Chapter XIII - Special Rules of Evidence

Chapter in 2 minutes

- Separate statutory presumptions, evidentiary burden and permissible rebuttal; preserve originals, bank records and transaction proof.
- Primary control: evidence burden gate.
- Map presumptions, rebuttal, estoppel and independent transaction evidence.
- Apply the exact current section text, amendment history and transaction evidence together.
- Do not confuse a negotiable instrument remedy with automatic proof of the underlying transaction.

Execution gates

- Legally enforceable transaction
- Instrument classification and stamp
- Authority/mandate and custody
- Presentation, return and notice clocks
- Evidence, forum and entity liability
- Settlement, accounting and retention

Provision/control map

Provision	Subject	Control
Section 118	Presumptions as to negotiable instruments.	Build both the presumption case and independent transaction proof; presumptions are not a substitute for a coherent debt and document trail.
Section 119	Presumption on proof of protest.	State the presumed fact, who bears the burden and what evidence can rebut or support it.
Section 120	Estoppel against denying original validity of instrument.	State the presumed fact, who bears the burden and what evidence can rebut or support it.
Section 121	Estoppel against denying capacity of payee to indorse.	State the presumed fact, who bears the burden and what evidence can rebut or support it.
Section 122	Estoppel against denying signature or capacity of prior party.	State the presumed fact, who bears the burden and what evidence can rebut or support it.

Evidence file

Instrument/image; mandate; contract/invoice/delivery; ledger/bank/tax; presentment/return; notice/service; calculations; settlement/orders; source log.

Default response

Freeze timeline; verify debt and authority; preserve originals; validate bank memo; calculate statutory/civil clocks; decide cure, notice, settlement and filing.