TRIAL FOR MURDER. – *John Radford* alias *Bright* (aged 24) was indicted for the wilful murder of Sarah Down, on the 11th of July last, at Worlington, in the county of Devon. – The facts against the prisoner were proved by a chain of circumstantial evidence, in addition to his own confession. Among many other witnesses examined was Richard Hodd, who deposed as follows:- "I assisted in searching for the deceased and went with my brother-in-law to the prisoner's house at one o-clock in the morning. He was up stairs, and was only partly dressed when he came down. I asked him if he knew any thing of Sara Down. He said he had never seen her, and knew nothing of her since he left her at the Gratton-gate, when he had turned in at Phillips's-gate, about a yard off. He could not utter his words, and stood in a very trembling state. I told him the woman was lost, and had never been seen or heard of since she was with him, and there was strong suspicion against him. To that he made no answer. I told him he must go with me to Witheridge, and I should put him in the hands of the constable there till the body was found. He said he would go to any place. I said it was an early hour to call up the landlord, and he might, if he pleased either go up to Witheridge, or along with me to search for the body. We went to Sarah Down's, to see if she had come back, and I kept asking him if he knew any thing of her, and whether she had never told him that she was with child by him: he said no, never. We went to the house of Sarah, but not finder her there, we agreed to go and search for her. I said to him, "I am a stranger, so we will just go to any place where you think proper." He said it was best to go up town (away from the river,) as he had never seen her since parting with her at the Gratton gate. We went on in that way, and found nothing of her. We were going towards a lake which empties itself into the river near where the body was found, when he said to me, that on the Friday week before that, he was coming from Stone and she from Horseford, and they met in the road together, and she asked him if he knew what the people reported of him and her; he replied, "No, what is it?" She said, "They say I am with child by thee." He said, "Nonsense! You be'nt with child by me, and I won't father it." We (the prisoner and witness) then got near the lake, and I said, "Which way had we best go?" and the prisoner said, "We had better go up the bottom;" that was going away from the river. I said, "I would not go that way, I would go down and search the great river." Whilst we were talking, some men came up and said the body was found. The prisoner was like a man struck dead: he could scarcely utter a word, or get over the hedge, and the tears tricked down the face of him. We led him to the branch of the river where the body was. I said nothing to him after the body was found, and the prisoner said nothing, not a word but cried very much. When we came to Smith's meadow, Smith sent for some cider to drink. I desired him then to tell me where he had put the basket, because the sister was poor and could not afford to pay for the things that were in it. He said the basket was in Mr. Smith's linhay (a sort of out-house in a farm-yard, where the cows are sometimes kept.) The linhay is about 13 or 14 land yards from the place where we found the body. He stood by all the time the body was being taken out of the water: he was crying nearly all the time. We took him in custody to the public-house, where I asked him if any thin had bred any angry words between them, and he said "No, never." I asked him how he could think of killing her, if he had had no angry words: he said he never thought of it till the very moment he did it. I asked him if he had tied the apron-string round her neck: he said he did not, but that she had done it herself, because it had rained. I then asked him if he had struck her on the face, because there was a mark on the right side of her face: he said no, he could no account for the wound, and he said he should not have done it if he had not been drunk.

Mr. FRASER, counsel for the prisoner, called not witnesses; but suggested that if the blow which the deceased appeared to have received had contributed to her death, there was a variance; as the indictment ought to show the means by which death had been produced by the act of the prisoner. – Mr. Just. BEST had no doubt that the indictment was sufficient. She might have recovered from the blow, but the water was the cause of her death. - Mr. FRASER said he should have a motion to make in arrest of judgement. – Mr. Justice BEST wished the learned counsel would state the point now, in order that, if necessary, he might have the benefit of Mr. Justice Burrough's opinion, in case of doubt. – Mr FRASER said his first objection was purely technical. The indictment stated that the prisoner cast her into the river, by which casting she died: now, though good sense was perfectly satisfied by this, yet he would suggest that it ought to have gone

on and averred that he took her in his arms. His next objection was to the general conclusion, which stated that the prisoner did "kill and murder," but without any *venue*, which he submitted was necessary; or if not, that the words "then and there" should have preceded. – Mr. Justice BEST said he remembered taking a similar objection himself in the case of Jeremiah Abershaw, and the Judge decided with him but this decision, though very satisfactory to him at that time, did not satisfy the public. – The learned Judge then withdrew in the other court, to consult with Mr. Justice Burrough, and on his return he stated that the learned Judge concurred with him in opinion that there was no foundation for either of the objections. His Lordship then told the prisoner if he had any thing to say in his defence, that was the proper time.

The prisoner said he would leave it to his counsel.

Mr. Justice BEST then summed up the evidence to the jury, who immediately returned a verdict of *guilty*. – The learned Judge instantly proceeded, in the solemn and impressive terms, to pass on him the awful sentence of death, to be executed on the following Saturday. – The whole court was deeply affected, and the ladies who crowded the galleries were dissolved in tears; but the prisoner listed with a steady countenance, only a slight convulsion agitating his features on quitting the bar.