

Case No. 8,471. LOMBARD v. McLEAN.
[4 Cranch, C. C. 623.]¹

Circuit Court, District of Columbia.

Nov. Term, 1835.

EVIDENCE—COPY OF ACCOUNT BOOKS.

Copies of plaintiff's account books are not evidence.

Assumpsit for balance of account; the plaintiff having been the defendant's [Cornelius McLean's] factor for the sale of glass.

Mr. Marbury, for plaintiff, offered the deposition of a witness taken in Boston, under the act of congress [4 Stat. 197], stating that an account, thereto annexed, was truly copied from the plaintiff's books; the entries in which, with some exceptions, were in the handwriting of the witness, and were true.

THE COURT (nem. con.) rejected so much of the deposition as related to the books and accounts, the original entries not being produced.

Verdict for the plaintiff.

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