VI. The course of evidence

This chapter concerns the principal rules governing examination in-chief, cross-examination, and re-examination of witnesses. Such an account is not entirely satisfactory because it is concerned with regulations that are either matters of common knowledge or else can be thoroughly mastered only by experience. However, the rules with which it deals have been highly characteristic of the English law of evidence. The elucidation of facts by means of questions put by parties or their representatives to witnesses mainly summoned by them has been an essential feature of the English ‘adversarial’ or ‘accusatorial’ system of justice. The chapter argues that not only is an appreciation of this procedure desirable for its own sake, but it is necessary for a proper understanding of such matters as the law concerning the admissibility of the convictions, character, and credibility of parties and witnesses.
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