

will consist largely of statistics—that a great many guilty men go free, while a number of innocent men are hanged, especially if they are poor men. I say also that in 1914 three men were hanged whom the public believed to be innocent. One of them, we know, was innocent, and I am prepared to prove it.

Capital punishment, I say, is a legalized crime, and is morally indefensible. All who take part in it are tainted with blood guiltiness, from the judge down to the hangman, the crown prosecutor and his running mate, the crown executioner, as well as the nation which passively allows such things to be. If crime does not increase in other countries in consequence of the abolition of capital punishment, why should it increase in Canada? It is universally admitted that two wrongs do not make a right; yet the operation of our law would seem to indicate that the contrary is the truth. A man sins by taking human life; the state sins by taking his life, and two lives are sacrificed. I submit that this is a grotesque travesty of justice. In King John's time the whole injunction of 'an eye for an eye and a tooth for a tooth' was literally obeyed, as well as 'a life for a life.' For many centuries we have ignored the two first injunctions, whilst holding with firm tenacity to the third; yet we Canadians call ourselves a Christian nation.

Capital punishment has been abolished in a great many countries, states and provinces, and in every case with good results. The following countries have abolished it: Italy, Portugal, Switzerland, Holland, Tuscany, San Marino, Roumania, New South Wales, State of Michigan, Rhode Island, Wisconsin, Maine, and Kansas.

In the early stages of society the man committing homicide was killed by the avenger of blood on behalf of the family of the man killed, and not as representing the authority of the state. This was the custom for centuries, till the mischief of this practice was mitigated by the establishment of cities of refuge, and in pagan and Christian times by the recognizing of the sanctuary of the temple and of the churches. In the laws of Khamurobi, king of Babylon, 2285-2241 B.C., the death penalty was imposed for many offences; the modes of execution specially mentioned are drowning, burning and impalement. Draco, the first compiler of the penal code of Greece, made death the penalty for all offences. When asked why he did so, he replied; 'The least offences

deserve death, and I can impose no worse for the higher crimes.'

Under the Mosaic code the law of vengeance was personified in the then prevailing doctrine of 'an eye for an eye, and a tooth for a tooth,' in many instances that rule being carried out literally. In the dark ages of the United Kingdom, under the rule of the Saxon and Danish kings, the modes of capital punishment most common were: hanging, beheading, drowning, burning, stoning, and precipitation from rocks. William the Conqueror would not permit the execution of the death sentence by hanging, but by mutilation. Death was the penalty for the most trivial offences; for example, the cutting down of a tree, poaching deer, or even stealing a loaf of bread. In 1800 there were over 200 capital crimes in Great Britain, and 180 in 1819. Men were hanged and quartered for offences which now would be regarded as misdemeanours, while the learned clergy and statesmen looked on with approval and applause. During the reign of Henry the Eighth 72,000 persons were executed. The author of Capital Punishment in the Encyclopaedia Britannica, vol. 5, page 279, says:

At the end of the eighteenth century the criminal laws of all Europe were ferocious and indiscriminate in their administration of capital punishment for almost all grave crimes... yet such forms of crime were far more numerous than they are now.

The best blood of England drenched the execution block, and Kech, the legal executioner, became more infamous than Rob Roy, the bandit. Death was a panacea for all ills.

The United States adopted the common law of England replete with capital offences, but has finally limited the number of hanging offences, in practice at least, to two: murder and rape; but the statute names other offences, and hanging is the mode of execution.

In Belgium no execution has taken place since 1863; in Finland none since 1824; in Holland none since 1860, and capital punishment was totally abolished there in 1870. There have been no executions in Norway since 1876. Norway abolished capital punishment in 1905; Portugal in 1867; Roumania in 1864. Russia abolished capital punishment, except for military offences, in 1750, but later restored it for a short period, only to again abolish it in 1907. Only 7 out of 22 cantons in Switzerland have it. Italy revoked the law in 1888.

[Mr. Bickerdike.]