

# **KINGS LAW REPORTS**

## **(ALL SC/NOVEL CA)**

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**Dedicated to the King of kings**

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DOCUMENTS - Probative value - Where maker of document is not called to testify - The document would not be accorded probative value - Notwithstanding its status as a certified public document (H12) Nyesom v. Peterside p. 1181

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EVIDENCE - Dying declaration - Statements made to PW7 by deceased were not dying declarations - As they did not relate to the actual incident - From which death of deceased resulted (H9) Ezeuko v. State p. 1057

EVIDENCE - Evaluation - And ascription of probative value to evidence is duty of trial court - Which watched demeanor of witnesses - And appellate court would not ordinarily interfere (H16) Nyesom v. Peterside p. 1181

EVIDENCE - Evaluation - Trial court does not need address from counsel to parties - To decide whether or not a piece of evidence or exhibit admitted - Should be ascribed probative value (H2) Ezeuko v. State p. 1057

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FAIR HEARING - Right to - Constitution 1999 s. 36(1) - Parties to a dispute before court or tribunal - Are entitled to a fair hearing - As each party must be heard (H2) Achuzia v. Ogbomah p. 1023

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JUDGMENTS - Writing of - Where a panel of Justices hears a matter - Each of them must express and deliver his opinion in writing - But such opinion may be delivered by any other Justice of the court (H2) Nyesom v. Peterside p. 1181

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MURDER - Evidence - Evaluation - Trial court properly evaluated evidence and convicted appellant - As his case that the burns on deceased were from Exhibits P16 & 17 - Cannot be sustained (H6) Ezeuko v. State p. 1057

MURDER - Ingredients - Proof - To sustain a charge of murder - Prosecution must prove death of deceased - That the death was caused by act of accused - And that the act was intentional (H2) Akpan v. State p. 1043

MURDER - Judgment - Alternative verdict - Lower court should consider all possible defence open to accused - Including a verdict of manslaughter - But there is nothing to rely on for such verdict in this case (H4) Akpan v. State p. 1043

MURDER - Proof - From content of Exhibit 2 that supported testimony of PW1 - It is difficult to counter concurrent findings of the lower courts - Which held ingredients of the offence established (H3) Akpan v. State p. 1043

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