

to poison them both at the same moment. This they effected, but not without discovery. It is not to the police, however, but to the juries, that criminals must in France look for escape. They were tried and found guilty, but with extenuating circumstances. One would imagine from the rareness of an acquittal, and the frequency of *les circonstances atténuantes*, that the juries were in the habit of reducing to a mean the entire guilt and innocence brought before them; the result being an average of extenuating circumstances. A witty writer observed that, under such a state of things, it was a matter of wisdom to kill your wife rather than to let her be bored by you. "If you assassinate *her*," he says, "you are let off with the galleys; but if you bore her, she assassinates *you*."

A poor woman named Rosalie, unable to support her illegitimate child, and not having the courage to take it herself to the hospice for *les enfans trouvés*, agreed with a neighbour that he should convey it thither for a certain monetary consideration, to procure which the poor woman gave her last sou, and sold the remnant of her scanty wardrobe. When the day came the man expended the money in drink, and then coolly threw the child on the ground, crushed its head with the heel of his wooden *sabot*, and digging a hole buried it out of his sight. It will hardly be believed that any jury could find extenuating circumstances in this ruffianly case; but nevertheless so it was. Guilty, with the invariable addition of *les circonstances atténuantes*. A widow in the department of Vaucluse, in 1845, was proved to have buried alive three illegitimate children in as many years. The same verdict was recorded.

Another woman, married to a bricklayer, and who it is to be presumed had at least some sentiment of hostility towards her husband, took the opportunity, when he was working at the bottom of a well, to kill him by literally stoning him to death with her own hands. The same verdict was returned.

Another case of *les circonstances atténuantes* was that of a girl who stole a watch, not, as it was clearly proved, through the pressure of poverty. A periodical remarking on the verdict observed, that no doubt the jury had reflected that if every person in want were to steal, robberies would become deplorably common, whereas for the caprices of the well-conditioned allowances had to be made.

At Isère a man set fire to the loft where his father (a paralytic man upwards of eighty years of age) slept, and fairly roasted him to death. It was remembered by witnesses that the accused had threatened his father in these words: "I would like to see thee roasted like a toad on a shovel." And he had to the best of his ability redeemed his promise. The jury, struck with admiration at the scrupulous fidelity with which the prisoner had kept his word, returned a verdict of guilty, but with extenuating circumstances.

For the eccentricity of the conclusions at which these French jurymen arrived we do not attempt to account. Our own impression being that from the annals of crime it would be impossible to collect circumstances which could more justly be considered as aggravating rather than extenuating in their character.