

infer that this is the punishment that they would themselves be least willing to face; and that is only another way of saying that it is the punishment which has the greatest deterrent effect.

Let me not be misunderstood, however. I do not mean to say that for all men, and at all times, capital punishment must of necessity be the strongest of all deterrents. Mankind are not all alike, and doubtless there are many who would much prefer to suffer the death penalty than a long term of imprisonment. Some months ago a gentleman wrote to the *Times* to say that it had often been his duty to notify to condemned criminals the fact that they had been reprieved. In one case he got the blunt answer, "Thank yer for nothing; I'd rather be hanged." Other cases of similar purport sometimes occur. But the good people who bring out these exceptional instances appear to think that a generalization may be founded upon them, and that capital punishment is shewn to have no deterrent force. Nothing could be more absurd. All that is shewn is the infinite variety of human nature, and that the same motives affect different people in different ways. We have to legislate, and to supply deterrent motives, not for exceptional people, but for the general run of humanity around us. And I have already proved that the general run of humanity is more likely to be deterred by capital punishment than by any other means open to us. Probably the exceptions are not really very numerous. When a prisoner is annoyed on hearing of his reprieve, everybody is startled and surprised, and the fact is considered worthy of being chronicled in the *Times*. I venture to hazard the opinion that the large majority of prisoners shew relief when they hear of their reprieve, and that no one would think this appearance of relief so remarkable as to call for a letter to the *Times*.

There is one further class of criminal to whom I must allude—the murderer by sudden impulse. Of him it may possibly be true that capital punishment is no deterrent; but it certainly is equally true that no other punishment would be any deterrent either. The impulsive murderer does not stop to think; he never reflects for a moment on any consequences of his action,