

Ed.), §142, the Court, said on page 290:

"Professor Wigmore gives us the key to the most logical solution of the legislative intent in enacting Section 11. He points out that the conviction of another person for the same crime, assuming that it is predicated as the deed of one person and not of joint actors, should be admissible in evidence when offered by the defense [indeed, he seems to think it should be pleadable in bar], but that the courts have not always so held. He concludes his paragraph upon this subject by saying, "[c]ertainly, the law must in some manner avoid the absurdity of convicting two persons for the same crime committable by one only." We hold that the trial court was in error in admitting the conviction and sentence of Iser as tending to establish the guilt of the appellant, Gray. (Citing cases)."

It would appear that this section has application largely to criminal cases despite the fact that the word "civil" is included. This word is retained since its removal could be considered a substantive change. The revision of the section is made to clarify language and simplify style.

SEC. 10-905. PROOF OF INTEREST OR CONVICTION OF CRIME.

(A) IN GENERAL.

EVIDENCE IS ADMISSIBLE TO PROVE THE INTEREST OF A WITNESS IN ANY PROCEEDING, OR THE FACT OF HIS CONVICTION OF AN INFAMOUS CRIME. EVIDENCE OF CONVICTION IS NOT ADMISSIBLE IF AN APPEAL IS PENDING, OR THE TIME FOR AN APPEAL HAS NOT EXPIRED, OR THE CONVICTION HAS BEEN REVERSED, AND THERE HAS BEEN NO RETRIAL OR RECONVICTION.

(B) CERTIFICATE UNDER SEAL AS EVIDENCE.

THE CERTIFICATE, UNDER THE SEAL OF THE CLERK OF THE COURT, OF THE COURT IN WHICH THE CONVICTION OCCURRED IS SUFFICIENT EVIDENCE OF THE CONVICTION.