

families of those who have been the victims of the murderer. It is as a rule the better people who are the victims. It is the worse who are the murderers. We are dealing with facts as they are, as men in a world of men, as a responsible body charged with the protection of society by means of law and the administration of law. If we believe that the infliction of capital punishment is not a deterrent to murder or capital crime, then certainly it is repulsive that capital punishment should be inflicted. I am one of those who believe that capital punishment is a deterrent; that history and facts prove that it is a deterrent; and so long as man's mind is as it is, so long will it be a deterrent.

It has seemed good to the Creator to implant, as a master instinct in the mind of man, the fear of death. If that is the master instinct, and it is, and of necessity it is, then certainly capital punishment is a deterrent against capital crime and as such is a necessity to present day civilization. At some future date in the history of the world, when swords have been beaten into plough-shares and spears into pruning hooks, when the mind of man has been changed, when the uplift that we are all working for has been obtained, then we can afford to do away with that protection which, as I understand the case, the safety of society imperatively demands to-day.

For the man who occupies a position in life where his safety is assured, not by the law of the land but by the social conditions, who sees crime merely as through a telescope and the consequences of crime as something apart and away from himself, it is easy to discuss the punishment of crime academically. I have had the good or bad fortune to live the larger part of my life under conditions where the primal passions of man were not under the restraint of society as they are in the centres of civilization, and yet where law and order were as well maintained, during the period of my lifetime there, as they are here or anywhere else; but it was because justice was swift and certain and adequate that law and order were maintained and that life and property were safe.

To begin at the further west: The difference in the conditions of law and order prevailing immediately south and immediately north of the 49th parallel in the mining regions of the Pacific coast of the United States and of British Columbia respectively, I think will establish beyond any question

the value of the swift, certain and adequate administration of law. There was no difference in natural conditions between the mining fields of California and the mining fields of British Columbia. In both cases it was the same metal that the people were searching for; in both cases it was the same men who were searching for the metal; but in one case was a saturnalia of murder and in the other case there was almost an absolute absence of serious crime.

It is history and not ancient history—my friends from the Pacific coast will perhaps know more about it than I do—that when Judge Begbie was appointed to administer law in the mining regions of British Columbia, he was given to understand that this was a mining country, and that because it was a mining country there had to be a certain latitude in the actions of men, and that their primal passions must have their way. He said: 'I represent British authority and British law; and if there is shooting, there will be hanging.' There was some shooting; there was hanging and there was no more shooting. There did not need to be any more hanging, and the province of British Columbia in those early days stood as an example for the maintenance of law and order, a credit to the empire and to the people of that province.

Let us now cross the mountains on to the great plains. Nobody will deny that in the two prairie provinces where law and order were maintained by the mounted police, there was a maintenance of favourable conditions in the security of life and property such as was better than prevails in the city of Ottawa to-day. There is no natural difference between the province of Alberta and the state of Montana; there is only an imaginary line between the two, yet I have heard passengers on the railway crossing the boundary line saying that, while the train was on the boundary line, they saw men shooting each other on the south side of the line, whereas north of the line such a thing was unknown. I say again, it was because on the Canadian side law was swift, measurably swift, certain, measurably certain adequate, measurably adequate, whereas on the other side of the line it was neither swift, certain nor adequate.

I was a resident of Manitoba in 1873. The population then was small and the country was isolated from the rest of the Dominion. In what are now the states of Minnesota and Dakota railroad work was going on, and there was a very great disregard of law and order and of the rights of life and property in those states. I remember very distinctly