

Case No. 15,625.

UNITED STATES V. LONG.

{1 Cranch, C. C. 373.}¹

Circuit Court, District of Columbia.

Dec. Term, 1806.

PAROL EVIDENCE—WARRANT.

Upon an indictment for assault and battery of a constable, in the execution of his duty in serving a warrant, parol evidence of its contents cannot be given, unless it be lost or destroyed, &c.

UNITED STATES v. LONG.

Indictment [against Dennis Long] for assault upon a constable, in the execution of his duty. The United States proved that the warrant had been given by the constable to one John Palmer, who was not summoned as a witness.

THE COURT refused to suffer parol evidence to go to the jury, of the contents of the warrant, as there was not sufficient evidence to raise a presumption that it was lost, or could not be had.

See U. S. v. Pignel [Case No. 16,049]; U. S. v. Lambell [Id. 15,553]; U. S. v. Wary [Id. 16,645].

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