

THE CITY OF NEW YORK
DEPARTMENT OF RECORDS AND INFORMATION SERVICES
MUNICIPAL ARCHIVES

SEPARATION SHEET

INSTRUCTIONS: For each item or unified group of items separated, complete two *exactly* duplicate forms. Place one form within the collection at the exact place the separated item would occupy if it could remain in the collection. File the other form with the separated item in its new location.

DESCRIBE ORIGINAL LOCATION OF ITEM(S):

1. Record Group:

STRONG, WILLIAM L.

2. Subgroup:

3. Series:

SUBJECT FILES

4. Box No.

Fold No.

EXCISE, BOARD OF

5.

BRIEF DESCRIPTION OF ITEM(S):

JAN. 1895

3 CONCERT LICENSES ISSUED
BY MAYOR STRONG TO
JOHN C. PETERSEN AND CHARLES J. APPELL

SEPARATED TO:

6. New Location:

OV 1

7. Room:

8. Date Separated:

8/8/02

9. Separated By:

T. ADLER

Joseph Murray,
President.
Charles H. Woodman,
Treasurer.
Julius Harburger.
Commissioners.

James F. Bishop,
Clerk.
Alfred R. Page,
Attorney.

Office of
Board of Excise,
Criminal Court Building,
Centre Street, cor. Franklin.
New York.

March 28th, 1895

82

Hon. William L. Strong,

Mayor.

Dear Sir :

I am directed by the Board of Excise to acknowledge the receipt of your communication, enclosing one from Good Government Club E concerning the proximity of saloons to public schools, and to inform you that the same has been submitted to the Board for their immediate consideration.

Respectfully,

James F. Bishop
Clerk.

Joseph Murray
Charles H. Woodman
Julius Harburger

Commissioners

James F. Bishop
Clerk

Alfred R. Page
Attorney

Office of
Board of Excise
Criminal Court Building.
Centre Street, cor. Franklin.
New York March 29th, 1895

Hon. William L. Strong,

Mayor.

Dear Sir :

I am directed by the Board of Excise to acknowledge the receipt of your letter, enclosing communication from F. J. Bailey, Esq., of Baltimore, and to inform you that the request contained in said communication has been complied with.

Respectfully,

James F. Bishop
Clerk.

83

84
Joseph Murray, President.
Charles H. Woodman, Treasurer.
Julius H. Carburger, Clerk.

James F. Bishop, Clerk.
Alfred R. Page, Attorney.

Office of
Board of Excise,
Criminal Court Building,
Centre Street, cor. Franklin.
New York, April 20th, 1895

Hon. William L. Strong,

Mayor.

Dear Sir :

I am directed by the Board of Excise to acknowledge the receipt of your letter recommending Louis H. Gein for appointment to a position in this Department, and to say in reply thereto that Mr. Gein has not passed the Civil Service examination, and is therefore ineligible for appointment at this time.

Very respectfully,

James F. Bishop
Clerk.

Joseph Murray,
President.
Charles H. Woodman,
Treasurer.
Julius Harburger.

Communications to:

William H. Coyle,
James H. Coyle,
Clerk.

Alfred N. Page,
Attorney.

Office of
Board of Excise,
Criminal Court Building,
Centre Street cor. Franklin.
New York. June 1st, 1895

Job E. Hedges, Esq.,

Secretary to the Mayor.

Dear Sir :

I am directed by President Murray to acknowledge the receipt of your communication of May 31st, enclosing anonymous communication concerning the premises No. 157 Forsyth street, and to inform you that the same has been submitted to the Board for its action.

Respectfully,

Wm H Coyle
Secretary.

Joseph Murray,
President.
Charles H. Woodman,
Treasurer.
Julius Harburger.
Commissioners.

William H. Coyle,
Clerk.
Alfred D. Page,
Attorney.

Office of
Board of Excise,
Criminal Court Building,
Centre Street, cor. Franklin.
New York. June 1st, 1895

Job E. Hedges, Esq.,

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Wm H Coyle
Secretary.

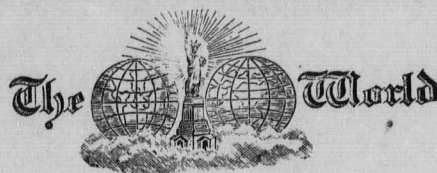
85

1st

2nd

3rd

4th



MANAGING EDITOR'S ROOM.
PULITZER BUILDING, PARK ROW, N. Y.

October 26th/95.

Hon. William L. Strong.

Dear Sir.

I enclose proof of the letter to The World for which at Mr. Pulitzer's request I asked you three days since. I have ^{prepared} ~~prepared~~ it very carefully, basing its contents upon my talk with you and upon your speeches which I have thoroughly reread. I hope that you will find it satisfactory, as I am sure that its publication at this time would be of public value, and that it would give great personal satisfaction to Mr. Pulitzer.

I send the letter now that you may have time to read it at your convenience. I shall call for it at your house at seven thirty this evening, and shall esteem it a great favor if you will kindly let me have it signed at that hour.

With thanks in advance, yours very truly,

Arthur Brisbane

99

October 2

THE WARNER MILLER PLANK.

Some Facts Not Generally Known About the Excise Situation in This State.

THE REAL PERIL TO THE AMERICAN SUNDAY AND HOW IT CAN BE AVERTED.

(BY E. J. WHEELER.)

The following is the well-known plank which was offered by Hon. Warner Miller, and adopted by the recent state convention of the Republican Party, held at Saratoga:

"We favor the maintenance of the Sunday laws in the interest of labor and morality." Mr. Miller secured the Committee on Resolutions had brought in a report with no reference to this subject. Mr. Platt and Mr. Lauterbach and Mr. Fish and others held a hurried consultation, and, as a result, accepted the resolution, and it was adopted without a contest.

If this were all the story, Christian voters might accept the action of the convention, and that resolution, at their full face value. But certain subsequent events have aroused a suspicion that, however honest Mr. Miller may have been in offering the resolution, there is grave reason to fear that the ruling elements in the Republican Party may not be equally honest in their support. In Buffalo, for instance, the Republican County Convention declared: "We favor Local Option," meaning, presumably, Local Option on the question of Sunday saloons. In New York the Republican County Convention has adopted a plank declaring for a law that will enable New York City (four out of every nine of the residents of which are of foreign parentage) to determine, by popular vote, "whether the sale of food, beverages and other necessities shall be permitted on Sunday, during such hours and under such regulations as shall not interfere with religious observance and exercise." These declarations, and the statements by eminent men and leading newspapers in the Republican Party, that such declarations are not in any way contradictory to the Warner Miller resolution, which says nothing about "Local Option," make it necessary for Christian men who prize the Sabbath as a hallowed institution, and for laboring men who do not want to give up their one rest-day in every seven, to heed the following recital of facts.

The real danger to the American Sunday in New York State lies in the so-called "Local Option." This scheme of a "Local Option" law on Sunday saloons has been for years, as we shall proceed to prove, the plan of the liquor-dealers. They have not been asking the legislature to repeal the Sunday laws, but to pass a "Local Option" law, giving the big cities a right to say what those laws shall be, so far as they are concerned. This is the real line of attack upon the American Sunday, and the Warner Miller resolution says nothing about this, leaving every Republican legislator the chance to claim that he is free to vote as he pleases on the subject of Sunday "Local Option."

In its issue dated Oct. 16, 1895, *The Wine and Spirit Gazette* of New York city (which Senator Hill, who ought to be good authority on such a question, called "the leading journal of the liquor trade," in his speech Sept. 7 in Chemung county) had this to say in an editorial:

"The editor of this paper has personally taken to Albany, and caused to be introduced to the legislature, annually for the past three years, a bill providing for a reference of this Sunday question to a direct vote of the people in the great cities, precisely as these united Democrats and Republicans [in New York City] now clearly pledge themselves to effect. What more can honest and law-abiding liquor-dealers ask? What more can they expect?"

In another issue of the same journal, a week or two before, the editor said this:

"Governor Morton is a Republican, popularly credited with an ambition for higher preferment at the hands of his party. That party, at its recent state convention, deliberately proclaimed its opposition to the Sunday traffic, thus tying the Governor's hands. But on the question of local option the convention was discreetly silent. That leaves the governor free to exercise his own judgment on such a proposition, and we have good reasons for believing that he would approve a bill submitting the Sunday question to the voters of the large communities of the State."

It is true that Warner Miller, in his speech in Cooper Union, Oct. 15, declared that the resolution he had offered at Saratoga meant not only enforcement of the Sunday law, but also their "re-tention on the statute-books." But he was careful to say, in the first sentences of his speech, that "For the words which I shall utter here to-night no one is responsible but myself. Neither the Republican Party nor the Republican club of this state, through whose courtesy I appear here to-night, need be held responsible for anything I shall say." Again, later on in his speech he was careful to repeat that "I am speaking for myself to-night." Now the important question is, not what Warner Miller had personally in mind in offering his resolution, but what the Ruling Elements in the party had in mind in accepting it. It is an open secret that Mr. Miller is not the Ruling Element in the Republican Party in this state, and when he speaks for himself he does not necessarily speak for the power which controlled the last Republican legislature, and which is reasonably certain to control the next legislature, if Republican.

Here are the comments on Mr. Miller's speech made the next day by some of Thomas C. Platt's lieutenants in New York City:

FREDERICK GIBBS: "It is only one man's opinion."

AMASA THORNTON: "It is only the expression of one man's opinion."

LUCAS L. VAN ALLEN: "It simply expressed one man's ideas."

Such are the views taken by those closest to Thomas Platt, the Ruling Element in the Republican Party of New York State.

But there is something still more strongly indicating that the foes of the American Sunday, who are also the friends of the American saloon, expect to attain their object through the Republican Party, and are hopeless of attaining it through any other party. The Democrats may be, and probably are, willing to do whatever may be asked of them by the "personal liberty" men; but the Democrats will be powerless to do anything, in all probability, even if they have a majority in the next legislature; for the governor, who is a Republican, is far more likely to veto such a bill coming to him from a Democratic legislature than if it came from a Republican legislature. This, at least, is the view of the case taken by many of the foes of the Sunday law, and they are actually supporting the Republican ticket, even in New York city, as the best means of getting what they want.

Carl Schurz (Secretary of the Interior under President Hayes) said, Oct. 12, in a letter published in the New York City papers:

"The German-American Reform Union has, by reinforcing Tammany, most wantonly imperilled not only the public welfare in general, but also in particular that cause of personal liberty which it pretends to have so warmly at heart."

Simon Sterne, one of the members of the Committee of Fifty, said in a letter to *The World*, Oct. 11, over his own name:

"I am in favor of the fusion ticket also from the German-American standpoint, because I think by its success more liberal excise and Sunday laws will more surely be secured than by the success of Tammany."

And again "the leading journal of the liquor trade" (*Wine and Spirit Gazette*) has this to say, namely:

"If Tammany should be successful at the approaching election, the settlement of the Sunday question will be defeated for years to come. Mark the prediction."

President Hirsch, of the State Liquor Dealers' Association, declared in a Republican paper (*The Commercial Advertiser*, Oct. 2), speaking in regard to the candidates throughout the state for the legislature, that "it makes no difference what the politics of the candidates may be." Evidently Mr. Hirsch has no apprehension that simply because a man is on the Republican ticket he will therefore feel himself pledged by the Saratoga platform against the bill which the liquor dealers want, namely a "Local-Option" bill.

Here then are the considerations that ought to influence every Christian voter in the coming election:

1. Neither party has dared to come out in its platform squarely for the repeal of the Sunday laws pertaining to saloons. As Rev. Thomas Dixon said in a recent address, "even if a legislature passed such a bill, no governor would sign it; for every governor of New York is a chronic candidate for the Presidency, and any governor who signed such a bill would be buried forever by the combined forces of the Catholic hierarchy and the Protestant churches and the outraged sense of the moral community."

2. The liquor-dealers, believing the above to be true, have, for the last three years, been making their attack along the line of Sunday "Local Option"; drafting bills and pressing them on the legislature.

3. On this subject of Sunday "Local Option" the Republican Party's state platform is entirely silent, even Warner Miller's plank saying nothing about that.

4. The Ruling Element in the Republican Party is not in sympathy with Warner Miller, nor his interpretation of the resolution offered by him, and does not consider that Republican legislators will be bound by that resolution to vote against a Sunday "Local-Option" bill.

5. As the present Republican governor holds over for two more years, the next legislature can not pass any bill not approved by him, and therefore a Democratic legislature will be even less likely to succeed in undermining the Sunday laws than a Republican legislature, controlled, as the last one was (and what disgraceful results!) by Thomas C. Platt and his coadjutors.

What, then, shall a Christian voter do to make his ballot count clearly and unequivocally against the saloon and in favor of the American Sunday? We answer that there is no assurance whatever that a vote for the Republican or Democratic ticket will be construed as a vote for the American Sunday, and it is very difficult to tell which party would be most prompt to give a Sunday "Local-Option" bill. From such a bill the liquor-dealers would have nothing whatever to lose, and much to gain, which is not at all the case with what is usually known as Local Option. What is usually known as Local Option refers the whole question of sales of liquor during the entire week to popular vote. The liquor-dealers don't propose that kind of Local Option, but simply Local Option on Sunday, on which day we now have legal Prohibition. It is with them simply a case of "heads I win, tails you lose."

What, then, shall a Christian voter do?

We answer: Let him cast his ballot so that it will stand out to be seen of all men as a declaration against the opening of saloons on Sunday, either by Local Option or any other means; and not only against it on Sunday, but on other days as well. And he can do that only by voting for the ticket of the Prohibition Party, whose platform contains this clear cut declaration:

"2.—We accept as the expression of our political ideal the unanimous declaration of the Supreme Court that this is a Christian Nation, and we call upon the people of the State to repudiate and consign to oblivion any political party that shall propose to submit a commandment of the decalog to the local option of corrupt cities."

Sometimes a person who is outside a political contest can give safer and more impartial advice than one who is in the midst of it. *The Ledger*, of Philadelphia, is one of the most honored of Republican dailies. It comments editorially on the situation in this state as follows, Oct. 10:

"The conduct of the Platt Republicans in New York city is likely to alienate from the support of the ticket men in all parts of the state sincerely desirous of having stringent liquor and Sunday observance laws maintained and enforced. They can not go over to the Democrats, it is true, but they can enter a protest against hypocrisy by voting the Prohibition ticket."

An increase in the vote of the Prohibition Party will not only be a "protest against hypocrisy," as the *Ledger* says, but it will serve notice upon the politicians of both old parties in a way that no one can possibly misconstrue, that their roading to the gin mills, and to those Germans who are ready to barter decent government or anything else for their Sunday beer, and their attempt to place the American Sunday on the auction block, have gone just about as far as the people of this state are going to stand.

NEW YORK, Oct. 21, 1895.

REPORT

OF THE

Commissioners of Excise

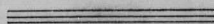
OF THE

CITY OF NEW YORK

TO

Hon. WILLIAM L. STRONG,

MAYOR.



FOR THE YEAR ENDING, DECEMBER 31st, 1895.

*REPORT OF THE COMMISSIONERS OF EXCISE
OF THE CITY OF NEW YORK, FOR THE
YEAR ENDING DECEMBER 31st, 1895.*

OFFICE OF THE BOARD OF EXCISE, }
Criminal Court Building, }

NEW YORK, January 20th, 1896.

Hon. William L. Strong, Mayor :

SIR:—It has been the custom of Boards of Excise in the City of New York to make a report to the Mayor, as the head of the municipal government, covering the fiscal year, which closes on the thirtieth of April; but the undersigned, appointed Commissioners of Excise by you, on February 25th, 1895, under a law which makes the term of such commissioners in this city begin and end with that of the Mayor, have deemed it proper to prepare a report covering the proceedings of the Board during the calendar year ending December 31st, 1895, which we now have the honor to submit.

The total number of applications received for licenses and for transfers of licenses during the year, was 12,070 :

Applications granted and licenses issued.....	11,029
Applications rejected and licenses refused.....	324
Applications cancelled or withdrawn.....	848

There are two kinds of excise licenses authorized by law :

First : That permitting the sale of strong and spirituous liquors,

wines, ale or beer, to be drunk on or off the licensed premises, of which there are four classes : Class 1, Hotel License; Class 2, Grade A, Saloon Liquor License ; Class 2, Grade B, Saloon Liquor License for Restaurant (permitting liquors, etc., "only to be sold to be drunk upon the licensed premises when served at a table with food"); Class 3, Saloon Ale and Beer License, and Class 6, Additional License, permitting such sale between the hours of one and five o'clock in the morning.

Second : That permitting the sale of strong and spirituous liquors, wines, ale or beer, *not* to be drunk on the licensed premises, of which there are two classes : Class 4, Storekeeper's License, issued to wholesale and retail liquor dealers, grocers and bottlers, and Class 5, Druggist's License, permitting such sales "only upon a physician's written prescription, to be but once used."

The licenses of each class and grade issued during the past year with fees imposed and received are as follows :

	Class.	Grade.	Number.	Fee.	Amount.
Hotel licenses-----	1	1	13	\$500	\$ 6,500
" "-----	1	2	270	300	81,000
Saloon liquor licenses-----	2	A	6,930	200	1,386,000
" restaurant licenses-----	2	B	371	100	37,100
" ale and beer licenses----	3		448	50	22,400
Storekeeper's licenses-----	4		1,071	200	214,200
Druggist's licenses-----	5		15	20	300
Additional licenses-----	6		13	100	1,300
" "-----	6		29	150	4,350
Transfers to purchaser-----			1,504	20	30,080
" " place-----			365	20	7,300
Total issues and amount received			11,029		\$1,790,530

It has been a rule of the Board for several years past to consider a hotel, whose licensed sales amount to less than \$40,000 per annum, a second grade hotel, from the excise point of view, and to fix the fee at \$300. This Board has, however, abolished this rule by its action, taken since the

first of January, raising all fees to the maximum, as will hereinafter appear.

In April, 1895, we increased the fee for additional license (popularly called "all night license") from \$100 to \$150, the Commissioners being unanimously of the belief that this special privilege, so eagerly sought for, should pay the maximum fee.

The total amount received for license fees during the past year, \$1,790,530, as recorded above and detailed in the table at the close of this report, is an increase of \$37,330 over the receipts for 1894, and an excess of \$25,120 over the receipts for the fiscal year ending April 30th, 1895.

The increase of licenses issued over the issues for the fiscal year ending April 30th last (165 in number) does not imply any increase in the number of drinking places. On the contrary, there is an appreciable decrease, and such increase has been unwaveringly forbidden by the now famous "Surrender Rule" of the Board since March 22d, 1887. The variation in detail appears thus :

Class.	No. issued year ending April 30, '95.	No. issued year ending Dec. 31, '95.
C. 1-----	246	283
C. 2 G. A-----	6,885	6,930
C. 2 G. B-----	329	371
C. 3-----	497	448
C. 4-----	1,082	1,071
C. 5-----	16	15
C. 6-----	22	42
Transfers to purchaser--	1,462	1,504
" " place-----	325	365
	10,864	11,029

Since the stringent enforcement of the Sunday law, some places having the necessary hotel accommodations, but only a \$200 saloon license, have surrendered that license, losing its unexpired pro rata value, in order to take a hotel license at \$300, thus acquiring the Sunday privileges this license provides. Other licensees, having been once convicted, and fearful

of losing their license upon a possible second conviction, have sold out their business to a new applicant, and a second license has thus been issued to the same place within the year.

The tendency, plainly noticeable by the commissioners, to create accommodations sufficient to barely cover the conditions of a hotel license, was checked last summer by our action in requiring the closing of an existing drinking place and the surrender of its license before a new hotel could be licensed,—a rule theretofore applied only to new saloons. This tendency will be further weakened by the recent increasing of all hotel fees to the maximum \$500.

A valuable custom, inaugurated by the Board in 1887—that of taking an annual census, in as brief time as possible, of licenses in force and licensed places in existence—has fallen in abeyance of late years; but the present Board has revived it, and a thorough personal inspection was made, at the last of December, of every licensed place in the city. The result (tabulated in detail at the close of this report) is here shown:

LICENSES IN FORCE, DECEMBER 31, 1895.

Hotel Licenses-----	Class 1. Grade 1,	106
Hotel Licenses-----	Class 1. Grade 2,	256
Saloon Liquor Licenses-----	Class 2. Grade A,	6,871
Saloon Liquor Licenses for restaurant--	Class 2. Grade B.	349
Saloon Ale and Beer Licenses-----	Class 3.	407
Storekeeper's Licenses-----	Class 4.	1,052
Druggist's Licenses-----	Class 5.	17
Additional Licenses-----	Class 6.	33

Total number of Licenses in Force----- 9,091

Of this total number, 157 places are in the new district, which was annexed in June, 1895, thus being part of the marriage dowry which these towns brought to our city. The 157 are divided as follows: 90 hotels, 61 liquor saloons, 1 restaurant, 2 ale and beer saloons, 1 storekeeper and 2 druggists. Many of the 90 hotels must soon drop out, as they were

licensed under the provisions of law applying to towns, which require only three bedrooms for guests, while in the city ten such rooms are necessary, and they cannot make the accommodations.

From the 9,091 must be deducted the 33 additional licenses (only issued to places which already have the regular license), thus leaving, as the total number, 9,058 licensed places.

The total number of places for drinking on the premises is 7,989. Of these 349 are restaurants simply, a bar being prohibited; 362 are hotels, and 7,278 are saloons. Of these 7,278 saloons, 387 have restaurants, and of course the 362 hotels all serve food. So there are in this city just 6,891 barrooms licensed for drinking purposes only. Of the 9,058 licensed places, it should be said, 161 are at present closed, as follows: 7 hotels, 132 liquor saloons, 3 ale and beer saloons, 9 restaurants and 10 storekeepers; but as these all have unexpired licenses they can, of course, reopen at any time.

It may also be noted here that there has been a small increase in the number of additional licenses; but this class of license has, by resolution of the Board, been restricted to licensed premises which are used as ballrooms and large halls where receptions and entertainments are given.

The Class 4, Storekeeper's Licenses, prohibiting drinking on the premises, now in force, are distributed thus: wholesale and retail liquor dealers, 260; grocers, 614; bottlers, 139; and druggists, 39—a total of 1,052.

Since May, 1893, no new place has been granted a storekeeper's license except upon the closing of an existing place and the surrender of its license, thus checking the increase of this form of the liquor traffic, as had been previously done in the case of saloons.

The estimated population of this city as shown by the census of the Board of Health, taken January 11, 1896, is 1,908,295. On this basis it appears that the places in this city now licensed to sell intoxicating liquors

are in the ratio of one to every 210 inhabitants; the licensed barrooms (excluding restaurant licenses) are as one to 250; and the licensed places which are barrooms only, selling nothing but drink, are one to every 277 of the population. Or, on a computation which enables comparison to be made with other parts of the State, the State census of 1892 gave the city 1,801,739 population; we thus had one licensed place to each 200 inhabitants, and one licensed barroom to each 236. In this connection, however, it is well to remember that there are in New York every day a vast number of people, variously estimated at from 200,000 to 300,000, who are not enumerated in its census. As showing, also, that this city is not a sinner above others, the following table, prepared for the Governor of the State in April, 1887, is very instructive:

City	Population 1880	No. of Licenses	No. of license per 1,000 of population.	Village or town.	Population 1880.	No. of Licenses.	No. of license per 1000 of population
Buffalo.....	155,134	2,133	13.75	Wallkill.....	11,486	65	5.66
Utica.....	33,914	432	12.74	Fishkill.....	10,732	65	6.00
Long Island City..	17,129	201	11.73	Hempstead.....	2,521	16	6.35
Syracuse.....	51,792	602	11.68	Seneca Falls.....	5,880	38	6.46
Hudson.....	8,670	99	11.42	New Brighton.....	12,679	83	6.55
Dunkirk.....	7,248	77	10.62	Flushing.....	6,683	44	6.59
Troy.....	56,747	574	10.11	Cortlandt.....	12,664	84	6.03
Albany.....	90,758	902	9.94	Port Jervis.....	8,678	61	6.63
Newburgh.....	18,049	178	9.86	Ithaca.....	9,105	66	7.25
Elmira.....	20,541	197	9.59	Cazenovia.....	1,918	14	7.29
Yonkers.....	18,892	179	9.47	Saugerties.....	3,923	29	7.39
Schenectady.....	13,655	128	9.40	Hornellsville.....	8,195	61	7.44
Lockport.....	13,522	122	9.02	Jamaica.....	3,922	32	8.16
Rochester.....	89,366	796	8.91	Lyons.....	3,820	32	8.38
Rome.....	12,194	107	8.77	Coxsackie.....	1,661	14	8.45
Kingston.....	18,344	160	7.71	Green Island.....	4,160	40	9.63
Cohoes.....	19,416	165	8.50	Catskill.....	4,320	42	9.73
Oswego.....	21,116	170	8.05	Geneva.....	5,878	60	10.21
Binghamton.....	17,317	135	7.80	Batavia.....	4,845	51	10.53
Auburn.....	21,924	160	7.30	Corning.....	4,802	54	11.25
New York.....	1,206,299	8,765	7.27	Fonda.....	944	14	14.83
Poughkeepsie.....	20,207	143	7.00	Saratoga Springs..	8,421	156	17.81
Amsterdam.....	11,710	80	6.83	Olean.....	3,036	60	19.76
Ogdensburg.....	10,341	56	5.42				
Watertown.....	10,697	57	5.33				
Brooklyn.....	566,663	3,012	5.33				
Jamestown.....	10,842	36	3.32				

It thus appears that there were twenty cities having more licenses *per capita* than New York, and only six having less. The contrast is even more marked when our city is compared with the towns and villages.

This table includes all the licenses issued, but the proportion of drinking places to the total number of licenses is greater in other cities than in this, because of the large number of wholesalers, grocers and bottlers here having storekeeper's licenses.

The present proportion in this city exists in spite of the fact that the saloons have not been permitted to increase by so much as one during the past nine years, while the population has increased nearly fifty per cent. It is consoling to reflect, however, that the restrictive rule, heretofore mentioned, adopted by the Board of Excise on March 22d, 1887, has worked some good to the community; for on that date the ratio of licensed places was one to 138 of the population.

Considering all the facts in the case, the present Board determined, on the seventh of this month, to take what is perhaps its most important action since its appointment in February last. It will be found in the following extract from minutes of the Board of Excise, January 7th, 1896 :

Commissioner Woodman offered the following preamble and resolution and moved their adoption:

WHEREAS, There are now, including the recently annexed district, 9058 places licensed in this city for the sale of intoxicating liquors; and

WHEREAS, This state of affairs is wholly inconsistent with a high degree of public morality and safety, but is directly conducive to poverty, wretchedness and crime; and

WHEREAS, Despite the stringent rules of this Board regarding the opening of new places, and despite our persistent refusal to grant such licenses, save where there is a clearly defined need, the pressure upon the Commissioners is unceasing; and

WHEREAS, It is undisputed that the majority of the inmates of the charitable institutions receiving, by law, the excise moneys are brought there directly or indirectly as the result of intemperance; therefore,

RESOLVED, That in order to further regulate the sale of intoxicating liquors, and

to increase the revenues from which the poor and unfortunate in our institutions are largely supported, the fees for renewal of licenses expiring after January 21st, 1896, and the fees for licenses issued upon applications made after this date, January 7th, 1896, be and the same are hereby increased to and fixed at the highest limit allowed by law, namely:

Hotel license-----	(now \$300 and \$500)	\$500
Saloon liquor license-----	(now \$200)	250
Saloon ale and beer license ---	(now \$50)	75
Storekeeper's license-----	(now \$200)	250
Druggist's license-----	(now \$20)	20
Additional license-----	(now \$150)	150
Transfer or assignment-----	(now \$20)	30

Provided, that the license fee for a restaurant, where "strong or spirituous liquors, wines, ale or beer shall be sold only to be drunk upon the licensed premises when served at table with food," now \$100, shall be fixed at \$150.

JOSEPH MURRAY.

CHAS. H. WOODMAN.

I vote no. See minority opinion.

JULIUS HARBURGER.

Commissioner Julius Harburger votes against the preamble and resolution and protests against the measures adopted by the Excise Board.

I do not agree that 9058 places licensed in this city, including hotels, restaurant and storekeepers, are too many for the greatest city in the United States, and a port of entry unequalled in any part of the world, where thousands of non-citizens arrive daily to receive their food and drink. The licensed business under our jurisdiction is not inconsistent with public morality, nor is it conducive to poverty, but the income received has assisted to alleviate and ameliorate the condition of mankind in general. I deny that the moneys received by these institutions are brought there as the result of intemperance. Why shall the licensed places be continually menaced in their freedom and the rich clubs go unscathed?

The fees that are now exacted are more than sufficient to bring an enormous revenue to the city, and this new addition is detrimental to the growth of a business enterprise which is taxed to death, and which is being continually maligned, persecuted, ostracised and hampered in their legitimate pursuits allowed by law.

JULIUS HARBURGER.

Commissioner Woodman offered the following preamble and resolution, and moved their adoption:

WHEREAS, It is believed that the public interests demand a reduction in the number of places licensed to sell intoxicating liquors, and

WHEREAS, It is desired to effect this result with as little injury as possible to the property interests involved; therefore,

Resolved, That no application for a license for a new place for the sale of strong or spirituous liquors, wines, ale or beer, to be drunk on the licensed premises, made after this date, January 7th, 1896 (except that known as a restaurant license), will be granted and license issued, save upon the closing of two existing places and the surrender of the licenses thereof; and in such case only when it is shown that the new place will be a public convenience, or that the majority of the property holders and residents in the neighborhood give their consent in writing thereto.

No place, the license on which shall be revoked after this date upon hearing by this Board, shall be relicensed, except upon the closing of two existing places, and the surrender of the licenses thereof.

JOSEPH MURRAY.

CHAS. H. WOODMAN.

I vote no. See minority opinion.

JULIUS HARBURGER.

I most emphatically protest against the reduction of the number of saloons in New York City. I claim the same is unconstitutional, as it interferes with the vested rights of individuals who must be protected at all hazards. Even if the State should interfere, and regulate the reduction of the number of saloons, the highest tribunal of the nation in my judgment, would order a reversal. Landlords who have made leases on long terms would be in continued litigation with their tenants, and the poorer classes of saloon keepers would be driven to penury, misery and want. This is a cosmopolitan city, teeming with life, prosperity and wealth, made so by that element, which is law-abiding, and continually increasing the same. The revival of obnoxious laws which have been relegated to the past is injurious, injudicious, unwise and prejudicial. While we are all Americans, and none more devotedly attached to the interests of the republic, due consideration must be given to the wants of those people who, coming from foreign climes, have established customs which cannot be obliterated.

JULIUS HARBURGER.

The increase of fees thus provided would, upon the basis of the number of licenses issued during 1895, increase the yearly revenue \$503,000.

Of the total revenue for 1895, \$134,290.27 were applied to the expenses of the Board of Excise; \$300,000—a fixed annual amount—went to the Police Department Pension Fund, which without this would be speedily bankrupt; \$75,000—also a fixed yearly charge—went to the Fire Department Relief Fund; \$500,000 was turned into the General Fund, and over \$700,000 was distributed among the benevolent or charitable institutions in this city for the support of the poor and unfortunate. The law by which the Board of Estimate and Apportionment is authorized to thus beneficially appropriate “excise moneys derived by the Excise Commissioners in said city from *licenses for the sale of intoxicating liquors*” provides that “the term ‘poor,’ as used in this section, shall only include persons who would otherwise become a charge upon said city,” etc. It is thus seen how great a saving to the taxpayers is the revenue derived from this license system.

The following table shows the number of licenses issued and the amount received for license fees for the past ten years:

Year ending April 30th,	Number of Licenses issued.	Revenue received.
1886	9,574	\$ 682,345
1887	9,308	781,740
1888	9,608	1,372,040
1889	9,204	1,416,010
1890	9,401	1,453,510
1891	9,360	1,468,130
1892	9,476	1,503,530
1893	9,487	1,569,525
1894	9,028	1,747,860
1895	9,077	\$1,729,670 }
1895 (assigned and transferred.)	1,787	35,740 }
		<hr/> \$13,760,100

The work devolving upon the Board is greatly increased, both in extent and in responsibility, by that provision of the law which constitutes the Board practically a court to try licensees for certain violations of the excise law, and to revoke licenses upon proof; and, in the case of the present Commissioners, because of a general belief, often publicly expressed at our hearings that, having been selected by you, we are expected and trusted to do whatever lies in our power to restrict and remedy the evils of the liquor traffic. This sentiment by which we are honored has resulted in multiplying the complaints and protests that are brought before us. Early in our term we were thus obliged to set apart three entire days in each week—Monday, Wednesday and Friday—for these public hearings.

This feature of our work for the year is thus summarized:

Number of hearings on complaints for revocation, under Sec. 28 of the	
Excise Law-----	163
Number of hearings on protests-----	385
Total number of hearings-----	548
Number of decisions on hearings-----	544
Number of licenses revoked-----	52
Number of complaints dismissed-----	111
Number of applications rejected and ordered issued by the Court-----	2
Number of licenses revoked and ordered issued by the Court-----	2
Number of writs of certiorari directed to the Board-----	24
Number of cases argued on said writs-----	20
Number of appeals pending-----	5

Of the foregoing our predecessors, between January 1st and February 25th, heard 47 complaints, revoked 11 licenses and dismissed 36 complaints. The growth of this work necessitated the adoption of certain calendar rules, which will be found on page 18 of this report.

Of the five appeals which were pending on December 31st, 1895, one has recently been determined by the Court of Appeals. In this case, to-wit, the People ex rel. Cairns vs. the Board of Excise, the decision is perhaps the most important and far-reaching in its effect upon the traffic in this city, of any judicial determination on any question arising under the present Excise Law.

By Section 43 of the present statute it was enacted that no person or persons not licensed prior to the passage of that act should thereafter be licensed to sell liquors, etc., in any building not used for hotel purposes, and for which a license did not exist at the time of the passage of the act, where said building was on the same street or avenue, and within two hundred feet of a building occupied exclusively as a church or school house.

Doubt had existed as to the object of the act, whether by virtue of the act licenses could be issued for places where a license had been held prior to the passage of the act to persons who were not licensed prior to the passage of the act, or whether licenses could be issued only to the persons licensed prior to the passage of the act at the place where so licensed. The opinion of counsel to the Board, upon which Cairns' application was rejected, was deemed incorrect by the General Term of the Superior Court: but the Court of Appeals sustained counsel and reversed the lower court, holding, in effect, that no license (except for hotel) could be issued to any person for any place within two hundred feet of a church or school, except to the person licensed at the time of the passage of the act at that particular place, and whose license was in force when the law was enacted. As a result of this decision, a very large number of licensed places will be extinguished.

During the past summer, acting upon the suspicion that some persons were giving "straw bonds" and others going upon more bonds than their responsibility would justify, we summoned a large number of bondsmen before us, and examined them publicly under oath as to their responsibility. The result was on the whole reassuring and gratifying, besides inducing greater caution on the part of bondsmen and greater watchfulness on the part of officials.

The Board recently "Resolved, that Counsel to the Board be and he is hereby instructed to sue for the recovery of the penalties on bonds in all cases in which a breach of the conditions of said bonds has occurred since

February 25th, 1895, or shall hereafter occur." Suits in these cases, which are very numerous and will necessitate an increase in our legal force, will speedily be commenced. The result will doubtless be a large addition to the city's revenue, and a marked improvement in the tone and respectability of the liquor traffic here.

The employees of the Board number 81 persons, including counsel and the heads of bureaus. The *personnel* of the force has been largely changed, for obvious reasons, since our accession to office, and the department is now in an excellent state of efficiency.

Notwithstanding that new quarters, in the Criminal Court Building, were assigned to the Board two years ago, our accommodations are at present insufficient, largely owing to the poor arrangement of the rooms. From 70,000 to 80,000 persons visit our offices during the year, and on trial days the Board Room is wholly inadequate.

On May 21st, 1895, the position of Excise Inspector, theretofore subject only to non-competitive civil service examination, was put in the competitive list, so that now every place under the Board, excepting counsel, secretary, cashier, assistant cashier, special aid, special detective and special agent, is subject to open competition.

Determined to give an economical administration, we asked for, and received, at the beginning of the fiscal year in May last, an appropriation \$5,000 smaller than that for the previous year. In this connection it should be remembered that the cost of maintaining the department does not fall upon the taxpayer, but is defrayed from the excise fees imposed and received by the Excise Board.

Believing that the question of politics should not enter into the consideration of licenses, that the Excise Law is a police law, not a political law, we immediately upon assuming office broke up the old method of assigning inspectors and keeping records by assembly districts, and arranged the entire work by police precincts. There have been maintained, since

1886, a set of maps containing every building in the city and designed to show every place licensed and the class of license it carries; and a set of scrapbooks, properly indexed, in which are preserved the published accounts of everything affecting the character of licensees, or relating to occurrences in licensed places. These records are an invaluable aid to the proper conduct of our work.

From the time an application for license is made until the license is issued, the papers pass through twenty-five hands. Our employees are kept effectively busy; while the counsel to the Board is constantly on hand, and in demand to answer the innumerable legal questions arising in the consideration of applications.

The regulations adopted by the Board governing the conduct of its business at the present time are found in the following :

RULES OF THE BOARD OF EXCISE.

No application for a license for a new place for the sale of strong or spirituous liquors, wines, ale or beer to be drunk on the licensed premises (except that known as restaurant license) will be granted, except upon the closing of two existing places and the surrender of the licenses thereof; and in such case only when it is shown that the new place will be a public convenience, or that the majority of the property holders and residents in the neighborhood give their consent, in writing, thereto.

No application for a storekeeper's license for a new place will be granted, except upon the closing of an existing place and the surrender of the license thereof.

An application for a license for a new place must be accompanied by a statement, showing the number, location and character of the existing places licensed in the neighborhood of the proposed new place; also by the written consent of the owner of the property, or his authorized agent, that spirituous liquors, wine, ale or beer may be sold on the premises.

A third corner will not be licensed for a new saloon; that is, where two corners of any streets are already licensed a license will not be issued for a new place at a third corner.

A place closed and unlicensed for more than three months will be considered as a new place, if application for a license at that place is made.

No place, the license on which shall be revoked upon hearing by this Board, shall be relicensed except upon the closing of two existing places and the surrender of the licenses thereof.

If an applicant for a license at a new place is proven to have sold spirituous liquors, wine, ale or beer at that place before the action of the Board upon his application, a license will be refused.

Application for a renewal of license should be made not less than two weeks before the time the existing license expires.

Application must be made by the applicant in person, accompanied by the bondsmen, at the office of the Board of Excise, where the necessary papers will be prepared by the clerks without any fee or charge.

If an applicant for a license, or any person interested with or representing such applicant, gives, or offers to give, any money or anything of value, to any officer or employee of the Board of Excise, to influence or reward his action as such officer or employee, the Board of Excise will, upon proof of any such gift or offer, refuse a license to such applicant.

Any officer or employee of the Board of Excise who shall be proven to have accepted or asked for any fee or gratuity from any person will be dismissed.

The selling or offering for sale by any employee of the Board of Excise, to any person who is a licensee of this Board, or any person in the brewing, wine, ale or liquor business, or connected therewith, of any ticket to any ball, picnic or other entertainment whatsoever, or the soliciting of an advertisement by any employee of this Board from any licensee of this Board, or any person in the brewing, wine, ale or liquor business, or

connected therewith, in any paper or programme connected with any ball, picnic or other entertainment, shall be deemed good and sufficient cause for the removal of such employee.

The duties of an Inspector of Excise are confined to making such written reports to the Board of Excise as are required by the rules, or by direction of the Board.

Inspectors have no proper business to transact with applicants in or about the office of the Board of Excise. It is their duty to visit applicants at their residence or place of business when necessary in making their inspections.

Inquiries relating to the business of the Board of Excise must be addressed to the Secretary.

CALENDAR RULES.

1. Trial days of the Board of Excise from the month of October until the month of May, inclusive, are Mondays, Wednesdays and Fridays. The calendar for Mondays will consist of the hearing of complaints only; Wednesdays, for the trial of cases which must be tried in an hour, each side to be allowed not more than 30 minutes; Fridays, a general calendar.

2. The trial of cases other than cases upon complaints will not be adjourned more than once, except by consent of the parties, or upon an affidavit setting forth an excuse which would be a good and sufficient excuse in a Court of record.

3. All applications for rehearings must be made upon an affidavit of the applicant for a rehearing, or his counsel, and must satisfy the Commissioners that the applicant expects to prove material facts which did not appear upon the original hearing.

At the present time, when the whole excise problem is receiving such wide and active discussion, it is perhaps fitting that we should speak

briefly of the working of the law as seen from our point of observation. While it is certain that some changes could be made which would make it more responsive to the demands of the people on the one hand, and on the other hand tend to elevate the business it is designed to regulate, we find from our experience in administering it that it is in the main a good and efficient law. It is often spoken of as "the Tammany law," but this designation is obviously incorrect. The present law is for the most part the law of 1857 and its early amendments, and most of its deviations from that Act are in the nature of an improvement.

It gives, as excise laws have always given, a wide discretion to the Commissioners entrusted with its administration. The law provides that no man is entitled to an excise license as a matter of right. It is a privilege that may be exercised only by such persons and at such places as the Commissioners may, in their judgment, deem proper. Their power to grant that privilege is almost absolutely without limit or restriction, and their power to refuse it is subject, except for a few limitations, only to the condition that such refusal shall not be arbitrary or without good and valid reasons, in which case the rejected applicant is sure of relief from the Court upon a writ of certiorari.

Power so great, affecting the property and interests of individuals and the well-being of the community, may be greatly abused. The only justification for putting such authority in the hands of officials is an all-sufficient one, viz: its absolute necessity for the protection of the public,—the fact that the serious questions which should properly govern the granting of excise licenses must be determined by *some one*, and are such as cannot be decided by ordinary process of legal procedure, but must be determined by the exercise of judgment and discretion. It is not alone whether the violation of law under an existing license shall be punished, which the courts also are empowered to do; it is the great question whether the license should ever exist, whether it should be granted.

There are, for instance, at present on file as part of the records of the Board of Excise of the City of New York, in full force and active daily operation, 736 protests, mainly from property owners who do not desire saloons in the neighborhood of their homes. Of this number 110 are filed by clergymen, and 20 by school trustees and teachers. Many of these protests, as in the case of the Paulist Fathers, cover a large extent of territory; in their case from 54th street to 65th street, and from Eighth Avenue to the North River. Other protests covering large sections of the city are those of the West Side Excise Reform Association, the West Side Protective League, the Bedford Park Association and the Jerome Park Villa Association.

During the past nine years there have been 3,377 applications for licenses for new places rejected by the Board of Excise. In nearly all of these cases it was wholly within the power of the Board to grant the application. Had the Board, therefore, not thus exercised the discretion vested in it by law, there would be over 3,000 more licensed places in the City of New York than there are to-day.

Respectfully submitted,

Joseph Murray
Charles H. Bradman
William H. Dobson

Commissioners of Excise.

LICENSES IN FORCE DECEMBER 31, 1895.

Precinct No.	Class 1. Grade 1.	Class 1. Grade 2.	Class 2. Grade A.	Class 2. Grade B.	Class 3.	Class 4.	Class 5.	Class 6.	TOTAL.
1	1	6	197	23	1	27	2	---	256
2	1	19	217	9	13	32	1	---	292
3	1	3	243	10	7	13	---	---	276
4	1	6	187	9	3	16	---	---	221
5	1	4	181	3	2	11	---	---	201
6	1	4	157	1	6	11	---	---	175
7	1	4	194	13	7	18	---	---	175
8	1	5	256	13	2	25	---	---	236
9	1	5	156	10	11	15	---	---	301
10	1	4	291	24	32	23	---	---	193
11	1	1	171	5	14	6	---	2	376
12	1	1	196	3	47	8	---	---	197
13	1	8	342	25	99	25	---	7	506
14	1	17	174	25	6	27	---	1	255
15	1	3	192	5	3	37	---	---	250
16	1	23	219	5	19	27	---	2	240
17	1	41	203	73	2	57	1	3	306
18	1	10	343	7	25	47	2	---	391
19	1	3	209	7	11	52	3	---	436
20	1	16	357	9	7	52	5	---	462
21	1	15	279	14	12	65	---	3	407
22	1	10	107	7	3	80	1	5	182
23	2	5	286	7	17	54	---	---	378
24	2	1	77	3	3	61	---	---	134
25	2	3	264	4	4	49	---	1	341
26	2	9	350	6	13	65	---	1	422
27	2	9	222	4	1	46	---	2	284
28	2	6	154	3	5	60	---	---	231
29	2	10	16	---	6	2	---	---	30
30	2	6	70	3	18	4	---	3	93
31	2	6	393	2	---	29	---	2	420
32	2	3	106	5	3	6	---	---	120
33	2	3	31	1	---	1	---	---	39
34	2	3	61	1	2	1	---	---	157
35	2	---	---	---	---	---	---	---	---
36	2	---	---	---	---	---	---	---	---
37	2	---	---	---	---	---	---	---	---
38	2	---	---	---	---	---	---	---	---
	106	256	6,871	349	407	1,052	17	33	9,091

**TABULATED STATEMENT OF LICENSES ISSUED, AND OF AMOUNTS RECEIVED FOR LICENSE FEES,
DURING THE YEAR ENDING DECEMBER 31, 1895.**

1895.	Class 1. Grade 1. Hotel.			Class 2. Grade 2. Hotel.			Class 2. Grade A. Saloon Liquor.			Class 2. Grade B. Restaurant.			Class 3. Saloon Ale and Beer.			Class 4. Storekeeper.			Class 5. Druggist.			Class 6. Additional.			Assigned.			Trans- ferred.		
	No.	Rate.	Amt.	No.	Rate.	Amt.	No.	Rate.	Amt.	No.	Rate.	Amt.	No.	Rate.	Amt.	No.	Rate.	Amt.	No.	Rate.	Amt.	No.	Rate.	Amt.	No.	Rate.	Amt.	No.	Rate.	Amt.
January	1	\$500	\$500	20	\$300	\$6,000	524	\$200	\$104,800	22	\$100	\$2,200	32	\$50	\$1,600	58	\$200	\$11,600	1	\$20	\$20	9	\$100	\$900	111	\$20	\$2,220	25	\$20	\$500
February	1	---	---	18	300	5,400	585	200	117,000	27	100	2,700	38	50	1,900	61	200	12,200	1	20	20	4	100	400	134	20	2,680	26	20	520
March	2	500	1,000	12	300	3,600	645	200	129,000	33	100	3,300	45	50	2,250	109	200	21,800	2	20	40	---	---	---	117	2	2,340	19	20	380
April	4	500	2,000	32	300	9,600	957	200	191,400	36	100	3,600	45	50	2,250	127	200	25,400	2	20	40	---	---	---	113	20	2,260	51	20	1,020
May	---	---	---	27	300	8,100	800	200	160,000	40	100	4,000	42	50	2,100	96	200	19,200	1	20	20	1	150	150	114	20	2,280	59	20	1,180
June	---	---	---	12	300	3,600	641	200	128,200	42	100	4,200	45	50	2,250	160	200	32,000	2	20	40	1	150	150	115	20	2,300	29	20	580
July	---	---	---	19	300	5,700	509	200	101,800	28	100	2,800	48	50	2,400	80	200	16,000	2	20	40	4	150	600	138	20	2,760	32	20	640
August	2	500	1,000	17	300	5,100	452	200	90,400	23	100	2,300	25	50	1,250	77	200	15,400	1	20	20	2	150	300	168	20	3,360	24	20	480
September	3	500	1,500	33	300	9,900	438	200	87,600	29	100	2,900	34	50	1,700	74	200	14,800	1	20	20	4	150	600	110	20	2,200	18	20	360
October	---	---	---	34	300	10,200	535	200	107,000	31	100	3,100	35	50	1,750	76	200	15,200	---	---	---	8	150	1,200	142	20	2,840	29	20	580
November	---	---	---	21	300	6,300	464	200	92,800	30	100	3,000	27	50	1,350	74	200	14,800	---	---	---	6	150	900	96	20	1,920	24	20	480
December	1	500	500	25	300	7,500	380	200	76,000	30	100	3,000	32	50	1,600	79	200	15,800	2	20	40	3	150	450	146	20	2,920	29	20	580
Total	13	\$500	\$6,500	270	\$300	\$81,000	6930	\$200	\$1,386,000	371	\$100	\$37,100	448	\$50	\$22,400	1071	\$200	\$214,200	15	\$20	\$300	42	\$100	\$5,650	1504	\$20	\$30,080	365	20	\$7,300

RECAPITULATION.

Month.	Number of Licenses.	Amount.
January	803	\$130,340
February	894	162,820
March	964	182,700
April	1,187	227,700
May	1,186	197,500
June	1,847	473,300
July	860	134,740
August	791	119,600
September	744	121,580
October	890	141,870
November	742	121,550
December	727	108,390
Total,	11,029	\$1,790,530

RECAPITULATION.

Class	Grade	Number	Rate	Amount.
1	1	13	\$500	6,500
1	2	270	300	81,000
2	A	6,930	200	1,386,000
2	B	371	100	37,100
3	---	448	50	22,400
4	---	1,071	200	214,200
5	---	15	20	300
6	---	13	100	1,300
6	---	29	150	4,350
Assigned	---	1,504	20	30,080
Transferred	---	365	20	7,300
Total	---	11,029	---	\$1,790,530

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FREYTAG PRESS, 115-123 WALKER ST., N. Y.

Joseph Murray,
President.
Charles H. Woodman,
Treasurer.
Julius Karlsruher.

Commissioners:

William H. Boyle,
James F. Carpenter,
Clerk.

Alfred R. Page,
Attorney.

Julius M. Mayer, Attorney.

Office of
Board of Excise,
Criminal Court Building,
Centre Street, cor. Franklin.

New York, January 16th, 1896

Hon. W. L. Strong,

Mayor.

Dear Sir :

In response to your communication of this date we have the honor to submit herewith a report of our proceedings during the year 1895, and to state that we are at work on an additional report reviewing and commenting upon the same, which we will place in your hands at an early date.

We have the honor to remain

Yours respectfully,

Joseph Murray
Charles H. Woodman
Merrill F. Carpenter

Commissioners of Excise.

Office of the Board of Excise,

New York, January 16th, 1896.

Hon. W. L. Strong,

Mayor.

Dear Sir :

The Board of Excise submits herewith the following report of the number of licenses issued by it for the year 1895, the number of each kind of license so issued, the amount received for licenses, a general statement of the expenses of the Board, and a statement of its proceedings during the year ending December 31st, 1895, viz :

Class.	Grade.	No.	Amt Rec'd.
1		Hotel license,	283 \$87,500 00
2	A	Saloon liquor license,	6930 1,386,000 00
2	B	Restaurant license,	371 37,100 00
3		Saloon, ale and beer license,	448 22,400 00
4		Storekeeper's license,	1071 214,200 00
5		Druggist's license,	15 300 00
6		Additional license,	42 5,850 00
Number of assigned and transferred licenses under Sections 25 and 26 of said Act,		1869	37,360 00
		11029	\$1,790,530 00

Number of licenses issued excluding assigned and transferred licenses, 9160

From which must be deducted the number of additional licenses, viz., 42, which would leave a net balance of

9118 licensed places for which licenses were issued

during the year 1895.

Proceedings of the Board of Excise :

Number of hearings on complaints for revocation of licenses under the provisions of Sec- tion 28 of said Act,	163
Number of hearings on protests,	385
Number of hearings, both on complaints and protests,	548
Number of licenses revoked,	52
Number of decisions on hearings,	544
Number of complaints dismissed,	111
Number of applications made,	12070
Number of applications cancelled,	848
Number of applications rejected,	281
Number of applications rejected and ordered issued by the Court,	2
Number of licenses revoked and ordered issued by the Court,	2
Number of writs of certiorari directed to the Board,	24
Number of appeals pending,	5
Number of cases argued on said writs,	20

Under this head may be stated the number of com-
plaints made to and disposed of by the previous Board of
Excise, whose term of office ended February 25th, 1895,
as follows :

Number of complaints,	47
Number of licenses revoked,	11
Number of complaints dismissed,	36

Expenses of the Board of Excise:

The expenses of the Board of Excise for the year ending December 31st, 1895, have amounted to the sum of \$134,290.27, classified and stated as follows :

General Administration Account,	\$40,204 66
Salaries of Inspectors, &c.,	92,020 91
Contingencies Account,	2,064 70

	\$134,290 27

We are preparing an additional report reviewing, and commenting upon, the year's work, which will be submitted at a very early date.

Respectfully submitted,

Joseph Murray
Chas. H. Woodman
William H. Woodman

Commissioners of Excise.

R e p o r t

of the

B O A R D O F E X C I S E,

for the year ending December

31st, 1895.

86

WEST END PRESBYTERIAN CHURCH

AMSTERDAM AVE. AND 105TH ST.

NEW YORK.

(Copy)

New York, N.Y., Jan. 17/96.

To the Hon. Board of Police Commissioners,
New York City.

Gentlemen:

The undersigned, constituting the Session of the West End Presbyterian Church of this City, representing what they have reason to believe is the unanimous sentiment of the eleven hundred members of that church, about four hundred of whom are voters, wish to express their thanks to your Board for the firm stand you have taken in regard to the sale of intoxicating liquors on Sundays, and to Minors.

We trust that your honorable body will continue to enforce the excise laws in the strictest spirit, especially such as are intended to protect childhood against the horrors and ruin of intemperance.

Very Respectfully Yours:

(signed)

John Balcom Shaw, Pastor.

Francis M. Burdick.

James Denholm.

Henry R. Elliot.

James M. Gifford.

Clarence P. Leggett.

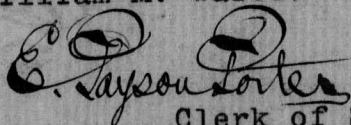
James W. Noyes.

Neilson Olcott.

Charles S. Patteson.

William M. Waite.

Attest:



Clerk of Session.

WEST END PRESBYTERIAN CHURCH
AMSTERDAM AVE. AND 105TH ST.
NEW YORK.

(Copy)
New York, N.Y., Jan. 17/96.

To the Hon. Board of Excise Commissioners,
New York City.

Gentlemen:

We, the session of the West End Presbyterian Church of this City, representing a membership of eleven hundred, of whom about four hundred are voters, wish to express to you our thanks for the disposition you are showing to carry out the laws relating to the sale of intoxicating liquors within two hundred feet of a Church or School, as recently interpreted by the Court of Appeals:

And, we trust that your honorable body will continue to strictly construe the laws governing the sale of intoxicating drinks, especially where these laws are framed for the protection of children attending the Public Schools from the horrors and ruin of intemperance.

Very Respectfully yours:

(signed)

John Balcom Shaw,
Pastor.

Attest:


Clerk of Session.

WEST END PRESBYTERIAN CHURCH
AMSTERDAM AVE. AND 105TH ST.
NEW YORK.

New York, N.Y., Jan. 18/96.

Hon. William L. Strong,

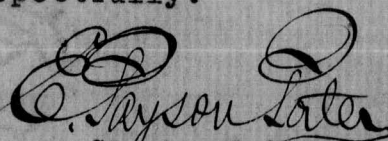
Mayor City of New York.

Dear Sir:

I am instructed by the session of the West End Presbyterian Church of this City to send you enclosed copies of letters which have been forwarded to the Hon. Boards of Police, and Excise Commissioners of this City.

Trusting that these papers may be of interest to you:

I am, Very respectfully:


Clerk of Session.

Joseph Murray,
President.
Charles H. Woodman,
Treasurer.
Julius Harburger.

COMMUNICATIONS

William H. Coyle,
Secretary and Clerk.
Julius M. Mayer,
Attorney.

Office of
Board of Excise,
Criminal Court Building,
Centre Street, cor. Franklin.
New York.

February 24th, 1896

Hon. William L. Strong,

Mayor.

Dear Sir :

In reply to your communication of February 20th, enclosing complaint of one Louis Bertrang against the premises Nos. 231 Rivington street and 73 Willett street, I enclose copy of letter forwarded this date to said Louis Bertrang, showing that the premises are within 200 feet of a synagogue, but that said synagogue is not used exclusively for church or religious purposes.

Yours respectfully,

Joseph Murray

President Board of Excise.

Joseph Murray,
President.
Charles H. Woodman,
Treasurer.
Julius Harburger.
Commissioners

William H. Coyle,
Secretary and Clerk.
Julius M. Mayer,
Attorney.

Office of
Board of Excise,
Criminal Court Building,
Centre Street, cor. Franklin.
New York. February 24th, 1896

Louis Bertrang, Esq.,

156 Broome Street, N. Y.

Dear Sir :

I beg to acknowledge receipt of your communication concerning the licensed premises Nos. 231 Rivington Street and 73 Willett street, addressed to his Honor, William L. Strong, Mayor, and by him forwarded to this Board for answer.

I would respectfully inform you that the premises No. 231 Rivington street have been licensed since April 20th, 1891. Adolph Jabloner was first licensed at this place February 8th, 1894, and a new license was issued to him February 7th, 1896. The said premises are within 200 feet of a synagogue, but said synagogue is not used exclusively for church purposes, there being conducted in connection with said Synagogue a public bath, and there being signs on said bath advertising prices of admission, &c.

Respectfully,

President Board of Excise.

89

Office of the Board of Excise.

New York, March 31st, 1896.

Hon. William L. Strong,

Mayor.

Dear Sir :

The enclosed report of the Board of Excise of the City and County of New York for three months ending March 31st, 1896, is respectfully submitted.

The number of licenses issued by the Board of Excise during the three months ending March 31st, 1896, was 2321. The amount received in fees for such licenses was \$458,730.28.

The expenses of the Board of Excise for three months ending March 31st, 1896, have amounted to the sum of \$35,210.75, classified and stated as follows :

General Administration Account,	\$9,991.52
Salaries of Inspectors, &c.,	24,675.09
Contingencies Account,	544.14

	\$35,210.75

The proceedings of the Board during the three months ending March 31st, 1896, may be stated as follows:

Granting and refusing applications for licenses, hearing protests, also trials on complaints under the provisions of the Excise law.

The total number of applications received for licenses and for transfers of licenses during three months ending March 31st, 1896, was 2747

Applications granted and licenses issued,	2321
Applications rejected and licenses refused,	62

Applications cancelled or withdrawn,	104
Applications pending,	260
Total number of hearings during three months ending March 31st, 1896,	118
On complaints for revocation under Section 28 of the Excise law,	46
On protests against the granting of applications for licenses,	72
Number of licenses revoked,	9
Number of complaints dismissed,	37
Number of decisions on hearings,	117
Decisions still pending,	1

Under the provisions of Chapter 112 of the Laws of 1896, known as the Liquor Tax Law, the Board, since March 23d, 1896, is issuing licenses only to expire April 30th, 1896, and at a pro rata fee.

Respectfully submitted,

James Murray
Chas. H. Rodman
William H. Brown

Commissioners.

90

An Act to provide for submitting to the Electors in cities of the first class the question, "Shall Spirituous Liquors, Wine, Ale and Beer be sold on Sunday between the hours of 1 P. M. and 11 P. M.?"

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. A special election shall be held in each city of the first class, on Tuesday, the 28th day of April, one thousand eight hundred and ninety-six; and at such election there shall be submitted to the duly qualified electors in each such city the following question: "Shall spirituous liquors, wine, ale and beer be sold on Sunday between the hours of 1 P. M. and 10 P. M.?"

SEC. 2. It shall be the duty of the public officer or officers within the county in which each such city is located, who may be charged with the duty of printing official ballots to be used on elections, to provide ballots for such special elections in the form prescribed by the Election Law as amended.

SEC. 3. The provisions of the Election Law, as amended, relating to the submission of a constitutional amendment or other proposition or question at a special election shall apply to and govern all elections held under this act, and the votes shall be canvassed and the result determined as therein provided. Upon the canvass of such votes by the Board of County Canvassers of the county in which each such city is located, it shall be the duty of said Board to file with the County Clerk of said county a statement which shall set forth the whole number of votes so cast in said city upon said proposition or question, and of all the votes so cast in favor of and against the same respectively. If it shall appear from such statement so filed that there is a majority of the votes so cast in any such city in favor of the said proposition or question, it shall thereafter be lawful in such city for any person now or hereafter holding a license permitting the sale of spirituous liquors, wine, ale or beer, or any of them, to be drunk on or off the premises, to sell spirituous liquors, wine, ale and beer on Sunday between the hours of 1 P. M. and 10 P. M., subject to all the provisions of the Excise Law as to the sale of spirituous liquors, wine, ale or beer at other times.

SEC. 4. This act shall take effect immediately.

91

New York,

Some Remarks on the Excise Question, Respectfully Submitted to the
Committee of the Chamber of Commerce, and others.

-----bOo-----

Reading the Newspapers of this City, one would think that there was nothing else for the Legislator of this great State to do, but to tinker with the Laws relating to Excise, and at the same time the purpose is expressed, to take the question out of politics.

I think these continued discussions only bring it into politics and it seems that it would be out of politics if left alone.

There are two considerations from which to start in this matter.

First:- Is the traffic and sale of alcoholic or fermented liquors a crime in itself? If so, then it ought to be stamped out of existence; manufacture, sale and all. But if it is not, then it might be subjected to taxation and moderate regulation, as is done all over the civilized world for sanitary reasons.

Our present law contains all and even severe restrictions for the control of the persons and places engaged in such traffic and if an honest and reasonable Board does its duty, there would not be any trouble at all, and if any one will look around, I do not think he would find any trouble, except in a few locations where the slums of the population congregates and there our Police force is ample to suppress disorders.

Any one applying for a license to retail Liquors, Wines, Ale, etc. is required to be a person of good morals and business reputation and for that he has to bring two bondsmen, one to possess property, and another a business man, each in the sum of \$1000. Besides he has to bring the written consent of the owner of the premises or his authorized agent. Then there is the restriction of selling to minors and children, hours of closing.

Also 200 feet or so in the neighborhood of any school or church, and as to the number and locality of such places of business the Board of Excise has full discretion and all they need to do is, not to grant any license when they do not think it proper.

Then comes the amount of \$200 fee for any one selling liquors, and other sums for selling beer or wine alone.

Now this is a very heavy tax on most dealers for the simple privilege of trying to make a decent living, and in the last three years, it has driven many a one out of business, and to-day one can see liquor stores and restaurants giving up business all over the city for want of trade to pay expenses.

And so I respectfully submit that things be left alone, as far as this part of Excise Legislation is concerned.

But now comes the question which is really before the people of this and other large cities, and that is "The Sunday Opening Question".

It was this part of the Excise Laws that caused the great irritation. I hardly believe there is any reasonable man who would say it was proper to shut up the people of New York in their respective dwellings and deprive him on that one day of any chance at recreation and innocent enjoyment, and if it was not for the peculiar ideas of a small part of the population (Religious Fanatics) ; this question would be settled without any trouble.

Nobody to this day has proposed an unlimited opening of saloons, gardens, concert halls, etc., when it might interfere with the religious customs of others. Among fair-minded people, there is no reason why a person might not attend Church, and afterwards give himself a little enjoyment in or out of the city.

It is on this that the whole difficulty rests, and the other provisions of the Excise Law have nothing to do with it.

There is a great many other considerations why the trade in liquors should not be persecuted and outlawed by Newspapers and in consequence by others. The meanest criminal is regarded by the laws of the land innocent, until his guilt is proven.

The man dealing under the law in liquor, etc., after paying his high tax is condemned and treated accordingly before he has done anything at all. He is denied protection against loafers and people who try to raise disturbance in his place, and is held responsible generally for the misdeeds of others, which he is powerless to prevent.

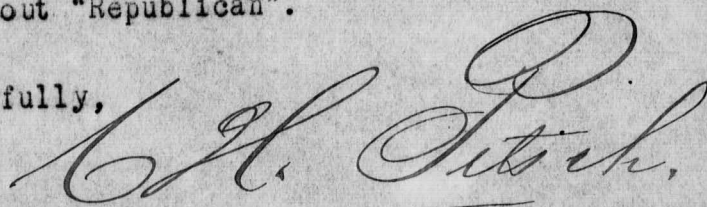
If a drunkard disturbs the public peace why should another be punished for it ?

On the whole this question is drifting into an agitation which can never be sanctioned by any sober-minded American.

Too much Law in the control of individuals only breeds corruption as it has done under the Tammany regime and there will not always be a Roosevelt at the head of our Police who considers everything secondary to the great crime of selling a glass of some stimulant even in a quiet manner on Sunday.

I am prompted to these remarks as a citizen reading the many proposals to doctor the Excise Laws and hope that you will not refuse to receive a communication from one in the trade, who does not keep open Sundays or nights and is a stout "Republican".

Most respectfully,

A handwritten signature in cursive script, appearing to read "W. H. Litch". The signature is written in dark ink and is positioned to the right of the typed name.

39 West 4th Street, City.

and disturbs the public peace with

101

and this question is drifting into

tioned by any sober-minded American

in the control of individuals

under the

Office of the Board of Excise,

New York, April 30th, 1896.

Hon. William L. Strong,

Mayor.

Dear Sir :

The enclosed report of the Board of Excise of the City and County of New York for the month ending April 30th, 1896, is respectfully submitted.

The number of licenses issued by the Board of Excise during the month ending April 30th, 1896, was 1193.

The amount received in fees for such licenses was \$14,949.87. Of the amount received in fees for licenses \$300, which was received on May 3d, 1895, and held pending proceedings in the matter of Julius Schulz, was placed to the account of the Board in April, 1896.

The expenses of the Board of Excise for the month ending April 30th, 1896, have amounted to the sum of

\$12,109.80. } \$12,117.60
7.80

Recd of J. M. Meyer

The proceedings of the Board during the month ending April 30th, 1896, may be stated as follows :

Granting and refusing applications for licenses, hearing protests, also trials on complaints under the provisions of the Excise law.

Total number of hearings during the month ending

April 30th, 1896,

20

On complaints for revocation under Section 28 of the Excise law,

7

On protests against the granting of application for licenses,

13

Number of complaints dismissed,	7
Number of decisions on hearings,	20

We desire to call your attention to the fact that the appropriation made to defray the expenses of this Department for the year ending April 30th, 1896, was \$5,000 less than for the year theretofore, and that we have expended ^{\$7,184.42} ~~\$7,192.22~~ less than the appropriation made by the Board of Estimate and Apportionment.

Respectfully submitted,

Joseph Murray
Walter H. Rodman
William H. Hargrave

Commissioners of Excise.

92

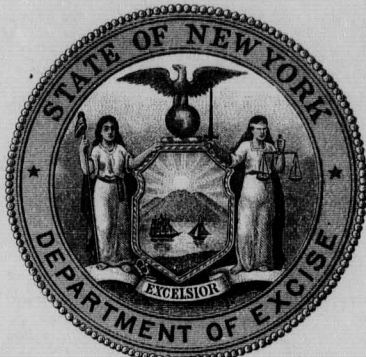
Respect

by the Board of Directors

have expended \$1,122.83

\$2,000 less than for

Debtors and for the same



HENRY H. LYMAN, Commissioner,
ALBANY, N.Y.

STATE OF NEW YORK.

Department of Excise.

GEORGE HILLIARD, Special Deputy Commissioner,
NEW YORK COUNTY.

Dictated by _____

Metropolitan Building

New York, Sept. 9, 1896.

Job E. Hedges, Esq.,

New York City.

Dear Sir:-

In reply to yours of 8th inst, enclosing letter of Mr. Frederick Taylor, would say that the certificate has already been granted to the Sixth Avenue Hotel.

Yours very truly,

George Hilliard

Special Deputy Commissioner of Excise.

93

DISPOSITION OF EXCISE CASES.

OLD COURT OF SPECIAL SESSIONS:

1892 - Number of Excise Cases - - - - 41

Amount of Fines collected - - - - \$ 990

1893 - Number of Excise Cases - - - - 350

Amount of Fines collected - - - - 5,873

1894 - Number of Excise Cases - - - - 374

Amount of Fines collected - - - - 4,820

1895 - Number of Excise Cases - - - - 379
(From January 1st to July 1st)

Amount of Fines collected - - - - 4,320

TOTAL Number of Cases 1144. TOTAL Fines \$16,003

NEW COURT OF SPECIAL SESSIONS:

1895 - Number of Excise Cases - - - - 1006
(July 1st to December 31st)

Amount of Fines collected - - - - \$38,866

1896 - Number of Excise Cases - - - - 177

Amount of Fines collected - - - - 7,095

TOTAL Number of Cases 1183. TOTAL Fines \$45,961

R E C A P I T U L A T I O N .

TOTAL number of Excise Cases disposed of by Old
Court of Special Sessions from January 1st,
1892, to July 1st, 1895 - - - - - 1144

TOTAL amount of Fines collected - - - - - \$16,003

TOTAL number of Excise Cases disposed of by New
Court of Special Sessions from July 1st,
1895, to January 1st, 1897 - - - - - 1183

TOTAL amount of Fines collected - - - - - \$45,961

Fines collected by New Court - - - - - 1 - - \$45,961
(From July 1st, 1895, to January 1st, 1897, 1 2 years)

Fines collected by Old Court - - - - - 1 - - 16,003
(From January 1st, 1892, to July 1st, 1895, 3 2 years) \$29,958

N O T E:-

During the year 1897, since the new Liquor Tax Law went into effect, a number of cases have been disposed of, but only \$100 has been collected. A considerable number were dismissed on motion of the District Attorney and others dismissed on premature arrests. Besides, very many have been transferred to the Court of General Sessions.

Attorney and others disallowed

C A P I T U L A T I O N

95

the Cases disposed of by Old
Sessions from January 1st,
1895 - - - - -

collected - - - - -

the Cases disposed of by New
Sessions from July 1st,
1897 - - - - -

Statement for All-night Special Certificate.

To the *Special Deputy Commissioner of Excise*
of the County of *N. Y.*, N. Y.

The undersigned requests the issue to *him* of a city Special Liquor Tax Certificate, under Section 31 of the liquor tax law, upon the consent of Mayor and Chief of Police of the city herewith presented and the following statement, viz.:

Liquor Tax Certificate No. *3900*, dated *April 15* 189*7*, and authorizing trafficking in liquor at No. *145 to 155 E. 58 Street*, in the city of *New York*, was duly issued under subdivision one of section 11, to *Michael Heumann* of *New York* by the *Special Deputy Commissioner* of the county of *N. Y.*
(If certificate has been transferred, state facts here.)

The applicant is now the holder of said certificate and is lawfully carrying on business under the same. Application is hereby made for a Special Liquor Tax Certificate, as provided in Section 31 of said act, granting all night privileges for the *12* day of *May* 189*7*.

(Sig.)

(Sig.) X

(Sig.)

STATE OF NEW YORK,

County of

ss:

Michael Heumann
being duly sworn, each for himself, deposes and says that he is _____ the applicant above named, that he subscribed the foregoing statement and knows the contents thereof, and that the same is true.

(Sig.) X

(Sig.)

(Sig.)

Sworn to before me this *eleventh*day of *May* 189*7*

(Notary)

*Marcus Bloch**Notary Public 75 N.Y.C.*

Permission is hereby given, that a Special Liquor Tax Certificate be issued, as provided by Section 31 of the Liquor Tax Law, to *Michael Heumann* to traffic in liquors, at No. *145 to 155 E. 58 St.* in the City of *N. Y.* N. Y., between one o'clock and five o'clock in the morning of the *twelfth* day of *May* 189*7*.

Dated at the City of

this

day of

Mayor of the City of

189*7*

Chief of Police of the City of

96

Form 5-H.

Department of Excise--State of New York

(ALL-NIGHT PERMIT.)

STATEMENT FOR SPECIAL Liquor Tax Certificate IN CITIES.

Under Section 31 of the Liquor Tax Law.

By.....

Holder of Certificate No......

Sub. I, Sec. II, *County*

Approved..... 189*

By.....

Special Certificate No......

Issued..... 189

for *days of* 189

Filed.....

The True Solution

100

OF THE

Liquor Question.

BY

WILLARD DIVOLL.

(COPYRIGHTED).

PREFACE.

THE UNDERSIGNED herewith gives to the public a plan for preventing the spread of intemperance, and relieving the country of many evils now demoralizing the masses of the people. He asks not only strictly temperance men, but all respectable citizens who take an interest in the welfare of the country, and the prosperity of the people, to use their influence to secure the necessary legislation to put the propositions, hereinafter specified, before the people. Although originally intended for the City of New York and other large cities of the State, yet the plan is applicable to any city, county or town in the United States.

Low grog shops, dives, and dens of thieves may be removed forever by the voice of the people as proposed in this plan.

Men and women may write, lecture and preach, yet little reformation will be realized without the action of large combinations of the people, as herein proposed.

THE AUTHOR.

THE TRUE SOLUTION OF THE LIQUOR QUESTION.

The LIQUOR QUESTION will not down; it is bound to be prominent in the legislation of the country for many years.

The LIQUOR INTEREST controls the elections of nearly all the large cities of the Union. The City of New York is the great centre of trade and commerce of the country, and in nothing is it more central than its trade in liquors, at wholesale and retail.

The LIQUOR INTEREST controls the entire government of the city. No officer holds a place in the city government independent of this interest. Not only the city, but the State of New York is frequently carried by the rum power.

Liquor dealers in New York City do not fear the Prohibition Party, because they feel that there is no danger of it becoming dominant in the City, nor in the State, for many years, if ever, but they rather encourage that organization as a means of dividing the temperance vote.

Now, I have nothing to say against Prohibition where it is practicable, but I am satisfied that we have not the public sentiment in the State of New York to sustain a prohibitory law. If the Legislature should pass such a law through the votes of the country people, it could not be executed in the great cities. Well, then, where prohibitory laws are not practicable, we must do the best we can to check the evils of intemperance. New York

City has more than ten thousand mills turning out criminals, drunkards, invalids and paupers; she builds prisons, hospitals and almshouses for their reception. Here is a great waste of life, character and property.

Now, what is to be done to check this evil? We must wipe out the greater part of the grog shops at once; and greater restrictions must be placed upon the liquor traffic; and this can only be done by the votes of the people.

It must be evident to all persons of intelligence that temperance reform can progress no faster than the sentiments of the people will warrant. Then it follows conclusively that any reformation which we wish to accomplish must come through, and by the people; in other words, the people must be educated up to the principles we wish to establish. Temperance people ~~must~~ have been so divided on measures and methods of reform as to render nearly nugatory all their efforts. It is also evident that temperance reformation must progress gradually. Temperance people must not expect to accomplish suddenly all they desire.

THE NEW PLAN.

We now propose a new method of temperance reform, which we believe to be the only method by which true progress can be secured.

We propose to submit the question as to the number of places to be licensed in any city, county or town directly to a vote of the people. Common sense teaches us that three hundred liquor shops will do more harm than fifty, and that ten thousand will do

more harm than three thousand. For instance, in the City of New York society suffers from the great number of liquor saloons continually open, many of them being really sinks of iniquity. Every saloon keeper has his personal friends, and thereby exerts an influence for evil over a considerable number of people, including many of the young. Many of the saloons are really recruiting places for crime, pauperism, sickness and death.

We are well satisfied that, by submitting the question directly to the vote of the people, in the form hereinafter described, that the greater and worst portion of the saloons will be closed forever. Let no temperance man believe for a moment that every man who occasionally uses a little beer, wine or whiskey is in favor of maintaining all these factories for the production of drunkards, paupers and criminals.

Therefore let the people take this matter in hand. Let us ask the next Legislature, or the one now in session, for an act authorizing the following propositions to be submitted to the legal voters of the city, county or town, as the case may be :

CITY OF NEW YORK.

1. Shall there be licensed in the City of New York seven thousand places for the sale of intoxicating liquors?
2. Shall there be licensed five thousand places?
3. Shall there be licensed three thousand places?
4. Shall there be licensed eight hundred places?

Now, let us put these four tickets before the legal voters of the City; each voter to have the privilege of voting for any one of the tickets as he may chose, and the average vote to be the number of places authorized

to be licensed. We are well satisfied that by this process more than half of the liquor shops now open would be closed by the voice of the people on the first trial. In that case we should have a law that could be enforced because backed by the people; besides, such an election would be invaluable, as by it we could ascertain the wishes of the people on this momentous question, and by authorising this vote to be taken annually, it would afford the greatest possible means of educating the people on the subject of temperance. Moreover, let it be provided by law that when a majority, or two-thirds of the voters shall favor the lowest number voted for, then it shall be lawful to sell intoxicating liquors only for medicinal, mechanical and chemical purposes by agents of the City, who shall receive a salary for this service, and the proceeds shall go into the City Treasury. This plan would enable each voter to vote his own sentiments, and the average vote would be the just expression of the people. For instance, let it be supposed that in the City of New York 210,000 people would vote on the question, and that 60,000 would cast their votes for the highest number of places, and that 60,000 would cast their votes for the next highest number, and that 80,000 would cast their votes for the third highest number, and that 10,000 would cast their votes for the lowest number of places; then the average number (or number authorized) would be 4,133 places to be licensed.

SOLUTION :

60,000 x 7,000 equals	420,000,000
60,000 x 5,000 equals	300,000,000
80,000 x 3,000 equals	240,000,000
10,000 x 800 equals	8,000,000
210,000	966,000,000 equals 4,133 $\frac{1}{3}$.
	7

more harm than three thousand. For instance, in the City of New York society suffers from the great number of liquor saloons continually open, many of them being really sinks of iniquity. Every saloon keeper has his personal friends, and thereby exerts an influence for evil over a considerable number of people, including many of the young. Many of the saloons are really recruiting places for crime, pauperism, sickness and death.

We are well satisfied that, by submitting the question directly to the vote of the people, in the form hereinafter described, that the greater and worst portion of the saloons will be closed forever. Let no temperance man believe for a moment that every man who occasionally uses a little beer, wine or whiskey is in favor of maintaining all these factories for the production of drunkards, paupers and criminals.

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4. Shall there be licensed eight hundred places ?

Now, let us put these four tickets before the legal voters of the City ; each voter to have the privilege of voting for any one of the tickets as he may chose, and the average vote to be the number of places authorized

to be licensed. We are well satisfied that by this process more than half of the liquor shops now open would be closed by the voice of the people on the first trial. In that case we should have a law that could be enforced because backed by the people ; besides, such an election would be invaluable, as by it we could ascertain the wishes of the people on this momentous question, and by authorising this vote to be taken annually, it would afford the greatest possible means of educating the people on the subject of temperance. Moreover, let it be provided by law that when a majority, or two-thirds of the voters shall favor the lowest number voted for, then it shall be lawful to sell intoxicating liquors only for medicinal, mechanical and chemical purposes by agents of the City, who shall receive a salary for this service, and the proceeds shall go into the City Treasury. This plan would enable each voter to vote his own sentiments, and the average vote would be the just expression of the people. For instance, let it be supposed that in the City of New York 210,000 people would vote on the question, and that 60,000 would cast their votes for the highest number of places, and that 60,000 would cast their votes for the next highest number, and that 80,000 would cast their votes for the third highest number, and that 10,000 would cast their votes for the lowest number of places ; then the average number (or number authorized) would be 4,133 places to be licensed.

SOLUTION :

60,000 x 7,000 equals	420,000,000
60,000 x 5,000 equals	300,000,000
80,000 x 3,000 equals	240,000,000
10,000 x 800 equals	8,000,000
<hr/> 210,000	<hr/> 966,000,000 equals 4,133 $\frac{1}{3}$.
	7

In no case should the highest number voted for be greater than the number of places now licensed.

We believe these methods to be the very best possible for promoting the cause of temperance, especially in large cities, where the liquor interest has fortified itself against everything, except the voice of the sovereign people.

We recommend to the Constitutional Convention, which is to meet in May next, that a provision be made in the Constitution that that instrument that the Excise Board shall be authorized and required to have the question of how many places shall be licensed to sell intoxicating liquors submitted to a vote of the people annually, or, at least, once in two years, in the manner and form above described.

We also recommend that the Constitution have the following provision : "That no person selling or interested in the sale of any intoxicating liquors as a beverage shall be eligible to any elective, executive or judicial office in this State."

If the moral forces now lying dormant or misdirected were concentrated and properly applied to the great moral questions of the day, our Christian civilization would move on with much greater rapidity.