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Statewide Referendum 1903: Regulating the Traffic in Intoxicating Liquor

Background: The statewide prohibition on the manufacture of liquor, adopted in 1853, was laxly enforced; Governor Urban Woodbury, proprietor of Burlington's Van Ness house, openly served alcohol, for example. As Vermont began to promote itself as a tourist destination, prohibition was perceived as a competitive disadvantage (why vacation in "dry" Vermont when you could enjoy "wet" Saratoga?). Vermont's larger population centers, once the source of temperance strength, now chafed under prohibition. Beginning in the 1890s Percival Clement, publisher of the Rutland Herald, promoted replacing statewide prohibition with local option, allowing each municipality to decide whether to be wet or dry.

Issue: In 1902 Percival Clement sought the Republican gubernatorial nomination. A main plank of his candidacy was local option. When he failed to gain the nomination, Clement bolted the Republican state convention and ran as a local option candidate, creating a three-way race. His presence denied the Republican candidate a majority for the first time since the creation of the party in 1854.

Referendum: To blunt renewed factionalism from Clement's local option forces, the 1902 legislature enacted on December 11, 1902, Act 90, "An Act to Regulate the Traffic in Intoxicating Liquor." The act established local option through which towns annually voted at town meeting whether to be wet or dry and, if wet, what kinds of licenses they would issue for the sale and use of alcohol.

Act 90 called for a referendum to be held February 3, 1903 to allow voters the choice between enactment dates. A yes vote would mean the act would go into effect on the first Tuesday in March 1903. A no vote delayed the effective date until the first Monday in December 1906. Again, the understanding was that a

no vote would allow an intervening legislature to repeal the act.

The voters approved the early date by 729 votes, 29,711 to 28,982.

Result: Vermont's fifty year experiment with statewide prohibition ended. The majority for local option was provided by the larger population centers, a reverse of the 1853 voting patterns, while the seven eastern counties voted no (only Grand Isle voted no among the western counties).

Clement ran again in 1906, as a Democrat, and lost. He finally won the governorship in 1919, just as national prohibition emerged.