New Hampshire:

Hon. S. D. BELL.—There may be, and probably is, much difference in the instructions given to juries by different judges, upon the subject of insanity. It is a very difficult subject. Few of the judges are, or feel themselves to be, experts. They do as their predecessors have done, that is, endeavor to express themselves as nearly as they can in the language of the highest authorities on the subject.

Connecticut:

W. PITKIN, Esq.—There has been little diversity in the instructions of our different judges upon the subject of insanity.

New Jersey:

CORTLANDT PARKER, Esq.—Nor are our juries often astray on the question of insanity. When homicide has been committed by those smarting under injury to the domestic affections, for which the ordinary remedies of law are insufficient, as where a relative or a victim slays a seducer, they have, perhaps, gone wrong. But research will prove that neither in Great Baitain or the United States, was there ever a well contested case where such error failed to occur. It seems to be common law in the sense of the established rules for the action of the common people, that homicide in such cases serves the guilty right.

In instances other than this exceptional class of cases, however, Jersey juries are no friends of the plea of insanity. The law on the subject is well settled in New Jersey, and the instruction of judges to juries are identical. Chief Justice Hornblower's opinion, in the case of Spencer, has been adopted by our highest tribunals, and has been put in full uniformity. If a prisoner can prove clearly that through mental disease he did not know the homicide he committed was wrong, he will be acquitted. If he cannot, if his notion was revenge, and he knew that he did what God and man forbid, no comparative feebleness of mind, or eccentric hallucination will save him.

The rule established in New Jersey on the subject of challenges to jurors is, and has been, of great practical utility and importance. In New York and elsewhere, if a man has formed or expressed an opinion as to the guilt or innocence of the prisoner, he is set aside. Consequently, men who desire not to be empanelled—a very large class in capital cases—have only to read, or hear, and form an opinion. And the number and enterprise of newspapers practically excludes all intelligent men, for who does not read and does not make up his mind, so far as informed? In New Jersey the old common law rule prevails. The juror is to be sworn to give his verdict upon the evidence. If he has a malicious bias against either side, so that in consequence, if what he has heard, he is not likely to keep his oath, then, but only then, is he excluded. Such