

were its infliction absolutely certain, but it never was and never will be the case. The argument of deterrence does not apply to homicidal crime committed in drunkenness, intense passion, or jealousy. The certainty of evidence required by some jurors in the cases of secret murder, because of the terrible punishment, permits the complete escape of criminals, thus encouraging crime; while circumstantial evidence, especially to revengefully minded jurors endangers the lives of innocent people. While insanity exists perhaps more largely among murderers than other criminals, the plea is more liable to be wrongfully made because of the irreversible penalty.

The notoriety of execution is an attraction to many vain and vicious minds.

Death, one writer says, is not the penalty which lawless men dread. Those who kill themselves are more numerous than those who kill others. Imprisonment for twenty years on an average is a good substitute for hanging. Conviction would be more certain, punishment more certain. Innocency would be protected—restitution and reclamation would be made possible. We cannot but commend the commutation of the death penalty by the Department of Justice in a few recent cases. It disappointed probably the vicious qualities of some of our natures, but the punishment will no doubt be just as effective, and just as creditable to society in the end.

If the death penalty is to teach respect for life, why may it not be just as effective and reasonable for the State to burn the barn of an incendiary to teach him respect for his neighbors' property, and that it is wrong for him to burn his neighbors' barn?

A man in self-defence binds his assailant, but if he should then choke him he is guilty of murder. Society in self-defence captures and secures a murderer. Has it a right to then choke

him? We think not more in one case than in the other.

It is said that 'Governments derive their just powers from the consent of the governed.' We would deny the latter the privilege to grant any rights which they do not possess, and unless they have the moral and civil right to take their own lives, we fail to see where a just government acquires such a right.

Since the abolition of capital punishment has had mostly good effects, may not our government afford to discard the death penalty, and substitute a more vigorous and certain means of repression, restitution and reformation. The question of wages to convicts, indeterminate sentences, association of criminals, youthful offenders, are all allied.

While inductive methods of reform are first in importance, statutory law may well afford in the interests of state, to keep in view the influences of crime, its prevention and its cure. Oliver Wendell Holmes says, with much truth, that the proper time to begin to train a child is 200 years before he is born. We trust that the attitude of the government and parliament towards these questions may be acknowledged 200 years hence as a most beneficent one.

If the results of the abolition of the death penalty are satisfactory in most of the cantons of Switzerland, in Nassau, Oldenburg, Finland, Holland, Portugal, Roumania, Italy, San Marino, in six of the United States of America, we would ask that the machinery of government be put into operation for a further investigation of the question, with a view to the abolition of the death penalty, or at least to permitting judge and jury the *option* of imposing imprisonment.

Not the number of acres you till, but the quality of your tilling, determines the profit of the harvest in spiritual as in material farming.