

Case No. 6,691.

HOPKINS v. SIMMONS.

{1 Cranch, C. C. 250.}¹

Circuit Court, District of Columbia.

July Term, 1805.

EVIDENCE—OPINION—HANDWRITING.

The opinion of a witness (who has seen the party sign a paper) that another paper is also in the handwriting of the same party is competent evidence, although his opinion is the result of comparison.

Assumpsit. The defendant offered in evidence an account, said to be in the plaintiff's handwriting; and Robert Ellis, a witness, testified that he saw the plaintiff sign a certain receipt; and that, by comparing the account with the signature to the receipt, he believed the account to be in the plaintiff's handwriting.

Mr. Key objected, on the authority of Peake's Law of Evidence (page 69), that comparison of hands is no evidence in any case.

But THE COURT admitted the evidence.

¹ [Reported by Hon. William Cranch, Chief Judge.]