

even that I shall say anything of a very startling, or, after all, of a very new character. All that I am going to say must be the crystallizing of my own experience and the observations that I have been able to make in hearing the efforts of others in the art of cross-examination. Indeed, I feel very much as the expression indicates, that was once used by Disraeli in the House of Commons after a two-hour speech by a member upon an important Colonial subject. He was replied to by the then leader of the Government, Disraeli, whose speech was noted for its brevity and point. He said, "that the honourable gentleman who had just addressed the House had said a great many true things and a great many new things, but unfortunately the true things were not new, and the new things were not true." Now, I hope, however, that I shall be able to say a few new and true things, referring to them as I go along, and make the address I shall give as practical and as much to the point as possible.

I have avoided, or will endeavour to avoid, the anecdotal stage of cross-examination, because instances of great examinations are often the result of the moment and a combination of circumstances which may never arise again. But I do think that the art of cross-examination may be resolved into certain well-defined, if not well-known, principles, and that the bearing in mind of these principles may be of some advantage to the younger men who are all, of course, looking to be great cross-examiners before they retire from professional life.

The subject, it is needless to say, is one of grave importance in the conduct of law cases—important, because it deals with the separation of truth from falsehood—important because it enables the court to be seized, or ought to enable the court to be seized, of all the circumstances of the case bearing upon the issue which the judge or jury may be called upon to try. Then another peculiar phase of it—we all recognize it, perhaps, as doubly important and as an element in a legal trial—is that it deals largely with the undisclosed. The evidence in chief, as you all know, is briefed; the evidence of the cross-examination is briefed only in the mind of the cross-examiner. Cross-examination properly