

**TRANSITORY MANIA,
WITH ITS MEDICO-
LEGAL BEARING**

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Transitory mania, with its medico-legal bearing by Washington Ayer

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WASHINGTON AYER

**TRANSITORY MANIA,
WITH ITS MEDICO-
LEGAL BEARING**



Washington Ayer M.D.

TRANSITORY MANIA

WITH ITS

MEDICO-LEGAL BEARING



A PRIZE ESSAY

*Read before the Medical Society of the State of California,
April 17th, 1885*



BY

WASHINGTON AYER, M.D.

*Member of the "Harvard Club;" Ex-President of the Medical Society of the
State of California; Ex-President of the Medical Society of the City
and County of San Francisco; and Ex-President of the
San Francisco Medical Benevolent Society*



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DEDICATION.

TO THE HON. J. D. MURPHY,
JUDGE OF THE SUPERIOR COURT,
CRIMINAL DEPARTMENT OF SAN FRANCISCO,
THE FOLLOWING PAGES
ARE RESPECTFULLY DEDICATED
BY THE AUTHOR.

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PREFACE.

In preparing this "essay" I have endeavored to show, by introducing various subjects connected with physics, that all mental alienations are dependent upon changes and developments of the brain, and not upon the mind itself as an essence emanating from the crucible of Omnipotent Will, to be measured and weighed as the weird offspring of unrelenting fate.

While not intending to criticise law as a science, the medico-legal bearing of the subject has led me to give such interpretation to special law, and criticise its application to specific cases, as would enable me in the most forcible manner to present reasons for the labor and burden of proof against the theory of mania transitoria I have undertaken.

Feeling that public sentiment has too often and too long been outraged by the admission of this theory into the pleadings for the benefit and protection of those who have most wantonly committed homicides, I have devoted my time to the investigation of the subject, with no motive beyond a wish to serve the interests of the public by endeavoring to make the murderer responsible for his crime, and to show that if legal penalties are not inflicted upon the guilty, all virtue and morality will soon be

trodden under foot, and communism or anarchy will put at defiance the majesty of law.

I have cited several noted cases that have come into our courts, for the purpose of showing the importance of instituting a thorough investigation of this subject; and have referred to many facts connected with the changes that take place in the brain to prove that the mind is not of itself diseased, and cannot possibly become diseased; for the human mind is the individualized offspring of the Creative Mind, which gave birth to worlds and brought order out of chaos, and must forever remain unchanged. Whatever is subject to disease is also subject to decay and death; but the mind is a part of the Immortal Essence, which survives decay and will never die.