

tham has this week given a ruling, and pronounced an *obiter dictum*, to which the attention of the legal profession ought to be directed. His lordship ordered the parties—who, it should be observed, were to be called on their own behalf—out of court till their evidence had been given, and also indicated that on some future occasion he might, following the practice which prevails in Scotland, exclude medical experts from court while their scientific brethren were in the witness box. It cannot be denied that the course adopted, and also the course suggested by Mr. Justice Grantham in this case, constitute a somewhat startling innovation upon the established rules of English procedure. There can be no doubt that the old rule permitting parties to be present was framed at a time when parties were not competent witnesses, and we can readily conceive of cases in which their exclusion would be distinctly conducive to the discovery of truth. The discretionary power which Mr. Justice Grantham exercised in the case of *Trevaskis v. Brunson* is, however, one that ought to be employed with the strictest caution. To deprive a party to a suit of his right to make suggestions to his legal advisers, as the trial develops, is a course that ought never, except in the interests of a higher right, to be adopted. The only convenience that would result from the exclusion of medical experts from court while their colleagues were giving evidence would be the impossibility of confining the examination-in-chief of merely "corroborating" witnesses to a simple expression of agreement with the testimony of those that had gone before them. But this advantage would be of little moment compared to the compensating advantage which Mr. Justice Grantham's proposal would secure by giving to expert evidence an independent character which under the present regime it does not, and cannot, possess.—*Law Journal*.

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SUNDAY OBSERVANCE.—The *American Law Review* has an ingenious article by Mr. William E. Carter, on "Chief Justice Maxwell upon the Sunday Question," in which he argues that people nowadays are under no obligation to observe Sunday because God's injunction on the subject was addressed to the Jews alone. That being so, probably for the same reason we are under no obligation to refrain from murder, theft, perjury, adultery, etc. The learned writer informs us that Calvin played