

which the profession held dear—all that did not avail against the right of the other party to the suit to have the truth told, and Mr. Justice Horridge directed him to answer.

It is perfectly certain that the privilege claimed by Dr. Elliott went far beyond anything claimed in the case of a lawyer for a century and a half.

He was asked to state not what his patient had told him, but the physical condition in which he found him—he wished to shelter himself behind some agreement, binding no doubt in honour, and, perhaps, medical ethics, neither of which could be allowed to prevail in the case of a lawyer.

The claim now set up, is to make doctors a privileged class of the community above bankers, financial agents and other confidential persons.

If the profession desires that this be brought about, there is no use girding at the courts who did not make and cannot change the law—no use in looking askance at lawyers as though they were claiming a privilege and keeping doctors under—no use lamenting in medical journals the unhappy conditions of the profession. Go to the people direct, state what it is you wish, convince them, or even a few of them, that such a change would be for the advantage of the people and the thing would be done. Nay, convince the Legislature, or even a reasonable number of the legislators, and the end would be achieved—it is not hopeless, New York has such a law—try it in Ontario if you really think that the people would be advantaged. Before you make the attempt be very sure that you really desire the change.

But it is quite hopeless to expect that any court or any legislature in these days will go back to the archaic theory or pay any attention to the gentleman's sense of honour or a voluntary promise or oath, Hippocratic or otherwise, as any excuse for depriving a citizen of his right to have the full truth under oath in a court of justice.