

testified that, with the right to challenge given to the Government as it is now possessed by the defendant, this law can be enforced with all other penal statutes. And the testimony of the present efficient State Constable, and that of his predecessor in office, reinforced by what is known of their vigorous and effectual enforcement of this as well as other penal statutes, demonstrate the groundlessness of this objection, that the law cannot be executed.

The following is the statement of Colonel William S. King, the first constable of the commonwealth, upon this subject, and the testimony is all the more emphatic and valuable when it is known, that Colonel King was not a particular friend of the prohibitory law, he says :

“When I entered upon the duties of the office (State Constable), to which on my return from military service I found myself appointed, I am free to confess, that I did not feel hopeful of success in enforcing these laws. Without having given the subject much consideration, I had unconsciously been influenced by the common cry. ‘Oh, it is useless to attempt to enforce these laws in opposition to public sentiment.’ And what is called the prohibitory law, I declined even to attempt to enforce. I had not been long in office, however, before I became convinced, that the sufficient reason why the law had not been enforced, was, that no *real* effort had ever been made in that direction. And I now distinctly state, that in my judgment, by earnest, persevering, hopeful effort, with the requisite authority and means, not only this law, but any and every other law upon the statute book of Massachusetts can be thoroughly enforced; and if I had found it convenient to retain my position, with the means even then under my control, and with a final decision upon the legal question in dispute, I would stake my reputation with my fellow citizens upon the result.”

All the legal questions referred to by Col. King, have been finally decided in favour of the law, by the highest judicial tribunals of the State and of the United States. The State constabulary has been largely increased during the present session of the legislature, and all that is now wanting to complete the work of enforcing this, like every other penal Statute upon all known offenders, is an honest and faithful co-operation by the local police of towns and cities with the State Police, as they are required to do by existing Statutes.

To admit, for a single moment, that the State cannot execute its laws would be a confession of weakness unworthy of a great and powerful commonwealth, and would be a pusillanimous surrender of the authority of government to the power of the vicious and lawless; and to strike a law from the Statute Book on such a plea would deprive the remaining Statutes of all dignity, and of moral force; they would remain only as a monument of weakness of government, and the indulgence of the criminal classes who should forbear to demand their repeal.