

### Smoking in Broadway.

The absolute right of every man to breathe smoke instead of air, cannot be denied in all cases where the effects are confined to himself alone. If he chooses to say that the Almighty has not provided him with the proper element of respiration—has not compounded his atmosphere of the right materials—has made it too clear, transparent, invisible—has not mixed the gases in the true proportion—that he would have better consulted the interests and pleasure of his creatures if he had run the now pellucid air through a vast tobacco vat and saturated it with this vegetable fume, why, perhaps there is no power vested in the Legislature to interfere with these convictions. We may, by statute, fix the standard of weights and measures, but not of taste. Each individual erects his own standard. While we certainly do not agree with those who find fault with the fresh, sweet and lovely air with which God has invested the globe, we have yet no disposition to quarrel with them; but are quite content to let them enjoy their opinion as we quaff the new breezes that come to us over field, forest or sea. We see the countless uses the air accomplishes while it gives us such delight. It swells the lungs of every living creature. A few moments' deprivation of it, extinguishes life. The mermaid comes up from her coral caves to gather a supply of this necessary element. The forest eagle breathes it, as he floats on its ambient bosom. It fills the canvas of myriad ships, and drives rich cargoes from land to land. It mitigates the light and heat of the sun, which would else dart "intolerable day." So softly composed, that, as it infringes on the delicate fabric of the eye, it does not cause pain or harm, and yet it holds such slumbering power that it may lift the hardy aeronaut, or propel the loaded train. It brings to us the voices of our friends, and prolongs the strains of melody. It decks the fields with flowers, robes the forest and pasture with their grateful green, and stamps its beautiful and blendid hues upon the bow of promise.

But there are many who think that the atmosphere is yet in an imperfect state—that, to give it the finishing touch and crown it with perfection, it should be burnt and sucked through a cigar or pipe-stem—that it should not visit the tender lungs until it is thus loaded with the haze and fragrance of the weed. They have the right to think so—nay, to turn their throats into chimneys, if they chose. But we cannot help thinking that if the bronchial tubes were originally intended for smoke-flues, there would have been a better adaptation of the whole machinery to that purpose. A smoke-jack would more likely have been placed on the top of every man's chimney—or head—so that he could easily have smoked in all winds. The neck would have been considerably elongated, so as to have secured a better draft. A lower fireplace than the mouth would have been adjusted, and thus saved the necessity of passing the smoke through the same flues twice. Or a blower might have been arranged over the hearth-stone of the teeth to aid the current. But the absence of these and other appliances, in the organism of the human body, which would have so immeasurably advanced the comforts, advantages and power of smoking, seem to imply that there was either a great imperfection in the smoke machinery of our frames, or that smoking was not contemplated in the original design of man's formation.

But however opinions may differ on this subject, there is one point connected with the subject on which we hold very decided convictions: and that is, that no man has a right to take his smoking chimney through Broadway, to the annoyance of its throngs of people, and the invasion of their rights. Let him smoke at home—corrupt the atmosphere of his own house—puff out his clouds in solitude—or in the society of brother chimneys—but it is an absolute wrong for him to spread his pollution on the gale in crowded thoroughfares. It is a principle of the common law that a man shall so use his own as not to injure his neighbor. But a man cannot smoke his cigar from the Battery to Union-square without a thousand violations of this principle. We put it on the ground of legal right, for, as a question of manners, politeness, and decency, no one can defend it for a moment. As a matter of good breeding, there seems little difference between smoking, and spitting in your neighbor's face. Saliva and tobacco smoke from the same mouth differ more in density than in offensiveness. To eject either into a neighbor's face, especially if that neighbor is a lady, cannot be found in the creed of gentlemen. Loafdom has this monopoly. But what *right* has any man to become a perambulating nuisance—a moving smoke-house—a travelling volcano—leaving his trail of nauseous vapor on the air, which his neighbor cannot avoid, but must, perforce, respire? Have I not an equal claim with him to the first freshness of the breeze? Certainly there are few ways in which a man can more offend against good taste, or positive right, than in following the lighted end of his cigar through Broadway, and fumigating every man and woman he meets and passes. We are all tenants in common of the air, and each one has the right to receive his quota untainted with the nauseous tobacco smoke.

To persist in smoking in Broadway is unmitigated selfishness. To the ladies it is especially offensive and disgusting. To be sure they are obliged to endure it at home; where, though the first fragrance may not be entirely displeasing, it soon becomes particularly disagreeable. A few hours turns its perfume into the most villainous odor. It permeates carpets and clothes, and clings to wall and curtain. All this is expected in many houses, but when women go forth to enjoy the elastic air and inhale its invigoration, it is a shame-

ful disregard of propriety and right, to puff tobacco blasts into their faces.

It is hardly probable that any law forbidding cigar burning in the streets could be enforced here, as it is in Boston. The chimneys are too numerous to submit themselves to law. Too many mouths are belching smoke. But it is to be hoped that we may at least have one promenade where we may receive the uncontaminated air as God dispenses it.