



7-5-1855

The Chester Standard - July 5, 1855

C. Davis Melton

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Recommended Citation

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RIGHT OF A COMMONWEALTH TO SUPPRESS LIQUOR TRAFFIC.

The idea of prohibiting a person from going and coming at pleasure, or buying and selling what he pleases, is something at which the Anglo-Saxon freeman spontaneously revolts; and which he is ready and willing to resist. Such an impulse is the legitimate offspring of our free institutions, and a laudible principle when curbed by the rules of reason and judgment. But absolute individual liberty is totally incompatible with any thing like a wholesome civilization. Experience has proved beyond certainty, that to secure peace and happiness to man in his collective capacity, the State must interfere with the traffic in many articles productive of a great deal of harm to society. Laws against the carrying of weapons against unqualified persons engaging in the practice of medicine—against gaming and counterfeiting—are examples in which the State has asserted its right by forbidding the use of its individual liberty of prohibiting him from doing certain things, thereby the good of society may be secured—*Salus populi suprema lex esto.*

The question then, whether the people have a right to suppress the traffic in intoxicating liquors, turns upon its being upon anything but real. And its employment, or use of property detrimental to the public order and peculiar of a community, it becomes the special prerogative of a commonwealth to check or suppress it. It may be a work of supererogation to dwell here upon the beneficial effects of civil liquor, in a moral, social and political point of view. The great dissemination of immorality, the vast destruction of property, the speedy hastening of death, caused by this institution (for such it has become), are too manifest to evade. To call for comment. The traffic is a social evil. It is wholly antagonistic to the first principles of justice and government. There is nothing so much to be dreaded—nothing so prejudicial to the well being of society—nothing which so breaks down morality and justice, and nothing which aims so fatal a blow at the very foundation of social and political propriety as a business which disseminates the seeds of corruption, poisons the people, and consumes their substance, be an evil; and humanity never ground under one so appalling as this. It pervades every ramification of society; the honors of nobles and the abuses of slaves, being alike victims of its baleful sting.

Yet those who advocate the prohibition of a traffic so comprehensive in its ramifications are continually asked: "Will you give up your right to freedom of trade, which is lawful?" This argument we consider weak and easily refuted. The sanction and protection of law has been so long given to this trade, that to deny it seems to be not only legally right, but even morally right; and hence the question shrouds. But its being lawful by no means makes it morally right. Many things being legal, but many instances only relative, and often grossly prohibited.

And why is the liquor traffic lawful? Simply because it is permitted by law. To say that it is a trade which has been set on foot by a deluded, infatuated people, and it stands out in bold relief a social evil, is to say that it is legal, and it is not legal, both human and Divine.

Had it been left to meet its fate as the most abhorred of the people has been generally considered and declared the feeling of its ability it would have been ranked among those nuisances subject to the severity of the law. But the protection of law has stood forth in its strongest armor, and has fenced the traffic within which this dangerous structure of ruin and misery has been enclosed, and through which the poisonous engines of moral and political corruption are directed. But admitting that it is legally protected by law heretofore, is it still beyond its will that the opponents of a prohibitory law should be regarded as meddling with the property of the State? Is it to be denied that the State is the guardian of the rights of its citizens?—You shall be allowed to traffic in slaves within the borders of the State,—will New York deny the same to its colored and its white inhabitants?

And will any reasonable man, who is at all versed in the character of our government, in candor say that our community has no right to regulate its traffic in slaves? Should any number of men, impart or engage in the traffic of an article which all know and feel to be destructive of the best interests of the people, who will say that the fact that such an article is not specifically denominated by the Constitution, therefore we have no power to suppress it? Never! No man would be degraded who would say that he was a slaveholder, if he were by no means capable of framing and adopting a constitution so improvident and tyrannical.

As far as the State is concerned, the question has long since been decided. The adoption of the license system, boldly asserted its right to regulate it *ad libitum*.

"The rights to take no steps implies the right to do nothing to prevent it. The State is the only umpire as to how far its interference shall extend. The license system is a prohibition in the strictest sense of the term. It has been held by the courts of this State to be a violation of the rights of the many and a confining to the few."

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er in intoxicating liquor be placed. For a man in the improper use of his dangerous commodity would be in accordance with the end and aims of government. For what is the object of government? To prevent and to expose its subjects to the outrages of violence and brutal force. Far from it. Its end is protection, protection of the weak against the strong, of the innocent against the lawless and guilty. But the chief power, the sine qua non of protection, is prohibition. Every statute of the penal code is strictly speaking a prohibitory law, based upon the presumption that some private right and interest has been or may be again invaded. Law itself is nothing more than a shield with which to protect the weak against the strong, and to secure justice to all.

Every reasonable man then, will admit that whatever seriously disturbs the quiet and peace of the community, falls under the jurisdiction of law as something to be suppressed if possible. Now is not the Traffic in alcohol an agent calculated to produce this effect? It scarcely calls for very much as an assertion. It will overwhelmed by the enormity of its evil, the combined effects of their arms, and a host of other enormities punishable by law. It has been the cause of the name of law and liberty—in the name of right and humanity—in the name of all that is holy and sacred, as the great fountain-head of the most formidable array of evil influences which human flesh is heir to. Like a destroying angel, commissioned and deputed by the law itself, it wings its way to every household, and, with a fearful tread, brings ruin and desolation.

Yet, while the right is granted to prohibit this traffic, counterfeiting, false hoaxes and the like, we are not to suppose that a traffic more appalling in its effects than all those; infusing, it does, its baneful poison into every vein of the body politic.

It is, therefore, the duty of the law, in the justice—where the policy of such legislation? The right to legislate in the one case impels the right to legislate in the other; and the more formidable array of evil influences proclaims the necessity of so doing.

As to a last resort, the rousing bell, which the opponents of a law so beneficial to its tendency and beneficent in its aim, strike refuge behind the Constitution of the U. S. If a prohibitory law is unconstitutional, it becomes so by violating some article of the Constitution of this Union, or the Constitution of the State. We have asserted that the State has no right to interfere the strong arm of the law to suppress any traffic, and therefore has no right to sell, supreme to the power of the State to forbid its sale.

But the Chief Justice of the Supreme Court has more than once decided that a prohibitory law is strictly in accordance with the Constitution. A State has no right to interfere with the traffic, Chief Justice Taney declared—"Every State may regulate its own internal traffic according to its own judgment, and upon its laws of interest and public policy." If any State denies the retail and internal traffic in alcohol spirits injurious to the interests, we calculate to prohibit the sale of such articles, and to restrict the sale of such articles to the State.

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Original Poetry.

How beautiful was death, when with that friend beloved,
We met and seem'd to sympathize in hope of Heaven above.
And when our hearts were fervent, with sorrow and tears,
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Select Miscellany.

PLATONIAN AND PRINCIPLES OF KNOW NOTHING ORGANIZATION.

The acknowledgment of that Almighty Being who rules over the universe—who provides over the controls of nature—who conducts the affairs of men, and who, in every step by which we have advanced to the character of an independent nation, distinguished by some token of providential agency.

THE AMERICAN ORGANIZATION.

The enemies of this order at the South charge them with anti-slavery sentiments and designs, with a persecuting mendacity and profligacy, and a want of patriotism and obedience; while at the North they are accused of being pro-slavery in their notions. It is a singular position of things, that the only movement which has ever been made in this country for general effect, to vindicate the Constitution and sustain the rights of the South, is rejected by almost all the Democratic parties, and some of the Whig papers also, in the Southern States. The unexpected and ungrateful alliance is chiefly confined to the Administration party, who go for the attainment of power and the enjoyment of the laurels and honors of office.

It is well known that the New York Tribune pours out its daily denunciations against the order, on account of its pro-slavery principles. It is well known that it has pursued in this lead who belong to the ancient line of the Whig and Democratic parties. Yet, with those things in view—which may be considered as the most prominent and impelled by the desire of office, betray the interests of their section, desertate all patriotic feelings, and sell out to the interests of those of the free States who have, for years, strained every nerve and called out every effort in aid for our destruction!

WILL AUSTRIA JOIN THE ALLIES?

The intention of Austria to ally herself with the negative. The English Ministry appear no longer to rely on her military co-operation. The speech recently delivered by Lord John Russell, in the House of Commons, as regards Austria, explanatory of her peculiar position, and apologetic for what appeared deplorable, if not sinister, in her conduct towards Russia, is a specimen of the position taken by Lord John Russell at that occasion. They show the difficulties with which Austria was and is environed, and they triumphed the most advantageous compromise to her position. She is in a position to see the possibility of a rupture between the Serbs and Clarysds of opposite sides.

1. To replace Poland six or seven 200,000 men. To take Poland, Russia has six or seven 200,000 men. To take Poland, Russia has six or seven 200,000 men. To take Poland, Russia has six or seven 200,000 men.

chiefly from the refusal of Lord Palmerston to interpose. Such a policy would be a sacrifice of sovereignty were inadmissible.—The count of the Tulleries encouraged the plan. We have often thought, and have no expressed ourselves freely in writing to receive National will not be restored by any other means than placing a foreign Prince on the throne of that country; for admitting that it was fixed for republic institutions, none of its great neighbors would consent to the establishment of a Republic in the heart of Europe. But in the supposed contingency, that Poland would be willing to receive National with a foreign prince, as was done by Greece, Russia would not be behind in adding for the honor of giving her, not a Russian, but a German, as a Pole for her King.—Let me be what it may which Russia is assailed where she is most, if not alone, vulnerable, it is in this quarter, on the 21st of March, the battle would be fought, not only, as the Allies express it, to restore the equilibrium of Europe, but to preserve it, for it is a perversion of language, to say that she is a part of Europe, as it is not so, by the accession of Russia in the East, when, in the West, her frontier has been extended to within a few days march both to the North and South.

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THE CHESTER MARKET

Candidates for Sheriff: J. WILLIAMS, A. PAHAN, J. L. HENKIN, Esq.

MARBLE YARD. NOTICE OF SALE. THE undersigned has for sale...

CHESTER DRUG STORE. Large and well assorted stock of PURE AMERICAN AND FOREIGN...

JUST RECEIVED! AT THE CHESTER BAKERY. In order to save the time...

BRAWLEY & ALEXANDER. WOULD inform their friends...

SPRING & SUMMER GOODS. They deem a catalogue unnecessary...

E. J. WEST, SADDLE & HARNESS MAKER. I will engage in the manufacture...

PROTRACTED MEETINGS. Having Joseph Stutz of C. and R. and...

MARBLE WORK. Mr. Neuf being an experienced workman...

COLOGNE WATER. Agents for all the most approved PATENT MEDICINES...

FRUIT PUT UP IN FANCY JARS. French Fruit put up in Fancy Jars...

TIN & SHEET IRON WARE. M. R. T. ROBINSON having purchased...

LAW NOTICE. HENPHILL & GASTON, ATTORNEYS AT LAW...

REPAIRING done with promptness and care...

DENTAL OPERATIONS. Dr. J. T. WALKER. Will call at his rooms...

INSURANCE ON LIFE. SOUTH CAROLINA MUTUAL INSURANCE COMPANY.

NOT TO BE UNDERSOLED! WE have now on hand the most complete...

THE SUBSCRIBERS. WOULD inform their friends that they are still engaged in the...

SPRING! SPRING! SPRING!!! HARDEN & MCCULLY. DESIRE to give notice of their large...

COMMISSION MERCHANTS. WARDLAW, WALKER & BURNHIDE COTTON FACTORS.

HARNES AND SADDLES. Of every description, are invited to give...

STAND UP SAM!! NOTICE THIS. The citizens of Chester District...

THE CORNFIELD HOUSE. TELL CONNELL hereby offers for sale...

MANTILLAS! MANTILLAS!! RICH reminder of our Stock of Colored...

FURNITURE BUSINESS. WOULD inform their friends that they are still engaged in the...

SPRING! SPRING! SPRING!!! HARDEN & MCCULLY. DESIRE to give notice of their large...

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HARNES AND SADDLES. Of every description, are invited to give...

FOR SALE OR RENT. AUGUSTUS GUYMERE offers for sale...

BOARD AND LODGING. Faithful and Attentive Servants. fatters himself that his claim to public patronage...

FAMILY GROCERIES. THE subscribers have now in their store...

HO YE THAT WANT NEW AND FINE SPRING GOODS. G. EYMAN. RATHERFUL to the people of Chester and...

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WHEAT MARKET. SPRINGS' MILLS. I wish to purchase three or four hundred...

RAILROAD HOTEL. THE Subscriber respectfully informs his friends...

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COMMISSION MERCHANTS. WARDLAW, WALKER & BURNHIDE COTTON FACTORS.

HARNES AND SADDLES. Of every description, are invited to give...

WHEAT MARKET. SPRINGS' MILLS. I wish to purchase three or four hundred...

RAILROAD HOTEL. THE Subscriber respectfully informs his friends...

FAMILY GROCERIES. THE subscribers have now in their store...

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Farmer's Department

From the Abbeville Banner.

ADDRESS.

To all, and every Agricultural Society, Farmer and Planter in the State of South Carolina...

F. Burnham, Esq., from which we learn that in a single year (1853) his sales for this...

The British correspondent of the Boston Post, but a short time since, wrote that...

RULES FOR SELF-GOVERNMENT.

Always sit next to the carrier, if you can, at dinner. Ask no woman her age. Do not sit in the carriage...

The Chester Star

Published every Saturday Morning at Two Dollars per Annum.

All subscriptions are strictly limited at the time of publication...

EXECUTIVE DEPARTMENT. By His Excellency JAMES H. ADAMS, Governor and Commander-in-Chief...

PROCLAMATION.

WHEREAS, information has been received from the persons filing...

EXECUTIVE DEPARTMENT. By His Excellency JAMES H. ADAMS, Governor and Commander-in-Chief...

New Park Advertisements.

From the Newspaper Advertising Agency of S. M. PITTENGER & CO.

To the Physicians of So. Carolina

AND ALL WHO USE LIQUOR AS A MEDICINE. PHYSICIANS who prescribe Alcoholic Liquors...

Read the following Certificates.

TALLAPOOSA Co., Ala., Jan. 1, 1852. Dear Sir, I send you this to certify to you that your Extract of Yellow Bark...

Miscellaneous Reading.

THE HABITUAL BORROWER.

Save us from the habitual borrower! Like all habits, that of borrowing grows by indulgence...

THE POULTRY MANIA.

In past numbers of the Merchants' Magazine, we have from time to time noticed...

DEAR MADAM: Bright angel of my waking hours...

DEAR MADAM: Bright angel of my waking hours, and vision of my dreams! How shall I propound to you the question that troubles on my lips...

THE UNEXPECTED WILLIAM SAXTON.

The unexpected termination of this letter, which the recipient had supposed to contain...

FOR YOU MY FRIENDS.

For you I'll my fruit and flowers, For you I'll my garden bowers, But return—I humbly ask...

WAS I LONDON.

Was I in London advertised a carriage to perform with only wheel, and carried the carriage in mechanism to see its performance...

AS WINGED LIGHTNING.

As winged lightning darted from the clouds when Jupiter snatched the bolts, so does a young girl run like lightning when a young girl's who is...

AS A MERCHANT.

As a merchant in a boutique of feet, among such a shop for a couple of feet, among such a shop for a couple of feet...

WELL TAKEN.

There are people in the world who physic themselves to death. We have known men to die in pills for relief from every kind of ill...

MARBLE & STONE CUTTING.

THE SUCCESSORS OF ALEXANDER BROWN, DECEASED. RICHARDSON'S Marble and Stone Cutting...

DOCTOR HOOPLAND'S German Bitters.

DR. C. C. JACKSON, PHILADELPHIA. PREPARED BY DR. C. C. JACKSON, PHILADELPHIA. LIVER COMPLAINT, DYSPEPSIA, JAUNDICE...

A NEEDED REFORM.

At a meeting in Lafayette, Indiana, the other day, the pastor of the church, resolved that his congregation should read 'no notices' from their pulpits...

THE HONORABLE ASSOCIATION.

THE HONORABLE ASSOCIATION OF PHILADELPHIA. TO ALL persons afflicted with Sexual diseases...

TO CLOSE UP.

ALL persons having accounts at the Chester Star Office, are hereby notified that on the 15th inst. 1854...

FOR EVERY GOOD REASON.

A NEW BOOT & SHOE STORE. IN COLUMBIA. WM. H. YOUNG & CO.

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