

# Canada Law Journal.

VOL. XLVI.

TORONTO, APRIL 15.

No. 8.

## *THE ART OF CROSS-EXAMINATION.*

Mr. E. F. B. Johnston, K.C., at the recent annual meeting of the Ontario Bar Association, delivered an address on the Art of Cross-Examination in which he has crystallized the experience of half a lifetime spent in the practice of one of the most difficult and delicate arts. He has shewn rare candour and goodwill, since it is seldom that a great artist can be induced to set forth, for the benefit of others, the principles and methods which he has followed in his work. These principles and methods are not to be learned from text-books or reports, but from a patient, labourious and protracted study of human nature, its motives, passions, prejudices and limitations as disclosed in the witness box. Mr. Johnston has performed a real service to the profession, and his address, which is delightfully interesting as well as instructive, is well worth careful study by every advocate who wishes to rise above aimless, slipshod and mere playing-to-the-gallery methods of cross-examination. The text of the address, which we are glad to be able to publish, is as follows:—

Mr. President and Members of the Bar,—It is an honour to be asked to say something at the meeting of such an important body as the Ontario Bar Association is, and when you, Mr. President, asked me if I would be good enough to deliver myself upon some particular subject, I readily acceded to that request because there was no lack of subjects. If I had been left to my own devices I would have chosen one of easier essay and simpler character. But when you, sir, suggested that I should address the members of the Bar upon the Art of Cross-Examination I found then that the lack consisted, not in the subject, but in the material which should be used to make that subject presentable to a cultured and professional audience. I may be pardoned, perhaps, for saying that my own native modesty prevents me from expressing a hope