

that was the trouble I felt myself in, and I am rather impressed with the idea that perhaps what I have to say may not be worth saying, at any rate I am satisfied it could be scarcely worth reading to such an audience as this.

For a moment let us look at some of the methods of cross-examination, as they are practised, in the same spirit as we often hear about English as "she is spoke." One form of cross-examination which is apparent to all of us as being very ineffective, is the going over of the ground in chief. I have seen very able counsel (and without being able at all, I have done it myself, to my sorrow) take a witness, the plaintiff or the defendant as the case may be, and follow him from point to point, going over his case as developed in chief, with what result? Invariably emphasizing and giving point to the story of the witness.

Then another form which some people adopt seems to be the asking of questions at random without an objective point, and I shall deal with that more fully in a moment or two. The cross-examination in a case of that kind always appeals to one as being all abroad and ineffective. Another form which one notices very frequently, and it is done, of course, without thought, sometimes done in the absence of something better to ask, and that is the cross-examination on facts that cannot be weakened—bald, salient facts about which there is no dispute, and yet I have heard cross-examination by the hour upon those facts which no man, not even the all-powerful judge on the Bench could shake—an examination, you have all heard it—entirely devoted to attacking those particular facts. That is due to a curious psychological condition arising from the very strength of the facts, and the cross-examiner becomes irresistibly impressed with the idea that these are the things he must attack, the very things that a wise cross-examiner would fly from, would not touch under any circumstances.

Then there is another form which is rather a fishing form, that is a cross-examination upon an irrelevant matter in the hope of getting something valuable, one of the most dangerous things a cross-examiner can do, for this reason. Of course, it may be a