Some Thoughts on the approaching Executions.

As the Number of persons convicted in the late unhappy tumults will probably exceed what any ones Idea of Vengeance or example would deliver to capital punishment, it is to be wished, that the whole Business, as well with regard to the Number and description of those who are to suffer Death, as with regard to those who shall be delivered over to lighter punishment, or wholly pardoned, should be entirely a work of reason.

It has happened frequently in Cases of this Nature, that the fate of the Convicts has depended more upon the accidental circumstance of their being brought earlier or later to Trial, than to any steady principle of Equity applied to their several Cases. Without great care and sobriety, criminal Justice generally begins with anger and ends in Negligence. The first that are brought forward suffer the Extremity of the Law with circumstances of Mitigation in their Case, and after a time the most atrocious delinquents escape merely by the Satiety of punishment.

In the Business now before his Majesty, the following thoughts are humbly submitted.

If I understand the Temper of the publick at this moment, a very great part of the lower, and some of the Middling people of this City, are in a very critical disposition, and such as ought to be managed with firmness and delicacy. In general, they rather approve than blame the principles of the Rioters; though the better sort of them are afraid of the consequences of those very principles, which they approve. This keeps their Minds in a suspended and anxious state, which may very easily be exasperated by an injudicious severity into desperate resolutions, or by weak measures on the part of Government may be encouraged to the pursuit of Courses, as may be of the most dangerous consequence to the publick.

There is no doubt that the approaching executions will very much determine the future conduct of those people. They ought to be such as will humble; not irritate. Nothing will make Government more awful to them than to see, that it does not proceed by chance or under the influence of passion.

It is therefore proposed, that no execution should be made, until the Number of persons which Government thinks fit

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to try is compleated. When the whole is at once under the Eye — an examination ought to be made into the circumstances of every particular Convict; and Six at the very utmost, of the fittest examples may then be selected for execution, who ought to be brought out and put to death, on one and the same day, in six different places, and in the most solemn manner that can be devised. — Afterwards great care should be taken, that their Bodies may not be delivered to their friends, or to others, who may make them objects of compassion or even veneration. Some instances of the kind have happened with regard to the Bodies of those killed in the Riots.

The rest of the Malefactors ought to be either condemned for longer or shorter terms to the Lighters, houses of correction; service in the Navy; and the like according to the case.

This small number of executions and all at one time, though in different places, is seriously recommended; because it is certain, that a great havock among Criminals hardens rather than subdues the Minds of people inclined to the same Crimes; and therefore fails of answering its purpose as an example. Men who see their Lives respected and thought of value by others, come to respect that Gift of God themselves. To have compassion for Oneself, or care, more or less, for ones own Life, is a Lesson to be learned just as every other, and I believe it will be found, that conspiracies have been most common and most desperate where their punishment has been most extensive and most severe.

Besides the least excess in this way excites a tenderness in the milder sort of people which makes them consider Government in an harsh and odious light. The sense of Justice in Men is overloaded and fatigued with a long series of executions, or with such a carnage at once, as rather resembles a Massacre, than a sober execution of the Laws. The Laws thus lose their Terror in the Minds of the wicked, and their reverence in the Minds of the Virtuous.

I have ever observed, that the execution of one Man fixes the attention and excites Awe. The execution of Multitudes dissipates and weakens the Effect. But Men reason themselves into disapprobation and disgust: They compute more as they feel less; and every severe Act which does not appear to be necessary is sure to be offensive.

In selecting the Criminals a very different line

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ought to be followed from that recommended by the Champions of the Protestant Association. They recommended that the Offenders for plunder ought to be punished, and the Offenders from principles spared. But the contrary Rule ought to be followed. The ordinary executions, of which there are enough in conscience, are for the former species of delinquents – but such common plunderers would furnish no example in the present Case, where the false or pretended principle of religion which leads to crimes is the very thing to be discouraged.

But the reason which ought to make these people objects of selection for punishment, confines the selection to very few. For we must consider, that the whole Nation has been for a long time guilty of their Crime. Toleration is a new Virtue in any Country. It is a late ripe fruit in the best Climates. We ought to recollect the poison, which under the Name of antidotes against Popery, and such like Mountebank Pillles, has been circulated from our Pulpits, and from our presses, from the heads of the Church of England, and the heads of the Dissenters. By degrees these publications have driven all religion from our own Minds, and filled them with nothing but a violent hatred of the religion of other people, and of course with a hatred of their persons, and so, by a very natural progression, has led them to the destruction of their Goods and Houses, to attempts upon their Lives.

This furnishes no reason for suffering that abominable Spirit to be kept alive, by inflammatory Libels or seditious Assemblies, or for Government yielding to it in the smallest degree, any point of Justice, Equity, or sound Policy. The King certainly ought not to give up any part of his Subjects to the prejudices of another. So far from it, I am clearly of opinion that on the late occasion, the Catholicks ought to have been taken more avowedly than they were, under the protection of Government, as the Dissenters had been on a similar occasion. But though we ought to correct the Bigotry of people, and to correct our own too, if we have any left, we ought to reflect that an Offence, which in its Cause is national, ought not in its Effects to be vindicated on individuals but with a very well tempered Severity.

For my own part I think the fire is not extinguished, on the contrary it seems to require the attention of Government more than Ever. But as a part of any methodical plan for extinguishing this flame, it really seems necessary that the execution of Justice should be as steady and as cool as possible.

Some Thoughts on the approaching Execution.

Supposed 1700