

SHANNON v. FOX.

[1 Cranch, C. C. 133.]¹

Circuit Court, District of Columbia. July, 1803.

EVIDENCE—PROOF OF
HANDWRITING—COMPARISONS.

The handwriting of a party cannot be proved by a comparison with the handwriting of his power of attorney filed in the cause, there being no proof of the latter.

Mr. Woodward, for plaintiff, offered to prove the handwriting of Fox, by comparing it with his signature to the power of attorney filed in this cause, considering it as a matter of record.

THE COURT (nem. con.) refused to allow it, on the ground that no proof was given of the signature of the power of attorney.

MARSHALL, J., was absent all this term, after Tuesday, 2d of August, and resigned before the next term.

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