

motives to acts of war against us. My impulse, and yours, if I read you rightly, is to pardon.

"Yet pardon, in such a case as this, would gratify sentiment at the cost of a solemn duty to the state. As citizens, we may not expose our fellow-citizens to the free activities of native gentlemen with a taste for collecting scalps. The prisoner belongs to the fiercest tribe of savages in the Americas, if not in the world, and they must not be encouraged to hope that we are sentimentalists to be killed and scalped by Blackfoot connoisseurs. For the sake of your women and children, you must do your duty.

"And it is not for pardon that this plea is made. The prisoner dreads the slavery of imprisonment more than he fears the gallows. His only claim is the solemn demand for a death of honor. This, gentlemen, I am sure we would all be glad to grant if it were only possible. But I fear that death by fusillade is a grace beyond the powers of this court, beyond the authority of government, and possible only by a special act of the Dominion parliament. Here again sentiment beats in vain against high walls of reason. I can only warn you that in practise your recommendation to mercy involves for the prisoner that which he most dreads—imprisonment for life.

"To sum up: the prisoner is liable under the law,