

**AN ESSAY ON CRIMES AND
PUNISHMENTS, TRANSLATED FROM
THE ITALIAN: WITH COMMENTARY,
ATTRIBUTED TO MONF. DE VOLTAIRE,
TRANSLATED FROM THE FRENCH**

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An Essay on Crimes and Punishments, Translated from the Italian: With Commentary,
Attributed to Monf. De Voltaire, Translated from the French by Marquis Beccaria Cesare

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MARQUIS BECCARIA CESARE

**AN ESSAY ON CRIMES AND
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Marquis Cesare Beccaria

A N
E S S A Y
O N
C R I M E S
A N D
P U N I S H M E N T S,

TRANSLATED FROM THE ITALIAN;

WITH

C O M M E N T A R Y,

ATTRIBUTED TO

Monf. De VOLTAIRE,

TRANSLATED FROM THE FRENCH.

THE FOURTH EDITION.

*In rebus quibuscumque difficilioribus non expectandum,
ut quis simul, & ferat, & metat, sed preparationis opus
est, ut per gradus maturecant.*

BACON.

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P R E F A C E

OF THE

TRANSLATOR.

TO THE FIRST EDITION.

PENAL LAWS, so considerable a part of every system of legislation, and of so great importance to the happiness, peace and security of every member of society, are still so imperfect, and are attended with so many unnecessary circumstances of cruelty in all nations, that an attempt to reduce them to the standard of reason must be interesting to all mankind. It is not surprising, then, that this little book hath engaged the attention

iv *Preface of the Translator.*

of all ranks of people in every part of Europe. It is now about eighteen months since the first publication; in which time it hath passed no less than six editions in the original language; the third of which was printed within six months after its first appearance. It hath been translated into French; that translation hath also been several times reprinted, and perhaps no book, on any subject, was ever received with more avidity, more generally read, or more universally applauded.

THE author is the *Marquis BECCARIA*, of *Milan*. Upon considering the nature of the religion and government under which he lives, the reasons for concealing his name are obvious; the whole was read, at
different

Preface of the Translator. v

different times, in a society of learned men in that city, and was published at their desire. As to the translation, I have preserved the order of the original, except in a paragraph or two, which I have taken the liberty to restore to the chapters to which they evidently belong, and from which they must have been accidentally detached. The French translator hath gone much farther; he hath not only transposed every chapter, but every paragraph in the whole book. But in this, I conceive, he hath assumed a right which belongs not to any translator, and which cannot be justified. His disposition may appear more systematical, but certainly the author hath as undoubted a right to the arrangement of his own ideas, as to the

vi *Preface of the Translator,*

ideas themselves; and therefore, to destroy that arrangement, is to pervert his meaning, if he had any meaning in his plan, the contrary to which can hardly be supposed.

WITH regard to the commentary, attributed to *Monf. de Voltaire*, my only authority for supposing it his, is the voice of the public, which indeed is the only authority we have for most of his works. Let those who are acquainted with the peculiarity of his manner judge for themselves,

THE facts above-mentioned would preclude all apology for this translation, if any apology were necessary, for translating into our language, a work which from the nature

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Preface of the Translator. vii

ture of the subject must be interesting to every nation ; but must be particularly acceptable to the English, from the eloquent and forcible manner in which the author pleads the cause of liberty, benevolence and humanity. It may however be objected, that a treatise of this kind is useless in England, where, from the excellence of our laws and government, no examples of cruelty or oppression are to be found. But it must also be allowed, that much is still wanting to perfect our system of legislation : the confinement of debtors, the filth and horror of our prisons, the cruelty of jailors, and the extortion of the petty officers of justice, to all which may be added the melancholy reflection, that the number
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