

“ In the case of a confession before a magistrate, *or other person*, if it appear that the defendant was induced to make it by any promise of *favor*, or by menaces, or under terror, it shall not be received in evidence against him. 2 Hale, 285. Thus, if it be said to the defendant that *it will be better or worse for him if he do or do not confess*; 2 East, P. C. 659:—or by saying, ‘ tell me where the things are, and *I will be favourable to you* ;’ R. v. Cass. C. & Mar. 290, n. (18 ) ;—Or ‘ *you had better tell all you know* ;’ R. vs. Kingston—4, C. & P. 387, (1830);—or, ‘ *you had better tell where you got the property* ;’ R. v. Dunn, 4. C & P. 543, (1831);—or, *you had better split*, and not suffer for all of them;’ R. vs. Thomas, 6, C. & P. 353, (1834);—or, ‘ *it would have been better if you had told at first* ;’ R. v. Walkely, 6, C. & P. 175, (1833);—or, ‘ *I should be obliged to you*, if you would tell us what you know about it; if you will not, of course we can do nothing ;’ R. v. Partridge, 7, C. & P. 551 (1836)—or, ‘ *any thing you can say in your defence we shall be ready to hear* ; Reg. v. Morton, 2, M. & Rob. 541, (18 ) ;—the confession *will not be admissible* ;—Also, where such a person” (*one not in any office or authority*) “ held out an inducement in the presence of the *prosecutor’s wife* ! who expressed no dissent, the confession was held not to be receivable. R. v. Spencer, 7, C. & P. 776 (18 ) ;—Also “ when the prisoner was taken by the constable to an *inn*, and the *inn-keeper*, in the constable’s hearing, held out an inducement to him to confess, and the prisoner, in the constable’s hearing” made a confession *to the inn-keeper*, which the constable was called to prove, Alderson, B. thought the evidence inadmissible. R. v. Pountney, 7, C. & P. 302, (1836);—So a confession made by a girl on a charge of murder upon an inducement held out to her by a woman in whose custody she had been left by the constable, was rejected. Rex. v. Enoch, 5, C. & P. 535, (18 ) ;—The court, in general, rejects any confession made upon an inducement to a prisoner before he is brought before the magistrate, and cautioned by him as to its consequence. 2 East P. C. 658; and see R. v. Lingate 1. Phil. Ev. 165 ; Reg. v. Arnold 8. C. & P. 621 (18 ).