

the kind and gentle do not in a day grow hungry for blood. Such violent and sudden antagonisms are the surest evidence of mental disease. The law of evidence permitting proof of good character in criminal cases is founded upon this philosophy of man's nature, and it is a true philosophy. It is introduced as proof that the crime was not committed, not to excuse it. If piety, honesty, gentleness may perish or turn to their opposites in a moment, if they cannot furnish any resistance to the influence of evil, are they worthless? It is not so. There is a *vis inertiae* in the moral as in the physical world by which virtue as well as a stone has a tendency to remain in the place; and this law presents us with one of the most unerring guides to truth.

I shall ask you to try the prisoner's mental condition by the standard of his normal character, such as the evidence may establish. I shall endeavor to make you familiar with his history from boyhood up to the present time, and I invoke your candid attention to every fact which the evidence may disclose of epileptic fits or uncontrollable insane impulse. In one or both of these forms, if at all, the insanity of the prisoner will be manifested.

Gentlemen, I have said what it was my purpose to say in these opening remarks, but I may not take my seat without some reference to the triumphant inquiries of my friend so put by air and tone and manner as to imply not difficulty only, but impossibility in the answer.

"Do the insane ever act from motive?" "Do the insane ever steal?" Yes! I answer to each question and to both. Yes, the insane act often upon motive, and the insane steal. Blood does not offer the only attraction to the insane. They steal and commit arson as well as murder; the light of burning houses gives ecstasy to the insane, in some modifications of the disease, and in others they can't keep their hands from picking and stealing. There is not a respectable author of this century on the subject of insanity who does not sustain the fact. While I thus answer it is nevertheless true that "motive" is a consideration of value in our inquiry as a test of insanity. The apparent motive deduced