

from statistics the proportion of the criminal class in any community, the investigations of students establish the existence of a constant class disposed to crime in all civilized lands, varying in numbers according to different physical conditions and social environment, the prevalence of hereditary tendencies, and susceptibility to occasional impulse, in obedience to a law which Professor Ferri called the law of criminal saturation; that is, society under similar conditions has always a certain proportion of identified and possible criminals, in the same way as it has a certain proportion of insane, deaf, epileptics, and cripples, as well as strong, healthy, and extraordinarily capable members. The former are the effete residuum.

The criminal class specifically consists of all those who from physical deformity, mental incapacity, or normal depravity, are either unable, or indisposed, to regulate their lives in conformity with the laws of the community. The percentage of criminals is estimated at 2 per cent. The classification of criminals has been variously indicated. Probably the best and most satisfactory is:—

- I. Criminal madmen, 5-10 per cent.
- II. Instinctive criminals, 40-50 per cent.
- III. Habitual criminals, 40-50 per cent.
- IV. Single offenders.
- V. Presumptive criminals.

The second and third class are criminals by nature, victims of a depraved or corrupting early environment, or of defective heredity.

A large proportion of general insanity may be traced to the same source. From a physical or physiological point of view, the disease of criminality may be diagnosed as the domination of inordinate egoism or selfishness over a character having inferior or enfeebled intelligence or energy.

Crime may be legally defined as an act, or omission, declared by the law injurious to public or private right or welfare, perpetrated intentionally by a sane person. The crimes are differentiated into three classes.

- I. Sinful as violating divine and human law, *e. g.* blasphemy.
- II. Vicious, as violating natural and human law, *e. g.* murder or assault.
- III. Legal, as violating social law, *e. g.*, theft or adultery.