

The law against which these grave charges are made, though called prohibitory, is in fact, a law to regulate the manufacture and sale of intoxicating liquors. It authorizes the manufacture of these liquors and their sale by the manufacturer, in quantities not less than thirty gallons, to be exported or to be used in the arts, or for mechanical and chemical purposes in this State.

It allows their sale by duly appointed agents, in every town and city in the commonwealth, to be used in the arts, or for mechanical, medicinal and chemical purposes.

A chemist, artist, or manufacturer, in whose trade they may be necessary, may keep at his place of business, spirituous liquors for use in such art or trade; and any person may manufacture or sell cider, in any quantity, for other purposes than that of a beverage.

The importer of liquors of foreign production may sell the same in original packages.

And under the provisions of this law, every respectable *druggist and apothecary in the commonwealth can be appointed an agent, with authority to sell the liquors named, for all the legal purposes above enumerated.*

And the law further provides for the appointment of a commissioner, whose duty it shall be to supply all these agencies; and all liquors kept for sale by him, shall be analyzed by one of the State assayers; and no spirituous and intoxicating liquors are to be sold by him except such as one of said assayers, in writing, certifies to be pure. Thus it will be seen that this law, almost universally spoken of as prohibitory, is one of regulation, and contains the most ample and elaborate provisions for the supply and distribution of spirituous liquors in every part of the commonwealth, for all purposes for which science has demonstrated, or the public welfare shown that these articles of commerce can be safely and usefully employed. The provisions of this law, permitting the manufacture of these liquors for exportation, has been commented upon as inconsistent with the principles upon which the law is founded. A moment's reflection will satisfy any fair-minded man that this criticism is unsupported by any just view of the subject. As has been shewn, the law recognizes a great variety of uses to which spirituous liquors may be properly devoted. And it is no more a violation of the principle of the law to allow these articles to be manufactured for exportation to other states or countries, where they may be used in the arts, than to permit them to be manufactured and sold for those purposes within this State. If, after they reach a foreign jurisdiction, they should be employed for injurious, rather than useful, purposes, that is a matter entirely beyond the power or control of Massachusetts law—that must be regulated by the law of the place where the consumption of these articles takes place. Again it is said, that this law trenches upon, or invades, the rights of the citizen. If by this is meant that the law forbids and restrains men from doing some things they might do were no such law in existence, then the charge is well founded. If it means more than this, then it