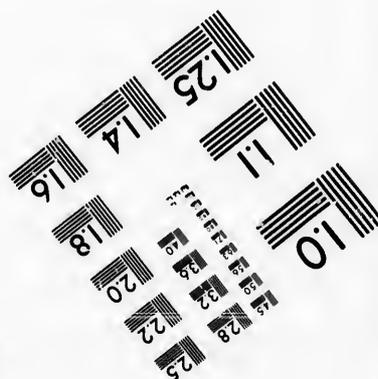
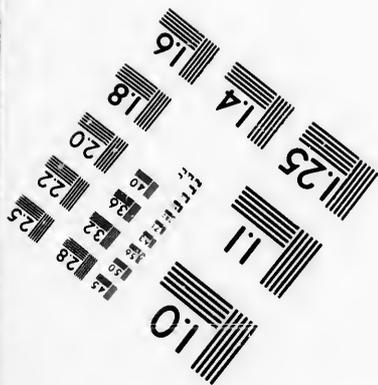
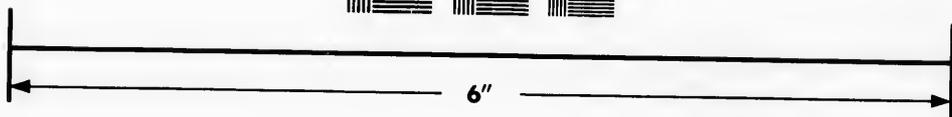
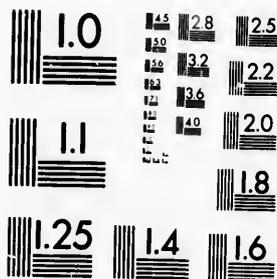


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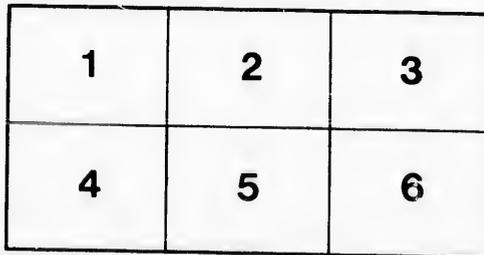
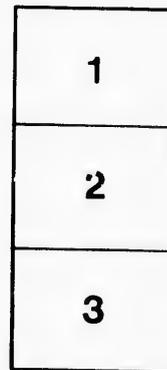
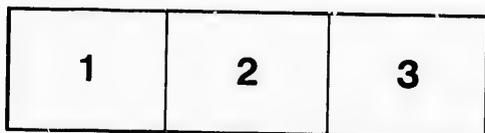
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Prohibition, the Duty of the Hour.*

BY W. H. WITHROW, M. A.

It has been conclusively shown, we conceive, in previous papers of this temperance series, that the liquor traffic is not only injurious to trade and commerce, but that it is also the principal cause of poverty and crime; that it is in league with every kind of violence and wrong; that it is the active agent and ally of Satan, and the aider and abettor of all manner of wickedness. It remains to show, which is, we think, not difficult, except to those blinded by interest or prejudice, that it is the duty of the Government to put it down by legislative enactment. The attitude of the Government is not that of mere tolerance of this gigantic evil; it is the active agent in its creation. It has framed iniquity into a law, and applied the opiate of its authority to the consciences of men, who will batten on the faults and vices of their fellow-men—human vampires, sucking the very lives out of their victims, extinguishing every spark of manhood or nobility, and changing them in hideous transformation into the likeness of beasts. It authorizes men, by Act of Parliament, to work out, unmolested, the wreck and ruin, present and eternal, of their fellow-men.

* In consideration of the strenuous efforts being made in many parts of the country to secure the passage of the Dunkin Act, we have thought it not inexpedient to present the following argument in favour of the still more complete suppression of the traffic by its total prohibition.—ED.

S. ROSE, PUBLISHER, KING STREET EAST, TORONTO.

The plea for this guilty complicity in the traffic of souls, is that the revenue, forsooth, would suffer by its suppression.

“ The excise is fattened with the rich result
Of all this riot. The ten thousand casks,
Forever dribbling out their base contents,
Touched by the Midas finger of the State,
Bleed gold for Parliament to vote away.
Drink and be mad, then, 'tis your country bids ;
Gloriously drunk—obey the important call :
Her cause demands the assistance of your throats.
Ye all can swallow, and she asks no more.”

In the first place, it is a mistaken notion, as has been abundantly shown, that the budget of the country is aided by the liquor traffic. Although the revenue derived from the excise and customs' duty on liquor is large, when we consider the immense *contra* account, representing the cost of the pauperism and of the repression of crime caused by the traffic, as well as the perversion of capital from productive industries, there will be found an enormous balance of loss, instead of gain.

The Rev. John Wesley puts this very clearly in a letter addressed to the Right Hon. Wm. Pitt, dated Sept. 6, 1784. The excise on spirits, that year, amounted to £20,000. “ But have not the spirits distilled,” he says, “ cost 20,000 lives of his Majesty's liege subjects? Is not, then, the blood of these men vilely bartered for £20,000—not to say anything of the enormous wickedness which has been occasioned thereby, and not to suppose that these poor wretches had any souls? But to consider money alone, is the King a gainer or an immense loser? To say nothing of millions of quarters of corn *destroyed*, which, if exported, would add more than £20,000 to the revenue, be it considered *dead men pay no taxes*; so that by the death of 20,000 persons yearly (and this computation is far under the mark) the revenue loses far more than it gains.”

This was also shown from the fact that when, in consequence of Father Mathews' temperance labours in Ireland, the revenue from liquors fell off £300,000, that, from the taxable increase of

the comforts and luxuries of the people it advanced £390,000, showing a clear gain of £90,000 in the revenue, besides the immense reduction in pauperism, crime, and disease.

But even if it were not so ; supposing that the revenue of the country must suffer, better a thousand-fold that it should than that the exchequer of the country should be replenished with this price of blood—the blood of souls—like the wretched gain of Judas—every accursed coin of which is smeared with blood.

It is the duty of the Government to extend the Ægis of its protection over the people, to shield them from injury or wrong ; but, by licensing the liquor traffic, it plies them with temptations to crime, and then punishes them for its commission ; it makes a profit out of their unhallowed passion for strong drink, and then inflicts its penalties for the indulgence of that passion.

The opponents of prohibition triumphantly ask if its advocates expect to make men moral by Act of Parliament?—that being, it is assumed, the very climax of absurdity. Although prohibition may not make men moral, it may, at least, remove the temptations to immorality. It can cast the stigma of disgrace and illegality on the sale of liquor, instead of endorsing the practice by declaring its legality. Licensing the evil is certainly not the way of preventing, but rather of perpetuating, it. Experience has shown that the restriction of the traffic is always followed by a decrease in crime, a diminution of poverty, and an increase of the other and profitable branches of trade. For it is the vicious peculiarity of the liquor traffic that it is not governed, as other legitimate branches of commerce are, by the ordinary laws of supply and demand. but that it creates an unnatural and unhealthy demand for itself, stimulating and increasing the appetite to which it ministers, which, when the facilities for its indulgence are removed, dies away of itself. It may be true, as the opponents of prohibition assert, that if a man *chooses* to get drunk, he will do so, even in spite of prohibition. But few men deliberately *choose* to get drunk ; but are overcome before they are aware. They dally with temptation till the appetite has

acquired such a tyranny, that in the presence of liquor, or even where there is a probability of obtaining it, they lose all control of their appetites, and many voluntarily seek protection therefrom, even within the walls of an asylum or a prison.

We are met at the outset with a remonstrance against the injury that would be done to the vested rights of the trade by legal prohibition. It is true that vast sums are invested in this business. The great brewers and distillers have grown enormously rich by the manufacture, and have entrenched themselves in the strength which the influence of great riches gives. But is their private interest to stand in the way of the welfare of the nation? By long immunity the traffic has grown to enormous magnitude and increased the difficulty of its suppression. But its very magnitude has also increased the necessity for that step, and if the problem be earnestly grappled with it may be solved. It were better and cheaper a thousand-fold to buy out the entire liquor interest, and thus deliver the land from this curse and crime, rather than let it groan beneath its burden for years to come. Doubtless, the diversion of so much capital to other and more useful industries would cause temporary confusion, as did the repeal of the corn-laws, the disendowment of the Irish Church, and other sweeping reforms, but it would also be attended with great and permanent benefit that would far outweigh any transient disadvantage.

We are met, at every attempt to suppress the traffic, by an outcry against the *unconstitutionality* of legal prohibition. We are told that it is an invasion of the liberty of the subject—of his sacred rights as a free-born Briton. But no man has the right to injure his neighbour, either with or without his consent; and whoever engages as a principal or accessory in the liquor traffic is guilty of an offence against society, and especially of a grievous wrong against the victims of that traffic. The fact that no one has the natural right to sell this death-dealing poison is implied in the Government license system, which arbitrarily confers the legal privilege—the moral right it cannot give—on a certain limited number for a certain sum of money,

and may as justly, nay, much more justly, withhold that privilege from all than grant it to any.

The law will not allow any one to sell tainted or unwholesome food, and the wilful adulteration of food renders the perpetrators of the offence amenable to severe legal penalties. In many places, too, no druggist may sell poisons without the authority of a medical certificate, and no one thinks these wholesome restrictions unconstitutional. Why, then, should the prohibition of the sale of those pernicious beverages, which poison more men and women in a week than all the adulterated food and noxious drugs in the country in an entire year, be considered unconstitutional?

No man may carry his theory of personal liberty to such an extent as to injure the health or property, or to destroy the comfort, of his neighbour. He may not carry on an offensive or deleterious trade near the habitation of man, nor pollute the air or water, which are common to all. In this class of public nuisances Blackstone includes "all disorderly inns or ale-houses, gaming-houses," and places of still viler resort. See also the same general views enunciated in Mill's celebrated "Essay on Liberty," although its distinguished author is opposed to legal prohibition. "Yet," says the Rev. Albert Barnes, "there is no property which so certainly and so uniformly works evil in a community as that employed in the manufacture and sale of intoxicating drinks."

"If penal legislation," writes Pierpont, "be justified in any case, why not in this? If it be penal to kill your neighbour with a bullet, why should it not be penal to kill him with the bowl? If it be penal to take away life by poison which does it work in six hours, why not penal to do so by one which takes six years for its deadly operation? Arsenic takes away animal life merely, while alcohol gives not only ten times the amount of animal agony, but also destroys the soul, sapping all moral feeling, quenching all intellectual light. Therefore," he says, "I ask a *more severe* punishment for that crime which works the moral and immortal ruin, than for that whose touch overturns a

mere tenement of clay." Yet, with a glaring inconsistency, the Government, whose function is surely not less the prevention of crime, where that is possible, than its punishment, will authorize the manufacture and sale of that, the legitimate and inseparable consequences of which it relentlessly punishes.

Does it not thus become accessory to the act—aid and abettor in the crime—*accessorius particeps criminis!* In the Province of Ontario, the law does regard the liquor dealer as responsible for the result of the traffic; and if any disastrous consequences accrue from the sale of liquor, he may be amerced in a heavy fine. But much more is any Government morally responsible for the resulting evils, which, for paltry pelf, will legalize a traffic injurious to the best interests of society, which supplies the stimulant that nerves the assassin's arm and kindles the incendiary's torch, and then inflicts the extreme penalty for arson or murder. "How can they justly," says Dr. Edgar, of Belfast, "condemn a poor wretch to be hanged for a crime committed in the raging of drunkenness to which they have themselves ministered?" Thus Christian England protects in her midst a legalized Thuggism a thousand times more atrocious and destructive than that of India; thus she nurses in her bosom a viper that with its envenomed fangs poisons the whole body politic; thus she cherishes a traffic which, like the unrenewed heart of man, is evil, and only evil, and that continually; a traffic that every year sends 60,000 victims, reeling and staggering, into the presence of their Maker; which sends 10,000 raving maniacs or drivelling idiots to the lunatic asylums; which maddens about 400 a year with such ungovernable frenzy as to kill with heartless ferocity as many innocent victims, and 600 more to kill themselves; which keeps an army of 100,000 conscripts of crime in the prisons of the land, and creates a vast and dangerous host of paupers, thieves, and prostitutes; which destroys, in loss from disease, wasted industry, perverted capital, and abridgement of human life, not less than £300,000,000 a year; and which brings into the public exchequer a paltry £20,000,000 of unhallowed gain.

Even the pagan government of China puts to shame our so-called Christian legislation. They, in lofty scorn, refuse to make merchandise of the vices of the people, and endeavour, as far as they can, to suppress the opium trade, which, dreadful as it is, does not produce a tithe of the vice and crime caused by the liquor traffic, fostered and protected by enlightened, Christian governments, as if it were the very palladium of the nation.

The constitutionality of the legal prohibition of the liquor traffic has been asserted, time after time, by the highest legislative and judicial authorities in the land. Speaking even of private vices, that illustrious commentator on the laws of England, Sir Wm. Blackstone, says: "Let a man be ever so abandoned in his principles, or vicious in his practice, provided he keep his wickedness to himself, and does not offend against the rules of public decency, he is out of the reach of human laws; but if he make his vices public, though they be such as seem principally to affect himself, as drunkenness and the like, they then become, by the bad example they set, of pernicious effect to society, and therefore it is then the business of human laws to correct them." Much more is this the case when he becomes the active agent in disseminating a virulent evil among all classes of the community. Similar is the view taken by that eminent jurist, Vattel, who exclaims: "Let Government *banish from the State* whatever is fitted only to corrupt the morals of *the people*."

A century and a-quarter ago, in the celebrated debate on the Gin Act, when the distillers flooded London with their poisonous liquors, drunkards lay in heaps in the streets, and the Government was defied by the mob, the Bishop of Oxford thus addressed the House of Lords: "Poisons, my lords, of all kinds ought to be confined to the apothecary's shop, where the master's character, and even his bread, depends upon his not administering too great a dose to any person whatever. Will you, then, commit the care of dispensing this poison to every ale-house keeper in the kingdom—I may say, to every man in the kingdom who is willing to pay half-a-crown to the justices and twenty shillings a year to

the Government for a license? Will you enable them to dispense this poison at so cheap a rate that a poor thoughtless creature may get drunk for threepence, and may purchase immediate death for a shilling? . . . The increase of the sale of distilled spirits," he continued, "and the propagation of all kinds of wickedness are the same. . . . It has been found by experience that *nothing can restrain the people from buying these liquors but such laws as hinder them from being sold.*"

On the same occasion, Lord Chesterfield truthfully remarked: "Luxury, my lords, is to be taxed, but *vice prohibited*, let the difficulty of the law be what it will. None, my lords, ever heard, in any nation, of a tax upon theft or adultery, because a tax implies a license for the use of that which is taxed to all who are willing to pay for it. Would not such a tax be wicked and scandalous? . . . It appears to me that the number of distillers should be no argument in their favour, for I never heard that a tax against theft was repealed or delayed because thieves were numerous. It appears to me, my lords, that really if so formidable a body are confederate against the virtue or the lives of their fellow-citizens, it is time to put an end and to interpose while it is yet in our power to stop the destruction. If their liquors are so delicious that the people are tempted to their own destruction, let us at least, my lords, secure them from their fatal draught by *bursting the vials* that contain them. Let us crush at once these *artists in human slaughter*, who have reconciled their countrymen to sickness and ruin, and spread over the pitfalls of debauchery such a bait as cannot be resisted."

Lord Hervey, on the same occasion, said: "Almost every legislator in the world, my lords, from whatever original he derived his authority, has exerted it in the *prohibition of such foods as tended to injure the health and destroy the vigour of the people* for whom he designed his institutions. The *prohibition* of those commodities which are instrumental to vice is not only dictated by policy, but by nature; for even the Indians have been able to discover that distilled spirits are pernicious to society, and that the use of them can only be hindered by

prohibiting the sale. For this reason, my lords, they have petitioned that none of this delicious poison should be imported from Britain: they have desired us to confine this fountain of wickedness and misery to our own country, without pouring upon them those inundations of debauchery by which we are ourselves overflowed."

At a later date, 1754, Stephen Hales, D.D., Clerk of the Closet to H.R.H. the then Prince of Wales, wrote as follows: "Now, since it is found, by long experience, extremely difficult for the unhappy habitual dram drinkers to extricate themselves from this prevailing vice, so much the more it becomes the duty of the governors of the nation to withhold from them so irresistible a temptation."

In more recent times, that distinguished jurist, Lord Brougham, has thus expressed his opinion on the constitutionality of prohibition: "Intemperance," he says, "is the common enemy. The philanthropist has no more sacred duty than to mitigate, if he cannot remove, this enormous evil. The lawgiver is imperatively bound to lend his aid, when it appears manifest that no palliatives can avail. Certainly we have the example of the United States to prove that repression is practicable, and their experience to guide us toward it."

Mr. Stansfield, the late Finance Secretary of Her Majesty's Government, said at Bristol, "that it was the intention of Mr. Gladstone's ministry, at the earliest possible period, to deal in a bold and comprehensive manner with the licensing system, in order to check and diminish the facilities and the temptations to drink." Mr. Gladstone himself, in the debate on the Sunday Closing Bill, stigmatized the drinking habits of Great Britain as "one of the greatest scandals, disgraces, and misfortunes of the country." In the same debate, Mr. Thomas Hughes said the House should not go against the religious and respectable portion of the community in their demand for the restriction of the traffic, and in favour of the drunken and dissolute, by leaving it unrestrained.

Few, if any, moral or social opinions, in the history of reform, have made more rapid progress than that of the constitutionality of the legal prohibition of the liquor traffic. This is especially shown by the division list on the Permissive Bill of May 12th, 1869, as compared with that of 1864. On the former occasion, the ayes were only 40, while the nays were 297, leaving a majority against the Bill of 257. On the last division, the ayes were 94; the nays 200, leaving a majority against the Bill of only 106; being a diminution of the hostile majority of 151. The votes by the members for Ireland and Wales in favour of the Bill were thirty-two, against it only twenty-two; being a majority of ten in favour of the measure.

In 1867, there were 3,337 petitions in favour of the Bill; in 1868, 4,000; in 1869, 6,413, with 859,915 signatures, and only two petitions, with 5,595 signatures, against it. This righteous demand of the nation for protection against the greatest curse which blasts the community shall continue to wax louder and louder, till any Government that will refuse this just request shall be swept from office by a whirlwind of the people's wrath.

The beneficent results that have accrued from even partial and transient restrictions of the liquor traffic give a hopeful augury of the very great benefit which would result from its entire suppression.

Dr. Lees, in his argument for prohibition, enumerates many of these examples. During a temporary stoppage of distillation in 1812-13, crime decreased one-sixth. In consequence of Father Mathew's success in Ireland, crime was reduced to the extent of one-third, as compared with preceding years, and one-half as compared with succeeding years. In the city of Dublin, the number of prisoners, in 1840, was reduced from 136 to 23, or five-sixths. Over one hundred cells were empty, and one prison was shut up. In five years, 1835-39, during which there were 59,770,892 gallons of spirits consumed, there were 64,520 cases of serious crime and 59 executions for murder.

During five years, 1840-44, in which the consumption fell to 33,766,525 gallons, the cases of crime fell to 47,027, and executions for murder to 21. Even an increase in the duty of a couple of shillings per gallon reduces the amount of crime by restricting the traffic in liquor. In 1854, with the duty at 3s. 4d. and 4s., and a consumption of 8,440,734 gallons, there were 73,733 cases of imprisonment. In 1855, with a duty of 4s., 6s., and 6s. 2d., and a consumption of 6,228,856 gallons, or 2,211,818 less than the previous year, the number of imprisonments was 54,431, a decrease of 19,302.

The Forbes-Mackenzie Act in Scotland, as the late Lord Provost of Edinburgh, Duncan McLaren, has shown, reduced Sunday offences in Edinburgh 75 per cent.; emptied the cells of the prison; and postponed the necessity of a new gaol, thereby saving the city £12,000; and in Scotland at large reduced the consumption of spirits 957,830 gallons, or *one-seventh of the whole*, while crime decreased in the same proportion. In the cities the proportion is higher still; in Edinburgh, the prisoners in the gaol decreased in two years from 650 to 318; less than one-half, while the Sunday commitments decreased from 278 to 43, or less than one-sixth. In Greenock, the arrests were reduced in one year, after the passage of the Act, from 3,062 to 751; less than one-fourth.

It is, however, in the United States of America that the experiment of legal prohibition of the liquor traffic has been carried out on the largest scale, and with the most satisfactory results. An immense body of concurrent testimony demonstrates its efficiency beyond the most sanguine expectations of its friends. Governor Dutton writes, some months after its inauguration: "It has completely swept the pernicious traffic, as a business, from the State. An open groggery cannot be found; I have not seen a drunken person here since the first of August." Governor Morrill says: "In ten days every tavern in the town where I reside was closed. In two years all the liquor required for medicinal and mechanical purposes cost only \$198. For twenty years before, the annual expenditure was not less than \$8,000 or \$10,000."

The Hon. Neal Dow says: "At the beginning of the year the number of open rum shops in the city of Portland was from 300 to 400, the receipts of which, at \$3.00 a day, a low estimate, would be \$270,000. *Now there is not one.* Many rum shops were converted to other branches of trade. The following is the result of ten months' operation of the law:—

	1851.	1852.	Decrease.
Committed to Almshouse.....	252 ..	146 ..	106
" " House of Correction	46 ..	10 ..	36
Outdoor Aid to Families	135 ..	90 ..	45
Indictments at District Court.....	17 ..	1 ..	16
Commitments to Gaol	279 ..	63 ..	216

The following are extracts from an interesting letter from Hon. Neal Dow to the Chairman of a Parliamentary Commission of the Canadian Legislature appointed to inquire into the working of the prohibitory law in Maine. He says: "Under the operation of the law, pauperism and crime diminished wonderfully. In some of our towns pauperism ceased entirely. In others the gaols were literally tenantless, and in all of them the number of prisoners greatly diminished. The wholesale liquor trade was utterly destroyed without a single prosecution. . . . In 1856, another party came into power, and the Maine Law was repealed. In five months, that party was swept out of power, amid the scorn and execrations of the people. Only one person of the entire legislature who voted for the repeal of the Maine Law was re-elected!" Of that repeal of the law, Lord Brougham says: "Pauperism and crime, which under the prohibitory law had been reduced to an incredibly small amount, soon renewed their devastations; the public voice was raised loudly against the license plan, and the repealing Act was, without opposition, itself repealed."

A tragical incident occurred in connection with the repeal of the law. A Mr. Harwood, clerk of the court to which an appeal was made against the law, was a reformed drunkard. He felt that the maintenance of the law was his only safety. He adjured the judges to close the liquor bars, and he should be saved. "Your decision," he said, with prophetic forecast, "is

with me a matter of life and death." "Amidst the most painful suspense," says Dr. Lees, who tells the story, "the eight judges took their seats. The vote of five of their number was handed to the clerk to be entered: *We declare the law void.* How did that clerk feel at that terrible moment? As a man feels who has to write his own death-warrant. Then the last hope of a noble heart gave way. During the week he fell before temptation and despair combined. Before its close the city was startled by the tidings of his death—a swift and awful commentary upon the decision of Tuesday."

The present writer, from personal experience, and from the testimony of liquor dealers themselves, can bear witness to the almost total suppression of the liquor traffic in Maine. One droughty soul in Portland confessed "that he had travelled five miles in search of liquor, and could not find a single drop."

The Mayor of Providence asserts "that in three months the law reduced the monthly committals to prison nearly 60 per cent." Rev. Mr. Hadley says: "One hundred dollars will now accomplish more for the moral improvement of the people than one thousand would under the reign of alcohol." Senator Eaton says: "We have no open sale of liquor at Winslow. We used to sell \$100,000 worth annually. Now we don't sell \$3,000 worth." The Rev. Dr. Ides writes: "One Sunday I was passing the head of a pier where about three hundred fishermen were seated. Everything was perfectly quiet. Some had out their Bibles and were reading. 'If you had been here,' said the landlord of the hotel, 'before the Maine Law passed, you would on such a day have seen these rocks all along covered with blood. No female dared venture out of the house at such a time. I opposed the law with all my might, because I thought it would injure my trade; but now I make more money when these men are ashore than I did by supplying them with liquor. When they go away they take with them whole canoe loads of eggs, hams, and other necessaries.'"

We have thus seen that every restriction of the liquor traffic

has been attended with corresponding moral, social, and financial benefit, and in all cases proportionate to the extent of the restriction. The people of Canada have the sacred right to be delivered from that awful scourge which is desolating the entire community and preying upon the very vitals of the nation. Let them arise in the majesty of their might and demand, in tones which those that make the laws shall understand, the repeal of those statutes which grant for filthy lucre the privilege of making men beggars, ruffians, and rogues; which sends them to perdition according to law, and ruins body, soul, and estate under the authority of an Act of Parliament. Such a *vox populi* will be indeed the *vox Dei*, and like His resistless Word, shall not be unfulfilled. As the glorious sun-god, Apollo, of old smote with his arrows of light the abominable mud-born pythons of the abyss, so let righteous Law, "which hath her birthplace in the very bosom of God Himself," rise in her sacred majesty and hurl her bolts of wrath at this hydra-headed beast Intemperance, till it is banished from the face of the earth forever!

