

exposing themselves to the chances of suffering death on it, in seven years, as was the case in England from 1823 to 1830;—and we must be the more strongly impressed with the inefficiency of this remedy when we remember that this statement embracing 12,000 persons does not include the crimes of that character committed in London and Middlesex, in which it is but reasonable to conclude there were two or three thousand more.

A resort to sanguinary laws in this State would, we are sure, be recommended and supported by few, if any of our citizens, who have directed their attention to the subject and observed their effects in other countries. The public sense of this State is against them, and has been too long and too distinctly expressed to permit us to suppose that they would now find favor with the Legislature. Our own feelings and our own judgments are against them, and rather than extend the number of cases to which capital punishment should be applied, we would prefer to contract it. "By no severity," (we quote from a work written in 1811, and published anonymously,) "inflicted as well as denounced, could crimes ever be wholly extirpated. Beyond a certain point, therefore, there may be an increase of severity, that is a useless excess, and gains nothing but odium and obstruction to the course of justice. Those tribunals which have thought to keep order by a ferocious system of vindictive justice, have forgotten that such a system, maintained in vigor, must do away the dutiful respect and confidence which human beings ought to feel towards the laws under which they live; that it must alienate the humane and moderate, who most deserve to be protected, and harden the minds of a rougher cast by the spectacle of sanguinary or frequent executions. When life is made a cheap and vulgar thing, by the laws themselves, to what principle of human nature can they apply for an effectual sanction? It may be right to remind men who are for making thorough work in the business of legislation, "that it is better that some evils should be suffered than that others should be done."

The progress of the world is said to be gradual in all things, and is rapidly advancing to human perfectibility. If this be true the maxim has not been falsified by the history of criminal punishments. When mankind supposed that taking life was adequate to the suppression of vicious propensities, and the open commission of outrages upon the laws of society, they readily shut their eyes to the necessity of supporting extensive establishments for reformatory punishments. They preferred the shorter, less expensive, and as they thought, more effectual plan of putting the culprit beyond the ability to offend again. But as the minds of men became enlightened, and capital punishments were restrained in their application and made to give place to others more humane, and certain of execution, a wider field of improvement was opened by the means of perfecting these new plans. Most that have been used were found effectual only in restraining the persons of offenders during the time of duress, and