CANADA

MEDICAL & SURGICAL JOURNAL

OCTOBER, 1886.

Original Communications.

CRIME AND RESPONSIBILITY.

BY DANIEL CLARK, M.D.,

Medical Superintendent of the Asylum for the Insane, Toronto.

(Read before the Canadian Medical Association, at Quebcc, August, 1886.)

Crime has been defined to be a violation of human law or the law of the state; sin, a violation of the Divine law or the precepts of religion: vice is opposite to virtue, and is an offence against morality, or a violation of the moral law. Crime is especially the object of jurisprudence; vice, of ethics; and sin, of theology.

Responsibility is the capacity of discharging an obligation, or ability to be accountable for actions.

We must bear these definitions in mind in discussing the relation of crime to responsibility. Some classes of humanity must be held to be exempt from responsibility. 1st, The child of immature age. 2nd, The idiot with arrested brain-growth and dwarfed mental development. 3rd, The imbecile in whom the mental powers exist, but in a feeble and circumscribed condition. 4th, Various classes of the insane. 5th, The epileptic (not insane), when fits are coming on or leaving. 6th, The dipsomaniacal in the frenzy of drunkenness.

The two last classes are held in law to be responsible, whether conscious of their acts and the quality of them or not. Law says it cannot distinguish between the knowing act of an epileptic and that done unconsciously. It also says the drinking maniac is in that condition because of his voluntary act of drink-

9