

## LAW BILLS OF THE SESSION—DUNKIN'S ACT.

still be inflicted. A motion was made in the House of Assembly, when this bill was under discussion, to have executions conducted privately within the prison walls, but the motion was withdrawn. There has been much said lately by able men in England, as well in reference to conducting executions in private as to the abolition of the death penalty altogether, but no satisfactory conclusion appears as yet to have been arrived at on either point. Public opinion seems to be divided as to whether such a punishment answers the purposes intended in such a manner as to legitimize the depriving a human being of the life which the Almighty has given him, a proceeding which can only be excused on the ground of absolute necessity. This is, however, too important a matter to enter into at present, and any change in the law would only be warranted after a full discussion and a thorough investigation of facts and statistics.

We have also an act to amend the act of the previous session, respecting short forms of mortgages.

Besides the enactments referred to, there are several acts of general interest, though not coming strictly within the definition of law bills, such as the act as to stamps on notes and bills, already referred to; an act to authorize the formation of co-operative associations; an act to provide more fully for the punishment of the crime of kidnapping; an act to secure to wives and children the benefit of assurances on the lives of their husbands and parents; an act for the further improvement of grammar schools; and finally, two acts which we are glad to notice, though not law bills at all, but designed for the special benefit of farmers generally—an act to prevent the spread of Canada thistles, and an act to provide for the protection of sheep from dogs, &c.

## 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.

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-ideaed 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.

\* 1 L. C. G. 36.