

man will tell the truth at the early stages before the magistrate, so as to give time for inquiry, his ultimate conviction, if he is innocent, is almost an impossibility. I will not say an impossibility, because I do not wish to exaggerate. I have never pretended in all my advocacy of the Prisoners' Evidence Act that it was any protection to the guilty. Your Lordships do not wish to pass an Act of Parliament for the protection of the guilty, but this particular Act has been a great protection to the innocent.

I will give your Lordships three of many cases. I tried at Ipswich an indictment against three men for grievously assaulting a poor sailor. On the evidence of the prosecution, all three assaulted him, and he did not know which one injured him. From the evidence of the prosecution there was not the slightest possibility of distinguishing between the three men. One of them, an ex-soldier, asked to give evidence. He gave his evidence extremely well. He admitted he had been there. He said he joined the other two men, but after a few minutes became ashamed of himself and asked the other men to desist, but as they would not he left them. That may or may not have been the true fact, but my point is that the defence could not possibly have been put before the jury except by the prisoner being allowed to give evidence.

To give more recent cases I will quote two that I tried at the Cardiff Assizes two weeks ago. One was a charge of murder and the other of manslaughter. The former case was one in which a wife had been killed in a particularly brutal manner. Evidence of the circumstances under which the injury was done to the deceased woman was given by the prisoner himself in a way which commended it to the jury, who reduced the crime from murder to manslaughter; and nothing but the prisoner's evidence could have done it. At the same Assizes a man was indicted for manslaughter, for stabbing another man in the eye with an umbrella, which led to his death. Upon the evidence of those who saw the affray and of the doctors called for the prosecution no other verdict but one of manslaughter could be given. That man went into the witness box and described that the deceased,