

ASSIZES.

OXFORD, *March 23.*

TRIAL AND CONVICTION OF MISTERS, FOR THE ATTEMPTED MURDER OF MR. MACKRETH.

Josiah Mister was indicted, before Mr. Baron Gurney, for cutting and wounding William Miller Mackreth, at Ludlow, on the 20th day of August last, with intent to murder him. There were four other counts in the indictment, charging the attempt to be to maim, disfigure, disable, or do some grievous bodily harm to the said William Miller Mackreth.

Mr. Serjeant Ludlow, Mr. Godson, and Mr. Neale, conducted the case for the prosecution; and the prisoner was defended by Mr. F. V. Lee.

Mr. Serjeant Ludlow stated the case to the jury. The offence charged against the prisoner was committed on the 20th of August, at the Angel inn, in the town of Ludlow. On that morning, soon after four o'clock, the prosecutor was awakened out of his sleep, and found himself severely wounded. There would be no doubt, therefore, that the prosecutor had been feloniously assaulted and wounded by some person, and to bring the crime home to the prisoner, it would be necessary for him to carry them back to some transactions which had taken place before that at Ludlow. It seemed that the prisoner at the bar was at Shrewsbury on the 12th August, having ascertained that a person of the name of Ludlow, who was a cattle-dealer at Birmingham, would be at Shrewsbury fair. He not only ascertained that, but he also

found out that Mr. Ludlow put up at an inn called the Unicorn in that town. He further ascertained the bed-room in which Mr. Ludlow usually slept, but it happened by an accidental circumstance, that the inn being full at the time, Mr. Ludlow slept in a double-bedded room. A person of the name of Jobson was also at Shrewsbury in the company of Mr. Ludlow, and the prisoner having quartered himself pretty much on Mr. Ludlow, had an opportunity of hearing a meeting appointed between Mr. Ludlow and Mr. Jobson at Ludlow-fair. Without going through the details of what would appear in evidence, he should show that, on the 19th of August, he was in Ludlow, and that he went down to the bridge to inquire at what time the Red Rover coach came in from Birmingham. When the Red Rover did arrive, the prisoner, who was waiting about, instantly darted off and followed the coach. Mr. Ludlow was inside, and on getting out he was instantly joined by the prisoner, who followed him into the commercial room at the Angel, and that so closely, that the people of the inn thought they were companions, and they had been together, Mr. Ludlow remarking, "You are the young man I saw at Shrewsbury." Mr. Mackreth, the prosecutor, was then staying at the Angel, travelling for the firm of Christopher, George, and Co., of Bristol, and was in the commercial room at the time. He went out in the course of the evening, and did not return till ten o'clock. Mr. Ludlow had gone into another room, and was absent some time. The prisoner went up stairs, lighted by the chambermaid, to his room in the inn, which was designated by the number 20.

Now, it was a curious circumstance, that No. 17 was the bedroom which for three or four years had been usually occupied by Mr. Ludlow. On the night in question, however, that bedroom was occupied by Mr. Mackreth. The prisoner was accompanied by the chambermaid, who on leaving him shut the door. No. 17 was a room on the top of the stairs, with a door on the right hand of a person going up, and there was a passage leading from that room to the bedroom occupied by the prisoner, No. 20. About half an hour after, the chambermaid conducted Mr. Mackreth to his bedroom, and he locked the door. There was a circumstance which would appear in evidence to which they would give such effect as they thought fit and no more. When the chambermaid conducted the prosecutor to his bedroom she noticed that the door of the prisoner's bedroom was not quite closed. He mentioned it for this reason, that it was quite clear that the person, whoever it was who committed this act, was at the time of Mr. Mackreth's going into his bedroom and locking his door concealed under the bed. No force was employed to break open the door, and no entry was made by the window, and it was impossible therefore for a person to have been in the room unless he had concealed himself under the bed. On a subsequent examination also of the floor of the room there were clear and palpable marks under the bed of the figure of a person in the dust. This was the introductory part of the case to that which happened on the morning of the 20th. On that morning, about four o'clock, Mr. Mackreth was suddenly awakened, and the situation in which he then found him-

self was dreadful to think of. His neck was cut through, and the throat was fallen in; he had also a severe gash across the mouth, and some further injuries. As was to be expected, there was a great effusion of blood. The prosecutor made an exclamation, and jumped out of bed on the right side, and in doing so was pulled back by some one on the left, his shirt being torn in the struggle. The person, therefore, whoever it was, was on the left-hand side of the bed, and they would hear from the medical gentlemen who would be examined, that the wounds were inflicted by cuts drawn from the right-hand towards the left. The prosecutor, notwithstanding the awful situation in which he was, and although he shortly became unable to speak, never for an instant lost his presence of mind. The prosecutor did not pretend to say, that he had any recognition of the person who committed the act, and the jury would therefore say whether it was the prisoner or not, from the circumstances of the case. The prosecutor, having found himself in the situation which he had described, on being pulled back, made a rush to the window, and was unable to pull it up, but he dashed his hand through the glass, and called out "fire." He did the same thing a second time, for the purpose of making himself more distinctly heard. Afterwards, hearing some person going down stairs, he went to the door of his room and found it unlocked and open. He then, turning to the left, went down stairs, and up again, and the stairs were very naturally deluged with blood. The first impression of the landlord and the inmates was, that the prosecutor had been laying violent hands on himself,

and he was induced by them to go up stairs into his bed-room. The learned serjeant, after stating the conduct pursued by Mr. Mackreth on getting into his bed-room, went on to say that a person of the name of Peach, who lived in the neighbourhood, being attracted to the house, had his attention excited by the blood; and having found the stairs quite wet with it, and seeing that there was a passage leading from them, examined the floor of that passage. Along the floor of that passage, from the door of the prosecutor's room, up to the very door and door-sill of the room occupied by the prisoner, the passage was wet with drops of fresh blood, not like the blood occasioned by the prosecutor's going down stairs, but small drops of blood. This was immediately after the alarm had been given, and before Mr. Peach knew that the prisoner was even in the house. During the time that Mr. Crawford, a medical gentleman, who was in the house at the time, was engaged in giving his attention to the prosecutor, the prisoner was seen not less than four times about the passage, and once he even came into the prosecutor's bedroom. He would now proceed to state what was the condition of the bedroom which the prisoner occupied. The chambermaid had left him with a candle about three inches long; the room was furnished with a basin, a large jug full of water, a napkin, and a vessel which was generally to be found in a bedroom. The candle was burnt down to the socket. The napkin was missing, and had never been found to this hour. The water-jug was found entirely empty, and its contents were in the utensil referred to, impregnated with alum.

There was a window in the prisoner's bedroom, which was partly overhung by the curtain of the bed. This window looked into a yard belonging to a Mr. Whatmore, and he would observe, that on the curtain which covered part of the window some blood was found—not a drop of blood, but impressed by the act of touch. The shirt, also, which the prisoner wore, had marks of blood on it, particularly a spot on the arm, a great part of which had been extracted by suction or some other means. The wound inflicted on the prosecutor was by some sharp cutting instrument, and about six o'clock in the morning a black-handled razor was found, not set, exactly opposite the room occupied by the prisoner, partially wiped, but still wet with blood. Such a razor would be proved to have been in the prisoner's possession. There were some lucifer-matches and sand-paper found under the prosecutor's bed, and the prisoner would be shown to have had some in his possession before he came to Ludlow, while none were found upon him when he was searched.

Several witnesses were then called, who deposed to the facts of the prisoner's anxious inquiries as to the route of Mr. Ludlow, his watching the arrival of the coach at Ludlow, and hurried following of it; and also to the fact of his having on, at Shrewsbury, a pair of white cotton stockings.

Susan James: On Wednesday evening, the 19th of August, I was chambermaid at the Angel Inn, Ludlow. Late in the evening the prisoner asked me for a candle to go to bed. I showed him to No. 20. It was about half-past ten o'clock. I took him up stairs, and left a candle upon the dressing-

table. There was about three inches of candle in the candlestick. There was water in the jug, and a napkin. I am sure upon leaving I shut the prisoner's door. I afterwards showed Mr. Mackreth to bed in No. 17. This was about half an hour afterwards. The prisoner's room was at the end of the same passage. When I took Mr. Mackreth up stairs, I saw the prisoner's door partially open. I was alarmed next morning, and saw the prisoner between seven and eight o'clock. He asked for his slippers, and said he had lost his stockings. The window of the prisoner's bedroom looks into Mr. Whatmore's yard. Upon examination next morning I could not find any napkin. One was found on the passage window. I left the slops in the room just as I found them. The water was emptied from the jug into the chamber-utensil.

Cross-examined by Mr. Lee: Mr. Crawford slept in No. 19. I saw him to bed about half-past ten. The post-boy, the hostler, and another servant, slept in a room over Mr. Mackreth. I had the care of the linen; we kept no list of the napkins in use. Will swear that I placed a napkin the night before in the prisoner's room. The dressing-table was under the window, which looked into Whatmore's yard. There was also a window looking from opposite No. 19 into Whatmore's yard. It was of the same form as that in the prisoner's room. On the morning of the 20th there was a great deal of confusion in the house. I saw a heap of napkins covered with blood. They were not taken out of the other bedrooms, but I brought them out of the closet. I saw napkins brought out of Mr.

Mackreth's room, which were not napkins I took out of the closet. I saw a pool of blood on the stairs; no person could go up the stairs without stepping into it. I never knew an instance when the closing of the door of No. 19 made the door of No. 20 give way.

Did you ever say, that you doubted whether the door of No. 20 was closed?—I never did. I am sure I saw a light through the opening of the door.

Now, attend to the words of my question. Did you never say that you was not sure whether the door was closed or not?—I never did.

Was you not induced to believe the door was open simply because you saw the light?—Yes; certainly.

The Judge.—I take that to be the impression of the witness.

Re-examined by Mr. Serjeant Ludlow.—I have since examined the door of No. 20, and I find the light of a candle could not be seen in the passage unless the door was open.

Mr. S. Head, architect, proved the correctness of the model placed on the table.

Cross-examined by Mr. Lee.—The distance between the exterior wall of the Angel Inn and the spot where the razor was found in Whatmore's yard is twenty-eight feet.

Re-examined by Mr. Serjeant Ludlow.—The razor was found in a direct line with the prisoner's chamber window. The window in the passage has bars and a case-ment to it.

Mr. W. Ludlow was then called, and deposed as follows:—I resided in Birmingham in August last, and was at that time a butcher by trade. I was accustomed to attend fairs in the neighbourhood. I at-

tended Shrewsbury fair in August last, and saw the prisoner there. It was on a Monday night when I arrived. I breakfasted there on the Tuesday morning. Mr. Jobson and the prisoner breakfasted at the same table with me. I said to Mr. Jobson in the prisoner's hearing, "I shall see you in Ludlow on Thursday next." When I alighted from the coach in Ludlow, I did not at first see the prisoner. I went to the Commercial-room and asked for tea. The prisoner, who was then in the room, said "I will take some with you." We entered into conversation, and I asked him if he was not the person I had seen the previous week at Shrewsbury? He replied, "I am." I went into the smoke-room in the course of about an hour, with four or five other persons, and remained there till between twelve and one o'clock. I have used the Angel Inn some years, and during the last two years have invariably, with the exception of the night of the 19th of August last, occupied bedroom No. 17, occupied on that night by Mr. Mackreth. I always attended the August, and sometimes the Christmas, fair. I slept that night in the room at the top of the stairs, No. 13.

William Miller Mackreth.—In August last I was a traveller for the house of Christopher, George, and Company, of Bristol. I was at the Angel at Ludlow on the afternoon of the 19th of that month. On the arrival of the Red Rover coach from Birmingham, some persons came in and took tea. I went with Mr. Bradford, a person whom I knew, into a private room up stairs. It was then about ten o'clock, and I stayed with him about three quarters of an hour, or an hour. No one was in the

commercial room when I came back. I rang the bell, and ordered a bed candle. I occupied the room No. 17. I am most positive of the fact that I locked the door of the room when I got up stairs. I looked to see that it was locked, and I am most positive that it was. I went to bed. I did not look under the bed before I got into it. I awoke about four o'clock the next morning. When I awoke I put my left hand in a wound in my neck. I felt the raw flesh, and became alarmed, and I said, "Good God, what is this?" I rose, and felt a hand which pressed me back on the pillow. With my left hand I then pushed the hand off, and sprung out of the bed to the right. I shrieked out. At the time I shrieked out I believe this cut (showing it) was inflicted across my face. I got out on the right side, carrying all the bed-clothes with me, and I felt some one pull me back by the left shoulder. The effect of this was to pull me back, but my weight, which was just on the edge of the bed, carried me down with the bed-clothes. I went to the window, and made an alarm by breaking through a pane of glass. I called out "Help," "Murder," "Fire," as often as I could. I kept repeating the cry, and looked round the room while I did so, fearing that some one might be near me. I broke a second pane of glass. I then heard some persons run down stairs from the room above, and I tried to find the door in order to join them. On making my escape out of the room I heard a rustling noise on my left hand. The door was open about four inches. The staircase is on the left hand as you come out of the door. I am most positive I turned to the left, and

went down stairs, holding the bannisters all the way to the kitchen door. I then made some noise, but I was not, I believe, able to speak. I saw a person whom I have understood to be the postboy, and then Mr. Cooke. Mr. Cooke said, "Go back to your bed-room, pray; what have you done?" I stayed a moment or two, making signs, as I was unable to speak, and then I went up stairs holding by the bannisters. I was attended almost immediately by a medical gentleman. After my wounds were dressed, I particularly observed one person coming into my room. It was the prisoner at the bar. He came into my bed-room with his head just beyond the bed-curtains. He was laughing and assuming great levity of conduct. He said, "I have lost my stockings; have any of you seen my stockings?"

Cross-examined. — I felt the blood and the wound in the first instance. I felt the blood streaming down me. On feeling the hand upon me, I struck it off. I cannot tell whether my hand struck against a person dressed. I preserved my presence of mind the whole time. I do not recollect whether I had seen Mr. Crawford in my room before I saw Peach and Cross.

Elizabeth Cooke examined.—I am the wife of Mr. Edward Cooke, of the Angel Inn, at Ludlow. His mind is now very much disordered, so that he is not capable of attending here to give evidence.*

The depositions of Mr. Cooke, taken before the magistrates on

the 21st of August, were then put in and read. The material portions of them were to the following effect:—"Some time about four o'clock yesterday, as near as I can say, I was alarmed by the breaking of panes of glass and a cry of "fire" in a faint or broken voice. I instantly ran down stairs in my shirt as I was. I thought the billiard room was on fire. The billiard room was across the way. I met Sam, the postboy on my return. I saw a quantity of blood on the stairs, and I found there a gentleman in his shirt, which was much torn. I said to him, "Go into your bedroom, and I will follow you." As soon as he came into his room the first person who came to us was a Mr. Lakin, a friend of mine, who was stopping in the house, and then came a gentleman of the name of Crawford, a surgeon of Shrewsbury, who was also sleeping in the House. Some one brought me a candle, and I was going to No. 19, where Mr. Crawford slept, when I saw the prisoner in the passage, with his back towards the wall, in his shirt. I saw the prisoner again while the surgeons were dressing the wounds of Mr. Mackreth. He came into the bedroom. The next time I saw him was about seven o'clock. He was then dressed, but he had no boots or stockings on. He said he could not dress himself, for he had lost his stockings, and he thought they had been dragged into some other room. In answer to a question put by the prisoner, he said, "Blood might be upon your garments, for there was blood in every part of the prosecutor's room."

George Green, a servant in the employ of Mr. Bagley, a banker at Shrewsbury, said he slept at the Angel Inn on the night in

* Mr. Cooke was so much affected by the horrible deed attempted in his house, that he became insane, and died in a madhouse a few weeks after the trial.

question; he saw the prisoner outside Mackreth's door in his shirt, in a stooping position, about ten minutes after the cry of "fire."

John Cross, a tinman residing in a house opposite to the Angel, said he was alarmed by a cry of "Fire" on the morning in question, and he immediately dressed himself to go to the Angel Hotel; he saw Mr. Cooke at the door; had there been any one else in the street he must have seen him. He went upstairs and examined the stairs with a candle about ten minutes afterwards, and found a great quantity of blood. The passage leading to the right of Mackreth's bed-room was carpeted, and he observed fresh marks of blood dropped continuously about four or five inches apart. He traced them to within a very short distance of No. 20. The carpet reaches to about within six inches of that room. There was one spot of blood about an inch from the door. Witness supplied the pen and ink to Mr. Mackreth, and he wrote something on paper. He found the window of No. 17 closed, some of the panes broken, and the blind part of the way down. Saw the prisoner leaning on a chest of drawers when the surgeons were dressing the wounds of Mackreth. He had no coat or waistcoat on. When he came to the door about an hour afterwards he had his boots in his hand, and asked about his stockings. He had not been engaged at all in Mackreth's room, and witness did not know how he could lose them.

Cross-examined. — There was not so much confusion that they could have been lost, nor could they have been carried away without being seen. Mr. Peach was in the room before the witness:

Mr. D. Crawford, surgeon, of Shrewsbury.—I was at the Angel Inn, Ludlow, on the night of the 19th of August. About four o'clock in the morning of the 20th I heard an alarm of "Fire." I got up to the window, and saw Mr. Cooke and other persons in the yard of the inn. In a few minutes afterwards I went into the passage leading to my bed-room, and saw a wounded gentleman. He was in the act of returning to his bed-room. I immediately went and rendered assistance. In consequence of my directions the gentleman was placed upon a bed, and in half an hour afterwards I searched the room to see if I could find the instrument with which the wound had been inflicted. I found razors in Mr. Mackreth's dressing-case. They had not been used. They had white handles. I examined the stairs; there were marks of blood upon them. I went to my room for bandages, &c. I felt Mr. Mackreth's pulse, and possibly I might have a little blood upon my hands, but not enough to drop. I was in the room about an hour.

Mr. Henry Hodges, surgeon, of Ludlow, deposed to being called in to attend the prosecutor, and described the nature of the wounds. My impression is they were inflicted by a person on the left. After I had dressed the wounds, I saw marks of blood on the carpet in the passage leading to No. 20. I traced them to the door of No. 20. There was one drop between the carpet of the room No. 20 and the carpet of the passage. They appeared to be a continuation of spots from No. 17 to No. 20. At a later period, about seven in the morning I went into the prisoner's room (No. 20). The curtain at

the foot of the bed overhangs the window. Upon examination I found the window-curtain smeared with blood. The marks were quite fresh, and looked as if they had been done by throwing the curtain back, or by pitching something out of the window. I gave my hand a swing, and it went about two or three inches above the mark. I am about five feet ten inches high. The prisoner is about five feet six and a half inches in height. I believe Mr. Mackreth could not have gone along the passage from No. 17 to No. 20 without blood being spirted upon the walls, the same as on the walls going down stairs. I saw the place in Mr. Whatmore's yard where the razor was found. It was exactly opposite the window of the prisoner's bed-room; and the window, when I entered the room, was open, looking in that direction. I saw that the water-jug was empty, and the slops were in the chamber utensil. I examined the fluid in the utensil and tasted it. It was mixed with alum. I have made several experiments, and I find that alum will take the stains of blood out of linen. I noticed the shirt of the prisoner when he was taken into custody between nine and ten o'clock. It had several marks of blood upon the back, and two on the sleeve. I saw the prisoner searched and a piece of alum was found in his pocket. He was only in possession of 2*d.* in copper. I saw under the prosecutor's bed marks of a person having lain beneath it. I saw the prisoner several times during the morning; he did not assist in any way. There was something in his manner which caused suspicion, and upon my suggestion he was taken into custody.

Richard Hammond, police-officer, proved the finding of the razor in Whatmore's yard, opposite the window of the prisoner's bedroom; it was wet with blood. Went into the prisoner's room before six o'clock; he was partly dressed, covered over head with the bed-clothes.

[Witness produced Mr. Mackreth's night-dress; it was completely saturated with blood, and its exhibition created a strong sensation in court. The prisoner alone appeared unmoved by its production.]

John Vaughan: I live in Birmingham, and know the prisoner. I lodged along with him in July last in Canal-street, Birmingham. He had two razors with black handles; the one I used had not been set; the one produced has been set.

John Hewitt, policeman, of Ludlow, searched the prisoner's lodgings in Birmingham, and only found one razor. It had a black handle, and was in a portmanteau containing shirts marked "Misters."

George Hathaway, hostler at the Angel, Ludlow, deposed to finding, on the 21st of October last, in a brewhouse adjoining the inn, a pair of white unbleached cotton stockings, which he gave to Mr. Davies, the gaoler, who produced them. They were stained with something, but Mr. Hodges, the surgeon, could not say they were stains of blood.

Mr. F. V. Lee then addressed the jury for the prisoner, and said, that when he looked around and saw the state of that crowded court, and recollected that the press of the country had been teemed with facts relating to this trial, he felt that he had a difficulty to contend against beyond the facts of

the case. If, however, the jury would dismiss from their minds all previous impressions, he flattered himself that if they were not satisfied of the prisoner's innocence, they would at least be of opinion that there was not sufficient evidence to convict him. He did not impeach the testimony of any one single witness in the case, but he protested most solemnly against the inferences which they had drawn. He begged the jury would look into and carefully consider all the facts of this case, which he believed was unparalleled in the annals of criminal jurisprudence. He would take the circumstances of the case singly. First, there were the lucifer matches, which were found under the prosecutor's bed. They, however, were not proved to be the property of the prisoner. Then, there was the razor found in the yard. There was nothing in the case to show that that razor belonged to the prisoner; but, on the contrary, the evidence went directly the other way. Then, there were the stockings found in the brewhouse. They, again, were not shown to be the prisoner's; and if they had been, it would not have helped the case for the prosecution, as there were no marks of blood upon them. As to the curtain, the jury would see it, and form their own opinion upon the marks said to be produced by blood. Then, again, stress had been laid upon the fact that the candle of the prisoner had burnt out. He would ask the jury, several of whom might be in the habit of burning a rushlight, whether they never let the candle burn out at an inn? Besides, there was no evidence to show that the candle had not been burnt out before the prisoner went to bed. Next, as to

the slops contained in the chamber vessel. The experiments which had been made were performed the day after this transaction, and no evidence had been produced on the part of the prosecution to show that they were in the same state as they were on the 20th. The next part of the case was the alarm. Now, it was proved that Mr. and Mrs. Cooke and Mary Fowkes were the first persons down, and they gave no evidence of the state of any of the doors except that leading into the yard. Any one, therefore, for all that appeared, might have entered the house and gone away again by one of the other doors. Then, as to the state of the passage, it appeared that on the alarm being given, Mr. Cooke and Mr. Crawford, who were first in the prosecutor's room, went twice along the passage, and also that the door of No. 19, in which Mr. Crawford slept, was stained in three or four places with blood. All the inferences, therefore, which had been directed against the prisoner from the state of the passage, might as well attach to the occupier of the bedroom No. 19; but it was said, that there was a mark of blood on the floor between the carpet and the door of No. 20. Now, if Mr. Crawford, after he had seen the prosecutor and returned to his own room for bandages, had in his hurry gone a little further than his own door—and the jury would observe that the door of No. 20 was only two feet off—all this might be easily explained. This supposition was certainly consistent with the fact, that not a single drop of blood was found inside the room; and he would ask them by what magic it was that the dropping of the blood stopped the very moment the pri-

soner entered his room? As to the mark, such as it was, on the curtain, it might have been made by Mary Fowkes, or the constable, both of whom had been, for a long time, in the prosecutor's bedroom, which was stained with blood in every part. But then it was said, that opposite the prisoner's window was found a razor. This, as he had already said, was not proved to belong to the prisoner, and there was nothing to show that that window had been opened, while it was proved that the window of the passage was open at six o'clock; that a stain of blood was on it, and that it was possible to throw the razor to the place where it was found from that window. With regard to the missing napkin, nothing was more probable, when a number of persons were called out of bed at four in the morning, that, in the hurry and alarm, the napkin might have been taken from the prisoner's room to stanch the blood of the prosecutor's wounds. It was suggested on the part of the prosecution, that he had washed the blood off his hands with this napkin; but what time had he for that purpose? He was seen about by different persons from the time of the alarm till six o'clock. When, therefore, was the alum dissolved, the hands washed, the shirt stains removed? That being the case, let the jury ask themselves whether it was possible to inflict such a wound in the dark, as that by which the prosecutor suffered, without the hands being covered with blood. Again, the marks of blood on his shirt were not on the front, as they might have been expected to be, if he had been the assailant, but upon the back. It should be recollected also, that when the wound of the prosecutor

was sewed up, the prisoner was standing at the foot of the bed. Looking, therefore, at all these circumstances, and remembering the excellent maxim of Lord Hale, that it was better that ninety-nine guilty persons should escape than that one innocent man should suffer, he trusted that the jury would regard the position of the prisoner with the eyes which charity, justice, religion, and the law required, and give him the benefit of any reasonable doubt which existed in their minds.

Mr. Baron Gurney, in summing up the evidence, told the jury that the difficulty of the case was presented by this question—If that was blood which went on the prisoner's shirt and had been washed out, did it come from the wounded man when the wound was dressed, or at the time when the wound was inflicted? But the next step was, perhaps, the most important in the case, which related to the bloody razor. The circumstance of the razor being found in the neighbourhood of the house so soon after the commission of the act, afforded the strongest presumption that it was the weapon with which the wound was inflicted, and that it must have been thrown there from the house. It was found opposite the window of the prisoner's room, and it might have been thrown there by the prisoner either from that window or from the window in the passage, although the window of the prisoner's bedroom would have been the most convenient place. Now came the part of the case which, in conjunction with the razor, pressed most heavily against the prisoner. The question was, by whom could the act have been done, unless by him? It was difficult, if not impossible, to be-

lieve that the act was done by any person outside the house; the house had not been broken open, and the person, whoever he was, must have been in Mackreth's bedroom, which did not appear to have been forced. In connexion with this part of the case, it was not unimportant to observe, that before this deed was done the prisoner, being in a state of destitution, had made inquiries about a person who he knew had money. It was shown also, that at Ludlow he went to the Angel under the pretence of being a passenger by the Red Rover, thus obtaining a ready access to the house. No suggestion had been made of any innocent motive which could have authorized that part of the prisoner's conduct which was immediately previous to this transaction. The jury, however, would take the whole case into their consideration, and if they entertained any reasonable doubt of the prisoner's guilt, they would find him not guilty; but if, on the other hand, they were satisfied that his was the hand which committed the act charged in the indictment, they would not hesitate to return such a verdict as justice demanded.

The jury retired to consider their verdict, and after an absence of about half an hour returned into court, and stated, that they found the prisoner Guilty.

The learned Judge passed upon him sentence of death, which sentence was carried into effect on the 3rd April. [See Chronicle.]

SURREY ASSIZES, Aug. 16.

BOGLE v. LAWSON.

This was an action for libel brought by Allan George Bogle, late a partner in a banking-house at Florence, against the Proprie-

tors of "the *Times*" newspaper. The circumstances which gave rise to this action are so extraordinary and so important to the commercial credit of Europe, that the case deserves very especial notice. As the action was necessarily tried upon the legal question of libel, and the case is so encumbered with technical difficulties, that an abstract of the evidence could give but insufficient information, it has been thought better to give a short history of the circumstances, than to present it in the usual form.

In the month of May last, the correspondents of the *Times* addressed a letter to the editor, which was published in that journal, stating "that a great forgery company established on the Continent had been lately detected and blown up, and that the object of the company was to plunder the continental bankers by the means of forged letters of credit purporting to be of the banking firm of Glyn, Halifax, Mills, and Co., of London:" the letter then went on to give the names of the conspirators, and among others included the name of the plaintiff Bogle.

Previously, however, to entering into any summary of this deeply ramified conspiracy, it may not be unnecessary to repeat that the plot had for its object the plunder of the principal of the European bankers; and that the purpose and intent of the conspirators were to rob these gentlemen of about 1,000,000*l.* sterling, and having achieved their daring purpose, the robbers were then, by different routes, to effect their escape to America, India, Algiers, or Egypt, as might be agreed on. It was proposed to accomplish this gigantic fraud by the forgery of "*lettres circulaires*," or what are