

PART II.—REVIEWS.

EDITORIAL NOTE.—*In consequence of the pressure on our space, we are compelled to omit the Reviews, and the excerpts from Asylum Reports. We have in hand a review of Schwegler's 'Handbook of Philosophy,' and of some papers in the 'St. George's Hospital Reports,' which we defer until April next.*

PART III.—QUARTERLY REPORT ON THE PROGRESS OF PSYCHOLOGICAL MEDICINE.

French Psychological Literature.

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I. *Annales Médico-psychologiques*, vol. vii. and viii. for 1866.—*Contents* :—“Bucheze on the Nervous System and the connection between Mind and Body;” M. Ott. “Medico-Legal Report on a Man accused of Theft;” Achille Foville. “The Utility of Family Life in the Treatment of Insanity;” Brierre de Boismont. “Passion, Immorality, and Insanity;” Tissot. “Dementia Paralytica, as observed in Cuba;” Munoz. “Medico-legal Inquiries relative to Insanity;” Mittermaier and Dagonet. “On a Case of supposed Insanity;” H. Bonnet. “On the Case of a Man who murdered his Father-in-Law;” Bourguet and V. Combes. “On a Case of Indecent Conduct and attempted Rape;” V. Combes. “Pathology of the Brain in Cholera;” Mosnet. “Medico-legal Reports on a Case of Attempted Homicide;” Laffitte. “On a Case of Theft;” V. Combes. “On the Causes of the Crowding of Asylums, and their Remedies;” Berthier. “On Insanity, with Predominance of Grandiose Delusions, and its Connection with General Paralysis;”

Baillarger. "The Connection between Constitutional and Diathetic Diseases and the Neuroses, especially Insanity;" Ed. Dupouy. "Medico-legal Report on a Case of Murder;" Brierre de Boismont. "Partnership with God: a Medico-legal Study;" Chatelain. "History and Condition of the Asylum for the Insane in Cuba;" J. Munoz. "The Connection between Pellagra and Insanity;" Brierre de Boismont. "Anatomical Lesions in General Paralysis;" Franz Meschede. "Medico-legal Reports on a Case of Wilful Incendiarism;" Teilleux. "On a Case of Simulated Insanity;" Henry Bonnet and Jules Bulard.

Buchez on the Nervous System and the Connection between Mind and Body.—The opinions of the late M. Buchez on physiological and psychological subjects are reviewed by M. Ott, in a paper which he read to the Société Médico-psychologique in November 1865. The fundamental idea on which Buchez constructed his physiology of the nervous system was broached by him first in 1824, and was frequently reproduced by him in subsequent publications. He divided nervous phenomena into two classes, those of "impressionability" and those of "innervation." By the one term he designated the faculty of receiving and of transmitting impressions, ordinarily called sensibility and sensation; and by the other, the action of the nerves upon the non-nervous tissues, such as the muscles. The capacity of the organs of the nervous system to produce these two kinds of phenomena he called "neurosis." This word he chose in preference to those ordinarily used, such as nervous fluid and similar terms, because, as he said, it indicates a faculty and not a thing (*nature*). But he none the less considers that it is a material substance. This substance is produced and constantly renewed by the circulation; it is, on the other hand, destroyed by the action of the nerves, the phenomena of impressionability and innervation. All the organs of the nervous system he considered as composed of nerve-fibres, which, in their ultimate analysis, consist of hollow tubes, closed at intervals by diaphragms. The neurosis is the fluid substance contained in these tubes. It is kept in motion and passes through the diaphragms by a process analogous to endosmose and exosmose. It diminishes in quantity, the nerve tube becomes empty, the power of producing the phenomena of impressibility and innervation ceases in proportion as these phenomena are produced and as each part of the nervous system is in active exercise; but the loss is repaired by new material drawn from the circulation. This diminution in quantity is always in exact relation to both the intensity and locality of the functional action. M. Ott enters into details in the development of the doctrine, which it is unnecessary that we should notice; but we may transcribe the explanation he gives of what we call habit.

“It is a law of the living economy,” he says, “that the exercise of an organ so attracts to it the circulation that the nutrition, within certain limits, more than repairs the loss; and frequent use consequently produces enlargement of the organ. The nervous system is subject to the same law. From the development produced by exercise, it results that the routes of the local circulation are increased in volume and in number, and consequently the reproduction of the neurosity becomes more abundant and more rapid. It results also that the location or seat of the neurosity becomes more capacious, and thus the nervous action itself becomes more prompt and easy; the repair becomes more rapid, and the neurosity accumulates and produces a natural tendency to movement in the locality. Hence we have the qualities characteristic of habit, increasing facility to effect a movement in proportion to the frequency of repeating it, and the impulse to do again that which we have constantly done previously. These observations are applicable to the impressionability and the transmission of nervous movements, as well as to the innervation. The tendencies produced by habit may, besides, be transmitted hereditarily, and they constitute in those who have received them, the ‘aptitudes proper to certain races and certain families.’”

We can only refer briefly to Buchez’s psychological views. He sets out with the dual nature of man: a spiritual part which is the source of the unity manifested in our ideas, our aims, and our actions, in short, in our whole life; and a material organism which is the instrument of our spiritual activity. Everything in human action, which is subjected to the laws of succession and of plurality, comes from the organism. The regular and successive order of our thoughts and actions which constitutes human logic, in the largest acceptation of the word, is the necessary consequence of the conformation of the nervous system. Logic, he says, is nothing but the necessity imposed on all ideas, all sensations, and all actions, to submit to that kind of circulation through the different parts of the nervous system whose number and special aptitudes are so appropriated to their nature, that every principle and every sensation engenders inevitably its own conclusions. Every idea which is of such a nature as to have an external realisation, passes, in order to arrive at this result, through three successive conditions, depending rigorously the one upon the other, their order being invariable. The first condition is that of desire, the second that of reason, and the third that of execution or practice. To each of these conditions there are corresponding special nervous apparatus. With the condition of desire are connected all the organic combinations from which feeling results; with that of reason, all the cerebral organization; and with execution, all the motor apparatus. The soul is defined by Buchez as “the substance of the human personality and spontaneity.”

He considered this substance as essentially one and active, and rejected the opinion of those psychologists who attribute to the soul a certain passivity, or who represent it as composed of a multitude of different faculties. According to him the faculties of the soul reduce themselves to a mere spontaneous activity, which shows itself in acts of will or intelligence; the intelligence or the faculty of combining ideas and sensations, and the memory, that is, the power of preserving acquired knowledge. The other faculties of the soul which have been admitted by psychologists, are only results of the connection between the soul and the organism.

The influence of the soul over the emotional apparatus is shown in the inherent power which it possesses of exciting it, of spontaneously bringing it into action; and in the opposite faculty of circumscribing its scope, and of arresting or regulating the emotional feeling as well as the appetites and desires by which it is manifested. In his conception of reason, Buchez did not admit the existence of innate ideas. He considered those metaphysical abstractions which are always present in the mind, and which are chiefly relied on for proving this innate nature of ideas, such as the notions of cause, substance, unity, &c., as being the "expression of the mere nature of our mind and our organism, and as being necessarily produced from the moment that these parts of our being enter into relation." As regards all other ideas, and particularly those called moral, he attributed them in the first place to education, but in part to sensation and in part to reason.

In human society, it is by education that individuals receive in infancy the first ideas which enable them to see and to think for themselves. But it may be asked, how education can be possible in the case of infants devoid of ideas of any kind? Buchez considers that the question may be solved thus: in consequence of his first necessities and sufferings, the infant comes to conceive of the fundamental difference between *yes* and *no*, under the triple form of command and obedience, activity and passivity, using and abstaining; and these ideas give him the means of seizing and comprehending all those which come to him by education.

As we have already hinted, Buchez regards memory as being both mental and material. The material memory is that which enables us to reproduce in the same order a series of impressions or signs, to learn by heart pieces of composition of literature, and is evidently connected with the same causes as the association of ideas. It is, indeed, the association of ideas in combination with habit. The nervous connections between the impressions and the signs are in most cases established in a stable manner only when repetition has fixed them in the brain. In general, every reproduction of impressions or of signs is an act of the material memory, and the greater or lesser facility which this aptitude exhibits, is certainly connected

with cerebral conditions. But the material memory does not come into play except in the case of actual reproduction, of expressing in thought or word a series of signs and ideas. Buchez carefully distinguishes the mental memory from this. By the mental memory we preserve in the mind the knowledge which we have acquired. It is present there, however, though it may be latent; and the mind can call it up at pleasure whenever it requires it. When, for example, we read a book, the pages, the chapters which we have first read remain in our mind, although it may be impossible to reproduce the material arrangement, the expressions, or the forms. For if they did not remain there we could understand neither the drift nor the conclusion of the work. In like manner, when we have studied a science for many years, and in subsequent years have completed our knowledge by practice and experience, all these acquired ideas remain treasured in the mind, although we seldom think of them, and it would almost always be a great labour to unfold the course. But let a necessity for these ideas arise, as in the case of a lawyer consulted by a client, or a physician called to the bedside of a patient, and the knowledge stored up in the mind comes forth to assist in the opinion which requires to be formed. In other words, the material memory is the faculty by which we recall anterior impressions; the mental memory is that by which we know that which we have learned.

Medico-Legal Report on the Case of a Man accused of Theft.—M. Achille Foville quotes the following from the 'Constitutionnel' of the 28th of August, 1865.

"On the 11th of August, 1865, the Court of Assizes at Lyons had to try a man named Benoit Chuzeville, fifty-three years of age, a labourer, residing at Saint Igny de Vers, accused of assassination.

"It appears from the indictment that a brother of the accused had bequeathed to one of his nephews certain plots of land, but that instead of recognizing the legality of this legacy, Chuzeville had persisted in considering himself as the true proprietor of the ground, and threatened with serious injury any who should attempt to remove the crops. One M. Dumoulin having, however, become the owner of these crops, repaired, along with his father, to the land in order to commence mowing. Chuzeville met them, armed with a double-barrelled gun and a pistol ready loaded. He killed the father, and would have also killed the son had not the second barrel missed fire. There then took place a hand to hand struggle, in which Chuzeville tried in vain to use his pistol, but was disarmed and delivered over to justice.

"In the course of the trial certain doubts arose as to the soundness of the mental faculties of the accused. The policeman belonging to the parish, who was called as a witness, stated that six days

before the murder, Chuzeville, said to him, 'When you go to Monsols, go to the sergeant and tell him to come here with a policeman to prevent the removal of the hay from my meadow, and if they do not come you may calculate on having to remove Dumoulin, for I will kill him if he takes my hay.'

"Dr. Ruel, who was examined as to the wounds which had caused the death of Dumoulin, was also interrogated in regard to the mental condition of the accused, and replied: 'That he could give no definite opinion about it, but that he had heard it said that on the occasion of his brother inheriting some property, Chuzeville had claimed a diamond of considerable value which should have been found in the head of a serpent, and should have been diverted in the succession. This referred to a period long ago.' The sergeant of police, having been interrogated on the same point, stated 'that he did not regard the accused as insane, but that he had heard many say that he was not possessed of all his mental faculties.'

"M. Villeneuve, for the defender, endeavoured to establish by the antecedents of his client and by the declarations of the two last witnesses, that Chuzeville was governed by an exclusive passion, the love of property, which, in his case, was a sort of monomania that represented to him, on all hands, enemies who desired to despoil him of his goods, and that in this mental condition he could not be absolutely responsible for his actions.

"Found guilty, with extenuating circumstances. Chuzeville was condemned to perpetual hard labour."

"We have given verbatim," says M. Foville, "all of the report which bears upon the mental condition of the accused. These elements are certainly very incomplete, very uncertain, and we are far from considering the insanity of Chuzeville as an ascertained fact, or even as very probable. But it seems allowable to me to express regret that the study of his true mental state was not pushed a little further; and, the moment a doubt on the subject was expressed, not only by the defender's counsel, but by two witnesses, the one a physician and the other a sergeant of police, that a medico-legal inquiry was not ordered. The results could not fail to throw light on the obscurity of the case and to afford the jury a strong element in coming to a decision.

"This fact has struck us all the more forcibly, as we have had occasion very recently to observe a case which presented more than one point of analogy to that which we have quoted. The man in question has also for several years considered himself the legal owner of property to which he has no valid right. It is true that happily he has not been led to commit an act so lamentable as the assassination of which we have given an account; but, starting from the same conviction, he concludes with similar logic, that he is entitled to gather in for his own use the produce of the land.

“If the difference is great from a criminal and social point of view, it will at least be admitted, I think, that it has much less importance from a psychological point of view, and that if in the two cases analogous delusions are recognised as the starting-points, the two acts, in spite of the different degree of regret with which they are regarded, will be recognised as being equally entitled to the benefit of irresponsibility.

“However this may be, the person of whom we speak was accused of stealing the crops, and was placed in the *maison d'arrêt* at Chalons-sur-Marne. During the examination doubts arose as to the soundness of his intellect, and we were instructed, along with Dr. Delacroix, jun., the medical officer of the prison, to report to the authorities upon his mental condition.”

Without following M. Foville through all the details of the report, it may be stated that the man, whose name is Parjoit, had been known from youth for his eccentricity, and at thirty years of age he had an attack of acute mania, in consequence of which he was placed in the asylum of the department. This illness was of short duration, but his mind was left weaker than it had previously been. He had difficulty in understanding that he must submit like others to social obligations, and in particular could not be prevailed upon to pay his debts. After the death of his parents their heritage was divided between him and his two sisters. He agreed to purchase their portions; but after taking possession of them, he never thought of paying. Recourse was had to legal means, and part of the property was sold, but he would never give up his hold of the land. In subsequent years he was frequently brought before the courts for nonpayment of debt, and gradually his whole property was sold; but he never would acknowledge that it could be so, as he had never given his authority for the sale; and he regarded himself as treated with great injustice when interfered with. The last time he came into collision with the law was for removing the crops from the land to which he had no longer the slightest claim; but he maintained that the land was still his. He admitted that the officers had frequently brought papers to him; but he did not understand why they meddled with his affairs, and he paid no attention to papers or letters on the subject. In talking of a fowling-piece which had been seized at his house by the police several years ago, he said, “At the fall of the republic a carbine was taken from me, and I was told that it was at the tribunal at Chalons. I went there, and called the *procureur du roi*, to whom I complained; but he refused to interfere, as the police, he said, had done right. So the next day he was dismissed from his post for having answered me improperly. Louis Phillippe was also dismissed on my account.”

The conclusion to which the reporters come is as follows:—

1. That Parjoit is really affected with insanity. 2. That, if in that

condition, he is conscious of the acts which he commits, he certainly is not conscious of their moral value; and does not comprehend the criminal character of those of which he is at present accused.

3. That consequently he cannot be regarded as legally responsible.

4. That there is too much reason to fear that if he were set at liberty he would fall again into the same errors, and would commit acts of violence against those who would oppose him, and whose rights he is unable to understand; that consequently he must be regarded as a dangerous lunatic. (Dated 10th July, 1865.)

In consequence of this report, he was placed in the asylum of Chalons-sur-Marne. Since his admission he has been one of the most industrious and manageable patients, but still maintains his inalienable right to the property. M. Foville regards him as labouring under incurable dementia.

The Utility of Family Life in the Treatment of the Insane.—This subject is treated at some length by Dr. Brierre de Boismont, and is illustrated by several reports of cases treated in the writer's own family. "When we took the superintendence in 1838 of our first establishment," he says, "the insufficiency of the premises, their bad arrangements, and the impossibility of satisfactorily improving them, suggested to us the idea of receiving into our own apartments those patients who showed probabilities of recovery. . . . We relied for the execution of this experiment on our worthy spouse. The attempt was delicate, but the results were very satisfactory; for of the first twelve patients whom we chose, eight were cured." Under the kind and continuous care of so distinguished a physician as M. Brierre de Boismont, many cases, as might have been expected, were nursed into sanity. But the details of these recoveries are not so interesting as the opinions expressed by M. Brierre in regard to the advantages of domestic treatment. He attributes the good results of the system chiefly to feminine influence. "The character of man," he says, "cannot bend itself to this kind of slavery. The attempt to do so is, indeed, most distressing, as one must listen continually to the same complaints, the same pains, and the same demands. These repetitions last for hours and sometimes days; they are mingled with disagreeable remarks, irritating words, insulting reflections, and even the infliction of bodily injuries, and very often accompanied by lying, slander, and calumny. The character of woman accommodates itself better to these incessant annoyances. We cannot, therefore, sufficiently impress on medical men who propose to devote themselves to the care of the insane, the great importance which attaches to their choice of a wife; for she may render immense services to the establishment, and it is she alone who can render them. Much has been said during past years concerning family treatment. We believe

that we make no mistake in saying that we have put it in practice for a long time. Such is at least the testimony borne by the celebrated Ferrus, at the meeting of the Medico-Psychological Society, of 26th June, 1860, when the question of Gheel was under discussion. We quote his words *verbatim*—"The colony of Gheel," said he, "has been quoted as an example. Better a hundred fold for the insane is a restricted, judicious, and scientific liberty, such as M. Brierre knows how to give to the patients in his *maison de santé*, to the good management of which I have been a witness." While reproducing with gratitude this eulogium of an inspector-general, we hasten to declare that by the aid of M.M. Parigot and Bulckens, the colony has made considerable progress; but let us also add that the infirmary is the commencement of a closed asylum, and that from this point of view the colony enters upon a new phase, the system of mixed colonization which we believe to be preferable."

"The advantages of family life, especially for depressed monomaniacs, are too evident to require that we should insist on them further. For the application of this part of moral treatment there is no necessity for superior qualifications; an honest, good, religious heart will succeed very well. The man of genius will, by exceptional rules, sometimes obtain surprising recoveries; but the kindly person, who, in spite of their bad qualities will consider the insane as children that are confided to him, and will remain continually among them, will obtain recoveries less brilliant, but more fruitful and certainly more permanent. This result is not the only one; there are others which are not less positive. Patients are brought to us who are intractable, discontented with every thing, excited, under the belief that they are surrounded by enemies, unwilling to do anything that they are asked to do, unreasonable in their actions, continually complaining, obstinate, and even unbearable. When scarcely a few days from their admission have passed, the living in common has a softening influence on their characters, and they soon begin to get on harmoniously with the other boarders. No doubt this cannot yet be called a cure; but submission to the rules of the place is in itself a decided improvement. There is another consequence of this mixing of both sexes, under the superintendence of one of the chiefs of the establishment, and with such precautions as the nature of mental affections requires; that is, the activity, the animation, the normal appearance, and the air of life which is presented by the patients thus assembled.

"Compare the spectacle before you with that of divisions where sexes are kept apart, where the sections are multiplied, and, I am not afraid to say, where the patients are penned up; and it is impossible that the most superficial observation would fail to seize at once the difference between the two methods. The deduction is quite natural; if you wish to send back into society those patients

who have required to be secluded, let them see the good features of that society, by performing towards them the functions of a consoler, in a word, of a friend, the physician to mind and body.

“Analogy, which must not be confounded with identity, enables us, however, to make certain well-founded comparisons. Thus it is long since we wrote: the insane are children—we might have added, spoiled children. It is no part of our intention to criticise public education, but it is incontestible that private education has the advantage of disclosing the character of the child before he becomes reticent, and allows the germs of his future to penetrate his individuality. If the parents are properly impressed with their duties, if they are equal to their mission, they may be able by their daily contact, their advice and their example, to develop and strengthen that inner force which is called conscience. In a certain number this education will prevent faults, in the greater number it will moderate and circumscribe them, and it will even restore in many cases those who may have fallen. This familiar, initiative, and up to a certain point contagious influence is equally effective among the insane.”

M. Brierre sums up his conclusions categorically as follows:—

1. Family life mitigates what is disagreeable in seclusion where such treatment is found necessary.

2. This powerful auxiliary to general treatment is favourable, not merely to the cure of mental diseases, but it sometimes even retards for years the progress of the chronic condition.

3. In enabling to restrict the number of sections, family life actually removes the cloistral character, and makes a nearer resemblance to an ordinary house.

4. The incessant action of family life unobtrusively undermines delusive ideas, and puts a stop to those sudden manifestations which attest their influence over the patients. Direct argument, or sentimental emotion on the other hand, almost always fail during the first period of mental derangement.

5. The time when family life ought to be commenced, varies according to the symptoms; sometimes it is suitable from the beginning, at other times it is necessary to wait until the acute stage has lost some of its force.

6. This daily and continuous observation, which reveals the periods when it may be proper to employ argument, is not less indispensable for the study of the legal responsibility of the insane.

7. The superintendence of this treatment does not require superior qualities; extreme patience, and kindness combined with firmness, suffice to attain the end.

8. Woman, by her devotion and her religious tendencies, is eminently suited for this mission. She ought to be assisted in the work by her family, or, when that is wanting, by a select staff.

9. The patient's family cannot ordinarily manage the insane, for it is often the point of outbreak in their maladies, and it cannot bring new influences to bear upon them.

10. The simplicity of the means ought to be so much the more acceptable, as it is only an application of psychological medicine."

Passion, Immorality, and Insanity.—In this article M. Tissot as usual disregards all considerations except those of a purely psychological nature. "Passion," he says, "in the ordinary sense of the word, is an exaltation or depression of the sensibility, which makes those persons and things with which the passion is connected appear in an illusory or deceptive light, which forcibly excites or enervates action and tends to subjugate liberty, in spite of the protests of reason. "Immorality and insanity" he regards as being only advanced stages of the same condition where the reason becomes weaker and weaker. "Passion is only at the gates of the soul which it besieges. By reflection, effort, and wise measures, it may be repelled, driven away, banished beyond recall. Immorality, on the contrary, has penetrated into the soul; it has established itself there as sovereign, but although ruling it, still permits it to exist, blinded, subject, and enthralled however. Insanity more than captivates or enslaves; it take away its personality, transforms it in a manner into its own image, and places it completely at its command." From these speculative considerations, he approaches the question of imputability or moral juridical responsibility. Passion, immorality, and insanity are separated by no distinct lines of demarcation, but pass into one another imperceptibly; and we are possessed of no dynamometers sufficiently delicate to measure their degrees; and we can never tell how much or how little guilt attaches to any action. In considering the question of punishment, however, M. Tissot remarks, that "the right of punishment as a right to re-establish order in the moral world, by means of retribution or correction, presupposes two things equally false, that man has the power, or that it is his mission." He has, however, the right to uphold in human society the dominion of material justice, and what is called social order. In other words, man has the right to protect himself against man. "It appears," says the writer, "that in the question which lately agitated the Medico-Psychological Society, we should have sided with those who believe in moral laws, and in the free will necessary for their fulfilment, and who admit a partial responsibility and liability to punishment wherever there is a partial knowledge of the criminal act on the part of the agent, with partial reflection and partial liberty of action. But we acknowledge also that the imagination may present such seductions, and the appetite such temptations, that the idea of duty and of its holiness would be much weakened, and the liberty of action much diminished."

Paralytic Dementia observed in the Island of Cuba, by M. le Docteur Munoz.—(This paper has been already translated in full for this Journal, by Dr. Mackenzie Bacon. Vide 'Journal of Mental Science,' No. lix, Oct. 1866, p. 383 et seq.)

Medico-Legal Inquiries relative to Insanity.—M. Dagonet proceeds in this paper with his analysis of the work by Mittermaier. In this portion of his treatise, the learned author examines the question how public action ought to be conducted, in order to obtain an equitable judgment, and to disentangle satisfactorily the responsibility of the accused. The medical experts, he says, ought not to be assimilated to witnesses, nor ought they to be considered as auxiliaries to the judge; and it is of importance not to confound the proofs established by the physician with those obtained by the magistrate from his own point of view. The aim of the expert lies in transmitting to the jury, and imbuing them with, the conviction which he himself has formed. Shauenstein expresses the opinion, that the sentence of the jury is frequently a vote of confidence accorded to the authority of the man whose duty it has been to give his opinion on the medico-legal question. The same author also remarks how much one is disposed to overstep the limits of medical competence when a doubt arises as to the mental condition. The fault may be in the want of knowledge of judges and lawyers in what relates to natural science; but it arises also from the medical men not having enough of independence and moral force to refuse to reply to questions which do not come within the sphere of their knowledge; and much more frequently from vanity, or from ignorance of the limits of their competence, they give opinions which are only personal, and can only be properly given in their private capacity. The views adopted, in much recent continental legislation, have added difficulty to, rather than facilitated the mode of dealing with, the question of insanity. It is not reasonable, for instance, to ask if such and such a person has acted of his own free will. Free will, considered both as a faculty and as a force, is present in every one, even in the insane, only the action of this free will may, in certain cases, be impeded. This question ought so much the less to be put, as the expression bears a great many significations. The legislator, who would comprehend in one formula the doctrine of responsibility, runs in danger of trenching on the domain of philosophy, and would risk being restricted to a scholastic language, as various and misleading as there is want of correspondence between philosophical expressions and those which are juridical and usual. A conscientious physician would often be unable to say whether free will is completely suppressed; and it is an error to suppose that there are such mental affections as partial insanity, as it is called, where irresponsibility ought to be admitted only when an intimate

connection can be shown to exist between the predominant fixed idea and the act committed.

Free will, according to Mittermaier, ought to be considered as an innate faculty in man, which manifests its power in a condition of health, by a determination towards moral and honorable acts, such as reason would approve, and by a resistance to the temptations which the caprices of the imagination and perversion of feeling may provoke. Responsibility he defines as that situation in which every person is, when in a state to recognise the nature and consequences of his acts, and when his free will has not been paralysed by disease, or by some previous and insurmountable restraint.

Medico-Legal Report on the Case of Seiler.—This report is also from the pen of M. Dagonet, and refers to a man named Boniface Seiler, who was accused of setting fire to the house which he inhabited. He had shut up his workshop and dwelling, and had taken care, before applying the fire, to remove all objects above a certain value. At the examination which he underwent after having been arrested, he stated that he had suffered serious loss, which, unfortunately, the insurance would be far from covering. The *juge d'instruction* immediately showed him the articles which he pretended to have lost, and remarked that he might make himself at ease on this score, as everything had been found. In presence of this overwhelming proof of his guilt, Seiler was seized with unutterable terror, he remained speechless, and it was thenceforward impossible to obtain any kind of explanation. Remitted to prison, he was soon seized with an attack of cerebral congestion, which gave place to a condition of stupidity. He preserved the most obstinate silence; but it was thought that he might be simulating insanity, and he was sent to the asylum of Stephansfeld, of which M. Dagonet was then physician-in-chief for his opinion.

In his report, M. Dagonet goes carefully into a discussion of the case, and comes to the conclusion, that under the influence of the profound terror which overcome him, at his interview with the judge, he was seized with an intense cerebral congestion, well marked and scarcely admitting of being simulated. The principal symptoms which he exhibited, were a comatose condition, paralysis of the right side, and an abnormal frequency of the pulse; and these continued for several days. These symptoms gave place to a condition of mental derangement which, there is reason to fear, may pass into dementia paralytica. After the date of the report, Seiler began to improve, and ultimately regained his speech, one use he made of which was, to assert his innocence of the crime with which he was charged. At the time of the publication of the report, he had not been brought to trial.

In a subsequent number of the 'Annales' the result of the trial is

given. The improvement which had begun had gone on, so that when his case came on he was apparently quite recovered. The jury returned a verdict of guilty with extenuating circumstances, and he was sentenced to five years of hard labour.

Medico-Legal Report on the Case of Mollard, by Dr. Henry Bonnet, Physician to the Asylum at Maréville.—About the year 1862, the accused threw a piece of wood at his father and hit him in the chest, in consequence of his having been found fault with by the old man. Towards the end of October, 1864, he threw a tub at his father's head but did not hit him. On the 11th of November following, his father requested him to desist from some noise he was making close beside him. Instead of complying he made still greater noise, when his father struck him a blow on the arm with a fire-shovel he had in his hand. The accused thereupon threw a ladle and skimmer, with which he had been beating the table, at his father's face; but having missed his aim he exclaimed—"You shall pay for that blow." He went into an adjoining apartment and soon returned with a *vase de nuit*, which he dashed against his father's head, and upon which it broke. The blood flowed abundantly, but the wound did not disable him from work. When examined, both by the commissary of police and by the *juge d'instruction*, the accused answered questions clearly; but his parents having spoken of him as having suffered from mental derangement, and he himself having declared that he was sometimes discomposed, it was ordered that he should be subjected to medical examination. This was confided to M. Béchet, of Nancy, and afterwards to M. Bonnet. When brought to the asylum he appeared to be calm and intelligent; but when taken to the division of the asylum in which he was to reside, it was observed that, contrary to what is usually observed among the really insane, he became excited and appeared to be much afraid of being placed along with the patients. Afterwards he became calm and continued so during his residence in the asylum. He was also obedient, and regular in his habits; he ate with good appetite and slept well. The result of the inquiry was, in M. Bonnet's opinion, that he had suffered from bad primary education and surroundings, that consequently he goes wrong occasionally; that he is very much under the influence of anger, a condition which does not in itself constitute a nosological entity; and, in conclusion, that he has never been insane, and was possessed of freedom of will at the time of the assault. Mollard was condemned to two years' imprisonment.

Medico-Legal Report on the Case of Louis P.—This report by MM. Bourquet and V. Combes, refers to a man who murdered his father-in-law. The two men had quarrelled about money matters, apparently connected with the amount of property which the one

was to receive from the other as dowry ; and being on their way to mow grass on the morning of the fatal occurrence, P— struck the other on the head with his scythe, and, after repeated strokes, smashed the calvarium and then fled, leaving his companion dead on the ground. After the murder and before his capture he made ineffectual attempts at suicide, on one occasion inflicting a considerable wound in attempting to cut his throat. In other ways he conducted himself in a restless and eccentric manner, so that his friends believed him to be insane. The authors of the report, however, to whom the case was referred, report that neither before nor at the time of the deed is there any evidence of his having been insane, and his conduct since is rationally accounted for by mere remorse and fear of the consequences. He was found guilty of murder with extenuating circumstances, and was sentenced to fifteen years' hard labour.

Medico-Legal Report on the Mental Condition of Jacques Raud.— This is also from the pen of M. V. Combes, and refers to a demoralised wretch of sixty years of age, a species of satyr, who was accused of having exposed his person on various occasions before young girls, and who had, on four occasions, either committed or attempted to commit rape on four different girls. M. Combes considers that he possessed capacity for the discharge of the ordinary affairs of life, but only an instinctive discharge, not a rational one. The memory was intact ; he had the feeling of authority, and there might even be some traces of emotional faculties ; but what appeared to be most frequently absent were will and moral sense. “ As is usual with imbeciles, filthiness is a prominent characteristic of his. The feebleness of his character and of his will, led him to address especially young children ; and if it has been thought, in certain cases, that he was conscious of the culpability of his acts, a mere act of memory has been mistaken for a moral one ; Raud had no idea of the intrinsic and moral value of an action. Considering that he had a very incomplete appreciation of good and evil, and considering the powerful and brutal tendencies which he had not moral energy enough to repress, it is impossible that he could be possessed of free will, and cannot therefore be responsible for his doings.” Adopting these conclusions, the public prosecutor abandoned the prosecution.

(*To be continued.*)