

TEST SALOON LAW

CASE TO BE TAKEN BEFORE JUDGE BROOKS OF THE COURT OF CRIMINAL APPEALS.

ATTORNEYS TO CONFER

MAY NOT BE ANY APPEAL

No Arrests Made in Dallas, and There Probably Will Be None Until Monday.

SPECIAL TO THE NEWS.

Dallas, Tex., July 12.—Because of the fact that under the city charter and ordinances they have about four weeks more of life none of the suburban saloons, those outside of the saloon limits of the city, were closed today. They are not to apply for new license anyhow, and it is believed by them that time will be reasonably allowed them to close out their business, and that even if the State were to proceed against them, it is a first offense and the penalty would not likely be more than a forfeiture of unused portions of the licenses they hold.

Few of the saloons of the city were closed today. It is stated that probably half a dozen out of 250 or 300 in the city were closed. More than this number were not opened until a late hour in the forenoon, but it seemed to be generally understood that there would be no molestation of the business until Monday at any rate, and that at the meantime there would be a test case and probably a decision as to the legality of the statute and the right of the saloon men to remain open. Most of those places whose bills were not in arrears and whose liquor stands and other fixtures of the business going, city authorities took no notice of the matter. It is a State law, the chief of police said, and it is not concerned in the enforcement of it unless asked to assist by the county officials.

No arrest was made in Dallas today in any instance for maintaining the usual business of the saloons. It was stated, in fact, by both the city and county authorities, that no arrests will be made before Monday. This is in order to permit the court to pass upon the legal status of this enactment and to provide from the bench a suggestion as to what the business men shall do.

Judge J. Beckford and Lewis Carpenter, local attorneys interested in the having of a hearing, stated tonight that no local arrest is to be made. Instead it is planned to bring in a case, probably from Fort Worth, to be made before Monday. The Attorney General's construction of the Buskin-McGregor bill. There will be immediate habeas corpus proceedings to be heard before Judge M. M. Brooks of the Court of Criminal Appeals, being the only one of the judges easily reached now.

There will be a conference of the attorneys interested in the matter tomorrow morning. Several lawyers from other cities are interested, and such as Houston, San Antonio, Austin, Waco and, it is held, from other places to be present will hold a conference tomorrow morning, beginning about 8:30 o'clock at the Oriental Hotel, to determine exactly what shall be the course to be followed. It is expected that a decision will be taken early in the day so as to have a ruling from Judge Brooks if possible before the close of Saturday. It is supposed that there will be no further trouble and that all will abide by his decision.

It is hinted, though not by attorneys interested in the case, that in the event the opinion of Judge Brooks sustains the Attorney General, the matter will be very promptly appealed. But as the time is so short in any case, it is hardly believed that this will be done. This may be considered in the conference tomorrow.

Pending the decision on the test case, an application, at least, no steps will be taken by the County Attorney of Dallas County toward enforcing his views as to the construction of the law, which coincides with that of the Attorney General. Mr. Llewelling was unable to say to-day just what action the liquor dealers had decided upon, nor as to whether in his official capacity he would properly be called into the case. During the course of the afternoon he called up the office of the Attorney General by telephone and talked with Assistant Attorney General Pollard in relation to the matter. Mr. Pollard informed Mr. Llewelling that so far as he knew, no one had up to that time been designated to represent the State in the proceedings, and that it is believed will be brought here tomorrow.

At the hour of closing the offices of the County Clerk of Dallas County, this evening 269 applications for new licenses had been filed by local liquor dealers, and the law of the State, under the Buskin-McGregor law notices of the filing of such petitions were publicly posted at the front door of the court house. These petitions for licenses have to be heard by the County Judge much after the same fashion as the trial of any regularly docketed case. All of those filed today have been set by Judge Lively for hearing on July 23, allowing the one day required for posting the notice, and the ten days following filing.

AUSTIN SALOONS CLOSED.

purpose. Two of these will remain closed permanently, the Holland Hotel bar and the Baker saloon, on Front street, but others that are closed will open for business again as soon as their new licenses shall have been issued and they have been given a permit by the State to do business.

LICENSES ARE PROPERTY

LAVACA COUNTY ATTORNEY SAYS THEY CAN NOT BE TAKEN AWAY EXCEPT BY PROCESS.

SPECIAL TO THE NEWS.

Hallettsville, Tex., July 12.—The saloons are open here today and are doing business as usual. There seems to be no concerted action on their part, but each is acting for himself. The County Attorney will not prosecute them. He differs with the Attorney General in the construction of the law. He has given an opinion in which he states that licenses issued to liquor dealers are "property" and that the owners of them can be deprived of them in only two ways, namely, by revocation or confiscation. To revoke them, the State has a right in the exercise of its police power, but this must be by express act, legislative or judicial. From confiscation they are protected by the Constitution both of the United States and Texas.

DALLAS SALOON CASE.

Attorney General's Office May Be Represented by Pollard.

SPECIAL TO THE NEWS.

Austin, Tex., July 12.—First Office Assistant Attorney General William E. Hawkins, who is Acting Attorney General in the absence of Attorney General Davidson, in Sherman, on en route home, was tonight asked if the department would send a representative to Dallas to represent the State in the case brought there today to test the new and now famous Buskin-McGregor liquor regulation law under which thirteen days' hiatus started today. Judge Hawkins said: "The Attorney General's Department is not charged by law with the duty of undertaking to enforce the liquor laws, and we have nothing to do more than to counsel with the officers as to the proper course and effect of such laws when officers call upon us to do so. Judge Felix J. McCord, who usually represents the State before the Court of Criminal Appeals, has gone to St. Paul by the direction of Governor Campbell to represent the State in the Henry Clay Pierce extradition proceedings on appeal. For that reason he can not be in Dallas tomorrow to appear before Judge Brooks of the Court of Criminal Appeals in the habeas corpus proceedings, which I understand has been set for hearing before Judge McCord. It sometimes happens that all. Claude Pollard of the Attorney General's Department represents the State in Judge McCord's absence, but we hardly think it necessary for him to do so in this habeas corpus proceeding."

JUG TRADE WAS IMMENSE.

But the Brenham Saloons Were Closed Yesterday.

SPECIAL TO THE NEWS.

Brenham, Tex., July 12.—The barrooms of Brenham—Brenham, Washington County—the county where, after an exciting campaign, there is sometimes as many as three prohibition votes polled, is dry. All the saloons of the county closed this morning, and a committee went to Austin to see how soon they could get licenses to open up. The jug trade was something immense yesterday, though many were not aware that the saloons would be closed, and are suffering a long unusual thirst today. They hope to be open soon, though they don't want to take any chance of getting out of the business for two years, with no chance to sell to outside purchasers.

ONE SALOON OPEN.

Proprietor Says His License Is Good to Next June.

SPECIAL TO THE NEWS.

San Antonio, Tex., July 12.—Every saloon in San Antonio, so far as could be ascertained, closed promptly at 12 o'clock last night, and the town was as dry as a bone here today. There seemed to be no attempt to evade the law in any portion of the city. The saloon men declare that licenses will prevent until the new licenses are issued.

The one saloon remaining open was the Panama Music Hall and Saloon. The proprietor says his license is good until next June and he will proceed to do business.

Marlin Has Prohibition.

SPECIAL TO THE NEWS.

Marlin, Tex., July 12.—Marlin is a dry town today. Prohibition, so far as the town is applicable to the conditions of the new liquor law, according to the Attorney General's ruling thereon, went into effect at 12 o'clock last night. So far as the new law is concerned, by itself considered, there seems to be general satisfaction with the same, but possibly no law ever passed by the children of men carried with it an incident more harshly criticized than that inadvertently attached to this law—that is, the several days' closing contingency. A great many fair-minded men of strong prohibition sentiment deprecate the oversight on the part of the Legislature in this matter, feeling that prohibition is a condition that the voters alone have the power to create.

Calvert Saloons Closed.

SPECIAL TO THE NEWS.

Calvert, Tex., July 12.—All of the saloons of Calvert are obeying the new liquor law and have had their pieces of business closed since 13 o'clock last night.

saloons closed their doors at midnight, and will not open until they can do so under the new law.

FAIRBANKS IN SEATTLE

Addresses the Christian Endeavor Convention—Says Our Country Stands for Peace.

Seattle, Wash., July 12.—Vice President Fairbanks was the center of attraction at the Christian Endeavor convention today. The Vice President had a busy day of it outside of his address to the Endeavorers. He was kept on the move from morning until night.

Today was the day for denominational rallies among the churches represented at the convention. Thousands of people gathered at the various churches to attend rally meetings, addresses being given along general lines of religious work.

Tomorrow a "World's Patriotic League," devoted to the promotion of civic righteousness, is to be launched simultaneously at two meetings, one to be held at the convention and the other at the church.

Vice President Fairbanks tonight addressed a large crowd at the convention on the subject of "Our Country."

"This assemblage is a gratifying assurance that the forces which are making for a higher and better civilization are alert and aggressive. The presence here of delegates from Christian Endeavor Societies of the United States and other countries is a recognition of the fact that nations are now so intimately related that whatever benefits citizenship and civilization of one country in a measure benefits others. Trade and commerce are knitting different peoples together, whether that ever in the history of the world has been so. Electricity are bringing all into intimate and quick touch, and social intercourse is increasing day by day.

"The strength and honor and perpetuity of American institutions depend upon the influence and teachings of the great Christian churches than upon all other influences combined and many are being uplifted. This is and is to be a Christian nation, and its destiny is to be governed by Christian people. Our fathers walked by Christian faith, and we are guided by that same faith. We are carrying it into business and politics, and the more we put it into our lives, the more are our ideals and the more thoroughly we will be inspired by that spirit of righteousness and justice which tends to the welfare of the home, the exaltation of the community and the glory of the State.

"We love and honor the flag, not because it is a symbol of mighty power, not because it is the emblem of victories in the great struggle, but because it stands for the justice and righteousness of a great Christian people.

"Strike out of the Rembrandt the Christian faith blot out of the hearts of our people the love of the Christian religion, tear away the sacred altars from sea to sea where the millions worship, uproot the Christian Endeavor Societies and their allied organizations engaged in promoting Christian work—such a night would come, the splendid temple erected by our fathers would totter to its fall and the battle fields made immortal by the blood of our heroes would be no generous impulse, would awaken no patriotic sentiment.

"Our Nation's great leaders (we have no rulers) have been men of simple character, men whose whenever storm and stress have come, they have held to that faith as their sheet anchor.

"Our country stands for peace. Conscious of our ability to make war, and honoring our responsibility which either honor or duty may demand, but never committed to aid in the promotion of honorable peace among the nations. We fear no physical contest with other Powers if supreme need should come. Our material wealth is not our strength, and the sacrifice of our people is equal to any emergency. We nevertheless wish to throw the moral weight of our influence upon the side of peace in that debate among the people of the world which is directed toward devising a way to avoid, or, if inevitably avoiding war. We, of course, could never compromise our National honor, nor would we ask other nations to compromise theirs, whether they be the weak or the strong.

"The national court of peace, the League of Nations, is equally powerful. There the right controls, and not fleets and armies. The great Christian churches are doing more than anything to usher in an era of peace on earth, and with it comes a civilization which tends to the degeneracy of American manhood and of our National character. We will find in the walks of peace ample field for the exercise and display of our manly qualities, and distinguish a hardy and progressive race. The possibility of war is not essential to the development of a race of manly men.

"Amicable adjustment of differences between nations is not evidence of want of National vigor, but is the contrary, a manifestation of the triumph of intelligence, of conscience, of justice, of civilization.

"We look hopefully to the League conference at this juncture, and the way for the peaceful determination of international disagreements. The problem is a grave one. It is not speedily to be settled. The moral forces operating throughout the world under the inspiration of the great Christian churches will exercise a profound influence toward the consummation of the worldwide desire by the delegates now assembled at the League conference to settle forever the way for the peaceful determination of international disagreements. The problem is a grave one. It is not speedily to be settled. The moral forces operating throughout the world under the inspiration of the great Christian churches will exercise a profound influence toward the consummation of the worldwide desire by the delegates now assembled at the League conference to settle forever the way for the peaceful determination of international disagreements. The problem is a grave one. It is not speedily to be settled. 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