
Reports and Notes of Cases.

Dominion of Canada.

SUPREME COURT.

Full Court.]

[44 D.L.R. 170.

PRATTE V. VOISARD.

Evidence—Handwriting—Proof of—Testimony of experts—Comparison.

Under the law governing proof in the Province of Quebec, the testimony of experts in handwriting by comparison is admissible. *Alex. Taschereau, K.C. and E. F. Surveyer, K.C., for appellants. Belcourt, K.C. and S. Laurent, K.C., for respondents.*

ANNOTATION ON ABOVE CASE FROM 44 D.L.R.

Proof of Handwriting and Documents.

By ALBERT S. OSBORN, New York.

The following annotation is a reflection of the latest and most progressive American view on the subject of handwriting evidence.

The constant but slow tendency of the new precedents in the law in relation to the proof of handwriting and documents is unmistakably in the direction of that procedure that gives aid in promoting justice. Progress is especially shown by the removal of certain ancient restrictions which made it difficult if not actually impossible to prove the facts. The most important step in this direction, in what might be called modern times, was the admitting of standards of comparison, beginning especially with the English statute of 1854. There had been some progress, however, before that time because originally no comparison of any kind was allowed even if there was genuine handwriting in the case.

The statute in the federal courts of the United States, allowing standards of comparison, was not enacted until fifty-nine years after the enactment of the English statute, a measure of progress in this country not to be proud of. Following the enactment of the federal statute a number of the belated States passed a similar statute allowing standards of comparison, but in some States the strange law is still in force that no genuine writing can be admitted for comparison either to prove genuineness or forgery. The U.S. federal statute was approved and became a law, February 28, 1913. The same year North Carolina and Indiana passed substantially the same statute, and in 1915 Alabama, Michigan and Illinois adopted the new practice. Most American