

# CONGRESS WETS DENOUNCE DEATHS BY POISON ALCOHOL AS GOVERNMENT MURDERS

## BILLS BAN FATAL DRUGS

Celler Would Make Use of Unsafe Adulterant a Prison Offense.

## DRY-VOTING WETS SCORED

Edwards Condemns 'Hypocrisy' of Legislators and Proposes 18th Amendment Repeal.

## TREASURY DATA DEMANDED

Meanwhile Mellon Holds Out Hope of Finding a Suitable Harmless Adulterant.

*Special to The New York Times.*

WASHINGTON, Jan. 3.—Hardly had the Senate and the House reassembled today after the Christmas recess, when pent-up emotions stirred by deaths from poisoned alcohol throughout the country during the holidays found a vent in denunciation of the Federal Government on the charge of putting deadly drugs in alcoholic liquors.

The Government was accused of committing murder; it was pictured as a modern Lucretia Borgia, and a more intimate touch was given to the outbreak by declarations that Senators and Representatives drank to excess and thus set an example to those who imbibed beverages poisoned by the Government.

Senator Edwards and Representative Celler both asserted that members of Congress were drinkers, the New Jersey Senator condemning the "hypocrisy of people who vote dry and drink wet."

Bills and resolutions aimed to put an end to dangerous adulteration of alcohol were introduced. Some were designed to obtain information from the Treasury Department as to what had been done in the way of poisoning alcohol; as to who were the Federal officers responsible for this practice, with a view to their prosecution, presumably for murder, by the States in which deaths had resulted from drinking alleged poisoned alcohol.

Other measures directed the Treasury to stop using deadly drugs as an alcoholic denaturant. Another proposed the repeal of the Eighteenth Amendment. Throughout most of these measures and the remarks made on the floor, the words "murder" and "legalized murder" stood out boldly.

### Sheppard Defends Dry Unit.

A flat denial that the alcoholic deaths in New York during the holidays were caused by poisons placed in intoxicants by the Government, came from Senator Sheppard of Texas, author of the Eighteenth Amendment. He contended that it was too much alcohol and not poison in it that had brought these tragedies.

According to Senator Sheppard, industrial alcohol denatured with wood alcohol would not kill unless two quarts were drunk steadily at one time. And to this he added that the same amount of liquor without wood alcohol would kill.

While the denunciations were in progress in the Capitol, Secretary Mellon and prohibition enforcement officials were in conference at the Treasury Department, seeking to devise means of making intoxicating liquor obnoxious for beverage purposes without using deadly poisons in the process. But the shells of oratory dropped on the Treasury from the batteries of the Senate and House made no impression on the prohibition heads.

Lincoln C. Andrews, Assistant Secretary of the Treasury in charge of prohibition enforcement, took the position that while the Treasury was opposed to the use of poisons as denaturants for industrial alcohol, the practice would be continued pending the discovery of an effective non-poisonous substitute.

### Celler Says Legislators Drink.

It was during the House debate that Representative Celler, Democrat, of Brooklyn, gave credit to Secretary Mellon and his aides for being opposed to the use of poison in alcohol, but he was protesting against the practice when Representative Blanton of Texas interrupted to say it was contrary to law "for people to drink this stuff," and to ask whether Representative Celler wanted the Government "to make it as attractive to the palate as possible."

"I do not want to make it attractive," Mr. Celler replied, "but the Government does not have to resort to lynch law to enforce this act. Members of this House and of the other chamber drink, and drink to excess, and those who drink this kind of alcohol are simply aping them."

"If it is possible for members of Congress to drink, let us make it difficult but not murderous to others less informed and less intelligent than members here."

In the Senate the poisoned liquor debate was opened by Senator Edwards of New Jersey, who advocated the repeal of the Eighteenth Amendment and offered a resolution submitting the question of repeal to the States. He also offered a resolution calling on the Secretary of the Treasury for all information relating to the practice of poisoning alcohol and correspondence with the Anti-Saloon League.

Senator Copeland of New York like

ened the poisoning of liquor by the Government to "setting guntraps for poachers in England," while Senator Bruce of Maryland recalled that when he was a boy "a brutal, atrocious monster of a man" put strychnine in water-melons.

"That is just about what the Government is doing today with alcohol," said Senator Bruce.

Senator Sheppard said that "if the prohibition law had been observed in New York City and other cities where those deaths principally occurred, there would have been no deaths."

This brought a query from Senator Broussard of Louisiana: "If the Senator's theory is that alcohol is so poisonous, why put poison in it?"

"New York is one of the spots in the Union where the prohibition law is most recklessly defied, and it is not surprising that the greater number of alcoholic deaths occurred there and in a few other spots still wet," Senator Sheppard replied. He insisted that the "overwhelming majority of the American people are obeying the law, and are happier, healthier and wealthier than ever before," and added that "all alcoholic drink is poisonous drink, and it will ultimately or suddenly kill in the proportion in which it is consumed."

At this point Mr. Sheppard amplified his contention that it was excessive drinking of alcohol and not poison in alcohol that had caused many deaths in New York and elsewhere.

"Evidently most of the victims were in a highly alcoholized condition," he said. "People in this condition are so depressed mentally, so fragile physically, that an appreciable quantity of alcoholic liquor of any kind may be fatal."

#### Fairchild Warns Officials.

Of the measures offered striking at the alcohol denaturing process, one came from Representative Fairchild of New York. It was a resolution declaring it to be the sense of Congress that "there is no such thing as legalized murder and there is no law of Congress that requires poison to be introduced into denatured alcohol," and set forth that any Federal official who causes poison to be used in denaturing alcohol does so upon his own responsibility and at his own risk.

"If, under State laws, it would constitute murder to place revolvers where they would become available to men who use them to commit murder where the individuals so placing the revolvers do so with full knowledge that they will be so used, then is not any one equally guilty of murder who places or causes to be placed poison into liquids available to bootleggers with full knowledge that the liquors are so being used resulting in deaths?" the resolution added.

To a bill to prohibit the use of poisons as denaturants, Representative Celler attached a statement which read in part:

"The denaturant need only be unpalatable or cause nausea. It need not be mortal. The guilt for the slaughter of thousands of people should be on the conscience of every member of the House who fails to heed the warning. We cannot sit idly by and allow fanatics to use the instrument of death for enforcement."

In his speech denouncing the use of deadly poisons in alcohol, Mr. Celler said:

"We assume the rôle of Lucretia Borgia when we deal out poison in this fashion to the unthinking and to the lowly and poor multitudes of the country because they are the only ones who drink alcohol thus poisoned with the connivance of the Government which you and I represent."

#### Urges Freedom on Prescriptions.

In addition to his bill to prohibit the use of poison in denaturing alcohol, Representative Celler offered a measure aimed at the Supreme Court's decision upholding the National Prohibition act limiting a prescription of alcohol for medicinal purposes to a pint every ten days.

It would provide for amending the Volstead law so as to permit the unlimited manufacture, sale, transportation and importation and exportation of intoxicating liquors for medicinal purposes, and that physicians shall not be restricted in prescribing alcoholic beverages for medicinal purposes.

Mr. Celler's bill against poisoning alcohol, leveled at Government officials, provides a penalty of imprisonment for one year for a first offense and imprisonment for five years for a second offense.

A resolution of Representative Britten, Republican, of Illinois, directing the Secretary of the Treasury to discontinue the use of poison denaturants contained the assertion that "the Treasury Department is itself violating the very foundation of the Constitution which provides for the protection of life and property when it deliberately directs the use of poisonous matter in the manufacture of an industrial product which easily finds its way into every walk of life to the destruction of the citizenry."

Representative Black of New York introduced a resolution calling on the Secretary of the Treasury for all correspondence concerning the poisoning of alcohol, with all names of Government officers responsible in order that Governors of States may take steps to prosecute them "on charges of homicide" in cases where deaths have resulted from the use of such poisoned alcohol.

#### Confer on a New Denaturant.

The conference at the Treasury Department concerning the use of noxious but non-poisonous denaturant for alcohol was attended, in addition to Secretary Mellon and Assistant Secretary Andrews, by Under-Secretary Winston and James M. Doran, chief chemist of the prohibition unit.

It was announced after the conference that three additional chemists would be assigned immediately to the search for a non-poisonous denaturant.

"The result of this flurry will be," General Andrews predicted, "that we will go ahead as we have been going. We are forced to that result by the demands of the industry."

General Andrews emphasized the point that every effort would be made to find a harmless substitute for wood alcohol.

"Of course we want to eliminate the poison," he said, "but we have got to be fair and reasonable. Here is the law, and here we are in this department forced to carry out the law."

General Andrews said that common sense made one believe that the recent deaths from drinking bootleg liquors were not caused so much by wood alcohol used as a denaturant, as by excessive drinking of ethyl-alcohol and the improperly manufactured output of illicit stills. He also said that eminent physicians told him that the number of deaths from drinking were not as numerous as in the days before prohibition, and that while the use of poor distillations and denatured alcohol caused nervous and stomach troubles the poisons were not in themselves the cause of any deaths.

#### Suspects Propaganda by Wets.

"It seems to me," he said, "that they are making a tremendous bugbear out of this. I almost feel it is wet propaganda in an attempt to embarrass the Government."

The new formula, containing 4 per cent. of wood alcohol, he said, should be effective in preventing its consumption as a beverage, as it would be possible for any one by the taste and smell to know that they were using denatured alcohol. "Nobody," he said, "thinks that we could turn loose pure alcohol."

Secretary Mellon preferred to keep out of the controversy today, as he probably will be called upon to make a complete report about the situation to Congress and wants that to represent his matured views.

In behalf of the Treasury, however, it was stated that the department was

now using a denaturing formula as harmless as it had been possible to devise. The new formula No. 5, containing 4 per cent. of wood alcohol, it was said, was considered a greater protection to the consumer than any of the others.

Emphasis was laid on the contention that there were more illness and deaths from moonshine than from use of industrial alcohol denatured by Government edict, one view being that the raw distillations were twice as dangerous.

#### Edwards Assails Dry League.

Senator Edwards in his speech for the repeal of the Eighteenth Amendment asserted that prohibition enforcement had broken down; that on account of it the nation had "been wallowing in a trough of political corruption for nearly eight years," the Wayne B. Wheeler used to sit in "the honor gallery," with thumbs down on every representative who opposed the will of the Anti-Saloon League, and that the league had established a supergovernment and was guilty of perfidy and injustice.

Senator Edwards gave the following compilation of deaths during the Christmas season, which he charged were due to "legalized murder by the Government in poisoning alcohol":

New York, 730; Philadelphia, 300; Boston, 145; Chicago, 328; St. Louis, 56; Columbus, 8; San Antonio, since June 1, 3; Omaha, 10; Harrisburg, 6; Detroit, 121; Los Angeles, 30; Minneapolis, 28; Seattle, 23; Pittsburgh 130.

Much of Senator Edwards's remarks was devoted to an argument to show that it was never intended by the framers of the Constitution that an amendment such as the Eighteenth would be attached to that document. He quoted copiously from American statesmen, writers, newspaper editorials and news articles to prove that prohibition was not only fundamentally wrong but that the attempt to enforce it had been futile.

"As the matter now stands," said Senator Edwards, "we cannot or will not repeal prohibition, and we cannot enforce it."

"We have the regrettable condition of an irresistible force meeting an irresistible force—an outraged and defiant public opinion running headlong into the demagogic ukase of a minority made irresistible by a cowardly inaction of the Congress of the United States in not facing and doing its sworn duty."

"We have men in this body who like a drink. We have men in this body and in every legislative, church and lay body of the land who take a drink when they can get it. How can we, the elected representatives of the greatest deliberative body in the world, stand calmly by and refuse even to permit a vote on this most vital question of the hour?"

Senator Edwards charged that the defeat of Senator Wadsworth was due to a vacillating attitude on the prohibition question. He told of a reported drunken orgy in which pupils of a girls' seminary participated, and made reference to other conditions which he asserted were due to prohibition.

#### Says Senators Violate Dry Law.

Senator Edwards made the direct charge that Senators who openly espoused the prohibition law, secretly violated it.

"Many of those who are most verbal and blatant in their advocacy of strict enforcement are the ones who are secretly violating the law," he said. "They are attempting to do exactly what this Senate is doing, driving down the throats of a people a law which they do not themselves respect. I make this charge openly and defiantly, because it is no secret and everyone knows it who is at all familiar with personalities on Capitol Hill."

In another part of his speech, Senator Edwards repeated the charge, saying:

"We can, however, find time to offer stubborn resistance to the repealing or amending of a law which deprives the less fortunate from indulging in the same practices in which many of us delight to indulge secretly and beneath a cloak of hypocrisy and utter contempt for the law which we ourselves placed upon the statute books and in the Constitution of the United States."

#### Wheeler Denies Prompting Poisons.

To a charge of Senator Edwards that the Anti-Saloon League was responsible for the poison denaturant used in alcohol, Wayne B. Wheeler, general counsel of that organization, made a reply tonight.

"Senator Edwards is wrong again," said Mr. Wheeler. "We have nothing to do with the wood alcohol formula. He is welcome to all the correspondence on that. The formula was promulgated in 1906 to get tax freedom in the industrial use of alcohol. Many large users of industrial alcohol would not use pure or ethyl-alcohol, even if they could get it at the same price, because it is so easily diverted to beverage use. It would destroy their reputation as law-abiding institutions."

"We challenge Senator Edwards to name the persons at the so-called drunken orgy of seminary girls. It is a slander on youth. It is silly for Senator Edwards to charge Senator Wadsworth's defeat to his vacillating stand on prohibition. Wadsworth was an uncompromising wet like Edwards. That is what defeated him."

"Senator Edwards will make no more headway in repealing the Eighteenth Amendment than he did on trying to fulfill his promise as Governor to make New Jersey as wet as the Atlantic Ocean."