

offered as a witness may have been previously convicted of any crime or offence; but no person who has been convicted of the crime of perjury shall be admitted to testify in any case or proceeding whatever; and the parties litigant, and all persons in whose behalf any suit, action or other proceeding may be brought or defended, themselves, and their wives and husbands, shall be competent and compellable to give evidence in the same manner as other witnesses, except as hereinafter excepted.

Cunningham v. Dwyer, 23 Md. 219. Neidig v. Whiteford, 29 Md. 178. Cooke v. Cooke, 29 Md. 538. Ward v. Leitch, 30 Md. 326. Gambrill v. Parker, 31 Md. 1. Schull v. Murray, 32 Md. 9. Johnson v. Heald, 33 Md. 352. Friend v. Hamill, 34 Md. 298. Foley v. Bitter, 34 Md. 646. McAleer v. Horsey, 35 Md. 439. Downs v. Md. & Del. R. R. Co., 37 Md. 100. Davis v. State, 38 Md. 15. Semmes v. Worthington, 38 Md. 298. Estep v. Morris, 38 Md. 417. Harris v. Pue, 39 Md. 535. Romer v. Jaecksch, 39 Md. 585. Mason v. Poulson, 40 Md. 355. Brinkley v. Platt, 40 Md. 529. Sanborn v. Lang, 41 Md. 107. Armitage v. Snowden, 41 Md. 119. Wright v. Gilbert, 51 Md. 155. Hardy v. Chesapeake Bank, 51 Md. 562. Bantz v. Bantz, 52 Md. 686. Turpin v. State, 55 Md. 475. Kerby v. Kerby, 57 Md. 346. Classen v. Classen, 57 Md. 511. Swartz v. Chickering, 58 Md. 290. Crane v. Barkdoll, 59 Md. 537. Horner v. Frazier, 65 Md. 10. Neale v. Hermanns, 65 Md. 478.

P. G. L., (1860) art. 37, sec. 2. 1864, ch. 109. 1868, ch. 116. 1876, ch. 222. 1888, ch. 315.

2. When an original party to a contract or cause of action is dead, or shown to be a lunatic or insane, or when an executor or administrator is a party to the suit, action or other proceedings, either party may be called as a witness by his opponent, but shall not be admitted to testify on his own offer, or upon the call of his co-plaintiff or co-defendant, otherwise than now by law allowed, unless a nominal party merely, except in case where the party to such suit, action or other proceeding has died, or become lunatic or insane, after having testified in his own behalf, then the opposite party shall be a competent witness on his own behalf in such case, notwithstanding the executor or administrator of such deceased person, or committee of such lunatic or insane person has become a party to such suit, action or other proceeding, but shall only testify as to matters upon which such deceased, lunatic or insane person was examined and testified to; provided, that when an executor, administrator, guardian or committee of a lunatic or insane person is a party to the suit, action or other proceeding, when the cause of action has arisen on a contract made