

in the course of my own experience, which has not been altogether limited, I have been told of a state of facts regarding character which my client supposed he was correctly representing to me, but which he was not, and at the trial I have been met with a condition of things on the part of the witness that absolutely turned the jury in his favour. Therefore, I say, it is important that if you know the record, if you have convictions against the witness, and if they are within two or three months, or even within six months, it might be safe to ask him if he has been convicted of a certain offence; but if a man has been convicted ten or twelve years ago, has served his term in the penitentiary and has come out, and is living a clean, respectable life, no counsel will ever advance the interests of his client by asking that man if he was ever convicted.

Then it is a dangerous thing to ask men—I won't say that about women—if they have any feeling or any enmity or any bias against another. They invariably answer, "No, we had a few words, but I am very friendly with him, and I would do him a good turn; he and I are not just close friends, we are friendly enough." You will sometimes get a woman who will be vindictive against her fellow-woman; but I have never seen a case where a man in the witness box has acknowledged that he was living at enmity with the litigant in the suit.

Then there is another branch which could be discussed at considerable length, and that is the examination of an expert witness, but it is impossible to go into the discussion, because it would require me to deal with the many details of it. All I can do is to say a few words of a general character with regard to it. From what I have observed and seen in regard to examinations by very eminent men, I have come to the conclusion that no counsel should ever cross-examine an expert witness unless he has as thorough a knowledge of the subject, in that particular branch of it, at least, as the expert himself. It is always safer to take practical results from experts than to examine them upon a scientific basis; and the expert man is the last man counsel should ask information from.