

Dominion Medical Monthly.

EDITOR:

W. BEATTIE NESBITT, B.A., M.D., F.C.S. LON.

ASSOCIATE EDITORS:

J. J. CASSIDY, M.D. • W. A. YOUNG, M.D.

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MEDICAL EXPERTS.

There have been columns written on the subject of medical expert testimony, and the importance of it is again brought to our notice by a case which was tried recently in the criminal court. There physicians of good standing gave evidence directly opposed to one another, and, as would be expected, the defendant was able to secure excellent testimony in his case, we understand, for the fee of \$40.00. The Crown in this case pays but \$4.00, which, of course, is a ridiculous amount when you consider the time and annoyance it is to a physician to have to wait around all day at the beck and call of the Court.

It is perfectly apparent to a medical man how conscientious, yet absolutely diverse views may be taken in the same case by two men, each equally

qualified. It becomes usually a matter of interpretation of symptoms as stated to them, of a case which they never saw, by people entirely unskilled and ignorant of the value or importance to be attached to the different symptoms which they profess to remember or the conditions which they think existed. This being the case, it is no wonder that the conscientiously opposing opinions of physicians in giving evidence should not be received in the manner they deserve; in fact, they become the subject of ridicule with the laity, and professional experts have become a by-word among the people.

It may be said it is a very easy matter to criticise, but it is a more difficult matter to suggest a remedy. We think that the remedy is so simple that we cannot conceive why it has not been applied before. Medical expert testimony of a scientific character should not be at the beck and call of every prosecuting attorney or of the defence; it should take the position it deserves to take. The man of science should not be the servant of either side; he should be the judge of scientific facts, and of evidence put in in support of such facts. It is only by occupying this—the judicial, the only correct position for the man of science to occupy—that his talents and training are of most service to the public and the law. We would, therefore, suggest as an immediate and easily applied remedy for this class of testimony, that experts should be adjuncts of the Bench; that the man to select the knowledge required should be the judge without influence or direction from any source. If this be