

**The present political aspect of the licensing question : an address
delivered in Liverpool, November 1875 / by J.E. Thorold Rogers.**

Contributors

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THE
PRESENT POLITICAL ASPECT
OF THE
LICENSING QUESTION:

AN ADDRESS


DELIVERED IN LIVERPOOL, NOVEMBER, 1873,

BY

J. E. THOROLD ROGERS, M.A.

(Professor of Political Economy, London University.)

LIVERPOOL:
NATHANIEL SMYTH, 42, RENSHAW STREET.



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Present Political aspect of the Licensing Question.

WHEN I was first a member, some fifteen years ago, of the London Political Economy Club, in which society matters of considerable political interest are debated from what is called an economical point of view, I remember asking a very old member of the club, the late Sir William Clay, what was the good which was supposed to result from these debates. I ought to explain that our practice is to have a question printed on the paper for the evening, with the name of some member of the club annexed to the question. After dinner, the gentleman whose name is thus annexed expounds the question from his point of view: a debate takes place afterwards on the subject, in which the members take part at their discretion. There is, however, no summing up, and no vote on the subject. A right of reply is accorded to the mover of the question, and after this right is used the meeting disperses. Well, sir, when I asked Sir William Clay what, in his experience, was the good of this kind of debate, he answered, "I think the good is this, that we come to a practical conclusion, though we take no votes in this room on certain public questions, about three years before Parliament adopts as an economical necessity the conclusions at which we have arrived."

Now, gentlemen, I am led to think that my friend has chosen a very typical question with which to introduce a practice like that adopted by the London Political Economy Club. He has gathered together a body of intelligent gentlemen, who, I understand, are wholly superior to mere political sympathies or antipathies, with a view to discussing a question on its economical, social, and moral consequences. Now, if a man can wholly dispossess himself of all considerations other than those which are distinctly relevant to the good of the English people, I cannot help thinking that he will arrive at an affirmative solution of the problem which is before us to-night. But I must admit—indeed, I cannot help seeing—that it is difficult, perhaps impossible to discuss the matter from a practical point of view, and at the present

moment, without unfortunately contemplating it as a party question. I regret that it is a party question ; and I think it has been made one to a great extent through the indiscretion of the late Government, for reasons which I hope to point out in the course of what I have to say. Still, on the other hand, the question has become of such considerable magnitude, and the issues it involves are so serious, that, as my friend and host believes, and I agree fully with him, its position as an unsettled question not only imperils the resuscitation, perhaps the existence of the Liberal party, but even to a very large extent, what is a much more important matter, the cause of good government altogether. For under existing circumstances, the fact that a great and historical party is identified with the maintenance of a particular interest, apart from the social surroundings of that interest, and in a country like ours, which cannot afford to trifle with its prosperity and place among civilised nations, is one of the most serious political complications that can arise.

It is all very well, gentlemen, when we meet together in a public room with, so to speak, the rough and ready elements of political action below a platform to address—such elements, for example, as I had the pleasure of seeing and addressing in the very intelligent, enthusiastic, and on the whole, clear-headed audience of last night—to deal with the broader and more obvious facts of the political situation ; perhaps to induce a little jocularly over the proceedings, and certainly to do one's best to revive the spirits and unite the impulses of all those who are gathered together for a common and future purpose. The materials of political opinion, and the social duties of life have to be inculcated in many ways. Here we are in a very different position. We are endeavouring to deal with the question before us under circumstances in which we are, or ought to be, free from any tendency towards political partisanship ; and yet it is hard to detach one's self from such surroundings. We cannot be quite uninfluenced by such considerations. The position in which the licensing question has been placed by what has been, I think, the ill-advised action of one great party, and I am bound to add, the immoral action of the other great party, renders a dispassionate judgment a matter of no little difficulty.

I ventured last night to allude to the cry with which the present Government prepared its way to success, when it clamoured on

behalf of "harassed interests." I admit that the cry was supremely useful, and therefore an extremely clever cry. But I am led to invite your consideration as to whether it is not a very immoral cry when it is interpreted from the highest point of view at which political action can be estimated. You cannot be ignorant of this, that Government has no business with the interests of men, or with the relations in which individuals stand to the community, except to secure private rights. Even those it is not to maintain under all circumstances; but it should allow, control, or curtail them; in short, interpret them, as they work in harmony with the rights of other people, or are inconsistent with the highest common right, the public good.

The object which I have before you in my address this evening is to interpret, to the best of my powers, the present significance of the liquor question, or to speak more correctly, the licensing question. It will be obvious to you that the feelings which were aroused on this subject before the last appeal to the country, and in the face of which the Conservative party was unhappily induced to avow itself the ally and advocate of the public-house interest, were quite strong enough for the defence of that interest without party support. The Publicans, at any rate, needed no stimulus of party patronage. It is equally clear that the Liberal party was driven into the position of a peculiar and superfluous, but from a partisan point of view, necessary hostility to the same interest. It is, lastly, clear that from this complication, those reforms, which I venture on alleging, are absolutely necessary in order to prevent this country from falling into the rear of other civilised communities, have been seriously hindered, and are likely to be hindered for some time to come. The Conservative party has been demoralised, the Liberal has been disorganised, and the country has been and is distracted.

Now, this is a particularly unfortunate position. If I am right in my interpretation of it, and my opinion is gathered from what people say and write, one of the great historical parties is committed to an almost unqualified defence, the other to an almost unqualified attack. The object of defence and attack must be, however, to the mind of any unprejudiced person, that which should be controlled in no party spirit, and by totally different agencies from those of a party organisation. It increases the complication when one remembers that the solution of a question which is confessedly

urgent is indefinitely delayed, because those who strive to handle it from no party point of view, are, by the perversity which party spirit engenders, commonly treated as impracticable fanatics.

The solution of the problem is, however, vital to the existence of the Liberal party. Let us look the facts in the face. At the last general election the confidence of the nation in one party was unmistakably challenged on the licensing question. The publicans declared for open war, and went bodily over to the other side. It is not in human nature to decline a combat which is invited so generally and so heartily. The Liberal party had to confess itself in the wrong in all it had done, and to confess itself, under the circumstances, unable to deal with a solution the discreet settlement of which is vital to society. The harassed people went further: they asserted with ostentatious vehemence, for we saw it in the window of every public-house, that the tendency of Liberal action in Government is distinctly, constantly, permanently irreconcilable with that of the publicans' rights, actual and prospective. Well, what is to be done? The Liberal party must either make war against that which not only threatened, but used all the hostility in its power, which boasts of its victory in the great cause of reaction, and which affects to hold the balance of power, or be content to take a lower line of political duty. There is, however, a third course, that of discovering the means by which society may be invited to adopt remedies for the mischiefs which all intelligent and honest men, of whatever party they may be, allow to be a growing danger to society itself. This latter policy I hope to commend to the favourable consideration of the gentlemen before me.

Here, however, I think it will be convenient to point out what, in my opinion, was the error which the late Liberal Government made in dealing with the licensing question, and the sale of alcoholic drinks to be consumed on the premises. I am, of course, unable to anticipate what will be hereafter the expedient which the leaders of the Liberal party may adopt in order to conciliate their avowed and pronounced enemies; but it is clear that at present they are very shy, as a rule, of making any utterance about the topic. The mistake of the past appears to me to be this. The Government entered into the particulars of a measure without having attempted to avow or expound its principle. They failed to do what they ought to have done, and they undertook that which they ought to have left alone.

No one doubts that the management and control of licensed houses—a function which it is necessary to undertake as a matter of policy—should not be put into the hands of a central administration, but should be left to local authority. All are agreed upon this, but all are not equally agreed as to the authority which should be called into activity or be fortified. But that which administers should be empowered to publish its own bye-laws and define its own details. For a central government then to undertake these details appears to me to be a great blunder, a serious error of policy. The consequence of the fact that the late administration undertook to supply these details, under which the licensing system was to be carried out, led to the unpopularity of the Government with the publicans and provoked their united efforts for the downfall of the Liberal majority with which all of us politicians are familiar; and by parity of reasoning, as long as the leaders of the Liberal party are themselves misled into undertaking these details, which are and will be much better left to local hands, local needs, local difficulties, local mischiefs, and local remedies, so long will they invite and prolong, as far as the particular interest is concerned, relegation or banishment from power. I will illustrate my meaning by saying how I should have acted if I had been a Member of Parliament during the time Mr. Bruce's bill was in progress. I should have voted for the principle of Sir Wilfred Lawson's bill; because that bill contains a principle which, whatever may be the details, on which I do not enter here, refers a matter of local duty to local action and local option. But I should have walked out of the House while the particulars of the government bill were discussed, for I should have felt convinced that I had neither the right nor the capacity for debating and deciding upon that which ought to be left to local discretion and control.

The English Parliament has an unlucky trick of meddling with details which do not and should not come under its proper cognisance. Let me give you an instance similar to that which is before us this evening. There was no doubt, four or five years ago, a very strong feeling on the part of the different colonies now forming the Dominion of Canada in favour of political union. It was not, indeed easy, when these disunited provinces contemplated the growth of their next neighbours, to disregard such a feeling. They came, therefore, to the English government and asked for such an

union. You know how they were answered. Now, in my opinion, it would have been far better if the government had conceded them full power to construct a union in their own way, than to have passed an act which entered into all sorts of details. Those among us, at least, who have followed the course of Canadian politics since the Canadian Dominion Act will, I think, see that the Act has put great difficulties in the way of the administration of that Dominion. It would have been better to have allowed the principle, and to have let the details alone. I arrive at just the same inference with regard to the question before us to-night, and I think that this inference is inevitable and instructive.

The licensing question may be considered from two sides, from two points of view, by those who have taken part in what is called the Alliance movement. Two classes of persons, capable of acting in harmony together, are supporters of the principle involved in Sir Wilfred Lawson's bill. With one of these I have a profound moral sympathy, but, I am compelled to add, very little political sympathy. With the other I have the strongest political sympathy. I may call the two parties, that of repression, and that of popular control. The principle of vindicating, maintaining, enforcing temperance by Act of Parliament, and the principle of popular control are two totally different things. I do not disparage the former, while I support the latter. I honour the consistency, determination, and perseverance of those, who resolutely withstanding what they consider a practice or habit which never can be good, and is too frequently mischievous, sustain their principles by their example, and are willing to co-operate with those whom they, no doubt, believe take a lower ground of action when they dwell only on the expediency and justice of popular control. The standpoint of some total abstainers represents a still higher level of public duty. Many men are convinced, and act on the conviction, that moral work is best effected by moral example. They are strict abstainers from all intoxicating drinks, not because they think that the use of such fluids is invariably hurtful or injurious when they are moderately used ; but seeing that it is very generally mischievous to others, they consider it to be their duty, according to the advice and habit of the Apostle, to sacrifice their own inclination rather than encourage by their practice the temptations to which a weak brother is exposed. This is the highest standpoint of a temperance

reformer. It is not so common as that of many, which is, that under no circumstances can the fermented produce of the grape, or any other alcoholic liquor be partaken of without producing bad effects; that all intoxicating fluids, even when they do not visibly intoxicate, are radically injurious, and always bring physical mischief on those who use them. But I put this latter opinion on a lower footing than the earlier. It is based on a physiological or pathological inference, not on a moral motive, and on an inference which is still largely disputed.

I will take the first ground. Let it be an acknowledged necessity to obviate—mainly by example, a little by legislation—the weakness or vicious propensities of so many of our countrymen in the use of drink. I would ask you to consider whether this reliance, on example or on legislative control, is not rather dealing with the symptom or product than with the cause. My experience leads me to conclude, from very numerous instances, that the need of social reform arises from the absence of one or the other of the two conditions on which civilisation and social progress depend: the neglect of some moral principle, or the deliberate violation of some economical law. Some moral or economical fault is invariably discoverable in the working of society, whenever a serious social scandal is continually arresting our attention, or keeping alive our anxieties. And in this case of wide-spread drunkenness, with its accompanying degradations, I have constantly been able to associate the deplorable habits of so many of our fellow-countrymen with the want of proper accommodation, of the common decencies of life, which so frequently characterise the dwelling-places of the working classes.

And how does this state of things arise? What is it which at once makes the English working classes wretched, dirty, and drunken? The working classes of this country are better paid than those of most other countries; the supply of that produce on which human life is maintained is, on the whole, to be obtained at a cheaper rate in this country than in most others. Why is it that their homes are so miserable and their lives so uncomfortable? The fact, I believe, is to be found in what, I believe, is the cause of half the misery and more than half the vice of this country; in the unnatural and indefensible law which assists the accumulation of great estates in few hands; in the system which makes a

monopoly of that which is limited in quantity. The English land laws are the cause of more social miseries than people believe, or like to believe, or care to trace to their true origin; and I am persuaded that, until we get rid of this system—of course, I do not mean that any person should be dispossessed of his property, and should be the last person to advise so pernicious a wrong—until, however, we dispossess a person of the right of tying up an estate after his death, a privilege to which no other country supplies a parallel, we shall never see a permanent improvement in the dwellings, and by implication in the habits of the poorer classes. What is the case in this town? Either the working classes buy the scantiest and most inconvenient accommodation at the dearest possible rate; or they are obliged to inhabit the abandoned dwellings of a past generation, and to crowd themselves into these places in defiance of the laws of health and morality. I looked, this evening, at a map which lies on the table there, in which any one could trace the causes and effects to which I am alluding. The same facts apply to London and other great towns.

It would take too long time for me to demonstrate the economical proofs which connect this system of things with the practice under which land is let on short periods by great proprietors, with the view to procuring the largest amount of income which could be secured out of occupiers, through the operation of an artificial and unnatural land dearth. Look at the miserable character of the homes in which working men live—at the ill-burnt bricks, the mortar made of road-scrappings and filth, the green timber for rafters, joists, floors, and doors. They are made to last a lease—to tumble down by the time the lease is over; and are unwholesome from the day they are built, to the day on which they cannot be possibly inhabited any longer. I have lately been in Italy. In the towns of Genoa, Pisa, and Florence, houses may be seen which have lasted for four or five centuries, and are in as strong and sound a condition as when they were first built. These houses would never have been built on short leases. When I was at Lyons for the first time, I was astonished at the beauty of the town, and at the solid character of the houses in it, and I asked a friend of mine there how it came to pass that a provincial town could be so handsome. The reply was, "Every one here builds on his own freehold." It is through the direct influence of the English land system that the habitations

of the English workpeople are so detestably bad. When a working man comes back to his home, he feels the misery which he has to endure, and is too often driven from it to the warmth and splendour of the gin-palace bar. There are excuses for the drunken habits of the English workman ; is there any excuse for the law or custom which makes him the victim of this artificial system ?

I have constantly said that the first parliamentary reform which this country needs is the purification of Parliament ; and that the first social reform which should be taken in hand is the abrogation of these powers of settling land which have been usurped in this country, or have been permitted by the legislature. I am sure that until these changes are effected, we shall be kept on the very threshold of moral progress, and can make no way. I detest palliatives. I want remedies ; and one can always find social remedies for social evils. If I had a heap of offensive matter before my doors, I should get it carted away. That is a remedy. I should not disguise the stench by pouring a little eau de Cologne on the top of the heap. That is a palliative.

The present Government is, to a certain extent, conscious of what is the genuine cure for certain social mischiefs. The Artizan's Dwelling Bill of the last session appears to recognise the facts ; but, instead of dealing with the cause of the evil, it tries to palliate the evil. I am sorry to say that the palliative is what is likely to be exceedingly mischievous. The bill contains a strong flavour, not of eau de Cologne, but of Commonism ; for I suppose we can see who will have to pay the bill when the Act is put into operation on any considerable scale. I suspect it will be the ratepayer, and I am sure it ought not to be.

I have no doubt that when people's eyes are so far opened as to see the urgency of such reforms as I am indicating, we shall be met by a loud cry that the rights of property are endangered. But these are not the rights of property: they are rights usurped or extorted by persons over property, or, to be more accurate, rights allowed to dead persons to tie up an estate which is held by living persons. I sometimes think that the re-arrangement of the English land system will be assisted by the conviction which some of those who are supposed to profit by it entertain as to the ultimate consequences of the law, and which they begin to see are disastrous. I was talking the other day to the son of one of the wealthiest men in

England, and said: "What an admirable thing it would be for your class if you did away with that system of protecting men against the effects of their own vices, and which acts as an incentive to reckless extravagance and waste. If I were a Conservative, instead of being a Liberal, there is nothing I should desire more than to free the great landed aristocracy from the protection which the law gives them, because I am certain that by removing some of the strongest defences of misconduct, I should improve their reputation with the public." "Well," he replied, "we are beginning to entertain these views ourselves; not a few of us wish to get rid of strict settlements, and the other limitations on estates which are now customary."

Palliatives for social evils are more mischievous than the neglect of remedies, and it is a serious mistake to have recourse to them. Our business, if we are worth anything for our generation, is to find out remedies. We only put off the evil day, as long as we do less than what is wanted. We lull people into a false security when we do not grasp the whole truth. We may lead men to believe that we are putting them into a Paradise, and they may find out, when it is too late, that we have been creating a paradise of fools. I strongly hold that every economical mischief has its economical remedy; every social mischief its social remedy; every legal wrong its legal remedy. I have, to be sure, made rather a long digression; it is forced upon me by the estimate I have been compelled to make of the facts. I will now confine myself to the particular social mischief which is before us this evening.

Many of my friends, for whose motives and judgment I have the greatest respect, think that the remedy for the national vice is to exactly copy or adopt an institution from another country. I do not think that this would be expedient. The two countries are very differently situated. In that country the population, instead of being dense, is sparse; the habit of acquiring land is common, instead of being as it is here, unfortunately, rare; the constitution of the country favours the practice of majority voting on a definite proportion, with a view to effecting a constitutional change; the habit of the people is to make public opinion an authority, and to enforce the authority of that opinion over large areas and large classes of men alike. In our country these conditions are not present, or not developed, and to transfer a practice bodily from one country to

another would be proved to be found nugatory in the end. I have often urged on my friends of the Alliance: "What you suggest in your Permissive Bill is a scheme by which a two-thirds vote would carry with it the extinction of the public houses. But, as a matter of fact, by the constitution of Great Britain, a vote carried by a majority of one would produce exactly the same effect. If you can only get a fair majority in the House of Commons, there is nothing to prevent the extinction of every public-house at any time by the barest majority. Why, then, should you attach yourselves to a scheme which postpones or defers to an artificial and novel agency that which is perfectly possible under the existing forces of parliamentary government."

When I speak of what appears to me to be the policy open to the Liberal party in connection with the Permissive Bill, I can of course only give my own opinion. Perhaps my view is a little affected by the circumstances under which I was first induced to make my appearance on a platform which was temporarily occupied by the Alliance. I will explain them. Some years ago, a travelling agent of the Alliance called on me, and asked me to take the chair at one of their Meetings. I replied that I did not see how I could do so, because I did not believe in total abstinence, and did not practise it, and I did not see how I could take the chair of an association which seemed to put upon its members the obligation of conforming to the rule of total abstinence in their own personal conduct. The agent replied that they did not expect any thing of the kind, but that any one who accepted the principle of popular control could associate with them. Well, I replied, that is a very reasonable view to take, but as I am not prepared to take a prominent part in the movement, I must decline to take the chair. Well, the agent went away, and I thought I should see him no more. In a day or two, however, he came back in a terrible way, and told me he could not get any one to take the chair, because a leading publican in the town had threatened to go to the meeting with a basket of eggs—I will not offend you by supplying the adjective which the publican annexed to the eggs—and dislodge anyone who should take the chair. Very well, I replied, under those circumstances I will take the chair. I did so and was not attacked. Perhaps the publican, who was not very tall, but was very corpulent, had some respect for my physique. But the threat of the eggs made me an

advocate of the principle of popular control. I am sorry to say that if a man shakes his fist in my face, I am always very strongly inclined to knock him down. It may be wrong, but it is natural. The Liberal party is credited with having taken the chair of the Alliance, perhaps with some reason, for I believe that there are only two or three English Conservatives who vote for the principles of Sir Wilfred Lawson's bill, and the publicans you know are very ready with their eggs. But they must not be surprised if the Liberal party retaliates in the way which I have indicated as suggested to myself, and if it looks on the Conservative party as the champion of the pot-houses.

Let us look at the beginning of this licensing system. It is always worth while to trace as far as possible an existing law or custom to its historical origin. In the first instance, the function of licenser in all public houses, in parish, manor, township, or borough, was conferred on persons specially elected for that purpose by the residents of the manor, or burgesses of the town. These people went by a name which was certainly not indicative of temperance, for they were called ale-tasters. It is possible indeed that these same gentlemen in the middle ages, who entertained the views of my friend Sir Wilfred Lawson, performed their duties with a wry face, and reported that the fluid was not so unwholesome as some might be. Any way, they were the persons elected by a popular and local suffrage, who had full powers of determining what, when, and how beer should be drunk, and were even able to say, "There has been enough of this drinking, that cask must not be broached." The office, I may add, came down to modern times. One of the last gentlemen that I ever heard of who was appointed to this office was the late Mr. Cobden, who served as ale-taster to the town of Manchester. I fear that he must have neglected his duty, even at the head-quarters of the Alliance.

In course of time people took to drinking gin. I do not quite know whether this fluid came into England as a common beverage under the Stuarts or the Hanoverians. I rather incline to believe that its fatherland was Holland, and that it may be connected with the coming of the great deliverer William of Orange, whom the Jacobites called the Dutchman. By the year 1731 the practise of gin drinking became so general, and seemed so mischievous that the Government passed an Act of Parliament known in history as

the Gin Act. Complaints were made that the free manufacture and sale of spirits had been followed by such extensive consumption, that it was expedient for the legislation to do what was equivalent to a total prohibition of sale, by imposing a heavy duty on the manufacturer, and a prohibition license on the seller. As a matter of fact however, both duty and license were found to be failures, and the Gin Act missed its purpose. In 1743, three or four years after the war with Spain broke out, it became necessary to find means, and a Licensing Act was the consequence. The Bill passed the Commons, for the Commons had to raise the funds for carrying on the war. But in the House of Lords the Bill met with a violent opposition, many lords protesting against it. It is a little remarkable that on this occasion all the bishops voted against the Bill. At the present time we hear one of our bishops saying that it is better to be free than sober. I cannot, however, help thinking that this prelate would have done better if he had vindicated the right of a man to get drunk on other grounds than that of his inalienable privilege of freedom. The fact is, that so far from freedom and drunkenness going together, our experience is that the righteous indignation of law shuts up a man first, and finds him five shillings afterwards. When I hear that freedom leads a man to indulge in these appetites, I know that his freedom is very likely to be taken away.

When the licensing system was well established very significant results ensued. By virtue of a process developed from economical causes, the small brewers gradually became absorbed in the large brewers, and the brewers became gradually a power in the country, for in politics the concentration of power makes any interest considerable. There was a time it appears when most people brewed their own beer. Then came the day of small local brewers. At last, so to speak, the big brewers have gobbled up both, the publicans finding it more convenient to get their beer from large brewers than to manufacture it themselves. Here comes a remarkable fact in relation to the present position of the trade. Nominally, the maintenance of the existing trade appears to be the interest of the whole class of publicans. Actually it is the interest of a very small class—that of the monopolist brewers and gin distillers. I do not know whether it is true, but I was told the other day, that one of the great monopolist brewers, whose tall chimney overshadows the town in which I live, was offered several thousands a year by a gin distiller

in return for the monopoly of sale in the various public houses which the brewer possessed. I can explain this story only by one of two ways. Either the goodwill of a big gin shop must be a very valuable commodity, or the gin sold must be very bad. I do not mean to say that the alternatives are not compatible.

Well, it is in the hands of the brewers that this great power really rests, and is virtually therefore on a very narrow basis. I venture to suggest to those gentlemen who are very strong advocates of the Premissive Bill, whether it would not be worth while to point out at their meetings that it is not half so much the interest of the publicans to maintain the existing state of the law as it is of the monopolist brewers; and to instruct the publicans that almost all the profits of his trade, owing to causes which are absolutely inevitable, go to brewers and the brewers only. If the publicans only know the facts, the Alliance might easily, and probably with great effect make an onslaught on the image of vested interests as represented by the brewers, this Dagon of the Philistines,—and soon have him in a very sorry plight, without arms and legs. It seems to me that if the true position of the trade were explained to the public it would be seen that the interests of the community are sacrificed to those of a very narrow class of persons.

Public opinion, gentlemen, is growing on this subject, and is very likely to grow, as it sometimes does with very great rapidity. Unless the persons who are now pluming themselves on the possession of their monopoly, on the support of the Constitutional Party as it is called, make up their minds to abandon some of these privileges which they enjoy, they will very likely find out that the question is taken in hand by those who are resolved on a settlement, and equally resolved to decide whether certain vested interests have any right to either compensation or consideration. I am strongly disposed to believe that the mass of the working classes believe that they are sacrificed to the unjustifiable profits of a very small class of persons. We must remember that the Samson of Democracy has not as yet found that his hair is grown, and his strength is restored him. He may discover both, and even open his eyes again, nay pull down the Philistines' temple, though he brings mischief on himself in the process.

With regard to these houses it is admitted on all sides that control is necessary. Well, if control must be exercised, by whom is it

to be exercised? Now we come to the roost of the matter. You will agree with me that the control must involve the employment of a police; for it is necessary that a police should be able to enter, inspect, report, and deal with certain cases as they arrive. It is impossible for government to do more than lay down general principles; it must leave the management and execution of law to local authority. It is admitted again, though in a hesitating manner, that the locality as the right and the duty of deciding how many public houses a locality shall permit? and under certain limits—it is to be regretted that the limits were put—during what days and hours these places should be open.

Now who sets this machinery in motion at present? I am not one of those who are prepared to rail indiscriminately against an unpaid magistracy. I think it is ungracious to do so, as well unpractical; for the unpaid magistracy renders many signal and valuable services to the country. Beyond doubt, all of us here have experienced how valuable are the representatives of Local Boards, and how great are the services of Boards of Guardians—men who fulfil positions similar to those of the local magistracy. I am not at all disposed to object to the administration of public affairs by unpaid officials. I do not want even to see a member of Parliament paid—though I do think he ought not to be allowed to pay money in order to be there. There is, however, one element in these Boards which does not belong to the magistracy. They are liable to a periodical revision of their doings at the hands of their constituents. The magistrate is a sort of life peer. He has no constituents. It used to be said, “once a clergyman, always a clergyman.” It ought to be said, “once a magistrate, always a magistrate.” I believe it is more difficult to get a man out of the commission of the peace than it is to get him out of the ministry, or even off the roll of attorneys.

Now, I do not think that a great, permanent, vital interest ought to be put into the hands of an irresponsible body, for magistrates are practically irresponsible. Guardians, members of School Boards, of Town Councils, of Local Boards, are liable to be put out of office if they neglect or abuse their powers. Their constituents make them retire at the end of their time if they do not like them. There is another reason why I think that the licensing power of the magistrates should be objected to. A man may never intend anything corrupt or unfair, but he cannot help being influenced by his surroundings

and associations. I dare say it is the case in this town, I know it is the case in Oxford, that many estimable and excellent men are on intimate terms with monopolist brewers and their partners the gin distillers. Now it is not in human nature that when men go in and out of a neighbour's house, they should forthwith go to the bench and take away his license. As a matter of fact a rich brewer can always get his house licensed, though perhaps the poor brewer is not equally favoured or fortunate. This association is a reason why, in my opinion, a magistrate ought to be relieved of a position which places him in a very invidious office, and exposes his sense of equity to many strong temptations.

Now, if the magistrates are constitutionally unfit to handle this business, other functionaries should be appointed to it. I have heard two classes of elective officials named as competent to undertake the office. One is the Town Council. Well, Town Councils are not to be found in all localities ; but a licensing board must be found in all. The Town Councillor is, to be sure, elected by an almost universal suffrage. But my objection to this functionary is, that he is elected for a very large number of duties ; and that if he retained those duties, he would not be elected on the licensing question only, though it is a burning question in the present state of English social life. Town Councillors have as much to do as they can reasonably be expected to properly perform. I cannot, therefore, agree with my friend, Mr. Bright, that the office of licensing should be put on the Town Councils.

Another body has been spoken of, which at first sight seems to be a very suitable one. I mean the Board of Guardians. I have been a guardian of the poor for the last eight or nine years, and I am quite certain of this, that if I had despotic powers in the town where I live over the public houses, I could soon reduce the rates from two shillings to sixpence in the pound. I know well, how could I fail to know it? what is the chief cause of pauperism, and why it is that so much money is raised and spent for the use of the poor. There are many reasons why Boards of Guardians would be competent Licensing Boards, especially as they are elected from year to year, and therefore must come before their constituents in order to obtain or miss a renewal of public confidence. Still guardians have a very onerous duty, the satisfaction of which is a great tax on their time and energies, and they are very often, I believe, compromised by

public house interests. I am, therefore, decidedly of opinion that neither of these bodies can be utilised, and then nothing remains but to resort to the creation of another and special licensing body by election. And why not? There can be no reason why an increasing number of persons should not be introduced into the management of public affairs. It would be expedient to enlarge the franchise for this function in one direction, and restrict it in another. The electoral register should embrace the poorest class of the community, for they are the least protected against the present system. But I would not let the brewers and publicans come within earshot of the polling places. The parties whose pecuniary interests are concerned against a reform ought not to be allowed to use an election for their own ends, but should be excluded from it.

It is a great error to call this kind of action Permissive Legislation. The restoration of popular control is in no sense permissive unless we are to call the exercise of the human will on matters of great human interests permissive, and expect that to be optional which is an obligation or a duty. Of all the meaningless and sophistical terms which are ever invented, the most sophistical are those which are employed to denote political agencies. These terms often represent the very reverse of that which they naturally mean. From the point of view which I take, it becomes absolutely necessary for a district to take into its own hands the management of its own concerns in a matter which is absolutely vital to its own existence. If there be one cause for which the powers of self government should be entrusted to a town or a district, it is the necessity of dealing with a national vice, the immediate consequences of which must be discovered, and the ultimate consequences of which must be foreseen, if we are to keep our place among nations.

It is a comparatively small matter whether or no the Liberal party should be recalled to power, it is an all important question whether or no the national character is being undermined, Meanwhile if we cannot grapple with the evil, we can at any rate do our duty in trying to find a cure, and in urging that proper powers should be given to those who are able to apply the cure, and whose interests and duty coincide in their efforts. If we can go further and obtain the machinery which I recommend to you this evening, we shall serve the cause of justice, because we make those who suffer the mischief, the instruments of the remedy, instead of confining, as at

present, the right of continuing the mischief to those who profit by it directly, or who are too timid to control that with which they indirectly sympathise. The real hope that such a movement would be successful lies in the fact that it gives the victim to these widespread temptations a prospect of escape from the danger to which he is exposed.

If there is an object on which the statesman or philanthropist can exercise his energies in defence of the public good, if there are no occasions on which men may claim from governments, not the mere permission to act, but the power of fulfilling a duty ; if we are told to acquiesce in an evil, because the evil is guarded by a dense phalanx of angry, irritated, and watchful interests, and that we must be apathetic because the enemy of the public good is triumphant, I should despair. But I do not so interpret the situation, and therefore I do not despair. I believe that the time is not far distant, when this matter will be taken up as a matter of public duty, that if the liberal party does not carry out its own traditions of unfailing labour on behalf of the national weal, their political opponents will be forced to do the work ; and feeling that a great social reform is of absorbing interest to the future of the English race, they will deliberately undertake that which their degenerate rivals are too timid to effect, when they should be roused by hostility, even though they are not stirred by duty.

