

The Advocate.

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HEAD OFFICES

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SOUTH CAROLINA'S LIQUOR LAW.

The people of South Carolina are in arms against an obnoxious liquor law. Four men have been killed, two of them being informers. The military have refused to act against their fellow citizens. Banners inscribed with "Freedom" on them and "No tyranny for free men" have been carried in procession and the people seen altogether with the demonstrators. Governor of the State Tillman is in a quandary as to how to act. The law has assuredly received its death blow. All that the governor now seeks to do is to restore order. Such is the nature of telegrams published in Saturday's and Monday's daily papers.

Previous to the enactment of the law which has caused all this trouble, South Carolina's experience as regards the liquor trade has been pretty much the same as that of Ontario. High license and local option had been tried and found wanting. In 1892 the lower house of the legislature passed a Prohibition law by a bare majority, but the Senate simply allowed it to lie on the table without consideration. In the expiring hours of the session of 1893 Governor Tillman arbitrarily interfered and sprang on the legislature what was known as the Evans dispensary law. This act he forced through both houses, stretching his power to the utmost, and, it is claimed, acting unconstitutionally by high-riding methods, to accomplish his ends. It is this act that the people have risen against, and of which we herewith give the main provisions:

The manufacture, sale, barter or exchange of any spirituous, malt, vinous, fermented, or other intoxicating liquors or any mixture thereof, which will produce intoxication, is prohibited save in the manner prescribed by the act. The liquor business is to be conducted by a commission to be appointed by the Governor, who is to sell liquors to such "dispensaries" as are appointed by the governor, the management of the business in the various counties being entrusted to a county Board of Control, also appointed by the Governor. The state commissioner is to sell liquor, wine and beer to the county dispensers at a profit of 50 per cent. over the net cost thereof, while another 50 per cent. of profit is to go to the county fund. The State Board of

Control consists of the Governor, the Comptroller-General, and the Attorney-General. Dispensaries are to be appointed in each county upon the application of the majority of the freeholder voters in the county. The law limits the number of dispensaries to one for each county in the State, save in the County of Charleston, which is entitled to ten dispensaries, and the County of Richland, which may have three. Even druggists who want alcohol for the purpose of compounding medicines must buy it of the county dispensaries. No provision is made for the supply of alcohol by druggists in counties where no dispensaries have been appointed.

Transportation companies are forbidden under severe penalties from carrying liquors other than official liquors, and all such merchandise in transit is declared contraband and confiscated. Special enforcement is made and a summary process provided for violation of the law. Fearing the failure of grand juries to indict violators, provision is made for trial and conviction upon "information"; the penalty is \$100 to \$1,000 fine and imprisonment from ninety days to one year in the penitentiary for all violations of the law. Search warrants upon ex parte statements can be issued by any trial justice (petty judge or magistrate) against all suspects, and the constables are given almost unlimited power of search. The maxim that every man's home is his castle is obliterated entirely, and the writ of replevin is abolished in a two-line section of this act. Provision is made for the appointment of a constabulary force with almost unlimited powers, and special provision is made to prevent the transportation of liquors by railroads and other common carriers. The agents, servants and employees of railroads, steamboats and express companies who shall handle such freight are made punishable by fine and imprisonment, and the corporations are also subject to heavy fines for the same offence. In case any person or corporation arrested should appeal to the courts special provision is made to suppress them, and liberal fees are provided for the officers who may make arrests of violators of the law or seizure of contraband spirits. Sheriffs, constables and other officials who fail to report violations of the law and to furnish evidence are punished by fine and imprisonment.

The act came into force on July 1st, last year, and that the people are generally law-abiding and were willing to give even legalized robbery a fair trial is proven by the fact that nothing disastrous has occurred until now. It is doubtful if anything of that sort would ever have happened if the specially appointed constables under the act had not violated every principle of right and freedom by entering people's homes *ad eundem* and insisting upon searching the premises from roof to basement for concealed liquors. So far as human inhumanity can go, we are told, the Dispensary Act leaves no loophole for its violation. One of the clauses especially prohibits the selling of liquor by clubs incorporated or chartered for "social, literary or other purposes."

It is the Toronto *Globe* that proudly flaunts at the head of its editorial page this motto:

"The subject who is truly loyal to the Chief Magistrate will neither advise nor submit to arbitrary measures."—J. S. H. S.

It is Don, of *Saturday Night*, who writes:

"The Prohibitionists received very scanty encouragement at Ottawa. No doubt they are worthy and high-minded folk, but I must confess I always experience a certain contempt for people who appoint themselves a committee to attend to other people's business. Nobody is bothering the Prohibitionists to make them drink at lawful or unlawful hours, and why should they be organized and force themselves upon the public and with their contentions that they should be permitted to regulate the eating and drinking of other people? I think Prohibitionists are busy-bodies. If they would attend to their own business and pay their debts—and they are not the best people in the world to pay their debts—they would be fulfilling the primary duties of citizenship better than they do as deputations and propagandists and disturbers. Taking it altogether I imagine the world is old enough to have demonstrated that it pays a man best to mind his own business and let his neighbor attend to his own affairs. The ordinary Prohibitionist is not noted as a philanthropist, in fact he is the reverse, and I don't know why the community should be so continually disturbed by the airing of his notions. It may be a very pleasant task to assume the censorship of public morals, and yet those most qualified for this task are not the ones that assume it, and we have the privilege of asking that the assumption of the right to dictate in any matter which is within the law should be treated as a case of impertinence and egotism. However, the opposite is the case. Those who resist these very assumptions are branded as improper people. I take the following to be a parallel. A man stops me on the street and tells me that I ought to get my hair cut or my nose trimmed. I tell him he should mind his own business, or even suggest that he should buy a tooth-brush and clean his teeth, and he then has us arrested for disturbing the public peace. This is the condition that the Prohibitionists are trying to place us in. I imagine that the very extremity of the measures which they propose will defeat their purpose."

We are on record. Our motto is the scriptural one of "Be ye temperate in all things." Our consistent advice to all who think as we do is: Strict obedience to the law; calmness in the presence of antagonism, violent or otherwise; conciliation, but never force; argument and strictly constitutional acts. Above all be temperate in language and in habit.

HEALTHINESS OF ALCOHOL.

Last summer an Anti-Alcohol Congress was held at The Hague. Great things were expected by the temperance people of the proceedings, but, according to their views, they were woefully disappointed. Right at the outset a startling turn was given to the order of affairs by one of the vice presidents, no less a personage than Sir Dyce Duckworth, honorary physician to the Prince of Wales and

lecturer on medicine at St. Bartholomew's Hospital, London. After giving in some detail his professional observations, Sir Dyce Duckworth put forward certain conclusions which, he maintained, had been inductively established. In the first place, it had not been proved, he said, that the moderate use of alcohol is hurtful to the inhabitants of Europe and was necessarily prejudicial to civilized nations. As a matter of fact the most enlightened people made the most extensive use of alcoholic liquors. His next avowment was that there exists no trustworthy testimony to show that the moderate use of alcohol in conjunction with sound food can injure the organs of the human body. On the other hand there was substantial proof that such a use was generally beneficial. It following, according to the speaker, that for many people complete and continual abstinence from alcohol is not at all to be recommended. Neither should such abstinence be practised for the sake of example, inasmuch as it must now be recognized that such a course of conduct, adopted as an exemplary measure, has never succeeded in effecting the disappearance of intemperance. It was suggested that a more efficient method of preventing the abuse of pleasant and necessary stimulants would be to educate the young to recognize the proper and legitimate use of alcohol.

It is easy to understand that, as the report from which we glean these particulars says, a bombshell cast into the camp of total abstinence could not have produced a greater shock than this speech by Sir Dyce Duckworth. Remonstrance at first took the form of hisses; but indignation gave place to dismay when it turned out that the English physician had numerous and powerful supporters.

Professor Skovvis, of Amsterdam, one of the recognized heads of the medical profession in Holland, declared that man could not do without a stimulant, and insisted that alcoholic liquors were the very best stimulant that could be provided. If taken in reason simultaneously with good nutritious alcohol had no evil effect, though, naturally, if an ill-nourished, half-starved man were to absorb liquor in excessive quantities the results would be disastrous. Yet, even he would find the greatest benefit and sustaining power from using liquor moderately, as had time and again been proved in the movement of great armies, when solids were either scarce or there was not time to serve them out. By the use of alcohol at proper times and in decent quantities a weak man could accomplish more and even secure strength without any subsequent evil effect to compete in hard work with far lustier men.

Dr. Snelders, representing the Dutch Society of Medicine, placed himself unreservedly on the same side as Professor Skovvis and Sir Dyce Duckworth; and Dr. Schnitz, speaking in the name of the main body of medical men in Holland, asserted that there was absolutely no danger to a healthy man in the moderate use of alcoholic drinks. On the contrary such use might be made of them with distinct advantage to health.