

POLITICAL ECONOMY *versus* THE LIQUOR TRAFFIC.

AN ADDRESS

DELIVERED BY

HON. W. T. WILLEY,

IN THE

Methodist Episcopal Church, Morgantown, West Va.,

ON

SUNDAY EVENING, DECEMBER 4, 1881.

LADIES AND GENTLEMEN:

The "Temperance question" presents a wide field of inquiry and discussion; but I shall confine myself, mainly, on the present occasion, to one phase of the subject—a phase, however, which I think is too seldom discussed, and its importance too slightly regarded. I mean—

The financial and economical relations of the manufacture, sale and consumption of spirituous liquors to the public welfare.

I propose to examine these relations from three points of view.

FIRST: *The use of intoxicating liquors is a prolific source of disease—of mental imbecility—and of death.* I shall not consume time in attempting to prove this proposition. Abundant evidence is readily accessible; but I feel sure, that every candid and intelligent man of common observation, will promptly admit it to be true.

SECOND: Following as a corollary of the first proposition, I premise, *That the consumption of spirituous liquors, produces either directly, or indirectly, a large proportion of the pauperism in the United States.*

The extent to which intemperance is responsible for pauperism, cannot, from the nature of the case, be ascertained with precise accuracy; but careful examinations, made in many different localities, by judicious statisticians, would seem to warrant the conclusion, that three-fourths, if not

during all the years they would have survived, but for their dissipation. But the physical ills of intemperance, are far from being measured by these instances of total incapacity and death. You must search out, and enumerate the instances of partially impaired health, and, above all, the enfeebled and degenerated constitutions, inherited by the children of drunken fathers, and transmitted by them again to their descendants, down to the almshouse, or, to total extinction, before you can appreciate the loss of muscle, vigor, energy, and industry, which labor has thus sustained. I will venture to say, that total prohibition, thoroughly enforced for four generations, would involve the necessity of re-adjusting our annuity tables. The average duration of life would be appreciably increased.

And how is it as to the matter of pauperism? If only one half of the paupers provided for in our charitable institutions, are made such by spirituous beverages, we should still have a huge mass of imbecility withdrawn from labor—that is, withdrawn from the productive capital of the nation. What the loss to the national wealth thus produced, is, I must leave you to determine. It is by no means inconsiderable. But this absolute pauperism, does not nearly represent the full measure of detriment to labor and the material prosperity of the country, wrought by the consumption of spirituous liquors. We must remember that the drunkard's family, are usually rendered, more or less, idle, improvident, and thriftless—becoming hindrances, rather than helps, to their more industrious neighbors. And does not every one know, that our doggeries, saloons, and ordinaries, are the mightiest factors of idleness in all the land? the feculent hot-beds of loafers and vagabonds? And what of those, who class themselves as occasional, moderate drinkers? Don't they lose some time also? And the name of this class is legion. But time is not all they lose. They lose money also. You say, oh, not much time—not much money. More, perhaps, than they are aware of. The old Scotch proverb says—“Many a mickle makes a muckle.” And the aggregate lost hours, and misspent dimes of half a life time, would

make no small sum at the end of it. Fifty drinks in a year, averaging only 30 cents each, these days of high excise duties, would expend the sum of 15 dollars, saying nothing of the time wasted in the operation. In 40 years, this process would aggregate 600 dollars—thus diminishing the inheritance of the consumer's children by that amount. And for what? But I propose, presently, to furnish you with official data, shewing the extent of consumption of spirituous liquors in the United States, rendering all conjectural speculation unnecessary.

I must refer, with equal brevity, to the similar negative influences of the crimes and misdemeanors of intemperance; upon the financial, and economical welfare of the country. Sad as these influences are acknowledged to be in a moral point of view, how, it may be asked, can they be said to militate against the industries, and material development and prosperity of the country? I would answer—In many ways. But I must content myself, just now, with one general reply: and that is, that criminality is seldom associated with industry, or economy, or thrift—that a criminal community, is never a prosperous community—that if it be true, that labor is the only productive capital of a commonwealth, it will never find much support among the criminal classes.

But now, I desire, more particularly, to remark, that the effects of intemperance upon the financial and material welfare of community, are, by no means, limited to these negative considerations. They are very positive in their character. They entail enormous expenses, and direct charges upon the industries of the country. They levy an immense taxation upon the property of the people. It will not do, to say, that the personal consequences of intemperance, are self-sought, and voluntarily incurred, and, therefore, while we pity the victims, we may yet console ourselves with the reflection, that they only are the sufferers from their own folly. They are very far from being the only sufferers. Saying nothing now, and in this connection, of the dangerous moral, and political evils of drunkenness, always exerting a contagious influence around them, more to be dreaded

than the "pestilence that walketh in darkness" or "the destruction that wasteth at noon-day," let us pause a moment to glance at their effects upon the financial interest of the country. If intemperance is responsible for 7-10, or 1-2, of the pauperism which exists, then it is responsible for 7-10, or 1-2, of the taxes imposed upon the people, to defray the expenses of pauperism. And you know, fellow citizens, that what is called the "poor levy," constitutes no small item in the taxation of Monongalia county. This year it amounts to \$4,261 59. One-half of that sum is \$2,130 79. Regarding Monongalia as an average county in this respect, we have an aggregate, for the State, of \$115,062, annually levied upon the property of the people, to clothe, feed, and protect the victims of intemperance. We know, too, that no small *per centage* of the inmates of our asylum for the insane, must trace their insanity, directly, or indirectly, to strong drink. Whatever is necessary to provide for the pauper part of these, must, also, be abstracted from the pockets of the people, and worst of all, there is your criminal calendar—dark, repulsive, bloody. There are your courts of *Oyer and Terminer*—your jails, public penitentiaries, sheriffs, constables, and the whole army of well paid police officers. What is the cost of all these? I have shewn from indisputable data, that more than three-fourths of the crime in this country, are, unquestionably, attributable to the use of intoxicating liquors. Who, then, can estimate the amount of taxation necessary to prosecute, and punish, the criminals, whose offences result from inebriation—the salaries of your judges, prosecuting attorneys, clerks of courts, police officers, grand jurors, petit jurors, and all the agencies and machinery of our criminal judicature, employed to punish this class of offences? I do not mean to be understood as saying, that the *whole* cost of the crimes and misdemeanors, occasioned by intemperance, is paid by the State. Sometimes, the costs are paid by the offenders themselves. But I do mean to aver, without any fear of controversy, that a very large proportion of their expenses, are never recovered from the guilty parties, and are paid by the people,

never to be returned, and, although it may not be possible to ascertain the precise extent of this grievous expenditure, by the people of the United States, yet every candid, intelligent man will admit, that it must amount to many millions of dollars annually. It is, therefore, a gross fallacy to suppose, that only the drunkard and his family suffer from intemperance—even in a pecuniary point of view.

Now, I shall be confronted, perhaps, by those who undertake to defend the manufacture and sale of intoxicating liquors, with the questions: How do all the facts I have alleged, granting them to be true, prove that the wealth of the nation has been at all lessened, or, in anywise, injuriously affected? Is it not a fact, that the money expended by the consumer of liquors, has only changed hands, and is as much a constituent part of the wealth of the nation, as if no such exchange had taken place? To the latter interrogatory I answer, yes. But I further answer, that the consumer gets nothing of value in the exchange. Whereas, if he had expended it for something of permanent value, no matter what, the party receiving money for it, like the liquor manufacturer or vendor, would still have the money, and the consumer would also have its equivalent; so that, to the extent of the exchange, the wealth of the community would be duplicated. Is not this true? Again, I may be asked: Does not the investment of capital in the manufacture of spirituous liquors afford employment to labor, and market for the grain of the farmer? I answer, it does. But I further answer, that the same capital, invested in other departments of labor, whose products would be of permanent value, unattended by the pernicious effects of the use of spirituous liquors, would afford equal employment to labor, equally compensating, as well as a market, more or less, for the grain of the farmer. Moreover, I desire to repeat, in further reply to this suggestion, that the business thus advocated, destroys in its final results, more labor than it employs—that, it prevents more markets, than it creates—that, it is the fountain head of more than half of the idleness, improvidence, waste and pauperism, which afflicts the

community. Now, the measure of the nation's wealth, is the aggregate of individual wealth. Whatever, therefore, depreciates individual prosperity, affects the national prosperity in a corresponding degree, and thus, I leave you to determine, whether or not, the manufacture and sale of intoxicating liquor, is a valuable industry, meriting the approbation of a wise and judicious political economy.

But the popular, and much vaunted, argument of the abettors of the liquor manufacture and traffic, is yet to be answered, namely: They are a great source of revenue. The license tax levied upon the vendor, largely relieves other industries from the burden of taxation. The friends of temperance make no objection to the tax assessed upon the manufacture, or to the license tax imposed upon the traffic. For myself, I wish the legislative authorities would tax them to death, and, so far as these taxes operate as a restriction on the manufacture and traffic, they are, in fact, a means of prohibition. So far, so good. But, omitting for the moment, the financial relations of this pretext, look upon its abhorrent moral features. Remember, the manufacturer and vendor, present this consideration of revenue as a *justification* of their business. How can they have the moral hardihood to do so? They dare not deny the innumerable and immeasurable ills, which their nefarious business entails upon humanity. But they would divert your horror of them, by pointing to the millions of revenue, which their business pours into the public treasury. They make dollars and cents, the equivalent of the sighs, and sorrows, crimes and cruelties, wretchedness and ruin, moral, mental, physical and social, which their avocation is daily scattering broadcast over the land. What a miserable apology! Go, gather from the highways, and hedges of your country, from the purlieus and brothels of your cities, from the hovels and homes of penury and destitution, the more than 80 thousand drunkards who died there last year, and lay them out in sorrowful state at the feet of the liquor manufacturer; read to him the confessions of the 50 or 100 murderers, who were executed last year, for crimes committed when under

the influence of strong drink; bring before him, from our almshouses, the multitudes of squalid, imbecile, helpless wretches, whom intemperance has thrust upon the public charity; surround him, in short, with all the progeny of wrong and ruin, which his business has begotten. What is his answer to all this? He will—he must, admit the facts. They are patent, and undeniable. How does he justify himself? By the revenue derived from the manufacture and sale of the liquors, the use of which produces all of these evils—by the millions of revenue poured into the public treasury. Remonstrate as you may—beseech, implore, argue as you may, your protests are drowned in the vociferous, guinea-fowl cry of Revenue! Revenue! Revenue! Away with such horrible casuistry that would condone crime by taxation! It cannot satisfy the conscience of the enlightened statesman. It is irreconcilable with the obligations of a good citizen. It is abhorrent to our Christian civilization. Pardon this strong language. Perhaps it will be said that it is not for me to judge. Very well! Let judgment be remitted to Him who hath said: “Vengeance is mine, I will repay, saith the Lord.”

But the truth is, that the assumption of the value of the manufacture, and sale, of spirituous liquors, as sources of revenue, is utterly fallacious. For if you set off the damages done to the national wealth, and prosperity, occasioned by the use of these liquors, in the physical imbecility it superinduces, in the idleness, thriftlessness, and wastefulness it engenders, in the costs which it makes the public pay for the support of pauperism, and for prosecuting the criminal offences of intemperance, and the value of the labor prevented, and destroyed, by the use of intoxicating liquors, all these boasted revenues would be largely over-balanced. Again: If the money expended by the consumers of these intoxicating liquors, which bring naught in return, had been invested in the various branches of industry, that produce articles of permanent utility: if it had been applied in the improvement of the farms of the country, increasing their value and productiveness—if it had been used in perfecting the skill of the mechanic, and in multiplying and improving the implements of his trade; if it had been disbursed by the manufacturer, in the extension of his business, and the perfection of his fabrics; if it had been utilized by the merchant, in the enlargement of commerce and trade; above all, if it had been devoted to the endowment of colleges, acad-

mies, high schools, and especially, in aid of our public free schools—then, not only would all these losses, and damages, to the public welfare, to which we have referred, been avoided, but the wealth, health, strength and glory of the nation would have been incalculably advanced.

Ladies and gentlemen: I am aware, that liquor-mongers persistently endeavor to create distrust in the public mind in regard to the extent of the consumption of intoxicating liquors in the United States. They assume to sneer at such statements as I have been making. They denounce them, as the bugaboos of fanaticism, and heated imaginations, conjured up to frighten the people. For aught I know, you may suspect some of the hypotheses I have assumed here to-night. I assure you that all I have said, referring to the magnitude of the manufacture and sale of intoxicants in this country, is far, very far, short of the reality, as I will now proceed to shew, not from conjectural estimates, but from actual figures, and facts, certified by official authority.

I have not had access to the official statistics of the last few years; but I have, here, an official statement for the year 1877, which will answer my purpose. The rate of manufacture, and consumption, is certainly not less now, than it was then:

“WASHINGTON, June 24, 1878.

“Sir: Your letter of the 15th inst. to the honorable Secretary of the Interior asking for some statistics in regard to the liquor traffic in the United States for a member of the English Parliament, was referred to this office on the 18th inst. In reply, I have the honor to state that the only official information I can give you on the subject is derived from the returns of the Treasury Department of the quantities of domestic spirits and malt liquors on which the tax has been paid, and imported liquors that have been withdrawn for consumption. The returns for the fiscal year ending June 30th, 1877, are as follows:

Spirits distilled from whatever materials,.....	57,489,989 gallons.
Ale, beer, lager beer, and porter,.....	9,902,353 barrels.
Imported spirits of all kinds,.....	1,386,676 gallons.
Imported wines in casks and bottles,.....	5,723,469 gallons.

“The following is a statement of the amount of special or license taxes paid to the government by dealers during the same year:

Retail dealers in spirituous liquors, \$25 each,.....	\$3,840,469
Wholesale dealers in spirituous liquors, \$100 each,.....	449,729
Retail dealers in malt liquors exclusively, \$20 each,.....	147,801
Wholesale dealers in malt liquors exclusively,.....	42,001

“Thus it appears there were upward of 160,000 liquor dealers in the country that year.

“From the above and other data, Hon. Edward Young, Chief of the Bureau of Statistics, estimates the amount of money annually expended in the United States for liquors by consumers to be nearly \$596,000,000.

“Respectfully,

GREEN B. RAUM, *Commissioner.*

“Prof. Henry A. Ward, *Rochester, N. Y.*”

This is a fearful exhibit; and it is authentic. It cannot be set aside by a sneer of incredulity. There it stands, vouched for by the official records of the United States. It cannot be evaded. Five hundred and ninety-five millions of dollars, gone from the pockets of consumers, in one year—in each year—year after year, and nothing to shew for them—nothing received in return. I must correct myself. They *have* received something in return; but it is sin and sorrow, wreck and ruin, in thousands of instances. They

have something to shew for it, in thousands of other instances; but it is beggared families, desolated homes, and blasted hopes. Five hundred and ninety-five millions of dollars, worse than wasted, every year! Will not the thoughtful statesman—the wise political economist pause a moment, to reflect upon it? Four years, at this rate, would aggregate the sum of \$2,380,000,000—a sum, more than sufficient, to pay off the national debt. And yet we complain of the burdens of taxation—the burdens of the tariff—the burdens of our internal revenue laws. Why, the consumers of liquor in this country, pay, annually, for that which brings no benefit, a sum sufficient to have carried on the late war of the rebellion, and to have left the country, at its close, free from debt. But I shall again be told, that the aggregate wealth of the nation has suffered no detriment; that the 595 millions, expended by the liquor consumers, still remain in the country; that they have only changed hands. I shall also be told, again, that the manufacture of liquor, afforded employment for a large amount of labor, and a profitable market for the farmer. I have already admitted these facts; and, according to my view of the matter, I have already answered the argument predicated upon them, by an argument which, I think, is irrefutable. I shall not repeat it. But if you will allow me, I would like to illustrate it more fully.

For instance: The great necessity of many sections of this country, is railroad facilities. This is especially the case in West Virginia. Now, if the annual sum of 595 million of dollars, wasted by liquor consumers in the gratification of an unnatural and vicious appetite, were invested in railroad stock, it would build, and equip, all the roads the country requires. And while they were in the process of building, they would employ more labor than all the distilleries in the country, and furnish a ready market, not only for the farmer's grain, but for his pork, and for his beef, and all of his surplus produce. And when completed, unlike the liquor consumed by the liquor drinker, they would remain a permanent benefit to the people, bringing the best markets, practically, to their doors, still employing a large amount, of labor in developing our rich mines and now inaccessible forests, stimulating old industries, and creating new ones, and new demands for labor, and, in a thousand ways, increasing the wealth, strength, and power of the nation.

Again: Look at our Merchant Marine. Our statesmen are lamenting the almost disreputable fact, that our foreign carrying trade, is in such a languishing condition, that the large majority of it is done upon British bottoms; and they are perplexing themselves in regard to the best means of removing this reproach, and securing to our own country the invaluable profits, which now accrue from this great business, almost exclusively, to the English ship-builders and ship-owners. If these 595 million of dollars, instead of being applied, as they now are, to the impoverishment of large numbers of our citizens, were set apart, as subsidy fund,—if, indeed, one fourth of that sum were, annually, appropriated out of the revenues of the general government, as a subsidy—to aid our commercial marine in competing for the carrying trade upon the high seas, the American flag would soon cover half the commerce of the world—enriching the nation tenfold beyond the outlay. Would it not be well to stop the manufacture and consumption of all these pauperising intoxicants, and build up an efficient, wealth-producing, national marine? building ships, instead of almshouses, and penitentiaries—creating a race of brave and hardy seamen—the nation's hope and safety, in time of foreign war,—instead of multiplying the squalid and imbecile thousands with which intemperance fills the land?

Once more: There is the cause of education, dear to every christian, philanthropist and patriot. I would refer, especially, to our Public Common Free Schools. These are no where fully accomplishing the great purpose of their institution, for want of the adequate means. They need better school houses—better qualified and better paid teachers, longer terms of instruction

and increased facilities generally. These 595 million of dollars, expended as they are, superinduce a large *per centum* of the ignorance that afflicts and disgraces many a family—in fact, disgraces and imperils our free institutions; but expended as they might be, they would suffice to endow every university, college, academy and Normal school in the land, and to give such scope and efficiency to common free schools as would, in three generations, wipe out the last stain of illiteracy from the escutcheon of every State in the Union—and mark it—ponder it well. Nay, indeed, the taxes now levied and paid for the pauperism, and prosecution and suppression of the crimes occasioned by intemperance, would, probably, be sufficient to do all this.—Now “knowledge is” not only “power”—it is wealth. Power itself is wealth, and the nation where the masses of the people are educated, have the best elements and the strongest possibilities of wealth.

But I am to be told that there must be revenue raised from some source to support and carry on the government; and, that if the liquor manufacture and traffic are destroyed, the revenues, which they now produce, must be levied of other industries and property, and so, nothing would be gained to the people or to the nation. This argument is easily answered: In the first place, the suppression of intemperance would largely diminish the amount of taxation required, by relieving the people of all the expenses of pauperism and crime which intemperance imposes upon them. In the second place, those who else had fallen victims to this traffic, wasting their inheritance and producing nothing for themselves, would generally remain provident and industrious, saving their inheritance and increasing it by their own industry; thus enlarging the basis of taxation. In the third place, in proportion as you enlarge the basis of taxation, and multiply taxable commodities—in short, in proportion as you increase the wealth of any given community, you diminish the *per centum* of taxation required to produce any given amount of revenue. Let me illustrate what I mean: Here is the borough of Morgantown. Suppose the number of tax-payers in it is 150. Suppose it is necessary to raise 1,000 dollars of taxes. Then suppose that twenty of these tax-payers become intemperate, and therefore improvident, and soon or later, bankrupt, and a burden rather than a benefit to society, would not this condition of the case necessarily increase the liabilities of the 130 other tax-payers in raising the required 1,000 dollars? On the other hand, if these twenty remain temperate, and therefore, probably, industrious and provident, building new and more valuable houses in place of their old ones, and increasing their property subject to taxation, in various ways, will not the liability of the other 130 be diminished just in the same proportion? This illustration will, equally, apply to the whole United States.

I have a few remarks to submit upon the question of legal prohibition, now agitating the public mind, and then I shall relieve you. *And first:* The moral and constitutional right of the majority of the people of this State to ordain total prohibition of the manufacture and sale of spirituous liquors.

The answer to this proposition is to be found in the consideration of public necessity. The organization of civil government implies the surrender of much of individual liberty. Without such surrender, civil society could not exist. Our national constitution, the organic laws of the several States, and all of our codes, both civil and criminal, are full of restrictions upon individual liberty. Eliminate from them these restrictions, and there would be little remaining. In fact, the fundamental idea and purpose of constitutional government is limitation of the powers and rights, not only of the government itself, but of the citizen, both civil and political. The definition of law is “to prescribe what is right and prohibit what is wrong.” And the question here involved is: Does the public welfare demand total prohibition?

It seems to me, that even a partial comprehension of the evils of the use of spirituous liquors, must satisfy every reasonable doubt on this question.—

But the truth is, no finite mind can comprehend all of these evils in all of their relations and significance. For myself, the financial and economical reasons we have been considering are, alone, sufficient to justify total prohibition. What, then, shall be said, in the presence of the whole array? There is no interest of society which intemperance has not injuriously affected.—There is no personal right which it has not assailed. It has corrupted the administration of public justice, and it has been guilty of every private wrong. It has repudiated every obligation of moral duty, and it has violated every requirement of civil law. There is no offence in the calendar of crime which it has not committed. There is no profession which it has not disgraced. There is no sanctuary it is not ready to desecrate. It has corrupted whole States, and undermined and destroyed the most powerful empires. It was the impious revelry of its devotees which evoked the handwriting on the wall at Belshazzar's feast, and wrote the doom of the great Babylonian dynasty. It was the most powerful element of the Catilinian conspiracy, which well nigh overthrew Republican Rome. Its fires, in the veins and brain of Nero, burnt more furiously than the flames which it caused him to kindle among the palaces of his own capital. No towering genius ever rose so high as to be above its power to pull down and destroy.—Alexander conquered the world; but wine conquered Alexander. It is the principal actor in every scene of debauch. It is a siren evermore luring to lust and bestiality—the pimp of every brothel. It lurks in every den of vice. No home can be so happy and holy that it cannot destroy its peace and purity. It has sounded the depths of every sorrow, and polluted itself with every sin, and in the light of divine inspiration I am warranted in saying, that it is daily peopling with its victims the regions of endless despair. I think the mighty genius and imagination of Milton could never have produced the dark portraiture of human ills, as he has given it to us, if he had not been aided by the surrounding ravages of the dire monster, no less disastrous in his day than in ours:

“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 heart-sick agony, all feverous kinds,
Convulsions, epilepsies, fierce catarrhs,
Demonic phrenzy, moping melancholy,
And moonstruck madness, pining atrophy,
Dropsies and asthmas, and 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.”

What then, let me ask again, can be said in the presence of the whole array? It will not suffice to say, that this is poetry—mere rhetorical flourish, and exaggeration. There is no exaggeration about it. It is the naked truth, so far as it goes—yet far short of the whole truth. It is the simple recital of absolute facts, which can be more than verified by indubitable evidence.

Erroneous opinions, when honestly entertained, are entitled to respectful consideration; and it is not for me to say, that there may not be persons conscientiously opposed to total prohibition. I ask your indulgence, while I, very briefly, notice two or three of the arguments relied on to justify this opposition. And here I have to meet the outcry against what is called sumptuary legislation. But the prohibition proposed, has no principle in it of a sumptuary character. Sumptuary laws, and regulations, have been well defined to “be, such as restrain, or limit, the expenses of citizens in apparel,

food, furniture or the like." They had their origin in certain provisions in the Twelve Tables of ancient Rome, designed, especially, to control prodigals from wasting their estate, and to prohibit extravagant expenses at funerals. As the wealth, luxury, and licentiousness of the Roman people increased, their rulers, animated, sometimes by patriotic impulses, and, sometimes, by the arts of the demagogue, to court popularity, as in the instances of Sylla and Augustus Cæsar, sought, or assumed to seek, to stem the tide of personal extravagance, and public corruption, by similar sumptuary devices, intended to enforce habits of frugality, equality of estates, simplicity of manners, abstemious habits, plainness of apparel, and the like. Such laws, as a matter of course, became unpopular, and were disregarded, and the tide of corruption still rolled on, until the Roman Empire was overthrown. The prohibition of spirituous liquors, is predicated upon entirely different principles. It has police relations. It has reference to the prevention of crime—not to the regulation of the appetite and tastes. It is for the preservation of the health and life of the people, and for their security in the use and enjoyment of their property. It is a muniment of the public safety. It includes the indisputable, and well recognized maxim, of ethics and civil law, that no citizen has a right to engage in any business, or pursuit, which injures the business, or endangers the health, or life, of his neighbor. Intemperance does all this; and the manufacture and sale of spirituous liquors, produces this intemperance.

Let me illustrate: A ship approaches one of our cities, with pestilence on board; and the passengers, residents of the city, both sick and in health, are compelled to go into quarantine, and are restrained of their liberty, until the pestilence is overcome. Now, the use of intoxicating liquors has produced more disease and death, than all the pestilence which ever visited our shores. Have the people no moral or political right, and authority, to put these destructive liquors in legal quarantine? Now the only effectual quarantine for them, is total prohibition. Don't let them come ashore.

The compulsory opium trade of Great Britain with China, is condemned by the moral sentiment of all the world beside. To the honor of the U. S. government, it has forbidden, by solemn treaty stipulation, the carrying of opium to China in American vessels. Now, the same principle which justifies the prohibition of the opium trade, will more than vindicate the prohibition of the traffic in spirituous liquors.

But it is right hard, sometimes, to understand the philosophy of the opponents of prohibition. Their favorite argument, is legal restriction. They say—Don't prohibit the use, but prevent the abuse. Punish excess, but tolerate moderation. Now if this is not sumptuary, I do not know what is. It is the precise definition of sumptuary regulation. They are always reminding us, too, that the laws already provide, that only men of good moral character, placed under bonds in heavy penalties, with good security, and who are not addicted to drunkenness themselves, shall be allowed to sell by retail—that, even they shall not sell, at all, to minors—nor to adults who are intoxicated, or in the habit of becoming intoxicated—that our code is full of fines, penalties and restrictions in this behalf. I repeat, that these laws are precisely sumptuary in their character and import. But they ask us—are not these sufficient? I ask, in turn: Are they sufficient? Have they accomplished the purpose proposed? Everybody knows they have not. They are an utter failure. Intemperance still stalks through the land, marking its progress with desolations as terrible as those which follow in the footsteps of pestilence and famine. But aside from all this, this argument is, in my opinion, a begging of the question—a yielding of the principle of total prohibition. It logically implies that the use of intoxicating drinks, is an evil, which ought to be restrained—that is, prohibited to a certain extent—that is, to the extent that they do evil. How can this be effected? These fines, and penalties, and legal restraints, are unavailing. What shall we do, therefore? What will accomplish this great desideratum? Reason, and all experience, answer: Nothing

but the total prohibition of the manufacture and sale of spirituous liquors.—Until we have that, we shall have intemperance, with all of its evils.

Second: As to the duty of the legislature of West Virginia, to submit to the people the question of constitutional prohibition. And here I am met on the threshold, by the objection, which I have understood, is persistently urged by the opponents of this measure, that this whole matter is simply moral and humanitarian, in its aspect and relations, and should be remitted to the pulpit, and to moral suasion. Now, I have this to say, in reply, that any legislator, who ignores any legislative measure, not otherwise improper or inexpedient, on any such grounds, is poorly instructed as to the nature of his office, and the duties which he owes to society. One of the profoundest problems to be solved by the statesman is, how to legislate, so as best to conserve the public morals; for, public morality, is the primary conservative element of civil government—especially, of republican institutions; and the law-maker, who fails to recognize this fact, fails to comprehend the cardinal principle of all true and enlightened statesmanship. The truth is, that all penal legislation is intended, not so much to punish crime, as to prevent it. It is essentially prohibitory in its office and intent. Take profane swearing for instance. That offence has little in it, aside from its moral aspects and relations. Yet, it is punished by law—that is, prohibited by law, so far as the penalties of law tend to prohibit. The object of the penalty, is prohibition. But what analogy, it may be asked, is there, between intemperance and profanity? There is this, at least: It produces more profanity than any thing else I know of. It seems to me, therefore, that it would be more philosophic, and statesmanlike, to forestall this profanity, altogether, by prohibiting its cause. So of all other kinds of crime—theft, murder, robbery, and the like. Certainly, these all have moral aspects, and relations. It is true, one of the purposes of punishing them, is the security of life and property. How? By the terror of the penalties inflicted upon guilty parties. When a citizen is murdered, the hanging of the murderer will not restore the life he destroyed. Why, therefore, is he hung? To prevent others from committing murder—that is, the policy of prohibition. Prohibition is the fundamental principle underlying all penal legislation. Now, it is an undeniable fact, that the use of intoxicating liquors leads to more theft, robbery, murder, shooting, cutting, stabbing, assaults and batteries, breaches of the peace, and all manner of crimes and misdemeanors, than all other causes combined. If it be legitimate, and morally right, to punish these offences, when committed, can it be illegitimate, or morally wrong, to prohibit the liquor traffic in order to prevent the intemperance which caused the commission of these offences?

But the fact is, as I have certainly shewn, that intemperance is not simply moral and humanitarian in its relations. It largely and ruinously connects itself with the industries of the country, with taxation, with labor, with the security of life and property, and with the financial and economical interests of the people in a great diversity of relations. It is, therefore, a subject most fit for legislative consideration, aside from its moral relations; and if our legislators will heed the manifest drift of the public sentiment, they will not again venture to repeat the refusal of last winter, to allow the people an opportunity of expressing their will on the subject.

As to the legal and political right of the several States, to ordain total prohibition, that is no longer an open question. It is *res adjudicata*. It has been affirmed, and decided, by the highest judicial authority—the Supreme Court of the United States. And besides, we already have, in the constitution of West Virginia, a clause, which virtually concedes the principle, in that provision of it which requires, that before any tavern can be licensed to retail liquors in any incorporated town, or village, “the consent of the authorities of the same must be first had and obtained.” Indeed, no such license can be obtained at all, if our county courts see proper to refuse them; for, they are

vested with the uncontrolled authority, to withhold them. Thus far our constitution, already, recognizes prohibition.

Third: One of the most stubborn difficulties, which total prohibition has to encounter, is found where it might least be expected: I mean, among that large, and respectable, class of well-meaning men in the community, who only use intoxicating liquors occasionally, and never to excess, and who abhor intemperance, and readily admit its pernicious consequences. As candid men, they also freely acknowledge, that so far as they are concerned, they derive no particular benefit from their limited indulgence, and could, without any personal detriment or inconveniences, wholly abstain. But they say, that they are not responsible for other's intemperance, nor for the sorrows and sufferings which it brings upon its voluntary victims, nor yet, for the public mischiefs it produces. They will, they say, take care of themselves, and avoid all injury to others, and that is all that a good citizen ought to be required to do, and that any further restraint on their personal liberty and discretion would be an infringement of their manhood and independence of character. Ah! Is not this that same old apology, which was preferred in excuse of the first recorded crime outside of Eden? "Am I my brother's keeper?" And this suggests an argument, which may be properly addressed to this class of excellent citizens, and which, I think, they will find hard to answer. It is not original with me. It was conceived in the Divine mind, and was formulated by Divine inspiration:

"But take heed, lest by any means, *this liberty of yours*, become a stumbling block to the weak."

"Wherefore, if meat make my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend."

Surely, the opposition of this class of worthy men, must arise alone from the absence of due reflection; and a little consideration on their part, must convince them, that they ought not to suffer the merely sentimental right of occasional dram-drinking, to stand between them and the suppression of the great evils of intemperance. So slight a sacrifice as they are called upon to make, ought to be cheerfully conceded for the public welfare. No selfish man can be either a true patriot, a good Christian, a genuine philanthropist, or an exemplary citizen. We all have relative duties to perform, as well as personal. Our obligations to society, are as imperative as our duties to ourselves.

Fourth, and finally: It is one of the terse and valuable maxims of Mr. Jefferson, that "Eternal vigilance is the price of liberty." It will not do for the friends of total prohibition to be idle, or indifferent. Its opponents are never so. There is danger in taking it for granted, that the public sentiment is sufficiently aroused to enforce the successful accomplishment of this great reform. And, especially, no effort should be spared, to so concentrate the public sentiment, and bring it to bear on the next deliberations of the legislature, as that it will not, again, disregard the unchallenged petitions of the people. It ought also to be remembered, that, even in the event of the passage by the legislature of a bill propounding the prohibition amendment we ask for, and its adoption by the people, the labor of its friends will be, by no means, concluded. It can be sustained, and enforced, only by a lively, well instructed public sentiment. Public opinion, under our form of popular government, is, not only the source of all law, but is, in fact, the sole, sure guaranty of its execution. It has happened, not unfrequently, that laws very proper and wise in themselves, have become inoperative in consequence of the indifference of the people. What is now needed, therefore, is a vigorous, continuous, intelligent, and thorough discussion of the propriety, necessity, and value, of prohibition, until it is steadfastly established in the popular favor.