

## **J. E. Foley to the Kansas Legal Control Council**

Topeka, Kansas resident J. E. Foley writes the Kansas Legal Control Council of Wichita concerning the repeal of the "Bone Dry" prohibition law originally passed in 1917. A more strict enforcement of the liquor law in 1946 prompted a discussion of its repeal. A proposition to repeal the law passed in the 1948 November general election. Mr. Foley voted for repeal. He claims drinking became more common under prohibition. He outlines his support of state-owned liquor stores verses local control of liquor by individual cities. Mr. Foley also considers the effect of such laws on the poorer classes. Similar letters sent to the governor consider prohibition in terms of religious or political affiliation, race, class, gender, age, or labor force. The state legislature passed the Liquor Control Act in 1949.

Creator: Foley, J. E.

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## J. E. Foley to the Kansas Legal Control Council

Topeka Kans, January 14, 1949

Kansas Legal Control Council  
Box 1122, Wichita 1, Kans

RECEIVED  
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OFFICE OF THE GOVERNOR

Gentlemen:-

This to acknowledge receipt of card requestin a poll vote on the question of liquor control. There is not sufficient space on the card to give an opinion on this question so am writing you as follows:-

I voted for repeal because I have always considered prohibition as a curse on this country. The Volstead act made of America a nation of whiskey drinkers. In the days before the Volstead act very few men would walk into a bar and call for drink of whiskey. Most men drank beer which in those days was fit to drink and not the slop that is being sold today. Also prior to Volstead act minors did not frequent bars, in fact they were not allowed in the places and if found there the owner was fined \$500.00 regardless of whether he had sold anything to minor or not; at least that was the law in Indiana at that time. Under the present arrangement any one who takes the trouble can visit any of the so-called taverns and find minors of both sexes being served.

I am infavor of State Owned Liquor Stores as the best solution of this question. There should be strict laws against selling to minors or allow minors to obtain liquor through another party; i.e., anyone who gave or sold liquor to minor would be subject to stiff fine.

I favor State Stores because it is the only means of combatt ing bootleggers.

I just returned from trip to Richmond Ind where local option is the law. Richmond is six miles from Ohio line and sixteen miles from Eaton where State liquor store is in operation. In Richmond owing to taxes etc heaped upon individuals operating liquor stores, a standard brand of bonded liquor sells for \$7.54 per fifth; in Eaton at the State Store same liquor is sold at \$5.94 per fifth. Consequently traffic is heavy across the Ohio line. The dealers in Richmond are at the mercy of bootleggers who undersell them. I asked the man in charge of store in Eaton if bootlegging was in evidence in Ohio as against the State Stores and his reply was "No they are all in Indiana". If private ownership is legalized in Kansas the same condition will exist and it will be found the traffic between border towns and Missouri will still be heavy.

Also if liquor is to be sold by drink at Clubs, Hotels, etc., then it should be allowed to be sold by drink without restriction as to location. A poor man who cannot afford to belong to Club should have the same opportunity to buy by the drink as the man who can afford his Club. Also if this provision is legalized, i.e., permit to sell in Clubs etc, it will not be long until we will have a repetition of conditions that existed when I first came to Topeka 44 years ago which were not good to say the leasst. In order to join a club all that was necessary to belong was to pay 25 cts for key and you were a member. Kansas Ave was lined with so-called clubs where liquor was sold over the bar.

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Therefore based on my experience before and during prohibition  
I am in favor of the following:-

No local option.

State owner liquor stores where package liquor is sold.

Privately operated bars where liquor is sold by drink.

Removal of restrictions on manufacture and sale of beer having  
proper alcoholic content; at least 5%.

No sale to miners in either case and stiff penalties for sale or  
permitting miners to visit places where liquor is sold.

In bars where liquor sold by drink, no music, cards, or dancing,  
permitted,.

Yours truly



421 Harrison .

Copy to Hon Dr J L Isttimore  
James Porter  
Gov Frank Carlson✓