Hawaiian Gazette Supplement, April 21, 1880.

Sober Thoughts on the License Question.

The following lecture was delivered at Hilo by Rev. Wm. Oleson, and is published by request:

Visit with me the proud metropolis of the Lakes. Watch the entrance to that quasi fashionable saloon for one half-hour. Business men, clerks, and strangers pass in and out with the fumes of liquor in their breath. But what is this? Their strap of school-books too plainly tells the story. A half-dozen boys, hardly in their teens, on their homeward way from school, step boldly inside and emerge with flushed faces and sneaking glances. Oh! that it might stop here! Oh! that the monster might spare us half of humanity! But look! A woman's step is on the threshold, a woman's hand is on the door, and a woman's form passes within to the same fatal spot—to pray? to remonstrate? to plead? Ah! the glass is in her hand! and before you turn your steps you shall see what may well lead you to exclaim, "O Lord, how long!" for yonder come three girls, that for aught you can see may belong to the first families of the city, and they hesitate but a second before they too pass within and the doors close behind them. Two years ago the number of minors visiting these vile dens was 30,0000; but through the labors of the Citizens' League this number has been reduced to 10,000, and the business of 200 saloon keepers broken up. Ten thousand school children of both sexes in the public schools of Chicago are habitual frequenters of the bar-room! While the city fathers of Chicago are thus sowing the wind, and giving us a modern definition of License,—the paid-for privilege of holding the glass to the lips of children,—the harvest of the whirlwind hastens on.

In 1878 there were in New York City 8,000 licensed and unlicensed places for the sale of liquor. Put all these shops in a line, allow them each twenty feet front, and make allowance for streets of standard size, and your grog-shops make a solid line 35 miles long. Thus reads the public and uncontradicted statement of Joseph Cook. Thirty-five miles, shop touching shop! From Hilo to Kilauea, and five miles beyond. Certainly license has done something for New York; and, except for being on a smaller scale, license can do the same thing here. Dr. Crosby finds large numbers of groceries that are prosecuting their nefarious trade without licenses. The New York *Tribune* of a recent date published the names and places of business of over 500 parties in New York City who are selling liquor without a license. And this, too, in the face of an awakened public sentiment, and despite the unparalleled efforts of Dr. Crosby's Society to bring all such parties into court to answer for their misdemeanors.

Such facts make the matter clear, *that license only aggravates the evil*, and instead of licensing and regulating the traffic opens a wide door to the unlawful sale of all kinds of liquor. Experience in the operation of license laws effectually disposes of the notion that license would limit the sale of liquor in this Kingdom. License everywhere proves itself but a respectable shield for the propagation and multiplication of evil forces in a community. It is a word of evil history and of evil omen. Its friends would picture to us a strong man, wearing the symbols of civil power and the medals of successful and honorable efforts. But we walk the streets of New York and Chicago and St. Louis, and a thousand lesser places, and license is a horrid nightmare that curses us at the corners of the streets, and leers at us from the windows, and chatters at us from asylums, and curses at us from the gutters, and fills the brain with images of the most dreadful nature; prison-bars, and murdered wives, and diseased children, and burning homes, and maddened mobs, and hosts of evils that make the heart sick—such is license. And yet not every good man is ready to say, "I cast my influence against all license." Such a public evil has not grown into power without some plausible reasons for its existence. It is not that the plausibility of certain claims should bring men to a tacit allegiance to that which when shown in its right light moves them with indignation. The danger is that the public will be indifferent to the real condition of things, or will act as fatalists, deeming that what is must be, and there's no way to prevent it. It is little to be wondered at that in the face of such fatalism and public indifference, and in spite of its record, license should find itself gaining power. It tightens its grip on its captives, and throws out its tentacles for new conquests, and one of its arms is touching us. License is everywhere the same, and if Hawaii nei adopts a license law for the native population, we may look for a repetition here of its history elsewhere. Let us thoughtfully weigh the claims set forth in favor of license.

It is claimed that *Government has no right to interfere with personal liberty, and that liquor drinking being a personal matter, Government has no right to control or limit the sale or use of liquor.* Let it be noted that this is never urged against any license legislation. License serves the liquor interest too well to receive opposition at its hands. Those who urge this claim deny the power and right of Government to enact regulative and prohibitive laws, while they at the same time encourage some governmental regulation as a matter of expediency! It is very fitting, they say, that Government should regulate the sale of liquor though it has no right to do so. Thus they wish *to forestall all legislation looking toward more stringent laws.* And this they hope to accomplish by incorporating their peculiar legislation into the statute laws, and thus practically pledging Government on the side of license, and by creating a popular belief that Government is invading private rights when it undertakes anything more than a mild regulation of the liquor traffic.

It is always easier to make laws than it is to displace them and substitute others. Witness the life-work of Wilberforce in his efforts to change the laws of England so that the slaves might be emancipated in all her colonies. Witness the determined efforts in Massachusetts to displace the license law and substitute more stringent legislation, and consider how many years the struggle has been going on, notwithstanding public sentiment there is undoubtedly opposed to license. Witness the difficulty which always attends the efforts to repeal laws and substitute others of a severer type. The liquor interest here is favorable to license for this very reason. They are aware that a license law once on the statute book will not be tampered with until public sentiment is overwhelmingly and unitedly in favor of some definite and stringent substitute; and that until such time they are protected and supported by the power of the Government.

Liquor men are shrewd and far-seeing, and do not need to be told that now is the time to prepare for the struggle that will come in the future. So they bend every energy to manufacture a public sentiment that there is a point at which governmental interference in private rights must cease. They teach by means of aphorisms that tickle the ear, and deceive that large class who are too indifferent to detect the fraud. "Every man has a right to choose his business," they say. "Why can't one man sell rum as well as another man sell tea?" "The law hasn't any claim against a peaceable man!" "Whose business is it what I drink any more than what I eat?" "My money is my own and I'll spend it as I wish." "One man drinks water and goes home; another drinks beer and goes to jail." "John staggers in the street because he's dizzy; Jim staggers in the street because he's drunk. John is helped home; Jim is helped to the lock-up." Let such words be the utterance of a man who claims to be an aggrieved member of society, and there is a degree of plausibility in them. And yet what is the upshot of this doctrine, thus popularly stated? Has not government a right to interfere with personal liberties when those liberties are exercised at the expense of others? Hasn't government a right to condemn a strip of my land for a public highway? Hasn't government a right to forbid my cattle to browse and run loose in the city streets? Hasn't government a right to march me to prison if I am caught poisoning my family? Hasn't government any right to punish me for selling arsenic for quinine? Hasn't government any right to compel me to keep out of the gutter, or to put my hands in handcuffs if I do not keep them from my neighbor's face or my neighbor's property?

Personal liberty is secured to individuals so long as such liberty does not trend on the rights of others. But so long as one man's liberty impairs another man's, the personal aspect of the thing disappears, and it becomes public, to be dealt with as government deals with all public matters. The claim of the liquor interest on this point when examined appears to be without ground, and the very strongest argument can be formed in favor of *prohibitory* laws, where liquor men deny the right to the slightest governmental interference.

But liquor men seek the adoption of license laws *that they may procure the government's moral sanction of their otherwise outlawed traffic.* Sin loves to be respectable. The worst class of men prefer having their business recognized as legitimate to having it practically or virtually outlawed. Besides, a ligitimate business can be more audaciously pushed and its sales increased. It makes a deal of difference whether a man hides his trade in liquor and sells it on the sly, or whether he temptingly arranges his decanters and exposes his wares so that the public as it passes hears the mock refrain. The law sanctions this. It makes a deal of difference to the liquor-seller for license increases his business and releases him from the fear of interruption at the hands of the law. It makes a deal of difference to government for by license it receives money for thus selling its moral support. And it makes a deal of difference to the public for this same license increases the temptations of youth, removes all restraint, multiplies drunkenness, increases crime, occasions increased suffering, and causes greater poverty, and practically defeats for perhaps a long term of years all efforts to increase the stringency of the law. Good men will exclaim at such a state of things, "Yes it's too bad, it's terrible; but what can you do about it.?" And the dispenser of all this suffering and crime and poverty, behind his bar will echo, "Yes, what can you do about it.?" And what can be done when the time comes that government itself sanctions it, and the liquor power is awake to its interests, and the bulk of the public are indifferent, or not united on any definite course of action. To-day it would require one-tenth the effort to prevent new license laws being framed that it will in five years to repeal such laws should they be passed.

It is claimed that *that government is utterly impotent to control social evils.* But this plea of government inability is always an argument for a new government. What one class of laws and one set of officers cannot accomplish, another class of laws and another set of officers can. It is puerile to claim that government hasn't basis power to enforce necessary laws. If there is any point made in such a claim, it is not against government as such but against a particular administration of that government, which administration can be changed. If such a claim as this is advanced by government officials it is a shameful confession and ought to close the commission of every such officer. If it comes from legislators, it is an acknowledgment of incompetency and ought to remand the individual to private life. If it proceeds from good men then we ought to blush and mourn over the degeneracy of our time.

But it is the liquor interest that really pushes this claim, and the manipulation of facts to countenance and support this idea, is a revelation of their shrewdness. We are reminded by the advocates of this doctrine that the large cities in America, in Great Britian, and on the continent are powerless to restrain crime; that all laws respecting social evils are disregarded and are practically a dead letter; that nowhere is the law effective in doing more than to regulate such evils in a general sort of way. Admitting in a measure the truth of this, we do not find the way of escape in accepting this as the necessary position of government toward crime. The difficulty is that the law is not enforced. The crying evil of our day in all communities is the non-enforcement of the statutes against those very evils. The cry "More laws!" is a false note. We need to enforce the laws we have first. It is folly even with good intent to enact new laws because old laws are not respected. It is a dishonorable escape from a difficult task and creates a contempt for the arm of the law in the minds of transgressors. And if new laws are enacted with evil intent, that is, for the benefit of officials who thus seek to shirk their duty, then the public ought to know it and see to it that the officials are changed and not the laws. The same argument that proves government impotent to control social evils, proves it impotent to undertake the management and control of other public matters. A government that cannot enforce its own laws has no business to undertake war or to regulate commerce, or to impose taxes, or to protect its citizens and their property against mobs, for unless it is a government of hypocrisy, it is powerless to accomplish any of these things. The argument proves too much, and brings us face to face with the real issue instead of this false one. Let the government be loyal to the laws it has and rigidly enfource them, and if some officials havent sufficient back-bone to do their duty in the place they hold, let better men be substituted. Let temperance people rally around this point and we will hear no more about the impotence of government in the enforcement of necessary laws; nor will the liquor interest be able to succeed with its specious claim that the non-enforcement of the present laws is an argument for a resort to licensure. It is claimed *that licens is the best way to control and restrict liquor-selling and liquor-drinking.* How such a claim can be made in the face of facts is marvelous. In Connecticut in 1854 the prohibition law effected a reduction in crime of 75 per cent; on the restoration of the license system, crime increased again 50 per cent. In Vineland, N. J. where by a local prohibition all sale of liquor is prohibited, one constable suffices for a population of ten thousand persons; and the poor fund reaches the sum of $4 a year. In Greeley, Colorado, where the same policy of prohibition is pursued, there is not a single police officer to a population of three thousand, and the poor fund reaches the sum of $7 for two years. Bavaria, Ill., another total abstinence town of the same population, reports not a single pauper and not a single crime. What towns under a license law can present such facts? New York City is staggering under the awful load which its license law imposes. And yet since the sale of liquor has been prohibited on Sunday, the arrests have fallen off 50 per cent. Surely no one would claim any credit for the superior benefits of license in the presence of that fact. It is claimed *that it is impossible to do much of anything else but to license the liquor traffic.* Liquor-selling goes unrebuked all over our Islands. Practically we are having a deluge of free rum. It is matter of public notoriety that large quantities of all sorts of liquors are scattered hither and yon from Honolulu all over these Islands. It is these facts that lead many to suppose that the evil is two powerful to deal with and so must be regulated by some kind of licensure.

But the facts do not naturally convey such a conclusion. They make us wonder, first of all, at the supineness of Government officials, and then at the long-suffering of the public in dealing so leniently with such faithless servants; and then convince us that what we want here in Hilo and all over this Island, and all through the Group, is a united public sentiment that shall demand a rigid enforcement of our laws. Let no one suppose that we have come to such a crisis that it is impossible to do anything toward a better state of things Something can be done. What is needed is that every temperance man should make the most of his influence in every possible direction. Let there be no compromise with the liquor interest. Let there be on every hand a stubborn insistance that government shall do its duty. Let there be an unrelenting effort to force officials to the discharge of their proper work. Let the offenders against the law be pushed to the wall until this free-rum carnival stops. Let the liquor sellers know that one glass is enough to bring him into Court. Let the liquor drinkers learn that the smell of liquor about his person is enough to turn the prison-key upon him. The thing can be done. It can be done if all those who bemoan this state of things will bear each his responsibilities in the matter. Elsewhere, in order to secure the enforcement of the law, men organize and thus bring a united public sentiment to bear against officials and criminals, forcing one class to do their duty, and the other to abandon their criminal course. Such an organization could find work here in Hilo. It would require money, and time, and patience, and an obstinate perseverance, but it would reap large blessings, and give us cleaner history to look back upon than that we are making now.

It is undoubtedly true *that license is sometimes urged on the score of government's financial necessities.* It would seem to be enough to say in answer that if government is so straightened that it must resort to the raising of funds by unleashing the criminal forces in the body politic, for that is the practical outcome of license, then such government had better be bolstered up by private benevolence.

But this plea touches a matter of political economy that on the ground of utility alone ought to gain the attention and respect of such as are not moved by motives of morality. It is abundantly well-established that liquor is the occasion and source of grave public dangers. It is the instigator of mobs, the hand-maid of communism, the source of national impoverishment, turning the ways of the laboring man aside from their proper end, creating a pauper class in every community, crowding benevolent institutions, and thus increasing taxes, diminishing production and thus turning the balance of trade against the nation thus cursed, depreciating the value of taxable property and so placing heavier burdens on the very class whose industry holds the nation together, and finally causing such physical, mental, moral and social disorders as to result in serious degeneration of national character.

Aside from any moral issue at stake, it is wise policy for a nation to increase its powers of production, to limit the rate of taxation, to reduce criminal statistics to a minimum, to insure social order and thus encourage an increase in the number of property holders, to guarantee anything and everything that threatens physical or social disorders, and to throttle the liquor interest because it operates against these good results. The strength of a nation is in the industrious, sturdy, physically-healthy citizen, and whatever contributes to these things likewise contributes to national importance and prosperity; and whatever interferes with the industrious habits or impairs the sturdiness of physical health of a single citizen, just in that measure tends toward national degeneracy.

If government insists on a revenue from the sale of liquor to the natives by licensed parties throughout Hawaii nei, then it sells its seal to a most suicidal course. To one who from only a year's residence finds so much that is disastrously affecting the native character, such a privilege granted to liquor-men would seem like the death-warrant of this people. Are there any more agencies needed to accelerate the disappearance of this race? Must there be a return to the days when no restraint held passion in check? Can any honest man favor a law that, availing itself of the peculiarly vacillating temperament of this over-much beset and tempted people, shall plunge them into physical and financial ruin? And can any amount of revenue, least of all the paltry sum that a license-law will yield, entice the powers that be to such a fatal course? But what is the moral aspect of such a policy? Can money compensate for moral ruin? Shall government with one hand clasp with miser's grip the bribe of the liquor interest, and with the other deal out poison to those for whose protection alone government exists? Is it honorable in government to propagate pauperism and imbecility and crime? Has any government the moral right to give special privileges to an interest whose work is to curse the community and ruin individuals, and sap the nation's strength? It is strange that any man can hold that it is a moral or social or political duty even to foster the forces that are always multiplying criminality and poverty.

There are strong reasons why at this time license should not be extended so as to include the privilege of selling liquor to the native population; and the same reasons which apply in this case likewise hold good against any greater privilege in the sale of liquor to foreigners. If we are to have any legislation on the matter at all, let it be toward more stringent laws, and not toward greater license. It is better for the honor of government not to identify itself with such an immoral, impolitic course as the licensure of liquor. It would be better for the community and business interests to have this evil restricted rather than enlarged. It would be better for the native population to have one of the open doorways to its ruin and extinction shut and forever blocked. It would be greatly to the honor of those who, blessed by the soil and climate of Hawaii nei, to endeavor to make some small return, by defending the interests and protecting the integrity of the native race, in excluding that race from the scope of license laws.

In conclusion, I am heartily opposed to license, because license laws have never proved effective in restricting liquor-selling or liquor drinking; because they have never ministered to the honor of government or to the good order of the community; because unless accompanied by a civil damage clause there is no responsibility for the crime and ruin occasioned; because the revenue received by government is only a fractional percentage of the loss sustained by the nation in the operation of license laws; because the material interests of a country are seriously hardened and its productive capacity limited, and the poverty and social degeneracy of the population accelerated by the privileged sale of liquor; because such a law is proposed by the liquor interest, supported by the liquor constituency, and operates only to the benefit of the liquor-dealer; because such a law is an affront offered to the intelligent convictions and enlightened sentiment of the best citizens; because it violates every moral, social and political claim on the part of citizens that government shall be a friend to good order, to virtue, and to the personal rights of its supporters, and not an abettor of vice or a propagator of crime, or the consumer of the homes and property of its subjects. Finally, I am heartily opposed to the license of liquor to any and all classes, because there are better ways of dealing with this liquor question. And I am opposed especially to the license of liquor to *natives*, because we already have an excellent law that only needs enforcement to make its good qualities known; and because it is right to insist that if we are to have license at all, it shall be limited as it is now, and not be extended to all classes.

It is at least likely that such a persistent effort to enlarge the license laws should be made, and that white men should be so zealous in the movement. Well might the native population say to such men, "How comes it that you have so suddenly taken such a stand in behalf of a race whom you never have done anything for or cared anything about?" It is a legitimate inference to draw from the unique position of such men that they are more interested in the liquor trade than in the abused natives whom they profess to serve. The facts are evidently these: that an organized and persistent effort is now being made and further on will be brought into the Legislature, to make rum-selling to all classes easy, legal and honorable; and that this movement has its source and advocacy among those who do not represent the native population. Practically it is a campaign for free liquor, and I shall not be surprised if the work of the Legislature does not prove that the liquor interest began its work prior to the recent elections. It is a deliberate attempt to foist free rum on a part of the nation who do not demand it. And what shall be done?

1st. I belive an aggressive effort should be made in the coming Legislature in the interest of two amendments to the liquor law, viz: That the selling of liquor to white minors be prohibited, and a heavy penalty and civil damages accompany its violation; and that a civil damage enactment be added to the prohibitory law respecting the sale of liquor to natives, whereby any husband, wife or child may recover heavy damages, at law, from any person who sells liquor to any member of a native family.

2nd. I believe that every possible effort should be made to make the proper authorities recognize that temperance people are not indifferent, but that instead of defending what they now have, they are earnest and aggressive in demanding even greater concessions.

3rd. I believe that a Citizen's Organization could accomplish very much in apprehending offenders and in pushing their prosecution before the proper courts. There is abundant law, there is an awakened public sentiment, there is a gross violation, there is an upright judiciary,—what more is wanted? Men! who shall contribute money, who shall give personal effort, who shall see every case through to the bitter end. Women! who shall fearlessly agitate the cause of temperance, who shall inspire the flagging zeal of husbands, and brothers, who shall put to shame the indifference of any who sit at the family table or move in the circles of society. A few brave hearts could do much just now. How many are ready to volunteer?

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S. B. DOLE Attorney. — W. H. REED.

17th March, 1880. — 793 3t

Bazaar!

IT IS PROPOSED TO HOLD A BAZAAR at the Lyceum (by the kind permission of Mr. J. T. Waterhouse), on TUESDAY, April 27th, to raise funds for the erection and furnishing of Mission premises for the Anglican Church at Kaneohe, and Kealakekua Bay. Contributions will be thankfully received by the ladies of the Committee—The Hon. Mrs. Bishop, Mrs. Davies, Mrs. Dowsett, Mrs. Harris, Mrs. Mackintosh, Mrs. Robertson, Miss Willis, Mrs. Wodehouse. 788

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Honolulu, March 23, 1880. 793

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