

### Streams from Temperance Springs.

We have reason to know, that many of the "Streams" we have diverted from various "springs," have exercised a beneficial effect on the moral field of our much loved Canada. A friend has handed us a paper, with which we have not the honor and advantage of an exchange, but which we have generally the privilege of conning over. It is the "Zion's Herald and Wesleyan Journal," published in Boston, and now edited with great ability by the Rev. D. Wisc. From that Journal of October 27, we cut a stream, which we are persuaded will greatly assist in irrigating our country and thereby promote the growth of sound opinions. We consider the article one of the best expositions of "The Liquor Law," and definitely answers the question, "Ought it to be sustained." Reader we advise you to read this carefully through, and then prepare to give another stroke on the head of the snake, which yet infects our land.

Naturalists assert the power of the snake to fascinate birds, and even small animals. A writer in a British magazine affirms that he saw a squirrel, one day, with its hair erect, as if greatly terrified, running backwards and forwards between a creek and a tree. It retreated to a less distance from the tree at each succeeding trip. This strange movement led the gentleman to alight from his horse and to seek its cause. Approaching the tree, he beheld the head and neck of a large snake protruding from a hole, with its eyes glaring steadfastly upon its victim. Presently the affrighted squirrel ceased running, and quietly laid down, with his head close to the snake's mouth. The snake now seized his fascinated foe by the head; when the gentleman struck the destroyer a blow on the neck with his whip, and the little trembler was released.

Now what would be said, providing this power of fascination extended to men, if certain persons, for greed of gold or love of cruelty, were to introduce such snakes into our cities, and thereby destroy the lives of numerous citizens? Would they be tolerated? Nay! Would not society rise up in self-defence; and pronouncing the snakes and their keepers to be insufferable nuisances, would it not destroy the former and effectually punish the latter? Would such an action be delayed an hour? Would any sane man question the right of society to take such defensive action, providing it were done according to the forms and requirements of law?

Now, we place the liquor traffic and the liquor law precisely on these grounds. The former is a social nuisance—the latter a just procedure on the part of the community to rid itself thereof.

Who will question the verity of the first assertion? Who will deny the destructive influence of the liquor traffic on society? Assuredly no man, who regards his reputation for intelligence or truth would dare to do so. Voices unnumbered—voices of wailing and sorrow, from lordly halls, and plebian cottages—from alms houses and prisons—voices from the lips of suffering childhood and ruined age—from daughters, matrons, mothers, widows,—from dens of human ruin—yes, and from hell itself, would thunder terrible contradiction in his ears! It is too late in the day to deny a fact so terribly patent to all eyes, that THE LIQUOR TRAFFIC IS THE GREATEST SCOURGE OF MODERN SOCIETY. It is worse than war. It transcends the plague. These are but flashes of fearful lightning which rush along the high-ways of life, blasting and withering all the lovely and beautiful things which they touch, but passing away when their work is done. This liquor traffic is a demon, perpetually trampling upon all that is precious and good in human nature; and constantly belching forth flames of destruction.

The liquor law now spread upon the Statute books of Maine, Rhode Island and Massachusetts, is founded upon this view of the liquor traffic. It justly assumes it to be an unmitigated evil, and strikes it to the ground. It inscribes it on the roll of offences against society, and prohibits it. It enforces its prohibition with fines, forfeitures, and imprisonment.

Who can prove that there is ought of wrong in this? Has not society an unquestionable right to protect itself? Legal commentators, judges, teachers of ethical science and theologians, all agree in asserting both the right and duty of government to conserve the public good by preventing or abating public evils. For what is society constituted, if not to protect itself from suffering

through the passions, caprices or cupidity of unprincipled individuals? The legal prohibitions of lotteries, of counterfeiting, of gambling houses, of the sale of obscene books and pictures, &c. found on the statute books of nearly every commonwealth in the Union, are examples of the exercise of this right. Why then may it not properly forbid the liquor traffic? Wherein do the provisions of the liquor law transcend the established and admitted right of government, as understood and practised in all civilized communities? There is nothing *new* in them, except their application to this peculiar traffic; and, admitting the destructive influence of this traffic on society, it is impossible to challenge their legality, without, at the same time, questioning the rightfulness of a multitude of other laws, hitherto unquestionable both as to their constitutionality and utility. This cannot be successfully done. Similar laws will still stand unimpeached and unimpeachable. And while they live, the liquor law cannot be set aside by legal quibblings, or by judicial decisions.

#### OBJECTIONS TO THE LAW.

But notwithstanding all this, the liquor law still has its assailants. It would be strange if it had not. It stands in the way of the passions of many, and of the profits of others. The children of mammon hate it, because it injures their craft; and the slaves of lust curse it, because it renders the indulgence of their depraved appetites difficult. Hence they cry out against it, and, were it possible, they would pour upon it such a baptism of ignominy and reproach as would render it first a bye word, and then a nullity. They try to make it appear as hateful as *EMUSBA*, the monstrous spectre, which, according to the Greek legend, Hecate was wont to send abroad to frighten travellers.

#### IS IT A SUMPTUARY LAW?

By such as these the liquor law has been denounced as a *sumptuary* law. "It interferes," say they, "with our right to drink what we please, and is, therefore, arbitrary and despotic."

This denunciation is false. It betrays either the absence of knowledge or of truth in its authors. The liquor law is not, in any sense, a sumptuary law. What is a sumptuary law? It prescribes what articles of diet or clothing men shall or shall not eat, drink, or wear. As, for example, in France, formerly, it was enacted that none but princes should eat turbot, or wear velvet, or gold lace. But what is there in the liquor law which resembles this? It forbids no man to drink liquor! It hinders no man from using it in his business, if its use be therein required. It even provides a way by which he may readily procure it for all medical, mechanical, and artistic uses. If he chooses to use it as a beverage, this law neither prevents him from importing it, nor denies him the right of manufacturing it for such private use. It merely forbids him from selling it—from making it an article of traffic—just as other statutes forbid him to sell obscene books, poisonous food, or lottery tickets. Is it then a *sumptuary* law? Nay! The principle of the sumptuary law is not in it. Every man is left entirely free as to the fact of drinking liquor. The law only makes it contraband as an article of common merchandise.

#### THE LAW AND THE RIGHT OF SEARCH.

But it is objected by others, that this law provides for the violation of domestic sanctity. It permits *domestic* visits, and thereby neutralises the proud boast of the freeman, that his house is his castle, and may not be invaded. "My enemies," an opponent of the law, asserts, "have only to swear they suspect me, and straightway I am subjected to the annoyance and disgrace of having my house searched by police officers, and my private stock of liquors seized and destroyed. What could despotism do more?"

This is partly true and partly false. The law does provide for the right of searching private dwellings. But is this a new thing in free governments? Do not our statutes authorise search warrants to seek for gaming implements, obscene books, counterfeit money, and stolen property? Why not denounce these laws? But the liquor law guards the sanctity of home more than any other statute which recognizes the right of search. In other cases, the oath of a single person is sufficient to procure the issue of a search warrant. This law requires the oath of three voters, before any building can be visited; if a dwelling-house is to be searched, one of these voters must swear to his belief of a sale of liquor within a month, and to the facts on which that belief is founded. And these facts must be such as to satisfy the mind of the magistrate who issues the warrant. Is there any danger of an improper exer-