

PROCEEDINGS

OF THE

TEMPERANCE CONVENTION,

HELD AT

FAIRMONT, MARION COUNTY, VIRGINIA,

MAY 12th and 13th, 1852.

MORGANTOWN, VA.

PRINTED BY S. SIEGFRIED,

JUNE.....1852.

CONFIDENTIAL

SECRET

MEMORANDUM FOR THE DIRECTOR

TO THE DIRECTOR

FROM THE ASSISTANT ATTORNEY GENERAL

SUBJECT: [Illegible]

DATE: [Illegible]

BY: [Illegible]

[Illegible]

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PROCEEDINGS

OF THE

TEMPERANCE CONVENTION.

FAIRMONT, MAY 12, 1852.

According to previous notice, a large and respectable number of delegates from the various Temperance organizations of North-western Virginia assembled in the Methodist Episcopal church in Fairmont, May 12th, 1852, and after prayer by the Rev. S. Siegfried, was organized by the appointment of WILLIAM A. HARRISON, Esq., of Harrison county, President, and SAMUEL WOODS, of Barbour county, Secretary.

The following gentlemen, viz: John S. Barnes, John S. Smith, and W. T. Willey, were appointed a committee to ascertain and report to the Convention the names of all Delegates in attendance, who after a short time reported the following gentlemen as delegates, viz:

Ohio County.—Messrs, A. Thompson and Joseph Bodley.

Wetzel—J. C. Moore.

Harrison—Wm. A. Harrison, Thos. W. Harrison, J. W. Janes and J. W. Harris.

Randolph—Rev. Jacob Yeager.

Barbour—Samuel Woods.

Preston—J. E. Hagans, Thos. Scott, G. J. Nixon and John A. Dille.

Monongalia—Marshall M. Dent, Henry Pride, Henry Daugherty, Rev. Simeon Siegfried, J. T. Mercer, H. E. Smith, George S. Ray, James Protzman, Orlando Shay, L. S. Hough, Cephas Gregg, W. T. Willey, John Watts, sen., Jas. D. Kerns, Edgar C. Wilson and R. L. Berkshire.

Taylor—J. Fream, Jedediah Goff, Rev. Cleon Keyes.

Marion—W. J. Martin, John B. Nixon, David H. Lilly, John S. Smith,

Larkin Pierpont, James J. Smith, D. Turney, John S. Barnes, sen., F. McDougal, Dudley E. Wells, J. Sheets, Daniel H. Cox, Geo. W. Newcomb, B. F. Bell, Dr. Gibbons, Rev. B. F. Sedwick, Rev. Geo. Dunham, Rev. Wm. P. Harshie, Rev. J. S. Patterson, Geo. Irwin, Wm. L. Fetter, Dr. W. W. Granger, John Jones, Franklin Phillips, R. B. Upton, John Carpenter, Wm. H. Covert, Benj. Price, and Jas. L. Moorehead.

The following resolution was offered by Mr. Willey, and after considerable discussion it was adopted—

Resolved, That a Committee of one from each County represented in this Convention be appointed to consider and report upon the expediency of memorializing the next Legislature of Virginia to pass a law to be submitted to the vote of the people, prohibiting the sale of all spirituous liquors in the Commonwealth, except for mechanical, medicinal or sacramental purposes.

Whereupon the President appointed the following gentlemen said Committee, viz: Messrs. Waitman T. Willey of Monongalia; Samuel Woods of Barbour; John A. Dille of Preston; Rev. Cleon Keyes of Taylor; John S. Barnes, sen. of Marion; J. C. Moore of Wetzel; James W. Harris of Harrison, and Adam Thompson of Ohio county.

Mr. Dille offered the following resolution, which was also adopted:

Resolved, That said Committee do also report to this Convention such measures as, in their opinion will be best calculated to secure an active and efficient organization of the friends of

temperance throughout the State for the purpose of carrying into effect the object of said resolution.

And on motion of Mr. Thompson it was further

Resolved, That said Committee do also devise and report to the Convention such ways and means as in their opinion will best procure the funds necessary to carry out the objects of the foregoing resolutions.

Mr. Willey offered the following resolution, which was adopted :

Resolved, That a Committee of five be appointed to prepare an address to the public on the propriety of memorializing the next Legislature for the passage of such a law as is designated in his first resolution.

Whereupon the President appointed Messrs. W. T. Willey, Samuel Woods, J. C. Moore, John S. Barns, sen., and Adam Thompson said Committee.

The Convention then adjourned until Thursday morning at 9 o'clock.

Thursday morning, May 13.

The Convention met pursuant to the adjournment of yesterday and was opened with prayer by Rev. Adams.

The Committee appointed on yesterday, reported a preamble and certain resolutions relating to the expediency of memorializing the Legislature, &c., pending the discussion of which the Convention adjourned till 3 o'clock, p. m.

AFTERNOON SESSION.

The Convention re-assembled pursuant to adjournment.

The discussion of the preamble and resolutions aforesaid was resumed; and after an animated discussion, they were adopted in the following form :

Preamble and Resolutions.

The Committee to whom was referred the expediency of memorializing the next General Assembly of Virginia to pass a law to be submitted to the vote of the people, prohibiting the sale of spirituous liquors, except-

ing for certain purposes:—to whom also it was referred to consider and report upon the best system of organization and effort to secure signers to such a memorial, and the passage of such a law, have had the subjects to them thus referred under consideration and beg leave to submit the following report:—

The little time afforded to the Committee has prevented them from preparing an extended argument upon the reasons which directed them to the conclusions at which they have arrived. Nor, indeed, is such an argument deemed necessary. We need action more than debate. The time has fully come when the friends of Temperance should abandon temporising measures and partial expedients. Something conclusive and effectual should be done. The laws of this Commonwealth licensing the sale of spirituous liquors, though purporting to be restraints upon tippling and drunkenness, are in fact, the greatest source and cause of intemperance.— It is at the “ordinary” (and the more respectable the ‘ordinary’ the more potent it is for evil) that the ingenuous and unwary youth of the land who would scorn to be found within the precincts of the unlicensed groggery in nine cases out of ten first imbibe the lust for, and acquire the habit of using intoxicating liquors. These laws should be repealed. Nor will it suffice to stop here. The source of intemperance, the traffic in spirituous liquors, should be totally prohibited. To effect this, the strong arm of the law must be invoked. The Committee believe that legal prohibition is demanded by every principle and consideration of morality, humanity, religion and wise political economy.— They therefore recommend to the convention the adoption of the following resolution :

Resolved, That a petition be prepared, under the authority and sanction of this Convention, memorializing the General Assembly of Virginia to pass a law to be submitted to the vote of the people, totally prohibiting the sale of spirituous liquors within this

Commonwealth, excepting for medicinal, mechanical and sacramental purposes,—and that the same be circulated amongst the people for signatures thereto, under such rules and regulations as the Convention may prescribe.

The committee have also considered, as maturely as the short time since their appointment would allow, the means and agencies which ought to be employed most efficiently to secure the objects contemplated in the foregoing resolution. They regard wise and proper action in these respects as matters of the greatest importance; for, howsoever right and proper, our abstract resolves may be, the mere enunciation of them will be of little avail, unless they are enforced by a generous, well organized and perpetuated effort, on the part of the friends of temperance. We must employ, and keep employed, active and effective agencies, if we expect to succeed. As the result of the hasty deliberations of the committee, they beg leave to submit the following resolutions:—

Resolved, That a committee of five, to wit: W. T. Willey, Wm. Wagner, E. C. Wilson, Martin Callendine, and Rev. James Davis, residing in Morgantown, in the county of Monongalia, be appointed, to be called *The Central Committee*, who shall be considered the head of the organization hereinafter provided. They shall have general supervision over said organization in all the counties represented in this convention, together with such other counties as shall hereafter unite with us in promoting the accomplishment of the objects proposed by this convention. To effect this purpose, said committee is hereby requested to open a correspondence with the friends of Temperance in every county in the Commonwealth, urging them to memorialize the Legislature for the passage of the law aforesaid, and to unite in the organization and efforts hereinafter proposed.

Resolved, That said Central Committee be requested to urge upon the friends of Temperance throughout the State, to call a State Temperance Convention, to be held at Charlottes-

ville, in the county of Albemarle, on the first Wednesday in June, 1853:—ill which time, and to which body, when assembled, is reserved the question of further petitioning the Legislature to include in the law aforesaid the further prohibition of the manufacture and importation of spirituous liquors.

Resolved, That in every county represented in this Convention, there be a sub-committee appointed, auxiliary to the aforesaid central committee, each consisting of five members, to wit:—

In the county of Barbour,—Samuel Woods, Isaac H. Strickler, Josiah W. Reeves, J. M. Hoult and Thomas Proudfoot.

In the county of Marion,—Larkin Pierpoint, John S. Barnes, sen., Daniel Turney, Daniel Cox and Rev. W. P. Harshie.

In the county of Preston,—J. C. M'Grew, John J. Brown, Peter Barriek, Wm. Sigler and M. B. Hagans.

In the county of Harrison,—Nathan Goff, Dr. Benj. Dolbeare, A. F. Barnes, J. Adams and J. W. Harris.

In the county of Randolph,—David Goff, E. M. Hart, H. W. Campbell, Dr. Bosworth, George Buckey.

In the county of Ohio,—Adam Thompson, C. D. Hubbard, Wm. Holliday, Dr. Geo. Moore, Henry Echols.

In the county of Monongalia,—Rev. Simeon Siegfried, John Watts, L. S. Hough, Henry Dering, H. E. Smith.

In the county of Wetzel,—J. C. Moore, Geo. W. Rice, Wm. C. Darling, Friend Cox, Ebenezer Clarke.

In the county of Taylor,—Rev. Cleon Keyes, Charles W. Newlon, Adolphus Armstrong, Christian Core, John Asbury.

It shall be the duty of the said sub-committees to superintend all operations connected with the efforts proposed, in their respective counties,—to appoint two or more active, zealous and discreet persons, in each county district, to present to every citizen therein the memorial aforesaid, and procure signatures thereto,—to procure as many temperance lectures to

be delivered at suitable places in the county as possible,—to excite and keep alive by all practicable and proper means, a lively interest on the subject of temperance, and to report to the Central Committee as often as required.

Resolved, That the services of a competent agent to travel through the counties which may unite in this enterprise, to lecture upon and discuss the principles of temperance, distribute temperance tracts, and procure signatures to the memorial aforesaid, would be greatly advantageous, and ought to be secured if possible.—Therefore, the various sub-committees are requested to ascertain and report to the Central Committee against the 1st day of August next, what amount of funds can be raised in their several counties for the purpose of employing such an agent. If a sufficient amount can be raised, then the Central Committee shall proceed to employ such agent accordingly,—said agent at all times to be responsible to the Central Committee.

To the end, therefore, that sufficient measures may be taken to raise funds: *Resolved*, That the Central Committee address a Circular to each Division of the Sons of Temperance in the State, and to every other Temperance organization that shall unite in this plan, requesting them to provide for a monthly appropriation to be promptly forthcoming,—also soliciting contributions from all friends of our cause, who may not be members of any organization—said contributions to be received and forwarded to the Central Committee by the Sub-Committees.

Resolved, That said Central Committee shall publish quarterly statements of all their receipts and disbursements, together with an abstract of their operations generally.

Resolved, That a copy of the proceedings of this Convention be sent to the Grand Division of the Sons of Temperance in this State,—to every Subordinate Division,—and to all other temperance organizations, requesting their co-operation and influence

to secure the object proposed in the memorial aforesaid.

Resolved, That this Convention respectfully solicit, and earnestly invoke the hearty co-operation of all officiating clergymen in the Commonwealth, in carrying out the spirit and procuring the accomplishment of the end of the foregoing resolutions.

The following resolution was also adopted: *Resolved*, That the form of the Memorial to be presented to the Legislature, shall be as follows:

“To the General Assembly of Virginia:

The undersigned citizens of _____ County respectfully petition your honorable body to pass a law, to be submitted to the vote of the people, for adoption or rejection, totally prohibiting the sale of all spirituous liquors throughout the Commonwealth, except for mechanical, medicinal, or sacramental purposes.

Jno. S. Barns, senior, of Marion county, offered the following resolution, which was adopted by acclamation:—

Resolved, That the mothers and daughters of Virginia be earnestly invoked to lend us their active aid and influence in all legitimate modes, in forwarding the great temperance reformation now in progress, and in securing the total suppression of the use of spirituous liquors.

On the motion of Mr. Thompson, of Ohio County, it was further resolved that each member of this Convention be, and is hereby appointed a committee to receive and transmit to said Central Committee such funds as they may be able to procure to aid in carrying out the purposes of the foregoing resolutions.

It was further, *Resolved*, That the Central Committee be, and is hereby authorized to publish the proceedings of this Convention in such manner as they may deem proper for distribution according to the tenor of these proceedings.

The Convention then adjourned at 7 o'clock in the evening.

EVENING SESSION.

Convention met according to adjournment, and was opened with prayer by the Rev. Geo. Dunham.

The Committee to whom was referred the duty of preparing an address to the people of Virginia, upon the propriety of memorializing the Legislature as aforesaid, reported through their Chairman the following

address, which was unanimously adopted.

Resolved, That the thanks of this Convention be tendered to the Trustees of the M. E. Church for their kindness in tendering the use of the Church to this Convention.

Convention adjourned, *sine die*.

WM. A. HARRISON, Pres't.

SAMUEL WOODS, Secretary.

THE ADDRESS.

TO THE PEOPLE OF VIRGINIA:

FELLOW CITIZENS:

We proceed without apology or preface to the discussion of the following propositions:—

I. *The use of spirituous liquors as beverages is not necessary, or conducive to health; but, on the contrary, is a prolific source of disease and death.*

II. *The use of spirituous liquors as beverages, is a most fruitful source of immorality and crime.*

III. *The consumption of spirituous liquors as beverages, produces a vast amount of indigence, absolute pauperism, and personal suffering from want; and is eminently destructive of a well regulated and prosperous political economy.*

If either of these propositions be true, the inference is obvious, that the legal prohibition of the traffic in spirituous liquors would be wise and proper. We think we shall not fail to demonstrate that they are all true.

IV. *We shall invite your candid examination of a few of the prominent pretexts and apologies on which the advocates of this traffic usually predicate their justification of it.*

We are aware, fellow-citizens, that some venerable notions, and honored customs, prevailing in the "Old Dominion," will be shocked by the boldness of these propositions. They will be anathematized as unholy infrac-

tions of the cardinal canons of old Virginia cheer. The effort to drive the demijohn from the sideboard, and the wine cup from the social circle, where they have been cherished as household gods, time immemorial, will be denounced as a fanatical invasion of personal and private rights, over which the arm of the civil law has no rightful jurisdiction. We are advised of all this. But no length of antiquity can consecrate vice. The truth should be heeded before error, however fortified by the sanctions of a fascinating but really pernicious and criminal hospitality. Disregarding, therefore, the dictates of prejudice, we appeal to the reason and understanding, and proceed to the discussion of the pernicious and disastrous influences and effects of the use of spirituous liquors upon life and health.

It may be urged that these are subjects proper only for the consideration of physiologists and physicians. But although you may not be skilled in the science of physiology, nor acquainted with the technicalities of the medical art, yet you are capable of forming opinions from matters of personal observation; and therefore we may properly enquire—what means the physical relaxation of the staggering drunkard? what mean his loss of reason and right perception?—his vociferous and profane babblings?—his reckless and ungentlemanlike demean-

nor? What mean the horrible distortions of mind and body produced by *mania a potu*? What mean the brutal aspect and dying agonies of the habitual drunkard? What mean all these things, if the use of spirituous liquors be not pernicious? It does not require the skill of a physician to answer.

Moreover we may appeal to chemical analysis. The result is alcohol. Apply the same test to this, and you ascertain the component parts of alcohol to be *hydrogen, carbon and oxygen*, in the proportion of nearly 13, 52 and 35 to the hundred. The final result, therefore, is poison, subtle, severe, and fatal.

It is well known, that in alcohol there is not a particle of nutriment.—It is utterly indigestible. We repeat that such an article, used as a beverage, must be destructive of health and life.

But the medical faculty have addressed themselves to the subject and given to the world the result of their investigations. They inform us that when any nutriment adapted to the constitution, is received into the stomach, it undergoes a certain and necessary preparation. When this preparation is accomplished there are certain vessels which take up the nutriment, and distribute it through every region of the system, giving to each component part thereof, as it passes around, that which is adapted to its nature and sustenance:—to the bones, to the muscles, to the skin—to each its “portion in due season.” But when alcohol is taken into the stomach it resists all modification. It is seized by these distributing agencies, and as it is successively presented by them, to each member and constituent of the body, it meets with a prompt and unqualified rejection; and thus it remains, rapidly coursing through all the fountains and streams of life, festering, poisoning, inflaming, unchanged and unchangeable, until it is expelled through the pores of the skin, by the resistance of nature. And this is the *nutritious* beverage which claims and receives the protecting sanctions of the civil code of this civilized and christian commonwealth!

But we will submit the question at once to the medical faculty, and let them speak for themselves.

Dr. Rush.—“Men in all kinds of business would be better without the use of spirituous liquors”—and “there was but one or two cases in which they could be used without essential injury.”

Dr. Frank.—“The use of these liquors ought to be entirely dispensed with, on account of their tendency, even when taken in small doses, to induce disease, premature old age, and death.”

Dr. Paris.—“Ardent spirits produce more than half of all chronic diseases.”

Sir Astley Cooper.—“Never suffered spirits to be in his house, declaring that spirits and poison are synonymous terms.”

Dr. Harris.—“The moderate use of spirituous liquors has destroyed many who were never drunk.”

Dr. Daniel Drake, of Ohio.—“Ardent spirits are a great quickener and disturber of the animal system, in moderate doses, imparting an unnatural excitement; in excessive draughts, suddenly extinguishing life; thus resembling in their effects, a number of deleterious vegetable substances, such as *stramonium, hemlock, the Prussic acid and opium*, which we label poison.

Dr. Sewall, a man eminently distinguished as a physician, and respected for his high moral worth—gives the pathology of spirituous liquors as follows: “Dyspepsia, Jaundice, Emaciation, Corpulence, Dropsy, Ulcers, Rheumatism, Gout, Tremors, Palpitation, Hysteria, Epilepsy, Palsy, Lethargy, Apoplexy, Melancholy, Madness, Delirium Tremens, Premature old age, compose but a small part of the catalogue of diseases produced by ardent spirits.”

One is reminded, in reciting this list, of the elegant lines of Milton, when describing the effects of that “fall” which “brought death into the world with all our wo:”

“What misery the inabstinence of Eve
Hath brought on men—Immediately a place

Before his eyes appeared, sad, noisome, dark;
 A lazar-house it seemed; where were laid
 Numbers of all diseased; all maladies
 Of ghastly spasm, or racking torture, qualms,
 Of heartsick agony, all feverous kinds,
 Convulsions, epilepsies, fierce catarrhs,
 Demoniac phrenzy, moping melancholy,
 And moonstruck madness, pining atrophy,
 Dropsies and asthmas, & joint-racking rheums.
 Dire was the tossing, deep groans: Despair
 Tended the sick, busiest from couch to couch;
 And over them triumphant Death his dart
 Shook, but delayed to strike, though oft invoked
 With vows, as their chief good and final hope."

Every line and shade of this striking picture, without any abatement for poetic coloring or license, has been more than realized in the effects of the use of spirituous liquors.

Dr. Chapman: "The evils of using ardent spirits are so great, that the emptying of Pandora's box was but the type of what has been experienced by the diffusion of these liquors among the human species."

Forty Physicians in the city of New York, issued a publication a few years ago, from which we make the following extract: "The use of distilled liquors by those in health, is in no case whatsoever, beneficial for the preservation of health, or for the endurance of fatigue or hardship."

Four members of the medical faculty in the University of Glasgow,—eleven physicians of the Royal College of Physicians of that city,—the President and 27 Fellows of the Royal College of Surgeons; and 30 other medical practitioners, certify, that "the habitual use of ardent spirits was a principal cause of disease, poverty and misery in that city; and the entire disuse of them would powerfully contribute to improve the health and comfort of the community."

City of Dublin: Thirty of the most eminent professors and medical practitioners in this city declared that "nothing would tend so much to improve the health and comfort of the community, as the entire disuse of ardent spirits."

Dr. Samuel Emlen, late Secretary of the College of Physicians and Surgeons of Philadelphia, says: "All use

of ardent spirits as a drink, is an abuse. They are mischievous under all circumstances."

Boston.—Seventy-five of the physicians of this city published this declaration: "Men in health are never benefitted by the use of ardent spirits.—On the contrary, the use of them is a frequent cause of disease and death."

The College of Physicians in Philadelphia, after a careful examination, gave it as their opinion that 700 deaths were occasioned in that city by intemperance in a year. The same ratio of mortality throughout the United States would make the whole number of deaths thus occasioned more than sixty thousand annually.

Judge Cranch, several years ago, estimated the number of deaths occasioned annually in the U. States, by the use of spirituous liquors, at thirty-seven thousand five hundred.

Bishop McIlwaine, at "not less" than thirty thousand.

Annapolis—The physicians of this city, averaged the deaths there annually, which were the result of intemperance, for several years. It was one to every three hundred and twenty-nine inhabitants. The same average throughout the United States, would have made the number upwards of forty thousand.

And now, fellow-citizens, without wearying you with an unnecessary augmentation of evidence, may we not with confidence demand, if we have not made good the first proposition? Is there not cause to exclaim with the indignation of Milton, in his *Sampson agonistes*:—

"O madness! to think use of strongest wines,
 And strongest drinks our chief support of health,
 When God, with these forbidden, made choice
 to rear

His mighty champion, strong above compare,
 Whose drink was only from the limpid brook."

We conclude our observations on this part of the subject in the language of Judge Lumpkin of Georgia:

"Legislators will have to advance or else retrace their steps, and repeal the many wholesome provisions already enacted to prevent offences against

the public police, health and morality. A physician, a surgeon, wilfully endeavoring to spread the small-pox; a butcher selling the flesh of diseased animals; or a baker, unwholesome bread, are severally liable to be indicted and punished. All nuisances which tend to annoy the community, or injure the health of the citizens in general, or which tend to corrupt the manners and morals of the people, subject their authors to severe penalties. I repeat it, these salutary enactments must be blotted from the statute book, or an additional clause must be adopted to include the vender of "distilled damnation," who fills his neighborhood with "lamentation, mourning and woe," by supplying every family with that which seldom enriches *him*, and makes them poor, and miserable and wicked."

II. *The use of spirituous liquors as beverages is a most fruitful source of immorality and crime.*

It has been the policy of our opponents, to seek to quiet the public mind, by alleging that the temperance movement is the mere ebullition of priestcraft and fanaticism, having no sure foundation in the principles of truth and sound philosophy, and no warranty in actual matters of fact. This allegation is one of the usual artifices of an adroit adversary to prevent investigation of a bad cause. But we shall take care to expose the fallacy of this artifice; and, as in our remarks upon the first proposition, we eschewed all mere speculative argument and naked assumption, and challenged assent to the proposition discussed upon the principles of well defined science and unquestionable experience, so we propose to sustain the second proposition by the results of experience and the power of well ascertained facts.

If, fellow-citizens, the use of these liquors produces the physical evils, the disease and death already described, it follows that such use is immoral and criminal; just as clearly so as suicide. But to the evidence of experience and facts.

That upright man and eminent Judge, Sir Mathew Hale, long anteri-

or to any organized effort, voluntary or legal, to suppress intemperance, made this declaration, as the result of twenty years experience and observation:—"That if all murders and man-slaughters, and burglaries, and robberies, and riots, and tumults, the adulteries, fornications, rapes, and other great enormities which had been committed, were divided into five parts, four of them would be found to have been the result of intemperance."

A few years ago an investigation pertinent to our present inquiry, was made by the House of Commons in Great Britain. The conclusion was "that in all trials for murder, with few exceptions, the criminal, in the first instance, had delivered up his mind to the brutalizing effects of spirituous liquors."

Examinations have also been made of the criminal calendar in this country. Look at a few of the results.

Ohio Penitentiary: "Of 134 prisoners, only 36 claimed to be temperate."

Anburn State Prison, New York: "467 convicts were decidedly intemperate."

State Prison, Charleston, Mass.— "100 out of 119 committed during a year, were committed for crimes occasioned by intemperance."

State Prison, Weathersfield, Conn.: "Upwards of 90 out of 120 convicts were intemperate."

Keeper of Ogdensburg, Jail, N. Y., Reported that seven-eighths of the criminals and three-fourths of the debtors there were intemperate.

The Keeper of the Baltimore Prison:—Of 2322 criminals committed, 424 were intoxicated when committed, and in his opinion eight-tenths of the whole were intemperate."

In Boston, there were 95 drunkards committed to the penitentiary in one month.

Stephen Badlem, criminal jailor, Boston, says: "More than half the commitments were occasioned by intemperance;" and the physician to the same jail stated that more than three-fourths were hard drinkers.

House of Correction, Boston: "In one year, of 643 who were committed, 453 were drunkards. The overseers of the same house say "seven-eighths of all the sentences of imprisonment were occasioned, more or less directly, by intemperance."

A celebrated Jurist of New York, declared that he could find but three cases of murder committed in that city during 15 years, which were not committed under the influence of spirituous liquors.

A gentleman who took the trouble to prosecute the enquiry, ascertained, that of more than 200 murders committed in the United States in one year, nearly all had their origin in drinking intoxicating liquors.

Felix Grundy declared, after 30 years extensive practice, that four-fifths of all crime committed in the United States, can be traced to intemperance.

"*In the city of New York,* the number of persons arrested for different offences in 1849, was 19,243, of which 11,693 were for drunkenness. The warden of the city prison of that city, states that the number of commitments for 1849 was 18,042, of which number eleven twelfths were, according to their own voluntary confession, persons of intemperate habits, the balance claiming to be moderate drinkers."

"*The semi-annual report of George W. Matsell, Chief of Police for the city of New York,* for the 6 months ending on 31st December, 1851," presents these extraordinary facts:—That during a period of six and a half years, there have been in that city 180,646 persons arrested, of whom 140,792 had been arrested "for offences resulting almost entirely from the free use of intoxicating drinks."

Judge Cranch, of the District of Columbia, in discussing the injurious effects of the manufacture and consumption of spirituous liquors, upon the pecuniary interests of the country, predicates his calculation of the "cost of crime" on the fact "admitted on all hands" that three fourths of all the

crimes prosecuted were occasioned by intemperate drinking.

Will it be alleged that these are the results of examination at isolated and particular localities, and do not afford fair *critérium* of the country at large? Such facts and results are not confined to chosen localities; nor do we fail to produce others because there are no others ascertained.—Wherever the investigation has been made, the same results have been discovered,—so that we would be warranted in adopting the language of the Sheriff of London and Middlesex, on a certain occasion,—"that the evil which lies at the root of all other evils, is that, especially, of drinking ardent spirit; that he had long been in the habit of hearing criminals refer all their misery to this, so that he has ceased to ask the cause of their ruin, so universally was it effected by spirituous liquors."

But we pass from the evidence of others, and appeal to the personal observation of every reader. And we enquire—Who is the profanest swearer? Who the boldest blasphemer? Who the vilest blackguard? We answer,—The drunkard. Who is the Sabbath-breaker?—the gambler? the common brawler? the incendiary? the rioter? the murderer? You know, it is the drunkard. Who, in the language of Dr. Young,

"Turns atheist, as did Eli's sons, who filled
With lust and violence, the house of God."

It is the drunkard.

What crime is there, to the perpetration of which men have not been instigated by the use of intoxicating liquors? What that is holy, has it not polluted? What that is beautiful, has it not defaced? What that is good, has it not destroyed? Has it not invaded the domestic circle, and rent asunder the strongest bonds of friendship, affection and duty, conjugal, parental, and filial, dried up the deepest fountains of human sympathy and kindled on the altar consecrated to the kindest and holiest feelings of the heart, the fiercest flames of diabolical hatred! Let the worse than widowed wife, as she flies from the fury

of her besotted husband, to seek a refuge and a home beneath the roof of strangers, answer. Let the worse than beggared children of a drunken father, as they stand knocking at your door for shelter and for food, answer.

The demon intemperance "spares not the high nor the humble." It scorns not to stoop to the lowly. It delights to render the obscure still more obscure; to increase the wretchedness of the wretched; to quicken the anguish of distress; to multiply the wants of the poor. And since the day when Alexander the Great expired in a fit of drunken debauchery, tarnishing by an inglorious death, a life most illustrious and brilliant, until the present hour, this destructive agency has delighted to strike down the mighty. Were we not forbidden by a sense of delicacy and propriety, how many of Virginia's illustrious men might we name as the victims of this fell destroyer!

Her sons of eloquence, and song, of science and art, have sickened, and withered and died beneath the noxious touch of its leprous hand. Like the arrows of Hercules, dipped in the gall of the hydra, its wounds are incurable.

"All beauty it turns to corruption, And conquers the might of the brave."

How often has it successfully assailed the very ministers of God! How often have these, under its deadly influence, been hurled like Lucifer, from their high estate! How often have they who faithfully cried aloud as the messengers of Heaven, that "No drunkard shall inherit the kingdom of God," been precipitated from the towers of Zion into the very perdition they preached against! At this moment strife and anarchy, produced by the inroads of this monster, are distracting the peace, and destroying the fellowship, of one of the most populous and influential dioceses of a leading christian fraternity. Where has it not produced disorder? Where has it not created strife? Where has it failed to carry ruin and death? On the sea, and on the dry land; "in the city full, and on the desert waste"—

in church and in state, it has spread blight and mildew. Its presence is invariably distinguished by the destruction of "whatsoever is pure, whatsoever is true, whatsoever is just, whatsoever is lovely and of good report."

In the language of the accomplished William Wirt: "It paralyses the arm, the brain, the heart. All the best affections, all the energies of the mind wither under its influence. The man becomes a maniac, and is locked up in a hospital, or imbrues his hands in the blood of his wife and children, and is sent to the gallows, or doomed to the penitentiary; or if he escapes these consequences he becomes a walking pestilence on earth, miserable in himself, and loathsome to all who behold him."

III. The third proposition is:—*That the consumption of spirituous liquors as beverages produces a vast amount of indigence, absolute pauperism, and personal suffering; and is, moreover, eminently disastrous to a well regulated and prosperous political economy.*

The brief manner in which we have discussed the physical and moral evils of the use of spirituous liquors, did not arise from any paucity of arguments or pertinent facts, connected with that aspect of the subject; but from the consideration that these evils have long been prominent topics of discussion, and were, therefore, more familiar to the public mind.

In the investigation of the branch of the subject now presented, we beg leave to be more particular; and more especially so, since it is unfortunately the case that our public men have too generally discarded the idea, that civil laws had any thing to do with the morals of the community, or that the moral influences of their legislation were matters of legitimate consideration in their legal enactments. Hence it is, that the introduction of prohibitory laws against the liquor traffic has been resisted, upon the plea that the evils to be remedied were properly matters of conscience, and that a compliance with such requisitions would be yielding to the spirit of priestcraft

and over-rigid righteousness. Believing as we do, that the health, the lives and the morals of the community are matters demanding the first and highest consideration of every enlightened statesman, and justly claiming a paramount influence in the structure and principles of every statute,—remembering, especially, that purity of public morals lies at the foundation of every well regulated and enduring system of republican government,—that an essential element in all true national glory is purity of public morals,—we by no means subscribe to the dogma that would drive all moral considerations from the bosom of the legislator, or that would release him from the obligation of preventing vice and crime by any amount of legislative prohibition necessary to accomplish it.

Waiving, however, this view of the subject for the present, we claim the suppression of all traffic in spirituous liquors, upon grounds purely of political economy. We address ourselves now, not to the philanthropy, nor the humanity, nor the conscience, of the statesman, but his desires to promote the wealth of the State. And we think we shall be able to shew him that there is nothing so disastrous to the pecuniary welfare of the country as the liquor traffic.

The wealth of a commonwealth is the aggregate of the wealth of the individual citizens thereof, consequently whatsoever affects injuriously the wealth of each individual, affects in like manner, and to the same extent, the wealth of the whole community. The sources of wealth are said to be land and labor. To these some add capital, because it is employed to increase the value of land and labor.

How are all these affected by the sale and consumption of spirituous liquors? We shall not answer this interrogation by a metaphysical discussion of the abstract principles of political economy; but will answer it by a practical illustration.

Suppose that A has a capital in cash of 5000 dollars; but instead of spending it in the improvement of his farm, he wastes it, like the prodigal son, in

riotous living at the tavern. Are not 5000 dollars totally lost, not only by A, but to the State also? Let us see. It is true that the very 5000 dollars lost by A, have been gained by B, the tavern-keeper; so that these 5000 dollars are still in the State. But where are the whiskey, the brandies, the wines, which A received for his money? Where are they? Gone!—utterly gone, leaving no benefit behind.

Now if A had expended this sum in improvements on his farm, then the laborers employed in making those improvements would have received the money instead of the tavern-keeper, thus retaining it still in the State, or community; whilst A would have received, and would still retain, the full equivalent thereof, in the increased value of his land. Thus the aggregate wealth would also be increased 5000 dollars.

But this is not all. By spending his money for spirituous liquors, A loses his time, injures his health, disables himself more or less for labor, and exerts a demoralizing influence upon the community. So of all who act like him. For true it is, in the language of Judge Cranch, that “altho’ the farmer is paid for his grain, and the distiller for his liquor, yet the poor man who buys it gets no return but poverty, disease and misery. To him and to the country *it is worse than a total loss.*”

Bearing in mind, therefore, the fact thus established, that every cent expended in the consumption of spirituous liquors as beverages is absolutely lost to the State, let us inquire into the extent of the evil. The result of this enquiry will be startling.

We regret that we have not had access to the statistics furnished by the census of 1850. The census of 1840, however, will furnish a criterion by which we may nearly arrive at the present condition of the liquor traffic. According to the census of 1840, the amount of distilled spirits manufactured in the U. States, in a year, was as follows:

| | | |
|----------------------------|------------|--------|
| In Maine, | 190,000 | galls. |
| In New Hampshire, | 51,000 | |
| In Massachusetts, | 5,177,710 | |
| In Rhode Island, | 855,000 | |
| In Connecticut, | 215,892 | |
| In Vermont, | 3,500 | |
| In New York, | 11,973,815 | |
| In New Jersey, | 334,017 | |
| In Pennsylvania, | 6,240,193 | |
| Delaware, | no report, | |
| In Maryland, | 366,213 | |
| In Virginia, | 865,725 | |
| In N. Carolina, | 1,051,979 | |
| In South Carolina, | 102,208 | |
| In Georgia, | 126,746 | |
| In Alabama, | 127,230 | |
| In Mississippi, | 3,150 | |
| In Louisiana, | 285,200 | |
| In Tennessee, | 1,109,107 | |
| In Kentucky, | 1,763,685 | |
| In Ohio, | 6,329,467 | |
| In Indiana, | 1,787,108 | |
| In Illinois, | 1,551,684 | |
| In Missouri, | 508,368 | |
| In Arkansas, | 26,415 | |
| In Michigan, | 337,761 | |
| Florida Territory, | no report. | |
| Iowa Territory, | 4,310 | |
| Wisconsin Territory, | 8,300 | |
| Dis. Columbia, | 6,000 | |

Making a total of 41,402,227 galls.
of distilled spirits of domestic manu-
facture.

Secretary Meredith's report for the
year commencing 1st July, 1848, and
ending 1st July, 1849, makes the fol-
lowing exhibit of foreign importa-
tions, to wit:

| | | |
|--|-----------|--------|
| Wines, | 5,316,532 | galls. |
| Exportations, during same time, | 165,014 | |

| | |
|--------------------------|-----------|
| Nett balance, | 5,151,518 |
| Brandies imported, | 3,229,882 |
| exported, | 230,046 |

| | |
|---|------------|
| Nett balance, | 2,999,836 |
| Total nett foreign impor- tations, | 8,151,354 |
| To which add domestic manufacture, | 41,402,227 |

making a total for con-
sumption of49,553,581
gallons. Considering the large quan-
tity of costly wines and brandies in-

cluded in this immense aggregate, and
the fact that the principal part of the
whole was paid for by the consumer,
by the glass-full, it will be quite rea-
sonable to suppose that the average
price paid per gallon was, at least,
one dollar: thus making the price of
one year's consumption, nearly fifty
millions of dollars—a sum more than
equal to the entire revenues of the
federal government. The evil is ag-
gravated, too, by the fact, that upwards
of 8 millions of the costly wines and
brandies entering into this estimate
were of foreign importation; so that
the price paid therefor was so much
of the capital of our country entirely
abstracted from the community, to
benefit foreign nations.

It may be considered scarcely ne-
cessary to refer to brewed liquors.—
The same census shows the quantity
of these manufactured in the United
States to be 23,267,830 gallons. The
same report of Secretary Meredith
shews the importations for the year
specified to be 205,191—exportations
10,003 gallons; leaving 23,463,018
gallons for home consumption.

It has been estimated by able and
judicious statisticians that the annual
cost of prosecuting criminals and per-
sons guilty of misdemeanors in the U.
States, is at least 8 millions of dollars.
It is unquestionably true that not less
than three-fourths of all crimes and
misdemeanors are the consequences of
the use of spirituous liquors. So that
we may add to the annual loss of na-
tional capital and wealth, three-fourths
of 8 millions, or 6 millions of dollars.
This sum would be greatly augmented,
if the expenditures made in curing
diseases produced by drinking these
liquors could be ascertained.

But what of the pauperism of the
country? Extensive investigation and
well authenticated facts have demon-
strated beyond controversy that quite
three-fourths of the pauperism, and
consequently three-fourths of the cost
of pauperism, in the U. States, are
directly the results of the use of spir-
ituous liquors. Allow me, in this con-
nection, to introduce a few facts by
way of specimens.

In Baltimore county, Maryland, of 1134 paupers admitted to the almshouse in one year, 1059 were reduced to poverty and brought there through intemperate drinking.

In Washington county, New York, the superintendant of the poor-house reported that of 322 paupers sent there, 290 were the victims of their own intemperance or of that of others.

The superintendant of the Albany almshouse, New York, stated that in a year he had received 634 paupers. Of these 1 was not intemperate; 17 doubtful; intemperate 616.

The superintendant of the Philadelphia almshouse reports that the expense of supporting paupers there for one year had been \$130,000; and that 90 per cent of the amount was occasioned by intemperance."

A superintendant of the almshouse at Boston for 8 years, Mr. Stone, stated: "I am of opinion that seven-eighths of the pauperism in this house is to be attributed to intemperance."

S. Chipman, Esq. some years since visited all the almshouses and jails in the State of New York. He sums up the result as follows:—"I have shewn beyond the power of contradiction that more than three-fourths of the ordinary tax is absorbed in the support of the poor, and the administration of criminal justice—that more than three fourths of the pauperism are occasioned by intemperance, and more than five-sixths of those committed on criminal charges were intemperate."

Judge Cranch, of the District of Columbia, so long ago as 1832 or 1833 made a careful and maturely considered estimate, based on facts which he ascertained in the city of Washington, and on 33 other average estimates made at different places. After examining the facts in detail, the Judge says:—"Let us now put these items together, and count the cost of the consumption of ardent spirits in the United States:

- 1st. 72,000,000 gals. ardent spirits at 66 $\frac{2}{3}$ cents, \$48,000,000
- 2d. 100 days labor of 375,000 drunkards lost, at 40 cents 15,000,000

- 3d. 10 years labor of 37,500 men killed by ardent spirits, 18,750,000
- 4th. $\frac{3}{4}$ of the cost of crime in the U. States, 6,525,000
- 5th. $\frac{3}{4}$ of the cost of pauperism in the U. S. . . . 2,850,000
- 6th. $\frac{3}{4}$ of the amount of private charities, 2,850,000
- 7th. $\frac{3}{4}$ of 1 year's labor of 1200 prisoners lost, . . . 450,000

The annual loss to the country by the use of ardent spirits, \$94,425,000

Do not the plainest principles of political economy forbid the traffic in spirituous liquors? What intelligent statesman can be credited, when he says he loves his country, and desires its prosperity, whilst he permits this traffic, with all these facts in view?

We cannot forbear, here, some reference to another subject, which we believe our statesmen do not altogether exclude from their councils, and hand over to the "priests" and "rigidly righteous." The exhibition which the late census has made, of the enormous number of adults in Virginia, who cannot read or write, is a source of poignant regret and mortification to every true-hearted citizen. It is moreover just cause of serious alarm for the harmony and perpetuity of our popular institutions. Liberty, law, social order, cannot long dwell with ignorance. To say nothing of public moral rectitude, all history attests the impossibility of maintaining popular government without general intelligence. Would it not, therefore, be a pertinent enquiry to propound to our Legislators, when they are so earnestly discussing the best means of wiping off this dark stain of ignorance from our State, and of establishing an efficient system of general education: What produced all this ignorance, so loudly demanding legislative remedy? And as they would cast their eyes over the statistics which we have furnished, of the physical and moral effects of intemperance, and sum up the loss to the common capital and wealth of the commonwealth, occasioned by the consumption of intoxicating drinks; as

they would count the constant throngs of idle vagabonds forever clamoring around the distillery and the tavern, and behold the wretchedness and beggary of the drunkard's family, and trace the history of the tenant of the almshouse, and the objects of private charity, would they not be constrained to admit that no agency has had so much to do, in multiplying ignorance in Virginia, as the use of spirituous liquors? If so, it occurs to us, that the wisest policy would be to prevent the evil altogether by destroying the cause of it, rather than allowing this propagation of ignorance to exist, and then tax the people to enlighten it.

We are perfectly aware of the offset which the apologists of licensing this traffic offer against the pecuniary injuries it inflicts upon the community. They point to the addition which the tax on licenses make to the revenues of the State. What a miserable apology! Even if the revenue derived from this source amounted to millions, how would it compensate for the suffering and desolation and death and guilt and crime which follow as consequences of this traffic? This license is nothing more nor less than a premium on vice—the sale of indulgence in vice and crime! And what does it amount to? Let us examine.

In 1850 the total revenues of Virginia from all sources, amounted to \$744,319 44.

In 1840 the number of gallons of distilled liquors made in the State was 865,725. What the amount of importations was, we have no means of ascertaining, at hand. But Virginia is not a manufacturing state. Her importations, therefore, would bear a large proportion to her manufacture, whilst her exportation would be small. It may be said, we think, that her importations would exceed her exports, by at least 134,275 gallons: thus making her consumption 1,000,000 of gallons; equal, at retail price, to the consumers, to \$1,000,000. So that the price paid by our citizens for that which left them nothing in its place, exceeded all the taxes thus paid by the sum of \$255,680 56. Now the

entire amount of revenue in 1850, derived from the license of ordinaries, &c., was \$23,320 49; so that the case stands thus:—

| | |
|--|----------------|
| Loss to the State by spirituous liquors, | \$1,000,000 00 |
| Gain to the revenues by licenses, | 23,320 49 |
| Final loss, | \$976,679 51 |

IV. Having with as much brevity as was possible, discussed the three cardinal propositions on which we predicate the propriety of prohibiting the traffic in spirituous liquors, we proceed to a rapid examination of the prominent apologies offered by the advocates of the traffic.

The first is:—That our license laws *increase the public revenues*. But this apology, abhorrent as it is to every sentiment of humanity and principle of virtue, is not true. He must be a superficial statesman who can be deceived by it. It cannot withstand even a partial examination. Ten thousand facts confute it. The truth is that the sale of spirituous liquors diminishes the public revenues. Industry, enterprise and provident economy, are the principal agencies employed to increase wealth, either national or individual. What is more destructive of all these than tipling? Industry and economy, multiply the number, increase the value, and preserve unimpaired both the number and value of the taxable commodities of the commonwealth. But the habit of using intoxicating beverages destroys industry, wastes time, ruins estates and begets improvidence. Where are the idler and the loafer found? At the distillery, the saloon, the tavern, the groggery. Whence our annual levies for poor rates? Whence our large expenditures for the prosecution of crimes and misdemeanors? Must we again advert to the fact that three-fourths of the costs of pauperism, and three-fourths of the costs of crime, are most unquestionably the consequences of the use of spirituous liquors!—that whilst in the year 1850, the total amount of revenue in Virginia derived from licenses for the sale of these li-

quors, was only \$23,320 49, the loss to the Commonwealth by the consumption of them was more than the whole amount of the State's revenue derived from all sources whatsoever?

But we have not the patience to expose so miserable a fallacy. The traffic in spirituous liquors is morally wrong. We have demonstrated it to be so. What is morally wrong cannot be politically right. Even if it were true that this traffic were a most productive source of revenue, we deprecate the idea that the Jesuitical maxim should ever be introduced into our system of civil polity, that the end justifies the means. No man can be honorable in the true sense of the term, whose conduct is immoral. No state is justly entitled to a high and honorable national character, that sanctions or fosters vice by its laws. If, as individuals, we were to deprive our neighbor of his estate and send his family abroad begging—if we were to aid and abet rioting and debauchery and murder—we should be placed under the ban of civilized society, as moral monsters unfit to associate with honorable men, perhaps unfit to live. How can a state claim exemption from a similar malediction, whilst it fosters by its policy and laws, the traffic of an article which is constantly leading to the perpetration of every crime in the catalogue of human depravity.

The language of the Bible is, "wo unto him that giveth his neighbor strong drink, that putteth thy bottle to his mouth." What the Bible condemns cannot be made right by the Virginia Legislature. And however sapient our lawgivers may be, a wiser man than they, speaking by authority of a Sovereign mightier than the people, has said:—"Look not upon the wine when it is red, when it giveth its color in the cup," &c. "at the last it biteth like a serpent, and stingeth like an adder."

But, fellow-citizens, if it merely required the sanction of law to render that innocent which would otherwise be criminal, why does our legislature, in its zeal for the revenue, stop with

licensing ordinaries? There are other vices besides intemperance. Why not license gambling? To do so, would no doubt bring some money into the treasury. Gambling, moreover, is regarded as immoral. Why not destroy its turpitude by an act of Assembly authorizing it? And there is the lottery business. What were the late Convention thinking of when they prohibited lotteries by Constitutional regulation? A tax on lotteries would afford some revenue. Now why is it that the sale of spirituous liquors is authorized, whilst gambling houses and lottery offices are forbidden?—For who will deny that the evils resulting from the traffic in spirituous liquors have far exceeded the combined evils of all the faro-banks and lottery schemes that have ever been authorized or tolerated in the State? Upon what principle, therefore, of propriety, or fidelity to the public revenues, are the faro-banker and lottery schemer, driven from amongst us, whilst the retailer of spirituous liquors is permitted to hang out his miserable sign-board in every village and at every cross-roads in the commonwealth?

Suppose, fellow-citizens, that you had it in your power to collect together every victim of intemperance in the State—bringing the felon from his cell—the murderer from the scaffold—the helpless tenants of the public alms-house—the bloated, festering debauchee—the maniac "dancing to the music of his own chains"—the families beggared by the improvidence and waste of intemperate parents—together with all the multiplied misery, crime, disease and death, engendered in the Commonwealth by the use of spirituous liquors; and thus surrounded you were to present yourselves in the hall of our General Assembly, and in the name of the suffering throng: in the name of humanity, of morality, of religion and of God, pray our lawgivers to withdraw all legal sanctions from the traffic of a commodity which was filling the commonwealth with so much misery and crime and moral and physical desolation; and in reply to your petition were to be an-

answered—"We pity your sorrows; we deplore your misfortunes. It pains us to behold so much affliction. But, if we were to grant your prayer, the State would lose some revenue." If you were to receive such an answer, under such circumstances, what would be your emotions? And yet, fellow-citizens, all these evils and victims of spirituous liquors exist, although we may not be able to collect them in a mass, and exhibit them at once to the Legislature.

Another apology is that *the licensing of ordinaries, &c., has the effect to suppress tippling and diminish intemperance*. It is alleged, with some plausibility we allow, that the placing of so mischievous an agency as spirituous liquors under the control of prudent and sober men, would prevent the gross evils which would otherwise grow out of the existence of unlicensed groggeries. But why, we ask, should there be either? Why not prohibit both? Moreover, what are the practical effects of these license laws? We aver, that although the design of these laws may have been to curtail the use of spirituous liquors, the fact is that there never has been, is not now, and never will be a licensed ordinary where there has not been, and will not be, constant tippling and more or less drunkenness.

But this is not the worst effect. It is at what are called the respectable ordinaries, where men most usually take the incipient step in the paths of intemperance which have led so many to ruin. The ingenuous youth of our country, more especially, who would blush to be seen at the distillery or the unlicensed drinking house, will nevertheless, without any sense of degradation or impropriety, indulge in a social glass at the tavern. And thus a taste for intoxicating beverages is created and stimulated at respectable houses, under legal sanctions, in the midst of reputable society, and encouraged by the example of reputable men, which would never have been acquired elsewhere. This occasional indulgence, repeated in the midst of good cheer, and good society, ripens

unawares into a fixed habit; and the victim of this habit so acquired, becomes a slave to his appetite, and is gradually subdued by it, till he wastes his fortune, brutifies his moral sensibilities, forfeits the respect of honorable men, and is driven at last from the circle which he once adorned, to terminate his wretched existence in the gutter or on the gallows. Why, fellow-citizens, many of our law-givers themselves have been sitting for this picture. It is no fancy sketch.—It has been verified by ten thousand melancholy instances. Almost universally the drunkard dates the inception of his ruin at the licensed ordinary. And the more respectable the ordinary, the more dangerous and injurious will its influence be on the surrounding community; because it will be more powerful to attract within its treacherous precincts the unwary and respectable classes of the neighborhood. Thus it may be seen that the howsoever specious and plausible the theory of our license laws may be, their practical operation demonstrates that they are, in fact, the great fountain head of intemperance.

Nor is this the only fallacy connected with them. They are most obviously inconsistent with the general tenor of the code of Virginia, if not with common sense. In one section of the code we have a fine for profane swearing; in another the sale of an article is authorized, which is the cause of more profane swearing than all other causes together. Here we have penalties for breaches of the peace. There a traffic is licensed which leads to nearly all the assaults and batteries, riots, and breaches of the peace that disturb and disgrace the community. We send the convict to the penitentiary; and yet legalize the trade which made him a felon! We hang the murderer, whilst we protect by law the very agency which caused him to imbrue his hands in his brother's blood! Our code taxes the people for the erection of alms-houses, and for the support of pauperism, whilst it sanctions the use of a beverage which produces three-fourths of the pauper-

ism in the State! Is it not a most singular proposition, that in order to restrain tippling, it should be authorized by law? That to prevent vice it is only necessary to justify it by legal sanctions? How does our legislature suppose that licensing a traffic would lessen it? Such legislation carries fallacy in its face. It proposes to correct vice by a compromise with it!—This is unphilosophical. It is downright folly. It is impeached by all experience. The history of every moral reformation that ever succeeded will shew that it was never consummated till all connection with the error proposed to be corrected is dissolved. So, that elegant historian, *Mr. Prescott*, in his reflections upon his researches, enunciates this principle, that:—"It is impossible to license crime by halves—to authorize injustice at all, and hope to regulate the measure of it." There must be a total divorce—a *vinculis matrimonii*.—There can be no conciliation, no coalition. The axe must be laid at the root of the tree. It is equally true in the polity of nations, as in the conduct of individuals, that there can be no "fellowship of righteousness with unrighteousness"—no "communion of light with darkness"—no "agreement of the temple of God with idols."

What wonder, therefore, that the restraining provisions and penalties of our laws hitherto enacted for the regulation of the sale of spirituous liquors should have been nugatory! How else could it be, when the sale is permitted, and protected by law of the very article which produces the evils complained of? Our license laws are, therefore, most preposterous. They are mere legal quackery—a poor, paltry legislative empiricism—a kind of temporising remedial patchwork, unworthy of the conception of a real statesman, and abhorrent to every sentiment of moral rectitude. And hence as might have been anticipated, the result was the onward march and wider extension of the ravages of intemperance, until they were arrested by the efforts of the voluntary organiza-

tions of private citizens within the last few years.

We pass to the consideration of another objection to prohibitory legislation. *It is urged by many that such legislation is a revival of the old, odious, Roman sumptuary laws, and is an unwarrantable interference with the personal rights and liberties of the citizen.*

It may be well enough to refer any person who may suppose this objection has any force or truth in it, to a great principle lying at the foundation of all law, and indeed at the basis of the conduct which should regulate the policy of both men and nations. We allude to the principle that in every valid contract there must be a valuable consideration. The law will not allow the citizen to enforce a contract when he has not made some equivalent. The definition of a contract is "an agreement upon sufficient consideration," &c. There must be a consideration of some value. Otherwise it is declared to be *nudum pactum*, and hence the maxim of the civil law "*Ex nudo pacto, non oritur actio.*" No such contract can be enforced. Courts of Justice will set aside such agreements. This is right. It is according to the principles of justice. It is in harmony with the spirit and purport of the Bible.

But of what value are spiritual liquors as beverages? None. They answer no valuable purpose, confer no benefit. On the contrary, they always injure the consumer more or less. This fact, we think, has been unanswerably demonstrated. Instead, therefore, of responding to the querulous objections of those who oppose legal prohibition, we might with great propriety, ask them how they can justify the traffic? By what principle of law or equity, or christian morals can they enforce payment for such an article?

But, properly considered, sumptuary laws affect simply the luxuries of life. But we seek the interdiction of no luxury, no necessary article of either food or raiment. We oppose the

use of spirituous liquors as beverages, because they are poisonous, and in any quantity, are injurious to life and health.

Moreover, this objection, coming from the advocates of our existing license laws, involves a gross inconsistency,—is, in fact, a mere begging of the question. For, what are our license laws themselves, but sumptuary laws? They are themselves an evidence that some sumptuary regulation is required. Now, if it is right to prohibit the traffic to some extent, might it not be right to prohibit it altogether? It appears to us, that the right to prohibit at all, includes the right of total prohibition. And why should the privilege of selling be limited to a few select individuals? If it be a natural right, it is equally the right of all.—These license laws, therefore, are the most odious species of sumptuary restriction. But if, as our adversaries allege, these laws are right, then do they confute by their very existence, the plea urged against the right of total prohibition. Fellow-citizens, be not deceived. This thing of “natural rights” is made very convenient sometimes. Like charity it covers a multitude of sins; and is used by the demagogue, and the self-interested as a kind of charter for the perpetration of all kinds of crimes and misdemeanors.

But we are not without abundant precedents. The code of Virginia is full of them. The restrictive principle of our license laws is not the only instance of legislative prohibition in this Commonwealth. Indeed, society and government cannot exist without stringent limitations of man’s individual liberty. There must of necessity be restrictions upon abstract personal rights.

Thus we have in our code penalties for “*offences against the peace.*” It is enacted that “if any free person habitually carry about his person, hid from common observation, any pistol, dirk, bowie-knife, or weapon of the like kind, he shall be fined fifty dollars,” &c., &c. P. 738.

May not one pertinently enquire whether the use of spirituous liquors is not more dangerous and destructive to life and morals, than the pistol and bowie-knife, or any other deadly weapon; since three fourths of all crimes may be directly traced to it?

There is also a chapter entitled, “*Offences against morality and decency.*” If any free person import, print, publish, sell or distribute, any book or other thing containing obscene language, or any print, picture, figure or description manifestly tending to corrupt the morals of youth—he shall be confined in jail not more than one year, and fined not exceeding 200 dollars.” P. 740. Also, “If a white person arrived at the age of discretion, profanely curse or swear, or get drunk, he shall be fined by a justice, one dollar for each offence.” P. 740.

Allow me to ask, what produces so much obscenity, so much cursing or swearing, so much immorality and indecency, as the use of spirituous liquors?

Again, we have a statute prohibiting and punishing “*Offences against the public health.*” “If any free person knowingly sell any diseased, corrupted, or unwholesome provisions, whether meat or drink—he shall be confined in jail, &c., &c. and fined, &c., &c. P. 741.

Under the caption—“*Offences against public policy*”—see the penalties for gaming, p. 743. See also our constitutional prohibition of lotteries. See also the Code, p. 745, where it is enacted that, “If any free person by speaking or writing, maintain that owners have not the right of property in their slaves, he shall be confined in jail, &c., &c., and fined, &c., &c.

Surely no advocates of this last restriction upon the right of speech and the press, will deny the right to prohibit the sale of spirituous liquors!

Our Code also provides severe penalties for bringing the small pox into the State. Persons infected by it, may be forcibly removed. The council of every town may establish quaran-

tine—extending even to all goods and effects.

Now, it is an unquestionable fact, that the plague, the pestilence, and famine combined, have not been so extensively fatal to human life, as the use of spirituous liquors. Those occasionally destroy their hundreds; these are constantly sweeping away thousands not only into a premature grave, but into eternal perdition.

We may pertinently advert in this connection to the doctrine of nuisances, public and private. Our code provides that any nuisance, source of filth, or cause of sickness, may be removed," or "destroyed," by process of law. See page 397, Sec. 7.

To the general reader, the law learning under the head of nuisances, is a little curious. It is also quite appropriate to the present investigation.

For instance, it is said that the offending qualities of a nuisance, are in general, *smell, noise, danger, indecency, and obstruction.* 6 Raud. 726.

What, we ask, can more literally fulfil this definition than the drinking man? What smells worse than he does? What is more noisy, more dangerous, or more indecent than he?—What greater nuisance to the family or to the community is there than the drunkard?

"To constitute a nuisance proceeding from a noxious trade.....it is sufficient if it affect the comfort of the neighboring inhabitants." 1 Burr, 333.

Consider, therefore, how many thousands there are whose lives as well as comfort have been, not merely partially affected, but utterly destroyed, by the use of spirituous liquors. Why then, should the sale of them be allowed?

Again—"making a great noise in the night, to the disturbance of the neighborhood," is held as an indictable offence.

Can you conceive of an unusual noise in the night, without attributing it to the agency of intoxicating liquors?

It is decided in 1 Hawk. c 5, § 4, that whatever outrages decency, and is injurious to the public morals, is a common nuisance."

With this principle of law in view, we refer you again to the fact that spirituous liquors are the principal instrumentality in almost every display of indecency, and almost every commission of crime.

Fellow-citizens, We will not weary you by any further enumeration of legislative precedents, warranting restrictions upon the personal demeanor, conduct, and natural or abstract rights of the citizen. Surely enough have already been adduced to satisfy a reasonable man that the right of the legislature to prohibit entirely the sale of an article so mischievous as spirituous liquors, is indisputable.

We proceed to the examination of an objection of a different character—the *question of practicability.* It is alleged, that public opinion will not tolerate laws totally prohibiting the sale of spirituous liquors, and that any effort to impose such laws upon the people, would result in the excitement of a prejudice against the cause of temperance, that would be fatal to it. But public opinion has not yet been tested on this question. No means have been adopted in Virginia to develop and ascertain the public sentiment. It is mere conjecture, therefore, that the majority of the people are opposed to suppression—a conjecture, too, predicated upon distrust of the popular virtue and intelligence. Let the question be discussed. Let the public mind be agitated and enlightened. Let the facts be submitted to the people, and we should have full confidence in their moral sense and intelligence to sustain a law of total prohibition.

But if it were not so, where is the necessity or propriety of expressly licensing the traffic? If this traffic must continue, let it continue without the sanction of legal guaranties. Let legislative patronage be withdrawn from it. Do not bolster it up by statu-

tory protection. Let it be seen as it is. Let it stand out upon its own merits—stripped of all disguise—clothed in its native and intrinsic turpitude and moral deformity—a voracious monster, devouring the fortunes of thousands, lapping its livid, slobbering tongue in the best blood of the land, surrounded by poverty, disease and death, reeking with crime, and regaling its ears on the cries of distress bursting from the breaking hearts of its countless victims. We say, let it be thus seen in its true character, and if our legislators have not the moral courage openly to oppose the foul demon, let them at least occupy neutral ground, and not afford aid and comfort to the enemy. The people will come to the rescue in due time.

So long as our license laws exist, it will be impossible to convince all persons that the use of spirituous liquors is wrong. These laws are the grand obstruction to the consummation of the temperance reformation. They are a standing responsible endorsement that the use of spirituous liquors is right. But the very act of withdrawing from them all legislative sanction would, *ipso facto*, create an odium against them, and render the traffic in them dishonorable. Moreover, if they are placed beyond the pale of legal protection, there would be few that would venture to invest their estate in them.

Fellow-citizens, we are aware that the present general agitation respecting the legal suppression of the liquor traffic has been denounced as the mere temporary ebullition of religious and political fanaticism, growing out of the proceedings of the legislature of Maine. But we hope you will be influenced by no such silly malediction. We trust that the arguments and facts which we have so hastily recounted, have had the same influence on your minds and hearts, as they had on ours; and that you are now convinced that the best interests of the State, moral, physical, intellectual, civil and political, imperatively demand the suppression of the sale of all intoxica-

ting beverages. The principles on which we claim this are by no means novel. And with a view to shew you that they are not, and to fortify our positions by the opinions of the wise and the good, we refer you to the following extracts from the writings of eminent men, placed upon the record twenty years ago.

Dr. Humphrey, President of Amherst College, Connecticut, said: "It is as plain to me as the sun in a clear summer sky, that the license laws of our country constitute one of the main pillars on which the stupendous fabric rests. Take away this support, and I do not see how its tottering walls could stand before the heavy artillery by which they are assailed."

Hon. Theodore Frelinghuysen: "I am persuaded that the course of past legislation has greatly increased the evil of which we complain. How could it be otherwise? Men can hardly avoid looking up to the halls of legislation for standards of duty.— They expect to find models there that may be safely followed; and when these high places have deliberately sanctioned the use of ardent spirits when *under legal regulations*, the conclusion has been natural and prompt, that when it was clothed in these legal forms, it was not only excusable, but lawful."

The Hon. David Daggett, Chief Justice of Connecticut, says: "The great source of intemperance is to be found in grog-shops and tipping houses;" and declares that we may not "expect to see our land purged from this abomination" until all these are destroyed.

Hon. John Cotton Smith, Governor of Connecticut, stated: "I am decidedly of opinion that all laws licensing and regulating the sale of ardent spirits ought to be instantly repealed. First, because if intended as a source of revenue, they are manifestly immoral; secondly, if considered as sumptuary laws, which by their operation are designed to restrain the sale and consumption of that article are whol-

ly inefficient. Indeed I fully concur in the belief that these acts by legalizing, do actually increase the traffic and consumption."

Dr. Wayland, President of Brown University, after arguing to shew the immorality and impolicy of the traffic, used this language: "I therefore think the prohibition of the traffic in ardent spirits a fit subject of legislative enactment, and I believe the most happy results would flow from such prohibition."

And now, fellow-citizens, with all these facts before us, is it not time that the people of this commonwealth—this good old christian commonwealth—should awake to a better and more lively appreciation of the subject? Is it not high time that all legal sanctions should be withdrawn from the sale of a commodity, which has destroyed more lives than war, pestilence and famine,—that has engendered and perpetrated more crimes than any other diabolical agency that ever cursed a christian community—that is now

the constantly operating instrumentality of more suffering and sorrow, of more ruin, national and personal, than any other malignant influence by which we are afflicted.

Why should not the traffic in spirituous liquors be abolished? What single benefit has it ever conferred upon the State? Does not the statute authorizing it virtually offer a *premium* on vice? Is it not accessory before the fact, to three-fourths of the crimes committed in the State?

Oh! it is abhorrent to every principle of enlightened public policy. It is an impeachment of our christian integrity as a community. To us, this law looks like some rude barbaric image still lingering among the oracles of Liberty. Let it be hurled from its pedestal. Let the money-changers who sacrifice at its dark and bloody altars the fortunes, the peace, the lives and the souls of men, be scourged from the temple of our freedom.

W. T. WILLEY, *Chairman.*

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in the belief that these acts by law, any of more suffering and sorrow
being do really increase the trouble, pain and sorrow than
and consequently.

Dr. H. Wilson, Faculty of Divinity, writes to me in a spirit
of courtesy, after stating to show the. Why should not the well in spirit
immorality and impurity of the trade, those things be abolished? What
good his language: "I think certainly possible but it over comes
the prohibition of the trade in upon the state? Does not the state
enact against a in subject of trade, and having it virtually out of a
the government, and I believe the most way on view? Is it not necessary to
happy results would flow from each law the fact in the hands of the
prohibition."

And now, fellow-citizens, with all. Ours is a struggle to every principle
these days before us, is not the plea of enlightened public policy, it
that the people of this Commonwealth are ignorant of our position in
—the good old common-law, equity as a community, to be this
wealth—should give to a nation and law, the same into habit and
morally reprehensible practices, and still lingering among the masses
Is it not high time that all legal forms of liberty, let it be parted from its
tions should be withdrawn from the pedestal. Let the money economy
and of a commodity, which has become so sacred at its birth and death,
troyed not be taken away, but let the law be broken, the peace, the law
and justice—that have been created and the souls of men be saved
perpetrated, into crimes that are from the temple of our freedom.

W. T. WILLEY, Chairman

of a certain community—that is now







