

medical men. With reference to issues involving mechanical or scientific construction or operation of machinery, a similar board of skilled artisans, engineers, or machinists might be constituted. These boards would pass upon the question specially submitted to them, and the members would be subject to cross-examination to the same extent as the expert witness is under our present practice. The evidence required in these cases partakes somewhat of the nature of the judgment of the court, and the appointment of a board of skilled witnesses is analogous in principle. Two men cannot agree upon the facts necessary to determine their respective interests, or upon the law governing their relative rights. Figuratively speaking, they call in a judge to determine the matters in issue. He determines the matter in the capacity of a skilled expert. The party dissatisfied goes to a court composed of several judges, and there seeks what he thinks is the redress to which he is entitled. The proposition as to expert evidence takes the opinion of the larger court of three or five experts in the beginning instead of at the end, but the same result is reached. If this or some similar scheme were adopted, there would be a great saving of expense, and the evidence would perhaps be more satisfactory to the judges. Under some such system, there would certainly be no ground for suspicion as to the honesty of medical expert evidence, and there can be no doubt that the parties to the action would continue to receive the full benefit of those differences of opinion, which do now, and always should, exist between medical men who are called upon to make practical application of a science beset with grave difficulties and fraught with the most serious problems of life.

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