

enough against crime. Who has told you so? Have you reckoned with all the springs through which penal laws can act upon human sensibilities? Alas, before death, how much physical and moral suffering cannot man endure! The wish to live gives way to pride, the most imperious of all the passions which dominate the heart of man. The most terrible punishment for social man is opprobrium; it is the overwhelming evidence of public execration. When the legislator can strike the citizen in so many places and in so many ways, how can he believe himself reduced to employ the death penalty? Punishments are not made to torture the guilty, but to prevent crime from fear of incurring them."

This was doubtless true of Robespierre, and possibly of many others like him, but the fallacy of his contention lies in the indisputable fact that it is not from this class of citizenship that the large per cent. of those offences for which death is usually inflicted comes; but rather from a class lower in social pride, to whom the fear of death is more potential, and the dread of public execration less serious.

The abatement of the death penalty would leave no substitute as a punishment for the crimes to which it is incident, at all adequate to their gravity. Solitary confinement has been tried, but without success, as experience has demonstrated that the average time the human mind can retain its reason under the terrors of this unnatural practice is very short. It could not be contended that such a punishment would inure to the benefit of society. Confinement for life at hard labour has been considered a companion penalty to death, and in many instances is an alternative which the jury may, at their discretion, affix. In many commonwealths the chief executive may, in the exercise of clemency, commute the death penalty to life imprisonment. But in civilized jurisdictions the service of this sentence must be so tempered as to eliminate all elements of harshness or cruelty to the prisoner, and the severity is thus much reduced. He is well clothed, well housed and well fed, and is only called upon to do reasonable work. Under such conditions the hardships are not