

The parties who appoint them are the Judges of the Courts, and the qualification for the office is an affidavit that the applicant does not use intoxicating liquor as a beverage, and will not infringe the limitations of the law. These limitations are, that he shall sell such liquor only for mechanical, chemical and medicinal purposes, and pure wine for sacramental use; and it is enacted that the seller must have good reason to believe, and must believe, that the same are purchased with the intent to be used for one of the purposes mentioned. How far the law can be enforced, which declares that one man shall believe in the intention of another, or that the other shall do as he intended, is a question which has never yet been practically solved. \* \* The provisions of this Act will have the effect of bringing before the Courts the question not only of what is a medical use of wines, &c., but what is a Sacrament, and what are its characteristics and its limitations. The undersigned cannot conceal how deeply they deprecate a result, which, by bringing in the tribunals of State as interpreters of the Word of God, has always in other lands and under less favoured governments, where it has been attempted, proved equally disastrous to religion and to liberty. \* \* It is also to be noticed that in this bill all the provisions are so contrived to work together, as to discriminate against certain classes of society, and to interpose barriers against the poor and humble, which the rich are afforded facilities to overleap. The barrel of cider is not prohibited, though the single glass is. The wine grower may raise his own wines, and sell them to the authorized purchasers. The epicure in foreign liquors may import brandies and rare old wines from abroad, in the original package. The owner or renter of a single dwelling may revel in the possession of an unlimited supply of intoxicating drink, while the citizens who live in houses, which in part are occupied as stores, offices, or work-rooms, &c., are not legally permitted to retain in their houses the smallest quantity of any admixture of the liquors prohibited by the Act. \* \* It may be regarded as one of the peculiarities of modern legislation on this subject, that this law, after declaring an article of nearly universal consumption for centuries, "a nuisance," yet makes special provision for its use as a sacrament of religion, and connives at the means by which the so-called better class of society shall have the freest access to it! Such characteristics of a law are not calculated to conciliate towards it that respect and that loyal obedience which a republican people should at all times extend to laws passed by their representatives."

"These are the main features of a bill which, in many other respects, especially in its attempts to regulate the transportation of goods between States, and to obstruct the reception of imported goods, conflicts not only with the laws of trade and the rights of citizens, but with the provisions of the United States Constitution. These arbitrary provisions; this seizure of property; this search of houses; this perversion of evidence; this disorganization of the jury; are, perhaps, necessary steps to enforce the provisions of the law which assumes to prohibit, absolutely, a traffic not forbidden by religion, and in itself not injurious to public morals, or the well-being of society. \* \* \* In a republican system, the introduction of force is always more dangerous, because the theory of such government rests upon the assumption of man's capacity for self-government, and its administration should

always be directed to the elevation of the citizen to his true dignity, by education; by the amelioration of his condition; and by the guarantee of his individual liberty of action.

The efforts of the teachers of temperance, by moral suasion, to lead men to abstinence from intoxicating drinks, directed as they were in appeals to the intellects and the hearts of men, had more success than any teachings not of divine inspiration. The customs and habits of society were changed. The influence of woman was brought to aid in the discountenance of intoxicating drinks. Liquors were excluded from the family board, and temperate fathers inculcated the virtue of self-restraint to their children. The example of such a reform, founded upon the judgment of men and their moral and religious convictions, gave evidence of a race of sturdy-minded people. It was a part of their intellectual training, which promised the most gratifying development. It was most unfortunate that this system of persuasion to virtue and prudence, was ever abandoned for statutory restraints. Thus far the practical consequences of the change have been, that the efforts of good men to resist the spread of habits of vicious indulgence have been relaxed, and the evil has become of wider influence. It is to be feared that the transfer of this moral question into the hands of the sheriffs and constabulary and police of the State, will without effecting its end, tend indirectly to degrade the cause of temperance and discourage its true friends, by identifying it with the idea of violence and coercion, and staining it with the suspicion of hostility to individual freedom!"

On the day following this interview with the gentleman named, we had the pleasure of attending a caucus meeting of upwards of fifty members of the Legislature, friendly to the bill, and met to discuss its various provisions in order to avoid discussion, when it came to be reported by the Committee. We spent from four to five hours very agreeably in that caucus. They differed now and again upon the phraseology of some of the sections of the bill, but all united in one harmonious declaration of adhesion to the principle of prohibition,—and that the traffic in intoxicating liquors is a crime against society. We spent a short time with O. Scovill, Esq., the publisher of the "Prohibitionist," and received from him several documents connected with the movement, and also an outline of its progress in the several States.

#### SPRINGFIELD, MASS.

From Albany we proceeded to Springfield, Massachusetts, which we reached on Saturday evening about 8 o'clock. In the cars from Albany we met with the Hon. H. W. Bishop, Judge of the Court of Common Pleas, Massachusetts, on his way to Boston, to open his term in that neighbourhood. As every opportunity of gaining information of the Law was turned to account, we soon fell into conversation on that question, with Judge Bishop. His answers to our preliminary enquiries were:

The criminal business has very much increased under the new Law. It is accounted for in this way: the violations of the Law itself add, very materially, to the criminal business. I had, in my last term in the County of Middlesex, no fewer than 104 indictments under the new Law; I should think that five-sixths of the whole were convicted. The operation of this new Law has diminished the other class of criminal business very