

within temperate bounds. The fact that the business is contraband and liable to interruption, and its gains hazardous, tends to drive honest men from it, and to leave it in the control of dishonest men, who will not scruple to poison the community with vile adulterations.

Another serious result in the operations of the present law, is, the immoral business practices which it has suggested and sanctioned. A man without violating any law, may purchase liquors to the extent of his credit, and then repudiate the debt. Though the liquors as articles of commerce are worth to him all he agreed to pay, the law permits him to hold them without making payment. Still further, a man may put all his property into liquors and so escape the payment of any of his debts, for his liquors cannot be attached, as the officer will violate the law in selling them upon execution. They cannot be distrained for his taxes, as even the Government officer is liable to prosecution if he sells. These attempts to outlaw a commercial article, whose place in trade has been undisputed for centuries, have had no effect in preventing honest men from paying their debts, but they have held out temptations too powerful to be resisted by swindlers. It is unworthy the good name of the commonwealth, that her laws should protect and encourage a man who has bought merchandise without violating the law, in refusing to pay the price thereof to the seller. It is unworthy of the State, that dishonest men should be enabled to escape the payment of their debts, by converting their property into liquors. It is not less unworthy, that the State herself, should without compensation, seize and sell for her own benefit, articles of merchandise which the citizen has bought in violation of no law.

The Committee believe that the time has come, when this prohibitory law, unsound in theory, inconsistent with the traditional rights and liberties of the people, tempting to fraud, and protecting those who commit it, in many communities not enforced because of thorough disbelief in its principles, in other communities when enforced, driving the liquor traffic into secret places, and so increasing rather than diminishing the amount of drunkenness and other crimes, should be so far modified, as that the rights of the citizen will be respected, while at the same time, the general peace and order of the community will be better promoted.

Let the law cease to attempt to interfere arbitrarily with what a man shall drink, while nevertheless, it places such regulations as experience has shewn to be necessary over the persons who make the sale, and the times and places, when and where, the sales shall be made. Let it be regarded as a fact, that the demand on the part of those who desire, wisely or unwisely, to use liquors as a beverage, has always been met, and always will be met, by men who will sell either under the law, or in defiance of the law, and that wise legislation should recognize and act upon that fact.

The Committee have not undertaken to cure all the evils arising under the present system; but the Bill which they report herewith, seeks to remedy the main defects in the theory and operations of the law. It does not repeal any provisions of