

# THE LITERARY DIGEST

April 23, 1921

## TO ENFORCE PROHIBITION IN NEW YORK

**T**HE "WETTEST STATE IN THE UNION," as New York is termed by the *Baltimore American*, is likely to become the driest, it is said, if its municipal authorities aid the Federal Government in rigidly enforcing prohibition, as the new law signed by the Governor requires. New York City, perhaps the wettest spot in the State, demonstrated in the first week of the new régime what could be accomplished through the aid of the city's 11,000 policemen when more than 300 arrests were recorded. "And police activities have just begun," say Federal enforcement officials. "If other States take the same attitudes toward enforcement, America may go dry," exclaims Phipps, the *New York Globe's* "columnist."

"It is easy enough to be facetious about all this, but it is not a comic theme," says the *New York Times* reprovingly, and Governor Miller himself, who has the power to remove them, declares that he wants the Police Commissioner of New York—and the police commissioners of the other cities to understand that the new law can not be made a joke." So the Commissioner is holding every officer on the force immediately responsible for the efficient enforcement of the law, we are told, and commanding officers are required to render semimonthly reports showing the names of dry-law violators and the location of every place under suspicion. The first big haul made by the police was a five-ton truck loaded with whisky and champagne, and in the other instances the evidence seized ranged from a half-pint to a barrel or more. Since it is necessary to discriminate by chemical analysis between straight liquor, liquor masquerading as medicine and powerful but lawful tonics, samples of "evidence" are submitted to the Health Department. These are coming in in such volume, says one writer, that the laboratory will have to be enlarged. The ruling which prevented uniformed men from entering saloons has been abrogated, and it is expected that the policemen, familiar with the ways of bootleggers and other offenders against the Volstead Law, will sweep the city clean. "A man's house is his castle, but not necessarily his brewery," is the significant hint of the First Deputy Police Commissioner to the home-brewing fraternity. Federal Prohibition-Enforcement Commissioner Kramer looks upon home-brewing as a "fad; an adventure which will die from its own results," but the Enforcement Commissioner for the New York district differs with him in this respect. However, in the opinion of the latter, "the new State enforcement law means the finish of the corner gin-mill; the saloons can not buck the game." For under the new law, we are told:





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“Intoxicating liquors can not be sold for medicinal purposes excepting by a licensed pharmacist upon the prescription of a licensed physician. Not more than one pint can be sold at a time, and no prescription can be filled more than once. The pharmacist filling a prescription is required to mark it canceled and to keep a record of all prescriptions.

“No person shall manufacture, purchase for sale, sell, or transport any liquor without filing a record of the amount and all the details of the sale and transportation. The possession of ‘utensils, contrivances, machines, compounds, or tablets’ for the manufacture of liquor, or the sale of these, is forbidden.”

Whether success will crown the efforts of the municipal authorities throughout the State remains to be seen. “Certainly if 11,000 policemen can not enforce the law in one city, it can not be enforced,” asserts the *New York Telegraph*, which sympathizes with the hard-worked policemen. And in the opinion of the counsel for the New York State Brewers’ Association—

“The State of New York should not be charged in any way with either the responsibility or the expense of attempted enforcement. Such legislation is not only a snare and a delusion, but sets up a dual authority that can only result in the chaos and disaster which overtook similar legislation in Massachusetts.”

“After the police have done their utmost, and all our prosecuting authorities have exhausted their powers, the fact will still remain that laws affecting the domestic life of the American people can not be effectively enforced without their cooperation,” maintains the *Brooklyn Citizen*, and the *New York World* assures us that “when New York wants prohibition it will have it. So long as New York doesn’t want prohibition there will be wholesale lawbreaking to avoid it.”

“But,” argues the *New York Times*, “these State prohibition laws are now on the statute-books, and they must be enforced.” “Besides, without State cooperation prohibition can not be widely and strictly enforced,” points out the *New York Herald*. “Whatever is

done, however, can not be done in a day,” admits the *New York Telegraph*, and adds its neighbor, *The Globe*—

“It is possible that the State will do no better at enforcement than the nation did, but it seems probable that there will be an improvement, and perhaps a genuine application of the law. The results of such an application in New York ought to be important. The 6,000,000 have thus far defied prohibition. They have made this city a large wet spot in a land that is generally dry, and have aided materially in postponing a genuine public decision on dryness by leaving it a name, but robbing it of all meaning. If they can be brought within the law the nation will be forced to consider seriously whether the Volstead Act is a sensible way of dealing with the liquor question.”

At any rate, we are told by the *Baltimore American*:

“The experiment will be watched with interest everywhere

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to note whether the widely predicted demoralizing effect on the honesty and efficiency of municipal police forces will materialize; whether it is possible to enforce the law in cities where there is a majority hostile to it; whether juries, infected by this hostility, will be so lax and lenient as to make conviction for violation of the law too difficult. Upon the answer to these questions depends the ultimate fate of the Volstead Act. It is hardly too much to say that the issue rests largely on what happens in New York under the effort now to be made by Governor Miller to see what can be done there by forceful, vigilant action to make the law effective."

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