

Desiring to make a practical, useful journal for the General Practitioner, the Editors respectfully solicit Clinical Reports from subscribers and others.

DOMINION MEDICAL MONTHLY

AND ONTARIO MEDICAL JOURNAL

VOL. XIX.

TORONTO, JULY, 1902.

No. 1.

Original Articles

MEDICAL TESTIMONY IN COURTS OF LAW.*

BY HON. JUDGE MACDOUGALL, TORONTO, ONT.

Your worthy President, about ten days ago, had the temerity to enter the Court House, without a subpoena, came to my room and made a request to me that I would be good enough to say a few words to the Association when it assembled, upon the subject of medical testimony, or perhaps, more particularly, on an important branch of it—expert testimony. I pointed out to your President that my time was very much taken up at this particular period of the year, and that I feared very much I would not be able to consent, but like very many other persistent men he would not take "No" for an answer, and later in the week he saw me again and persuaded me to make the effort.

I was tempted also to refuse upon another ground, and that was, that I have some fairly strong views on the subject of medical testimony, and I did not know but that some of the matters I might care to discuss here would possibly not be as palatable to my audience as they might be to the laity or to lawyers. (Here, here.) But on reflection, as one of those concerned in the administration of justice, and as one who has much interest in improving all our methods, it struck me it would be a golden opportunity to frankly and candidly use the scalpel a little, if advisable, in dealing with this important subject.

Now, of course, there are one or two elementary questions which

* Delivered at Ontario Medical Association Meeting.