



DEBATE

Upon the

MAINE LIQUOR LAW,

Wednesday, October, 1852, at

Clinton, N.J.,

Between

Rev. Mr. McNeir,

Of Clinton, N.J., and

G.J. Beebe,

Of Middletown, N. Y.



MAINE LIQUOR LAW
DEBATE,

AT CLINTON, NEW-JERSEY

WEDNESDAY, OCTOBER 9, 1852

BETWEEN

Rev. Mr. McNeir, Pastor of Presbyterian Church, Clinton, N.J.

AND

G.J. Beebe, Editor "Banner of Liberty," Middletown, N.Y.



MIDDLETOWN, ORANGE COUNTY, N.Y.

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1853

MAINE LIQUOR LAW DEBATE

Several thousand citizens having assembled at an early hour, the committees on behalf of the disputants respectively concurred in the selection of Doct. Manners a distinguished senator of New Jersey, to preside, assisted by Hon. Jonathan Pickle and _____, as Vice Presidents. Thirty minutes alternately were fixed as the time to be occupied by each speaker. The report of the joint committee was sanctioned by the disputants and cordially responded to by the meeting.

At 10 o'clock, A.M., the discussion was opened by a few appropriate remarks from the honorable chairman, relative to the importance of the issue involved and general interest excited thereby throughout the Union, closing with a complimentary allusion to the polemics, and an earnest commendation of good order and decorum which he trusted would render his duties light and agreeable and the discussion profitable and pleasing. He then introduced, as the first speaker, Rev. Mr. McNeir, who spoke as follows:

It was a wise expression of Job, *Oh that mine enemy would write a book!* and in this particular he must acknowledge he had somewhat the advantage of his opponent in this discussion. He has written a book; and one which abounds in errors, false reasoning and bad logic, as he should endeavor to show; for it was his intention to make it the subject of his remarks in this debate. He held a copy of it in his hands, and it was entitled *A Sure Cure for the Tetotal Mania, and a Quietus for the Maine Liquor Law, by G. J. Beebe*. This pamphlet was designed to oppose the Maine Liquor Law; and if he should be able to show that the statements and reasoning by which that end was sought to be attained, are erroneous, he should

thereby vindicate that law, and maintain his position in this argument.

There is no way in which a man puts himself so completely into the hands of an adversary as in writing an incorrect book. The pamphlet issued by Mr. Beebe is unfair and inconclusive, and slanderous to a large portion of the citizens of this country. We avow it as a fact established by the history and experience of man in all ages that the moderate use of alcoholic drink leads to the immoderate use. When intoxicating drinks were introduced into England the government was compelled to prohibit them by force of law. The same was the case in Ireland, Scotland, Holland and Germany. The moderate use led to such immoderate use that public men began to fear for the welfare of their country. Just as they have been introduced in the various parts of Africa and Asia, the same results have followed. It has been laid down by philanthropists and philosophers that the use of alcoholic drinks tends to debase the feelings and destroy the happiness of man. Never can we, if we are to draw our conclusions from the evidence of the past, destroy the evils of drinking until we destroy the cause itself. This can be done without violence to the rights of any one. No one has a right to get drunk at home or abroad. I have a right to be protected from the brawler upon the highway. The Maine law is calculated to remove the cause of intemperance and to protect sober and peaceable citizens in their rights. That law is right in principle if not in all its details. It is the best that has yet been devised for the prevention of drunkenness. We are doubtful whether we shall be protected in our rights until we have the Maine law or something similar. I have a right to demand protection against midnight aggression. But

a few months since, myself and family were alarmed in the dead of the night by the hideous bellowing of a drunken brawler, who made the hills re-echo with his bacchanalian shouting. He approached my dwelling and invaded my premises; and came thumping upon the door of my house, demanding to be admitted and threatening to break in. My family were awakened from their quiet slumbers and terrified by his horrid and profane blasphemy and threats; and when I went to open the door I found the brawler armed with a great club, but he was so stupefied with rum that he sank down from exhaustion and remained there until the sun rose high in the heavens. Have I not a right to be protected against outrages of this character?

I will relate another case that occurred in the family of Mr. McElrath (one of the proprietors of the *New York Tribune*) about three years ago. The family were at their country residence and Mr. McE. Was absent, when they were awakened in the night by a noise at the kitchen window. There being none but females about the house they went and fastened the doors connecting with the kitchen, as well as they could although conscious they could not make them invulnerable to the assaults of the burglar. They continued to hear the noise at the window, which was finally forced open, and they heard the midnight assassin enter the kitchen and stumble around in search of the door by which he might get into their apartments. One of the ladies, who was naturally of a very frail and nervous constitution, was so terrified as to be quite overcome, and she never recovered from the shock given her by the fright; but, providentially, the intruder was so intoxicated that he could not find the door, and after stumbling about awhile in the dark, he sank down into a drunken sleep or torpid stupor, in which he remained until the dawn

of day enabled the inmates of the house to flee to a place of safety. When assistance had been obtained to eject the aggressor, it was found he had pried the kitchen window open with a bowie-knife, and thus narrowly had those ladies escaped assassination. Other cases might be referred to of a similar character, showing the evil results of intemperance, and we know of no way to guard against them except by enacting the Maine law for the purpose. He would now read from Mr. Beebe's pamphlet, and show the specious sophisms employed in opposition to the enactment of such a law. [Mr. McNeir here read the first paragraphs of the pamphlet, as follows:]

“The virtue of temperance in eating, drinking, exercise and repose, as well as in anything else to which we are accustomed, none will question or dispute. Excess in everything is, to a greater or less extent, injurious, and the enemy of the true enjoyment of any pleasure, luxury, or blessing. Whatever pleasure or enjoyment may be produced by moderate use or indulgence in any drink, diet, or practice, intemperance or excess will convert into bane and misery. This is neither more nor less true relative to spirituous or other beverages, than as to anything else. The same drink or diet which, when moderately indulged in, will be pleasurable to the taste and beneficial to health, will, if immoderately used, cloy and become loathsome, and, like the beautiful apples of Sodom turn to ashes upon the lips, while, at the same time, instead of promoting health, it will generate disease and pain. The same amount of either, however, which would be moderate and healthful to one person, would be excessive and hurtful to another, of different constitution and temperament. Indeed, that which is palatable and nourishing to one person may be absolutely insipid and injurious to another. Drugs or medicines, for instance, the administration of which would speedily restore a patient suffering under the severest malady, to sound health, if taken by another, laboring under a different though less dangerous disease, would soon consign him to an untimely grave. From these reflections it is evident that every one who has reached the years of maturity, must choose for himself such diet and drink as he may desire, or deem best adapted to his welfare and happiness. For this purpose he is endowed by his Creator with reason to guide, and certain tastes or instincts to direct him; the

free exercise of which is among his 'natural inalienable rights,' with which his fellow-men or government have no right to meddle, and with which none but tyrants, or conceited and misguided fanatics would desire to interfere.

It may be urged in reply, that the natural tastes or instincts of men are not infallible, and that many do not heed the light of reason implanted within them and that frequently they are injured by excess, or by the use of that which is altogether unfitted for them. This is true with regard to spirituous liquors; but is no less true in regard to diet, exercise, bathing, business pursuits, industry, idleness, and everything else to which we are accustomed or with which we are acquainted. Yet, who would not think of or advocate laws to be enforced by fine or imprisonment, for regulating what and how much one shall eat, the extent to which he shall take exercise, and of what kind it shall be, how frequently he shall bathe, and whether its warm, cold, fresh or salt water; what business pursuits he shall or shall not engage in – how many hours per day and how hard he shall labor, and what portion of time he shall abstain from labor and be idle – or that he shall not at any time be idle? – There would be as much sense in laws regulating all these affairs as in regulating the kinds of drink a man shall take and in what state of bodily health or disease he shall take them.

The law recently enacted in the State of Maine and essentially adopted in Massachusetts and Rhode Island, provides an office in each town to deal out spirituous liquors, the incumbents of which are appointed State officers, to determine who only shall drink spirituous liquors, and when and of what kind. Why not with equal propriety appoint commissaries in every town to regulate the kind and the quantity of food each person shall eat? Gymnasium masters to regulate the daily exercises to be taken by each citizen? Hydropathian professors to prescribe the kind and frequency of bathing or washing? Overseers and taskmasters, to select a business employment for each individual, and apportion to him the amount of labor he shall perform and how he shall dispose of the remainder of his time?

Now it has been shown that the temperate use of alcoholic drinks leads to their intemperate use, and all the evils consequent thereto. – When did diet, bathing, business pursuits, or idleness produce such evils? Never. There is then no analogy between the cases that are thus compared and the

reasoning based upon its predication is inconclusive and erroneous.

[The President here announced that half an hour had been occupied by the speaker who gave way, and G. J. Beebe took the stand and spoke as follows:]

Mr. President and Fellow Citizens: I regard and appreciate the virtue of *temperance in all things* no less highly than the Reverence gentleman who has preceded me; while I as deeply deplore the evils arising from the intemperance, as well as from many other causes incident to the imperfection of human nature. I am not here as the apologist of intemperance in anything; but as an opponent of a law justly deemed pernicious and tyrannical by a very large portion, if not a vast majority of the most respectable and intelligent citizens of our country. While all sensible and good men regret the existence of intemperance and all other evils among us, we may and do differ widely as to the remedy best adapted to their correction, and the extent to which government shall interfere with the free action of its citizens. A new law has been adopted in the State of Maine, with the avowed object of suppressing the manufacture and sale of spirituous liquors, and thereby banishing the evils arising from their intemperate use. We are here to discuss the issue, whether that law is wise and just in principle, and whether it is calculated to accomplish its professed object – whether it is compatible with the just rights and reasonable liberties of freemen, or whether it is unjust, oppressive and tyrannical, and tends to more evil than good. This being the issue, the Reverence gentleman's pathetic declamation and denunciation upon intemperance is as irrelevant to this discussion as it is idle and superfluous, since all are as well aware as the gentlemen himself that drunkenness is a folly and an evil, and no one either here or

elsewhere disputes or denies the universally conceded fact. The gentleman might as well argue that disease and suffering were misfortunes, and work himself into a phrenzy under the fanciful supposition that somebody differed from him.

A pamphlet recently issued by me, in opposition to the Maine law, has been introduced as the subject of discussion here today, with mingled expressions of sympathy for my being placed in the position desired by Job for his enemy, and boastings over the advantage to be derived therefrom by my opponent. Let it be remembered, however, that "it is not for him that putteth on the armor to boast; but for him that taketh it off." I hold myself prepared to sustain every statement and argument contained in that pamphlet. It was prepared with some care and reflection, and I believe it to be correct in every particular; and that in every neighborhood where it is properly administered it will prove itself what it professes to be, "*A Sure Cure for the Tetotal Mania and a Quietus for the Maine Liquor Law.*" So far from realizing the disadvantage of my position from its production, as imagined by my opponent, I am very thankful to him for bringing it to the attention of this meeting, which my own modesty might not have permitted me to do; but since he has done so, I will state that there are a few hundred copies here upon the ground, for sale at 12 cts. per copy; \$1 for ten copies or \$8 per hundred; and should they not prove sufficient for exterminating the Maine law fever, any additional quantities may be received by mail, postage paid, upon writing to me, at Middletown, Orange County, New York.

I will remind my learned opponent, however, that my pamphlet is not the subject appointed for this discussion. In the colloquy between him and myself at the

close of a meeting held at this place, a few days since, which I had addressed in opposition to the Maine Liquor Law – in which the appointment for this debate originated – nothing was said relative to the pamphlet. This vast assemblage have not convened to hear it discussed; for very few of them had ever heard of it, although I hope the gentleman's reference to it may be the means of its more general introduction, and induce every one to procure a copy which they can read at their leisure and thus relive him from further trouble in reading it. The assembled thousands around us have come out to-day to hear the Maine law discussed, and expecting him to advocate and explain its merits, and unless he shall do so, he will disappoint their expectations, however he may succeed in his onslaught upon my pamphlet. I am also expected to oppose the Maine law, and to show wherein it is objectionable for the government of freemen, and calculated to produce evil results rather than promote the morality, happiness and well-being of society. This I shall endeavor to do, in my remarks here to-day, occasionally, if necessary, turning aside to vindicate the pamphlet from unjust aspersions, if he shall choose to continue to make it the subject of his discourse. As our audience have not come here for the purpose of hearing the pamphlet debated, however, I would suggest that the gentleman postpone his strictures thereon, to some other occasion, and proceed directly to the issue of the Maine law, or else at once frankly acknowledge that he deems it untenable or himself unable to defend it. I am informed that he has heretofore been constant in its laudation; and let him now acknowledge his error, or come up boldly to its defence, as he is expected to do; and if defeated let him leave the field with his colors flying, rather than furl or strike them at the outset of the battle. I will agree that he shall appoint any number of meetings to harangue upon the

pamphlet, which I am will he shall do in my absence, as I deem it capable alone of withstanding all he may be able to say; and if he will fairly read it through, once a year, to his congregation, he shall be welcome to preach upon it throughout the remained of that period, and I will abide the verdict of his hearers.

Every intelligent citizen is aware that the great point of difference between the new liquor law of Maine and those of other states, is that it assumes to prohibit the *temperate use* of spirituous liquors, by preventing their manufacture and sale; and appoints a state salesman in each town to act as guardian for the whole community, and only allow them such quantities of liquor and at such times as he shall deem proper for purposes prescribed by the presumption of a majority of those citizens who happened to be members of the legislature at the time of the enactment of the law. Whereas the present laws of New Jersey and of every other state in the Union, provide against the evils of drunkenness by the appointment of guardians over the estates of inebriates whose improvidence endangers the future welfare of themselves or families; and even against he power to get drunk, by making it the duty of town officers to post habitual drunkards and forbid all persons from selling or giving them liquor, under severe penalties. The laws of every state in the Union provide for the preservation of the public peace; and wherever those laws are violated, whether by drunken or sober men, there are proper penalties applicable upon complaint. The time-honored laws of all civilized communities, sanctioned by the wisdom of ages, the justice of which all acknowledge, provide proper adequate remedies for the prevention of habitual drunkenness, or the squandering of property thereby, and for the orderly conduct of all citizens, drunk or sober; and our state laws,

based upon the old English license laws, require retailers of spirituous liquors to enter into bonds with proper securities, conditioned that they shall at no time suffer their houses to become disorderly, under the severest penalties. Let our present salutary laws be enforced and intemperance will be as fully suppressed as it is possible for it to be through the agency of law. Since ample remedies are provided by our present laws for the prevention of drunkenness and disorder, why do not our total abstinence friends who are so clamorous over the evils of intemperance cease their idle declamation, and set themselves about the enforcement of those laws in all the numerous cases of their violation which they profess to be cognizant of? If there is not moral virtue or courage enough among them or in the community to enforce our present laws, the propriety of which we all acknowledge, what folly to suppose that more stringent and severe laws, contrary to the judgment of half or more than half the community, can be more thoroughly enforced, in the face of such a powerful opposition! Temperate and respectable men, if possessed of the spirit of freemen, will not permit any conceited fanatics or upstarts to dictate to them when and what they shall drink. The right of choice in eating and drinking is one of the dearest natural rights of men, which they will not surrender until they are craven and debased enough to submit to the most servile degradation. In the language of the great *Magna Charta* of our liberties, our national Declaration of Independence, "All men are created free and equal, and endowed by their Creator with certain inalienable rights. Among these are life, liberty and the pursuit of happiness." Every citizen of a free government has a right to pursue happiness in his own way, and according to his judgment, tastes and inclinations, so long as he does not invade or endanger the equal rights of his fellow

citizens. Every person of common sense knows that it is not an invasion of the rights of any one for another to eat or drink whatever he may deem proper, so long as he does not become disorderly. The Maine law treats the whole community as imbeciles and places all citizens upon a level with idiots, maniacs or drunkards, requiring a guardianship to direct them in their drinks, and is therefore as disgraceful to a people as it is tyrannical, oppressive and intolerable. Notwithstanding, the false reports of its operation in Maine, it never has been and never can be enforced among freemen. The attempt to enforce it will ever be attended by resistance, rebellion and bloodshed; and the occasional infliction of its severities in isolated cases will have no tendency to diminish the consumption of liquors. On the contrary we learn from the most authentic and disinterested sources that there is more liquor sold stealthily in Portland and other towns where fanaticism holds a temporary ascendancy, than ever before; while, in most towns and neighborhoods of Maine, Massachusetts and Rhode Island, where it has been enacted, liquor is sold openly, as usual; and it needs but little foresight to perceive that it will soon be repealed by the legislatures of those states, or become a dead letter by common sufferance, or be set aside by judicial decisions, as a violation of the constitutional rights of citizens.

My Reverend opponent desires the enactment of the Maine law in New Jersey for the better preservation of the public peace; but instead of subserving the is end, in all cases where it has been attempted to enforce that law or similar ones, the most embittered animosities, outrages and revenge have been the result – persecution, bloodshed, litigation and imprisonment are its legitimate offspring, as may be learned from the history of the restrictive laws of England, Scotland and Ireland, and of the

Fifteen Gallon law of Massachusetts, and of the “no license” laws of New York, New Jersey, and other states, all of which, after having converted comparatively peaceable communities into a condition of society resembling pandemonium itself, were necessarily abandoned and repealed for the restoration of the peace and welfare which they had destroyed. The idea of the imposition of the Maine liquor law upon us by the fiery zealots of the tetotal fanaticism, under the pretence of promoting the public peace, is like that of the Irishman, who, observing a disturbance in the street, rushed into the crowd, brandishing his shillaleh and exclaiming, *Pace! pace! be jabbers, I’ll pace, if I have to fight for it!*

This gentleman informs us that the tranquility of his family was once disturbed in the dead of the night by the brawling of a drunkard, and from the pathetic cadences in which he commenced the narration of the catastrophe, I trembled with apprehension lest some of his family had been murdered by the wicked aggressor, and was very agreeably disappointed in learning from the sequel of the story that no serious calamity occurred, and that no one was hurt, -- the Reverend gentleman being only a little frightened and disturbed in his nocturnal musings or slumbers. Craving pardon for the similie, I must say, that the little incident so eloquently portrayed by the Reverend gentleman, with such solemn pathos, reminds me of a similar burst of grandiloquent declamation from a down-east orator –

The thunders roared, - the lightnings flash’d!
And granny’s tea-pot went to smash!

Should the gentleman ever again be subjected to such a horrible outrage, I will here inform him, without charging a counsel fee, that the present laws of his own state

afford ample remedies for such and all similar disturbances. He has but to enter his complaint before a justice of the peace, and the aggressor will meet with the terrible retribution merited by his heinous offence, without any aid from the Maine law.

With regard to the case in the family of Mr. McElrath, according to the statement of the gentleman, it was an exceedingly fortunate circumstance, that the burglar had imbibed so freely previous to his attempted outrage that he was unable to accomplish it. He had doubtless planned the burglary in his sober moments, as all such outrages are planned and executed if at all; and had any law been in force which could have kept him from procuring liquor, the lives of those ladies might have fallen victims to it.

A man while intoxicated is incapable of committing most of the worst crimes; and is apt to make bungling work of it if he attempts any outrage. For my own part, I never knew any full grown sensible person much afraid of a drunken man. It is easy to get out of his way, if he cannot be easily managed by mildness or force. The most serious evils are to be apprehended from bad men in the full possession of their faculties and powers. Although intemperance is an evil to be deplored and discouraged by all good men, the attributing of almost all, or, indeed, any considerable portion of crime thereto is erroneous, but the phantasy of the heated imagination, or a deluded mind! Intemperance in anything is an evil carrying its own punishment to its victim. It is a violation of the law of nature, invariably accompanied by its appropriate penalty, which is felt throughout the system of the person diseased by it. Our Creator has apportioned the retribution of the folly, by the sure laws of nature implanted within our systems. He has not left it for men to mete out retribution for the excessive indulgence

of appetite, by their fellows. Men are not perfect, and some will violate well known physical laws, and like the fool “pass on and are punished;” but while we may regret their folly, and even volunteer friendly advice, still we have no right forcibly to interfere, and prescribe to them what or how much they shall eat or drink so long as they do not interfere with the rights of others, or until they lose possession of their faculties and the power to take care of themselves.

The gentleman asks when diet, bathing idleness and business pursuits produced such evils as the use of spirituous liquors. I answer that from each of these causes more deaths probably occur than from the drinking of spirituous liquors. Thousands die annually from gluttony, and improper diet, accidental drowning, and improper bathing, from want of exercise, and unhealthy and dangerous business vocations &c., while many more become diseased, decrepit and lose the use of their limbs from the same causes. The conclusion is therefore inevitable, as stated in the extract read from my pamphlet, that it if be right for government to interfere with the drinks of its citizens for the protection of their health, it is equally so in all these cases. The analogy is therefore perfectly correct, the cases are entirely parallel, and the reasoning altogether correct and conclusive.

[The President here announced that the half hour had expired, and Mr. McNeir again took the stand.]

Rev. Mr. McNeir replied as follows:

Will a loud laugh or a short laugh tend to elicit the truth? Is there any argument in witty sayings that provoke a passing laugh? Though they may please the ear and amuse the audience, will they convince the judgment?

We have been told that ponderous church bells of our cities and villages, break the peace of the community and disturb the sick and dying. Then the public have a right to take the matter in hand and suppress them. But I shall not be driven from my purpose of reviewing this pamphlet. I shall proceed to read another extract from it. "*O that mine adversary had written a book!*" In continuation of what I before read from his pamphlet, Mr. Beebe goes on as follows:

"Should the sapient legislators of Maine or other States adopting its new law, be inclined to profit by our suggestion, and extend the principles which they have adopted as a basis of legislation to the matters to which we have alluded, they will be but a small way upon the new sphere of legal operations upon which they have entered. They will next have to make war against Tea and Tobacco – and who can picture the terrible onslaught upon the tea-pots, snuff boxes, pipes and pigtail?"

Now, when did tea and tobacco, even if used to the greatest excess, ever have the effect to produce *manic a potu*? When did they ever make men as wicked as Cain? When did ever tea, coffee, or tobacco, in their worst effects, tend to make men go abroad and make the hills reecho with their backguard shouting? Does tea, coffee, or tobacco ever make a man commit suicide? But we will pursue this beautiful reasoning a little further. Mr. Beebe goes on, in his pamphlet, to say:

"When these shall have been overcome, vanquished, consumed and consigned to the tombs of the capulets, it will next be necessary to investigate the costumes and apparel of the community – as thousands of fair ladies have been hurried from the world by the use of thin shoes, and awful picture of the reform rushes upon the mind's eye, of delicate ankles encased in coarse brogans by the force of law, clattering along our sidewalks and shuffling over the floors where erst was seen the "tripping of the light fantastic toe." But if we step from the street and parlor to the toilet rooms of the fair ones of our land, we must there behold a government official necessarily in

attendance to draw their corset-strings, and see that the law in such case made and provided against tight lacing be not violated. Indeed, we fear that under the new system of legal reform and governmental vigilance over the health of the community, the delicate belles of our fashionable circles would be escorted by the stern officers of the law from the soothing strains of their pianos, and luxury of soft carpets, ottomans, sofas and rockers, to the uncarpeted kitchen, and set to peeling potatoes, and learning the use of the washtub and scrubbing brush. As cleanliness is one of the most indispensable essentials to health under the new system of legal reform and health superintendence, we shall also expect to see knights of the soap and towel, perambulating our streets to catch the "*great unwashed democracy*," and give them *per farce* a thorough scouring – followed, of course, by knights of less degree, with comb and brush, to kill the vermin and smooth the flowing leaks. – Delightful picture to dwell upon! but let none for a moment deem it inappropriate or overdrawn. Careful examination and reflection will convince all that excessive or improper diet, too much or too little exercise, bathing or sleep, business of an unhealthy nature, heavily ventilated rooms, thin shoes, tight-lacing, filth and vermin, as well as the use of tobacco, tea, coffee, &c., have each impaired the health and destroyed the lives of thousands, and that the legislators of our State, have just as much right to interfere and appoint officers for their regulation, as to inhibit or appoint officers to limit and prescribe the use of alcoholic drinks. Indeed if the latter be right and proper for them to do – all the former follow as matters equally appropriate for legislation, upon the principle of State superintendence of and provision for the bodily health and welfare of its citizens."

The gentleman says we shall next have to make war on thin shoes, corsets and tight lacing, and who can picture the result? When ever did thin shoes and tight lacing have the effect of bringing their victims to the same level as those who have been ruined by indulgence in strong drink? When have these things ever had the effect of giving women *mania a potu*, and causing them to beat their husbands to death, and to consume their property? I do not know whether the gentleman is married or not; but if so, would he not far rather his wife should wear thin shoes than become beastly drunk? Is this good logic? The gentleman must be

deficient in his knowledge of rhetoric; for according to Campbell, when a writer institutes an analogy between things dissimilar in character, he weakens rather than strengthens his argument. He goes on to say:

“If, however, the right of legislative action in the matter of spirituous liquors be claimed on the grounds of morality, the principle sought to be established is if possible, still more absurd. Morality is not the work of legislation or physical force – it must spring from the internal impulse of the heart or be inculcated by kindness and persuasion. If a man be foolish enough to injure himself by the use of spirituous liquors, opium, or tobacco, he is punished by the unfailing laws of nature; for he feels the painful effects of his abuse throughout his entire system. Although we may lament his weakness and folly, we have no right to interfere with him unless he does something to infringe or endanger the rights of others. So with regard to lying – the folly and immorality of which all admit – but no government has ever been silly enough to attempt its suppression by force, except in such cases as the rights of others are infringed – as, for instance, where fraud is practiced whereby others have been wronged, or when a person has been called as a witness to testify in a court of justice, relative to matters affecting the rights of others. So with profane swearing, noisy or rowdyish conduct, and immorality of every species whereby none are affected but the perpetrator, the state has no right to interfere; but if the same things be enacted at a time and place in which others are annoyed or injured in their rights, they become culpable offences justly subjecting the offender to punishment. If, however, our legislatures dare to overstep the boundary line of their appropriate field of action, and attempt to punish immorality *per se*, even where the rights of others are not infringed or prejudiced, why should they stop half way? If men may be made virtuous and moral by the force of law, why not make them wholly so, and legislate them to heaven at once?”

He pronounces it absurd for us to legislate men into morality, which must spring from the heart or be inculcated by other influences. Have we not a right then to prohibit the sale of intoxicating liquors, from which so much immorality results? Such liquors are now sold only by virtue of licenses granted from year to year; and has

not the power which grants such licenses the authority to withhold them, if deemed best calculated to subserve the public good? By so doing the necessity of any legislation on the subject would be precluded. It is not the business of a physician to admit disease into the system and to be content with merely palliating it by opiates and other means, but he should guard against its introduction into the system, and, if it be already seated, eradicate and destroy it. We take the position that it is not legitimate to regulate evil; but that the only proper way is to destroy it. It is not the object of our laws to regulate and control piracy, murder, gambling and Sabbath-breaking; but to prevent such evils. Are laws wrong that benefit society by preventing immorality? No. We are advocating a law to prevent immorality by destroying the traffic in liquors, by which so much evil and immorality is produced.

[The President here announced that the half hour had been occupied, and the stand was yielded to G. J. Beebe, who replied as follows:]

I have not come here to chop logic with the gentleman; nor to contend upon nice points of rhetoric: such a contest would be more appropriate to young students in our academies and colleges, than to polemics in the presence of an audience deeply and vitally interested in the principle involved in a practical question at issue. In this debate, as well as in my ordinary writings, I shall express myself in the manner I deem preferable, and leave to pedants and pedagogues the dry task of analysis or prudish criticism. I will remark, however, that I am not altogether unfamiliar with the rules of rhetoric, as laid down by schoolmen, with all of which rules the gentleman makes such sad havoc in his oral discourse that his criticism upon my

language is doubly amusing. The gentleman reminds me of a literary knight described by Hudibras –

“He was in logic a great critic,
Profoundly skilled in analytic:
He could distinguish and divide
A Hair, ‘twixt South and Southwest side,
On each of which he would dispute,
Confute, change hands, and still confute.”

“If in a speech by chance broke off
For want of thought or by a cough
He had reasons ready to show why
And tell what rules he did it by,
Else when with greatest art he spoke
You’d think he talk’d like other folk.”

The gentleman is welcome to all his assumed superiority of diction and style and I shall be content to depend upon a common sense view of things, and a common place manner of expression; for I consider one fact, ever so plainly expressed, worth more than forty of the finest rhetorical flourishes or logical formulas.

The excessive use of tea, coffee, opium, tobacco, &c., produce a great variety of nervous diseases, including nearly all of that character. Who shall tell the numbers of the thousands whose constitutions have been undermined and health destroyed and who have at last fallen fatal victims to the use of tobacco, in its various forms? Warm drinks are universally known to be unnatural and unhealthy, and, as well as tobacco and opium, they probably produce more premature deaths than spirituous liquors; because the number of those who indulge in them to excess is tenfold greater and their gradual effects are less perceptible to the observer. Vastly more deaths annually occur from the use of water and steam than from the use of spirituous liquors. More deaths are produced by accidents from the

use of steam upon railroads and steamboats alone than from drunkenness. The use of stimulants in one form or another is natural to mankind. When judiciously used they are beneficial; but, (like every thing else,) when used to excess they are highly injurious. Were it possible to prohibit the use of spirituous liquors and wines that has prevailed among portions of the human family from the earliest history of our race, we should find other stimulants resorted to, far worse in their effects. The Mahomedan nations illustrate this fact. Their religious superstition, which will ever exercise a far more effective influence upon mankind than it is possible for the most highly penal enactments to do, prohibit the use of alcoholic liquors; and what has been the result? Why according to the doctrines of modern totalitarians, who profess to trace all crime and poverty to the use of such liquors, we should expect to find the Turks, Arabs and Egyptians the most moral, enlightened, refined, happy and prosperous people in the world, and their lands a perfect paradise. But unfortunately for the total theory, they are, on the contrary, the most immoral, dissolute and degraded of the white race; while the people of Europe and the United States, who use more alcoholic liquors than any other people, are nevertheless the most moral, refined and elevated portion of the human family. It is therefore clear that the use of spirituous liquors is not the source of all the evils that afflict our race, and it is equally evident that they are far less nefarious than opium and other stimulants that are ever at hand and will be inevitably substituted by people who may be unable to procure such liquors. I have known instances where drunkards who professed to have been reformed by the pledge, have taken to opium eating, and found their new habit far more ungovernable than the former, and far more injurious; for it rendered them stupid, dreamy and worthless

all the while, whereas they had previously been nine-tenths of their time in full possession of their faculties, industrious, and capable of attending to business. After their reform they have thus been rendered two-fold worse than before.

In those portions of South America most destitute of spirituous liquors and other stimulants, a far more pernicious native herb called *coca*, has been sought out and is used with far worse effect than even opium, while in the Sandwich Islands and every known portion of the earth, the aboriginals have in use native stimulants to a greater or less degree injurious, when used to excess, and in all cases equally or more liable to abuse than spirituous liquors. In order, then, to accomplish the great work taken in hand by the tetotalers, they will have to make war upon the vegetable kingdom and eradicate many of its species from the earth, as well as to root out the natural tastes of men and implant new natures within them. How long will sensible men be duped to lend their aid in so futile and hopeless a crusade? Spirituous liquors, temperately used, are in many cases beneficial, while every thing in nature if used to excess is rendered injurious. Let us then preach and practice temperance in all things, and not become fanatical or intemperate in any narrow minded theory.

It is a privilege which even the brute creation enjoy, to select such of the fruits of the earth as God has placed within their reach, for their use, as their natures prompt them. And shall men be denied the dame privilege? If so, by whom? Who of our fellows have a right to superintend our drinks or diet, in republican America? Certainly not our legislators, for they possess no peculiar powers except as we have given them in black and white, well defined in the constitutions which they are

sworn to support. Among those powers there is not the shadow of one to regulate our meats and drinks. To ask them to do so, is then to ask them to commit willful perjury and prove traitors to their trust.

My Reverend opponent tells us that it is the business of the government to make men moral. And if you ask him again, he will tell you that the perfection of morality is religion. And surely he would not have government stop half way. How then does he differ from the dogmatists and persecutors of the dark ages, who in the attempt to bring mankind to their nations of morality and religion, deluged Europe in blood, and made their air reverberate with the terrific shrieking of their tortured victims? The business of civil government is merely to protect its citizens from aggressions, to shield them from infringements of their rights of person and property, and punish all outrages of these rights. As to morals and religion good men differ widely in their views. We find that within the past few years a sect has arisen who consider it immoral to use spirituous liquors and wines, while upon the other hand a much larger number hold, with all good and enlightened men of all ages from the commencement of history, that their temperate use is entirely moral and proper. This newly risen sect now seek to fasten their mushroom theory upon us, by penal laws, in the same way as did the popes of Rome, the bloody Elizabeth or the bigoted, persecuting Puritans. The effect of their success in procuring such laws as they ask, would be to enslave and persecute all good men who differ from them, or to provoke rebellion, bloodshed, civil war and revolution. Let none be deceived! This newborn theory having the form of a lamb has the voice of a dragon and the red tongue of a demon, to lick up the blood of freemen

as greedily as in the darkest days of priestcraft.

With regard to gambling, although I deplore its direful effects as deeply as the gentleman, I do not dread its evils half as much as the effect of legislators transcending their legitimate sphere of action and invading the liberties of citizens. By the common law, all money lost at gambling may be recovered on the ground that no consideration has been received therefor, and all frauds by which a person may have been swindled of his money, are justly punishable. This is perfectly proper. But when legislatures have gone farther, and positively enacted that all playing at games of change upon a wager, shall be deemed criminal and subject the offender to imprisonment in the state-prison, as has been recently done in the state of New York the effect has been to strengthen the bands of the gamblers; for before this law, a loser could by an action recover his money but he is regarded as a *particeps criminis*, and liability to punishment closes his mouth against complaint, however heavily plundered by the crafty arts of practiced gamblers. At the same time none that are not players are found ready to frequent the gambling holes as spies and render complaints. The consequence has been that since the severe law of our last legislature against gambling, it has flourished to a greater extent than ever before in our state. Even the popular churches, openly and publicly gamble as usual at their fairs to raise money for religious uses, by lotteries, grab-bags, wheels of fortune, ring cakes, &c. So futile has the law proven and so widely do religionists differ in their views of morality from our legislators, who enacted the law.

As to laws compelling the observance of Sunday as a Sabbath, I blush to think that such a bigoted relic of priestcraft tarnishes

the fair escutcheons of any of our states. With Paul I would say, "Let no man judge you in meats or in drinks, or in regard to holy-days." "Some esteem one day above another; some esteem every day alike. Let every man be fully persuaded in his own mind." Is there a bigot in New Jersey intolerant enough to enforce a law inflicting fines or imprisonment for obeying this injunction of Paul? Does any good result from the sabbath-law of New Jersey? It is the last thing I should have expected reference to for the purpose of popularizing an idea or strengthening an argument. The Christian Apostle taught a doctrine as different from the Sabbath-laws of New Jersey and New York, as the day is from night, and was so certain that he was correct that he issued his anathema against any who should controvert it. "If an angel from heaven come among you teaching any other doctrine than that ye have received, let him be accursed." Let all reverend gentlemen who profess to teach the doctrine of the Apostle beware of his malediction.

The Reverend gentleman alleges that the use of alcoholic liquors makes "men as wicked as Cain." This I deny. Cain was a tetotaler; had he been intoxicated Abel could have got out of his way.

I must also differ with my learned opponent as to the duty of a physician to go to work at a man to prevent disease. I believe it as imprudent to go to doctoring for fear of being sick, as it is to prohibit men from drinking at all for fear they will get drunk. When the man has become sick, it is time enough for the doctor to go at him; and when he has become drunk, or done something to the injury of his fellows, will be the proper time for the laws to take hold of him. My friend's idea seems to be like that of the burly Milesian who called upon an apothecary for some medicine, and being

asked what ailed him, replied – “Nothing at all, jist; but as I was after having a holiday, sure, I thought I’d be after taking some medicine fornenst I might be ailin’ and not have time to cure me.”

We are told that it is not the business of government to regulate murder, piracy, &c.; but to prevent them. Would the gentleman therefore have a man hung for carrying fire arms or pocket-knives to *prevent* him from committing murder? Or the sailor strung up at the yard-arm for attempting to go to sea, in order to prevent him from piracy? Such is the marvelous tetotal philosophy of our times!

My friend seems to place great emphasis upon the fact that *mania a potu* has sometimes resulted from excessive use of alcoholic drinks. This is truly a lamentable fact, as it is also that thousands of cases of insanity have been produced by over excitement at religious revivals, under the influence of which mothers have even slain their infants and committed suicide, in numerous instances. Would my Reverend friend therefore prohibit all religious exercises, because when intemperately indulged in they have produced such deplorable effects?

The expiration of the half hour was here announced, and the meeting adjourned for an hour and a half. At about 2 o’clock, it again convened, and

Rev. Mr. McNeir resumed the stand, and spoke as follows:

The last speaker referred to the command of Paul, “Let no man judge you in meads or in drinks, or in regard to an holy day.” Paul also says, “If meat cause my brother to offend, I will eat not more while the world standeth.” – What causes our brothers and

fellowmen to offend more than the use of rum and other alcoholic liquors? Could Paul, then, sanction their use in the present day, under existing circumstances? – Most certainly not. The gentleman may put his own construction on the language of Paul; but for my part, I shall always understand scriptural instructions as consistent with sound morality, and shall admit no interpretation of the teachings of the good book that shall clash with well known principles of right and morality. We are for morality, whether the gentler man is or not – Paul never says that men are at liberty to eat poisonous meats or drink poisonous drinks, like rum and other intoxicating liquors, that are annually consigning thousands to the grave.

The gentleman has told us of a case of a certain young lady who was bro’t to her death-bed by the use of thin shoes never produced *mania a potu*, and made its victims a terror to their fellow creatures, or endangered the lives, property or peace of the community, as the use of liquors has done. Therefore it is not the business of the law to interfere in the one case, while it is an imperative duty in the other.

The gentleman professes to think it was a very fortunate circumstance, that the man who committed the burglary upon Mr. McElrath’s premises, was intoxicated, and attributes the escape of the ladies in the house, to that circumstance; but I think, had it not been for this intoxication, he would not have invaded those premises with a murderous knife in his hand; and no damage whatever would have been done.

My opponent strongly implies that the temperance men, by seeking legislative action for the suppression of the traffic in intoxicating liquors, interfere with the rights of some portion of the community. Does he

not know that none have a right to take the lives of their fellows, or to pursue a business which produces death and misery all around them? Any manufacturing or other business which poisons the atmosphere or fills it with unhealthy matter, is not allowed to be conducted in a populous vicinity; and the government has the same right to restrict or abolish the trade in alcoholic liquors, when it is known to be so destructive to the health and happiness of the community.

The Declaration of Independence has been quoted as guarantying the right to manufacture, sell and use intoxicating liquors, because it recognizes "life, liberty and the pursuit of happiness," as among the natural rights of men. Had it been "Death, bondage and the pursuit of misery," it would have been to the point and perfectly appropriate. I know of no men who are so completely enslaved as those who use strong drink. Did our fathers, in drawing up the Declaration of Independence, mean to refer to the use of such pernicious, poisonous and destructive beverages as among the inalienable rights of man? Suppose any one should, in Revolutionary times, have deemed it happiness to feed the enemy and give them wine, would the government have allowed him to pursue happiness in that manner? No! they would have destroyed his property and punished him as a traitor. The government will not allow us to gratify our personal tastes at the expense of the public good. Mr. Beebe, in his pamphlet, gives a lengthy extract from English history to prove that laws prohibitory of the liquor traffic, cannot be enforced, and then raises a shout of exultation over his supposed success. – He says: -

"Thus it will be seen from the impartial teachings of history, written long anterior to the origin of the present Abstinence Mania, in cool moments, unexcited by the fever of fanaticism, that a county possessing the most powerful and efficient police and

standing armies, found itself utterly unable to reduce the consumption of liquors by the most positive, ingeniously devised and highly penal enactments intended to effect its eradication. On the contrary, we find that although the law was most rigidly enforced, and the unremitting diligence of the police and the almost exclusive attention of the courts were engaged in its execution, so that in less than two years, 12,000 CONVICTIONS occurred under it, and as a consequence, thousands of citizens were imprisoned, and thousands of families were beggared by its operation and the penalties inflicted by it, that the traffic in and use of the proscribed commodities were increased instead of being diminished – much less exterminated. Man, however, seems strangely prone to learn little or nothing from the lessons of experience, and accordingly, we find the same attempt frequently repeated since by the British Government in every form and upon every conceivable plan, but with the same or even worse results, the detailed history of each of which instances the limits of our pamphlet will not allow us to give, - nor, indeed, does it seem necessary, as the nature of man is in all ages the same, and the same or similar results may not only be expected, but absolutely known to attend the same or similar causes."

Now, we are all aware that knowledge must go before action; and at the period referred to by Mr. Beebe, in the reign of George I, that knowledge did not exist. There were temperance men at that time, it is true; but they were temperance men from choice and feeling. The failure of the law at that day, only shows that there was necessity for light, before the people were prepared for such a law. The people at the present day know that intoxicating drinks are injurious; and the temperance men are prepared to receive and enforce a law putting an end to the liquor traffic. The circumstances, there, were entirely different from those existing here. The laws were there, in the hands of the few, instead of the many; and consequently, the many did not study government policy, or feel called upon to enforce the laws. The government, here, is in the hands of the many, and not the few. We do not, therefore, need standing armies to enforce the laws, as was the case in England.

This was fully proven in the case of the Whiskey Rebellion in Pennsylvania. There was no need of a standing army to quell that rebellion. The people arose as a militia, and soon put an end to it. We all know that the great mass of the people of Ireland are given to riots and disorderly; and after they have come here it takes years to give them the knowledge necessary to discriminate between good and evil. Had Father Matthew had existence in that day, and preached temperance, and reformed five millions, as he has done since, they would have received the law.

It has been charged upon the friends of temperance that they wish to force the people into submission to their views; but it is not true. They have been laboring for years to convince and persuade the public of the justice and propriety of temperance legislation, preparatory to the adoption of temperance laws, by consent of the people. I would not desire the enactment of any law until the people are prepared for it. But we believe they are now ready for it, and they are earnestly demanding it in nearly every State of the Union. Majorities must rule in every well regulated and just government; and it is the part of good and orderly citizens to acquiesce in and aid the enforcement of laws adopted by the majority of the people. Is it right for the minority to ask to govern the majority, to call its acts anti-republican and tyrannical? If the majority of the people of New Jersey are not yet sufficiently enlightened upon the subject to desire the Maine law, we shall continue to agitate the matter until they shall become so. We do not propose to employ bayonets for the enforcement of temperance laws, as was done in Ireland. The people will demand their enforcement, when once obtained, and no militia or standing army will be necessary for the purpose.

The time allotted each speaker having expired, Mr. McNeir yielded the sand, and G. J. Beebe replied as follows:

The Reverend gentleman tells us that they do not design to use legal force and coercion, until they have proselyted a majority of the people. Then he thinks it would be perfectly proper to do so. – How very kind and considerate! They will not yoke and shackle us until they get the power! Who ever supposed they would? We all recollect that but a few years since, in the origin of this fanaticism, its disciples advocated the agency of moral suasion only, and utterly disclaimed all idea of connecting it with politics, or any attempt to sway by legal power.

As soon, however, as they are able sufficiently to delude the public mind to afford a prospect of success, we find their leading demagogues seeking to secure political power at the expense of the people's rights. Now we find them openly justifying the political ambition and intrigue which they so sanctimoniously disclaimed, but a few years since. As an inducement to the people to go into voluntary slavery to their dogmas, they now tell us that none of the evils, oppression and outrage, which have been invariably attendant upon tyranny in other countries, will result from their daring usurpation. – The gentleman attempts to pour oil or soft soap upon the troubled waters by flattering us that we are so much more intelligent and enlightened than the people of other countries that have been deluged with human blood in the attempt to enforce acts of tyranny similar to the vaunted liquor law of Maine, that there will be no bloodshed among us in enforcing it; that there will be no use of bayonets or deadly weapons in the hands of the ministers

of the law; that, in fact, the people will be like sheep, dumb before their shearers, and go quietly like fools to the correction of the stocks. But who believes this? – Does the gentleman himself believe it? If so, what need is there of the severe penalties of fine and imprisonment annexed to the Maine law? If the people are ready to submit to their requirements, as they profess, what need is there of legal enactments? Would not any course of action be more creditable without the compulsory thunders of the law at our heels, than with such imperious fulminations? What need is there of the fiery penalties of the Maine law, if the people are ready and willing to obey its exactions? And of what use are those penalties if the attempt is not to be made to enforce them? The course of the gentleman is like that of taking a handful of salt to coax the horse to place his head in the halter, preparatory to the bridle, saddle and spurs. Such shallow sophistry and artifice, for the captivation of an intelligent community, are idle and absurd. Is the gentleman really ignorant of the resistance and bloodshed that has already resulted from attempts to enforce the Maine law in that state, in a few isolated instances? Has he not read of the bloody battle on board the steamboat at Bangor, but a few weeks since, in which limbs were broken and lives despaired of? Is he really ignorant of the numerous affrays resulting from the zealous attempts of fanatics to enforce the law, with accounts of which the public newspapers have teemed for months? If so, he must be willfully blind, and I trust there are very few whose prejudices so obscure their vision. In a letter which I recently received from a highly respectable minister of the gospel, in the state of Maine, the worthy writer says that the law, which has been baptised in blood, is only productive of disorder, strife, ill-feeling and revengeful acts between neighbors who had ever before maintained the most

amicable and happy relations, while no perceptible good is manifested to mitigate its many evils. – Such is substantially the description given by all impartial and reliable residents or travelers in that state; and it is only disputed by infatuated enthusiasts and designing demagogues, seeking to gain notoriety and emolument by the agitation.

A paragraph in the *New-York Herald*, of the last week, copied from a Boston paper, will serve to show the *harmlessness* and *merciful* character of the Maine law, which has been recently enacted in Massachusetts. A poor grocer, in feeble health, having a large family dependent upon his business, was induced, by the necessity of his circumstances, to continue it, under an unexpired license granted previously to the enactment of this *ex post facto* and unconstitutional law. Most of the dealers did the same. But this poor man, having the misfortune to have a long-faced pharisaical neighbor, possessed of more zeal than knowledge or humanity, was singled out as a victim for persecution, and arraigned before a self-righteous magistrate for violating the law and continuing to sell, and was fined \$20 and costs on the first charge; and not having the means requisite to appeal in the face of the expensive provisions of the law, intended to preclude appeals, he paid the fine. – Another complaint of the same kind was immediately made, and a similar penalty imposed, which he also paid. A third complaint was forthwith made, and another fine of similar amount imposed, which he was unable to pay, and in default, was consigned to prison. His wife, upon her knees, besought the magistrate for mercy, and protested that in his feeble state of health, he could not possibly survive the incarceration; yet, despite her protests, prayers and tears, he was dragged to jail, and, in two weeks, was a corpse! his death

resulting from the imprisonment, as attested by the best medical authority! In the meanwhile his family were felt destitute, without means of support, and are now adrift in the world, dependent upon its cold charity. Who is responsible for the robbery and murder of that man, and the bereavement and ruin of that family? And all for what? Not for the commission of any crime or violation of laws that have governed mankind in all ages, but for the harmless infraction of the fanatical edict of a temporary majority of legislative bigots. Well may such an infernal outrage upon the laws of humanity, committed in the name of law, in this enlightened age, and in our boasted land of liberty, crimson the cheek of every honest American with shame. It should wring tears enough even from the eyes of blind fanatics to quench their fiery zeal! It is enough, at least, to elicit the indignation of all right-minded men, and enlist them in a steadfast resistance of the tyranny sought to be imposed upon the people of Maine, outrages of the character of that to which we have referred, must be frequent, while its general enforcement would give rise to as numerous conflicts between the public officers and the people, and as much bloodshed, as in Great Britain, under the restraining law enacted under George I., a brief description of which I will read from “McCulloch’s Commercial Dictionary,” a standard work consulted by all our large commercial establishments, and of universally acknowledged authenticity:

“During the latter part of the reign of George I, and the earlier part of that of George II, gin-drinking was exceedingly prevalent; and the cheapness of ardent spirits, and the multiplication of public houses, were denounced from the pulpit, and in the presentments of grand juries, as pregnant with the most destructive consequences to the health and morals of the community. At length ministers determined to make a vigorous effort to put a stop to the further use of spirituous liquors, except as a cordial medicine. For this purpose an act was passed in 1736, the history

and effects of which deserve to be studied by all who are clamorous for an increase of the duties on spirits. A duty of *twenty shillings* (\$5) a gallon was laid on spirits, exclusive of a heavy license duty on retailers. Extraordinary encouragements were at the same time held out to informers, and a fine of 100l. was ordered to be rigorously exacted from those who, were it even through inadvertency should vend the smallest quantity of spirits which had not paid the full duty. Here was an act which might, one should think, have satisfied the bitterest enemy of gin. But instead of the anticipated effect, it produced those directly opposite. The respectable dealers withdrew from a trade proscribed by the legislature; so that the spirit business fell into the hands of the lowest and most profligate characters, who, as they had nothing to lose, were not deterred by penalties from breaking through all its provisions. The populace having in this, as in similar cases, espoused the cause of the smugglers and unlicensed dealers, the officers of the revenue were openly assaulted in the streets of London and other great towns; informers were hunted down like wild beats: and drunkenness, disorders and crimes increased with a frightful rapidity. ‘Within two years of the passing of the act’ says Tindal, ‘it had become *odious and contemptible*, and policy as well as humanity, forced the commissioners of excise to mitigate its penalties.’ (*Continuation of Rapin*, vol. viii., p. 358, ed. 1759.) The same historian mentions (vol. viii., p. 390), that during the two years in question, no fewer than 12,000 persons were convicted of offences connected with the sale of spirits. But no exertion on the part of the revenue officers and magistrates could stem the torrent of smuggling. – According to a statement made by the Earl of Cholmondeley, in the House of Lords, (*Timberland’s Debates in the House of Lords* – vol. viii., p 388.) it appears that at the very moment when the sale of spirits was declared to be illegal, and every possible exertion made to suppress it, upwards of SEVEN MILLIONS of gallons were annually consumed in London, and other parts immediately adjacent! Under such circumstances, government had but one course to follow – to give up the unequal struggle. In 1742 the high prohibitory duties were accordingly repealed.

Duties in Ireland. – Perhaps no country has suffered more from the excessive height to which duties on spirits have been carried than Ireland. If heavy taxes, enforced by several fiscal regulations, could make a people sober and industrious, the Irish would be the most so of any on the face of the earth. In order to make the possessors of property join heartily in suppressing illicit distillation, the novel expedient was here resorted to, of imposing a heavy fine on

every parish, town land, manor land, or lordship, in which an unlicensed still was found; while the unfortunate wretches found working in it were subjected to *transportation for seven years*. But instead of putting down illicit distillation, these unheard of severities rendered it universal, and filled the country with bloodshed and even rebellion. It is stated by the Rev. Mr. Chichester, in his valuable pamphlet on the *Irish Distillery Laws* published in 1818, that ‘the Irish system seemed to have been formed in order to perpetuate smuggling and anarchy. – It has culled the evils of both savage and civilized life, and rejected all the advantages which they contain. The calamities of civilized warfare are, in general inferior to those produced by the Irish distillery laws; and I doubt whether any nation of modern Europe, which is not in a state of actual revolution, can furnish instances of legal cruelty commensurate to those which I have represented.’ – (Pp. 92-107).”

Precisely similar results may be anticipated in our own country, from the enactment of similar laws. Who, then, desires to plunge a peaceful community into such a vortex of commotion and ruin? But the reverend gentleman tells us that the failure of the experiments in Great Britain, and the disaster resulting from them, were occasioned by the ignorance of the people, and that they would be obviated by our superior intelligence. I must confess I cannot perceive the sense of this remark. There never was a man of sound mind since the days of Adam, but that knew the effect that liquors had upon him. All the lectures that could be pronounced in a lifetime, would not afford as much information of the effects of intoxication as one experiment, or such amount of observation as is readily afforded in every community. How have the people become any more enlightened on the subject than they were ten or a hundred years ago? Has it been under the instruction of the hordes of loining vagabonds that have made a pretext of the Tetotal humbug, and professed to lecture on the subject for the sake of raising money, either to buy their own grogor to support themselves without labor? I have heard many such fellows, and

among them the most noted, but have never yet learned anything useful from them. Instead of anything like philosophic, scientific or moral lectures, I have heard only low blackguardism, vehement denunciation and malevolent abuse, hurled at the best members of community by ignorant babblers, who only relieved the monotony of their invectives by the most disgusting accounts of their own or some other drunken wretch’s debauchery and degradation, to which I have known polite audiences of ladies and gentlemen to listen attentively, under the strange delusion that they were listening to a decent and respectable lecture. During such frothy harangues, in which, at one moment, the speaker would seem to glory in his shame, by boasting of his drunken exploits and graduation from the gutter with as much gusto and pride as our young men vaunt themselves upon their degrees at College, while, in another breath, they will be saying all manner of evil things against those who do not happen to require the restraint of pledges, association or abstinence to keep themselves sober, - what a damper it would be to unroll over the orator’s head a portrait of the “father of his country!” All the vaporings of such gas-heads are as applicable to Washington, and, in fact, to nearly every great and good man that has ever lived, as to the humblest citizen who, while he partakes temperately of all the blessings of heaven, spurns the dictation of demagogues and drunkards who require him to pledge himself to total abstinence, because they have chosen to do so. Washington partook daily of brandy and oth-liquors temperately; and in one of his despatches to Congress during the most embarrassing period of the Revolution, he complained of the insufficiency of the liquors furnished to the army, and demanded a more liberal supply. It would be well for our Tetotal friends to reflect whom they

include when they denounce all who do not bow to their shrine of total abstinence, as *rummies, rum-suckers, murderers, &c.* We are not aware that any one was ever convinced or converted to any sect or party by abuse and defamation; and what it is expected to accomplish thereby we cannot conceive. While we have such an array of the names of the best men of all ages upon our side, we may well afford to laugh with scorn at the coarse denunciations of zealous proselytes to the mushroom fanaticism of the Tetotalers.

In my former remarks I called my Reverend opponent's attention to the fact that the police force of Great Britain at the time it was attempted to suppress the use of spirituous liquors in that country, was ten times greater than in our own country, and backed by an immense standing army, while the ministers of the law, receiving their appointment from the crown, were not dependent upon popular suffrage for the tenure of their offices; and if, under such circumstances, it was found impossible to enforce such a law among a people accustomed to implicit subjection to the arbitrary decrees of a despotic government, I asked how he expected it would be possible, in this country, where the theory of our government is that the people are the source of all political power, and have vested within themselves the right to change their rulers and magistrates at brief intervals – and where our police is small and dependent upon the co-operation of the public, how it would be possible here, under such circumstances, to enforce such a law? And how has he answered? If he can give no better elucidation than he has yet done, the conviction must be carried clearly to every mind that it would be utterly abortive to attempt it, and that whatever expense and individual sacrifices might be made in the vain endeavor, would be utterly wanton and

cruel, without the possibility of any redeeming virtue. If severe penalties were of any avail, those of Great Britain exceeded those of Maine – the fine being \$500 in the former case and but \$200 in the latter, while instead of the imprisonment provided by the Maine law, that of Great Britain imposed expatriation and transportation for seven years.

While all nature teems with the elements essential to the production of alcoholic drinks, it is idle to talk about prohibiting their manufacture. Any man has only to crush the juice from fruit, and leave it for a short time, and fermentation takes place; so that by the regular course of nature it is rendered alcoholic and intoxicative if taken intemperately. It has then only to be boiled in a distilling kettle to produce high-wines and the various kinds of distilled liquors. – This could be done ever so privately in a man's cellar or garret, and would be done so long as any man should desire to drink them, or a single tree should produce fruit, or a field yield grain. – The folly of such a law must, with a very little reflection, be apparent to any man. A very brief experience will be sufficient, at least to teach the people of any state its folly. It will doubtless be repealed by the legislature or annulled by the courts of Maine in less than a year – and why need we be in such haste to follow in the train of disaster that has thus far attended the operation of the new laws of the Eastern States? There can be no need of such not haste to follow, before we see where the road leads to. Let us wait for a few years, at least and if we find the new laws of those States cannot be maintained and work beneficially, it will be time enough to change our present laws for them. The tax payers of those States will yet, however, have to pay round damages for every dollar's worth of liquor destroyed by their present unconstitutional laws; and are the

tax-payers of New-Jersey eager to share their folly? So long as our free institutions remain as at present, the owners of all liquors destroyed under such unconstitutional laws will have to be renumerated by the State, as surely as a judge remains to administer laws, of learning enough to understand them fearlessly. Such fiery edicts of fanaticism can only become settle law in our country by the trampling of our Constitutions into the dust, and the revolution of our free form of government. Any attempt to subvert our government, however, to make it conformable with such tyrannical domination will be met by the people of our country as were the onerous exactions of England by our Fathers. – Freeborn Americans have not yet become so degenerate that they will tamely yield those liberties for which our fathers pledged to each other their lives, their fortunes and their sacred honor. – They will not relinquish their rights without a struggle as bloody as that by which they were obtained – and are those Reverend gentleman ready for the game of knock down and drag out? When a bloody affray results from the attempt to gag Americans in their drink, will the clergy, who are the loudest advocates of the measure, be ready to soil their white hands and imperil their precious selves in the strife? Ah, no! Like the ancient Pharisees, they wish to bind heavy burdens upon men’s backs, which they would not touch with the end of their fingers. They wish to use the people as the monkey did the cat’s paw, to haul the roasted chestnuts out of the fire.

[The President here announced the expiration of the half hour.]

Rev. Mr. McNeir resumed the stand, and spoke substantially as follows:

I shall not attempt to follow the gentleman in all his meanderings. He has left the matter at issue and run at random on a great variety of subjects; and only a small part of what he has said has been pertinent or relevant to this discussion. It is like beating on an empty barrel – it is all sound – sound – sound – [A voice, “sound argument,”] He has not fairly met a single one of my positions; but has endeavored to divert attention from them by drawing off the minds of the audience to other matters. He professes to make a distinction between the temperate use of rum, and the intemperate use; and while he advocates its temperate use, he is no apologist from drunkenness and all its attendant evils. Oh, No! not he. But I have told him – again and again – that the *moderate use invariably leads to the immoderate use*, and challenged him to deny it, or show to the contrary. How has he answered this? Not at all. He has not even attempted it. I now repeat the challenge and wish him to come directly to the point, and to deny if he can, that the moderate use of intoxicating liquors leads directly to their immoderate use – and therefore, in advocating the one, he is also the apologist of the other. They are inseparable from each other. Therefore, all the evils which we have shown to be attendant upon intemperance, are justly chargeable to those who uphold the moderate use of alcoholic liquors, without which none would be led to the immoderate use of them. Let him answer this proposition fairly, or yield the argument.

The “*individual*” inveighs bitterly against christian ministers and all good christian men who are engaged in the temperance reform, and charges them with attempting to bind burdens upon the people. Is this true? Are they not, on the contrary, endeavoring to relieve the people from one of the most

oppressive burdens that has ever cursed our race?

I shall now, however, take time, to follow the *individual* farther in his irrelevant remarks, but shall adhere to my original determination of reviewing his pamphlet. The next part to which we come in regular order, is his pretended review and refutation of the Maine Law. But instead of a fair and candid review, it is nothing but violent declamation and wholesale denunciation. I will read an extract from it, as a specimen:

“This section also provides that these guardians of the people shall sell wines and liquors “for medicinal or mechanical purposes, and no other,” not even for the celebration of the christian sacrament of ‘the Lord’s supper,’ which it has been the custom of churches to commemorate from the time of its original institution. Thus, not only is the civil, but also the religious freedom of citizens invaded. It is true that most of the worldly churches of the day, with crafty clergymen at their head, who are seeking popularity and power, with little reference to scriptural instruction or institutions, have generally fallen in with the fashion, and substituted a kind of raisin broth for wine in the eucharist. Could a more contemptuous burlesque be devised? Wine is defined by every lexicographer as is also the Greek word *oinos*, in the New Testament, from which it is translated, to be liquor containing alcohol, among other ingredients, as an essential quality necessary to constitute it such. Consequently no mixture which does not contain alcohol can be called wine, with a direct falsification of language, and stultification of the understanding. But there are, doubtless, in Maine, as well as in other States, some christian churches, who will not readily abandon their religious institutions, at the unwarrantable dictation of their fellow men. Yet if they go into another State to procure wine for the eucharist, it is liable to seizure and confiscation upon the way, or even on the communion table, unless, indeed, under the equivocal provision of a subsequent section which we shall hereafter examine, they may be able, if they possess sufficient wealth, to procure a large quantity of it, which they shall be able at all times to prove the importation of from a foreign country, although the ordinary means of proof are not allowed in such cases, viz: the Custom House certificate and the foreign brand upon the cask. Even such wine may be borne by an officer from the communion table, at the

suggestion of a fanatic or evil disposed person, and kept from the possession of the church, during a litigation of the case with its concomitant expense. We have not yet heard of a case of the kind during the short time the law has been in operation; but it is enough to ensure for it the condemnation of every friend of religious freedom to see that it provides for the perpetration of such an outrage on any occasion. The question naturally arises, are the people of New England ready to relapse into the state of religious intolerance and persecution that blackened their history during the last century, and stained their soil with the innocent blood of Baptists, Quakers, and other dissenters from the recognized sects of the state? and are the people of any other states anxious to imitate their example?”

Now it will be seen that the writer goes upon the old exploded idea that intoxicating wine was instituted as a drink at the Lord’s Supper, and was to be partaken of in all after time in commemoration of that event. But the people of Maine are more enlightened upon this subject than the writer of this pamphlet. They know that our Lord never commanded the use of such stuff as is sold in our country for wine, which is made of almost every kind of poisonous ingredients. The evangelical churches of Maine have long since learned the impropriety of using such filthy and poisonous compounds for the communion service; and it has been discontinued. They have adopted, in its stead, the pure unfermented juice of the grape, free from alcohol. This law does not, therefore, conflict with the christian rights or religious liberties of the churches of that state. We are not told in the Bible that it was even wine of any kind that was used at the original institution of the eucharist. We are told that “He took the cup and gave thanks, and gave it to them,” and that he said, “I will not drink henceforth of the fruit of the vine, until I drink it new with you in my Father’s kingdom.” Are we to infer that the cup contained wine, of an intoxicating character? Certainly not. The cup contained “the fruit of the vine,” or new wine, unfermented, and incapable of producing

intoxication. In this opinion, we are not obliged to rely on the inference drawn from the context, that Christ would not drink henceforth of the fruit of the vine, until he should drink it new, in his Father's kingdom; but we have the opinion of some of the best and most learned christian writers, that the fruit of the vine contained in the cup, was the unfermented juice of the grape. The supper was during the feast of the Passover, at which, even leavened or fermented bread was prohibited; and fermented wine could not be used. [In corroboration of this idea Mr. McNeir proceeded to read at some length from some author, whose name we do not recollect. He also, from the same book, read an extract from some writer extolling the Maine law, and representing it as perfectly harmonious and effective in its operation, &c. He spoke of the authors from whom he had read as impartial and competent judges in the case, whose statements and opinions might be relied on, and was going on to enlarge upon the subject, when informed by the Hon. Chariman, that his half hour had expired.] Whereupon –

G. J. Beebe resumed the stand, and spoke as follows: -

The "*individual*" has informed us that the extract which he has just read relative to the operation of the Maine law, is from the pen of a competent and impartial writer. Will he hand me the book, or inform me of its title? [Mr. McN. Declined handing over the book; but after some hesitation, stated that its title was "*Permanent Temperance Document.*" A spontaneous shout of laughter greeted this announcement.] *Permanent Temperance Document!* I know of but one permanent temperance document – the Bible – and that teaches a doctrine different from that advocated by the gentleman, and I trust it is entitled to as much weight, at least, as this

new fangled Permanent Temperance Document, got up since the present fanaticism assumed a formidable aspect, and published either by victims of the lamentable Mania that has spread over our land, or by some shrewd speculating Yankee, to fill his pockets by feeding fanatics with oily yarns, just about as reliable as any of the silly novels with which our country is flooded.

In his last round, the gentleman throws out what he seems to consider a terrible stumper, which he says he has repeatedly propounded in his previous addresses, and complains that I have not come up to the mark and met it fairly. If I have neglected to answer anything that the gentleman has said, it has been because I have not thought it of sufficient importance to merit an answer. I have endeavored to employ the time allotted me, in meeting the most important ideas advanced by him, and in refuting such sophisms as I have supposed most likely to deceive. If the gentleman has taken any position that he or any else considers a strong or important one, from which I have not routed him, it has been altogether from oversight or inadvertence, and I shall thank him for calling my attention, to each and every one of them, as he done so emphatically to one point upon which he seems to think himself invulnerable. And, now, let us take the gentleman's "big bull of Bashan" by the horns. – "The moderate use of alcoholic drinks, leads inevitably and invariably to their immoderate use." Indeed! So, then, I suppose by parity of reasoning, the moderate use of food invariably and inevitably leads to gluttony – for no man could become a glutton, if he abstained entirely from the use of food, and more than he could become a drunkard if he entirely abstained from everything which, when taken to excess, will intoxicate. If every man who drinks at all, is responsible

for all the evils of drunkenness, so also, must every man who eats a mouthful of food be responsible for all the evils of gluttony. And if every one who drinks any alcoholic beverage is chargeable as a drunkard, so must eth person who eats a crumb of bread, by the same logic, be a glutton. But the moderate and temperate use of either food or drinks does not invariably and inevitably lead either to drunkenness or gluttony. For

“Little fools will drink too much,

But great ones, - none at all.”

According to my learned opponent’s logic, the manufacturers of cutlery, firearms, etc., and all who use these articles, however usefully or properly, should be held responsible for any improper use of them by bad men; and in case of murder, the first inquiry to be made, should be of whose manufacture were the instruments by the use of which the murder was perpetrated. As absurd and ridiculous as this extension of the gentleman’s reasoning may seem, it was actually adopted and reduced to practice by the crazy-pated Mayor of Pittsburgh, but a few months since. A fellow was brought before him for an offence committed; and in the course of the investigation, it appeared that the prisoner had been drinking liquor, whereupon this modern Solon discharged him and issued a warrant for the dealer who had lawfully sold the liquor, and inflicted the penalty of the offence upon him. The only wonder is, that this philosophical functionary did not pursue the enquiry to ascertain who had manufactured the liquor, and what farmer had raised the fruit from which it was produced. It is almost unnecessary to state that the innocent tradesman was at once discharged by virtue of a *habeas corpus*, before a judge possessed of common sense and a cooler head. But his honor, the crazy mayor, determined to carry out his tetotal views, and issued his process against the judge, and finally came in

conflict with the judiciary, and resorted to firearms in resistance of the officers of the law, and was finally himself imprisoned. To such insane extremes will the fever of fanaticism lead its silly victims.

Not only does the gentleman’s proposition impeach the character of our fathers, who knew nothing of the Tetotal Mania, as pursuing a course of life leading to drunkenness, and consequently guilty of all the evils of that vice, but it also implicates nearly all the inspired writers as the abettors of intemperance, equally criminal with the drunkard. Is not this fact enough to satisfy him that his theory is erroneous? Or does he presume to be wise above what is written in the word of God, and take it upon himself to amend, abridge and improve the teachings of holy writ? – Christians profess to regard the Bible as an infallible standard in morals and religion. All who sincerely so regard it will measure their opinions by that standard, and lop off all excrescent ideas that overreach that standard. If they refuse to do so, even at the expense of darling hobbies, they reject the standard, and it is folly and imposition for them any longer to pretend to respect it. When the merchant measures his cloth or weighs his goods, he does not first form his own opinion of its length or weight, and then diminish or lengthen the yard-stick or alter his scales to correspond with his preconceived opinions; and neither will true Christians take from or add to the word of God in measuring their moral or religious characters, or those of their fellow men. Let us bring our opinions to the unerring standard, and see how they correspond therewith, and then let us not dispute the measure. We have already referred tot eh cases of Noah and Lot, the righteous men who were saved from the destruction of the world, and from the doomed city destroyed by fire from heaven. In the 14th chapter and 18th verse of Genesis, we read that

“Melchizedek king of Salem brought forth bread and wine, [eaten and drank by Abraham,] and he was the priest of the most high God.” Would our tetotal friends have dared to denounce the priest of the most high God as the abettor of drunkenness, for giving wine to Abraham, or would they have told Abraham that by drinking the wine offered him by God’s ambassador, he was becoming a drunkard, or taking a course that inevitably leads to drunkenness?

In the blessing announced by Isaac upon his son, he said, “God give thee of the dew of heaven, and of the fatness of the earth, and plenty of corn and wine.” (Gen. xxvii., 25, 28.) But the tetotal fanatics of our time tell us that wine is a curse, instead of a blessing, and that God does not give it, but that it comes from the devil. Which is correct? Judge ye.

Again in the blessing transmitted by Jacob, who prevailed with the Lord, to his son Judah, he said, “His eyes shall be red with wine, and his teeth white with milk.” (Gen. xlix., 12.)

God’s promise to the chosen people, if they harkened to and kept his commandments, was that he would, “Bless the fruit of their land, their corn and their wine, and their oil.” (Deut. vii., 13.)

The children of Israel are commanded to use wine. (Deut. xiv., 23.) and wine is provided for the priests. (Deut. xviii., 4.)

Moses says, “The fountain of Jacob shall be upon a land of corn and wine.” (Deut. xxxiii., 28.)

The prophet Nehemiah reproved the Jews for depriving their brethren of their vineyards and their wine.” (Neh. v., 2.)

The sacred psalmist says, in praising God, “Thou hast put gladness in my heart more than in the time their corn and their *wine* increased.” (Ps. iv., 7.)

In reproving Israel for their ingratitude, God reminded them that he had given them corn and *wine* and oil. (Hosea ii., 8.)

In promising renewed blessings to the chosen people, God says, “Behold I will send you corn and *wine* and oil, and ye shall be satisfied therewith, and the floors shall be full of wheat and the fats shall overflow with *wine* and oil.” (Joel ii., 19, 24.)

“The sons of the stranger shall not drink thy *wine*, for which thou has t labored; * * they that have brought it together shall drink it in the courts of my holiness. [Isa. lxii., 8, 9.]

“I will bring again the captivity of my people Israel, and they shall build again the waste cities and inhabit them; and they shall plant vineyards and *drink the wine* thereof.” [Amos ix., 14.]

“The man after God’s own heart,” in his loftiest strains of adoration of divine wisdom and benevolence, says, “He causeth the grass to grow for the cattle, and herbs for the service of man, that he may bring forth food out of the earth *and wine that maketh glad the heart of man.*” [Ps. civ., 14, 15.]

“Shall I leave my wine, which cheereth God and man?” [Judges ix., 13.]

“There is bread and *wine* for me.” [Judges xix., 9.]

In denouncing retribution upon the Jews for their disobedience, they are told, “the floor and the wine press shall not feed them.” [Hosea ix., 2.]

“For she did not know that I gave her corn and *wine* and oil, * * therefore will I return and take away my corn in the time thereof, and my *wine* in the season thereof.” [Hosea ii., 8, 9.]

Wine was ordered as an offering in acknowledgment of the goodness of Jehovah to the Jewish nation: “And the fourth part of an hin of wine, for a drink offering shalt thou prepare with the burnt offering.” [Num. xv., 5.]

“And for a drink offering shalt thou offer the third part of an hin of *wine*, for a sweet savor unto the Lord.” [Num. xv., 7, 10.]

David received a present of *wine*, among other provisions from Abigail, and he dealt out among the people, “even the whole multitude of Israel, as well to the women as to the men to every one a cake of bread, and a good piece of flesh and a *flagon of wine*.” [2 Sam. vii., 19; Hosea iii., 1.]

Had the ladies of Israel belonged to the modern orders of “Martha Washingtonians” or “Daughters of Temperance,” they would have rejected the present of the sacred psalmist, and instead of complimenting him in their songs, they would have denounced him as a “rummy.” But I trust that none of the fair ladies here today, would have thus insulted the king of Israel for his liberality, while I am equally confident they would not have abused his generosity by an intemperate use of the blessing.

The prophet Daniel was so accustomed to use wine that he states it as a remarkable feature of his fast, that he took no *wine*, “till three full weeks were fulfilled.” [Daniel x., 2, 3.]

“And in this mountain shall the Lord of Hosts make unto all people a feast of fat

things; a feast of wine on the lees, of fat things full of marrow, of *wines on the lees*, well refined.” [Isa. xxv., 6.]

The “Lord of Hosts,” would make the feast – not the grape juice – but of WINE ON THE LEES, well refined. How would our Tetotal friends approve of the Lord’s feast?

“Shall the vile race of flesh and blood,
Contend with their Creator God?
Will mortal worms presume to be
More holy, wise or just he?”

“Ho, every one that thirsteth, come ye to the water; and he that hath no money, come ye, buy wine and milk, without money and without price.” [Isaiah lv., 1.]

“I have drunk my *wine* with my milk: eat, O, friends, drink, yea, drink abundantly, O, beloved.” [Song of Solomon i., 5.]

“And thou shalt eat before the Lord thy God, in the place which he shall choose to place his name there, the tithe of thy corn, of thy wine, and of thine oil, and the firstlings of thy herds and of thy flocks; that thou mayest learn to fear the Lord thy God always.”

“And if the way be too long for thee, so that thou art not able to carry it; or if the place be too far from thee, which the Lord thy God shall choose to set his name there, when the Lord thy God hath blessed thee.”

“The shalt thou turn it into money, and bind up the money in thine hand, and shalt go unto the place which the Lord thy God shall choose.”

“And thou shalt bestow thy money for whatsoever thy soul lusteth after; for wine or for strong drink, or for whatsoever thy soul desireth; and thou shalt eat before the Lord thy God, and thou shalt rejoice, thou and

thine household.” (Deut. xiv., 23, 24, 25, 26.)

Here is Bible authority not only for the use of wine, but its purchase and sale. But the Maine Liquor Law would not have permitted obedience to this command of God.

The prophet Nehemiah, informs us that the daily provision of his table, while engaged in rebuilding Jerusalem, was “one ox, and six choice sheep, also, fowls were prepared for me, and once in ten days, *stores of all sorts of wine.*” [Neh. v., 18.]

The quibble of some Tetotal demagogues, that there were different kinds of wine spoken of in the Bible, some of which were harmless, and that these were the kinds referred to in the numerous passages, commanding their use, is effectually refuted by this passage, for even if there had been any essential difference between the various kinds of wines, they are all included in this passage – “*all sorts of wine.*”

Esther prepared two banquets of wine. [Esther vii., 2.]

After advising kings and princes to abstain from their frequent customs of dissipation and inebriety, “lest they drink and forget the law, and pervert the judgment of any of the afflicted,” we are told to “*Give strong drink* to him that is ready to perish, and *wine* to those that be of heavy hearts: let him drink and forget his poverty and remember his misery no more.” [Prov. xxxi., 5, 6, 7.]

Job, who “feared God and eschewed evil,” allowed wine as a beverage in his family. [Job i., 13.]

Elihu was not much of a Tetotaler. [Job xxxii.]

Solomon sought in his heart to give himself unto wine. (Eccl ii., 3.)

These are a few of the numerous passages with which the Old Testament abounds, sanctioning the temperate use of wine, while its intemperate use and drunkenness is reprobated in equally numerous passages. It will therefore, be seen that while we have accounts of the prevalence of drunkenness from the earliest post-deluvian history of man, and the condemnation of it by the inspired writers, that total abstinence is nowhere prescribed as a remedy. The Bible doctrine is temperance in the use of wines, and total-abstinence doctrine is not only anti-scriptural, but impiously reflects upon the character of all the sacred writings of God himself.

The teachings of the New Testament are in perfect harmony with those of the Old. We are informed, (Matt. ix., 19, and Luke vii., 34,) that Christ himself drank wine, and was therefore, denounced by the Pharisees, (who seem to have been Tetotalers,) as a *wine-bibber*. We also learn from the passages alluded to by my Reverend opponent, that at the last supper Christ not only drank of the “fruit of the vine,” but passed the cup to his disciples, commanding them “drink ye all of it.” We are told, however, that the fruit of the vine was not *wine*, but that it was the “unfermented juice of the grape.” In evidence to this, we are not referred to scripture testimony, but to the opinions of modern Tetotal fanatics, who seem to have more weight with some than the Bible itself. The idea is almost too ridiculous for serious answer, but as it is so often reiterated, it may be well enough to illustrate its absurdity.

In the first place, then, fermented wine was never prohibited at the celebration of the Jewish Passover, which was the feast of

unleavened bread. It is as absurd to say that wine could not be allowed because leavened bread was not to be used, as it would for a future historian of our times, to argue that the tetotalers did not eat leavened bread, because they were pledged to abstinence from fermented liquors. In the second place, the unfermented juice of the grape was never used as a customary beverage, by any people in the world. Let any one who doubts upon this point, try a little new grape juice, and he will soon find it both insipid and unhealthy, and that it could not be so used. In the third place, grape juice when boiled without fermentation, does not produce a liquid for drinking, but a syrup or jelly for eating. In the fourth place, *wine* is the only form in which the juice of the grape or the “fruit of the vine,” is or was ever used as a drink; and wine cannot be produced without fermentation, which invariably renders it alcoholic. This expression *unfermented wine*, sometimes used by modern fanatics, is unfermented nonsense: it will not be found either in the Bible or any other book older than modern Tetotalism. – The expression is as absurd as would be that of unfrozen ice, or white black-birds. Finally, we know that Christ used wine and sanctioned its use by his disciples, at other times (and that not as a medicine, but upon festive occasions,) as for instance, at the wedding in Cana of Galilee. As to the character of the wines used in Palestine, it may be interesting to read the statement of an oriental traveler, the Abbe Mariti, who wrote long before the Tetotal fever rose, and could, therefore, have no reference to it. He says:

“At the birth of a son or a daughter, the father causes a jar, filled with wine, to be buried in the earth, having first taken the precaution to seal it hermetically. In this manner it may be kept until these children marry. It is then placed on the table before the bride and bridegroom, and is distributed among their relations, and the other guests invited to the wedding. – (Travels in Cyprus, vol. 1, page 259.)

So it will be seen that the wine used at the wedding was of the oldest and strongest kind. Had that used at the wedding of Cana been an exception, we should certainly have been informed of the fact, to guard against the otherwise inevitably erroneous inference. After the quantity usually provided upon such occasions, had been consumed, Christ wrought a miracle whereby he produced a large additional quantity – about fifteen firkins – not of grape juice, but of wine, of such a quality that the governor of the feast pronounced it better than the good old wine they had exhausted. From its being better, it must have possessed the qualities of wine of greater age and strength. Old wine is better than new wine, as every body is aware. [A voice – “I deny that – it is not true.”] There is one person, it seems, in the audience, who is ignorant of this fact, and I am glad that he has made bold to expose his ignorance, that he may be instructed, and return from this meeting a wiser man. If I mistake not, he is a Reverend gentleman; and he has probably been so much mixed up with politics, that he has become rusty in theology. It may be well, when priests turn politicians, for me to turn preacher, and endeavor to call them back from their wanderings. Do I correctly understand the gentleman to deny that old wine is better than new? – [Yes.] Well, if he will look into the good old book, with which he ought to be familiar, he will find himself mistaken. Christ himself says, in the 39th verse of the 5th chapter of Luke; “No man also, having drank old wine straightway desireth new: for he saith the old is better.” But my friend here, was not living then or there would have had to excepted in the passage above quoted.

[The half hour having expired, the stand was yielded to Rev. Mr. McNeir.]

Rev. Mr. McNier resumed the stand and occupied the allotted time, although the reporter upon whose notes we have chiefly relied in making out the previous portion of the debate, was obliged to leave the ground, at the commencement of Mr. McNier's last address, and we are therefore without the means of furnishing a further report of his remarks, and are obliged to rely upon our recollection as to their substance, as well as in the report of our own closing remarks, which latter we are of course better able to give. Mr. McNier however, advanced no new idea of sufficient importance to produce any impression upon our memory; but occupied the principal portion of his time in the argument that the Bible did not sanction the use of intoxicating liquors, and that the wines the use of which is so frequently commended therein, were not possessed of the power to intoxicate. He controverted the position assumed in our previous address that the word *wine*, as well as in the Greek and Hebrew words used in the original texts from which it is translated in the English version, signified in all cases, a liquor of which alcohol was an essential ingredient. He adduced nothing in evidence, however, except a passage which he read from the Bible relative to the *wine press bursting out with new wine*. This text he held as conclusive evidence of the error of our statement, and devoted considerable time to the argument that because the juice when first pressed from the grapes was called *new wine*, before it had time to ferment, that therefore in all cases when the use of wine was favorably spoken of in the scriptures it was the *new wine*, or unfermented juice of the grape [as he interpreted it] that was intended. He also expatiated at some length upon the poisonous character of the liquors sold and used at the present day. At the close of his remarks we replied as follows:

My reverend opponent has at last found a "mare's nest;" but, unfortunately, there are no eggs in it. When he set out with such an air of triumph to adduce the conclusive evidence he claimed to be in possession of, I did not know but he was about to put in a chain for the reward offered in my pamphlet to any priest or clergyman who should show a particle of authority from the Bible for the modern doctrine of Tetotalism; but as in the days of sop "the Æsop "the mountain has labored and brought forth a mouse." He has read us a passage stating that the wine press should burst with new wine; and insists that this new wine must have been *raw grape juice!* I will not express a doubt of the gentleman's honesty or sincerity; but really this assumption betrays a greater amount of ignorance than I had given him credit for. I had not expected that it would be necessary for me to inform him of what I had supposed every reading man to be familiar with relative to the ancients as well as the modern method of manufacturing wine. Who does not know that after the grapes have been trodden and bruised in the wine-press, they are left to partially decompose and ferment before they are finally subjected to pressure to extract the juice? After the grapes have been bruised and crushed, fermentation takes place more rapidly than it would with the juice, if immediately expressed and drawn off; and fermentation in the fruit thus crushed, not only expedites the operation of wine-making, but also enables the vintagers to extract a larger amount of liquid, and in a clearer state, than by applying the pressure to the fruit before crushing, or before it has undergone the process of fermentation and partial decomposition. After undergoing this process, it is subjected to a heavy pressure by screws or weights, similarly to the ordinary pomice in cider mills. When the season has been propitious for the growth of the grape they are much finer and more juicy than in unfavorable seasons, and

the bruised fruit being more juicy the fermentation already begun is so great that after being placed under the pressure it will bulge out from continued fermentation; and if uncommonly rich, it will burst out, as described in the text.

Had the gentleman been as familiar with the scriptures as with the writings of modern Tetotalers, he would never have inferred from the text he has read, that the new wine spoken of, was fermented grape-juice, even though he had never read anything relative to the method of manufacturing wine in either ancient or modern times; for he would have known from the account given of the day of Pentecost, that new wine was something more than raw unfermented grape-juice, – or why would the Pharisees and Tetotalers of that day have charged the disciples with being drunken upon *new wine*?

The gentleman is welcome to all the advantage he has derived from his quotation; and since he has taken to searching the scriptures, I hope he will soon learn the fallacy of his new fangled theory of morality; and I shall be happy at all times to explain to him any such simple passages as that in Proverbs (iii., 10,) which has seemed to stagger his judgment. Let him not distort nor pervert passages, by only reading a portion of them, however, but carefully read and consider the context, which may throw much light upon isolated passages, as in the present instance:

“Honor the Lord with the substance, and with the first fruits of all thine increase,
“So shall thy barns be filled with plenty, and thy presses shall burst out with new wine.” (Prov. iii., 10.)

When he has learned from the context the plain and unequivocal teachings of divine

wisdom, let him not exalt himself above his God, by disputing their justice.

If the gentleman is determined, however, to adhere to his tetotal theory, regardless of the word of God, I must suggest to him in all honesty for the sake of consistency, that he no longer pretend to reverence the christian scriptures, but come out fairly and avow himself a Mahometan. In the Koran he can find full authority for Tetotalism. I will refer him to a few passages from the Koran:

“They will ask thee concerning wine and lots. Answer, in both there is great sin, and also some things of use unto men, but their sinfulness is greater than their use.” (Sale’s translation of the Koran, chapt. ii., p. 30.)

“O true believers, surely *wine*, and lots, and images, the divining arrows, are an abomination, and of the work of Satan, therefore, avoid them that ye may prosper: Satan seeketh to sow dissention and hatred among you by means of wine and lots, and to divert you from remembering God, and from prayer. Will ye not, therefore, abstain from them?” (Chapt. v., p. 140.)

“In those that believe and do good works, it is no sin that they have tasted wine or gaming *before they were forbidden*.” (Ibid.)

“Moreover, whatever inebriates shall be esteemed wine, and all wine is prohibited. God has cursed wine, and the person drinking it, tasting and presenting it to others, buying it, selling it, treading grapes and expressing it; and also the persons receiving it, or eating anything bought with the money for which it was sold. Shun wine, for it is the key to all evils.” (See Refutatio Alcorani, p. 287.)

Now “choose ye this day whom ye will serve.” “If the Lord be God follow him: but if Baal, then follow him.” We have the plain language of the christian’s Bible on the one side – and the Koran on the other. “*Who is on the Lord’s side – who?*”

My Reverend opponent falls into the common error of the Tetotalers in exaggerating the character of the liquors commonly in use among us. Now poor liquor is bad enough, in all conscience; but

to say that it is poison or concocted of the most poisonous materials, is so glaringly false, that there is not a toper in the land that does not know the falsity of the statements – some of our most adulterated liquors, doubtless, contain unhealthy ingredients; but while thousands are partaking copiously of them all around us, and, if not exceedingly not temperate, living to very advanced life, what folly is it to preach to them that they are daily swallowing enough arsenic or other poison to kill a dozen men! What good can possibly be accomplished, or what drunkard reformed by such glaring outrages upon truth and common sense? Would it not be better to stick to the truth, and admit that while the temperate use of pure liquors may be healthy and highly beneficial, the intemperate use of adulterated stuff may be highly injurious, – than to utter lies so glaring that all who hear them know their falsity? I do not deny that liquors are adulterated with unhealthy ingredients; and whoever knows of such instances as the Tetotalers profess to do, if possessed of an ordinary amount of virtue and humanity, should at once enforce existing laws against such vile practices, or, at least, not utter their slanderous tirades indiscriminately against all dealers in or consumers of the genuine article, which is as legitimately and article of trade and commerce as any other of the fruits of the earth. It is not right to do evil that good may abound, or to belie and slander a large portion of the most respectable citizens of our country, because a few of the baser sort violate existing laws and adulterate the best and most useful liquors. Almost all articles are constantly adulterated and if our tetotal friends would extend a tithe of their zeal to the arrest and prosecution of the perpetrators of such frauds, they would do as much good as by their insane fanaticism they are doing evil. What absurdity to proclaim to men who have all their lifetimes drank more or less

spirituous liquors that their daily libations are deadly poisons!

The Reverend gentleman and his co-adjutors in the silly exaggeration and remind me of an anecdote I once read of an old lady who had been left alone by her friends for a short time, a few years ago, when fanaticism raged against tea and coffee, instead of spirituous liquors. An emissary came along, loaded with tracts and long faced lies, and finally persuaded the poor childish old lady of the truth of his theories, and when her friends returned, they found her in a terrible state of trepidation and excitement, – and upon enquiring the cause, she told them that a larned man had been along and told her coffee was *pisen*, and here she'd been drinking it for more'n sixty years, and she knew she'd die – oh, dear, what should she do?

The declining sun admonishes me that this is the last opportunity I shall have of speaking upon the subject of our discussion; and in reviewing the course of argument during the day, I cannot recollect anything of importance that has been advanced by my opponent that I have not promptly met to my own satisfaction, and also I trust to the satisfaction of the greater portion of the audience who have honored us with their attention. It may have been a matter of surprise to some that Mr. McNeir has not been able to offer a better defence of the tetotal doctrine, or a better argument in favor of the Maine Liquor Law; but for my own part, I can truly say I have not been in any degree disappointed. On previous occasions I have frequently seen the ingenuity of the ablest polemics tested in behalf of the same positions that he has assumed today, and uniformly with the same unsuccessful result. He has done as well perhaps as any person could have done in the same case; and if he has never before had any misgivings of the

correctness of his theory, he must now be convinced that it is erroneous – contrary to the teachings of divine truth – at war with common sense – a libel upon the character and history of man – and calculated to accomplish no good whatever, but to inflict immense evil wherever the attempt shall be made to enforce it upon a community of freemen. Why, then, will gentlemen persist in the futile and fearful crusade? I am aware that thousands have been enlisted in it under the honest impression that good results would be attained; but wherever such are led to examine the subject closely, they are invariably convinced of their error and abandon it. In almost every instance where public attention has been drawn to a thorough canvassing of the matter in a public discussion, the result has been fatal to the fanaticism for miles around. That such shall be the case in the present instance, will be but natural, without any special merit upon my part or fault upon the part of my opponent. Wherever truth is clearly contrasted with error, they can be readily distinguished, and the great mass of the people, who are honest, when undeceived, readily embrace the side of truth and justice and common sense.

There are among us, however, many ambitious and aspiring demagogues who make a hobby of the Tetotal fanaticism, upon which they hope to ride into power. Among them are hosts of cast-off politicians who have forfeited the confidence of their political parties, or are not highly enough esteemed to gain advancement in the regular political arena, and I regret to say, that there are also hosts of clergymen who treat the teachings of divine inspiration with contempt, and boldly throw themselves at the head of this fanatical movement – as they are always found at the head of similar fanaticism, – in the hope that they be able thereby to regain the political influence and

power and public plunder they lost in the American Revolution. Who does not remember the tenacity with which the clergy of the Eastern States contended for the perpetuation of their power to tax and rob the people for their own aggrandizement? Even long after the Revolution they were unceasing in their importunities, as they were also in New York and Virginia, long after the Revolution had rendered us a free people. Failing in their direct efforts to grasp the power and plunder they lost, they at length ceased their open efforts and are now stealthily engaged in grasping every pretext for interfering with government affairs, in hope of ultimately being able to regain the political reins. No close observer of the times, who is familiar with the history of a portion of the clergy of our country and of the world, can for a moment doubt the truth of this statement. There are men yet among us who wear the sacerdotal robes merely as a source of emolument and worldly consequence; and they are as greedy as in the days when Patrick Henry and Thomas Jefferson arraigned them as public depredators, and drove them from the public crib. Does any one doubt this? Let him watch with what eagerness they urge forward their hobbies, and with what bitterness and unchristian venom they show their fangs and hiss at all who interpose obstacles to their progress. The whole artillery of lies is let off against any who expose their craft, and they are denounced as infidels, and their characters blackened in every way that priestly ingenuity can devise. But the people are becoming too intelligent to be much longer deceived. They can distinguish the greedy wolves, though covered with “sheep’s clothing,” by their barking, growling, wolfish natures. The time has gone by when the people supposed that priests could do no wrong, or when a clerical *ipse dixit* was an unquestionable sanction. The people well know that selfish

hypocrites will assume the clerical profession wherever it is a source of emolument; and that whenever professed ministers of the gospel attempt to lead them directly contrary to the teachings of the Bible and to arm themselves with legal power for the enforcement of their views, that they are no more like true christian ministers of the gospel attempt to lead them directly contrary to the Bible and to arm themselves with legal power for the enforcement of their views, that they are no more like true christian ministers than serpents are like doves. Let all who sincerely profess to be christian ministers conform to the teachings of the Bible, and remember that "Christ's kingdom is not of this world," and let all who have assumed the clerical profession from unholy motives beware how far they urge forward their sinister schemes for robbing the people of their rights and property, lest they raise a tempest of indignation which they cannot quell, and which may tear from them their disguise and expose their hideous deformity. As to succeeding in again enslaving the freeborn citizens of the United States, they may as well abandon the attempt as hopeless. Let them remember the character of the people they are trying to enslave. There yet remains too much of the blood of '76 coursing in veins of the descendants of those patriot heroes, who pledged to each other their lives, their fortunes, and their sacred honor, and nobly sustained their solemn pledge in the annals of man, to achieve the liberties bequeathed us a boon which we prize too highly to tamely yield.

"Go game the wild tempest, or stem with a straw
The surges that sweep o'er the strand that confin'd
them!
But think not again to give freemen a law,
Nor think with the chains they have broken to bind
them!"

Fellow-citizens – I tender you my most cordial acknowledgements for the courteous manner in which you have listened to me, during this day's debate. Whether my remarks have been useful or convincing to any, I can assure you that I have expressed only my most sincere convictions, produced by a somewhat elaborate investigation of the subject. I know I am sincere and honest in all I have had said, and whether I am altogether right I leave for you to judge.

I have an engagement to address a meeting at Trenton, to-morrow, and shall undoubtedly be asked the opinions of the people of Hunterdon and Somerset – and it will be a source of some satisfaction to me, as well as doubtless, to yourselves, to have an expression of your views as to whether my opponent or myself has been correct in this argument, I am, therefore, authorized by our honorable Chairman to ask that those who approve the Maine Law draw off to the right, and those who are opposed to it to the left.

[Hereupon parties started off cheering to the right and left, and the audience soon followed, dividing into two parties, of which it can be no exaggeration to say, that at the left, or opposed to the Law, exceeded the other by at least FIVE TO ONE. An outburst of the most enthusiastic cheering among our friends in opposition to the law, now made the welkin ring; and was again and again repeated, while the Maine law folks seemed sadly chagrined, and soon scattered in various directions, as if ashamed of their company. We learned that they afterwards held a prayer meeting, the same evening, to condole over the unexpected result, and in their long-faced pharisaic exhibition, a number of the fashionable clergy of various stripes, united. We do not know that they "cut themselves with lancets," but we learn that they "leaped upon

their altars” and seemed as anxious to “call down fire from heaven” as their prototypes in the days of Elijah, but we have not heard that their prayers have been answered.]



TO THE READER.

The foregoing report of the Debate was originally published in the *Banner of Liberty* (edited by G. J. Beebe,) with the following postscript;

We have furnished as full and accurate a report of the Debate, as the notes in our possession have enabled us to do. The report is not, of course, *verbatim*. Even if it were possible to take down the exact language as fast as spoken, it would fill a book several times as large as our paper. — We have aimed to give the substance of

what was said on both sides, with all possible accuracy and fairness; and that we have not done our opponent any injustice, — but that, on the contrary, we have expressed his positions in language fully as clear and forcible as they were presented by him, we feel entirely confident, as well as that we have not omitted any prominent idea or argument advanced by him. The report of his remarks does not occupy as much space as that of our own, from the fact that he did not speak as last; and we have felt greater liberty in enlarging upon the notes taken of our own remarks, than upon those of his.

In reviewing the Debate, since it was in type, we observe that in two or three instances, points are referred to in answer that are not reported as having been advanced. In such cases the reader will of course perceive there has been a slight omission, but will readily infer that he point replied to by either speaker was assumed by the other.

MAINE LIQUOR LAW DEBATE.

This pamphlet is a re-publication of the report of a Debate held as stated in the title page, which was originally published in the *Banner of Liberty*. The demand for the numbers of that paper containing it soon exhausted the large extra edition issued, and numerous heavy orders which it was therefore impossible to supply with copies of the paper, rendered it necessary to re-issue the Debate in the present pamphlet form.

THE PRICE at which we furnished the numbers of the *Banner of Liberty* containing it, was 25cts. per set, \$1 for ten copies; \$8 per hundred, or \$15 for 200 copies, – which will be promptly sent to any address for which we shall receive payment, free of postage, freight or express charges. Those who have sent us payment for sets of the papers containing the Debate, to whom we have been unable to supply them, will receive double the number of copies of this pamphlet.

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(Back Page)

A SURE CURE FOR THE TETOTAL MANIA - AND A - QUIETUS FOR THE MAINE LIQUOR LAW.

This is the title of a pamphlet recently issued by G. J. Beebe, containing 32 pages, well printed and bound in paper. It contains an exact copy of the notorious Maine Liquor Law, with a review of the same. It contains much valuable information relative to the history of the use of spirituous liquors, and the evils, resulting from the uniform failure of every attempt in Europe and the evils, resulting from the uniform failure of every attempt in Europe and the United States to suppress their manufacture, sale or use. It contains lengthy extracts from McCulloch and other English historians, written long anterior to the late Tetotal excitement, in proof of the utter inability even of the most despotic governments to prevent the manufacture sale and use of spirituous liquors. It also contains upwards of a hundred quotations from and references to the Bible, authorizing, sanctioning and commending their temperate use, while it also proves the Tetotal doctrine of the day to be a Mahometan heresy, by adducing several passages from the Koran or Mahometan Bible, denouncing their use, in direct opposition to the scriptures revered by christians. The "*Sure Cure*" is doubtless the most conclusive expose of the fallacy the doctrine of Total abstinence that has yet been issued, and in every neighborhood where it has been liberally circulated it has proved itself "*a Sure Cure for the Tetotal Mania.*" It has already passed through three heavy editions in about six months; and the demand is still rapidly increasing. It bids fair ultimately to attain a circulation unequaled by that of any modern publication. It is stereotyped, and several thousand copies are kept constantly on hand, so that it can be immediately furnished by the hundred or thousand – per mail or express (the postage or express charges always pre-paid by the publisher) for 12cts per single copy; \$1 for ten copies; \$8 per hundred; \$15 for 200, and a still greater deduction for larger numbers. Letters containing orders and enclosing payment should be pre-paid and address to:

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This work is now being written and will be published during the ensuing summer. It will contain about 64 large double column pages, well bound in paper covers. It will be mail (postage paid) to any part of the U.S. for 25cents per copy; \$1 for 5 copies; \$2 per dozen, or \$15 per hundred. Address orders to:

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