

has treated epilepsy very frequently, and states that a long attack with short intervals will result in loss of memory and the power to reason, and the mind will gradually sink into imbecility and idiocy—has known one instance in which the person had fits at intervals of one month, from early childhood to 25 years of age, without impairing the mind at all. He thinks it would require a duration of five years, with intervals of but a few days, to produce even imbecility.

How absurd then, gentlemen, to suppose that the prisoner, who was exempt from any attack for four years immediately preceding the homicide, and who, to give him the benefit of every supposition, reasonable and unreasonable, that the evidence furnishes, can only point to five attacks in a period of seven years, has sustained any mental injury. The world has furnished innumerable examples of men who, though epileptic, have become distinguished in science and the various departments of literature.

History records the fact that Cæsar and Napoleon Bonaparte were epileptic, yet one conquered the world, and the other by force of mind and military genius, brought the old world monarchies of Europe supplicating at his feet.

We have now, gentlemen of the jury, reached that part of the counsel's argument, at which he first gave us to understand what peculiar phase of insanity his client labored under at the time of the homicide. In his speech he sometimes called it homicidal mania, and at other times homicidal monomania, complicated with epilepsy. The latter, I presume, is what he really means, for no other species of insanity would be applicable to his theory of defense. To properly understand this condition of the mind, it is important to know how medical jurists have classified the different degrees of insanity. Taylor, Esquirol and others have treated it under four different forms: Mania, monomania, dementia and idiocy, and this classification has been universally adopted for its convenience and perspicuity. Ray, it is true, speaks of other kinds, such as intellectual and moral insanity, but his classification is too complicated to be of much practical use in the administration of the law. Mania, as defined by Taylor is that form of in-