

# New York Prohibitionist



*Think NY Vote Dry*

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## A Vision for the Future

In these trying times, the Prohibition Party of New York continues its work to advocate for positive policies and advance social reform. We offer a vision for a better future for New York. A vision for a new approach to governance focused on moral principle, public service, and advancing the public wellbeing. A vision of a state filled with healthy, prospering communities, and greater opportunity for all New Yorkers. If you are interested in helping to make a positive impact on your state and your community, consider joining the Prohibition Party of New York.

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"No civilized state should have citizens too ignorant to participate in government," and this statement is but a step to the fact: that no state is civilized which has citizens too ignorant to help rule it." W.E.B. DuBois

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## State and National Party News

The Prohibition Party continues to move forward on the state and national level. On the national level, the Prohibition Party continues to move forward with its messaging efforts, efforts to develop state level organizations, and efforts to run candidates for local elections. The Party is working on preparations ahead of the upcoming annual meeting of the Prohibition Trust Fund Association in June.

On the state level, the Prohibition Party of New York is continuing with its efforts. We are continuing to engage in our legislative advocacy efforts and have made progress on the electoral front. State Chairman Jonathan Makeley ran as a candidate for school board in the Sweet Home Central School district. While this is a non-partisan election, this appears to be the first time that a member of the Prohibition Party has been on ballot for an elected office in New York State since 1940. The election was held on May 17<sup>th</sup>. There were four candidates running for

two positions on the board, including two incumbents. Makeley received 149 votes (18.08%) and came in 4<sup>th</sup> place, while the two incumbents were reelected. While Makeley did not win the election, it was still a significant step forward for the Prohibition Party running candidates for elected office in New York state, and hopefully will help to pave the way for more candidates in the future.

## Makeley's Reflections on School Board Election

This year I made the decision to run as a candidate for my local school board. In the process, I was able to become the first member of the Prohibition Party to get on ballot for elected office in New York State in several decades, and was able to receive 149 votes (18.08%).

I had decided to run for the Sweet Home Central School Board because I have long cared about issues of education and civic engagement and figured that it would be a good opportunity to try to contribute to the community. I believe that all students should have access to a good quality education, which fosters the development of knowledge, skills, intellectual and moral cultivation, personal development, and civic engagement.

Once, I decided that I was going to run for school board this year, I kept an eye out for the start of the period for petitioning to get on the ballot and looked for information on the process for running. I got information from the school district's website and from getting in contact with the district clerk. I printed out the required paperwork and the petition document.

Once I had the documents prepared, I began the process of collecting signatures. In order to get on the ballot, I needed signatures from at least 25 qualified residents of the district. Though since the



petition document had 50 lines, I sought to collect as many signatures as I could to increase the likelihood that at least 25 of the signatures would be certified as valid. I mainly collected signatures, by going door to door in various parts of the district, introducing myself, letting people know that I was collecting signatures to get on the ballot, and asking them if they would like to sign. Initially, I had went out each day, to try to collect signatures. But as I saw the results of different days, I shifted to a more strategic approach, where I would go out on days that had decent weather, during times when people were more likely to be home, and focused on going around areas that had a high concentration of houses/apartments with doorbells. Over the course of several weeks, I knocked on about 150-200 doors. These efforts paid off and, in the end, I managed to get a total of 46 signatures and filed my petition to get on the ballot.

After the end of the petitioning period, it was confirmed that I was one of the four candidates that would be on the ballot for the election. The other candidates included the two incumbents running for reelection (one the current board president and the other the board vice-president) and one other newcomer that was making their first run for school board. Two of the other candidates (one incumbent and one newcomer) would end up receiving the endorsement of the local teacher's association.

After making sure that I had managed to get on the ballot, I turned my attention

towards working to spread my message and increase awareness of my campaign among voters. I put forward a message focused on working to improve the quality of education, strengthening the teaching of core subjects, promoting information literacy, supporting student development, fostering greater community engagement, and working to bring together different parts of the district community in these efforts. I submitted a candidate statement, which was published in the district's Our Schools Newsletter, about the upcoming school board election and budget vote, and that was distributed to households throughout the district. I had also managed to receive some coverage in the Amherst Bee newspaper, which published excerpts from the candidates' statements.

Over the course of the campaign I communicated with various groups in the area that were interested in the election; answering questions and attending various events that I was invited to. For instance, attending a candidates' event by the local teachers' association, answering questions from local parents' groups, and going to an informational event held by the Erie County Association of School Boards. I attended the Meet the Candidates Night hosted by the school district; in which I and other candidates answered questions from members of the community. I had campaign cards printed out, which I and supporters of my campaign handed out to people in the district.

In the campaign, I sought to increase engagement and turnout by reaching out to a variety of people within the district and reaching out to groups that typically weren't given as much attention in school board races. For instance, the school district has a lot of college students living in it, due to having the University at Buffalo's North campus and many nearby student apartments within it. I worked to reach out to the students in the community and to political groups on campus, to encourage students to come out to vote in the school board election.

On election day, I and the other candidates in the election stood at a stand on the sidewalk leading to the voting area; greeting voters and answering questions they may have had. After the voting

ended, the vote totals were counted and reported.

In the end, I received 149 votes and came in 4<sup>th</sup> place. While I did not win the election, I think that I still did fairly well in the election, given the circumstances. I managed to get over 100 votes, despite this being my first run for the local school board, and despite being the only candidate that was neither an incumbent nor endorsed by the local teacher's union. My efforts to encourage increased voter turnout seem to have paid off, as there was a 28% increase in voter turnout from last year's election. Though my efforts were likely one of multiple factors that drove increased turnout. In the election, I was able to gain experience with petitioning and campaigning for local office. Things such as the strategies I developed for petitioning to get on ballot and practices for reaching out to the community could be useful for future campaigns and helping other members of the party trying to run for local office.

Reflecting on the campaign, I can see some areas where I was at a competitive disadvantage and areas to focus on for having a stronger campaign in the future. As a newcomer, I was less well known among the district's voters. I had a smaller number of volunteers and didn't have as much support from community organizations. These factors could be addressed by continuing to get more involved in the community, working to develop connections with more community members (particularly among those who are more civically involved), continuing to develop relations with community organizations, working to find more people who might be interested in volunteering for a campaign in the future, and working to develop party membership and organization within the area.

As for me, I plan to continue to be involved in my local community and to find ways that I can contribute to it in the future. I am continuing with my current civic engagements and am looking into other opportunities for community involvement. I may run for local office again sometime in the future, though the specifics of that remain to be seen.

"The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat." Theodore Roosevelt

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### **State Redistricting Process Moves Forward, With Ongoing Contentions over Assembly Districts, Primary Elections, and Statewide Offices**

The state's redistricting process continues to move forward following a state Court of Appeals ruling which required the New York State to create new maps for its Congressional and State Senate districts. As we had reported last month, the New York Court of Appeals ruled that the Congressional and State Senate district maps that were created by the state legislature earlier this year violated the state constitution's provisions for the process of designing maps and the Congressional district maps violated the state constitution's provisions against partisan gerrymandering. Following this ruling, acting State Supreme Court Justice Patrick F. McAllister was tasked with overseeing the creation of a new set of Congressional and State Senate district maps designed by a court-selected election expert. In addition, primary elections for Congressional and State Senate districts were moved to August 23<sup>rd</sup>, in order to give the state time to prepare for holding primary elections with new districts.

Election expert Jonathan Cervas was selected to design the new Congressional and Senate district maps. Cervas is a political scientist and Carnegie Mellon University fellow, with experience helping to design legislative districts in several states, and who, in 2021, was part of the five-person commission that redesigned Pennsylvania's Congressional and State Senate seats. Cervas designed the new sets of Congressional and State Senate district maps with a focus on maximizing the number of competitive districts. The final design for the new Congressional and

State Senate district maps was approved by Justice McAllister on May 21<sup>st</sup>.

The new Congressional districts can be viewed via this link:

<https://davesredistricting.org/maps#viewmap::a3a223ed-54cf-4b54-8ea3-6f9312d7c405>

The new State Senate districts can be viewed via this link:

<https://davesredistricting.org/maps#viewmap::db25a7a8-477a-4443-bc68-9a157f9b2cc8>

While the new Congressional and State Senate maps have been set, there are ongoing contentions regarding the State Assembly district map, primary dates for other elections, and the handling of petitions for ballot access for statewide offices.

Both Justice McAllister in the State Supreme Court and the State Court of Appeals had found that the state legislature did not follow the provisions when it had created the previous set of Congressional and state legislative maps. They struck down the Congressional and State Senate maps, but declined to strike down the State Assembly districts, as the State Assembly districts hadn't been explicitly challenged by those who had brought the lawsuit against the Congressional and State Senate district maps. Though the logic of their ruling indicated that they would be inclined to strike down the State Assembly districts for the same reasons had they been challenged. Following this, a number of individuals and groups filled cases in state court seeking to have the State Assembly districts struck down and replaced. So far, state courts have declined to strike down the State Assembly districts for this year's elections, with some justices contending that the state doesn't have enough time to resign the Assembly districts. These court battles are still ongoing. Even if the State Assembly districts aren't struck down before this year's elections, it is possible the cases could continue. Given the merits of the case, it seems likely that the State Assembly districts will eventually be struck down and replaced. So, while the current Assembly district map might be used for this year's elections, we may end up having new Assembly districts in the 2024 elections.

The redesigning of the State's Congressional and State Senate districts resulted in the creation of two separate

primary election days (one in June for most offices and one in August for the Congressional and State Senate primaries). Various groups have been advocating for other primary elections to be pushed back to August. Some contend that all the primaries should be moved to August to make it easier for voters to turn out for the primary elections. Some who are seeking to have the State Assembly districts replaced contend that the primaries for State Assembly should be pushed back to enable the state to hold primaries under new assembly districts. In addition, there are those contending that primaries for statewide offices should be moved to August and the petitioning period for applying to get on ballot for those offices should be reopened. These advocates include the New York League of Women Voters and various minor parties. The reason for this is based on the fact that petition requirements for statewide office have distribution requirements for signatures based on congressional districts, and the redesigning of Congressional districts could disrupt a candidate's ability to meet distribution requirements.

As election expert Richard Winger has pointed out, there is a significant precedent that in these types of situations, states would either reopen the petitioning period for candidates to collect signatures or significantly reduce the required number of signatures. The New York Libertarian Party and independent candidate for U.S. Senate Diane Sare have asked the state trial court for judicial relief. So far, the state had not acted to push back the primary date for statewide offices, reopen the petitioning period, or reduce the required number of signatures. But since this is an ongoing matter, it is conceivable that the courts may eventually act to provide some sort of judicial relief for minor party and independent candidates seeking statewide office.

In the meantime, several minor parties and independent candidates have worked to petition to get on ballot for statewide offices. The Libertarian, Green, Independence, Freedom, and Unite Parties have submitted petitions for statewide candidates, and independent candidate Diane Sare has submitted a petition U.S. Senate. It will take some time

before the State Board of Elections announces which candidates' petitions were accepted.

Overall, while the redistricting process for Congressional and State Senate districts has moved forward and the process for this year's elections are moving forward, there are still ongoing contentions in several areas, which could shape how this year's elections will go.

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<https://ballot-access.org/2022/05/25/u-s-district-court-declines-to-require-new-york-to-move-primaries-for-statewide-offices-from-june-to-august/>  
<https://ballot-access.org/2022/05/11/new-york-libertarian-party-and-u-s-senate-independent-candidate-diane-sare-ask-for-reduced-petition-requirements-for-2022/>  
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<https://www.politico.com/news/2022/05/21/new-maps-new-york-redistricting-00034235>  
<https://ballot-access.org/2022/06/01/three-statewide-petitions-submitted-for-new-york-general-election/>  
<https://publicreporting.elections.ny.gov/WhoFiled/WhoFiled>



## Deaths from Alcohol Use Up During Pandemic

Our nation has seen a significant increase in deaths from alcohol use during the Coronavirus pandemic. In May, a group of medical researchers from John Hopkins, Cedar-Sanai Medical Center, and Jiaotong University published a letter about their research regarding increased rates of alcohol-related mortality during the pandemic. The found that mortality rates among those with alcohol use disorder had increased by 24.79% in 2020 and 21.95% in 2021 vs projected mortality rates, had rates remained similar to what they were in 2012-2019. Within this, there was an over 40% increase in AUD-related mortality rates among Americans age 25-44 in 2020.

Source: <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2791852>

"Tears are the silent language of grief." Voltaire



## Mass Shooting in Buffalo, New York

On May 14<sup>th</sup>, the people of the City of Buffalo were attacked in a horrific mass shooting. Around 2:30 pm, a gunman entered the Tops Friendly Market and opened fire: killing 10 people and injuring 3 others. The gunman was a white supremacist extremist, who had traveled 200 miles from his home in Conkling New York, and who targeted the Tops supermarket in a calculated plan to kill as many African Americans and inflict as much damage on the Black community as he could. It was an act of mass murder, a hate crime, and an act of domestic terrorism. The perpetrator was captured by police and quickly jailed on initial murder charges. Later on in the month, a Grand Jury indicted him on 25 charges: including domestic terrorism, 10 counts of first-degree murder as a hate crime, 10 counts of second-degree murder as a hate crime, three counts of attempted second-degree murder as a hate crime, and one count of second-degree criminal possession of a weapon.

Those who were killed in the attack included Aaron Salter (55), Ruth Whitfield (86), Pearl Young (77), Katherine Massey (72), Deacon Heyward Patterson (67), Celestine Chaney (65), Roberta A. Drury (32), Margus D. Morrison (52), Andre Mackniel (53), and Geraldine Talley (62). Those injured included Zaire Goodman (20), Jennifer Warrington (50), and Christopher Braden (55).

Further information on the victims and their lives can be found WRGZ website: <https://www.wgrz.com/article/news/crime/what-we-know-tops-shooting-victims-buffalo-mass-shooting/71-30ad7b83-6732-4780-8f0d-ce6d5f656752>

We mourn those who were killed in the mass shooting in Buffalo. Our thoughts and prayers are with them and their loved ones. We stand with those in the Buffalo community. We condemn the

hateful and violent actions of the man responsible for this attack and call for him to be held accountable to the fullest extent of state law. Though beyond holding the perpetrator accountable for their actions, there is the broader work of counteracting the damage that he and his ilk have sought to do. It is important that we in our society continue the important work of promoting equality and justice, of combating the evil of racism, and of working to build strong and inclusive communities that better meet the needs of those in them.

Sources: [https://spectrumbuffalobuzz.com/buffalo/public-safety/2022/05/14/police-are-active-shooting-at-jefferson-street-tops-residents-asked-to-avoid-area70d-id-app15-m-share-s-web-cmp-app-launch-august2020-c-producer\\_posts\\_po-organic3fcd63bshare-fb&fbclid=IwAR2imGakK78c8R0G46G4y8U\\_8XmSc3y3rD3p1oIvPv1M3a1G1Y85U](https://spectrumbuffalobuzz.com/buffalo/public-safety/2022/05/14/police-are-active-shooting-at-jefferson-street-tops-residents-asked-to-avoid-area70d-id-app15-m-share-s-web-cmp-app-launch-august2020-c-producer_posts_po-organic3fcd63bshare-fb&fbclid=IwAR2imGakK78c8R0G46G4y8U_8XmSc3y3rD3p1oIvPv1M3a1G1Y85U)  
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## Ongoing Effort for Ballot Access Bill

Over the past month, there has been a continuing effort to pass Bill A08683, though there has not been much notable progress for the bill in May. Bill A08683 would improve state ballot access laws by repealing most of the anti-democratic changes to state ballot access laws that were made in 2020 and establish fairer ballot access requirements for minor parties and independent candidates, similar to what existed before. The bill is sponsored in the State Assembly by Assemblyman Brian Miller, has 5 cosponsors in the State Assembly, and is sponsored in the State Senate by Senator Phil Boyle. The bill has not gained any additional cosponsors over the past month. The bill has so far been stuck in the Election Law Committee in the State Assembly and in the Elections committee in the State Senate. This slowing of progress indicates that more efforts need to be undertaken to work to convince members of the state legislature to support this bill.

Sources: [https://615cd4beb-b241-4f4a-a6bd-a074dc02ce34.filesusr.com/ugd/2cc7be\\_20486537f5f243e88ff4ecf1e39af027.pdf](https://615cd4beb-b241-4f4a-a6bd-a074dc02ce34.filesusr.com/ugd/2cc7be_20486537f5f243e88ff4ecf1e39af027.pdf)  
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"Idleness is to the human mind like rust to iron." Ezra Cornell

## Online Outreach

The Prohibition Party continues to use the internet and social media to help spread awareness of the party and its issues. The national Prohibition Party received over 850 viewers in the month of May (down about 13% from the previous month). The states with the largest number of viewers in May were California, Minnesota, New York, North Carolina, Pennsylvania, and Texas. There were 8 communities that had 10 or more unique visitors to the website during the month. The website continues to see a higher percentage of visitors viewing the website on mobile devices, following its redesign to improve compatibility on mobile devices earlier this year.

For the New York Prohibition Party website, the number of visitors is up 21% from the previous month. Over the past several years, the Prohibition Party of New York website has attracted viewers from throughout the state. Analytics indicate that the New York Prohibition Party website has been visited by people in at least 176 different communities throughout the state.

## Comment Period for FDA's Proposed Ban on Menthol Cigarettes and Flavored Cigars

On April 28<sup>th</sup>, the FDA announced that it will be proposing the adoption of new product standards and regulations on tobacco products that would ban the sale of menthol cigarettes and flavored cigars. These increased restrictions on tobacco sales would help to reduce the negative impacts on public health, by decreasing the risks of youth starting smoking and helping encourage current smokers to quit. The public commenting period for these proposed regulatory changes started on May 4<sup>th</sup> and will last until July 5<sup>th</sup>. Members of the public will be able to submit electronic or written comments to the FDA, expressing their opinions on these proposed changes. The FDA will also hold public listening sessions on June 13<sup>th</sup> and June 15<sup>th</sup>, to listen to public comments. The public comment period could have an important effect on whether the FDA will end up finalizing these increased restrictions on tobacco sales. The tobacco industry and its supporters will likely try to use this period



to discourage the FDA from passing these changes. It is important for anti-tobacco activists to make sure that they express themselves strongly in public comments, to help ensure the proposed restrictions are adopted.

Here are some links to information regarding the proposed rules and how to comment on them.

On Banning Menthol Cigarettes:

<https://www.regulations.gov/document/FDA-2021-N-1349-0001>

On Banning Flavored Cigars:

<https://www.regulations.gov/document/FDA-2021-N-1309-0001>

On Both:

<https://www.regulations.gov/document/FDA-2021-N-1349-0002>

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## New York Prohibition Party History

### The 1918 New York Congressional and State Legislative Elections

Throughout the late 19<sup>th</sup> and early 20<sup>th</sup> century, the Prohibition Party in New York ran numerous candidates for Congressional and state legislative offices. In 1918, the Prohibition Party in New York ran candidates in many of the state's Congressional, State Senate, and State Assembly districts. Some of these candidates ran just as Prohibition Party candidates, while others were fusion candidates (nominated by multiple political parties). The Prohibition Party was one of four parties that ran candidates throughout the state in the 1918 Congressional and state legislative elections. The other parties were the Republican, Democratic, and Socialist Parties.

For the Congressional elections, the Prohibition Party ran its own separate candidates in 23 Congressional districts, ran fusion candidates in 14 districts, and had no candidates listed in 9 districts. Of the 23 Congressional candidates that were only Prohibition Party candidates, 11 came in 3<sup>rd</sup> place and 12 came in 4<sup>th</sup> place in their races. Of the fusion candidates, 10 were fusion candidates with the

Republican Party, 3 were fusion candidates with the Democratic Party, and one was a fusion candidate with both the Republican and Democratic Parties. 7 of the fusion candidates were elected to Congress and 7 were not elected.

For the State Senate elections, the Prohibition Party nominated its own separate candidates in 26 State Senate Districts, ran fusion candidates in 16 districts, and had no candidate listed in 9 districts. Of the 26 Senate candidates that were only Prohibition Party candidates, 5 of the candidates came in 3<sup>rd</sup> place in their elections and 21 came in 4<sup>th</sup> place. Of the 16 fusion candidates, 15 were fusion candidates with the Republican Party and 1 was a fusion candidate with both the Republican and Democratic Party. 13 of the fusion candidates were elected to the State Senate and 3 weren't elected.

For the State Assembly elections, the Prohibition Party ran its own separate candidates in 62 Assembly districts, ran fusion candidates in 61 districts, and had no listed candidate in 27 districts. Of the 62 Assembly candidates that were only Prohibition Party candidates, 2 candidates came in 2<sup>nd</sup> place in their races, 19 came in 3<sup>rd</sup> place, and 41 came in 4<sup>th</sup> place. Of the 61 fusion candidates, 53 were fusion candidates with the Republican Party, 4 were fusion candidates with the Democratic Party, 3 were fusion candidates with both the Republican and Democratic Parties, and 1 was a fusion candidate with both the Republican and Socialist Parties. 50 of the fusion candidates were elected to the State Assembly and 11 were not elected. For three of those races (Greene, Rockland, and Schoharie), the election results were close enough that it is possible that the Prohibition Party joining to nominate a fusion candidate may have played a key role in ensuring the candidate's victory.

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"The good of man must be the end of the science of politics." Aristotle

## T. Alexander MacNicholl's Letter of Acceptance for the 1910 Prohibition Party Nomination for Governor of New York

"Dear Friend, For many years I have been engaged in scientific work and have never desired political eminence, but the spontaneous and unanimous nomination for governor by my fellow citizens of the Prohibition Party in the convention assembled at Cortland, New York, forces me to assume new duties in the interest of humanity.

The increased per capita consumption of alcoholic drinks and the widespread degeneracy attributed to their use should command the serious consideration and the active participation of every citizen in the efforts of the Prohibition Party to destroy this evil.

Alcohol is not a mere matter of temperance or else we could relegate it to the rescue mission and the church. It profoundly effects every department of life, physical, intellectual, moral, social and political and through the organized liquor traffic fosters disrespect for law, consumes the profits of the individual, burdens the state with its victims, and produces an environment in the highest degree prejudicial to the interests of the child.

While the physician is loth to enter the political arena, here is the question that he is pre-eminently fitted to solve, a question that is woven into the very warp and roof of politics and that cannot be eliminated save by political action.

The nomination for governor comes to me unsought and unexpected but I would be recreant to my trust as a medical scientist, false to my duty as a citizen did I not accept this honor. May I not depend on your cooperation in securing a solution of this problem. Cordially Yours T. Alexander MacNicholl, M.D."

Source: "Dr. MacNicholl at Federation Hall". *Star Gazette*. (Elmira, New York). October 26, 1910. Accessed, June 10, 2020.  
<https://stargazette.newspapers.com/clip/11692229/star-gazette>

A people without the knowledge of their past history, origin and culture is like a tree without roots. Marcus Garvey