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THE appearance of Mr. John Stuart Mill as a gallows advocate is a public misfortune. It is an event so important, that we feel bound to follow the philosopher with scrupulous care through the train of reasoning which has lodged him where he stands. The force of his example, and the power of his intellect, contributed to put Mr. Gilpin in the sad minority of 23, against a majority of 127.

Mr. Mill opened with the confession that he regretted to find himself opposed, on a public question, "to those who are called—sometimes in the way of honour, and sometimes in what is intended for ridicule—the philanthropists." He has the very greatest respect for these, as having less admixture of either personal or class selfishness than any other section of politicians whatever. Their doctrines are humane; their labour is unselfish; their object is the moral, the physical good of their fellowmen. They have been patient under ridicule, and in the front of the fiercest opposition; but they have been thrice armed with justice, and so have been made familiar with victory. Mr. Mill is their cordial admirer, and rates most highly all which they have accomplished, even in the way of diminishing the application of capital punishment. But he deems the extension of their principles to the complete abolition of capital punishment an irrational application of it. According to him, they have failed to perceive the proper point at which they should stop. Mr. Mill having pondered anxiously the question of capital punishment, as applied to the murderer, has come to a conclusion, which he puts into one emphatic sentence, "When there has been brought home to any one, by conclusive evidence, the greatest crime known to the law, and when the attendant circumstances suggest no palliation of the guilt—no hope that the culprit may even yet not be worthy to live among mankind; nothing to make it probable that the crime was an exception to his general character, rather than a consequence of it, then, I confess, it appears to me, that to

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Scardale