

ence of the prejudice against capital punishment is due to the peculiarly vivid manner in which an execution appeals to the imagination — the very same element that constitutes it so strongly deterrent a force. We see the little whitewashed chamber, the trap-door and pit, the "ugly lever"; and we fancy to ourselves with terrible realism the moment when the condemned man, his head concealed in a white bag, is launched into eternity as the bolt is released. The horrid apparition grips the mind with a spastic clutch that paralyzes the intellectual faculties. The essence of sympathy is to feel some part of the pain which we pity in another; and accordingly much pain must be excited in sympathetic minds by so horrible a vision. The picking of oakum, the privation of liberty, etc., do not and cannot appeal in anything like so forcible a manner to our imaginations; we forget the bleeding fingers and fractured nails, the spirit broken down by hardships and indignities; and the long years cannot be grasped in our thoughts in any but a symbolical sense. And because the thought of capital punishment fills us with much pain, while the thought of penal servitude fills us with less pain, we assume that the realities have corresponding relations. The fallacy is one with which all students of metaphysics are abundantly familiar. What are only the laws of thought are taken to be the laws of things. Subjective relations are regarded as equivalent to objective relations; and the universe is whittled down to that evanescent appearance which can be contained in the brain of a human being.

Yet another psychological fallacy is involved. The refined and sensitive person who declaims against the death penalty is apt to assume that a murderer is a refined and sensitive person like himself. Cold-blooded murderers (and these alone are now hanged) have by the fact of their crime proved their callousness and lack of sensitiveness. Readers of Lombroso will not require to be informed of the almost incredible indifference to pain that criminals exhibit. Men will endeavour to commit suicide (and succeed) by driving large spikes into their own heads with a hammer; or by thrusting a white-hot iron rod some