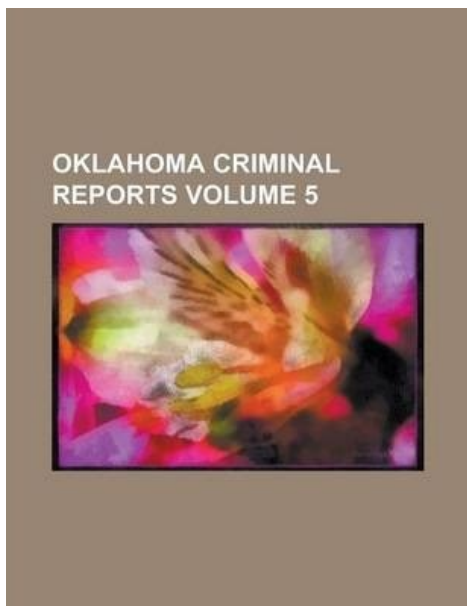


Oklahoma Criminal Reports Volume 5

Anonymous



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. 1911 edition. Excerpt: ...the prosecution. The instructions given in the case are commendably correct, with the exception of the fifth, which reads: The jury are instructed that the defendant is a competent witness in his own behalf. The jury are entitled to take into consideration his interest, in the event of the prosecution, in determining his credibility. By numerous decisions of this court similar instructions have been condemned. See Hughes 1. State, 3 Okla. Cr, 38?, 106 Pac. 546. Under the proof in this cause, this instruction clearly constitutes error. It is important that the criminal laws should be enforced, but it is no less important that no person be punished for crime who is innocent, and no person should be punished or deprived of his liberty, except on evidence sufficient to establish his guilt of the crime charged. For the reasons herein expressed, the judgment of conviction is reversed, and the cause remanded to the county court of Pittsburg county. 1. HABEAS CORPUS---Right to Relief--Jurisdiction. If the petitioner be imprisoned under a judgment of a court which had no authority to render the judgment complained of, then relief may be accorded by habeas corpus. 2. COURTS--Competent Jurisdiction. A court of competent Jurisdiction is one having power and authority of law at the time of action to do the particular act. 3. INDICTMENT AND INFORMATION--Feonios in Indian Territory--Necessity of Indictment. Article 5 01? the amendments to the Constitution of the United States, providing that no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, guarantees to a defendant, charged with the commission of a felony in the Indian...

- [A.O.G. Fitness : The Key to Ultimate Fitness](#)
- [Offne die Augen](#)
- [The Oil & Gas Year Indonesia 2013](#)
- [Offizier - Kartograph - Politiker \(1775-1851\) : Lebenserinnerungen und kleinere Schriften](#)
- [Okklusales Einschleifen im naturlichen und im restaurierten Gebi? : Grundlagen und Techniken](#)