

return to the subject, get on to something else immediately. Your adversary may overlook it, or not see the importance of it, or he may forget about it by the time you have concluded,—and do not stop your cross-examination as soon as you have got it, as that also serves to draw attention to the fact which you have elicited, and do not show satisfaction at having obtained it. Keep that for your argument or address to the jury.

I am afraid I can give you no other suggestions in regard to cross-examination. What I have given are confirmed by the result of my personal observation and experience. I think, however, that an observance of the suggestions which I have tried to make may be helpful, but only experience is an effective teacher and some of the ablest lawyers have been very ineffective cross-examiners.

I think I need only say a word on the theory of re-examination. If your witness has not been affected by cross-examination it is probably best not to trouble him with any re-examination, but if he has been led into making a statement in cross-examination which you believe he did not intend, it is wise generally to ask him to explain.

Do not however, do it, as in a case which is said to have occurred in one of the English Courts where a man had given his testimony which was highly satisfactory to the party who had called him. The cross-examining counsel merely asked him one question, "Is it not true that you have been convicted of perjury?" giving the date and place, and on receiving an affirmative answer, of course, immediately declined to further examine him. The counsel who had called the witness in re-examination sought to restore his character by asking him, "Is it not a fact that you have several times been put on trial for perjury, but acquitted?"

These remarks have reached such a length that I fear they are becoming tiresome, but I cannot conclude without a few words on the final part of an advocate's duty before his case is left in the hands of the Court, that is the oral argument.

The days of oratory at the Bar I fear have disappeared, probably for the general good, though certainly it is a loss of many eloquent and moving orations which certain leaders of the Bar are still capable of making on occasion. The arguments of to-day which are most effective are those which are most closely reasoned and deal exclusively with the points at issue and in the