

the curriculum of a medical school a course in medical jurisprudence, based upon the principle that each department must be headed by experts. The time assigned by the course was short, but it was divided among the members of the teaching body "according to the gifts which bounteous nature (and experience) did in them serve." The professor of obstetrics lectured on abortion and infanticide; the professor of surgery on wounds, and so on. The result was certainly satisfactory to the class, but unpopular with the faculty, and was abandoned. It is so much easier to elect some lecturer on medical jurisprudence, relinquish the small fee which each professor had received, and worry no longer as to the instruction, especially since the original reason for introducing the course into the curriculum was to comply with the requirements of certain State boards. Such perfunctory work will not give the profession a body of experts qualified to do justice to the grave issues of medical jurisprudence. A year's course of lectures following upon a good medical training, and embodying some elective branches, will go far towards accomplishing reform. I have for years contended that the tendency to specialism should be recognized in our college work, and I think that the fourth year of our present system offers an admirable opportunity to put this plan into operation. I suggest that the course of the medical school be so arranged that the education in general medicine and surgery be finished in three years, which can certainly be done if a good standard of admission is established, and that the work of the fourth year be optional as to various specialties. Among these could be included a course in medical jurisprudence and State medicine, leading to a special degree or at least a special certificate, and in time there will not only be at the command of the community experts in all the various fields of judicial injury, but in the cities, where the necessity is, of course, greater, there will be the facilities for elaborate and impartial inquiry which a collegiate organization affords. Time will not permit me to treat this matter in more detail. I have simply recorded it

as my view that medical experts should be systematically trained for their work.

I do not anticipate, however, that the highest possible development of college methods will remedy fully the evils which are associated with expert testimony. No college has ever shown a capacity to create conscience or morals. These are matters of individual organization. The temptation of professional distinction, public success, and high fees will always be capable of diverting men and women from the paths of truths and justice, and we may expect under any system a continuance of those disgraceful exhibitions which have made medical experts a theme for the sarcastic wit of lawyers and newspapers and the more solemn denunciation of judges.*

*From the current (April) number of the *American Law Register and Review*, I quote the following notes which bear upon two important points in the topic under consideration.

"The Court of Appeals of New York has administered a deserved rebuke to the absurd lengths to which expert evidence is now carried, though in terms much milder than the case warranted. On the trial of the notorious Dr. Buchanan, for the murder of his wife, one of the jurors, while at dinner at a hotel, after the case had been submitted to the jury, was suddenly taken ill, and fainted. Physicians, expert in mental diseases, examined the juror, and gave it as their opinion that he was not affected with epilepsy or paresis; and that his symptoms resembled those of nervous exhaustion due to close confinement as a juror. The juror denied ever having suffered from epileptic attacks, and physicians who had known and attended him, testified that he had never manifested any symptoms of nervous disease. Yet other physicians were found, total strangers, who had no knowledge of the facts other than that gained from the statements of others, who dared testify that, in their opinion, the attack was of an epileptic character, and indicated a mental disturbance that must have existed for several hours, and have rendered his opinion unreliable and useless. This testimony was very properly held not to show that the juror was mentally incapable of concurring in the verdict and, therefore, not good ground for setting it aside. This case, in common with many other recent ones, goes to show how utterly unreliable the testimony of the average expert is, especially when he has a pecuniary stake in the question at issue."

"The Supreme Court of Arkansas, following the weight of authority, has recently held that, in the absence of express statutory authority, an expert who testifies for the State in a criminal case cannot demand extra compensation as an expert in addition to the usual witness fees, at least when he is not compelled to make any preliminary examination or preparation, and is not compelled to attend and listen to the testimony.

"When no demand is made in advance for special compensation, an expert witness can recover only the statutory witness fees."