

Objections to constitutional prohibition of the liquor traffic, from a temperance standpoint

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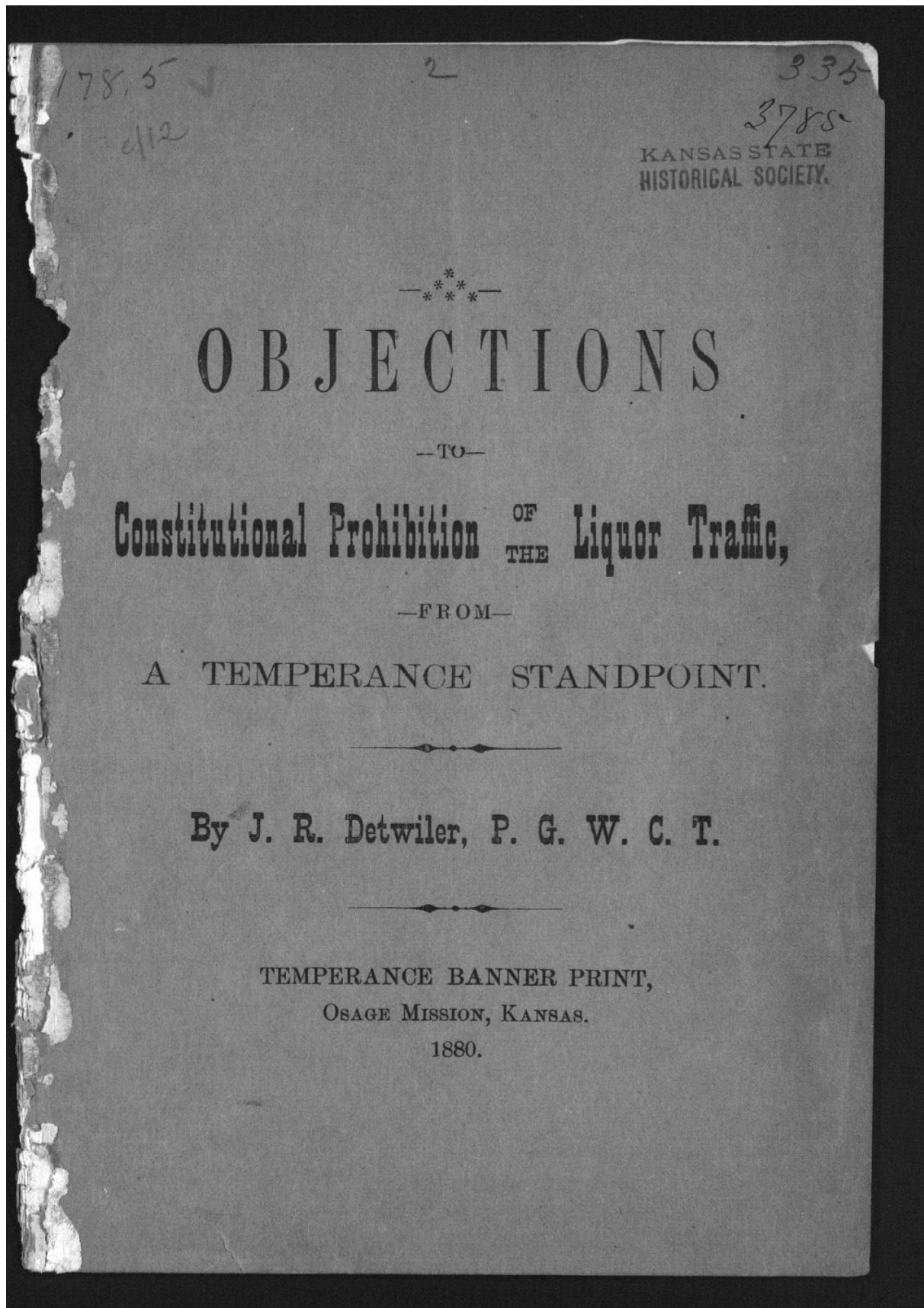
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Objections to constitutional prohibition of the liquor traffic, from a temperance standpoint





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KANSAS STATE
HISTORICAL SOCIETY.

OBJECTIONS

—TO—

Constitutional Prohibition OF THE Liquor Traffic,

—FROM—

A TEMPERANCE STANDPOINT.

CHAPTER I.

In the discussion of our subject it must be admitted that there are some men who object to Constitutional Prohibition from a temperance standpoint. As it cannot be expected that all temperance men will agree upon this particular mode of action, it is but fair and just to accord proper motives to every man; and we should remember that sarcastic ridicule is not argument, and insolent scoffing is not calculated to win men. Hence the views of all should be treated with respectful consideration, and whatever arguments are brought forward, either on the one side or the other, should be carefully weighed—as the question under consideration is of vastly more importance than any other question to be decided by the voters of this country.

Without further preliminary remarks, let us consider the first objection—which lies at the foundation of all State legislation.

*Will the Prohibition of the Liquor Traffic by State Authority
be in Conflict with the Constitution of the United States?*

Many men confidently believe that when a man pays his United States tax he is entitled to sell, regardless of State authority. But as this question is not a new one we are not required to rest upon doubtful specula-

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tions. We have the opinions of able jurists, and judicial decisions upon the question at issue to which we invite careful attention.

"The question of the constitutionality of such statutes," says Mr. Bishop (Statutory Crimes, sec. 989), "has been more frequently agitated than any other constitutional question presented to our tribunals." And yet it will be found that both the principles and essential features of the varying laws upon this subject have been uniformly upheld by the highest courts in every part of the land.

Chief Justice Taney says:

"And if any State deems the retail and internal traffic in ardent spirits injurious to its citizens, and calculated to produce idleness, vice, or debauchery, I see nothing in the Constitution of the United States to prevent it from regulating or restraining the traffic, or from PROHIBITING IT ALTOGETHER, if it thinks proper."

Justice McLean:

"The necessity of a license pre-supposes a prohibition of the right to sell as to those who have no license. * * * If the foreign article be injurious to the health or morals of the community, a State may, in the exercise of that great and conservative police power which lies at the foundation of its prosperity, PROHIBIT the sale of it."

Justice Catron:

"I admit as inevitable that, if the State has the power of restraint by licenses to any extent, she has the discretionary power to judge of its limit, and may go to the length of PROHIBITING sales altogether."

Justice Grier:

"It is not necessary to array the appalling statistics of misery, pauperism, and crime which have their origin in the use and abuse of ardent spirits. The police power, which is exclusively in the State, is competent to the correction of these great evils, and all measures of restraint or PROHIBITION necessary to effect that purpose are within the scope of that authority."

Chief Justice Harrington, of Delaware, says:

"We have seen no adjudged case which denies the power of a State in the exercise of its sovereignty, to regulate the traffic in liquor for restraint as well as for revenue; and, as a police measure, to restrict or PROHIBIT the sale of liquor as injurious to public morals or dangerous to public peace. The subjection of private property, in the mode of its enjoyment, to the public good and its subordination to general rights liable to be injured by its unrestricted use, is a principle lying at the foundations of government. It is a condition of the social state; the price of its enjoyment; entering into the very structure of organized society; existing by necessity for its preservation, and recognized by the Constitution in the terms of its reservation as the 'right of acquiring and protecting reputation and property, and of attaining objects suitable to their condition without injury one to another.'" (The State vs. Allmond, 2 Houst. R., 612.)

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The question of State authority settled, we proceed to consider the next objection to Constitutional Prohibition as embodied in the Amendment to be voted upon this fall in the State of Kansas.

CHAPTER II.

Will the Amendment, if Adopted, Take the Regulation of the Liquor Traffic Entirely Out of the Power of the Legislature?

Some claim that when the Amendment is adopted the Legislature will have no farther control of the traffic, and according to the provisions of the Amendment itself everybody will be permitted to sell liquor for medical, mechanical and scientific purposes, without regard to legislative restrictions—thus practically giving us free whisky, and depriving the State of all revenue from the traffic.

If these objectors are correct, the Amendment should not be adopted. The object of a State Constitution is to hold the Legislature in check; and all laws that are manifestly in conflict with the State Constitution are null and void.

An examination of the Amendment itself will show wherein it restrains the Legislature:

"The manufacture and sale of intoxicating liquors shall be forever prohibited in this State, except for medical, scientific and mechanical purposes."

The language is plain and unmistakable. By the operation of this clause proposed to be inserted in the Constitution the Legislature is to be forever restrained from authorizing the manufacture and sale of intoxicating liquors in this State for any other purpose than those named in the exceptions; but the powers of the Legislature remain undisturbed in all other respects. The Legislature will, therefore, have full power to regulate the manufacture and sale of intoxicating liquors for medical, scientific and mechanical purposes.

It would seem that any school-boy could understand the intent and purpose of the Amendment, and that the ripest scholar could scarcely express that meaning in any clearer or more forcible language.

But these objectors claim that as the Amendment prohibits the manufacture and sale of intoxicating liquors except for certain purposes therein named, therefore it may be sold for those purposes without further legislative restraint.

Now let us try other clauses of our Constitution by that rule of interpretation.

Article 13, section 7, of the Constitution, reads:

"No banking institution shall issue circulating notes of a less denomination than one dollar."

Now, according to this rule, since banking institutions are prohibit-



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ed from issuing notes of less denomination than one dollar, therefore they can issue an unlimited amount of notes of greater denomination than one dollar, and the Legislature would have no power to regulate such issue either as to quantity or quality.

Now every sensible man knows that the Constitution of this State does not give us free banking. Neither will the proposed Amendment give us free whisky. As the section quoted restrains the Legislature from authorizing the issue of notes of a less denomination than one dollar and leaves the authority for regulating the issue of notes of a greater denomination undisturbed, so the Amendment restrains the Legislature forever from authorizing the sale of intoxicating liquors for other purposes than those named, and leaves its authority touching those excepted purposes unimpaired. Hence, after the adoption of the Amendment the Legislature will have full power to declare who shall sell for those purposes, and how they shall sell, both as to quantity and quality.

Section 16 of the Bill of Rights appended to our Constitution, reads :
"No person shall be imprisoned for debt except in cases of fraud."

Now let these objectors try their rule upon this clause and see if it don't interpret them into prison.

Section 6 of the same Bill of Rights, reads :

"There shall be no slavery in this State, and no involuntary servitude, except for the punishment of crime whereof the party shall have been duly convicted."

Now according to our new rule of interpretation, every person convicted of crime in this State must be punished by imprisonment, and the Legislature can provide no other mode of punishment. We all know this is not true; that many crimes are punished merely by fines. We must conclude, therefore, that our rule of interpretation is defective, and, in fact, erroneous. Hence the talk about "free whisky" falls to the ground. The fact that the liquor dealers of the State have organized to defeat the Amendment indicates that they have no faith in the Amendment giving us "free whisky."

CHAPTER III.

Can the Opposition Render the Amendment Inoperative by Adverse Legislation?

We can give a very firm negative answer to this question, as the oath of office which every member of the Legislature must take requires them to support the Constitution of the State. Moreover, the same vote which ratifies the Amendment will send men to the Legislature who are not only willing but anxious to give it force and effect.

But while there is no doubt that the Legislature will enact such laws as seem best adapted to the execution of the people's will as expressed in the Amendment, yet the Amendment, if adopted, would, in connection

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with our present statutes, effectually prohibit dram-shops.

We believe that after the Amendment becomes a part of the Constitution, all statute laws which conflict with it are void; and all laws that harmonize with it remain in force. Our statute now authorizes the granting of dram-shop licenses. The Amendment will repeal that clause.

Our statute now imposes punishment for selling intoxicating liquors without license. The Amendment will not effect that clause.

At present, if a man is proven guilty of selling intoxicating liquors, his only defense is the production of a legal license. The Amendment merely deprives him of that defense. Consequently he could be punished just the same after as before the adoption of the Amendment.

It matters not why he has no license; the law simply declares that he shall be punished for selling without license. Hence, if the State Constitution forbids the granting of licenses, he is subject to the penalty.

CHAPTER IV.

Will the Adoption of the Amendment Increase the Demand for "Medical" Gin?

Possibly for a short time it will have that effect, and yet we can hardly see how it can. Under the present social regulations many are driven from the saloon to the drug store for their toddy. But we don't see that they drink any more than they did before. Upon the contrary the tendency is to drink less, as the surroundings in the saloon are such as to induce customers to drink more frequently than they would in the drug store.

But we have no assurance that the Legislature will permit the druggist to sell without strict regulations. Indeed there is every reason to believe that they will be held to a rigid accountability, and that means will be devised by which they will be limited in their sales to certain prescribed limits calculated to make the provisions of the Amendment effective.

But be that as it may, we are confident that the Amendment, if adopted, will close the open dram-shops—which are surely the most prolific hot-beds of vice, debauchery and crime now existing in this State. And if, in the course of human events, the hydra-headed monster assumes a different form, or appears in different quarters, the coming generation will be all the more competent to deal with him, on account of our closing the saloons now.

Gov. Robinson asks the people of Topeka the question:

"Had you rather have a few open bars exposed to the public gaze where your sons could be seen should they drink, or do you prefer forty club-rooms, concealed from the public eye, where card-playing, gambling and drinking are practiced without let or hindrance?"

This ingenious question assumes:

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First. That under the present regulations, Topeka has "a few open bars, exposed to public gaze," where those who drink can be seen.

The facts are that Topeka has many "open bars," and none of them are "exposed to the public gaze." Most of them are in the basement story, with all the doors carefully covered by screens on purpose to shut out "the public gaze," and prevent those who drink from being seen.

Second. It assumes that Topeka has no secret club-rooms where card-playing, gambling, etc., are carried on.

The truth is that this is about the only way in which these particular vices are carried on in Topeka. There are, and have been for years, secret club-rooms where such games have been conducted, and the police force has frequently hunted them out, arrested the occupants, and burned their tables, cards, dice-boxes, etc., in the public streets. We imagine the fathers and mothers of Topeka would prefer having the club-rooms alone, than to have the club-rooms and the open dram-shops together.

Third. The question assumes that after the Amendment is adopted the club-rooms will be opened and drinking and gambling be practiced "without let or hindrance."

Such an assumption is rather hard upon the people of Topeka. It merely brands them as a set of outlaws. But the action of the city officials, in hunting out these same dens of infamy in the past, is sufficient proof of the falsity of the charge.

CHAPTER V.

Will Prohibition Prohibit?

This old stereotyped question confronts us in this campaign as it has in the past. The only answer we have for it is to cite the instances wherein prohibition has been tried.

Governor Robinson asserts that prohibition is impossible and has failed to prohibit where tried. In support of that assertion he refers to Massachusetts, and places on the stand the Springfield "Republican," of a recent date, from which he quotes:

"The weakness of prohibition, as an operative principle, has been proven by its fruits in Massachusetts after a quarter of a century's trial."

Now we challenge that testimony; not merely because it is a newspaper report, but because it is untrue in every particular.

In the first place, prohibition was not tried in Massachusetts for a quarter of a century; and in the second place, it has never been proven inoperative in that State.

The facts are that the prohibitory law of Massachusetts was enacted in 1852, amended in 1855 and 1865-6, and repealed in 1868. It was re-enacted in 1869, and was modified in favor of malt liquors in 1870. The trial extended over a period of seventeen years instead of twenty-five; but in 1875 a local option law was adopted, and under its provisions the liquor traffic has been swept from about three-fourths of the State.



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Whatever statistics, therefore, Governor Robinson gets from Massachusetts, with which to bolster up the dram-shop interest, should be scrutinized closely, always keeping in view the fact that three-fourths of that State is yet prohibition territory and only one-fourth is, in fact, license territory.

But it may be urged that the repeal of the prohibitory law is evidence of its failure. While license laws have been repealed by the friends of temperance on account of their inefficiency, no prohibitory law has ever yet been repealed by them. And more. No temperance society of Massachusetts or any other State ever petitioned the Legislature to repeal a prohibitory law. The prohibitory law of Massachusetts was repealed by the liquor interest on account of its efficiency, as is indicated by the language of the Constable of that Commonwealth in a circular issued in 1867, which is as follows:

"To us who are daily observers of the effects of these prosecutions, the fact is not to be winked at or argued out of sight, that very many of the liquor dealers are utterly discouraged, and were it not for the hope that the approaching elections may afford them some relief, they would at once abandon the traffic."

In further evidence of the efficiency and influence of the law, we refer to Mr. Louis Shade, the special agent of the Brewers' Congress, who said:

"Had our friends in Massachusetts been free to carry on their business, and had not the State authorities constantly interfered, there is no doubt that instead of showing a decrease of 116,585 barrels in one year, they would have increased at the same rate as they did the preceding year."

From these declarations it is plainly evidenced that the prohibitory law was repealed, not on account of its failure, but on account of its success.

Governor Robinson next cites us to Rhode Island, claiming that prohibition failed in that State.

At a public meeting held in Providence, in October, 1874, Governor Howard, who at first opposed the adoption of the prohibitory law, said:

"I am here to-night especially for the purpose of saying, not from the standpoint of a temperance man, but as a public man, with a full sense of the responsibility which attaches to me from my representative position, that to-day the prohibitory laws of this State, if not a complete success, ARE A SUCCESS BEYOND THE FONDEST ANTICIPATION of any friend of temperance. In my opinion, prohibitory legislation in Rhode Island is a success to a marvelous extent. I have desired, I have felt it incumbent upon me, to make that declaration, and I desire that it shall go abroad as my solemn assertion."

Governor Robinson next takes us to Maine and places on the stand an unknown correspondent of the New York "Independent," and Woolsey Bacon and Cyrus Hamlin. By these witnesses he proves that occasionally a drunken man is seen in Augusta, Bangor, and some other cities.

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Well, we will admit as much. But if these same men had lived in Lawrence, Kansas, they would have seen so many drunken men that one would not have been so remarkable a sight as to deserve special notice—and the Governor would have been deprived of their testimony.

The novelty of looking upon a reeling drunkard in any of the cities of Maine is sufficient to call forth newspaper comment; and the fact that any notice was taken of the presence of an occasional drunkard in that State is evidence in favor of the efficiency of the law.

But since the Governor's witnesses have not been subjected to cross-examination, we will place upon the stand our witnesses, whose names are well known, and whose official record is a guarantee of their truthfulness.

Hon. William P. Frye, M. C., says:

"When the law was enacted, I have no doubt two-thirds of the people were opposed to it; now they could not be induced to repeal it."

General Chamberlain, who was Governor of Maine, wrote as follows:

"BRUNSWICK, MAINE, June 3, 1872.

"The declaration made by many persons that the Maine Law is inoperative, and that liquors are sold freely and in large quantities in this State, is not true. The liquor traffic has been greatly repressed and diminished here and throughout the State, and in many places has been entirely swept away. The law is as well executed generally in the State as other criminal laws are.

"Many persons think that there is not one-tenth so much liquor sold in the State as there was formerly. While we prefer not to certify to any degree of repression of the traffic, we say without reserve that if liquors are sold at all, it is in very small quantities compared with the old times, and in a secret way, as other unlawful things are done.

"JOSHUA L. CHAMBERLAIN."

Governor Sidney Perham, in a letter to Gen. Neal Dow, says:

"I think it is safe to say that the sale of liquors is very much less than before the enactment of the law—probably not one-tenth as large."

Hon. Nelson Dingley, Jr., who was Governor of Maine two years, in 1874 wrote as follows:

"We have had twenty-three years' experience of the policy of prohibition, and the results have been, on the whole, so far greater than those secured by any other system of legal restraint that the prohibitory policy is accepted as a settled fact in this State, and no considerable body of men favor its repeal. In more than three-fourths of the State, particularly in the rural sections, open dram-shops are almost unknown, and secret sales comparatively rare."

Governor Connor, in his message in 1876, says:

"I have no official information to present to you with regard to the working of the laws prohibiting the sale of intoxicating liquors. It is a matter of common knowledge that they have been very generally enforced, especially in the cities and large towns, where the traffic is most per-

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sistently attempted to be carried on in defiance of them. The law as a whole fairly represents the sentiment of the people. The opposition to it presents in appearance a strength which it does not in reality possess.

"Maine has a fixed conclusion upon this subject. It is that the sale of intoxicating liquors is an evil of such magnitude that the well-being of the State demands, and the conditions of the social compact warrant, its suppression."

Hon. William P. Frye, M. C., says :

"I can and do, from my own personal observation, unhesitatingly affirm that the consumption of intoxicating liquors in Maine is not to-day one-fourth so great as it was twenty years ago; that, in the country portions of the State, the sale and use have almost entirely ceased; that the law of itself, under a vigorous enforcement of its provisions, has created a temperance sentiment which is marvelous, and to which opposition is powerless. In my opinion, our remarkable temperance reform of to-day is the legitimate child of the law."

Hon. Lot M. Morrill concurred in the opinion expressed by Mr. Frye.

James G. Blaine, whose public career has made his name familiar to the people of Kansas, says :

"On the point of the relative amount of liquors sold at present in Maine and in those States where a system of license prevails, I am very sure, from personal knowledge and observation, that the sales are immeasurably less in Maine."

Hon. H. Hamlin says :

"In the great good produced by the Prohibitory Liquor Law of Maine, no man can doubt who has seen its result. It has been of immense value."

John A. Peters and Eugene Hale, Members of Congress from Maine, joined in a certificate as follows :

"We are satisfied that there is much less intemperance in Maine than formerly, and that the result is largely produced by what is termed prohibitory legislation."

The Supervisor of Internal Revenue for the District of Maine, New Hampshire and Vermont, wrote in May, 1872, as follows :

"In answer to your inquiry, I have to say, that in the course of my duty as an Internal Revenue officer, I have become thoroughly acquainted with the state and extent of the liquor traffic in Maine, and I have no hesitation in saying that the beer trade is not more than one per cent. of what I remember it to have been, and the trade in distilled liquors is not more than 10 per cent. of what it was formerly."

"WOLCOTT HAMLIN, Super. of Int. Rev."

At a meeting of the survivors of those who voted for prohibition in Maine in 1851, held in Portland in June 1879, a committee made a report, a part of which is as follows:



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"In many quarters in other States and other countries, interested, ignorant or unscrupulous persons have industriously circulated reports that prohibition has been a failure in Maine, the place of its birth. These reports are absolutely untrue. No circumstance, from the origin of the law to this day, has occurred which can be construed or tortured into a justification of them. On the contrary the law has been a great success from the first. Were it not so, it could not have won the confidence of the people, and have commanded their respect and firm support, as it has to-day.

NEAL DOW, LOT M. MORRILL, Ex-Gov.
JAMES M. BUZZELL, JOSHUA NYE,
A. P. MORRILL, Ex-Gov."

But if individual testimony is not strong enough, we will call to the stand the Republican party of the State of Maine.

In the party platform of 1875 we find the following plank:

"Temperance among the people may be wisely promoted by prohibitory legislation, and it is a source of congratulation that the policy of prohibition always upheld by the Republicans of Maine, is now concurred in by a vast majority of the people of the State."

Again in the platform of that party in 1880 we find the following plank:

"That the prohibition act has been demonstrated by experience to be a wise auxiliary to the temperance cause."

This is the unanimous testimony of a Convention which numbered nearly one thousand delegates and represented every town in the State of Maine.

In the last Democratic State Convention in Maine a minority report of the Committee on Resolutions, declaring prohibition a failure and recommending the substitution of a license law, was promptly tabled amid great confusion and by a nearly unanimous vote.

At the State Convention of the National Greenback party of Maine, 1880, a strong resolution was adopted by a unanimous vote of the Convention endorsing the prohibitory policy, and declaring the Maine Law to be, in its operation, a grand success.

Thus the three political parties of that State declare to the world that prohibition is not a failure in the Pine Tree State.

Hon. Charles Joyce, M. C., of Vermont, made a speech in the House of Representatives on June 3, 1880, from which we take the following extract:

"The history of the temperance movement in my own State, while it has not been all that we could wish, yet has been such that all good men have been inclined to thank God and take courage.

"Vermont passed a prohibitory liquor law in 1852, and she has been strengthening it and making it more stringent and effective ever since. In the main it has been fairly and wisely executed. It has always been sustained by a sound and healthy public sentiment upon the subject, and

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in my opinion there never has been a moment since its passage when it stood so strong and firm in the good sense and hearts of the people as it does to-day. That it has, in connection with the moral sentiment of the people, had the effect to greatly diminish the sale and use of intoxicating liquors in our State, no man who has examined the figures and who has been long acquainted with our people and their habits will deny.

"During this whole period of twenty-seven years the law, morals and religion have gone hand in hand and worked harmoniously together, and while there is yet much to be accomplished, we rejoice with exceeding great joy in the progress that has been made, and with renewed efforts and courage, inspired by success, our people are now pushing the good work with more vigor than ever, in the confident hope that, with the aid of the General Government, they will be able finally to rid the people of this curse.

"It is a source of honest pride to our people that they have been able to achieve so great success in this terrible conflict. They have worked in season and out of season, by night and by day. They have labored, preached, prayed and voted, and the result is that to-day, thank God, there is not a spot upon the soil of our noble little State where it is not looked upon by all as disreputable and disgraceful, as well as unlawful, for any man to touch, taste, or handle the accursed thing.

"This is the feeling that pervades all classes of our people, and this is the sentiment that daily and hourly sustains the law and supports those whose duty it is to execute it. Every man, old and young, understands that if it is known in the community that he uses intoxicating liquors as a beverage, it will be set down against him as a stain upon his character and his pride. His self-respect and ambition to be esteemed and honored by his fellow-men, as well as his desire to be a useful citizen, restrains his appetite, curbs his passions, and constrains him to be a sober man."

Upon the testimony offered we now rest our cause, believing that we have made our case so clear that no amount of garbled statements can be collected together sufficient to shake the confidence of our readers.

CHAPTER VI.

Will the Amendment be an Improvement on the Local Option License Law of this State?

When it is proposed to repeal a law by substituting another law in its stead, one of the most important questions to be considered is, "Will the new be an improvement on the old?"

Every intelligent voter will admit that intemperance is an evil; that drunkenness is a nuisance; that the liquor traffic, as conducted under the present law, is the cause of poverty, misery, wretchedness, and crime.



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There is no community in this State which has not felt the evils inflicted upon society by the liquor traffic as conducted under the present license law; and we scarcely think there can be found any considerable number of voters anywhere but who would gladly approve a law calculated to lessen these evils.

In considering this branch of our subject, we will assume that all objectors to the Amendment are honest in their convictions. We will, therefore, take up an article which appeared in the Chanute "Democrat," of a recent date, as follows:

"To adopt this Amendment in its present form would be to blot out the legislation of twenty years in the direction of restricting the evils of the whisky traffic and to leave the people absolutely without protection. Under the present law the power rests with the people to say whether or not they will have saloons. The power is also given to each municipal government to prescribe such laws as may be thought proper to regulate the saloon-keeper's business."

Now, in all candor, please inform us what the present law has accomplished in twenty years toward "restricting the evils of the whisky traffic."

We look, and behold! the traffic is flourishing in nearly all the cities and towns of our State. Its victims are multiplying in every community. Society is being poisoned by its influence. And the present license law appears impotent to restrict its evil results.

Churches and temperance societies have been organized to reclaim the fallen, and they have lifted many from the ditch of human degradation and placed them upon the level of respectability and moral development. But, alas! in too many cases the adversary has been too powerful and crafty, and by his seductive influence most of the reformed ones are again plunged into degradation and woe. And the present license law seems calculated rather to advance his deceptive schemes and assist in tripping up these poor victims, than to protect the weak ones from his temptations.

Under the license law the traffic is clothed with the garments of respectability, and those who sell are armed with legal authority—armed with legal authority to conduct a business calculated to degrade, debauch and ruin our fellow-men—authority to conduct a business calculated to rob innocent women and children of the necessities of life—armed with authority to conduct a business calculated to undermine every moral principle designed to promote the peace and happiness of mankind. And under the present license law the traffic is fostered, protected and encouraged, and consequently has been increasing year by year notwithstanding all the efforts that have been made to stay its progress.

Hence we must conclude that the license laws are a failure and ought to be "blotted out." Yes, we say, Amen! "Blot 'em out!" They stand as an endorsement of the vilest traffic that ever cursed the earth. "Blot 'em out!"



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But the "Democrat" asserts that "under the present law the power rests with the people to say whether or not they will have saloons."

That is true; and by the adoption of the Amendment the people merely say they will not have saloons—and we are endeavoring to induce them to make that declaration, while the "Democrat" is trying to induce the people to say they will have saloons. That is exactly the question at issue.

The "Democrat" is also correct when it says that at present "the power is given to each municipal government to prescribe such laws as may be thought proper, to regulate the saloon-keeper's business. But we claim that the State should prescribe these laws, and should not delegate that power to the municipal governments, as the saloon-keeper's business effects the State at large and the evil effects of his traffic are not confined within municipal boundaries.

But let us hear further from the "Democrat:"

"Under the present law every woman in the State of lawful age, where license is obtained by petition, has a voice in determining the question of whisky or no whisky. It is needless to say upon which side of this question the great mass of the fair sex is to be found. Would it not be better to vote down the Amendment and save to the temperance cause the vote of the women of Kansas, rather than adopt the Amendment and thereby disfranchise and debar them from any voice in the subject hereafter?

"The adoption of the Amendment with its three liberal exceptions would be but the commencement of the great fight yet to be fought. King Alcohol is a foe not easily conquered and it will require the combined efforts of all temperance people—women included—to successfully combat it. Unless the people are able to elect and keep in office pronounced temperance men, the proposed Constitutional Amendment will be worse than a dead letter. Without stringent laws to carry the spirit of the Amendment into effect, who can tell the state of affairs that will follow its adoption? Suppose that A. starts a brewery or distillery and announces that he is manufacturing for mechanical purposes. Where is the power to stop him?"

We insert this quotation merely to show what desperate straits the opponents of the Amendment are in for arguments.

The women are, as all know, in favor of the Amendment; and if they were called upon to vote on the whisky question every month, a majority of them would vote against the traffic. And if a majority of the men can be induced to vote for the Amendment, they will also vote for officials to enforce its provisions. But if the editor of the "Democrat" chooses to advocate female suffrage, we will not take issue with him on that question.

But suppose A. does start "a brewery or distillery and announces that he is manufacturing for mechanical purposes, where is the power to stop him?" Surely that power rests in the State Legislature, as we have before shown. After the adoption of the Amendment the Legislature



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will have control of the manufacture and sale for the excepted purposes just as it now has control of the traffic for all purposes.

As to what particular regulations the Legislature may prescribe, we are not at liberty to judge. But when it comes to the consideration of that subject we shall be on hand. This much, however, we may say. Our legislators will have the benefit of experiments tried during a period of twenty-nine years in the State of Maine; and there is but little doubt that they will profit by that experience and give us the best and wisest laws on the subject that have ever been enacted.

The great struggle now is to secure the adoption of the Amendment as a sure foundation upon which to rest statutory laws calculated to suppress the liquor traffic in the State, and bring peace, prosperity and happiness to our homes, and save our children from the seductive influences of the rum traffic.

We do not expect to banish intoxicants at once from the State. We do not hope to redeem every drunkard who is already bound by the power of appetite. We do not hope to inaugurate the millennium just now. But we do hope and expect to save "the young, pure and virtuous from falling into the snare of the tempter."

And we now plead for the youth of Kansas. We plead for the bright-eyed boys and girls of Kansas whose innocence may be protected, shielded and preserved by the removal of the open dram-shops of the State. We call upon every father in this State to look upon the gleeful countenance and innocent purity of the children he loves, and answer to a good conscience when he casts his ballot next November for the prohibition of the liquor traffic, that those children may not bring his gray hairs in sorrow to the grave. There could scarcely be found a father in all this wide State who would not risk his very life to save his children from physical, mental or moral ruin. Then, in the name of those little idols of the household we ask, what father will deliberately vote for the perpetuation of a traffic which has wrecked the fondest hopes of the most devoted and loving parents in our land? What father will dare to vote for the continuance of a traffic that has "corrupted the life-blood of the noblest, fairest and purest of earth?" What father will dare to deliberately vote for the continuance of a traffic which is designed to dwarf and destroy the mental and moral powers of his own offspring? Such a course would be unnatural, and we trust none can be found so destitute of fatherly affection as to thus hazard the future peace, happiness and prosperity of their own children.

Let us suppose the case of a father who purposes to abandon a deep well in his door-yard, into which to drain his cellar. After the curbing is removed he begins the work of placing down timbers and covering the well, when he is accosted by a neighbor who tells him there is no need of that outlay of labor and expense, as no one need fall into the well; and if anyone were fool enough to do so, he ought to be drowned. The father answers that he has five children constantly playing around in the yard,

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and he proposes to make it secure. The neighbor responds: "Well, my friend, haven't you got your children under such control that you can tell them of the danger, and forbid them going near that well?" The father dismisses the foolish neighbor with contempt, and never stops work until he is satisfied the well is securely covered.

So, we believe, the fathers of Kansas will this fall busy themselves in the work of covering up the pitfalls of iniquity commonly called saloons. That no thoughtless idol of the household may be in danger of falling in.

Let all remember that we are not living for to-day, but that we are pioneers in this young and growing State, laying broad and deep the foundation of a future civilization that shall rise up as a grand monument in perpetual remembrance of our wisdom, or stand as a black blot upon the cleanest pages of our history as an everlasting rebuke to our folly. The eyes of the civilized world are upon us. Let us acquit ourselves like men. May it never be said of Kansas that after sprouting a germ of freedom and watering it with the blood of her noblest sons she became a slave to the rum power of the land.

In the earlier days of our history the slave traders of other States sent their paid agents within our borders for the purpose of perpetuating their infamous traffic in human souls. Kansas arose in the nobility of her character and shook off their deathly grapple, receiving the plaudits of Christendom as her reward.

To-day the liquor-dealers of other States are flooding our State with their corruption-fund, hoping to seduce us with money and receive a new lease of life and power from our ballot-boxes.

The open boast of the liquor-dealers of the East that they purpose to carry the election in Kansas against prohibition with two million dollars which they have already pledged, is an insult to every intelligent voter within our borders and will receive the rebuke it so justly deserves. Are the voters of this State branded as common chattels to be purchased with money? In this the bloated distillers of the East have missed their mark. We would have them know that the voters of Kansas are as pure, intelligent and incorruptible as a like number of noblemen on any other portion of God's foot-stool.

Away with your hired bribers! We spurn your contemptible proffer and purpose to vindicate our honor at the ballot-box.

The hirelings of the rum traffic may take upon themselves the disguise of friends. They may make the hypocritical profession of being advocates of temperance principles, and endeavor to throw dust in the eyes of the intelligent voters of the State. But their efforts will be futile. The voters of Kansas have too keen a vision to be blinded with chaff or to be deceived by so thin a mask. And when the vote is counted next November, we can show to the world an exhibition of our devotion to the principles of progressive moral development that will command the admiration of mankind throughout the inhabited globe, and attract to our State the sober toilers of other lands who are desirous of separating themselves

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and their families from the associations of the vile and vicious who abound in the rum-cursed portions of the earth.

In the earlier days of our history it was made apparent that Kansas was dedicated to freedom, and the active, energetic philanthropists of the East came pouring into the Territory to build for themselves and their families homes in "free Kansas," while the slave traders stopped in Missouri, Arkansas, and Texas.

Now let the news go abroad that Kansas stands solid for the principle of moral reform, and we will see pouring into our State a constantly increasing stream of sober, intelligent, industrious emigrants from the East who desire to build for themselves and their children homes isolated from the dangerous influences of the dram-shop—emigrants whose brain, muscle and money will be used to augment the wealth of our State and develop our hidden resources—while the rum-traders, with their retinue of vicious criminals, will be attracted to other sections of the far West.

Thus it will become easier to enforce prohibition in this State year by year, as the public sentiment in its favor will be strengthened not only by the numerous blessings it brings to our hearthstones, but by the accessions which the ranks of its supporters will be constantly receiving—while the ranks of the opposition will be depleted not only by the ravages of death whose fatal grasp is already fixed upon many of them, but by the exodus of gamblers, thieves and cut-throats which will undoubtedly take place so soon as prohibition becomes the settled policy of this State.



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