

they possess a fair share of the same spirit that induced the act which they condemn.

They are rightly indignant, but they do not seem to see that justice and bad temper are not the same thing. When a man takes life, in order to show him the sacredness of life the law takes his. It is a lesson to him, and there is this to be said—that it certainly prevents him from offending again. Now, if we are better than those whom we judge and condemn, why do we treat them as they have treated others? For the law to hire a man to kill another is a queer way to teach men to respect life. I have seen a number of rather tough specimens under sentence of death, and have watched the effect on warders of intimate association with them. They have had to be constantly in the company of the condemned, for although a man may be condemned to be killed, he must not be allowed to kill himself. We know too little of the possibilities of life to be justified in condemning any one to death. The infliction of the death penalty has no good effect on those engaged in it. I have never seen any one who had anything to do with it who was not the worse for it, and as for the doctor who must be in attendance, it is an outrage on all his professional as well as his personal feelings. The physician is taught that it is his duty to save life, apart altogether from its personal value.

From 'Aschaffenburg's Crime and its Repression,' I quote:

It is essential that we should decide whether capital punishment acts as a deterrent. I can scarcely believe that it does. German statistics do indeed show that the number of those condemned to death has decreased somewhat, but only a very little. Belgium, on the other hand, where no capital punishment has been carried out for years, has had no increase of the crime for which capital punishment is the penalty. Observations show that the effect of executions is by no means deterrent. Ferri had an opportunity of being present at two executions in Paris. His remarks show that the effect on the population of Paris was the very opposite of what was hoped for. Instead of dull terror, there was curiosity, pleasure in the unusual sensation, betting as to what the demeanor of the condemned man would be—everything, in fact, rather than the solemnity suitable to the solemn occasion. It can positively be asserted that the peculiar role played by a person condemned to death, the attention that his deeds, his life, his behaviour at the time of the execution, arouse, thanks to the public love of sensation to which the press caters, are an actual attraction to a number of psycho-pathological individuals. The fear of lifelong imprisonment would probably have a more wholesome effect on the peculiar individualities of assassins and their ilk than does the martyr's halo of glory, the imaginary fame of a sensational execution. Whatever our opinion of capital punishment may be, its retention will have just as little material influence on criminality as its abolition.

Havelock Ellis says:

A writer in Elizabeth's reign says that in Henry VIII's time seventy-two thousand thieves were hanged.

Think of that in dear old England! The statement is set down on hearsay evidence only, but it is sufficient to show that the number must have been very large. About a century ago, more criminals, it is said, were put to death in England than in any other part of Europe. The writer says that many persons still living remember the days of wholesale hanging, and even the execution of a child of twelve for rioting. He claims it is less than half a century since a child of nine was condemned to death for stealing paint, valued at five cents, and on many occasions since men were hanged for stealing sheep and horses and post office letters. There can be little doubt that capital punishment is dying out. On the whole we may perhaps be well satisfied that the shameful practice of capital punishment, and of hiring for a few dollars a black-hearted assassin to accomplish a sentence which the judge would not have the courage to carry out, is threatened with extinction in civilized countries. To punish murder by lifelong imprisonment, as Sir Robert Rawlinson observed, is a far severer fate than sudden death, but is not so revolting.

I have asked the Government and I have asked Parliament to give this a trial, to make the experiment, as has been done in these other places. I believe, honestly, before God, that after it has been tried we will never return to the present system. I do not believe that any hon. member of this House who believes in a Creator, who believes in eternity, will vote for this legalized murder of a fellow-citizen. Why should a Government stoop to engage a man, under contract for so many dollars per head, to drive poor criminals into eternity. What is there to be gained by it? If it is not a deterrent, then why do it? If it is not a deterrent it becomes simply revenge. If it is not a deterrent, no country in the world, no Christian land at least, will continue it. I call upon the members of the House on both sides who believe in a Creator to rise in their places now and stamp out this legalized murder that has been so long existent in this country.

Mr. LANCASTER: The hon. member apparently proposes to make no distinction between murder and manslaughter. The section as drawn would make manslaughter and murder punishable in the same way. Is that the intention?