

C H A P. XI.

Application of those principles to different species of actions, in order to judge in what manner they ought to be imputed.

What actions are actually imputed?

I. **W**E might be satisfied with the general principles now laid down, were it not useful to make an application of them, and to point out particularly those actions or events for which we are, or are not answerable.

1. And in the first place it follows from what has been hitherto said, that we may impute meritoriously to a person every action or omission, of which he is the author or cause, and which he could or ought to have done or omitted.

Actions of such as have not the use of reason.

2. The actions of those that have not the use of reason, such as infants, fools and madmen, ought not to be imputed to them. The want of knowledge hinders, in such cases, imputation. For these persons being incapable of knowing what they are doing, or of comparing it with the laws; their actions are not properly human actions, nor do they include any morality. If we scold or beat a child, 'tis not by way of punishment; 'tis only a simple correction, by which we propose principally to hinder him from contracting a bad habit.

Of what's done in drunkenness.

3. With regard to what is done in drunkenness, a drunkenness voluntarily contracted does not hinder the imputation of a bad action committed in this state.

II. 4. We