

*Halsey L. J.*

LEGAL PROHIBITION

THE ONLY

REMEDY FOR DRUNKENNESS;

BEING THE

SUBSTANCE OF TWO DISCOURSES, DELIVERED IN THE CHESTNUT STREET  
CHURCH, LOUISVILLE, ON THE FIRST SABBATHS OF  
APRIL AND JULY, 1855.

BY

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"Wine is a mocker, strong drink is raging; and whosoever is deceived thereby is not wise."—PROV. xx. 1.

"Shall the throne of iniquity have fellowship with thee, which frameth mischief by a law."—PSALM lcv, 20.

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### I.—THE ACKNOWLEDGED EVILS OF DRUNKENNESS.

WE NEED not waste time in depicting the evils of drunkenness, or in setting before you the fearful statistics of its prevalence in our country. Every intelligent person may be presumed to be perfectly acquainted with these. All men now, even including the victims of its power, are ready to acknowledge that it is the curse of the land, the monster vice of the times, whose work is evil, only evil, and that continually. All men, not wholly besotted by its deadly influence, have been brought to see its disastrous effects upon society; and they are free to confess that it has done more harm to the people of the United States than war, pestilence and famine have ever done. There is, at this moment, no one specific source of evil in our country which is inflicting such deep and irretrievable injury upon it; for it not only entails wretchedness and death upon its victims—it brings every interest of society, and every constituent member of it, within the sweep of its destructive power. If the drunkard were merely killing himself—if he could die and go to his own place alone—even then, drunkenness would be the greatest evil of the day. But its living victims are more numerous than the dead. Its innocent, helpless sufferers are called to drink a deeper cup of tears than the guilty themselves. Aside from the unmitigated wo, temporal and eternal, of its guilty votaries, aside, too, from the overwhelming sorrow of all its helpless sufferers, it is a constant element of danger and of demoralization to the whole community. The drunkard is a standing reproach upon the moral character of every community that tolerates his presence. He is far more and worse:

to the extent of his ability, he is a public enemy; his presence, night and day, is a snare of temptation laid in the pathway of the young and inexperienced; his presence endangers the public peace, and, just in proportion as drunkenness accomplishes its work of ruin upon him—making him insane, bestial and ferocious—he becomes an aggressor, directly or indirectly, upon the rights and interests of every man, woman and child around him. To all intents and purposes, he stands to society in the attitude of an uncaged, ferocious wild beast, with far more ability to injure than the brute could ever have. He is, in fact, as near a brute as human nature can be made; but, then, he is a brute armed with the ferocious malignity of a fiend. Let a community once resign itself to the undisputed reign of drunkenness—let strong drink rage in its fury until the very seats of public justice are filled with drunkards—and that community will realize a condition not too strongly pictured by a den of wild beasts, or a Pandemonium of gorgons, hydras and chimeras dire.

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## II.—THE CRIMINALITY OF DRUNKENNESS.

BUT all men, while freely admitting the fearful evils of drunkenness, are not yet quite so willing to admit its criminality. There has been with many a lurking disposition to palliate or to deny its enormity as a crime. We hold, however, upon the clearest testimony of the Bible, and as the result of all human experience on the subject, that drunkenness, in every form and degree of it, is a violation of the law of God, a sin against morality, a crime against human nature, an outrage upon the rights of society, as well as an awful curse upon its victim. In all the book of God, there is no single specific sin of overt action, which meets with a more unsparing and terrible denunciation of Divine wrath. It is classed with idolatry, adultery, fornication and murder; and along with thieves, extortioners, misers and liars, drunkards are everywhere excluded from the kingdom of heaven. It is fearful to read the denunciations of the Bible, and then to think how drunkenness prevails among us, and how little the multitude consider the damning nature of the act as a sin against God. “Woe unto them that rise up early in the morning, that they

may follow strong drink: that continue until night, till wine inflame them! Woe unto them that are mighty to drink wine, and men of strength to mingle strong drink! Who hath woe? who hath sorrow? who hath contentions? who hath babbling? who hath wounds without cause? who hath redness of eyes? They that tarry long at the wine: they that go to seek mixed wine. At last it biteth like a serpent and stingeth like an adder."

With this awful testimony of God before us, confirmed in every word by the sad and bitter experience of man, shall we shrink from calling drunkenness a crime? Is not that a crime which leads to the commission of every other crime condemned in the Decalogue? Is not that a crime which is the producing cause of four-fifths of all the crimes, and nine-tenths of all the pauperism in the country? Is not that a crime which fills the land with the cry of violence and blood; which spreads disaster and woe through every rank of the people? Is not that a crime to be prevented by law, or to be punished by the judges, which, with self-inflicting hands, changes responsible man into a ferocious wild beast, or a raging maniac? Shall man deliberately convert himself into an idiot, or a maniac, or a fiend, and yet be held guiltless of a crime? Or shall man, for filthy lucre's sake, manufacture his fellow-man into one of the worst forms of insanity, and send the madman forth to prey upon the life and property of the innocent, and yet be held guiltless of crime? If that is a crime, which, always and everywhere, with the inexorable certainty of death, dethrones the reason, blasts the character, beggars the family, brutalizes the person, kills the body, and destroys the soul of its victim, then is drunkenness a high crime and misdemeanor against God and man. We have no words or images strong enough to express the feelings of abhorrence and execration in which every virtuous mind ought to hold the crime of drunkenness. Every honorable man ought to shrink from it, as he would from death itself. Who, that knows what drunkenness is, would not choose to see the dearest object of affection — the father, son, brother, or husband, lying in a premature but honorable grave, rather than that he should live only to drag out the wretched existence of a confirmed drunkard? What parent would not say, let me bury my last child in an infant's grave, rather than see him grow up to realize the bestiality, the insanity, the horrors of a drunkard's living death?

Call it what you will, then,—crime, vice, sin, calamity or misfortune; the name changes not its awful character; it does more than any other agency in our land, to degrade the standard of morality, to eat out the vitals of social virtue, to undermine all private and public integrity, to debase and enslave our people. It brings disease and death into the soul with the same unerring certainty that it does into the body. It creates temporal woe here, and eternal woe hereafter. It digs the grave of all physical, intellectual and moral improvement, and buries both soul and body in the same pit of infamy and despair. Call it what you please; its character is written in its deeds all over the earth; written in letters of blood and fire; the deep, dark, damning nature of its guilt remains; it clings to its victim through life, clings to him in death, and will cling to him forever, as the worm that never dieth, the fire that never shall be quenched. Moral degradation, temporal and eternal, is its recompense. The wages of drunkenness is death.

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### III.—LIQUOR TRAFFIC THE CHIEF CAUSE OF DRUNKENNESS.

IN VIEW, then, of all these desolations of drunkenness, the question arises, can anything be done to arrest it—can any adequate remedy be found? And here, it is essential that we should point out the cause of this tremendous evil, before we undertake to prescribe its cure. Any remedy will be unavailing which fails to reach the root of the disease. We need not attempt to dam up the streams of vice, or to cut them off, while the fountain head is left to flow on.

We affirm, then, on the ground of the experience of the past, that the sale of strong drink in the coffee-house and the bar-room, is the chief producing cause of all these evils. The public, promiscuous, almost universal, retail traffic in intoxicating drinks, is the fountain head of the great iniquity. But for this, the temperance reformation would have accomplished its work long ago. Strong drink has been, in a great measure, banished from the sanctuary of home; and but for the public drinking-houses, it would have been well nigh driven from every circle of respectability in the land. But it has taken refuge behind the shades of the legalized drinking-house; and from those

dark dens of its power, it has defied the utmost efforts of man to dislodge it. While the dram-shop stands, and while this traffic in strong drink goes on, drunkenness will continue to defy every effort of man to arrest it. Does any one say, that the drinking-house is created only to satisfy the demand for strong drink; that men love to drink, and would drink if there were no such houses? This is no doubt true to some extent. But it is true to an extent immeasurably greater, that the drinking-house creates the love of strong drink—allures myriads of young men and boys to drink for the first time, and to continue drinking, who otherwise would never have touched a drop.

It is easy to show, that the extermination of this promiscuous retail traffic would remove the prolific source of all the worst evils of drunkenness. Cut off this traffic, and the wholesale traffic must in a great measure cease; for this retail business is the perpetual feeder of the wholesale trade. Cut this off, and the manufacture of strong drink for a beverage must in a great measure cease; because when there is no demand for the article, there will soon be no supply. The maker will cease with the wholesale purchaser, and the purchaser with the retail vender. Suppress the public dram-shop, and the doors of the liquor store will be closed, the fires of the distillery will go out, as a matter of course. Suppress this traffic, and you will have cut off the great feeder of drunkenness—the universal tempter which now entices millions of sober men to drink moderately, and from moderate drinking to become drunkards. Who would not rejoice at the removal of such a temptation? A hundred thousand wretched families would to-day send up their united thanksgiving to God for its utter annihilation. A hundred thousand confirmed drunkards would themselves raise a yell of acclamation at it, as the day of their deliverance from that hell of infamy and horror toward which they feel themselves to be hastening. Depend upon it, if you would ever strike an effective blow at drunkenness, you must aim at its chief producing cause—the retail liquor traffic. It is useless to lop off the branches; you must cut the deadly Upas up by the roots—of course allowing those who have planted it, and who live by it, time enough to get from under before it falls. This is all they are entitled to; for they are, in fact, the most guilty parties in this whole business. The Bible pronounces the same curse upon him who gives his neighbor

strong drink, as upon the drunkard himself. "Woe unto him that giveth his neighbor drink, that putteth his bottle to him, and maketh him drunken." The Devil, who administered the first fatal poison in Eden, was more guilty than his too easily deluded victims; and it is easy to see, that the man who mingles the intoxicating bowl with all the refinements of art and luxury, and presses it to his neighbor's lips, is a greater criminal in the sight of God, than the poor, weak-minded victim who swallows the poison and dies. He is so for two reasons. The first, because what he does, he does deliberately and coolly, with his senses wide awake, his reasoning powers in full play, and knowing the consequences as well as the tempter did in Eden: whereas, his victim is stupefied or excited, impelled by lust and passion, often wholly unconscious of what he is doing, and seldom less than half a fool when he drinks. Second, because what he does is for reward, the paltry and sordid love of gain. For money, he gives his neighbor what he knows to be killing him, breaking the heart of his lovely wife, and taking the last morsel of bread out of the mouths of his starving children. And when he can get no more money, he turns him out to perish in the street on a winter's night, or consigns him over to dram-shops of a lower grade to finish the wreck.

Where then does the liquor seller stand? He stands before God and man, covered with the guilt of a brother's blood. And it will be in vain for him to shake off the responsibility, and wash his hands of that guilt by the indignant protestation of Cain—"Am I my brother's keeper?" Iniquity is not so easily washed away as Pilate thought. The voice of a brother's blood will still cry to heaven from the ground. For the base and selfish love of money, he has destroyed a fellow-man, whom he was bound by every law of God and nature to have protected and saved. He stands before the bar of conscience now, and he will at last stand before the tribunal of an angry God, as one who, like Judas, for thirty pieces of silver, has betrayed innocent blood. From all these considerations, it must be plain, even to the commonest understanding, that the sale of intoxicating drinks is the great source of temptation—the perpetual and universal feeder of drunkenness; and that any remedy which may be proposed, as an adequate cure for its evils, must be one which shall break up the dram-shop and suppress the liquor traffic.

## IV.—SOME REMEDY MUST BE FOUND.

Now, we may rest assured that this is an evil which will not cure itself. It is an evil which grows by what it feeds on; and it is feeding more and more every day upon the vitals of society. And shall nothing be done to arrest it? Shall we all consent to let it alone? To let it alone, is to let it establish its supremacy in the land by a perpetual title. For no man can tell to what a height of power it will grow. To let it alone, is just to give up the cause of virtue, religion and social order for lost. To let it alone, is to resign our country to degradation, our children to a drunkard's doom; our peace, property and lives to the domination of a power that is growing stronger and stronger every hour upon the hard earnings of the poor, the calamities of the unfortunate, the toils of suffering women, the spoils of orphaned children, and the life blood of myriads of our fellow-men. To let this liquor traffic alone, is to consent, not only to live amid vice and wretchedness unending, but at last to be controlled and crushed by its despotism. This is precisely the issue which all sober men, here and everywhere else, are compelled to meet, either to find a remedy against its encroachments, or submit to its exactions as their master. And shall we be told, with four hundred drinking-houses already at work in this city of sixty thousand souls, that this is no concern of ours; that we have no interest at stake on the question? Shall these men of might, who ply the wine cup, who have grown great on the ill-gotten gains of the bar-room, who can already muster an army of the duped and doomed victims of their power, tell us to be quiet, to stay at home, to mind our own business and let theirs alone? But if there is any business in the world which is ours, it is this—the business of our own preservation. Society is bound—all good men are bound, by the highest law of nature, self-preservation, to seek a remedy—to demand protection against this tremendous destroyer. If we have children, relatives, friends, who may be ruined forever by it, then we have interests at stake in this question as momentous as life itself, as high as heaven, or deep as hell. Nor can we ever consent to surrender them. The rights of self-protection are inherent in society. A free and intelligent people are always competent to the removal of any evil endangering their social welfare. No man, or set of men can have

rights injurious to his fellow-men, and, subversive of the public good. If, as all experience proves, the liquor traffic is a business which perpetuates drunkenness, and thereby jeopardizes the public peace, it is as clear as the sun in the heavens, that society has a right to exterminate the business which is thus injurious. No business or pursuit which is of the nature of a public nuisance, can ever be rightfully followed. No man ought to have privileges incompatible with the common weal, or to employ his property in a way to injure his fellow-citizens. This is plain common sense and common law. Society is, therefore, bound to provide some safe-guard against drunkenness at the call of her suffering children. It is a disgrace and a shame upon our civilization, that society has been so slow in coming to the rescue of her suffering members. But men are coming now to see that something must be done; that good men have some rights involved in this question, as well as drunkards; that the sober citizen has some interests which must be consulted, as well as those of the liquor-seller. The public mind is beginning at length to see, with all the distinctness of a revelation from heaven, that drunkenness is not a mere matter of opinion, but a crime, an overt and injurious criminal act, which no man has a right to commit—which no man can commit without trampling on the rights of others, and which, by consequence, must be prevented. With equal clearness, men are also coming to see that the drunkard-maker is partaker of his crime—morally responsible for all his misdeeds, if not legally bound in his penalty.

It will not do, then, for society to let this evil alone. It will go on waxing worse and worse, unless arrested by some power from without. It will never exhaust itself by mere lapse of time. All that those who are embarked in the liquor traffic demand, is just to be let alone in their work—that parents should be indifferent, that the law should tolerate, that the press should sanction or connive, that the pulpit should be silent, that society should slumber on—and they be left alone, unrebuked and undisturbed, to enjoy that monopoly of wealth and power which is annually pouring into their coffers. But society dare not slumber on any longer. Sober men cannot and will not be silent. As we would be faithful to God and the souls of our fellow-men; as we value the well being of our own and our neighbor's children, we will cry aloud and spare

not, until some remedy be found for what is confessedly the gigantic iniquity of the times. We repeat it, something must be done. Society must find a way, or make one, to abate this stupendous evil. The time, we trust, is near at hand, when that deep sense of right and justice, which always underlies the public conscience, and which has been so long trampled upon by the liquor traffic, in this and every other part of our country, will arise in its majesty, and demand protection against the remorseless reign of strong drink.

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#### V.—MORAL SUASION NOT AN ADEQUATE REMEDY.

AND here, some will be ready to tell us that moral suasion, as it is commonly called, furnishes the right and only remedy for the evil. We answer, that the history of the whole temperance movement proves the contrary. We have a demonstration, running through more than a quarter of a century of experiment, that moral suasion is no adequate protection against the inroads of this monster vice. Never did any great cause have nobler advocates or more of them. Never did any class of men labor more faithfully, more heroically to rescue their fellow-men from ruin than the temperance reformers. Many of the ablest men in the country have grown gray in the service. And what has been the result of all their Herculean labors? Does the country stand forth emancipated from the accursed thralldom of strong drink? Have these dealers in "liquid fire and distilled damnation" been convinced and persuaded to shut up their manufactories of crime? Have the miserable victims of their power been rescued from the drunkard's doom, by all those eloquent appeals and mighty reasonings? So far from eradicating the evil, they have scarcely arrested its increase. After twenty-five years of hard labor at the oar of moral suasion, compare the statistics of drunkenness at the close with those at the beginning of the period. Then, thirty thousand drunkards died annually in the United States, and now fifty thousand. With all these efforts of moral suasion, there are now living in our country five hundred thousand confirmed drunkards. After all these efforts, there are five hundred thousand more of regular moderate drinkers crowding on

to fill up the ranks of their miserable predecessors, even faster than they fall. In spite of all these efforts, the liquor traffic still drives on its dreadful enginery of destruction more prosperously than at the first. During these twenty-five years of moral suasion, one million of our countrymen, at the lowest calculation, have gone down to the death and hell of the drunkard.

In the face of facts like these, will any one tell us that moral suasion is a sufficient cure for drunkenness? Why, all that the dealers in strong drink could desire at the hands of the temperance movement is, that its apostles would just stick to this old policy of moral suasion. Nothing would please them better, than that we should go on forever, as we have done so long, preaching this moral crusade of reason and argument against the dangers of intemperance—and they, shielded by the law of the land, will just drive this infernal business on all the harder for our efforts. They chuckle at the thought of the good bargain they are making with the public, that we should sow the wheat of persuasion, while they sow the tares of temptation in the same field. They know full well, from a rich harvest of experience, that all the array of logic we can bring, even backed by the high authority of God Almighty, will be no match against those attractions which art, money and the law of the land enable them to throw around the glittering wine-cup. They know, that with their gilded palaces of pleasure on every corner, saloons that outsparkle the day-light open at every hour, bar-rooms in every hotel and on every steamboat, they can gain a hundred new victims from the young and unwary, while we are making one convert from drunkenness. It would be amusing, if it were not so mournful, to hear these men recommending moral suasion as the remedy for drunkenness—extolling a virtue which they never possessed, urging upon others an influence which they never felt, and gravely telling us that reason and argument are the only weapons needed in this warfare.

Well, moral suasion has had its day. It has been the pioneer of the temperance cause. As such it has done a great and glorious work. But the most important thing it has done, has been to bring the country to see that it needs another and stronger influence—to prepare the public mind to take another great step forward in this work. It has required twenty-five years of reasoning to enlighten the

public mind, to arouse the public conscience, and to create a sound public opinion on this great subject. But if the temperance reformation, beginning with moral suasion, should end there—all must see that it would be an utter failure as an antidote for drunkenness. The battles of opinion, of truth and error, of abstract right and wrong, are to be fought always and only with the weapons of moral suasion. But, as we have already shown, this is no such battle. Drunkenness is no mere matter of opinion, or of abstract wrong. Drunkenness is a criminal action, stamped with all those positive elements of injustice and injury to others, which distinguish other crimes. It is always and everywhere of the nature of an assault upon the peace and order of society; and, therefore, is not to be left alone to moral suasion. You might as well say that moral suasion is an adequate protection against gambling, counterfeiting, theft, murder, or any other felony of the statute book. Moral suasion is no remedy for crime, for the very obvious reason, that those who commit crime, are the last men in the world that are likely to be restrained by its motives. Who are those that become the dupes and victims of drunkenness? In nine cases out of ten, they are the young, the ardent, the ignorant, the unsuspecting—precisely those who are least under the influence of reason, and most easily swayed by passion, appetite and outward associations. You might as well plant the roads of the country with snares and pitfalls, and tell your children not to fall into them; or bring pestilence into the crowded city, and tell the young to beware how they walk the streets, as to expect those who are exposed to all the temptations of the dram-shop to be saved from its power by moral suasion—an influence which they never felt.

Still further: Moral suasion is no safeguard, because it is as powerless over the men who ply the liquor traffic, as it is over those who become its willing or unwilling victims. Who are the men that are driving this dread machinery of death through the heart of society? Are they men to be reasoned out of their undertakings and turned aside by the soft impeachment of a logician? men to be won to mercy's side by the eloquent, beseeching voice of persuasion? men of such matchless intellectual and moral endowments, that you have only to convince their judgment of an error, in order to save their hands from the infliction of a wrong? Alas, for them! if they had not been dead long ago to

mercy's call, they never could have engaged in this horrid business at all! If they were capable of feeling the force of moral motives, they would long since have listened to the voice of suffering humanity, or at least been deterred by the frowns of an angry God!

And suppose a few of them should be reclaimed by moral arguments, and should abandon this unholy traffic; will not the vast multitude still go on, and drive it all the faster, because of the cessation of the few? We all know, that in every community there will always be found unscrupulous men enough to do this work—"men whose god is Mammon, whose consciences are seared with a hot iron, whose ears are deaf as the adder's to any appeal of reason—men who scorn virtue, spurn the Sabbath, and glory in their shame." Could we persuade all the better class today, to abandon the sale of strong drink, these bad men would only carry on with redoubled energy. While such men exist, a stronger arm than that of moral suasion will be found necessary to put down the liquor traffic. While such men exist, the only adequate remedy must be found in the omnipotent arm of the law. Law is the legitimate and divinely ordained remedy for all such cases. For, what saith the Scripture?—"Knowing this, that the law is not made for the righteous man, but for the lawless and disobedient, for the ungodly and for sinners, for unholy and profane, for murderers of fathers, and murderers, for manslayers."

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#### VI.—THE PRESENT LICENSE SYSTEM NO REMEDY.

IN answer to all this, it may be alleged that our existing license laws are intended to afford protection. But experience shows a different result. The license system has been tried over and over again, and is found wanting. As a remedy against drunkenness it is a sham and a delusion. The whole principle on which it is founded, that of tolerating and protecting, by law, what the law should have treated only as a crime, is unsound and pernicious: its practical operation has been injurious, and, as a remedy to stay the progress of crime, it has proved to be a worthless abortion. Drunkenness has everywhere flourished in rank luxuriance under its shadow. So far from extirpating,

or even checking the evil, there can be no question that it has vastly augmented it. All its local and temporary advantages have been overbalanced by the permanent harm which its wrong principle has done. The ostensible object of all the legal restrictions it has thrown around the liquor traffic, has been the good of society in the prevention of drunkenness. But for this, the license laws never would have been enacted; but for this, they would have been deemed an unjust interference with trade. And now, where, under the whole heavens, have these high professions been realized? Who in the United States has made less, sold less, drunk less of this liquid poison, because of the license laws? Had there been no such laws in existence, it is hardly possible that more could have been made, sold, and drunk than has been.

But this system has been immeasurably worse than a mere abortion. It has fostered the very vice it professed to cure. By legalizing the liquor traffic, it has thrown the whole weight of public authority on the side of vice. By thus throwing the shield of legal sanction, of social respectability, and hence of public opinion, over a business which ought to have been outlawed as an utter abomination, it has led thousands to embark in it, who else might have been good men, but who thus soon came to think it no crime to be a drunkard—no sin to make men drunk. Ensnared behind the bulwarks of the statute law, it has been next thing to impossible to make these men feel that it was an injurious and disgraceful business. Men naturally think that what the law of the land allows must be right and reputable. Hence nothing is more common than to hear this whole business, from the crystal palaces of the city, down to the meanest doggery of the cross roads, defended as a lawful means of making an honest livelihood. Can any mortal believe that it could have been held in such honor, if the great seal of the Commonwealth had not been used for its indorsement? But what right have men to regard that as an honest, honorable calling, which all human experience proves to be a public curse, and the law of God denounces as an awful crime? All the license laws of all the statute books in creation can never exalt drunkenness into a virtue, or render the drunkard-maker anything else than a criminal in the sight of God. And it is time that the law of the land should be expurgated of this whole system, and made to stand where God ordained it, on the

side of virtue and morality. There can be no greater evil in legislation, no greater enormity under heaven, than that the law should tamper with morality, reversing the great principles of truth and justice, dealing with vice and crime as if they were virtues. For what is this but to become the patron of vice? What is this but to set a premium on immorality, and pay a bonus to the evil-doer? "If the foundations be destroyed, what shall the righteous do?" When the law of the land ceases to be a terror to evil-doers, and becomes an instrument of extortion to the good, what is it but a "throne of iniquity that frameth mischief by a law?" And what has our whole license system been in its principle and practice, but just such a throne of iniquity, authorizing one class of the people to grow rich upon the ruin of all the rest, and by giving respectability and honor to their business, holding out a bait of temptation to all the rest to go and do likewise! Is this a fancy picture? Every man knows that hundreds of men, who once would have scorned to stain their hands with this execrable business, have at last been inveigled into it with the hope of getting rich suddenly, as they have seen so many others do, in a monopoly established by law. And shall such a throne of iniquity find fellowship with Him who sits upon the eternal throne? Not for an hour. "Woe unto them," says the Almighty, "that call evil good and good evil: that put darkness for light and light for darkness."

The license laws, then, we repeat, have only added insult to injury, by pretending to shield us from evils which they only increase. They have prevented no man from drinking himself to death, and not one drop of spirit from being sold. They have only made the consumer pay a little more for his bottle—just enough to indemnify the liquor seller for the cost of his license—just enough to bring a large and disgraceful revenue to the State. But who is so stupid as not to see where this revenue comes from? The real payers are not the men who buy the license, but the men that buy the drink. The liquor seller stands in the relation of a factor and a shaver between the State and his customers. He lays on a sufficient per centage to satisfy the law's demand for tribute, and then makes the poor fool of a customer pay for it in the additional price of his dram. This is the source of that income from licenses, without which, as our sagacious rulers tell us, the wheels of

government would have to stop. They had better stop, unless they can proceed on better principles. This revenue, like everything else connected with the shameful business, comes at last out of the pockets of the people. The wasted fortunes of the victims and their families, are made to give up their last dollar to defray the expenses of the dram-shop, including this license fee, and to swell the income of a class of men, whose sole occupation on earth is to mingle strong drink and grow fat in the shade.

It is stated by the Executive Committee of the New York State Temperance Society, in their recent address, that twenty thousand drinking shops were in full blast in that single State; and they say: "It was but recently announced authentically, from the marts of commerce, that the trade in intoxicating drinks is the most active, flourishing, and lucrative of any branch of business in the United States." What a commentary is this on the license system! The most active, flourishing, lucrative business in our country is that which openly traffics in crime—creating out of the raw material every species and degree of "swearing, blasphemy, bribery, corruption, theft, fraud, lewdness, rape, riot, burglary, arson, homicide, manslaughter, murder, suicide."

The place where this work goes on from morn till night, all the six days and all the seventh of the week, is called a "bar." With equal fitness the law which authorizes it might also be called a "bar." It is of the nature of a bar, or low dam across a stream, whose effect is not to stop, or even to divert the water, but to deepen it, and thus make it flow with a broader, bolder current. Not one drop is hindered from passing over—and the full stream flows with accumulated power from the temporary obstruction. Such is the infinite wisdom of our license laws! This is the profound political economy and statesmanship of all our legislation on the liquor traffic! Our law-makers moved with fear at the prospect of an inundation, have gone to work and built innumerable dams and bars across the streams: thenceforth they have thought they might sleep in safety, feeling that the waters were stopped. They have slept, and now a deluge of drunkenness covers the land!

## VII.—PROHIBITION THE ONLY REMEDY.

Seeing, then, that something must be done, that moral suasion offers no relief, and the license system no redress, for these tremendous evils, the question now returns with threefold urgency—What remedy shall be found? Clearly but one answer can be given: there is but one thing left, and that is Legal Prohibition: the only certain and effective safeguard against drunkenness must be found in the strong arm of a Prohibitory Law which shall interdict the whole liquor traffic, root and branch. The law of the land, dealing with drunkenness as a crime, and with the drunkard-maker as an accomplice in that crime, is the only power, this side of the throne of God, that will ever be able to stay the march of intemperance. An extreme case demands a rigorous treatment. A disease which is never satiated, except with death, calls for the strongest remedies known to the practice. The quackery and nostrums of the license system have been tried long enough; and all other remedies are but child's play in the path of this destroyer. There is now but one issue and alternative before us. Everything else has been tried in vain; and it remains for the country either to adopt a Prohibitory Law, or resign itself to that reign of terror which the liquor traffic is everywhere inaugurating.

Ten States of our Union have already been driven to the necessity of trying this experiment; and so far its success has been demonstrated by the convincing logic of facts. Of course legal prohibition will be an adequate remedy only so far as it is rooted and grounded in the fixed sentiments of the great mass of the people. Let it be borne in mind, (for it will save a vast amount of empty objection,) that we advocate no measure of this kind which does not carry with it the clear, settled, and determined voice of the people. A law is nothing except as it embodies opinion and expresses the will of a free people. We never can have, and never ought to have, a Prohibitory Law in Kentucky without this. Without this, no true friend of temperance desires to see any law enacted here or elsewhere. Without this, any law for any purpose would be a farce and a nullity. But, with this, law is all and everything in the prevention of crime. So that the whole question of the success of legal prohibition, as a remedy for drunkenness, just turns upon one point:—will

the people, the great body of the people, make up their minds to adopt it? Such a law, once fully established on the basis of the popular will, would have the effect of rendering drunkenness infamous, and the liquor traffic, if still persisted in, contraband. We can scarcely conceive of a greater moral change in society, than that which would be effected by placing this hitherto genteel and honorable calling under the penal sanctions of the law, and, consequently, under the ban of a known public opinion.—For law, in a free country, is only public opinion stereotyped and published to the world by authority of the people.

There would, doubtless, still be drunkards and liquor selling to some extent, under any law that could be framed: precisely as there are thieves and counterfeiting, murderers and gambling, despite of all the anathemas of existing laws. No man, who understands anything of human nature, expects all crime to be extirpated, or all criminals to be reformed, by law. The grand object of the penal laws, is to prevent men from committing crimes, and from becoming criminals; and thus to protect society. Prevention is the cure which the law should prescribe for crime. We expect, therefore, a Prohibitory Law in this case to do for drunkenness and drunkard-making, precisely what the law does for all other crimes—and that is, to drive them from the face of day, to expel them from the ranks of respectability and decency, to degrade them to their proper level, and chain them down to their low haunts of vulgarity. The true way to prevent crime, is, to make crime infamous; and the way to make it infamous, is to make it feel the terrors of the law. Give us such a law, and then, if men choose to get drunk and make each other drunk, as perhaps they may, they will have to do it, as men now gamble, or steal, or kill, under the odium of public opinion and the penalty of the law. Give us such a law, and you will have protected society from the inroads of drunkenness: you will have saved the millions of the rising generation from ruin, and left the destroyer to gather only a few wretched victims from those dark dens of vice and villainy where other outlaws flourish.

All experience proves that prevention, which removes the temptation out of the way, is the only principle on which our youth can be saved from drunkenness; and all experience proves, likewise, that compulsion, the inexorable power of legal compulsion, which breaks up the

dram-shop, is the only power that can remove the temptation. And shall that be called an unjust and tyrannical act which seeks to save men from this tyranny of strong drink? which, knowing that so long as strong drink is sold, millions will yield to its power, seizes the liquor seller and his contraband poison, and compels him, under penalty of fine and imprisonment, to desist from his infamous trade? It would be the noblest monument of justice and humanity on the statute book. Thousands of the perishing would hail it as the very life-boat of their salvation; justice and humanity would rejoice in it, as a messenger sent from God to break the power of the most accursed tyrant that ever placed its iron heel upon the neck of civilized man.

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#### VIII.—THE ARGUMENT FROM POLITICAL ECONOMY.

BUT not to dwell further on the nature and practical working of the remedy here proposed, let us now notice briefly some of the reasons which should prepare the public mind for its adoption. An intelligent and sober people need only to be convinced that such a measure is essential to their welfare in order to adopt it.

The first and least of all arguments for the suppression of the liquor traffic, is that which may be derived from its enormous waste of breadstuffs—its constant drain upon the agricultural produce of the country. We may be brought, as of late, to the very borders of famine; gaunt poverty and starvation may stand at the door and look many a suffering family in the face; the supplies of man and beast may be cut off; hundreds and thousands of cattle may perish in the fields—all these aggravations of want may be repeated and reduplicated ten-fold, and yet the liquor traffic goes on unabated, unsatiated; and while it goes on, the brewery and distillery go on with their everlasting consumption of the staff of life. And is this no concern of ours? Has the public no interest in this wholesale destruction of the food of man and beast? Has this drain upon the material stamina of existence nothing to do with the fact, that your family and mine, if they eat at all, must now pay one dollar a bushel for meal, and ten dollars a barrel for flour, with other things in proportion? Who can assure us, with all our present prospects of

fruitful fields, that these rates will not be doubled next year? Suppose they should be doubled, and the price of food be raised so high that the poor must either starve or steal. What then? Why, this liquor traffic will still drive on as it did before, with its wholesale destruction of the food which might have kept man and beast from perishing. Is this wisdom? Is this sound political economy, to encourage by law a traffic which is constantly changing the bread of life into an article of mere luxury, which, so far from contributing one iota to the support of life, contributes its whole tremendous energy to life's destruction? Can you conceive of a greater physical evil in a country, than that its breadstuffs, on which even the rich must live, and without which the poor must starve, should be driven up to these artificial prices, in order to supply the drunkard with his bottle, and the moderate drinker with a stimulus which even before the time is kindling the fires of hell within his bosom? But there can be no doubt that this is the direct and inevitable tendency and result of the liquor traffic—in years of plenty and years of famine alike, to enhance the price of food to every man, woman and child in the land; and thus to subtract that much annually from the wealth and productive energy of its people. The Address already referred to, tells us that in the single State of New York, "Forty millions of dollars have been expended for intoxicating liquors during the past year; and in the United States, more money has been spent for strong drink than for bread." It was stated by the papers of New York, during the past winter, "that more than fifty thousand persons, in that single city, were suffering the pangs of hunger. And yet, in this very State, during the past twelve months, breadstuffs to the value of three millions of dollars have been manufactured into the drunkard's drink."

If there were no higher grounds of a moral nature in favor of a Prohibitory Law, we might derive a powerful argument even from the political economy of the question. For no true friend of his country can look with approbation upon a branch of business which thus transmutes the essentials of life into an article, which, if it did no harm, would be merely a luxury, but which is, in fact, as destructive as it is useless.

## IX.—ARGUMENT FROM THE BURDENS OF TAXATION.

BUT leaving this argument for what it is worth, we may derive a much stronger one from another class of facts that come directly home to every man's sense of justice, as well as to his pocket. It is the enormous burden of taxation which the liquor traffic imposes upon the whole labor and industry of the country. It is everywhere a dead weight upon the wheels of sober industry. It is a parasite upon the tree of public prosperity. It is a nightmare upon the bosom of social improvement. It is a rank excrescence upon the pursuits of lawful trade. It is a vile vampire that is, day and night, sucking away the life-blood from the veins of honorable labor. It is an insatiate, bloated monster, that lurks in the shade to swallow up the daily wages of every good citizen. Do you ask how? Ask the tax-gatherer how. Taxation is the answer—that taxation which builds the alms-house to feed the pauper that drunkenness makes—that taxation which builds and officers the prison, to keep the criminal manufactured by strong drink—that taxation which goes to maintain courts of justice, for the punishment of crimes that would not exist but for the dram-shop—that taxation which must support an armed police, to keep the peace against the daily and nightly assaults of half a million of drunken men—that taxation which goes to feed and to enrich the largest class of non-producers in the world—a class of men whose business has never added one dollar to the wealth of the country, but who, like the locusts of Egypt, live only to devour and consume. What material or moral wealth has the liquor traffic ever produced? Pauperism and crime, suffering and death, are its only products. Do you say, we are mistaken; it has made splendid fortunes for its friends? Just so. But where have those fortunes come from? Have they been dug out of the ground, or toiled for in the workshop? Have they been gathered in the marts of useful trade, or manufactured by the hard working of the brain, in the offices of professional, literary, or scientific industry? They have been made in none of these ways. They have only changed hands; they have simply been transferred from the pockets of the many to the few; and the country is infinitely poorer since the transfer than it was before. These fortunes have been gathered from fields where other men had toiled—these boasted fortunes of the non-producing liquor traffic are of

the nature of an impost collected off the people, and every man who drinks helps to pay it—an endless excise for no public good.

And if this were all, we, who drink nothing, should have nothing to say, at least on this point. If the liquor seller's business were merely of the nature of a trinket-peddler's or an organ-grinder's, doing no particular good and just as little harm, we might leave him to grow rich at the expense of those who were willing to be duped by his arts. But this tremendous business does not stop with merely doing no good. Its burden of taxation is not laid merely upon the victims who are willing to pay it. It is laid upon those who are all the while protesting against its injustice. Every dollar we own in the world, or can make, is compelled to pay tribute at the shrine of the liquor traffic, by being taxed to support its paupers, to punish its criminals, and to protect ourselves against its assaults. You, who never drink a drop—you, who stay at home and work hard all the six days of the week—you, who toil with your hands, or with your brains, in order to make a living, to feed and educate your children, to support the government, to lay up something for declining old age—you, who constitute the bone and muscle of the country—are compelled to bear all the burden of pauperism and crime which drunkenness creates. And is this even-handed justice, that the sober, laboring part of the people should bear the yoke of vice and folly, which this idle, non-producing class are forever imposing? How long must the labor and industry of the country submit to this operation? How long shall the children's bread, earned in the sweat of their parents' brow, be taken to pay the taxes of drunkenness? Until what specified time do the intelligent people of the great State of Kentucky intend to stand this operation? Most assuredly you are standing it now every day. And, for aught that appears to the contrary, you will be compelled to stand it, harder and harder every day, until you make up your minds to try what virtue there is in a Prohibitory Law. You will have to stand it, until you adopt the reasoning of the old man in the fable—"If neither words nor grass will do, then I must try what virtue there is in stones." You have the logic of prohibition there, as in a nut-shell: twenty-five years of persuasion prove that "neither words nor grass" will do for the liquor seller.

## X.—ARGUMENT FROM THE INSECURITY OF LIFE AND PROPERTY.

BUT there is another class of facts which rise up all around us, trumpet-tongued, to plead for the enactment of a Prohibitory Law. It is the fearful insecurity of life and property, to which drunkenness everywhere exposes us. We speak not now of the life and property of the drunkard. We refer to the life and property of those who never drink, but whose lot it is to live, to labor, or travel in the midst of drunkenness. It not only carries poverty, wretchedness, and death into the homes of its own victims; it spreads alarm over the most quiet household in the land; it creates consternation on board of every public conveyance; it applies the midnight torch to the dwellings of sleeping innocence and virtue; it drives the assassin's dagger through the hearts of unsuspecting women and children; it scatters arrows, fire-brands and death through every pathway of the living; and, with its Bacchanalian yells, it disturbs the slumber of the sick, and aggravates the last agonies of the dying. Where is the spot of earth to which a man can go, and feel that he is safe from the rude assaults of drunkenness? Is it in his grave? The sacred resting place of the dead is no protection against its blasphemy and sacrilege! No man can travel without being exposed to its dangers. No man, after the toil of the day, can sleep, without being liable to its alarms. No man can walk abroad without being in the way of its multiplied disasters. Conflagrations, mobs, broils, railroad collisions, explosions, shipwrecks, everywhere attest its fatal presence. The reckless hands of drunken pilots, engineers, or captains, may sink millions of money to the bottom, or, in the twinkling of an eye, consign whole cargoes of the most valuable lives to a watery grave; and yet, the laws afford no remedy or redress for the unutterable loss.

Ten thousand facts, constantly occurring, demonstrate that drunkenness is the greatest of all depredators upon the life and property of the whole community. To the extent of its ability for evil, it turns the home of innocence into a desolation, life into a succession of dangers, and the world into a vale of tears. What is life worth? what is real estate worth? what is the chance for human happiness worth, in city, village, or country, where drunkenness reigns? We might as well ask what life and property were worth in Sodom on the morning of its overthrow.

Men might be reconciled to have their property swept away by the visitation of God, or to surrender their lives at the coming on of old age; or to fall in battle at the call of their country. But who can ever be reconciled to have his young life immolated; or his wife and children murdered; or his property burnt up or sunk, by the demoniacal hands of the drunkard? Who can ever be reconciled to that mis-called liberty—liberty far greater than the devil himself ever had—by which drunken men are permitted to inflict this wholesale murder and destruction upon their fellow-men, unanswerable to any law?

But why need we dwell on this point? Who does not know that, under the whole heaven, there is not a civilized country to be found where life and property are so insecure as in our own? And why this insecurity—this proverbial insecurity? You have the solution in one word—Drunkenness—drunkenness unchecked by law, and forever fed by the liquor traffic. And are you content to live on always in this state of things? Is this all that the law ever intends to do for us—to tolerate the agents of crime until they inflict their irreparable ruin, and then console us for our loss by the mockery of a trial? to cheat the good citizen out of his life, by professing to be his shield, and so disarming him of his only means of self-protection, and then make atonement to his poor, ruined family, by the fare of a temporary imprisonment? Or will the law interpose at the only point where it can do any good, and prevent all this injury, by breaking up the dram-shop and the liquor traffic? That is the question, and it remains to be seen how a sober and intelligent people will answer it.

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#### XI.—THE ARGUMENT FROM HUMANITY.

WE pass over to another and still higher ground of argument in favor of this great measure. It is drawn from what may be called the humanity of the question. The three considerations already presented—the waste of bread-stuffs, the burden of taxation, the insecurity of life and property—are such as make their strong appeal to every man's pocket and sense of justice. But here is one that appeals to our humanity—to every principle within us that can feel for a brother's woe. It is the pitiable and awful condition of the victims of drunkenness. What arm out

of heaven is strong enough to snatch them from the burning? Strong enough to roll back this deluge of guilt and horror? A law which shall break up the liquor traffic is the only thing that offers the least possible hope that these wretched victims shall be saved, and others prevented from treading the same road to death. As things now stand, the five hundred thousand confirmed drunkards in the United States are just as certain to die the horrible death of drunkenness, as those who are in the last stages of tubercular consumption are certain to die; and five hundred thousand more, who are now moderate drinkers, are just as certain to follow in their steps, as that those have gone before.

As things now stand, it is not more certain that the sun will rise and set for the next ten years, than that thousands upon thousands of helpless women and children, now smiling in youthful beauty and joy, will be doomed to all that is frightful and hideous in the poverty and shame and sorrow of drunkenness. Thirty years constitute an average generation of men all over the earth. But drunkenness narrows that period down to ten. At the rate of fifty thousand a year, drunkenness sweeps its generations from our land every ten years. Think of it—that in ten years from to-day, the last drunkard now living will be in his grave—this whole generation of five hundred thousand men will have perished from the earth, to give place to another and larger generation, who will likewise perish in another ten years; and so on forever, if no remedy be found. Think of this wholesale destruction of life in life's bright morning—our fellow-men, our brothers, our sons, often the very elite of our country, with all their active energies, their treasured learning, and their immortal faculties, thus crushed and buried in an untimely grave. And then think of the liquor traffic as the chief producing cause of all this woe. Great and merciful God! Is there no remedy on earth for such a state of things! Is there no pity in the human bosom! Is there no refuge for the orphaned child and the murdered wife of the drunkard, except in the grave!

Are you a father? Go home and look upon that noble boy of your heart, with his lofty brow, and his sunny smile, and think that you may be educating him to fill a drunkard's grave. Are you a mother? Go and admire once more that lovely group of daughters, whom God hath

given you, and whom you nurse so tenderly, that even the winds of heaven may not touch their cheeks too roughly, and think that you may be training them but for the untold sorrows of a drunkard's wife. As you look upon these children of your love, answer it to your conscience, and answer it to your God, if you are not bound to exert all the influence you have in the world for the speedy enactment of a Prohibitory Law.

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## XII.—THE MORAL AND RELIGIOUS ARGUMENT.

WE have one more argument, which can be but barely mentioned now, although it is the highest of all. It is the moral and religious argument. We have preferred to discuss the question of a Prohibitory Law mainly on the grounds of political economy, individual life and property, public justice and general humanity: because these are the legitimate arguments of legislation; and all these considerations come directly home to every man's heart, even if there were no immortal interests at stake in the question. But there are immortal interests at stake of infinite moment, which we dare not leave out of view. We should fall infinitely below the real merits of our cause, if we dismissed it without any allusion to these. Moral character, whether in the individual or in the body politic, is the most precious jewel of existence; and no man, who has a conscience, can be indifferent to that which destroys it. As he shall answer to God at the last day for the deeds done in the body, he must take heed how he jeopardizes his own, or the moral character of his fellow-men. But experience, not less than the word of God, demonstrates that drunkenness is a crime which blots out every hope of heaven, and destroys the soul as certainly as it does the body: it makes a complete wreck of man's whole moral nature; annihilating, one by one, from the soul, every sentiment and faculty that distinguish him as a rational and immortal being. We have only a faint picture of that hell of everlasting horrors into which drunkenness will sink its victim hereafter, by looking in upon that living hell of physical, moral and social degradation to which it reduces him now.

But we must not dwell upon the awful picture—it is enough to allude to it. The question now recurs in con-

clusion—and it is the most momentous question of our times—Shall we seek protection in a Prohibitory Law, or shall the liquor traffic go on with its work of demoralization and death? If you say the latter, then how long?—How long shall the law refuse to lift a finger, and society stand still, with this vulture gnawing at its vitals? How long will the public mind rest at ease with this venomous viper in its bosom? How long will parents be satisfied with this destroyer lurking in the path of their children? To what definite day must we hold our peace, and to what particular stage of this ruin must we wait—after which, and not before, it will be lawful to have a law against this stupendous iniquity? Must we wait ten years, until another whole generation of drunkards have gone down to hell? Must we wait till a majority of the rising generation have yielded to the tempter? Must we wait till all the foundations of private and public virtue become rotten to the bottom? till every manly and noble sentiment shall be engulfed? till every bulwark of religion shall have been overthrown? the pulpit silenced, the Sabbath obliterated, the sanctuary leveled to the dust, all thoughts of God extinguished from the public mind, and every remaining institution in the land be made to bear upon its portals—“Death an Eternal Sleep?” Must we wait till the liquor traffic shall have done for every class of society what it has already done for one class—till it shall inaugurate everywhere that condition of existence which it has already established in its own domains—in its ten thousand Bacchanalian temples, where no Sabbath is known, where no prayer is offered but the prayer of blasphemy, where no God is named except in curses or derision, where the waters of life are impregnated with the poison of death, where the whole atmosphere of existence becomes a burning sirocco, one wide, sweeping, sulphurous simoon of the desert? Shall we wait till drunkenness has done all it has the power to do, all that is in its heart to do, before we can appeal to the strong arm of the law to arrest it? If so, we shall wait till it has swept every moral and religious element from the earth. Leave it to the development of its inborn energies and lusts, unchecked by law, and its career will be as certain as its work is horrible. It will build its dram-shops on every corner, its brothels in every street, its dens of assassination in every alley, its halls of sensuality in every suburb, its gambling saloons in every

upper story. If these things are done in the green tree, what shall be done in the dry?

If, for the suppression of an evil like this, there be as yet no adequate remedy found, it is high time that one should be found, and found speedily. We think that Legal Prohibition is the remedy needed—a remedy as constitutional as it is reasonable. But if, as some would tell us, there be no law, or principle in law, for the cure of such evils, it is high time that the people were finding a principle, or a constitution, by which they may be cured. When the very vitals of social existence are jeopardized by the inroads of a new and enormous species of crime, and it is pretended that no way of relief can be found in all the legal and constitutional precedents of the past, then clearly, if nothing better can be done, it is the duty of a free and intelligent people to do what has always been done under such emergencies—to become a law unto themselves and make a way—to rise in their sovereign and irresistible might, and so modify their laws, as to establish both a principle and a precedent for themselves. And whatever barriers and obstructions may be thrown in the way to retard the passage of a Prohibitory Law now, we feel just as confident that ultimately it will be adopted in every State of the Union, as we are that truth and righteousness must prevail with a virtuous and thinking people.