

yond what this case requires; but as I would rather keep respectable men, even though wild enthusiasts, out of prison and out of trouble than tempt them into it, I shall prefer to err rather on the side of frankness than of reticence. The streets of the town are the property, not of the magistrates alone, but of the whole inhabitants of the town, and they are dedicated to the ordinary and well-known uses of roads or of streets. They are dedicated to be thoroughfares for men, for animals, and for carriages, and not dedicated to be arenas for orations, or for manifestations of mob force and its powers of intimidation and destruction, or for rioting. No one, on the pretense of enlightening or converting the public, has a right to obstruct the street. He is bound to walk on and keep his feet in motion, however his tongue may be occupied; and any one who collects a crowd—whether he be a cursing fishmonger, or a frantic politician, or a demented Salvationist—is a breaker of the law, because he is not merely using his own right in the streets, but usurping the rights of others, obstructing their right of way, and annoying them by excited, loud, incoherent raving, or at least by noise they do not wish to hear. No men, whatever their calling or station, have any right of public meeting on the streets. The magistrates themselves have no such right. They are trustees for the public, and their power over the streets is simply to regulate the use of the streets for the benefit of the whole public, not to convert them or any part of them into arenas for public meetings, which would not be a regulation of the use of public thoroughfares, but a perversion to an entirely different and perhaps mischievous purpose, and an obstruction of public rights of way. In my opinion a magistrate would have no more right to denounce socialism to a crowd on the High Street, than a socialist would have a right to denounce the magistrates in the same place on Sundays or on Saturdays, and I incline to the conviction that the mouth of any Sunday street orator can be closed, if not by the police, then by interdict as a public nuisance. If there be one personal right belonging to every inhabitant of Scotland, to every citizen of Dundee, more than another, it is his right to spend his Sunday in peace,

to say his prayers in public or in solitude, to meditate in silence upon the lights and shadows of existence, to think his own thoughts without distraction, whether they be profane or pious. But how could any one not deaf, in the vicinity of High Street, Dundee, think his own thoughts and enjoy his Sabbath peace with one set of fanatics yelling about the miseries of the poor and the vices and oppression of the rich; another set singing hymns to various different tunes, some with sacred and many with secular associations; a few units in ecstasies of hope shouting "Hallelujah;" and a greater number in paroxysms of despair practising the exercises of howling and groaning by way of preparation for a miserable hereafter? Because a man is a fanatic inspired by ignorant or unprincipled socialism, or not less ignorant, unreasoning superstition, what right has he to rob the peaceable, rational, home-keeping inhabitants of a district of their Sabbath peace, and force upon them a medley of wild, unhappy noises, as if Bedlam had let loose its most discontented, strong-lunged, weak-minded inhabitants? Is it not rather strange and somewhat unaccountable that politicians who pretend to seek after equal rights for themselves, should show the kind of sincerity that is in them by disregarding and trampling upon the rights of others, and by insulting the religious feelings and convictions of all who are compelled to listen to the political rant with which you and the like of you desecrate the Sabbath day? I do not say that your mouths should be shut, but I do say that nobody should be compelled to hear you. Liberty of speech is the right of all, but so also is the liberty of refusing to hear.—*Law Times* (London.)

PRIZE-FIGHTS.

It will be, perhaps, news to the members of the pugilistic fraternity who went from here to enjoy the Sullivan-Kilrain performance, to hear that, their perspiring admiration of those two heroes was an offence against the laws of the State of New York.

Whether or not prize-fighting is an offence has never been the subject of doubt, even at common law: *Reg. v. Billingham*, 2 C. & P. 234; *Reg. v. Perkins*, 4 C. & P. 537.