

may be discounted to some extent by the fact that our gaols have, in many instances, to do duty as poor-houses and lunatic asylums, as well as for the detention of persons, either accused or convicted of crime, and a considerable proportion of their inmates made up of the unfortunate, rather than of the dangerous, class, we are not in a position to point the finger of scorn at our neighbors, or to treat this subject as one in which we have a merely academic interest.

This is a matter which deserves to be carefully studied by us on our own account. It is one that concerns the safety of our lives and property, the peace and well-being of the community, and the economic interests of the country. Even if we were influenced by no higher motives, these prudential considerations are enough to invest this subject with sufficient interest, one would think, to induce us to make it a matter of careful study. But it is a question of humanity; the criminal, however deeply fallen and degraded, is, after all, a man and a brother. He has a common origin and a common destiny with ourselves; and this branch of social science deserves to be studied on his account, and in his interests, as well as in our own.

There are three things about crime which deserve our careful attention: its *nature*, its *causes*, and its *cure*. These are the points to which the following pages are to be devoted. It will be readily seen by any one who has given any degree of intelligent attention to the subject, that the treatment of these in an article of this kind, in the nature of things, must of necessity be superficial and summary.

"Crime or misdemeanor," says Blackstone, "is an act committed or omitted in violation of a public law either forbidding or commanding it." And this definition has been adopted, in the main, by all who have since written upon the subject. Indeed, the etymology of the term seems to point to a similar, if not an identical, meaning.

Guided by this alone, we should be disposed to define it as an act or omission which exposes to condemnation and punishment inflicted by the civil power. The word, in both its Latin and Greek equivalents, signifies judgment, sentence, or punishment; but by an evolutionary process such as is constantly going on in all languages, the cause has taken the place of the effect, and the word which was originally used to express the latter has come, in these latter times, to signify the former.

In harmony with this view, Judge Sanford M. Green, of Michigan, in his work on "Crime: its Causes, Treatment, and Prevention," says, "Crime is said to consist of the wrongs which the Government notices as injurious to the public, and punishes in what is called a criminal proceeding, in its own name."

These are legal definitions, intended for the guidance of those who are called to expound the law, and who are intrusted with the administration of justice; but whatever value and importance they may have for this purpose, they are scarcely comprehensive enough to cover the whole ground, or radical enough to be made the basis of thoroughly scientific inquiry. The facts that what is called crime and treated as such in one country, may not be so regarded or treated in another, and that what was held to be a crime at one time, and even visited with the extreme penalty of the law, may, in the same country, either wholly disappear from the statute-book or be treated as merely a misdemeanor at another, show the necessity of some more radical and comprehensive definition. Indeed, Judge Green, in the work which has already been alluded to, admits this, and does not, therefore, confine himself to "what the law calls crime," in the discussion of his theme, but includes within the meaning of the term, "all wrongs committed against persons and property, public health, justice, decency, and morality, whether forbidden by a public law or not."