

Case No. 16,436. UNITED STATES v. TAYLOR.
[4 Cranch, C. C. 338.]¹

Circuit Court, District of Columbia.

Sept. Term, 1833.

MURDER—DYING DECLARATIONS—NEW TRIAL—CHANGE OF VENUE.

1. The dying declarations of the deceased, made in contemplation of death, may be given in evidence.
2. A new trial was granted, after conviction of murder, upon newly-discovered evidence, and the venue was changed.

Indictment for murder.

The dying declarations of the deceased were given in evidence against the prisoner (nem. con.), it having been proved that the surgeon had informed the deceased that he believed the wound to be mortal; and the deceased, having desired to see a priest, and declared he had received his death-wound.

After conviction, upon newly-discovered evidence that the deceased had a dirk, and said, if it had not been for that, this affair would not have happened, a new trial was granted, and the trial removed to Alexandria, where the prisoner was found guilty of manslaughter.

¹ [Reported by Hon. William Cranch, Chief Judge.]