

CRIMES OF VIOLENCE.

obligation to do this devolved in the first instance upon the tenants, as the person in possession, and who would have been liable civilly and criminally if injury had ensued. But inasmuch as the effect of removing walls that are unfit for use is to benefit the inheritance to the full extent of the expense incurred, the plaintiffs would probably have been entitled to call on the owners of the reversion for reimbursement, even if the duty of the latter had not been defined by statute."

It is generally held, in qualification of the liability for mere *continuance* of a nuisance erected by another, that the defendant had knowledge of its injurious character, or was notified or requested to remove it: *Pickett v. Condon*, 18 Md. 412; *Brown v. Cayuga*, 2 Kern, 486; *Hubbard v. Russell*, 24 Barb. 404; *Caldwell v. Gale*, 11 Mich. 77; *Crommelin v. Cozs*, 30 Ala. 318; *Penruddock's Case*, 5 Co. 100; *Winmore v. Greenbank*, Willes, 583; *Woodman v. Tufts*, 9 N. H. 92.

In a late case, mere complaints and attempts forcibly to abate the nuisance were held not equivalent to the direct and unequivocal notice which the law requires: *M'Donough v. Gilman*, 3 Allen, 264.—*Central Law Journal*.

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Offences against the person threaten to become the question of the day. One of our contemporaries harps incessantly upon it, and the Secretary of State has asked the opinion of the local administrators of justice thereon. Even judges are perturbed; and among politicians and social philosophers, many are in a fair way to lose their normal balance when addressing themselves to the consideration of this topic.

The latest instalment of statistical information on the matter comes from Liverpool, and last week the substance of what had appeared in the *Liverpool Albion* was given in our columns. It is unnecessary to repeat figures. The result, both of the statistics collected at Liverpool and of those collected elsewhere in England,

may be thus briefly stated: If a period of five, six or seven years now last past be taken, and compared with a like preceding period, the actual number of offences against the person does not show an increase. If the relative violence of the offences be looked at, the later period shows an increase—even a marked increase—in this respect. If the number of offences against the person be considered absolutely, not comparatively, it is beyond all dispute immense; so immense as to form a very dark blot upon the social condition of the country. Again, if offences against property in all the large centres of population are reckoned, and a comparison of periods of five or ten years is made, there is seen a marked decrease. It would not be mathematically correct to say that the decrease in larceny varies exactly as the increase in crimes against the person; but, roughly speaking, the estimate is not very far wrong.

Nearly every discussion of this state of things has been limited to the means of repressing crimes of violence, and even in this very narrow area the debate has turned solely on the point whether criminals of this kind ought to be flogged. Thanks mainly to the exertions of one evening journal, we seem to be on the very eve of what may be called the Flagellant Reaction. We say Reaction advisedly, because the lash and the rod are the most primitive instruments of correction, and characterize the infancy of civilization in the history of every country on the face of the globe.

Now, why has larceny decreased? The first and most important answer to this question is, that men do not steal that which they do not want. Of late years in England wages have ruled high; employment has been abundant; the necessities, even the luxuries, of life have followed on the heels of genuine trade; and it has become rather a difficult thing in this country to starve. Clothes, such as working people wear, are cheaper here than anywhere else in the world; and as few need starve for want of food, so few are frozen for lack of raiment. All the whips, and scorpions, and gallows on earth will not prevent hungry men from stealing a loaf of bread; and, conversely, few who have the money in their pockets wherewith to buy food will run the risk