

REPORT.

The undersigned have considered the various petitions for and against the law prohibiting the sale of liquors on Sunday. Some of these are from the counties, but the largest number have been sent from Baltimore.

Those which are in favor of sustaining the system, as at present established, say that it has done much to secure the observance of the Sabbath day, and to secure peace and good order in all parts of the State. On the other hand, it is urged, that the vice of drunkenness, and the social evils attendant upon it, have rather increased than diminished since the passage of the law;—and that the very prohibition has opened wider the avenues to indulgence. In the city of Baltimore, especially, a marked difference in opinion with regard to these points seems to prevail. Several thousand have testified on the one side and the other: and the signatures to the petitions from that city are so numerous and respectable, that the undersigned cannot determine which opinion is correct. In this uncertainty, the undersigned have resolved to recommend the passage of a bill which will definitively ascertain the public sense upon this doubtful question. They know that it is not advisable, in general, to refer questions, which are properly the subject of legislative action, to the decision of a popular vote. But the difficulty presented by the petitions referred to the committee makes the present case a meritorious exception.

It must be remembered that the Sunday law was not passed to secure the observance of the Sabbath day, as a religious obligation. For although it is the duty of every State to protect and foster good morals, it is a matter of grave question with the undersigned whether the State, in its sovereign capacity, has the right to consecrate this day by prohibitory laws. It is unquestionably, however, its highest and best duty to prevent vice and crime, whenever they assume such shapes as endanger public order and tranquillity.

The undersigned are compelled, therefore, by a strict sense of their constitutional duty to overlook the religious considerations which are inferentially commended to their notice by some of the petitions against the repeal of the Sunday law. If the Legislature has the right to prevent the violation of the Sabbath day, on the ground that it is a religious season, it is difficult to see at what point their power to ordain prohibitory laws would properly cease.