

moment in the case, unless I was reasonably sure of what the answer was going to be. I would rather skirt around it. I would play with the situation if I could, I would rather avoid the main question, still leading up to it, unless I was reasonably sure that the answer to the question that was really critical was going to be in my favour.

The last and the best advice that any man can give, and the best and last advice that any man can take for his own good, is to stop when through—a thing that is seldom done. We have long examinations, caused by our present system of pleading, by the trial involving a very large number of facts, a great variety of evidence, a great many collateral matters, etc., all let in upon the ground that they have some bearing upon the issue, and the great desire on the part of the court and counsel to investigate the subject thoroughly so that there may be no question hereafter in regard to it. But if we could only nerve ourselves to this point, to make our examinations one-third as long as they are we would be very successful cross-examiners. I have often thought that there was a great deal of wisdom and philosophy in the old saying of Josh Billings, the almost forgotten American humorist, in which, in his advice to preachers, he said: "If you cannot strike oil in twenty minutes, you have either a poor auger or you are boring in the wrong place."

Coming to the closing remarks I have to make, there are two or three things which I have in mind more from observation than from any particular knowledge of my own, and I have put them into the form of rules, cardinal rules indeed, conveying a great deal more perhaps on thinking them over than they do on the first utterance.

The First is—and that is largely covered by some things I have already said—the examining counsel must have a *continuity* and *concentration* of thought. If he has not that he cannot cross-examine. By concentration I mean that which eliminates and excludes every other thought excepting the subject in hand, and the witness he is dealing with. By continuity I mean that it is not in broken patches, that his concentration is not fixed here