

able cause to place the accused person on his trial, so soon as the unlawful killing by the accused person of the human being mentioned in the bill is shown by the evidence to be probable, you should find a true bill, leaving all matters of excuse to be pleaded at the trial. It is likely that in some of the cases of murder to be brought before the court during this term, insanity will be pleaded as a defence, but as the insanity of the accused person can only be urged as a matter of excuse for the crime, you have no right to ignore a bill on account of the accused person's insanity, however clearly shown ; but you must, if the killing by him is proved or is shown to be probable, find and return a true bill. Murder is the intentional killing of a person ; manslaughter is also the killing of a person, but it differs from murder in the absence of any intention to kill. It is a crime, however, when committed by a person doing an unlawful act, or when it occurs by gross and wicked negligence.

An indecent assault is where one person applies force to the person of another with the intention of committing an offence against chastity. In cases of this nature, the bill often contains two counts or distinct accusations, one for an indecent assault and the other for a common assault ; and in such cases, if the lesser offence alone is established,