

### Her Trial A Blot On British Justice

Throughout the years there have been many alleged miscarriages of justice. In this case there should not have been a conviction.

Florence Maybrick was convicted mainly because she had committed adultery — not because she was charged with murdering her husband.

Scientists called as witnesses at her trial could not agree that Mr. Maybrick had died from arsenical poisoning. And it was by no means certain that his wife had administered the poison.

Even today experts sometimes have difficulty in stating the cause of a particular death. In number of cases since the forensic experts have been unable to agree on what is the fatal dose of a poison.

It is hardly surprising that they couldn't agree seventy years ago in the case of Mrs. Maybrick. The jury do not appear to have been interested in the arguments and quarrels of the scientists. They apparently were determined to convict an unhappy woman who, by standards of modern justice, should have been acquitted.

The dead man was a hypochondriac, for years he had been dosing himself with pills and poisons for health and other reasons. When such people die it's difficult to ascertain the cause.

Nevertheless, science put Florence Maybrick in the dock. Her trial and sentence is a blot on British justice. She had all the bad luck that could come to any woman.

The day after her conviction for murdering her husband, using arsenic, "The Times" made this comment: "It is unwise to disguise the fact that the public are not thoroughly convinced of the prisoner's guilt. It has been noticed by them that the doctors differed beyond all hope of agreement as to the cause of death."

The general public were alarmed. The only people who remained supremely indifferent were the prosecution, the judge who tried her, and the Lancashire jury who convicted her. In the past forty years we have hanged two women, not so much because they were convicted of murder, but because they were guilty of adultery and we are still puritanical enough to dislike women who are caught in immorality.

Florence Maybrick was such a woman. She had been having an affair and, because of it, she had been allowed her attorney. Her trial was overwhelming. The

law doesn't take kindly to an adulteress charged with the murder of her husband.

She was tried at Liverpool in July, 1889, before Sir James Fitz-James Stephen, then one of the senior High Court judges. In his prime he had been responsible for the Indian Penal Code.

But when he sat in judgment on Mrs. Maybrick he was an old and sick man. He had had at least two strokes and his handling of the case was grossly unfair to the prisoner.

Mrs. Maybrick was also the victim of her times, in that at the period of her trial there was no Court of Criminal Appeal and, being tried before the Criminal Evidence Act, 1888, she was unable to go into the witness box and give evidence on her own behalf, writes David Enns in "Tit-Bits".

American, was married to James Maybrick, thirty years her senior. He had a yellowish tinge, not happy. Mr. Maybrick was an unpleasant character, who had been in the habit of talking drugs for some time. He had been taking strychnine and arsenic both as tonics and as aphrodisiacs. The Police was his principal consideration and both in America and in England, he obtained medicine which contained arsenic. He took these regularly. Being so apprehensive about his health he consulted many doctors. He was perfectly clear that his own doctor in Liverpool gave him no arsenic.

Mr. Maybrick was doing himself daily with quick remedies and medicines. At the same time he was taking arsenic. There was an affair with a man named Brierly, with whom, on at least one occasion, she had stayed in London. Before long her husband's relatives and her servants found out about it.

The Maybrick home was very unattractive. In April, 1889, James Maybrick fell ill for the last time. There was evidence that Florence had bought arsenical Hyposens and she had been seen making them in her workshop. There was evidence that she had given a most extract to her husband, which was afterwards found to contain arsenic.

When her husband died and she was tried for his murder she said the soaking of the papers was for the purpose of obtaining a cosmetic preparation and she had added a powder which was an extract at the express wish of the dead man.

In this body of the scientists found plenty of arsenic, but that was hardly surprising as he had been taking it for years. It was her infidelities which led to her conviction. Her health was found to be quite unable to agree that arsenic was the cause of death. Their arguments made it clear there must have been various causes of death. In this case there should never have been a conviction. But she was sentenced to death.

The gallows had already been erected when the Home Secretary decided to commute the punishment to penal servitude for life because, he said, "there was a reasonable doubt that the death was in fact caused by the administration of arsenic."

If that was so, Mrs. Maybrick was not guilty, but the authorities had the discretion to keep her in prison for fifteen years. Surely this was a monstrous injustice.

turning on the charm — Mrs. Jacqueline Kennedy, wife of the President, chats with her U.N. Adlai Stevenson, during the intermission of a performance of the New York City Ballet.

He Prefers Chess To Hula Dance

Marlon Brando in midshipman's frock coat and knee breeches brushes aside the harassed nurse and heads for a growl. Rango Australian, Chaps Rafferty, follows him.

Together the two men hunch over a chess board in grim, contemplative silence — broken only rarely by a muttered curse from Brando as some move has made.

It is lunch break time during filming of "The Mutiny on the Bounty" in the South Pacific isle of Tahiti. There are 4,000 Polynesian natives in the cast and Brando and Rafferty have grown blasé about the sunny sex-appeal of the girls.

But the feeling is not mutual. Silently watching the chess-players is black-haired, bushy-haired Captain William Bligh in a boat, together with his loyal to him, and his Fletcher Christian, the leader of the mutiny back to Tahiti. The Garden of Eden backdrop and the cast of 4,000 Polynesian natives are in the background. For eighteen years and he was heard of them only as a name in the annals of history.

Of the original mutiny, the man survived. The first mutiny was in 1789, it was in 1791, it was in 1794, it was in 1795, it was in 1796, it was in 1797, it was in 1798, it was in 1799, it was in 1800, it was in 1801, it was in 1802, it was in 1803, it was in 1804, it was in 1805, it was in 1806, it was in 1807, it was in 1808, it was in 1809, it was in 1810, it was in 1811, it was in 1812, it was in 1813, it was in 1814, it was in 1815, it was in 1816, it was in 1817, it was in 1818, it was in 1819, it was in 1820, it was in 1821, it was in 1822, it was in 1823, it was in 1824, it was in 1825, it was in 1826, it was in 1827, it was in 1828, it was in 1829, it was in 1830, it was in 1831, it was in 1832, it was in 1833, it was in 1834, it was in 1835, it was in 1836, it was in 1837, it was in 1838, it was in 1839, it was in 1840, it was in 1841, it was in 1842, it was in 1843, it was in 1844, it was in 1845, it was in 1846, it was in 1847, it was in 1848, it was in 1849, it was in 1850, it was in 1851, it was in 1852, it was in 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