

excite no serious comments among the mass of the people, nor even among many whose duty it is to administer it.

The writer of this article was upon the trial bench for seven years, and had occasion to pass sentence upon a considerable number of convicted persons, and he frequently felt the utter impossibility of satisfying himself as to the wisdom or justice of the sentences which he imposed. It seemed always to be merely a guess, and a very unsatisfactory guess at best. He always recognized the difficulty of the task, but he did not then comprehend, as he now comprehends, the true reasons for that difficulty; namely, the fact that he could make no study of the convicted person's previous life or environment, or the causes of his act, nor avail himself of the study of any expert on the subject; and the further fact that, even if he could accomplish these things, he could take little or no advantage of them, but must still impose a predetermined prison sentence, regardless of its fitness to the crime or its probable deterrent or reforming effect on the criminal. While these considerations apply in some degree to all criminal prosecutions, they apply with the greatest force to those cases in which the offenders are either (1) very young, or (2) in some degree peculiar, or not wholly normal by reason of heredity, or environment, or other cause, or (3) first offenders who, though not children, are still at the age where, under favourable conditions, reform may be reasonably hoped for, or (4) confirmed and repeated criminals, as to whom there can be no hope of reform.

As to each and all of these classes of offenders, the prevailing practically immutable methods of punishment seem to me quite indefensible. It is perhaps needless to enter into any argument of this proposition as to the first class named. Already the rank folly of treating the child offender as a criminal, and sending him or her to the bridewell in the company of the harlot and the thief, only to receive an advanced course of instruction in crime, has been quite generally realized, and juvenile courts administered by wise and kind judges, with power to temper justice with love and mercy, have been established in our great cities, and their number is increasing. Thank God for this advance!