

revenge, and the object, the infliction of *pain* and *evil* upon the criminal as a *retribution* for the crime. Thus we find this besides the present methods, torture of various kinds and degrees was often considered a legitimate and effective punishment. But now, on the contrary, in most civilized communities the generally recognized and avowed motive for punishment of criminals is *the good of society*, never *revenge*: and the object *the prevention of crime*, and never the infliction or retribution. This is true, however, only of the more liberal, enlightened, thoughtful citizen of the different nations, for many of the more ignorant, bigoted and thoughtless still retain the idea of *revenge* and *retribution* in thinking and speaking of criminal punishments. This is most clearly shown in the common expressions regarding the gravest crimes. Mingled with the morbid and sensational sentiment surrounding a modern murder trial are often heard the remarks, "He ought to hang," "He deserves hanging," etc. The questions "Is it good for society to hang this man?" and "Will it prevent similar crimes in the future?" seem to be seldom considered by those who talk loudest and mildest at such times. Nevertheless, I believe that the calm and considerate judgement of the majority of enlightened and civilized individuals would condemn as unworthy the motive and object, *revenge* and *retribution*. When the time comes that the most ignorant and bigoted will do the same, we may feel that civilization has made strides indeed, and that the social life of the people has reached a higher and nobler plane than it has ever before occupied.

Still higher in the development of civilization will come the time, now heralded by an increasing number of careful and earnest students of sociology, when crime will be considered a contagious and malignant disease of man's moral nature, needing an expert's careful diagnosis and treatment just as his physical weaknesses are now thought to need the physician's attention.

Then, too, it will be seen that society should maintain a sanitary inspection of the moral sur-

roundings of men, and especially of the young, as now it does of their physical habitations. But to make moral sanitation effective some change in the social order must be effected such that the majority of men shall no longer be condemned to unremitting toil and poverty, the most potent of all causes of crime then may the axe of extermination be driven deep into the giant tree of crime and the world of human beings look upon a brighter and happier day than ever before.

To introduce our subject proper, let me quote from an earnest advocate of capital punishment to show the grounds upon which our opponents debate the question. "If human governments have no right to take life in any case, capital punishment is judicial murder; or if it can be shown that there is a more effective method of preventing crime, the same conclusion follows."* I shall not oppose the institution on the grounds of the first part of the quotation although I think it might be plausibly argued that the only "right" that governments can claim in the case is the right of force or of might; but it might be said that is the only source of other government "rights;" and therefore that imprisonments and other punishments are equally objectionable. I shall therefore dismiss this argument with the observation that human life is, or should be, so sacred that the taking of it as a punishment *ought to be resisted* until after the most careful and deliberate investigation shall have proved less severe penalties inadequate, whereas the fact is that modern states will probably cling to the old custom until the investigation is made to prove other penalties sufficient, thus reversing the order that humanitarian sentiments and consideration would dictate.

On the grounds of the second part of the exception will we make the appeal against the execution of any criminal. But let us change the wording of that statement, though probably not the real meaning of the author. Let us rather say that if any other method is *just as effective* in preventing crime, then is capital punishment judicial murder. More than that, I urge that any