

to spring up in the bosom of society ferocious prejudices, which, in their turn, reproduce others. The idea of murder inspires much less dread than before when society itself presents the exhibition of it; the horror of crime is diminished when society punishes it only by another."

Again, if taking the life of a criminal makes his fate a warning to others, such as to prevent crime, why would not death by torture make his fate a still more effective warning, and hence further restrain from crime? Or, why would not torture alone be an effective punishment for lesser offenses, and worthy of being re-instated in the criminal codes of civilized society? This natural and logical extension and development of the plea for the continuance of the death penalty would meet with little favor even from the most pronounced advocates of that institution; and yet every argument in favor of capital punishment might be made to apply equally well to the revival of all forms of torture, the most hideous, cruel and unnatural of punishments.

The danger of taking innocent life need only be mentioned, with the observation that, although the imprisonment of the innocent is equally probable, yet when discovered a partial reparation can be made, while in the case of an innocent man executed none whatever is possible. But I believe we should also take into consideration, at least as a secondary matter, the family and immediate friends of the criminal. It is terrible enough to see a near relative or dear friend a criminal and imprisoned for his crime; but when his life is taken, who can measure the depths of woe and bitterness brought to the heart of a loving wife, a devoted mother or a fond father, sweetheart or sister? What if it were your father, your brother, your sweetheart or husband whom a civilized society had murdered in cold blood and called it justice! When the oft repeated formula, "the fatherhood of God and brotherhood of man" comes home to us so fully and vividly that "when we see an execution we shall say 'there goes my father, my brother or my son'" perhaps the real

nature of the cruel, barbaric institution of capital punishment will become clear to us; and with horror and loathing we will cast it away forever.

Another argument sometimes offered in favor of continuing the death penalty is that the struggle for existence is so hard with many of the lower or laboring classes that the prospect of prison life has no terrors for them, but may even appear as a sort of luxurious rest from the toil necessary to keep body and soul together outside of prison walls. The possibility of such an argument is a sad commentary on the present social order, while the argument itself indicts the community as an accomplice in the crime for forcing or allowing the masses of men to enter such an unrelenting struggle for existence. And to argue that the death penalty must be retained to restrain from crime these society-made criminals is, to say the least, a harsh and cruel gospel, while the same argument carried to its logical conclusion would require the death penalty for all crimes, for short-term imprisonments could not be more forbidding than life service. But, no matter how much more arduous than prison life a man may think his struggles in the world, there are very few who would voluntarily exchange freedom for the penitentiary, and those who would, would undoubtedly prefer to do so by means of the least crime that would bring them to their desired haven. This argument, as well as most others of the advocates of capital punishment, it seems to me, carries the false assumption that men are naturally bad and require threatening laws to restrain them from crime, whereas I believe the truth to be the reverse, that they naturally desire and prefer to do right, and only force of circumstances and great temptation lead them to crime; and hence the laws that will most effectually restrain from crime are those that, together with the ordinary perfection of their enforcement, will leave the least possible probability that the criminal can enjoy the fruits of his crime as they appear to him useful or good.

Another matter to which attention must be directed, in settling this question, is the actual con-