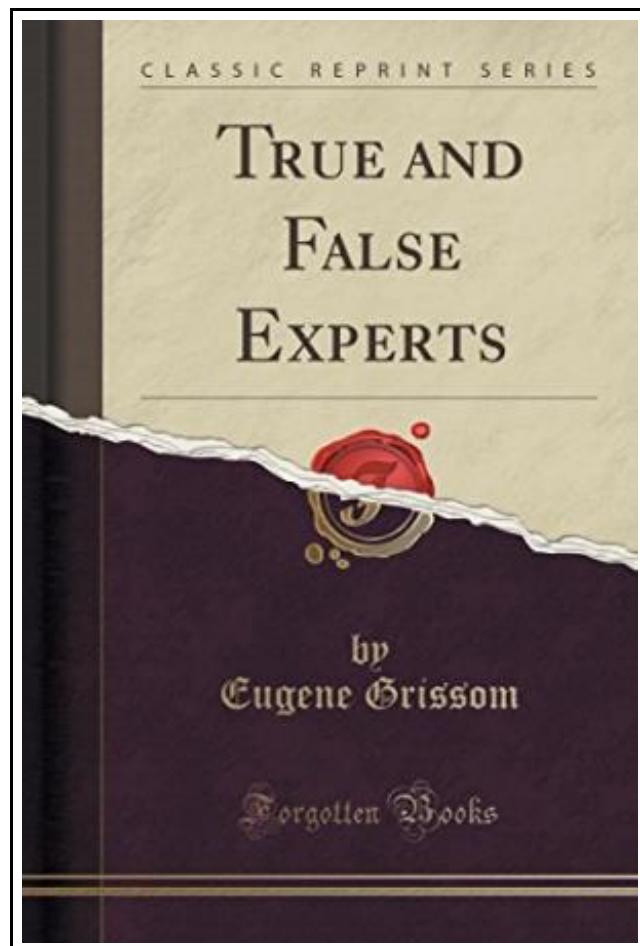


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Forgotten Books, United States, 2015. Paperback. Book Condition: New. 229 x 152 mm. Language: English . Brand New Book ***** Print on Demand *****.Excerpt from True and False Experts It is the mutual relations of law and medicine in regard to the plea of irresponsibility in criminal offenses, and the connection of expert testimony therewith, that we venture to examine at this time, under the conviction that whatever remains unsettled and doubtful in the law itself, whatever is injurious and misleading in the administration of justice, demands a speedy correction as soon as recognized by the enlightened sense of mankind. It should be remembered that the physician must be the friend of the insane, and humanity demands that we consider and reconsider the fearful trust of the lives and reputations of the afflicted, until we shall be able in the fullness of time, to reach conclusions whose influence for practical good will sooner or later be acknowledged, and the jurisprudence of a coming generation adjust itself by an equity that shall have more of the divine element of Knowledge than the rude justice of the Past. Chief Justice Shaw, in the case of Rogers, defined the principles of expert testimony with clearness in the following language: The rule of Law, on which this proof of the opinion of witnesses, who know nothing of the actual facts of the case is founded, is not peculiar to medical testimony, but is a general rule, applicable to all cases, where the question is one depending on skill and science, in any peculiar department. In general, it is the opinion of the jury which is to govern, and this is to be found upon the proof of the facts laid before them. But some questions lie beyond the scope of the observation and experience...

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