF THE APPLICANT, THE STATEMENT THAT HE IS OVER

Initiative Bill No. 3 would destroy personal liberty. Under its provisions your home may be searched, your taxes doubled and more liquor, and worse liquor sold.

Read Sections 15 and 29.

READ THE BILL.

Initiative Bill No. 3 would cause endless political strife. The Search and Seizure Clause and the clause making every citizen an officer, are destructive of our form of government.

John D. Rockefeller contributed \$100,000 to the Anti-Saloon League.

Read Sections 4, 11, 13 and 27.

READ THE BILL.

Prohibition is not in accord with the teachings of the Bible. The Bible does teach moderation. Initiative Bill No. 3 is the enemy of moderation.

TWENTY-ONE YEARS OF AGE, THE PERSON, FIRM OR CORPORATION FROM WHOM SAID SHIPMENT IS TO BE MADE, THE PLACE FROM WHICH SAID SHIPMENT IS TO BE MADE, AND TO WHAT POINT THE SAME IS TO BE MADE, A STATEMENT THAT THE APPLICANT IS NOT THE HOLDER OF ANY INTERNAL REVENUE SPECIAL TAX STAMP OR RECEIPT FROM THE UNITED STATES GOVERNMENT, AUTHORIZING HIM TO SELL OR DEAL IN INTOXICATING LIQUOR, AND A STATEMENT THAT HE HAS NOT THERETOFORE BEEN CONVICTED OF ANY VIOLATION OF THE LAWS OF THE STATE, RELATING TO INTOXICATING LIQUOR. SUCH FACTS SHALL BE INCORPORATED BY THE COUNTY AUDITOR IN ONE OF SAID BLANK APPLICATIONS, AND SAID APPLICATION SHALL BE SIGNED BY THE APPLICANT AND SWORN TO BY HIM BEFORE THE COUNTY AUDITOR OR HIS DEPUTY. UPON THE APPLICANT SIGNING SAID APPLICATION AND TAKING THE NECESSARY OATH THERETO, THE AUDITOR SHALL ISSUE A PERMIT FOR THE SHIPMENT OR TRANSPORTATION OF INTOXICATING LIQUOR. SUCH PERMIT SHALL BE PRINTED UPON SOME SHADE OF RED PAPER, AND SHALL BE SUBSTANTIALLY IN THE FOLLOWING FORM:

"STATE OF WASHINGTON,
"COUNTY OF _____) ss.
_____ residing at _____
is hereby PERMITTED TO SHIP or
transport from _____, in the
state of _____, to _____,
in the county of _____, State
of Washington, INTOXICATING
LIQUOR, to-wit: _____

READ THE BILL.

READ THE BILL.

Read Sections 7, 11, 13, 14, 15, 25, 27 and 29.

Initiative Bill No. 3 would have 8,300 men looking for jobs now held by others.

Prohibition does not remove the appetite for liquor. It only changes the channel of supply.

(Insert kind and quantity, NOT EXCEEDING IN QUANTITY ONE HALF GALLON OF INTOXICATING LIQUOR OTHER THAN BEER, OR TWELVE QUARTS OF

BEER OR TWENTY-FOUR PINTS OF BEER.) This permit can only be used for one shipment and will be void after thirty days from the date of issue.

"Dated this _____ day of _____, 19____

"County Auditor.

"This permit shall be attached to and plainly affixed in a conspicuous place to any package or parcel containing intoxicating liquor, transported or shipped within the State of Washington, and when so affixed, shall authorize any railroad company, express company, transportation company, common carrier, or any person, firm or corporation operating any boat, launch or vehicle for the transportation of goods, wares and merchandise within the State of Washington, to transport, ship or carry NOT TO EXCEED ONE-HALF GALLON OF INTOXICATING LIQUOR OTHER THAN BEER, OR TWELVE QUARTS OR TWENTY-FOUR PINTS OF BEER. Any person so transporting such intoxicating liquor shall, before the delivery of such package or parcel of intoxicating liquor, cancel said permit and so deface the same that it cannot be used again. It shall be unlawful for any person to ship, carry or transport any intoxicating liquor within the state without having attached thereto or to the package or parcel containing the same, such permit, or to transport or ship under said permit an amount in excess of the amount or quantity hereinbefore limited. Any applicant desiring to have a permit

Initiative Bill No. 3 would destroy an annual pay roll of \$3,000,000.

READ THE BILL.

Read Sections 15 and 29.

Initiative Bill No. 3 aims a blow at home industries and increases the markets for the products of breweries of other states.

Read Sections 15 and 29.

READ THE BILL.

Initiative Bill No. 3 is a snare and a fraud. It is labeled prohibition, but only prohibits opportunities for labor.

READ THE BILL.

Read Sections 11, 14 and 27.

issued to him under the terms hereof SHALL PAY to the county auditor the same the sum of TWENTY-FIVE CENTS, which sum shall be accounted for by such auditor, as other fees of his office. This section shall not apply to registered druggists or pharmacists actually engaged in business within the state.

"Sec. 16. It shall be unlawful for any person to take out or have issued to him more than one permit as provided for in the preceding section, IN ANY TWENTY-DAY PERIOD. This section shall not apply to registered druggists or pharmacists actually in business within the state.

Supply "Druggists."

"Sec. 17. Any REGISTERED DRUGGIST OR PHARMACIST actually engaged in business within the state, desiring to transport or ship any intoxicating liquor within this state, shall make and file with the county auditor a statement in writing, under oath, which statement shall contain the name of the said DRUGGIST OR PHARMACIST, the name under which he transacts business, or if made by the agent of a corporation or a co-partnership, shall state the name of such corporation, or co-partnership, and the official position or connection of the person making said statement with said firm or corporation, the location of the place of business of said person, firm or corporation; that he, they or it is regularly engaged in business as a DRUGGIST OR PHARMACIST, at such point; and that it is necessary from time to time to make shipments of intoxicating liquor; and that such liquor is not to be sold in violation of the laws of the state, but is obtained for use for purposes permitted by this law only; that the applicant for such permit or any of the members of said partnership, as a partnership, or of the officers, agents or servants in the employ of said corporation and in charge of its business at such loca-

Initiative Bill No. 3 says in effect:

"You may have all the liquor you want, but you must not spend your money at home."

Read Section 15.

READ THE BILL.

Initiative Bill No. 3 is not Prohibition or Temperance.

Read Section 11.

Under its provisions your house may be broken open at midnight without cause.

READ THE BILL.

Bootleggers are a menace to morals. Initiative Bill No. 3 creates bootleggers.

Read Sections 7, 11, 14, 15 and 27.

a permit for the shipment of intoxicating liquor.

"Sec. 20. It shall be unlawful for any person to ship, transport or consign any intoxicating liquor, or for any express company, railroad company, transportation company, or any person engaged in the business of transporting goods, wares and merchandise, to knowingly transport or convey any intoxicating liquor within this state, or for any person to knowingly receive from any express company, railroad company, transportation company or any person engaged in the business of transporting goods, wares and merchandise any intoxicating liquor, unless the package or parcel containing such liquor be clearly and plainly marked in large letters: **THIS PACKAGE CONTAINS INTOXICATING LIQUOR.**

"Sec. 21. It shall be unlawful for any person to make a false statement to a **PHYSICIAN, DRUGGIST OR PHARMACIST** for the purpose of obtaining intoxicating liquor or alcohol, or to the county auditor for the purpose of obtaining a permit for the shipment of intoxicating liquor, or to any railroad, express or transportation company, or any person, engaged in the business of transporting goods, wares and merchandise for the purpose of obtaining the shipment, transportation or delivery of any intoxicating liquor.

Alcohol Supply.

"Sec. 22. It shall be unlawful for any person to have in his possession more than one-half gallon or two quarts of intoxicating liquors other than beer, or more than twelve quarts or twenty-four pints of beer: Provided, however; that this section shall not apply to registered **PHARMACISTS** or to persons keeping **ALCOHOL** to be used for **MECHANICAL OR CHEMICAL PURPOSES** only.

"Sec. 23. In any prosecution for the violation of any provisions of this act,

Initiative Bill No. 3 would destroy opportunities for labor and markets for Washington-grown barley and hops.

Read Sections 3, 7, 15 and 29.

READ THE BILL.

Under Initiative Bill No. 3, bootleggers will make and sell substitutes for liquor without regard to the age of the customer.

Initiative Bill No. 3 is not prohibition. It is not temperance. It would destroy employment, revenue, regulation and markets, but permit the purchase of liquor without the State and drinking of same within the State.

Read Sections 3, 7, 11, 14, 15, 27 and 29.

READ THE BILL.

Temperance is attained by self-restraint and not by force.

Initiative Bill No. 3 is the doctrine of force.

Read Sections 14, 27 and 29.

it shall be competent to prove that any person had in his possession more than two quarts of intoxicating liquor other than beer, or more than twelve quarts of beer, and such possession and the proof thereof, shall be prima facie evidence that said liquor was so held and kept for the purposes of unlawful sale or disposition.

"Sec. 24. The provisions of this act relating to the shipment or having in possession of intoxicating liquor shall not apply to shipments transported by any common carrier of unbroken packages of intoxicating liquor in continuous transit through this state from a point outside of the state to another point outside of the state.

"Sec. 25. The provisions of this act shall NOT be construed to **PROHIBIT** the manufacture of **VINEGAR, SWEET CIDER** or unfermented **FRUIT JUICE** for domestic consumption or for sale, **NOR TO PROHIBIT THE MANUFACTURE AND SALE OF DENATURED ALCOHOL.**

"Sec. 26. If any provision or section of this act shall be held void or unconstitutional, all other provisions and all other sections of the act, which are not expressly held to be void or unconstitutional, shall continue in full force and effect.

"Sec. 27. Every justice of the peace or superior judge shall recognize and act upon any sworn complaint of a violation of this act **FILED BY ANY CITIZEN OF THE STATE** in the same manner and **TO THE SAME EXTENT AS THOUGH THE SAME WERE FILED BY A PROSECUTING OFFICER.**

"Druggists."

"Sec. 28. Within ten days after the date when this act has become operative, every person **EXCEPT** registered **DRUGGISTS AND PHARMACISTS** shall remove or cause to be removed all intoxicating liquor in his possession from the state, and

Initiative Bill No. 3 would increase taxes.

Read Sections 7, 11, 14, 15 and 29.

Washington's hop industry employed 15,000 persons to pick the crop last season. The annual pay roll is \$660,000. Initiative Bill No. 3 would destroy the hop industry.

No. 3 would breed bootleggers. Bootleggers sell liquor to children.

Initiative Bill No. 3 would bring a condition of utter lawlessness.

Read Sections 14 and 27.

READ THE BILL.

Initiative Bill No. 3 would destroy regulation.

failure so to do shall be prima facie evidence that such liquor is kept therein for the purpose of being sold, bartered, exchanged, given away, furnished or otherwise disposed of in violation of the provisions of this act: Provided, however, that this section shall not apply to ALCOHOL KEPT FOR CHEMICAL OR MANUFACTURING PURPOSES, or to one-half gallon of intoxicating liquor other than beer, or twelve quarts or twenty-four pints of beer held by an individual: and Provided, further, that for said ten-day period of time, it shall not be necessary to obtain any permit or permits for the shipment of any such intoxicating liquor, lawfully held within the state at the date this act goes into effect, to points outside of the state.

Another Opening.

"SEC. 29. IT SHALL BE UNLAWFUL FOR ANY PERSON OTHER THAN A COMMON CARRIER TO TRANSPORT, CARRY OR BRING INTO THIS STATE ANY INTOXICATING LIQUOR IN EXCESS OF ONE-HALF GALLON OF LIQUOR OTHER THAN BEER, OR TWELVE QUARTS OR TWENTY-FOUR PINTS OF BEER, WITHIN ANY TWENTY-DAY PERIOD.

"Sec. 30. It is hereby made the duty of the attorney general to enforce the provisions of this act, and prosecute violations thereof in any county where the prosecuting attorney of such county fails, neglects or refuses to enforce the provisions hereof and said attorney general may assist the prosecuting attorney of any county in any prosecution for the violation of this act.

"Sec. 31. All persons convicted of any violation of this act where the punishment therefor is not herein specifically provided shall be punished by a fine of not less than fifty dollars nor more than two hundred

Initiative Bill No. 3 is an act favoring breweries outside of Washington, and against those within the State. It would destroy revenue, pay roll and taxes.

Read Sections 3, 7, 11, 14, 15, 27 and 29.

Why vote out revenue, vote in more taxes and destroy millions of dollars of property values and vote in more liquor?

READ THE BILL.

Read Sections 15 and 29.

Initiative Measure No. 3 says in effect: "You can have all the liquor you want, but you must send your money out of Washington to pay for the labor and products of other states."

Read Section 15.

The Permit provision of Section 15 provides that each person of legal age may have 9 gallons of whiskey or 216 quarts of beer each year.

fifty dollars, or by imprisonment in the county jail for not less than ten days nor more than three months, or by both such fine and imprisonment.

"Sec. 32. Any person convicted the second time of the violation of this act shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, and by imprisonment in the county jail for not less than thirty days nor more than six months; and any person convicted the third time of a violation of the provisions of this act shall for such third and each subsequent violation be fined not less than two hundred fifty dollars, nor more than five hundred dollars, and be confined in the county jail for not less than three months, nor more than one year. Prosecuting attorneys and justices of the peace having knowledge of any previous conviction of any person accused of violating this act shall in preparing complaints, informations or indictments for subsequent offenses, allege such previous conviction therein and a certified transcript from the docket of any justice of the peace or a certified copy of the record under seal of the clerk of any court of record shall be sufficient evidence of any previous conviction or convictions of violations of this act.

"Sec. 33. This act shall take EFFECT and be in full force and effect FROM and after the FIRST DAY OF JANUARY, 1916.

(Endorsed.)

"State of Washington, ss.

"Filed in the office of the Secretary of State, Jan. 8th, 1914, at 2:38 o'clock p. m.

"I. M. HOWELL,
Secretary of State."

Initiative Measure No. 3 prohibits the manufacture of beer in Washington, but permits the use of more beer made in other states than the present consumption in this state.

READ THE BILL.

Initiative Measure No. 3 is not a Temperance Bill. It provides for more liquor than the present consumption in this state.

OFFICIAL ARGUMENTS.

The official arguments for and against initiative measure No. 3 are herewith given in the order in which they were filed with the Secretary of the State:

INITIATIVE MEASURE NO. 3. STATE-WIDE PROHIBITION.

FACTS, NOT THEORIES.

The best argument for or against State-Wide Prohibition is the experience of a state that has tested it out. The statistics and statements of facts herein shown can easily be verified by addressing Governor George H. Hodges, Topeka, Kansas, and enclosing postage.

Kansas has had prohibition for thirty (30) years, and under it, in spite of agricultural disaster, so frequent in earlier years as to give it the name of "Bleeding Kansas," has become the richest state per capita in the Union.

Assessed valuation is \$1,750 per capita. Assessed valuation of Missouri, a license state adjoining Kansas, is less than \$300 per capita.

Kansas has bank deposits of \$120 per capita; Missouri, \$20 per capita. Kansas under prohibition spends \$1.48 per capita for liquor; Missouri under license spends \$24 per capita. Every man, woman and child in Kansas has just \$22.52 more to spend for food, clothing, education and entertainment than the Missourian.

In Kansas one farmer in five owns an auto; in Missouri, one in one hundred. In Missouri common labor receives \$8.00 per week. In Kansas \$14 per week. Why? In Missouri there are 4,000 saloons into which the people pay eighty million dollars per year.

In Kansas there are no saloons. Kansas creates wealth faster than any state in the Union. The state tax rate is \$1.04 on \$1,000. In Washington the state tax is \$8.06 on \$1,000.

Kansas has 105 counties. Eighty-seven have no insane; ninety-six have no inebriates; fifty-four have no feeble-minded; fifty-three no prisoners in jails; sixty-five no prisoners in the penitentiary.

Kansas has practically no paupers and as a consequence the poor farms in forty-nine counties have been turned into experimental stations under the control of the State Agricultural College and are called Prosperity Farms. Kansas' death rate is seven in one thousand. Missouri, seventeen.

WHAT A GREAT NEWSPAPER SAYS.

The North American (Philadelphia) says: "Something is the matter with Kansas." It is found in the clause in her constitution which reads:

"The manufacture and sale of intoxicating liquors shall be forever prohibited in this state."

It is this defiance of what other states have legalized as a "necessary" evil that has helped to make her citizens the richest per capita in the country and the richest of any agricultural folk in the world; that has given her a permanent school fund of \$10,000,000 and has reduced her illiteracy to an almost negligible quantity.

It is this insistence upon what slaves of custom always have sneered

at as "impractical" that has given her a balance of more than a million and a quarter in her state treasury and no bonded debt, save \$370,000 held by the permanent school fund; this alone that makes possible the statement that 98 per cent of her 400,000 school children never have seen a saloon.

Yes, something's the matter with Kansas. Of what it is there can be no doubt in the mind of any unprejudiced observer. And in view of the effect in the Sunflower state, there is little wonder that an increasing number of persons believe that this nation will be past the most dangerous rocks in its course when the thing that is the matter with Kansas is the matter with every square mile of territory from Eastport to San Diego and from Walla Walla to Key West.

Prohibition in Washington would mean increased wealth, low taxes and prosperity just as it has in Kansas.

STATE-WIDE PROHIBITION COMMITTEE OF WASHINGTON. (Endorsed)

State of Washington—ss.

Filed in the office of Secretary of State, June 25, 1914.

I. M. HOWELL, Secretary of State.

INITIATIVE MEASURE NO. 3. STATE-WIDE PROHIBITION.

FACTS, NOT THEORY.

The State-Wide Prohibition Committee of Washington, in its official argument in behalf of Initiative Measure No. 3 gives what purports to be statistics concerning conditions in prohibition Kansas.

These alleged statistics are taken from speeches made by Governor Hodges and Attorney-General Dawson of Kansas, leaders and campaigners in the cause of prohibition.

The figures quoted are not taken from any recognized authority and do not state the facts.

They will be taken up in this answer in the order in which they are set forth in the argument for the bill.

The true value of all wealth, by states per capita, in 1904, the latest report available, is found on page 44 of the Special Report of the Director of the Census on Wealth, Debt and Taxation.

Kansas is there credited with \$1,468, and Washington had \$1,806 at the same time. In Kansas only \$44 per capita were exempt from taxes, while the Washington exemptions totaled \$112 per capita. The true value of all property in Missouri was \$1,147 per capita with per capita exemptions of \$49.

WHAT UNCLE SAM SAYS.

The report of the comptroller of the currency up to June 4, 1913, the latest from the government presses, page 49, shows total bank deposits in Kansas per capita of \$100.12 with \$4.12 per capita in savings banks. On the same day Missouri had total deposits per capita of \$137.43 with \$12.50 in savings; Washington \$129.82 total deposits and \$37.62 savings.

Kansas, with 1,792,000 persons, government estimate, had 39,881 automobiles on June 30, or one for each 44.9 persons. Washington with

1,362,000 persons on the same day had 36,405 automobiles, or one for each 37.4 persons.

There is no way to tell how much Kansas spends per capita for liquor as the bootleggers do not "keep books," but Kansas people do ship in liquor which is registered under the law, and the reports filed with the county clerks show total registered individual shipments of 18,000,000 quarts of liquor in 1913, mostly whiskey! ! !

Insanity in Kansas has more than doubled during twenty years of prohibition. In 1890 Kansas had 88.4 insane persons for each one hundred thousand of its population. In 1910 it had increased to 172.2 (see page 76 of the Statistical Abstract of the United States for 1912) and on June 1st, 1914, the number was 202.4. (Report Kansas State Board of Control.)

The facts are that in 1913 Kansas had 4,883 inmates in its county jails. (Reports of County Sheriffs 1913.) In June, 1914, Kansas had 892 penitentiary inmates and Washington 666. Kansas had 385 reformatory inmates and Washington 332. Kansas had 3,427 insane and Washington 2,719. Kansas had 448 juvenile delinquents and Washington 308. (Figures taken from reports of the State Board of Control, Kansas, and State Board of Control, Washington.)

According to a table on page 73 of the Statistical Abstract of the United States for 1912 paupers per 100,000 in alms houses on January 1, 1910, were: Kansas 43.5, Alabama 34.7, Florida 27.5, Louisiana 11.3, Minnesota 33.1, Idaho 29.8, South Dakota 24.8, and Wyoming 13.

Kansas is not in the registration area, hence the death rate is an unknown quantity. The death rate of Missouri is 13.1 instead of 17—and Washington is 8.9, the lowest in the Union.

SOME HIGH LICENSE STATES.

Nebraska, Colorado, Washington, Oregon and California all exceed Kansas in per capita expenditures for educational purposes. Kansas per capita is \$25.63, Washington \$49.36, Nebraska \$28.45, Colorado \$33.60, Oregon \$49.29, California \$51.87. (See pages 118 and 119 of the Statistical Abstract of the United States for 1912.)

The State-Wide Prohibition Committee in its official argument in behalf of Initiative Bill No 3 gives only one authority—Governor Hodges of Kansas—and he is a rabid prohibitionist.

In this answer the statistics given are taken from the latest available Statistical Reports of the Census Bureau of the United States Government, the highest authority in existence, and from official state records. This state is big enough to decide its own question without having to go to the governor of Kansas for dictation.

The citizens of the state of Washington are invited to address him for such verification. Governor Hodges may, therefore, be called upon to answer 350,000 inquiries, the voting population of the state of Washington. He could not possibly personally answer more than 100 inquiries per day. It is therefore evident that the answers have been already prepared by the Anti-Saloon League.

A pamphlet used by the Anti-Saloon League and circulated throughout the state, is evidence of the methods used by the opposition. The man labeled the "Finished Product" was found after the entire state had been scoured and was made drunk on liquor bought and paid for and

served to him by the Anti-Saloon League. They got him drunk and then took his picture.

WOULD DESTROY PROPERTY.

Initiative Bill No. 3 would destroy taxable property in this state worth more than \$17,000,000; wipe out an annual payroll of more than \$8,000,000; would destroy revenues and taxes of \$2,600,000; destroy a hop crop sold last year for \$1,320,000 and valued this year at \$1,800,000, an industry employing 15,000 people; an annual malt and barley crop of 3,200,000 bushels, \$800,000 worth of which is used locally; depreciate the value of 216,000 acres of barley lands and 5,500 acres of hop lands, causing a loss of more than \$2,000,000; would lose to the state more than \$2,000,000 for 300,000 barrels of beer brewed here and sold in other states and countries; would lose to business \$12,000,000 now spent annually in trade channels; and would throw 8,300 men out of employment and deprive 33,200 other persons dependent on them of their bread and butter!

The loss in values caused by such a law would reach the stupendous total of \$43,000,000 in a single year! ! !

This is not a fight for or against temperance. Temperance and prohibition are not the same. Temperance is self-enforced. Prohibition is force applied by one set of individuals against another set.

The question at issue is not moral, for no attempt is made by this bill to prevent the use of liquor. To the contrary it is encouraged under Section 15, which provides that every person of legal age may secure one-half gallon of liquor or twelve quarts of beer every twenty days.

To the individual the bill says: "You may have all the liquor you want but you must not spend your money at home. You may have a case of beer every twenty days, but it must not be made by Washington labor, from Washington grown barley or hops in a Washington brewery!"

To the 8,300 men at work in the liquor industry the prohibitionist says: "You must find employment in other lines. Go out and be barbers, carpenters, plumbers, teamsters, waiters, clerks, hod carriers and bricklayers"—and this is in a state whose labor market is already seriously overcrowded.

LOCAL OPTION PREFERABLE.

Washington has a local option law today under which communities can eliminate the saloon where such action is favored by a majority, and this already has been done. The licensed saloons in the cities are under constant police supervision and public observation; remove them and the traffic in this state would be driven to secret haunts as it is in Kansas and Maine today.

Prohibitory laws do not remove the appetite for liquor. They merely change the channel through which the supply is received.

Initiative Bill No. 3 would destroy local self-government, and in localities where a majority of the people are opposed to it, it would create a disregard for all law.

Initiative Bill No. 3 would destroy police supervision and public observation of the liquor traffic.

Initiative Bill No. 3 would place a premium on crime. It would make liars and perjurers of men and women as similar legislation has done in other states.

Between the years 1900 and 1910 the population of Kansas increased only 15 per cent, while during the same period the population of Washington increased 120 per cent.

The state of Washington is inviting tourists of the world to visit this commonwealth. Already agitation for prohibition has caused a decrease in travel. Tourists always avoid a so-called "dry" state.

Initiative Measure No. 3 would send millions out of the state annually for liquor consumed within the state, with no resulting material or moral compensation.

The ocean is in front of us. British Columbia is to the north. Whiskey smuggling and its distribution through secret and vicious channels would monopolize all the activities of all the state, county and municipal law machinery in the impossible task of enforcement.

BREWERS' ASSOCIATION OF THE NORTHWEST,

By Louis Hemrich, President.

INITIATIVE BILL NO. 3. STATE-WIDE PROHIBITION. HONEST FACTS IN OPPOSITION.

The history of prohibition, in states where it has been tested, is such that, if proper consideration were given the subject, few persons would vote for Initiative Bill No. 3, which should be properly entitled:

"An act in favor of breweries located outside of the state, and against those within the state employing labor here, living here, and paying taxes here."

This bill imposes upon the citizen, who uses liquor as a beverage, and not to excess, a restriction that will engender disregard for this bill itself, and disrespect for laws in general.

It is unnecessary and vicious legislation; as the state of Washington has a local option law, under which any community may eliminate the saloon, where such an action is desired by a majority.

Initiative Bill No. 3 would destroy local self-government, which is dear to the heart of every American and represents the basic principles of our Constitution.

On April 7 of this year President Wilson reiterated his declaration made to Rev. Thomas B. Shannon, of Newark, New Jersey, "I am in favor of local option, and I am a thorough believer in local self-government, and believe that every self-governed community, which constitutes a social unit, should have the right to control the matter of the regulation or the withholding of license."

PERMITS IMPORTATION, BUT PROHIBITS MANUFACTURE.

Section 15 of the Anti-Saloon League Bill No. 3 provides for the purchase of more liquor outside of the state and the shipment of the same into the state than is at present drunk within the state, but no provision is made for the manufacture within the state.

The Anti-Saloon League makes ample provision for the importation into the state of liquor of all kinds, but makes it a crime to manufacture beer within the state.

The State of Washington is, geographically, particularly adapted to the manufacture of beer, owing to the high quality of hops and barley

grown within its borders. Washington breweries manufacture a quality of beer that is second to none in the world, and have built up an export business valued at over \$2,000,000 annually, and bring that sum back into this state to be paid out in wages for labor, to circulate and add to the wealth of the state.

Every chamber of commerce and commercial club within this state is making an earnest endeavor to induce immigration and to secure additional capital for public enterprises. The adoption of this law would force over thirty thousand men out of employment, and compel them to leave the state or to seek work along other lines, which are now overcrowded.

The prohibitionists quote Kansas as a model prohibition state, and rely upon their perverted facts and figures to establish the alleged beneficial effects of prohibition.

WHAT GOVERNMENT REPORTS SAY.

The report of the Comptroller of the Currency, June 4, 1913, page 49, shows total bank deposits in Kansas per capita \$100.12, with \$4.12 per capita in savings banks; Washington deposits, \$129.28 per capita, and \$37.62 per capita in savings banks for the same period.

Nebraska, Colorado, Washington, Oregon and California—all exceed Kansas in per capita expenditure for educational purposes. Kansas per capita is \$25.63, Washington \$49.36, Nebraska \$28.45, Colorado \$33.60, Oregon \$49.29 and California \$51.87. (See pages 118 and 119 of the Statistical Abstract of the United States for 1912.)

The government census for 1910, showing population from 1900 to 1910, shows an increase for North Carolina of 17 per cent, Tennessee 8 per cent, Maine 7 per cent and Kansas 15 per cent—all dry states, while Washington shows an increase of 120 per cent, the greatest in the Union.

This unprecedented increase in the population of the state of Washington indicates that people migrate to a wet state where there are great business opportunities, and not to dry states, where restrictive legislative measures create high taxation and business depression, as well as willful interference with personal liberty.

SHOULD GO SLOW.

The people of this state would be wise to exercise care in the legislation they demand, and be slow to adopt new and radical changes in their laws. Washington is a new state, with wonderful possibilities, and the adoption of radical laws will prevent development and be our own undoing.

The growing of hops and barley in this state is one of the important industries that would be destroyed by this bill. The hop crop of the state of Washington in 1913 sold for over \$1,320,000, and from a conservative estimate placed upon the crop for 1914, the value will exceed \$1,800,000.

In 1913 there were 15,000 persons employed in picking hops, and one-half of the total value of the crop was paid out in labor. Washington has 5,500 acres of land growing hops at this time, valued at \$2,250,000.

Hop yards are valued at between \$400 and \$500 per acre, while this same land, without the growth of hops, would have a value of but \$150 to \$200 per acre, which means a loss of over \$1,650,000 to the hop-grower

and a like amount of taxable property lost to the state, and other property will have to bear increase in tax levy.

AFFECTS TAXPAYERS.

Initiative Bill No. 3 does not alone affect hop-growers, but will affect taxpayers in an increase in taxes. This bill would destroy the hop and barley industry, as we would have no market at home, and outside manufacturers will not buy hops from a prohibition state.

The annual barley crop of 3,200,000 bushels, of which \$800,000 worth is used per annum locally for making purposes, would be greatly decreased, and the value of 216,000 acres of barley land would also decrease.

Initiative Bill No. 3 destroys the brewing industry, wipes out revenue and taxes paid to the state and municipalities, but does not prevent the consumption of alcohol.

The desire of mankind for alcohol will result in the secret manufacture. Every article of food contains alcohol in varying quantities, and a mixture of sugar and yeast, permitted to ferment, will result in a liquid from which alcohol can be made, by distilling the same as water is distilled to purify it.

The Anti-Saloon League, by Initiative Bill No. 3, seeks to destroy, and not to create industries in this state. Its agitators, composed of political preachers, seeking publicity in the limelight of prohibition, living a transitory existence from city to city, are united in their efforts to destroy the brewing, hop and barley industries.

People of this age do not confine themselves to the bare necessities of life. If they did there would be but few mercantile establishments of any kind.

Five cents spent for a glass of beer is not all profit, and does not go out of circulation. Five cents spent for beer is divided into many channels of trade.

HOW THE MONEY IS DISTRIBUTED.

The farmer gets his portion for barley and hops. The transportation companies get theirs for hauling, and pay out a portion to employes. A part goes to expenses for federal, state and municipal governments.

The saloonman pays \$25 a year to the government, \$25 to the state, \$1,000 a year to the city.

Then come rent, light, heat, state, county and city general taxes, insurance, salaries, and this is not all. The various brewery workers must have their portion of the nickel. All the men engaged in the numerous activities necessary to the production and sale of beer must have clothing and food, and they pay rent and taxes.

Prohibition does not reduce liquor drinking. Its only accomplishment is to take away revenue and regulation and to destroy taxable property and payrolls. The bootlegger and blind pig take the place of the licensed saloon and the taxpayer must make up for loss of revenue and taxation that is completely wiped out.

The destructive tendency of the Anti-Saloon League is only crowned by their impudence when they say to us: "This state of Washington is in a bad way; it is all run down and on the verge of total collapse; it is not a safe place to live in or raise a family in; it is sending all of its citizens to the penitentiary and insane asylums. But look to us; we can

save you and lift you out of this horrible condition; take prohibition medicine and it will cure every ill of man or municipality; it has been tried in Kansas, Maine, Tennessee, North Dakota, North Carolina, and has worked wonders. Write to the governor of Kansas and he will tell you how to build up the state of Washington."

Then they quote a lot of their self-made figures which are not susceptible of proof.

No, "Mr. Anti-Saloon League Doctor," we do not need your medicine, thank you. We have read your prescription and letters of commendation, but we think we are doing quite nicely. We know the conditions in the states you mention and, in all candor, we do not like to trade as we excel in every way, in population, in wealth, in industry, in health, education and culture.

STATE HOP GROWERS' ASSOCIATION,

Alvin Muehler, President.

ANSWER OF ANTI-PROHIBITION ASSOCIATION.

The "best argument" for Initiative Measure No. 3 is an Eastern yellow journal's scream, a summary of Attorney-General Dawson's and Governor Hodges' Kansas political speeches, with a request to write and ask Governor Hodges if he tells the truth.

Dawson's printed speech, p. 7, not quoted in "argument"—admits "that there is some illicit selling in Kansas is undeniable," and p. 14, that "It is often said that prohibition does not prohibit. And that is true."

The purported "facts" are half truths, the most vicious form of special pleading. Some Kansas counties "have no prisoners in jail," but some counties are too poor to have jails.

WHAT A NEWSPAPER SAYS.

Ottawa Herald, January 6, 1914, gives jail population in 1913, 3 counties missing, as 4,883, or 1 in 366.9. Some Kansas counties have no "poor farms." The reason is, they "board out" paupers. See p. 182, second report, Kansas Board of Control, Charitable Institutions; p. 385 same report says "there is doubtless a real increase in the percentage of insanity in Kansas as elsewhere."

Four thousand five hundred federal liquor licenses were issued for Kansas in 1909—one for 344 of population.—Rep. Kansas Coll. Int. Revenue, 1909. Wet Nebraska, Kansas' neighbor, had one license for 380 population. In 1913 arrests for drunkenness ran, per 1,000, in Coffeyville, 20, Topeka, 16.6, Wichita, 16.

Leavenworth Times, January 1, 1914, gave drunkenness as 90 per cent of all police arrests. According to U. S. Census Bulletin No. 163, Kansas has lowest percentage church membership of twelve North Central states.

Topeka State Journal, July 8, 1913, showed that 1,500,000 quarts of liquor a month, 18,000,000 a year, were shipped into the state in individual packages.

UNCLE SAM'S REPORT.

In December, 1911, U. S. Census Bulletin, Kansas is shown to have 150 convicts for 100,000 population to 108 in Missouri. Kansas' assessed

valuation per capita is not \$1,750. According to p. 44, U. S. Census rep. on Wealth, Debt and Taxation, it is \$1,468, and Missouri is \$1,147, not \$300. U. S. Compt. Currency, Rep. 1913, p. 49, gives Kansas bank deposits \$100.12, not \$120, and Missouri \$137.43, not \$20. Kansas had \$4.12 per capita in savings, Missouri \$37.52.

Page 976 above Census Rep. shows Kansas spent \$402,999 on police and \$110,954 on jails, to Washington's \$232,032 police and \$41,077 jails. Most of the "best arguments" figures can be exploded by reference to Abstract of the Census and other official documents. Above are official citations. "Best argument" gives none.

WRITE TO THE BISHOP ALSO.

If writing to Governor Hodges, also write Bishop Lillis, Kansas City, Kansas, who—Harper's Weekly, December 24, 1910—said: "Absolute prohibition has proven impracticable, if not indeed a dismal failure."

Glowing assertions of the Anti-Saloon League, given in the "best argument," will also be found to be dismal failures.

A COMPLEX PROBLEM.

The liquor problem is the most complex facing humanity. It is not simple, as prohibitionists claim. No act can dispose of a question involving religion, public and private morals, taxes, revenue, industry, business, mental and physical health and welfare, politics and each individual.

Prohibition is un-Christian. Grapes and their natural fermentation are the Creator's acts. Christ drank wine and made it at Cana. Biblical wine was fermented alcoholic wine—not mere grape juice. Genesis xlix: 12 refers to eyes "red with wine"; Ecclesiasties x: 19 to "Wine maketh merry"; Isaiah v: 11 to "wine inflames them." Proverbs xxx: 1 says "give strong drink unto him that is ready to faint and wine unto them that be of heavy hearts"; while Ephesians v: 18 says, "Be not drunk with wine, wherein is excess." These and other texts show that the Creator and His Son intended that man may use alcohol in some form at will, but in moderation.

PROHIBITION IGNORES VITAL FACTS.

Prohibition is unscientific, ignoring vital facts of biology, physiology and psychology, stated by leading authorities, American and foreign, who oppose prohibition; though agreeing on the evils of alcoholism.

Lombroso on "Crime," Little, Brown & Co., publishers, 1912, Chapter III, says of prohibitory laws that their "lack of success is due especially to the fact that no repressive law can accomplish its purpose, when it runs counter to our instincts.

THE USE OF ALCOHOL INSTINCTIVE.

"Now among these instincts is that desire for psychic stimulation such as one may get from wine, a need which increases with the progress of civilization." Saleeby on "Worry," N. Y., F. A. Stokes Co., in chapter on Worry, Drugs and Drink, calls alcohol "a racial poison," but says: "It is certain beyond certainty that neither denunciation nor warning, nor legislation, nor any other measures whatever will wean mankind as a whole from its addiction to alcohol."

Professor Munsterberg, the Harvard psychologist in McClure's Magazine says: "To say that certain evils come from a certain source

suggests only to fools the hasty annihilation of the source before studying whether greater evils might not result from its destruction, and without asking whether the evils might not be reduced, and the good from the same source remain untouched and untampered with."

Krafft-Ebing, Kiernan, Spitzka and other alienists show that intolerance of alcohol is an expression of degeneracy. "Such total abstainers," says Dr. E. S. Talbot in his book on "Degeneracy," "leave degenerate offspring in which degeneracy assumes the type of excess in alcohol as well as even lower phases."

ALSO UNECONOMIC.

Prohibition is uneconomic. Federal income tax estimates for 1914, \$87,000,000. Estimated tax receipts from liquors, \$228,000,000. Under nation-wide prohibition to meet such a deficit, a \$25 income tax would become \$62.50. With state-wide prohibition this state's taxes will increase exactly as the nation's would.

Loss of revenue in one way must be made up in another. Will the already over-burdened submit? Wherever prohibition exists taxes have had to be increased without corresponding benefits. In 1906 in 41 states average tax rate on \$100 was in 343 prohibition towns \$2.54, as against \$1.58 in 846 license towns. Taxes were 61 per cent higher in the prohibition towns. Do you want your taxes increased 61 per cent?

Galveston News says special taxes had to be levied in Texas prohibition towns to offset loss of liquor license revenue. In 29 Kansas towns tax rate has been as high as \$5.63 per \$100.

SIXTY-ONE TRADES AFFECTED.

Prohibiting manufacturing beer in this state affects 61 trades and unions! Breweries of British Columbia, Oregon, Idaho and any other state can and will ship into every corner of the state, and into present dry areas, their product at expense of Washington capital, labor and farmers.

Prohibitionists argue beer production is not "useful." This argument would prohibit every church picnic, "movie," newspaper, and things not made for food, clothing and shelter.

Under civilization, man's pleasures, aesthetic, intellectual and social are as important to him as are bare utilities. It should bear weight on the economic side that Theodore Roosevelt, Progressive; William Howard Taft, Republican, and Woodrow Wilson, Democrat, are not Prohibitionists.

ALSO IMPRACTICABLE.

Prohibition's impracticability is not a question of assertion, but fact. Any one can secure official facts, by writing to the commissioner of Internal Revenue, and asking if it is not true that nearly one-third of the government's Spanish war revenue was raised by the beer tax and that without it the government would have been badly crippled, or else all taxes increased a third.

If Kansas, per prohibition state, has not a greater number of federal liquor licenses in proportion to population than almost any other state.

As the mayor of prohibition Nashville in statement to Oregon in 1910 said: "If you want your tax rate increased, your revenue reduced, real estate values decreased and business in general hampered without

promoting temperance, morality, or reducing the amount of liquor consumed, favor state-wide prohibition."

Prohibition is immoral, being based on false assumptions that man can be legislated into morality. As Rev. P. G. Duffy said, North American Review, December, 1908, "to place the blame on the thing abused, and not on the abuser is to avoid the whole question."

Moreover, whenever the use of alcohol has been prohibited the use of dangerous and deadly drugs has increased. Rev. W. A. Wasson, of the Episcopal Church well said, Pearson's Magazine, August, 1909, "the prohibition propaganda parades in the livery of heaven" but is "the supreme immorality that confronts and threatens the Christian church in this country."

GREAT MEN OPPOSED.

With such eminent Protestant clergymen as the revered Washington Gladden, Lyman Abbott, Geo. Trumbull Ladd and Dr. Parkhurst; with the venerable Cardinals Gibbons and Logue among the many of all sects outspoken against prohibition, its advocates cannot claim all morality theirs, nor all opposing them to be agents of Satan.

You can get drunk on any liquor under this bill. Secs. 4, 15, 16 provide that any adult can buy half a gallon of spirits or 12 quarts beer every 20 days to drink in his home or give to guests.

He can drink about a gill of brandy a day or tank up on 3 gallons of beer in one day. Sec. 2 prohibits liquors containing alcohol, capable of use as a beverage.

This prohibits vanilla and other extracts, and favorite prohibition medicines like Peruna and Mrs. Lydia Pinkham's remedies.

Sec. 6 prohibits advertising intoxicating liquors in any way. This would exclude most periodicals, and cut the state papers' revenue.

Sec. 7 provides that druggists may sell liquor needed by persons extremely ill, and alcohol for mechanical or chemical purposes only.

THEY ARE SIMPLY LOOPHOLES.

These loopholes are open as barndoors. Cases of deadly ailments will increase. Mechanics and chemists will be numerous.

Sec. 25 permits the manufacture and sale of denatured alcohol. This will let every bootlegger and blind pigger ply their trade.

The idea of calling such a bill a prohibition law is absurd. It is full of holes and leaky as an old sieve. It puts out of business the breweries and the many industries connected therewith; it will change now legalized and tax-paying saloons into law-breaking, non-taxpaying bootleggers and blind pigs.

How any honest, sincere Prohibitionist can support such a measure can only be explained on the ground of fanaticism. It should be called a bill to encourage secret vice and lawbreaking.

ANTI-PROHIBITION ASSOCIATION,

By E. Brainerd, Vice-President.

SEATTLE TIMES' VIEW.

The following is from the editorial columns of the Seattle Daily Times of July 12, 1914:

"Under the conditions of the 'initiative,' arguments in favor of and against the proposition were to be submitted within a definite time and filed with the Secretary of State.

"Mr. George D. Conger filed the argument in favor of the initiative and attempts to give facts and figures that would show that prohibitory Kansas is much farther advanced in wealth and education than high-licensed Washington.

"Some of the most invidious comparisons are made, showing the leadership in bank deposits, savings bank accounts, conditions of literacy, numbers in the insane asylum, and so on down the line.

"Mr. Conger doesn't pretend, however, to give any authority for his figures, and it is plain that they are taken from the political speeches of well-known Prohibitionists of Kansas.

"On the other hand, the Hop Growers' argument against State-wide prohibition deals with the same state, but points out that the comparisons are all the other way.

"Instead of Washington being inferior in bank deposits—in savings accounts—in literacy—and superior in vagrancy, insanity and crime—the very reverse is true.

"The fortunate part of the Hop Growers' argument is found in the fact that the writer of the argument quotes from statistical abstracts of the United States Census for his authority.

"Inasmuch as such authority is considered to be standard and no authority whatever is quoted by the other side, according to all the rules of evidence it would appear that the arguments against State-wide prohibition are not only much more conclusive—but stand upon absolute authority."

POST-INTELLIGENCER.

In reviewing the official arguments for and against Initiative Bill No. 3 the Seattle Post-Intelligencer of July 12, 1914, said:

INITIATIVE MEASURE NO. 3.

(Seattle Post-Intelligencer.)

"Four arguments have been filed under the law at Olympia in connection with the petition accompanying Initiative Measure No. 3, popularly known as the proposed prohibition law—one for and three against—and these are printed in full in today's issue of the Post-Intelligencer.

"The arguments to date comprise ex parte statements, largely in the nature of special pleading, by both proponent and protestants, with figures and statistics widely at variance and should, therefore, be appraised with this fact in mind. Of the MAGNITUDE of the MATERIAL INTERESTS affected there is NO QUESTION. It is not a subject of DISPUTE.

KANSAS EVIDENCE.

"Inasmuch as the prohibition law in Kansas furnishes the text and its operations are brought into controversy by these opening arguments, an article in the current issue of the Saturday Evening Post by William Allen White, entitled 'How Kansas Boarded the Water Wagon,' becomes of timely interest. The author is a prohibitionist, but not a prohibition propagandist, and he analyzes the situation in Kansas and traces the history of the movement in a spirit of apparent fairness.

"As a premise he candidly and truthfully says: 'PROHIBITION, OF COURSE, DOES NOT PROHIBIT.' To which he adds: 'NOTH-

ING has hurt the cause of temperance in this country so much as the delusion that a law on the statute book will prohibit the sale of liquor in a city, a county or a state.

"Unless the will be behind it to keep it and respect it, 'there is not much to it,' he says.

"Significant, indeed, is this statement: 'In Kansas, the only state where the law really amounts to much, it has taken a quarter of a century to enforce it.'

LOGIC OF SITUATION.

"It is possible—even probable—he thinks, that the 'common business sense' and the 'common moral sense' of the American people have so developed that less time will be required hereafter 'to get a state thoroughly under a prohibitory law,' but it means, at best, a long, bitter struggle.

"Nevertheless, until a state has enough public will power to keep up the fight for at least a decade and keep it up through 'many a conflict, many a doubt,' winning here and losing there—that state should TRY tapering off on LOCAL OPTION rather than to try swearing off on prohibition.

"That is the logic of the situation in a nutshell.

KANSAS SALOONS.

"Wide stretches of this country are 'dry territory' today—not under prohibition, but UNDER LOCAL OPTION. Much of the state of Washington is 'dry' by the same local option process. Maine, Tennessee, Georgia and other states have prohibitory laws, but, according to William Allen White, Kansas is 'the only state where the law really amounts to much,' and there, he says, FOUR COUNTIES OPENLY DISREGARD THE LAW and permit SALOONS TO FLOURISH.

"The foregoing testimony, let it be kept in mind, comes from a Kansan who can see both sides—who looks not through the eyes of prejudice. His is no ex parte evidence, intended for campaign purposes.

PURSUÉ PRESENT POLICY.

"Would William Allen White, cognizant of conditions and difficulties, advise the state of Washington, a seacoast state bordering on foreign land, with large cities and diversified population, to undertake to do, at one fell swoop, what Kansas, an agricultural state, with no large cities, has succeeded, in part, in doing at the end of 25 years?

"Most likely, being a practical philosopher, he would see wisdom in FURTHER PURSUANCE of the state's present policy OF LOCAL OPTION.

NOT A PROHIBITION LAW.

"But it is NOT A PROHIBITION LAW that is proposed FOR the state of WASHINGTON. Far from it. While prohibiting the manufacture and sale of liquor in the state, it WOULD ALLOW LIQUOR manufactured and sold outside of the state to be shipped into the state, under permit or license, in most liberal quantities. A CASE OF BEER (12 quarts or 24 pints) or a half gallon of spirituous liquor could be SHIPPED EVERY 20 DAYS to any purchaser over 21 years of age, on the sole condition that he register at the county auditor's office and pay the required fee of 25 cents.

"Thus a brewery, by moving across the border, might continue to do business with the state of Washington, but not in the state of Washington.

"How SUSCEPTIBLE OF ABUSE this permit system would easily become, especially in communities out of sympathy with the law, is too obvious to call for comment. And this phase of the measure undoubtedly is destined to rouse wide antagonism on the part of real prohibitionists themselves.

LAW LOOSELY DRAWN.

"The proposed LAW IS LOOSELY DRAWN and full of crudities. For example, according to section 7, 'nothing in this act shall be construed to prohibit a registered druggist or pharmacist from selling intoxicating liquor * * * for sacramental purposes upon the order of a clergyman,' etc.

"Intoxicating liquor is never used for sacramental purposes.

"Faults of phraseology are in evidence throughout the measure and, in consequence, it would be all the easier of evasion and the more difficult of honest enforcement. IT IS POORLY FRAMED.

TRAFFIC NOT STOPPED.

"Called a 'state-wide prohibition law,' it IS NOT SUCH. It would wipe out the saloon, it is true, but it would not estop, and DOES NOT PROPOSE TO ESTOP, the traffic in LIQUOR in the state of Washington. In the operation of the permit system it would bring the state, through the counties, into closer and more active official relations with the liquor business than ever before and, moreover, nullify the will of those counties and communities that have elected to become absolutely dry. While removing some evils and minimizing others, unless the public will of the state were wholly in sympathy with the law, it WOULD PRODUCE NEW EVILS and, as William Allen White says of such laws in all states save Kansas, 'not amount to much.'

CANNOT BE ENFORCED.

"THE POST-INTELLIGENCER DOES NOT BELIEVE IN THIS INITIATIVE MEASURE NO. 3. It believes that uniformly better results have been obtained the country over under the LOCAL OPTION system than under prohibitory laws, or so-called prohibitory laws. With dry territory constantly expanding by means of local self-government and in the light of the FARCICAL FAILURE OF PROHIBITION IN MAINE, GEORGIA, TENNESSEE and other states, the present movement in the state of Washington seems peculiarly inopportune and unwise. This newspaper has too much respect for law to wish to see any law put upon the statute books IMPOSSIBLE OF HONEST ENFORCEMENT."

A RURAL EDITOR'S VIEW.

The Puyallup (Washington) Valley Tribune of July 25, 1914, in discussing the prohibition agitation had the following to say:

THE REAL FACTS—WHAT ARE THEY?

"When an important cause is before the people of a state for determination, it becomes the duty of a journal that SEEKS TO BE FAIR

to present both sides; or, in advocacy of its chosen side, to draw its arguments from the Well of Truth. Sometimes, owing to PREJUDICE, and possibly to IGNORANCE, the allegations put forth are not from the source mentioned. Indeed, a common use of figures is to becloud an issue. The statement was once made by a discerning person that there are three kinds of liars. These he classified as liars, d—n liars, and statisticians. Alas, that this should be so nearly just. In the hands of an able figurer, figures may be made to perform the most amazing feats, to prove or disprove anything, and to take either course in accord with the humor of the statistician. Hence it is that the allegations of PROHIBITIONISTS DO NOT ALWAYS IMPRESS as conclusive. Were these allegations verified to the utmost, nothing would remain but to ROOT UP THE HOP FIELD AND VINEYARD AND PLOW UNDER THE GROWING BARLEY.

"It is held by some that an analysis of the moral and financial condition of Kansas is a final and overwhelming demonstration that prohibition brings prosperity and good behavior; shuts the jails and depletes the asylums. Orators take the stump with these allegations as their capital and waxing enthusiastic, are impressive. Wonder sets up that all commonwealths should not rush to imitate the example of KANSAS. Certainly they would do so, or be guilty of intellectual blindness and moral degeneracy, if the averments touching the status of KANSAS could be confirmed.

UNCLE SAM'S RECORDS.

"Just as the prohibition sentiment seems to have formed a stream to sweep the land, along comes the NON-SENTIMENTAL CENSUS COMPILATIONS of the government, and these form an effective dam. It seems from perusal of them that UNCLE SAM'S MEN, in quest of facts, FAILED utterly to OBSERVE the IDEAL CONDITIONS pictured. They did not find the per capita wealth greater than in other places, the bank accounts more plethoric, the average department on a higher plane. The per capita total bank deposits of KANSAS are \$100.12, with \$4.12 per capita in savings banks, while WASHINGTON'S total deposits per capita are \$129.28, with \$37.62 (or nine times as much) per capita in SAVINGS BANKS. On the same date (June 4, 1913) we find by the federal government's reports that MISSOURI—a neighboring state to Kansas—had total bank deposits of \$137.43, with \$12.50 (or three times as much) per capita in savings banks. Uncle Sam also finds that KANSAS HAS OVER 30 PER CENT MORE INMATES IN ITS PENITENTIARY THAN HAS WASHINGTON; 16 PER CENT MORE REFORMATORY INMATES, AND 46 PER CENT MORE JUVENILE DELINQUENTS.

KANSAS' INSANITY.

"People still GO CRAZY IN KANSAS, on occasion. Indeed, it would seem as if they had been making a business of it there for some time; for INSANITY IN KANSAS during the past 20 years has more than DOUBLED. In 1890 Kansas had 88.4 INSANE persons for each 100,000 of its population; by 1910 it had increased to 172.2. (See Statistical Abstract of the United States, 1912, page 76.) And by June 4, 1914, the percentage had reached 202.04. "What's the matter with Kansas?" True, Kansas has many automobiles, a circumstance arguing freedom

from want, but it has far fewer in proportion to population than WASHINGTON. The DEATHS per thousand are low, yet NOT SO LOW AS IN WASHINGTON and many other states. There is a liberal expenditure for schools; FAR LESS, HOWEVER, PER PUPIL, THAN IN NUMEROUS SECTIONS WHERE STATE-WIDE PROHIBITION DOES NOT PREVAIL. There are far more PAUPERS per 1,000 IN KANSAS than, for instance, in Louisiana—the latter never yet pointed to as a model. To be exact, Kansas has 4.3 and Louisiana 1.3—a difference of 300 per cent in the latter's favor. Thus the discrepancies continue as far as the investigator chooses to compare the assertions of the orator and propagandist with the cold and unfeeling returns of the government's hired experts. And perhaps, moreover, it would not, in this connection, be amiss to state that—according to the records of the county clerks of KANSAS—there were officially shipped into that state in 1913 18,000,000 QUARTS OF LIQUOR—for the most part, whiskey. This, of course, takes no account of illicit sales or importations. Each of us can make his own conjectures as to the VOLUME OF THE BOOTLEGGERS' BUSINESS. We have it, too, from William Allen White—a practical philosopher and fair to the Prohibition experiment in his own state—that 'FOUR COUNTIES OPENLY DISREGARD THE LAW AND PERMIT SALOONS TO FLOURISH.'

"That all should approach so grave a matter in a spirit of FAIRNESS, IS MOST ESSENTIAL. There is not a voter but would be glad to have reliable information touching the subject. One listens to an ex-governor of Kansas, and is impressed, and then STUDIES THE CENSUS and marvels that there should have been, in the name of reform, such an apparent perversion of the actualities. There rises in his mind the thought that this perversion must be DELIBERATE, OR DUE TO STUPIDITY; in either case he is not pleased, and the cause of PROHIBITION surely has GAINED NOTHING.

LOCAL REGULATION.

"That one MAY NOT ENDORSE STATE-WIDE PROHIBITION, and even may resent the methods of promoting it, does not mean that he has any sympathy with the saloon. It is apt to mean that he FAVORS LOCAL REGULATION of the liquor trade, and trusts to the GOOD SENSE of the community to run this trade, and not be run by it; or that he favors LOCAL OPTION—the giving to each community the right to abolish, if it so wishes, the licensed saloon—and trusts to the intelligence and civic character of its people to respect the law and see to its enforcement. The Tribune favors the PRINCIPLE OF LOCAL OPTION. This plan of CONTROLLING the liquor traffic has the virtue and distinction to be safe, SOUND, JUST and PRACTICABLE."

KANSAS FACTS.

Under date of August 9, 1914, The Seattle Times published the following review of conditions in PROHIBITION KANSAS, together with a statement by DR. EDWARD HUNTINGTON WILLIAMS, noted physician and writer:

THE SALIENT POINT.

"EVERY MAN AND WOMAN who expects to take part in the State-wide prohibition contest next November should read Dr. Williams' article:

"To demonstrate whether the foregoing statement is absolutely true, observe the following facts which Dr. Williams sets forth:

"(1) While Mr. Conger, the man who engineered the prohibition petitions, has written an article in favor of his petitions, he cited not a solitary authority for anything which he claims.

"(2) This is absolutely true unless one is willing to accept Mr. Conger's request to 'write the Governor of Kansas' if one doesn't believe what Conger says!

"(3) Writers of fiction like William Allen White of Emporia, Kansas, have composed most extravagant things about what prohibition has done for that state—and yet Mr. White doesn't cite one solitary authority for his statements.

"(4) On the other hand, Dr. Williams makes no statement that he doesn't back up by State or Government reports, or by both—and since those statements are filed as authentic records, they are never disputed.

"(5) Dr. Williams deals with every aspect of the case which is treated by Mr. White. For example:

"(a) He deals with insanity:

"(b) He deals with pauperism:

"(c) He deals with crime:

"(d) He deals with all in their relations to the use of alcoholic liquors.

"Finally, he deals with the all-important declaration so often made by The Times that 'prohibition does not prohibit' even in Kansas, where enormous quantities of liquor are consumed annually, according to governmental reports.

KANSAS VS. NEBRASKA.

"Dr. Williams takes these matters up in their order and demonstrates that as compared with Nebraska—which is a high license state like Washington—there is a greater percentage of every one existing in the state of Kansas than exists in the state of Nebraska.

"Dr. Williams goes even further, and says that as compared with the surrounding states of Kansas, the latter leads in the number of criminals, in pauperism, in insanity and comes very nearly consuming as much liquor in the course of twelve months as does the state of Nebraska, which has a controlling instead of a 'prohibitory' law. Observe the following:

"The government census report shows that Nebraska decreased its insanity cases three times more than Kansas did between 1900 and 1910. Read what he says in another column upon this page.

"He makes this statement definite by pointing out that there are twenty-eight cases of insanity in Kansas to the 100,000 inhabitants, as against ten in Nebraska.

"And yet Nebraska controls and polices and fines the handling of liquor in that state, while Kansas prohibits by law the sale of all liquors in its state—and therefore loses all revenues therefrom—while liquor is being sold.

"When it comes to give the causes of insanity and ascertain the

number who have been made insane from alcohol—even there the record is 25 per cent greater in Kansas than in Nebraska—and yet the pretense is that Kansas uses 'no liquor at all' ! ! !

"Dealing with paresis as a peculiar form of alcoholic disease, Dr. Williams demonstrates by the census report that Kansas had 80 cases to each 1,000 cases of insanity, while Nebraska had but 60, Iowa 50 and South Dakota 20 ! ! !

"Kansas again shows to disadvantage when her penitentiary record is compared with Nebraska.

"Dr. Williams declares that Kansas had 52 inmates in her penitentiary for each 100,000 inhabitants, while Nebraska had but 36—thus demonstrating the folly of William Allen White's fictions which he so glibly puts forth.

KANSAS CRIME.

"Another most essential point to be observed is the fact that the warden's reports show that the cause of criminality in Kansas was the same old arch-trouble-maker—alcohol—that exists in other states.

"Indeed 77 per cent of all the cases are attributable to the use of alcohol—and yet Kansas is a 'prohibitory state' ! ! !

"Dr. Williams also points out that official documents show that almshouse population in Kansas is 20 per cent higher than in Nebraska.

"Uncle Sam's experts report that there are 53 persons per 100,000 of population in the Almshouses of Kansas in the same period that 44 were confined to the Almshouses of Nebraska.

"Thus Dr. Williams demonstrates from the record that Kansas has more insane—more criminals and more paupers per 100,000 population than Nebraska had, which is a high license state, like Washington.

"Again Dr. Williams calls attention to the requirements of the Mahin liquor law, recently taking effect and requiring railroads and express companies to file reports of all intoxicants shipped into the state of Kansas—and this is done by counties.

"Taking this official report, one finds that Topeka—the capital of Kansas and the shire town of Shawnee county—in the month of September, 1913, received more than ninety-five thousand quarts of liquor, of which over 90,000 quarts were received in Topeka alone.

"As Topeka has but 45,000 people, this would be just half a gallon per month for each man, woman and child—and yet Kansas is the example of what 'prohibition accomplishes' when put upon the statute books ! ! !

"Because of the foregoing the reader is requested to examine with the utmost care this compilation from Dr. Edward Huntington Williams, who speaks by the card, as he takes his statement from the official reports of Kansas and the United States."

DR. WILLIAMS' REVIEW.

"DR. EDWARD HUNTINGTON WILLIAMS, a leading physician, medical expert, cultured man and author of many books, has furnished for publication—taken from government statistics—information covering the State of Kansas from the standpoint of prohibition.

"His statement is so broad and comprehensive that it needs hardly any comment by the publisher in presenting the same to his patrons—beyond this mere fact:

"Dr. Williams speaks by the card—from the record made up by the State of Kansas and United States officials, who are paid to ascertain the facts—and the accuracy of the statements are proven by these statistics.

"Of course any political orator or any writer of fiction can easily make assertions which look well in print, and will be accepted by many good people as facts—and yet the promulgators of such statements never cite any authority whatever!

"Against the wild assertions which have been repeatedly published about what 'Prohibition does for the State of Kansas,' Dr. Edward Huntington Williams has prepared the following, and challenges successful attack by citing official figures:

"A few months ago it was enthusiastically proclaimed, apparently from official sources, that the beneficent effects of prohibition in Kansas could be accurately measured by the steady decrease of insanity and crime.

"We are closing our poorhouses, prisons and asylums, thanks to our prohibitory law," wrote the Kansas enthusiast.

STATEMENT OF GREATEST IMPORTANCE.

"Everyone appreciates that if this statement is true it is of greatest significance. For, beyond question, there is a close association between insanity, pauperism, crime and alcoholism.

"If Kansas, with its thirty years of prohibition, can show a record for thrift, sanity and good citizenship superior to neighboring states, which have a tolerant form of liquor legislation, all reasoning persons will be forced to admit that this form of legislation has earned the right to a serious hearing.

CENSUS BUREAU TELLS THE STORY.

"It so happens that the census bureau, which has been investigating these very problems, has just issued its report. And almost simultaneously the annual reports of the various institutions for the insane, criminals and paupers have become available. So that it is now possible to gauge with absolute accuracy the truthfulness of the assertions made by the enthusiastic Kansan, who claims such superiority for his state.

NEBRASKA INSTEAD OF MASSACHUSETTS.

"The Kansan observer reached his conclusions by comparing his state with such Eastern states as New York and Massachusetts. But obviously his comparisons, to be of much value, should have been made with states nearer home, and more nearly like his own.

"Nebraska, for example, offers a very close parallel, being an adjoining state of the same type and having the same kind and practically the same number of inhabitants.

"It is apparent, therefore, that Kansas should be able to show a cleaner bill of health than Nebraska to make good her claim of legislative superiority.

"But in point of fact, the shoe is on the other foot. The census report shows that Nebraska had almost three times as great a decrease in insanity during the census period as Kansas—twenty-eight per 100,000 inhabitants as against ten, to be exact.

"So that if we make the decrease in insanity an index to good legislation, Nebraska's license law appears to be greatly superior to her sister State's prohibition.

ALCOHOLIC INSANITY.

"Of course, no one but a badly biased partisan will claim that any particular form of liquor legislation is responsible for the fluctuations in the exact numbers of all forms of insanity. Yet there is one form of mental unsoundness, known as alcoholic insanity, that is directly dependent upon the consumption of liquor.

"The number of cases of this form of insanity in any community will give a very accurate index to the amount and quality of liquor consumed.

"So that if Kansas is actually as 'dry' as her partisans claim, she should have no cases of alcoholic insanity whatever, or, at worst, should make a better showing than her immediate neighbor.

"But her own official reports show that even in the matter of insane alcoholics, Nebraska has a better record.

"To be perfectly explicit, Kansas has 5 per cent. alcoholic cases in her asylums, while Nebraska has a trifle over 4. Moreover, the number of cases of this form of insanity has increased 1 per cent. each year for the last three years in Kansas, at the very time when the prohibitory statute was 'being more rigidly enforced than ever,' according to a prominent State official.

"Meanwhile in most of the adjoining States, with the exception of Oklahoma (which is also a prohibition State) there was a pretty uniform decline in the number of cases of alcoholic insanity.

COMPARISONS EXTENDED.

"It is evident, therefore, that Kansas has no basis for boasting about her insanity record when compared with her nearest neighbor. And her records show to no better advantage when the comparison is extended.

"Thus the average number of cases of insanity in the ten states that surround Kansas as a center, is 30.6 per 100,000 inhabitants less than in Kansas.

"Or, stated in another way, if these states had as many insane per capita as Kansas, they would have 4,800 more lunatics than they now have. All of which does not seem to offer much basis for enthusiasm over Kansas' method of legislation.

PARESIS FOUND IN THE ASYLUM.

"But there is still another index to the amount of spirituous liquors consumed in any community. This is the number of cases of paresis found in the asylums. For although alcohol is not the specific cause of paresis, the disease always accompanies, and results from dissipation of some kind. It is a matter of record that communities greatly addicted to alcohol show a correspondingly high percentage of paresis.

"It is significant, therefore, that Kansas has a higher percentage of this disease, according to her own official report, than any of the states of her group.

"Stated in exact figures, Kansas had 80 cases of paresis for each 1,000 cases of insanity, at the same time that Nebraska had 60, Iowa 50 and South Dakota 20.

"And the records show that the number of cases is increasing steadily in Kansas at the same time that the number seems to be gradually decreasing in the group of surrounding states. The physicians at the State Hospital at Topeka report that the percentage of cases had risen to 100 per 1,000 in 1913.

THUS KANSAS EXCEEDS OTHER STATES IN HER INSANITY RECORD.

"In other words, Kansas, instead of showing marked superiority, actually falls behind her nearest neighbor in the decrease of insanity; has a higher percentage of insanity than the surrounding states; has more alcoholic insanity than her neighbors, and far higher percentage of the dissipation-produced disease, paresis.

"As these figures are the ones compiled by the government, and given out officially by the various states, one is led to wonder whether the enthusiast who boasts about Kansas' record is merely ignorant, or suffering from the peculiar kind of astigmatism that seems to blind the political partisan to plain facts.

KANSAS STATE PRISON RECORD.

"The same enthusiast has extolled the people of Kansas as exceptionally law-abiding on the basis of the State's Prison records. Here again the peculiar astigmatism is apparent.

"For the actual facts are available to any one who cares to read the official reports of the State Penitentiaries. And according to these reports, Kansas shows to disadvantage when compared with Nebraska. Or to quote from the official prison reports, Kansas had 52 inmates in her penitentiary for each 100,000 inhabitants during the same period that Nebraska had 35.7 per 100,000.

"This means that if the people of Kansas were as law-abiding as those of Nebraska, there would be 275 fewer prisoners in the Kansas penitentiary than at present.

"Moreover, the prison warden's report shows that the cause of this lawlessness in Kansas was the arch trouble-maker, alcohol, as a direct or contributory factor in 77.2 per cent. of cases. Thus the actual number of criminals, as well as the percentage of liquor-made convicts, is higher in Kansas than in her sister state.

KANSAS' RECORD OF PAUPERISM.

"Naturally these prison records are a thorn in the flesh of the Kansas enthusiast. But the records of pauperism are equally disconcerting, although frequently glibly explained, regardless of facts.

"For example, certain Kansas speakers explain that Nebraska has so many less insane in her asylums than Kansas by asserting that Nebraska has sent her lunatics to the poorhouses instead of the hospitals. But official documents tell quite a different story.

"These documents show that the almshouse population of Kansas is about 20 per cent higher than that of Nebraska. In short, that Kansas' criticism of Nebraska really applies to herself.

"Uncle Sam's experts report that there are 52.5 persons per 100,000 of population in the almshouses in Kansas at the same time that the number in the almshouses in Nebraska is only 43.5.

"Stated in the simplest terms, then, Kansas has more insane—more criminals, and more paupers than Nebraska. And now comes a recent

government report to the effect that she has also more mortgages on her farms!

KIND AND AMOUNT OF LIQUOR CONSUMED.

"Every one admits that all these conditions are directly or indirectly dependent upon the amount and kind of liquor consumed. The implication is that the people of Kansas manage to find a way of securing liquor in very appreciable quantities despite the prohibitory statute.

"In point of fact, this is no longer a case for speculation, for accurate records of the legitimate traffic are now available. The Mahin liquor law, which went into effect recently requires railroads and express companies to file reports by counties of all intoxicants shipped into Kansas.

"What these records show should be a revelation to those who have been led to believe that Kansas is actually 'dry.'

TOPEKA—AND THE COUNTY CLERK'S RECORD.

"Topeka, for example, is considered one of the most law-abiding cities in the state. A member of the Board of Control recently stated publicly that the Kansas metropolis was absolutely 'drinkless.'

"And yet the files of the County Clerk of Shawnee County, in which the city of Topeka is located, show that in the month of September, 1913, the shipments of liquor officially reported amounted to 95,561 quarts, of which 90,062 quarts were received in Topeka—a city of 45,000 inhabitants—just half a gallon per month for each man, woman and child.

"This is a somewhat questionable showing for a model town. And yet by comparison Topeka shows to advantage for her little neighbor, Tecumseh, with a population of less than 100, received 1,627 quarts in one month—an amount equivalent to about one barrel of whisky per capita per annum—five barrels to the family.

"Little wonder, then, that Kansas' record is worse than her neighbors! But what about the integrity, or intelligence, of the persons who are shouting about her incomparably good record?

THEORETICAL LITERATURE.

"There is no theoretical literature upon the matter," wrote a member of the Board of Control of the Kansas insane hospital recently, "it is simply an actual fact that since doing away with saloons and joints and houses of prostitution, insanity has decreased."

"There may be no 'theoretical literature' upon the subject, as the gentleman asserts, but there is another kind of literature, in the form of government and state reports that he would do well to scrutinize before putting himself on record.

KANSAS COMPARED WITH CALIFORNIA.

"It is interesting to note that during the same period in which Kansas was making this record, the State of California, whose record is being attacked just at present, showed the greatest decline in the number of insane in her institutions of any state, and was only second to one state in the decrease of new cases of insanity."

MAINE "REPUDIATES" PROHIBITION.

The people of Maine, having a right to vote at the biennial elections when Congressmen and State officials are chosen, have "repudiated prohibition."

In other words the Democratic party has elected a Governor upon

to state the less whiskey will be used and the SMALLER THE AMOUNT OF DRUNKENNESS."—REV. DR. PARKHURST, NEW YORK.

IS MAN'S RIGHT.

"If you say I ought not to drink I may agree with you, but if you say I shall not drink, I WILL DRINK whatever I please, BECAUSE THAT IS MY RIGHT."—HENRY WARD BEECHER.

"When a law is flagrantly and habitually violated it BRINGS LEGISLATION INTO CONTEMPT. It creates a spirit of deception and hypocrisy, and compels men to do insidiously and by stealth what they would otherwise do openly and above board. You CANNOT LEGISLATE MEN by civil action into the performance of good and righteous deeds."—CARDINAL GIBBONS.

"Many people thought state-wide prohibition to be the ideal remedy. Instead of calling to their aid some experts on the subject and having laws framed that could be enforced, they forced through the legislature A MEASURE THAT HAS LED TO CIVIC DEGENERACY. It is impracticable and its violation is PRODUCTIVE OF HIDDEN AND SHAMEFUL RESULTS."—BISHOP GAILOR, OF TENNESSEE.

"Honest people have taken it as an insult to their American freedom. It has brought many to a point where they HAVE NO RESPECT FOR THE LAW OR FOR AN OATH, and there has been by far more drinking and much more abuse of liquor than ever before."—RIGHT REV. THEOPHILE MEERCHOORT, BISHOP CATHOLIC DIOCESE, OKLAHOMA.

"There is a law of human nature that excessive pressure brought to bear on any special form of evil results in other evil; and now when various influences are diminishing intemperance in America, there seems to be NO SUFFICIENT REASON FOR CALLING UPON THE STATE TO PROHIBIT the manufacture and sale of alcoholic liquors."—ARCHBISHOP J. L. SPAULDING, OF PEORIA.

REPRODUCED FROM THE NATIONAL PROHIBITIONIST.

March 25, 1911.

EXPLANATION WANTED.

"Our friends, the local optionists, are having a very hard time to explain how and why, if local option is to cure the drink curse, when they have—as they claim to have—more than one-half the territory of the United States 'dry,' DRINK CONSUMPTION INCREASES.

"Their first answer to the announcement of that fact was to re-assert Mr. Roosevelt's 'harsher and uglier term' (see, for example, the speech of Pliny Marsh, the Anti-Saloon League champion in Michigan.) Since the fact would not stop being a fact because somebody called it a lie, it was necessary to have an explanation; that was found first in the assertion that the increase is in exported liquors. The National Prohibitionist pointed out (how cruel) that export liquors are not in the computation presented in the government statistics. Then our friends explained with the assertion that the statistics show an increase of liquor production only in the wet states. It took only a second's thought, not even a second thought, to make it clear that that DOESN'T EXPLAIN, for the thing talked about is CONSUMPTION, NOT PRODUCTION, and the production of liquor in any particular part of the country doesn't of necessity mean its consumption in that part.

"Now comes the explanation. Our good friend, the 'American Issue,' presents the increase of immigration as the solution of the mystery. In the fiscal year, 1910, 1,041,570 immigrants came to this country, or 289,784 more than the year before. Those 289,784 sons of foreign lands, they are the fellows responsible for this.

"But wait a minute; according to the figures of the internal revenue bureau the increase of spirits withdrawn for consumption during the fiscal year 1910 was 11,654,115 gallons, and the increase of beer that was withdrawn for consumption was a fraction less than 200,000,000 gallons. Doesn't it strike the 'American Issue' that when we consider the fact that of that 1,041,570 immigrants, more than 510,000 came in the months of March, April, May and June (the fiscal year ending with the end of June) and so had only a very small part of the year to spend in imbibing American drinks—doesn't it seem to the 'American Issue' that to put on those 289,784 poor immigrants the task of drinking 11,600,000 gallons of whiskey and 200,000,000 gallons of beer might be considered a bit cruel?

"WHY NOT RECOGNIZE THE REAL EXPLANATION: THAT WE HAVE NOT ONE INCH OF PROHIBITION TERRITORY, AS YET, IN THE WHOLE UNITED STATES; AND 'DRY' STATES WITH 'WET' CAPITALS, MUCH LESS 'DRY' COUNTIES WITH 'WET' COURTHOUSES, CAN NEVER SETTLE THE DRINK QUESTION."

MAYOR HIRAM C. GILL

Addresses Organization Meeting of German-American Women's League of Washington.

On August 29, at Seattle, Mayor Gill, in addressing the women of the above organization, said: "As mayor of this city, I come to you all and it gives me great pleasure to have been granted the opportunity to express to you my personal opinion on a question that is of such vital importance to the welfare, the development of our state and its citizens. Perhaps as mayor of Seattle I may not have the right to instruct you or impose upon you which way you should on November 3 decide this Initiative Measure Bill No. 3, yet I have studied this question for years and I believe have the right to express my opinion as a private citizen in public.

"There undoubtedly is evil connected with the liquor business, yet your or my abuse of the product should not be made the standard to gauge the legitimate use of others by. I do not even admit that prohibition does prohibit, neither is the claim of constitutional rights of one over the other or the restraint of personal liberty any argument. But I believe the traffic in intoxicants should be regulated.

Aimed at Industries.

"The law, as proposed will not reduce the amount of intoxicants consumed in our state, but it is aimed against the legitimate saloon, brewery, distillery, to repress a revenue-producing industry of great value and to turn the traffic over to the blind pigs, dives and drug stores, who can sell without the formality of a prescription, barrels of liquor.

"In fact, I believe that 75 per cent of the people who will vote for the law next November and who are now advocating its passage, are doing so on the theory that it will prohibit. A law that will permit the importation of liquor into a dry state from license territory is defective upon its face, as it permits thereby that which it is intended to prohibit. It simply means to destroy millions of dollars' worth of property in this state to the benefit of some other state. Mail order houses from any other license state would be receiving the benefit of our folly. This is what your league should impress upon its members and the public.

"I am convinced Initiative Measure No. 3 will be beaten to death in the fall elections if you ladies co-operate and organize. Few realize the influence the women exercise even if the franchise to vote has been in their hands for only four short years, yet I have observed in recent bond elections that the women were very discriminating in the way they voted, and this proves to me that the moral influence you women exercise is of vast advantage to the state. I would suggest that, even if you are not successful in your fight on hand now, you make your organization a permanent one for future use, as the success of a government rests upon the right decision on primary measures of the individual alone. I express my thanks to you for the opportunity granted me of being the first mayor to welcome such a body of women to our city."

NOT A TEMPERANCE BILL

Initiative Measure No. 3, which is to be submitted to the voters of Washington at the general election November 3, 1914, is not a prohibition law, although it is labeled such, and is not a temperance measure in any sense of the word.

This proposed law could work nothing but harm to the state of Washington, both from moral and economic standpoints.

This bill, labeled prohibition, legalizes the sale of more liquor in the state of Washington than the present consumption in this state, but says none of it can be made from Washington products by Washington labor.

This law would destroy all of the industry, deprive a great army of men of employment and give no beneficial results to temperance in return.

Section 15 of Initiative Measure No. 3 provides that each person of legal age may purchase 9 gallons of whiskey or 216 quarts of beer each year from other states and ship it into Washington for consumption.

If it is right to buy beer from other states and ship it into Washington, then it is right to make it here and give the employment to the men of our own state and use the products of our own farmers.

Initiative Measure No. 3 is a fraud. It is trying to parade in the garb of temperance under the label of prohibition. It is not entitled to the support of any temperance advocate.

The people of Washington should go to the polls November 3 and vote solidly against this legislation.

ANTI-PROHIBITION ASSOCIATION.

CHARLES HODDE ON THE STEELE ACT OF 1934

Excerpt from *Charles Hodde: Mr. Speaker of the House*
Vol. 2, Pages 72-77, 1986
Legislative Oral History Project, Washington State Archives
Office of the Secretary of State



Charles Hodde, who represented the Second District in the Legislature in 1937, 1943-52, the last two of those sessions as Speaker of the House, began his political career as a lobbyist for the State Grange. In that capacity, he witnessed the passage of the Steele Act in 1933-34 which created the Liquor Control Board after prohibition was repealed. He recounts that struggle here. His interviewer was Jack Rogers, also a former member of the Legislature.

Mr. Rogers: Now, the state of Washington embarked on another now program in 1933. Prohibition had been repealed—National Prohibition had been repealed—so what was the state's response to that?

Mr. Hodde: Well, the big argument that immediately came up when it was certain it was going to be repealed, "Would we let this go back to the old saloon era, where private business was in it to make money?" The general sentiment was that it should be a state controlled distribution, and resulted in the setting up of a State Liquor Board. This took place in the '33 Special Session and it wasn't an easy fight. There was a great deal of argument about it. E.N. Steele was a new senator, really, only elected in the '32 session, from Olympia. I'm not sure why he was chosen to introduce the bill, but he got his name put in history because it was the "Steele Bill," the Steele Liquor Act. So Steele—whether he liked the idea or not—and he was not a liquor man, really—he got his name attached to the system used in this state for merchandising liquor.

Mr. Rogers: Wasn't it unusual for the citizens to understand that the state was going to be the only source for selling them liquor?

Mr. Hodde: I think the public generally supported it because, even though they had voted to repeal Prohibition, they excused their act, if you want to put it that way; they weren't in favor of drunks excesses of that type. They said, "We can get rid of the bootleggers which are creating this problem and at the same time we can supply it in a manner that will not induce over-consumption."

Mr. Rogers: They wanted strict regulation.

Mr. Hodde: They wanted very strict regulation over this disposition, the sale of it, how they were going to put it out to the public. So they went along with this and the big argument which existed for years was gradually changed some—but it's not been changed remarkably yet—was whether there'd be sale by the drink or whether it had to be taken home in the bottle.

Mr. Rogers: By the package. Well, another big argument of the time was Sunday sales. Sunday sales were prohibited and that meant that bars that stayed open till 2 a.m. Sunday morning had to close off selling liquor at midnight.

Mr. Hodde: That's right. If you didn't have it bought, you couldn't drink it. There were other restrictions that came into the thing and I don't remember whether they came in immediately or not, but you couldn't have it within a certain distance of a school or church or something like that, or any kind of a social affair that used it. But anyhow, this is an ongoing problem, but I think they did rather a good job coming out of a period of Prohibition to get some kind of control over it.

Mr. Rogers: The governor appointed the members of the Liquor Control Board as I recall.

Mr. Hodde: And they made their terms long because they didn't want this to become an election issue, that a new governor might say, "When I get in there boys, you can have liquor until two o'clock." So, with nine-year overlapping terms, it takes two governors, almost, to get control of the Liquor Board.

Mr. Rogers: That was done later when they passed an initiative for liquor by the drink and included in that was the change in the nine-year terms for the Liquor Board members, which seems like a long time, but as you explained it, it had a good purpose.

One other purpose of the Liquor Control Act in this state, the Steele Liquor Act, was to divide the taxes and the profits between the state and the cities and the counties. They all participated, the counties and the cities had police authority and they had some additional police duties because of liquor. The theory as I understand it—and you can tell me if I'm right or wrong—was that liquor would be taxed and some of the money would go back to local governments.

Mr. Hodde: Jack, it was probably more of a successful lobbying effort than anything else. Actually, that was one of the inducements to get the act passed was that local government would share in the revenues. Now, I don't know if they were entitled to share in them on any other basis or not, but they got their share anyhow. They just had a good lobbying outfit.

Mr. Rogers: The cities at that time got forty percent, the state got fifty percent, and the counties got ten percent---I always thought the counties had a small share of the action.

Mr. Hodde: They maybe didn't have as good a lobbyist as they did in later years, Jack. One of the inducements to get a bill passed is to gather support, and it's not that you just sit down with some theoretically inclined group to figure out what's absolutely right. These pressures come on and they give a little here and there and they come up with a result that's reasonably satisfactory.

Mr. Rogers: Well, you were a successful young lobbyist in the 1933 session and that must have been one of your principles. I know, in lobbying, it's always said that you've got to have allies, you can't do things by yourself. You've got to have others who feel as you do. In other words, there's got to be a public opinion for a piece of legislation before the Legislature responds and passes it. They don't just pass some individual's idea, it has to have some force of public opinion behind it. The liquor act seemed to be passable in the Legislature if they shared the revenues and if they had strict regulation, is that correct?

Mr. Hodde: I sometimes question whether any act would have passed at all if it hadn't been that without it you would have had absolute chaos, free-sale liquor everywhere. So they had to get together on something. There wasn't general agreement that it ought to be state controlled, but there was more support for that than there was for no-state intervention. There was some thought only that that it should be strictly regulated by the state rather than operated as a merchandising effort. But they put this together and divided the money up with local government and a few other things got in there because this thing didn't pass easy. You know that session was called just to do this, principally, and they were in such a deadlock. The Senate, as I recall, went home about Christmas time. They said, "If you House members want to sit around and argue, well, we're going home." They came back right after the first of the year and it was somewhere around maybe the tenth of January before they got it done.

Mr. Rogers: It was passed early in January of 1934.

Mr. Hodde: Right.

LIQUOR-BY-GLASS CAMPAIGN LOST

By J. W. SHAW
The proposal to amend the liquor control act...
George Lewis, Seattle, chairman of the Senate liquor control committee...

Phil E. Buster Sees Senate Suspend Rule 63 for Cigars

WASHINGTON, Saturday, Jan. 23.—Representative Phil E. Buster, delegate to the House from Washington's second district, today urged the suspension of Rule 63 of the Legislature...

OBEILL REMAINS FREE ON BOND

When Phil Obeill, former Seattle police captain, was arrested on charges of kidnaping a woman...

Mining Pals United After 40-Year Lapse

When gold was mined on a strike in the mountains of California...

BULLETS MAY SOLVE MYSTERY

Populists police yesterday were accused of having shot a man...

Directors

First Board, Robert S. Low, in-charge of National Defense Week...

DEFENSE WEEK AIDES SELECTED

First Board, Robert S. Low, in-charge of National Defense Week...

FIGHT ON OLSEN DOOMED TO FAIL

By J. W. SHAW
The fight on the floor of the Senate...

Portland Police Quiz 2 Mattson Kidnap Suspects

By J. W. SHAW
Police in Portland, Ore., yesterday...

Mattson Snapped Held at Chicago

CHICAGO, Saturday, Jan. 23.—Mattson Snapped, 32 years old...

Alveolar Teeth

Alveolar teeth or hollow teeth...

Ravenna Car Crashes Into Oil-Tank Truck

By J. W. SHAW
A Ravenna car crashed into an oil-tank truck...

Patronage War In Both Houses Stalls Session

By J. W. SHAW
The Senate conference committee...

John Laxby Opposes Bill

JOHN LAXBY (Opposes)
The bill...

Tavis to Speak on Ginsberg Westway

By J. W. SHAW
Tavis, principal of the...

Auto Theft Charged Under Federal Act

By J. W. SHAW
V. W. Taylor, 39-year-old...

Phone Company Would Correct Slovenly Speech

By J. W. SHAW
The phone company...

Speech Correction Will Be Taught Here

By J. W. SHAW
Classes in the correction of speech...

Death Pales Leader in Vancouver, B. C.

By J. W. SHAW
Speculation in Vancouver...

Blind Birth Lincoln Essay Contest Set

By J. W. SHAW
An essay contest on American blindness...

Staff to Explain Child Center's Work

By J. W. SHAW
When members of the board...

Speaking of Homes

DURING the past 30 days, we have closed over 10,000 homes...

Henry Broderick Inc. Second and Cherry

Second and Cherry
M.A. 4330

WANTED: 24 COAL STOKERS
Exploiting on the fact that loading...
Times Classified WANTEDS
Bring Speedy Results Because They are DEPENDABLE

Alveolar Teeth
Royal & Co., dentists
SA-34

CHAPTER 62.

[H. B. 176.]

INTOXICATING LIQUOR—NET ANNUAL REVENUE.

AN Act relating to intoxicating liquors and amending sections 4 and 78 of chapter 62 of the Laws of the Extraordinary Session, 1933.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 4 of chapter 62 of the Laws of the Extraordinary Session, 1933, be amended to read as follows:

Amends ch. 62, § 4, Laws of 1933, Ex. Sess. (§ 3180-14 P. C.)

Section 4. 1. There shall be established at such places throughout the state as the liquor control board, constituted under this act, shall deem advisable, stores to be known as "state liquor stores," for the sale of liquor in accordance with the provisions of this act and the regulations; *Provided*, That the prices of all liquor shall be fixed by the board from time to time so that the net annual revenue received by the board therefrom shall not exceed twenty-five per cent;

State liquor stores.

Net annual revenue.

2. The liquor control board may, from time to time, fix the special price at which pure ethyl alcohol may be sold to physicians and dentists and institutions regularly conducted as hospitals, for use or consumption only in such hospitals; and may also fix the special price at which pure ethyl alcohol may be sold to schools, colleges and universities within the state for use for scientific purposes. Regularly conducted hospitals may have right to purchase pure ethyl alcohol on a Federal permit;

Pure ethyl alcohol.

3. The liquor control board may also fix the special price at which pure ethyl alcohol may be sold to any department, branch or institution of the State of Washington, Federal government, or to any person engaged in a manufacturing or industrial busi-

BANKS AND

its due banks and 254 of Remington's

of the State of

Remington's Re- tended to read

bank or trust com- or more past e well secured egal process or debt be repre- inable market York stock ex- it, and shall be poration. Such f such corpora- f banking may vent shall such value thereof. company shall poration after on unless with sor of banking rovided, That ecluded.

13, 1937.

ness or in scientific pursuits requiring alcohol for use therein;

4. The liquor control board may also fix a special price at which pure ethyl alcohol may be sold to any private individual, and shall make regulations governing such sale of alcohol to private individuals as shall promote, as nearly as may be, the minimum purchase of such alcohol by such persons.

SEC. 2. That section 78 of chapter 62 of the Laws of the Extraordinary Session, 1933, as amended by chapter 80 of the Laws of 1935, be amended to read as follows:

Section 78. 1. When said funds are distributed as provided in section 77 hereof all monies subject to distribution shall be disbursed as follows:

Funds available for distribution to and including September 30, 1937, seventy per cent (70%) to the general fund of the state and thirty per cent (30%) to the counties and incorporated cities and towns of the state, distributed among them pursuant to the provisions hereafter made in this section;

Funds available for distribution on and after October 1, 1937, fifty per cent (50%) to the general fund of the state and fifty per cent (50%) to the counties and incorporated cities and towns of the state, distributed among them pursuant to the provisions hereafter made in this section;

2. With respect to the share coming to the counties and incorporated cities and towns under the preceding subsection, the distribution shall be among them in accordance with the following computations:

a. First, the share coming to each county as a whole shall be determined by a division among the counties entitled to distribution hereunder according to the population of the areas in such counties allowing the sale of liquor under this act as shown by the last Federal census; that is to say, the share

coming to each under shall be tion of the ar this act in suc lation of all hereunder;

b. Second whole, is [as tion, shall the ernment and cated in sucl shown by the share coming be as the pr incorporated eral census, l county, as sh county gover proportion o is not includ located in su rated city o authorized u 82 to 88 incl share in sucl if in any co towns there liquor under tion of such tation of th

3. The c section shall immediately immediately every Fede: reason of e this act, fil showing th

Amends
ch. 80, Laws
of 1936
(S 3180-88
P. C.)

Distribution
of moneys.

Computa-
tion.

quiring alcohol for

may also fix a spe-
cohol may be sold
ll make regulations
private individuals
y be, the minimum
persons.

pter 62 of the Laws
33, as amended by
is amended to read

nds are distributed.
all monies subject
as follows:

on to and including
cent (70%) to the
ty per cent (30%)
cities and towns of
m pursuant to the
is section;

tion on and after
0%) to the general
cent (50%) to the
and towns of the
ursuant to the pro-
ection;

coming to the coun-
owns under the pre-
on shall be among
ollowing computa-

o each county as a
division among the
hereunder accord-
as in such counties
r this act as shown
is to say, the share

coming to each county entitled to distribution here-
under shall be in the proportion which the popula-
tion of the areas allowing the sale of liquor under
this act in such county bears to the aggregate popu-
lation of all the counties entitled to distribution
hereunder;

b. Second, the share coming to each county as a
whole, is [as] the result of the foregoing computa-
tion, shall then be divided between each county gov-
ernment and the incorporated cities and towns lo-
cated in such county according to the population
shown by the last Federal census; that is to say, the
share coming to each incorporated city or town shall
be as the proportion which the population in such
incorporated city or town, as shown by the last Fed-
eral census, bears to the total population within the
county, as shown by the last Federal census; and the
county government's share shall be based upon that
proportion of the population within such county as
is not included in the incorporated cities and towns
located in such county: *Provided*, That no incorpo-
rated city or town in which the sale of liquor as
authorized under this act is forbidden under sections
82 to 88 inclusive of this act shall be entitled to any
share in such distribution: *Provided, further*, That
if in any county the area outside of the cities and
towns therein shall vote not to allow the sale of
liquor under this act in such area, then the popula-
tion of such area shall not be included in the compu-
tation of the population for distribution purposes;

3. The computations under subsection 2 of this
section shall be made by the state auditor, who shall,
immediately after the effective date of this act and
immediately following the official publication of
every Federal census and so often as necessary by
reason of elections held under sections 82 to 88 of
this act, file with the board a list certified by him
showing the fractional proportions, in terms of per

State
auditor.

cent or otherwise, coming to each county government and incorporated city and town in the state pursuant to this section; and the board shall make payment to each of said counties and incorporated cities and towns in the proportions shown on the certified list last filed with it by the state auditor under this section.

Passed the House February 23, 1937.

Passed the Senate March 3, 1937.

Approved by the Governor March 13, 1937.

CHAPTER 63.

[H. B. 200.]

BOUNTIES ON PREDATORY ANIMALS.

AN ACT providing for and regulating the payment of certain bounties for the killing of certain predatory animals, and defining the duties of the director of game in connection therewith; providing for certain additional license fees, amending section 2, chapter 59, Laws of 1935, and section 4, chapter 69, Laws of 1935.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 2, chapter 59, Laws of 1935, be amended to read as follows:

Section 2. Whenever any such person to whom such permit is issued, shall trap, kill or take any cougar, lynx, bobcat, or coyote, in accordance with such permit and within the area fixed by such permit, and shall furnish proof thereof to the said director, he shall be paid a bounty of fifty dollars (\$50) for each cougar, and five dollars (\$5) for each lynx or bobcat, and two dollars and fifty cents (\$2.50) for each adult coyote and one dollar (\$1) for each coyote pup from any monies which may be appropriated by the legislature for the payment of the same. All monies appropriated for such pur-

Amends
Ch. 59, § 2,
Laws of 1935,
(§ 7270-22
P. C.)

Bounties.

poses shall be expended upon vouchers appropriate.

SEC. 2. That section be amended to read

Section 4. It shall be unlawful to hunt or kill any tain sheep, or moose from the director of game as a "big game seal" animal required by in the possession of hunting deer, elk, or moose. Such moose shall bear the name of "Washington" and any other distary by the director: the year stamped thereon attached to the car goat, mountain sheep. The fee metal tag shall be furnished in addition to all other

Passed the House

Passed the Senate

Approved by the Governor

Association of Washington Cities

Olympia, Washington, July 8, 1937.

To the Honorable Mayor and
City Council and
Commissions of
all Cities and Towns of Washington:

At the present session of the legislature

The Association of Washington Cities
is sponsoring three bills of the utmost importance to every city and
town in the State. These bills are:

House Bill No. 138 which amends the sales tax law to provide
that 25% of the net revenue from that law shall be paid to cities
and towns and counties, on the basis of population (1/3 to counties
to be expended on highways and for poor and indigent, and 2/3 to
cities and towns to be expended on parks, playfields, libraries,
police, health and fire departments).

House Bill No. 139 provides that 20% of net revenues in the
motorvehicle fund of the State treasury shall be paid to cities and
towns on basis of population, to be expended on such streets as the
governing authorities shall determine, and provides a method for
accounting and reporting on the expenditures. This bill also
requires the State director of highways to construct and repair,
out of State funds, all primary State highways through cities and
towns.

House Bill No. 175 provides for amending the State Liquor Act
so that the Liquor Control Board is required to make at least 25%
net profit. The law now requires the board to make not to exceed
25% net profit. The bill also amends the present law to give the
cities, towns and counties, 50% of the net revenues and the State
the other 50%. At present the law gives cities, towns and counties
30% and the State 70%.

We need not tell you how important these measures are to
the welfare of the cities and towns. If they can be enacted into
law, it will give cities and towns badly needed funds to carry on
their necessary functions. It is up to you to impress the legis-
lature with the necessity of enacting these laws. We therefore
suggest that your Council or Commission should meet at the earliest
possible date and adopt a resolution something like the form which
is enclosed. After it is adopted, the Mayor should sign it and
the Clerk certify to it and seal it and one copy should be mailed
to each member of the legislature that represents the district in
which your City is located.

We also enclose a list of all Senators and Representatives,
together with the residence address and phone numbers of the members
in Olympia. We have placed a red check opposite those we believe
are from your district. If we have made any mistake, you can cor-
rect it from this list.

May we count on your cooperation in this work.

Yours for success --

Association of Washington Cities
Herbert Horrocks,
Mayor, Aberdeen,

PRESIDENT.

ASSOCIATION OF WASHINGTON CITIES

Legislative Headquarters
OLYMPIA

February 15, 1937

Dear City Official:

A CRISIS EXISTS AT OLYMPIA.

Unexpected opposition to the program of Washington cities and towns has developed during the past few days. Aside from open hostility clearly evident from a number of quarters, there is a decided tendency to minimize the plight of Washington municipalities and to let matters drift. Factionalism likewise is playing its part in preventing action which should and must be taken if local governments are to be given fair consideration. If these tendencies continue, any showdown on Association matters may be prevented.

There is only one way this crisis can be met and that is by utilizing every available means to show the Senators and Representatives from your district the vital necessity of pushing this legislation IMMEDIATELY. This is a fight for our very existence and if the offensive is not taken now, even the gains of the past will be jeopardized.

It is clearly evident that should the program of the Association fail at this session of the Legislature, cities will again be stymied under the limitations of the 15 mill law. What the consequences of such action will be are only too well known to require repetition here.

Please remember that this is not a selfish program. Cities desire only fair treatment and to be placed on a parity for their financial needs with other levels of government. The entire program can be enacted without in any way interfering with the legitimate needs of state or county.

You are being sent a specially prepared bulletin analyzing the Association's program. Use the material and arguments when writing to your senators and house members, or when you see them on their home visits. The situation requires immediate action. We must rely upon you. If you want additional copies, please do not hesitate to let us know.

Trusting that we can count on your city or town to do its very best in furthering this work, I am

Very truly yours,

Herbert Horrocks
Herbert Horrocks, President
ASSOCIATION OF WASHINGTON CITIES

ASSOCIATION OF WASHINGTON CITIES

HOUSE BILL 175

Gives 50% of liquor profits to State and 30% to counties and cities

In March 1934, State Liquor Control Law took effect. From April 1933 to March 1934 - 3% Beer Sale legalized and licensed by cities.

Table Showing Demands made on Police Facilities due to Sale of Intoxicating Liquors

	Number of arrests by police for violation of liquor laws, drunkenness, drunken driving and kindred offences				
	1932	1933	1934	1935	1936
Seattle	6735	8341	10,529	9427	10,720
Spokane	2412	3663	5066	5954	6797
Tacoma	1227	1925	2414	2137	2481
Yakima	1424	1695	1472	1952	2318
Aberdeen	362	701	1234	1017	1169
Everett*	368	262	393	369	567
Bellingham	302	370	657	373	481

*Drunkenness only. Total arrests for all causes in Everett, for period of table, 4505, or 43.5% for drunkenness.

Number of State Liquor Licenses issued from October 1, 1935 to September 30 1936, are as follows: (See Liquor Control Board Report, October 1, 1935 to Setp. 30, 1936, p.p. 65-75)

Seattle	3192	Spokane	949
Tacoma	826	Yakima	268
Aberdeen	246	Everett	292
		Bellingham	238

The Association of Washington Cities sent a questionnaire to a number of representative cities regarding increased cost of police department since repeal of prohibition. In response to inquiry, cities gave estimates of increase in liquor arrests since license and sale of liquor by the State as follows:

	Increase		Increase
Anacortes	11%	Hoodiam	107% (over 1932)
Camas	35%	Kelso	44% " 1935
Cashmere	160%	Kent	45% " 1935
Contraillia	15%	Marysville	100% " 1934
Colville	90%	Montesano	75%
Olympia	70%	Fullman	10%
Pasco	300%	Winlock	180%
Pomeroy	180%		

Twenty-three cities showed that fines did not cover increase in costs due to arrests.

Sheet #2

Anacortes, Colville, Concrete, Kalama, Montesano, Pomeroy, Port Townsend, Pullman, Sultan, Yakima and Centralia commented on the increased use of their jail facilities, with corresponding increase in cost thereof.

Camas, Centralia, Colville, Concrete, Hoquiam, Kalama, Pullman, Sultan and Yakima reported that there had been an increase in the cost of policing.

Centralia, Colville, Fairfield, Kelso, Kettle Falls, Port Townsend and South Bend mentioned that an increase in police force was needed, but that they were unable to afford such an increase.

Concrete reported that its jail expenses in 1932 were \$37,68, and in 1936, up to November 1, were \$261.17. (Figures from other cities on this basis not available at this time.)

Prior to prohibition, cities licensed and collected their own license revenue on liquor sales; since return of liquor, cities are prohibited from licensing liquor sales and can derive no revenue from that source.

1911 - Spokane collected in liquor license fees	\$221,024.71
1936 - Spokane received from State Liquor Board	86,000.00
1910 - Tacoma collected in liquor license fees	138,200.00
1936 - Tacoma received from State Liquor Board	65,623.94

According to figures supplied by the State Tax Commission, property levies for cities and towns for the years 1931 and 1936 are as follows:

1931 - - - - -	\$ 19,336,000.
1936 - - - - -	10,693,000. due to 40 mill limit law
	\$ 8,643,000. reduction

Cities and towns have reduced budgets and curtailed expenditures to the limit; yet most cities show heavy deficits. Cities have no power to levy and collect taxes of any kind, except as authorized by the State Legislature. The excise and license taxation field is in most cases pre-empted by the State. Therefore, this huge reduction in city revenues since 1931 must be partially made up by State supplied revenues.

Increased allowances for cities and counties from State Liquor Revenues, as provided by House Bill 175, will aid cities to overcome rapidly increasing deficits.

SEATTLE PUBLIC LIBRARY

MUNICIPAL REFERENCE DIVISION

Books in this collection are for general use and are not
to be used for any special purpose. They are
available for reference and study. The
Library is not responsible for the removal of any
books from this collection.

1960

SEATTLE PUBLIC LIBRARY

Reference Department

R329.8
F943P

1163038
1892

Seattle Public Library

Reference Department

DN 1785 N 3055008

02795

MUNICIPAL REFERENCE LIBRARY
 (Branch of the Seattle Public Library)
 5024 County Park Building
 July 11, 1930
 Main 6939 Total 434

Arrests in Seattle for drunkenness and offenses due to drunkenness
 of the liquor business for the prohibition, prohibition,
 and non-prohibition years as reported in annual reports
 of the Seattle Police Department.

(Offenses included in prohibition are: Violations of liquor ordinance, Drunk
 Drink and Disorderly Drunkenness, Disorderly conduct, Driving while drunk,
 Bail, Intoxicating liquors in 1913.)

Prohibition years

Year	Total arrests	Noted
1913	4484	7077
1914	10925	2001

Prohibition years

1915	6882	2808
1916	8310	1739
1917	7121	2088
1918	12127	1616
1919	12577	2888
1920	10888	1972

Prohibition years

1921	8710	4888
1922	1250	1178
1923	11698	4888
1924	7464	6182

Note: "Other drunk" is a term used in 1913. The number
 of arrests in 1913 under the term "Other drunk" were
 not reported in 1913.

Average of prohibition years	8881	2808
Average of non-prohibition years	8881	2808

The average population of the non-prohibition years is less than
 that of the prohibition years. The population of the non-prohibition
 years was 200,000 and the population of the prohibition years was 180,000.