DAILY CAPITAL JOURNAL, SALEM, CREGON, MONDAY, MAY 30, 1904.



One of the most important questions | er to rule the many, to say nothing of involved in the coming election- the fact that a handful of people in indeed, the most important-and one any precinct could saddle upon the to which little thought has as yet county once in each year the expense been given, is that of local option, so- of a special election. No sensible man, deny the right of the people of any called. At first glance it would ap especially if he has property interests pear that there was nothing unreason- at stake, and is therefore a taxpayer, able in what the advocates of the would for a moment think of placing proposed law desire, nor is it plain to such power in the hands of ten per tire county a majority of the votes at the reader, upon superficial perusal of cent of the voters.

its provisions, that there is in it anything that would be inimical to the in- alcohol for medical purposes, but proor of any particular class in the com- the written prescription of a physimunity. There is nothing unreason- cian, dated and signed by him after a able in vesting in the people of any personal examination of the applicounty, town or precinct, or other sub- cant. No druggist shall be permitted division of a state the power to say to sell more than once on each prewhether or not liquor shall be sold scription, which must be endorsed, therein, and this right is already en- canceled and filed away." joyed; but when an inconsiderable In this section the framers of the portion of the people endeavor by bill have been actuated by a desire to means of one subterfuge or another to increase the business of the drug dictate the policy of the majority it stores and the physicians. But there is an usurpation of the rights of the is still another side to the question: people that should and shall not be Drug stores would quickly be converttolerated.

option law have done their work clev- corner. Such was the result of prohierly, so far as hiding from the aver- bition in other states, and such doubtage layman the true meaning and in- less would be the result here. tention of the law, and it is but fit and Section 3 provides that the first proper that it should be explained in elections to determine whether the order that the people may fully ap- sale of liquor shall be prohibited in preciate the question upon which they any district, may be held on the first are asked to vote. Local option is Tuesday after the first Monday in Nonothing less than prohibition law un- vember, 1904, and thereafter only on der another name, and whether the the first Monday in June of any year. voters want prohibition-not whether In every county or precinct that shall they want local option-is the ques- return a majority vote for prohibition tion at issue. By carefully reading in 1904, the law shall take effect Janusome of the provisions of the proposed ary 1, 1905. In all succeeding eleclaw the people will see for themselves tions the law shall take effect on July what the framers of the measures 1, following the day of the election." have in view. Some of the more im- That is to say that a dealer in portant of the sections are therefore liquor might have several thousand reproduced.

be prohibited there."

This would vest in the few the pow-

SCOTT'S EMULSION

is for babies and children who are thin and pale when

Section 2 allows druggists to sell

ed into dram shops, which would

The framers of the proposed local spring up like mushrooms at every

dollars invested in fixtures and decor-

Bection 1 provides that "whenever ations in his place of business, and bea petition signed by ten per cent of tween June 6th and the first of the the registered voters of any county following month, he would be comor precinct in Oregon is filed with the pelled to dispose of them-if he could. county clerk, the county court must of course, under the circumstances order an election to be held in the dis- he could not, and the passage of such trict mentioned to determine whether a law would be nothing more nor less the sale of intoxicating liquors shall than confiscation of the property. Such a law cannot appeal to any fair-minded citizen.

The other sections follow in their

order: Sec. 10: After the election the county court must hold a session, and, if a majority of the votes in the county, as a whole, or in any sub-division they ought to be fat and of the county as a whole, or in any ruddy; for men and women precinct in the county are for prohibition, the county must immediately telligent vote is cast, and it is in orwho are weak and delicate make an order absolutely prohibiting the sale of liquor in such districts. The section compels the court to issue an order of prohibition in every precinct in the county which has voted for prohibition, even if the county, as a whole, has voted against prchibition. This section makes it unlawful to even give away intoxicating liquors within the prohibited terri-

the provisions of this act. Sections 10 and 12 are so palpably unfair as to be unworthy of discussion. While it is conceded to be fair that the people of any community should have the right to say whether or not there should be prohibition-a right which, as has been pointed out. they already possess by virtue of their power to protest against the granting of a saloon license-the advocates of 'local option" in its latest form would sub-division of a county to conduct their own affairs if by any means the prohibitionists could cast in the enany election. In other words, it resembles the game of heads and tails wherein it would be "heads the prohiterests of either the entire community vides that it "shall only be sold upon bitionists win, tails the opponents lose.'

Section 12, in order that its unfairness be made manifest, should be considered in connections 1 and 3. These latter provide that 10 per cent of the voters may have an election called ev. ery year, but section 12 denies the same right to the people as a whole if any sub-division of the county goes prohibition. Evidently the prohibitionists hold the opinion that the goose is entitled to all the sauce diet. Section 14 makes it still more binding by denying to the voters of a precinct the right to call for an election on the question of prohibition until the entire county has voted in favor of the liquor traffic. That is, in cases where the county has previously voted in favor of prohibition. That would be local option which would give the people of a given locality nothing to say. Rather a remarkable brand of local option.

Section 15 simply provides for the penalties for violations of the law, while in order to make a pretense of fairness the local option men provide in section 16 that the money for a liquor license that has not expired shall be refunded in proportion to the length of time the license has been in force. Section 18 places a man charged with selling liquor entirely at the mercy of any person who may desire to gratify a grudge, and who may be sufficiently unscrupulous to give false testimony. Certainly no more unreasonable law was ever proposed. It may be asked what would be the result if such a law could be passed in Astoria? It would simply mean that at one blow the city's revenues would be reduced over \$30,000 annually, to say nothing of the indirect loss. The loss of \$30,000 would necessitate an additional levy of 20 mills on a city valuation of \$1,500,000, a prospect not at all inviting to the average taxpayer. The local option law, as proposed, is so grossly unfair that it has no chance of being enacted if an in-



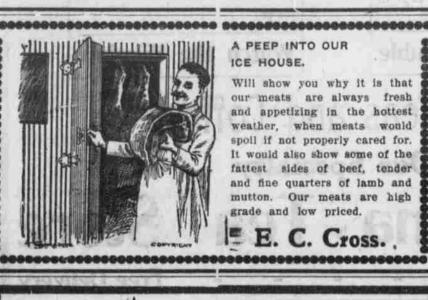
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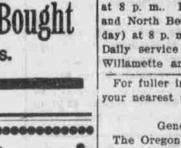
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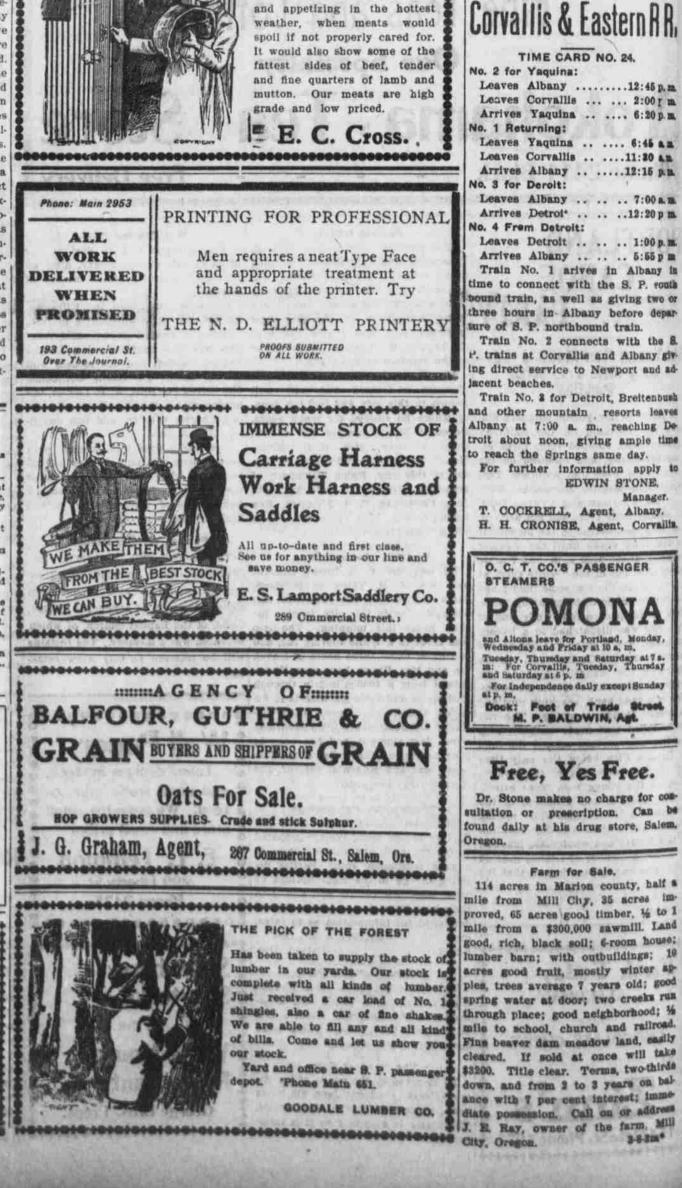
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tory "Section 11. If the majority is 'Against Prohibition." the court shall make an order declaring the result. Sec. 12. If the election result in

favor of prohibition in any precinct. no election can be held in that precinct again for at least two years, except an election for the entire county.

hibition, no election on this subject can be held either in the county as a whole or in any precinct, for at least two years.

Sec. 13. When a second election results against prohibition the court ahall enter an order setting aside the previous order.

Sec. 14 .- When a county has declared for prohibition, no election on this question can be held in any precinct of the county thereafter until prohibition has been defeated at a subsequent election held for the entire county.

Sec. 15. Any person who shall sell, exchange or give away any intoxicating liquors in prohibition territory. shall be punished by a fine of not less than \$50 or more than \$500, or by impri onment in the county jail for not less than 10 days nor more than 30 days, or both fine and imprisonment. A second offense entails a fine of both fine and imprisonment.

Sec. 17. This section makes it the duty of judges, district attorneys and justices of the peace to rigidly enforce the law

Sec. 18. In all prosecutions under this act it shall not be necessary to state the kind of liquer sold, nor to show the knowledge of the principal, broideries. All kinds of summer goods, in order to convict for the acts of an matting, etc. Court street, corner of employe, and in all cases persons to whom intoxicating liquor is sold shall be competent witnesses. The issue of

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The Variety Store to any person for the sale of intexi-cating liquors shall be prima facie ev-94 Court St. Annors M. Welch. Prop idence that such person is violating

der that the voters may familiarize themselves with its provisions that the foregoing digest of the law is given space. Voters will doubtless profit by the experiences of other states that have tried prohibition, and delegated the so-called local option to the obscurity of the past and forgotten

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