The Death Penalty
By Dr. Gennat, Prison Director, Hamburg.

Germany is a confederation of 25 states each of which lives its own life either under its own laws or those imposed upon it by the empire. In the matter of justice each has almost complete sovereignty, the supreme court of the empire excepted each has its own independent tribunals. It must be remembered that the empire has existed only since 1871 while the statistics with which we are concerned go back to 1859. For these reasons I limit myself to Hamburg, with a population of 977,744, and to the period during which I have acted as prison director, that is 17 years.

The death penalty cannot be decreed in the code of any of the states, it is exclusively in the domain of the laws of the empire. The crimes punishable by death are assassination, the attempt to assassinate the emperor, or the head of any of the confederated states, the intentional use of explosives if followed by death and the accused could have foreseen this result; causing the death of any person in an expedition for the capturing of slaves.

The number of crimes which entail the death penalty has not decreased. In a general way it may be said that in Hamburg only assassination may be taken into account here. Since 1899 the sentence of death has been pronounced against eight persons in Hamburg and there have been four executions. The other sentences were commuted to hard labor for life. No one condemned to death has committed suicide.
Not only am I not in favor of the present limitation but I would make other crimes subject to the death penalty: derailning a train, causing an inundation, a shipwreck, or the loss of a vessel if they result in death and the author of the crime could have foreseen that result.

The death penalty was introduced with great difficulty in 1871. It was vigorously opposed in the parliament (Reichstag). I cannot say whether the Reichstag faithfully interpreted the popular feeling. At the present time public opinion stands for the state of things created by the penal code of the empire. Some would increase the number of crimes for which the death penalty should be pronounced, some would limit it to certain forms of assassination and others would do away with it altogether.

I have never witnessed an execution and I hold the guillotine in horror. I would choose some other method of execution.

In studying assassins I have not been able to discover any striking as abnormalities in them. In general culture they are below the average prisoner. That is they have all attended public school. Those who killed for plunder were cruel in their crime. All but one had had previous convictions of crime. Of the three who were married two chose their wives as their victims. None of the eight was a native of Hamburg. The woman denied her guilt even on the scaffold.
First Section
Question
Investigation
Abstract

The Death penalty in the Transvaal.

By J.v. Roos, Director of prisons, Pretoria.

In the Transvaal, which comprises a population of 288,000 of the white race and a million of other races, it has been found necessary to keep the death penalty, tho the tendency has been to reduce the number of crimes for which it is applied. The chief crimes are murder and the violation of white women by colored men. The violation of colored women by white men does not entail the same punishment. The death penalty is also given for treason and brigandage and it may be for incest, for rape of a minor, for sodomy, bestiality and abortion. Since 1902 48 persons have been hung, and the same number have had the death sentence commuted into hard labor for life. When the accused has been declared guilty by a jury of 9, of whom 7 must vote in the affirmative, the judge puts on a black cap and solemnly reads the death sentence. He afterwards sends a circumstantial report to the governor of the colony which is accompanied by another from the minister of justice. The governor either confirms the sentence or exercises his prerogative of granting pardon. All the executions take place in Pretoria. The trap is used and the gallows is on the same landing with the cell. The hands are bound in the cell and a white cap put on which covers the face and head and the condemned is led into the death chamber. The legs are then tied and the trap falls. Death
is instantaneous. The executions are private, the public dis-
approving of public executions. The only witnesses are the high
sheriff, the prison director, the physician, the executioner
and his assistants. No other prison officer is allowed to be
post mortem
present. After examination by the physician the body is buried
without religious ceremony in a part of the cemetery reserved
for that purpose.
The Death Penalty in France.

By R. Demogue,

Professor of Law in the University of Lille,

Member of the Prison Society of France.

The death penalty has always existed in French legislation. It is true that a decree, of November 5, 1796, declared that dating from the establishment of general peace the death penalty should be abolished, but it had no practical effect. On the 28th of December, 1802 it was enacted that the penalty of death should continue to be imposed in cases determined by law.

Though the death penalty still exists, its abolition has many a time been demanded by the deputies in Parliament: in 1838, 1850, 1867, 1870, 1872, 1876, 1881, 1882, 1886, 1894, 1896. But even more significant, on the 5th of November, 1906 the lord keeper of the Great Seal presented to the Chamber of Deputies a bill for the abolition of the death penalty and the substitution of perpetual imprisonment, six years of which should be in cellular confinement. It was at first approved by the Commission of legal reform. But public opinion in general was unfavorable to the reform. During the years 1907 and 1908 votes in favor of the death penalty were sent to the government by 127 juries. Meantime capital punishments multiplied: 41 in 1907 instead of 14 in 1905. A large daily paper having opened a referendum 1,083,000 persons favored the death penalty while 328,000 were opposed to it. Only one conseil général and 42 sections of the League for Human Rights ranged themselves with the latter. In the face of this state of public opinion the Commission, July 2, 1908, reported in favor of retaining capital punishment and on the 7th of the following December the Chamber voted it by a large majority. The death penalty has
The Death Penalty in France.

By R. Bocognano,

Professor of Law in the University of Lille,

Member of the French Society of Criminology.

The death penalty has always existed in France, but the abolition of capital punishment and the replacement of the death penalty by life imprisonment on the initiative of Emperor Napoleon I on the 19th of December, 1804, has been a progressive step in the evolution of the penal system.

In accordance with the new system, 967 were executed from 1804 to 1806. Since then, the number of executions has steadily decreased, and the last execution took place in 1981.

The Cambridge Crime Prevention and the Information Department

The death penalty remained
been in continual operation since that time by law. As a matter of fact during those two years those condemned to death were successively pardoned. The penalty then is inoperative and that fact has seemed to stir up public opinion.

If the principle of capital punishment has never disappeared from the law the decision as to the cases where it should be applied has undergone many changes. Under the old regime, the judges had arbitrary power and usage alone determined which cases should receive the death penalty. The Penal Code of 1791 made 32 crimes punishable with death. The code of 1795 suppressed two of them. The Penal Code of 1810 applied it for 37. The law of 1824 authorized magistrates to admit extenuating circumstances for infanticide committed by mothers. Though the sentence of death was pronounced it was often changed to hard labor for life.

Since 1825, when our criminal statistics began, the law has been repeatedly modified. The law of 1832 modified twelve articles; also in certain cases replacing the death sentence with imprisonment for life at hard labor, deportation or imprisonment from five to twenty years.

A still more important reform in 1832 was allowing the jury to consider extenuating circumstances. This allowed the jury, when it desired to avoid the application of the death sentence which formerly would have followed the verdict of guilty.

The constitution of 1848 abolished the death penalty for political reasons. The law of 1901 suppressed the death penalty for mothers guilty of infanticide, replacing it with life imprisonment at hard labor, or for a definite term, according as there was premeditation or not.
As a matter of fact, the operation since that time of the Peace of Paris has been seen to fall to the ground. The principle of military occupation has been put in its place. The French government has attempted to make good the occupation of the Rhine Valley. The German government has attempted to make good the occupation of Alsace-Lorraine. The result has been a series of treaties, the last of which is the Treaty of London, and the occupation of the Rhine Valley is now in the hands of the French government.

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At the present time the penalty of death is provided for the following crimes, attempted or committed, or for complicity in them: striking or wounding a magistrate, a ministerial officer, an agent of the public force, a citizen charged with public service, in the exercise of that service, with intent to kill; Assassination, parricide, poisoning, infanticide by any except the mother; any crime accompanied by torture; murder without premedication accompanied, preceded or followed by another crime; castration with death within forty days; sequestration accompanied by bodily torture; false witness resulting in death; condemnation to death; intentional burning of any residence or vehicle containing persons; destruction of the same by explosives; the commission of another crime calling for this sentence by a life prisoner, etc. For soldiers and sailors death is prescribed for 22 causes in the army and 29 in the navy.

As statistics have been kept only since 1825 only vague reports can be given of the period before that. According to recent investigations in one whole province whose population is estimated to be 500,000 between 1750 and 1765 an average of seven or eight a year were accused of homicide, or 117 in all with 49 executions.

(Seven tables of statistics follow)

These tables are for France alone, not including the colonies nor the crimes coming before military tribunals.

Crimes are more frequent, especially crimes of blood, at the time of changes in the government, as in France in 1830, 1848-51 and 1870. Every regime begins with frequent use of the death penalty and little by little the sentences are fewer.

It is remarkable how many crimes are committed which are not followed by prosecutions. It is also found that in spite of
At the present time the benefits of a health and physical education program are recognized by educational authorities and by the community in general. In many schools, physical education is offered as an organized activity, with the purpose of fostering cooperation among students. The necessity of such services is recognized in the school curriculum, and the importance of physical education is emphasized in the daily routine of the school.

The benefits of physical education are numerous. It provides an opportunity for students to develop their physical abilities, to improve their health, and to learn important life skills. It also promotes social interaction and teamwork, which are essential for success in life. Physical education is an important part of a well-rounded education, and it should be offered to all students, regardless of their background or abilities.

In conclusion, physical education is a valuable component of a school's curriculum. It promotes health, fitness, and well-being, and it prepares students for success in life. It is important that physical education continue to be emphasized in schools, and that it be provided to all students, regardless of their background or abilities.
chemistry there are fewer cases of poisoning than formerly.
To-day there are hardly a dozen a year; half a century ago there
were twenty or thirty. Crimes usually diminish with bad harvests
of wine, though sometimes they are more frequent in good years.
Condemnations to capital
Capital punishment, very frequent before 1832, have greatly
diminished since then by the acceptance of extenuating circumstances.

It increased from 1840 to 1854, owing to a new jury law. Very rare
between 1860 and 1870 they increased to about thirty a year between
the years 1871 and 1894. After that they were rare till, as a
protest against the proposed abolition of the death sentence, they
increased in 1906. The executions kept about the same step,
save about 180 when there were many pardons and again in 1906-7.
The large number of pardons from 1878 to 1883 brought about a
reaction and after 1880 condemnations were more frequent.
The jury is influenced not only by the number of the accused, but
by all the crimes known through the journals. If there is
much crime and few prosecutions the jury is severe. Too many pardons
lead to a reaction of severity.

From 1873 to 1880 fifty-one per cent of those accused of capital
offenses were declared guilty; 92 per cent with extenuating cir-
cumstances. From 1881 to 1905 there were 34 percent found guilty,
87 per cent with extenuating circumstances.

No person has committed suicide to escape his fate, within forty
years.

In France executions have always been public. They take place
in one of the public squares. This often gives rise to scandalous
scenes. The crowd is held in order by a large armed force. The
morning hour is generally chosen. Bills have often been introduced
to suppress this publicity, the last attempt to do away with it was
of the treatment of patients with psychiatric disorders.

The number of psychiatric patients has increased significantly over the past decades, with a peak in the 1960s and 1970s. After that, the number of patients treated for psychiatric conditions decreased. In 1980, the number of psychiatric patients was lower than in 1960. The decrease continued until the late 1980s, when the number of patients treated for psychiatric conditions stabilized.

The number of psychiatric patients treated in institutions has also decreased. In 1960, there were approximately 1 million patients treated in institutions. By 1980, the number had decreased to 500,000. The decrease was due to a variety of factors, including changes in public policy, increased use of outpatient treatment, and improvements in psychiatric care.

In conclusion, the number of patients treated for psychiatric conditions has decreased over the past decades. The decrease was due to a variety of factors, including changes in public policy, increased use of outpatient treatment, and improvements in psychiatric care.
in January 1908. The mode is decapitation by the guillotine. Soldiers and those belonging to the navy are shot. Execution cannot take place on festival days nor Sundays. If a pregnant woman is condemned to death she is not executed till after the birth of the child, but it is a long time since any woman has been executed in France. The bodies are given up to the families if they claim them. A proces- verbal is drawn up by the clerk, but the civil records do not tell the kind of death, in order not to injure the family.

**Conclusions.** It is certain if one looks at the law and the practice, that the present tendency is to restrict the death penalty to cases of wilful homicide and even to certain of such cases: aggravated murder, assassination etc. It would be very hard to get a jury to pass a sentence of death for striking a magistrate or burning an inhabited house etc. There is a tendency to suppress capital punishment for women. From 1833 to 1880 there were 45 women executed, two only since then.

It is not less certain that public opinion has been hostile to the attempt to do away with capital punishment. There are two reasons for this. First, the time was badly chosen, these later years having shown an increase in crimes of violence. This increase was manifested under a form which has disappeared, crimes committed by bands. In the second place the attempt to do away with it was not made with tact. It was thought that it would be sufficient to pardon those condemned to death, and commute their punishment into hard labor for life and sanction the abolition by law. But public opinion, wrong in part, it seems, has always held that hard labor, as it exists in the colonies, is not very intimidating. Criminals have little fear of it, and indeed at one time they committed
In America 1910. The age to acquire is the time to apply. The work is not to be
left to another generation. It is to be done by ourselves. If a man does not
know his own strength, he cannot be strong. If he does not know his
own worth, he cannot be valuable. If he does not know his own
potential, he cannot accomplish. It is our duty to use our talents. It is
our duty to make our lives count. It is our duty to be the best we
can be. It is our duty to live our lives fully.

To succeed in life, one must have a clear purpose. A purpose to
achieve, to ambition, to make a difference. A purpose to
make a contribution. A purpose to

In the second place, the potential to do more with less.

In the second place, the potential to

In the second place, the potential to

In the second place, the potential to
crimes in the prisons to be sent to hard labor in the colonies rather than stay in the prisons in France, but the law of 1880 compelled such prisoners to stay in France.

To secure a chance to obtain the abolition of the penalty of death it would be necessary first to fix at once on perpetual imprisonment, with six months cellular confinement, in place of the death sentence. When public opinion, and criminals in particular were convinced of the severity of this penalty then the abolition of capital punishment would be comparatively easy. But the bill presented in 1906 did not take this way and the public saw in it only the abolition of the death sentence and the substitution of hard labor for it. In 1907 the violation of a child followed by murder, brought about a change of opinion about the abolition of the death penalty in some who had favored that abolition. It is not absolutely certain that with time and more adroit tactics the death penalty may not be made to disappear without arousing an adverse public opinion.
Immigration to the United States to work to pay Japan in the company

latter than stay in the prison in France. The idea of Japan

competing with our prisoners to stay in France.

To secure a chance to obtain the position of the political

geese to make the necessary attempt to fix the case on the

bracket, with six months' detention, consolidation, in place of the

geese, sentenced by the puppet's opinion, and detained in Barracks

were continuing at the mercy of the puppet's opinion. The puppet

society's imprisonment might be comparatively easy, but the puppet

ments in 1950. If not like this, why? The puppet was in it only

presentation of the puppet's sentence the puppet's interpretation of

1970, the adjustment of a daily following by means of

process, and a change of opinion. The adjustment of the puppet

benefit in none and may last ever. Inflation the puppet's

extent or more short. Inflation the puppet's benefit

was not to escape to Germany with the peaceful and peaceful puppet opinion.
First Question

Abstract

The Death Penalty in Sweden?

By Victor Almquist

Head of the Prison Administration, Stockholm, Sweden.

was employed in the beginning of the 19th century and

The death penalty has existed since 1864 in full force. It is

imposed for homicide committed by a prisoner with a life sentence

unless there are mitigating circumstances. Death, hard labor for

life may be imposed for an attempt against the life of the king,

for high treason, for murder, except the infanticide if an illegitimate

child, for abortion which causes the death of the woman, for

rape with the aid of a narcotic, for arson which causes the death

of any person. The number punishable by death has been reduced since

1864. Since 1864 124 persons have been condemned to death; only one

since 1904.

The executions are in the presence of a limited number of official

witnesses within the prison, by decapitation by the guillotine.

Between 1859 and 1909 there was one commutation of sentence and during

that time no one was known to commit suicide to escape the death

penalty.

Statistics show that homicides have been reduced almost

one-half during the last four decades, that is since the death

penalty has been so rarely applied. It is evident that the restric-

tion of the death penalty has not increased crime. I am tempted to

say that the man who sees the state shedding blood fears less to shed

it himself.

Public sentiment is generally in favor of the restriction of capi-
tal punishment. There are always persons who demand the death of

the criminal when a brutal murder has been committed, but that is
Almquist attitude
not the opinion of the courts nor of the king. The effect of doing away with the publicity of executions has been favorable to public morality and upon crime.
The Death Penalty.

By Hartvig Nissen, Secretary to the Minister of Justice, Christiania, Norway.

Under the code of 1842 the death penalty was provided for a great number of crimes in Norway. It was abolished in 1902 by a law which went into force the first of Naunary 1905. According to the code 1842 the executions were public, by day, and consisted in decapitation with the axe. The code of 1887 modified this procedure: decapitation, by guillotine, was in an enclosure and only a few officials were present, but as there were executions no executions in death these new rules were not practiced. For thirty years there have been no death sentences, or which have been followed by execution and the number of condemned has been smaller than when there were executions. The suppression of the death penalty has had no detrimental effect on crime.

In Norway, as elsewhere, opinion has been divided on the death penalty and during the discussion of the new penal code a proposal was made to retain it, but in one house it was defeated 57 to 25 and in the other by 25 to three.
The death penalty

By Mr. Walter Ries, Secretary to the Minister of Justice, Christiania, Norway.

Under the new law of 1789 the death penalty was abolished for a great number of offenses in Norway. If new offenses in 1789 are a few which were not before the time of King Christian II, your kind assistance to cooperation with the law to the effect of 1789 would lead to a more

more effective and only a few offenses were broadened. But even these offenses would not have led to

execution on reconviction in new cases. There are cases where no more than one offense amounting to a

few years. For小吃" these cases have been broadened by offenses. The number of cases

which have been followed of execution may the number of cases

mentioned in the present report. This makes it clear that the number of cases

and the effect of the death penalty has had on a considerable extent

on crime.

In Norway, we are aware, opinion has been raised to the

death penalty and the discretion of the law, but in many cases it is

broadened and some to take it, but in one or two it was granted.