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Original from

HARVARD UNIVERSITY

° ALDERMANIC WISDOM,

AND

ALDERMANIC VIRTUE,

UPON THE QUESTION OF

LICENSE AND NO-LICENSE.

BY C. LAWTON HOSMER.

For the Truth's sake, and the Right.

If I have spoken evil, bear witness of the evil :

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Nemo, ut illi, quæstula profectis, homines, reguntur.

Vox ORATIONIS.

The soul then loves that disposition best,
Because no better comes into her view ;
The drunkard, drunkenness ; the slyard, rest ;
The ambitious honor, and obedience due ;
So all the rest do love their vices best,
'Cause Virtue's bounty comes not into place.

Hæret Moss.

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To the Mayor, Aldermen, and Common Council, of the City of Boston,—to the Governor and Legislature, of Massachusetts, and to "all others in Authority," and out, this Tract is most respectfully dedicated  
by their Friend, the  
AUTHOR.

JAMES FRANCIS FRANKS, {  
By Gerald.

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## LICENSE AND NO-LICENSE.

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AND so the Aldermen have determined that there shall be no licenses granted the present year; and they have done well, whatever view we may take of the question: For if it is not right that liquors should be sold, their sale clearly ought not to be licensed; and if they may be sold, it is clear that the traffic in them should be free,—that no *bonus* should be demanded, and that there should be no monopolies nor special privileges granted, any more than in any other legitimate traffic. It is determined, then, that there shall be no licenses for the present year; but what is to be done with the Intemperance extant? It remains, as indisputable, as undeniable, as ever. What do they effect by this resolution? what have they done, more than fling out a *caput mortuum*, a dead head; not so much as a skull-and-cross-bones, which is to alarm, to deter, or even very much to disturb any body. These 'Orders in Council,' Aldermanic or other, are become simply, but withal, intensely, ridiculous, to speak of them in no graver terms; as ridiculous as things so stupid, and yet so grave, may be. With all their resolutions and orders, and ordinances, and votings, and statuteings, intemperance yet remains, for all these, as actual, as sad, as ever, and in no whit diminished; nay, it may be, not unlikely, increased by these very efforts at repression; such is the virtue, or the perversity, as it likes you, of man's nature. And the trade in alcoholic liquors, was, unquestionably, never more lively and prosperous than at present. At the late Convention of the temperance folks in this city, it was unqualifiedly stated, by one who assumed to know, from his much intercourse with the men of that kind, that intemperance was on the increase among the sailor class; and we have no doubt that the same is true upon the land. We know not what the statistics may say upon this point, although we think they agree with us, but we are quite sure that intemperance is on the increase, because the conditions of intemperance are every where on the increase, and exist, as they have perhaps never existed before. What some of these conditions are, it may be in our way in the sequel to indicate.

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For one, we confess, ourselves tired of this interminable war about the Evils of intemperance, the Miseries of intemperance; and we think the general ear, and the very gods themselves, must be somewhat stunned and weary of the ceaseless jargon, as of a New Gospel of temperance never before known of men. The evils of intemperance! Need every pathos to be opened, and every wailon degraded not to narrate his disgusting biography, to make these apparent? Does not every man know them? who has ever indulged any appetite to excess? and who has not, who has ever indulged himself know them best of all? What we want, Does not the drunkard himself know them best of all? What we want, he not confess them, too, in his sober moments? And does not this, is not so much preaching, nor even demonstration, by diagrams, or otherwise, of the evils of intemperance, and they have done what had for the last, we know not how long, and it was in them to do. So-good they were capable of doing, what it was in them to do. Temperance has been preached ad nauseam, by Temperance and Radical, and Total abstinence Societies, by Conservatives and clergies, by Moral reformers and legal sanitarians; legislators, mayors, and governors, even, have been made, and made more it, as they used to be made upon grog; all this and much more has been done, and still intemperance maintains itself, and was positively never in better condition than at the present moment. Even Washingtonianism, good, noble in its original purpose, and its work, so far as it has confined itself to work, has done what it can, and can no more, and the evil still remains, and the present prospect is that there will be room for Washingtonianism to be perpetual.

All this has been done, and nothing has been accomplished, so far as respects "staying the flood of intemperance." Some little strivings have been dried up, some channels stopped, but it has turned into others, and broken out anew, and the great ocean remains undiminished and the same.

Among all these "Advocates of Temperance," from those of the "firm water," to those of a darker hue, in all their "Meetings" and Conventions, their lectures, discussions, and discourses, we hear of no discussion of the causes of this evil; or no discussion of causes beyond the proximate cause that liquor are sold; but it certainly would not be a cause if it were sold; but rather an effect. I am aware that it is said, the facility, the temptation, the fact of its being displayed, leads men to drink. But, we think, if they were otherwise armed, prepared to withstand the evil, this fact that it was at hand would not seduce and destroy them. It is demanded by them now, and here, as in other cases, it is men that tempt the devil, and not the



devil that tempts them, however they may like to throw the blame upon him. At the late 'grand Convention,' in this city, of the friends of temperance throughout the State, we heard, nor heard of, no word of inquiry or discussion as to the causes of this tremendous evil; — of no such discussion until from the very last speaker, at the very last moment, when every body was gone, or just going, when an intimation was thrown out, partially, and so imperfectly as then might be, that there were perhaps causes which would account in some measure for intemperance. With this exception, there was no discussion of causes; and this by one who was no member of the Convention particularly, no oracle of them, at least; and on the whole, we cannot regard that convention, those who stood forth to be its mouth-pieces, with its mouthing and pitiful quarrelling, and personalities, and unspeakable bragging, withal, we cannot but regard that Convention with contempt, as much contempt as one may feel, who regards them first with sorrow and pity. As a specimen of their 'deliberations,' we will give a part of the speech of a country clergyman, who had come up there, God help him, 'to learn something,' and who really seemed to be in earnest. To our lay brethren we say that we do not mean to be invidious in making this selection from one of the 'regular army;' but we give this specimen of eloquence simply because it is the most striking and distinctive that we had the happiness to hear. Listen: One of his brother clergymen up in Vermont, such was his elegant language, and we propose to give a phonographic report, and are 'morally bound,' according to the latest school of orthodox orthographic casuists, to give correctly, not only the sentiments of an author, but as well his orthography and *orthocopy*; one of his brother clergymen called upon an old lady of his parish, and, upon going in, found her reading the Old Testament. Closing the book, she exclaimed, How wicked human nature used to be. The pastor asked her if she thought it was any better now. Well, she did not know as it was. And being of a waggish turn of mind, he asked her, what, on the whole, was her opinion of human nature. Well, said the old woman, I cannot give you a larned definition, but I'll tell you what, I think its 'plaguy nasty stuff.' And he, the speaker, was of the same opinion. And such was the tasty, or 'nasty,' Jo-Millerism, at which all the people laughed, and said, Amen. And they, too, we suppose, were of the same opinion, and we cannot but interpose the query whether human nature, or even the cause of temperance, is like to be benefitted much, by the labors of men, or 'old women,' who have so light an opinion of it.

But seriously, that the cause of temperance makes no more

progress, which they so much deplore and marvel at, and try to account for, we suspect lies in this very fact, of their ignorance, namely, or ignoring, which amounts to the same thing, of this Human Nature. Intemperance results from the very greatness of man's nature, and is to me an indication of that greatness. It has its springs in the very fountains of man's nature. It results from his very greatness, nobleness; from his unappeasable, never-satisfied, quite infinite, capacity; from his dissatisfaction with the present, and his restless longings and strivings after more, for the infinite. It results from the infinite Want of his nature. Man's nature is two-fold, physical and spiritual; and his want is as well, two-fold, physical and spiritual. And while this infinite want remains to man, unsatisfied, un supplied, in no other and better way, he will yield to excess in sensual indulgence. Temperance is the high law of his nature, and with Temperance he would fain be content. But this is not permitted him. Thou shalt abstain, is written for him, not merely by Aldermanic powers, and with respect to alcoholic beverage, but by the Evil Times, and with respect to far other and more important things. He is in the Desert, and will eat husks or even turn upon his own self.

We have thus briefly indicated the source and the causes of intemperance. And from this we are free to say that intemperance cannot but be upon the increase, because its conditions are upon the increase. The poor are becoming poorer, the supply of their wants, physical and spiritual, is every day becoming narrower. It is every day becoming more difficult for them to live a normal life; nay, to live at all, to live an abnormal one. While with the rich, from mis-culture and no-culture, the conditions of temperance are little nearer fulfillment. And from this we may see what remedies are needed. Temperance, as its opposite is not a primary and independent fact, so the 'cause of temperance' is not a primary and independent movement. You may preach it till crack of Doom, it will do little good, though 'admission' be but sixpence, and 'distinguished speakers' be engaged. Preaching is only so far good as it is teaching, and there is no want of that just now, and here. Not so much a knowledge is wanting, a motive and a will, as a power. Man, like Archimedes, wants a place to stand on.

Temperance is not an independent movement. It cannot do alone. It will advance with education, with right culture, with mental and moral improvement, and with physical advancement. Intemperance may be superseded, but not suppressed. In so far as that felt Want shall be otherwise supplied, it will diminish; but while that want remains, intemperance will remain. And do

you think to legislate this infinite want out of existence? Having produced it, produced it objectively, having made it *felt* in good part, and increasing and perpetuating it by legislation, do you think that you may, by a further application of the same Godless legislation, suppress it? In this suppressing process, man may be suppressed, as we often see, but not man's nature. You may pluck up man's life by the roots, but the roots will remain; the roots by which he is connected with, and grows upon the Infinite.

Or think you even to legislate men into morality? If you have the ubiquity of God it may be done. Law, the law of Force, is but a gross and clumsy instrument. It may punish what is already done, it may *retaliate*, but it cannot prevent, because it cannot be every where, and at all times. Law is but a gross instrument. It sustains about the same relation to morality, that the forms of religion, now-a-days, sustain to its spirit. All the nicer offences, even of man against man, slip through its fingers. Much less shall it, or can it, detect and punish the offences which a man commits against himself.

Or think you this to be the only form of temperance, this of abstaining from alcoholic drinks? No wonder thou findest it so easy to be temperate, to be Virtuous. Dost thou not, perhaps, you Alderman, for instance, partake more than is for thy good, of turtle, and beef-steaks, and mutton-chops, and plumb-puddings? And if it shall be demonstrated to you, as it may be easily enough, and that too without diagrams, exhibiting the coats of the stomach, that thou art fast destroying thyself by thy unspeakable feeding, and that thy soul is fast becoming overlapped, and bids fair now to become extinct, buried under mountains of fat; if this should be demonstrated to thee, wouldst thou be ready to have an Act of Congress passed, Regulating thy diet? Nay, wouldst thou not rather consider such an act of Congress an 'infringement of thy rights as a citizen,' and rise in rebellion against it, and call public meetings, and declaim, and pass resolutions, and pronounce it tyranny. Would not Congress clearly be 'violating the compromises of the Constitution' and the Constitution itself? And further, if Congress, by some Wholesale fifteen gallon law, should provide for its own most sumptuous supply, wouldst thou not brand it as Hypocrisy?

Or is intemperance in drinking a so much more heinous sin, that it alone shall be visited with all the 'rigors of the law?' It is not among the crimes of the decalogue; shall it be visited with the same punishment as they? Indeed, what is intemperance? we have to ask again. What is it that makes it so deplorable? It is not itself merely, but that it is the sign of moral

Dearth and Death! It is not merely that a man makes grog his *pubulum* and *sole food*, but that he has been driven to fill himself in this way, that there was a void which was in no other way supplied. It is that there exists in 'Civilized Society,' and is permitted to exist, this Zahara, which can only be wetted and refreshed by grog, refreshed only to become more thirsty again, and which grows upon that which it feeds upon. Whether nature abhors a vacuum is more than doubtful; but certain it is that man does, and will feed himself even upon the east wind, rather than go *fasting*.

In this aspect of the matter, my dinner-eating, or manna-bagging friend, perhaps thy intemperance may not appear greatly more respectable than his who indulges in the 'intoxicating cup.' Cup or platter, it's very much the same. So thou art drowned, so thy soul is smothered out of thee, does it matter much whether it be in oyster sauce or brandy, or even New England Rum? Nay, might there not be an advantage in being preserved in spirits? Are they not found to preserve even car-casses best, and things after the Principle of Life has gone out of them?

But perhaps the heinousness of intemperance in drinking consists in this, that it costs money, that it costs society something. This, after all, is the head and front of the 'Evils of Intemperance.' For the last several decades, this has been the burden of the cry about intemperance, and we have heard little else. All our prisons and poor-houses have been built and filled by this, and even the gallows supplied by intemperance, but no one has asked, What has produced this intemperance itself? who is the father of this devil? Its genesis and genealogy have been quite marvellously neglected or overlooked, among a people so fond of pedigrees and ancient parent stocks. From the silence upon this head, one would suppose it was without father or mother, without beginning of life, or end of days; that in a world where every thing is connected, and has infinite connections, with every other thing, this stood alone, an isolated and independent fact, sprung upon us, perhaps, by some little-friendly demon; that it was, like a 'poor devil,' without pedigree, and even with 'no friends.'

Now we believe its pedigree is not so ancient but that it may be discovered. And we may even discover when it did not exist. It was not always. It must have had a cause. This Active cause, this *causa coarsens*, which has built prisons and filled them, and penitentiaries, and poor-houses, and afforded the gallows-supply, on the supply-and-demand principle, we suppose,—this cause we find, more than any thing else, more than all things else, in the

fundamental Injustice of Society, in its 'Organic Sins,' in its fundamental relations, which are false. In the first place, as most radical of all, in its Monopoly of the Land, the ultimate Source of all wealth, and of all life, and the common Inheritance and Birthright of All. And again, which partly and greatly results from this, in the haste to be rich, on the one hand, and on the other, in the haste to make others poor, in the oppression of the laborer. The cause of intemperance among the poor is Poverty, and among the rich, Inanity, and among them both, and among all men, it is Vacuity. Nature abhors a vacuum.

But for this 'grand climacteric' of intemperance, this capital offence, which makes it the selected mark of all sharpshooters, both regular and guerilla, clergy and lay, with an amiable rivalry between the two, which shall outdo, and most of all, which shall outbrag the other, for what has been already done or not done; for this crowning sin with modern society, that it 'costs money,' what shall we say, but that the matter has not gone so far yet but that it manages to sustain itself. Intemperance has not yet begun to consume its own vitals. It is not like Slavery in Virginia, or South Carolina, exhausting and consuming the the Commonwealth. Costs money! Yet has not every patriot reason to congratulate himself, upon the 'general prosperity,' and 'the increase of Wealth,' in the State? Nay does not the Governor, and the President, do this every year? Wealth is increased; and do not those men who use alcoholic drinks, and 'cost money,' do their part towards this increase? Who are more industrious and laborious than they, as a class? Surely they have produced what they have drank. They have not drank 'scot free.' And when their labor, a life-long labor, it may be, has been absorbed by these and other bloodsuckers into the Commonwealth, though it is no Common Wealth, is it much that they are imprisoned or sent to the alms-house, for a little time, or even hung? Have they not, perhaps, on the whole, and taken together, paid their way? That they may 'owe' Society nothing, one would charitably hope for the best.

On the whole, ye Aldermanic men, Be ashamed, and let all men at length be ashamed of this 'computation' of the evils of intemperance, of this estimating them by ledger and day-book. Or, if you can take no other than the profit and loss view of the matter, pray let your 'estimates' be a little wider and more general, a little more comprehensive; try and embrace the Whole matter within your 'calculations.' Without doubt, in no way can you better diminish the 'cost,' since that is your object, and 'secure the general welfare,' the common weal, and your own, as well, for we trust the general weal is not in-

compatible with your own true weal; out of all doubt, is no other way can you better secure and advance this, than by establishing Justice, so far as you may, in all the fundamental relations of men, and by restoring, where he has been deprived of them, and preserving to man his Natural Rights, his true relations to Nature and Natural Law. Doing thy utmost with your 'common law,' with all its appliances of gowns, attorneys, and constables, and only 'approximate justice' is attained, or can be; nay, the balance is considered to hang tolerably even, if no more injustice is attained than justice. Nay, such is the 'imperfection of all human institutions,' that this is all we can expect from this, and we look for no more. But surely, we hope God's law is not thus imperfect, and that men, and societies of men, are competent to fulfil and to guarantee this. And be assured that thy welfare, and the general welfare, depends, in the long run, upon your doing this to the utmost,—to the letter, and to the spirit. Seek, as for thy life, for thy life depends upon it, how this may be done. This is no 'common law trial,' in which you may hope to succeed by the skill of 'learned counsellors,' by cunning, and attorney-logic; but a case where judgment will be rendered, and damages assessed, or punishment inflicted, according to the Eternal Equities. It is not much that you can adjudicate and render justice, and prevent injustice, in the matter of Hobbs vs. Soobs, or Tubbs vs. Stubbs, and very likely, Stubbs, with his lawyers, may prove too much for thy scales, with simple justice; but that you remove, and utterly abolish, all 'organic Sins,' organic injustice, this is what we believe you may do, and must do.

And now, my friends, for a moment, what are the measures which you propose to stem this 'torrent of intemperance?' These are two. It is proposed, in the first place, that the churches shall 'take a decided stand' in this matter, and admit none into their communion but upon condition of strictest abstinence from all that can intoxicate. And in the next place, No licenses shall be granted, and the sale shall be prohibited by law. This must be, we conclude, no other than the 'Moral sabbath lash, with a legal sabbath supper on the end of it.'

As for the first proposition, the 'moral sabbath lash,' should the churches happily accede to it, which 'decided STAND' they are not likely to be as dourkish as to take, but if they should do this, and make 'total abstinence' a *sine qua non* of their communion, why, men would have simply to drink outside, and we have known men forego church upon much slighter grounds, and perhaps not altogether to the peril of their souls. Perhaps the day has gone by, of the opinion that there is salvation only

within the 'pale of the church.' It may be the opinion begins to prevail that salvation is any where else, any salvation of any worth. But we need not discuss further this proposition; for, as we said, it is not likely that the churches will precipitate their end by such a *coup de main*. 'They are wiser in their generation.'

But I may take this opportunity to say that such a proposition, even, savors not a little of Intolerance; and that it is an indication of what begins to peer out in many other ways, that the temperance church, even the Washingtonian church, is not altogether free from the stain which has darkened the calendar of most other churches, from a spirit of Intolerance, and proscription, and persecution, namely. Have you yet to learn, my friends, that no cause was ever yet advanced by these, and by bigotry and denunciation? Why no fruit-seed, even, will germinate and grow where there is naught but cold and bleakness around. There must be loving warmth, and gentle light, that it may sprout and spring up. Hast thou forgotten, or never learned, that wise old fable of the contest between the Sun and the Tempest, as to their respective strength, of which they made trial upon the passing traveller, in which the furious blast of the cold North wind and the beating of the storm, but made the unhappy traveler wrap his cloak more closely about him, and march resolutely on his way; while the mild beams and warm rays of the Sun soon overcame him, and he was led to throw off his thick encasements, and speedily to seek shelter and rest in a neighboring shade? Or what right hast thou to proscribe and ostracise thy Brother? Thou art not thy Brother's keeper, altogether. To his own master *he* standeth or falleth, not *thou*. It is for thee to Enlighten him, to strengthen his hands, and encourage his heart, to sustain and cheer him; and, if you will, to 'exhort' him, though we fear thy exhortation will have little effect, if the simple truth, working conviction upon his own heart, doth not move him. Thou art, above all, to be careful not to place a stumbling-block, or rock of offence, in thy Brother's way; to be careful not to *be* a stumbling-block, thyself: Thou art not to pioneer him into the evil way, whether by one path or another; thou art not, by thy meanness, or Injustice, to make him distrust, or ignorant, of the Right, the True, the Good. All this thou art to be careful To do and not To do, as thou wilt answer to his Master and thine; but thou art not to clap gyves upon him, nor to proscribe him from 'Good society.' One would think that if he is in error there is the more need that he congregate with the true and the good, that he may have their sympathy; if perchance a true fire may be kindled in his own heart. Surely, it is only by contact with truth and goodness that he is to be made true and good, even as

the iron receives its magnetic power by contact; and will you drive him from these into the barren loneliness of error, and untruth? So doth not God. God yet beareth with him, and will bear, whatsoever thou. Thou art not to clap gyves upon him, to destroy the Free Will, which his Maker has given him. Thou mayst win him, lead him, guide him, even as doth God; thou mayst not drive him, as neither doth he.

And as to thy second proposition, that no licenses shall be granted, and that sale shall be prohibited by law, it is found, in the first place, to be partial and inconsistent. For if it is wrong and injurious to drink a glass or a mug, it surely is to drink 15 gallons or a pipe. This law of thine is partial; for upon whom doth it bear? Upon all? or only upon the poor? And is it wrong, is it 'evil,' only for the poor to drink wine? Do they only partake with offence? What shall we say then, after all our 4th of Julys, and constitutions, and resolutions that no exclusive privileges shall be granted? is there, indeed, and after all, a body of the elect among us? to whom what is sauce for the goose is not sauce for the gander? And shall we not, then, have to make some further distinctions, and impose some more restrictions? Will not tenderlines and superfines, whether in corn or cloth, become the especial prerogative, the exclusive right, of the 'higher classes?' Or, perhaps, inability to procure these, on the part of the 'poorer classes' will be a sufficient guard, and effectually prevent the need of any sumptuary laws?

And again, your law is inconsistent and partial. For if the sale of spirits is wrong, why do you not stop it at its source? Have you not the same right to prohibit the sale of a hogshead, as of a gallon, or a gill? And will you permit men to buy that at wholesale, which they shall not sell at retail? And will you permit one class to sell that which another class shall not? And how can this article be consumed but in small quantities? And is it wise, even, to permit this 'evil' to flow, to diffuse itself in infinite streams, throughout the city and the state, and then to attempt to suppress it? Didst thou wish to shut off the Cochituate from the city, wouldst thou visit every chamber and culinary establishment, and say, Let no water flow here? Or wouldst thou go somewhat nearer the source? Or is it in thy power to dam up the streams of this 'evil,' after they have been permitted to disperse themselves far and wide, both above and under? As well mightst thou attempt to dam Niagara below the rapids. This thou mightst perhaps do at the outlet of its source, but not too far below.

I will not ask thee further, Why thou dost not prohibit the importation, nay, why thou dost recognize and legalize it by levying



a tariff thereon; and why thou dost thereby 'protect,' and pay a premium, to the domestic manufacturer. I will not ask thee this, because thou mightst say, We are not altogether responsible for this, only partly. I will not ask you why you do not prohibit the importation and the wholesale, besides, because this might be an interference with the 'rights of the citizens.' I will not ask you why you pay a premium on the home manufacture, because you do not alone bear the responsibility; though doubtless you vote for a 'protective tariff.'

But if it is your desire and purpose to destroy and prevent this traffic, why do you not proceed straight to shut up the places where it is carried on? Society is surely competent to do this. Why do you not 'break them up?' It is thus you proceed with thieves and gamblers and with houses which are breeding physical or moral pestilence. Do you content yourselves with simply fining them, and permit them to return forthwith to their old haunts, and their old vocations? Or, less, do you only fine and imprison their victims? Would not thieves and counterfeiters laugh in their sleeve, think you, if they did not laugh outright, if you should attempt to 'suppress' them by the punishment of those whom they had fleeced and defrauded? Would not this be a refinement and 'improvement' upon the Spartan mode, of punishing the thief, not because he had thieved, but because he had been detected?

Why, then, if you are in earnest about this matter, do you not 'suppress' the places where this traffic is carried on, and not send the offenders back, after a JUDICIAL FARCE, to a continuance of their old pursuits, and with *eclat*? Dost fear that this is not feasible, that it may not be done? I am not here to advise thee now, but to strip thee of excuse. And I may say that thou mightst prohibit any landlord from renting his property for the purposes of this traffic, and every keeper of a house of entertainment might be put upon his 'good behavior,' and should he offend, might loose his right to keep such house.

Why, then, do you not close these houses? Is it, in fine, because this would interfere with the 'rights of property?'—with the landlord's interest? And the 'rights of property' are so much more sacred than the Rights of Men? With this thou mayst not interfere 'at the peril' of thy PLACES. 'O, how long' will ye pursue this sneaking, meeching, *hypocritical* attack upon the Rights of the Weak, not *daring* to encounter with the Strong? like some pitiful, and pitiless, school-demagogue, punishing the smaller boys, while he dare not touch the larger.

After this review, in the matter of Licenses and No-licenses, I charge Society, and all who uphold its course, with Hypocrisy.

and with Tyranny. And Tyrants are always Hypocrites, and all Tyranny is Hypocrisy. Licences you cannot grant, upon your own principles; because hence comes Cost, 'Expense to Society,' and 'all our woe.' And I pronounce it further, a Tyranny, for it is granting a monopoly, a special privilege, of that which should be free alike to all; which, if I mistake not, contravenes the very letter, even, of our 'Constitutions.' I say again, if the traffic is legitimate, and 'fit,' it should be free to all; and if it is not, in God's name, let it, with every other 'unfit' thing, be 'suppressed.' But if the sale of spirituous liquors may be permitted at all, it is partial and tyrannous to 'sell the right,' to demand a bonus from those who would engage in it. All may not be able to purchase this license, and they are, to that extent, disfranchised. You might as well demand a license of the apple-women, or of those who would turn an honest penny by the sale of the news. You do not demand a license of the retailer of shoes and of sugar. Nay, you do not demand a license of the Wholesalers of this very article of which we write. Any interference with the Freedom of Trade, of legitimate trade, is Tyranny.

And it is Tyranny, too, to prohibit the sale. You have created the demand, and will you now cut off the supply? It is tyranny to prescribe what a man shall eat, and what he shall drink, and what he shall not. This, I should think, is one of his 'personal rights,' which he has never 'yielded up to Society.' But we would protect him from destruction, even against himself, say you. Thy care is suspicious. Thou dost not betray the same solicitude in other respects. Man suffers many things, of which neither is this the saddest, and thou takest no note of it. And this, too, as I have shown, is an effect, the result of Sufferings and Wrongs innumerable. How canst thou say to thy brother, Brother, let me pull out the mote that is in thine eye, and seest not the beam that is in thine own eye? Thou hypocrite! cast out first the beam out of thine own eye, and then shalt thou see clearly to pull out the mote that is in thy brother's eye. For a corrupt tree bringeth not forth good fruit, neither doth a good tree bring forth evil fruit.

This care of thine for man, that he shall be Temperate, and Abstemious, is suspicious; it is akin to the starvation which he sometimes suffers under thy 'solicitude.' The diet is much, but it is not all, nor chief. 'The Life is more than meat, and the Body than raiment.' Abstemious, necessarily abstemious, he is, Heaven knows, of many things, which would that he might enjoy. But canst thou, can Society, Purvey for him only in this matter? Shall he, having been robbed, and scourged, and cruelly 'broken,' be finally starved? Why dost give this pre

eminence in evil to the dram-shop? Wouldst thou suppress all the 'Institutions of Society,' that do wrong and injury to man, where wouldst thou stop? What havoc would be made of 'vested rights!' My Conservative friends, I entreat you, Pause, before it is too late. Be not too revolutionary. If you will abate all the nuisances which afflict men, what will become of Banks, for instance, that crowning nuisance, and leech, upon the vitals of men, ever absording, and never restoring, never returning? What shall be done with the Codfish Mermaid at the 'Museum' and the illegitimate drama? What measures of suppression, even, or restriction, will be found necessary with an 'independent and enlightened Press,' with an 'able and upright Bar?' What will you do even with the 'churches'?—for they diffuse Darkness and not Light. 'The Light that is in them is Darkness.' Shall these be closed, 'suppressed?' We think that *these*, at least, should be required to have some 'license.' Long enough have they gone jargoning and babbling, of they know not what, sowing the Inane, without. Anything short of complete 'suppression' for these will satisfy us: Even these it will not do altogether to suppress. Nay, finally, O Society, thou ancient and still somewhat venerable step-dame, though thou art now less beautiful than when thou wast young, what wilt thou do with thyself? Wilt thou not have to be 'suppressed,' to 'give up the ghost,' that thou mayst be born anew, that thou mayst rise, not 'like the Phoenix,' from thine ashes, Beautiful, Just, and Good? Thou wilt at least, have to go into the chrysalis state, that thou mayst arise 'with Healing in thy wings.'

I must entreat you, then, to pause, my Conservative friends, before you have gone too far; to consider well your ways and be wise, lest haply thou be found, like an unhappy animal of which naturalists tell us, whose nervous organization is not over nice, lest thou be found, like this one, eating thine own tail.

What then is to be done, if it is 'lawful' neither to license, nor to refuse license? We have already intimated, not in the 'sylogistic form' to be sure, but we trust we have intimated it, what may be done to stay and remove the evils of intemperance. As for the traffic, it, while the demand continues, will continue. It is easily conceivable that in the progress of man the demand for alcoholic liquors may cease, as the demand for many other things will cease, and men will give up the pursuit. But that they shall be coerced to this, this CANNOT be; and it is a conclusive argument against the attempt, if there was no other, that it is impossible. For we have so much confidence in the consistency of things as to believe the Right always possible. And how much longer will society, and 'the governing class,' stul-

tify themselves by keeping upon their books a law which it is utterly impossible to execute, and which, if it could be executed, would not have been passed, and which, the moment it could and should be executed, would be repealed. And need I point out the demoralizing effect of such a state of things, of a law thus unenforced; how it vitiates its neighbor laws, and how it confounds and destroys the moral sense of men, and their 'respect for the law?' Any 'common' lawyer will tell you this, who knows as much of natural Law as the 'rabbit of the gestation of an elephant.'

Nor is an Enlightened Public Opinion to coerce men to give up this traffic; nor in any way, judging from the past, much to help on the 'Cause of Temperance,' which meant, we suppose, and hope, originally, merely Temperance. 'Enlightened Public Opinion' may do much, it may elect a President, or an Alderman, for instance, but it cannot do all. Undoubtedly public opinion should be in favor of Temperance, and we hope the time may come when it will be; and, enlightened and healthy, it may exercise a great and salutary influence; but unfortunately it is not always so 'Enlightened,' and it will have to cast the beam out of its own eye, before it can pluck the mote out of its brother's eye. Unfortunately 'Public Opinion' has been debauched, and has not now much *prestige* attached to her name. Divorced from the Right, she has lost her influence, and is become, and becoming, a hissing and a by-word with honest men. She has been debauched, and the People have become demoralized by her.

And besides, 'Public Opinion' is, to begin with, but a mean divinity. She is but one of the 'inferior,' not one of the 'superior,' deities. Her worship is more vile and slavish than of any recorded god; her worshippers more abject than those of the Grand Lama, or of more noble, if *more noble* they may be, Forms of Superstition.

It is not 'Public Opinion,' then, upon which we must rely in this matter, but 'private opinion.' It is to be, after all, as every most important matter must be, referred to the 'private judgment.' Man wants no priest over-riding himself, and sacrificing him, least of all, upon this altar. Not 'Public Opinion,' but God's Law, is to be the rule of his life. Not the 'Force of Public Opinion' is to be his motive power; but the force of his Love of the perfect, the Good, the Beautiful, — his Love of God. His love of the low, the sensual, the ignoble, may be superseded; it may not be suppressed. Man abhors a Vacuum, and will be filled. See ye to it that ye feed him not upon husks; or worse than that, upon mists, and windy vapors, and noxious exhalations. Nor let him be left, like the alligator, for the want of food, to take into his stomach blocks of wood, and all indigestible rubbish.











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