

EVIDENCE.

INTRODUCTION.

BEFORE the subject of Evidence is entered upon, it will be shown, of what matters the courts are bound to take judicial notice, and which therefore require no proof: after that has been disposed of, Evidence will be considered, as divided into PAROL and WRITTEN.

Parol Evidence is treated under the heads of—Admissions—Confessions—Presumptions—Persons incompetent to be witnesses, from deficiency of reason—Persons inadmissible as witnesses, from want of religion—Persons inadmissible by reason of infamy—By reason of interest—Inadmissibility of parties to the suit to be witnesses—Of husband or wife of the parties—Of the counsel or attorneys of the parties—Attendance of witnesses—Examination of witnesses—and number of witnesses required to prove a fact.

Written Evidence is considered under the heads of—Acts of parliament—Judgments—Proceedings in Chancery—Proceedings in courts of peculiar jurisdiction—Decisions of magistrates—Depositions—Other judicial written documents—Public written documents not judicial—Mixed written documents, partly public and partly private—Deeds—Wills—Mercantile contracts—and other private written documents.