

by teaching all by precept and example as well as by command that the taking of human life is wrong and is not even a punishment and then lock up for life all who commit such murders.

The advocates of capital punishment, driving the question home in concrete form ask what position would you take if your wife or child were brutally murdered and the murderer convicted and sentenced to death? Under such circumstances we would all act like any man with an unbalanced mind, losing sight of society which would be obscured by self. An appeal for a decision in favor of capital punishment in this hypothetical way to a man grieved and shocked by such a crime is exceedingly unfair. It is an appeal to minds in the same abnormal condition as that of second degree murderers who kill in the heat of passion and who are punished in milder form on account of the deficient reasoning powers in them at such times. However, all the arguments that are presented in the case of strangers lose none of their force when applied to relatives excepting only as the mind of the injured is incapable of considering justice on account of prejudice. It is indeed a weak defense which must be supported by the logic of unbalanced minds poisoned by anger and prejudiced by grief in such persons who do not stop to consider society being made up of others besides themselves and who never think that executions may cause other innocent families to suffer as they are suffering. The execution of the criminal would not give back the life of his victim, therefore in no manner becomes compensation.

When we are reminded of the terrible wrongs of murder we may meet the demand for vengeance with the often repeated declaration that a second wrong will not make the first one right. The relatives of a victim should not be permitted to demand the death penalty at such expense to society as may cause other families to suffer from murders that may be incited by such an act of the state combined with the anger engendered by future transactions.

Bringing the question not only home but right down to a personal basis I am made to wonder if such a step would incite a man having designs upon my life to feel more inclined to execute his purpose or would he spare my life if his attention were directed to the true philosophy of life and death? I have no hesitancy in saying that I would feel safer to have him read these hasty reflections against death than nurse his revenge and take chances on detection and on the result of a trial, conviction and death sentence. In like manner you may reach the same conclusion and declare that imprisonment instead of the death sentence is beneficial instead of detrimental to society.

May I not have it understood that I am not recommending this step as a result of morbid sentiment for this criminal or any criminal. I am not taking this position out of consideration of his welfare. I care not whether he is black or white, rich or poor, or whether his past record is bad or good. All that I have said or will say is in behalf of the other people of society now living and yet to be born. I believe much good will result from this position sometime in the future, no matter what final action may be taken in this case. But there is more to be said of the inherent revolution against such taking of human life.

Whenever we see men with stealthy movements, secretive in nature or dissembling and shifting responsibilities we become suspicious of their honesty. When governments commence covering up and hiding their

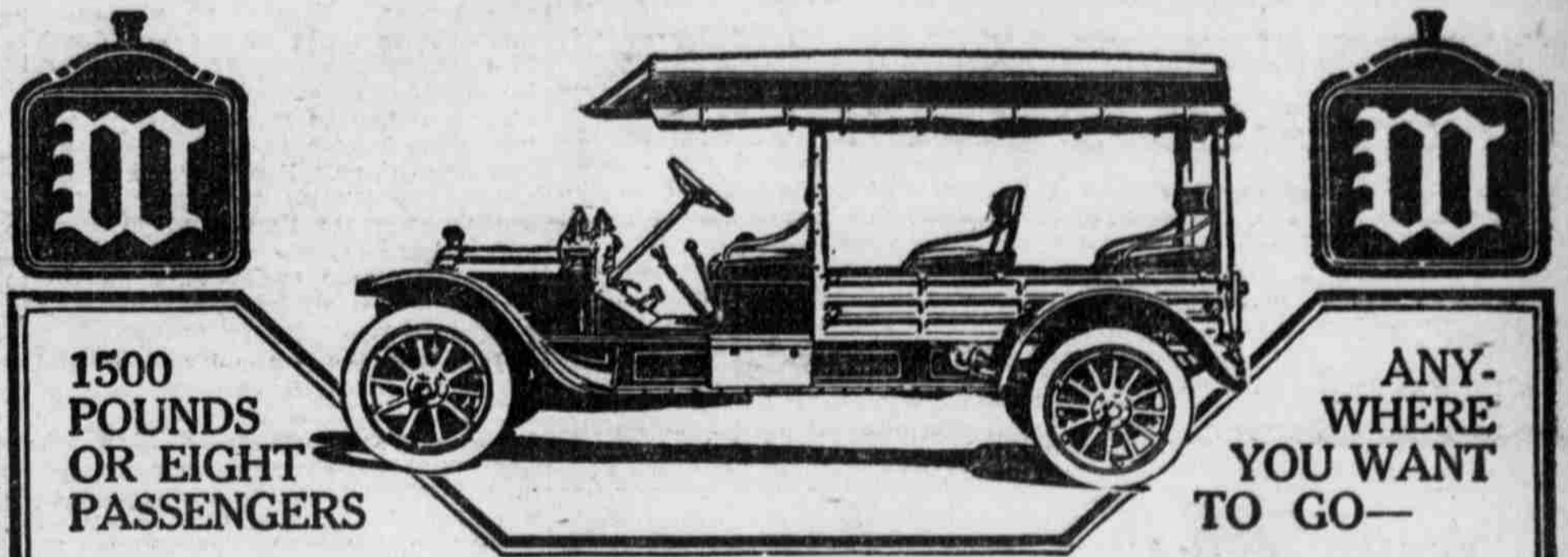
acts or punishments it indicates they have become ashamed of them. When they commence spreading out responsibility; a part on the jury and a part on the judge and then the rest on the sheriff, who even delegates by some chance arrangement to some unknown member of several deputies the last act of a state's disgrace, it is time we ask ourselves is it right? We find an answer in every normal heart which shivers with revolt from personal responsibility for the act? This is God's answer and decree

against capital punishment, which will, which must, which does assert itself.

The legislature has expressed a doubt and opened the question in this state to philosophy so that juries may fix the death penalty or not and in reviewing their verdict in court or considering the same before the executive the question of resisting the death penalty has become lawful as well as logical. It is no longer arbitrarily demanded as a matter of law, but it is a question

of human judgment in each particular case of what is right—life sentence or death.

If the law arbitrarily demanded capital punishment no officer taking an oath to support the laws could shirk his duty. But as our laws now exist modified by modern acts every step from the jury to the governor is subject to the proper solution of this question submitted by the legislature as a matter of doubt, excepting the preservative of life for any (Continued on Page 12.)



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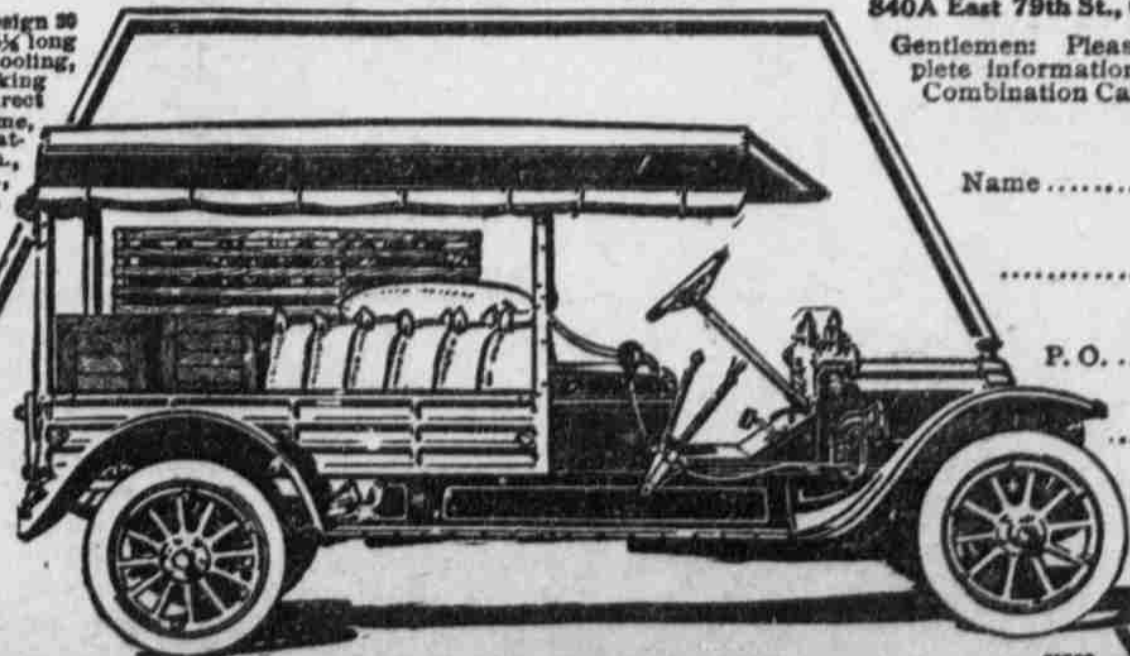
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