

tentiary. That man might have been hanged at the time of his conviction. There is no question about it that there have been a great many hanged who were innocent. The matter is therefore quickly hushed up and forgotten. Is it not better and wiser that ninety-nine guilty people should go free than that one innocent man should be hanged?

One argument in favour of capital punishment is that it acts as a deterrent. Against this we have the fact that murders do not as a rule increase where capital punishment is abolished. Capital punishment is a legal crime, and is morally indefensible. All who take part in it are tainted with bloodguiltiness, from the judge down to the hangman, as well as the nation that passively allows such things to be. For crime does not increase in other countries in consequence of abolition. Why should it in Canada? Canadians as a rule are a most law-abiding people.

Viewing the question of the death penalty in its broadest sense, we are led to look at it from many aspects. What effect, for instance, has it upon a murder already committed? It certainly does not cure the crime. That is past cure. The deed is done and the victim is beyond help. We cannot remedy one murder by committing another. Whether this is under the sanction of law or not does not alter the principle upon which this so-called justice is founded. Retribution in this sense is but another name for revenge. When we stigmatize it thus, we approach the real point at issue. Society has no more moral right to take this punishment upon itself than has an individual who is the nearest of kin to the victim. The law holds the matter in its own hands on the plea that the murderer shall have a fair trial. So far there is a show of justice in the proceedings; but if found to be guilty, the result to the culprit is the same. Society then simply revenges the death, instead of allowing any single individual to do so. So far as the criminal is concerned, we have done nothing more than kill him. It has been an eye for an eye, a tooth for a tooth, a life for a life. The account in this respect is squared up, blood for blood. The crime of murder is expiated—technically and judicially speaking, remedied.

I shall direct the attention of the House to a few of the different countries and states where the death penalty has been abolished and in every case with good results. It was abolished in Holland in 1870; in Belgium, in 1863; in Roumania, in 1864; in

Portugal, in 1865. In most of the 5 p.m. Swiss Cantons it has been abolished since 1874. In the state of Michigan it was abolished in 1846; in Rhode Island, in 1852; in Wisconsin in 1853; in Maine, in 1876, and in Kansas, in 1908. The death penalty has been abolished in the state of Michigan, which borders on the province of Ontario. I claim that the people of Ontario are of as good character as the people of Michigan, and they should abolish the death penalty also.

The following are extracts from letters which I have received from secretaries of state of the different states:

In the state of Michigan the death penalty was abolished in the year 1846, and the law was amended so that life imprisonment was substituted for same. The state of Michigan is so contented with the law as it stands to-day that no person would even think of suggesting that capital punishment should be re-enacted, and I am very proud to say that there has not been a case where any person has suffered the death penalty in that state during the last eighty-three years.

Rhode Island is just in the same position as the state of Michigan. Here is what the secretary says:

After a great deal of trouble and time given to it by what was known over in that district as the 'Society of Friends,' better known in Canada as 'Quakers,' the experiment was tried, and capital punishment was abolished in Rhode Island on February 11, 1852, and the experiment has worked out so satisfactorily that no one would suggest going back to the old days of capital punishment, and there has not been a case of the death penalty enforced in this state for sixty-one years.

I read portion of a letter received from the Secretary of State of Wisconsin:

Capital punishment was abolished in 1853, largely at the request of the religious bodies of that state headed by the Quakers. We do not believe that the number of capital offences has been increased; in fact, we are sure they have not been increased since the abolition of capital punishment, because we do not believe that the infliction of capital punishment is a preventive for the commission of capital crimes. Since the abolition of capital punishment in this state there has never been, nor is there at the present time, any sentiment in favour of restoring it; in fact, we do not believe that any Bill has ever been introduced into the legislature to have capital punishment restored. The people of the state of Wisconsin do not believe that the state should legalize the taking of a human life, nor do we believe that the mere legalizing of the taking of a human life relieves the person, who acts in a justice department or as executioner, of the moral responsibility of the taking of such a life, and further believe that, whenever an execution takes place, it has a very demoralizing effect upon the community in which it takes place, and that