

ly certain kinds of crime, but for fear that all present may not have a clear conception of the different classes of criminal ordinarily met with, I shall briefly refer to a simple classification: (1) The criminal insane; (2) Moral imbeciles; (3) Instinctive criminals; (4) Occasional criminals; (5) Habitual and professional criminals; (6) Accidental criminals.

The insane criminal, or properly speaking, the criminally insane man, that is, the criminal who commits a crime as the direct result of mental alienation, is not recognized by law, as a general rule, and his abnormal condition of mind must be very apparent, before either judge or jury can be brought to believe in the necessity of saving the prisoner from the rigors of the law. The result is that the death penalty is frequently imposed, even in cases where brain disease is clearly marked, simply because the unfortunate sufferer from the disease is supposed to know the difference between right and wrong in the abstract, a difference that nearly every patient in a hospital for the insane can give with satisfactory glibness. However, my views on this subject have been expressed so frequently, both publicly and privately, that I shall not weary you with them. To show, however, that the foregoing statements are not beyond the mark, it is morally certain that several insane murderers were hanged in Canada during the last few years, one of whom was actually arrested in the wards of an asylum for the insane, and tried without the slightest reference to his mental condition. In Germany, of 144 persons who were tried and eventually found insane, only 38 were recognized as insane before the judge, a condition of affairs rather startling in a country noted for the thoroughness of its methods. To those of us familiar with the everyday experiences in a hospital for the insane, perhaps the figures are not so surprising as they might appear to others not conversant with the popular idea of insanity, an idea not so far removed from the conception that insanity is in itself a species of crime; certainly something to be ashamed of. The present methods of attempting to detect the insanity of a criminal are inadequate and crude, especially when the mental condition of a prisoner is supposed to be established by a battle royal between rival lawyers and so-called experts in open court. Fre-