

acted by a superior sense of obligation. I have already observed, that to assent to a given proposition we require a preponderance of testimony in support of it ; in questions, therefore, respecting the credit of a witness, the want of assent is not founded upon an assurance that his testimony is false, but the want of an adequate assurance that it is true. Where it is distinctly ascertained that the witness is indifferent with respect to the event, or where it appears that his wishes would naturally incline to opposition to his testimony, the general inclination to veracity might be, in most cases, a sufficient assurance of the facts deposed to by a person even of the most exceptionable character ; but the testimony will be properly open to suspicion, not only when a person of this description distinctly appears to have a collateral motive for desiring a decision in support of his testimony, but also whenever there is not a sufficient reason for presuming the contrary ; for the inducements which may operate upon a mind susceptible of corrupt influence cannot easily be detected, although they may actually exist. It is the want of an adequate assurance that the testimony is true, which very properly occasions a great degree of caution to be applied to the testimony of accomplices in criminal prosecutions and induces Courts, and juries, to disregard such testimony, except so far as it is confirmed by circumstances affecting the parties accused, deposed to by witnesses of irreproachable character. There is not in these cases a positive suspicion arising from the nature of the evidence itself, that it is actually false ; but there is a manifest want of those principles of duty and obligation, which are the strongest assurances of its being true ; the actual motive is almost always in favour of truth, if it be clear that the witness had some companion in his offence ; and it has not in any instance occurred to me, to suspect that evidence of this description which I have had an opportunity of hearing, was fabricated ; but there is no doubt that it