

EVERY ONE, unlawfully assaulted, not having provoked such assault,

is JUSTIFIED in repelling force by force, { if the force he uses is not meant to cause death or grievous bodily harm and is no more than necessary for self defence,

and

is JUSTIFIED though he causes death or grievous bodily harm, { if he causes it under reasonable apprehension of death or grievous bodily harm from the violence of the assault originally made or with which it is pursued, and if he reasonably believes he cannot otherwise preserve himself from death or grievous bodily harm.

EVERY ONE, who has, without justification, ASSAULTED another or has provoked an assault from that other,

SELF DEFENCE.

may, nevertheless JUSTIFY FORCE, subsequent to such assault, { if used under reasonable apprehension of death or grievous bodily harm from the violence of the person first assaulted or provoked, under reasonable belief of its necessity for his own preservation from death or grievous bodily harm,

Provided he did not commence the assault with intent to kill or do grievous bodily harm, and did not,—at any time before the necessity for preserving himself arose,—endeavor to kill or do grievous bodily harm,

and

Provided that before such necessity arose, he declined further conflict and quitted or retreated from it as far as practicable.

PROVOCATION { may be given } by BLOWS, WORDS OR GESTURES.

EVERY ONE is JUSTIFIED in USING FORCE

in defence of his own person, or that of any one under his protection, { from an assault accompanied with insult, { Provided he uses no more force than necessary to prevent such assault or its repetition;

But this does not justify the wilful infliction of any hurt or mischief disproportionate to the insult which the force was intended to prevent.

DEFENCE OF MOVEABLES.

{ EVERY ONE in peaceable possession of any moveable and EVERY ONE lawfully assisting him, } is JUSTIFIED in resisting { if he does not the taking thereof by any trespasser, or in retaking it from such trespasser, { strike or do bodily harm to such trespasser.

The trespasser is deemed to commit an unjustifiable and unprovoked assault, if,—after the party in peaceable possession has laid his hands on such thing,—{ such trespasser persists in trying to keep or take it from the possessor or any one lawfully assisting him.