

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. HIPOLITO RESAYAGA Y BABOL, ACCUSED- APPELLANT.

G.R. No. L-23234. December 26, 1973

Ponente: AQUINO, J.

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AQUINO, J.:

This is an appeal of defendant Hipolito Resayaga from the decision of the Court of First Instance of Camarines Sur, convicting him of murder, sentencing him to reclusion perpetua and ordering him to indemnify the heirs of Severo Parro in the sum of P6,000 and to pay the costs.

The evidence for the prosecution shows that at approximately seven o'clock in the evening of August 24, 1962 Severo Parro, Sotero Yuson, Zosimo Biag, Manuel Bañaga, Silverio Cadag and Ireneo Cadag were in the town plaza of Baao, Camarines Sur. The occasion was the town fiesta.

Yuson, who was drunk, was behaving in an unruly manner. "He was showing off and making trouble". His companions exerted efforts to prevent him from molesting the persons in the plaza. As he continued to be unmanage-able (he was even dancing), he bumped Dionisio Brisuela who reacted by boxing Yuson and causing him to fall on the ground. Parro approached Yuson and assisted him in getting up. As soon as Yuson was on his feet, Brisuela again hit Yuson and knocked him out.

Parro tried once more to help Yuson. In the process of doing so and while Parro was in a stooping position, Hipolito Resayaga, who was at the plaza, stabbed Parro in the abdomen with a knife. After the stabbing, Resayaga fled in the direction of the church. He is the brother-in-law of Brisuela, being married to the latter's sister.

Parro, the victim, was brought by his companions, Biag and Bañaga, to a clinic in Baao. Later, he was taken to the Lady of Mediatrix Hospital in Iriga where he was treated by Doctor Andres Gonzales. Notwithstanding the medical attendance, Parro died due to severe hemorrhage at four-fifty in the afternoon of the following day, August 25th.

Doctor Gonzales certified that the twenty-four year old victim had a one centimeter long stab wound in the right lower abdominal region, two inches above the pubis. The wound perforated the intestines. Five perforations were in the ileum. Six perforations were at the root of the mesentery. The doctor concluded that, considering the location and direction of the wound, the assailant must have been at the back of the victim, meaning that it was not frontally inflicted. Because of Parro's critical condition, the Baao policemen were not able to get his ante-mortem statement.

Evaristo T. Fajardo, a police corporal of Baao, investigated the incident. He found in the ditch near the scene of the crime a knife which, at his request, was brought to the police headquarters by the plaza cleaner, Melchor Bretanico. Jesus Bersola, one of the persons present at the scene of the crime who was investigated, declared in his statement to the police that Resayaga had confided to him that he (Resayaga) threw the knife into the canal. The police after further investigation concluded that Resayaga was the assailant.

Appellant Resayaga interposed the defense of alibi. In this appeal, he concedes that alibi "is the weakest of all defenses because it can easily be fabricated". He argues that the prosecution witnesses had not positively identified him as the assailant, that the delay of the police in arresting him, although his residence was well-known, signifies that he was not immediately identified as the culprit, that contradictions vitiate the testimonies of the prosecution witnesses and that the knife allegedly used in the stabbing belonged to Salvador Fajardo who was the "possible" assailant.

Resayaga in support of his alibi declared that in the afternoon of August 24, 1962 he was in the town cockpit of Baao. At past five o'clock he and his companions were in the store of Lorenzo Badilla drinking beer. Between six-thirty and seven o'clock he was with Jessie Batac, Edmundo Bulalacao and Ramon Bacagan in the store of Pedro Bufe in the Baao public market. In that store he met Quintin Bumanglad. Between seven and seven-thirty he and Bumanglad left the market and proceeded to their homes at Barrio San Antonio, which is three kilometers from the poblacion of Baao. (4-5 Appellants brief).

Resayaga admitted that Badilla's store and the public market, where Pedro Bufe's stall was located, were in the poblacion and were not remote from the town plaza where Parro was stabbed (146 tsn July 16, 1963; page xvi, Appellant's brief).

It is obvious that no credence can be accorded to Resayaga's alibi. To establish an alibi, the accused must show that he was at another place for such a period of time that it was impossible for him to have been at the place where the crime was committed at the time of its commission (People vs. Lumantas, L-28355, July 17, 1969, 28 SCRA 764-768; People vs. Alcantara, L-26867, June 30, 1970, 33 SCRA 812, 825).

If it were true that Resayaga was in the public market before seven o'clock, it would have been possible for him to leave the market, go to the plaza, see Brisuela, his brother-in-law, boxing somebody, and at around seven o'clock stab Parro. Resayaga might have mistakenly believed that Brisuela was tangling with Parro.

That circumstance constitutes a refutation of appellant's contention that "the record does not show, does not even insinuate, that the accused had any motive for killing Severo". Resayaga's felonious act was motivated by a desire to help his brother-in-law.

Resayaga's contention that the evidence identifying him as the assailant "is extremely doubtful, if not unbelievable", is belied by the record. He was identified by two eyewitnesses, Zosimo Biag and Manuel Bañaga. Biag, a neighbor and companion of Severo Parro, unequivocally fingered Resayaga as the assailant in this manner:

Q.

Do you know the accused Hipolito Resayaga? - A. Yes, sir.

Q.

If he is here in court, will you please point to him to us? - A. He is there (witness pointing to Hipolito Resayaga, the accused in the courtroom).

Q.

Who stabbed Severo Parro? A. Hipolito Resayaga.

Q.

When was Severo Parro stabbed by Hipolito Resayaga?- A. August 24, 1962.

Q.

About what time on that date was Severo Parro stabbed? - A. Seven o'clock in the evening.

Q.

Where was he stabbed, I mean in what place was he stabbed? - A. Baao, Camarines Sur.

Q.

In what place in Baao? - A. In the plaza.

Q.

What happened to Sotero Yuson again? - A. He fell for the second time and Severo Parro picked him up again. When Severo Parro picked up Sotero Yuson, Hipolito Resayaga approached them.

Q.

What did Hipolito Resayaga do, if he did anything? - A. After Hipolito Resayaga approached Severo Parro, Severo Parro was stabbed by Hipolito Resayaga.

Q.

This Hipolito Resayaga who stabbed Severo Parro with Exh . A, what relation has he with this Hipolito Resayaga now in Court? - A. The same person.

Q.

When did you come to know Hipolito Resayaga for the first time? - A. I have known him in San Nicolas a long time already.

Q.

When was that long time? -A. 1960.

Q.

You mean to say that you came to know the accused Hipolito Resayaga in 1960 and in other words on August

24, 1962, you knew him already? - A. Yes, sir.

Q.

How did you come to know him in 1960? - A. I have a cousin in that place.

Q.

And because you have a cousin in San Nicolas how did that affect your knowing supposedly the accused? -A. I asked my cousin who was that man.

Q.

And he told you that man you pointed to was Hipolito Resayaga? -A. Yes, sir.

Q.

Who was that cousin of yours? -A. Romulo Briones.

Q.

In the course of your cross-examination you stated that Severo was stabbed by someone. Who was that person who stabbed Severo Parro? -A. Hipolito.

Q.

What is the family name of Hipolito? - A. Resayaga.

Q.

What relationship had that Hipolito Resayaga who stabbed Severo Parro with this accused Hipolito Resayaga now? -A. The same person.

Q.

You also stated on cross-examina-tion that the assailant who stabbed Severo Parro walked in going to the church. Who was that person who stabbed Severo Parro and walked towards the church? - A. Hipolito Resayaga.

Q.

What relation has he with this one now in Court? - A. The same person.

Q.

Is it not true that that person who supposedly stabbed Severo and who later, as you said, stood by the tree and walked to the church was not known to you on August 24, 1962? - A. I know. (3, 5, 7, 9, 20, 21, 44-46 tsn Elore).

Bañaga, the other eyewitness, also identified Resayaga with certitude and without hesitancy as the assailant, as shown in the following testimony:

Q.

Do you know the accused herein Hipolito Resayaga? - A. Yes.

Q.

If he is in court, will you point him to us? - A. He is there (witness pointing to Hipolito Resayaga, the accused in the courtroom).

Q.

Since when have you come to know him? - A. Since 1959.

Q.

What happened to Sotero Yuson? - A. After Brisuela boxed Sotero Yuson, the latter fell, so Severo Parro approached him again to help him. Then Hipolito Resayaga came out and stabbed Severo Parro.

Q.

That Hipolito Resayaga which he used this knife in stabbing Severo Parro, what relation has this Hipolito Resayaga to that one you mentioned? - A. The same person.

Q.

What was the position of Severo Parro when he was stabbed by Hipolito Resayaga? - A. In stooping position.

Q.

How long before the stabbing, did you see the assailant? - A. I saw him right in the act of stabbing.

Q.

You saw him for the first time when he allegedly stabbed Severo Parro, is that what you mean? - A. Yes.

Q.

And after delivering that stab, he left, is that correct? - A. Yes.

Q.

In other words, you merely had confronted a glanced (sic) or viewed that person, is that correct? - A. I saw.

Q.

Yes, you allegedly saw him when he delivered the supposed stab wound to Severo? - A. Yes.

Q.

Under those circumstances, how can you identify Exhibit A that was the very knife which was used by the assailant? - A. The light was bright and I saw the knife being held by Hipolito Resayaga in stabbing Severo Parro.

Q.

You mean the blade was gleaming against the light? - A. Yes.

Q.

You said that you came to know the accused since 1959, is that correct? -A. Yes.

Q.

Why, how did you come to know him in 1959? - A. I stayed at the town of Baao, Camarines Sur, that is why I came to know him.

Q.

And in what occasion did you come to know the accused in 1959? - A. I was staying then in the poblacion of Baao.

Q.

Until when? - A. Until 1959. (2-19 tsn Santelices).

Salvador Fajardo and Temistocles Botor saw Resayaga in the plaza at about seven o'clock in the evening or at the time the stabbing was perpetrated. Botor gave the impression in his affidavit and testimony that Resayaga confessed to him that he had used the knife (Exh. A) in stabbing somebody (Exh. 2; 24-25 tsn Santelices). Resayaga told Botor: "I do not know if my knife will (did) penetrate the full blade or half of it" (41-42 tsn Santelices).

According to appellants version, Botor was a member of his group (barkada). They were together in the cockpit and in the store of Lazaro Badilla up to six o'clock. The mere fact that Beatriz Botor, a cousin of Temistocles, had allegedly sued Macario Resayaga, the father of appellant Hipolito Resayaga, for the recovery of a parcel of land would not be a sufficient motive for Temistocles Botor to testify falsely against the appellant. As Judge Pedro C. Navarro correctly observed, ordinarily "a cousin would not have much concern about the result of a civil suit involving another cousin".

Jesus Bersola, who became a hostile witness, also identified Resayaga as the assailant. He said that "Severo Parro upon seeing his friend, the drunk man, fall to the ground ran to the rescue but he was met by Hipolito Resayaga and was stabbed in the abdomen". He did not report Resayaga to the police because his (Bersola's) life was in danger. Resayaga had warned him not to squeal (Exh. E).

Resayaga harps on the inconsistency between the testimony of Zosimo Biag that he had known Resayaga since 1960 and the statement in Biag's affidavit that he came to know Resayaga only after the stabbing.

Much importance cannot be attached to that discrepancy because, as has been truthfully observed, the infirmity of affidavit evidence is a matter of judicial experience. Since, generally, an affidavit is not prepared by the affiant himself, but by another who uses his own language in writing the affiant's statements, omissions and misunderstandings by the writer are not infrequent particularly under the circumstances of hurry and impatience. (People vs. Mariquina, 84 Phil. 39, 42).

An affidavit, "being taken ex parte, is almost always incomplete and often inaccurate, sometimes from partial suggestion, and sometimes from want of suggestion and inquiries, without the aid of which the witness may be unable to recall the connected collateral circumstances necessary for the correction of the first suggestion of his memory and for his accurate recollection of all that belongs to the subject." (People vs. Alcantara, L-26867, June 30, 1970, 33 SCRA 812, 820).

"We have too much experience of the great infirmity of affidavit evidence. When the witness is illiterate and ignorant, the language presented to the court is not his; it is, and must be, the language of the person who prepares the affidavit; and it may be, and too often is, the expression of that persons erroneous inference as to the meaning of the language used by the witness himself; and however carefully the affidavit may be read over to the witness, he may not understand what is said in language so different from that which he is accustomed to use. Having expressed his meaning in his own language, and finding it translated by a person on whom he relies, into language not his own, and which he does not perfectly understand, he is too apt to acquiesce; and testimony not intended by him is brought before the court as his." (2 Moore on Facts, sec. 952, p. 1105; People vs. Timbang, 74 Phil. 295, 299).

Appellant Resayaga avers that the prosecution witnesses "have five different and conflicting versions of the same incident". That observation is misleading because it rests on the false assumption that their versions should coincide. Those five witnesses were presented for different purposes. Their testimonies dealt with different phases or episodes of the incident.

Zosimo Biag and Manuel Bañaga were presented by the prosecution to prove that Resayaga actually inflicted a mortal stab wound on the hapless Severo Parro. Jesus Bersola testified on the happenings preceding the stabbing.

Temistocles Botor did not witness the stabbing. He testified on the doings of Resayaga immediately prior to the stabbing and on his conduct (part of the *res gestae*) after he had mortally wounded Parro. Salvador Fajardo did not witness the stabbing. He testified on what he saw in the plaza and on his conversations with Resayaga after the latter's arrest.

That there are inconsistencies, even improbabilities, in the testimony of a witness, especially on minor details or collateral matters is a common phenomenon. That the accounts of witnesses regarding the same occurrence are contradictory on certain details is not unusual. There is no perfect or omniscient witness because there is no person with perfect faculties or senses. An adroit cross-examiner may trap a witness into making statements contradicting his testimony on direct examination. By intensive cross-examination on points not anticipated by a witness and his lawyer, a witness may be inveigled into making statements that do not dovetail with the testimonies of other witnesses on the same points.

Yet, if it appears that the witness has not willfully perverted the truth, as may be gleaned from the tenor of his testimony and as concluded by the trial judge from his demeanor and behavior on the witness stand, his credibility on material points may be accepted.

"If witnesses should agree as to every detail of a transaction which occupied a considerable space of time, and should undertake to tell all that occurred in precisely the same order, each giving the same incidents as the others in precisely the same words, that fact would be of itself a suspicious circumstance" (Rumsey, J., *Matter of Seagrist*, 1 N. Y. App. Div., 615, 617, 37 N. Y. Supp. 496, 497, cited in 6 Moran, *Comments on the Rules of Court*, 1970 Ed., p. 141).

The self-contradictions of a witness and the contradictions among witnesses have been repeatedly passed upon by the courts as shown in the footnote* and in the following rulings:

"The discrepancies and alleged improbabilities of the testimony of both prosecution witnesses were in the matters of detail and, in fact, coupled with their lack of education, heighten their credibility rather than otherwise and show that the testimony was neither coached nor rehearsed. (*People vs. Selfaison*, 110 Phil. 899). This Court has noted that such differences are due to individual variations in observation and memory, and do not necessarily indicate falsehood". (*People vs. Paz*, L-17320, May 31, 1965, 14 SCRA 132, 140).

"Inconsistency in the testimonies of witnesses, if only in minor details, reinforces rather than weakens their credibility, for it is usual that witnesses to a stirring event should see differently some details of a startling occurrence. This has been judicially taken notice of by the courts." (*People vs. De Gracia*, L-21419, September 29, 1966, 18 SCRA 197, 204).

The Court is convinced that the contradictions in the testimonies of the prosecution witnesses, as pointed out by the appellant in his brief, do not affect their credibility. The testimonies are consistent in identifying Resayaga as the assailant and in proving his presence at the town plaza when the stabbing occurred.

Among the circumstances on which Resayaga anchors his acquittal are the entry in the police blotter that the assailant was "unidentified" and the delay in his arrest.

Corporal Fajardo explained that in the police blotter it was indicated that the assailant was unidentified because that entry was made prior to the commencement of the investigation of the stabbing. He said: "At first we do not know who stabbed Severo Parro but after complete investigation of the case we found out that Hipolito Resayaga was the one who stabbed Severo Parro". He added that the police filed the murder charge "after thorough investigation of the case" (66-67 Elore). He clarified that when Zosimo Biag and Manuel Bañaga disclosed to the police on August 24, 1962 that the assailant was Resayaga, the latter was not arrested immediately, because, as the offense was grave, "more evidence was required". After the termination of the investigation, the police

concluded that "there was no other suspect but Hipolito Resayagal"(87 tsn Elore).

Resayaga was arrested on August 29th or five days after the stabbing. The five-day interval cannot be characterized as a delay which engenders doubt as to his guilt. That circumstance means that the police acted with circumspection, not with unseemly haste.

Appellant Resayaga made a feeble attempt to impute the crime to Salvador Fajardo, a seventeen-year old student and a cousin of Corporal Evaristo T. Fajardo, who, as noted, investigated the case and took the statement of Zosimo Biag. The trial court rejected that theory because of its improbability. Salvador Fajardo's right arm had been amputated above the elbow (170 tsn Elore).

Salvador Fajardo denied that he was the owner of the knife (Exh. A) which was found a few meters from his house. Immediately after the stabbing, he was investigated by some soldiers of the Philippine Constabulary. They did not indict him. The record does not disclose any motive which would impel Salvador Fajardo to kill Parro. Nor is there any plausible explanation as to why Biag and Bañaga, the prosecution eyewitnesses, would frame up Resayaga and shield Salvador Fajardo.

The Court has meticulously examined the testimonies of the defense witnesses, Melchor Bretanico, Alberto Barandon, Edmundo Bulalacao and Quintin Bumanglad.

Bretanico's testimony that he picked up the knife, Exhibit A, from the canal on August 27, 1962 and not on August 25th does not have any crucial bearing on the outcome of the case. The testimony of Alberto Barandon that, after he parted from Resayaga at the store of Lazaro Badilla, he noticed a commotion in the plaza, has only a negative quality. He did not state categorically that Resayaga (whose wife is his relative) was not in the plaza during the commotion.

The trial court noted that Barandon's credibility was impaired by the discrepancy in his testimony that he was a student when in fact he was not. His declaration that he does not "know how to smoke" was contradicted by his later statement that he bought cigarettes (100, 104 tsn Elore).

Bulalacao testified that he separated from Resayaga at the market stall of Pedro Bufe between six-thirty and seven o'clock on the night of August 24, 1962. Resayaga was talking with a man whom Bulalacao did not know. Bulalacao was not cognizant of what Resayaga did after talking with the unknown person because he (Bulalacao) left the market and went home. It is evident that Bulalacao's testimony does not strengthen at all Resayaga's claim that he did not stab Parro.

The trial court noted that Bulalacao, like Barandon, lied when he declared on direct examination that he was a student and then admitted on cross-examination that he was not studying at the time when he testified. It further noted that Bulalacao was asked to testify by Resayaga's father a few days before the hearing and that he met the counsel for the accused only in the morning of the day when he gave his testimony.

The Court finds that appellant Resayaga's responsibility for the death of Parro has been proven beyond reasonable doubt.

Treachery (alevosia) qualifies the killing as murder (Art. 248, Revised Penal Code). The act of Resayaga in unexpectedly stabbing Parro from behind while the latter was in a stooping position, rendering succor to his drunken companion, should be characterized as treacherous. The manner in which Resayaga perpetrated the assault tended directly and specially to insure its execution without any risk to himself arising from the defense which Parro might have made (Par. 16, Art. 14, Revised Penal Code). Indeed, he was in no position to have made a defense.

There being no mitigating nor aggravating circumstances, the trial court correctly sentenced Resayaga to reclusion perpetua (Arts. 64[1] and 248, Revised Penal Code).

However, the indemnity should be raised to twelve thousand pesos (People vs. Pantoja, L-18793, October 11, 1968, 25 SCRA 468).

WHEREFORE, with the modification that the indemnity payable to the heirs of the deceased Severo Parro should be P12, 000, instead of P6,000, the judgment of the lower court is affirmed with costs against the appellant.

SO ORDERED.

Zaldivar, (Chairman), Fernando, Barredo, Antonio, and Fernandez, JJ., concur.

[*] Note - "10. How to consider self-contradictions of witness.-In judging upon self-contradictions of a witness, inquiry should be made as to whether they are due to a mere mistake, or to a deliberate falsehood. Witnesses frequently make mistakes on account of the occurrences to which they testify, the surroundings of the trial, the nature and extent of the examination to which they are subjected, and other like circumstances. The exact sequence of startling events, crowded into a brief period of time and productive of excitement and confusion, is often a matter of doubt, even in the most honest and accurate memory; and in the reiterated narration of such occurrences, in the examination in chief or on cross-examination, the most candid witnesses sometimes make mistakes and fall into apparently confused and inconsistent statements, which, however, should not affect their credibility.

The surroundings of the trial, the novelty of the situation, the agitation and hurry which accompany it, the cajolery or intimidation to which the witness may be subjected, may give rise to important errors and omissions. During a long series of questions on cross-examination, the mind of a witness may become tired to such a degree as not to be able to understand the questions or what he is testifying about, especially, if he is an aged and ignorant man.

And not infrequently, the contradictions of a witness are due to misleading questions, or long questions involving various points, and the witness answers only the last point mentioned therein. In all such cases the self-contradictions of the witness are due to mistakes. His credibility, therefore, does not thereby become affected. If, however, according to all the circumstances of the case, the inconsistencies and discrepancies may not be attributed to a mere mistake, they are of course indicative of falsity.

Under the same principle, contradictions of a witness on minor details do not destroy the effectiveness of his testimony, because they are generally due to an innocent mistake and not to a deliberate falsehood. Persons are easily liable to commit errors in the observation and recollection of minute details of an important occurrence.

"11. Contradiction between witnesses. - Not all persons who witness an incident are impressed in the same manner, and it is but natural that, in relating their impressions, they disagree on the minor details and that there are contradictions in their testimony. 'No two witnesses ever described a series of events culminating in the execution of paper, or in any other fact or incident, that ever agree in their description of the attending circumstances,' said Mr. Justice Van Brunt of the New York Supreme Court. 'It is rare that two persons relate alike the same occurrence,' said Mr. Justice Barker of Massachusetts. Some witnesses state more circumstances than others as is always the case. And this is especially true when the witnesses testify as to facts which transpired in rapid succession, which were attended by hurry and excitement, and with the opportunity for observation so greatly hindered by the darkness of the night. Hence, if there are conflicts in the statements of the witnesses, it is the duty of the court to reconcile them if it can be done, for the law presumes every witness has sworn to state the truth. But if the conflicts cannot be reconciled, the court must adopt the testimony it believes to be true. In reaching this conclusion, it can take into consideration the character of the witness, his manner and demeanor on the stand, the consistency or inconsistency of his statements, their

probability or improbability, his ability and willingness to speak the truth, his intelligence and means of knowledge, and his motives to speak the truth or swear to a falsehood. If the court is unable to determine which of the witnesses told the truth and the contradiction between them, according to the circumstances of the case, may not be due to a mistake, all of them should of course be discredited." (6 Moran, Comments on the Rules of Court, 1970 Ed., pp. 138-140)

"It must always be borne in mind how extremely prone persons are to believe what they wish. It is a matter of frequent observation that persons dwelling for a long time on facts which they believe must have occurred, and trying to remember whether they did so or not, come at last to persuade themselves that they do actually recollect the occurrences of circumstances which at first they only begin by believing must have happened. What was originally the result of imagination becomes in time the result of recollection. Without imputing anything like wilful and corrupt perjury to witnesses of this description, they often in truth bona fide believe that they have heard and remembered conversations and observations which in truth never existed, but are the mere offspring of their imaginations." (Sir John Romilly, 16 Beavan 105, cited in Wellman, The Art of Cross-Examination, 4th Ed., pp. 144-5). "I trust that I have made it clear that the popular notion that Courts of Justice are constantly misled by wicked and abandoned perjurers and suborners conspiring to subvert the hands of Justice is a myth . . . I am inclined, however, to hold the view that while the testimony given by the average citizens in the courts is singularly free from the taint of perjury, yet if, on the other hand, you were to ask me whether, after a third of a century's experience of listening to sworn testimony in our courts, I was deeply impressed by the accuracy, reliability and truth of the daily round of evidence it has been my duty to consider, I should with sincere regret be bound to admit that the answer was in the negative ... I am glad to know myself, and I hope I have convinced my fellow citizens, that most of the errors of testimony are due to defective observations, false reminiscences, the deflecting influence of suggestion and the pleasure of the imagination. Very often, too, the wish to believe is a strong factor in bringing about false testimony ...

"When mankind understands more fully and scientifically the real causes of error in human testimony, which the professors have only in recent years begun to study scientifically, we shall be able to set about amending our ways and checking our bias and imagination and shunning the perils of undue suggestion." (Parry, What the Judge Thought, Id. Wellman, pp. 151- 2).

"The most frequent source of false memory is the accounts we give to others of our experiences. Such acts we almost always make more simple and more interesting than the truth. We quote what we should have said or done rather than what we really said or did; and in the first telling we may be fully aware of the distinction, but ere long, the fiction expels the reality from memory and reigns in its stead alone. We think of what we wish had happened, of possible interpretation of acts, and soon we are unable to distinguish between things that actually happened and our own thoughts about what might have occurred. Our wishes, hopes, and sometimes fears are the controlling factor." (James, Principles of Psychology, Id. Wellman, pp. 160-161).

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