

Test Types: Ger. *Buchstabenproben, Sehproben*; Fr. *optotypes, caractères pour l'examen de l'acuité visuelle*; Ital. *tipi di prova ottica, scale di Snellen*. Quadrangular letters and numerals for the determination of the range of distinct vision.

The 'standard' eye (Snellen) sees two black objects on a white ground as discrete when the space between them subtends a visual angle of 1'. The test types in regular use are so chosen that the smallest can be read, by the normal eye, at a distance of 6 m. Acuity of vision is in this case expressed as $\frac{6}{v}$ or $\frac{1}{v}$. If only the largest types on the sheet can be read at 6 m., $v = \frac{6}{6}$, i.e. the patient can read at 6 m. what he would, with a normal eye, read at 60 m.

Literature: JÄGER, *Schriftscalen* (1857); SNELLEN, *Probuchstaben z. Bestimmung d. Sehschärfe* (1862; Eng. trans., 1873); HELMHOLTZ, *Physiol. Optik* (1896), 124; W. H. R. RIVERS, *Reports of Cambridge Anthropol. Exped. to Torres Straits*, ii. (1901) 12 ff.

Testament (in law) [Lat. *testamentum*]: Ger. *Testament*; Fr. *testament*; Ital. *testamento*. A voluntary disposition of all or part of a man's property, or rights, to take effect only upon his death; a will.

In the phrase 'will and testament,' the last two words are mere surplusage.

In early English law, the term testament was specially appropriated to wills of personal property, which came under the probate jurisdiction of the ecclesiastical courts; but for centuries 'will' and 'testament' have been synonyms (Bacon's *Abridgment*, Wills, A). *Testamentum est voluntatis nostrae iusta sententia de eo quod quis post mortem suam fieri velit* (*Dig.* 28, 1, *Qui testamenta facere possunt*, &c., 1). The soul of the Roman testament was the naming of a universal successor, or 'haeres.' See WILL (in law). (S.E.B.)

Testament (The Old and The New): Ger. *Testament*; Fr. *Testament*; Ital. *Testamento*. Names applied to the Hebrew and Christian Scriptures.

The terms signalize their character as a testament or will sealed in the blood of the testator, symbolically in the sacrifices of the Old Dispensation, really in the sacrifice of Christ in the New Dispensation. (A.T.O.)

Testimony [Lat. *testimonium*, from *testis*, a witness]: Ger. *Zeugniß*; Fr. *témoignage*; Ital. *testimonianza*. The statement of a witness used as evidence, whether depositional or documentary.

Deposition is oral or written. All testimony is either *direct* or *circumstantial*. *Direct* testimony is a statement of the very fact in question. Testimony is, further, either *intentional* or *casual*. *Intentional* testimony is a statement made for the purpose of persuading those before whom it is laid of the truth of the facts in question. Testimony is further either *original* or *second-hand*. *Original* testimony is testimony to percepts, or perceptual judgments, of the witness. *Second-hand* testimony is testimony as to what the witness learned by testimony (strictly by original testimony, otherwise it would be third-hand, &c., testimony, or rumour).

There is a general tendency to believe what one is told; and, as in the case of other such tendencies, it should at first be followed, although cautiously and tentatively. Even when experience is wanting, as for example in examining a prisoner, although greater caution is required, the proper course is to begin with the presumption that the testimony is true, for unless we make such a presumption, no truth can ever be discovered. It is true that the unlikelihood of the matter of the testimony may cause immediate distrust, or even disbelief of it, but no persons are so frequently deceived as those who stop to weigh likelihoods before accepting or rejecting testimony, and who then form a confident opinion *pro* or *con*. Testimony should almost always be accepted as approximately correct, but always strictly on probation, as a subject of examination. In our legal proceedings, witnesses are subject to cross-examination. Everybody is agreed that this is an essential step in the inquiry, but in a historical inquiry no such thing is possible. Still the testimony can be tested in various ways; and this must be done. But in any case, the rendering of the testimony is a fact which needs to be accounted for; and by whatever theory it be proposed to account for it, that theory needs to be checked and tested. Properly handled, false testimony may often yield a great deal of information.

An experimental test may be readily performed by considering the least antecedently likely but necessary or highly probable consequence of the theory, which is susceptible of being confronted with observation direct or indirect. If this consequence is found, notwithstanding its unlikelihood, to be true, there is then some reason for believing in the theory proposed to account for the testimony. (C.S.P.—J.M.B.)

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