

Case No. 17,478.

WHANN v. HALL.

[2 Cranch, C. C. 4.]¹

Circuit Court, District of Columbia.

June Term, 1810.

EVIDENCE—SUBSCRIBING WITNESSES.

Testimony of the subscribing witness cannot be dispensed with, although he resides in Massachusetts.

The plaintiff offered in evidence a receipt, to which there was a subscribing witness.

THE COURT refused to receive other evidence of the handwriting, although the plaintiff

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proved that the subscribing witness resided in Massachusetts, and had not been in the district since the last term.

But THE COURT said they would hear a motion for a new trial, if the verdict should be against the plaintiff.

Verdict for the plaintiff.

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