

I have always been afraid of. How can an executive Cabinet manipulate—if I may use the word; I know it is improper, but no better word comes to my mind just now—or appreciate or thresh out the evidence in connection with any particular case when it is a case of life or death? How can they weigh the evidence of witness A or witness B or witness C and say that they believe this witness and disbelieve the other, when they have not the witness before them? But the Government has to take the responsibility, because the law is theirs. Is this justice? If I were proposing an amendment to the Criminal Code I would suggest that where a verdict of guilty is found the jury pronounce the verdict of guilty of murder, with or without capital punishment. Let society take the whole responsibility. Let these twelve men good and true—twelve such men as superintended the signing of the Magna Charta at Runnymede—take the responsibility of their own actions. Do not put the responsibility on fourteen or fifteen men in Ottawa, and compel them to study the dry record of a criminal case; then it will be known whether the evidence of witness A or witness B or witness C is or is not worthy of being believed. I know this is a disagreeable subject to discuss, but we are here to do our duty, and I think I am performing mine to the best of my ability. I have the statistics at hand and I could discuss some particular cases one after the other and be in a better position to support my contention. The question is not a new one. I know how many times it has been raised in this House, but I am sure of one thing; the matter has not been brought up in Parliament since 1908, when I first came into this House. It has been taken up and studied in England. I have here the report of all Bills in this matter presented in the House of Commons from 1853 to 1881; it is entitled 'Reports of Capital Punishment from 1853 to 1881.' A commission has been appointed, and many learned men have been called upon to give evidence. I shall not take up the time of the House to read six or seven hundred pages of evidence; I will dispense with that—I am sure hon. gentlemen will give me that privilege. I am sure that even if I were to read this I would not be capable of convincing some hon. gentlemen in this House who have already formed opinions on the subject. As I have said, I will vote against the Bill presented by the hon.

member for St. Lawrence division. When considering this subject sometimes I have been in favour of the abolition of capital punishment, and sometimes I have favoured the other side of the question, but after considering it thoroughly; after studying the statistics not only of the different countries where capital punishment has been in force and is still in existence, but also of those wherein capital punishment has been abolished, I came to the conclusion that there are just as many crimes, having regard to murder, in countries where capital punishment has been abolished as there are in countries where it is still in existence. I am told that capital punishment has been abolished in Italy and Austria, but one day I was told by an Italian: 'I am in favour of the abolition of capital punishment for one reason.' His reason convinced me: 'If you kill my brother, you still live; I will kill you, and I will live also.'

Mr. EDMOND PROULX (Prescott): I am strongly inclined to support the Bill presented by my hon. friend from Montreal (Mr. Bickerdike). The hon. Minister of Trade and Commerce said that there is not much agitation in this country to suppress capital punishment, and that is true in respect to recent years that which is probably due to the mitigation of the laws in regard to punishment. It is not many years since capital punishment was imposed in England for numerous offences, while to-day, it is restricted to cases of treason and murder. It is also imposed under martial law for certain offences in the army and navy. In this country, it is now restricted to treason, murder, and cases of rape. In cases of rape the death penalty is very seldom imposed, and it is not obligatory on the judge to impose capital punishment, but optional. I once defended a person charged with this offence, and the judge came very near to imposing sentence of death. I must admit it was a very bad case and the prisoner got a life sentence. It was probably a just sentence considering the class from which the criminal came, but I think it would have been going to the extreme to impose the death penalty. Some English writers and associations advocate the total abolition of the death penalty, their argument being that society has no right to take the life of any one of its members for any cause. For my part, I find it hard to admit that society has any right to take the life of one of its members on any