

WHEN, WHAT AND HOW ON LIQUOR

By E. J. Pickett

As a result of the election, when the state went decidedly in favor of the Repeal of the State and Federal Constitutional Amendments with reference to intoxicating liquors, and when it was also apparent that many cities and counties of the state voted in favor of retention of the present amendments, many questions naturally arises as to what the conditions will be, what the rights of individuals are, with reference to possession and manufacture of intoxicating liquors.

Many people have the idea that immediately after the 7th of November, all inhibitions are removed and they may do as they please. Hence these comments upon what the law is, with reference to regulation and control of the intoxicating liquors in the state of Utah now and in the future until the present law is changed.

The special session of the State Legislature, which convened on July 10, 1933, wisely anticipated the possibility of the people of Utah voting to repeal the State and Federal Constitutional Amendments, and passed laws to regulate and control the use of intoxicating liquors if and when the said state and Federal Prohibition Amendments are repealed. And the following is, in part, what the law provides.

Intoxicating liquor of any kind, containing more than one-half of one percent alcohol by volume cannot be legally manufactured or possessed in the State of Utah, other than the manufacture of beer for shipment outside of the state, until one a. m. on the first day of January, 1934. And the law legalizes the manufacture and sale of beer, only, which contains not more than 3.2 per cent alcohol by weight.

The manufacture or possession of homebrew or wine, both of which contain considerable in excess of the legal amount of alcohol, will be illegal. And it will be the duty of the law enforcement officers to strictly enforce the law relating thereto.

It will be unlawful for any physician, veterinarian, or other person to prescribe liquor for beverage purposes, containing more than the said 3.2 per cent alcohol by weight.

Any person may engage in the manufacture of vinegar or non-intoxicating cider, only after first obtaining a permit from the Attorney General, said permit will be issued upon an affidavit filed by the person obtaining the same.

It shall be unlawful for anyone to sell beer to any person under the age of twenty-one years; and this phase of the law should be, and will be strictly enforced.

It will be unlawful for anyone to sell or furnish or give beer to any person who appears to be intoxicated, or appears to be under the influence of intoxicating liquor.

It will be unlawful for anyone to sell or give away beer, or otherwise furnish it at any public dance hall, or place where public dances are held.

No town or county will have liquor traffic forced upon them by State law, for the law provides that the city councils or commission, town boards, or the county commissioners may, within their respective jurisdictions, either permit or prohibit the sale of beer. If they permit the sale, they have the right to pass appropriate ordinances to license or to regulate the sale thereof. They shall, within their jurisdiction, have the right to grant or deny any or all applications for licenses, and after licenses have been once granted, they shall have the right to revoke the same for cause. They may not grant licenses to sell beer, except to persons of good moral character over the age of twenty-one years, who have not been convicted of any felony, and who have not, after the date of the law, been convicted of any violation of the liquor law.

Before any retailer shall sell beer, he shall first get a license from the State Tax Commission.

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and records, for the purpose of enforcing the law.

The law has made a limit, which body has a right to examine carefully the dealers books above which a county or municipality may not go in levying a license on dealers. If the dealer applies for a license to sell bottled beer, he may not be charged more than one hundred dollars per year by the municipality, or two hundred dollars a year if he wishes a license to sell bottled and keg beer. This, of course, is in addition to the state tax and the federal tax.

No license to any dealer shall be issued until he shall give a bond in the penal sum of not more than two hundred fifty dollars, conditioned that such retailer will faithfully observe the laws of the State of Utah, and the ordinances of the city, town, or county, relating to the sale or dispensing of beer.

The above embodies a gist of the laws of Utah, relating to the regulation and control of the sale of beer after January 1, 1934, and it will be seen that after that time we will not be inflicted with an orgy of debauchery, but that in all probability a greater temperance will ensue.

The benefit and enforcement of this, as well as every other law, will depend upon the intelligence of the enforcing officers and the cooperation they receive from the people as a whole. No citizen should fold his hands contentedly with the thought that all will now be well, for anti-social forces are just as strong as they have ever been, and a well organized and safe civic and social life is only obtained by the intelligent alertness of every member of the community.