

render his evidence admissible than the examination upon the voir dire of a child, or that of some person who, it is contended, should not be allowed to be sworn on account of his infidel opinions. And the prisoner himself, in the affidavit he makes, does not assert that it was not proved, before the evidence was admitted, that the confessions were not brought about by threats or promises, etc.—nor does his solicitor.

If we cannot go outside of the written evidence in the police court, moreover, it nowhere appears that the witnesses were policemen or persons in authority such that, within the rule, their threats or persuasion would prevent the confessions being given in evidence: Roscoe's *Crim. Ev.*, 11th ed., pp. 43, 44.

It is not without significance that all the evidence was given, without objection, in the presence of the prisoner and his counsel, and, had there been any objection to the admissibility of the evidence, no doubt objection would have been taken.

3. That a confession alone is sufficient to justify a conviction has been law since 1789: *Wheeling's Case*, 1 Leach 311n. Before that time, and indeed since, there had been considerable discussion whether an extra-judicial confession, uncorroborated in any way whatever, is sufficient to found a conviction: *Taylor on Evidence*, sec. 686; but the doubt has not received any judicial sanction for many years.

4. The charge should have been reduced to writing.

The trial was under sec. 777 of the Code, in Part XVI., respecting summary trial of indictable offences, the prisoner having consented to be tried by the police magistrate. Section 778 (3) provides that "if the person charged consents to the charge being summarily tried . . . the magistrate shall reduce the charge to writing and read the same to such person, and shall then ask him whether he is guilty or not of such charge."

What appears upon the papers is as follows. On 16th March, 1909, an information was sworn to before the police magistrate; upon the same day, whether at the same time as, or before, or after, the laying of the information, the prisoner elected to be tried summarily, and pleaded "not guilty," and was remanded to the 23rd. It nowhere appears how the prisoner was brought before the police magistrate. I should think that he appeared before the police magis-