

one summer morning that word was scattered through the then little town of Winnipeg that a murder had been committed the night before. It was true. I saw the body myself, stabbed in forty or fifty places. It was thought to be the opening of an era of such conditions as prevailed south of the line. The head of the judiciary of Manitoba of that day was Chief Justice Wood. Certain arrests were made, a trial was held and a man was hanged. And from that time on there was nothing but the maintenance of law and order. I am bound to say that the people of that locality at that time fully believed that the prompt and adequate administration of justice on that occasion did deter an incursion of undesirable characters from south of the line who would have made of Winnipeg what the towns along the Northern Pacific had been made under their control. Having seen what I have seen, believing what I believe, I am for the protection of the settler on the prairie and the safety, security and honour of his wife and family. You cannot put policemen all over the country; you cannot give protection by main force; but you can give protection, I say, by making the administration of the law swift, certain and adequate. As one having had long experience in that country, having more interest in it than in any other part of the country, I want to say to this House that, in the name of that country, I ask that no legislation be passed by this House that shall render the administration of justice less swift, less certain or less adequate. And what is true there is just as true here, although it is not brought so closely home because of the larger mass of population.

Now, as to the point whether the death penalty is a deterrent, it must be remembered it is not the man of high intellectuality, in the large majority of cases that it is necessary to affect, it is the man of low intellectuality, the man whose mind is necessarily affected by the practical result of the act that he may take. The idea must be impressed upon him through a long period, he must be given clearly to understand that killing means hanging, and then he will not take the chances. As to the comparative terror of death and imprisonment, why are all these petitions for clemency sent in when a man is sentenced to death if the death penalty is not more terrible than life imprisonment? If the death penalty is less terrible than imprisonment as my hon. friend from

[Mr. Oliver.]

Frontenac (Mr. Edwards) suggests, it is within the power, within the reach, of the prisoner to end his imprisonment by accepting death. But does he do it? It is not reasonable to argue that any idea can affect the mind of man as strongly as the idea of the preservation of his life. If there is no merit in the enforcement of the extreme penalty when circumstances demand it, I ask my hon. friend from St. Lawrence (Mr. Bickedike), how it came that Canada which, from 1837 to 1857 did not enforce the death penalty, then determined to enforce that penalty, and has enforced it ever since? I do not personally remember the conditions before 1857. But information that I gathered from my elders and from the people with whom I associated when I was a young boy—and that is a long time ago now—leads me to believe that the conditions as to the maintenance of law and order, the security of life and property, in the 40's and 50's, in Canada, were not equal to what they are to-day, nor even measurably equal. It has been said that in France the law against capital punishment was never taken off the statute books. That I believe to be true. But the experiment of abolishing capital punishment in effect was tried, was continued for a number of years, and was abandoned within the past year for what seemed to be good reasons to the President of the Republic, and, as far as I have been able to learn, with the full approval of the majority of its citizens. I have every respect for the opinions of those who hold contrary views to my own; I give them credit for wishing to do something in the cause of humanity. But I claim for myself, holding the contrary view, the same right to consideration in holding that view and claiming absolutely that I hold it in the interests of humanity.

Hon. C. J. DOHERTY (Minister of Justice): I think I may venture, in opening, to say a word of congratulation to the distinguished member for St. Lawrence Division (Mr. Bickerdike), my good friend and my colleague in the representation of the city of Montreal, on the manner in which he has brought to the attention of this House the very important question which is raised by the Bill which he has introduced. He has put before us a view that, I feel, found its source in the impulse of his kindly heart, and has supported that view by an argument strong in reasoning, and backed by authorities the search for which reveals careful study of this question on his part