

*optimum testimonium rei.*" A prisoner's confession involving no question of law is sufficient grounds to warrant a conviction, although there is no corroborating proof of his having committed the offence charged.

This view, however, is very seriously doubted by text writers as not being what the English courts would hold, if the question was directly presented to them, but it clearly is not the American rule. It is well settled in this country, that there must be some corroborating evidence to the confession in order to establish the prisoner's guilt, but if the commission of the offence be established, it is unnecessary to have any corroborating evidence of the prisoner's criminal agency.

It must not be thought when considering confession that once admissible they are irrefutable. A confession is of the same character as an admission, in that it constitutes a waiver of proof rather than proof itself. So far is this carried, that where the prisoner's confession has been reduced to writing and signed, it was held to be error not to admit parole testimony offered by the prisoner to shew that his words were misunderstood.

Such in general, is the law of confessions. While it admits of much abuse, it is, nevertheless, founded upon justice and the principles that the guilty should be punished, but that no one should be made to incriminate himself.—*Central Law Journal*.

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[The authorities for the above propositions are given in full in the number for Nov. 8.—Ed. *C.L.J.*]