

## **Office of the Vermont Secretary of State Vermont State Archives**

### **Statewide Referendum 1847: Relating to Licensing Innkeepers and Retailers**

**Background:** "Ardent spirits" and drunkenness were linked to a host of social, moral, and economic ills. In 1828 a Vermont Temperance Society was organized and sustained drives for statewide prohibition were under way by 1837. To achieve prohibition, temperance advocates looked to regulating the distribution and sale of alcohol through licensing retailers and innkeepers and limiting the amounts and uses of any alcohol they received.

**Issue:** The population was closely divided over temperance, with splits along regional lines and between larger population centers (pro) and rural towns (anti). At the January, 1844 meeting of the Vermont Temperance Society the likely legislative opposition to prohibition was acknowledged and the Society called for the use of referendum, adopting the slogan "Let the people decide the great questions that concern the people" (the house was controlled by the rural towns).

David Ludlum, in *Social Ferment in Vermont*, reported county level referenda in January, 1845; citing newspaper reports he calculated that a statewide margin of eighty-three votes out of 30,000 cast favored licensing retailers and innkeepers as opposed to restricting licenses to the sale of alcohol for medicinal, chemical or mechanical purposes (Ludlum, p. 81; see also Act 15 of 1844).

**Referendum:** On November 3, 1846 the General Assembly passed Act 24, "An Act Relating to Licensing Innkeepers and Retailers." The act included a statewide referendum at March town meeting, 1847, "and each year thereafter," with voters being asked to cast ballots for either "license" or "no license." If a majority voted for license, county assistant judges could license innkeepers and retailers to sell "distilled spirituous liquors, wine, ale, or beer (excepting small beer)" for beverage purposes. If a

majority voted no license, the assistant judges "shall have the power to grant licenses only for medicinal, chemical or mechanical purposes" of alcohol.

The "no license" forces won by a 21,798 to 13,707 vote, with only Essex County voting for "license."

**Result:** No licenses were issued for the sale of alcohol for beverage purposes. The law was not stringently enforced and was evaded in communities opposing the measure.