

ARTICLE 35.

EVIDENCE.

Competency of Witnesses.

- 4A. Illegal search or seizure; when evidence so obtained inadmissible.

Attendance and Pay of Witnesses.

- 8A. Superintendent of Maryland Tuberculosis Sanatorium—when not required to attend as witness.

Proof of Accounts.

- 54A. Proof by written record, entries, etc.

Public Statutes, Office Copies and Official Certificates.

- 56A. Publications covered.
56B. Uniform interpretation.
56C. Name of act.

Competency of Witnesses.

3.

Legatees under will competent to testify as to statements of testator in suit between executor and another as to whether testator owned deposit account. *Schaefer v. Spear*, 148 Md. 626.

Evidence in suit against administratrix for services rendered, properly ruled out either as immaterial or as prohibited by this section. *Knight v. Knight*, 155 Md. 251.

Exclusion of evidence under this section commented on in a case involving mental capacity to execute deed of trust, and undue influence. *Callis v. Thomas*, 154 Md. 232.

Intention of this section. To third from last note under heading "Incompetency," etc., on page 1377, vol. 1, of Code, add *Griffith v. Benzinger*, 144 Md. 595.

4.

Provision of this section *re* refusal of traverser to testify not violated by proving what he voluntarily testified to at former trial. *Henze v. State*, 154 Md. 346. Plaintiff's evidence of wife's misconduct being uncorroborated, disregarded. *Lang v. Lang*, 155 Md. 472.

No divorce on husband's testimony as to wife's misconduct before marriage, unknown to him, unless corroborated; this section does not apply to proceeding for separate maintenance. *Wiegand v. Wiegand*, 155 Md. 645.

This section referred to in dismissing bill for divorce—see notes to art. 16, sec. 39. *Proudfoot v. Proudfoot*, 154 Md. 586.

This section referred to in holding proof insufficient for divorce *a mensa*. *Oertel v. Oertel*, 145 Md. 178.

Corroboration necessary in suit for alimony; proof sufficient. *Silverberg v. Silverberg*, 148 Md. 691.

Corroboration necessary for divorce on ground of abandonment; proof insufficient. *Owings v. Owings*, 148 Md. 127.

1929, ch. 194.

4A. No evidence in the trial of misdemeanors shall be deemed admissible where the same shall have been procured by, through, or in consequence of any illegal search or seizure or of any search and seizure prohibited by the Declaration of Rights of this State; nor shall any evidence in such cases be admissible if procured by, through or in consequence of a