

does—not that he does not appreciate but that he *cannot* appreciate. And the word *wrong* is not to be interpreted subjectively as it appears to the mind of the accused, for many a man does what he thinks to be right and still is a criminal.

If an insane man is not affected by his insanity to such an extent but that he is able to know what he is doing—"capable of appreciating the nature and quality of the act," and is able to know that this act is wrong, that is, contrary to the law, even if it accord with his own sense of right, he is responsible in law. Charlotte Corday, when she killed Marat, thought she was doing right—that belief would not excuse her under our law if she knew that she was doing what the law forbade.

Then there are those who suffer from a moral insanity, they do not understand any difference between right and wrong which they are bound to respect. They are as responsible in law as Captain Kidd or any other pirate.

It is said, too, that there are those who, being insane, thoroughly know what they are doing and know that their act is against the law, but are forced on by an irresistible impulse to shoot or wound another. I once charged a jury in a murder case that the law of Canada says to those who assert that they are moved by an impulse which they cannot resist, "I shall hang up a rope before your nose and see if that will not help you to resist the impulse." No such defence avails in Canada. An English Court since that time, and, indeed, but the other day said, "Impulsive insanity is the last refuge of a hopeless defence."

I am not defending the law—I had no part in making it—I am bound to obey it, and I am simply stating it.

Again, if there be present specific delusions, the law is clear. Place the accused in the position of the delusions being true, then if the act which he does would be justified or excused, he is not guilty of a criminal act; but if not, he is. Let me illustrate. If A. suffers from the delusion that B. is seeking to kill him, and meeting