

with the punishment theory is that it is based on the the supposition that the criminal is in all instances a normal being, when the facts go to show that in many instances he is markedly normal.

To the physician the suggestion of cure invariably implies the existence of disease, and it is a common belief that the medical theory is wedded to a belief that crime is invariably the outcome of disease. Nothing could be more erroneous, as the classification adopted shows, and the utmost contended for is the very co-operation of judges and physicians suggested.

It is true that among us there is a knowledge of the fact that many murderers are epileptic or insane, and we know that many others guilty of this crime are criminals by passion, the least anti-social of any of the classes.

However, leaving the region of theory for a time, and taking the practical method of investigating the application of our laws in the care and treatment of well-defined criminals, what do we find in our own country? A ray of light has broken through the cloud in a few places, but on the whole we have little on which to congratulate ourselves when we study the methods in vogue. Our one ideal is uniformity, with absolute disregard of the individual, in other words the only question considered is that of making "the punishment fit the crime."

To commence with our classification, viz, the criminal insane. As I have explained before, when these sufferers from brain disease commit murder they are almost invariably hanged. A very few escape the gallows, and are acquitted on the ground of insanity; these are sent to the provincial asylums, which are not equipped to care for the criminal classes. Outside of that it is distinctly wrong to allow the criminal insane to associate with the harmless insane, but the law insists upon it, and there is no escape. In case the crime is not murder, and the insanity is not discovered until the prisoner is transferred to penitentiary or prison, the result is somewhat different. If in the penitentiary, and his mental malady is not particularly annoying to others, he is kept with the ordinary convicts; if he is troublesome, he is transferred to what is by courtesy called the criminal asylum. As a matter of fact, an insane criminal