

graduates and uneducated, unregistered practitioners upon the same basis. It will not be worth while, therefore, to express opinions about regular medicine, homœopathy, eclecticism, etc., in court. You will convince no one, and will produce nothing but a smile.

You may appear in court as either an ordinary or an expert witness. In the former you are called merely to testify to some incident or information of which you have knowledge in the same way and to the same extent as a layman. You may see a person run over, or you may have heard some conversation bearing upon some business matter. In such cases you will be sworn or affirmed without inquiry as to your professional education or experience, and you will be allowed to tell only that which you know of your own knowledge. As an expert witness you may go largely outside of these bounds. You may be asked your opinion on certain subjects, and even be allowed to quote from books and journals, though on the latter point courts are becoming more conservative. Before testifying as an expert you will be subjected to some questioning to test your fitness for the duty. This will generally be a brief review of your professional life. Your admission as an expert is within the discretion of the court.

It has been a moot question how far a doctor is liable to duty as an expert without previous agreement to serve, and whether such service entitles to compensation above that of the ordinary witness fee. (The ordinary witness fee, I may observe, is about one dollar per day, and mileage.) The courts are not quite in agreement on this point, and I am sorry to say that the trend seems to be towards regarding expert services as but little entitled to additional compensation. As a matter of abstract law, there can be no doubt that the courts are entitled to the service of any one, for the welfare of the community is above the comfort or convenience of any individual. The power that set "Uriah in the fore-front of the hottest battle" still exists in our modern state, and can command any sacrifice it needs, but in actual practice, witnesses are selected by the attorneys, and the pitfalls of expert testimony are so numerous that it is very rare that experts are called without careful consultation beforehand and the agreement for sufficient compensation.

Whether you appear as an ordinary or expert witness, you are served with a subpoena, that is, an order signed by some legal authority. This is read to you by some person delegated by the