

# The Canadian Journal of Medicine and Surgery

A JOURNAL PUBLISHED MONTHLY IN THE INTEREST OF  
MEDICINE AND SURGERY

VOL. VII.

TORONTO, MAY, 1900.

NO. 5.

## *Original Contributions.*

### MEDICAL EVIDENCE.\*

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Evidence is divided into two kinds: First, as to facts that have come under the observation of the witness; and second, evidence as to the interpretation of facts founded on knowledge possessed by witness of a special subject. A witness testifying as to the first class of evidence is styled a common witness; as to the second, an expert witness. A common witness gives evidence of the condition of the person examined by him, describes the wound, the condition of the patient, or other circumstances coming under his personal observation. An expert witness giving evidence acts only as an interpreter of facts, having himself no personal knowledge of them. As for example, referring to a wounded person, he is asked from a description of the wound to say if such a wound is dangerous to life. It is important that a person called to give expert testimony and asked to interpret facts testified to by other witnesses, should be present to hear the discussion on which the opinion is asked. It must be borne in mind that professional secrets are not protected. The witness is bound to answer all relevant questions put to him regarding the matters he may have had communicated to him by his patient while in attendance. This may be repugnant to his mind

\* Epitome of an address delivered before the Toronto Medical Society.