

character, is often a predominant sensation of the witness upon his examination. Good sense, when fully exercised, will correct these apprehensions, and satisfy the witness that violence and ridicule will be ineffectual, when opposed to the plain and unaffected language of truth ; but the dictates of good sense are often an insufficient preservative against constitutional timidity.

“ A resolution to appear undaunted, and repel the expected aggression of counsel by insolence, a foolish inclination to make a theatrical exhibition of wit and humour, exciting the horse-laugh of the bystanders, a moroseness and sullenness of temper, will give an unfavourable aspect to the manner of a witness when there is no intentional want of veracity in the matter. The real absurdity of a witness's demeanour or mode of representation, will often diminish the impression of the facts for which it is necessary to resort to his testimony, and particularly in cases where there is a latitude of discretion, as in questions of damages ; the judgment is often practically biassed by the sentiment of ridicule being a test of truth. A due regard to the principles of justice will, however, prevent the fair demands of a party from being affected by the sullenness or absurdity of the witnesses whom he is necessitated to adduce in support of it ; and will lead the mind to a studious discrimination between the fact which is the subject of inquiry, and the accidental circumstances which may accompany the relation of it.

“ The judgment of a witness's manner is not unfrequently formed by a contrast between a cool and steady narration, and a fluttering hesitation ; this judgment may, however, often be fallacious, for a witness who has prepared his story, may have sufficiently arranged the particulars of it in his mind, while another who has had an opportunity of contradicting it, if false, is surprised and confounded by the unexpected statement. In a case