

away ; but spiritual grace and beauty and power partake of the spirit's immortality.

### CAPITAL PUNISHMENT.

There has seldom been a trial in Canada that has been watched at home and abroad with more interest than that which convicted John Reginald Birchall of the murder of Frederick Cornwallis Benwell, on the 17th of 2nd mo., 1890, and sentenced him to be hung on the 14th of this month. Perhaps, too, this may be an opportune time to invite serious thought upon the weighty subject of capital punishment. These questions concerning it arise and demand an answer :—

Is capital punishment the best means for lessening murder ? Does it in fact lessen murder ? Is it justifiable at all ? "The law," says a recent writer, "looks upon punishment as a means of prevention, which, according to Blackstone, may be effected in three ways : By the amendment of the offender, by depriving him of the power to do future mischief, or by the dread of his example."

Does the sight of the scaffold and the hangman's rope create in the criminal a new heart ? This we do not presume to answer. Only the deep Searcher of hearts knows this. A feigned religious mood may be put on for a time over an unchanged heart with all its vices. But of this we are certain : if he reforms he is fit to live ; if he does not reform he is not fit to die. Certainly imprisonment for life will be a better means of reformation, where the humbled criminal will find himself in a solitary cell, face to face with the injured law, alone with his reproving conscience. He is away from the world and its temptations, alone with God as his only companion. There are other advantages which prison punishment has over capital. It gives a chance for rectifying any mistake in the verdict. There have been instances in which persons charged with capital offence, convicted

on circumstantial evidence, suffered the penalty of death, and were afterwards proven beyond doubt to have been innocent. In this light, I have authority to say, however ridiculous it may sound, that no person, even the most innocent, is exempt from the chances of being thrust by a passionate law into eternity. There will be no opportunity through all time to rectify these fatal mistakes. And they have been not a few.

The second means for the prevention of crime according to Blackstone is to deprive the criminal of all power to do further mischief. Many may think that this capital punishment does. But Shakespeare says : "The evil that men do lives after them."

Let us see now how capital punishment works as an example and warning to keep others from crime. Past experience teaches that men do not consider the extent of the penalty when about to commit crimes, but rather their chances to escape arrest and conviction. The certainty of punishment is a more effectual deterrent from crime than its severity. And the severity, the barbarity in capital punishment has caused a great many murderers to escape unpunished. One or two in the jury box touched with a sense of humanity, and a conviction that a God-given life is more sacred than a man-established law, have often let the criminal go free ; whereas if imprisonment was the penalty he would have received his just deserts. Hence capital punishment does not lessen crime. Actual experience also proves this. The death penalty has been abolished in some of the European countries and in many of the States, and in every, or nearly every case, the official reports show that the country is free from crimes without it. Wendell Phillips claims that we have the amplest testimony that the death penalty is not essential for the protection of society. He says : "Egypt for fifty years under the reign of Sabacon ; Rome for 250 years ; Tuscany for more than 25 years ; Sir James Macintosh in India, for seven