

# STATEMENT MADE

## ON PROUTY CASE

The Examiner is in receipt of the following communication:

"Editor The Examiner:

"Please permit us to say:

"Our honorable mayor and city commission has the right to reduce or pardon a city prisoner, but they have not the right to fix another kind of a judgment.

"Chapter 2, section 5, 1917 session laws. Penalties. Any person convicted of violation of any of the provisions of this act, shall be punished by a fine of not less than \$50 nor more than \$299, or by imprisonment in the county jail for not less than thirty days nor more than six months, or both such fine and imprisonment.

"A person having once been convicted of a violation of any of the provisions of this act, who thereafter violates the provisions thereof, shall be considered a persistent violator of this act and shall be deemed guilty of a felony and, upon conviction thereof, shall be imprisoned in the state prison at hard labor for not less than three months nor more than two years.

"A jail sentence is a punishment. A fine can and may be used as a license. Therefore, we the temperance committee, do heartily indorse the decision of Judge Barker in the Prouty liquor case.

"HYRUM BELNAP,

"President.

"C. E. SMITH,

"Vice President.

"MRS. W. S. FLEWELLING,

"Secretary.

"January 4, 1918."