

remember the existence of a transitory impulse, which, had it been realized outwardly in action, would have occasioned shame and disgrace. But such occasions only become matters of legitimate legal inquiry when they are offered in extenuation of crime. An influential consideration which must always be a prominent factor in the ultimate diagnosis is the social position of the patient. The commission of a criminal act by a person whose previous record has been untarnished, who has never been vicious or immoral, whose education has been elevating and whose associations such as tend to develop and strengthen the better sentiments of human nature, is much more apt to be caused by disease, than would be a similar realized impulse in one whose constant acquaintance with crime had lowered the moral tone and brought into prominence the brutal passions.

The law differentiates in the two instances with equity and good sense, consigning the one to an insane asylum and the other to prison. Morbid introspection, or the constant consideration of an impulse to commit an offence, will sometimes become so overmastering that the victim, recognizing the imminent danger to himself and others in a weakened will power, will request to be put under surveillance. Such a case, and of great interest, is fully described by M. Dagonet, in the *Journal de Médecine Mentale*, 1869, p. 317. It is also worthy of note that all the cases cited in the literature of mental disease as instances of morbid impulse have occurred in the middle or higher grades of society. The advance of civilization, rather than its absence or retardation, exerts a marked influence in their development. The greed of gain, the fluctuations of the money market, the exciting conditions of sumptuous tables, the sensual and demoralizing literature and art which delight the æsthetic young people of the period, are the necessary evils of our day and generation. Ignorance will foster superstition, debase the intellect and weaken the mental growth, but it will not disrupt the harmonious intercommunication of perception and will. Very rarely, if ever, has it been the case that a dominant impulse has obtained among the

ignorant. When the existence of this condition of mental erethism is urged in the extenuation of crime, it should be the duty of the physician to inquire minutely into the inherited tendencies of the prisoner, to seek for parental eccentricities, to weigh well the previous mental states, the social position and early training; and should it be a woman, to examine carefully for uterine flexions. Many women have been confined in asylums for acute and chronic insanity, who have recovered almost immediately upon the correction of a mal-placed uterus. Disorders of the digestive apparatus may be the exciting cause in a person so predisposed by reason of a transmitted taint.

The relation of the morbid impulse to crime is an intimate one. The abuse of the plea in criminal courts should not blind our eyes to its frequent existence. Just when the court may make a discrimination, and differentiate between a crime committed with a calm and sane deliberation, and others committed on the impulse of the moment, or from the predominating assertion of a morbid impulse, is a matter of frequent and interesting medico-legal inquiry. The theory of mania transitoria urged with so much ability and success in the Reynolds and McFarlane trials, could not bear the test of intellectual inquiry. While such states of mental unsoundness are incident to epilepsy and cerebral congestion, giving rise to transitory mania, no essential and primary disease of this kind is known in neurology. Yet a crime committed by a person who himself was a victim to epilepsy, or whose antecedents had been epileptic, might be condoned with propriety upon such a plea. The heat of passion occasioned by wrongs, imaginary or actual, does occasion cerebral hyperæmia, but such a plea could not be accepted in equity, by any court, as palliative of an offence committed. The immediate antecedent and subsequent mental condition of the prisoner, in relation to the crime, had been normal. He had no inherited disease, and the passion was self-caused and might have been controlled. No man may take the law into his own hands. To urge the plea of mania transitoria in such a case, because a condition of cerebral hyperæmia did obtain, is to stultify scientific medi-