

## CORRESPONDENCE

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### SUMPTUARY LAWS.

*To the Editor of the CANADIAN BAR REVIEW.*

SIR,—The condemnation of the New York Bar of sumptuary laws, referred to in the February number of the CANADIAN BAR REVIEW, appears to be too general in its terms, and the incidental slap at those who have favoured prohibition legislation is not justified.

No reasonable man would contend that a State is not well within its rights when it legislates to regulate or in certain cases forbid the sale of poisonous substances,—and it is precisely on that ground that the legislature of the United States has legislated against the sale of alcoholic liquors. It has arrived at the conclusion that used as a beverage alcoholic liquors have a poisonous and deleterious effect on human beings. Those who are opposed to this legislation can hardly in the face of medical testimony deny the fact that alcohol is in fact a poisonous substance; but they, in effect, say true it is that it is a poisonous substance, but it is a slow poison and we are willing and desirous of taking chances; although a very large proportion of those who are habitual users of intoxicating liquors, have thereby sooner or later effectually poisoned themselves and hastened their deaths, we are willing to accept all such risks and our liberty is invaded if legal restrictions are placed in the way of our doing so.

If the consumption of intoxicating liquors were a vital necessity, and not merely a vicious habit, one might indeed agree with the New York Bar that antagonistic legislation was to some extent an invasion of personal liberty, but legislation to prevent the members of a community from doing themselves, and incidentally many others, harm, by the indulgence of the vicious habit of taking poison into their bodies; seems rather to be placed in the category of that protective legislation which is the undeniable duty of every legislative body, truly concerned for the well being of those for whom and for whose benefit, its duty is to legislate.

It is sometimes suggested and is indeed suggested by the New York Bar, that prohibition legislation is due to some fanatical class of the community; but it seems almost needless to say that those who have really brought about this kind of legislation are the vendors and consumers of intoxicating liquors, who by their utterly unscrupulous conduct have themselves furnished the most convincing and irreparable evidence of the evil effects resulting to the community from the unrestricted sale of this particular article.

Yours truly,

GEO. S. HOLMESTED.

Toronto.