

a day, yes, I may say two days, in some particular case, where there has been an important witness, actually preparing for a cross-examination to the exclusion of everything else in business, where the issue depended largely upon the testimony of that witness.

In preparing, one has to consider this. You have to think out the end of your method. It won't do to say, this will be a clever way of putting it, or, that will be a good subject-matter of attack. The question is, Where is it going to lead you to at the end? Consider the character of the witnesses and the nature of the case, and above all we should consider the relation of the facts to each other. I have seen it—an instance does not recall itself to my mind at the moment—but I have seen where the cross-examiner has proved the fact to his satisfaction, and proved another one to his satisfaction, and with these two facts, by reason of their relation to each other, he has absolutely destroyed the efficiency of his work; therefore, it is necessary always to consider what the relation of these facts is to each other—what is probable and what is improbable or unlikely. These are matters which every cross-examiner must keep in his mind.

Then, I should say in cross-examination it is important to eliminate any concern about your own case, because the moment you are thinking about what your case is or will be, or what effect the evidence will have on your case, your mind is distracted from a subject which requires singleness of eye and purpose, and singleness of mental action. Then, I think, it is very important that we should determine a line of attack on each point. Sometimes we have to employ different methods, as you all know, to get at results; sometimes one line of attack would not suit in another; as you know, one line of cross-examination would not apply to another case at all; and, therefore, we have to so prepare and so put down on paper—and I think it is important that everything should be put down on paper,—that the eye as well as the mind will see where the thing is leading you to, that is, to prepare so that the bearing and the result are clear to the mind of the examiner. Method, of course, is largely governed by the