

4. What are the duties of a Judge presiding at a trial by jury?
5. Give a statement of the distinctive duties of the Judge and the jury at a trial by jury.
6. What is presumptive evidence? Give a description of it.
7. What is malice as appertains to legal proceedings?
8. How is malice proved? Is it ever presumed? If so, how and under what circumstances?
9. Is there any difference under the law of evidence as to ancient or modern instruments? If any, state what it is and how applied?
10. Define an Estoppel and its applicability to the evidence in any particular case.
11. Give a definition of the terms parties and privies under the law of Estoppel as applicable to evidence.
12. In a trial, who has the right to begin, and what is the governing principle in regard thereto?
13. Give a definition of secondary evidence.
14. When can hearsay evidence be given in evidence, and to what class of cases does it belong?
15. Can parol evidence be admitted to vary a written document; if so, under what circumstances and to what extent?
16. Give a general description of a notice to produce and under what circumstances necessary, and when and how served.
17. What is necessary, if anything to be proved, before putting in secondary evidence?
18. Is there such a thing as secondary evidence of oral testimony? If you say yes, give a description of it, and state the doctrine concerning it.
19. What is expert evidence, and under what circumstances can the same be used?
20. When and in what class of cases can evidence of reputation be used?
21. Is it necessary in any or all cases to call subscribing witnesses to prove deeds, contracts in writing, &c.?
22. In an action of Trespass to Land, with the pleas (1) "not guilty" and (2) "land not property of plaintiff," what proof would plaintiff have to put in to sustain his case?
23. In an action on a promissory note, payable at a particular place against a third indorsee when the pleas deny the making the presentation when due, and the consideration, what evidence would plaintiff have to put in to sustain his case?
24. State the law of evidence as applicable to husband and wife in civil, criminal and divorce proceedings.