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Capital crimes.

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CAPITAL CRIMES.

JANUARY 22, 1896.—Referred to the House Calendar and ordered to be printed.

Mr. UPDEGRAFF, from the Committee on the Judiciary, submitted the following

REPORT:

[To accompany H. R. 878.]

The Committee on the Judiciary, to whom was referred House bill 878, having had the same under consideration, beg leave to report it back to the House and to recommend its passage.

The committee submit a letter from Sinclair Taliaferro, esq., United States district attorney for the eastern district of Texas, addressed to the author of the bill, stating strong reasons for its early passage, and they reproduce and adopt the report of the Committee on the Judiciary of the Fifty-third Congress.

PARIS, TEX., *December 23, 1895.*

SIR: While in Washington in July last I requested the Attorney-General to have introduced and passed by this Congress a bill amending the law as to murder. He inclosed me a copy of bill introduced by you designed for this purpose, which permits the jury to return a qualified verdict finding the party guilty of murder, but "without capital punishment." This bill, in my judgment, covers the question very fully, and I trust very earnestly you will have it passed as soon as possible. I have on the docket of this court for trial at the next term, commencing in April, 73 murder cases, where parties are either in jail or under bond. In many of these cases the facts will not permit the court to submit the question of manslaughter to the jury, and the only question to be determined will be that of murder, which is now punishable only by death, and the severity of the penalty in many cases, where the parties are undoubtedly guilty and should be punished, prevents the juries from either reaching a verdict or leads them to acquit the defendant.

I hope you will succeed in passing the bill at the present term, as it is very necessary to the administration of justice in this court. If you think it will be of any assistance to you, it will afford me great pleasure to write the Texas delegation in Congress and urge them to lend you their help.

I have the honor to be, very respectfully,

Hon. N. M. CURTIS,
House of Representatives, Washington, D. C.

S. TALIAFERRO,
United States Attorney.

Mr. WOLVERTON, from the Committee on the Judiciary, submitted the following report, No. 545 (to accompany H. R. 5836):

The offenses to which the death penalty was affixed during colonial times were adopted from the English code and reenacted in the Federal statutes after the adoption of the Constitution. Few changes have been made during the last century. At this time there are sixty offenses for which Federal laws prescribe the death penalty, positively or conditionally, as a military or naval court-martial may, in its discretion, direct.

There have been no executions for many of these offenses for a long term of years. Their existence in the statutes gives a sanguinary character to our laws inconsistent with the spirit of the people and of the age.

While the crimes of murder in the first degree and rape are, under this bill, punishable with death, provision is made that life imprisonment may be substituted for the penalty of death, in trials in the civil courts, whenever the jury shall qualify their verdict by adding thereto "without capital punishment."

These modifications are in harmony with the practice of many States and a growing public sentiment.

Your committee recognize the strength of the arguments presented by the advocates of the abolition of the death penalty, supported as they are by statistics and the satisfactory experience of States and countries in which partial or total abolition has been tried; and several members of your committee are fully prepared to recommend the total abolition of the punishment of death. But others believe this penalty to be a great deterrent, and that the people are not, at this time, ready for total abolition; therefore your committee unanimously recommend that for the crimes specified in this bill the punishment of death be retained, with the limitations provided herein, and that for all other crimes for which this penalty is prescribed under existing laws this punishment be totally abolished.

Your committee append hereto important facts and information, collected and presented by the author of bills 273 and 5836 (Mr. Curtis, of New York). It is believed that the information contained in this appendix will be of great value to legislators and to all interested in the investigation of criminal matters, and that its importance justifies its use by the committee.

The investigations of this subject by General Curtis are recognized as probably the most thorough and exhaustive ever made in this country.

A BILL to reduce the cases in which the penalty of death may be inflicted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where the accused is found guilty of the crime of murder or of rape under sections fifty-three hundred and thirty-nine or fifty-three hundred and forty-five, Revised Statutes, the jury may qualify their verdict by adding thereto "without capital punishment;" and whenever the jury shall return a verdict qualified as aforesaid the person convicted shall be sentenced to imprisonment at hard labor for life.

SEC. 2. That except offenses mentioned in sections thirteen hundred and forty-two, sixteen hundred and twenty-four, fifty-three hundred and thirty-nine, and fifty-three hundred and forty-five, Revised Statutes, when a person is convicted of any offense to which the punishment of death is now specifically affixed by the laws of the United States, he shall be sentenced to imprisonment at hard labor for life, and when any person is convicted of an offense to which the punishment of death, or a lesser punishment in the discretion of the court, is affixed, the maximum punishment shall be imprisonment at hard labor for life.

SEC. 3. That the punishment of death prescribed for any offense specified by the statutes of the United States, except in sections thirteen hundred and forty-two, sixteen hundred and twenty-four, fifty-three hundred and thirty-nine, and fifty-three hundred and forty-five, Revised Statutes, is hereby abolished, and all laws and parts of laws inconsistent with this act are hereby repealed.

SEC. 4. That nothing herein contained shall apply to or in any way affect any proceeding or indictment now found or pending, or that may be found for any offense committed before the passage of this act; and all offenses committed before the passage of this act shall be punished under the laws then in force: *Provided,* That juries may return qualified verdicts in such cases according to the provisions of section one of this act; and the sentences shall be imposed as therein provided.

APPENDIX.

These statistics, the abridgement of criminal laws, and bibliography of crimes and punishments are advance sheets of a work on "Criminal law and civilization," now in course of preparation.

The chief object of this publication is to present the facts collected in a convenient form to the Committee on the Judiciary of the House of Representatives, which has under consideration a bill (H. R. 273, Fifty-third Congress) to define the crimes of murder in the first and second degree, and manslaughter, and providing punishment therefor, and to abolish the punishment of death.

Table No. 1 shows that in the first thirty-seven years of the Republic the letter and spirit of the criminal laws were supported by public sentiment, which is essential to the successful enforcement of criminal statutes, and that the administration of justice traveled in lines parallel with the provisions of the criminal code; but the statistics for 1890, 1891, and 1892, Table No. 2, furnished by the Attorney-General, show that the administration of the criminal law has diverged from our ancient and unchanged statutes. In former times in proper cases, about 85 per cent of those tried were convicted, while in recent years the average is less than 20 per cent in the Federal courts and still lower in the State courts.

Table No. 3, based on statistics collected and published by the Chicago Tribune, gives the number of reported homicides in the United States for the years 1890, 1891, and 1892, and the number of legal executions and of lynchings for the same period. When examined in connection with Table No. 4, which is made up from official reports of the attorneys-general of the States named, it will appear that in those States prescribing the death penalty for the greatest number of offenses homicides have been most frequent, while lynchings have increased and the number of legal executions has diminished.

Table No. 5 will show that in New York, a representative State as to urban and rural population, the cities do not, in proportion to population, show the greater number of atrocious crimes, but the reverse.

A comparison of the criminal laws of foreign countries with those of the United States shows that we undoubtedly have the bloodiest code in the world, and it is confidently stated that we also have the greatest number of homicidal crimes in proportion to population, while the administration of justice, measured by our statutes, is the most uncertain and abortive, Judge Lynch's court furnishing the most general and certain method of punishing violators of the law.

It is believed that the experience gained by states and nations which have abandoned the cruel punishments of early ages should invite us to secure greater safety and protection to human life by speedily making our laws "more conformable to the dictates of truth and justice, the feelings of humanity, and the undeniable rights of mankind."

N. M. C.

UNITED STATES.

Offenses for which the penalty of death may be inflicted are—

Under the military code, 17; section 1342, Revised Statutes, prescribing articles of war for governing the army. Section 1343, Revised Statutes, providing punishment for spies.

Under the naval code, 22; section 1624, Revised Statutes, prescribing articles of war for governing the navy.

Under the extraterritorial jurisdiction granted to consuls by section 4102, Revised Statutes, 3, viz, insurrection, rebellion, and murder.

Under the jurisdiction of the civil courts of the United States, 18, as provided in the several sections of the Revised Statutes, named after each offense.

(1) Being accessory before the fact to murder, piracy, etc., upon the high seas; section 5323. (2) Treason; section 5332. (3) Murder on land or maliciously striking, etc., from which death results; section 5339. (4) Rape; section 5345. (5) Owner destroying vessel at sea; section 5365. (6) Other person destroying vessel at sea; section 5366. (7) Piracy under the law of nations; section 5368. (8) Seaman laying violent hands on his commander; section 5369. (9) Robbery on the high seas; section 5370. (10) Robbery on shore by crew of piratical vessel; section 5371. (11) Murder on the high seas; section 5372. (12) Any act of hostility against the United States, or any citizen thereof, on the high seas, under color of commission from a foreign State, or on pretense of such authority; section 5373. (13) Piracy by subjects or citizens of foreign States; section 5374. (14) Piracy in confining or detaining negroes on board vessel; section 5375. (15) Piracy in landing and seizing negroes on foreign shores; section 5376. (16) Arson of dwelling house within fort; section 5385. (17) Arson of vessel of war; section 5387. (18) Rescue of person guilty of capital crime while going to or during execution; section 5400.

TABLE NO. 1.

[House Ex. Doc. No. 146, Twentieth Congress, second session, February 26, 1829.]

The President of the United States transmits, in compliance with the resolution of the House of Representatives of January 13, 1825, a statement of convictions, executions, and pardons under authority of the Government of the United States since the adoption of the Constitution, including the year 1826.

There were in the districts of Maine, Massachusetts, Rhode Island, New York (southern), Pennsylvania (eastern), Maryland, Virginia (eastern), South Carolina,

Georgia, Louisiana, East Tennessee, Illinois, Michigan, Territory of Arkansas, and District of Columbia—

	Trials.	Con- victions.	Execu- tions.	Pardons.
Murder	39	35	22	6
Murder on high seas	6	2	2	.....
Piracy	67	66	8	56
Treason*	9	6	5	1
Rape	4	1	1	.....
Sinking vessel at sea	1	1	.....	1
Robbery	1	.....	.....	.....
In Maryland, particular crimes not specified	127	111	38	64
	11	7	4	.....
Total	138	118	42	64

One suicided; 3 died; 2 escaped; 6 unaccounted for.
 In the following districts there had been no capital crimes: New Jersey, Delaware, Vermont, Kentucky, Ohio, Indiana, Missouri, and Florida.
 *Six convicted of treason (3 in 1795, 3 in 1800) in eastern district of Pennsylvania, 5 executed, 1 pardoned. In District of Columbia (Alexandria County) in 1814, 3 tried for treason and acquitted.

TABLE NO. 2.

Hon. N. M. CURTIS,
House of Representatives.

DEPARTMENT OF JUSTICE,
 Washington, D. C., October 21, 1893.

SIR: Inclosed is a table, compiled from the reports of U. S. attorneys, giving you the information as to homicides, etc., under U. S. laws, as requested in your letter of August 31, last.

Very respectfully,

RICHARD OLNEY, *Attorney-General.*

List of homicides judicially noticed, indictments, convictions, etc., for murder, under United States laws, in the years 1890, 1891, and 1892.

Districts.	Homicides considered.			Murder.									Executions.		
				Indictments.			Convictions.			Acquittals.					
	1890	1891	1892	1890	1891	1892	1890	1891	1892	1890	1891	1892	1890	1891	1892
1 Arizona	1	*3	1	†4	3	1	0	0	1	0	1	0	0	0	0
2 Arkansas, W	32	44	27	†14	†16	†29	4	2	5	4	4	7	8	1	2
3 California, N.	0	0	2	0	0	§2	0	0	0	0	0	0	0	0	0
4 California, S	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
5 District of Columbia|| .....	10	12	13	5	8	8	1	1	4	8	6	7	1	0	0
6 Florida, N.	0	2	0	0	2	0	0	0	0	0	1	0	0	0	0
7 Georgia, N.	1	0	0	1	0	0	0	0	0	1	0	0	0	0	0
8 Georgia, S	0	0	0	1	0	0	0	3	0	0	1	0	0	0	0
9 Illinois	0	0	1	0	0	§1	0	0	§1	0	0	0	0	0	0
10 Indian Territory	0	0	1	0	0	1	0	0	0	0	0	†1	0	0	0
11 Kansas	13	1	1	10	0	0	§1	**1	§2	2	6	1	0	0	0
12 Kentucky	0	0	2	0	0	2	0	0	0	0	0	0	0	0	0
13 Maryland	0	0	0	0	0	0	1	0	0	16	0	0	0	0	0
14 Minnesota	0	1	0	0	1	0	0	0	0	0	1	0	0	0	0
15 New York, E.	0	1	0	0	1	0	0	0	0	0	1	0	0	0	0
16 New York, S.	1	0	0	1	0	0	0	0	0	1	0	0	0	0	0
17 North Carolina, E.	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0
18 North Dakota	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0
19 Oklahoma	0	11	1	0	†11	1	0	0	0	0	§§2	0	0	0	0
20 Oregon	0	0	0	1	0	0	1	0	0	0	0	0	1	0	1
21 South Dakota	0	1	0	0	1	0	0	0	0	0	1	0	0	0	0
22 Tennessee, M.	0	1	4	0	0	4	0	0	0	0	1	0	3	0	0
23 Texas, E.	56	64	49	30	44	34	||||1	||||4	||||4	7	6	15	0	0	0
24 Utah	3	3	8	7	9	9	4	7	6	2	1	2	0	0	0
25 Virginia, E.	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0
26 Virginia, W.	0	0	0	0	0	1	0	0	0	7	0	0	0	0	0
27 Wisconsin, W.	1	0	2	1	0	2	1	0	0	0	0	0	0	0	0
28 Wisconsin, E.	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
29 Wyoming	0	2	0	0	2	0	0	0	1	0	0	0	0	0	0
	120	146	112	77	98	96	16	23	24	48	31	37	10	1	2

* 4 indicted together. † 2 convicted of manslaughter. ‡ Of "indicted for murder," 1890, 6; 1891, 5; 1892, 6 were convicted of manslaughter. § Manslaughter. || Homicides (in D. C.) means number killed. Of "murder acquittals" in the 3 years, 15 were convicted of manslaughter. ¶ Ignored by grand jury. ** 2 manslaughter, 4 murder. †† 1 of these was manslaughter. §§ Dismissed. ||| All manslaughter but one; that one, death sentence commuted; all under Utah Territorial laws.

OFFENSES FOR WHICH THE PENALTY OF DEATH MAY BE INFLICTED UNDER THE CRIMINAL CODES OF THE SEVERAL STATES AND TERRITORIES.

Where the jury determines degree, murder in first degree is punishable by death, lower degrees by imprisonment.

Alabama.—Seven, conditionally: The jury has discretion to make the punishment death or imprisonment. 1, treason; 2, murder, jury finds degree; 3, rape; 4, carnal knowledge of woman by administering drug, etc.; 5, carnal knowledge of female under 10 years; 6, carnal knowledge of woman by falsely personating husband; 7, robbery.

Arizona.—Two: 1, treason; 2, perjury; securing conviction and execution of innocent person. One, conditionally: Murder. The court shall fix the punishment either at death or imprisonment for not less than ten years.

Arkansas.—Four: 1, treason; 2, rape; 3, attempt to commit rape by use of drugs, etc.; 4, forcible abduction, with compulsory marriage. One, conditionally: Murder. Jury determines degree.

California.—One: Treason. One, conditionally: Murder. Jury finds degree.

Colorado.—One: Perjury, securing conviction and execution of innocent person. One, conditionally: Murder. Jury finds degree.

Connecticut.—One: Treason. One, conditionally: Murder. Jury finds degree.

Delaware.—Three: 1, treason; 2, rape; 3, exhibiting false lights by which vessel is wrecked and life lost. One, conditionally: Murder. Jury finds degree.

Florida.—One: Killing in duel. Two, conditionally: 1, murder; 2, rape. The power of pardon rests with legislature; governor may relieve during vacation.

Georgia.—Ten, for which the punishment is death; but if the jury recommend to mercy, imprisonment: 1, treason; 2, insurrection, or attempt to incite insurrection; 3, murder; 4, counselling pregnant women to kill child, if after delivery she kill it; 5, killing unborn child by injury to mother, if such injury would be murder had it resulted in death of mother; 6, castration; 7, rape; 8, arson; 9, malicious burning of railroad bridge; 10, perjury in capital cases.

Idaho.—One: Treason. One, conditionally: Murder. Jury finds degree.

Illinois.—One: Treason. Two, conditionally: 1, murder. Jury fixes punishment, which is either death or imprisonment for life. 2, Perjury, which secures conviction and execution of an innocent person.

Indiana.—Two: 1, duelling, if death ensue; 2, arson resulting in death. Two, conditionally: 1, treason; 2, murder. Jury has discretion to make punishment death or life imprisonment.

Iowa.—One: Duelling, if death ensue. One, conditionally: Murder. Jury may fix the punishment, which is either death or imprisonment for life. The governor shall not grant pardons in capital cases, except with the advice and consent of the general assembly,

Kansas.—Two: 1, treason; 2, murder. One, conditionally: Perjury in capital case. The punishment of death prescribed by law shall be inflicted by hanging, at such time as the governor of the State for the time being shall appoint, not less than one year after conviction. There has been no execution for many years.

Kentucky.—Three, conditionally: 1, treason; 2, murder; 3, rape. Jury has discretion to fix punishment of death or imprisonment for life.

Louisiana.—Seven, conditionally: 1, murder; 2, rape; 3, administering poison with intent to commit murder; 4, attempt to commit murder, in perpetration of arson, robbery, rape, or burglary; 5, duelling, if death ensue; 6, arson, in night time, of inhabited dwelling, etc.; 7, treason. In all cases where the punishment denounced by law is death, the jury may qualify their verdict by adding thereto, "without capital punishment;" and the person so convicted shall be sentenced to hard labor for life.

Maine.—Capital punishment was abolished in 1876; restored in 1883, and again abolished in 1887.

Maryland.—Seven, conditionally: 1, arson; 2, burning public building, etc.; 3, burning public arsenal, etc.; 4, wilfully burning mill, outhouse, haystack, fodder, etc.—aiders, abettors, and counsellors punished as principal; 5, murder; 6, rape; 7, treason. The court is given discretion in cases other than murder; in murder the jury finds degree.

Massachusetts.—One: Murder. Jury finds degree.

Michigan.—Capital punishment was abolished in 1847.

Minnesota.—One: Murder. The punishment is death, unless the court certify that the case is one in which the penalty of death should not be imposed; in that case, imprisonment for life.

Mississippi.—One: Treason. Two, conditionally: 1, murder; 2, rape. Jury fixes punishment of death or imprisonment for life.

Missouri.—Four, conditionally: 1, murder. Jury finds degree and fixes term of imprisonment for second degree. 2, treason; 3, rape; 4, perjury in capital case, with premeditated design of securing conviction and execution.

Montana.—Two: Murder, resulting from killing in fight or duel, by previous appointment. 2, perjury or subornation of perjury, resulting in conviction and execution of an innocent person.

Two, conditionally: 1, murder. Jury finds degree. 2, arson of inhabited dwelling. Jury has discretion to fix death or imprisonment as punishment.

Nebraska.—Two, conditionally; 1, murder; 2, willful perjury, resulting in conviction and execution of an innocent person. Jury has discretionary power to fix punishment of death or imprisonment.

Nevada.—Two: 1, perjury, securing conviction and execution of innocent person; 2, duelling, if death ensue. One, conditionally: Murder. Jury finds degree.

New Hampshire.—One, conditionally; Murder. Jury finds degree.

New Jersey.—Three: 1, treason; 2, sheriff or other officer voluntarily permitting escape of prisoner charged with capital crime; 3, rescue of prisoners charged with capital crime. One, conditionally: Murder. Jury finds degree.

New Mexico.—One: Murder in first degree. The degrees of murder are determined by "the facts and circumstances of each case."

New York.—One: Treason. One, conditionally: Murder. Jury finds as charged, or lower degree.

Sentence of death inflicted by electrocution.

North Carolina.—The constitution provides: "Murder, arson, robbery, and rape, and these only, shall be punishable with death, if the general assembly shall so indicate." Four: 1, murder; 2, arson; 3, robbery; 4, rape. No discretion.

North and South Dakota.—Code compiled before division.

One, conditionally: Murder. Jury fixes punishment of death or imprisonment for life.

Ohio.—One: Murder in first degree; but jury may convict of less degree.

Oklahoma.—One, conditionally: Murder. Jury fixes punishment of death or imprisonment for life.

Oregon.—One: Treason. One, conditionally: Murder. Jury may find less degree.

Pennsylvania.—Statute of March 31, 1860, provides: "No crime whatsoever, except murder of the first degree, shall be punished with death in Pennsylvania."

Jury may find defendant guilty of less degree than that charged in the indictment.

Rhode Island.—Capital punishment was abolished in 1852.

South Carolina.—Four: 1, arson; 2, duelling, causing death within six months; 3, murder, consisting of willfully killing with malice aforethought, by stabbing, poisoning, or placing obstruction on railroad track with intent to impede cars, if death of any human being results within a year and a day.

One conditionally: Rape. The punishment is death, unless the jury recommend to mercy, in which case the punishment shall be reduced to imprisonment at hard labor in the penitentiary during the whole lifetime of the prisoner.

South Dakota.—(See North Dakota.)

Tennessee.—Two: 1, murder in first degree; 2, killing by placing obstruction on railroad track, etc. One conditionally: Rape. Jury fixes punishment of death or imprisonment for life.

Texas.—Two: 1, willful perjury in capital case, where accused is executed; 2, death resulting from duel. Three, conditionally: 1, treason; 2, rape; 3, murder. Jury finds degree.

Utah.—One: Duel resulting in death. One, conditionally: Murder. Jury may recommend imprisonment for life, in which case the court may sentence to imprisonment for life, or death, in its discretion. Executions are by hanging or shooting; convict privileged to elect.

Vermont.—Two: 1, treason; 2, arson resulting in death. One, conditionally: Murder. Jury finds degree.

Virginia.—Four: 1, treason; 2, murder, first degree; 3, duel resulting in death; 4, arson of inhabited dwelling house, etc. Two, conditionally: 1, rape; 2, burglary.

Washington.—One: Murder, first degree. Power to commute sentence to imprisonment for life is vested in the governor.

West Virginia.—One: Murder in first degree. One conditionally: Treason.

Wisconsin.—Capital punishment was abolished in 1853.

Wyoming.—Two: One, murder; 2, perjury or subornation of perjury, procuring conviction and execution of innocent person.

TABLE NO. 3.—*Homicides in the United States.*

1890	4, 290
1891	5, 906
1892	6, 791
1893	6, 615
1894	9, 800
1895	10, 500

Executions and lynchings in the United States and Territories.

States and Territories.	Legal executions.						Lynchings.					
	1890.	1891.	1892.	1893.	1894.	1895.	1890.	1891.	1892.	1893.	1894.	1895.
Alabama	10	3	3	11	13	7	7	28	21	27	19	16
Arkansas	9	3	9	5	6	8	5	12	25	12	10	9
California	1	2		5	2	8	2	1	5		1	7
Colorado	1	3				3	3	2		1	1	7
Connecticut		1	2		1							
Delaware		4										
Florida	2				1	6	3	10	11	8	7	12
Georgia	11	16	14	16	7	11	18	12	16	16	20	14
Idaho									8	1		
Illinois		2	3	3	6	3		1	1	2	1	2
Indiana					1		2	3		2	2	
Iowa					1	1				2	2	
Kansas					3				3	3	4	1
Kentucky	2	2	10	4	3	4	5	11	9	11	19	15
Louisiana	7	9	4	4	3	5	8	29	28	20	15	4
Maine												
Maryland		2	1	10	3	1	1	1	1		1	3
Massachusetts				3	1							
Michigan								2		1		
Minnesota	1	2			2	1				2		
Mississippi	6	8	2	4	6	6	13	23	16	17	16	13
Missouri		8	2	6	9	4	1	2	6	4	5	3
Montana	5		1		3	1		5	4	1		
Nebraska		4	1			1	2	2			4	4
Nevada	2						1					
New Hampshire	1			1								
New Jersey			3	1	4	3						
New York		4	5	10	2	6			1			
North Carolina	5	2	4	1	5	3	2	2	5	3	1	1
North Dakota				1	1				1	1		
Ohio	5	2	3	1	1	8		1	4		2	
Oregon	1		2	1	1		4	1			1	
Pennsylvania	8	7	4	6	8	5					1	
Rhode Island												
South Carolina	8	8	5	10	7	9	5	1	5	13	4	6
South Dakota		1	1	1	2		2	3			1	2
Tennessee	5	3	4	4	6	4	8	13	28	14	15	11
Texas	3	12	10	13	9	10	24	16	12	8	12	24
Vermont			1									
Virginia	4	8	5	4	4	5	7	5	7	15	7	3
Washington	1		2					3		1	2	2
West Virginia	2	1	2		2	2	3	2	5		2	
Wisconsin								1			1	
Wyoming	1		1		1	1		1	9			
District of Columbia	1			1	1	1						
Territories:												
Arizona		2					1		3			
New Mexico			1		2	2	1			6		1
Oklahoma			2			2			2	4	11	9
Utah					1							
Indian Territory		5			4	2		2		5	2	2
	102	123	107	126	132	132	126	195	286	200	190	171

TABLE NO. 4.

The attorneys-general of the several States were requested to furnish the number of homicides judicially noticed in their respective States for the years 1890, 1891, and 1892, together with the number of indictments, convictions, acquittals, and executions. The following table is compiled from the replies received:

States.	1890.							
	Homi- cides.	Indict- ments, murder, first de- gree.	Con- victions, murder, first de- gree.	Indict- ments, murder, second degree.	Convic- tions, murder, second degree.	Con- victions, man- slaughter.	Acquit- tals.	Execu- tions.
Alabama.....	130	102	24	16	39	21	46	12
California.....	108	152	33	3	13	10	64	1
Idaho.....	6	3	.....	.....	2	1	1	.....
Massachusetts.....	7	.....	.....	.....	5	13	4	.....
Michigan*.....	26	15	7	.....	.....	.....	9	.....
Minnesota.....	.....	4	2	3	3	2	2	1
New Hampshire.....	3	.....	.....	.....	.....	3	.....	1
New York.....	50	.....	10	.....	16	24	.....	1
North Carolina.....	.....	.....	.....	.....	.....	.....	.....	.....
Ohio.....	86	48	7	38	.....	27	25	6
Rhode Island.....	.....	.....	1	.....	.....	.....	.....	.....
Vermont.....	8	.....	.....	.....	.....	.....	.....	.....
Wisconsin.....	42	36	19	3	1	3	17	.....
States.	1891.							
	Homi- cides.	Indict- ments, murder, first de- gree.	Con- victions, murder, first de- gree.	Indict- ments, murder, second degree.	Convic- tions, murder, second degree.	Con- victions, man- slaughter.	Acquit- tals.	Execu- tions.
Alabama.....	121	91	23	20	34	16	48	11
California.....	113	115	14	.....	10	7	54	1
Idaho.....	11	7	.....	.....	1	2	4	.....
Massachusetts.....	.....	6	1	.....	.....	11	5	1
Michigan*.....	84	53	15	.....	.....	5	12	.....
Minnesota.....	.....	20	5	5	1	3	9	2
New Hampshire.....	6	3	2	.....	1	2	.....	.....
New York.....	49	.....	4	.....	12	33	.....	5
North Carolina†.....	.....	.....	.....	.....	.....	.....	.....	.....
Ohio.....	103	52	6	47	.....	27	23	7
Rhode Island.....	.....	.....	1	.....	.....	1	.....	.....
Vermont.....	12	.....	.....	.....	.....	.....	.....	.....
Wisconsin.....	61	54	24	4	3	3	16	.....
States.	1892.							
	Homi- cides.	Indict- ments, murder, first de- gree.	Con- victions, murder, first de- gree.	Indict- ments, murder, second degree.	Convic- tions, murder, second degree.	Con- victions, man- slaughter.	Acquit- tals.	Execu- tions.
Alabama.....	109	79	17	19	27	28	37	10
California.....	125	110	12	.....	12	13	31	.....
Idaho.....	18	11	.....	.....	2	3	3	.....
Massachusetts.....	.....	17	2	.....	5	13	7	1
Michigan*.....	78	70	17	.....	.....	4	11	.....
Minnesota.....	.....	.....	.....	.....	.....	.....	.....	.....
New Hampshire.....	6	1	.....	.....	1	3	3	.....
New York.....	43	.....	11	.....	12	20	.....	5
North Carolina†.....	.....	.....	.....	.....	.....	.....	.....	.....
Ohio.....	115	57	4	57	.....	35	37	3
Rhode Island.....	.....	.....	2	.....	.....	.....	.....	.....
Vermont.....	1	.....	.....	.....	.....	.....	.....	1
Wisconsin.....	30	22	3	3	1	5	23	.....

* Figures for 1890 include first six months; last six months included in 1891.

† Statistics for two years ending 1892 show: 154 homicides; 63 convictions; 53 acquittals; 33 nol. pros.

TABLE NO. 5.

STATE OF NEW YORK,
OFFICE OF THE SUPERINTENDENT OF STATE PRISONS,
Albany, N. Y., January 2, 1894.

This is to certify that the statement on the reverse side of this sheet was compiled from reports made to this department by the clerks of the several counties.

FRED'K H. DUEL,
Stenographer, Office Superintendent of State Prisons.

Statement showing the number of executions in capital cases that have taken place in the several counties of the State of New York since its organization.

County.	Execu- tions.	County.	Execu- tions.	County.	Execu- tions.
Albany	No report.	Jefferson	2	St. Lawrence	4
Allegany	1	Kings	No report.	Saratoga	2
Broome	2	Lewis	1	Schenectady	1
Cattaraugus	2	Livingston	3	Schoharie	3
Cayuga	8	Madison	5	Schuyler	0
Chautauqua	3	Monroe	7	Seneca	3
Chemung	3	Montgomery	11	Steuben	3
Chenango	2	New York	44	Suffolk	0
Clinton	8	Niagara	1	Sullivan	5
Columbia	5	Oneida	6	Tioga	1
Cortland	1	Onondaga	4	Tompkins	3
Delaware	2	Ontario	2	Ulster	1
Dutchess	4	Orange	6	Warren	0
Erie	19	Orleans	1	Washington	3
Essex	No report.	Oswego	1	Wayne	1
Franklin	3	Otsego	2	Westchester	8
Fulton	1	Putnam	1	Wyoming	2
Genesee	7	Queens	5	Yates	0
Greene	4	Rensselaer	9		
Hamilton	1	Richmond	2		
Herkimer	1	Rockland	0	Total	230

There have been 20 electrical executions in this State that are not included in this statement.

FOREIGN COUNTRIES.

A list of offenses for which the death penalty may be inflicted under the civil laws of the United States was sent, through the State Department, to the representatives of the United States at foreign courts, with the request that they ascertain from the several Governments to which they are accredited the punishments inflicted for the same offenses in those countries. The following is an abstract of the replies received:

Argentine Republic.—One: Treason (for principal leaders, functionaries of superior order, and chiefs of the army or national guard). One, conditionally: Piracy (when vessel was boarded or fired upon, when accompanied by homicide or mutilation of persons captured, or when attended by violation, rape, or other grave crimes, or when persons are abandoned without the means of saving themselves.

Austria-Hungary.—Six: 1, murder; 2, murder on high seas; 3, piracy; 4, robbery on high seas; 5, piracy by subjects or citizens of foreign states; 6, treason. Two, conditionally: 1, arson of dwelling house within fort; 2, arson of vessel of war.

Belgium.—The penalty of death has not been abolished in Belgium, but since 1866 it has not been executed. In order to permit one to appreciate the results the following statistics are given: For the period from 1831 to 1890 in the first thirty-five years there were 321 capital condemnations, which was at the rate of 9.17 per year. In the twenty-five years following the cessation of executions there were 201, which was at the rate of 8.004, showing a decrease of 1.1696.

Brazil.—Capital punishment has been abolished for all crimes and no increase has been noted in criminal statistics.

Chile.—One: Murder of relatives in the ascending or descending line or of married partner. Three, conditionally: 1, murder of those not relatives; 2, piracy; 3, treason.

China.—Six: 1, murder; 2, murder on high seas; 3, rape; 4, piracy; 5, act of hostility against Government; 6, treason. Five, conditionally: 1, maliciously strik-

ing, etc.; 2, robbery on high seas; 3, robbery on shore by crew of piratical vessel; 4, arson of dwelling house within fort; 5, arson of vessel of war.

Colombia.—Five, conditionally: 1, murder; 2, murder on high seas; 3, piracy; 4, piracy by subjects of foreign state; 5, treason.

Where capital punishment has been abolished there has been a marked increase of atrocious crimes.

Costa Rica.—The results of the abolition of capital punishment for all offenses in Costa Rica are considered very favorable, thus confirming public sentiment against capital punishment.

Denmark.—One: Murder. Two, conditionally: 1, rape; 2, piracy.

Ecuador.—Four: 1, murder; 2, murder on high seas; 3, arson of vessel of war; 4, treason. Six, conditionally: 1, piracy; 2, robbery on high seas; 3, piracy by subjects of foreign state; 4, piracy in confining negroes; 5, piracy in seizing negroes; 6, arson of dwelling house within fort.

The death penalty was abolished from 1878 to 1883, during which time the increase of crime was considerable.

France. Seven: 1, murder; 2, murder on high seas; 3, piracy; 4, robbery on high seas; 5, arson of dwelling house within fort; 6, arson of vessel of war; 7, treason. Seven, conditionally: 1, maliciously striking, etc.; 2, owner destroying vessel at sea; 3, other person destroying vessel at sea; 4, seaman laying hands on commander; 5, robbery on high seas; 6, act of hostility against Government; 7, piracy by subjects of foreign nations.

Germany.—Two: 1, murder; 2, murder on high seas. Five, conditionally: 1, owner destroying vessel at sea; 2, other person destroying vessel at sea; 3, arson of dwelling house within fort; 4, arson of vessel of war; 5, treason.

Great Britain.—The only offenses for which the sentence of death can now be inflicted are high treason, murder, piracy with violence, and the burning of ships of war, dockyards, and arsenals. Practically the punishment of death is confined to murder. The others rarely occur, and there has been no execution for any of them for a long period of years.

Greece.—1, murder; 2, murder on high seas; 3, maliciously striking, etc.; 4, treason.

Guatemala.—The penalty of death is abolished for common crimes, but, having been done recently, can not estimate results.

Haiti.—Ten: 1, owner destroying vessel at sea; 2, other person destroying vessel at sea; 3, act of piracy by international law; 4, seaman laying violent hands on commander; 5, robbery by crew of piratical vessel; 6, act of hostility against Government, etc.; 7, act of piracy by citizens or subjects of foreign power; 8, arson within fort; 9, arson of vessel of war; 10, treason.

The constitution of 1879 abolished the death penalty for political matters. It has been admitted that the death penalty in political matters to-day appeals only to passions and ideas, and that punishments have never modified ideas or disarmed passions; that the circumstances of political ardor suppose more audacity than perversity, more fanaticism than corruption, and imprisonment for life has seemed to suffice the end proposed by society, which is to assure its safety. Since the period of said abolition political crimes have not been more frequent.

Hawaii.—Three: 1, murder; 2, murder on high seas; 3, maliciously striking, etc. Four, conditionally: 1, rape; 2, destroying vessel at sea; 3, owner destroying vessel at sea; 4, treason.

Holland.—There has been no increase of crime since the abolition of the death penalty.

Honduras.—One: Treason. Eleven, conditionally: 1, murder; 2, murder on high seas; 3, piracy; 4, robbery on high seas; 5, robbery on shore by crew of piratical vessel; 6, act of hostility against Government; 7, piracy by subjects of foreign state; 8, piracy in detaining negroes; 9, piracy in seizing negroes; 10, arson of dwelling house within fort; 11, arson of vessel of war.

Italy.—Since the abolition of the death penalty by the new common penal code, which went into force January 1, 1890, the results obtained up to this present time have fully realized the expectations cherished by Parliament, by public opinion, and by students of criminal matters; that is to say, social security has not been disturbed or diminished by it, and consequently the conditions of high criminality have not been rendered worse.

Japan.—Five: 1, murder; 2, murder on high seas; 3, arson of dwelling house within fort; 4, arson of vessel of war; 5, treason. Crimes for which the punishment of death has been abolished have not apparently increased or diminished.

Corra.—Four: 1, murder; 2, murder on high seas; 3, rape; 4, treason.

Liberia.—Two: 1, murder; 2, treason. Two, conditionally: 1, maliciously striking, etc.; 2, seaman laying violent hands on commander.

Mexico.—Two: 1, murder; 2, piracy. One, conditionally: Treason.

Norway.—Eleven, conditionally: 1, murder; 2, murder on high seas; 3, rape; 4, owner destroying vessel at sea; 5, other person destroying vessel at sea; 6, piracy;

7, robbery on high seas; 8, robbery on shore by crew of piratical vessel; 9, arson of dwelling house within fort; 10, arson of vessel of war; 11, treason. Since 1874 it is made discretionary with the courts to impose the punishment of death or hard labor for life, since which time a majority of the latter sentences have been imposed, and no bad consequences, so far as public safety is concerned, have been observed as a result.

Persia.—Eight, conditionally: 1, murder; 2, murder on high seas; 3, rape; 4, destroying vessel at sea; 5, piracy; 6, robbery on high seas; 7, robbery on shore by crew of piratical vessel; 8, treason.

Peru.—Two: 1, murder; 2, murder on high seas. The death penalty was abolished by the constitution of 1856 and reestablished in 1860. The statistics of crimes and the statements of criminal trials have not shown any appreciable difference between the epoch in which the death penalty was abolished and that of its reestablishment.

Portugal.—The death penalty was abolished by the law of the 1st of July, 1867, and the number of homicides to which this penalty was applied has diminished during the succeeding years.

Russia.—The death penalty was abolished in Russia as to all ordinary, nonpolitical, offenses in 1753; and its abolition has not caused any increase in the number of those offenses.

Siam.—Two: 1, murder; 2, murder on high seas. Six, conditionally: 1, maliciously striking, etc.; 2, piracy; 3, seaman laying violent hands on commander; 4, robbery on shore by crew of piratical vessel; 5, piracy by subjects of foreign state; arson of vessel of war.

Spain.—Two: Act of hostility against Government, etc. (death for leader); 2, treason. Six, conditionally: 1, murder; 2, maliciously striking, etc.; 3, robbery, if accompanied by homicide; 4, destroying vessel at sea; 5, seaman laying violent hands on commander; 6, robbery on high seas, if accompanied by homicide.

Sweden.—Three, conditionally: 1, murder; 2, murder on high seas; 3, treason.

Switzerland.—Since 1874 capital punishment has been abolished in 15 Cantons. It has been the punishment for murder since 1879 in 7 Cantons. No other crime punishable with death.

Turkey.—Seven: 1, murder; 2, murder on high seas; 3, owner destroying vessel at sea; 4, other person, same; 5, arson dwelling house within fort; 6, arson of vessel of war; 7, treason.

Venezuela.—The death penalty was abolished by the Liberal constitution of 1864,

BIBLIOGRAPHY.

[“A” indicates books and articles against capital punishment. “F” indicates those in favor of it.]

- Abercrombie*, James, M. P. Speech in House of Commons, March 29, 1811, on the Bill to Abolish the Punishment of Death. Hansard's Parliamentary Debates, 1st series, vol. 19, page 652. (A)
- Adams*, John Quincy. Memoirs, vol. 9, p. 259. Lippincott, Phila., 1876.
- Adams*, W. H. Davenport. Pains and Penalties. Gentleman's Magazine, April and May, 1891.
- Akerman*, John Y. Laws and Capital Punishments in the Middle Ages. Lond., 1860.
- American Almanac*. 1836. Statistics of Crime in France. 1837. Statistics of Crime in England, Wales, and Scotland.
- American Biblical Repository*. Vol. 10, July, 1843. Punishment, its Nature and Design. (F)
- Amos*, Sheldon. Civilization and Crime. Fortnightly Review, vol. 2, page 319. 1865.
- Andover Review*. Vol. 13, Feb., April, June, and Aug., 1890. Outline Course of Study in Crime and the Criminal Classes.
- Andrew*, Gov. J. A. Addresses to Legislature of Massachusetts, Jan., 1861-1862. (A)
- Anstruther*, Sir John. Speech in House of Commons on Bill to Abolish the Punishment of Death. Hansard's Parliamentary Debates, 1st series, vol. 19, page 648. (A)
- Armitage*, Rev. Robert. Essay on Capital Punishment. Penscellwood Papers, vol. 2. Bentley, Lond., 1846. (A)
- Armstrong*, Rev. Lebbeus. The Signs of the Times. Ten Lectures Opposing the Abolition of Capital Punishment. Carter, N. Y., 1848. (F)
- Origin, Tendencies, etc., of the efforts for the Abolition of Capital Punishment. New York, 1848. (F)
- Ashworth*, Henry. Capital Punishments and Their Influence on Crime. Manchester, 1861.
- Baker*, T. B. L. War with Crime. Longmans, Lond., 1889.

- Baldwin*, Simeon E. How to Deal with Habitual Criminals. Journal Statistical Society, vol. 22, Sept. 9, 1886.
- Bascom*, H. B., Pres't Transylvania Uni. Capital Punishment. Quarterly Review. Louisville, Ky., Oct., 1848. (A)
- Batcheler*, Geo., chairman. Report of Select Committee upon the subject of Capital Punishment made to Assembly of New York, April 14, 1859. Assembly Doc. No. 42. (A)
- Beccaria*, Cesare, Marchese di. An Essay on Crimes and Punishments, with a Commentary attributed to Voltaire. Newbury, Lond., 1785. (A)
- Beggs*, Thomas. Testimony before Capital Punishment Commission. March 3, 1865. (A)
- Bentham*, Jeremy. Principles of Penal Law. In his Works, Vol. 1. Wm. Tait. Edin., 1843. (A)
- Bentley's Miscellany*. Capital Punishment. Aug., 1864. (A)
- Berry*, James, Official Executioner. Experiences as an Executioner. Percy, Lond., 1891. (A)
- Bicheno*, J. E. Observations on the Philosophy of Criminal Jurisprudence. Printed for R. Hunter, Lond., 1819. (A)
- Billson*, Wm. W. Origin of Criminal Law. Pop. Sci. Mo., Vol. 16, p. 433, 1880.
- Bird*, F. W., Chairman. Report to the House of Representatives of Massachusetts on the petition of Wendell Phillips and others for the abolition of Capital Punishment. April 27, 1848. House Doc., No. 196. (A)
- Blackstone*, Sir William. Commentaries on the English Law. Book IV, pages 9, 18, 236, 376, 413, and 441. Lond., 1783. (A)
- Blackwood's Magazine*. June, 1830. On the Punishment of Death. (A)
- Vol. 3. Cautionary Hints to Speculators on the Increase of Crime.
- Vol. 55. May, 1844. Increase of Crime.
- Vol. 56, p. 1. Causes of the Increase of Crime.
- Vol. 58. On Punishment. (F)
- Vol. 60. Dec., 1846. The Law of Punishments.
- Blanc*, Louis. 1848. Historical Revelations. Chapman & Hall, Lond., 1858. (A)
- Bleyer*, J. M. Scientific Methods of Capital Punishment. New York, 1887.
- Blue Laws*. The Connecticut Code of 1650. Judd, Loomis & Co., Hartford, 1836. (F)
- Boardman*, Rev. Geo. Dana. University Lectures on the Ten Commandments. American Baptist Publication Society. Phila., 1889. (A)
- Borelli*, G., and *Zambianchi*, A. Sulla Pena di Morte nelle sui Relazioni colla Fisiologia e col Diritto. Torino, 1854.
- Bovee*, Marvin H. Reasons for Abolishing Capital Punishment. Lakeside Printing Co., Chicago, 1875. (A)
- Bowles*, Wm. Lisle. On the Increase of Crime. Pamphleteer, Lond., 1819. (A)
- Bradford*, William. An Inquiry how far the Punishment of Death is necessary in Pennsylvania. Phila., 1795. (A)
- Bright*, John. Report of Capital Punishment Commission, Jan. 8, 1866, recommending the total abolition of Capital Punishment. (A)
- Speech in House of Commons. Hansard's Parl. Debates, 3d series, vol. 174, p. 2092. (A)
- Brinkerhoff*, John L., and others. Majority Report of Select Committee on the Abolition of Capital Punishment. New York Assembly Document. March 1, 1848. No. 133. (F)
- Broglic*, A. C. L. V., Duc de. Sur la Peine de Mort. (A)
- Brougham*, Henry, Lord. Bentham and his Theory of Punishments. Contributions, vol. 3, pp. 112-125. Lond., 1856. (A)
- Browne*, J. W. Cannibalism, the Crime Prohibited in Genesis IX. Bost., 1846. (A)
- Bunn*, Henry. Capital Punishment. Hunt & Son, Birmingham, 1840.
- Burleigh*, Chas. C. Thoughts on the Death Penalty. Phila., 1845. (A)
- Burr*, Rev. Chas. C. Review of Dr. Berg's Discourse on Capital Punishment. New York, 1845.
- Buxton*, Thos. Fowell. Speech on Sir James Mackintosh's motion for a committee on the criminal law, March 2, 1819. Hansard's Parl. Debates, 1st series, vol. 39, page 806. (A)
- Byron*, Lord. Speech in House of Lords on Frame-works Bill, Feb. 27, 1817. Hansard's Parliamentary Debates, 1st series, vol. 20, page 966. (A)
- Cæsar*, Julius Cæus. Speech against inflicting the Penalty of Death upon the Catiline Conspirators, in the Roman Senate, Dec. 5, 63 B. C. Sallust's "Conspiracy of Catiline." (A)
- Caldwell*, Charles, M. D. Thoughts on the Impolicy and Injustice of Capital Punishment. Louisville, Ky., 1818. (A)
- Calvin*, John. Civil Government. Chap. 20, 4th vol. Institutes of the Christian Religion. P. H. Micklin, Phila., 1816.

- Campbell*, Rev. Alexander. Capital Punishment. Popular Lectures and Addresses. John Burns, St. Louis, 1861. (F)
- Capital Punishment Commission*. Reports to both Houses of Parliament. Lond., 1819, 1834, 1866.
- Capital Punishment*. Chambers's Encyclopædia, Vol. 2, Lond., 1891. (A)
- Capital Punishment*. American Encyclopædia, Vol. 3, p. 754.
- Capital Punishment*. Report of Select Committee of House of Commons to take into consideration the present mode of carrying into effect Capital Punishment. July 7, 1856. Reports from Committees, Vol. 7, 1856.
- Capital Punishment*. An Argument Against. By a Gentleman of the Bar. James Kelley, Doylestown, Pa., 1834. (A)
- Capital Punishment*. From a Utilitarian Point of View. By a Barrister. London, 1879.
- Carmignani*, Giovanni, Review of Teoria delle Leggi della Sicurezza Sociale. Monthly Review, Vol. 131. July, 1863. (A)
- Carson*, Dr. James C. L. Capital Punishment: is murder legalized? Houlston & Sons, Lond., 1877. (A)
- Cartwright*, Capt. Henry. Examination before the Capital Punishment Commission of July 8, 1864. March 4, 1865. (A)
- Catherine II*, Empress of Russia. "We must punish crime without imitating it; the punishment of death is rarely anything but a useless barbarity." Death penalty abolished for all offenses except treason by penal code of 1768. (A)
- Chambers's Journal*. Vol. 31, Feb., 1859. Punishments in Good Old Times. Vol. 15, June, 1874. Derisive Punishments.
- Chapin*, Rev. Edwin H. Three Discourses on Capital Punishment. Temple Office, Bost., 1843. (A)
- Capital Punishment not commanded by God. Prisoner's Friend, Boston, 1850. (A)
- Cheddeu*, Emile, of France. Examination before the Capital Punishment Commission of July 8, 1864. March 11, 1865. (A)
- Cheever*, Rev. Geo. B. Defence of Capital Punishment. Wiley, New York, 1846. (F)
- Punishment by Death. New York, 1849. (F)
- The Death Penalty. North American Review, Dec., 1881. (F)
- Christian Quarterly Spectator*. Sept., 1830. On Penal Law. (F)
- Christmas*, Rev. Henry. Capital Punishment unsanctioned by the Gospel, and unnecessary in a Christian State. Letter to Sir John Page Wood. Smith & Elder, Lond., 1846. (A)
- Cicero*, Marcus Tullius. Speech in defence of Caius Robirius. Oration. C. D. Young's trans. 2d vol. Bohn, Lond., 1852.
- Clark*, John. Criticism Criticised. On the Punishment of Death. Eclectic Review, vol. 91. Feb., 1850. (A)
- Cogswell*, Rev. Jonathan. On the necessity of Capital Punishment. Hartford, Conn., 1843. (F)
- Coke*, Sir Edward. Epilogue to Third Institute. E. & R. Brooke, Lond., 1794. (A)
- Colquhoun*, P., LL. D. Police of the Metropolis. Baldwin, Lond., 1800.
- Testimony before the Select Committee on Criminal Law. Lond., 1819. (A)
- Combe*, Geo. Capital Punishment, or, the proper treatment of criminals. Wells, Delaware, Ohio.
- Copinger*, Walter A. An Essay on the Abolition of Capital Punishment. Lond., 1875. (A)
- Cortina*, C. A. Cesare Lombroso et le nuove Dottrina positiviste in Rapporto al Diritto Penale. Torino, 1888.
- Cottu*, Judge Chas. On the Administration of the Criminal Code in England. Pamphleteer, vol. 16. Lond., 1820.
- Criminal Laws*. Report of Select Committee on, to House of Commons. Lond., 1819.
- Criminal Law Commission*. Great Britain. Reports, 1836, 1837, 1839, 1840, 1841, 1843, 1845.
- Curtis*, Gen. N. M. Speech in Assembly, Albany, N. Y., March 26, 1890, on Bill to Abolish Capital Punishment. Assembly Doc. No. 79. (A)
- Speech on Bill to Define the Crime of Murder, Provide Penalty Therefor, and to Abolish the Punishment of Death. House of Representatives, Washington, D. C., June 9, 1892. (A)
- Daritt*, Michael. Leaves From a Prison Diary. Chapman & Hall, Lond., 1885.
- Daves*, Matthew. Essay on Crimes and Punishments. Lond., 1782.
- De Mauley*, C. F. A. C. P., Lord. Crimes, Criminals, and Punishments. Macmillan's, vol. 29. Dec., 1873. (A)
- Dees*, Robert R. The Inexpediency of Capital Punishment. Finlay & Charlton, Newcastle-upon-Tyne, 1835. (A)

- Democratic Review*. Vol. 10. March, 1842. Criticism of Wordsworth's Sonnets on the Punishment of Death. (A)
 Vol. 12. March, 1843. The Gallows and the Gospel. (A)
 Vol. 12. April, 1843. Capital Punishment. (A)
 Vol. 19. Aug., 1846. The Ground and Reason of Punishment. Review of Cheever & Lewis. (A)
 Vol. 20. Jan., 1847. Capital Punishment. (A)
 Jan., 1847. The Rationale of Crime. (A)
 March, 1847. Capital Punishment. (A)
 April, 1847. Capital Punishment. (A)
 Vol. 22. March, 1848. The Influence of Penal Laws. (A)
- Denman*, George, M. P. Testimony before Capital Punishment Commission. Dec. 1, 1864. (A)
- Dole*, Benj. F. An Examination of Mr. Rantoul's Report for the Abolition of Capital Punishment. Bost., 1837. (F)
- Dublin Review*. Vol. 28. June, 1850. The Government Criminal Returns, &c.
- Du Cane*, Sir Edmund F. The Punishment and Prevention of Crime. Macmillan, Lond., 1885.
- Dugdale*, Richard L. "The Jukes." Putnam, N. Y. and Lond., 1883.
- Dugdale*, Sir Wm. Punishments in Criminal Cases. Lond., 1866.
- Dunphy*, Thos., and Thos. J. Cummins. The Gallows, Prison, and Poorhouse. 1856. (A)
- Dwight*, W. T. Discourses on Capital Punishment. Portland, 1843. (F)
- Dymond*, Alfred H. The Law on its Trial. Lond., 1865. (A)
- Dymond*, Jonathan. Essays on the Principles of Morality. Lond., 1880. (A)
- Eclectic Review*. Vol. 27. 1818. On Capital Punishments. (A)
 Vol. 29. 1819. On Capital Punishments. (A)
 Vol. 30. 1819. On the Criminal Law. (A)
 Vol. 39. May, 1824. The Criminal Law of France. (A)
 Vol. 55. 1832. Increases and Causes of Crime. (A)
 Vol. 69. 1839. Criminal Law Reform. (A)
 Vol. 85. 1847. The characteristics of crime. (A)
 Vol. 87. 1848. The Punishment of Death. (A)
 Vol. 88. 1848. The Punishment of Death. (A)
 Vol. 90. 1849. The Punishment of Death. (A)
 Vol. 91. 1850. The Punishment of Death. (A)
- Eden*, W., Lord Auckland. Penal Law. Dublin, 1772. (A)
- Edinburgh Review*. July, 1821. "Capital Punishment."
 Feb., 1812. Vol. 19. Review of Romilly. (A)
 Jan., 1825. Criminal Law of Scotland. (A)
 Dec., 1828. Vol. 48. Causes and Prevention of Crime. (A)
 Jan., 1831. Capital Punishment for Forgery. (A)
 Sept., 1831. Vol. 54. Review of Rossi on the Criminal Law. (A)
 Oct., 1847. Vol. 86. Prevention of Crime. (A)
 Jan., 1865. Vol. 121. Criminal Law Reform. (A)
 Oct., 1879. Vol. 150. The Code of Criminal Law. (A)
- Elder*, William. Capital Punishment. Essays, N. Y., 1854. Pp. 330-340. (A)
- Elizabeth*, Empress of Russia. "Experience demonstrates that Capital Punishments never yet made men better." She prohibited the infliction of the death penalty during her reign, 1758. (A)
- Elkington*, J. A. Lecture on Capital Punishment. Philadelphia, 1841.
- Ellis*, Havelock. The Criminal. Scribner & W., N. Y., 1890.
- Ewart*, Wm., M. P. Speech on Bill to abolish Capital Punishment. Hansard's Parliamentary Debates, vol. 22, p. 79, 1834. (A)
- Ewart*, William. Minority Report of Capital Punishment Commission, Jan. 8, 1866, recommending the total abolition of capital punishment. Parly Papers, Lond., 1866. (A)
- Fairchild*, Jas. H. Moral Science. Pt. 2, 1st Div., Chapter 5. Capital Punishment. (F)
- Farrer*, James A. Crimes and Punishments. Lond., 1881. (A)
- Fine*, John. Speech in senate of New York on his bill to lessen the severity of criminal punishment, Feb. 6, 1849. Prisoner's Friend, Bost., 1849. (A)
- Foot*, Dr. E., Chairman. Report of Committee to Eclectic Medical Society of the State of New York, March 30, 1892. (A)
- Foreign Quarterly Review*. July, 1840. The Punishment of Death. (F)
- Foulhouse*, J. Inquiry respecting the Abolition of Capital Punishment. Phila., 1842. (A)
- Frankland*, William. Speech in House of Commons on Bill making alteration in the Criminal Law, March 29, 1811. Hansard's Parliamentary Debates, 1st Series, Vol. 19, p. 615. (F)

- Franklin, Benjamin.* On the Criminal Laws. Letter to Benj. Vaughan, from Passy, March 14, 1785. Works, Vol. 2, page 478. Hilliard, Gray & Co., Boston, 1836. (A)
- Fraser's Magazine.* June, 1864. Capital Punishments. (F)
Vol. 20, Dec., 1839. Some thoughts on the connection of crime and punishment. (F)
- Fredur, Thor.* Sketches from Shady Places. Smith & Elder, Lond., 1879.
- Fry, Elizabeth.* Observations on the Visiting, Superintending, and Government of Female Prisons. Jno. & Arthur Arch, Lond., 1827. (A)
- Fuller, Margaret.* Life Without and Within. Page 199. N. Y., 1860. (A)
- Fyfe, J. Hamilton.* The Spur or the Bridle? Some thoughts on Crime and Criminals. Good Words, Vol. 4, 1863. (A)
- Gaol Cradle, The.* Dalby, Isbister & Co., Lond., 1876.
- George, Isaac.* Report of Select Committee on Bill and Petition for the abolition of Capital Punishment, made to the New York Assembly, March 16, 1857. Assembly Doc. No. 170. (A)
- Gibbon, Edward.* Roman Jurisprudence. Chap. 44, Vol. 5. History of the Decline and Fall of the Roman Empire, 8 vols. Longman, Lond., 1848.
- Gibbons, James, Cardinal.* Our Christian Heritage. Chapter 35. The Dangers that threaten our American Civilization. John Murphy & Co., Baltimore, 1889.
- Gilpin, Chas.* The Cross and the Gibbet. Howitt's Journal, Sept. 25, 1847. (A)
- Goodwin, Daniel R.* Capital Punishment. Bibliotheca Sacra, Vol. 4, 1847, pages 270 and 435. (F)
- Gould, John Stanton, Chairman.* Report of Select Committee on Capital Punishment, made to New York Assembly, March 5, 1847. Assembly Doc. No. 95. (A)
- Grayson, W. S.* Capital Punishment. Southern Literary Messenger, Dec., 1861. (A)
- Greeley, Horace.* Death by Human Law. Hints Toward Reform, page 301. Harper, N. Y., 1850. (A)
- Green, Sanford M.* Crime, its nature, causes, treatment, and prevention. Lippincott, Phila., 1889. (A)
- Greenleaf, Simon.* Laws of Evidence. Chap. 12, "Confessions." Little, Brown & Co., Bost., 1892.
- Greenville, Wm. W., Lord.* Speech in House of Lords on bill for the abolition of death penalty, April 2, 1813. Hansard's Parliamentary Debates, Vol. 25, page 526. (A)
- Grey, Charles, Earl.* Speech in House of Lords on bill for the abolition of the Punishment of Death. April 2, 1813. Hansard's Parliamentary Debates, Vol. 25, page 526. (A)
- Griffith, Major Arthur.* Memorials of Millbank, and chapters on Prison History. King & Co., Lond., 1875.
- Chronicles of Newgate. Scribner & W., N. Y., 1884.
- Grose, Francis, F. A. S.* On the Criminal Laws of England. In "Olio." Hooper & Wigstead, Lond., 1796. (A)
- Grotius, Hugo.* Of Punishments. The Rights of War and Peace; Book 2, Chap. 20. Cambridge, 1853.
- Guizot, François.* De la Peine de Mort en Matière politique. Paris, 1829. (A)
- Hale, Geo. W.* Police and Prison Cyclopedia. Cambridge, Riverside Press, 1892.
- Hand, Samuel.* The Death Penalty. North American Review, Dec., 1881. (F)
- Harmer, Alderman James.* Testimony before select committee on criminal laws. London, 1819. (A)
- Hart, Hastings H.* The Reformation of Criminals. Bibliotheca Sacra, Vol. 47, Oct., 1890. (A)
- Hartshorn, A.* Hanging in Chains. Unwin, Lond., 1891.
- Hayward, A.* Historical Sketch of Reforms in the Criminal Law. Judicial Tracts, pp. 66, 95. Law Magazine, Feb., 1835. (A)
- Hélin, Faustin.* The Death Penalty. Lalor's Cyclopedia of Political Science, Vol. 1. Chicago, 1881. (A)
- Hibbert, J. T., M. P.* Speech on motion to bring in bill permitting capital punishments to be carried out within the interior of prisons, March 6, 1866. Hansard's Parl. Debates, 3d series, Vol. 181. (A)
- Hill, Frederic.* Crime, its amount, causes, and remedies. John Murray, Lond., 1853. (A)
- The Substitute for Capital Punishment. London, 1866. (A)
- Hill, Matthew Davenport.* Suggestions for the Repression of Crime. Lond., 1857. (A)
- Hobart, S. C., Lord.* On Capital Punishment for Murder. Parker, Son & Bourie, Lond., 1881. (A)
- Hobbes, Thomas.* Of Punishment and Rewards. Vol. 3. Chap. 28. John Bohn, Lond., 1839. (A)

- Holland*, H. R. V. Fox, Lord. Speech in the House of Lords on Sir Samuel Romilly's bill for abolishing the punishment of death for privately stealing to the amount of five shillings from a shop, April 2, 1813. Hansard's Parliamentary Debates, 1st series, vol. 25, p. 524. (A)
- Holzendorf*, Franz von. Die Todesstrafe. Berlin, 1875. (A)
- Hooker*, Rev. Richard. Mutability of Laws. Sec. 10, Book 3, Vol. 1, Ecclesiastical Polity, 3 vols. Holdsworth, Lond., 1830.
- Hope*, Alex. Jas. B. Essay on Nature and the Extent of Punishment. F. & J. Rivington, Lond., 1844.
- Horsley*, Rev. John W. Jottings from Jail. Lond., 1887.
- *Hours at Home*. Vol. 8, April, 1869. Punishment, its meaning and ground. Vol. 10, Nov., 1869. Crime and its Punishment in the East.
- Howard Association*. A Dangerous Penalty. Capital Punishment. Lond., 1834. (A)
- The Modern Jews on Capital Punishment. From Jewish World, Lond., 1877. With letter of John Bright. (A)
- London, American, and European Criminality and Pauperism. Lond., 1888. (A)
- The Bible and Capital Punishment. (A)
- Countries where capital punishment has been abolished.
- Hoyle*, William. Crimes in England and Wales in the 19th Century. Lond., 1876. Effingham, Wilson & Co.
- Hubbard*, G. W. Capital Punishment. New Vienna, O., 1875. (A)
- Hughes*, Hughes, M. P. Speech on bill to abolish capital punishment. Hansard's Parl. Debates, vol. 22, page 722, 1834. (A)
- Hugo*, Victor. The last days of a condemned. With observations on capital punishment, by Sir Hesketh Fleetwood, M. P. Smith, Elder & Co., Lond., 1840. (A)
- Les Misérables. (A)
- Speech in the court of assizes, Paris, June 10, 1851. (A)
- Ingersoll*, Robt. G. Crime against criminals. Address, New York Bar Association, Albany. Proceedings of N. Y. Bar Association, 1890. (A)
- Innes*, Frederic Mitland. Secondary Punishments. John Oliver. London, 1841. (A)
- Jackson*, R. Considerations on the Increase of Crime. Pamphleteer, vol. 29, 1828. (A)
- Jacobi*, Dr. A., chairman. Report of committee on capital punishment to the Medical Society of the State of New York, Feb., 1892. (A)
- Jefferson*, Thomas. Writings, vol. 1, pages 43-47. Note E, pages 145-162. Taylor & Maury, Washington, 1853. (A)
- Jerome*, Chas. T. The Death Penalty. Potter's American Monthly, Feb., 1882. (A)
- Jessop*, Rev. John. Examination before the Capital Punishment Commission of July 8, 1864. Feb. 24, 1865. (A)
- Jevons*, Thomas. Remarks on Criminal Law. Morton, Adams & Co., Lond., 1834. (A)
- Johnson*, Dr. Samuel. Rambler, No. 114, vol. 2. Lond., 1823. (A)
- Johnson's Encyclopædia*. Article on Capital Punishment, vol. 2. New York, 1891.
- Judaus*, Philo. The Law Concerning Murderers. Works, vol. 3. 4 vols., Henry G. Bohm, Lond., 1855.
- Kent*, Chancellor James. Commentaries on American Law. Vol. 1, p. 614. 4 vols. Wm. Kent, N. Y., 1854. (A)
- Kingsmill*, Joseph. Prisons and Prisoners. Longman, Lond., 1852.
- Kropotkine*, P. In Russian and French Prisons. Ward & Downey, Lond., 1887.
- Lafayette*, General. Speech in French Chamber of Deputies favoring the abolition of capital punishment. (A)
- Lake*, Rev. E. H. Objections to Capital Punishment. Second edition. Haverhill, Mass, 1844. (A)
- Lamartine*, Alphonse M. L. Sur l'Abolition de la Peine de Mort. Discours Prononcé a l'Hotel de Ville de Paris, le 18 Avril, 1836. (A)
- Sur l'Abolition de la Peine de Mort. Discours Prononcé à l'Hotel de Ville de Paris, le 17 Avril, 1837. (A)
- Sur l'Abolition de la Peine de Mort. Réponse à M. Parès dans la Séance du 18 Mars 1838. (A)
- Lathrop*, Rev. S. G. Crime and Punishment. Joliet, Ill., 1866.
- Lawson*, John A., Atty. General for Ireland. Testimony before Capital Punishment Commission. March 11, 1865. (A)
- Leisure Hours*. Vol. 13, p. 742. Old English Modes of Punishment.
- Lennard*, Thos. B., M. P. Speech on bill to abolish capital punishment. Hansard's Parl. Debates, vol. 22, page 720. 1834. (A)
- Leopold*, Grand Duke of Tuscany. Edict for the Reformation of the Criminal Law, 30th November, 1786. W. Ayres, Warrington, 1789. (A)
- Lewis*, Dr. E. Park. Resolutions adopted by Homeopathic Medical Society, State of New York, February, 1891. (A)

- Living Age*. Vol. 143. November, 1879. The Criminal Code of the Jews.
- Livingston*, Edward. System of Penal Law for the State of Louisiana. James Kay, Phila., 1833. (A)
- Reports of, to the senate and house of representatives of Louisiana, in assembly, N. O., 1822. (A)
- Remarks in U. S. Senate on introducing bill to abolish capital punishment. March 3, 1831. (A)
- Lombroso*, Cesare. L'Anthropologie Criminelle et ses recents Progrès 2^e èd. Paris, 1891. (A)
- London Quarterly*. Vol. 8. April, 1857. Crime and Criminal Law in France.
- Longfellow*, H. W. "The Ropewalk." Houghton, Mifflin & Co., Bost., 1887. (A)
- Lushington*, Stephen. Speech at Exeter Hall on the resolution relating to the punishment of death. Lond., 1831. (A)
- Report of Capital Punishment Commission, Jan. 8, 1866, recommending the total abolition of capital punishment. (A)
- Lytton*, E. Bulwer, Lord. Paul Clifford. (A)
- Macaulay*, T. B., Lord. Indian Law Commission. Of punishments. Ch. 2 and Note A. Penal Code for India. Calcutta, 1837. (A)
- McDonald*, James, M. P. Speech in House of Commons, March 29, 1811, on bill to abolish punishment of death. Hansard's Parliamentary Debates, 1st series, vol. 19, page 650. (A)
- Mackintosh*, Sir James. Charge delivered to grand jury in Island of Bombay, July 20, 1811. Mis. Works, 3d vol. (A)
- Speech on moving for a committee to inquire into the state of the criminal law, March 2, 1819. Mis. Works, vol. 3. Longman, Lond., 1846. (A)
- McKnight*, Geo. H. The death penalty. The Churchman, June 23, 1892. (A)
- Madan*, Dr. Martin. Thoughts on executive justice. Lond., 1784. (F)
- Mainwaring*, George Poulton, esq. Testimony before the select committee on criminal law. Lond., 1819. (A)
- Madison*, James. Writings, vol. 3, page 642. Letter to G. F. H. Crockett, Nov. 6, 1823. See also vol. 1, page 189. Lippincott, Phila., 1865. (A)
- Manning*, Rev. L. W. The death penalty treats human nature with contempt. Prisoner's Friend, Bost., 1849. (A)
- Mason*, Hon. Chas. Moral treatment of the criminal. Prisoner's Friend. Bost., 1819. (A)
- Maude*, W. C. Shall we abolish the death penalty for murder? The Month, Feb., 1889. (F)
- Meredith*, Sir William. Punishment of death. Speech in House of Commons, May 13, 1777. Hansard's Parliamentary Debates, vol. 19, page 235. (A)
- Methodist Quarterly*. July, 1846. Capital punishment. (F)
- Michaelis*, Sir John David. Essay on the Nature and End of Punishment. Appendix to Book 5, Commentaries on the Laws of Moses. 4 vols., F. C. & J. Rivington, Lond., 1811. (A)
- Miller*, Jonas H. Minority report of select committee on capital punishment, to New York assembly, March 1, 1818. Assembly Doc. No. 133 (A)
- Mittermaier*, Prof. Karl J. A. Todesstrafe. (A)
- Moak*, N. C. Capital punishment. Encyclopædia Britannica, supplement. Vol. 2. (F)
- Mogi*, T. Capital punishment. Ann Arbor, Mich., 1889. (A)
- Moir*, J. Macrae. Capital punishment, based on Mittermaier's Todesstrafe. Smith & Elder, Lond., 1865. (A)
- Montagu*, Basil. Opinions of different authors on the punishment of death. Three vols., Lond., 1812, 1813, 1816. (A)
- Debates in the House of Commons, 1811, on the bills of Sir Samuel Romilly for abolishing the punishment of death. Longman, Lond., 1812. (A)
- Thoughts on the punishment of death for forgery. Pickering, Lond., 1830. (A)
- His examination by the select committee to examine so much of the criminal law as relates to capital punishment, March 30, 1819. Report July 8, 1819. (A)
- An inquiry into the aspersions upon the late ordinary of Newgate, with some observations upon Newgate, and upon the punishment of death. Richard & Arthur Taylor, Lond., 1815. (A)
- Montesquieu*, Baron. Spirit of Laws, chapters 12 and 13. Trans. by Thomas Nugent. Robt. Clarke & Co., Cincinnati, 1873. (A)
- Monthly Review*, 1827. Review of Lucas on the punishment of death. (A)
- Vol. 96. Dec., 1820. Review of Cottu on criminal law in England. (A)
- Vol. 124. Aug., 1824. On the criminal law of France and England. (A)
- Vol. 132. Sept., 1833. State of crime in France. (A)
- More*, Sir Thomas. Utopia. Bohn, Lond., 1845. (A)

- Morris*, Edward, M. P. Speech in House of Commons, March 29, 1811, on bill to abolish capital punishment. Hansard's Parliamentary Debates, 1st ser., vol. 19, page 654. (A)
- Morrison*, Rod'k M. Report of select committee of New York assembly, May 12, 1845, on petitions to abolish capital punishment. Assembly Doc. No. 249. (A)
- Mott*, Thomas. An elucidation of the ancient English statute relating to the punishment of death. Lond., 1818.
- Nakal*, E. S. The rationale of the opposition to capital punishment. North American Review, Jan., 1873. (A)
- Neate*, Chas., M. P. Considerations on the Punishment of Death. Lond., 1857. (A)
- Minority Report of Capital Punishment Commission, Jan. 8, 1866, recommending the total abolition of capital punishment. (A)
- Neuman*, B. Paul. The Case Against Capital Punishment. Fortnightly Review, Sept., 1889. (A)
- Newman*, Alan. Criminal Executions in England, etc. Steele, Lond., 1830. (A)
- Newport*, Sir John. Speech in House of Commons, 1811, on the bill to abolish the death penalty. Hansard's Parliamentary Debates, 1st series, vol. 19, page 744. (A)
- Nissen*, Henry N. Examination before the Capital Punishment Commission, of July 8, 1864. Feb. 14, 1865. (A)
- Nugent*, Lord Richard P. T. Address at public meeting at Aylesbury, April 30, 1845, favoring the total abolition of capital punishment. Lond., 1845. (A)
- Nugent*, O. On the Punishment of Death by Law. Lond., 1840.
- O'Connell*, Daniel. Speech at Exeter Hall, June 2, 1832, in support of resolution offered by him condemning capital punishment. (A)
- O'Hagan*, Thos., Atty. Gen. for Ireland. Report of Capital Punishment Commission, Jan. 8, 1866, recommending total abolition of capital punishment. (A)
- Osborn*, Rev. W. C. Examination before the Capital Punishment Commission of July 8, 1864. March 25, 1865. (A)
- Osborne*, Rev. Lord S. G. Examination before the Capital Punishment Commission of July 8, 1864. March 24, 1865. (A)
- Oscar* (Crown Prince Norway and Sweden). Punishments and Prisons. Trans. by A. May. Smith, Elder & Co., Lond., 1842. (A)
- O'Sullivan*, John L. Report to the New York Assembly, in favor of Abolishing the Punishment of Death. J. & H. J. Langley, Sept. 14, 1841. (A)
- Paine*, Thomas. Speech in the National Convention of France, Jan. 15, 1793. M. D. Conway's Life of Paine, vol. 2, p. 4. 2 vols. Putnam, N. Y., 1892. (A)
- Paley*, Dr. William. Moral and Political Philosophy. Crimes and Punishments, book 6, chapter 9. Woodward, Phila., 1836.
- Palm*, Andrew J. The Death Penalty. Putnam, N. Y., 1891. (A)
- Pamphleteer*. Vol. 3, 1814. Capital Punishment. (A)
- Parker*, Prof. Joel. Law of Homicides. North American Review, Jan., 1851.
- Parr*, Rev. Samuel. Letters to Sir Samuel Romilly, Feb. 21, 1810. Note to the Memoirs of the Life of Sir Samuel Romilly, vol. 2, p. 309. 3 vols. Murray, Lond., 1840. (A)
- Parry*, John H., sergeant at law. Testimony before Capital Punishment Commission. March 4, 1865. (A)
- Peabody*, Rev. Andrew P. Review of Report on the Punishment of Death, by Messrs. Sullivan, Rantoul, Kendall, Holden, and Davis, a committee of the House of Representatives, Mass., June 9, 1831. Christian Examiner, Chas. Bowen, Bost., 1833. (A)
- Peggs*, Rev. James. Capital Punishment. Importance of its abolition. Ward, Lond., 1839. (A)
- Pelham*, Camden. The Chronicles of Crime. 2 vols. Reeves & Turner, Lond., 1886.
- Penny Magazine*. Vol. 5, Sept. 10, 1836. Statistics of Crime in England.
- Pentecost*, Rev. H. O. The Crime of Capital Punishment. Arena, vol. 1. Jan., 1890. (A)
- Percy Anecdotes*. Crime, etc. Vol. 8.
- Pericles*, The Athenian. Declaration on his death-bed that he had caused no Athenian to suffer the penalty of death. Plutarch's Life of Pericles. Harper & Bro., N. Y., 1851. (A)
- Persians* (the ancient). The ancient Persians did not inflict the penalty of death. Herodotus Book I, p. 278. John Murray, Lond., 1858.
- Philanthropos*, Feod. Essays on Capital Punishment. Phila., 1811.
- Phillips*, Charles. Vacation Thought on Capital Punishment. Ridgway, Lond., 1858. (A)
- Phillips*, S. M. Famous cases of circumstantial evidence. Jas. Crockeroff, N. Y., 1873. (A)
- Famous cases of circumstantial evidence. Jas. Crockeroff & Co., N. Y., 1878. (A)
- Phillips*, Wendell. The Death Penalty. North American Review, Dec., 1881. (A)

- Pike*, Luke Owen. History of Crime in England. 2 vols. Lond., 1873. (A)
- Pillars*, Hon. Isaiah. Report to the Ohio house of representatives, in favor of the abolition of capital punishment. Nevins & Meyers, Columbus, 1873. (A)
- Pinel*, Nicholas. Dissertation on the Punishment of Death. Translated from the French. Lond., 1780.
- Pollidori*, J. W. The Punishment of Death. Pamphleteer, vol. 8, Lond., 1816. (A)
- Porter*, Benj. F. Speech in house of representatives of Alabama, in favor of his bill to abrogate the punishment of death. McCormick, Tuscaloosa, 1846. (A)
- Princeton Review*. April, 1842. Review of reports to New York and Massachusetts legislatures. (F)
- Pufendorf*, Baron Samuel. Of the Power of the Sovereign over the Lives and Fortunes of the Subject, in Criminal Cases. Law of Nations, book 8, chap. 3. English Trans. by Mr. Carew. Lond., 1749.
- Purrlington*, T. Report to the Maine legislature on capital punishment, 1836. Wash., 1852. (A)
- Quarterly Review*. Vol. 22. Review of Cottu on criminal code of England. Vol. 24. Review of report of select committee on the criminal laws, 1819. Vol. 37. Jan., 1828. Amendments of the Criminal Law.
- Quinby*, Rev. G. W. The Gallows, the Prison, and the Poorhouse. Cincinnati, 1856. (A)
- Rantoul*, Robert, jr. Speeches, reports, etc. In his Memoirs, Speeches, and Writings, chap. 6. Bost., 1854.
- Rawson*, Rawson W. An Inquiry into the Statistics of Crime in England and Wales. Journal Statistical Society, Oct., 1839.
- Redding*, Cyrus. Capital Punishment. Colburn's New Monthly, Feb. and March, 1866. (A)
- Reed*, Thomas B. Speech in Maine legislature, in favor of abolishing the death penalty. Feb. 19, 1869. Portland Advertiser, 1869.
- Reeves*, John. An Historical View of Crimes and Punishments, According to the Law of England. Lond., 1779.
- Robinson*, Gov. Lucius. Report to New York Assembly recommending abolition of the Death Penalty, Feb. 16, 1860. Assembly Doc. No. 82. (A)
- Romilly*, Henry. The Punishment of Death. Murray, Lond., 1885. (A)
- Romilly*, Sir Samuel. Observations on the Criminal Law. Lond., 1810. (A)
- Speech in House of Commons, March 29, 1811, on bill to abolish the death penalty. Hansard's Parliamentary Debates, 1st ser., vol. 19, page 656. (A)
- Rush*, Dr. Benj. On the Punishment of Murder by Death. Phila., 1793. (A)
- An inquiry into the effects of public punishment of criminals and upon society. Phila., 1787. (A)
- Rylands*, L. Gordon. Crime, its causes and remedy. Unwin, Lond., 1889.
- Sabach*. The Ethiopian, King of Egypt, Abolished Capital Punishment during his reign. Diodorus Siculus, Book 1, ch. 5. G. Booth's Trans., Lond., 1814. (A)
- Sampson*, M. B. Criminal Jurisprudence considered in relation to Cerebral Organization. Samuel Highley, Lond., 1843. (A)
- The Rationale of Crime. Appleton, N. Y., 1846.
- Sanford*, H. S., Late Chargé d'Affaires at Paris. The different systems of penal codes in Europe; also a report of the administrative changes in France since 1848. Beverley Tucker, Senate Printer, Wash., 1854.
- Sanson*, Henry. Memoirs of the Sansons, 1688 to 1847. Chatto, Lond., 1876. 2 vols.
- Sargeant*, Leonard, Lieut. Gov. of Vt. The Trial, Confessions, and Conviction of Jesse and Stephen Boorn. Journal office, Manchester, Vt., 1873. (A)
- Saturday Review*. Vol. 70, Aug. 30, 1890. Criminal Literature. Vol. 72, Oct. 24, 1891. The Malady of Crime.
- Scogal*, Francis. Scenes from a silent world. Blackwood, Edin., 1889.
- Sega*, J. What is True Civilization, and, to Abolish the Punishment of Death. Wm. Smith, Bost., 1830. (A)
- Seymour*, Gov. Thomas H. Message to Legislature of Connecticut, 1850. (A)
- Shrady*, D. Geo. F. The Death Penalty. Arena, vol. 1, Oct., 1890. (A)
- Simon*, Jules. The Death Penalty. Translated by W. H. Huntington for Every Saturday. Vol. 8, pp. 673 to 801; 1869. (A)
- Skinner*, Rev. Otis A. The gallows weakens the sacredness of human life. Prisoner's Friend, Bost., 1849. (A)
- Society for Diffusing Information on the Subject of Capital Punishment*. Tracts. London, 1817. (A)
- Southern Quarterly Review*. April, 1842. The Criminal Law. July, 1843. Capital Punishment. (A)
- Spear*, Charles. Essays on the Punishment of Death. Author, Bost., 1849. (A)
- The Prisoner's Friend. A monthly magazine conducted by. Bost., 1849, 1850. (A)
- Spectator*. Vol. 59, Jan., 1886. Crime and Criminals. Review of DuCane. Vol. 62, Feb., 1889. The New Tenderness for Crime. (F)
- Vol. 64, Feb., 1890. The Criminal Type of the Future.

- Stace*, Col. Henry. Examination before the Capital Punishment Commission of July 8, 1864. March 24, 1865. (A)
- Stedman*, Edmund C. The Gallows in America. Putnam's Magazine, vol. 3, 1869; p. 225. (A)
- Stephen*, A. G., and others, of Lockport, N. Y. Petition praying for the passage of a law abolishing capital punishment. N. Y. Assembly, Doc. No. 59. Feb. 13, 1843. (A)
- Stephen*, Sir James Fitzjames. A History of the Criminal Law of England. 3 vols. Macmillan, Lond., 1883.
- Sterne*, Francis D. Philosophy of Crime. Fraser, vol. 33. Feb., 1846.
- Stetson*, Geo. R. The Rising Tide of Crime. Unitarian Review, vol. 27. May, 1887.
- Stevens*, Jas. F. Variations in the Punishment of Crime. Nineteenth Century, vol. 17. May, 1885. (F)
- Stewart*, Prof. Dugald. Letters to Sir Samuel Romilly. Memoirs of the Life of Sir Samuel Romilly, vol. 2, p. 310. Murray, Lond., 1840. (A)
- Stilwell*, Silas M. Report to New York assembly, March 7, 1832, favoring the abolition of capital punishment. Assembly Doc. No. 187. (A)
- St. James Magazine*, vol. 11, Nov., 1864. The Criminal Law of England.
- Stokes*, William. Thou Shalt Not Kill. Gilpin, Lond., 1848. (A)
- Stolz*, Dr. John. The Cause and Cure of Crime. With Treatise on Capital Punishment. Trotter, Phila. (A)
- Suffield*, Lord. In House of Lords, July 18, 1834, on moving second reading of capital punishment bill. Hansard's Parl. Deb., 3d series, vol. 25, page 90 et seq. (A)
- Sumner*, Charles. Letter to Committee of Massachusetts Legislature, Feb. 12, 1855. Works, vol. 3, page 527. (A)
- Sussex*, Duke of. Speech in House of Commons, Sept. 6, 1831, in presenting petition of grand jurors of Middlesex, praying for abolition of capital punishment. Hansard's Parliamentary Debates, 3d ser., vol. 6, page 1172. (A)
- Tait's Magazine*. New series.
Vol. 3, p. 590. Capital Punishment. (A)
Vol. 8, p. 314. Some Loose Thoughts on Hanging. (A)
Vol. 10, p. 233. Hanging, Past and Present. (A)
Vol. 17. The Causes of Crime in the Metropolis.
July, 1837. Death Punishments. (A)
- Tallack*, William. Practical Results of the Abolition of Capital Punishment in Various Countries. Nat. Asso. Prom. Soc. Sci., Trans., 1865. (A)
- Taylor*, J. Sydney. The Punishment of Death. Tait's Magazine, July, 1830. (A)
- Anti-Draco; or, Reasons for Abolishing the Punishment of Death in Cases of Forgery. Lond., 1830. (A)
- Punishment of Death, selections from the Morning Herald, with notes. 2 vols. Hutchard & Son, Lond., 1836-1837. (A)
- Selections from Writings. Gilpin, Lond., 1843. (A)
- Temple Bar*. Nov., 1865. Calcraft's Calling. (A)
July, 1866. Anecdotes from a Blue Book.
- Terrific Register*. 2 vols. Smith, Jones & Co., Lond., 1825.
- Thompson*, W. H. Murder and the Death Penalty. Phillips & Hunt, Detroit, Mich., 1886. (F)
- Thoughts on Capital Punishment*, in a Series of Letters [anon.]. London, 1777.
- Timlow*, Wm. Mr. Livingston's Strong Argument Against Capital Punishment Reviewed. Clark & Montanye, Goshen, N. Y., 1850. (F)
- Titus*, Jas. H. Reports and Addresses on Capital Punishment. De Witt & Davenport, N. Y., 1848. (A)
- Turner*, Rev. William. Essay on Capital Punishment. Memoirs of the Literary and Philosophical Society of Manchester. Vol. 2. Manchester, 1785. (A)
- Upham*, Prof. T. C. The Manual of Peace. Bost., 1842. (A)
- Van Horn*, Burt, Chairman Committee. Report to New York Assembly recommending repeal of the Death Penalty, Feb. 16, 1860. Assembly Doc., No. 82. (A)
- Vattel*, E. Law of Nations, Paragraph 171. Robinson, Lond., 1797. (A)
- Vaux*, Richard. Short Talks on Crimes, Cause, and Cruel Punishments.
- Verax*, Pseud. Capital Punishment. Manchester, 1884.
- Visschers*, (Dr. of Laws, Belgium). Examination before Capital Punishment Commission of July 8, 1864. March 25, 1865. (A)
- Foisin*, F. Mémoire en Faveur de l'Abolition de la Peine de Mort. Paris, 1848. (A)
- Wakefield*, Edward G. Facts relating to the Punishment of Death in the Metropolis. Ridgway, Lond., 1831. (A)
- Ward*, Durbin. Report of the Select Committee on the subject of Capital Punishment, March 9, 1855, to Assembly of New York. Signed by Durbin Ward, L. B. Lathrop, and L. Bigelow. (A)
- Wayland*, Prof. Francis, Yale Law School. Address on Capital Punishment. American Journal Social Science, 1883. (A)
- Webster*, Edward. On Capital Punishment. Cox & Wyman, Lond., 1856.

- Westminster Review*. July, 1832. Punishment of Death. (A)
 Vol. 7. Jan., 1827. Mr. Peel's Improvement in the Criminal Law.
 Vol. 18. April, 1833. Guerry on the Statistics of Crime in France.
 Vol. 21. Oct., 1834. On Criminal Law Reform.
 Vol. 22. Jan., 1835. Practice of the Criminal Law of Scotland.
 Vol. 61. April, 1864. Criminal Legislation and Prison Discipline.
- Wharton*, Francis. Philosophy of Criminal Law. Phila., 1846.
- Whately*, Richard, Archbishop of Dublin. Thoughts on Secondary Punishments. B. Fellows, Lond., 1832.
- Whelpley*, Rev. Samuel. Letters to Gov. Caleb Strong on Capital Punishments, etc. Miller & Hutchens, Providence, 1818. (A)
- Whitbread*, Samuel, M. P. Speech in House of Commons, Lond., 1811, on bill to abolish the death penalty. Hansard's Parliamentary Debates, first series, vol. 19, p. 744.
- White Cross and Bench*. By the author of "Five Years' Penal Servitude." Bentley, Lond., 1879.
- Whittier*, John G. Lines on reading pamphlets by clergymen against the abolition of the gallows. In his works. (A)
- White*, J. B. Capital Punishment. Southern Literary Journal. Jan., 1836. (A)
- Wilberforce*, William, M. P. Speech in House of Commons, 1811, on bill to abolish the punishment of Death. Hansard's Parliamentary Debates, 1st series, vol. 19, page 744. (A)
- Wills*, Alfred. Principles of circumstantial evidence. Butterworth, Lond., 1862.
- Wilson*, Prof. John, of Edinburgh University. On the Punishment of Death. Essays, vol. 2. Edin., 1856.
- Wilson*, James, judge U. S. circuit court. Charge to Grand Jury at Easton, Maryland, Nov. 7, 1791. (A)
- Wir*, Samuel. Reflections concerning the inexpediency and unchristian Character of Capital Punishment. Gilbert & Rivington, Lond., 1832. (A)
- Woolrych*, H. W. History and Results of Capital Punishments in England. Lond., 1832. (A)
- Wordsworth*, Rev. Chr., Archdeacon of Westminster. Sermon on the Punishment of Death for Willful Murder. Sunday, Nov. 24, 1867. Rivington, Lond., 1867. (F)
- Wrightson*, Thomas. On the Punishment of Death. Hearne, Lond., 1837. (A)
- Wynn*, C. W., M. P. Speech in House of Commons, 1811, on bill to abolish the Death Penalty. Hansard's Parliamentary Debates, 1st series, vol. 19, page 745. (A)
- Wyse*, Thomas, M. P. Resolution offered at meeting in Exeter Hall, June 2, 1832) condemning Capital Punishment. (A)