

THE RAMBLER.

THE "star" system is not as yet, no matter what newspaper seers may say to the contrary, a thing utterly of the past. We have seen, during the past week, an excellent opera singer of unquestioned ability and no little fame, occupying a large space in the daily journals in the capacity of a social success. It is not enough that we are treated to harrowing recitals of hair-breadth escapes by sea and by land, but we are compelled to hear also how, when she is at home, her time for study and devotion to her art is greatly endangered by numbers of Knickerbocker callers thundering at her front door. It is not enough that we are informed *à la* Mary Anderson of the charming personality, the high virtuous standard of daily living, and the filial devotion of the fair songstress, but we have also to listen complacently to the account of her social triumphs and the fact that she is "received" into the best circles, and largely sought after by the Ward McAllister of the day. Now, it is not in the spirit of detraction that I say this. Artists are men and women, and, especially in these latter days, very hardworking, earnest, exemplary, and often delightful and conscientious, responsible and kind-hearted men and women. The musician need no longer fear to be considered only a mountebank. The painter is not always a pariah, misunderstood, snubbed and patronized by his superiors in cash. A good deal of this has gone by, though each caste, whether of blood or of brains, still reserves its rights in all sensible countries, and protects them, too, from immoral or audacious infringement. And it is just because of this improvement in the social status of the artist that over-advertising has come to be such bad form. If your voice be your fortune, or your brush, or your ten fingers, or your brain, you are right to make just as much of fingers, brain, brush, voice, as you please—toes even. If you were blind and without hands, and yet had been taught to use a pen and needle with your toes, I could conceive your being very proud of such accomplishments. So that happy exaltation of one's self and one's talents, strong points, enterprises, is not a bad thing, nor an unnecessary thing, nor an ambiguous or despicable thing. But exaltation of our virtues seems, at least to me, always such a poor thing. True, the Stage has been very immoral, but chiefly so in times when all Society was immoral. The Drama has indeed been debased, but, again, so has Literature. By one individual's efforts to proclaim personal morality and freedom from irresponsibility, a stigma is cast upon the profession. It is better that the fame of an artist should rest upon excellence in art than upon exceptional perfections of character. In the long run, character will tell, for excesses, and tempers, and extravagances, and uncharitableness do alienate in the artistic professions just as in other walks of life. In a word, the artist who advertises either her costumes or her eccentricities, her relations to her family, or her standing in society is equally guilty.

After all, it is the great artists of the world who have seen the hollowness of Society. The late lamented Sothorn did many a cool and telling action in return for the snubs with which his distinguished patrons sometimes treated him. Such a man could never be ill at ease anywhere, and even his revenge was unimpassioned, while original. To take what Society gives, and no more, and to take it discriminatingly and philosophically, according to its right value, and no more, may be difficult, but is the only proper course for the professional man or woman.

I saw Mr. Paul Peel's pictures with much pleasure. His work has, of course, the faults of the French school as well as its virtues; this, however, is inevitable. His flesh-painting is far and away the best thing he does. I do not say this glibly, because other people say it, but after reflection. I should prefer, notwithstanding, one little Canadian sketch by L. R. O'Brien, to those dusky Moors, whom, surely, I have seen so often before in foreign and New York galleries.

One of the daily journals remarked of Mr. Peel's work, that he "chose" to conduct such a sale in Toronto, instead of in London or in Paris, from patriotic considerations, we are led to infer. Now, is this absolutely true? It is the right of every Canadian of genius to go where he can get the best market, and if Mr. Peel could have held such a sale in London or Paris and got even the prices he can get, presumably, here (not very bad ones), I think he was very foolish not to leave his pictures on the other side and sell them there. Take the case of an author. If a novel could be accepted, were sure to be accepted by a London publisher, a novel by some Canadian writer, that writer would be most excessively stupid if he said to himself he would rather, all things considered, bring his book out in Canada. In fact, by refusing the London offer, he would probably be deferring the making of his reputation for ten years, and by his own act. It is the same in all the creative walks. You must go where your market is. I am not implying that Mr. Peel has only a Canadian market. But I venture to suggest that the idea engendered by the word "choice" is scarcely the correct one. I imagine that Mr. Peel, while biding his time in London and Paris, saw fit to take sensible and natural advantage of a stay in Canada, and therefore arranged that sale of his most charming pictures of which I am speaking.

The Women's Advancement meetings were decidedly novel and successful. As is frequently the case at conventions, the papers I wanted to hear I did not manage to

hear. But I had the pleasure of meeting Mrs. Julia Ward Howe, and of hearing the vigorous and humorous Miss Mary Eastman speak. The latter delegate impressed me as a woman of most rare gifts. Racy, fluent, original, she was quite a personality on the platform. There was a modesty, a toleration, and a logical thoroughness displayed in the papers which gave courage to some who attended those meetings, fearing that women's rights of the most virulent type would be in progress. Not so. The chief women's rights are moral ones, and this fact was amply dwelt upon by the speakers of last week's convention.

But, on the whole, I think most conventions are frauds.

GIANT CAPITAL.

No fabled monster slain of old,
Were it all truth the poets told,

Was dread as that which reigns to-day,
And which nor strength nor craft can slay :

No mightiest Titan of them all
Was strong as Giant Capital.

He and his sons control the world :
All else is into nothing hurled.

Trade, Railways, Politics and Law
Are gulped by his insatiate maw.

The wealth of river, sea, and shore,—
He swallows all, and gapes for more.

Rude Brawn is ruthfuller than he ;
Cold Thought has greater charity :

He rates us but as beasts of burden ;
Still harder work is hard work's guerdon.

At home, abroad, in church, in state,
All good to him doth gravitate.

He spreads his dark wings o'er the earth :
He questions all men at their birth ;

Disputes their title even to live ;
Robs them of what the gods may give :

He cuts their cloth and deals their bread ;
With one share ten are clothed and fed ;

Locks in his coffers all men crave,
And leaves them nothing but a grave !

MATTHEW RICHEY KNIGHT.

THE DEATH PENALTY.

EXCEPTING perhaps the Russian plan of execution by the knout, beating the life out of the victim with a loaded lash, the dreadful element of pain to the individual is hardly worthy of consideration. The guillotine is certainly very rapid in its action, and, as far as can be judged by analogy with similar phenomena, all sensation is abolished on the instant of the stroke. The communication with the pain centres is at once cut off, and the sensation current is instantly interrupted. The only revolting part of the proceeding is the necessary shedding of blood ; but this, Scripturally speaking, should render the killing contract more valid. As to rapidity and effectiveness the same thing is done with the heavy Japanese sword, and with scarcely less precision. The Spanish garrote crushes the cervical spine and upper spinal cord by means of a screw quickly working through the back of an iron collar. Death here is practically instantaneous. The same may be said also of hanging. The instant the noose tightens its choking grip, consciousness is gone. The contorting spasms of the larger muscles are merely involuntary movements that have no connection with appreciable pain. At least, this is the testimony of men who have been cut down while insensible from attempted suicide by such means, or who have been similarly rescued from accidental hanging. When there has been bungling, the rope should not be blamed. Even the electric chair may not have had its chance.

The objection to hanging on the grounds of simple humanity has been that some moments must elapse before actual death can be a certainty. When the neck is not broken (and this is the rule), the heart continues to beat in a more or less irregular manner for several minutes after the suspension. But if the hanging is properly done, death is always sure and there are never any attempts, reflex or otherwise, at respiration. The victim, free from pain and absolutely unconscious after the first convulsive throes, swings motionless, in mid air, a limpid nothing of humanity. Unconsciousness and consequent loss of sensation are in such instances evidently due to the combined effects of the shock of the fall and of the congestive brain pressure caused by the grip of the noose.

Of the five forms of execution now in vogue, that adopted by military tribunals is open to the most objections. The bullet oftentimes misses its aim and a vital part is not always struck. There is a sentiment associated with dying a soldier's death that cancels in a measure its otherwise revolting aspect. It is well known that no indi-

vidual of the firing squad is aware that his particular rifle is loaded with ball and he naturally hopes it is not. There is never a heart in the work of shooting a comrade. The aim is almost purposely wide of its mark and consequently with a risk to the condemned man of pain and suffering when death is not speedy. In times of war, when military executions are most frequent, the life of an ordinary soldier is of such small value that little if any attention is given to technical details, and still less is any criticism invited as to the mere humanity of the proceeding.

To such as believe in the deterrent effect of execution it may be well to consider the uncertainty of convictions for murder. It is fair to presume that the reasonable hope of escaping the gallows offsets in no small degree the fear of it. No sooner is the crime committed than the legal adviser is consulted, and, in the majority of cases, fulfils his promise to obtain a verdict of acquittal. Conviction thus becomes the exception rather than the rule. The criminal classes know this and act accordingly. An experienced criminal lawyer of New York is quoted as saying that of nearly six hundred cases of murder, of which he was the counsel, scarcely a score were punished. The lesson which this teaches cannot be misinterpreted ; the criminal who is actually sentenced and executed is looked upon more as an unfortunate victim of the law than one who justly deserved his punishment. He has a funeral largely attended by sympathizing friends who never tire in praising his noble, plucky, but untimely death. He is the hero of the hour, with virtues that invite emulation, rather than the criminal whose disgraceful end should be a lasting example to all evil doers. Of course it is hardly to be expected that the murderer should confess his guilt. He thus leaves nothing behind him for good. He simply goes to glory an innocent man and the hanging lesson thus endeth. A lie is, to all intents and purposes, not a lie when uttered under the gallows. A murderer facing death is the last person in the world from whom a good moral precept can be extracted. As an example he is by no means a success, and consequently has no very striking deterrent effect upon the community. What could be expected from hanging what the victim says is an innocent man? We get him out of the way in a very radical manner, to be sure, but do we do so as a warning to others of his ilk? Do they profit by it? Take up the morning papers and read of murder everywhere. In the next column to the report of the execution is that of an assassination in broad daylight and in a public thoroughfare. The execution was horrible, so was the new murder. They occur entirely independent of each other, it is true, but the coincidence is quite striking enough to shake our faith in the deterrent theory. Even to ordinary observation it is quite evident that murders are not on the decrease ; on the contrary, if we interest ourselves enough to count them as they are reported almost daily, we are inclined to take the opposite view. If, however, we attempt to solve the reasons for the commission of crime as we would any other problem and look for an explanation of apparent inconsistencies, some very interesting and instructive explanations offer themselves. And, strangely enough, all these facts are directly opposed to the ordinarily accepted doctrine of prevention ; in truth the fear of death by execution is so far in the background as hardly to be worthy of consideration. To properly appreciate their significance we must study the philosophy of crime not only as regards the individual criminal, but also in his relation to society.

Let us get at this part of the question as directly as possible by asking : What is murder? In the vast majority of cases it is an accident of passion in an individual who has lost his self-control. He is in ninety-nine cases out of a hundred a weak vessel, a crooked pot that has been jarred out of his equilibrium. He tumbles over and we smash him in pieces accordingly. He was born crooked ; we are hardly prepared to discover that the criminal is born not made. But this can be proved to be true, nevertheless. There is as much heredity in crime as in consumption, cancer, or insanity. The statistics of prisons show that crime in one shape or another can trickle through families even to the sixth generation. With insanity this is notoriously so. The records of our insane asylums are filled with such histories. Occasionally the criminal proclivities, eccentricities, and other mental defects of ancestry are the subjects of legal enquiry before the courts, but as this is done more to prove hereditary insanity than to excuse crime, sociologists have been compelled to look to other sources for their data. The criminal belongs to a class distinct in itself, which has its own peculiarities, its own statistics, its own laws, and its well-defined relation to society. He comes into the world with a defect in his moral constitution and unless this is counteracted by the proper educating influences, he is in the long run as sure to commit crime as are the sparks to fly upward. The seed always produces its kind in the proper soil. The criminal will always fit his environment. The murder, for instance, is the fruition of the seed in the proper ground. The act is almost an instinct of his living. To prevent it would be to kill him before, not after it is done, or, better still, we should be able to forbid the matrimonial bans of his ancestors. All this goes to show how far back lie the causes of the crime. It is a latent principle in his very blood that awaits the ferment of unguarded passion.

It may be a comforting thought that crime is prevented by punishment, that a great many who might be murderers are deterred from becoming such by the death penalty, but we have no means of proving it. It is hard to estimate how a thing which does not happen is prevented from happening. When we argue from such premises, we are