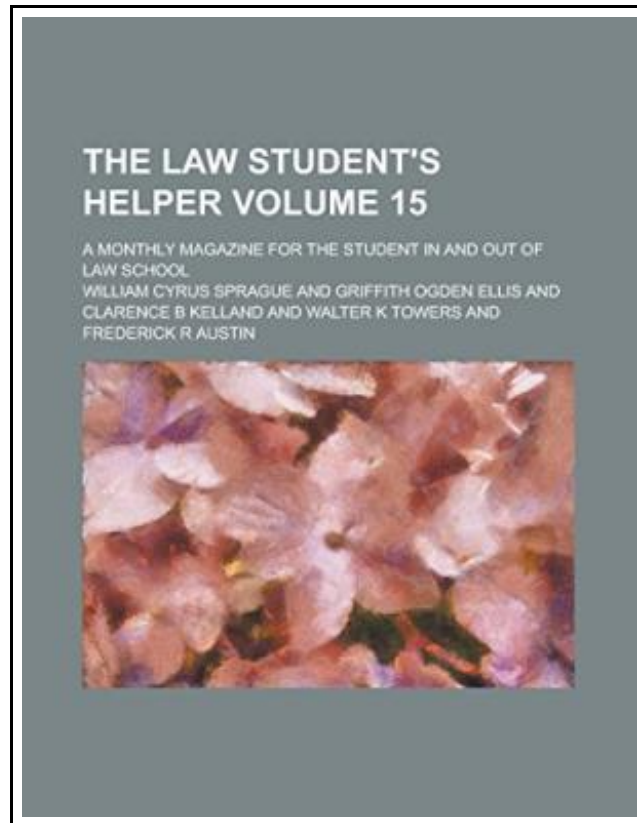


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Rarebooksclub.com, United States, 2013. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1907 edition. Excerpt: .truth, and is not such as should direct the minds of either the court or jury, in determining so important an issue. On this phase of the subject, the late Chief Justice Shaw of Massachusetts, in stating why an involuntary confession ought to be rejected, says: because he may be induced by the pressure of hope or fear to admit facts unfavorable to him, without regard-to the truth, in order to obtain the promised relief, or to avoid the threatened danger; and therefore admissions so obtained have no just or legitimate tendency to prove the facts admitted. In reversing a conviction based upon a confession, the late Chief Justice Faircloth of North Carolina says: The genius of our free institutions provides that admissions of a party should not be used against him, unless made voluntarily. The common law looks with jealousy upon such confessions; for, if made under the influence of hope or fear, they furnish no test of the truth of the matter. They may be true, and, they may be inspired by either hope or fear that such statement will be better for him in the near future. The popular notion that an innocent person will not confess-to guilt, is not only refuted by an instance still fresh in the public mind, of one who falsely confessed to complicity in the noted carbarn murder, but by many other well authenticated cases, of which may be mentioned the following: In 1660 John Perry...



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