

REVISOR'S NOTE: This section is new language derived from Art. 35, §10. The section relates to Art. 35, §1 (proposed §9-101) which does not bar these persons from being witnesses. This section permits the interest of the witness or his conviction to be proved for whatever value it may have. Recent decisions which have construed this statute are Mason v. State, 242 Md. 707 (1966); Johnson v. State, 4 Md. App. 648 (1968); and Huber v. State, 2 Md. App. 245 (1967). The conviction must be final, and the appeal time must have expired. Only the fact of the appeal is admissible. Style changes are made. Section 4-520 contains a prohibition on use of juvenile records under this section. For inadmissibility of certain information or statements made by a participant in juvenile proceedings, see §3-820. For maintenance and inspection of police records pertaining to juveniles, see §3-838.

SEC. 10-906. PROOF OF WRITTEN INSTRUMENT - WILLS EXCEPTED.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) EVIDENCE IS ADMISSIBLE IN ANY PROCEEDING TO PROVE THE EXECUTION OF A WRITTEN INSTRUMENT ATTESTED BY ONE OR MORE SUBSCRIBING WITNESSES IN THE SAME MANNER AS THE INSTRUMENT MIGHT BE PROVED HAD IT NOT BEEN ATTESTED. EVIDENCE OF A DISPUTED WRITING IS ADMISSIBLE AND MAY BE SUBMITTED TO THE TRIER OF THE FACTS FOR ITS DETERMINATION AS TO GENUINENESS [[BY A COMPARISON OF HANDWRITING ON PAPERS IN EVIDENCE]].

(B) EXCEPTION.

THE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE PROOF OF THE EXECUTION OF A LAST WILL AND TESTAMENT OR CODICIL.

REVISOR'S NOTE: This section is new language derived from Art. 35, §12. The section is divided into two subsections in order to place additional emphasis upon the fact that the elements permissible in legal proceedings do not apply to Wills. This statute has been recently construed in Parker v. State, 12 Md.