

As an illustration, I may cite the case which actually occurred in our Courts of a manager of an institution who was asked the question if he had examined the Company's books *at the head office*. He replied that he had not, which was technically perfectly true. As a matter of fact he had examined the books, but *not* at the head office as they had been removed somewhere else for that purpose. The truth was not brought out in cross-examination.

That was a case where a close analysis of the form of the question would have enabled a cross-examining lawyer to put the witness in a very awkward light, but it apparently escaped notice.

I remember another instance where the witness, who was the Secretary of a large corporation, was required to identify some documents and the seal of the company. He was asked whether certain documents shown him bore the seal of the company. He answered, "No." He was then asked if he knew the seal of the company. He said he had never seen it and persisted in his statement.

It was only after some thought that the cross-examining counsel, happened to think that the seal and an impression of the seal were not the same things and the witness confessed that he had been answering with regard to the seal of the Company, whereas he was perfectly familiar with the impression of the seal, and admitted the ones that were submitted to him.

There is such a thing as being too truthful, and the Judge who was trying the case, did not hesitate to express his opinion of the witness's answers. The attorney on the other side afterwards admitted that they had their man a little overtrained.

I merely give you these instances to illustrate the meaning of my advice that you cannot be too careful in watching the terms in which a question is put, or in how you put it yourself.

CROSS-EXAMINATION

A great deal in many cases depends upon the way in which a witness is cross-examined and on what he says in cross-examination, as to whether it will be necessary to corroborate his evidence or not.

Mr. Wrottesley says that cross-examination must have been allowed in very ancient times, on the authority of Solomon, who