

Rodman vs. Hoops Ex'Rs

Rodman vs. Hoops Ex'Rs

SooperKanoon Citation : sooperkanoon.com/77863

Court : US Supreme Court

Decided On : 1784

Appeal No. : 1 U.S. 85

Appellant : Rodman

Respondent : Hoops Ex'Rs

Judgement :

RODMAN v. HOOPS EX'RS - 1 U.S. 85 (1784)

U.S. Supreme Court RODMAN v. HOOPS EX'RS, 1 U.S. 85 (1784)

1 U.S. 85 (Dall.)

Rodman et al. ex.

v.

Hoops's ex.

Supreme Court of Pennsylvania

September Term, 1784

In this cause, the defendant's offered in evidence an entry made in the books of the testator, of money paid in discharge of a promissory note. This was acknowledged to be the original entry; but there was no proof by whom it was

made, or, whether the person who made it was dead, or alive.

By the Court. Let it be read to the jury; not as evidence that the defendant has paid the note, but merely that such an entry was made nineteen years ago, of the payment of a note of twenty three years standing; and to support the general presumption of payment after such a length of time. Nor is this to be drawn into precedent; for our allowance of the evidence is founded on the particular circumstances of this case.

To prove another point in the same cause, a book was offered, in the form of a ledger, containing, in some instances, references to a waste- book. Notwithstanding this, it was insisted, on the one hand, to be an original, and not a transcript; but denied on the other; and the person, who, it was said, could prove it, was incapable of attending on account of sickness.

The Court ordered the book to be read; leaving it to the jury to determine, on the face of it, whether it was an original or transcript; and directing them in the latter case, to pay no regard to it.[Rodman v. Hoops Ex'rs [1 U.S. 85](#) (1784)]

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com