

SELECTIONS.

SHALL WE PUNISH MURDER?

The crime of murder is an atrocious one. For one human being, deliberately, with studied purpose and malice afore-thought, to take the life of another, is an act at the bare thought of which even many a hardened wretch shudders. That there should be circumstances, under whose cover a murderer may not only be excused, but also justified; not only justified, but even glorified, is at first thought almost inconceivable; nevertheless, such circumstances exist.

Woman in America occupies an anomalous condition. Treated in some respects as if far superior to the masculine sex, in others denied all participation in rights and privileges accorded to its lowest specimens, her outward conduct is a fit and faithful representation of the inconsistencies of her position. This is the only country in the world in which a woman who has murdered her seducer, is honorably acquitted by a jury, and in which a husband can with impunity take the life of his wife's paramour. Why the perpetration of an act, to which the woman alleged to be injured thereby has given her full consent, should exempt her from being punished according to law for any crime she may commit, it is impossible to understand; unless she commit the crime in self-defence, or be regarded and treated as an irresponsible being, possessing and exercising no will or discretion of her own, and a completely passive instrument in the hands of others. Both of these suppositions are untenable. In watching for a man and shooting him unawares, she, far from acting on the defensive, is acting very offensively, and no one will for a moment maintain the latter supposition, and assert, that women have no wills of their own.

What are the arguments commonly adduced in support of the barbarous practices above named? Great stress is always laid upon the unsuspecting innocence of the deceived, the base designs of the deceiver, and the social stigma which his villainy casts upon her. That in this case, as in every other, it takes two to make a bargain, is a fact perpetually lost sight of. To say that every seducer is an unprincipled villain, whose arts it is impossible for weak women to resist, is to say something of which every one of us knows to be absurd. Taking the strongest possible case, that of a young woman seduced under promise of marriage, what are the facts? Overcome by her passions, trusting in his promises, although conscious that by yielding to his premature solicitations she cannot but compromise herself in his eyes, she falls from her high estate. The man deserts her, and the usual consequences follow. Who is to blame? The man only? Is she to be in no wise responsible for her rash and inconsiderate conduct?

But the plea most frequently urged in behalf of the murderess is the enormity of the pun-

ishment with which society visits her transgression against chastity, and the slight censure it passes upon him in concert with whom she transgresses. To state this plea is to refute it. If in leaving the path of virtue a young woman has committed an offence, in the estimation of society, for which she deserves to be excluded from its precincts, then society can not, if it desire to remain consistent, sanction the murder by her of a man whom it regards in no very reprehensible light. On the contrary, a man known to be successful with the opposite sex, is generally regarded by his fellows as a lucky dog; his success, far from rendering him odious in their eyes, is envied by them; and the women themselves, in many cases, feel much more flattered than repelled by the attentions of a man, whom they know to have achieved success with so many of them. If we really regarded a seducer as a scoundrel we would treat him as one. This, however, we do not. In considering his capacities for an office, it does not occur to us to inquire whether these are effected by his fancied rascality; in introducing him into society, and in generally treating him as we do other men, we also contrive to overlook it. And yet after his violent death we say "served him right," and acquit and applaud the murderess. The question here is not whether he ought to be treated as a scoundrel, but whether he is. If he is not, then, without being so grossly inconsistent as to make our judgment go for nought, we cannot consider his conduct after his death differently from what we did before it.

It may, however, be asked what a woman accomplishes by murdering her seducer. It is difficult to understand what motive impels her to the deed, unless it be the ignoble passion of revenge. She can obtain civil redress from every tribunal in the land; there is not a jury which would not award her heavy damages. But with these she is not satisfied; they do not appease her thirst for revenge. She wants that which public opinion and therefore the law does not give her, the death of her seducer. Not that it does her any good to kill him. She does not thereby restore her shattered reputation; the doors of society remain closed against her. Enraged at beholding what different results the same indiscretion brings about to her and to him, she concludes that the best mode of wreaking her revenge is to take his life. She, whose offence against society consisted in illegally giving birth to one being, now atones for it by illegally destroying another.

A fugitive allusion has been made to the case of the husband killing his wife's paramour. All that has hitherto been said applies with double force to him. That a husband, who, as has repeatedly happened, in cold blood, has shot down the supposed destroyer of his peace, should, as has also repeatedly happened, be allowed to go unpunished for his crime, is a spectacle at which we may well stand aghast. We venture to assert that no instance of conjugal infidelity on the part of the wife has ever