

# THE DEATH PENALTY AND HOLY WRIT

(Published by request.)

Following is an address by Dr. H. A. Hughes on the subject of "Capital Punishment," before the county medical society at Phoenix, Ariz. It was of special interest on the eve of a campaign for the abolition of the death penalty in Arizona.

Mr. Toastmaster and Gentlemen of the Profession: Just why your program committee should ask me to deliver an address on the subject of capital punishment at a meeting like this and a festive occasion where the speeches are usually convivial in nature, I hardly understand. However, as it is his command and mine to obey, I will give you a few thoughts on the subject of "Thou shalt Not Kill."

The frequency with which this one sentence is used lately, would lead one to believe that some of our learned men had been reading the Bible, were it not that they get so badly mixed in the application of this commandment.

What is meant by it? Does it mean that "Thou shalt Not Kill for Food"? Does it mean "Thou shalt Not Kill Wild and Ferocious Animals"? No; for the same great Law-giver directs that these shall be killed. Then does it mean that men shall not be executed for crime? It certainly does not mean anything of the kind, for the same Law-giver tells us that this shall be done, and prescribes the various ways of taking the life of the murderer.

For the benefit of these gentlemen who quote this one commandment so glibly, I will give a few quotations found within a few pages of this one, in the same book and given by the same Law-giver through which this commandment is given. It says: "Whoso killeth any person, the murderer shall be put to death." (Numbers 35, 30). Moreover, "Ye shall take no satisfaction for the life of a murderer which is guilty of death, but he shall surely be put to death. The land can not be cleared of the blood that is shed therein. Let the blood of him that shed it, let the blood of him that shed it." (Numbers 35, 31). In another place the same Law-giver says "Thou shalt not consent unto him nor hearken him, nor conceal him, but thou shalt surely kill him. Thou shalt stone him till he dies." (Deut. 17, 8). (Deut. 19, 11). Again he says, "But if any man hate his neighbor and lie in wait for him and rise up against him and smite him mortally till he die, then the elders of the city shall send and fetch him thence and deliver him unto the hand of the avenger of blood that he may die." (Deut. 21, 22).

Again, "If a man have committed a sin worthy of death and he be put to death, and thou hang him on a tree," etc. etc. (Deut. 21, 22).

"And if he smite him with an instrument of iron, so that he die, he is a murderer. The murderer shall surely be put to death. Or if he smite him with an hand weapon of wood wherewith he may die, he is a murderer. The murderer shall surely be put to death. Or, if in enmity he smite him with his hand, that he die, he that smote him shall be surely put to death, for he is a murderer." (Numbers 35, 16-21). Many more quotations might be given from the book that says "Thou shalt Not Kill," which proves beyond a doubt that murder, and not execution of a murderer is meant. Now, would it not be fair for the gentlemen who attempt to quote scripture in order to bolster up a pre-conceived notion that they have nurtured until it has become a good sized fad, to not take every one else to be as ignorant of the book as they themselves seem to be. They attempt to quote Christ, and show the same ignorance of his teachings as of the teaching of Moses. An ex-governor says that Moses went over into the land of Canaan and killed nearly all the people there, while the book teaches that Moses was only permitted to view the land from Pisgah's heights.

Christ taught that the wages of sin is death; he taught the doctrine of eternal punishment, which is more severe than hanging by the neck until dead. He taught in almost every sentence the law of rewards and punishments. He gave us the parable of the unworthy servant. The law of reward and punishments is a part of every nature, the babe at mother's breast is taught that if it does right it will be rewarded by kisses and caresses, if it does wrong it will get a spanking. The trainers of lower animals accomplish results in the same way. Man should do right because it is right, he should refrain from doing wrong because it is wrong, and some people make that the rule of life. We hope the day will come when all will do likewise, but when they do it will be that glorious day when the lion and lamb shall lie down together without the lamb being inside the lion.

Some say that because crime is increasing (especially murders) it is proof positive that capital punishment does not deter the criminal. I be-

lieve that every one who has given the matter worthy thought will determine at once that it is the manner in which our laws are executed that is responsible for the increase in crime or rather the lack of execution. It is my humble judgment that if every one who hung who committed the crime of murder the hangman could soon take a rest. The criminal in court has 11-12 the advantage to begin with. Suppose a man commits a cold-blooded murder; he is arrested and tried before an examining court; if it says he is guilty, he is bound over to the grand jury. There, until lately in this state, three men out of eighteen could release him from custody. There he has three against fifteen. The case goes before the district or superior court, and the challenges he has of jurors often makes the case a farce. Then when the twelve men hear the evidence one man can hang the jury in his favor, and the case will probably never be retried—he is scot free on one man's vote, although eleven men vote him guilty. But suppose he is found guilty. The case is taken before the supreme court and on some technicality he is given a new trial. By time for the new trial some of the important witnesses are gone and he is freed. But suppose he is found guilty and sentenced to hang, some governor with more sentiment than regard for law, by one dash of his pen sets him at liberty. And this is the history of many; the murderer, having succeeded in thwarting the law once, is more bold in crime, because he feels that he has just learned the combination.

In England where few murderers escape execution, the crime of murder is rare indeed. The courts did not die in vain. The courts did not civilize California. When 9 bad men were hung from the pier at one time, San Francisco was made so a man could walk down the street without much fear of being slugged and robbed. In Fresno county life and property were unsafe. A few vigilantes found a party, completed frame house, a good gallows, and five people were hung one moonlight night; then people did not have to stand guard over their horses at night. Everyone who knows anything about the early settlement of the Texas frontier, knows that it was not the courts that put a stop to horse-stealing and cattle rustling. Even our own city was made much safer to live in after two murderers were strung up to the old cottonwood tree that stood where the big cannon now is.

The hope of reward will stir the souls of many people to good deeds, but shall we be so narrow-minded as to lose sight of the other part of the same law, the fear of punishment? During the first year of the reign of Queen Victoria there were four attempts on her life, and some of the assassins were tried for insanity. Parliament met and passed an act providing for the speedy execution of any one who attempted to take the life of the queen, and from that time to the day of her death no one made an attack on her.

The immortal Lee told his son that the greatest word in the English language was "duty"; some smaller men seem to think that sympathy for the criminal stands away above it in the scale of words. Certainly every man would dislike to take another's life, yet any man should be willing to discharge his duty, if that case is in his line. The first effect of capital punishment is to deter others from committing murder; the second effect is to protect society from such inhuman persons; the third is to prevent men from taking such things into their own hands, without process of law. For instance, suppose you had a lovely daughter, enjoying your own fire-side, where she is supposed to be safe from all attacks, and a villain creeps up to her window and blows out her brains with a shot-gun, splattering her blood and brains over the mother who gave her birth; then suppose that instead of hanging him the court should give him a life sentence, where he would bask in Arizona sunshine, play games, be well fed, and nurse the idea that some man in authority would decide that it was too bad to keep him a prisoner on the state and tell him to go free; how many fathers with red blood in their veins would not take their gun and go man-hunting. I contend that if one-half the maudlin blubbering over the poor criminal were expended in trying to see that our laws were enforced there would be a more wholesome respect for our courts and officials and crime would diminish. A murderer is usually a coward, and while he has no fear of imprisonment would quake at the thought of the rope.

It will be remembered that the would-be murderer of Colonel Roosevelt followed him through several states to shoot him in a state where he knew there was no capital punishment. And again, no man will deny that a man had the right to kill in self-defense, and in the execution of a murderer the public is acting in self-defense.

I am not in possession of the late records of the Arizona penitentiary,

but I do know that only a few years ago the actual time of a lifetime's sentence in the territory was then 8 years. I think it may be less lately, in the "pen" where one of the life-timers from Maricopa said recently, "We are having a devil of a good time."

Some governors in liberating criminals, claim the promise of Christ, which is, "Blessed are the merciful, for they shall obtain mercy." It may be quite natural for them to crave the mercy of God but they are very unmerciful to the public when they liberate criminals, and we are afraid by being unmerciful to the many put themselves in the box with the unmerciful instead of the merciful.

How many of the lower class of our citizens in Arizona have any fear of the law, as it is administered today? They care not for the hope of reward of good living, and they have no fear of punishment. They might land in the pen, but there they would only be taught that the courts were very unjust—that they did not deserve what they were getting, and that the conditions of society made it incumbent on them to steal or kill. As a man who has had some observations of things in general, I think I can discern a cloud gathering on the horizon that will break forth in meting out justice to lawbreakers in a way that promises effectiveness and dispatch.

The man that says that capital punishment does not deter the murderer must again look into the history of the past. Several states in the Union have tried to do away with it, and have been forced by the increase of murders to go back to it. Italy, Spain and France have all had a trial at it, and all have been forced to adopt it again. In one state crime increased 250 per cent after abolishing capital punishment. There are plenty of such records available, and many more passages of scripture to show that "He that sheddeth man's blood, by man shall his own blood be shed," if only the truth is wanted.

It is well for us to look forward to the time when the world shall rise to the sublime height of the fulfillment of Christ's teaching of loving our neighbor as ourselves, to play and work earnestly for that day's dawning; but it is also quite as important that we do not forget that we are yet on earth and have to deal with things as they are today; not let the idea of Arizona's progressiveness force us to progress backward by turning backward the hands on the dial of time. If our public officials should all use their best efforts toward the enforcement of the laws they were elected to execute, instead of the making of new laws and forcing their own much new-man power. Now that the slogan has gone forth, let the people rule, why give one man power to keep the people from ruling? This one man power is not in the keeping with the spirit of the age. You say what would be done in case new evidence is found? Let the case be re-tried before a court and twelve men.

This power is a relic of the past, and has always been abused, the people always getting the worst of it. If the power is to go back to the people, let every citizen, regardless of color or sex, understand that it is their solemn duty to see that the laws are executed, and not set aside by the officials who have sworn to execute them.

Let me illustrate. Suppose the people by a referendum vote, enact a law and at the same time elect a man known to be opposed to that law, to enforce it. In other words, suppose a community vote dry. Then elect a saloon keeper to enforce the law. The rule of the people is right. It is the right principle of democratic government. The veto power of president or governor is the one man power. The pardoning power is greater than the voice of the people as expressed by all the courts. Let us do away with both and let the people rule.

Mr. Bryan has done the country an invaluable service in his continual advocacy of the rule of the people. His next duty is to instruct them in law enforcements.

The wisest utterance of President Wilson was when he said that if every man in the United States would read one chapter of the Bible each day and strive to follow its teachings most of the trouble of the nation would disappear, or words to that effect.

I close with a quotation from the Editorial Review, from the pen of the bishop of Albany, Bishop Doane, and let me add, that of all the states in this Union, the abolition of capital punishment in Arizona would be most dangerous. Divided from a people who are making murder and crime a profession only by an imaginary line, it would be an invitation to Mexican murderers to come to Arizona, where their breed of unfortunates will be welcomed.

Bishop Doane said: Genesis IX, 5-6 plainly sanctions the death penalty for murder. "And surely your blood of your lives will I require; at the hand of every beast will I require it and at the hand of every man's brother will I require the

## AN INDIAN STORY

One time in autumn the French and English were fighting to settle which would be the master of Texas. The Indians fought for the French.

One evening two Haverhill boys were sent out in a field to work. When they were done they sat down to rest. There had not been a red-skin seen for a month, but two redskins ran out of the underbrush and carried the boys off before they had time to cry for help.

The Indians did not wait, but set out for the North. Soon they came to the tribe where they belonged, but they decided not to stay for the winter.

One of the boys got sick in the winter and if it had not been for an Indian squaw he might have died. When the snow was almost gone, Isaac, one of the boys, heard an Indian say, "We will take the two palefaced boys to Canada and trade them off for guns and powder."

Isaac began to make plans to escape. One day he took a gun and some corn and hid it in a hollow tree and told Joe that he was going. "But," he said, "I am afraid I can't take you, for you won't wake up." "Oh! yes, I will, just pinch me and I will get right up."

Night came on, Isaac was wide awake. About midnight he pinched Joe and said, "I am going." Joe kept on snoring. Isaac went and got his provisions and started out. He heard footsteps behind him. He looked around and saw it was Joe. At daybreak they crawled into a hollow log and were soon asleep. In the morning there was a lively time in the Indian camp. A gun and two boys were gone. The Indians dashed into the woods after them. As soon as night came on the boys crawled out of the log and went on their way. Joe got sick and could not walk.

Isaac made him a bed of leaves and said, "I will go on and see what I can find."

He was not gone long till he came back and said, "We are all right."

So they went on and soon reached home.—Vorie Lindemann.

(The boys were very fortunate to get away and Joe was not such a sleeper after all. Of course they were welcomed home with great joy.—Aunt Sallie.)

Miss Alda Nicholson, who has the distinction of being one of the very few lady mail carriers in the United States, will carry the mail no longer. She is to be married to W. V. Ferrell, of Duplin county.

life of man, who sheddeth man's blood, by man shall his blood be shed for in the image of God made He man."

It is somewhat curious confirmation of the position that in the four states where capital punishment has been abolished, murders have steadily increased. In Michigan, Iowa, Colorado and Rhode Island the legislatures restored the death penalty after a short time, owing to the marked increase of crimes of violence. In Michigan this increase was as high as twenty-five hundred per cent and in Iowa, between 1872 and 1876 it was very rapid. In New York state it was restored and a voluminous report to the legislature set forth the conditions that called for a reverting to the death penalty. Abroad, the abolition has been followed by increased crime. In Switzerland, Austria and other European countries the temporary trial led to the readoption of the earlier practice.

It is, in my opinion, childish to confute the fallacy that the commandments, "Thou shalt not kill" and "Thou shalt do no murder" contradict the old Mosaic law. I really think it is time we contented ourselves with the fact that, whatever theories we may have, where there is a single plain revelation of God's law, we may be absolutely certain to find no contradictions of it in any other portion of the Bible, and that only harm can come from our disregard of it. If a person attempts to take away my life, I have, doubtless, a right to protect myself, and if I can not secure myself but by taking the life of my assailant, I have the right to take it. If men had the right to form society for mutual benefit and security, they had the right to punish other persons who would overthrow it.

There is nothing more plainly taught in the Bible than capital punishment. Moses said that "The murderer shall die." Christ did not contradict that law in a single word or act, but taught that the "wages of sin is death." It is certain that Solomon had three murderers executed during the building of the temple, and it seems to me that, with these facts before us, the man who would do away with capital punishment must consider himself a greater man than Moses, a wiser man than Solomon, and a better man than Christ. He must have read history with his eye closed. "Thou shalt not kill" certainly does not mean that a murderer shall not be executed.

## CARE OF THE ORCHARD

The prices of farm products are so high it behooves every one to manage as best he can to reduce the cost of living. The orchard as a means of reducing the cost of living is probably the best way the expenses can be reduced, especially in this section.

**Cultivation of the Orchard.** There are two general methods of cultivation that may be practiced in cultivating the home orchard. One is by growing cover crops, combined with the clean cultural method, and the other is the cover crop system combined with the growing of some other crop in between the tree rows that will serve a useful purpose to the owner other than as a soil builder. The latter is the one that is most generally practiced, as most farmers want to get the largest returns from all parts of the farm.

The time to plow the orchard in the spring is when the trees begin to show signs of activity. Turn the soil to a good depth, especially towards the center, but not so deep close to the trees. It would be well to break the land by plowing in both directions, as this will tear up the land thoroughly all over the orchard, except a small place around each tree. The weeds and grass can be cut away from this portion by hand, but often this will not have to be done. Next, go over the orchard with a spike-tooth harrow with the teeth set at such an angle that the surface of the soil will be left in a fine loose condition. However, it may take two or three harrowings to put it in such a condition. A good plan to follow is to harrow the land every ten days or two weeks, and by all means give it a good harrowing after each rain so as to break the crust that has formed, thereby producing a soil mulch and preventing evaporation of the soil moisture. Follow this through the growing season and it will be possible to keep down all the weeds and grass and at the same time preserve the moisture for the fruit trees. If weeds or grass are permitted to grow in the orchard they are not only taking the plant food and moisture from the soil but they also form a convenient hiding place for the hibernation of insects that destroy the fruit and trees.

### Sow Peas in July.

Cultivate the orchard as outlined above until July, then plant cowpeas. It is generally best to plant in drills about two feet apart, as this will permit cultivation and thereby insure a better growth of vine. When the pods begin to show signs of maturity turn the entire crop under and put the soil in condition for the planting of the winter cover crop. Growing and turning under a crop of cowpeas adds organic matter to the soil as well as nitrogen (which is a very expensive plant food), as cowpeas have the power of gathering nitrogen from the air. After the cowpeas have been turned under and the soil has been put in condition plant some crop that will grow through the winter. Oats would be a good crop for this purpose, as it would give a great deal of green material to plow under the following spring. When time to begin cultivation the following spring, plow under the oats and cultivate as above. It will be noticed that not a single crop has been removed, all have been returned to the soil.

The orchard often affords a very convenient garden spot as well as for the production of fruit. When it is so desired to grow vegetables in the orchard for home use, follow the same general method of cultivation outlined above, except the soil will necessarily have to be plowed earlier in the spring in order to put it in condition to grow early spring vegetables, and often it is advisable to plow under some barnyard manure, as the soil is being doubly taxed by growing the truck crops in addition to the fruit trees. By properly handling the orchard soil it will be possible to produce sufficient vegetables for the home and possibly some in excess for the near-by market. It is not advisable to grow crops that make a rank growth in the orchard, as this is too great a tax on the soil and there may be a tendency to crowd the trees, especially when they are small.

### Pruning Most Important.

One of the most important factors in the successful production of fruit is in the proper pruning and training of the trees. As a general rule fruit trees should be branched at a convenient height, peaches and plums one to two feet, while apples and pears should be branched two to two and a half feet, and pruned with an open center with three or four well-placed scaffold branches. Be sure to remove all dead and decaying branches, also those that interfere with any other part of the tree. The top of the tree should be cut out some; the long straggling branches should be cut back to the height with the other limbs. If there is a lot of surplus wood in the top of the tree this should be cut out, as it is desired to have all the food material go to the production of fruit rather than wood growth. Watch for the fruit buds and do not cut out too much of the fruit-bearing

## GOOD ROADS IN RANDOLPH

The following essay by Miss Adelaide Armfield, a pupil of the sixth grade in the Asheboro graded school, won a prize at County Commencement. Miss Armfield is a daughter of Mr. and Mrs. W. J. Armfield, of this town.

For many years the subject of good roads was discussed in meetings and gatherings. There were speeches made and resolutions passed and resolutions passed and speeches made until the people began to think there was nothing to the good roads proposition in Randolph county, except hot air and wasted time.

During the summer of 1912, Mr. Leonard Tuft, a wealthy man of Pinehurst, N. C., and New Hampshire, who had made a great success in building roads in Moore county asked for a conference in the court house in Asheboro with the Commissioners of Randolph county and all citizens interested in the building of good roads. Mr. Tuft addressed this conference on the day appointed, emphasizing the importance of good road building in any county, declaring that he believed that we had splendid road material in Randolph county very accessible with which to construct permanent roads, good for twelve months in the year. Many doubted this because at that time they did not think that a good road could be built out of anything except macadam.

In order to start something and to get the people actively interested in good roads, Mr. Tuft proposed and offered to build a good gravel road from Asheboro to the Montgomery county line, a distance of 16 miles, for \$500 per mile. Mr. Tuft realized that to grub, grade and gravel the kind of road he proposed to build would cost more than \$500 per mile. But in order to get the good work started, in which he was so much interested, he was willing to devote his time, oversight and have the work done at a price which he knew would cost him considerable money. Just after this conference, the county commissioners agreed to pay one-half of the \$500 per mile out of the county treasury, if the other half could be raised by subscriptions from the people in Asheboro and along the proposed route. This being done and two committees being appointed, one to represent the county and the other the subscribers, the road was constructed under their inspection. So anxious were the committees to guard the interest of the county and the subscribers and to see that the road was built to specifications, that the road proved to be a permanent and durable one, the success of the good roads movement depending upon this road.

The committees were very exacting with Mr. Tuft, not knowing what a good road he was really building.

Time has proven this road to be one of the best ever constructed in North Carolina for the money it cost, which was about seven hundred and fifty dollars per mile, one-third of which was paid by the county, one-third by the citizens, and the other third by Mr. Tuft, together with his oversight and supervision. The road was an agreeable surprise to all, as it withstood the severe weather of the past winter better than the sand clay or macadam roads costing three or four times as much per mile.

Since this time we have built about seventy-five miles of road similar to the Tuft road, the county paying half and the citizens paying the other half. We hope some day to have one of the best systems of roads in Randolph county to be found in the state. But we will always have Mr. Tuft to thank most, as he demonstrated to us at his own expense that good roads could be constructed in Randolph county of material along the way and at a time when very few, if any, believed such a thing could be done.

### ADELAIDE ARMFIELD.

Sixth grade, Asheboro graded school

W. C. Bentley, proprietor of the Cash Grocery Company, Statesville, has confessed to Insurance Commissioner Young and Sheriff Deaton that he fired his own store, hoping to collect the insurance, because he was being hard pushed by creditors. The stock and fixtures were worth \$686, with \$1,000 insurance.

wood. All fruit trees should be well shaped, tending towards an open center.

When removing a branch, whether large or small, cut back to another branch or to a bud, as this will insure the healing of the wound more readily. When taking off a large branch cut back well to the body of the tree and make a smooth, clean cut. One made in this way and if painted will heal readily, while if a stub is left, complete growing over of tissue may never be effected.

Bulletins may be had from the Department of Agriculture at Washington that treat it in a very comprehensive manner.

A small home orchard properly cared for will yield sufficient fruit for the family on the farm, thus giving an opportunity to live better and cheaper.