

wrong. To him is attributed criminal responsibility to the same extent as to the mentally sound. No weight is given to the fact that in mentality he is but a child.

"Yet toward the child in years the law assumes a paternal attitude. Up to the age of sixteen, it deems their wrongful acts, with the exception of murder, not crimes, but juvenile delinquencies, and deals with the delinquents themselves on lines not penal, but reformatory and educative. They are not punished, but cared for and instructed. They are not viewed as criminals, but unfortunates over whom the State, for their own good, extends its protecting arms. This exceptional treatment is accorded not on account of their youthful age as such, but on account of the undeveloped mentality which accompanies it. Why should it not also be accorded to those unfortunate individuals chronologically adults, but in mentality and adaptability to their surroundings, children? The answer seems obvious."

I should like to sum up my own views and those I have quoted in some such way as this:

To allow young men and women and adults of both sexes to appear before magistrates and judges and to be tried and condemned without any effort being made to ascertain the cause of their downfall, their previous environment, and their mental condition, is, in the light of modern thought, a most unwise and costly mistake. It judges the mentally defective and others as if he or she was entirely responsible and it ignores the costly burden upon the State caused by term sentences which permit, after an interval, the criminal to return to society, to again resume his career of vice. It is the duty of every judge to endeavour to deal with crime so as not only to punish the particular offence, but to give to the condemned person an opportunity to profit by his experience and to reform. At present any effort in the latter direction is completely thwarted by lack of knowledge of the very facts which would determine just what punishment or treatment would accomplish the desired result.

It is no secret that magistrates and judges in an indirect way do endeavour to ascertain something about those upon whom it is their duty to impose punishment, and that they are too often pressed with the knowledge that they have before them but little to guide their decision. The law, represented chiefly by the judges, magistrates, the police, the parole and probation officers,