

sibility. There is no more trace of abnormal mental action, than in other mischievous and cowardly, but sound members of society, and these impulses to evil are common to all. It is only a question of degree, and Taylor's definition would cover all such rational subjects. Is it correct, then, for medical witnesses to have a fancied standard of insanity, and judge all cases by it? Judge Warden, in his "Forensic view of man and law," holds it is, and lays down three dicta on the point—"(1.) An ideal standard of soundness, bodily and mental is desirable. (2.) It is conceivable. (3.) Though it cannot be presented to the mind by definition, it may be suggested to the mind." That is, *A.* may have one ideal of insanity, *B.* may have another, and so on *ad infinitum*. Each may be antagonistic to one another, but all are correct according to this view. The mental mode of each man decides the sanity of every man but himself. The absurdity of this position is self-evident. There is no original ideal model of beauty, so there is no common standard to measure humanity by, like the imperial bushel in the British museum. In all, is a generic similarity, but a specific difference, and no correct judgment can be formed of important phases of sanity or insanity, without a knowledge of the *previous* history and *peculiarities* of each individual. Dr. Ray, in his medical jurisprudence, came near the truth when he said, "that to lay down any definition of mania founded on symptoms, and to consider every person mad, who may come within the range of its application, may induce the ridiculous consequence of making a large portion of mankind of unsound mind. Some men's ordinary habits so closely resemble the behaviour of the mad, that a stranger would be easily deceived, as in the opposite case, when the confirmed mono-maniac, by carefully abstaining from the mention of his hallucinations, has the semblance of a perfectly rational man. Hence, when the sanity of an individual is in question, instead of comparing him with a "fancied standard of mental soundness, his natural character should be diligently investigated, in order to determine whether the apparent indications of madness are not merely the result of the ordinary and healthy constitution of the faculties. In a word, he is to be compared with himself, and not with others." Russell, on criminal law, says that "idle and frantic humours, actions occasionally unaccountable and extraordinary, mere dejection of spirits, or even such insanity as will sustain a commission of lunacy, will not be sufficient to exempt a person