

seventh, and there is no reason applying to the drinking on the seventh which does not with equal force apply to drinking on any of the rest, and no argument in favor of drinking on the other days which does not with equal force apply to that upon the seventh. Hence the common man resists the enforcement of Sunday closing; and, then, to advocate Sunday prohibition and expect its enforcement, but oppose total prohibition because it cannot be enforced, argues in measure, at least, an absence of rationality.

A Sunday-closing law, in its attempted enforcement, has to contend against the public sentiment which resents its arbitrariness and its exhibition of class favoritism, as being for the rich and against the poor. No such sentiment can exist as regards absolute prohibition. Furthermore, the public mind knows that the closing of saloons on Sunday in no sense proceeds from any judgment as to the harmfulness of the saloon traffic, but only expresses a sense of the inexpediency of Sunday selling. Under absolute prohibition the public mind is impressed with the fact that the liquor business itself is considered as harmful to the best interests of the country.

In the enforcement of Sunday closing it must always be taken for granted that the traffic in itself is a legitimate business; that the saloon is lawful, the liquor in it legal property, the saloon-keeper a legally recognized business man—in short, the whole business, in itself considered, is as lawful on Sunday as on other days. In the matter of absolute prohibition the case is quite different. Under the prohibition the saloon is an outlaw; the saloon, the saloon-keeper, and the liquor are all illegal; and the existence of liquor in a selling-place, except for medical prescription, is *prima facie* evidence that the holder of it is a criminal. Under Sunday-closing laws the police have to watch and obtain conclusive evidence of sale before they can safely proceed against any saloon. Under prohibition

the existence of liquor is sufficient proof for the arrest and indictment of the holder of it.

As regards the trial of violations of the Sunday-closing act. There is a sympathetic public sentiment behind the law-breaker, a vigilant and powerful liquor influence behind the policeman, the police commissioners, the judge and the legislature. Unless, therefore, the violation is particularly flagrant, or, for some reason or other, the public sentiment is aroused and demands "blood," violations of Sunday-closing are seldom punished. Therefore it is infinitely easier to enforce an absolute prohibitive act than it is to enforce a Sunday-closing act. Hence we see that even in such a restrictive provision as the Sunday-closing act there is little if any restriction.

As regards the limitation of liquor shops, any such measures are as futile as restrictions placed on saloon-keepers.

Under ordinary circumstances the demand for saloons regulates their supply—*i. e.*, the license authorities authorize as many saloons as in their opinion the public want. If this wish of the public is directly interfered with by reducing the saloons below the accepted necessary limit, it produces hostility against the measure. In the first place, the dispossessed saloon-keepers adopt the pose of injured innocence; and if an opportunity is afforded they run an unlicensed saloon, with the connivance of both the public and the authorities; but even if the reduction in saloons really amounts to a considerable reduction in the number of places where liquors are sold, what then? It is said that such reduction of the temptations, which before abounded on every hand, will gradually lead people to be more sober; that those who formerly found themselves unable to pass three saloons, now that there are only two will be more likely to pass them and come to their homes in delightful sobriety, bringing wife and children the sorely needed wages formerly spent in drink. But what are the facts? In the first place it is a law of