

modities is not intrinsically sinful, and should not be prohibited or punished without the most cogent and legitimate requirements of political economy.

It cannot be credited that in our community more than five in every hundred persons are guilty of excess in the use of intoxicating liquors, and these only on every principle of justice should be amenable to the law, if the law is ever justified in punishing an act injurious only to the actor, before it trespasses on the rights of others, or invades the good order of society. But this bill proposes a legal anomaly, to punish the ninety-five innocent persons that the five guilty may, in some impracticable way, receive a possible benefit. As rationally might we prohibit the sale of knives because they sometimes arm the hand of the murderer, or of opium because it may now and then drug the cup of the suicide, as legitimate would be legislative prohibitions of tobacco, or penalties against gluttony, sensuality and extravagance, fruitful sources of ruin to the individual and his family, and of injury to the community.

The bill permits its agents to sell the prohibited articles for specified purposes, and allows a profit of 50 per cent. If their use for medicinal or mechanical purposes be right, the intervention by law to fasten upon the consumer a partial and onerous tax, beneficial only to the Government agent cannot be justified.

How can the agent ascertain the purpose for which his alcohol may really be wanted? The inebriate, whose protection or restraint is projected, cannot be relied on for truthful representation of his object, and if the vender is entrusted with an arbitrary discretion to sell or refuse, an inequality and distinction, between citizens having equal legal rights, will be established, such as no republic should enact and no people will endure. What superhuman wisdom can restrain the promptings of avarice? The agent, with his fifty per cent profit in view, will sell all he can, nor invidiously scrutinise the destination of his wares, which he could not control. The attempt would be nugatory, and all who desire will evade every wholesome intention of the law.

Unlimited now as is the grant of licenses on moderate terms, the contraband traffic is not unfrequent. The temptation under a prohibitory system will not be resisted, nor will the offender be effectually punished. The informer, always odious, becomes more so as the penalty is felt to be disproportionate or irrationally imposed, and though in the outset well meaning but inconsiderate fanaticism may induce caution, it will soon exhaust its energy and learn to count the cost of outraging him who can find occasion to avenge fancied or real wrongs.

How are the laws against gambling, prostitution, hiring and dealing with slaves, negro navigation and disorderly houses now enforced? An occasional phrensied spasm of legal vindictiveness is exhibited, and then quietly subsides into open toleration.

The Legislature cannot establish monopolies. Is not an odious and direct monopoly in effect created in behalf of the selected ven-