

1845/1846

[Entry from the ledger of Simeon Locke Doggett, p. 20, 1845/6]

CAPITAL PUNISHMENT (1 2)

3 The terrors of death, fill all human beings with horror and fear to be ushered into another world, into the presence of an omniscient deity, and hear the final sentence pronounced, is an awful event; to leave this world, its pleasures, vanities, and trials and go to another, better or worst makes the proud heart sink, the courageous recoil in fear, and the strong one tremble with awe

Man is terrified when on the brink of eternity, which ends his earthly career and sends him into everlasting life, where woe follows the wicked man's death, but eternal happiness, the death of the righteous.

Impressed with the horrors of death thousands are restrained from committing murder, knowing the just punishment, in store for the murderer -- hence they consider life as sacred, and the greatest crime to take it -- for the severer the punishment, the more sacred human life become in the estimation of the criminal.

4 But the opponents of this statement say that severity destroys the certainty if there is the case it is occasioned by these fanatics whose only object is to breakdown the laws which protect our lives; instead of condemning them as useless cruel and barbarous they should preach to the people the necessity of having the laws enforced and the murderer put to death. The ancients found no difficulty in having their punishment inflicted on the offender because there were none of these wise men wise in their own conceit none of them to denounce as unnecessary, the punishment of death for murder

Were all these people now employed in bringing anarchy to pass were they engage in proclaiming that the laws as they are must be executed then we would find no difficulty in having justice done Our jurors and judges would more willingly condemn the guilty One according to the law and remember that the Good Book says judgment without mercy

11 The jury believe it is wrong to condemn the criminal to death if they are told that they are guilty of his blood if he is hung if their pity and sympathy is excited thus how can we expect a jury, thus infatuated to pronounce the death sentence

But if they are instructed that necessity requires the execution of the laws that it is consonant with the mandates of the Bible and the will of God that the Murderer shall surely be put to death and that judgment must be without mercy, then every manslayer ever one who commits the horrid crime of murder will surely be put to death

5 Fanatics says that the gallows has no restraining affect and for this reason among others it should be abolish and imprisonment made a substitute -- Now this assertion is a glaring inconsistency the horrors of death not as effectual in preventing crime as imprisonment is this not incompatible with human nature -- advise a person to practice vice instead of virtue (one who wishes to be a Christian) seems to me to be no more incongruence than the Argument

Hang the murderer is a terrible warning, to those who would be one -- imprison the murderer is like whipping a dog, with straw to prevent him from barking, -- Hang him sends him after suffering the most dreaded punishment to the Holy tribunal -- imprison him puts him into a place where to flatter himself he can escape and one he never anticipated to be another horrid or

horrid or painful

If death which is the most terrible event that happens to all human being on earth does not prevent crime what will? if churches and ministers can not make christians what will? if the reviving suns of spring cannot start vegetation what will

The gallows does not entirely prevent crime and for this reason must be disused -- on the same principals our churches because they do not make all christian must be torn down and converted into theatres and brothels and government because it does not suit or please all must be thrust aside

But here let the fanatics' inconstant and false argument rest and veiw their greatest one which they incessantly bring forth -- The innocent fall victims to this ignoble death sometimes

I confess that this occurs unfrequently, and generally occasioned by convicting the prisoner on circumstantial evidence which I disapprove of and consider as wrong -- But it is a great consolation that the innocent are richly rewarded in heaven

But the gallows the scourge to the lifetaker the protector of human life that prevent most everyone from being a murderer or most every one from being a victim must be demolished because a few innocent persons have been unexpectedly exicuted

Under the same conditions can we thrust down christianity and trample it in the dust for not a few but thousands of innocent lives have suffered martyrdom the most cruel and barberous deaths that can be amagened that religon might be sustained and finally triumph

Away with christianity it is founderd on blood (these fanatics might say) the ceremonies were insatiable that required the spilling of blood therefore down with Religion we will not cherish protect adhere to and advocate it because its foundation is completely saturated with the blood of innocent animals and human beings

I am aware of the tortures the torments the peircing cries heart-rending scenes sufferings toil pains afflictions persecutions and horrid deaths the martyrs have suffered and even the great Jesus Christ has been an object of crucifixion that religion might phenox like arise and wave her banners of love and invite all the inhabitants of earth to come and walk in her paths of happiness and peace

I know that this has all transpired I contemplate the suffering of the martyrs with solemn awe and defference their innocent blood trickling down to the feet of their merciless oppressors whose vindictive rage never became appeased until they were exhausted with exercising their cruelties and committing their barberous murders

These events make religion holy and sacred and convinces us that our salvation depends on our respect protection and adherence to it

Supposing individuals had never suffered and died that religion might be preserved that Christ never came on earth and was reviled contemned and crucified and that God never spoke to man nor never gave his commands Why then it would do to attempt the overthrow of the Bible and the doctrines of truth and say they are useless superstious and false

Now we perceive that it is this very foundation of blood which makes religion sacred and true and convinces us that it is incumbent on all to

defend advocate and adhere to it and adore the God of heaven and earth

Therefore we must not abolish the gallows because it is stained with blood for religion is not immaculate in this respect we must not disuse it because a few innocent lives have been unfortunately taken for not a few but thousands of persons have died for religion

It is often urged by these modern pedants or enemies to government that it is wrong to execute the guilty one and send him into eternity with all his sins unrepented better to incarcerate for life during which time repentance can be made

An unprejudice person will immediately perceive that a murderer is more fearful of his situation more alarmed about his future destiny, and more anxious to make his peace with God when every moment draws him nearer the appointed hour of death than when a long life is before him which must be spent in order to repent in years and years of unceasing prayers

Thus he is as far from repentance as many are he knows not when death will come perhaps not for many years therefore he is not concerned about afterlife the general tenor of his thoughts are how to make his escape
7 if killing an inmate or the goaler would gave him an oppertunity to do it

Knowing this or admiting that some men are hardened and callous others others penitent and sad these inventors of new doctrines expatiating on this part affect the minds of the timid to a very great extent they utter forth their vituperations on the people the church and the ministers wrong to hang the wicked offender and send him in to neverending punishment wrong to execute the one that repents because he would do no more violence in the world if permitted to live Ministers cannot be christians who hang every time they do men either in one of these situations or the other

To these apparent great objections I reply in the following manner as the object of ministers is to banish evil from the world and promote goodness and virtue they can consistently execute the murderer if he dies in his iniquities and enormous sins so much the worst for him and so much the better for the world for a world deprived of him is a world deprived of sin If permitted to live those inclined to evil will follow him as an example for they would quickly discover that crime was not severely punhised. Therefore the obsticle being removed which proves to murder the incitement to do it is increased

But if the one condemned has repented of his malicious deeds so much the better for him and the world also by his death evildoers see that no condition after crime is committed exempts a man from being punished.

The result otherwise would be that mine yours or his enemy can kill and afterwards feign he is converted and thus avoid the just vengeance in store which is just and right as long as it prohibits injustice and wrong

If the manslayer dies a christian it is well for him had he lived a christian it would have been better for the community -- if he dies a sinner bad for him but as he lives a guilty wreck a monster of iniquity it is well for the world that he be removed so that none may follow his wicked brutal example so all may know how infamous and horrid the act and all be aware of the good and rigorous penalty which will inevitably fall on the head of the perpetrator

[?]oing thus far I now appeal to all rational beings to those who are willing to hear the truth and abide by the bible to Christian who consider the scriptures the reveal will of God and finally to all uninfluence by prejudice and beleive the bible is the word of God -- Let us now resort to this holy book and reconcile ourselves to the conclusion which we must inevitably draw from it

The instinctive propensity in man to use violence for an affront you all acknowledge. among the first iniquities of the human race was the murder of Abel the Bible informs us that Cain being found guilty by the Lord was thrust out of society as a fugitive and a vagabond on the face of the earth. Now the opposers of law say this a proof is against hanging, -- But this is an erroneous conclusion made without deliberation

Let us examne the subject and find out its true meaning and we will find what appears to be so much in favour of the side I oppose becomes a convincing argument the other way

At the time of this murder neither law nor magistrate existed there-fore who was there to execute Cain? if the Lord had permitted the first who found Cain to have slain him why mankind would have enfered that anyone had the right to slay the murderer the affect would be he who killed killed because his victim killed and thus the most fatal consequences would ensue -- If God had punish Cain with death then mankind would have ever after have expected alike crimes to be punished by the Lord and consider man as incapable to evenge murder

For these two reasons Cain was not beheaded -- from this epoch the most ruinous and bloody state of society arose man lost his dignity and magnanimity and gave way to brutality and revenge concupesence and Out-rage -- no law nor magistrate then to punish and reward naught but rapine and bloodshed ruled with despotic sway, the new made Earth

The Great Creator saw the life blood gush from the hearts of the brains of the innocent and helpless and unpunished stained up monsters of iniquity comiting their horrid deeds of blood over the whole earth

With pity and indignation mercy and vengeance the God of the universe put forth his hand of justice and caused a mighty flood to come and destroy the wicked tenants of the earth -- Because the earth was corrupted and filled with violence and none were Good in his sight but Noah and his kindred none were saved but them

The flood subsided and the first mandate from the Lord was "whoso shedeth man's blood by man shall his blood be shed for in the image of God made he man" This command was given to all that then existed and by all that have lived since has it been most strictly obeyed.

Until this era has arrive "when strange to say frenetic pedants arise and attempt to overthrow the powers that be which are ordained by God they aim a deadly blow at the peace and happiness of the world and endeavor to bring back the antideluvian barbarities and shocking murder and incur the anger of omnipotent God and again have this world destroyed -- not with floods of warter (fate that would be impossible) but with a deluge of lasting fire

Whoso shedeth man's blood by man shall his blood be shed" -- Fathers

Citesens and christians is not this verse comprehensible cannot the most obtuse intelect understand its meaning, do we not all know that from the holy lips of God it came?

There is no necessity of miscomprehending of this verse it carries on its surface the nature of the crime the penalty and the reason why death should be the punishment the offence is murder the greatest crime a person can commit the punishment is death the greatest that hum beings can inflict and the reason why the Blood of the murderer must be shed is because "in the image of God made he man"

Yet as clear as this is interested men are invidious enough to pervert its meaning that they may the better succeed in consumating their deleterious designs ~~but~~ by so doing they commit that transgression which the last words of the Bible forbid

Next to this we find a commandment that "thou shalt not kill!" The commandments were given to Moses and he through them affixed the penalties to each and the way he expounded the here mentioned one was to declare that the murderer shall surely be put to death yet for invidious purposes some men pervert the meaning of this also.

After 23 times declaring that "the murderer shall surely be put to death" that chapter closes thus "whoso killeth any person the murderer shall surely be put to death by the mouth of witnesses. moreover ye shall take no satisfaction for the life of a murderer who is guilty of death but he shall be surely put to death" So ye shall not pollute the land wherein ye are for blood it defileth the land and the land cannot be cleansed of the blood which is shed therein but by the blood of the muderer

This is a convincing proof to every unbiased soul it satisfies me and may I if ever I commit wilful murder atone for it on the Gallows

After a great many other coroberations in the old testament of this subject which for the sake of Brevity I will not examine we come to the new testament here we find as firm ground is in the old our Savior declared that he came not to distroy the law or the prophets but to fulfil "for verily I say unto you" said he "till heaven and earth pass not one jot or one tittle shall in nowise pass from the law

And when our Savior review this command he did not in the least revoke it he rather increased its certainty

For said he you have heard it roar by them of old times "thou shalt not kill; and whosoever shall kill shall be in danger of the judgement. But I say unto you whosoever shall be angry with his Brother without a cause shall be in danger of the judgement"

Examine this sentence. In the first place he who knew right from wrong had this very law in his mouth now if it was wrong he would have said so but right the reverse he said -- "whosoever shall kill shall kill shall be in danger of the judgement

That is wether a man kill another intentionally with malice or unexpectedly without malice or forethought he will be in danger of the judgement. The judgement that is the judge and the jurors who impartially investigate the case and proove the guilt or the inocence of the prisoner

In the next place christ when he examined this law said "but I say unto you whosoever is angry with his brother without a cause shall be in danger of the judgement. Which is actually the case when any person threatens angrily another with blows or death he not unfrequently receives a greeting from judge or magistrate and is sometimes thrust into states prison

Thus we perceive that the whole tenor of the bible on this subject declares that the murderer must surely be put to death and remember that holy book decides all affairs concerning mankind: "for all scripture is given by inspiration and is profitable for doctrine for instructions and reproof."

Having proved the right to the death penalty being supported by the Bible and by reason I would finally say that sympathy for criminals is what makes converts for the opposers of a just law who are actuated in their turn by mere motives of self interest

But while many people commiserate the fate of a murderer struggling in his guilt may they pause and amagine for a moment a once happy man by his fireside encircled by his children and loved by his wife all living in harmony and love no consciencious compunctions to distract their minds having honestly accumulated the property they enjoy

Amid all this happy quietude a blood thirsty villian comes & and through the winder or bursting sudenly open the door plunges a dagger in the father's heart or shoots a ball of cold lead in to his veins! Words cannot give a idea of the horror that follows the indiscribable dart of agony which peirced that poor wife's bosom as when she saw her dying husbands soul and body part forever.

O what must have been her feelings what must have been the excruciating emotions of those dear children when they beheld their fathers blood reddening the floor and at the same time a callous wreck with the greatest indifference to his misery he has made pillaging their parents things

Say now which should you pity most the ruined family or the bloody man who cared not for the blood trickling from the veins of the inocent person who was the object of his malignity who had done such a crime as Cains and [?] with impunity with a heart more brutal than Cain would do it again hang the murderer put an end to his fatal career and the people are no more fearful of his approaching ever again to redden the bloody knife or raise the dreaded axe to kill the glory [?[but is to a just tribunal to give an account of his deeds on earth and be punished accordingly

[This diatribe is accompanied by notes, many of which are marked in the text by numbers, though I was unable to detect them all. Some of this must have been copied in a great hurry, as there are many errors of what must be transcription -- errors I have tried faithfully to preserve as they add to the flavor of the document. I shall transcribe the notes on the next page to the best of my ability. MK]

[Simeon Locke Doggett's footnotes to his peroration on Capital Punishment. It should be remembered that he was still a very young man and not yet a schoolteacher. I missed a few of the numbers in the text.]

The numbers 1234567 refer to figures of the same name beneath the pencil marks [for the most part faded out]

2 Arguments in answer to Mr. Davis the advocate of abolition of capital punishment -- Who spoke on the 28th of Sep 1845

3 Mr Davis says that if man was not hung for murder the life of a human being would become sacred and none would dare to take it -- that because the law is to hang, the murderer bloodthirsty individuals perceive that life is not sacred & that the little animals which destroy the Crocidile's eggs are held sacred by the Egyptian & if they destroyed human life they would doubtless be considered ious.

4 Mr Davis argued that severe laws render them uncertain that is severe punishment make jurors and judges reluctant and unwilling to execute them and for this reason they have no restrain affect whereas a less rigorous course would be more promptly enforce and dinimish crime

5 Mr D endeavor to prove that the gallows has no restraining affect and the advantage of imprisonment in this respect.

6 He exerted himself very much in exciting the pity of the people for the unfortunate victims who once in a great while are unaware to to both Jurors and judge condemn to atone for the crime of another

7 This is Mrs. Davis's greatest argument against hanging, he spoke in a very vivid manner repersenting the obstinate sinner about to be sent to hell and the penitent one deprived of life as soon as he become useful to himself and the world He condemned the Minister as savage who could excute a criminals the one & sinner whose soul he sends to everlasting fire other & christian the hanging of whom is the same as tho 'twere Jesus Christ