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A BREWERS OPINION OF THE LAW

Local Option Can at Any Time Tie Up the Brewing Business

Mr. Chairman, members of this convention, and ladies and gentlemen: I have had the pleasure of attending several of the meetings of the development league that have been held during the past six months and have been greatly interested in the work done and the matters discussed at these meetings. Especially have I been interested in the recommendation for legislation along the lines that tended toward the building up of the states interests and industries. At the same time I could not help but realize that while the development league was earnestly seeking to encourage new enterprises and otherwise do all that it could in fostering a broad and progressive spirit, it practically overlooked legislation that was already upon our statute books, and which was today doing probably much toward tearing down and discouraging already established industries and the further investment of capital along those lines.

I refer, namely, to the brewing business, in which I have the honor of being engaged, and the kindred businesses that are directly and indirectly connected with the same. The brewing business has always in the past been looked upon as an eminently legitimate industry in this country and Europe. When our pilgrim forefathers landed on the shores of this country they brought with them their beer, and even during the early history of the colonies and this country some of the New England states passed special legislation exempting breweries from taxation, in order that thereby they might encourage the building of them in this country.

Yet in this state there is at the present time a law in existence, viz., the local option law, that gives to a small number of people in any precinct where a brewery is located, the power to put it out of business at any election, and, to all intents and purposes, thereby confiscate the property used for that purpose. What irony is covered by the statements, so often made, that Oregon takes great pride in being the greatest hop producing community in the United States, when one realizes that Oregon is doing its very utmost to absolutely kill the brewing business. However, that is the present condition of affairs.

Not another dollar will be invested in the brewing business, the malting business, cooperage, and many other enterprises closely allied to the first named, as long as the local option law remains upon our statute books in its present form. The state of Washington has been more fortunate in its legislation. It has no such drastic measure upon its statute books. The consequence is that it has far outstripped this state, not only in the brewing business, but in many other lines. When I first came to Washington in territorial days we always looked upon Oregon as a kind of foster father. It had been a state for many years, and we were yet in our infancy. How different it is today. Even in the brewing business the change

has been most remarkable. Oregon supplied all of Washington's wants 15 years ago. Today we find that the increase in brewing in the state of Washington for the past year, and a half is greater than Oregon's entire output.

Washington during the last few years has built many malt houses, glass factories for the making of beer bottles, cooperage and box factories, cold storage and warehouses, aside from greatly enlarging the brewing business itself. Of course this does not include the vast benefits derived by the supply houses and other businesses that deal with the brewing trade.

It is now a little over two years since our people concluded to build up a business in this state. When I first visited Oregon I saw the state through the portals of the Willamette valley. To a man living in the western part of Washington, this valley looked like paradise. Its opportunities for a great and prosperous future appeared certain. I could not help but note that there was almost twice as much open, fertile agricultural land in the Willamette valley than there is in the whole of western Washington. I was surprised to see what little real progress had been made when I considered that for nearly 50 years Oregon had been a state. Enthused with the spirit that is natural to one who has lived on Puget Sound it seemed to me that this valley, were it located in western Washington near Seattle, it certainly would have had over a million inhabitants.

Hardly had we built our enterprise and invested about \$100,000 in the venture than the local option law was passed. That law places the manufacturer in the same category with the saloon. It makes no distinction. At any election the voters of the Fourth ward, Salem, can vote that precinct "dry" if a majority of one so declares. It absolutely puts us out of business, for the law declares we cannot sell any of our product if the precinct goes "dry." Notwithstanding the fact that we do little, if any, business in that precinct, and that our trade is mostly on the outside, throughout this state and California, we are prevented from doing any business, and our property is for all intents and purposes worthless. This sword of Damocles, in the shape of the local option provision, hangs over us continually. Do you wonder that we cannot afford as sensible business men to invest another dollar in the enterprise. Do you wonder that outside capital will refuse to invest in Oregon?

It is rather hard to restrain oneself and not enter into the discussion of the subject of prohibition. I do not intend to do so at this meeting, for it is certain to engender a useless discussion. I address myself to you, as members of the Willamette Development league, as farmers and property owners and tax payers. I place the matter before you in just the condition it is, and ask you to think the matter over seriously.

As an instance to illustrate what effect this law has already had. Our people wish to build at Salem a larger malting establishment, not alone for supplying our plant at Salem, but also the ones at Olympia and Bellingham, Washington. It was also desired to build large enough to engage actively in the business of selling malt to other breweries. This enterprise means the investment of several hundred thousand dollars and would annually use several hundred thousand bushels of barley, which could be raised in the Willamette valley, for we believe that the soil of this valley will produce the very best of brewers' barley. As long as the present condition of affairs exist regarding the local option law, this enterprise will be lost to Oregon, and if no change is accomplished next June the enterprise will go to the state of Washington.

Here is Oregon, the greatest hop producing state in the union. The industry represents millions of dollars annually. Fifty thousands people are annually engaged in gathering in the crop. Do you farmers think it would

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be a just, fair law that gave your neighbors an opportunity at every election to say that from now on you shall no more operate your business? That your investment in hop houses, kilns, poles, roots, and the like, shall be useless to you and the money you have invested in the same shall be practically a loss to you? Yet that is just the position in which this local option law places the brewer, and you know, as well as I do, that without hops there would be no beer, and without beer there would be but an infinitesimal use for hops.

I cannot see how a man can be an honest and consistent man and a Christian if he favors the production of hops and places the brewer in the

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