

hon. member for South Renfrew, in justifying the immorality, if I might use the term, of capital punishment, relies wholly on one of the Mosaic laws. The hon. member for South Renfrew draws the attention of the House to the fact that one of the ten commandments is: 'Thou shalt not kill.' But does he not overlook another fundamental principle both of the Mosaic laws and of the Scripture? Not being entirely sure of my ground, I took the precaution of sending to the library for a Bible and I find that when Noah left the ark the Almighty entered into a compact with him, and this was part of that compact: 'Whoso sheddeth man's blood by man shall his blood be shed, for in the image of God made He man.' I therefore say that if one is to take refuge in the Scriptures for a justification of a belief in capital punishment, that verse would in my opinion be a justification. And there are other passages from the Scriptures that justify a similar belief, one of which my good friend referred to, and the second is that 'he who sheddeth man's blood by man shall his blood be shed,'—he that killeth a man shall surely be put to death.' That certainly proves that by the Mosaic law there was justification for capital punishment. My good friend from South Renfrew then steps from the Old Testament to the New Testament as a justification for his position. He turns from what one might call the justice of the Scriptures to the mercy of the Scriptures, from Moses as a judge to Christ as a Saviour, and tries to justify by the use of the New Testament a belief that he believes to be right. But are we to-night not bound to consider this subject more from the point of justice than from the point of mercy? If we consider the sparing of the life of the criminal, must we not consider the effect of the sparing of that life upon society? I therefore come to the second point of my argument, that for social reasons, capital punishment is justifiable as a deterrent.

The hon. member for Montreal spoke this afternoon in reference to the ridiculous enactments and laws of the eighteenth century. To-night I do not feel called upon to justify or attempt to explain away these laws. The House well knows, and the House must agree, and those who have read must have come to the conclusion that in the eighteenth century there were many ridiculous things, many things that none of us to-day would attempt to justify and would not believe; and I therefore

say that in regard to that point I am at one with the hon. member for Montreal in saying that I think society has made a radical advance. But if society has made an advance, if innovations have been to improve, it does not necessarily follow that we should altogether leave the old methods that were most satisfactory and seek entirely after the new. The hon. member for Montreal (Mr. Bickerdike) spoke to-day, and quoted statements of what various men have said in reference to capital punishment. On a subject of this character it is only reasonable to suppose that as there are many men there would be many minds; but I would like to call his attention to a quotation from Boswell's Life of Johnson to show how radically public opinion has changed on a subject of this character. At one time it was customary in England for a procession to be held from Newgate to Tyburn where the criminal was executed; and when this procession was abandoned and when the criminal was executed at Newgate instead of being led through the streets, this is what Johnson is alleged to have said:

The age is running mad after innovation; and all the business of the world is to be done in a new way: Tyburn itself is not safe from the fury of innovation. . . . No, sir (said he eagerly), it is not an improvement; they object that the old method drew together a number of spectators. Sir, executions are intended to draw spectators. If they do not draw spectators, they don't answer their purpose. The old method was satisfactory to all parties; the public was gratified by a procession, and the criminal was supported by it.

I do not believe that there is a man in this House who could square himself with that idea to-day. There is not one of us who would attempt to justify the horrible orgies that took place at a hanging of the old days, when men bet on the number of minutes a man would live and whether or not an execution would be successfully performed. But as a lawyer I have been impressed as I read with the necessity and effect of capital punishment. It is all very well for me to rise in this House and say that I would be of the opinion that capital punishment would lessen the number of murders and for hon. gentlemen to make an opposite statement, but statistics are cruel. I am reading from a work on criminology published in 1914 and here are some statements made by the learned author:

In Belgium, as a Procurator General of that country has said, the belief that the death penalty was a thing of the past, induced among