

where inspection of the book itself is necessary, for the purpose of identifying the book, or the handwriting, or of determining some question arising upon the original entry, or of correcting an error, which has been duly ascertained. Books of this public nature, being themselves evidence, when produced, their contents may be proved by an immediate copy, duly verified. Of this description are parish registers; the books of the Bank of England, which contain the transfers of public stock; the transfer books of the East India Company; the rolls of Courts baron; the books which contain the official proceedings of corporations, and matters respecting their property, if the public at large is concerned with it; books of assessment of public rates and taxes; vestry books; bishops' registers, and chapter-house registers; terriers; the books of the post-office, and custom-house, and registers of other public offices; prison registers; enrolment of deeds; the registers of births and marriages, made pursuant to the statutes of any of the United States; the registration of vessels in the custom-house; and the books of record of the transactions of towns, city councils, and other municipal bodies. In short, the rule may be considered as settled, that every document of a public nature, which there would be an inconvenience in removing, and which the party has a right to inspect, may be proved by a duly authenticated copy.

§ V. *Des documents devant notaires.*—Nous avons examiné la valeur probante des actes et copies d'actes reçus devant notaires au ch. 2 des degrés de la preuve.

§ II. *Documents privés.*—La meilleure preuve du contenu d'un document privé se fait en produisant le document lui-même. Archb. p. 239. Telle est la règle générale, mais nous avons vu au titre de la preuve secondaire que lorsqu'un tel document est entre les mains de la partie adverse, on peut signifier à cette partie ou à son procureur, un avis de le produire, et si elle ne le fait pas, la cour, sur preuve de tel avis et du fait que tel document est réellement en la possession de telle partie adverse permet de prouver par témoins, le contenu de ce document. De même si le document a été détruit ou perdu