

The second case was a simpler one. A farmer was riding close to the hedge on his proper side of the high road from Ross to Monmouth when a motor-car came "at a great speed," and, as was alleged, on its wrong side; the driver ignoring a warning signal made by the plaintiff, the latter was thrown, with injury to his spine, while his pony swerved in front of the car and was so hurt that it had to be destroyed. The jury awarded £250 damages; it is doubtful whether the evidence of negligence was strong enough to have led them to this verdict, but the defendant, Dr. Gerald Dundas Edwards, failed in the Judge's opinion to give a satisfactory explanation of the fact that he refused immediately after the accident to give his name and address; and the jury probably took this unfortunate mistake as evidence that he was not himself quite clear as to his own blamelessness. The inference is one which will constantly be made in such cases; but it may, and often will be, an entirely wrong one; a man strongly convinced of his own innocence may easily wish when he has seen his victim placed in good hands to spare himself the undeserved ordeal of a trial by jury. He will be wrong of course; but though law and morality may insist that he shall not acquit himself by flight, it is none the less true that flight is not really by itself conclusive evidence of guilt.

Our point is, that probably in neither of these two cases was there anything which could fairly be called "guilt" on the one side, or "contributory negligence" on the other. The facts were all typical facts; such facts as must, in the absence of definite and far-reaching provision on our part, multiply in an ever-increasing ratio. In 1904 they come before us twice in one week of the year; in 1914 or 1924 they might conceivably come before us ten or twenty times in every week of the year. But they will not? No, for such a state of things would be the end of civilised national existence; better the wild beasts of the primitive forest-life, which could at least be attacked and now and then destroyed, than an age of chimeras, ubiquitous and invulnerable. The question is not whether