

clarations of the law on this subject. Apparent imminent danger is enough if there is a reasonable and honest belief in its existence: Wharton's Criminal Law, § 488, and cases in note; among which are *Murray v. Com.*, 79 Pa. 311; *Pistorius v. Com.*, 84 Pa. 158; *Abernethy v. Com.*, 101 Pa. 322. See also *Logue v. Com.*, 38 Pa. 265, and *Com. v. Carey*, 2 Brewster, 404.

"The Supreme Court of the United States has lately (April 20, 1896) decided the law the same way. In *Alberty v. U. S.*, 162 U. S., the defendant was indicted and convicted of murder of the first degree in shooting and killing a man named Duncan. The defendant was separated from his wife because of Duncan's attentions to her. On the night of the homicide, Alberty saw a man trying to get through his wife's bedroom window. He accosted the intruder, who immediately threatened to shoot him and advanced towards him. Alberty thereupon shot Duncan, whom he recognized by his voice. The district judge instructed the jury that this was not justifiable self-defence, because Alberty did not retreat as far as he could and try to disable his assailant without killing him.

"The Supreme Court reversed the judgment, saying, *per Brown, J.*: 'We think that, under the circumstances, seeing a man endeavoring to force an entrance into his wife's bedroom, the husband was justified in pursuing his investigation, and to prevent by force, if necessary, the accomplishment of the intruder's purpose. And if, in the course of that investigation, he is threatened with great bodily harm or put in fear of his life, *he is not bound to retreat*, but is justified in resisting attack by any weapons within his power.'"

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#### GENERAL NOTES.

INCIDENTS OF LORD RUSSELL'S TOUR.—The Lord Chief Justice and Sir Frank Lockwood, when they reached New York the other day, received the usual amount of attention on the part of the newspaper representatives. Lord Russell, we are told by one of them, was "dressed in a suit of plaid cassimere, and wore a soft brown hat and russet shoes." But what chiefly attracted the reporter's eye was the fact that "he was the only member of the party who wore his trousers turned up at the bottom." This little characteristic, we are further told, is attributable to the