

death penalty is too severe even for the crime of murder. It is largely due to this that murder trials are constantly becoming more tedious and less certain to result in the conviction of the guilty.

But the most serious effect of capital punishment is seen in the destruction of the sanctity of human life, that it should be the duty and purpose of the State to inculcate and encourage. I believe that among the criminal classes, the thought, often brought home to them, that human life is of so little value that organized society can annihilate it with so little compunction and apparently without any appreciable apprehension of its sanctity and inviolability, has a greater tendency to promote murders and kindred crimes, than fear of the death penalty can have to restrain from the same crimes. Mr. Buckley recognizes this fact when he says: "It is affirmed that the taking of human life, even by judicial processes after clear conviction, diminishes its sacredness and thus leads to murder. This is an argument against public executions, nothing more. The conduct of criminals, the gushing sentimentality with which they are treated, the crowding of towns with spectators of both sexes and all ages, the minuteness with which the sickening particulars of the prisoner's conduct before the execution and upon the scaffold are published, the publicity given to his last words, the maudlin devotion of some women to almost every murderer, and the effeminate conduct of most ministers who are brought before the public as spiritual advisers of the condemned, *form a combination of depraving elements, whose natural tendency is to promote crime.* That the solemn infliction of capital punishment apart from such scenic accessories would diminish the sacredness of human life, or lead indirectly to murder, is but a gratuitous assumption."

To the last remark it is enough to reply that it is "a gratuitous assumption" that such execution as the writer favors can be provided; for even where the hanging can be made private, there is no lack of sensational newspaper notices, upon

which, at present, the majority of people are regaled; and the horrors and evil results gain, if anything, by the transference to paper through the vivid imaginations of modern reporters. How perfectly impossible it is to prevent sensational publicity of the details (or assumed details, which are just as demoralizing) may be seen from the accounts of the executions by electricity at Auburn and Sing Sing, where the law of the State enforced the utmost privacy and positively prohibited newspaper reports beyond the statement of the fact that the sentence had been carried out. And yet lengthy reports of all the horrible details appeared in all the large dailies and circulated everywhere; and whether true or false, their pernicious and demoralizing effects were the same. As far back as 1844, the Rev. Chas. Spear said of the demand for more private executions: "Those who urge this do in fact give up the whole ground that capital punishments do good as an example. If such spectacles are calculated to strike the mind favorably or to have a moral influence, why not have them in the squares of our crowded cities? Why not congregate the whole community to witness the scene? The true answer is that it tends to harden and brutalize the hearts of men."

One would expect to find that Robespierre, the man of blood of the French Revolution, who caused so many heads to fall for political reasons, was at least not opposed to capital punishment for the worst criminal offenses; yet he once resigned a judgeship to avoid passing the sentence of death and delivered a speech in which occurred these remarkable words: "The laws should always present to the people the most perfect model of justice and reason. If in the place of that powerful severity, of that calm moderation which ought to characterize them, they substitute anger and vengeance; if they cause to flow human blood which they might spare, and which they have not the right to shed; if they display before the eyes of the people scenes of cruelty and corpses murdered by tortures, they then corrupt in the heart of the citizen the ideas of the just and unjust; they cause