

alone. This defence was that she committed the act in self-defence; in other words, that it was a case of justifiable homicide. Counsel for the prisoner made no allegation that the prisoner was temporarily insane, nor was the defence based on the theory of a "brain-storm," such as was the claim in the well-known Thaw case. It was a plain and straight excuse that the prisoner was, under the circumstances, justified in doing what she did.

The evidence was of a very meagre character, and there was apparently no attempt to throw light upon several points which would seem to be of interest, if not of importance. Possibly it might be claimed that the nature of the defence made an exhaustive inquiry of the attendant circumstances unnecessary. But the interests of justice seem to have required all possible light to be thrown upon this tragic event; and it must be remembered that it was these attendant circumstances which were said so to have operated on the girl's mind as to induce her to think that her only chance of safety from the alleged blandishments of her master was his death. And here it may be noted that the mind of the jury was undoubtedly largely swayed by such circumstances as were brought to their attention.

It was naturally asked why the girl remained in the house all day if she was afraid of ill-treatment when the deceased should return in the evening. The answer that the girl had promised her mistress to stay there until she returned appears to us to be entirely inadequate, in view of the girl's alleged fears, which bulked so large in her mind as to require the death of a man to quiet them. But however this may be, the alleged justification was utterly inconsistent with the rules of law as laid down in England and in this country as to "justifiable homicide," and we make this statement more strongly as we have as yet heard of no lawyer who is of a different opinion.

As we have said, the case was a very simple one, and the only question for the jury (and this should have been insisted upon by the learned Judge) was whether or not the prisoner believed or had reason to believe that she was in danger of immediate violence threatening her life or chastity, and any provocation must have been both "recent and reasonable." Nor was it an act done in