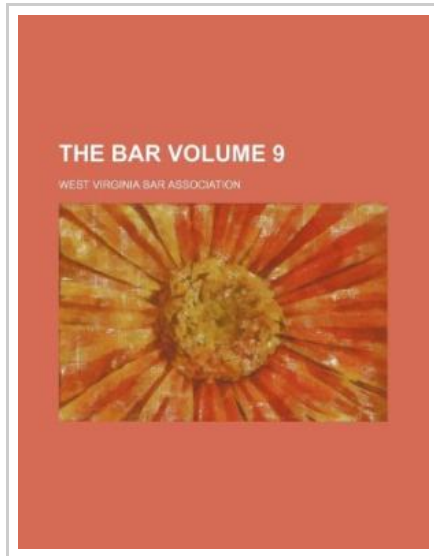




## The Bar Volume 9 (Paperback)

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By West Virginia Bar Association

Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book \*\*\*\*\* Print on Demand \*\*\*\*\*.This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1902 Excerpt: .evidence of the correctness of such weights, is unconstitutional, because denying to the companies due process of law, and wrongfully depriving the courts of the judicial power to determine the weight and sufficiency of evidence. The decision by a bare majority of the court and the dissenting judges make out a somewhat plausible case. It is conceded, both by the majority and the minority, that a Legislature has the right to modify the rules of evidence. Statutes making certain proof, documentary or oral, merely presumptive evidence, fall within such power. When, however, a Legislature assumes to make evidence of any kind conclusive evidence, it in effect takes away the right of judicial trial of the question of fact comprehended by it. This, as we understand it, is the gist of the argument of the majority of the court, and it would seem to be sound. Will...



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