

of a knowledge of right and wrong, and even with reasoning powers little or at all affected, and whatever the law may decide the inexorable logic of facts will hold its own. It is in vain to say that if you treat every persistent drunkard and imbecile knave as irresponsible, you must convert prisons and jails into asylums. It is in vain to express fear that if these doctrines are admitted social foundations will be shaken. Has it yet been tried whether asylums would not be more effectual for cure and reformation than prisons? How many institutions are there in the world like the House of Correction in Detroit, and how many able Christian philanthropists capable of conducting such institutions like Captain Brockway? When these are found, and in operation, and unsuccessful, it will be time enough to lament over the conversion of gaols into asylums. In spite of such views, truth is truth, and I take leave to say that until this matter is inquired into by all legislators, and made available to reformation or restraint rather than punishment, the present inefficient routine will be followed with the criminal population, which is alike contrary to common sense and to Christianity. The question is one in which common sense and medical science are in perfect accord. It may be laid down as a first principle, that the capacity of an individual to be influenced by the motives which influence the average of mankind in health and soundness, is the measure of his responsibility to society and of society to him. He may be a mere child in moral development, as well as in judgment (no doubt both defects of cerebral structure), and when this is proved, the plea of irresponsibility to society is admitted, and society becomes responsible to him and for him, and keeps him out of harm's way. In like manner the cases of emotional, impulsive and vicious imbeciles should be treated, the incapability of self-control being the practical question to be tried, and not the amount of knowledge. In the insane the like principle ought to guide, and it is to be solved jointly by common sense and medical experience. If found incapable he has appointed guardians or curators, as was done by the old Roman law, until he