

it occasions should exceed the *good* expected from the crime; including in the calculation the certainty of the punishment, and the privation of the expected advantage. All severity beyond this is superfluous, and therefore tyrannical.

MEN regulate their conduct by the repeated impression of evils they know, and not by those with which they are unacquainted. Let us, for example, suppose two nations, in one of which the greatest punishment is *perpetual slavery*, and in the other *the wheel*. I say, that both will inspire the same degree of terror; and that there can be no reasons for encreasing the punishments of the first, which are not equally valid for augmenting those of the second to more lasting and more ingenious modes of tormenting; and so on to the most exquisite refinements of a science too well known to tyrants.

THERE are yet two other consequences of cruel punishments, which counter-act the purpose of their institution, which

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