

recourse to it as a *dernier resort* in otherwise hopeless cases. During a period of two years, it was raised in no less than 40 trials for murder in Great Britain and Ireland. We know not the number in which it was substantiated, but believe it to be very small. The law cautiously requires the clearest rebuttal of sanity in every case, and by so doing is acting in strict accordance with the history of Insanity.

The insane are as remarkable for depravity as other persons, probably more so; but the propensity to kill is not more strongly manifested by them than by persons reputed sane and better circumstanced. Of 137 criminal lunatics confined in England and Wales, 29 were for murder, 4 infanticide, 9 stabbing, shooting, and attempting to drown others, and 1 manslaughter; and in some of these we have reason for assuming the insanity followed the crime. Murder may be committed by an individual laboring under any form of insanity; but there can only be a difference of opinion as to whether it resulted from diseased mind in the absence of the features of this condition, as they are commonly recognized. Such cases form the species called homicidal moral mania, where the whole madness may consist in a desire to kill, which predominates over every other propensity, and directs the conduct, in spite of the will and reason. A clear perception, even horror, of the deed, is entertained; but the impulse is sudden and ungovernable, and its subject, though knowing the difference between good and evil, has not the power to choose the good and avoid the evil. It is difficult for one not versant in psychology to comprehend how such a one in full possession of his intelligence can be reputed mad and irresponsible. And the difficulty of proving its existence may explain the frequency with which it has been applied to the cases of accused murderers; though this is more truly due to the little or no knowledge of it possessed by those who talk most about it. Were it otherwise, we should seldom hear of its being raised as a plea, and when raised never disputed; for it is a disease, exceedingly rare, and when present, marked by evidences as unmistakable as those of any other morbid state more generally understood. Reil's description clearly shews that before and during the commission of the deed the person is laboring under a paroxysm, not merely of mental but of bodily excitement, which is allied in character to that of the epileptic seizure; while the chances that a lunatic will perpetrate murder in preference to suicide are as 1 to 10.

From the foregoing, the insufficiency of the test—the knowledge of right from wrong, good from evil—to determine all cases of insanity, must be very evident; and this, too, in spite of its antiquity: for it would seem as if it had been suggested by the occurrences attendant upon the original sin of our first parents, who fell from their state of perfection, beguiled by Satan, to be “as gods, knowing good and evil,” but which