

OUR JUDGES, OUR PERSONS, AND OUR PURSES.

other similar brutalities, have all been punished of late by the infliction of trumpery fines.

What is the consequence?—The savage spirit animating the ruffianism of London, and fostered by the Forcible Feebles at some of the courts, has full swing. Eyes blackened, noses broken, ears bitten off, frightful wounds, contusions, and lacerations are the fruits of the magisterial leniency. One magistrate in particular seems, since his appointment, to be utterly blind and deaf to the complaints made for mere bodily injuries. In his court have been reported shocking assaults, not one of which has been visited with that bitter imprisonment which alone cures brutality.

Is it that the air of a London magistrate's has some enervating effect? Are the scenes and instances of shameful assaults and savage ferocity so numerous as to deaden the magisterial sensibility? Why is not the two months' penalty rigidly enforced in every assault where any bodily disfigurement or laceration—aye, be it the slightest—results, and why is not a minimum of fourteen days given to every other proved savage attack? *Because the magistrates forget the precious value of limb and bone while perceiving that of watches and purses!*

Of the strange perversity of judgement in this matter, which distinguishes many of the London magistrates, enough has been said in a former number, under the title "Crimes of Violence and their Punishment." Rather is it intended in this paper to point out the pernicious leniency which extends to some courts of far higher than Metropolitan police courts. Not merely at the Middlesex Sessions have the heavy sentences passed off for offences against property, and the light ones for offences against the person. A sentence of four months for manslaughter with the knife was passed by an eminent judge not long since. Such a manslaughter is divided by the thinnest line from murder, and how paltry does it seem when compared with the heavy sentences of penal servitude inflicted at every assize and quarter sessions for robberies of articles of property.

Manslaughter, rape, assaults with intent, infliction of grievous bodily harm, and assaults resulting in *any* personal mutilation, ought by every rule of common sense to meet with most exemplary punishment. Yet they only seem to rank, in the minds of many administrators of the criminal law, with robberies, thefts, and forgeries, and generally *below* these last in heinousness. A lamentable perversion of judgment this, and most terrible in its consequences. The brutal violence of our English savages is, in effect, a result more or less of a pernicious idea that the person may be injured with little risk, while the pocket is guarded by the most terrible rigour of the law. Unless this idea is forthwith exploded by the infliction of very heavy punishment (with no remission) for violence, the lawlessness which has temporarily grown up among the dangerous classes

will have terrible results. Already rowdism and ferocity seem to have infected the mobs in many places in an unusual degree, and the sooner the lesson is taught that the Law is above all in England, the better for everyone's welfare.

Property is as nothing compared with life and limb. Who does not regard the robber of his watch as a far less culpable offender than the villain who stabs or beats him to death's door. The sharp sting of the lash, the terrors of the hulks, and the rigour of prison life are the only fit reprisals for crimes of brutal violence committed for mere savagery and love of inflicting pain. The wife beater, the villains who offer violence to women, the smashers of bones with pokers and hobnailed boots, the cannibals who bite off ears and noses, the ruffians who use quart pots as lethal weapons, and the vitriol throwers, are the worst criminals in England. By their side, the shoplifter, the watch stealer, the pickpocket, and the swindler are trifling offenders. And until the judges and the magistrates adopt this classification, we shall continue to shudder and sicken at the devilish brutality and cruelty which crop up at every gaol delivery.

It cannot be denied that the London stipendiary magistrates have done much, by their leniency towards mere acts of violence, in deadening the minds of criminals towards the nature of ruffianism; and one or two whom we could name, to judge from the *Times* reports of their courts, to show the most ridiculous ignorance of their functions as repressive agents of brutality as well as of theft. At one court several savage assaults have been punished with trumpery fines. It makes one regret that the option of a fine was ever retained in the 42nd section of the 24 & 25 Vic. c. 100, which rules common assaults. It is a source of miserable weakness in some magisterial decisions.

The moment the dreadful theory gains distinct shape, that the integrity of life and limb are little valued by the law, all security and cohesion of society ceases. Mercy, or rather weakness, in such cases is very cruel to the criminal classes as well as to their victims, because sooner or later it engenders a fierce and pitiless reaction; and more than that, leniency to offences of this class intensifies more than ever the commercial taint which runs so much through English law. Every consideration must point towards the far severer punishment of offences against person than of those against property.

What then are the suggestions for ameliorating the misplaced lenity which sows such dragon's teeth:—

1. (As before advised) a circular from the Home Office pointing out the imprisoning powers of the Act regulating offences against the person. This applies to magistrates' courts only.

2. A short and tersely drawn Act, punishing every common assault with any *wilful*