

depositions, and it may be that it is not exactly the defence which the prisoner would himself make when a witness in the witness-box.

One of the most valuable provisions of this bill is that it will give protection to the innocent prisoner who is not defended by counsel, for he will be able to go into the witness-box and tell his story, and the judge will take care that his real defence is made, and if, by reason of his ignorance or poverty, he has not brought witnesses whom he says can support his statement the judge can adjourn the trial and have them sent for by the officer of the Court, or if the case is prosecuted by the Director of Public Prosecutions the judge can request him to procure their attendance. The judge can also, when he finds out what the prisoner's story is, recall the witnesses for the prosecution, if necessary, and ask them questions which the prisoner ought to have asked himself. To call the questions put by the prosecuting counsel or the judge, to get at the real facts of the case, a "cross-examination" is hardly accurate.

The last point is—Should prisoners only be allowed to give evidence when being tried on an indictment at assizes or sessions, and not by a Court of summary jurisdiction? Such a restriction is impossible. It is as important that an innocent man should be competent to give evidence in one case as in the other. If an illustration were wanted of this, I would refer to a letter which appeared in the *Times* of May 18 last from Mr. Evelyn S. Hopkinson, an undergraduate of Exeter College, Oxford, and I would ask any candid person to say, after reading that letter, whether the law which excludes a defendant in such a case can be a just law. If Mr. Hopkinson had been a competent witness he would have gone into the witness-box, his evidence would have been taken down like the evidence for the prosecution, and in any event the proceedings would have been less summary than he says they were. To call witnesses for the defence and not to allow the defendant himself to give evidence is, as you point out in your able article from which I have already quoted, as little to be justified as the exclusion from the witness-box of the parties to suits in civil actions.

All the great lawyers with whom I have from time to time for years past talked over the question as to accused persons being allowed to give evidence have advocated the change in the