

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

return to the drastic policy of earlier days, when the suicide was buried at midnight in the king's highway with a stake through his body, and without the rites of Christian sepulture. But two deterrents might be tried. In the first place, instead of treating attempted *felo de se* as attempted murder, it might, in accordance with Sir James Stephen's suggestion, be regarded only as a secondary offence, punishable by secondary punishment. Again—and the prospect held out by the Death Certification Committee's report, of fresh legislation in our "crown's quest law," gives to this point an immediate interest—coroners' juries ought not to be permitted to return, nor should coroners be allowed to receive verdicts of "temporary insanity" in cases where not a vestige of evidence of mental disease in the legal sense of the term was adduced. The amiable humanity which inspires such verdicts is worthy of some respect, but its consequences are bad, and further manifestations of this weak disregard of duty ought to be prohibited by law. It may well enough be that the average *felo de se* is not able fully to appreciate either "The Suicide's Argument" or "Nature's Answer" to it, at the time when he lays violent hands on himself. But this is not what the law means, or ought to mean, by insanity; and we see no reason whatever why the mental state of suicides should not be determined by the criteria which govern the question of criminal responsibility in other cases. We deplore this weak sentimentality.

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*The Limehouse Murder Case.*

Mr. Asquith has done wisely in commuting the capital sentence passed on Lewis in this case to one of penal servitude. The circumstantial evidence against the prisoner was utterly inconclusive; and his confession of guilt—deliberate and complete as in point of form it undoubtedly was—had a *souçon* of insanity about it of which the mind has some difficulty in getting rid. The jealousy with which the criminal law regards naked confessions of guilt is justified by experience. There can be no doubt that it was mental disease which prompted the witches of old to make their false revelations as to the hideous mysteries of the *sabbat*. And other cases are recorded in which sometimes from insane delusion, sometimes from insanity without delusion, sometimes from sheer *tædium vitæ*, and at other times from an infamous desire for notoriety, or a laudable