

MR. BUCKNER EXPLAINS

AND yourself, Mr. Buckner—do you drink now?”

“On January 26, 1925,” he said, “I heard that Mr. Stone had sent to the White House his request for my appointment. I went on the wagon that day, without waiting for the Senate’s ratification. I haven’t taken a drink since.”

Mr. Buckner was enjoying bold frankness, although he did not smile. Instead, still sitting expectantly erect in his swivel chair, he pressed a button for his secretary, and turned to welcome the next question.

“What, then, do you think of the man who accepts a drink, or buys a drink when the mood strikes him?”

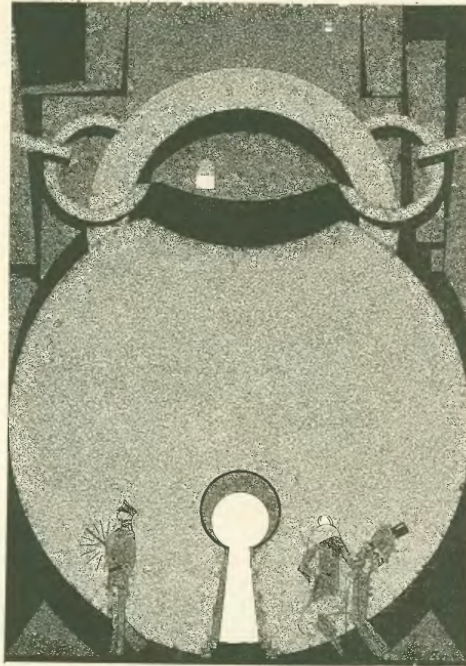
He took out his pencil and made a small mark on the pad that lay before him. He probably would have frowned, except that he never frowns—or smiles, or discloses any of his mental processes in his immobile face. He took out his pencil, which is his closest approach to a gesture of any sort:

“That is not an easy thing to answer. You know, I have never committed myself on that, or upon my own opinion of the prohibition law. I’ll say this: The man who buys liquor when he is thirsty for it is not a criminal in the sense that a check forger or a thief is a criminal. No; such a man, presumably, is dissatisfied with a particular condition imposed upon him by society, and is making his protest against it by taking the matter into his own hands. As long as he is frank about it, and professes his dissatisfaction in words and votes as well as deeds, I have no particular quarrel with him. But he is a hypocrite of the worst sort if he drinks in secret and shouts in public for the virtues of prohibition.”

“What do you do when a drink is offered you—in a social gathering for instance?”

“I decline, of course, politely. I simply say, ‘I’m on the wagon now.’”

“But why have you been so careful to withhold your own opinion of the



prohibition law?” I pressed him.

“Chiefly because I am not very much interested in it, except as a legal problem. Still, you should be able to find some meaning in what I said a moment or two ago. You remember I said I had not taken a drink since last January. Well, prohibition has been a matter of law for some years now. The inference ought to be clear.”

It is a misfortune shared by most men of slight stature that their gravity and earnestness are likely to be taken for pomposity. Mr. Buckner does not escape that misfortune. He did not, on the other hand, attempt to grow genial or disarmingly amiable. Rather, he surrendered everything to that resounding attitude of frankness. He was delighted with it; and he was past doubt sincere.

“That is as far as I shall ever go, I think, in describing my feeling toward prohibition.”

“It makes your viewpoint clear enough. But, holding it, why did you give up your extremely profitable law practice to become District Attorney?”

“There were two considerations,” he answered quickly, “and the first

was vanity. I heard that several Federal judges in this district had asked Mr. Stone to appoint me. That flattered me, and I decided to take it for a while. How could a man resist such an appeal to his vanity?”

“And the second consideration was that the job presented an amusing and intricate problem in creative administration. The sort of problem that fascinates me. And I couldn’t resist the opportunity to work at it. Of course, I lose money in this office. But I determined to indulge in the luxury of being District Attorney until my money gives out, and I have to go back to the law office.”

“There isn’t any bunk about it. I wasn’t drafted for the job, for a great public service or anything like that. It simply appealed to me.”

We were sitting in the vast, gaunt old room, with its empty and chilly corners and smoky walls where Elihu Root prepared himself for fame. Was it possible, I asked Mr. Buckner, that political ambition had anything to do with his acceptance of the job.

“Couldn’t afford it,” he said. “Couldn’t live on the political salaries.”

A federal prohibition agent entered, one whose name is not unknown to the public press, and engaged Mr. Buckner in conversation in a corner of the office. He said a few words, listened intently while the District Attorney spoke emphatically for a moment or two, then hurried out. Mr. Buckner strolled slowly back to his desk, and began speaking energetically:

“No, I’m not interested in the merits or demerits of prohibition as a moral force. I hold myself a lawyer, with the United States Government for my client. I shall do as well by my client as I possibly can.

“I started out with the padlock campaign. And I used it against that phase of prohibition violation which appeared to me the most spectacular and obvious. Congress, by simple fiat,

had given us the right to use the padlock and injunction proceedings. Until the Supreme Court tells us it is wrong, we shall continue to use it.

"But that is only a small item. Prohibition, however good it may be as a moral restriction, has afflicted American life with a miserable sore. It has brought about a vicious criminal situation, with its offshoots of perjury, murders, the moral poisoning of public officials, assaults, thefts and all manner of interrelated lawbreaking. The cleaning up of this spreading sore of crime is more important than prohibition itself—which brings me to a statement of my whole philosophy concerning the prohibition law:

"Get rid of the crime that prohibition has borne—even if we must repeal the prohibition law in order to do it. In short: enforce prohibition or repeal it without delay. All the good which the law may produce is worthless compared to the chain of serious crimes which it is producing every day."

I asked, "Can it be enforced?"

"The Government has never tried yet," he exclaimed. "That is a bold statement, but it is true. The Government has made no serious effort to enforce the law. It will not have done so until it effects a complete and revolutionary reorganization of the federal court system, and pays its enforcement agents a living wage.

"A man can't live in New York on \$1,800 a year. And it is silly to ex-

pect enforcement of prohibition as long as that is the salary of agents."

By a singular coincidence, we had strolled toward the window as he talked, and now we stood looking out. Through the street door of the building at this moment appeared the agent with whom Mr. Buckner lately had been talking. He paused on the sidewalk an instant, then stepped into a glistening limousine at the curb. As he leaned out of its window to give directions to his chauffeur, we turned back into the room, moving once again toward the big desk.

"The zealots who created prohibition," he said after a long pause, "think the mere writing of the law on the statute books makes it a *fait accompli*. They do not see. They decline to know the truth."

He rang for his secretary again, and while he issued certain instructions, I reflected on the talk which had come to its end. For a long time I had been laughing at Mr. Buckner. It had been such a vastly amusing spectacle, amusing and quite preposterous, his apparently devout assaults with padlocks and papers of law upon the Charleston palaces. Even the proprietors of those

establishments had made their jests on him, as they paused between visits of the moving van.

And perhaps, I concluded, certain chuckling is still justified: chuckling at the ardent clown imagination makes of Mr. Buckner when stories of his further empty and futile raids among the ephemeral cabarets of Broadway are printed: chuckling at the sonorous and peppy speeches which he casts into the air over radio: at his self confessed vanity, and at his amazing want of a ticklish spot anywhere on his active figure.

But I am not so sure that the Buckner who sits in his office, articulating with certain grace and undeniable honesty a wise and knowing philosophy upon the dubious phenomenon of prohibition, is to be laughed at. He is beginning to realize that his padlocking notion is a bit fatuous. He is approaching nearer and nearer to that bright morning when he will announce that prohibition cannot be enforced and ought to be repealed. He is a clear-sighted and thoughtful citizen, with a faint and ineradicable streak of Rotary and Babbitt in him, it is true, but curiously wise and penetrating. In gentlemen of his sort lies the hope, at last, of those to whom prohibition is obnoxious. And the best part of it all is his constantly reiterated declaration: "General Andrews, who has charge of this whole prohibition business, thinks just like I do."

—MORRIS MARKEY



OF ALL THINGS

THE White House Zoo has lately been increased by a collie, a terrier, a tomcat, and a wallaby. We respectfully suggest that, before it is too late, the President add to his museum a genuine specimen of a New York City Republican.

After analyzing the autopsies for a week, we have come to the conclusion that Mr. Waterman was defeated by the lead pencil vote.

The *Manufacturers Record* has published a long list of the names of prominent men who have not had a drink since prohibition. Fanatical, as ever, in the cause of personal liberty, we do not favor

the passage of any law compelling these gentlemen to take a snifter.

The Mayor-elect promises us the kind of administration that Al Smith would give. It is believed, however, that he will not attempt to move the City Hall any further north than Fourteenth Street.

Judging from the widespread approval of the proposal to abolish inheritance taxes, dying for one's country is not more popular with the classes than it is with the masses.

Prexy Lowell's idea of emphasizing brain rather than brawn in collegiate

affairs is an interesting one, but we shall remain sceptical about the experiment until we see eighty thousand people crowd into a stadium to watch somebody think.

On the first nice Saturday in millennium we are going out to hear the boys give the long yell for dear old Five Foot Shelf.

All fears as to the genuineness of Gloria's nobility happily have been removed by research. True, the family has not used the title for many years, but it was always on tap. The famous husband is not a discount but a recount.

—HOWARD BRUBAKER