

DIARY FOR OCTOBER.

3. SUN ... 16th Sunday after Trinity.
 2. Mon ... County Court and Surrogate Court Term com.
 7. Sat ... County Court and Surrogate Court Term ends.
 8. SUN ... 17th Sunday after Trinity.
 9. Mon ... York and Peel Assizes.
 15. SUN ... 18th Sunday after Trinity.
 18. Wed ... St. Luke.
 22. SUN ... 19th Sunday after Trinity.
 28. Sat ... St. Simon and St. Jude.
 29. SUN ... 20th Sunday after Trinity.
 31. Tues ... All Hallow Eve.

NOTICE.

Owing to the very large demand for the Law Journal and Local Courts' Gazette, subscribers not desiring to take both publications are particularly requested at once to return the back numbers of that one for which they do not wish to subscribe.

The Local Courts'

AND

MUNICIPAL GAZETTE.

OCTOBER, 1865.

DUNKIN'S ACT.

We notice that in several localities in Upper Canada, county and township votes are about to be taken, with a view of introducing the prohibitory provisions of the Temperance Act of 1864, otherwise known as "Dunkin's Act." We have already alluded* to some of the general provisions of this Act, which are intended for the prevention of drunkenness and for the protection of the wives, families and property of habitual drunkards generally. These enactments are theoretically good, so far as they go. The difficulty, as we before suggested, will probably lie in the working of them. As to the provisions for local prohibition, we entertain strong doubts as to the possibility of preventing the sale of intoxicating liquors by any legislative enactment of this kind, and more particularly so in the present divided state of public opinion on the subject. One of the worst things that can happen to a country is familiarizing the minds of the inhabitants with a systematic violation of the laws. Nothing weakens the force of a law so much as the knowledge that it can be broken with impunity, in fact it may almost be asserted that it is better to have no law at all than one which can be easily evaded or which cannot be enforced.

* 1 L. C. G. 36.

The sin of intemperance, however, is general, and some assert on the increase, and any course which the majority of a community think will check the evil should be tried; but only as an experiment, for, as we have just remarked, "the cure may be worse than the disease." But the voice of the majority should prevail; not the opinion of a few well meaning but in some cases mistaken enthusiasts, who, fully impressed with the evils of intemperance, do not care to think of the consequences which may result from their hasty, one-ided attempts to suppress it, and are not sufficiently conversant with human nature or sufficiently liberal in their ideas to form a correct opinion as to whether such attempts are likely to be successful.

In what some people call "the good old days," drunkenness was not considered either criminal or disgraceful even amongst the more intelligent and educated classes of the community. By degrees, however, the enlightenment of christianity and cultivated intellect prevailed, until the drunkard has at length come to be generally considered as despicable and a disgrace to humanity. This feeling is, for the reasons already given, stronger as we ascend in the social scale; but it has not yet descended to those who compose the class most strongly imbued with the vice of intemperance. The public opinion which operates so beneficially upon the higher classes has but little effect upon those for whom a cure is principally required.

The conclusion which may be drawn from this is, that some means should be devised which would bring forcibly before the intemperate the disgrace which attaches to the name of a drunkard. We may ask, would not a law which would make intemperance disgraceful in the eyes of all, and make the habitual drunkard contemptible, and which would place him on a level with a dangerous idiot, have a more salutary effect in suppressing this vice than a prohibitory law which we do not at present think can or will be rigorously enforced. Try what would be the effect of depriving the person adjudged to be an habitual drunkard of the rights of citizenship. Deprive him of all power to contract debts or to do any legal act respecting his property (if he has any) or place it in the hands of a committee, and disable him from voting at Parliamentary and municipal elections.

There is, however, a class too low to be