

should make them the repositories of inconvenient secrets; but there is apparently nothing to show that these incipient confessions were true, and in any event an isolated case of this kind cannot outweigh the evidence in support of the contrary conclusion. It is not only because of its repulsiveness and probable uselessness that we rejoice that the proposal to hypnotize De Jong was abandoned. There can be no doubt that if such an experiment had been tried it would have repelled both the public and the medical and legal professions from giving to the phenomena of hypnotism that respectful consideration to which they are justly entitled. How injuriously the prospects of hypnotic science in this country were affected by what transpired at the Eyraud and Gompard trial, no intelligent observer of contemporary medico-legal history needs to be told. We should have regarded a second *contretemps* of the same kind with deep regret. In a variety of forms the problem of hypnotism will soon be upon us. We may close our eyes to its approach. *Pur si muove*. How shall we determine the civil capacity and the criminal responsibility of hypnotized subjects? When is hypnotic influence "undue?" How shall we best protect the patient from the hypnotist, and the hypnotist from possible false charges on the part of the patient? With these and other questions of the same description we shall have ere long to deal. We earnestly hope that no untoward incidents in the meantime will deter the educated public from studying hypnotic phenomena in a spirit of calm and dispassionate inquiry. It would, indeed, be a misfortune if, when the problem of hypnotism comes up for solution, its intrinsic difficulties should be intensified by our want of familiarity with its terms.

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#### *The Punishment of Habitual Criminals.*

The Report for 1892 of the Commissioner of the Metropolitan Police throws a somewhat startling light on the present position of the controversy as to the relative juridical value of long and short sentences respectively in the case of offences against property, such as burglary and house-breaking, which constitute, as Sir Edward Bradford truly observes, the peculiar work of the habitual professional criminal. Now the statistics for 1892 point to the fact that in so far as crimes of this description are concerned the short sentence theory has already triumphed

over its rival. The convictions upon indictment in 1892 for offences under the class in which burglary and housebreaking are included numbered 409. A considerable proportion of these convictions were of habitual criminals, and yet ten years' penal servitude was the maximum sentence recorded, and this sentence was imposed in three cases only. In one case the sentence was eight years, in six cases it was seven years, in two cases six years, in twenty-nine cases it was five years, in two cases four years, and in thirty cases three years. In the 409 cases, therefore, there were 73 sentences of penal servitude, and 61 of these were for terms of five years or under. When we examine the matter more closely the defeat of the long sentence theory appears still more remarkable. Though there were 143 convictions for burglary, only 19 sentences of penal servitude were passed, the maximum being seven years, and this term was imposed in only two cases. The convictions for breaking into dwelling-houses, shops, etc., numbered 179, and in respect of these only 32 penal servitude sentences were recorded. One of these was for eight years, one for seven years, two for six years, and the rest for terms of five years and under. Sir Edward Bradford has no doubt that the policy of judicial leniency which has thus, to all appearances, set in will increase the national roll of habitual crime—(1) because short sentences do not deter confirmed criminals, and (2) because the obvious practical result of the short sentence theory is to raise permanently the proportion of such criminals who are "at large" at any particular time. It does seem undesirable that the legal principles which have hitherto obtained in regard to the punishment of professional criminals should be abandoned before we have at least had an inquiry by a competent tribunal into their working, and also into the probable effects of the system which it is proposed to substitute for them.

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#### *The Prevention of Suicide.*

The increasing prevalence of suicide in this country is a phenomenon of grave social importance. Many of its causes, doubtless, lie beyond the range of either legislative or administrative remedies. We cannot avert the influence of commercial depression or religious excitement or alter the thousand and one climatic, telluric, and social conditions which lead men to take away their own lives. Nor can we