

affects the public weal cannot be questioned without dissolving society into its primitive elements, and going back from the combined and co-operative state of civilization, with all its wholesome and lawfully-imposed restraints, to the isolated and lawless condition of savage and solitary nature."

Nor can it be fairly alleged that the State has no right to interfere with a man's use of his property. He may use it as he pleases, most certainly, but not so as to injure his neighbour or prejudice the interests of society at large. When that use becomes an injury, a mischief, a nuisance, society interferes and puts a stop to it. This is done continually. Lotteries have been abolished, though once they yielded considerable revenue to the government: they were found injurious to society, and were put down. Gambling houses are declared nuisances. An unwholesome manufacture, established in an inhabited place, is held to be a nuisance, and the proprietor may be compelled to remove it, at whatever inconvenience and cost. Intra-mural cemeteries are now regarded as nuisances, and the State shuts them up. Whatever a man does, that is proved to be annoying to his neighbours, or detrimental to their property or health, he may be forcibly prevented from continuing to do, by the strong arm of the law. When the cholera was raging in the city of Washington, the authorities passed the following resolution:—"Resolved, That the vending of ardent spirits, in whatever quantity, is considered a nuisance, and, as such, is hereby directed to be discontinued for the space of 90 days from this date." In the opinion of some, this was a high-handed interference with private rights; but the necessity of the case justified it, for the authorities had discovered that ardent spirits were to the cholera as fuel to the fire. The only wonder is, that they were not induced, by the good effects of the measure, to declare the vending of ardent spirits a perpetual nuisance. Their successors, I am happy to say, are preparing to do it now.

The following decision of the Chief Justice of the State of Maine, which was concurred in by the full bench, places the matter in a clear and satisfactory point of view:

"The State, by its legislative enactments,

operating prospectively, may determine that articles injurious to the public health or morals shall not constitute property, within its jurisdiction. It may come to the conclusion that spirituous liquors, when used as a beverage, are productive of a great variety of ills and evils to the people, both in their individual and social relations. That the least use of them for such a purpose is injurious, and suited to produce, by a greater use, serious injury to the comfort, morals, and health; that the common use of them for such a purpose, operates to diminish the productiveness of labor; to injure the health; to impose upon the people additional and unnecessary burdens; to produce waste of time and of property; to introduce disorder and disobedience to law; to disturb the peace, and to multiply crimes of every grade. Such conclusions would be justified by the experience and history of man. *If a Legislature should declare that no person should acquire any property in them, for such a purpose, THERE WOULD BE NO OCCASION FOR ANY COMPLAINT THAT IT HAD VIOLATED ANY PROVISION OF THE CONSTITUTION.*"

Another question is anxiously asked—*Is it practicable?* It may be answered by an appeal to facts. In the youngest-born of civilized nations (the Sandwich Islands) the manufacture and sale of ardent spirits were prohibited by law more than twenty years ago, under a heavy penalty, and the prohibition remains in full force. When permission was asked to sell to foreigners only, not to natives, the Governor's reply was, "To horses, cattle, and hogs you may sell rum, but to real men you must not on these shores." The sale of intoxicating liquors is prohibited in the State of Maine. It is prohibited in Vermont. It is prohibited in Rhode Island. It is prohibited in Massachusetts. It is prohibited in Michigan. It is prohibited in the Territory of Minnesota. It will soon be prohibited in the State of New York, in Pennsylvania, and in New Jersey. The Southern States are waking up. The Western States are roused. In a few years time the "Maine Liquor Law" will become a "United States Liquor Law," and that vast country will be delivered from the abomination of the traffic. The deliverance will be shortly accomplished in Canada (I know some of the Temperance men of that Prov-