

CHESTER CHRONICLE

1 14 April 1797

On Monday the 3rd inst, the great tunnel on the line of the Worcester and Birmingham canal was opened, and several vessels of 60 and 80 tons burthen, laden with coals, passed through it, on which there were great rejoicings in all the neighbouring country. This tunnel is a mile and a half in length, and yet is so straight that the whole may be seen through from the opening at each extremity. It is completely arched over.

2 31 August 1798

On Thursday night, a little before ten o'clock, a terrible gust of wind, or tornado, came on at Liverpool, during which a ferry boat, with a boatman, seven men and boys, and one woman, going to a vessel at the Slyne, was upset ; three of the men were saved by boats belonging to flats, two were picked up by a flat going to Runcorn, and one saved himself by some oars or spars, which he tied together with the handkerchief from his neck, and on which he floated until the next morning at six o'clock, when he was cast on shore near Bank Hall, with little life in him, but we are happy to find he is likely to recover. The boatman, the woman, and a young man, foreman to Mr Allen, sail maker, were unfortunately drowned.

3 30 January 1801

At Warwick sessions last week, a woman was tried for stealing a child, stripping it of the best of its clothing, and then leaving it, on a very dark night, within a few yards of the Birmingham Canal into which, if the child had gone forward a few yards, it must have fallen and perished. Providentially, it was found by a boatman. The great exertions used by the overseers of the poor traced this hardened wretch to Malton in Yorkshire. She was found guilty, and sentenced to a years imprisonment in a solitary cell. A lady of distinction in the neighbourhood of Birmingham has, it is said, taken the child under her protection.

4 10 April 1801

At our Assize, which commences on Monday next, the following prisoners are to take their trials :- Charles Stubbs for stealing six bars of iron, the property of Messrs Pattisons, and James Bradley (blind) for receiving the same, knowing it to be stolen ; Edward Hatton and James Bancroft, charged with the above Stubbs and Bradley, with stealing sheep's wool, cotton wool, malt, barley and peas out of a boat belonging to **Henshall and Co.** Charles Stubbs : six months imprisonment. James Bradley : Fourteen years transportation.

Thomas Cleworth, John Cooper and John Launder for stealing a bag of cotton from off one of the canal boats at Lymm, and William Wootten for receiving the same, knowing it to have been stolen. Acquitted

William Moss and James Wardle, for stealing 85lb of oatmeal out of a boat on the Peak Forest Canal, the property of Matthew Redfern of Marple. Twelve months imprisonment.

5 4 November 1803

At the late Liverpool sessions, **Thomas Acton**, a flatman, convicted of stealing goods out of packages, on board the flat of which he was master, was sentenced to transportation for seven years.

6 6 January 1804

Last week a boatman and his son went into a shoemaker's shop at Worksop, when the boy observing a gun, took it up, pulled the trigger, and killed his father.

7 11 April 1806

Assize Intelligence

Our assize commences on Monday next, and with considerable regret we say our calendar is very heavy ; the number of prisoners exceeds that of many preceding years, and the comtemplation is

more gloomy when the youth of the prisoners is taken into consideration. The following are their names and the offences for which they stand committed :-

David Harrison aged 34, a flatman from Barton, found guilty of perjury last assizes, sentence reserved.

Podmore Robert Podmore, aged 39, boatman from Woolstanton, Staffordshire, for stealing a quantity of coals belonging to John Gilbert, of Clough Hall in the county of Stafford, Esq.

John Chesworth aged 20, from Rode Heath, boat builder, for receiving from the said Podmore Robert Podmore a quantity of coals, the goods of the said John Gilbert, knowing the same to have been stolen.

8 25 April 1806

ASSIZES CONCLUDED **David Harrison** aged 34, a flatman from Barton, found guilty of perjury last assizes, sentence reserved. Guilty. Judgement arrested and discharged.

Podmore Robert Podmore, aged 39, a boatman from Woolstanton, Staffordshire, for stealing a quantity of coals belonging to John Gilbert, of Clough Hall in the county of Stafford, Esq. Guilty. Imprisoned three months.

John Chesworth aged 20 from Rode Heath, boat builder, for receiving from the said Podmore Robert Podmore a quantity of coals the goods of the said John Gilbert, knowing the same to have been stolen. Guilty. Imprisoned three months.

9 1 August 1806

We are sorry to find that there will remain several persons in the Castle of Chester excluded from the present Insolvent Act, among whom are two very poor debtors, namely **Richard Whittingham**, a flatman aged 62, for a debt (including costs) about £17 ; George Newal, aged 33, a labourer, has a wife and five small children, the eldest only nine years of age, all of whom are now supported by the township of Allostock ; his original debt £3 10s, now, including costs, almost to about £11 ; and on Wednesday, the debtors and keeper subscribed for Whittingham the sum of £5 6s 6d.

10 28 August 1807 Assizes

Thomas Done aged 18, a boatman from Runcorn, and **John Holland**, aged 18, a boatman from ditto, for stealing seven geese at Runcorn, the property of John Wilson. Done acquitted ; Holland admitted evidence.

Samuel Cade, aged 51, a boatman from Stone, for stealing 14 bushels and 50 pounds weight of white salt, the property of John Morris and William Carter.

11 22 January 1808 Quarter Sessions

Thos Smallwood, boatman from Lawton, for stealing sundries, was acquitted and discharged.

12 15 September 1809

On Sunday last, **Thomas Done**, aged 21, a flatman from Runcorn, was committed to our county gaol by John Hollins Esq, coroner, charged with the wilful murder of Hetty Eckersley at Lymm, in this county, who was found sewed up in a bag with a large stone tied thereto, weighing about half a hundredweight, in the canal near Lymm aforesaid.

13 4 May 1810 Assizes

The following prisoners have taken their trials at our Assizes, and received their sentence as follows :-

Thomas Done aged 20, a flatman from Runcorn, for the wilful murder of Betty Eckersley at Lymm. - Death

Robert Holroyd, aged 28, a flatman from Elland, Yorkshire, on suspicion of being concerned in the murder of Betty Eckersley of Lymm aforesaid. - Acquitted.

Job Sproston, aged 50, a boat builder from Odd Rode, for having killed Samuel Bostock of Odd

Rode. - No true bill.

John Cotter aged 17, a labourer from Swinlow, Leicestershire, for stealing a snap or rope from **John Jackson**, boatman to Messrs Henshall and Co, from his boat. Imprisoned one calendar month in the castle.

Elizabeth Thorley, aged 19, boatman's wife, Sarah Rathbone aged 23, Sarah Stockton aged 22, and John Bagnall, all from Elton, for stealing two bushels of wheat, value about 20s, out of a boat belonging to **Benjamin Bradley**. Thorley, Rathbone and Stockton to be imprisoned six weeks and Bagnall two years in the House of Correction, to hard labour.

14 28 September 1810 Cheshire Assizes

PICKFORD v MORRIS The defendant had a coal boat on the Grand Trunk Canal ; the plaintiff's boat which, it appeared in evidence, was heavily laden with various articles of Manchester goods, met the coal boat at a narrow part on the canal, where was an aqueduct over a turnpike road, near Wheelock in the county. This is so constructed that if two boats meet, one of them is obliged to slacken the line and lie to on the opposite side while the other passes ; and whichever boat arrives at this point first is entitled, by the custom observed on this canal, to the privilege of the way. It appeared in evidence that the horses belonging to plaintiff's boat had passed this narrow place, but that the boat had not, having a line attached to it of the length of 32 yards ; and what was much in favour of the plaintiff, there was no person looking after the defendant's horses. The consequence was the boats came in contact, and that of the plaintiff was upset, by which she was materially damaged in her planks, and several valuable goods were much injured. A special jury was ordered for this case, but only one special jurymen attended. A verdict was found for plaintiff of 600l, subject to the opinion of Mr Fell (one of the Counsel) as to the real damage sustained.

15 15 March 1811 Chester Spring Assizes

The following is a list of the prisoners who are to take their trials at our Assizes which commence on Wednesday April 17th.

Thomas Weaver, aged 18, a boatman from Old Bewry, Staffordshire ; and **John Tory**, aged 22, a boatman from Bistall, Gloucestershire, for stealing 12 gallons of brandy at Barton, the property of Job Twiss and Jonathan Higginson. (see entry below for owners?)

John Rhodes, aged 20, a boatman from Gnosall, Salop, and **John Adams** alias Varney, alias Coleman, aged 21, a boatman from Banbury, Oxfordshire, for stealing out of a boat at Lymm 96 pounds of cotton wool, the property of John Twist and Jonathan Higginbotham.

Thomas Dutton, aged 32, a flatman from Runcorn, for burglariously breaking open the dwelling house of James Fryer of Halton and stealing therein two ducks, his property.

16 26 April 1811 Sentences

RICHARD JONES The offence of which you have been convicted is grand larceny, in breaking into a warehouse in the night. You are a boatman, and that occupation is a responsible one. There would be no security for property, public or private, if the men employed on canals were to be converted into a line of thieves. Thieving must be checked if possible. Your case, however, has not been attended with any breach of trust ; your sentence is therefore two years imprisonment in hard labour in the House of Correction.

17 26 April 1811 Cheshire Spring Assizes

John Rhodes, aged 20, a boatman from Knosall in Shropshire, and **John Adams**, alias J Varney, alias Coleman, aged 21, a boatman from Banbury, Oxfordshire, for stealing out of a boat at Lymm 96 pounds of cotton wool, the property of John Twist and J Higginbotham. - Guilty.

Thomas Evans aged 21 and **Samuel Scott**, aged 22, boatmen from Wheelock, on a violent suspicion of having stolen a Pocket Book, etc.

It appeared that John Heath, the prosecutor, had been receiving a Bank of England note, a Burslem

note, and a Newcastle and a Nantwich note. The Bank of England note was torn and dirty on the left side. He went to the Fox in Wheelock to put up a furnace, and threw the coat containing his pocket book over the furnace in the brew house. When he came to look for his coat, it could not be found, but on making further search, it was discovered in the coal place, a short distance from the brew house. The prisoners had been seen in the house ; and Ann Oakes, one of the witnesses, saw them go to the entrance of the coal place and look carefully around ; they then went in. Mrs Bate, who keeps the Fox, said the prisoners came there on the same day, had a pint of ale which they paid for, and requested change for a Bank of England note, which was torn on the left side and worn hard. She said she would prefer a local note, and Scott offered her a Burslem note for one pound, and he had, she thinks, others in his hand. On her cross-examination, she said she could not swear to the note she had on Saturday morning again. The Judge recapitulated the whole of the evidence adduced, and remarked the concordance of it in several instances, but did not think it sufficiently strong to convict the prisoners. The Jury, after a short deliberation, returned a verdict of "Not Guilty".

Thomas Dutton, aged 32, a flatman from Runcorn, for burglariously breaking open the dwelling house of James Fryer of Halton, and stealing therefrom two ducks, his property.

James Fryer, the prosecutor, deposed that he lived at Halton. On the night of the 10th Feb about 11 o'clock, just after he had gone to bed, was disturbed by a noise in the house, as if from below, and a little after heard the feet of a person running out. On going downstairs and striking a light, discovered the marks of feet in the house place ; and found a piece of wood, which it appeared had been broken from a larger piece at an adjacent public house, by Dutton, the prisoner, to shew a man, who was billeted for the militia, his exercise. On making further search, discovered that two ducks, which were in the house when witness went to bed, had been stolen. (Sir?) Richard Brooke directed an enquiry to be made into the circumstances of the case, on which prisoner "was off" - he might have left to be sure, in consequence of his employment as a boatman, but it did not appear so in evidence. Ellis, the landlady of the public house in Halton substantiated the statement of the piece of wood found on prosecutor's premises having been taken from her house by the prisoner, but on her cross-examination, would not swear to it. The learned Judge thought the evidence too loose to convict the prisoner, and directed him to be Discharged by Proclamation.

18 17 April 1812

DIED Lately, at Tranmere in this county, **Mr John Bibby**, boatman, much respected.

19 1 May 1812

STOLEN Out of Mr Colgrave's Stable, of Marbury, Cheshire on Tuesday night, April 7th, or early on the morning of Wednesday the 8th 1812.

A BLACK HORSE, with cropt ears, about 14 hands high, with a star on his forehead, a white foot on the near side behind, the hair trimmed off the heels of his two hind feet, and rubbed off his side by the chains, brush set tail. He is an Irish horse, aged.

Any person who will give information of the offender or offenders to **Edward Burroughs**, boatman of Frankton, in the parish of Whittington, Shropshire, shall receive one guinea reward.

20 5 September 1813

Chester Assizes

The following are prisoners now in custody :- **William Nicklinson**, aged 33, a boatman, Ellen Perrin aged 28, for stealing 20 pounds of wool.

21 12 August 1814

COUNTY GAOL **Isaac Ashton**, a boatman from Marple and **Joseph Reece**, a boatman from Cotton Edmunds, near this city, for breaking into the Canal Warehouse at Marple, and stealing tarpaulins, &c.

22 9 September 1814

Assize Intelligence

Isaac Ashton aged 32, a boatman from Marple, and **Joseph Reece**, a boatman from Cotton Edmunds, near Chester, for stealing tarpaulins &c, the property of Samuel Oldknow Esq, from his warehouse near Marple.

There was nothing of interest in this trial ; the prisoners were convicted on the clearest evidence.

Verdict – Guilty.

John Stretch, aged 45, a farmer, and Charlotte Nield, aged 73, a widow, for feloniously breaking into the dwelling house of **John Baker** at Newton and stealing thereout 6 teaspoons and other articles.

It appeared that the prosecutor was an industrious boatman, and was assisted in his business by his wife. On the 14th of June last, they had gone up the canal in their boat, taking care to secure their house against depredation ; on their return on the 18th, they found the cupboard broken open, and the articles mentioned in the indictment missing. In a short time afterwards, they were found at the house of Nield, with whom Stretch lodged.

The Chief Justice observed that as there was no evidence against Nield, she must be acquitted.

Before his Lordship addressed the Jury, the Attorney General (Mr Benyon), with his accustomed humanity, observed that the capital part of the charge was done away, as there was no evidence as to the time when the felony was committed.

Verdict, Stretch Guilty – Nield not guilty – Discharged.

23 25 November 1814

BY ORDER OF THE COURT – FOR THE RELIEF OF INSOLVENT DEBTORS

The Petition of JOHN THORLEY, formerly and late of Withington in the county of Cheshire, corn dealer, a prisoner for debt confined in the Gaol of Macclesfield in the county of Chester, will be heard before His Majesty's Justices of the Peace for the said county, at a General Sessions of the peace, which shall be holden next after the expiration of twenty days from the date of this paper, and that a schedule annexed to the petition of the said prisoner, is filed in the office of the said court, No 59 Millbank Street, Westminster, to which any creditor may refer.

List of the Creditors of the said John Thorley.

James Wright, Manchester, Lancashire, corn dealer ; Messrs Thomas Jackson and Co, Liverpool, Lancashire, corn dealer ; John Horton, Northwich, Cheshire, corn dealer ; **John Gibson**, Northwich, Cheshire, boatman ; Gilbert Ramsay, Nantwich, Cheshire, linen draper ; William Glover, Hathershawhead, Staffordshire, farmer ; William Ford, Stand Chair, Cheshire, farmer ; Thomas Smallwood, Heaton, Cheshire, farmer ; Thomas Ford, Red Bull, Staffordshire, farmer.

JOHN THORLEY

John Hughes, Agent, Lambeth, Surrey.

24 7 April 1815

Cheshire Spring Assizes

Joseph Egerton, aged 24, a boatman from Middlewich, for stealing on the night of the 25th or the morning of the 26th March, a truss of hay, the property of Mr Henry Harrison of Middlewich aforesaid.

The prosecutor stated in evidence that, walking in his field on the 25th, he observed the track of loose hay from his premises to the canal, from the bank of which it had been put on top of a boat, where it was concealed under a tarpaulin. In the night, there had been a violent hail storm, but the bottom and not the top of the hay was wet. The prisoner's wife said her husband had got it from on board a drop-down boat.

William Williams, another witness, proved that the prisoner's wife afterwards said, “We had no money, or we should not have stolen the hay”.

Verdict – Guilty

CHIEF JUSTICE : Prisoner, you have been convicted of a Grand Larceny, and on evidence, too, the most satisfactory. Your offence is one which should be visited with some degree of severity. The

property which you have stolen did not accidentally lie in your way, but it has been clearly ascertained that you went some distance from your regular road for the purpose of midnight plunder. In the hope, however, that your future behaviour may profit from the present lenity of the Court, you are sentenced to be imprisoned in the House of Correction to hard labour for the term of six months.

John Worrall aged 13, an assistant to a boatman on the Canal, for stealing a cheese, and a quantity of tea and other articles, the property of the Trustees of the late Duke of Bridgewater.

The prisoner had got through one of the windows into one of the Duke's Warehouses, on the inside of which, within reach, he had placed the articles mentioned in the indictment, which he intended taking away the first opportunity. He was observed making his exit from the window by one of the assistants, and fearing a discovery, he promised to do something for him.

Verdict – Guilty.

THE CHIEF JUSTICE, in passing sentence, commented with much severity, on the juvenile turpitude of the prisoner. It was shocking to see at his early years, one so well versed in guilt.

He was sentenced to be imprisoned 12 calendar months, and fined one shilling. The duration of that period might be considerably shortened by good behaviour.

William Barber aged 22, a boatman from Marton ; and **Joseph Heath** aged 21, a boatman from Audley, for stealing a rope, the property of the proprietors of the Trent and Mersey Canal.

There was no evidence in the case to affect Heath, and he was found Not Guilty ; Barber, Guilty.

Heath was discharged with a caution from the Bench, to be careful with whom he in future associated.

Barber was sentenced to be imprisoned 6 calendar months in the House of Correction to hard labour.

25 1 September 1815

Cheshire Summer Assizes

Thomas Cammomile aged 47, a boatman from Manchester, for stealing umbrellas, the property of Bold Cooke of Manchester, broker.

In this prosecution, an accessory, **Henry Parr**, a boatman, was admitted evidence for the crown.

The CHIEF JUSTICE thought that in this case, there was a want of confirmatory evidence to the accessory. His Lordship put the instance of A B and C agreeing to commit a felony. A and B are taken up, and C is at large. They state that they are in another place, that they call at a house to take refreshment, that they lie in the fields ; and they bring witnesses to prove these facts. They afterwards adopt D as an accessory, in order that C may escape.

JUDGE BURTON had no doubt of the law of this case. It was laid down by Mr Justice Bearcroft, and other authorities of great experience. His Lordship stated, that since he had been seated on that bench, he had had eight Chief Justices, not one of whom, as he knew, differed from the position laid down.

MR WILLIAMS cited the case of the attack on Cartwright's Mill, tried at Lancaster, which was decidedly in point.

THE CHIEF JUSTICE addressed the Jury ; his Lordship told them that there was a deficiency of evidence necessary to the conviction of the prisoner,

The jury returned a verdict of – Not Guilty.

26 25 April 1817

Cheshire Spring Assizes

STEALING WOOL William Robinson, aged 36, a boatman from Middlewich, for stealing a quantity of wool, the property of Messrs Worthington and Co of Stourport.

This was a case which excited considerable attention, on account of the repeated losses which have been sustained on canals by the depredation of boatmen.

The Attorney General stated the case to the Jury.

Richard Holt sworn : I am a shopkeeper at Lymm. On the 2nd day of April last, I was in Lord's

garden, adjoining Perrin's house. I saw the prisoner coming down Perrin's field, which adjoins the canal ; Leigh was there ; Perrin was wheeling a barrow, in which were two bags, and Leigh carried a bag in his hand. The bags appeared to contain wool. They were passing along between the house and the canal. Just before they got to the outbuildings of Perrin's house, Robinson joined them, with a woman. I supposed her to be Robinson's wife ; she went into the house, but Robinson and the others went behind the outbuildings. A little while after, Perrin opened a door, looked at me, and drew back. I then looked towards the canal and saw a boat gliding gently along, without a driver, on the way to Manchester from Lymm. I then went to Mr Trafford's and communicated what I saw ; I returned with Thomas Fair to Perrin's house ; he went in. I saw the boat which I had before observed ; it was the *Bellona*. I could plainly see Perrin's house from the boat, The boat at this time had stopped, the horse was eating on the bank, and the driver was lying down, either asleep or pretending to be asleep. I then went to watch who came out of Perrin's house, and saw Leigh come out. Leigh jumped over the hedge, walked a little way, and then set out a running. I saw Robinson and the woman go over two fields, and so to the boat, where they drove off the horse. I followed the boat, and it was stopped. It was given in care to Cross. Robinson was taken to Mr Trafford's. I saw two bags, similar to those in the barrow.

Cross-examined by Mr Cross : Perrin occupies some land ; he comes from Headley. A great many boats pass along that line of the canal to Manchester, 20 or more in a day. Perhaps I was 20 or 30 yards from the barrow which Perrin wheeled. I am certain there was nothing hard in the bags, unless it was at the bottom ; I am quite clear it was something soft, but cannot say whether it was wool or cotton or hay – they certainly give horses hay in my country sometimes!

Re-examined by Mr Ashworth : I saw the boat when it was next to Perrin's house, and saw it afterwards. No other boat had passed.

Thomas Fair : I am bailiff to Mr Trafford ; I went to Perrin's house, and asked him had he been receiving stolen goods? He said, "No". I saw Robinson go towards the canal ; I went round a field, and gave him the meeting ; he was then with his boat. I stopped him. He asked me why I had stopped him. I said, for having done something with Perrin. He said he had not. I then took him before Mr Trafford. I have had the wool found at Perrin's in my possession ever since.

Cross-examined by Mr Jones : The prisoner had got to his boat when I stopped him. Sometimes two or three boats pass in the course of ten minutes.

Re-examined by Mr Benyon : And sometimes above half an hour passes without a boat.

Thomas Cooper, examined by Mr Ashworth, corroborated a great portion of the preceding evidence. I watched round Perrin's house, and saw him making off from the house. I saw Robinson at Perrin's house. I saw Robinson go from the house ; he was about 20 or 30 roods from me.

In answer to a question by Sir W Garrow. He (the prisoner) must have come from Perrin's house.

Cooper's examination continued : Robinson was making direct for his boat ; and Perrin went towards the high road to Manchester, on the way to Gallimore's. I went into the shippon where the wool was found. It had two double doors. I found there were two lots of wool on the ground, the same as is brought here. I carried away one lot, Leigh another. There were no potatoes there, as I saw ; but there were two bags of ground offal.

Chief Justice : I must have an explanation of that term. It means meal shudes.

I am as wise as ever? - It is the refuse of oatmeal, prepared and mixed for horses.

Cross-examined by Mr Cross : This was certainly soft stuff. I left the bags on the premises, but there was no wool in them. Both the bags were tied up.

Thomas Baguley : I am a constable, and searched Perrin's house. Found there a quantity of wool in the cart house. The wool was in two lots. There were no potatoes there.

To questions by Mr Justice Best : The bags of offal did not look like wool. The bags found at Perrin's empty were not those in which wool is usually put. I could easily have distinguished the offal bags from others.

The identity of the wool was traced by Fair and other witnesses.

James Raby : I am in the service of Messrs Worthington's. William Cross delivered to me the prisoner Robinson's boat. Worthington hired the boat from Robinson at £40 per annum besides

paying him weekly wages and haulage besides. I have frequently seen his wages paid. Robinson was to take in goods at Stourport, and convey them to different places. The boat was laden with wool. I continued on board the boat after Baguley gave it up, and discharged the cargo into the wool room, which was locked up. One bag appeared to be deficient in size, and the stitching was open at the sides. The wool was weighed in the bags, and I took a particular account of it. The weight of the bag in Manchester 2 cwt 2 qrs 7lb, it was marked C ; when originally weighed, it was 2 cwt 2 qrs 14 lbs. The weight of the thirteen bags was 31 cwt 3 qrs 15 lbs at Manchester ; when full, they weighed 32 cwt 1 qr 6 lbs. They had certainly been pillaged by someone. I saw Robinson at Mr Trafford's, and what he said there was in the presence of Mr Trafford. He said he went to Perrin's to buy potatoes – that he did not know Perrin, and that no one had seen anything in his possession.

John Porter : I live at Stourport, and shipped on board the Bellona, the prisoner's boat, on the 28th March last, seventeen bags of wool. It was packed up in sheets, marked C, and consisted of sheep's wool and fleece wool. The weight of the thirteen sheets of wool was 32 cwt 1 qr 6 lbs. I saw it taken to the boat.

Cross-examined by Mr Cross : We always examine the packs outside, to see that they are full and sewn up safe. I don't know that the weather has an influence on wool. It is 124 miles and not 192 miles from Stourport to Manchester by canal.

Mr John Eastwood said : I deal in wool. Saw several bags at Mr Worthington's warehouse, in the presence of Mr Raby. The wool had evidently been pilfered from the vacuum that appeared in the middle of the sacks. It was also wet, and the stitches imperfect. The wool was scoured lamb's wool; it is not generally scoured, but is frequently done so in the neighbourhood of Bristol. I have a sample of the wool in my pocket, and have no doubt it was the same wool as shown in Oughtrington.

The evidence for the Crown ended here.

The prisoner, in his defence, said that he had been at Perrin's to look at some potatoes ; he was to call for them as he came from Manchester.

William Yates : I lived with Perrin as a servant. I recollect some wool being on my master's premises, and it was taken away. My master had lived where he then did about eight or ten weeks. He lived before at Headley Heath. I brought the wool from the other house he lived at.

Cross-examined by Mr Benyon : The farm Perrin had at Headley was a small one. I don't deal in wool. I remember the search warrant in my master's house. I asked, what had been the matter? He said they had taken the wool out of the cart house. I saw Perrin with a wheelbarrow and two bags. The bags were handed into a wheelbarrow ; Leigh carried a bag, but Robinson was a field and a half behind them.

To a question by the Chief Justice : I cannot tell where my master is ; I have not seen him since that time. I still live at my master's house, but he has not been seen since the 3rd April. My mistress keeps on the house.

----- **Whitehall** : I occasionally drove Robinson's boat ; I was with the boat at Lymm, at the time the wool was on board. I was on board with the prisoner when he went to buy some potatoes at a house a little way off ; I don't know the occupier's name. I remained with the boat while Robinson went, and had an eye on it all the while, so that no goods could have possibly been taken from the boat without me seeing it. My master was away 10 minutes or a quarter of an hour.

Cross-examined by Mr Ashworth : I was not asleep aside of the boat, I was standing up in the boat. I am quite positive the boat was in the same state as when my master left.

To questions by the Chief Justice : I helped to stow the boat at Stockport ; all the bags seemed full. My master was taken about 10 minutes after he had returned to the boat. No boat had passed either way at the time.

Thomas Moreton : I am a shoemaker, some 5 or 6 miles from Lymm. I and another were fishing in one of Perrin's fields. I was getting baskets from the cart house, and saw a quantity of wool lying on the floor ; this was before the day Robinson was apprehended.

To a question by the Attorney General : I am not aware that Perrin is a wool dealer.

29 12 September 1817

MURDER We have a melancholy duty to perform this week, in recording the commitment to our County Gaol of John Wakefield of Northwich in this county, a person of great respectability, and carrying on the business of Salt Proprietor, charged with the Wilful Murder of **Richard Maddocks**, a flatman, employed on the canal in that neighbourhood, on Monday evening last. The circumstances of this afflicting case, as they have come to our knowledge are, in brief, as follows :-

It appears that a Woman Servant, living in the house of Mr Wakefield, was acquainted with the deceased ; and as Mr W had frequent occasions to leave home, he uniformly discovered on his return that a considerable reduction had taken place in the contents of his ale cellar, and his larder. His suspicion fell on this female ; and, on Monday last, being Northwich Wake, she took the opportunity with her friends of availing herself of the festivities of the day. In the evening, Mr Wakefield finding that she had not returned, went on the look out for her, and soon found them both loitering about the premises, although he had frequently insisted on Maddocks discontinuing his visits. Mr Wakefield told him to go about his business and in the end a scuffle ensued, in which Maddocks was knocked down. He got up, and ran away. Mr W, who had got a sword stick from the house, speedily followed him, overtook him, and in the rencontre, drawing the fatal weapon from its sheath, he passed it through the body of Maddocks, who ran some distance before he fell.

Previous to this, the girl had made the best of her way home. About twelve o'clock, the deceased was found some fifty or sixty yards from the place where he had received his wound ; he was not dead, but he was speechless --- life was nearly extinct, and in a few minutes, he breathed his last! The lamentable occurrence, even at that late hour, soon became generally known – a numerous body of flatmen collected, threatening a dreadful vengeance. Mr Wakefield barricaded the lower part of his house, seized a double-barrelled gun, and stood on the defensive. The Police Officers, however, arriving, Mr Wakefield quietly surrendered himself.

A Coroner's Inquest was held on Tuesday, when a verdict was found of Wilful Murder, and on Wednesday morning, the wretched man was lodged in our County Gaol, charged with the offence.

On examining the body of Maddocks, it was ascertained that the dirk had pierced his heart – another wound was discovered, also mortal!

Maddocks was a good looking man, aged about twenty one years.

We will not attempt to prejudice the public mind by a repetition of those rumours which are in circulation – this melancholy catastrophe will undergo a more serious and solemn investigation in a Court of Justice. The above statement, we believe to be correct, so far as it goes. If any further particulars transpire, we will lay them before our readers next week.

30 3 April 1818

Cheshire Spring Assizes

Thomas Healey alias Hayward, a boatman from Whitchurch, Salop, and **John Barratt**, a boatman from Focil near Coventry, for a burglary at Baddington.

This was but a short case, and the prosecutor failed in proving the robbery having been committed in the night time. They were clearly convicted of the theft.

In passing sentence, the Chief Justice observed that had they been convicted of the capital offence, he should certainly have left them for execution. It was necessary the country should be rid of such offenders, whose characters were too well known. The Court therefore sentenced them to transportation for seven years.

There was another indictment against them for a burglary – and they had been apprehended on no less than SEVEN charges of other robberies!

31 10 April 1818

Cheshire Spring Assize

TRIAL OF MR JOHN WAKEFIELD FOR THE WILFUL MURDER OF RICHARD MADDOCKS

This case came on, on Friday morning last about 11 o'clock. It excited the most extraordinary degree of interest throughout the county, and attracted a great influx of company. Although it was pretty generally known that the prisoner would not be called up the first in order (on account of the late arrival of his leading Counsel, Mr Cross and Mr Williams, from Lancaster) yet so much anxiety

prevailed on the occasion, that so early as six o'clock the avenues to the Court began to fill, and by seven o'clock all the principal places, including the Grand Jury box, the seats in front and on each side the bar, &c, were occupied. The Judges entered the Court a few minutes after eight o'clock, and on the doors being opened, there was a tremendous crush. In five minutes, the whole of the interior of the court was completely crammed, and notwithstanding every care was taken in admitting a free ingress of fresh air, the heat became soon extremely oppressive. The Court first took the case of

ISAAC MOORE , aged 27, a cotton spinner from Chorlton, Lancashire ; and William Tunncliffe, aged 28, a tailor from Cheadle, Staffordshire, for a burglary in the dwelling house of Sage Smith on the 16th of September. This trial occupied the court a considerable time ; when the Jury gave a verdict of Guilty against Moore and acquitted Tunncliffe. Sentence of death, without the slightest hopes of mercy, was instantly passed on Moore. He is a most notorious character, and a very old offender.

MURDER

John Wakefield was then put to the Bar, and the following gentlemen were sworn upon the jury, viz:

Mr Cyrus Bullock of Macclesfield Foreman
Mr Thomas J Watts of Macclesfield
Mr Ralph Henshall of Bollington
Mr William Chatterton of Marple
Mr William Lees of Newton
Mr Robert Marsland of Baguley
Mr James Leigh of Baguley
Mr Thomas Antwis of Preston-on-the-Hill
Mr William Johnson of Runcorn
Mr William Kirkham of Runcorn
Mr George Johnson of Rudheath Lordship
Mr Thomas Dobson of Audlem

The prisoner was then charged on the following.

INDICTMENT

Cheshire The Jurors for our Lord the King, upon their oath present that John Wakefield, late of Winnington in the county of Chester, Gentleman, not having the fear of God before his eyes, but being moved and seduced by the instigation of the Devil, on the 8th day of September in the 57th year of the reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, with force of arms, at Winnington aforesaid in the county aforesaid, in and upon one Richard Maddocks, in the peace of God and our said Lord the King, then and there being, feloniously, wilfully and of his malice aforethought, did make an assault, and that he the said John Wakefield, with a certain dagger of the value of one shilling, which he the said John Wakefield, in his right hand then and there had, and held, the said Richard Maddocks, in and upon the left side of the breast, between the ribs of him the said Richard Maddocks, then and there feloniously, wilfully and of his malice aforethought, did strike, thrust and stab, giving to the said Richard Maddocks, then and there with the Dagger aforesaid, in and upon the aforesaid left side of the breast, between the ribs of him the said Richard Maddocks, one mortal wound of the breadth of half an inch, and of the depth of one inch and the half of another inch. Of which said mortal wound the said Richard Maddocks then and there instantly died. And so the Jurors aforesaid, upon their oath aforesaid, do say that the said John Wakefield, him the said Richard Maddocks, in the manner, and by the means aforesaid, feloniously, wilfully and of his malice aforethought, did kill and murder, against the peace of our said Lord the King, his Crown and Dignity.

On being placed in the front of the court (the prisoner) bowed most respectfully to the Bench, the Jury, and the Bar. He was genteelly dressed in a black suit, and appeared to be in good health. In those parts of the Indictment where he was charged with committing the offence "with malice

aforethought” he shook his head, as if in abhorrence of the idea.

On the usual question being asked by the Prothonotary, “How say you, John Wakefield, are you guilty of this Murder, or Not Guilty?” the prisoner, forcibly striking his left breast with his right hand, in a most emphatic manner replied, “I am NOT Guilty, Sir”.

Here, a general buzz of conversation prevailed in the court ; and it was a considerable time before silence could be obtained.

Mr Attorney General then addressed the Jury to the following effect :-

GENTLEMEN OF THE JURY

You are now assembled to try a question of great importance to the country, and particularly to the Prisoner at the Bar, Mr John Wakefield. He is charged with the crime of Wilful Murder, in having with malice aforethought taken away the life of one Richard Maddocks – and that crime is punishable by our law, as it is by the law of every other civilised country, with death. My object in noticing the nature of the offence is by no means to excite feelings in your mind which might operate unfairly against the Prisoner, and I shall therefore content myself with stating in a regular detail the circumstance which will be adduced before you in evidence, being well aware that the more simple the narration, the better it will be for the ends of public justice. And upon such testimony, it will be for you to say, under the direction of their Lordships in points of law, whether the prisoner be guilty of the Murder or not guilty. At the time, Gentlemen, that Maddocks met with his death, Mr Wakefield resided at Winnington, about a quarter of a mile from Northwich, and the only inmates in his house were himself and two maid servants, Elizabeth Woodward and Martha Bradbury. The former, in July last, became acquainted with the deceased ; for, from what cause I am not able to explain, he found fault with the connexion, and threatened that if he found Maddocks on his premises, he would shoot him, or some expression to that effect. It will be shown that, at this period, Mr Wakefield kept by his bedside a sort of dagger, with three edges, about three quarters of a yard in length. The 8th of September last was Northwich Wake, and on that day, Martha Bradbury went early to the town, in order that Elizabeth Woodward might go in the evening, and that both of them might not be absent from their master's house at the same time. Woodward was directed to get ready her master's dinner. Mr Wakefield then mentioned Maddocks to Elizabeth Woodward, and after some conversation, said she had better take his advice, and go to London with him. This occurred when he was at dinner. He had before asked her to go to London with him, and she had refused. When Martha Bradbury came home, according to the agreement, it was the turn of Woodward to go out to the wake. She accordingly went out. About ten o'clock at night, Mr Wakefield came home, and was very angry that she had not returned. [An interruption of considerable length here took place, in consequence of the dreadfully crowded state of the Court – the spectators formed as it were one solid mass, moving in a frightful manner as the pressure on the sides preponderated. Had one individual only fallen down, the most terrible consequences would have resulted. With great difficulty, some degree of silence was obtained, and the Attorney General proceeded.] Shortly after, he went in a great hurry out of the house. It will now be necessary, Gentlemen, to call your attention to the situation of Elizabeth Woodward. At Northwich, it appears, she met with Maddocks, the deceased, and he attended her on her way home. This, perhaps, was about half past eleven o'clock. They came arm in arm along the public highway, to the gate leading to the premises of Mr Wakefield ; and advancing towards the house and seeing no light, she became apprehensive that the family were gone to bed, and desired Maddocks to return with her to Northwich, to sleep at his sister's, to avoid disturbing the family. Accordingly, they began to retrace their steps, but had not reached the gate I before mentioned, when Mr Wakefield rushed out of a little plantation with a dagger in his hand. He immediately seized Maddocks by the collar, and with such force that both he and Elizabeth Woodward (who held under his arm) fell to the ground. Maddocks got up, and Mr Wakefield insisted that he should go back to the house with him. He refused ; another scuffle took place, in which Maddocks was again thrown to the earth, and called out to Mr Wakefield not to throttle him. The prisoner then said he should go with him into the town, to which Maddocks said, “Very well, sir ; I will go with you into the town”. However, Mr

Wakefield kept pulling him towards the house, when Maddocks, suddenly extricating himself, ran off towards the gate, followed by Wakefield ; but it does not appear that Elizabeth Woodward ascertained whether he got through the gate or not. She then made the best of her way home to the house, but had not been in more than five minutes before Mr Wakefield returned and asked for a light. She went downstairs and got him a candle, when he observed, "You may think it very well that I did not stab him (meaning Maddocks) with the dagger" - or words to this effect. Mr Wakefield, which was a proceeding very unusual with him, then fastened all the windows in a very careful manner, and went to bed. Nothing occurred after this till half past one, when the family was alarmed by a great noise and mob round the house. The body of the deceased had been found, cold and lifeless, on the public highway. It was afterwards examined by a medical man, and it will be proved that he had been stabbed by someone with an instrument which had several edges. The wound had penetrated the heart! The body being removed to Northwich, a great body of people assembled, and proceeded to Mr Wakefield's house. For an hour and a half he did not appear, notwithstanding he was frequently called for ; at last a ladder was reared up against one of the windows, and then Mr Wakefield appeared with a gun, which he presented to the crowd, but it did not go off. A man mounted the ladder, but he was knocked off by the prisoner from the window ; another man then ascended, but he met with a similar reception, being felled by the butt end of the gun. Mr Wakefield then called out for his solicitor and said he would surrender if Mr Hostage was sent for. Mr Hostage soon after arrived, and shortly after the prisoner surrendered himself. Sometime before this, he was asked what had become of the dagger? He looked with astonishment, and asked, "What dagger?" That the deceased, Maddocks, has been killed there is no doubt ; and it is pretty evident he came by his death from a wound made with a sharp instrument, similar to that which Mr Wakefield was known to have in his possession. Gentlemen, it is a remarkable fact that this weapon has never been found, although the strictest search has been made for it. Such are the leading facts of the case, and upon a careful consideration of it, this question will present itself : is Mr Wakefield the person who committed the crime? If, after all the testimony which will be laid before you, you shall be of opinion that his was the hand which inflicted the fatal wound, it will then be a matter for their Lordships to elucidate in point of law, whether this homicide is a case of wilful murder. Attend, therefore, Gentlemen, to the directions you will receive from the Bench ; for you are not to attend to any statement of mine, unless such statement be borne out by corroborating evidence. To the prisoner, the question is one of the last importance ; his life is in your hands ; you are the arbitrators of his fate ; and I have the fullest confidence you will return such a verdict as will be satisfactory to the Court, the country and your consciences.

Elizabeth Woodward was then called, and examined by Mr Evans : [Previous, however, to any question being put to her, another interruption, which lasted nearly a quarter of an hour, took place owing to the extreme pressure of the crowd. Although repeated from all quarters, the call of silence was not at all attended to ; and great apprehensions were entertained of the prisoners' bar being broken down. A temporary state of quiet being obtained, the examination of the witness proceeded.] The witness was a smart, good looking girl, apparently about 20 years old, dressed in a fashionable coloured gown, a straw hat with ribbons and a drab woollen shawl carelessly thrown over her shoulders.

In September last, I was in the service of Mr Wakefield, and had been some months before. I was there in the July preceding. Mr Wakefield lived at Winington, a short distance from Northwich, and his house is on the opposite side of a field from the road. There is a road from the highway to the house, and a gate separates this road from the highway. There is a small plantation to the right of the house going from it, close to the gate. Martha Bradbury and myself were the only two servants that lived with him. I was acquainted with the deceased, Richard Maddocks. He courted me ; I was his sweetheart. Mr Wakefield knew of our acquaintance, but I don't know that he ever saw Maddocks at his house. [Another interruption of several minutes occurred here. The Judges expressed their disapprobation at the disorderly state of the court, and told the Under Sheriff, Mr Wright, to seize any person making a disturbance and bring him in ; he should be immediately committed. Mr Cross said the want of good order was owing to the system of having a standing

army of Javelin-men! Not one half of them were in court.] I cannot say Mr Wakefield knew the deceased by sight. Some time previous to the month of September last, I had some conversation with the prisoner respecting Maddocks. I know Mr Wakefield was aware of our acquaintance because he said if he saw the deceased about his house, he would shoot him. I cannot say how long this was before the unfortunate event took place. I cannot tell particularly what Mr Wakefield had in his bedroom. At Northwich Wake, Martha Bradbury being out of the way at dinner time, my master and I had some talk in the kitchen. He told me he saw I would not take his advice, and it would be worse for me if I did not. His advice was to go to London with him. He had made proposals to take me to London and keep me as a lady. I cannot say how long before this the proposal had been made. On the evening I went out to the wake, I returned about eleven o'clock at night, as near as I can think. Richard Maddocks was with me. We did not go close up to Mr Wakefield's house because I thought the family were gone to bed. We therefore turned back, arm in arm. We had got very near the gate, when the prisoner inclosed (seized) Maddocks, and got hold of his collar, saying, "What are you doing on my premises?" Maddocks said, "I am not come to do you any harm". The prisoner then said, "You must come with me into the house". Maddocks refused, saying, "I will not". Mr Wakefield then observed, "You must go with me down into the town". When he seized Maddocks, the latter fell down by some means, and I also fell. I suppose the fall was owing to being seized with such violence. I think Maddocks was down twice. Wakefield twice asked him to go to the house ; I don't know whether he was violent then. Maddocks positively refused. Wakefield had then a dagger in his hand, which he held against Maddocks's breast, saying, "If you molest, I'll stab you". I had seen the dagger before. The servant man slept in the house, and had it under his head. I cannot exactly tell its length ; perhaps it was as long as my arm. I think there were three edges to it. I do not know what sort of a point it had. When he was seized, Maddocks said, "Don't throttle me, Mr Wakefield". It was between light and dark, and Maddocks struggled hard to get away. He asked Maddocks to go into the town with him, and Maddocks said he would. I afterwards saw him get loose and run away. At this time, they were not far from the gate. Mr Wakefield called for Mr Ansdell, who lived close by. I do not know what became then of Mr Wakefield, only that he followed Maddocks towards the gate. I run home as fast as I could. I can't say that Maddocks had gone through the gate. When I got home, I found my fellow servant, Martha Bradbury, in her bedroom. About five minutes after, Wakefield came in ; he called me down, and asked me to light a candle. I did so. He said, "What should you have thought if I had stabbed him?" I said, "You durst not do it ; he was not come to any harm". I then went to bed. This conversation was in the kitchen ; I left him in the lobby. I heard him in the other rooms as if he was making up the windows. Perhaps in an hour and a half after I had been in bed, I was alarmed by two men at the bedroom window, and I soon knew of Maddocks being dead.

Cross-examined by Mr Cross : I had lived about three quarters of a year in the house ; from last Christmas but one. I live in Staffordshire with my father's sister ; her husband is a farmer ; I have wages from them as a servant. I once saw Price, a servant in the house, sleep with the dagger. Mr Wakefield's is a lone house. I thought nothing of the man sleeping with a weapon under his head. I don't know anything of other houses having arms to protect them in the night. There had been no robbery in the house, as I know of, but there had in the outbuildings one night, whilst I lived there. There was one of the window staunchions loosened. Mr Wakefield sometimes looked after the doors at night, but I don't know that he went out sometimes to look how things were there. The proposal I mentioned was made to me sometime before the fatal matter happened ; it was a very short time before ; perhaps it might be a week. He made the proposal only once to me. I had told him if he would give me my wages, I would go away, but not at that time. It was sometime before that I asked him for my wages. I had not on the night of the wake asked my fellow servant to sit up for me. I did not come home later than I expected. I was never locked out, for I had never been out so late before at night in the town, as I recollect. I met with Maddocks in the town, in the street. He was a flatman on board one of the Northwich flats. I cannot exactly say how long he had courted me ; not for a year before, perhaps a month or two. I met him at my mother's house ; he had been there some times. I was with Maddocks that evening about two hours. I had been at a public house

with him, and at his sister's house. It was about 11 o'clock when I entered my master's gate ; and it was about 9 when we first met. It was then between dark and light, not to call dark. I cannot tell how far we were from my master's door when he made his appearance, but we were nearer the house than the gate. When I thought I was locked out, I said I would turn back and go to a friend's house to sleep. We were in conversation, but I cannot say that those in the house would have heard us. The struggle between the prisoner and Maddocks did not last long, but I cannot say whether it lasted one minute or five minutes. I looked on till it was over. I was not further than the middle of the (Counsel) table. I had an opportunity of seeing it was a pretty violent struggle, one to keep hold and the other to get away. They were both struggling as hard as they could. I will not swear that Maddocks did not take hold of Mr Wakefield, but I did not see him do so. I never said I saw the prisoner strike Maddocks with the dagger. I know nothing of the dagger. There are no marks by which I should know it. I did not notice whether it was very bright, but I will swear I saw it in Wakefield's hand. I saw the deceased run towards the gate, and never saw Wakefield near him afterwards. He might have stuck the dagger into Maddocks, and I not have seen him. I heard Mr Wakefield call out for Ansdell, but I did not know he was the Constable. I heard him call out once. I heard him before say that if Maddocks came about the house, he would shoot him. The prisoner had not been complaining to me of flatmen being about the house. I cannot pretend to say how the fatal act was done.

Re-examined by Mr Evans : I suppose he said he would shoot the deceased because he perhaps saw him with me before. I don't recall he did mention Maddocks by name ; but he has spoken of him, calling him the "pock marked man". I had once been out with him, and my master asked me if I had been with him? But I did not tell him. He then said, "If he comes about my house, I'll shoot him". There were some trees near Mr Wakefield's house.

To questions by the Chief Justice : The small plantation was perhaps a few minutes walk from the house. The prisoner came to us as if from out of the hedge of the plantation. I do not recollect that the prisoner called Maddocks by name, when he said, "What should you have thought if I'd stabbed him?"

Martha Bradbury, examined by the Attorney General : [This witness is a remarkably handsome woman of a delicately fair complexion. She gave her evidence in a firm and collected manner, occasionally looking steadily at the prisoner, and at the Jury. Elizabeth Woodward, when examined, appeared to be particularly cautious of her eye coming in contact with that of the prisoner. Her evidence, nonetheless, was given with great propriety.]

I lived servant to Mr Wakefield when Maddocks was killed. I had lived with him from the Christmas preceding. I acted as chambermaid, making the beds and looking after the rooms. There was a dagger also there ; I cannot say it was always in the room. It was generally kept on the bed, but I have seen it under the pillow. It was near three quarters of a yard long, and had three edges and a sharp point. I went to the wake about half past three in the evening, and returned at five o'clock, or a little after. Mr Wakefield was not at home when I returned. My fellow servant, Elizabeth Woodward, then went to the wake. I did not afterwards leave the house. Mr Wakefield came home about ten o'clock and asked where Betty was? I said she had not come home ; and he observed that she had no business out of the house without his leave. He then went into the parlour and stopped there for a good while, and I took him a candle. He went out again about eleven o'clock, previous to which I heard him go upstairs, I think into his bedroom. He did not stay there long. My fellow servant returned in a very short time afterwards, in 10 minutes or a quarter of an hour. She came upstairs, and was called down again by my master, who had returned. We then went to bed. Afterwards we were disturbed by three men who came under the window. I heard them call Betty? They asked where she had left Richard Maddocks? She said at the Lodge Gate. I am now in the service of Mr Davies, a linen draper of Byrom Street, Liverpool.

Cross-examined by Mr Hill : I know nothing of Northwich Wake. I was not amongst the flatmen ; but I believe amongst them it is a riotous day. I never heard that my master had any losses. I knew Price. He was a servant to the prisoner ; I recollect him upon the watch in the stable. He sat up to protect the premises against thieves, I believe. I don't know anything about the double barrelled

gun. My master had some time before lost potatoes ; I recollect some talk about it. I never heard my master mention anything of a staunchion being loose in the kitchen window ; he might have mentioned it, but I have no recollection of it. It was discovered to be loose ; it might easily have been removed, the window easily opened, and a person get in.

Re-examined by the Attorney General : To remove the staunchion, the window must either be opened or broken.

To questions by the Chief Justice : It is a casement window. I observed it loose the first two or three months after I went there. I saw it loose a month before the man was killed. My master was in the habit of going out when he heard anybody about the house or premises.

Matthew Molineux, examined by Mr Evans : I am a flatman. I knew Richard Maddocks, but not very well. Recollect returning home about one o'clock on the night of Northwich Wake, and saw Richard Maddocks lying in the road, dead, a little more than 70 yards from Mr Wakefield's gate. I took the body to Maddocks's sister, with the assistance of some others ; her house was close in the neighbourhood. It was quite cold.

Thomas Jeffes, examined by the Attorney General : I am a Constable at Northwich. I know Mr Wakefield's house, it is about 400 or 500 yards from Northwich. I made a plan of, and examined the premises of, Mr Wakefield. The roadway from the gate to the house is about 200 yards. The plantation is close to the gate. I recollect the night when Maddocks was killed. I was called up between one and two o'clock. I was attended to the house by a Mr Broady. Outside the house, there was a great crowd. I had then seen the deceased. We waited some time, thinking Mr Wakefield would come down and open the door. I called to him, but he made no answer ; and never made his appearance at the window as I saw. I saw Josiah Buckley erect a ladder to the servant's room window ; when at the top, he called out, "He's here, he's here!" Buckley soon after fell from the ladder. Mordecai Jones then got up the ladder, and I saw him fall also. I did not see Mr Wakefield till between 6 and 7 o'clock the next morning. Although I did not see Mr Wakefield, I heard some footsteps in the bedroom. Those in the house must certainly have heard the noise made from without. I went to Northwich and returned with Mr Hostage. Mr Broady afterwards got up the ladder, and had some conversation with Mr Wakefield. When Mr Hostage came, the door was opened and Mr Hostage admitted, but it was immediately closed again. After Mr Hostage had been in the house some time, I was asked in, and Mr Wakefield said, "I surrender", or words to that effect. I heard nothing said to the prisoner. After I had been in the house some time, observing that Mr Wakefield had not all his clothes on, I requested him to dress ; and said there was an unpleasant part of my duty yet to perform, and that was to search his house ; after a pause he said, "And welcome". He appeared much agitated at the time. I then asked him for the weapon, he said, "What weapon?", and seeing him so much agitated, I did not press the subject.

Cross-examined by Mr Williams : There were a great number of people about Mr Wakefield's house when I went, using many angry expressions, threatening exceedingly what they would do to Wakefield. They were chiefly flatmen. They swore they would kill him – that they would have his blood, &c. I searched all over Wakefield's premises for the weapon, but found none. The mob uttered many improper expressions and some of them were armed with pokers, brooms' tails and so forth. I saw a lanthorn used outside the house. I had made myself known by calling out to Mr Wakefield and he might have observed me. When I first went into the house, Mr Wakefield had the appearance of having just got up. I was then Deputy Constable for Northwich, but cannot take upon myself to say whether it would have been safe or not for Mr Wakefield to surrender. I called out, "I wish to speak to you, Mr Wakefield", and said who I was. Mr Ansdell is a Constable, and his house within easy call ; he is a Constable of Winnington. Northwich is not a very quiet place during the Wake ; it is as rough as possible. I observed, however, no misconduct on the day in question. I have been frequently called upon respecting robberies in outbuildings. Mr Wakefield's house stands completely alone and is situated near to the river Weaver. It is not 122 yards from where the man was found to the house ; it is only from 96 to 110 yards. The turnpike road is very public. I knew Maddocks ; he was a young man, about 21 years of age, low in stature but apparently active and powerful. It is about 50 yards from the plantation to Ansdell's house.

Thomas Broady, examined by Mr Evans : I am a Special Constable, and went with Mr Jeffes. When we were at the house, I understood Mr Wakefield wished to speak to me. I got up the ladder, when he said he was surprised to see so great a concourse of people about his house, and he wished to know the reason. I said, I understood a man had been severely injured ; and it was suspected he was the man who had done the deed. He did not give any answer, but said he was sorry he did not know the Constables were there, or he should have made no resistance. He then expressed a wish for Mr Hostage to be sent for.

Cross-examined by Mr Recorder : The wake is a very tumultuous time ; as bad as any place in Great Britain. There are frequent alarms in the neighbourhood of property being stolen and such housebreaking. I was at the house before Mr Hostage came. There were perhaps 20 flatmen before the house, most likely they had been drinking all the night. I heard many strong coarse expressions made use of, such as taking him dead or alive, &c. I heard some of them say they would not leave the house until they had had some liquor. Mr Wakefield showed me the defect in the window. It was about 5 o'clock in the morning when they were demanding drink! The servant assisted to get into the drawing room, and admitted 12 or 13 flatmen about half past three o'clock. It was Martha who assisted.

James Dean, examined by the Attorney General : I am a surgeon and was called in to see the body. It was quite cold. I examined it, but not immediately on first seeing it. I saw a wound in the chest about half an inch long and nearly semicircular. I opened the body about noon, and followed the wound. It had passed through the integuments of the body, the cartilage of the fifth rib, and near to the breastbone : it passed on to the pericardium, or bag of the heart, through the body of the heart to the cavity. There was another wound on the same side, on the head near the top ; this touched the bone. The first wound was made by a pointed instrument, with more than one sharp side. The wound on the head was not very remarkable, nor can I say it was done with a sharp instrument. There was a discharge of blood from it. His death was occasioned by a pointed instrument passing into the heart and letting out its contents into the cavity. I cannot say how far a person might have run after receiving such a wound ; perhaps a few seconds, as the wound did not pass through that part of the heart which carries the blood to the whole frame.

Cross-examined by Mr Cross : He might possibly have run longer after receiving such a wound, but life could not have existed long, not for days, not for hours. I think it possible for him to have lived one hour after receiving it. I am now 52 years old, and have practised nine years as a surgeon. No cases ever came within my knowledge of persons living many hours after receiving such a wound.

Mr Cross : Then I recommend to your perusal the last number of the Edinburgh Medical and Surgical Journal, in which you will find a remarkable case in point.

The case for the Crown closed here.

Chief Justice : Prisoner at the Bar, the evidence on the part of the Prosecution against you is now closed. This, therefore, is the time for you to make your defence.

Mr Wakefield, after a short pause, in a firm and loud voice, then read the following defence from a paper which he held before him.

MY LORDS, AND GENTLEMEN OF THE JURY

“Totally unused to speaking in public, and little expecting ever to have to address such an assembly on my own behalf ; independent of the dreadful sensations, which have not ceased to occupy my mind during my seven months confinement ; I feel no slight embarrassment even in reading my written case before you. I therefore humbly crave the indulgence of the court.

Deeply impressed, as I am, with my present awful situation, charged with the blackest crime that man can commit against man, or in the sight of his Creator, I yet feel conscious of my own innocence. I have reserved my own defence until this day, and confidently relying upon the justice of my country, I shall simply, yet truly and faithfully, relate the facts of this unfortunate occurrence, as well as I can recollect them, after the alarm, darkness and confusion in which they happened.

About eleven o'clock on the night of 8th of September, I was alone in my common sitting room, when I heard voices and footsteps in the grounds. It was the evening of the first day of Northwich Wake, which place I had left but half an hour before – a scene of every species of riot and disorder.

My house stands alone in a field, the entrance into which is from the highway leading from Northwich to the River Weaver at Winnington. On hearing footsteps, I instantly went upstairs to a window on the staircase, commanding a view of the premises on that side.

The night was extremely dark ; I could see nothing, but still hearing voices, I went to my bedroom (which is close to the landing on which I stood) for a sword stick, with which I sometimes, and indeed generally, walked at night.

I went downstairs, opened the front door, and thought the footsteps appeared to be going from the house in the direction of an outbuilding which had very lately been robbed ; imagining that thieves were again about my premises, I crossed the field to my outer gate, in order to detect whoever it might be from that point, and accordingly got to the gate as the persons were coming up.

They were talking together, I could not distinctly hear what they said. I seized a man by the collar, and insisted upon his coming down to the house in order that I might see who he was. He resisted and struck me several times. I then called for help to Mr Andsell, who is a constable, living close by. At this time, the man had hold of my neckcloth, which he twisted almost to suffocation, and forced me on my back, upon the rails which part the carriage road from the field.

In this situation, as well as I could, I again called for help and cried "Murder".

The man in a short time disengaged himself from me, and disappeared ; and I do most solemnly declare I never went beyond the gate, but as I recovered myself, returned to the house and went to bed, utterly unconscious that the man with whom I had been struggling had suffered more than myself.

This is all that I know of this unhappy event now under your consideration, which I most deeply deplore, and ever shall to the latest moment of whatever portion of life may remain to me.

Gentlemen, my life is in your hands, and I persuade myself that your judgement will not be influenced by any of that prejudice which I have reason to believe has been excited against me".

Having concluded his defence, Mr Wakefield bowed in a most respectful manner to the Court and Jury.

Mr Cross wished to call the attention of their Lordships to the state of the moon on the night when Maddocks met his death. It had advanced 4 days in the last quarter on the 8th September, when it rose at a quarter before one in the morning. On the 11th of the same month, there was a new moon ; consequently on the night of the 8th, at the hour when the melancholy event happened, there could be no light from the moon.

John Holford, examined by Mr Williams : I was at Northwich wake on the night when the occurrence took place. I saw the deceased there. At 4 o'clock in the afternoon he was in liquor. He was very disorderly, and stripped and fought with one John Lownds. He challenged anyone present to fight him, and said he would fight any man in the town. I cannot say what sort of a night it was.

Martha Bradbury, recalled : Examined by Mr Hill. I had not gone to bed when my master went out. I could not hear anyone talking in the front of the house for the place I was in was to the back of the house ; but my master might have heard anyone talking as his room was to the front.

Re-examined by the Attorney General ; My master had been out about a quarter of an hour before Elizabeth Woodward returned.

Mr William Twemlow, examined by Mr Hill : (as to the possible existence of a person after being wounded in the heart). I am a surgeon at Northwich. I have known Mr Wakefield nearly 20 years. I never heard anything contrary to his bearing the character of a most humane man. I have heard the evidence of the other surgeon. The deceased might have lived a much longer time than he did.

Cross-examined by the Attorney General : If a wound like that received by the deceased, as described by Mr Dean, actually passed into the heart, I think it very possible he might have lived much longer than he did. I recollect an instance of the sort, in which a wound was given to the heart. A man receiving such a wound might have fallen down before he died.

Re-examined by Mr Cross : The process of letting out the contents of the heart into the cavity of the stomach would certainly occupy some time.

Mr Dean, recalled, and examined by the Chief Justice : The instrument employed had touched the heart of the deceased ; it had gone into the heart a quarter of an inch – into the right ventricle.

Mr Twemlow, again examined by Mr Cross : The heart is divided into several compartments. The place wounded was not the most dangerous part. I think the deceased might have lived not only hours but days after being wounded.

Mr Dean, recalled, and again examined by Mr Evans : The cavity was full of blood. I do not think it possible he could have lived more than a minute or two. I certainly suppose he could not live a quarter of an hour. The size of the wound in the heart was about half an inch long.

Mr Dawson, examined by Mr Recorder : I am a surgeon at Liverpool, and have practised 14 years, during which time I have attended a public hospital. I heard a part of Mr Dean's evidence ; but I think the deceased might have lived hours, or even days, after receiving the wound. I am the more positive in this opinion from the recollection of a fact which came under my own eye. A boy, some time ago, who was in a hay loft, fell through a hole in the flooring and received the prongs of a pitchfork in his breast – his heart was wounded in two places. The boy withdrew the fork from his breast, and ran several yards. His heart was perforated in two places, through the right ventricle, and yet he lived 14 hours and a half.

Re-examined by Mr Evans : There is certainly no improbability of instantaneous death after receiving such a wound. A wound in the left ventricle causes a fatal sympathy in a moment. In ordinary cases, or as stated by Mr Dean, death might result in less than a quarter of an hour.

The following witnesses to character were then heard.

John Marshall Esq : I reside at Green Bank near Northwich. I have known Mr Wakefield from his infancy, and as a neighbour and an acquaintance. I look upon his character for humanity to be very great.

Mr Barker, solicitor of Northwich : I have known Mr Wakefield upwards of 20 years ; and from habits of the strictest intimacy, I can confidently say he is a most humane man.

The Rev R Littler : I am the incumbent Curate of Goostrey, which is a perpetual curacy. I have known Mr Wakefield the greatest part of 30 years. In no one instance have I a recollection of any feature in his character contrary to the purest philanthropy ; I may say, also, that on all occasions, when necessary, he was lavish with his own life to save that of others.

Mr Bradburne : I have known Mr Wakefield from his infancy. He was humane to a degree. I could particularize his humanity in repeated instances.

Nicholas Ashton Esq : I reside at Woolton in Lancashire, of which county I am the senior magistrate. I have known Mr Wakefield some years, and always had a high opinion of his humanity and general good character.

Mr Worthington : I reside at Leftwich near Northwich. I know Mr Wakefield's character to be excellent for humanity. On one occasion, when the floods were out, and numbers were placed in great peril, he saved a whole family, and principally by his personal exertions. At another time, in a brine pit, he saved the life of a poor boy at the imminent risk of his own.

William Henry Worthington Esq : I live at Sandiway. I recollect that the night of the 8th of September was particularly dark. I have reason to recollect it, from the circumstance of going about 10 o'clock to close a small gate not more than 3 yards from my house, and the night was so dark and thick that I could scarcely find my way back. It seemed to be a foggy night. My house is about two miles from Winnington. The circumstance is more strongly impressed on my memory because the next morning, having heard of the fatal event, I made some observations to my family on the darkness of the night, and said it was almost impossible for one person to have seen another close to.

The Rev Joah Furey : I live at Hordon Bridge in Hampshire, of which parish I am the vicar. I have known Mr Wakefield well, and that his character for humanity stands remarkably high.

Mr Samuel Holbrook : I am a Salt Proprietor at Winnington, and have known the prisoner more than 20 years. He certainly bore a very great character for humanity.

Mr T Chantler was about to be examined, when the Chief Justice observed that he saw no necessity for testimony of this description to go further. It was impossible that any man living could have a better character for humanity.

Here closed the evidence offered on behalf of the prisoner.

The Chief Justice then proceeded to sum up the evidence at great length, contrasting the various features of it with great minuteness. It occupied his Lordship exactly one hour and five minutes. His address was to the following purport :- GENTLEMEN OF THE JURY – The prisoner, John Wakefield, stands charged before the Court with the crime of Wilful Murder, in having, with malice aforethought, taken away the life of one Richard Maddocks. It is my duty to lay before you the law as it stands in reference to this offence. The act of murder, is the killing with malice aforethought, as when a man of sound memory and at an age of discretion, unlawfully killeth any person under the King's peace, with malice aforethought, either expressed by the party or implied by law, so that the party wounded or hurt, die of the wound or hurt. Malice, however, as here applied, has not the same signification as in the ordinary occurrences of life ; in its common acceptation, it means ill will – in law, it has a larger and more expressive range, for it here meant, that the crime had been attended by such circumstances as were the ordinary symptoms of a wicked heart, regardless of social duty, and bent on mischief. Such, in the language of the law, is Wilful Murder – malice, therefore, is a wickedness that must have existence at the time the crime is perpetrated. Arising from this are many cases which may be instanced in elucidation of the legal meaning of the crime of murder. Thus, if a man kills another because he considers him a rival in endeavouring to supplant him in the affections of one on whom he has set his heart, this is murder. Again, if a man be found trespassing on the premises of another, and the owner attacks and beats him with a weapon not likely to occasion death, and goes too far in his chastisement so as in the end to occasion death, this is manslaughter – but if the deceased is beaten with a deadly weapon, then unquestionably it is murder. Again, if a man finds an offender on his premises with an intent of committing a felony, and in endeavouring to secure him a scuffle takes place, and death ensues, it is only a manslaughter ; but if in attempting to secure him, he applies greater violence and uses a deadly weapon, then the offence becomes murder. And in all cases where a human being is killed by another, it is prima facie evidence of the murder, unless he can produce testimony to prove the contrary and reduce it to manslaughter. Such, gentlemen, is the law which I have thought it necessary in the first instance to reveal to you ; and let us now consider in the present trial, whether the deceased met his death from the hand of the prisoner. Of this you will judge from the evidence which has been adduced. [The Learned Judge here, at great length, read the evidence as to the meeting of Mr Wakefield and Maddocks at the gate, and commented on its various bearings, and its consequences.] From this, Gentlemen, you will gather that the prisoner was armed with a deadly weapon – with a weapon likely to inflict the wound which caused death ; and about two hours after this rencontre, the body of the deceased was found at the distance of 106 yards from the place, cold and dead. You will recollect that the prisoner possessed a weapon with more than one sharp edge, and that the wound in the body of Maddocks was caused by an instrument of more than one point. We now come to a most important question, and that is – whether the wound was inflicted from mere wantonness or wickedness, or whether it was the accidental result of the scuffle ; if the latter, the offence of the prisoner is a manslaughter, and no circumstance can reduce it below that offence. Gentlemen, I will read over to you now the evidence, word for word ; for sorry should I be to be mistaken even in the recital of one word on a question of such great importance as this. [His Lordship then read the evidence of Elizabeth Woodward, and commented on the trifling variance which existed as to the darkness of the night.] There is a very strong feature in the testimony of this witness, and that is the expression of the prisoner, that if she did not take his advice, it would be worse for her. This, I think, furnishes a strong inference of the influence of a jealous mind. The act, too, of the prisoner, in attempting to force the deceased into his house, and seizing him in the manner he did, was not legal. He had no right to seize Maddocks in the way in which it appears he did ; and yet it seems that as soon as the prisoner said he should go with him into the town, he expressed his readiness to do so. I cannot, gentlemen, avoid calling your attention to another most material fact, and that is, the expression of the prisoner to Elizabeth Woodward when he returned home, “What would you have thought if I had stabbed him?” clearly pointing out Maddocks as the man to whom he alluded. Previous to this, it is shown that he wished to form an improper relationship with the witness Elizabeth, and speaks of the ADVICE he had given her, even on the

evening of the fatal day. This is the evidence, gentlemen, of the woman, on which the fate of the prisoner in a great measure principally depends ; you will therefore pay to it all the attention which it so urgently calls for. You will recollect that she accompanied the deceased to a public house, and you will consider whether such a place was proper for a young woman like her to frequent. In behalf of the prisoner, there is one favourable fact, and that is his calling out for Ansdell, which certainly was not the act of a man about to commit a murder ; but, gentlemen, if there were numbers of those facts brought before you, and still the crime of murder should be proved, they could be of no avail in preventing the executing of your high and important duty of finding him guilty. The threat of shooting “the pock marked man”, if it could be associated with the existence of jealousy in the mind of the prisoner, and connected with the catastrophe that afterwards took place, would be a strong fact in inducing his conviction. It is remarkable that the instrument which was proved to be kept in the house of the prisoner was precisely such a one as inflicted the wound of which Maddocks died ; and it should be recollected that no such weapon has been produced before you, and that the search made for it was unsuccessful. But there are certain facts which should have been brought before the Court in a stronger light, and which certainly cannot be disadvantageous to the prisoner. You were told of Buckley and Jones falling from the ladder placed against the prisoner's house ; why were they not called to prove the manner of their fall? I wish, too, that Jeffes had known his duty better as a constable, and forced his way into the house at the time when Mr Hostage was admitted. I could much wish to have learnt the nature of the conversation which took place during his exclusion. He appears to me to be a very young constable ; and the very reason that induced him not to search the prisoner's house, namely his (the prisoner's) extreme agitation, should have been the strongest reason for him to have continued his search. I hope, however, in future he will be more mindful of his duty. Gentlemen, I confess that do not think it would have been safe for the prisoner to surrender when constable first went to his house ; but it certainly would not have been unsafe nor improper for him to have shown himself at the window. The conflicting evidence of the Surgeons, I consider of very little importance, inasmuch as it is quite clear on all hands that the death of the deceased resulted from the wound he then received.

Come we now, Gentlemen, to that part of the evidence which was adduced on the part of the prisoner. In the course of a most ingenious cross-examination of one of the female witnesses, it was stated that she had heard that some potatoes had been stolen from the premises of the prisoner ; now, if the fact had been so, why was not evidence brought forward, as it might easily have been, to prove the robbery? In the course of his defence, the prisoner states that the deceased repeatedly struck him. But does there appear any one circumstance in the course of the investigation corroborative of this statement? What are the contemporaneous facts in elucidation of the assertion by the prisoner? Why he returns home, without any marks of violence whatever appearing, nor does he make any complaint of having been hurt. Indeed, he states that he left the deceased totally unconscious of his having suffered more than he (the prisoner) had done ; and it is pretty clear, the only exertions the deceased used was to get away from the prisoner. Gentlemen, in the course of the defence, the prisoner desires you to do, what I now request you will do, namely not to suffer your judgement “to be influenced by any of that prejudice which he had reason to believe had been excited against him”. For God's sake, Gentlemen, if you have heard anything prejudicial to the prisoner, forget it – steel yourself against its influence, and let it only have the effect of constraining you to inquire with still greater minuteness into the true bearings of the evidence. You have heard something said as to the state of the moon's age on the night of the melancholy event ; this is of no importance ; the night might be comparatively light from the influence of the stars, and from other causes. In support of the asserted darkness of the night, Mr Worthington is called ; but I cannot think it is of the consequence it is clothed in. It might be foggy – it might be foggy at one place, and not at another two miles distant ; and we all know this very well. The character which has been given of the prisoner is certainly high, and in most cases, character is of the first importance. But if you are of opinion that the prisoner caused the death of Maddocks, influenced by motives of jealousy, character must not protect crime, and your duty will be to find him guilty. Indeed, in such lamentable cases, character serves rather to illustrate the observation that even a good man may err

from the paths of virtue and stray into the labyrinth of vice. [Here again, the Chief Justice adverted to the leading features of the evidence and observed, that notwithstanding a close cross-examination of the several witnesses, nothing was elicited tending to shake their testimony]. It is, Gentlemen, in some degree manifest that the prisoner had conceived a passion for the witness Woodward, and it may be inferred that he looked upon the deceased in the way of a rival. By this, jealousy might be produced. If, therefore, acting under the influence of such jealousy, the prisoner gave the deceased the wound of which he died, the offence is clearly murder, and I am bound to tell you so – and the other circumstances proved by the several witnesses must not be forgotten. There cannot be a question but what the deceased received his death in the struggle near the gate. If, however, you think that no jealousy existed at the time, the crime is manslaughter. I must, by the way, observe that if the object of the prisoner was merely to take the deceased into custody for committing a trespass, that he acted at once rashly and illegally. Gentlemen, you cannot, perhaps, consider the matter better than by placing yourselves in the situation of the prisoner, and inquire of your consciences whether you at such a moment would have acted similarly. The weapon seen in the prisoner's hand had unquestionably been used in the struggle ; after which he returns to his house, calls for a light, and observed to the servant Elizabeth, “What would you have thought if I had stabbed him?” I would ask whether this question is called for? It is for you to consider, whether it is at all likely, that the weapon might have been thrust into the chest of the deceased without the prisoner's knowledge. [The Learned Judge then noticed the conduct of the prisoner when the constable was in the house, and to the agitation marked in his deportment, when he was asked for the fatal weapon]. That weapon, gentlemen, has NEVER YET BEEN FOUND, and this circumstance is remarkable, for why might it not have been produced? There is another thing worthy of consideration ; when the prisoner met the deceased, he stood on unequal terms. The unfortunate deceased had no weapon, at least it appears so from the evidence ; and if a man attacks another man, unarmed, with a weapon, and kills him, this, unless in the cause of justice or self defence, is murder. Such are the facts of this case. It is of the first importance to the public and to the prisoner – to the prisoner, in particular, for his life is at stake, and if convicted, he must expiate the crime committed with his life. But in such a case, we should not be led away by motives of indignation or abhorrence of the offence. The greater the crime, the greater caution should be observed in weighing the evidence in all its bearings and ramifications. Gentlemen, be cautious and circumspect in your decision ; the scales of life and death are in your hands, and for God's sake, let them be balanced in justice.

On being requested in the usual manner to consider their verdict, the Jury requested permission to retire. In 12 minutes, they returned into court.

Prothonotary : Gentlemen of the Jury, look upon the prisoner ; do you say he is guilty of the Murder of which he stands charged, or Not Guilty.

Foreman of the Jury : We find him GUILTY.....of MANSLAUGHTER.

Immediately on the verdict being announced, the prisoner fell to his knees, and clasping his hands in an apparent agony of gratitude, exclaimed, “Oh God, thou hast heard my prayer, and knowest my innocence!” He then stood upright at the Bar, when

The Chief Justice proceeded to pass sentence upon him in words to this effect :- Prisoner at the bar, after a long and laborious trial, an intelligent jury of your country have thought fit, after a close enquiry into the circumstances adduced in evidence, to acquit you of the crime of murder ; they have found you guilty of manslaughter. I have no doubt the excellent character which you have received was a deserving one, and it appears you have hitherto supported a respectable situation in life. The Court hopes that your future days may be characterised by an aversion to vicious habits, which generally bring with them their own punishment ; and is induced, by consideration of your long imprisonment already, to pass on you as lenient a sentence as it conceives proper. God knows you must already have suffered enough mentally, from the recollection that you have been the cause of death of a fellow creature. The sentence of the court is that you be imprisoned in the Common Gaol for the term of six calendar months, and then discharged.

After silence was obtained, the prisoner said, “My Lord, will you permit me to speak?”

Chief Justice : Certainly.

Prisoner : I am now acquitted of the charge of killing Maddocks, and I will now, therefore, state, that I have not the LEAST KNOWLEDGE OF HIS DEATH. I attribute my acquittal to my innocence – to the Great God of Heaven, who directed the jury to acquit me. I feel grateful for his mercies to me. I am convinced of having offended God in a variety of ways; but I hope and trust that I may prove such an example as to call sinners to the right way. My Lords – Good people all – [turning round to the back side of the court] – all that are acquainted with me know that I would not kill a worm. I confess that I have injured some of my fellow creatures, but I will make them every reparation in my power. I AM I assure you at this awful moment INNOCENT OF THE MAN'S DEATH. [Then lifting up his right hand, he said, in a loud tone of voice] – God bless you – God bless you all.

He was much agitated, and wept through the whole of his address.

The trial commenced a few minutes past eleven o'clock and the prisoner was not removed from the bar till a quarter before six.

Counsel for the Crown : Mr Attorney General and Mr Evans. Solicitors Messrs Hollins, Knutsford.

Counsel for the prisoner : Mr Cross, Mr Hill, Mr Williams and Mr Recorder. Solicitor Mr Hostage of Northwich.

In returning the verdict, the foreman of the jury made a considerable pause after pronouncing the word GUILTY. It was immediately buzzed in Court that the prisoner had been convicted of the murder – it soon spread into the Castle Yard. A person there in waiting carried the false intelligence to the country, and by half past 7, it had reached Northwich!

32 11 September 1818

The following are the sentences of prisoners convicted at our late Assize :- **John Duckett**, aged 60, a boatman from Headley, and **Ephraim Browne**, aged 51, a boatman from Minshall Vernon, for stealing malt. Transported seven years.

33 30 April 1819 Cheshire Assize

There are now EIGHTY SIX prisoners for trial in our County Gaol (and not 117 as stated in our last Chronicle), and at the head of the list are the Stockport Reformers – Messrs Bagguley, Drummond and Johnson, for Sedition. There are no less than TWENTY burglaries. Names include :-

John Brownsword, aged 46, a boatman from Odd Rode, and **Martha Brown**, aged 37, from Elton, for stealing a quantity of coal.

34 30 April 1819 Assize Intelligence

WILLIAM ASHLEY, aged 43, a boatman from Norton, for stealing a sheep, the property of Mr Peter Halton of Keckwick.

The charge against the prisoner was satisfactorily proved, although it rested in a great measure on the testimony of a female witness, whose virtue was rather questionable. She underwent a severe cross-examination. She said, I go on the Canals in boats – only in one boat – with a man who is a widower ; I take care of his children for him. I am acquainted with another man, who is a widower ; but I've heard he has a wife and three children! He has left his wife about two years, and I have known him about seven months. I have had this bonnet, and cap, and clothes, a week ; but I wore a bonnet in the flat as good as this. It was bought at Runcorn. A gentleman gave me the money to buy it – and that gentleman was the attorney for the prosecution. I have seen the New Bailey in Salford ; two years ago, I was confined there 12 months. I have been in no other gaol since. A friend of the prisoner's gave me this black eye about a fortnight ago. - Guilty. - DEATH.

35 17 September 1819

PROVIDENTIAL ESCAPE On Friday night last, a poor old man in the habit of bringing vegetables from Flint to Parkgate, attempted to return home on the sands after dark, when he

unfortunately mistook the signal light down the river for one usually placed on the Flint shore ; which attracted him to a very perilous situation ; for, sitting unconcerned between his panniers, his horse went down the centre of the Dee, until he got opposite to Gayton, before the rider was aware of his danger ; which being suddenly convinced of, he uttered the most pitiable cries of distress, which were soon heard by the people at Parkgate but, had it not been for the strenuous representation of two ladies who were staying at the assembly house, not a single boatman would have had the humanity to have rescued this poor helpless sufferer from a watery grave. It should, however, be made known that Mr Edwards, who keeps the assembly house, immediately offered to go with lights in search of him, and did prevail upon **Gill**, a boatman, and two boys to accompany him. These four, at the risk of their lives, after going two or three miles and wading through several deep gutters formed by the coming tide, at last discovered the shoe marks of the horse upon the sands, and providentially came up to the exhausted old man, just before the water was beginning to float himself and his horse. They found him lying with his face along the neck of the horse, too weak to cry aloud, but imploring the mercy of the Almighty, previous to his meeting the fate he thought himself doomed to meet. They seized the bridle, and soon brought him safe ashore to Parkgate, which by the help of cordials he soon revived, and was furnished with a bed for the night, to return safe home the following morning. A subscription was immediately very properly suggested to reward those who so cheerfully manifested such a laudable willingness to rescue this poor individual, which they certainly did at the hazard of their lives ; for had they not succeeded at the critical moment, in ten minutes the tide would have overwhelmed the whole party.

36 31 March 1820

Cheshire Spring Assize

The Commission for holding the Spring Session for this county will be opened on Wednesday next before the Hon Chas Warren and Samuel Marshall, his Majesty's Justices. Includes the following prisoners :-

Thomas Dutton, aged 42, a boatman from Runcorn, for stealing four one pound Bank of England notes.

37 2 September 1825

Cheshire Assizes

STEALING ON A CANAL **WILLIAM NIELD** and **MARGARET PEARSON** were indicted for stealing a quantity of wine from a boat lying near Dunham Massey, the property of Messrs Kenworthy and Holts ; and **BETTY FARNWORTH**, aged 47, for receiving the same, knowing it to be stolen.

Mr Hill said that Messrs Kenworthy and Holts were extensive carriers by water between London and the North of England. Great depredations had frequently been committed on the line of the canal, and the parties frequently evaded detection. The prisoner Nield was a servant of William Woodhouse, who was not in custody. On the 11th of March last, three pipes of wine were sent by a house in London, addressed to Colonel Beaumont of Wakefield. The boat which contained them arrived on the 16th of March at a bridge near Dunham Massey, and close to Farnworth's house. Farnworth himself had not been indicted, because it could not be proved that he had any knowledge of the transaction. It happened that Joseph Randles, an Excise Officer, was near to the spot, and seeing Margaret Pearson on the bridge, apparently watching, his suspicions were excited, and the Attorney General, in this stage, would tell the Jury that if a person is placed on the watch whilst others commit a felony, he or she is equally guilty with the principals. Randles directed his attention to the boat, and saw three men take a cask and an earthen jar from it towards Farnworth's house, who run out to receive them, observing to them, "Don't bring any more, for there's the Exciseman", alluding to Randles, whom she had seen. Nield was one of the party. Mr Hill said he should prove that the wine had been taken from the casks, and after this he thought there would be little difficulty in finding the prisoners guilty of the offence alleged against them.

Joseph Randles, examined by Mr Ashworth : Pray, sir, are you Mr Joseph Randles, an Excise Officer? No sir, I am not ; I am Joseph Randles. But you are an Excise Officer? Yes, sir, I am. Then why did you not say so. Describe the particulars of what you saw. The boat was numbered

17. I saw Pearson on the bridge looking towards where the boat lay. I observed three men in the boat. One of them drew up the tarpaulin and took out a small cask, and gave it to another man in Farnworth's garden. He took a small earthen bottle out of the boat and gave it to another man. It might be 30 or 40 yards from the boat to the house. The cask and the bottle were carried into the garden and put down near Edward Farnworth's door. Before they came to the door, I saw the old lady, Betty Farnworth, coming out, and meet the men, and said apparently in a low tone of voice, "Don't bring any more, there is the Exciseman". I went to Mrs Farnworth and asked what she had got there? She said she did not know. I examined the earthen bottle and tasted it – it was white wine. I can't possibly say whether it was sherry or madeira. I then took the bung from the cask, and tasted it. But I first asked Mrs Farnworth to lend me a small cup, which she did. This was red port. I took samples of both the wines ; I then seized them. I did not bring them here, because I did not think I had anything to do with them ; they are in the hands of the Excise, and are condemned. (Witness produced the samples, which were sealed in the presence of the Magistrates).

Cross-examined by Mr Williams : Does not the road near Farnworth's house lead to Warrington? No, I've nothing to do with Warrington. Were you plain to be seen over the bridge that day? Why, it seems so. Especially by the young woman? Why, there's no doubt of it. I perceive, Mr Exciseman, they're all upon the *run* with you, and so the old lady RUN? No, she walked sometimes. (Chief Justice : We'll call her not "Old Lady" but "Betty Pearson".) The old woman appeared not to enjoy good health. I did not know she was just recovering from a bad fever. You say the prisoner Pearson was on the watch? I said she appeared to be on the bridge. Then you never, good Mr Exciseman, saw anyone on the bridge but what was watching? Yes, I have ; I have been there myself. And what were you doing, praying, eh? No, Sir, I've been looking about me. Are not boats continually passing along the canal? No doubt. To be sure ; it's the Grand Canal of the Duke of Bridgewater, is it not? I don't know whether it is *grand* or not. Did you find any other jars aboard the boat? No. Did you not search the house of Mrs Farnworth? I don't know that it was searched. Come, sit, I'll have an answer, I see what you are? Aye, and I was going to say I see what you are. What did you go there for? I'll tell you. Then out with it. I saw a small track leading from the kitchen, and so as I would not lose the certainty for the uncertainty, I merely went to see what it was. Did you see anything further on board the boat? What boat? What boat! Why are you such an ass as not to know we were only talking of what boat? I am not an ass, Sir. What was on board the boat? Why, the pipes of wine. Were there no other jars? Yes, there were the pipes. What are pipes, jars? No, they're casks if you're pleased to call them so.

Cross-examined by Mr Temple : I have no acquaintance with boatmen ; I knew none of the men before. There might be a horse to the boat for what I know. The whole transaction might have lasted half an hour. The horse was on the opposite side of the canal to which the house was.

Henry Pickstock, clerk to Kenworthy and Holts, spoke as to the transit of the wine, and the loss. He examined the boat, No 17, which **Woodhouse** had in his care. There were three casks of wine on board, one of port and two others ; one sherry and the other madeira. They were directed to Colonel Beaumont of Wakefield. There was a deficiency of 8lb in the weight ; but he did not know whether they were full or not. (The three samples of wine were produced by the witness). The samples were given by Randles to Mr Kenworthy.

Randles was here recalled to prove that the samples he gave to Mr Kenworthy were got by him from Betty Farnworth's.

The Liverpool, Chester and Warrington concern, witness said, belonged exclusively to Mr Kenworthy. Mr Holts lives in London and Mr Kenworthy in Manchester.

An ingenious endeavour was made by the Counsel for the defence (and there were three, Messrs Williams, Jones and Temple) to disprove the partnership of Kenworthy and Holts – or rather they wished to show that it was not proved, but it failed. There were seven gallons and two quarts of wine missing altogether.

Mr Williams suggested there was no proof of a felony.

Chief Justice : I am quite of opinion there is abundant evidence to go to a jury.

Mr Williams : But would your Lordship hear me? There is nothing proved of the weight and

measure of the wine?

Chief Justice : That I shall state to the jury.

Mr Williams : Then, again, I think there is no proof of the partnership.

Chief Justice : That is satisfactorily proved in my judgement.

Mr Jones : Witness has never seen John Holt write.

Chief Justice : No, but he has acted as clerk for the firm generally.

Attorney General : It is all a case for the jury.

Mr Williams : Aye, all for the jury to be sure! Law and fact too! I submit the proof of the (????) is not complete, for the offence with which Pearson is charged, she is not proved to have anything to do with.

Mr Jones : There should be shown a diminution of the quantity by clear evidence.

Chief Justice : Certainly, and that will be for the jury to decide upon.

Nield was called on for his defence, but declined saying anything, as did the woman Pearson.

Betty Farnworth said that Woodhouse asked her for permission to leave the things there, and her house has been the place for leaving things for both neighbourhoods, as well as for Lord Stamford.

Witnesses to character were then called. It was stated that Nield's friends lived in Northamptonshire. Farnworth had an excellent character for honesty. Betty Farnworth had been out on bail, and surrendered herself for trial. One witness was asked, was he not a relation to Betty Farnworth? He said he was not. What! Did you not marry her daughter? Yes. And is that not being a relation? The witness here suddenly sunk down in a fit, and was carried out of court.

The Chief Justice said it was a most important case to the prisoners and the public, inasmuch, as if the prisoners Nield and Pearson were convicted, they would be liable to transportation for seven years, and if the elder woman was convicted, she would be liable to fourteen years transportation ; but in both cases, the period depended on the discretion of the court. His Lordship then proceeded to detail the evidence, making such observations upon it as the nature of the case, and the circumstances connected with it, demanded.

The Jury deliberated some time, and then gave a general verdict of Not Guilty.

38 2 September 1825

Cheshire Assizes

STEALING ON CANALS MOSES BRICE, a boatman, was indicted for stealing a quantity of hatter's wool from a boat on the Duke of Bridgewater's canal.

Mr Hill said, cases like the present were generally very difficult to be proved, but he thought the evidence he should now adduce would obviate any difficulty. On the 16th April last, a person named Tate packed up 36 bundles of fur from the house of Messrs Okey and Co of London. They were forwarded by one of Messrs Pickford's boats to Manchester, to go to Stockport. The boat arrived near Oughtrington Bridge, and it happened fortunately at the moment that Baguley, a constable, was close to it at the time, in a plantation at the back of the Canal. Soon afterwards, he observed the prisoner go to the fore deck of the boat and take something out of a parcel, which he put under his arm, and proceeded to the house of a person named Wootten ; he returned from there, and went down a bye lane towards a brook, and came back again without the parcel. He then overtook the boat again at Grantham Bridge. This excited the suspicion of the constable, and he went down the lane, and when he arrived at the brook, he saw two parcels floating on it. They were, however, little wet. When the boat arrived in Manchester, the parcels were missed ; and the question for the consideration of the jury would be whether the prisoner was the man who stole them? The removal with intent to steal constituted the crime, and it did not matter what became of the property afterwards.

William Tate, in the employ of Messrs Okey and Co of London, proved the picking up of 36 papers of fur and wool.

Benjamin Oldfield, clerk at Messrs Pickford's, Manchester, proved that only 34 packages were received there, and the upper bundle appeared as if some papers had been withdrawn from it.

Baguley, the constable, confirmed what was stated by the Attorney General in his opening to the jury. When he brought the prisoner to Chester Castle, he said to witness, that he supposed he had

got the worst then, but the worst man was behind.

The prisoner, when asked for his defence, observed that it was no use saying anything.

GUILTY

The Chief Justice said this was an offence of Grand Larceny, and was a breach of trust on the part of the prisoner, who was employed as a boatman by Messrs Pickford. Property on canals must be protected ; and it was very probable that the expression made use of by the prisoner to the constable might be correct, as to the worst man being yet behind, for there would be less thieves if there were no receivers. If that worst man were here, he would have a double portion of punishment. To be transported for seven years.

Prisoner, with much hardened effrontery, - "Thank you, my Lord".

39 28 October 1825 Denbighshire Quarter Sessions

Rex on the prosecution of Mrs Charlotte M Biddulph, widow, against **John Higgins** of the parish of Chirk, boatman. John Higgins was convicted under the 57th George 3d chap 90 for going armed with two other persons unknown on the night of the 22nd of September last, in a plantation of Mrs Biddulph of Chirk Castle, with an intent to destroy game. Mr Williams, the agent of Mrs Biddulph, informed the court that it was not the wish of the prosecutrix to be severe with the prisoner, but only that others might know that it was illegal to go armed at night for the destruction of game, and prevent similar occurrences in future, and he begged in the name of the prosecutrix to recommend him to the mercy of the court. Sentence 3 months imprisonment in Ruthin gaol to hard labour.

40 9 December 1825 Marriages

On the 2nd inst at Llandisilio, Anglesea, by the Rev David Griffydh, **Mr John Rowlands**, boatman at Bangor Ferry to Mrs Jane Lloyd of the Steam Packet Tavern, of the same place.

41 7 July 1826 The Court for relief of insolvent debtors

The Petitions and Schedules of the prisoners hereinafter named (the same having been filed in the Court) are appointed to be heard as follows, at the Court House, in and for the city of Chester, on the 31st day of July 1826, at the hour of nine in the morning.

JOB HULSE late of Helsby in the county of Chester, flatman, formerly of Ince in the said county, victualler, keeper of the Ferry House, and Coal and Potato Dealer,

42 29 December 1826

STREET ROBBERY Another daring street robbery was perpetrated on Saturday evening last in this city, and we are sorry to say, with impunity. A poor woman, the wife of a flatman named **Williamson**, was going over the bridge, with an infant child in her arms and a basket on her head, containing amongst other things her husband's wages which she had just before received, amounting to about eighteen shillings and sixpence, when a man snatched the basket from her head and ran off. She shrieked, "Murder", and several persons went to her assistance, but owing to the darkness of the night, the villain escaped.

43 21 September 1827 Lancaster Assize

NISI PRIUS – MONDAY SEPTEMBER 10

THE MERSEY AND IRWELL NAVIGATION COMPANY

THE KING v GRIMSHAW AND OTHERS This was an indictment against the Company of Proprietors of the Mersey and Irwell Navigation for a nuisance, arising out of a diversion of the River Mersey, by cutting a canal and feeding the same with troughs from the River Mersey, whereby sandbanks were formed in the bed of the river, and the navigation thereof greatly injured.

When the special jury list was called over, the following gentlemen answered to their names:-

Fryer Preston Park of Highfield Esq

Henry Parker of Whittingham, Esq

James Kearsley of Hulton Esq

Peter Hesketh of Thornton Esq
Thomas Openshaw of Bury, merchant
John Railton of Broughton, merchant
Robert Andrews of Rivington, merchant
James Anderton of Duxbury, merchant
Francis Dixon of Rusholme, merchant
William Taylor of Moseley Street, Manchester, merchant
Charles Kenyon of Bury, manufacturer
James Lomax of Elton, bleacher

The prosecution was at the instance of the Corporation of Liverpool. For the prosecution, Mr Brougham, Mr Pattison, Mr Clarke and Mr Crompton. For the defendants, Mr Attorney General, Mr Sergeant Cross, Mr J Williams, Mr J Parke, Mr Raincock, Mr Alderson, Mr Coltman and Mr Tomlinson.

Mr Crompton opened the indictment. The defendants pleaded the general issue.

Mr Brougham said that the Corporation of Liverpool, whom he had the honour to represent on this occasion, in their capacity of conservators of the harbour and navigation of the Mersey and owners of the port of Liverpool, had deemed it their duty, partly in consequence of information which had reached them through their servants, but principally in consequence of a suggestion from the highest law authority in the country given in certain proceedings in the Court of Chancery, to institute a prosecution which brought this case before them for trial. He believed and hoped that the facts connected with the case were well known to many of the gentlemen of the jury ; yet it would nonetheless be his duty to explain to them as if they were altogether ignorant of the subject. He need hardly inform them that the navigation of the Mersey, which was subservient to the most important purposes connected with the trade and navigation of this country, and which in particular was the life and mainspring of the great trading town of Liverpool, was peculiarly unhappily situated in one or two most important respects. Large sand banks were spread towards the mouth of the river, through which only narrow channels were left for the navigation, and there was a tendency towards an accumulation of matter, both within the river and at its mouth, which threatened most materially to impede its navigation. A river so situated was naturally the object of the most watchful and jealous care on the part of all who were interested in its commerce, and most especially was it the object of jealousy to the Corporation of Liverpool, whether they were considered as the conservators and owners of the navigation, or only interested in the traffic of their own town. The way in which any channel, whether of river or of an estuary in which that river terminated, or of a harbour, was kept clear, deep and prevented from choking up, was that which it was especially necessary for the jury to attend to. First of all, the channel was cleansed or scoured by the various rivulets and rills which flowed into it from the land side, but when the river was situated so near the sea as to be effected by the flow of the tide – the force of the tide was a most important agent in carrying off into the sea the sand and other materials brought down by the river. If the deposits made by the rivulet should increase into banks of considerable size, this would not only lessen the land scour, but also diminish the scouring force of the tide. The jury would, therefore, perceive that, in proportion to the width and capacity of the river within to receive the flood from the sea, must be the force of the ebb or reflux by which the deposit was carried off. Suppose that a river were near its mouth a quarter of a mile over, and that afterwards it opened out to a greater width, the dimensions of the river above were very important because, according to the quantity of water admitted into it on the flow of the tide, must be the scouring force of the ebb – suppose, then, anything were to narrow that channel, the scouring force of the ebb tide would be manifestly the effect of any embankment diminishing the space over which the tide flowed, but the same effect was as certainly produced by the nuisance of which he had in the present instance to complain.

The defendants, who were the officers and servants of the Mersey and Irwell Navigation Company, obtained power as early as the 7th Geo I to make the river navigable, and for eighty years they acted in conformity with this object, although they had made a canal, the legality of which, within the

provisions of their act, was much more than doubtful. From Latchford Lock to Runcorn they had cut a canal 7 miles and three quarters in length, the windings of the river being 15 miles between these points. Of that, however, he did not at present complain ; but he begged to call their attention to what took place four or five years ago. Some mischief had been produced by their first invasion, but that was so slight and gradual as scarcely to be perceptible for a number of years. The present nuisance, however, had produced very manifest effects in the short space of two or three years, and was now evidently working the destruction and choking up the navigation stream. The learned gentlemen here, referring to the plan which he had laid before the jury, explained the nature of the nuisance of which he complained. This consisted in a new feeder, a mile and a half in length, two and a half yards wide, by which he said five or six thousand tons of water were conveyed from the river above Woolston weir, into the canal extending from Latchford Lock to Runcorn. He had himself, when walking over the place the preceding day, calculated the quantity of water which would be discharged, by taking the dimensions of the cut, and the rapidity of the stream flowing through it ; and he found that his estimate very closely agreed with the more certain calculation of the engineers, who had carefully gauged it. He explained that there existed near this place an old feeder, erected in the year 1806, which however could not convey more than half the quantity of water carried off by the new feeder. The old feeder had been mischievous, but its injurious effects had manifested themselves by such imperceptible degrees, that no objection was made to it. The mischief had, however, even under the old feeder, arrived at such a height that a very little increase rendered it insupportable. The learned counsel then proceeded to detail the evidence by which he should establish the fact that most injurious consequences had already resulted in the navigation of the river from the nuisance of which he complained, and then alluded to the Chancery suit before the late Lord Chancellor Eldon, when that most eminent attorney used the following language, "If a case is made out in which it is probable that a permanent, lasting, irremediable injury might be done to the tideway, or the navigation of this river (provided that circumstance is made out in point of fact), that must weigh considerably with respect to the question as to time. The act of parliament certainly gives authority to the company to do whatever is necessary or convenient, but it does not leave that to their discretion, because what they do, whether necessary or convenient, is matter of fact examinable. This act of parliament gives power to navigate on the Mersey and Irwell, but if this canal is no part of the Mersey and Irwell, the question is whether the canal is protected at all by the act". The learned gentleman (Mr Brougham) called upon the jury to exercise the most zealous and rigid watchfulness over the nuisance complained of. He should prove by evidence all the facts which he had mentioned ; he should call scientific men to show what would be the natural consequence of the nuisance, and should follow that up by calling practical men, to show that, by the nuisance complained of, the navigation of this great river had, day by day, and year by year, been injured.

Mr James Statham examined by Mr Clarke : I am solicitor to the Corporation of Liverpool ; I went to the works in question on the 7th day of December last ; I had three troughs measured, the three together were ten feet three inches broad ; I saw Mr Rolls there, he was regulating the running of the water ; I was there five hours ; the water was running very rapidly, and the troughs were quite full ; after I had seen them, I returned to Liverpool ; I believe the water was flowing all the time I was there ; I reported what I had seen to one of the finance committee of the corporation ; I went again on the 14th and examined the troughs, the water was then running ; I went again on the 2nd and 9th of January ; I attempted to try the rapidity of the water by a float as I had been instructed ; John Rolls the elder was there and immediately put down the paddles ; I was there on the 23rd of January, I was on the towing path, a man came up and said I must not walk there, and went off ; I was afterwards going over the feeder and was prevented by John Rolls the younger ; I went again on the 8th of March, but it was impossible to see the running of the water, except by the dropping, the troughs were covered with bushes, and there were boards up ; John Rolls the elder and younger came up and used very abusive language ; I resented it, and returned to Liverpool. By the Attorney General : At the time I went down in December, I had indicted them for the works at Runcorn ; the bill was thrown out at Chester ; I then prepared a bill at the Quarter Sessions here ; the works at

Runcorn first called the attention of the corporation ; the pier is a projection into the river, the basin was an inclosure ; the great proportion of the trade between Liverpool and Manchester is carried on by the rivers Mersey and Irwell to the amount of many millions, perhaps fifteen or twenty millions in a year ; if the river is not stopped up vessels may, when the works at Runcorn are completed, come from the sea direct to the basin ; some of the corporation are undoubtedly shareholders in the Liverpool and Manchester rail road ; I don't know that any of them have got shares since this indictment ; I had five shares myself, but for particular reasons I gave them up ; since the making of the Latchford cut, the trade between Manchester and Liverpool has much increased ; I know nothing of the Woolston weir of my own knowledge. By Mr Brougham : The new Woolston cut was made in 1803 ; not one that promote this prosecution have shares in the Manchester and Liverpool railway that I know of ; there were five surveyors employed, and their opinions were acted upon by the corporation.

John Peers : I was in the employ of the Mersey and Irwell Company about 17 years ; my business was to take care of the Woolston Lock ; there was a feeder from the river ; it was an iron pipe at first; it was about seventeen inches in diameter ; from the increase in trade it would not supply the canal with sufficient water, and wooden troughs were placed across the river ; the new feeder was put up in 1821 ; I frequently saw the new feeder for 18 months after it was open ; they were short of water and it was convenient to the new lock cut ; when first I was employed there, there was about three or four flats passed a day ; we had a 3rd flat, and our wages increased from 8s to from 20s to 26s a week ; the trough was always running, at night as well as by day, unless on particular occasions. By Sir James Scarlett : The flats used to go through the old Woolston cut, which was inconvenient to the navigation ; the new cut was more convenient and from the increase of trade, more vessels came, and they lost on that account more water ; the water went back into the river.

Francis Giles : I have been a civil engineer for 21 years ; I practised under the the late Mr Rennie until he died ; I have lately been employed by the corporation to survey the navigation of the river Mersey ; my first survey of the Mersey was in the year 1819 ; my last survey was in July last ; I am intimately acquainted with the river from the outside of the sea banks up to the Woolston cut, and from the entrance up to Black Rock ; two miles above Liverpool there is deep water, above three it is full of sand banks, and cannot be navigated until the water is a considerable height ; according to my experience, the sand banks are formed from want of back water to scour them away ; there is a deposit occasioned by the rivers from inland, that is not rid of by the water that comes down from above ; a reduction in the quantity of water will cause alluvial matter to lodge where it is first met, and will be most where the water is broad and shallow, and will create banks in the river which, as a matter of course, would injure the navigation ; the best scourer would be the tidal water, and its power would be increased by the quantity that could be got at the higher parts ; any increase must be injurious to the scouring power ; the scouring power to that river is of the utmost importance, and the land power also ; the water, high up, was of the greatest importance from its acting on the bed of the river when the tide was running out ; I have examined the works lately made at Paddington lock ; I have measured the area of the troughs and the velocity of the water ; the least quantity that could pass through the three troughs would be 100,000 tons in twenty four hours, at the rate of 185 tons per minute ; the width of the feeder is about eleven feet, the troughs carry the water into the feeder ; if two additional troughs that I saw at the works were added, there would be an increase of about 30,000 tons per hour ; I have seen an old trough at Rolls's ; if that one was used, the delivery of water at the same velocity would be, together with the iron pipe, which is what Peers has spoken to, less than one half of what is now used, I am of opinion that it would be about one third ; it is very difficult to calculate the precise effect that any quantity of water abstracted, and particularly such a quantity as this, would have upon the bed of the river, but it would be a very material effect ; I think the effect would be perceptible, and I think that I have discovered such effect already ; before examining the works, that was decidedly my opinion ; in 1821, with my assistants, I surveyed the river ; the average quantity of water between Runcorn and Warrington Bridge was in 1821 about ten millions one third tons ; in the course of this year I have again taken the levels, and find it about half a million less ; in April last, when I surveyed, there had been a

fresh; in my opinion, this diminution of water, at spring tide, would reduce the scouring and be injurious to the navigation of the river. My attention was particularly directed to Richmond Bank ; I have ascertained that the height of the bank was greater than when I first surveyed it ; Pendreth Bank is also increased ; Richmond Bank has increased about sixteen or eighteen inches ; from Bank Quay to Hilton Point, there is a decrease of 316 thousand cubic yards of water, and consequently more bank ; that quantity of water is about 230 thousand tons ; I should think that if the water was continued to be abstracted, as it is now, there might not be an increase of bank, but I could say, positively, that it would be so ; a dry summer would, no doubt, add to the effect ; the salt marsh had decidedly increased before the dry summers, that is between Runcorn and Halton Point and, therefore, between Runcorn and Bank Quay ; it was in 1819 that I saw there was then tufted grass there, but there is now a sward ; the outer end is now tufted and in process of becoming sward ; it is not now flowed over by the tidal water as it was then ; my opinion is, that any abstraction of water must be injurious to the navigation of the river ; the channel below Runcorn will, no doubt, be affected by the want of the water ; each time a vessel is locked, so many tons is thrown into the river ; about 216 tons each vessel, from six to seven thousand tons for thirty vessels ; that quantity I have not deducted from my general estimate ; if three times as many vessels lock at Latchford (say thirty vessels), the water returned to the river will be four thousand tons more than when ten vessels passed ; the paddles are taken up to scour out the mouth of the canal, but the sand scoured out does not reach the mouth of the river, being let out at low water, the tide reaches it before it can get there (to the mouth of the river) and washes it back again. By Sir James Scarlett : I never saw an old map of the river in possession of the corporation, with the soundings marked ; I have seen the map that you now have, but there is only one sounding marked on that ; I am of opinion that the river, in the upper part, is cleansed chiefly by the freshes in the winter ; I believe the freshes in the winter make great changes in the channel ; it becomes deep in some places, where it was shallow before, and the contrary ; a quarter of an inch difference in the levels would, at spring tides, make about a difference of 60,000 tons of water ; I take my datum from Liverpool dock gates ; I cannot say that the tides were the same at the various periods that I have alluded to, but that has nothing to do with my calculation, taking my datum as I have stated ; I was the projector of the large bridge at Runcorn; the corporation had nothing to do with that project, it was my own idea ; I am of opinion that the springs have not yet resumed their usual flow, so as to be the same they were before the dry summer of 1826 ; there has been taken from the river for the forming of the two new docks at Liverpool, I think about 80 acres, including the quay ; all the docks and the quays together, including the improvements intended to be made, include 285 acres, I think ; the last projected dock, Prince's Dock, projects into the river about a furlong; the whole width of the river there is about 4 furlongs and three quarters ; I have no doubt but any erection would be an injury to the river; I have no doubt that the works have affected Plackington Bank, and below that, but not the upper part of the river ; I have no doubt but the cuts facilitate the transmission of goods and greatly benefit the port of Liverpool ; there would be no injury done to the navigation, if they were allowed to make a basin, filling it with the flood tides, and pumping it into the canal as wanted ; the basin might be made in the river, below Warrington, and so as to admit any number of vessels with the tide ; that would be beneficial to the trade ; I have not observed that there are any springs that now flow into the river that used to flow into the old feeder ; the Sankey Canal, I am told, is one of the oldest in the kingdom ; the cut certainly has been effected at very great expense ; I do think that it is of great advantage to the trade of Manchester and Liverpool, and a public improvement, as it affects their trade ; I have never known anybody attempt to navigate under the troughs ; that cannot be done now without shifting the stakes; in consequence of the Latchford cut, there is less necessity to keep up the head of the river at the Mersey Mill ; the miller, I have understood, has added to the number of stones of his mill. By Mr Brougham : I do not consider the cut an improvement to the navigation of the river Mersey between Runcorn and Warrington ; it is contrary to an improvement in the Sankey Canal, to the Bank Quay and to the Warrington trade ; by making a reservoir below Runcorn, the same advantages might have been gained to the public, without injuring the navigation of the Mersey and Irwell. By Mr Baron Hullock : He did not think that the docks at Liverpool

prevented as much water flowing upward as if they were not there, because the velocity there is greatly increased. By Mr Brougham : There is now 516 cubic yards less water between Halton Point and Bank Quay than there was before, from his actual measurement.

Thomas Albiston lives at Warrington : I am 65 years of age in November next ; before I went to sea, I lived in Bank Quay ; I live near the same spot now ; I have fished some little there ; there was a very good current there at low water to what there is now ; it was navigable for flats ; they could turn ; they cannot turn now ; the banks are higher now than they were formerly, by slush and sand left by the tide ; between Warrington Church and Mersey Mill, there used to be three foot of water ; last week I saw it, and there was only twenty inches ; the weir is very dry now ; it is much drier than formerly ; I ascribe it to the dryness of the weather ; the new feeder may have had some effect upon the river.

Thomas Baker is 63 years of age, has been flatman and fisherman more than 40 years ; he used to go by Fiddler's Ferry from Liverpool to Manchester, and so by Bank Quay ; at that time, at the Ferry Bar, at low water, there was 18 inches of water, now there is not water for a boat drawing nine inches, Two or three flats used, 30 years ago, to come down abreast. I don't think they could 10 years ago ; they cannot do it now ; I never knew the water so shallow as now. By Mr Attorney General : I can't say there's any difference in the water in Fiddler's Ferry occasioned by the Sankey Canal. There's a deal more flats on the river now.

Peter Robinson : A flat drawing five feet of water could get up at 15 feet tide ; they cannot now get up under 16. They ground now sooner than before ; they are apt to be neaped longer. By Mr J Williams : I have known the navigation about 10 years. They have this summer and last been worse neaped than ever. There is a particular hole in the wall at Litton's mill, and when the water is up to that, the flatmen could get up, and can now. It would not come to that hole except upon a good fair 10 feet tide. It would not reach that hole at neap tide. By Mr Brougham : I meant 16 feet tide at Liverpool. They want a greater tide now than before to get up.

John Atherton stated, that at the place he bathed formerly, there was 4 feet water, now there is only about 2 feet. At the bottom of the Bank Quay, the river is narrower than it was formerly. Mr Attorney General examined the witness, to show that the channel changed from one side of the river to the other.

John Ellison : I am 56 years of age. I was acquainted with the river in my youth. I was then on board a coaster ; she sailed to Fiddler's Ferry, to Runcorn and to Frodsham. At Warrington bridge, at common spring tide, it flowed a foot, it does not now break the water at all, it scarcely shows itself. I was there in February last ; there was a spring tide of 18 feet 9 inches ; but the tide only rose 4 inches. It has been at spring tides from 18 inches to 2 feet a head, I walked to Runcorn Bridge lately. I observed the sand banks ; they are increased lately, and the bed of the river has risen altogether ; there is not the same sea room in the river as formerly ; in every place, it is alike reduced. By the Attorney General : I found a wooden bridge instead of a stone one when I returned from sea. There were four arches in my old friend the stone bridge, now there are only two, and a pillar in the middle. It now gets along quietly and gently ; it used to foam and make a rush and noise.

John Hill stated that they must now have a depth of 6 feet 3 to go up to Bank Quay ; they used to go with 5 feet 3. The sand banks and sludge banks had increased much of late years. By the Attorney General : He knew that the piles of Warrington bridge obstructed the tide. The tide rose there now the same as ever. A dry summer was against the river very much. The freshes will sometimes widen the river ; the last injured the river very much, and sometimes increased and at others decreased the banks.

Thomas Clare examined : The navigation between Runcorn and Fidler's Ferry has for the last four years been much worse ; they could, by the tide board, go at a 4 and a half feet tide, now they required a 6 feet tide. Cross-examined : At every neap tide the flats used to ground, they did so now. But all the vessels that go to Manchester need not be neaped, unless they pleased ; they all go by the canal ; they can go at any time, and go in about two days.

Stephen Gerrard examined : He had gone all his life from Liverpool to Fidler's Ferry. The

navigation of the river has been ever growing worse. During the last 6 or 7 years there have been more banks, and no regular channels. They could not go as quick, the deeps are so much narrower. There was not as much water came down at ebb tide as there used to be. By the Attorney General : He had been in Chester gaol. He knew nothing about Prince's Dock. He knew Pluckington Bank, that had increased, he knew no other near Liverpool. He did not know the cause of the floods not flowing so rapidly. By Mr Brougham : They cannot get by the river navigation to Sankey as conveniently as they used to do. I was at Chester, for being on the King's highway on my own business.

Thomas Williamson examined : Had been a captain. About 8 years ago, to carry up a vessel to Bank Quay it required 4 feet and a half of water, the same vessel would not go up now under 15 feet and a half, the banks have so much increased, and the water ??????.

Isaac Hunt stated that the water that runs at the ebb of the tide cleanses the bed of the river. He confirmed the preceding evidence.

----- Occlshell is in the employ of Mr Dumbell at the Mersey Mill. Formerly, at low water, when we could see the post opposite, we could drive 14 pair of stones, or from that to 16 pair ; at the same time of tide now, they could only drive about 6 pair. He did not attribute this wholly to the feeder ; he thought the feeders made a difference of about four pair of stones. Between the mills and the Warrington bridge, the river is nearly grown up. By Mr Attorney General : He was the servant of Mr Dumbell, he did not draw off the water of the mill, when he saw the gentleman of the jury coming up to the view on Monday last ; Mr Dumbell had no quarrel with the company, on account of the dam boards ; he had been directed by Mr Dumbell to assist the corporation all he could ; it was Mr Dumbell's interest to do so ; he did not, on that account, draw off the water, neither did he believe that any of the men did ; they did draw as much water as they could, if they had not so done, they would not have done their duty ; the river is generally lower on Monday, but it was not so on the day that the jury came to take the view ; he believed that the river was higher, on account of the company not having drawn so much water off by the feeders. By Mr Brougham : There is a great deal less water in the river than there was six or seven years ago, and when the spring tides come up, the water is clouded with mud.

George Pickup examined : Is acquainted with the river between Warrington and Hawley lock ; the state of the river has been much shallower on the Lancashire side within the last six or seven years ; a flat, drawing two feet of water, could not get up now.

Thomas Atherton : Was employed at the Mersey mill 6 or 7 years since, they had always plenty of water, they had twenty pair of stones, and they could work them all ; six pair out of twenty four, that were formerly worked, could not work for want of water. By the Attorney General : They don't do so much work now as they did ; that was not because the master was in prison. By Mr Brougham : They were obliged to turn on all the water they could ; they did not draw off one drop more on account of the jury coming.

John Birchall, stone dresser at the mill, knew the river ; the banks were higher and the water shallower, he had only been at the mill a short time.

James Walker, civil engineer : Was acquainted with the Mersey, he had made several surveys of it ; he thought that any quantity of water taken from the river was in principle injurious, but so large a quantity must have been highly injurious, and make a sensible difference on the river, particularly in the summer months, when the scouring of the river is most necessary ; The deposit would always fall where there was the least velocity, and there banks would be formed ; he generally concurred with Mr Giles in the evidence he had given. By Mr Attorney General : He first surveyed the Mersey in 1825 ; he was not acquainted with the river before the formation of the Corporation Docks ; he thought that in the construction of these docks they were injurious to the port of Liverpool, below the works, as it regarded the navigation of the river, and were a nuisance ; they had a tendency to produce sand banks ; the narrowing of the river has not formed any bar above or below on account of the increased velocity ; he did not agree with Mr Giles that notwithstanding the narrowing of the river there, the same quantity of water flowed up the river. In that point he differed with Mr Giles ; there is a sea wall made, which tends to narrow the river, but there were

works as far out as that is fifty years ago ; he thought from the calculation he had made that the feeders took one half of the waters of the Irwell ; as it regards the communication between Liverpool and Manchester, notwithstanding that the Woolston cut rendered that part of the river unnavigable, yet it was a great public benefit. [The witness gave a very long detail of the effects that in his opinion were likely to be produced, and gave his reasons scientifically for the same]. By Mr Brougham : The spring tides for the summer scour is what is looked to ; if the Prince's Dock affected the scourer below, he did not think that it would have any sensibly injurious effect above.

George Rennie, civil engineer, surveyed the Mersey in 1826, from the mouth to the Woolston lock ; in his opinion the maintaining of the channels of the river depended upon the quantity of water that ebbed and flowed ; in an ideal river it was necessary that all the water possible should ebb for the purpose of scouring the river of the deposits brought down from the land freshes ; he thought the abstraction of water had materially contributed in the changes that had taken place, but he could not calculate the exact extent ; he thought the same purposes might be effected by forming a reservoir, to be filled at high water, or by pumping at high water.

Robert Stephenson, examined by Mr Crompton : He generally agreed with the opinions of the engineers examined. By the Attorney General : He did not know what effect a dry summer would have upon the river ; he could not mention any point in which he disagreed with the other civil engineers that had been examined.

William Chadwell Milne : Had heard the opinions of the other gentlemen, and agreed with them, except when flats were aground, he thought they were injurious, but when afloat, they made no difference ; he thought the feeder took away the greater portion of the water of the river Irwell. By the Attorney General : Mr Walker, Mr Stephenson and himself surveyed together, and their comparisons of the quantity of water taken by the troughs from the Irwell, was as they computed the quantity of water that the Irwell contained above Manchester.

This was the case for the prosecution, and being then nearly dark, after a short conversation, it was agreed to adjourn until the next day.

TUESDAY, SECOND DAY

Mr Statham called : The first indictment was in October 1826 ; the proceedings in Chancery commenced in November last. There were two proceedings in Chancery. The objection there stated was that the cutting away the lock which projected into the river would tend to divert the channel from the Cheshire side. The last proceeding in Chancery was after the indictment was found. By Mr Brougham : The injunction was dissolved in consequence of what fell from the Lord Chancellor. By the Attorney General : The information was for cutting away the rocks on the opposite side. And that the channel would be thrown from the Duke of Bridgewater's canal, on the Cheshire side, to the Lancashire side, which would be injurious to the Duke of Bridgewater's works, and to the river Weaver. The trustees of the Duke of Bridgewater's canal made no affidavits.

The Attorney General then proceeded to address the jury in a speech which lasted more than three hours and a half. Of course we can give but a very brief outline of it ; but shall preserve the principal points. He expressed the deep anxiety which the important interests committed to his care had excited in his mind. It was a case of the greatest magnitude, for the preservation of the navigation formed by his clients, affected individuals to the amount of millions, and was essentially important to the prosperity of Manchester, Liverpool, and a great commercial district. Mr Statham had asserted that there was no disposition on the part of the corporation to injure the Mersey and Irwell Company ; but certainly, if there had been a design to put down their navigation to favour the Bridgewater Canal and the intended railroad, it could not be more effectually promoted than by the measures attempted. The company was instituted as early as the reign of George I. They had formed the Latchford canal twenty four years ago, and no complaint had ever been made against it since its formation. When the company proceeded to form a wet dock and basin at Runcorn, they were complained against in Chancery, on the ground of the erections encroaching upon the tideway. This was heard for a week, and the injunction which had been obtained was dissolved ; but his learned friend had now cited an opinion of the Lord Chancellor, which he conceived made much for his case, as to the meaning of the Mersey and Irwell Navigation Act. The opinion of one whom he,

the Attorney General, had never either praised or assailed, might have been drawn from his lordship on a partial statement of the terms of the act itself, like that which they had heard yesterday ; and he would show that which his learned friend seemed not to know, namely, that the powers of that act had been judicially decided upon when the Latchford canal was first formed. It appeared that the corporation could occupy 250 acres or more of the tideway, and yet that any encroachments made by the Mersey and Irwell Company were to be sedulously guarded against, and they in particular ; for those of the Duke of Bridgewater were never indicted. And was it not strange that when the Mersey and Irwell Company began to excavate and cut away rocks on the Lancashire side of the river, thus giving more tideway by removing prominent and dangerous obstacles, and when they expected that for this, at least, they should be approved by Mr Giles and by the corporation, they were again proceeded against in chancery upon the ground that such removal of obstructions might change the current to the Lancashire side, to the injury of the Bridgewater and Weaver navigations, the trustees of which, however, were no parties to the suit. All the alterations which had been made were for the facilitation of commerce ; and of what use were navigable rivers, if there were no docks, no quays, and he might add, consequently, no ships? He did not deny that every obstruction if such were proved to exist, had a tendency to impede a tideway, but Mr Rennie would not swear to the effect actually produced by the works in question upon a single grain of sand. Mr Giles, too, would not assert that the mischief which he ascribed to the works would increase. It might be at its maximum already. He would ask, what ship had ever been prevented from passing – what actual impediment navigation had suffered? Instead of the ragged evidence which had shown some occasional delay, he would show, from owners of vessels, that infinite advantage had arisen from the rapid passage of vessels through the canal, instead of their being neaped by hundreds for a fortnight.

Mr Baron Hullock : That is not the proper view of the case. If the passage through to Bank Quay has been injured, it is no answer to show what the company had done elsewhere.

The Attorney General : But what has been done is under the authority of the act. If a bridge be built under such authority, where a ford was before, the owner of a heavy waggon cannot legally complain that he has to ascend the bridge instead of passing as before.

Mr Baron Hullock : Certainly, but that is a distinct substitution of a bridge for a ford. There is an original right of passage, toll free, to Bank Quay.

The Attorney General resumed : He would show that very great improvements to the navigation had been effected by the company. Parliament usually allowed cuts to be made in avoiding shallows or circuitous channels of rivers, and considered those cuts as parts of the river. The act under which the company proceeded, 7 Geo 1 c 15, empowered them to use the navigation, and to “clear, scour, open enlarge or straiten the said rivers Mersey and Irwell ; and to dig or cut the banks of the said rivers Mersey and Irwell : and to make any new cuts trenches or passages for water, in, upon or through the lands and grounds adjoining or near unto the said rivers Mersey and Irwell, or either of them, as shall be necessary and proper for the navigation and passage of boats, barges, lighters, and other vessels, or any ways necessary for the more convenient, easy and better carrying on and ending the said undertaking”. With respect to the legal construction of the act, it would only be necessary to state that when the Latchford canal was projected, the proprietors of the soil brought an action of trespass to try the case, and the whole merits were accordingly tried at Chester, before Lord Chief Justice Mansfield, by whom it was clearly decided that the act gave them power to form such canal, if necessary and convenient, on compensating the landowners, and the decision was never called in question, and the jury decided the fact that the canal was necessary and convenient. Was it not proof of the increased facilities arising from the canal that the tradesmen of Warrington (not one of whom had been called) preferred having their goods conveyed upon it, although they might have them toll free to Bank Quay, only half a mile from the town? Nor was there any of the owners of property called to prove injury sustained by them ; neither the proprietors of Bank Quay, nor of Fidler's Ferry (who were in court), nor of the St Helen's collieries, nor of the Northwich salt works, nor the owners of the flats navigating the rivers. This was a singular fact in a question of property. If the jury were indeed convinced that the company were answerable for injury done to

the river near the Sankey and Bank Quay, notwithstanding the powers of their act, still, had any damage been positively proved? He thought the evidence had left it very doubtful indeed, and his clients were, of course, entitled to the benefit of that doubtfulness. It would appear clearly from the evidence he would adduce that the navigation was not in the least injured and that, but for the late dry seasons, it would have been better than formerly. Besides, the supposed effect of the daily abstraction of (?20,000) tons of water could not be separated from the effects of the works of the Liverpool Corporation, of the Duke of Bridgewater, and of Sir Richard Brookes ; and he knew not why the corporation assumed the right of being the complainants. They had no act constituting them the conservators of the river.

Mr Baron Hullock : On the contrary – this act takes away any such right.

The Attorney General : Certainly, my lord. *We* are the conservators of the river ; and the corporation are gratuitously interfering ; their own works are nuisances, although we don't mean to indict them ; and as some of those works were completed only six or seven years ago, the effects ascribed to us may be produced by them.

He proceeded. Mr Rennie had said that if the locks were supplied from a reservoir filled only at high water, no injury would be done. Now this made a considerable deduction from the quantity said to be abstracted by the troughs ; for at high water every tide, the place of the water so abstracted was supplied by an equal quantity of tide water, flowing from an unlimited source ; and that which was taken into the locks was returned either at Latchford or at Runcorn. The only water lost to the upper part of the river was the latter, part of which was replaced by additional tidal water. Most of the engineers on the other side had only surveyed the river during the dry seasons, and he was sure, before the jury cast upon his clients a loss of £100,000, they would have satisfactory and undoubted evidence of mischief actually done and by the works in question. After commenting on some apparently conflicting parts of the evidence for the prosecution, he concluded by stating that he would call witnesses to prove the truth and justice of his view of the case, if the jury were not satisfied.

Mr Brougham thought this a most irregular mode of asking for a verdict in an imperfect state of the whole case.

The jury stated that they wished to hear further evidence on the subject.

The Attorney General then proceeded briefly to describe the evidence he should produce, and called the following witnesses :-

Arthur Gilbody, examined : I have been employed in the Mersey and Irwell navigation. I have been acquainted with its navigation 45 years ; the old Woolston cut was a great obstruction ; there was a bad entrance into and out of the old cut, and it was very bad to navigate. It was highly necessary to make the Latchford canal, on account of the great increase of trade ; it has increased more than three fold.

Mr Brougham : I will admit that, or any other point that I can, if that will shorten the case ; I have, I am sure, no wish to waste the time of the court.

Mr Attorney General : No, no, we want none of your admissions now, we will prove facts.

Examination continued : This canal is of the very greatest importance to Manchester and Liverpool. There are cuts also that go to Bolton, Bury, and other places, extending to different parts of Yorkshire. Between Runcorn and Warrington, every neap tide, some flats grounded for five, six, seven and even ten days. Many of them had valuable cargoes. The length of the navigation by the river is about fifteen miles. The flats were exposed to damage by storm, and to pillage particularly. The trade could not now be carried on without the canal. There was no supply or feeder formerly, now they are really indispensable. In consequence of the increase of traffic, the other trunks, in some measure, have become necessary. The Mersey was always very bad to navigate ; it was very awkward from being so very crooked and narrow. On that account the canal was of great public convenience. Upon an average, a vessel can go to Manchester in one day. In July, I went down the river from Latchford lock to Runcorn. I made accurate observations upon it. I was astonished to find the deeps so good as they were, after two dry summers ; they were rather narrow. Dry summers always made the river shoaler. I believe I never saw it better than it was in July last.

Peter Ford examined : I am agent to the Mersey and Irwell Navigation Company. The canal was supplied by a feeder two miles in length ; the old feeder was very awkward, it was crooked ; the new feeder is about one thousand yards ; the new Woolston cut leaves the river near where the water is backed up by the weir, and goes to Paddington lock ; it is much more convenient than the old cut ; the trunks are built upon piles, and there are three passages for water ; the water may run through one or two at a time, as they please ; the water is allowed to run through all the troughs eighteen hours out of the twenty four ; they are regulated as we want water ; they are most wanting water at flowing tides ; it is generally about high water when the vessels get to Runcorn ; that is the time when the water is the highest, and then we take the greatest quantity by the feeder ; the ebb is longer than the flow at Runcorn ; I can't say the difference ; at Latchford lock there is a waste which goes into the river if, by accident, too much water goes into the canal, it is conveyed by the waste into the river ; there are about thirty flats pass the Latchford lock every day from Latchford to Runcorn, they are generally two hours and a half in going ; in the course of the day there are about thirty locks of water returned into the river ; I am well acquainted with the river between Warrington and Fidler's Ferry ; I remember the building of Warrington Bridge ; when the Old Bridge was pulled down, the taking down the pillars reduced the depth of water ; the lock sill at Howley lock was lowered in consequence ; I have seen the river in such a state that boats could not pass ; vessels used to ground ; they grounded a little below Bank Quay reach ; I have seen them reefed for five or six days ; from that, coming up to Warrington, vessels have been detained for five or six days, and took the ground ; they can now, at all times, go from Liverpool to Runcorn in one tide ; from Liverpool to Latchford depends upon the state of the wind ; formerly two days was a short time to go to Warrington ; to Manchester a good passage was two days, the average was three or four days ; I have been from Warrington to Fidler's Ferry lately ; I found the river much better than I have known it for twenty years. By Mr Brougham : Some flats go up the old cut now ; the ebb I suppose is two hours more than the flow at Runcorn ; I am sure that the ebb is more than the flow ; seventeen or eighteen feet tide will be required to get up to the Mersey Mill ; the new feeder runs upon an average eighteen hours ; the old feeder continued ; where the ribs were put to it, it was about 22 inches deep and 5 feet 10 and a half inches in breadth ; the ribs made six inches difference ; I have often seen the old feeder lately, it does not run so very much in summer time ; I saw some water coming down ; it is dammed at one end to prevent the new feeder from communicating with it ; I think it was four or five inches deep in water, and about four or five feet wide ; there is undoubtedly grass growing upon it. By the Attorney General : One of the brooks that go into the old feeder comes from a mill above ; when the mill is not going the water does not come down ; we use the feeders in those eighteen hours in floodtide ; we return the water chiefly at Latchford at ebb tides ; sometimes we don't run (the feeders) at all ; the freshes are the things that scour the river.

Robert Brook examined : I am forty eight years of age, and live at Northwich ; I have known the Mersey more than thirty years ; I am a captain ; my vessel goes to St Helens for coals, and to Liverpool and to Northwich ; she carries 60 tons of salt, and draws 6 feet water, she carries 30 tons of coals and draws 4 feet 9 inches of water, from Fidler's Ferry to Weston Point, the river is now in as good a state as ever I remember, and the navigation between the Sankey Canal and Runcorn is much safer ; the Rose Rock has been levelled ; formerly vessels went round the Hempstone rock, which was a constant dread ; I have struck upon it ; I have lain upon the Rose rock ; the water at the entrance to the Sankey canal is as deep as ever ; I have had difficulty in getting over the sill of the Sankey canal, and have then gone over the Ferry bar, I mean the old Sankey lock ; the vessels are doubled in number that go up the Sankey canal ; the channels continually shift ; the freshes scour the river, but we have not had the freshes lately that we had formerly. By Mr Brougham : I know Ferryreach, the navigation there is much improved ; I can now sail with 4 inches less water, because the narrower the river the deeper the water ; on the Hempstone rock there is sand ; there is grass inside, about 12 yards out from the shore ; there is no grass further into the channel than the Hempstone rock ; I can't say how many acres of grass there are where the water runs, there is not a quarter of an acre, the channel is narrower. I have known a 17 feet tide flow 20 minutes ; if the wind and tide were the same, the tide would not spread so wide as formerly. By Mr Attorney

General : The channel now runs through the middle of the sand ; we can navigate near the Sankey canal at lower water than formerly ; we do in point of fact navigate vessels of greater burden than formerly, the flats have been increasing in size from Northwich for the last 8 or 9 years ; formerly 30 tons of coals were thought a large draught, but now they carry 40 and 45 tons ; the vessels all use the Sankey canal, and they can go up that part of the river to Runcorn. By Mr Brougham : When my vessel went to Sankey her draught was 5 feet 3 inches. By the Attorney General : The draught of the vessel that I have now draws about 4 feet 9 inches when loaded with coal ; the reason she draws more water is that she will hold no more coal ; vessels do go that draw more water than formerly ; after some vessels come out of the canal into the river, they take further loading, and draw 6 feet water.

John Tarbuck examined : Had known a sainfoin bed in the river near Wood End, betwixt Carter's house and Wood End ; it was right opposite the Hempstones ; it was a small field ; cows grazed upon it ; he had seen them there ; it might be 14 or 15 rood long ; that was washed away ; that is 51 or 52 years ago ; at that time the river ran on the Lancashire side, when it ran up to the Cheshire side it was dangerous, on account of the Hempstone rock ; now there is as much safety as ever I knew it from Fidler's Ferry to Weston Point ; when I went with my father we carried 27 tons, and now we carry 40 with as much safety ; the draught was then 4 feet 9 with 27 ton of coal, and now, if there is water in the Sankey canal, we come out 5 feet 3 ; the trade has greatly increased ; I never heard of any complaint among us of the navigation ; last Monday, 8 days, there were 50 of us there together. By Mr Brougham : I have not been on the land, inside the Hempstone rock, for about two years ; the grass land has covered that foul rock. By the Attorney General : I cannot say that the grass grows there near the channel. By a Juryman : The navigation of the river is as good as ever it was. By Mr Brougham : I don't know that on that day some gentlemen counted 60 flats aground on the ferry reach.

John Mills examined : I am a flatman and have navigated the Mersey for 27 years ; the navigation is not worse than it was ; the channels are deeper ; I perceive no alteration for that time for the worse, and have not heard a complaint ; the river is scoured of the sand banks by the freshes.

James Dickens examined : I am a flatman ; I have not seen any changes in the river for the worse, during the 27 years that I have been a captain ; I at first went round the Hempstones, but the channel has shifted, and I count it safer.

Edward Green : I am 48 years of age ; I have been a fisherman 35 years ; I have fished between Warrington bar and Liverpool all the day ; the ebb tide was never sufficient to scour the river ; Richmond's bank is become higher ; there is a deep both on the Lancashire and Cheshire side ; there used to be but one deep ; that was better ; the deeps were done by a fresh last summer ; the deep last summer was on the Lancashire side ; 35 years ago the flood tides used to bring a *skilth* and the ebb tide was not sufficient to carry it back ; the navigation is far better than it was 35 years ago. By Mr Brougham : I cannot say if there is more current comes down the river now than used to be ; there is more slush now in the river than there used to be ; I can't say how much. By Sir James Scarlett : The water is now lower between the mills and bridge, because there was formerly three piles to the bridge, and now only one, and more water was consequently let down.

John Cartwright Williamson, fisherman, said : There was a great deal more water in the weir now than formerly, he had measured it himself, where formerly he could walk on the bottom dry shod upon the Wilderspool bar, called the Scour, on the 26th of August last there was 2 feet and a half water ; generally the navigation was better.

Two other witnesses were called whose testimony was to the same effect.

Samuel Garnett examined by Mr Alderson : I live at Sankey Bridge ; my vessel will draw 7 feet 8 inches when she has 100 tons on board ; on the 25th of April I came up to Fidler's Ferry with a tide of 17 feet 3 inches ; I was up again on the 28th of May and had a 15 feet 5 inches tide.

Samuel Leigh examined by Mr Coltman : I am 72 years of age ; I am a flatman, and have been in the habit of navigating from Liverpool to Bank Quay ; I can go up with as large a cargo as formerly if the tides are good ; there is as much water in the channels as there has been for fifty years ; there was a sand bank in the (?Hest Midden?); it appears now at low water ; I think it lays rather higher

than it was before ; it has been an old sand bank ; I have known the channel of the river change very often when a fresh comes down ; the banks are removed by the freshes ; the channel is rather narrower ; in dry summers I have known it worse than it is now ; thirty years ago it was worse, from the water being spread over a greater breadth. By Mr Attorney General : There is a hole at Bank Quay. I see it every day ; I have known it forty years ; I can tell directly the state of the water, when the water comes up to that hole ; they may then come over at 5 feet if they keep the deep ; I have known it when they could not get over on account of the change of sands ; I now consider when the water has come up to that hole I can navigate at 5 feet water. By Mr Brougham : I have not navigated a flat for thirteen months, I have not been able from being ill.

Thomas Buckley : I am harbour master of the river Weaver ; I was a master of a flat from Fidler's Ferry to the Weaver ; I was never much out of the Mersey ; the trade of the Weaver is connected with the Sankey canal ; it is greatly the interest of the company to preserve the navigation ; I remember being neaped when I was with my father forty years ago at the bar below Fidler's Ferry, we were there two or three days ; the vessel drew 3 feet water ; they could not navigate at Fidler's Ferry forty years ago at neaps with 3 feet draught ; a few weeks ago I saw the ferry bar, and I think it is as good as ever it was, after you pass the end of the reach, in my opinion, the deeps are as good as ever, there are sometimes two deeps, and then they are narrower ; I have heard, when there has been so many together, some of the flatmen complain, but that has been at the point where it is so narrow ; the ebb has never been sufficient to scour the river ; it is scoured by freshes ; always when a fresh comes down the channel changes. By Mr Brougham : A great deal depends on the freshes ; the quantity of water makes but little difference ; there has not been any land freshes for the last two summers ; the less water there is comes down, the more liable for the slush brought down to be deposited ; 17 feet is a decent spring tide ; I have known them 22 feet. By the Attorney General : The ebb is not sufficient to carry back the slush brought up by flowing of the tide.

Mr Baron Hullock here enquired how much farther the counsel meant to go with that description of evidence. "It appears to me", said he, "the case is gone."

The Attorney General said he would call witnesses to prove other facts.

Mr John Clare examined by the Attorney General : I am serving on the common jury here ; I and my father are owners of a number of vessels ; on the Sankey canal the number that are constantly using it is very considerable ; we also navigate the river Mersey ; we have, I think, about thirty five vessels of our own ; we are considerable, I cannot say the principal navigators on the river and canal ; it is rarely that I go with them, but few men pay more attention to their business than I do ; I think you have no need to ask ; it is our interest to keep the navigation of the river Mersey up ; with the exception of the summer of 1826 and 1827, it is as good as ever it was ; we have had no reason to complain, neither have our captains complained as they have stated today ; it is as good I ever remember it ; vessels of as great a draught can navigate the Mersey as they ever did. I have attended the unloading of a cargo of slates lately ; I pay my captains by the ton, from the smallest to the largest ; the voyages are equally as rapidly made as they were formerly, and I have never had a complaint ; I don't think the Navigation Company have done any injury to the Mersey. By Mr Brougham : I do not think the operations of the company have been of any injury to the river, but on the contrary, that they have been of great service in taking out the number of flats they have into the canals ; my vessels go chiefly for the Sankey canal ; they go to St Helens for coals, then to Liverpool, and from thence to Northwich for salt, and return in the same manner. By the Attorney General : I navigate to Warrington and to Manchester if I choose to send them.

The Foreman of the Jury asked if, at this stage of the business, his lordship and counsel would be satisfied to receive their verdict.

Sir J Scarlett : I shall, gentlemen.

Mr Brougham expressed his dissent.

Alexander Nimmo : I have been a good deal employed in making tide harbours ; I am employed by the Irish government for such purpose ; I examined the Mersey about four years ago with Mr Thomas Telford ; he is now ill at Cambridge ; I have examined the velocity of the low water ; the water that is extracted by the canal exhibits no visible effects on the scouring ; I think that Mr Giles

had forgotten some deductions ; I found that Mr Giles had not subtracted the quantity of water returned ; we take our average per minute ; it has about 200 cubic feet per minute, from what I have examined of the canal, I do not think it requires the quantity of water that has been stated to have passed through the troughs, during 18 hours each day out of the 24. I have made a very minute calculation, and I make the result to be, that the feeder conveys about 52,000 tons of water per day to the canal, and that is the utmost possible quantity that can be lost, or 15,656 cubic feet per minute. The witness then went into a very lengthened detail of the surveys that he made, at different periods, with the results, from which he was decidedly of opinion, and particularly from calculations he made of the reduction of the height of the water, at a tolerable rate of average velocity at low water, the result of which was that the difference in height at Bank Quay, which is a very narrow part and where the greatest impression would be made, if the whole quantity of water remained would only be one inch 6-10, and that the velocity of the river be increased from 10 inch 2-10 to 10 inch 6-10, making the increase of velocity only 4-10 of inch, from which it was quite obvious that the scouring process must be carried on and accomplished by a different power ; and further, that the difference at low water at ebb tide would be scarcely assignable. He had also measured one of the freshes, that would fill up in 20 minutes, it running at the rate of 113 yards per minute, the same space as would require, at the velocity before named, 210 days. That part of the river which is above low water is certainly scoured by the freshes, and he thought that the tidal water did no good to the upper part of the river, that, in fact, the tidal water deposited more than it took away. His opinion was that if any effect was produced from the abstraction of the water, no practical effect whatever had taken place to the injury of the navigation. That great good had been accomplished was certain ; the removal of such a number of flats from the river into the canal obviously gave more sea room and therefore must benefit the navigation. He was of opinion that some alteration had taken place in the river, both above and below Liverpool from the extensive works that had been erected there. They must increase the velocity of the water, and consequently carry a far greater quantity higher up, which would have the effect of slackening the ebb. He had particularly examined Plackington Bank, which is near to Liverpool, and found that it had extended very much of late years. Mr Brown and himself made surveys and calculations together, and consulted Mr Telford thereon, and he approved of the conclusions they had come to. Cross-examined by Mr Brougham : He was of opinion that the work at Liverpool extended a great many feet beyond the old line of wall into the river, he could not say how many without calculating it from the map ; George's Dock pier head had extended very much within ten years ; it had been more extended than to become lineable, he should not be surprised if the jutting out of Prince's Dock below the old line in that narrow part made some alteration both above and below ; it certainly produced an effect beyond Liverpool. The further cross-examination went to try the correctness of the calculations made ; and the conclusion was that in the opinion of the witness, the taking away of from 90 to 100,000 tons of water, in the way in which it was taken, namely chiefly a flood tide, would not produce any sensible effect on the scouring power, it would not produce any effect in seven years that would be visible.

The Attorney General then said that he had several other scientific gentlemen in attendance, but he would not longer occupy the time of the court.

Mr Brougham then proceeded to address the jury. He said he felt peculiar awkwardness in the situation in which he was placed, by something which passed not long ago, indicating the inclination which the minds of the jury had taken upon the case. An impression, and not a weak one, appeared to have been produced by the judicial – he had almost called it, for the tone adopted by his learned friend had been a judicial one, but he should rather choose to call it judicious speech (and most judicious it was for the interests of his clients) which he had been pleased to make to them in his summing up of the evidence which had been given in support of this indictment, in that summing up most carefully suppressing all of that evidence which was made against his clients, and mistaking, not intentionally of course, all of that which he chose to represent as being in their favour ; and having the impression of such a mis-statement strong upon their minds, some of the jury had felt themselves satisfied, and prepared to pronounce their verdict without hearing him

attempt to set them right upon the true bearing of the evidence upon the case. An interval of many hours had passed since they had heard the evidence which he had laid before them, and their recollection of many points, material for consideration, must of necessity have needed some refreshing ; they had, however, been subjected to the operation of that dullest of instruments, a very long speech, artfully wielded by his learned friend, one edge being applied to the deadening and beating down of any points which might have been raised in favour of his (Mr Brougham's) case, and the other – the graving edge – being used for the purpose of carving a new impression more favourable in the view of his learned friend. Under these circumstances, he felt no ordinary degree of embarrassment in rising to offer them the observations which it had occurred to him to make upon the whole of the case as it lay before them ; but in justice to the character of that most respectable corporation, which his learned friend had that day so unwarrantably attacked ; in candour also to the gentleman, Mr Statham – now sitting on his right, whose motives and conduct had in like manner been misrepresented and assailed, he felt himself called upon, at least in reply to some of the observations which had been addressed to them. His learned friend accounted for the prosecution by saying that the prosecutors, not the Corporation of Liverpool, for, of course, as a corporate body they could have no interest, but individual members of that body by which this prosecution was instituted – had an interest hostile to the Mersey and Irwell Company, as holders of shares in the Liverpool and Manchester Railway, which was a rival undertaking. It turned out, however, to be the fact that none of them had any shares in the railway in question, but that the chairman of the finance committee actually held shares in that very Mersey and Irwell Company whose operations were the subject of this prosecution. Again, his learned friend had said that this prosecution was intended to crush the Mersey and Irwell Company ; but that he (Mr B) would utterly deny ; for he maintained that the interests of the Corporation of Liverpool – of the whole town and trade of Liverpool, indeed of the whole county of Lancaster – were in this respect the same, and that they were materially involved in the prosperity of the Mersey and Irwell navigation. But what they required was, and that was no more than they had a right to ask, that the operations of this canal should be carried on without injury to the river Mersey, and to the port and harbour of Liverpool, as it is proved they may be, without taking any portion of the water out of the river in the way which it was proved they had been doing. With respect to the attacks of his learned friend upon Mr Statham, it was but due to that gentleman that he should state that it was not by any walk which he had taken by chance in that direction, but by the repeated reports of civil engineers, that his attention had been brought to this subject ; and the real matter of fact was that Mr Statham, so far from advising, was an enemy to the proceeding ; his advice to the corporation having been not to go to law, but to go at once to parliament for a prompt and effectual remedy to that mischief of which they complained. He made these observations because he thought it right that such statements as had been made should be set right in the minds of the jury ; and before he left the case to their consideration, under his lordship's direction, he would merely offer a few short remarks upon some parts of the evidence which they had heard that day. The learned gentleman then proceeded very briefly to touch upon some points of the evidence, in which it is unnecessary to follow him.

Mr Baron Hullock stated that the indictment was for a nuisance, and that fact must be satisfactorily proved to them before they could find a verdict for the crown.

The question really was, had any actual prejudice been done to the navigation of the Mersey by the defendants within the last seven years, to whom it was ascribed, and it must be shewn that it was by their acts. Could any man who had heard the evidence that had been given entertain a doubt that the navigation of the river was now as good and as free from obstruction as it was thirteen years ago? There was abundant proof that there was shifting of sands then, as well as at the present time. The Canal Company were in point of law authorised to do what they had done. Yet whatever they did must be consistent with the public rights. At the time of the passing of the act, there were certain rights expressly retained, and beyond those rights they were not limited, always acting upon the principle he had named. If the jury entertained a doubt after the evidence they had heard the day before, and that which had that day been produced, it was his duty to state the whole of the evidence

to them.

The jury immediately rose and consulted for a few moments, and then pronounced a verdict of Not Guilty.

Mr Baron Hullock : It is a very proper verdict.

The trial lasted nineteen hours.

43 4 January 1828

Chester Police Court

Mr Lorrison, hair dresser, complained of **William Humphreys**, a flatman, who had indecently exposed his person, last night, in the presence of Mr L's wife, in Northgate Street. The Magistrates told the offender they could imprison him for three months, but as the complainant thought he appeared somewhat sensible of his hateful conduct, perhaps a less punishment would have the intended effect. He was ordered by the Court to pay one pound to some charitable institution, and the watchman for his trouble.

44 18 January 1828

Cheshire Epiphany Sessions

JAMES HUXLEY, a boatman from Ellesmere, was indicted for stealing a quantity of hay on the 17th of December from a barn belonging to Mr J S Hitchen of Alpraham.

John Barnes, servant of Mr Hitchen, examined by Mr Roscoe, deposed that on the 16th of December, there was a hole cut in the hay in his master's barn, and that none had been taken out by the servants.

Thomas Dutton, examined by Mr Roscoe, swore that he traced hay from Bunbury Lock to Mr Hitchen's barn ; he went with Samuel Span to the stable, where he found the hay ; witness went with the prisoner to Knutsford gaol, and on his way, he said he thought Mr H would have forgiven him, for all the hay he had was not worth a shilling. Cross-examined by Mr Cottingham – What trade are you? I was a tailor once. - You keep a horse, don't you? No, it's a donkey. - It eats hay sometimes, does it not? Yes, when it can catch it, but it oftener gets “tatoe pillins”. - I suppose any boatman may put his horse in the stable at Bunbury? If they pay for it, they do. - Did not the prisoner tell you where he got the hay from? He said something about it, but that did not matter to me. - What quantity of hay was there in the stable? Why, it's here if you wish to look at it, I didn't weight it. - Was there a handful? Yes ; did you handcuff him? No I didn't. - Did you say to the prisoner, why did you steal the hay? No, what should I say that for? (There was much laughter in the court during this cross-examination.)

Samuel Span, examined by Mr Roscoe. He went with the last witness to Bunbury Locks to track the hay, and he saw it “slattered”, only where it was sandy he could trace it ; a boy unlocked the stable door, and he took some of the hay out of the cratch, part of which was rushy, and he believes it to be Mr Hitchen's ; when the prisoner came to the stable, witness said to him, if you are the man who stole the hay, you are iron shod on the left foot ; he knew this by the footmarks along the track ; witness asked him to let him look at his foot, when he lifted up the wrong one ; he asked the prisoner to show him the other, when he saw iron on the toe and heel, exactly agreeing with the marks he had seen ; he saw two sorts of hay on the boat, and also a band of coney straw. Cross-examined by Mr Cottingham – Your master is not the only person who grows coney wheat straw? Yes – (laughter) – No. - You found hay in the stable ; if you had not gone there, the horse would have eaten it? I don't know that. - You asked prisoner to show you his feet, both at once I suppose? No, he would have fell down if he'd done that. - You went back to look at the marks in the path? Yes, after I'd eaten my breakfast. - Did you accompany the tailor with the prisoner to Knutsford? No, sir.

Mr J S Hitchen, the prosecutor, swore to losing some hay out of his barn, and that, to the best of his knowledge, the hay produced, from its similarity to that which had been stolen from his premises and the circumstances connected with the case, was his property ; he only commenced the prosecution to deter others in the same mode of life as the prisoner from such practices, having sustained so many losses.

Three respectable individuals gave the prisoner an excellent character ; and one of them said

Huxley had a stack of hay in his own yard, some of it very like that which was said to have been stolen.

The jury, after consulting together for a few minutes, returned a verdict of "Not Guilty".

45 22 February 1828

INQUESTS BEFORE F THOMAS ESQ On the body of **Lowry Herbert** and **Herbert Jones**, who were washed overboard from a boat in Wallasea Hole near Hoylake, on the 13th instant, They were previously on board a small sloop, belonging to **Captain John Herbert** of Pontyllan, Carnarvonshire, sailing between Mostyn and Liverpool, which sprang a leak just as it was entering into the Mersey, which filled the vessel so fast that it defied every effort of the pump, and the Captain, fearing that it would sink in deep water, requested his wife and son to take to the boat, which he fastened to the painter of the sloop. In a little time, it ran ashore in Wallasea Hole, when the boat drifted, the waves broke over it, and washed his wife and boy into the deep. The poor fellow saw them struggling in the water, and his dog swimming round them, but he could render them no assistance. The bodies were found on the same day on the shore near Wallasea Castle.

On the body of **John Salkeld**, flatman, who was knocked off the side of the flat *Perseverance*, whilst righting the main sheet, in the Mersey opposite Pool Hall, on the morning of Tuesday last, and drowned. It being very dark at the time, the other hand on board could not make the least effort to save him. Verdicts, in each case, "Accidentally drowned".

46 3 April 1829

ROBBERY ON THE TRENT AND MERSEY CANAL At the Leek Petty Sessions on Wednesday, **Joseph Turton**, a boatman in the employ of Mr Heath of Stourport, carrier, was committed for trial on a charge of stealing nine bushels and sixty three pounds of wheat, part of the cargo of a boat on board which he was employed. It appears that a quantity of wheat consigned by Messrs Booth and Walmesley of Liverpool to Mr Samuel Jackson of Hanley, on its arrival at the latter place was found to be deficient in quantity to the extent above stated, and from the evidence adduced, there was no doubt in the minds of the sitting magistrates, that it had been stolen by Turton.

47 15 January 1830

STEALING COALS **Joseph Wilshaw** (25) and **Samuel Forster** (53) were indicted for stealing a quantity of coals, the property of James Sutton and Co.

J Kirby, agent for the Company, deposed : I know that the prosecutors were owners of the coal which was shipped on board the flat of which the prisoner, Wilshaw, was master.

William Cottingham : I live at Church Lawton ; I was employed to watch the boats of the Company on the 19th December ; I saw the prisoners coming down the canal with the boat. Wilshaw slackened his horse, went into the boat, and threw eight or nine lumps of coal on to the towing path ; and Forster threw them over a hedge. I was in a lane watching at the time. The prisoners then went on with the boat. I fetched Archibald Turner, and we saw the prisoner Forster and a woman carrying the coals across a field.

Cross-examined by Mr Cottingham : I was a hundred yards off at the time ; and yet I could see the name on the boat. Counsel : Can you read at all? Yes, A book was handed to witness, on the back of which was inscribed "County of Chester". Witness attempted to read it, but he could get no further than the three first letters, which he said were "Gou"!

Archibald Turner : I went up to Forster, and took the coals from him. I charged him with stealing them, when he said it was his first offence, and hoped I would forgive him.

Witnesses gave the prisoners an excellent character for honesty.

The jury found the prisoners Guilty, Wilshaw to be imprisoned for six months and Forster three months.

48 28 May 1830

INQUESTS before F Thomas Esq, Coroner. On Saturday last, on view of the body of **William**

Clarke, flatman, which was found lying on the beach near the New Quay, Runcorn, on the previous day. The deceased was in the employ of the New Quay Company, and was drowned in the Mersey on the 19th of April last. Verdict “Found drowned”.

49 11 June 1830

DISCOVERY OF A MURDER A boatman named **Batkin** has been committed to Stafford Gaol, charged with having in July 1828 (in company with a man named Shorthouse) murdered Mr Hollier, a farmer near Burton-on-Trent. Batkin was apprehended in consequence of a man named Johnson, a private in the 2nd Dragoon Guards, having (while ill) disclosed the particulars of the murder to which he was privy, though he took no part in it. Shorthouse has absconded.

50 24 September 1830

Chester Police

DARING STREET ROBBERY Ann Collinge alias McBride and Mary Pugh, two street walkers, were charged with stealing a parcel containing a pair of shoes from the person of **Humphrey Foulkes** of Kelsterton, boatman, at two o'clock yesterday. Foulkes stated that he was passing down Linen Hall Street, pushing at the back of a truck ; and when he came opposite to Suderick (a noted haunt for prostitutes), he lost the parcel, but he could not tell who took it. Two females who witnessed the transaction said they saw Collinge and Pugh go behind Foulkes and steal the parcel out of his pocket, and run away with it. Information was given to Mr Dawson of the robbery, who apprehended the *ladies* in Watergate Street a short time afterwards, and found the shoes in the possession of one of them. As some essential witnesses were absent, they were committed to the House of Correction for further examination. [It was stated by the officers that this abominable haunt is full of prostitutes, and that almost every individual who had been foolish enough to venture into it, during the last three months, had been robbed.]

51 19 November 1830

MELANCHOLY ACCIDENT - INHUMANITY OF FLATMEN On Monday last, an inquest was held at the Navigation Inn, Weston Point, before Mr Caldwell, coroner of Halton Fee, on view of the body of James Walker, a fine youth about the age of nine years, who was drowned in the Weaver Canal. It appeared in evidence that the boy, accompanied by another youth named John Jenyon, had been sailing in a small boat belonging to Mr W Hetherington, and unfortunately fell overboard. Jenyon, not being able to swim, threw out an oar to the assistance of the drowning boy, with which he struggled for some time, and at length became so exhausted that he sunk to rise no more. While the poor fellow was yet alive in the water, two flatmen from Northwich were passing by, and although piteously implored by the boys on shore to save the drowning boy, these heartless wretches walked on, and said “*as he got in, so he may get out !!!*” Verdict “Accidentally drowned”.

52 19 November 1830

INQUEST On Wednesday at Woodside Ferry, on the body of **Richard Jones**, who was accidentally drowned by falling out of a boat in the River Mersey. The deceased belonged to the Ferry, and had returned to Woodside, late on Monday night last, in company with another boatman, and the night being very dark and stormy, he unfortunately fell overboard near the slip and was drowned. Verdict “Accidentally drowned”.

53 1 July 1831

Cheshire Quarter Sessions

STEALING A PORTMANTEAU **John Taylor**, 19, a boatman, was indicted for stealing a portmanteau containing wearing apparel and £1 5s, the property of David Watkins of Odd Rode. Watkins, the prosecutor, who is an old pensioner, had taken a drop of the *crater* before he came into court, and in giving his evidence, which was as follows, used the most comical gestures, which excited the constant laughter of every person in the court. Mr Trafford, who conducted the case for the prosecution, asked Watkins if he did not formerly belong to the 9th Regiment of Foot? Witness :

I am, please your Worship. Counsel : You were on your way to Liverpool when this affair happened? Witness : Ah! I was, to be sure, when I was robbed yer honour. Counsel : What happened to you when you met with the prisoner? Witness : I could not get lodging ; and that fellow (pointing to the prisoner) and I went to sleep near a brick kiln, indeed we did, so please yer Worship, I put my portmantle under my head, begging your Worship in a wig pardon. Counsel : You had a shirt in it? Witness : I had yer honour, and other things, and my money ; what a pity it was to rob an old soldier like me. Counsel : Did you go to sleep? Witness : I beg your pardon, yer Worship ; yes, I just remember I did at 10 o'clock ; but by the stars that shone then, I can't tell how the rogue took my portmantle and beautiful shirt and trowsers from under my head. Counsel : What time did you awake? Witness : I beg yer Worship pardon ; oh! I think I remember now what you said – I think it was about half past three. Counsel : When you looked around you, what did you see? Witness : I saw as fine a morning as ever peeped into the world ; but I could not see my portmantle, nor shirt, nor breeches, nor money – and the rogue of a villain that said he'd sleep aside of me, he was gone too. Wasn't it a miserable look out for an old serjeant like me, that had bled in defending his country. Counsel : You gave information of the robbery to a constable? Witness : On the honour of a soldier I did ; and me and my commander, the peace officer – here he is, gentlemen – found the portmantle in a boat on the canal, and the rogue too ; but ah! Alas! We never found the money. Watkins swore to the person of the prisoner and also to the articles stolen. The jury found the prisoner guilty, and he was sentenced to be imprisoned six months.

54 15 July 1831

Chester Police, Saturday July 9

RIVAL TOM TUGS **William Foulkes**, boatman, was convicted in the penalty of 5s and costs for assaulting **Thomas Price**, also a Flint boatman, on Sunday last.

55 18 November 1831

MELANCHOLY ACCIDENT A flatman named **Thomas White**, in the employ of Messrs Fairhurst, Tilston and Co of this city, met with his death on Sunday last at Ellesmere Port, under the following circumstances. He was endeavouring to push a flat off from the side of a lock in the river basin, with a boat hook, when the pole of it broke and he was precipitated into the water. At that moment, the flat rebounded back again, and crushed the poor fellow to death up to the wall. We are sorry to learn that White has left a wife and three children to lament his loss.

56 13 July 1832

Insolvent Debtors' Court

The Quarterly Court for the Relief of Insolvent Debtors in the City and County of Chester was held on Wednesday last, before H R Reynolds Esq, Chief Commissioner. The following were declared to be entitled to the benefit of the Act, and ordered to be discharged forthwith.

Joseph Bennett, late of Romily, Cheshire, boatman.

57 15 March 1833

SINGULAR CASE OF DROWNING On Thursday last an inquest was held at North Rode, in this county, before John Hollins Esq, coroner, on the bodies of **Charles Benteley** and **John Benteley**, two boys about five years old, who were accidentally drowned under the following singular circumstances. They, with three other children and their mother, were on their way home in a boat loaded with coal upon the Macclesfield Canal, and where the boatman had to pass his boat through the locks, it was necessary, after his boat had entered it, to close the gates and then let the water above into it, to the height of the upper water, to admit of the boat passing onwards. This is effected in a few minutes by a heavy stream running into the lock, during which the boat lies on one side of it, but it so happened that the iron bar affixed to the outside of the boat, as a protection to it, became pressed between the stonework of the wall of the lock so as to prevent the boat from rising with the water, by which it was upset, filled and immediately sank, with the mother and children in it. By the activity of the boatman, however, the mother and three of the children were saved, one of which (only three months old) the mother had wrapped up in a blanket, where it was found on the bed in

the cabin ; the water had not passed through the blanket, though immersed in water.

58 21 June 1833

BOATMEN ON THE MERSEY On Saturday last, **William Jones**, a boatman belonging to the New Ferry, was convicted before the magistrates of drunkenness, and fined 40s with costs. We understand that several gentlemen who reside in Cheshire have determined to lay informations against every boatman who may hereafter be guilty of a similar offence.

59 11 October 1833 Police Intelligence

UNMANLY CONDUCT Jane Jones charged **James Woolfe**, a flatman, with assaulting her on Saturday last. The complainant stated that she was leaving her house, carrying some tea for her husband, when she was attacked by Woolfe, who knocked her head against the wall ; he afterwards threw her down, and bruised her considerably in different parts of her body. Her sister, with a child in her arms, came up to her assistance, and she was thrown down by Woolfe, and in falling, the infant was much bruised on its face. The Mayor, after making some severe strictures on Woolfe's unmanly and brutal conduct, convicted him in the penalty of 10s and costs. Jones, the husband of the last complainant, also preferred a charge against Woolfe for assaulting him on the same evening. He said, as soon as he heard the particulars of what had transpired in reference to the assault committed on his wife, he went in search of the offender. He found him in a public house in Crane Street ; on remonstrating with him, he got up and kicked him, and afterwards struck him in the street. For this offence, Woolfe was ordered to find sureties to keep the peace.

60 21 March 1834 Police Intelligence

ATTEMPTED HIGHWAY ROBBERY Charles Speed, a well known character, was charged with assaulting **Samuel Challinor**, a flatman, and attempting to rob him of his watch. The latter, accompanied by three other flatmen in the employ of Messrs Tilston and Co, went to a public house in Frodsham Street about ten o'clock. They remained there until one o'clock ; Speed and two other "light fingered gentlemen" were in the house until a few minutes before the flatmen left it. On Challinor and his companions going out into the street, they were attacked by Speed and two men named Ibell (one of whom, George, was only discharged from custody last sessions) ; they knocked one flatman down, and Speed attempted to pull Challinor's watch out of his fob, but he failed in consequence of the chain being fastened to a button. Speed finding that he was defeated in his object, attempted to sheer off ; but at this moment, Mr Hill, superintendent of the watch, came up ; he gave chase to the gang, and soon Challinor and Mr Hill came up with Speed, near the bridge ; and before he could attempt resistance, Mr Hill knocked him down. These facts having been deposed to, Speed was committed to take his trial at the sessions.

61 6 February 1835

CAUTION TO DRUNKARDS On Tuesday, an inquest was held at Carnarvon, on the body of **Roberts**, a boatman at that place, and after an examination of the facts connected with his death, the Jury returned a verdict that he "died from excessive drinking".

62 4 March 1836

A few days ago, one of those disgraceful scenes occurred at Nantwich, of a man selling his wife. The transfer was made under the absurd notion, that as the woman was sold in a halter, the contract would be mutually binding. The purchaser was a boatman, and he expressed himself well satisfied with his bargain. The price realised was not complimentary to the gentle sex ; eighteen pence being the amount paid.

63 22 April 1836

INQUEST On Saturday last, an inquest was held by the City Coroner, on the bodies of three

unfortunate man, who had been hurried into another world the previous night, it is feared in a state of drunkenness. The names of the men were **Thomas Griffiths**, a boatman, and Martin Dunn and Daniel Dunn, brothers, both of whom were Irishmen. Their bodies were found on Saturday morning in the canal near Hoole Lane Bridge, but no satisfactory information can be obtained as to the circumstances attendant on the melancholy accident. The two Irishmen had been drinking on Friday evening in several public houses in Boughton, and were seen by their father at eleven o'clock at night driving an ass to a field. They were at that period intoxicated. The other man was seen alone about the same time in Steven Street. He also was intoxicated, and said he was going to sleep in a boat which lay in the canal. With such unsatisfactory evidence, the jury could only come to one decision, they therefore returned a verdict of "Found drowned". The two Irishmen were "waked" after the fashion of their country before interment, and their funeral was attended by a large concourse of their countrymen.

64 19 August 1836 Police Intelligence

CHARGE OF FELONY A man named **William Griffiths**, a boatman, was brought up on a charge of stealing a watch out of a boat lying in the canal ; but a material witness being absent, the prisoner was remanded for further examination.

65 25 November 1836

DEATHS BY DROWNING On Wednesday last, a man named **Harrison**, captain of a flat belonging to Messrs Skerratt and Davies of Winsford, put a period to his existence by drowning himself in the river Weaver in that neighbourhood. This unfortunate old man had twice before attempted to destroy himself in a similar manner. Various reports are in circulation as to the cause of the rash act. And on Saturday morning last, the 12th instant, a man employed as assistant boatman to one of the craft regularly plying on the Staffordshire canal, by some means fell overboard a little beyond the Barnton Tunnel, near Northwich, and was drowned. His body was found two hours after.

66 20 January 1837

A BOATMAN'S CHRISTIAN FORBEARANCE **John Hilton**, a flatman, was brought up under warrant, obtained on the oath of **John Wilde**, for a grievous assault ; but the tender mercies of Mr Wilde predominated over his sense of the injuries he had sustained, and he expressed his reluctance to press the charge. The expenses, however, amounting to 13s 6d, must be forthcoming and, as the defendant had no assets, he was ordered to stand aside until they were paid. In this dilemma, John Wilde not only exhibited much Christian forbearance, but positively returned good for evil by starting in quest of cash, and having collected the required sum, he returned with the amount and set his prisoner at liberty. John Wilde's practical Christianity may put many professors to the blush.

67 28 April 1837

COUNTY INQUEST On the 21st inst, an inquest was held at Audlem, on the body of **Robert Rain**, who was accidentally drowned by falling from the lock gates into the Birmingham and Liverpool Canal. The deceased was eight years of age, and the son of a boatman from Wolverhampton.

68 14 July 1837 Police Intelligence

ASSAULT AND DRUNKENNESS **William Williams**, a boatman, appeared to a summons for being drunk, and also for throwing a boy and girl into the canal near Mr Frost's mills. There were several contradictory stories, the defendant admitting that he was so drunk that he could not recollect anything of the circumstances. In his behalf, it was urged that he fell against the children, many of whom crowd inconveniently the canal bank, as he made his way to his boat ; but on the other hand, it was stated that he wilfully pushed the children into the water, and then proceeded to his boat, and with the utmost unconcern watched their struggles until they were rescued by a boy

who was bathing near the spot. The Mayor ordered him to pay the fine of 5s and 3s costs for being drunk, and to give the children 2s 6d each, on the payment of which he was discharged.

69 15 December 1837

INQUESTS BEFORE F THOMAS, ESQ, CORONER At New Brighton, on the body of Joseph Arnett, who was drowned through the upsetting of a boat on the river Mersey. The deceased and seven others left Liverpool in a small gig for Liscard, and as they were going along, one of the party struck a light with a lucifer match, when the rest all rushed to him to light their pipes, and the boat immediately capsized and three of them were drowned. At Wallasey on the 12th, on the body of **John Crellar**, a boatman, cast on the shore of the Mersey. On the 11th, on the body of Samuel Bennett, a child 8 years old, who was killed by being knocked down by a vicious bull at Wallasey. Verdicts accordingly.

70 20 July 1838 Police Intelligence

DRUNK AND DISORDERLY **Thomas Hesketh**, a flatman, was charged with this offence, committed in Upper Northgate Street at about two o'clock on Sunday morning, and Robert Larmand with interfering with the constable in the execution of his duty. The first was fined 5s and costs, and the last discharged with a reprimand.

71 3 August 1838

THE CANAL STEAM BOAT On Sunday last, the inhabitants of Sandbach and Middlewich were much astonished at the steam boat *Novelty*, belonging to Messrs Robins and Co, on her second voyage from London to Manchester. Several hundreds of people were collected, and she steamed away at great speed.

SUSPECTED ROBBERY OF A VESSEL On Friday last, Joseph Dentith, a character tolerably well known in the police court, was charged with committing a robbery on board a vessel named the *George*, lying at Chester quay. He and two other men went on board on pretence of seeking employment as labourers, and roamed all over the vessel. The result of the ramble was the disappearance of two silk handkerchiefs and a quantity of ship biscuits. Information was communicated to the police, who apprehended Dentith and found some broken biscuit in his pocket ; and it was ascertained that he had been at a pawnbroker's shop after the hours for business, but for what purpose did not transpire. The prisoner was committed to the House of Correction for the space of two calendar months.

72 31 August 1838

BROXTON PETTY SESSIONS At these sessions, held on the 27th instant, **Timothy Ryan**, a boatman, was convicted of a violent assault on another boatman, and fined in the full penalty, five pounds and costs, and in default of payment was committed to the House of Correction for two months and hard labour.

73 14 September 1838 Police Intelligence

ROBBING A BOAT William Davenport was charged with breaking into a boat, belonging to Mr Tilston, on the Ellesmere Canal, and stealing therefrom 15s. The prisoner said he only took ten! Mr Hill pressed for a remand until Saturday, as the boatman who was the principal witness had been obliged to go away with his boat. The prisoner again corrected him, and said he could have attended very well if he had liked. Remanded accordingly.

74 21 September 1838 Police Intelligence

CHARGE OF ROBBERY William Davenport, remanded last week on a charge of robbing a boat on the Chester and Ellesmere Canal, was again brought up. Mr Hill stated that the boatman could not be got to appear, and that if what the boy stated was true, the wrong party was in custody. The boy was discharged.

75 14 December 1838**Police Intelligence**

A PRECOCIOUS YOUTH The superintendent of the police introduced to the notice of the bench **William Jones**, a young lad, in a state of drunkenness, charged with robbing a canal boat. A good tempered boatman appeared against the youth ; and stated that on the previous night, the lad applied to him for work, and seeing him a nice tidy lad, he engaged him as a driver. He slept in the cabin with complainant and his wife ; and early in the morning, they discovered he had decamped, taking with him twenty five shillings which he had abstracted from a cupboard over their heads. The lad was picked up by the police about half past five o'clock in the morning, lying drunk on a stall in the rows. They had no suspicion that he had committed a felony, but had locked him up for safety. However, on hearing of the robbery, they searched his person and found all the missing money except about three shillings. He was remanded in order to give him time to get sober. The lad said he came from Overton, Flintshire, and that his father was a farmer's servant.

76 8 March 1839

INQUESTS On the 1st of March, an inquest was held before Faithful Thomas Esq within the city of Chester, on the body of **William Jones**, aged 19 years, boatman, who was drowned by falling into the basin of the Chester and Ellesmere Canal. Verdict "Accidentally drowned".

77 17 May 1839

SELLING A WIFE On Thursday, at Witney, a labouring man of the name of John Quarterman led his wife into the market by a halter, and sold her for £10 ready money. A stamped receipt was given. The purchaser is a boatman.

78 2 August 1839**Police Intelligence**

FIGHTING **John Price** of Welshpool, a boatman, was charged with fighting in Queen Street last night. The policeman stated that he did not resist being taken, but his antagonist ran away leaving his clothes, which were now in the custody of the police. The man was discharged with an admonition.

79 30 October 1840

AN UNLUCKY WITNESS At Knutsford Quarter Sessions last week, **Ralph Allen**, a boatman, was convicted of stealing a fowl from Sale, in the neighbourhood of Altringham. After the trial, **Ralph Bate**, the captain of the boat in which the accused worked, came forward and gave him so excellent a character as to excite the suspicion of Turton, the deputy constable of Altringham of his knowing more of the robbery than he could wish to be made public. He accordingly following Bate out of the Court, took him into custody. He was taken before Peter Legh Esq and committed for trial. A bill was preferred before the Grand Jury, who were still sitting, he took his trial, and was found guilty as an accessory to the felony. The same day he was sentenced to six months imprisonment.

80 15 January 1841

A FATHER DROWNED WHILE ENDEAVOURING TO SAVE HIS SON About four o'clock on Friday afternoon last, John Halstead, a boy about 15 years of age, while on a boat which was near one of the locks of the canal at Ashton-under-Lyne, owing to the slippery state of the boat, fell into the canal. His father, who was on the canal bank at the time, immediately threw off his frock, jumped into the water, and endeavoured to get to his son ; but being unable to swim, got out of his depth. He sunk, and rose again two or three times, and then he disappeared altogether. In the meantime, the boy clung to the boat ; and **Thomas Hill**, a boatman, jumped down from the lock, got hold of him, and pulled him out. Immediate search was then made for the body of the father, but half an hour elapsed before it was discovered, when we hardly need add, life was quite extinct. An inquest was held on the body of the unfortunate man, whose name is Henry Halstead, on Monday, when the above circumstances were stated, and the jury returned a verdict of "Accidental death".

81 3 December 1841

MELANCHOLY OCCURRENCE – THREE MEN DROWNED Three unfortunate fellow creatures lost their lives on Monday last, by the upsetting of a boat in which they were proceeding to Liverpool from the Formby Lightship. The names of two of them are known, Owen Pritchard and Edward Newby, and the body of the former only has been found. The particulars of the melancholy catastrophe will be gathered from the subjoined report of the evidence given before the Borough Coroner, on Wednesday, touching the death of Pritchard. **George Garlic** deposed that he was a boatman, that he lived in Lumber Street, and that he knew the deceased very well. About eleven o'clock on Monday morning last, the deceased, witness and two other men went out in a small boat as far as the Formby Lightship to look for a vessel. They had been out some time, and at length were proceeding towards Liverpool. It was blowing very fresh on their return, but they had a fair wind. While they were coming along, a sea struck the boat and upset her, in consequence of which they were all thrown into the water. A man of the name of Edward Newby was close to witness in the water, and in about a quarter of an hour, he sunk. Witness did not observe the deceased and the other men after the boat upset. A boat came to their assistance, and witness was taken out of the water. Just as he had got into the boat, he saw a man in the act of sinking, and one of the men who had picked him up seized hold of the drowning individual, whom witness then recognised as the deceased. He was taken into the boat, and appeared to be dead. Such means were used by the men in the boat as lay in their power to bring him round, but they were of no avail, animation having been quite extinct. Neither of the other two men who perished could be found. The deceased was brought to Liverpool and carried home by some boatmen. He was thirty three years of age. **James Mason** deposed that he was a boatman, and that on Monday morning last, he was in a boat in Formby Channel along with three other men. They were astern of a ship called the *Albion*, which was homeward bound, when he observed a boat cruising about a distance of a mile or thereabouts from him. All at once, he missed the boat in question and, fearing that accident had occurred, he immediately let go the rope of his own boat from the ship, and proceeded with all haste to where he had seen the other boat. When he had reached the place, the person he saw was Garlic in the water. He picked him up, and immediately after saw another man sinking. He instantly caught hold of the latter and pulled him up, but he appeared to be dead. He then searched about for some time, but did not observe anyone else in the water. Such means were tried to bring the deceased round as lay in the power of witness and his companions ; but they were of no avail, he being quite dead. The body was afterwards brought to Liverpool. **Thomas Tedford** deposed that he was a police officer, and that he was on duty at the Prince's Pierhead on Monday last, when the body of the deceased was brought there in a boat. He was informed by some men where the deceased had lived, and he had him accordingly taken home to his house in Westmoreland Street. The jury found a verdict to the effect that the deceased had met his death in the manner described.

82 15 April 1842

Chester City Sessions

John Leek, boatman, stealing a quantity of wearing apparel, the property of J Corbett and W Munro. 10 years transportation.

83 10 June 1842

DEATH FROM BATHING IN THE RIVER DEE On Wednesday forenoon, Mr Griffith Owen Evans, printer, unfortunately met his death whilst bathing in our river. It appears that the deceased was a native of Bangor, Carnarvonshire, but has recently been employed by Mr Thomas, printer, of this city. He and Mr Henry Parry, a fellow workman, agreed to bathe together near the Sluice House ; having procured a boat, in which they undressed, each leapt off, and swam towards the middle of the river. At this moment, the *Cestrian* sloop was sailing past – Mr Parry having occasion to speak to the captain of the sloop swam in that direction ; upon returning to the shore, Mr Parry observed the deceased to be swimming very awkwardly, and complaining of weakness ; he encouraged him to keep up and make the land, but deceased's strength failed – he sank – and was not again seen alive. A reward of £1 was offered for the recovery of the body by John Jones, printer

of this city, which induced **Joseph Ray**, a flatman, and others, to search for it ; and subsequently the same individual offered £2 for its recovery, when in a few moments after the last offer was made, the body was found by the said Joseph Ray, who felt it with his feet near the spot where deceased sank, and to whom Mr Jones paid the reward. The body was taken to the Fleet and Bagillt Boat House at the Crane, where in the evening it was viewed by a very respectable jury, who returned a verdict of “Accidentally drowned in the river Dee”. The deceased was a very steady young man, well respected, and a consistent member of the Welsh Calvinistic Methodist Connexion. At the conclusion of the investigations, the jury strongly recommended that the Humane Society should be requested to deposit, in future, drags &c at the Sluice House, as more persons bathe in that vicinity than in any other part of the river.

84 18 November 1842

FATAL ACCIDENT Last Sunday the 13th inst, **Walter Jenkins**, the boatman at the Feryd, Rhyl, was attending the ferry. He went to his dinner about one o'clock and left his boat in charge of his boy and two other boys. When rowing across the river, Jenkins's boy, aged 12 years, fell overboard and was drowned. After a long search of two hours, the body was found. Inquest accordingly.

85 6 January 1843

INQUEST On the 29th ult, F Thomas Esq, City Coroner, held an inquest upon the body of **William Bennett**, flatman, who was found dead on that day in the river at the stern of his flat. Verdict accordingly.

86 13 January 1843 Chester City Sessions

LIABILITY OF COMMON CARRIERS BY WATER

Kinder v the Proprietors of the Chester and Ellesmere Canal Company

The action was brought to recover the value of a bale of goods consigned by the plaintiff to the defendants, to carry from Chester to Liverpool, which had been lost, to which the latter pleaded first that they had not received the bale in question, and secondly, that they were not liable.

Mr Temple stated the case to the effect that the plaintiff, Mr William Kinder, was a woollen manufacturer residing at Marsden near Huddersfield, who had a warehouse at the Union Hall, and the defendants were common carriers by water. In December 1840, two bales had been sent from his residence to Chester, the smaller of which was the subject matter of the action. They were delivered at his warehouse in Chester, but not wanting the smaller, it was redirected by him in the cart of the defendants, to be forwarded to Liverpool by the defendants, and to be kept till called for. The bale was inquired for in due time, but it could not be found ; and to this day nothing had been heard of it. The plaintiff had tried his best to effect an amicable settlement, but the company had kept him at arm's length, so that he was compelled to resort to legal proceedings. The learned counsel contended at some length that the defendants were liable to the plaintiff as common carriers.

Joseph Lockwood examined : I attend the fairs with the plaintiff ; in October 1840 I attended Chester fair ; I made up one bale of goods at that time, containing woollen cloths, the value of which was £41 15s 6d at the cost price ; the sale price would be £8 or £10 more ; I directed it for “William Kinder, Liverpool, till called for” ; I went into the street and saw one of the “Chester and Ellesmere Company's” waggons ; I and the waggoner put it into the waggon ; In December following, I made up a large bale at home for Liverpool, which I received at Liverpool, and having taken some goods out, I delivered the bale to the Company's wharf in Liverpool ; I saw the other truss there ; I redirected the small one to Chester, “William Kinder, Chester, till called for”. The larger truss was directed in the same way ; I got a receipt for them ; I never saw the small one after. I enquired at Liverpool in March 1841 for the bale, and I was informed they could find no entry in their books about it; I made the same enquiry at Chester, and got no satisfaction ; the receipt is signed by a person named Cheetham, who had acted for the company on previous occasions.

Cross-examined : The directions were sewed in the side of the truss ; I got no receipt at Chester ; I

did not go to the warehouse ; I paid for the carriage of the small truss at Liverpool ; I got a receipt for the money, which I have got now.

James Smith examined : I am in the employ of the defendants as waggoner ; Mr Meacock is the head clerk at the Company's warehouse in Chester ; I took the two trusses to the plaintiff's room in the Union Hall ; I saw the plaintiff ; the large truss was put out at the hall door ; he said the small one was to go back again ; I took it back again to the warehouse ; I put it by the door of the warehouse, and told the porters Wildig and Catherall that the plaintiff would call and tell them where it was to go.

Cross-examined : I have orders from the company not to receive goods without a shipping note ; I had no shipping note with this bale, because Mr Kinder said he would call himself and tell where it was to go to.

William Owens examined : I was boots at the Black Bear Inn ; I saw the waggon at the Union Hall ; I saw the plaintiff, and a large pack was delivered to him ; I saw Mr Kinder redirect a smaller truss in the waggon, and tell the waggoner he should not want it, and it was to go back.

Cross-examined : I was first asked respecting this business about a week since ; I recollect it was in the month of December because I left the Black Bear soon after.

Re-examined : It was not fair time.

By the Court : I went to the waggon because I thought I should be of some help.

The receipt for two trusses dated Liverpool December 17 1840, and signed J Cheetham, was put in. Mr Townsend, with whom was Mr Yardley, took several legal objections to the proceedings, and contended that the evidence did not bear them out, which the court overruled. He then on the part of the defendant, contended that this was a vexatious and unfounded demand, and said that the company resisted it on that ground. He said that the plaintiff conducted himself in the matter most loosely. He animadverted on the evidence of the last witness, and said it was untrue, inasmuch as the bales were not delivered by a waggon, but by a one horse cart. The case was left bare, but he should supply the defect. The two trusses were sent from Liverpool by the boat *Safety*. On the 22nd December, the plaintiff called and saw the trusses, and paid the carriage for them, and had a printed receipt given to him, headed "Goods consigned to order or left till called for are entirely at the owner's risk". The bales were sent down to the hall in a one horse cart. About three months after, the plaintiff came to the company's office to enquire after the small bale, when he said that his son gave the carter a shipping note, and wrote a new direction. On these discrepancies of statement, on the loose way in which the plaintiff had conducted himself, the company were justified in defending this action. He concluded by contending that the case had failed in law, inasmuch as the company did not warehouse the goods at their own risk but at the owner's. This constituted the difference between their liabilities as wharfingers and common carriers. He quoted the case "*Garside v the Proprietors of the Trentham Navigation*". There was no culpable negligence on the part of the defendants.

Mr Samuel Meacock examined : I am book keeper to the company ; the flat "*Safety*" arrived on the 13th December with two trusses on board directed to the plaintiff ; the plaintiff called at the office on or about the 22nd ; he paid the freight of the two trusses ; I delivered a printed heading freight note.

Mr Temple here objected that under the pleadings as they now stand, no evidence of a notice of non liability could be given, and cited various cases from the term reports, and contended that the notice should be specifically pleaded.

The Recorder said he should receive the evidence, but make a note of the objection.

Examination continued : The freight note stated "Goods consigned to order, or warehoused for the convenience of the parties to whom they are consigned are at the owner's risk" ; the goods were taken down ; in March 1841, the plaintiff enquired for a truss he expected to have met at Liverpool ; he said he had returned it by the man and cart that had taken it to Union Hall ; I asked him if he had given the carrier as usual a shipping note, and if the truss was directed to Liverpool ; he stated that his son had done both ; he said his son was out of the country, but he would write to him for more full particulars ; I searched the invoice books of the company and have found no entry ; it is the invariable practice to make such entries ; I have searched the file of shipping notes and have found

none of this bale ; the directions of the company are that no goods shall be received without shipping notes ; the plaintiff subsequently called and enquired if we had found the truss ; he said he had not got the answer from his son ; he said he had been wrong in the statements he had previously made, that he directed the truss and gave the shipping note ; the practice is to weigh the goods and put them on board the vessel at once ; if this truss had been directed to Liverpool, it would have been put in the boat.

Cross-examined : A boat is generally on the berth ; we do not profess to receive verbal messages ; the entries in the books are of goods shipped off, but not of goods left in the warehouse ; I have no recollection of sending Ellson to search the warehouse with the plaintiff ; I do not know what is in the warehouse, nor that there was an accumulation of unclaimed packages ; we do not advertise unclaimed packages, but keep them.

By the Court : I have no recollection of seeing either of the bales after they were sent to the Union Hall.

James Smith recalled : The bales were sent to the hall in a one horse cart.

Cross-examined : The company have waggons as well as carts ; I cannot recollect what days I use the waggons or the cart.

Mr Temple replied at considerable length, and contended that no answer had been given to the plaintiff's case. The question was entirely one of legal construction and of legal liability. There could be no doubt that the property in question was in the custody of the defendants, and whilst in such custody had been lost ; and that being the case, the law presumed negligence, inasmuch as no evidence was offered that there had been no negligence. He then contended that the plaintiff was not bound by the notice at the heading of the freight note, inasmuch as it did not refer to the Company's liability as carriers, but in another capacity ; and if it did, it could not cut down their liability. The goods had been delivered into the custody of the authorised warehouseman. The warehousemen were here, but they were not called. If they had been, they would have proved they had been received and put into the warehouse. Those goods had never been conveyed to their destination. The notice could not apply to this case under any circumstances. There could be no doubt of the company's liability in their capacity as carriers. The learned counsel animadverted at some length on the evidence, contending that the evidence for the defence confirmed the case for the plaintiff ; inasmuch as by the company's own servants it was proved that the bale came into their possession.

The Recorder said it would be for the jury to consider whether there had been a want of ordinary care on the part of the defendants, and they must weigh the circumstances as they were proved, and also the fact that the defendants had not called their warehousemen to prove there had been due care. The questions were, did the defendants receive the goods as carriers or as warehousemen ; and if they did, were they lost through their negligence?

Verdict for the plaintiff – damages £41 15s 6d.

Since the trial, circumstances have transpired to warrant the belief that the bale of goods in question were stolen soon after Smith the waggoner deposited it in the warehouse, by a person then in the employ of the company. Soon after the period when the bale was deposited with the company, Mr Hill, Superintendent of Police, took a person into custody who had been a boatman in the employ of the company on another charge, and found in his possession some pieces of woollen cloth suspected of not having been honestly come by. These were kept for a considerable period, but no claimant being found, they were returned to the party by order of the magistrate. It is now believed that these were part of the stolen bale. We refrain from entering into particulars. With respect to Mr Kinder, as some aspersions were cast upon him in the course of the trial, we feel bound to say, from a ten years acquaintance with him, that a more honourable upright tradesman does not exist, and we are sure that he is the last man to frivolously litigate anything, and would sooner submit to loss than be concerned in anything not strictly honourable.

saucepans on the fire, one of which contained potatoes and the other a dumpling. After they had quarrelled some time, he took the saucepans off the fire and put them in the yard, fastening the back door as he returned. My mother was at this time sitting on a chair suckling a baby, and as soon as he fastened the door, my mother took a poker, and said, "By ----, I 'll not turn my back on my children for anybody". The prisoner then came to her, and asked her where she would have it ; she said, "Anywhere". He struck her a heavy blow on the breast, and I took the child from her and unfastened the door. He then threw my mother on a squab, put his knees upon her, and hit her violently under the ribs. I went out of the house, and when I returned, my mother was in a yard adjoining ours, her face being covered with blood. My mother came home soon after, and during the day complained of being very poorly. The prisoner came home at night drunk, and before going off the following morning, threatened to send the bailiffs to sell us up. He also said he had some stuff about him which would put any of them asleep. The day after the beating, my mother went to Lucy Poynton's in the morning, and remained there until she died. I was with her all day on Monday, and amongst other things heard mother say. "Oh dear, Bill Hough has done my job". I was with her on Tuesday and Wednesday, and on Thursday she died. Mr Dean, surgeon, attended her. Before what I have been relating took place, my mother had always been in good health ; she had been confined some months before, but had quite recovered from that.

This witness was cross-examined and re-examined. She said the blow given to her mother by her step son did not appear to make her ill.

Nancy Alcock : I am sister to the last witness, and remember the prisoner coming home on the 2nd of April ; when I told my mother that prisoner had come home, she told my sister to get up and prepare him some breakfast. He did not take anything to eat, but went out of the house, and returned at ten o'clock. When he came in, my mother put some stew to the fire, and sent his own daughter to ask him if he would have some. He said he had had no meat in the house that morning and some he would have. Thomas Hough soon afterwards came in and told his father that he did not get enough of food ; my mother said he did, and a dispute ensued. The prisoner then took the saucepans from the fire, placed them in the yard, and bolted the door when he returned. My mother took the poker up, and said she would not desert her children for anyone, and the prisoner came to her, thrust his fist in her face, and asked her where she would have it. She said, "Anywhere", the prisoner then struck her a blow on the breast, and after my sister had taken the child from her, he threw her on a sofa and beat her very severely. When she got away from him, she went into the yard and called out, "Murder". Prisoner followed her into the yard and struck her twice on the back of the head, by which she was knocked down. When she got up, some neighbours assisted my mother to make her escape over the wall, and the prisoner then commenced beating me. My mother went into Mrs Marsh's house, and she there complained of her head being injured ; she remained at Mrs Marsh's until a constable came, and then went home again. My mother did not go to bed that night ; the next morning, she was very poorly, and so remained until she died.

Cross-examined : The same day as my mother was beaten she had a slice of pudding for dinner ; she had also some tea and two pieces of bread and butter, and some stew about 12 o'clock at night. When my mother was knocked down in the yard, I cannot tell whether she fell backwards or forwards ; she was struck behind the head ; before this time I had never been beaten by my step father, he was always kind to me.

Catherine Leather : I was in Sarah Marsh's, about noon on the 2nd of April, and heard a scream of murder ; I went into the yard and saw Sarah Hough standing in her own yard ; she said, "Oh woman, will you stand to see me murdered?"; the prisoner stood behind her. I saw him strike her twice on the head. I said, "Oh! William Hough, don't beat her," and he replied, "I'll knock her b---y neck out". Sarah Alcock then went to him, and he knocked her down. Some neighbours got the deceased over the wall.

Cross-examined : I sat up with the deceased on the Saturday night ; she said she had wished Hough to strike her, for she could now swear her life against him, and that was what she wanted. She also stated that Hough had been a good husband to her, and a kind father to her children.

Sarah Marsh was called, and corroborated the testimony of the last witness.

Hannah Short also gave evidence to the same facts.

Lucy Poynton examined : I am the wife of William Poynton and live at Castle Northwich. About ten o'clock on the morning of the 3rd of June, the deceased called on me to go with her to the Navigation Office. I went to the next door to fetch the key of the house, and while I was absent, the deceased had got up into my bedroom and was sitting on a chair. She was very sick there, and seemed full of trouble. After a short time, we got her to bed, and Mr Dean, surgeon, was sent for. She complained about her husband, and said she was determined to be parted from him. She died on the Thursday.

Cross-examined : The prisoner came on Tuesday to see his wife, but he was not allowed ; he came again on the Wednesday, and remained with her until about twenty minutes before her death. He was very much distressed ; and while they were together, they seemed very affectionate ; they kissed each other several times. I have known the prisoner and the deceased some years ; they always appeared very happy together.

James Dean : I am a surgeon, and on the 2nd of April was called in to the deceased. There was a small mark on each side of the jaw, and also one on the chest. There were marks of discolouration near the eyes ; the pulse was feeble, and she was very restless and agitated. I passed my hand round her head, but did not observe any bruises. I ordered her to be bled, and prescribed medication for her, but I was obliged to desist bleeding, as the pulse sank under the operation ; I attended her for the last time on Wednesday night ; she was then in a state of apoplexy. On the following Friday, in conjunction with three other medical men, made a *post mortem* examination. On removing the scalp, there was a dark discoloured spot upon it internally ; and on removing the cranium, we found there was a considerable effusion of serum between the dura mater and the pia mater. The membranes of the brain were inflamed. I should say the deceased died from inflammation of the heart, and the effusion. Either a blow or a fall would have occasioned the spot on the scalp ; a blow on the chest might also have occasioned it. I hardly think the blows alleged to have been given by the prisoner would have caused the spot ; a fall on the back of the head would do it. We did not examine the stomach, but we examined the other viscera, and did not observe any appearance of disease.

Cross-examined : Inflammation of the brain might have caused such a spot as the one I have described ; the discolouration of the eye was the greatest indication of outward violence. There were no outward indications of violence to which I could attribute the cause of death directly. I believe inflammation of the brain caused the death ; women suckling children are very liable to be attacked by inflammation of the brain ; a paroxysm of anger might produce it ; other causes might produce it in women suckling children, which would not so result under other circumstances. I attended the examination of the body when it was exhumed.

Re-examined : The inflammation of the brain might have been occasioned by external violence ; considering the circumstances of this case, I should think that external violence caused the inflammation of the brain in this instance.

Mr Samuel Dean, surgeon of Witton, who made a *post mortem* of the body of the deceased after its disinterment, gave it as his opinion that death had been caused by inflammation of the brain, but that it was directly referable to external violence, he would not take upon himself to say.

This closed the case for the prosecution.

After a powerful address from Mr Temple, and a lucid summing up by the judge, the jury found a verdict of "Manslaughter" ; sentence deferred.

93 29 March 1844

THE MYSTERIOUS CASE AT ASHBOURNE In our notice of this case last week, we briefly referred to a statement in one of the London papers, communicated, we believe, by the clergyman who first laid the case before the public, that the mother of the young woman whose death at Calton had excited such a sensation in that neighbourhood had been discovered in Derbyshire. We have since had an opportunity of ascertaining the truth of that statement, and of gathering some few particulars relative to her. The name of the deceased was Ellen Hatfield. Her father was a tailor,

but he has been dead some years, and her mother has since married a boatman who is employed on the Peak Forest and Macclesfield Canals, and resides at Bugsworth near Chapel-en-le-Frith. The deceased received an ordinary education, such as the children of the poor in this neighbourhood have access to, the village school, and if she displayed any higher accomplishments, which we are told she did, she must have acquired them in her intercourse with the families in which she had lived at service. She left her mother about five years ago and went to live with a lady in Scotland, where she remained for some months. On leaving this place, she assumed the attire of a man, and amongst the various characters she has since assumed, she acted at one time as the mate of a merchant ship, and continued to do so until her sex was discovered. Her mother seems to have been ignorant of her proceedings, but she heard from her from time to time, and the last letter she received was about three months ago. There is very little doubt that she figured in various parts of the country as the son of some nobleman, and obtained, from the sympathy of those to whom she applied, the means of supporting that appearance of respectability which enabled her to carry on her system of imposture with success. She was, as before stated, about twenty two years of age, and in her male attire would pass for a youth of nineteen.

94 19 April 1844

Chester Council Meeting

CITY AND COUNTY CORONER A communication was next laid before the Council from Mr Faithful Thomas, coroner for the city, complaining of a wanton violation of the liberties and franchise of the city on the part of Mr Henry Churton, coroner for this division of the county. The case as stated in the document of Mr Thomas was to the following effect :- It appeared that on the 15th ult a flatman named **Wood** was accidentally drowned in a lock on the Chester and Ellesmere Canal near the chemistry, within the boundary of the city. When the body was taken out of the water, it was placed on the flat. Mr Harrison, surgeon, was then sent for, and in the interim, restoratives were applied without effect by the bystanders. Mr Harrison not being at home, Mr Churton was the first medical man who arrived, and he directly pronounced that the man was dead. The corpse was still lying within the boundaries of the city, and Mr Churton, instead of directing it to be removed to the nearest house, contrary to the remonstrances of the spectators, he ordered it to be taken to the Glass House, Christleton, which is within the liberties of Mr Churton's jurisdiction as one of the county coroners. Mr Churton then had a jury summoned, and held an inquest on the body. Mr Thomas denounced this conduct as a gross invasion of the franchise of the city, and called upon the Council to take up the matter, and protect the interests of their fellow citizens.

95 10 January 1845

Chester City Quarter Sessions

THOMAS v JONES Mr Temple stated the case to the effect that the plaintiff was a labourer residing at Flint, and the defendant a carter residing at Handbridge. The action was brought to recover the amount of twenty six weeks keep of an illegitimate child at two and sixpence per week. The child had been residing there for about three years, and the defendant had paid for it. He, however, stopped payment, and made a promise that he would pay to a person who went to interpret between him and the plaintiff, who did not understand English.

David Jones, a boatman living at Flint, said he had called upon the defendant about this matter several times, and that he had at various times paid him money on account of the child, at the rate of £1 12s 6d per quarter. When asked for the amount now due, he said he had no money then, but he would send it to Mr Kelly's in Back Crane Street, which he did not do.

Aaron Roberts said he was a collier living at Flint. He went with the plaintiff to the defendant in June 1843 and asked for this money ; he interpreted between them, and the defendant said he would not pay the amount due ; they threatened to bring the child the next day, when he said that if they would wait another fortnight, he would send the money to Flint. He asked what plaintiff would take to rear the child, and he said £20, when defendant said he would pay quarterly. The child still remained with the plaintiff.

Mr Yardley for the defence took an objection that this was the promise to pay the debt of another party, and it ought to be in writing.

The Recorder took a note of the objection, but expressed an opinion against it. Mr Yardley then addressed the jury for the defence. Verdict for the plaintiff, damages £3 5s.

96 28 February 1845

MANSLAUGHTER An inquest was held on Thursday week at the Royal Hotel, Runcorn, before H Churton Esq, coroner, and a highly respectable jury, on the body of John Hampson, who was in the employ of Mr Lovatt, block maker. The deceased came to his death under circumstances which led to the apprehension of two young men named John Newton and John Foster. It appeared from the evidence that on the night of Saturday the 8th inst, the deceased and the two prisoners had been drinking at the same public house, though not in company, and that the deceased and Foster got intoxicated, but that Newton kept himself pretty sober. About midnight, Hampson was returning home with **Thomas Irving**, a boatman with whom he had been in company ; but on arriving at Parr's entry, which leads to the yard in which Hampson lived, Irving left him, and went for a few minutes into the house of a neighbour, expecting that his comrade would soon join him. In a few minutes, as Hampson did not make his appearance, the boatman went in search of him, and found that in the interval, a quarrel had apparently taken place between the deceased and the prisoners. They were pulling him about, and threatening to take him to Harding, the constable. A struggle took place, in the course of which the prisoners several times loosed their hold of the striving man, and allowed him to fall. At length, Hampson succeeded in getting away from them, and got hold of some iron rails, swearing that he would give it to the first man who attempted to touch him. Foster thereon ran at him unawares, and struck him with his fist on the face, knocking him down with great force on the back of his head. Both Foster and Newton then began to kick him severely while he was down, and continued to do so for several minutes. The face and body of the deceased were severely bruised, but he attended his work at the beginning of the following week, though he made frequent complaints of his head. On the Thursday, he was confined to his bed, and a doctor was sent for ; but, notwithstanding the remedies administered, he died on Sunday night, in consequence of the complicated injuries he had received. The prisoners stated that when they were returning home, they heard a man cry out "Murder", and seeing the deceased running, they caught hold of him, and asked him who had been shouting out. According to Newton, he replied that he had been having an engagement with Reece ; but Foster's statement was that the deceased replied in a gross and insulting manner, and struck him, and that he struck in return. This was all they knew. The jury returned a verdict of manslaughter against both of the prisoners.

97 31 October 1845

SUSPECTED MURDER Great excitement prevails at Saltash, in consequence of the discovery of a man named **Joseph Clatworthy**, a boatman of that place, dead in Moditon Lane on Thursday afternoon last. The wife of the party who discovered it, found the body to be that of her father. How he came by his death is wrapped in mystery, and it is feared that the poor fellow has been murdered. All that is known is that on the evening of the previous day two men, strangers to the place, dressed as miners, hired him to take them in his boat from Saltash to Colthero ; he was never seen alive afterwards. His body bore marks of severe bruises, and his eyes were blackened. The boat was found at Hole's Hole, the opposite side of the river, with one paddle and the deceased's jacket in it. A man who was in company with the two suspected individuals on Wednesday is in custody, but nothing else throwing light on this dark transaction has been elicited.

98 3 April 1846

ROBBING A WAREHOUSE On Thursday last at the Police Court, three young men named **Samuel Hesketh**, flatman, Joseph Heckey, labourer and Samuel Jones, plasterer, were charged with breaking into a counting house attached to the warehouse of the Chester and Ellesmere Canal Company, in this city, about two o'clock on the same morning. It appeared from the evidence that at the time before mentioned, the watcher at the Company's wharf observed gleams of light coming

from the counting house, and shortly afterwards the light became steady, as though someone was inside. His suspicions being aroused by this circumstance, he left his box, and went to call up the porter, whom he made acquainted with his suspicions, and whose assistance he requested. They accordingly went together towards the counting house, and just as they reached it, the defendant Hesketh came through the window half naked. Two other men were also observed to be watching on the steps leading to Dee Lane, and all three immediately decamped. Information of the matter was then given to the police, and after a smart chase, Hesketh was captured in the rope walk by one of the officers. On getting to the police office, the man who looks after the gas lights gave some information which led the officers to believe that Jones and Heckey were the two men who had been seen watching on the steps, and in the course of a few minutes afterwards, Heckey was apprehended in John Street, removing night soil. Inspector Richards, with some others, then went to see that all was right in the counting house ; and whilst they were there, Jones, who was running away from the steps, had plunged into the canal, came out nearly half dead, and was immediately secured. The prisoners were remanded until Monday, when they were again brought up, and after a patient investigation, were again remanded.

99 2 October 1846

DEATH BY DROWNING On Wednesday se'nnight, as some boys were playing on the banks of the Chester and Ellesmere Canal near this city, they observed something floating in the water, which they supposed to be a human body, and immediately gave information to an adjacent lock gate keeper, by whose assistance it was brought to the shore. It turned out to be the body of a boy about 13 or 14 years of age. His name has not been ascertained, but the body was identified as that of a lad who had lately been employed by boatmen on the canal to drive the horses. On the previous day, he had come up from Beeston with a boatman named **Williams**, whom he left the same evening, but under what circumstances he met with his death did not appear at the inquest. The deceased stated that his parents lived at Holt, but enquiries which have been made in that neighbourhood have failed to trace them.

100 30 October 1846

INQUEST The following inquest was held before Mr Charles Caldwell, deputy coroner :- On Thursday the 22nd inst, at Stockton Quay, on view of the body of **John Chorley**, a boatman, who fell overboard a flat into the Bridgewater Canal and was drowned. It appeared from the evidence that the deceased had been subject to fits for some years, and it was supposed he had been seized with one at the time he fell overboard. Verdict accordingly.

101 15 October 1847

CHESTER POLICE At the Police Court on Monday last, William Clough, a labourer from Backford, was charged with stealing three sovereigns, the property of **Thomas Evans**, a boatman of Welshpool. It appeared that the complainant and the defendant slept on Sunday night in the same room at the Eastham Packet House, Northgate Street ; when the complainant went to bed, he had three sovereigns in his pocket, which had been taken possession of by Clough in the course of the night. Evans missed his money early the next morning, and charged the defendant with having taken it, which the latter denied, and said that all the money he had was a few coppers. A policeman was sent for, and Clough was searched, and the three sovereigns were found in his hand. He was dexterously endeavouring to conceal them by holding a basket in the same hand. The defendant was committed for trial at the sessions.

102 29 October 1847

Chester City Sessions

STEALING MONEY William Clough, 21, was charged with stealing three sovereigns, the property of **Thomas Evans**. Mr Cother conducted the prosecution. The prosecutor is a boatman, residing at Welshpool, and on the night of the 9th of October slept at the Eastham Packet House, Northgate Street, in this city, in a double bedded room. His cousin slept in the same bed with him,

and when they retired to rest, the other bed was unoccupied. About six in the morning, the prosecutor awoke, and observed another man (the prisoner) in the other bed. He then got up and went out of the house, and soon after discovered that three sovereigns had been taken out of his breeches pocket during the night. He returned to the house, went upstairs, and told the prisoner of his loss. Clough replied that all the money he had was 10 1/2d, which he pulled out of his pocket ; but the prosecutor said he should send for a policeman and have him searched. Haslam, a police officer, was accordingly called in. He told the prisoner he was charged with stealing three sovereigns, and asked him what money he had. The prisoner pulled out of his pocket a few halfpence, and said that was all. The prisoner then pulled his hand out of his pocket, and they proceeded together towards the police office. On their way, the officer said that he had taken his hand out of his pocket, and thinking that he might have the money in it, and let it fall, he seized his hand, opened it, and found three sovereigns therein. The prisoner called a very respectable witness, who gave him a very good character. Verdict, Guilty ; sentence 6 months imprisonment.

103 17 December 1847

FATAL RESULT OF AN ATTACK ON A BOATMAN We have this week to record a case which happily we have few parallels, from the effects we would surmise of too free indulgence in liquor, whereby the party or parties who committed the abuse, lost all control of their senses. On the night of Tuesday week, a party of boatmen had been drinking at the Bridge Inn, near the Old Factory Bridge, Castle Foregate, Shrewsbury, and about eleven o'clock left there for the purpose of going home. They stayed a short time talking upon the bridge, when two navigators came up with a large stone jug capable of holding seven or eight quarts, with a gallon of ale in it. **Thomas Hinton** (brother of Mr Hinton, clog and patten maker, Mardol), a boatman employed by Messrs Whitehouse on the *Magnet*, was one of the party standing on the bridge, and quite sober at the time ; seeing the jug, he said to the man who had it, "Mate, let us sup with you", when the person addressed gave the jug to Hinton. Just as Hinton, however, was going to drink, a "navie" named William Harrison came up, and refused to allow him to taste any. Words then ensued between them, and the handle of the jug was broken off. Harrison, it is said, then whistled, and three or four men came up, among whom was William Davies. Harrison then knocked Hinton down with his fist, and Hinton and his companion then set about the navies and nearly mastered them, causing them to run away. In a short time afterwards, perhaps five minutes, they returned, armed with what appeared to be pieces of paling, and fiercely recommenced the attack upon the boatmen, who all ran away with the exception of Hinton, who was struck down with a weapon by Harrison, who also threw the large jug at him while on the ground, and kicked him in the ribs. During the time Hinton was on the ground, he was also struck by another party. The poor fellow was heard to cry out, "For God Almighty's sake, let me alone, I have had enough", and called, "Murder!" very loudly, but none of his companions came back, though one of them at least was within hearing. When the men thought that Hinton had had enough, it appears they left him, and the poor fellow crawled and rolled for a short distance, and got over some low palings into a garden, where he was found and taken into the Bridge Inn. It was then discovered that he had received severe wounds on the head, and was also injured about the body. Hinton was taken to the Infirmary on Wednesday morning, and his wounds promptly attended to by S Wood, Esq, the House Surgeon, but despite his care and attention, the poor man died on Monday morning last from the effects of his wounds. On Monday, an enquiry was instituted before the Borough Magistrates, when the following men were brought up as being either directly or indirectly concerned in the death of Hinton – William Harrison, Thomas Hopwood, Thomas Griffiths, James Smith, Reuben Clarke, all navies, and William Davies – the three latter having been committed on Friday last on a charge of sheep stealing at Harlescott. The examination of witnesses occupied several hours, and was eventually adjourned for the production of material witnesses.

104 7 January 1848

MELANCHOLY ACCIDENT On Friday last, an inquest was held at the Canal Tavern in this city,

before John Hostage Esq, coroner, on the bodies of **William and Joseph Sutton**, two children, the one two and the other three years old, who were accidentally drowned on the previous day. It appeared that the father of the deceased, **Thomas Sutton**, is a boatman plying between Ellesmere Port and Chester ; and about six o'clock on Thursday evening was returning to Chester with his boat. He and his wife were at the helm, and the children were asleep in the cabin. When he got to the turn bridge which crosses the canal near to the entrance to the locks, the line of the boat caught the stone at the entrance into the basin, and afterwards caught the nuts on the rails of the bridge. The suddenness of the jerk upset the boat on its left side, and the cabin immediately filled with water. Sutton managed to get his wife on shore, and returned to the cabin to extricate his children, but the night being dark, and the boat on one side, he could not find them ; and twenty minutes elapsed before they were discovered, the sides of the cabin having been in the interval stove in with an axe. When the children were found, they were quite dead. Verdict, "Accidental death". During the enquiry it was stated that boat lines frequently caught the stone at the entrance to the basin, though this is the first accident that has happened ; and we understand that the Coroner has written to the Canal Company to take such precautions as may prevent its recurrence.

105 14 January 1848

INQUEST On the 5th inst, an inquest was held by John Hostage Esq, coroner, at the Bowling Green Inn, Brook Street, in this city, on the body of **William Evans**. The deceased was a boatman, and had been engaged on the previous day to go with a boat into Montgomeryshire, which was then lying in the canal near the Lead Works. He went to the boat intoxicated at midnight, and by some means or other fell off the boat into the canal, and was drowned. Verdict, "Accidental death".

106 21 September 1849

Audlem

On Sunday morning last, a boatman, who had come from Wolverhampton, was seized with cholera whilst passing through here, and died after an illness of 14 hours.

107 3 August 1850

EXTRAORDINARY SCHOOL OF PORPOISES About half past eight o'clock on Wednesday morning last, **Robert Edwards**, boatman of Connah's Quay, perceived a number of porpoises coming down the river Dee, opposite to where he resides, in pursuit of salmon. As soon as possible, he, with the assistance of his sons, cast out a net, whilst others from the shore kept firing at the monsters, but without effect. The porpoises continued to "roll" up and down the river for nearly two hours, when Edwards succeeded in netting seven of them, which he ultimately got very near inshore, when several men attacked them with knives and other weapons. The largest fish, which we learn weighs upwards of 1400 lbs weight, was killed by musket shots. There were two others of nearly an equal size ; one, a female, whose teats were full of milk, had in her pouch a young one weighing 114 lbs ; and three more, about 400 lbs each ; all of which were killed by being stabbed. There is not a similar instance on record of such a number of fish of this species, and of so large a size, being caught in the Dee. They were exhibited at the Crane Wharf, in this city, on Thursday, and were purchased by Mr Glover of Stone Bridge. It is believed they will produce a large quantity of oil.

108 24 August 1850

CAUTION TO MASTERS OF VESSELS **Charles Price**, master of the sloop *Sarah Davison* of Chester, was proceeded against on Tuesday last, under the Act 8th and 9th Vic cap 86 sec 116 and 117, for the penalty of £20, for having discharged a cargo from his vessel without first producing his papers to the officers of Customs. G H Anderson Esq, the Collector, appeared on behalf of the Crown to prosecute, and two professional gentlemen were employed on behalf of the defendant who, after a lengthened enquiry, was fined in the mitigated penalty of £5 and costs.

109 24 August 1850

CHARGE AGAINST A BOATMAN **James Cooke**, a man employed on board a flat, was brought before the magistrates at our Pentice Court on Wednesday, charged with stealing bones, the property of the Marquis of Westminster, out of a flat on the canal. After hearing the witnesses, the prisoner was remanded until this day.

110 29 March 1851

FOUND DROWNED Yesterday morning, about two o'clock, the body of a boatman named **Davies**, from St Martin's Moor, Shropshire, was found in the Northgate Locks. He had been seen early in the morning in a state of intoxication. An inquest was to be held yesterday afternoon.

111 16 August 1851

Assize Intelligence

FELONIOUSLY WOUNDING Joseph Pickstock, 27, was indicted for stabbing Richard Lightfoot at Over, with intent to do grievous bodily harm. Mr Morgan Lloyd defended.

Mr Macintyre appeared for the prosecution, and said that Lightfoot kept a beer house. Joseph Pickstock was at the house on the 16th May last, in company with a boatman. He and the boatman had a quarrel together. Lightfoot interfered, when the prisoner assaulted him, as he would describe.

Richard Lightfoot : I keep a beerhouse at Over. On a Friday night in May, the prisoner with others was at my house. He quarrelled with a boatman there, and knocked him down. The prisoner then said, "Lie there till I get my knife out, and I'll rip thee up". I went out, and told him to go off. The prisoner then tripped my heels up and threw me down on my face. I felt something sharp go into my head ; I bled a great deal from the wound. It could not have been done by a knife. I have been affected in the eyes since then.

Cross-examined : It happened about half past 10 at night. There were a number of persons in the house at the time, drinking. The prisoner had not been drinking himself. The row with the boatman was going on outside the house. The boatman had been drinking. When I got outside, the prisoner and the boatman were fighting. The boatman's name is **Knigh**t. I did not tell the prisoner I would kick him if he did not get up. I did not hear the prisoner say, "Lie there till I get my knife, and I'll rip thee up", but a woman told me she heard him say so.

Re-examined : The prisoner was not down at all.

Mary Lightfoot : I am the daughter of the last witness. I know the prisoner, and recollect him being at my father's house on the night of the assault. He was quarrelling outside with Thomas Knight. My father came out, but directly after was taken in again, covered with blood, by two men. The prisoner, whom I then saw, had a knife in his hand, which was bloody. I charged him with stabbing my father, and he owned to it.

Cross-examined : None of the persons in the house were drunk.

James Gregory : I am a police officer at Over. On the 22nd of May I apprehended the prisoner under a warrant. On charging him with the felony, he said, "I didn't cut him, I did it with my bootsheel on getting up". I found in his pocket a knife, which he said was the knife he had on that night. He afterwards said he wished he had taken Wiggins's advice and thrown away the knife, and that he drew it in his own self defence against two of them.

James French : I am a surgeon from Over. On Saturday the 17th of May, I examined Richard Lightfoot, and found a cut on the back part of his neck, penetrating to the bone. It was a clear cut and must have been done by a knife. It was likely to be dangerous.

Cross-examined : The wound did not become dangerous.

Mr Morgan Lloyd for the defence said that from the evidence it must be supposed that it was a fair fight between the prisoner and the boatman. In the midst of the fight, when the prisoner happened to have the upper hand, it appeared that the prosecutor rushed upon the prisoner and attacked him, in defence of the boatman. It was therefore only natural that the man should draw his knife in self defence when attacked by these two men. (The Judge interrupted the Counsel by saying that there had not been the slightest evidence offered that the prosecutor had attacked the prisoner). He maintained, however, that at the farthest, the prisoner was only guilty of a common assault. Guilty.

112 20 September 1851**City Police**

ROBBERY IN LONDON **David Aaron**, a boatman, was charged by Thomas Williams with stealing a bag containing bedclothes, boots, shirts and other articles of wearing apparel on the 2nd inst. The complainant is a sailor, apparently about 16 years of age, and on the day mentioned, he arrived at London Bridge from Gravesend. He went to a place called the Slate Yard to look for a boat by which to be conveyed to Liverpool, and there saw the prisoner, who told him he could give him passage by his own boat, but that he must first be paid 3s by the complainant, which he was. He afterwards went with Aaron to his lodgings, and there left his clothes and bed covering. Williams afterwards lost sight of the prisoner and his goods. One day, however, after his arrival in Chester, as he was going to Saltney, he saw Aaron standing on the Grosvenor Bridge, who immediately scampered off across the Roodee, but was unable to follow him. He again saw him on Sunday night standing under the Railway Bridge, when he procured a constable, who apprehended him. The prisoner stoutly denied ever having been in London, and said that on the day in question, he was with his boat at Market Drayton, whilst the complainant as stoutly affirmed he was the individual that robbed him. Remanded until Wednesday.

113 13 December 1851

INQUESTS, ACCIDENTS &c During the heavy fog, which seems to have been very prevalent in this part of the country, on Friday November 28th, many accidents occurred. At Winnington, the principal lock-keeper, **Mr William McLean**, accidentally fell into the lock. His absence was not discovered until he had been in the water of the River Weaver more than an hour. At the inquest, a verdict of "Accidental death" was returned. After the funeral (which was attended by a large number of friends), a committee was appointed to take steps for the erection of a suitable monument. It is rather singular that a stone monument should be first considered, inasmuch as a widow and six children are living, who might be gladdened in their affliction by a good subscription on their behalf. The Trustees of the River Weaver have granted a small pension to the widow, and defrayed the funeral expenses ; and the incumbent of the parish refused to accept of any fees. Recently, whilst a flatman on the Ellesmere and Chester Canal, named **Robert Roberts**, was standing on the top of his boat, he was suddenly tossed into the water by the towing rope. Another boat was approaching at the time, and the poor fellow was crushed between the two. He was taken to the Chester Infirmary, where he died. At the inquest before John Hostage Esq, the verdict was "Died from a mortal crush".

114 27 December 1851

INQUEST Last week an inquest was held at the Bridgewater Arms Inn, Runcorn, on the body of **John Allman**, canal boatman. The wife of the deceased stated that her husband had been unwell for upwards of seven weeks ; he had suffered from affection of the bladder. He had had medical advice at Middlewich and elsewhere, and he had once consulted Mr Wilson, surgeon, of Runcorn. On Tuesday, her husband sent her to look for a man to take charge of the boat, and shortly after she was gone, he sent a messenger requesting her to return, as he was very ill. When she returned, she found him sensible, but he died in a few minutes afterwards. The foreman and ten of the jury proposed a verdict of "Died by the visitation of God, from natural causes". Mr John Buckley, registrar of births and deaths for the Runcorn district, objected, and insisted upon a verdict of "Died from inflammation of the bladder". He declined having a medical man called in, but refused to agree to any other verdict. Accordingly, the jury were locked up, the fire put out, and the light extinguished. As the Coroner was retiring, Mr Buckley requested him to leave the depositions with the jury. This the learned gentleman very properly and positively declined. After having been locked up about an hour, they returned the following extraordinary verdict :- "Died by the visitation of God from natural causes, accelerated by an obstruction in the urinary passage". In other words, "Died from natural causes, *accelerated by a natural cause*".

115 13 March 1852

Police Intelligence

STEALING IRON **Richard Williams** was charged with stealing several pigs of iron from some person at present unknown. He is a boatman, and stated that he picked the iron up from the canal. He disposed of it to two boys, who endeavoured to sell it in Chester. Remanded until Saturday.

116 8 May 1852

MELANCHOLY LOSS OF LIFE On Saturday morning, the schooner *Henry King*, from Runcorn, with coals, was driven on shore in Dungarvon harbour. Nine men from Dungarvon proceeded in a whale boat to the wreck for the purpose of lending assistance ; but, melancholy to relate, the boat, on her return, was capsized by a squall on crossing the bar, and eight of the poor fellows lost their lives. One of the men had sufficient presence of mind to seize an oar, and thus providentially got to land. The following are the names of the men who were lost, all of whom bore the highest character and, as it will be perceived, nearly all of them were the support of a numerous family :- Mr Maurice Duggan, a shopkeeper, left a widow and four children ; Mr Lawrence Lensham, Lloyd's deputy agent, left a widow and nine children ; **Thomas McNaman**, a boatman, left three orphans without father and mother ; Michael Raher, a fisherman, left a widow and four children ; John Meagher, a fisherman, left a widow and three children ; **Thomas Crawford**, boatman, the support of an aged parent ; John Whealin, shoemaker, single man ; Maurice Muleahy, a young man, the chief support of a helpless family, found ; Patrick Muleahy, a young man, the chief support of a helpless family, found ; Patrick McNamara was the brave young man who escaped from a watery grave.

117 15 May 1852

Chester Police Court

STEALING COAL **John Swain**, a boatman in the employ of the Shropshire Union Railways and Canal Company, was charged with stealing coal from a boat belonging to the Company. A policeman on duty saw him take the coal from a boat lying alongside his own, about 12 o'clock on Sunday night. The ownership of the coal not having been discovered, the prisoner was remanded until today (Saturday).

118 11 September 1852

DEATH ON BOARD A BOAT IN THE CANAL On Saturday last, an inquest was held before John Hostage Esq at the Chester House of Industry, on the body of **Ann Furber**, aged 60 years. The deceased was the wife of a boatman, and slept with her husband in his boat on the Chester and Ellesmere Canal, opposite the end of Queen Street, on Thursday night. On Friday morning, she was up first, and about five o'clock came into the cabin, on the floor of which she fell, and died shortly after. A surgeon was sent for, but medical aid was useless. The jury found that the deceased died from apoplexy.

FATAL ACCIDENT IN THE DEE On Wednesday afternoon last, a young man named Thomas Wilkes, apprentice to Mr Clarke, bookbinder and stationer, Watergate Row, was bathing in the river near the Railway Bridge, in company with several other lads. The water was rather rough at the time, and Wilkes, who could only swim a little, was carried by the tide to the middle of the river, when he was observed to struggle and was carried under, and the body was not found for some hours afterwards. One of the witnesses at the inquest, which was held by Mr Hostage on Thursday at the Workhouse, deposed that as he was coming out of the water, he observed the deceased go down three times, and then lost sight of him. The body was found by **Richard Grove**, captain of the *Grosvenor* flat, who dragged for it. The jury returned a verdict of "Accidentally drowned".

119 15 July 1854

IN THE MATTER OF THE PETITION OF JOHN PALIN, of Northwich in the county of Chester, Waterman or Flatman and Publican.

NOTICE IS HEREBY GIVEN that the County Court of Cheshire, holden at Northwich, acting in the matter of this petition, will proceed to make a Final Order thereon, at the said Court on Monday

the seventh day of August next at eleven o'clock in the forenoon precisely, unless cause be then and there shown to the contrary.

120 12 August 1854 Assize Intelligence

HOUSEBREAKING Thomas Daniels, 27, was charged with having broken into the house of Joseph Parker at Marbury-cum-Quoisley, and stealing various articles, on the 6th of April. The prosecutor, who is an innkeeper and grocer at Marbury, fastened his shop door with iron bolts at midnight on the 5th of April, and when he got up the following morning at 5 o'clock, he found the shop door, which communicates with the house, partially open. On examining the shop, he perceived that a quantity of tea, ham, bacon, sugar, butter and other articles had been stolen. The same morning about 6 o'clock, a gamekeeper named Potts, living at Paddington, saw the prisoner with three other men on a bridge across the canal, two of whom afterwards went towards a hedge and then returned. Potts suspected that they had been hiding something, and got over the hedge; and by the mark of footsteps traced into some water furrows, found three bundles containing the property lost by the prosecutor. One of the men, who was watching Potts said, "D—m him, he's found them", and they then got into a boat going along the canal. Potts followed them, and told the boatman that he had got robbers aboard, and three of the men then made their escape, leaving the prisoner in the boat. He, however, managed to get away, but was afterwards apprehended. The prisoner was acquitted on the ground that the evidence was insufficient.

121 6 January 1855 Cheshire Quarter Sessions

Joseph Webb, 24, boatman; Emma Thompson, 24, upholsteress; and John Higgins. Webb and Thompson for stealing a quantity of wearing apparel at Winnington, the property of Robert Harrison and Philip Goodart, and John Higgins for receiving the same, knowing them to have been stolen. Webb, one day and four years penal servitude; Thompson acquitted; and Higgins, six months.

122 14 April 1855 Cheshire Spring Assizes

FORGERY **Joseph Bennett**, boatman, was indicted for forging an acceptance upon a bill of exchange, with intent to defraud Mr Henry Smith of Stockport, on the 29th of August last, also with uttering it with the same intent. Mr Horatio Lloyd appeared for the prosecution, and Mr Macintyre defended the prisoner.

The prosecutor deposed that he was a brewer and wine merchant residing at Stockport. He received from the prisoner the bill of exchange at his place. It purported to be accepted by Meadows and Bibby, and was for £25. The bill became due after the prisoner was apprehended.

Mr Richard Edwin Bibby deposed that he was a lime burner at Manchester, in partnership with Mr Meadows. The acceptance of the bill (put in) was not in his handwriting nor in that of Mr Meadows. Never gave any authority to anyone to accept the bill. Mr Meadows has not been fit to attend to business for two years.

Mr Macintyre, having cross-examined the witness for some time, observed that after what had been stated by Mr Bibby, he would not feel justified in defending the case further, as he had been instructed to set up that the prisoner had received permission to draw the bill.

The learned Judge then shortly summed up, and the prisoner having been found guilty by the jury, he was sentenced to four years penal servitude.

123 21 April 1855

INQUEST AT SEACOMBE An Inquest was held on Saturday last before H Churton Esq, coroner, at Mr Hendrick's Great Float Hotel, on the body of Mr David Caldwell, grain broker of Liverpool, and of Holt Hill, Tranmere, who was found drowned in the Birkenhead great float on Thursday morning. **David Ellis**, a boatman, deposed to finding the body between two baulks of timber in the float, immediately above the smelt works. One hand was about twelve inches under the water, whilst an arm rested upon a chain that secured a raft of timber to the wall. There was a wound on the head, evidently sustained in falling from the wall upon the timber. The pocket book,

memoranda and moneys of the deceased were found to be correct. The further evidence was that of Mr A T H Dalziel of South John Street, Liverpool. It seemed that on the preceding Tuesday afternoon at three o'clock, the witness, in the company of several gentlemen, crossed the river to Egremont for the purpose of dining at the house of his brother. In consequence of it being market day, the deceased did not join the party until after five o'clock. Mr Dalziel and his friends pressed him to cross to the landing stage in the steamer, but the deceased declined, remarking that he knew the road very well, and would get home sooner than if he crossed the river twice. The night was dark and exceedingly tempestuous, and it is supposed that, on getting to the foundry at Seacombe, the deceased, instead of taking the road on his left leading to the embankment, had by mistake proceeded onward to his right and, being deceived by the appearance of the great quantity of timber in the float, had either walked or been blown over the wall. Having struck one of the baulks of timber, there is no doubt that he was rendered insensible by the blow, and thus could exert no effort to save himself. The jury returned a verdict of "Found drowned". The deceased, who was 42 years of age, was a man of strong, vigorous intellect, and was highly respected by a numerous circle of acquaintances for his amiable and manly qualities. He has left a wife and two children, and there is the prospect of an addition.

124 5 May 1855

DEATHS 25th ult, at Preston Brook, aged 82 years, **William Speed**, boatman, who had been in the employ of the trustees of the late Duke of Bridgewater upwards of 70 years.

125 4 August 1855

Denbighshire Assizes

CHILD MURDER Margaret Davies was charged with the wilful murder of her illegitimate child by drowning it, in the parish of Chirk on the 10th of March last. She pleaded not guilty.

Mr Beavan stated the case for the prosecution, and called :

Mary Williams, who deposed that she lived at Corwen, and is a midwife ; attended the prisoner in her confinement at the Corwen Workhouse, where the prisoner was delivered of a girl ; it was named Joan ; attended the child at the Workhouse ; did not see the child after Margaret Davies left the workhouse till it was found dead ; was sure it was the same child by a mark on the chin.

Cross-examined by Mr Macintyre : The child was well when she left the workhouse ; it was not weakly.

By Mr Beavan : Cannot say how long it was before she saw the child previous to Margaret Davies leaving the workhouse ; it might be a month or two.

Catherine Williams lives at Corwen workhouse ; recollected the girl being born ; prisoner said she was not recovered when she left the workhouse between 12 and 1 on the 8th of March, and took the child with her. Witness dressed the child with some of her own clothes and fed it. Saw the body of a child, but could not say she knew it ; it had on the same clothes that she dressed Margaret Davies's child with.

Cross-examined by Mr Macintyre : The child was ill when she left the workhouse.

Tamar Roberts lived at Llangollen ; the prisoner was half sister to Robert Roberts of Glyn ; she came to their house on the 8th of March ; she had a child with her ; she stayed there till Saturday, and said she was going to take the child to her brother's to be reared. Witness attended to the child, which was not looking very well ; the prisoner came again on Friday, without the child, and said she had left it at her brother's.

Mary Jones sworn, lives at Llansaintffraid-Glyn-Ceriog, knew the prisoner, she came there on the 10th of March, it was snowing, said she had come from Corwen, and her child had died in Corwen workhouse about six weeks back, and that it was buried at Corwen.

Sarah Edwards sworn, is servant at the Royal Oak at Glyn, and saw the prisoner at Glyn, and told witness she had come from Corwen, and had buried her child there.

Ann Edwards sworn, is the wife of Isaac Edwards, and lived at St Martins, the prisoner is half sister to her husband, she came to their house on the 13th March and remained until Thursday, gave the same evidence as to the death of her child in Corwen workhouse ; she said it was a sickly child.

Cross-examined by Mr Macintyre : She was very sorrowful at the time, and said the child was a pretty one.

Elizabeth Cartwright sworn : Is the wife of a boatman, saw the prisoner in March last coming past their house, saw her go to her sister-in-law's house, this was on the 13th March, had a conversation with her about the child, and she said it was dead at the workhouse, it was a very nice baby she said, Saw the prisoner about a fortnight after on the towing path of the canal, prisoner said the water was very clear, and she could see nothing in it.

William Pattison PC, sworn : Is Inspector stationed at Llangollen, and kept the lock up there ; prisoner was received into his custody from another officer ; said to prisoner, well, Margaret, you brought your child from Corwen Union alive ; she said, who told you so, and witness said the relieving officer and others ; she then said, to tell you the truth, I drowned the child in Ty Coch tunnel, and there you will find it ; witness went there, but did not find the body ; received it afterwards from PC Hick and Catherine Williams, and Tamar Roberts saw it. The witness from a map explained the locality, and that it was out of the way to go by the tunnel.

Cross-examined by Mr Macintyre : There was a good deal of traffic on the canal ; he had merely made the observation in a friendly way that she brought the child alive from Corwen ; he might have said destroyed before the magistrates instead of drowned.

Richard Roberts, sworn : Is PC stationed at Rhosymedre ; was left in charge of the prisoner at Llangollen ; had a conversation with her ; she began to make a statement about the child, he said he did not want to hear it ; she said she did not care about that, and that she went to the canal thinking to get a ride in a boat, and on the way the child wet itself, and she was going towards a cottage to change it, and that as she was going over a wall she heard a voice calling her by name, and she went back to the tunnel and put the child into the water and ran away, but at one time thought to go back for it but was afraid she should not find it alive ; since then she had always been dreaming and rambling about it. After tea, she asked him not to tell Mr Pattison what she had said to him, and he replied that he could not promise that ; she said if he did she should either be in gaol or transported. She mentioned that when she lived at Ellesmere, she heard that some woman had got off for making away with children for 6 months in gaol or transportation.

Cross-examined by Mr Macintyre : Had made a memorandum of the conversation soon after.

William Jones sworn : Is a boat builder at Chirk ; found a child in the canal on the 7th of April ; it was floating on the top of the water, and had clothes on ; found it little better than half a mile from the Ty Coch station ; the current flowed from there to where witness found the body ; he gave it to the policeman.

John Jones sworn : Is a surgeon at Llangollen ; made a *post mortem* examination of a child on the 10th of April ; the face appeared puffed and swollen, and the skin peeling off from decomposition ; there was the appearance of asphyxia in the lungs ; could not swear whether it had been drowned or smothered ; it had the appearance of being suffocated on the water, or by some other way ; in other respects it was a healthy child.

Cross-examined by Mr Macintyre : Did not think the body of a young child would float soon after drowning.

This was the case for the prosecution.

Mr Macintyre addressed the jury for the prisoner, and in a powerful speech of great length, made a most touching appeal for the prisoner.

The Chief Justice, in summing up, paid a marked but well deserved compliment to Mr Macintyre for his clever defence of the prisoner, and for the feeling manner in which he had conducted the case throughout ; his lordship said the prisoner had suffered no loss at his hands, and he would to God that the young women of this county would take warning by this trial, and beware of the first false step. That the child was born alive, and continued well for some time, there could be no doubt. His lordship then went through the evidence in the most careful manner, and at the conclusion of the summing up, the jury asked leave to retire, and were absent about half an hour, and returned with a verdict of guilty, with a strong recommendation to mercy.

His lordship said, Margaret Davies, you have been found guilty of the awful crime of murder, and

he should not forget to represent in the proper quarter the recommendation made by the jury. He doubted not that it was correctly stated that she sorrowed for her child, and he hoped that her example might be beneficial to those who heard the trial. It only remained for him to pass upon her the awful sentence of the law, which was that she be taken from hence to the place from whence she came, and from thence to a place of execution, where she must be hanged by the neck till she was dead, and may the Lord have mercy on your soul.

126 11 August 1855

Cheshire Assizes

HIGHWAY ROBBERY John Machin, a boatman, was indicted for robbing Peter Verga of eight shillings, on the highway on the 27th June last. Mr Macintyre prosecuted, and Mr Morgan Lloyd appeared for the prisoner.

The prosecutor, Mr Verga, was returning home to Congleton from Burslem on the night of the 27th June last. About nine o'clock, he had arrived at a place called Kidsgrove, when he overtook the prisoner, who asked him, "was he going to Congleton?" The prosecutor replied that he was, and he gave the prisoner a lift. They pulled up at a public house called the "Bleeding Wolf", when the prisoner had two glasses of ale, which Mr Verga paid for. They then drove on as far as Old Moreton Hall, a distance of two or three miles, when the prisoner said to the prosecutor that he "thought he would return", and asked the prosecutor to give him some money. He gave him sixpence. The prisoner replied that it was not enough, and the prosecutor declined giving him any more, and ordered him out of his cart; a quarrel then ensued, and the prisoner pulled the prosecutor out of his cart, and held him on the ground by his throat. He then put his hand into the prosecutor's right hand pocket, and took out the money it contained. The prisoner then left him. The prosecutor proceeded on to Congleton, and gave information of the robbery to the police. On the Saturday afterwards, he saw the prisoner in custody, at Congleton, when the prisoner asked him "what he was going to do at him" and "could he make it up, as he was a poor lad, and his parents were poor". On behalf of the prisoner, the learned Counsel contended that the prosecutor was so drunk that it was utterly impossible that he could know what he was about.

The prisoner was found Guilty, and sentenced to eighteen months imprisonment with hard labour.

ROBBERY Henry Sandbach was indicted for robbing **John Antwis** at Runcorn on the 25th of July last. Mr Horatio Lloyd prosecuted.

The prosecutor and the prisoner are mariners, and had been drinking together at a public house in Runcorn. The prosecutor paid for the drink, as the prisoner had no money. They stopped together at the public house, and when the prosecutor awoke, he found the prisoner had gone, taking with him the prosecutor's belt, his knife, money, &c.

Mrs Greenhill remembered the prosecutor and prisoner being at her house, and the latter said "he would see his shipmate to bed". The prisoner came downstairs in about ten minutes, and said he thought his messmate would do, and he would be back in an hour.

Blake, the chief constable, apprehended the prisoner in Runcorn, and on searching him, found on his person the prosecutor's pocket book, and at his lodgings, the belt and knife.

The prisoner was found guilty, and sentenced to nine months imprisonment with hard labour.

127 26 April 1856

ATTEMPTED MURDER AND SUICIDE AT RUNCORN BY A BOATMAN On Thursday evening week, a boatman named **Francis** made a savage attempt to murder his wife, and afterwards to commit suicide, at Runcorn. It appears that Francis and his wife had been drinking at the house of Mr Stelfox in High Street, Runcorn, with some other flatmen, and on returning on board, the man, for some cause or another, attempted to thrash his wife several times, but was prevented from doing so by the master or captain of the boat. Being foiled in his attempt to ill use the woman, the brute soon afterwards got her into the cabin, and began using some endearing terms, and put his arm round her neck as if to kiss her. Whilst drawing her to him, he appears to have opened a clasp knife, and when his arm was round her neck, he inflicted a severe wound in the throat, narrowly missing

the windpipe. The woman immediately began struggling with him, screamed murder, and succeeded in escaping from his clutches. When he found that she had got away from him, he took the knife and cut his own throat. He did not, however, cut deep enough, although the wound was dangerous. The police superintendent (Blake) of Runcorn was soon on the spot, and the man was speedily in safe custody. The wounds of both the man and his wife were considered at first very dangerous, but both are now recovering. The man will be brought before the magistrates on Wednesday next.

128 3 May 1856

STABBING AT NEWTOWN On Saturday night last, an affray took place between **John Watkin** and a boatman named **Brese** at a public house near Newtown, when Watkin inflicted about a dozen wounds upon his opponent with his knife, and afterwards decamped. Search is being made, but as yet he has eluded the vigilance of the police.

129 26 July 1856

Montgomeryshire

UNLAWFULLY WOUNDING AT LLANWCHAIARN **John Watkin**, boatman, was indicted for maliciously cutting and wounding, on the 19th of April, **Edward Breeze**, at Llanwchaiarn. The prisoner had been previously convicted for arson.

Mr Morgan Lloyd was counsel for the prosecution ; the prisoner was not defended.

The Jury, after considerable deliberation, returned a verdict of guilty of the minor offence of unlawfully wounding.

In passing sentence, his Lordship said he could not but agree, under the circumstances, with the verdict the jury had found. The crime of stabbing was, unfortunately, upon the increase. It was always a very grave offence, in any form, and was a disgrace to the country. The prisoner's life had been full of misconduct for many years past ; he had been several times in gaol, and had been convicted of wounding the turnkey at Montgomery Gaol, and inflicting grievous bodily harm. In 1856, he was found guilty of housebreaking and sentenced to six months imprisonment. The sentence he should pass for the present would be 18 months imprisonment.

Some manifestations of approbation were expressed by the audience, but speedily repressed by the officers of the court.

130 2 August 1856

STEALING IRON AND ROPE **Edward Williams**, boatman and Michael Flynn, dealer, were charged with having in their possession a quantity of pig iron and old rope, believed to belong to the Shropshire Union Canal Company. Mr Blayney, inspector of the Company's works, said that on Saturday he saw the prisoner Flynn, and another lad named Walters, on the wharf, each carrying a bag filled with iron and rope. The boys were taken into custody, as was also the prisoner Williams, from on board the boat *Mary Ann*. Some days ago, similar iron to that found in the bags had been lying on the wharf, but he had not missed any of it. Miss Harrison said her father kept a marine store in Bridge Street, and on Saturday the prisoner Flynn borrowed 2s 4d of her to buy some iron, and the boy Walters, who was her father's apprentice, had gone to help him to carry it. This statement was confirmed by Flynn, and Walters was admitted as evidence. Mr Blayney said he could not identify the property, and Williams stated that he had picked it up on his voyages and sold it to Flynn for 2s 8d. The Mayor said it was by good luck more than merit that the case had failed, and the prisoners were cautioned and discharged.

131 9 August 1856

Assize Intelligence

UNLAWFULLY WOUNDING **James Spencer**, 52, **Ann Spencer**, his wife, and **Edward Spencer**, 14, their son, all working a boat on the Duke of Bridgewater's canal, were charged with unlawfully wounding **Samuel Bealis**, another boatman, on the 7th July.

The learned Judge said that as the prisoners had been in prison a month, they had better plead guilty to a common assault, and he would stay judgement.

The prisoners were then discharged on their own recognisances.

132 29 November 1856

HORSE STEALING AT SANDBACH **James Baskeyfield**, boatman of Betchton, was taken before C J Ford, Esq, at Sandbach on Monday last, for stealing a horse, the property of Mrs Robinson, farmer of Betchton, on the 14th of the present month. The prisoner was first traced to Stoke by the police, where he succeeded in exchanging the stolen horse for another with a beerseller there, receiving £2 to "boot". He then went on to Stone, and sold the beerseller's horse to a publican at Darlaston. The prisoner was committed to Chester assizes.

133 6 December 1856

Crown Court

BIGAMY **Joseph Daniels**, boatman, was charged with having remarried during the lifetime of his first wife.

Mr Beavan prosecuted, and Mr Macintyre defended the prisoner.

Edward Walker said he remembered the prisoner getting married nine or ten years back at St Peter's Church, Liverpool, and he knew he had since then married another woman, his first wife being still alive.

Cross-examined : Believed that prisoner and his wife had been separated for years, and that she was about to be married to a sea captain.

Martha Hinds, the second wife, said she married the prisoner three months ago.

Cross-examined : Knew the prisoner's wife was alive, but thought she was married to the sea captain, as she saw a letter he had written to her.

His Lordship said the fact of bigamy was proved, and the jury at once found the prisoner guilty.

The learned Judge, in addressing the prisoner, said that the second wife seemed to know the whole circumstances, and therefore the punishment would be much lighter than otherwise it would have been. The sentence was that he be imprisoned for one week.

134 6 December 1856

Chester Special Winter Assize

CUTTING AND WOUNDING **Edward Batty**, boatman, was charged with stabbing Joseph Ratcliffe with intent to do grievous bodily harm, at Marple on the 23rd September(*sic*) 1856. Mr Horatio Lloyd defended.

James Ratcliffe said he sent the prisoner in charge of a boat on the 22nd October last, with another man, with orders to return the same afternoon, the prisoner did not do so, and the witness then went to Hyde after the prisoner ; he found him in a public house at Hyde with the other man, both were in liquor. The prisoner refused to go to the boat, and witness accordingly went to it, altered its position so as to be ready to start, and then lay down in the cabin, Early the following morning, the prisoner came on deck, and witness heard him saying he would give the ---- some cold steel. The prisoner then went into the cabin, struck, kicked and otherwise ill used witness ; the prisoner then drew a knife out, and stabbed witness in the neck, which cut through several folds of witness's neck cloth, and witness's thumb was cut very badly in defending himself.

Peter Rogers, constable from Marple, apprehended the prisoner, when he charged him with having cut and wounded the prosecutor ; the prisoner replied that he knew nothing about it.

This concluded the case for the prosecution ; the prisoner said he had nothing to say for himself, only he was in liquor at the time, and did not remember anything about it.

His Lordship then summed up, and the jury brought in a verdict of guilty of intending to do bodily harm.

His Lordship sentenced the prisoner to one years imprisonment with hard labour.

135 24 January 1857

THEFT AND RECOVERY OF A HORSE A young boatman named **John Dugdale** was charged with stealing a boat horse, belonging to **Thomas Thompson**, boatman, Wigan. The animal was stabled at Barton on Tuesday night, and missed on the following morning. On Wednesday, at

Prescott, the prisoner endeavoured to dispose of it. He stated to a policeman that his father, who was ill, had sent him to sell it. When apprehended, however, he said he would tell the truth, even if he were transported ; and he now made a very circumstantial statement, in substance as follows :- On Tuesday, at the Woolpack, Pendleton, he met with two men, Bill and Jack who, like himself, were boatmen seeking employment ; and they went in company to Patricroft, where the two proposed that they should raise money by stealing a horse, that Dugdale should sell it, and if he got £5, he should have £1 for himself. Bill had a pistol which the prisoner pledged for a shilling. Between eight and nine o'clock, they went to the stables at Barton. Jack bought a halfpenny candle at a shop in the neighbourhood ; but he forgot matches, so that they were unable to get a light. They went into the stable, however ; and an old woman living near came to see what they wanted. They replied they had come to see the horse "suppered up" for the night, and then got her to light their candle at her cottage. The horse was inspected, and the prisoner pronounced it to be blind of an eye. They then left the stable, and the old woman went to the door of it after they had gone. They went to Worsley and returned about eleven o'clock, when they took the horse out of the stable. The next day, the two men accompanied him wherever he went, endeavouring to sell the horse, but they generally remained some distance from him. The prisoner, whose statement bore internal evidence of its truthfulness, was remanded.

136 7 February 1857

ACCIDENTS ON MONDAY On Monday morning, between four and five o'clock am, **John Harding**, a flatman, fell into the canal basin near the crane. The poor fellow managed to support himself on one side by resting his arm on the ice, and holding a stone in the wall with the other. His cries for assistance woke a man named Edward Nield, who lives close by, who fearlessly plunged in *deshabille* into the basin, and swam to his assistance ; another man named Edward Roberts followed from the same house, and between them they managed to save the boatman, Surely such a noble deed should be rewarded.

137 20 June 1857

INQUESTS AT CHESTER On Sunday morning, a girl died after a short illness on board a flat boat at the Canal Wharf. On the following day, an inquest was held on the body at the Workhouse, before John Tatlock Esq, deputy coroner, where the following evidence was adduced. **William Boez** of Wolverhampton, boatman, on his oath saith : The deceased was my daughter. She was turned eleven years of age, and has always been ailing ever since she was born. She lived with me and my wife, and another daughter, Elizabeth. We started from Ellesmere Port for Chester on Sunday the 14th instant. On Saturday the 13th, she had been taken about half past five to six in the evening with sickness and vomiting. She could not take any tea that evening. We could not get any assistance at Ellesmere Port and we therefore came on to Chester. She continued quite restless and vomiting for about an hour, and she then became easier for about ten minutes, when she was again taken sick. She continued like that until she died, about five or six on Sunday morning. She had had nothing to take since dinner on Saturday, and she had no appetite for a fortnight. She had been under a doctor, but I don't know when last. She had never been able to walk without assistance. Verdict, "Died by the visitation of God by natural causes".

138 4 July 1857

Cheshire Assizes

PLEADED GUILTY **David Sergent** alias **Matthews** alias **Prosser**, 25, boatman, stealing a watch and chain, the property of Joseph Radley, at Birkenhead on the 10th November 1856 ; also stealing a pair of trousers and a razor, the property of Michael McGragh, on the 12th November 1856. Mr Brandt and Mr Bevan prosecuted. 3 months imprisonment on each count.

139 11 July 1857

LOSS OF A FLAT AND FOUR LIVES On Tuesday morning, one of those calamitous occurrences which, happily, are infrequent in the Mersey, took place in this river, occasioning the loss of a flat

and the sacrifice of four human lives. About the hour of four o'clock on Tuesday morning, the flat *Samson* of St Helens, laden with salt from Northwich, and under the command of **Henry Hill**, left the Canning Basin for the Nelson Dock. She had on board 101 tons of salt. It was slack water at the time. Hill was directing the flat, and his assistant was a young man named **Abel Goss**, 18 years of age. There were besides on board Hill's wife, and two children, their relatives, named **Annie Eliza Woodcock**, aged 8, and **Henry Woodcock**, aged 4 years. The flat was proceeding down the river, in slack water, and when she came abreast of the Salisbury Dock, from some unexplained cause, she was suddenly seen to go down. Hill, having at that moment grasped an oar, was saved ; and Goss was seen to run as if to seize another, but he did not succeed, and went down with the flat. Mrs Hill, as soon as she saw the vessel sinking, no doubt impelled by affection for the children, rushed below and perished there. A steamer going down the river was almost immediately at the scene, and towed the sinking flat down to the Potteries, that she might be out of the tidal way. Here, when the tide receded, Mrs Hill and the little boy was found, their bodies still remaining in the cabin. The bodies of the little girl and of Abel Goss have not been recovered. Hill was taken up by a boat from the shore.

140 18 July 1857

Chester Quarter Sessions

Edmund Price, 21, boatman, was charged with having stolen a quantity of wearing apparel on the 28th April, the property of Catherine Davies.

Mr M Lloyd prosecuted, and the prisoner was undefended.

The prosecutrix some time ago went from Chester to a distant part of Wales, and the apparel was put on board a boat to be conveyed by canal to Newtown. The prisoner assisted to put the boxes containing the clothes on board, and he was a man employed on the vessel.

Police officer Snell went to Evan Evans's hay loft near the Northgate and found several articles of wearing apparel and some books, which were identified by the prosecutrix as her property.

William Hough, master of a boat lying close by, saw a man like the prisoner leave his boat with a lot of clothes, which were found in Perry's stables near Cow Lane.

The Recorder summed up, and the jury convicted the prisoner, who was sentenced to eight months imprisonment.

141 3 April 1858

Chester Spring Assizes

PERJURY James Rowland, 52, farmer, was charged with committing perjury before J W Harden Esq, Judge of the County Court at Nantwich.

Mr Morgan Lloyd appeared for the prosecution, and Mr V Williams defended.

The jury returned a verdict of Not Guilty.

During the trial of the above prisoner, the Grand Jury came in with a number of bills, and on presenting a true bill in the case of David Seddon alias Abel Jones, charged with stealing a mare, the foreman said one witness in the case named **John Goff**, a boatman, was so tipsy that he could not give evidence. His Lordship ordered the man to be brought into the court. Two policeman shortly after brought him into court, and his Lordship asked him what reason he had to give why he should not be committed to gaol for contempt of court. The man was too drunk to understand the question or reply, and his Lordship ordered him to be imprisoned for a week for contempt of court.

142 30 October 1858

Cheshire Quarter Sessions

John Turner, 33, boatman, was charged with stealing a quantity of coals, the property of George Bebbington of Tiverton, on the 8th of October 1858. Sentenced to two months imprisonment.

143 12 March 1859

SUSPECTED MURDER OF A WOMAN IN CHESTER On Saturday night last, the body of a woman named Catherine Allen was pulled out of the Canal Basin, presenting such appearances as led to the supposition that her death had been caused by foul means. She had been missing for three weeks, and when last seen was in the company of a boatman near the Northgate, not very far from

the place where the body was found. An inquest was opened on Monday before John Hostage Esq, when the following evidence was taken :-

Emma Howley of Brittain's Entry, Watergate Street, stated that she knew the deceased Catherine Allen, who was a single woman aged 19, and lived a gay life. On Thursday the 10th of February last, she was lodging with me. On Thursday night, about 11 o'clock, she and I were going up Northgate Street. I recollect the day, as she had taken some clothes out of pawn from Ryecroft's in Princess Street, and I washed them. We met a boatman, and he asked me where I was going. I did not answer him. Allen called him back, and went to him, and said, where are you going. We all three went into the Dublin Packet, behind the Exchange, and he gave the deceased and me each a glass of ale, but had none himself. She only drank part of hers. Allen had had drink, but was not drunk. While we were in the vaults, the boatman covered his eyes with one hand. We were not five minutes in the vaults. When we came out, he asked her to go down with him to his boat. Deceased asked me if I would go. I said no, and told her not to go, as they would do something to her, and I knew them before. We all three walked down the street as far as Urmston's vaults in Northgate Street. Deceased went in and wanted him to follow. He asked me if she was going to pay for any drink. I said no. He then turned out, and would not go. He and deceased afterwards went up the street towards the Northgate together. He had his arm around her waist. She told me she would not go with him, and said she would follow me home. I have never seen her since. The body shown to the Jury is the body of Catherine Allen. I heard him ask her if she would stay all night with him in the boat. She asked him to come home with her. He said no ; he wanted to go on board, and would not stay on shore. This conversation took place at Smith's public house before we went to Urmston's.

Caroline Evans of Brittain's Entry said : I have known the deceased, Catherine Allen, about two months. It is three weeks last Thursday since I saw her alive. I was going up Northgate Street about 11 o'clock at night with Ann Minshull, and saw the deceased, Catherine Allen, standing by Johnson's liquor vaults with a man. He appeared like a boatman. He had a sleeve waistcoat on. They were talking together. We went past them there, and on coming back we met them near the Abbey Square gate. He had his arm round her waist, and was clipping her. They appeared quite friendly.

William Coppock of Chester, flatman, said : On Saturday night last, I was shifting my boat in the Old Canal Basin, when I saw something in the water rise up. It turned out to be the body of the deceased. I and several others got it out, and I and William Hughes brought the body to the Workhouse. It is the body that was shown to the jury. The deceased was drest, and the bonnet was hanging round the neck from the string.

William Hughes corroborated the last witness's statement.

The inquest was then adjourned till Friday.

The inquest was resumed at the Exchange yesterday (Friday) afternoon before John Hostage Esq, coroner.

Mr Thomas Brittain, surgeon, deposed : I have made a *post mortem* examination of the body of the deceased. I found the body in a high state of decomposition, but I saw no marks of violence on it, either on the head or limbs. I should think the body had been in the water from two to three weeks. There was no mark of any bruise at all, and all the bones were perfect. The stomach was healthy and quite empty. Every organ was perfectly sound and healthy. There was nothing more than the usual signs of death by drowning, such as protrusion of the eyes and tongue. From the external and internal appearance of the body, I am of opinion that death was the result of drowning.

Some of the jury remarked that they had been informed there were screams of murder heard near the basin on the night upon which the deceased was seen in company with the boatman.

Mr Hill, chief constable, here entered the room, and said that within the last hour or so, he had received such information as induced him to ask for a further adjournment.

The inquiry was then adjourned until Friday next, the 18th instant.

144 19 March 1859

THE SUSPECTED MURDER IN CHESTER Yesterday (Friday), the adjourned inquest on Catherine Allen, found drowned in the canal, was resumed at the Exchange. The boatman and a man named Cunningham, better known as "Bob the fiddler" were shown to have been last with the girl. They had each made a statement relative to the case, but we have no room this week to report the details. An open verdict of "Found drowned" was returned.

145 26 March 1859

THE SUSPECTED MURDER OF A WOMAN IN CHESTER On Friday last week, the adjourned inquest on Catherine Allen, a prostitute, who had been found dead in the Canal basin on the 5th inst, was resumed at the Exchange before John Hostage Esq, coroner. **Joseph Kinsey**, the boatman in whose company the girl was last seen, was present, as also his man, and a person named Michael Cunningham, better known as "Bob the Fiddler".

The evidence of **Humphrey Roberts**, the hand on board the boat, corresponded with a statement by Kinsey, but Cunningham's statement of the matter differed very materially.

The following evidence was adduced :-

Ruth Carsley of the city of Chester, singlewoman, states : I know Joseph Kinsey. On Thursday the 10th of February last, I was returning home between ten and eleven o'clock at night, from a sewing class at Pepper Street Chapel. I live at the Liverpool Arms near the Northgate. Opposite the Exchange, I saw Joseph Kinsey clipping a bad girl in the street. I did not know her. I knew Kinsey from his frequenting the Liverpool Arms.

Sarah Phillips, servant at the Bull and Stirrup, recollects Joseph Kinsey coming to the house with a girl about half past eleven o'clock. He called for two glasses of ale. This was on a Thursday night about five weeks ago. They left the house about twenty minutes to twelve. A fiddler named Michael Cunningham left the house with them, and stopped talking in the street a short time near the house.

Humphrey Roberts, a boatman on board the flyboat *Tench*, belonging to the Ellesmere and Chester Canal Company, states : Joseph Kinsey, on the 10th of February, was captain of the *Tench*, which was lying under the large crane in the Canal. I was on board the boat at half past nine, and was in bed. I had been asleep, and was awoke by Joseph Kinsey coming in. He came in and sat down. I can't say what time it was. In about a quarter of an hour, the Fiddler came in with a girl. They all three sat down together and had some supper. They were all partly drunk. Joseph Kinsey pulled out a little bottle of whiskey from his pocket ; they all drank some of it. The girl took off her bonnet and shawl when she sat down. [The Fiddler was here ordered in another room] In less than half an hour, the Fiddler went out, leaving Kinsey and the girl together. In a few minutes, the girl went out of the boat without her bonnet and shawl. Kinsey then went out of the boat after the wench, and came in again in a few minutes. He said, "I'll go to bed". Before he got in bed, the Fiddler came and said, "Joe, where's the bonnet and shawl? We had better give her her bonnet and shawl or we shall get into some bother". Joseph reached them to the Fiddler, and the Fiddler took them away. In about a quarter of an hour or twenty minutes, the Fiddler came back again into the cabin and laid down. Joseph Kinsey was then in bed. I heard the Fiddler say nothing. I dropped asleep. I awakened sometime in the night, and heard the Fiddler go out. I don't know what time it was. We remained loading the boat on Friday morning and evening, and left in the evening for Ellesmere. We returned to Chester on the Wednesday following, and went back on to Ellesmere Port ; stayed there a day, and came back to Chester on Friday, the 18th, and I took the boat up to Frost's Mill with James (Gegan?), and we were there getting the boat ready for loading, when the Fiddler came to the boat, and in talking [the Fiddler was then called into the room] he asked me if I had seen anything of the girl. (I thought he referred to the girl I had seen him with on the boat). I said, "No, I have seen nothing of her". He said, "Nor I ; I have not seen or heard anything of her – perhaps she has drowned herself".

The statement which Joseph Kinsey had made to Inspector Long was here put in, and in reply to the Coroner, Kinsey said he was willing to swear to the truth of it. The following statement was then

read and sworn to :- I was in Chester on the night of Thursday the 10th February last, and in company of two females. I met them in Northgate Street about ten o'clock. They asked me to stand treat. I said, I have no money. They replied, they would warrant I had money. They asked me several times before I would stand. I then went with them into Smith's public house, behind the fish market, and there treated them to a glass of ale each. I had nothing to drink in the house myself. We then left and walked down Northgate Street. They asked me to go home with them. I said I would not. They asked me several times, and I refused. I then said, you can come along with me if you choose. They asked me where I was going. I said, to the boat. They asked me where the boat was. I replied, down at the bottom of the Tower wharf. The deceased and I then walked up towards the Northgate and, passing the vaults, she asked me to stand treat. I said, I think you have got plenty. She again asked me, and I then went in and treated her to a glass of whiskey, which she drank. She then asked me to get some more to take to the boat. I told the landlord to put a noggin of whiskey into a small bottle, which I took with me. We then left, and walked higher up the street, and went to a public house on the right hand side, which is nearly opposite the Brown Cow. She again asked me to stand treat ; we went in, and I treated her to a gill of ale and one to myself. There were three young men in the house whom she appeared to know, and they seemed to know her. She entered into conversation with one of them. I know one of them myself very well, by the name of "Robert the Fiddler", whom I have seen at the Northgate Tavern. We all left the Bull and Stirrup together a little before twelve o'clock. She was still in conversation with the young man in the street. I said to the fiddler, good night, I'm going. I then left the female talking to the young man. The fiddler said, stop a bit, I'll bring her with us. I said, no, don't, leave her there, for I'll have nothing more to do with her. He said he would bring her, and laid hold of her hand. I went down Canal Street towards the wharf, the fiddler and her following. I went into the boat, and in a few minutes afterwards, they came on board. I said to the fiddler, I told you not to bring her here. They then both sat down in the cabin. Myself and the fiddler had some bread, cheese and butter to eat. She would not eat anything, but drank a little of the whiskey ; the remainder was drunk by myself and the fiddler. After being in the cabin about twenty minutes or half an hour, the fiddler went out, and she followed him. I went on the bank soon after they went out, and she was lying down, seemingly very drunk ; the fiddler was trying to get her up, and could not. I said to him, I shall go into the cabin and go to bed ; I'll leave you to it. I went into the cabin, and began to undress myself. I then saw that she had left her bonnet and shawl in the cabin. When I was half undressed, the fiddler came into the cabin, and asked me for her shawl and bonnet, saying, *if we don't give them to her there will be some bother about it.* I gave them to him, saying, here they are, I'll deliver them up to you. He went out of the cabin. I then finished undressing and went to bed. In about a quarter of an hour or twenty minutes, the fiddler again returned to the cabin and lay down on the side bench; myself and my man being in bed (he had been with me all the time in the boat, and was quite sober). Some time after, I heard the fiddler going out of the boat, and I saw nothing more of him or the female afterwards.

George Beddows, clerk at the Shropshire Union office adjoining the Canal basin, states : About five weeks ago, or about three weeks before the body of Catherine Allen was found in the Canal basin, I was awakened about two o'clock in the morning by the screams of a female as if in distress. It was not a cry of murder nor a cry for help. They continued for a minute or two. I mentioned it in the morning to the parties whom I lodged with ; they said they heard nothing.

Michael Cunningham having been cautioned by the Coroner that in any statement he might wish to make, he need not say anything to criminate himself, but that what he did say would be taken down and used in any way found advisable, declined to swear to the statement which he had made to Inspector Long. The Coroner asked Mr Hill whether he could at present carry the case any further, and being answered in the negative, told the jury that he thought the best plan would be to return an open verdict, for although suspicion attached to certain persons, still there was not sufficient evidence at present to take further steps. The police would keep a look out, and at any future time, would be able to act upon further facts coming to their knowledge.

The jury then returned an open verdict that the deceased was found drowned.

Michael Cunningham's statement was as follows :-

I met Joe, the boatman, in Northgate Street one night. I cannot tell how long since. I cannot remember seeing anyone in his company that night. I saw no female with him. I never knew a woman of the name of Catherine Allen. I never had no drink with the boatman that night that I can remember. I don't recollect that I was on board the boat that night ; neither do I recollect being in the Bull and Stirrup in the company of some young men. I had been to a ploughing match at Upton all the day, and was playing at Axe's public house on the violin. If anyone says I was on board Joe's boat that night, they would be telling a falsehood. I live at 58 Steven Street, but cannot recollect what time I got home that morning ; it was not daylight. I don't remember having in my possession a bonnet and shawl on the above night. I have not seen the boat that Joe goes with since the time above mentioned. I don't know Joe's man, Humphrey. I don't remember seeing the boat at Frost's mill about a week after ; nor saying to a man on board, "I wonder what became of that girl, for I have never seen or heard of her since that night ; I should think she must be drowned". I was very much in liquor the above night, and have but very slight recollection of what occurred.

146 7 May 1859

SUDDEN DEATH IN CHESTER On Wednesday night about ten o'clock, **John Speakman** aged 66, a boatman living in Charlotte Street, went home the worse for liquor. His wife was helping him up to bed, when he fell back off the fourth stair on to the floor. His wife and a person living in the same house carried him to bed, but he did not speak, and at six o'clock the next morning, he died. An inquest was held before John Hostage Esq, yesterday (Friday), when it was stated deceased had not been well for some time, and from the opinion of Mr Weaver, surgeon, who saw him soon after death, the jury returned a verdict of "Died by the visitation of God from apoplexy".

147 2 July 1859

Cheshire Quarter Sessions

Moses Burn, 30, boatman, pleaded not guilty to stealing on the Trent and Mersey Canal, 20 plates, four dish covers, 12 jugs and other articles from a boat belonging to the Trustees of the late Duke of Bridgewater, at Anderton. The jury found the prisoner guilty, and the Court sentenced him to 6 months hard labour.

William Webb, 23, boatman, was indicted for stealing a hive of bees and a quantity of honey, the property of William Boardman at Anderton on the 14th of June. The jury could not agree, nine being one way, and three the other. After being locked up half an hour, they found the prisoner guilty, and he was sentenced to 21 days imprisonment.

Joseph Sidley, 22, and **James (Banner?)**, 22, boatmen, charged with stealing four pieces of horses' head gearing, the property of Abraham Jackson and others, their masters, at Runcorn, on or about the 6th of November 1858, were acquitted.

148 3 September 1858

DREADFUL DEATH An inquest was held before the borough coroner, Liverpool, on Tuesday, on the body of **Jane Johnstone**, 10 years of age, the daughter of a flatman on the Leeds and Liverpool Canal, who lived in a court in Adlington Street. It appeared that on Monday afternoon, her father's boat was lying at the timber wharf at the bottom of Plumbe Street, and that she was last seen alive on the wharf a few minutes after assisting to haul the boat ahead. An hour or two after, her mother came on board and enquired after her, but she was not to be found. On the wharf, there is a privy in common use by the crews of the flats, and a person, on going there, thought he saw a rag amongst the soil. The father got an iron boathook and fished up his missing child from the midden. She was lying, head downwards, in two feet ten inches of liquid soil, quite suffocated, and having evidently fallen back from the seat, which only consisted of a narrow rail and two cross pieces, the frame of old woodwork. A bruise at the back of her skull showed that the child, in falling, had struck against the wall of the privy, which was stated by her father to have been in the same dangerous state for the last ten years. A verdict was returned of "Accidentally suffocated".

149 20 August 1859

SPIRITUALISING THE YOUNG On Wednesday at Wolverhampton, **Ann Smith**, the wife of a boatman from Worcester, administered about half a pint of rum, neat, to her child, a boy about five years of age. The fact coming to the knowledge of the police, they had the child taken to a surgeon, who administered an emetic, which had the effect of obviating the dangerous consequences that would otherwise have followed.

150 20 August 1859

THE FRAUD ON THE RIVER WEAVER TRUST We learn that **John Lightfoot**, who was formerly in the service of the River Weaver Trustees, as clerk, but who about two years and a half ago, decamped, taking with him a number of books and cash to the amount of £400 belonging to the Trustees, was apprehended on Saturday week through the instrumentality of a boatman who, despite a profusion of whiskers, beard and moustache which enveloped the lower portion of Lightfoot's face, managed to recognise the features of the absconding clerk. A reward of £100 had been offered for his capture. He is now safely deposited in the Northwich Lockup.

151 3 September 1859

SINGULAR AND FATAL ACCIDENT AT ODD RODE An inquest has been held in the house of Mr James Turner, the Bird-in-Hand, Odd Rode, before Mr Latham, coroner, on the body of **William Machin** aged 46, a boatman, who was found drowned in the canal by the side of his boat. It appears that on the 18th ult, the deceased's boat was moored at the wharf of the Stonetrough Colliery, and he was in the habit of sleeping at night in the cabin. On the evening of the day in question, he had been drinking with another man. The two left the public house together, and the deceased went as usual into his boat. The next day, he was found immersed head first in the water, and quite dead. From the position of his body, there seemed to be no doubt that the deceased, while standing on the side of the boat, had overbalanced himself and fallen into the water. Verdict, "Accidental death".

152 5 November 1859

A FLAT CAPSIZED ON THE MERSEY, AND LOSS OF SEVERAL LIVES A melancholy occurrence took place on Tuesday, on the river Mersey, which, so far as can be ascertained, resulted in the loss of seven lives. It appears that about six o'clock, the screw steamship *Hungarian* (one of the Montreal Ocean Steamship Company's vessels) was lying in the river between Seacombe and Egremont. She was to sail on the following day for Portland. Alongside the steamer lay a flat, from which coals were being delivered, a number of labouring men, probably 12 or 14, being employed in the operation. There was a heavy sea running, and in consequence of the flat making a lurch, the rope which attached her to the steamer gave way. The flat's mast then caught some part of the ship's rigging, upon which the former heeled over, the water rushed into the hold, and she capsized. The men on board struggled manfully to save themselves, but the tide running strong at the time, they were quickly carried down the river by the stream. Several of them clung to the hatches of the flat, which were floating about ; and by this means were enabled to support themselves until assistance reached them. A boatman named **Joseph White** went promptly to the assistance of the sufferers, and rescued six of them who had by great exertion temporarily sustained themselves by holding on to the hatchways. Boats were put off from the steamer, but whether they picked up anyone has not yet been ascertained. It is feared that such is not the case and that, except the survivors previously named, all the other poor fellows have met with a watery grave. The names of four of the survivors are John Neeson, John McHugh, John Sweeney and John Bailey. Of the other two, it is said that one is the captain of the flat and the other the quartermaster of the steamer. One of the men was saved by hanging on to the foot of his companion while supporting himself with a hatch which had floated from the flat. The flat became a complete wreck, and floated down the river. Up to Tuesday evening, she had not been picked up. The six survivors were conveyed ashore, and received every kindness. The number of men on board the flat at the time of the occurrence is not accurately

known, but is supposed to have been 12 or 14, some say as many as 16.

153 3 December 1859

Knutsford Adjourned Sessions

ROBBERY FROM A BOAT AT RUNCORN **John Ashcroft**, 19, boatman, and John Filbourne, 19, labourer, pleaded guilty to stealing two jackets and other wearing apparel from a boat belonging to **Henry Waterworth**, at Runcorn, on the 28th instant. Mr Swetenham prosecuted. Four months.

154 17 December 1859

Cheshire Winter Assizes

CUTTING AND WOUNDING AT APPLETON **David Hatton**, 23, boatman, Stockton Heath, Warrington, was indicted for wounding Reeves Slater, a peace officer, in the execution of his duty, with intent to do him bodily harm, at Appleton on the 11th September last.

Mr Parry appeared for the prosecution and Mr Macintyre defended the prisoner.

Reeves Slater, sergeant of police, was out on duty on the night in question, and when I returned, my little dog came out. I heard footsteps go past the house, the dog barked, and the footsteps returned. I missed my dog, and went out to search for it. The dog yelped, and I went to the prisoner's house, knocked at the door, and asked for the dog he had just brought in. Prisoner said he had no dog. He opened the door, and I caught hold of the handle and got part of my body inside. Prisoner fought hard with me. I kept the blows off my face, and had hold of his brace and shirt, they gave way, and I fell back. He pushed me out, and my knee and foot were pressed so tight in the door that I could not get away. I felt two or three stabs in my knee, one cut to the bone. I sent for assistance. Prisoner swore if he had not stabbed me he would do so, and murder me. When assistance came, we entered the house, and arrested him. By the side of the door, I saw a poker and a cleaver, and found a knife in his pocket. I was confined five weeks from the injuries I received.

Other evidence was adduced.

Mr Macintyre addressed the jury for the prisoner, and his Lordship summed up.

The prisoner was found guilty, and sentenced to ten months imprisonment with hard labour.

155 7 January 1860

FEARFUL LOSS OF LIFE ON THE MERSEY On Friday afternoon se'nnight, one of the most melancholy accidents that have for some time occurred took place on the Mersey, by which more than twenty lives have been sacrificed. It appears that a vessel called the *Grand Trianon*, commanded by Captain Henry Clarke, left the Birkenhead Dock on Friday morning at high water, and anchored near the middle of the river off Rock Ferry. She is an emigrant ship bound for Adelaide. A number of men were on board, consisting of riggers and other artisans, who had been employed in various ways in fitting up the ship and getting her ready for sea. These men, having completed the work on board ship, were desirous of going ashore, and with this object in view, availed themselves of a boat that came alongside. The boat belonged to **Thomas Mackay**, a man well known as a boatman on the river. With regard to the exact number of persons on board, there are various statements ; but, so far as can at present be ascertained, the number must have been at least 26 or 27 ; some of the survivors estimate it as high as 30. It was intended that the boat should run into what is called the Cockle Hole, near the Brunswick Dock, and land her passengers. A strong breeze was blowing at the time from the south west, with rather a heavy sea, the tide being on the ebb. The boat, which was under sail, approached to within a short distance of the Brunswick Pier, when a sea struck her, and she shipped some water. Immediately after, she gave a lurch, and filled, and as one of the survivors expressed himself, "she went from under them". All of the occupants of the boat were thrown into the water, and a fearful scene ensued. Owing to the heavy sea, the unfortunate men could do little towards saving themselves, and the struggles of most of them were of brief duration. The accident having been observed by several persons on the Brunswick Pier, two boats put off immediately to render assistance. One of them, by dint of great exertion, reached the scene of the catastrophe. The boat picked up Captain H Clarke, the commander of the ship ; Thomas Killing, a labourer ; Thomas Mackay, the owner of the boat ; and a man unknown, supposed to be a rigger. All of them except the last named were taken to the

Southern Hospital. Mackay was so little injured that he left the hospital immediately and proceeded home. The others were, by the usual appliances resorted to on such occasions, soon placed out of danger, and are progressing favourably. Another of the survivors, John O'Hara, a seaman, saved himself by swimming towards the pierhead, where a life buoy was thrown to him, and he was brought ashore at the Cockle Hole Slip. The other boat which put off to render assistance picked up Thomas Grue, who was brought to the George's Pier, and conveyed thence to the receiving house at the Prince's Dock. After being placed in a warm bath, and the other means adopted for his restoration, he gradually recovered. All the other poor fellows who occupied the boat met a watery grave. Supposing there were 28 in the boat, this would leave 22 unaccounted for. A large portion of them were riggers, and the remainder artisans and labourers who had been employed in various ways on board the ship.

156 28 January 1860

FRIGHTENED TO DEATH A boatman named **Timmins** was drowned in a canal near Dudley a few days since, and when taken home, his mother died from fright at seeing the body.

157 31 March 1860

TERRIBLE BOAT ACCIDENT AT WORCESTER Over the Severn at Worcester, a bridge has been constructed for the Worcester and Hereford Railway, and this bridge has latterly been strengthened with piles. On Friday last week, as a canal boat was passing, it fouled the piles, and capsized. There were seven persons on board – the captain, named **Whitehouse**, his wife and three children, a sister of the captain's wife, and a boatman. The captain managed to catch hold of a pile, and then to seize his wife by the hair of the head, but their three children were drowned before their eyes, as also was the young woman. The boatman managed to swim ashore.

158 7 April 1860

Cheshire Spring Assizes

STEALING AN IRON CHAIN AT CHESTER **Richard Parry**, boatman, Chester, was convicted of stealing an iron chain, the property of the Shropshire Union Canal Company, at Bunbury on the 8th February last. Mr Trafford appeared for the prosecution ; the prisoner was undefended. It appeared that a boat was left two miles above the Bunbury locks, and on the night in question, the chain was stolen. It was afterwards found to be on board the boat of which the prisoner is captain. He had been seen near the prosecutor's boat about the time when the chain was stolen, and it was shown that he was the person who had taken it. He was found guilty, and as he had been convicted of felony before, he was sentenced to nine months imprisonment and hard labour.

159 12 May 1860

A HUSBAND DROWNED BEFORE HIS WIFE'S EYES Inquests were held on Tuesday at Liverpool before the borough coroner, on the bodies of **Thomas Anson**, a river boatman, and another man, name unknown, whose body was picked up in the river near Knott's Hole on Monday morning. He appeared to have been only a short time in the water, for there was a slight scar over the left eye, bleeding fresh, and the body resembled that of a labourer, five feet six inches high, and about 30 years of age. **Sarah Anson**, who resides in Lower Bebbington, Cheshire, gave the following account of the death of her husband :- He was a boatman, and was 28 years old. On Monday the 2nd of April, about half past four o'clock, he left our house, and told me he was going to Garston to dock a screw steamer. As he was in drink, I followed him to see where he was going. I overtook him at New Ferry. I said, "Tom, don't go". He said, "I am obliged to go". He got into a small boat belonging to a yacht to go off to the screw boat, which was lying between Rock Ferry and New Ferry. He was not in the boat long before it upset. It was a strong flood tide at the time, and he was pulling against it. I saw the boat upset, and I afterwards saw two men pull off from a vessel to pick him up. They were too late to save him, but they picked up the boat. I never saw the deceased again until I saw and recognised his body in the dead house on Monday. The body was picked up by a boatman off the Rock Lighthouse on Monday morning. A verdict was returned of

“Accidentally drowned”.

160 25 August 1860

CHARGE AGAINST CAPTAINS FOR ILLEGALLY OPENING A LOCK ON THE RIVER WEAVER At the usual monthly Petty Sessions held at Northwich, on Tuesday week, before J H Harper, W Worthington and J H Marshall, Esqrs.

John Holford, captain of the flat *Tom* of Northwich ; **John Mills**, captain of the *Enterprise* ; **Thomas White**, of the *Jane* ; **Charles Cowley**, captain of the *Lilly* ; **Joseph Palin**, captain of the *Little John* ; **William Hickson**, captain of the *Lord Hill* ; **John Alcock**, captain of the *Blake*; **Thomas Dutton**, captain of the *Lancaster* ; and **John Hankinson**, captain of the *Obediah*, were summoned for having wantonly and without occasion caused a certain lock belonging to the Trustees of the river Weaver, called Pickering's lock, to be opened on the 16th of July.

Mr Blake prosecuted on behalf of the Trustees of the River Weaver, and Mr Green appeared for the defendants. The case of Holford was taken first.

Mr Blake said it was with great regret that he appeared to support this information against the defendants, he was sorry they had so far forgotten themselves as to have committed the act with which they stood charged. The river was drawn off on the night of Saturday the 14th of July ; the locks were all fastened at 12 pm, and early on the following morning, the whole of the parties summoned came up to Pickering's lock, knocked up the keeper, and requested to be passed through. The keeper said the gate was fastened, and he could not of course allow them to proceed. A conversation then seemed to have taken place, all the defendants agreeing to break through the gates, come what would. None of the defendants asked the lock-keeper for a light note, which is was their duty to have done, because they knew that a note would not have been given to them ; but they forced their way through the lock, having first broken the staple and taken off the chain, against the express direction of the lock-keeper. The information was laid under 38 Geo 2 c 49 s 38, which provided that if any person should wantonly, or through carelessness, or any negligence, break through, damage, or destroy any banks, or other works erected for the purpose of navigation, should forfeit a penalty of 40s. The defendants behaved in a most unseemly manner, not only at Pickering's, but also at Acton, but fortunately for themselves, they did not force the gates at Acton, for had they done so, they could have come under another clause and rendered themselves liable to prosecution for felony. He simply proceeded against them for 40s, and he regretted to do so, but he acted under the direction of the Trustees. He then called **George Twist**, the lock-keeper at Pickering's lock, whose evidence was chiefly confirmatory of Mr Blake's statement.

Mr Green then submitted that there was not a shadow of a case against the defendants. The words of the act were – If any person should wantonly and without occasion open any lock, &c. Where was the wantonness? The defendants were coming up the river, and there being plenty of water in the lock, passed their flats through. There was no evidence at all of their having opened the lock, it was not even shown who caused it to be opened. They wanted to get out of the tideway as they had been accustomed to, there was sufficient water to allow them to do it, and in pursuance of their duty to their employers, they came up the river as far as Acton Bridge. That was an occasion which required them to come up the river, and he apprehended that they could not be held liable for the penalty prescribed by the act, which applied only to wanton mischief by persons who opened the locks without occasion, and was never intended to apply to a case of that sort when a man passed through with his flat, as he believed in the exercise of a right.

The bench having consulted together for a few minutes,

The Chairman said they were perfectly satisfied that there was a *prima facie* case. He thought the word “wanton” was never more applicable than in this case.

Mr Green : Then I object further, that the Trustees had no right to close the navigation. Here is a river, the navigation of which is declared free by Act of Parliament. There is evidence on the part of the prosecution that there was water sufficient for navigation, and the lock-keeper had no right to prevent the boats from passing.

Mr Harper : But you know the Trustees have very considerable powers which are sometimes

embodied in bye laws.

Mr Green : But this is not a bye law that we are going upon, but an Act of Parliament.

Mr Blake, in reply to the Bench, said there could not be the slightest doubt, speaking either as an advocate or as the advisor of the bench, that the Trustees had full power in the performance of their duty to turn off the water for any purpose they chose. Supposing they kept the water off for six months, they might be amenable to some control, but when they turned it off in order to effect necessary repairs, there was no doubt whatever that they had power to do so.

After some conversation, the objection was overruled.

Mr Green then proceeded to address the bench on the merits of the case. He said Holford was captain of a flat, and having been employed on the Weaver nearly all his life, he knew well the customs of the river, and knew also that it had been customary, however much Mr Twist might twist it to the contrary, for light flats coming up the river to pass Pickering's o'th Boat whenever there was water, and never before had he been refused. On the day in question, Holford's flat was lying in Weston basin, when he was called up by the dock-master and told to be off. He consequently left the Weston basin by the orders, it must be remembered, or at all events by the directions and consent of the Trustees' own officer, - and where was he to go? He was not sent into the Mersey, but up the Weaver. He reached Sutton Bridge, which was opened to him by the servant of the Trustees. He went on to Sutton Lock, and there met with no obstruction from the servant of the Trustees. But when he arrived at Pickering's lock he, as in duty bound, applied to Mr Twist for a light note. Mr Twist said he should not pass through, and declared that he would be a fool to break into his leisure time while the water was off. The defendant and the captains of other boats who came up thereupon held a consultation as to the desirability of sending to Mr Williams for an order, but whilst this was proceeding, some person called out, "There's a road now". The boats were then passed through, the defendant Holford's being the sixth. There was plenty of water and they went up to Acton Bridge without difficulty. Now, what harm had the men done? They wanted to go through Acton, and the lock tender said he would gladly have permitted them, but some repairs were about to be done immediately above the lock, and he was not sure whether there was water. He advised them to stop on the other side, and they did so. He had no wish to prevent them from getting as near home as they could. One great object of their going through Pickering's lock was to get out of the tideway. When the water was off, the tide - especially spring tides - came rushing up with great velocity, and flats could not rest securely, but were liable to serious damage.

Mr Harper reminded Mr Green of the notice posted at Pickering's lock. (This was a notice signed by the Trustees' Engineer, ordering that no flats should pass Pickering's lock during the time the water was off, and referred to by Mr Twist in his evidence.)

Mr Green contended that that notice was nothing more than waste paper. The defendants had no desire to do anything contrary to the rules and regulations of the Trustees. But in this case, they did what was necessary to protect their masters' property. Had he (Mr Green) been there, he would have advised them to do what somebody did ; in fact, he would not have hesitated to have drawn the staple and broken the chain himself.

Mr Twist said there were sometimes upwards of 200 flats in Frodsham, which flatmen generally considered the best place for them. They were in no danger whatever by lying in the tideway.

James Mills, a flatman on board the flat Enterprise, was next examined.

Mr Cheshire, magistrates' clerk, then asked Mr Green if he thought it worthwhile to take down the evidence of any more witnesses. The defence, if he understood it rightly, was that it had been customary for flats to pass through Pickering's lock whenever there was sufficient water. Supposing he proved the custom, the Trustees said they had power to stop it when they thought it proper. Accordingly they, or their engineer, Mr Williams, issued an order to the lock tender that no flat should be allowed to pass under any pretence whatever when the cloughs were drawn. Would it not be advisable to leave the legal point as to whether the Trustees possessed this power or not for the discussion of the Court of Queen's Bench?

Mr Green said the paper produced was signed by Mr Williams, engineer, but Mr Williams was not the person to say when flats should and should not go through the lock. This was no notice from

the Trustees, nor had any notices from them been produced.

Mr Blake having replied.

Mr Harper said the bench was unanimously of opinion that the notice was admissible, and that Mr Williams was the proper person to issue such a notice.

Mr Green : You see I am contending against great odds. I am arguing the case before both the prosecutors and the judges.

The Chairman : We divest ourselves entirely of any feeling in the matter.

Mr Green : Well, if you can do so, I have no doubt you will.

John Mills, captain of the *Enterprise* and father of last witness, said he had seen boats when in the tideway in Frodsham pond, washed on the bank by the rush of the tide and kept there or sunk. He had seen considerable injury done to flats, and their object in going through the lock was to avoid the danger. When his boat arrived at Pickering's lock, he begged permission to go through, but Mr Twist said he would not break in on his leisure time for anybody. He repeated those words several times, and he said he had a notice in the office. One of the men in witness's presence asked him to come down and show it. They were talking about sending over to Mr Williams when someone shouted, "There's a road". Witness neither broke the lock off, nor saw it done. His flat went on to Acton. There was plenty of water on the sill, and they got up to Acton without difficulty.

John Allcock, captain of the *Blake*, and **Charles Cowley**, gave similar evidence to that of the last witness. Cowley admitted that he asked the lock-keeper what the fine was for going through, and that on receiving the answer 40s, he said, "We'll pay that among us if that's all". Before that, he did not know that there was any penalty at all for going through.

The defendants case being concluded.

Mr Blake rose to reply.

Mr Green objected. He said Jervis' Act expressly states that there shall be no reply. You know that as well as I do.

Mr Blake was nevertheless proceeding, when

Mr Green urged that he ought to be ordered to sit down.

Mr Cheshire : There is no doubt Mr Green is right. Under Jervis' Act, no reply is allowed.

The Chairman said that he was very glad that his brother magistrates were of the same opinion as himself – that the Act of Parliament bore so strongly on this case, that it hardly permitted a doubt as to how the magistrates should act. Their unanimous opinion was that the defendant had been guilty of a breach of the law ; that he had disobeyed an order made by the engineer of the Weaver Trustees, the gentlemen to whom they must look to keep the river in good order. He could not do this without creating a temporary stoppage at Pickering's lock, and the defendant being one of a party who broke through the lock contrary to such order, it was their duty to inflict the lowest penalty allowed by the Act, viz, 40s and costs, and in default of payment 14 days imprisonment.

Mr Blake said that as the only object of the trustees was to prevent a recurrence of such conduct, he must ask the magistrates as a matter of favour, with the consent of course of the defendants, to inflict the same penalty in all the other cases ; but he would advise the trustees not to levy any more than a nominal penalty, say one shilling, or even one penny, and costs.

Mr Green offered to objection to the proposal, but without prejudice, because, as he had already intimated, he should probably proceed further with the case.

It was understood that in case of the magistrates' decision being quashed, the penalty would not be enforced in any of the other cases.

Mr Green asked the Bench to name a sum to be guaranteed by the defendants as costs on prosecuting the appeal.

Mr Harper : Do you mean to carry this to a higher court?

Mr Green : I must take the opinion of my clients on that. I shall certainly advise them to do so.

The Bench then named £20.

charge sheet, was charged with stealing a pewter pint from a beerhouse in Love Street, kept by Mr William Munday. Last night, it appears, the prisoner went into prosecutor's house, when a pint of ale was served him in a pewter pot ; not being able to drink the ale, he threw it away, put the measure under his arm and walked off with it. Prosecutor was made aware of the fact by some person who was in the house at the time. He followed the prisoner and caught him, but instead of prisoner giving him the pewter, he dealt him a severe blow on the side of the head, which "sent him right round". Prisoner then ran off. Two policemen (Wynne and Dodd) were sent after him, and at 11 o'clock they succeeded in finding him asleep in a back yard leading out of Love Street ; the pewter was found behind a wall, a short distance off. When the officers were conveying the prisoner to the police station, he kicked Wynne several times. A fine of 20s and costs was inflicted for the assaults, in default of payment one month's imprisonment. Being minus the "needful", he was taken to gaol.

162 24 November 1860

EXTENSIVE ROBBERY OF LINSEED At the Derby Police Court on Monday, a boatman named **Johnson** was charged with being concerned in the robbery of a large quantity of linseed en route from Gainsborough to Nottingham. Mr Hilton, the head constable, received such information on Saturday as induced him to go, in company with Inspector Fearn, to Willington, where the man Johnson, who is proprietor of two boats, was staying, and asked him if he had delivered any linseed. He replied that he had brought some from Gainsborough, consigned to a Mr Barber of Derby, from a Mr Saxon or Jackson, he did not know which, adding at first that he was a merchant, and then afterwards saying that he did not know what he (Saxon) was. After apprehending Johnson, the officers returned to Derby, where they discovered that a man named Moore, of Shardlow, had bargained with Mr Barber for the purchase of twenty two quarters of linseed, at 42s per quarter, 8s under the trade price, and on Moore leaving, Barber asked him for a note of the purchase, but Moore replied, "It's of no use ; it's consigned to you". Subsequent inquiries proved that the prisoner, as long ago as Tuesday week, went to Moore at Shardlow, in an intoxicated state, and induced him to write the following note :-

November 8 1860
25 qrs of linseed
For Mr Barber of Derby
From Maxon, Hull.

To be delivered at Nottingham Station for Derby

On the following morning, Wednesday, Johnson again went to Moore, and persuaded him to write a note of consignment, which was delivered to the wharfinger at Willington. Johnson was master of a vessel in which was consigned, from a firm at Gainsborough, a large load of linseed for Mr Walker at Nottingham. On the boat's arrival at the latter place, Johnson treated the man who was taking an account of the sacks as the linseed was unloaded and, after the fellow had been made nearly drunk, the twenty two quarters were fraudulently left in the hold, and Johnson's men were instructed to send up half a bag as the last instalment, and to say, "That's all". Mr Hilton asked that the prisoner might be remanded in order to be taken to Nottingham, where the case will be investigated. The remand was granted.

163 1 December 1860

Cheshire Adjourned Quarter Sessions

John Seddon, 21, boatman, pleaded guilty to stealing a watch, the property of Joseph Moores, and half a hundredweight of ropes, the property of the Duke of Bridgewater's Trustees, at Runcorn on 21st November. Two months imprisonment.

164 22 December 1860

BURGLARIES NEAR WIGAN – SHOOTING AT A POLICE CONSTABLE During the night of Wednesday the 5th instant, the shop of Robert Barton of Shevington was broken into, and the sum of £7, with two sides of bacon and three firkins of butter, stolen therefrom. The burglary was effected

without disturbing the inmates of the house, but the robber was discovered in rather a singular manner. A collier named Dean, when going to his work on Tuesday morning early, met a man named John Massey with a wheelbarrow, in which was a sack, the contents of which were thought to be hides. On the following Saturday, Dean saw the same man on the bank of the Leeds and Liverpool Canal, bargaining with a boatman for the carriage of two firkins of butter. Dean having heard of the robbery, ran immediately to the police station at Marsh Green, near Wigan, and informed Police Constable Gardner, who was stationed there, of the circumstances. The two then proceeded to the Seven Stars Bridge, situated just at the entrance to the borough of Wigan, and arrived there as Massey was getting his butter out of the boat. On seeing the officer approach, he abandoned the butter and took to his heels, the officer, of course, in full pursuit. Massey climbed over a gate into a field, and when he saw the officer follow him, he turned round and discharged a pistol, fortunately without injuring Gardner. Massey succeeded in getting away by dodging the officer round a cluster of buildings called the Pottery. His residence at Orrell was entered the following day, when the bacon was found, as was also a quantity of property identified as the proceeds of a burglary at Adlington a short time back. The same day, Massey was apprehended at his father-in-law's at Ashton after a lengthy struggle, during which a loaded pistol was taken from his pocket. The prisoner has been committed for trial on the charges of burglary at Shevington and Adlington, and of shooting at the police constable.

165 6 April 1861

Cheshire Spring Assizes

ROBBERY Thomas Fletcher, 24, boatman, Macclesfield, was charged with stealing a leather bag, two razors, a shaving box, a pocket book, and other articles, the property of Robert Scamplin, at Macclesfield on the 14th March last.

Mr Beavan prosecuted, and prisoner was undefended.

On the 24th March, the prosecutor and prisoner were travelling from Manchester to Macclesfield by the railway, on arriving at Macclesfield the prosecutor left the carriage and, whilst he was absent, the prisoner took up the bag containing the articles stolen, and left the station with it in his possession. The prisoner was followed and the bag was found in his possession. He was guilty, and was sentenced to one months hard labour.

166 13 April 1861

Knutsford Adjourned Sessions

Samuel Harwood, 26, joiner, Manchester, and Robert Kelly, 24, tin plate worker, were indicted for stealing various articles of plate from the dwelling house of Arthur Wellesley Lennox at Lower Bebington on the 9th April. Mr E B Wood prosecuted.

Patrick Roche, police officer, deposed to having apprehended the prisoners on Tuesday morning. He afterwards went to a tunnel under the turnpike road, which was between New Ferry and Roche Lane, and found in it a bundle, which he produced, containing a silver tea pot, cream jug, and other articles, which were identified as Mr Lennox's property, which had been missed that morning.

Samuel White, boatman, New Ferry, saw the prisoner Harwood coming from the direction of Mr Lennox's house, about half past 11 that morning, carrying a bundle and going towards the tunnel. He had before seen him on the terrace before the house.

Other witnesses deposed as having seen Harwood carrying the bundle. The prisoners were seen together before and after the robbery.

The Jury found both prisoners guilty, and they were each sentenced to nine months imprisonment with hard labour.

167 12 May 1861

INQUESTS YESTERDAY (FRIDAY) The following inquests were held at the Town Hall, before J Hostage Esq, coroner. On the body of a race list crier known by the names of "Ginger" and "Red Rover" (real name not ascertained), who was found drowned in the canal on Thursday morning. Verdict, "Found drowned". On the body of **William Price**, seven years old, son of **Robert Price**, boatman, and who is supposed to have accidentally fallen into the canal on Wednesday when

fetching water for his father's horse. Verdict, "Found drowned".

168 17 August 1861

Knutsford Adjourned Sessions

STEALING A WATCH **Joseph Gibson**, 52, boatman, pleaded guilty to stealing a watch, the property of **Moses Wells**. Mr Latham appeared for the prosecution. Prisoner and prosecutor are boatmen. Early on the morning of the 8th instant, the latter was asleep in the cabin of his boat, and placed his watch on the table. The prisoner came to awake him, in reference to some work to be done. Prosecutor told him to call him again bye and bye. When he awoke shortly afterwards, he missed his watch, and the prisoner, who the day before had been engaged to work for him, had gone also. He was apprehended by a policeman, and at first denied all knowledge of the watch ; he subsequently said he took it for a debt which the prosecutor owed him. Two months.

169 31 August 1861

A MELANCHOLY STORY On Wednesday week, an adjourned inquest was held at the Red Lion Inn, Littleborough, by Mr Dearden, coroner, on the body of an infant which had been found in the canal. The body was wrapped in paper, and a heavy stone was attached to it. Mr Lister, surgeon, stated that the child was dead before immersion, but he could not swear that it had been born alive, though he could say that it was alive during the birth. This, the coroner said, did not satisfy the law of murder, and under his direction a verdict of "Found dead" was returned. One of the witnesses was Martha Hill who, after being cautioned, stated that that morning her sister Margaret had confessed that the child was hers ; adding that it did not breathe or cry. The two sisters occupied Brook Cottage, and are both nearly 40 years old. They carried on the business of dressmakers, and their brother Adam, who held a highly respectable clerkship in Manchester, visited his sisters on Saturday evenings, and returned to business on Monday. The family were respectable, and Margaret was a diligent Sunday School teacher. A person, to whom is ascribed the paternity of the infant, yesterday morning left Littleborough. Miss Martha Hill, whose grief was excessive, states that she had no suspicion of her sister's condition, and no knowledge of the birth ; and that immediately Margaret had confessed to her, she (Margaret) left the house. Before the termination of the inquest, a telegram to Sergeant Pickering informed him that Margaret Hill had surrendered herself at Liverpool, and Police Constable Storer was dispatched to apprehend her on a charge of concealment of birth. The most melancholy portion of the story remains. On Wednesday morning, the body of Mr Adam Hill was found in the Bridgewater Canal at Old Trafford, near Manchester ; the circumstances being such as to leave little or no doubt that grief and distraction for the unfortunate position of his sister led him to self destruction. An inquest was held on Wednesday by Mr Herford, city coroner, at the Royal Infirmary, when **Samuel Howard**, a boatman, stated that he found the body of the deceased floating in the canal near Old Trafford, about half past five o'clock that morning. He noticed no marks of violence on the body, and the deceased had on all his clothing, except his hat. Another witness stated that he was in company with the deceased from a quarter after eight to half past nine o'clock on Tuesday evening. The deceased, who was quite sober, was very uneasy about a sister, who was charged with some offence at Littleborough. He shook hands with the deceased at the corner of Dawson Street, but followed him until he turned to go towards his lodgings in Great Jackson Street. Mr T M Fisher, auctioneer, stated that the deceased was a clerk in his employment ; and he saw him last at six o'clock on Tuesday evening. The deceased told him that he was in trouble about his sister, who was charged with causing the death of the child ; that he was summoned to attend the inquest ; and that "it would be the death of him". The Jury returned an open verdict of "Found drowned". The deceased was 49 years old.

170 7 September 1861

SUDDEN DEATH On Tuesday afternoon last, a boatman named **John Cholmondeley**, was standing by the side of his wife, near the Canal Basin in this city, and while conversing with her, he fell down and suddenly expired.

171 14 September 1861

FRIGHTFUL ACCIDENT IN A CANAL TUNNEL A dreadful accident occurred on Friday night, the 6th instant, in a tunnel on the Grand Junction Canal near Bilsworth. A barge called the *Wasp*, fitted with a small screw propeller, was on its way from Birmingham to London, having another boat in tow. In the first boat were two men named Glover and Jones, engine drivers, and one or two other men employed on the canal. They were passing through the tunnel, and stopped at a place called "stanks" which is a number of piles driven in to afford a standing place for some workmen engaged in repairing the tunnel. Here they took a carpenter named Webb. They proceeded on their way, and soon afterwards met in the tunnel two other boats, which were being worked by "leggers". They became entangled, but were by some exertion – on whose part cannot now be ascertained – set free. The boat which the steamer was towing was, however, unloosed from it, and was left behind. The smoke from the engine flue became dreadfully dense and very much affected the "leggers", so much so, that they could not work. On board the steamer, its effect was such that it suffocated two men, one of whom fell into the water. A third man in the Company's employ was so overpowered that, on arriving at the mouth of the tunnel, he too fell overboard ; the water, however, restored him to partial consciousness, and he managed to climb on board of the boat again and shut off the steam. When the boat arrived at the lock, the young carpenter was found lying dead in the hold, one of the boatmen was missing, and the two engine men were lying near the furnace, awfully burnt. The following is a list of those who were killed and injured :- Dead : William Webb, carpenter, of Stoke Bruerne ; **Edward Broadbent**, boatman of Braunston, living at Birmingham. Injured : **Joseph Jones**, engine driver, severely burned ; **William Gower**, engine driver, severely burned ; **John Chambers**, boatman of Warwick, injured by immersion and partial suffocation.

172 14 September 1861

BREAKING A SQUARE OF PLATE GLASS AT BIRKENHEAD At the Birkenhead Police Court on Thursday, **Joseph Bosworth**, a flatman from Winsford, was charged with having broken a square of plate glass worth £13 in the shop window of Messrs Bristow Brothers, ironmongers &c, Hamilton Square. It appeared that the defendant was passing the premises in question on Saturday whilst in a state of intoxication, and pushed another person through the window. He was ordered to pay £5 and costs. The penalty was at once paid.

173 19 October 1861

Cheshire Quarter Sessions

John Rowe Beswick, 57, boatman, was charged with stealing 2 cwt of coal, the property of Charles Simpson and Son, his masters, at Appleton on the 5th October ; and **Mary Beswick**, his wife (who had been admitted to bail) was also indicted for receiving the same, well knowing it to have been stolen. The jury acquitted the female prisoner ; her husband was sentenced to four months.

174 4 January 1862

Cheshire Quarter Sessions

George Carter, 19, boatman, for stealing a shawl from Elizabeth Hayes, at Runcorn on 17th December. No bill.

175 4 January 1862

Cheshire Quarter Sessions

John Bradley, 16, boatman and **Isaac Hubbert**, 16, boatman, were charged with feloniously stealing two tame geese, of the value of 10s, the property of C Shaw, at Newton by Tattenhall on the 19th December last. Sentenced each to 4 calendar months hard labour.

176 11 January 1862

EXECUTION AT STAFFORD The three men convicted of the murder of Mr Bagott of Bilston were to have been executed at Stafford, on Saturday morning last ; but on the day previous, a communication was received from the Home Office, respiting Jones and Maddox. David Brandrick was, therefore, the only man executed, in the presence of about 20,000 persons. He was evidently vexed to find that his comrades were not to suffer death. Brandrick is understood to have made a

confession, which confirms in substance the statement made by Maddox, and attributes to himself the principal part in the crime. He has also confessed to another crime of a similar nature. It is understood to be that of the murder of a canal boatman, an inoffensive fellow named **Walter Piper** who, on going late at night through a field not more than a mile from the scene of the present crime, was waylaid as he was carrying his week's marketings, struck on the head with some blunt instrument, and was then dragged, unconscious and bleeding, to beneath a hedge, and there plundered of all the money that he had upon him. In a very few minutes after the outrage, he was found lying in the state described by a passer by, who was attracted to the spot by his groans. It was found that his skull was fractured, and he died after lingering about a week. The person by whom Piper was discovered met two men running from the field as he entered it, one of whom was a tall man. Brandrick is so tall that his is known by the sobriquet of "Long Davie". The other man whom Brandrick implicates is still at large. Eight o'clock was fixed for the execution, but long before that time, every spot where a view of the scaffold could be obtained was crowded by people of both sexes and of all ages. It was believed more persons were present than even at Palmer's execution, which attracted so much attention throughout the country. Strange as it may appear, yet it is quite true, that many people took up their positions before eight o'clock on Friday evening, and remained throughout the night, although it was bitterly cold. Shortly before eight o'clock, the authorities, consisting of Mr Hand, the under sheriff, the Rev Mr Vincent, the chaplain, several of the visiting magistrates, and the governor of the gaol, proceeded to the condemned cell, where the prisoner was found evidently suffering from intense mental agony. Upon the hangman entering the cell, he for a moment fixed his eyes upon him, and seemed to contemplate the fatal character of his work, for his head dropped upon his breast, which seemed to throb with agitation. The pinioning having been arranged, the bell began to toll, and the procession moved towards the drop. On the passage, the prisoner nodded once or twice to some of the officials of the gaol, and when on the gallows, he seemed overwhelmed at the spectacle presented by the vast crowd before him. The dread preliminaries were soon completed, and the cap drawn over the culprit's face. In a moment or so – during which the previous bustle of the crowd was suspended – the drop fell. There were a few brief struggles only, and life was extinct.

177 8 March 1862

A MAN AND WOMAN FOUND DROWNED IN THE CANAL On Saturday last, a woman named Ann Roberts was found drowned in the middle lock of the Canal, between the Northgate and the Baths. It appears that deceased was a married woman, her husband being a cripple in the Boughton Workhouse. She had been leading a dissipated and irregular life for some time, and was seen by her sister on Thursday night, the 26th ult, standing by Clarke's Vaults in Foregate Street, when she appeared to be in drink. She was seen in Eastgate Street about one o'clock on Saturday morning by PC Evans, when she was quite tipsy. Nothing more was known of her from that time until she was found in the canal, about 20 minutes to 12 on Saturday morning. The lock-keeper, **Samuel Bailey**, lifted up the paddle of the middle lock at that time, when he found he could not get the paddle sufficiently low enough to let a boat pass through. He then ran the middle lock off, when he found the deceased lying with her legs in one paddle hole, her head in the other paddle hole, and her body bent up. An inquest was held on the body on Saturday at the House of Industry, before J Tatlock Esq, deputy coroner, when the jury returned a verdict of "Found drowned". On Tuesday, Mr J Tatlock Esq held an inquest at the same place on the body of a man unknown, who had been found in the canal near the Northgate on Sunday. **Samuel Bailey**, who resides at the Northgate lock, stated that on Sunday morning about half past ten o'clock, a boatman came to him and said that in coming up the lock he thought he had seen the hand and back of the head of a child in the lock. He went to the lock, and let the water out of the middle lock, when he saw the deceased lying across the bottom of the lock on his back. He, with the assistance of PC Snell, got the deceased out, when he observed the fall of his trousers unbuttoned, and his left hand pocket was turned outside. His coat and waistcoat were undone, and his neckerchief appeared loose. The deceased was then removed to the Workhouse. The jury returned a verdict of "Found drowned". No particulars have

as yet been ascertained respecting the deceased.

178 24 May 1862

Knutsford Adjourned Sessions

John Ellis, 15, and **Thomas Platt**, 17, boat boys, pleaded not guilty to stealing a quantity of rope, the property of William Brown, at Runcorn on the 14th April. Mr H Lloyd appeared for the prosecution. The jury found them both guilty, Platt was sentenced to three months and Ellis to one month hard labour.

John Ellis, flatman, pleaded guilty to stealing a quantity of bacon, the property of the London and North Western Railway Company at Birkenhead on the 29th April. Mr Ffoulkes stated the case. Two months hard labour.

Thomas Ellison, 22, boatman, for stealing 1 lb of butter &c, the property of Joseph Robinson at Runcorn on 11th May. Two months.

179 2 August 1862

SUICIDE AT MARPLE On Saturday, a middle aged woman named Mary Ann Green, housekeeper to **Mr J Wood**, boatman of Chapel House, Marple, committed suicide by hanging herself. Deceased bore a good character. On the afternoon in which she committed the rash act, being in the house with a girl, deceased requested her to amuse herself out of doors while she sought repose for a short time. The girl obeyed, when, after an interval of about a quarter of an hour, an elder brother entered the house, and to his utter consternation, he discovered deceased suspended by a cord attached to a beam. At the inquest, the jury returned a verdict to the effect that deceased hanged herself in a fit of temporary insanity.

180 6 December 1862

Knutsford Adjourned Sessions

Matthew Jeffrys, alias Tidey, alias Smith, 48, boatman, to stealing coal and cabbages at Bunbury on 5th November. Fourteen days hard labour.

181 14 March 1863

STEALING A WIFE A discreditable affair took place at the Lamb and Flag public house, Canton, a few days ago. It appears that two men, named **Dugmore** and **Phillips**, went into the above named house for the purpose of disposing of Dugmore's better half. Dugmore, who had a family of five children, and followed the occupation of a boatman, had determined to dispose of his wife to Phillips, for the small amount of one shilling, and to take to another woman, who had been deserted by her husband, with two children. Phillips, a boatman, and a widower with five children also, agreed to take to the fair Mrs Dugmore, and paid the shilling for her, and took to one of Dugmore's children. Mr Edward Jenkins being called in, made out the agreement, which was signed in his presence, and several others. After all the preliminaries had been gone through, a jovial meeting was spent, and Dugmore took his fair charmer to his canal boat, and thence proceeded on his route to Merthyr, where he lived, the other man going to his canal boat with his bargain, which he said he would not accept the sum of £20 for. Thus ended the shameful affair. *Star of Gwent*

182 11 April 1863

Cheshire Quarter Sessions

William Smith, 21, **Samuel Clarke**, 20 and **John Boatman**, 34, boatmen, for stealing two loaves of bread and other provisions, the property of Joseph Bradbury, on 6th March. Mr Brandt for the prosecution. Two months each.

183 15 August 1863

Knutsford Adjourned Quarter Sessions

William Kent, 49, boatman, pleaded guilty to stealing 15s belonging to John Barton at Sutton on 22nd July. Mr Brandt appeared for the prosecution. Prisoner and prosecutor were journeying together on a carrier's cart, when the latter offered to "stand Sam" at the next inn (appropriately called the Fool's Nook). Whilst going along the road, he pulled out his purse, and the contents fell on the ground. The prisoner volunteered his assistance in picking up the coin, and when all the

money had been gathered up, the prosecutor found himself minus six half crowns. Prisoner scampered off, but was chased. He succeeded in getting out of sight, and when next his pursuers came in sight of him, he was leisurely walking towards them as though nothing had happened. He was at once seized and searched, but no money was found upon him having, it was supposed, succeeded in secreting it in the canal bank during the brief time he was unobserved. When questioned about the money, he refused to tell where it was, but said that when he saw Barton "slattering" half crowns in the high road, he thought he might as well have a few. He was sentenced to one months hard labour.

184 5 December 1863

Knutsford Adjourned Sessions

Thomas Irving, 43, and **James Coates**, 19, boatmen, were indicted for stealing a quantity of crockery and corn, the property of Joseph Lomas and William Barker and Co, at Runcorn. Mr Macintyre appeared for the prosecutors, and Mr Brandt defended. It appeared Irving was the captain of the *Elizabeth Ann*, a flat which was laden with crockery ware for foreign markets. The flat entered Runcorn on the 2nd November, and was moored in the usual way. A policeman was set to watch it, and at ten o'clock at night, he saw two men, whom he identified as the prisoners, go on board the flat with a bag and a basket. After remaining there for some time, they returned with the bag and basket loaded. The men were not interfered with at the time, but a policeman afterwards went to the prisoner Irving's house, and in a shed found the basket of crockery. The prisoner was apprehended and lodged in the lock ups, where he was visited by his niece, and Inspector Steen swore to overhearing a conversation to the following effect, that "they have thrown the basket and crockery into the canal, for they had plenty of time". Mr Brandt for the defence submitted that there was a flagrant flaw in the case as presented by the prosecution. The prisoner was charged with stealing crockery ware which had never been missed. No one had been called to show that the crates on the flat had been tampered with. It was not enough to say that because crockery was found in a shed, admitted to be some distance from the prisoner's house, and not proved to be in his possession or occupation, the prisoner forsooth must be guilty of stealing. As to the statement made by the prisoner Irving's niece in the cell, it was, "Do you think if we had stolen the things, we should not have put them into the canal, for we should have plenty of time, and then they would have told no tales". The jury returned a verdict of Not Guilty. The prisoner Irving, together with the young man Coates, were charged with stealing 44 lbs Indian corn, and 3 cwt of beans from the same flat. The jury was asked to retire to consider their verdict on this count. They were locked up for half an hour, when they returned to court with a verdict of Guilty. Superintendent Steen said he found in the prisoner's house three tubs of beans, and as much calico (intended for foreign exportation) as would cover the streets of Knutsford. The elder prisoner was sentenced to twelve calendar months, and the younger to three months, hard labour.

John Roberts, alias Vickers, 27, boatman, for stealing 8s of James Jones at Sandbach on 11th November. Six months.

185 20 February 1864

Knutsford Adjourned Quarter Sessions

Isaac Prescott, 28, boatman, was indicted for unlawfully appropriating a quantity of wearing apparel to his own use, the property of Thomas Lawson at Runcorn on 20th January. Verdict, Not Guilty.

186 12 March 1864

SHOCKING CRUELTY BY PARENTS At the Stafford Assizes on Tuesday last, **John Stokes**, a boatman, and **Sarah Stokes**, his wife, were indicted for feloniously cutting and wounding their son, **Samuel Stokes**, a child eleven years of age. The prisoners lived in West Bromwich. On the 21st of January, a police inspector went into their house and, in an upper room, found the child stripped to his shirt, with his wrists tied fast to his sides by cords so tight that the hands and wrists were swollen and bleeding. The child's body was literally covered with wounds and bruises, many recent

and some old. The principal wound was upon the head of the child. This, the little fellow said, was occasioned by his mother, who a few days before, beat him on the head with a frying pan. This formed the first count against the woman. But there was a second, in which she was charged with tying him up by the hands, naked, and beating him ; and afterwards with kicking him downstairs. The man was sworn to have employed the boy on board his boat ; and because he could not, for want of strength, throw ashore a heavy boathook sufficiently near to his father to enable him to catch it, he (the father) cried out with an oath, that “if he were only near enough, he would job it into him”, and then threw at him a brick, which striking him on the leg, inflicted a serious wound. Both the prisoners were found guilty on the counts on which they were respectively charged. The woman was sentenced to twelve months, and her husband to eight months imprisonment.

187 23 April 1864

County Police Court

ASSAULT Charles Smallwood, boatman, charged **John Smith**, boatman, with assaulting him on the 14th of April last. Mr Cartwright appeared on complainant's behalf. The facts of the case appeared to be these :- On the 14th of April last, the complainant, defendant, and a number of other boatmen met together in a public house at Whitby locks, and stopped drinking together till closing time. It appeared that while in the public house, something took place which was calculated to create a disturbance between Smallwood and Smith. In order to avoid any altercation with the defendant, complainant retired from his company upon leaving the house, and was walking along the canal side when Smith went after him, struck him, knocked him down, and when on the ground kicked him. He then endeavoured to choke him, and succeeded in throwing him down the embankment on the canal side. Complainant bore evident marks of ill treatment, his face being covered with cuts and bruises. Mr P Ewert said that similar complaints had frequently come before their worships, and he thought that some heavy punishment ought to be inflicted in order to check such disturbances. Fined 30s and costs ; in default one calendar months imprisonment.

188 28 May 1864

BOAT ACCIDENT AT PARKGATE

MELANCHOLY LOSS OF TWO LIVES, AND NARROW ESCAPE OF THREE GENTLEMEN

At twelve o'clock on Friday night, the 20th instant, a distressing boat accident occurred at Parkgate, which has cast a complete gloom all over the district and thrown several highly respectable families into mourning. It appears that at ten o'clock on Friday morning, a party of five took an excursion into Wales, crossing the river Dee from Parkgate to Bagilt in Flintshire. The party consisted of Mr Thomas Johnson, proprietor of the Pangwern Arms Hotel, or Boathouse, at Parkgate ; his brother, Mr Joseph Johnson, a landing waiter belonging to her Majesty's Customs at Liverpool ; Mr J F Crossman, secretary to the Liverpool Licensed Victuallers' Association ; and Mr J H Holland and Mr Frederick Holland (brothers) of Chester, who had been staying at Parkgate during the last fortnight, making a survey of the channels of the Dee. Their intention was, if possible, to return with the same tide. The weather was, however, so calm that upwards of an hour and a half was occupied in crossing, and finding that they could not return by that tide, the party landed at Bagilt and walked to Holywell, where they spent the day. At ten o'clock, the company left Bagilt in the boat on their return to Parkgate. It was then moonlight, with a steady breeze, and a pleasant voyage was anticipated. The boat made a rapid passage, but on arriving within a short distance of the Cheshire side, it was found that the jetty was covered with the tide, which was just beginning to ebb, and the wind having freshened considerably, a heavy swell rendered it imprudent to attempt to get alongside the river wall. The boat accordingly lay to for about an hour, awaiting the receding of the tide. It was then determined to endeavour to effect a landing in a small boat or punt which lay at anchor a short distance from the shore, and which it was thought would be more manageable. One of the gentlemen, it is said, called out that the punt would not carry them all with safety ; but this intimation of danger seems to have been disregarded, and five persons, including **Richard Evans**, the boatman, got on board. Mr Thomas Johnson, who was a stout, heavy man, was the last to leave the larger vessel, and no sooner had he placed his feet on the side of the punt than the little craft

capsized, and the whole party were precipitated into the water. Thomas Johnson, a young man about 20 years of age, eldest son of Mr Thomas Johnson, was standing on the esplanade waiting the arrival of his father and friends, and witnessed the melancholy accident, but in consequence of the strong current that was running, could render little or no assistance to the unfortunate persons who were struggling for their lives in the water. Mr J H Holland, who had remained in the large boat, being a good swimmer, immediately stripped and jumped into the water and swam to the assistance of one of his unfortunate companions. He was unable to reach him, however, and after several ineffectual attempts he made for the shore, which he succeeded in reaching in a very exhausted state. Mr Frederick Holland also managed with difficulty to reach the shore. Mr Crossman, although not a swimmer, struck out in the best way he could, and fortunately gained the land in safety ; he afterwards received very kind attention from the landlady of the Union Hotel and a gentleman who happened to be staying in the house. Richard Evans was taken out of the water in an exhausted state. Mr Thomas Johnson was likewise got shore alive, and was removed to the cottage of Evans (that being the nearest house), but he was so much exhausted that he never rallied, and death ensued before the arrival of a medical man. Mr Joseph Johnson was carried down with the current and was drowned. His body was found on the shore near Heswall – fully a mile from where the disaster occurred – at five o'clock in the morning, and removed to the Pengwern Arms Hotel, where it was placed in the same apartment with the corpse of his brother. The boatman, Evans, was so much exhausted by his immersion that he was not considered out of danger until late on Saturday. Mr Thomas Johnson was about 50 years of age, and was highly respected at Parkgate and in the hundred of Wirral generally. Besides being the owner and landlord of the Pengwern Arms Hotel, he was proprietor of the omnibuses plying between Parkgate, Hooton and Birkenhead Ferry. He has left a widow and eight children. His brother, Mr Joseph Johnson, as has been already stated, was a landing waiter belonging to the Liverpool customs, and resided in Crown Street. He has left a widow and four children. The catastrophe has produced quite a mournful sensation at Parkgate and Neston, and on Saturday and Sunday, the blinds were drawn in a great number of houses in the locality.

THE INQUEST

The inquest was held on Monday afternoon at the Pengwern Arms Hotel, Parkgate, before Mr Henry Churton, coroner. **Richard Evans**, the boatman, was the first witness examined. He said there was a strong breeze blowing at the time they left Bagilt on their return home. They arrived off Parkgate about eleven o'clock, but were unable to effect a landing at the stage, in consequence of its being covered with the tide. The stage was opposite Thomas Johnson's house. Finding they could not land there, they ran the boat up until they got abreast of about the centre of the river wall, and after waiting until the tide was low enough, they determined on endeavouring to effect a landing by means of a punt which lay at anchor there. Mr Crossman, one of the brothers Holland, and Mr Joseph Johnson had got into the punt, when someone asked if the punt would take them all, and Mr Thomas Johnson, who was then getting into the punt, replied that she would take a dozen like them. Witness followed the latter gentleman, and was engaged hauling up the anchor, when the punt capsized. He should have thought it safe to put ten persons in the punt. They were not above 20 yards from shore. All the party were quite sober. Since the death of **Joseph Relton**, there had been no regular ferry between Parkgate and the opposite side. He did not consider the landing stage in a fit and proper condition for landing in all states of the tide. It did not come high enough up the beach. If it had been two or three feet higher and several yards longer, they could have landed in safety, and the accident would not have happened. They would have had to wait an hour and a half before the tide would have ebbed sufficiently for them to have landed at the stage. The stage was erected by Mr Houghton, the landlord. John Holland, a surveyor and engineer residing at Chester, said he was one of the party in the boat. When his companions got into the punt, he remained in the boat. He would not get into the punt, because he had not confidence in it. He did not know what was the cause of her upsetting. As soon as he saw the accident, he threw the oars out of the boat and, after partly stripping himself, jumped into the water in the hope of rescuing someone. He swam about 40 yards in the river, but could not see any of the party, and he then turned back and

saw Mr Joseph Johnson emerging from under the boat. He attempted to get hold of him, but missed him. He then heard Mr Thomas Johnson cry out, "Help, help me Tom", and, turning round, he struck out after him, but he also missed him. He next attempted to reach his brother and Mr Crossman, but being unable to do so, he returned to the boat in a very exhausted state. He did not consider that any blame attached to the boatman. James Russell, a fisherman, said he found the deceased, Thomas Johnson, about twelve o'clock on the night in question, about 18 or 20 yards from the shore in about four feet depth of water, and carried him into the house of a man named Cunningham. He was apparently dead. A medical man was sent for, and on his arrival, he pronounced life to be extinct. William Edwards of Parkgate said he found the body of Joseph Johnson on the beach between Heswell and Gayton. He examined his pockets and found therein £18 10s in gold, two £10 notes, 7s 4d in silver, a silver watch and gold guard, and several other articles. He gave the property to Mr Lloyd, the surveyor of roads, by whom it had been delivered to the son of the deceased. The Coroner remarked that it was very fortunate that the property had fallen into the hands of so honest a man. Addressing the jury, he said it was perfectly transparent that the unfortunate gentlemen had lost their lives entirely from accidental circumstances. But there was one point in the case with regard to which he wished to make one or two observations, and that was the defective state of the landing stage opposite the Pengwern Arms. For a number of years past – almost from time immemorial – there had been regular communication between Parkgate and Bagilt and knowing, as they all did, the nature of the tide there, they must feel that it was very necessary and proper that the landing stage should be constructed in a proper manner. Mr Houghton, to whom it belonged, had not been long in possession of it, but he was the owner of a large amount of property in the neighbourhood, and he had the means at his command of constructing a proper landing stage. Property had its responsibilities, and he could not help thinking that when this case was properly represented to that gentleman, he would take every means in his power to get the landing stage made secure and effective. The jury returned a verdict to the effect that the deceased were accidentally drowned, the verdict being accompanied with a presentment that in the opinion of the jury, the landing stage opposite the Pengwern Arms was too low, too short, and quite insufficient for the landing of passengers at certain states of the tide.

The funeral of the deceased brothers took place on Tuesday afternoon at one o'clock. About one hundred persons, residents of Parkgate, attended the funeral, in addition to the invited friends of the deceased. The sympathy for the mourning relatives was general, and nearly every house both in Parkgate and Neston and the line of procession had the blinds drawn down, and many of the shops were closed altogether. The flags on the different flagstaffs and also on the church tower were hoisted half mast high. The bodies were interred side by side in the same grave in the churchyard of the parish church of Neston.

189 2 July 1864

Cheshire Midsummer Sessions

Edward Evans, 25, boatman, for stealing a pair of reins from William Bunce at Lymm on 7th June. 21 days.

David Bridge Backhouse, 21, boatman, for stealing one pair of leather leggings from Thomas Moscross at Yeadsley-cum-Whaley on 12th June. Six months.

190 16 July 1864

ALLEGED ATTEMPT TO DROWN A MAN IN THE RIVER DEE At the Chester City Police Court on Monday last, present Dr Jones and a full bench of magistrates, a respectably dressed man named Joseph Crawford was brought up under the following circumstances. The prisoner, it appeared, on Sunday evening, while in a drunken state, struck a boatman named **Henry Huxley**, in the Groves, while standing in his boat, and knocked him into the river, whence he would have been drowned had it not been for assistance rendered to him by other parties. On the case being called on, Detective Bray said the prisoner was not forthcoming. He had been in the police court that morning, but had been fetched away by the prisoner's brother. Major Francis expressed his surprise that such an occurrence had taken place. Mr Superintendent Hill said he should be able to produce

sufficient evidence to warrant a remand, and he would now call George Gibbons. The witness, who is employed in the drapery establishment of Messrs Brown Brothers of Eastgate Row, said that on Sunday evening about half past seven, he had been visiting a friend in the Groves, and as he was coming away, he saw the prisoner drunk, walking up and down the Groves. The prisoner got into a boat and, being very intoxicated, tumbled into the water up to his middle. He got out, and went towards the prosecutor, who was in another boat, and jumped into his boat and struck Huxley (the prosecutor) a violent blow on the face with his left hand, and then pushed him into the water. Prosecutor could not swim an inch, and was very near drowning. Witness and another man got an oar and told him to seize it, and by that means the prosecutor, who was in a very exhausted state, was pulled out, and conveyed insensible to the Deva Hotel. Witness observed that the prosecutor's head was cut severely.

The prisoner, on being asked if he had any questions to ask the witness, said he should like to enquire whether someone did not push him (prisoner) into the water first. Witness : I never saw anyone. Prisoner was about making a statement to the effect that prosecutor did not wish to press the case, when he was stopped by Major French, who told him that that was not the proper time to make his defence. He would have an opportunity by and by, and as regarded the non-appearance of prosecutor, who it appeared had been kept back by prisoner's brother, fortunately at the commencement of the case they could do without him. But it was clear that he had been tampered with. Thomas Wilson, also an assistant at Messrs Brown Brothers, drapers, was next examined. He said he was on the opposite side of the river to the Groves on Sunday evening. About half past seven o'clock, his attention was drawn to a cry on the other side of the water. He saw the prisoner get into the boat where the boatman was, and deliberately strike him with his fist (he could not say on what part of the body), and then the boatman was pushed into the water. The man appeared to be drowning, when he was rescued by two young men, who held out an oar for him to seize. The prisoner declined to ask this witness any questions. Detective Bray was next examined and said, on Sunday evening, while in the Groves, he saw the prisoner take hold of the man Huxley and throw him into the water out of the boat. Witness immediately asked some persons near to get an oar, which was handed to the drowning man, who was then got out and removed to the Deva Hotel in an insensible state. While the man was in the water, he saw the prisoner give the prosecutor a push on the back of the head with an oar. Witness immediately apprehended the prisoner and locked him up, and afterwards went back to the Deva Hotel to see after the prosecutor. By the prisoner : Did you not see me give the man the oar for the purpose of saving him when he was in the water? Witness : No, you pushed him with it on the back of the head. Dr Charles Bantock said : About half past eight on Sunday evening, he was summoned to the Deva Hotel, as a man was said to be dying from the effects of having been in the river. He went there and was shown the prosecutor Huxley, who was lying in a semi-unconscious state on a bed in a top room of the hotel. He tried to arouse him by shouting to him several times, but it had no effect. He then moved his hand, which was at the back of his head, backwards and forwards, and he afterwards came round. He found that the man's forehead was swollen, and a small bruise on the right side of the back of the head. In reply to Major French, the witness said it was more than an hour after the occurrence when he saw the prosecutor. Mr Superintendent Hill said that was all the evidence he could produce that day, and he should wish for a remand until Wednesday. The prisoner asked to be allowed to go out on bail. Major French said that he for one should object to bail being allowed, the prisoner's brother having tried to defeat the ends of justice by keeping the prosecutor away. Bail was then declined, and the prisoner was remanded until Wednesday. Later in the day, the brother of the prisoner appeared to tender bail, but was severely reprimanded by Major French for having kept back the prosecutor. The applicant replied that he had been wanted on business. Major French : You had no right to tamper with the witness, and you deserve to be committed for contempt of court. Your brother has to thank you that he has not had bail allowed him. I am not sure that he will not have to take his trial upon this charge. Prisoner's brother : I am very sorry for it. Applicant then left the court.

The prisoner was again brought up on Wednesday (J Clemison Esq in the chair), when the court was crowded to excess. This time, he was defended by Mr Cartwright, and Mr Churton watched the

case on behalf of the prisoner's friends. Mr Cartwright asked what charge would be preferred against the prisoner, and was told one of attempt to murder. The depositions of the various witnesses taken on Monday were then read over, and the witnesses severally cross-examined by Mr Cartwright and Mr Churton, but nothing material was elicited. The following fresh witnesses were examined :- Thomas Jones, a smith by trade, deposed to seeing Crawford and Huxley in a boat on Sunday night last. He saw prisoner strike Huxley, and then they had "a bit of a struggle", and Huxley fell into the water. Prisoner took the oar and pushed Huxley between the shoulders towards the bank. By Mr Clemison : Was sure the prisoner pushed him toward the bank with the oar, and did not strike him with it. Mr Superintendent Hill : Will you please tell the magistrates what was the condition of the man when he was taken out of the water. Witness : He rolled about on the bank for a minute or so, and then with our assistance walked to the hotel and went upstairs. By Mr Potts : Was quite sure the prosecutor was able to walk upstairs. This witness's evidence was too much in favour of the prisoner. Cross-examined by Mr Cartwright : I believe Huxley agitated prisoner by splashing him with his oar, and that caused the scuffle. **Henry Huxley**, the prosecutor, was next examined, and said he was a boatman in the employ of prisoner's brother. His version of the affair was this : He and prisoner had a scuffle in the boat, and he (witness) fell into the water, and prisoner immediately took an oar and pushed him towards the bank. By Mr Churton : He and prisoner had not quarrelled previously. He did not wish to press the case, as he had received no harm by the "ducking" he got, and did not come there that day as a willing witness. Henry Sharman, a cab driver of Watergate Street, deposed to seeing prisoner throw Huxley into the water, and someone got him to the bank by means of an oar. That was all he knew about it. By Mr Cartwright : Could not say whether Huxley was the worse for drink. Prisoner seemed the worse for liquor. John Brooks, of Boarding School Yard, Bridge Street, after describing the offence alleged to have been committed, added that he heard prisoner say to Huxley, "You b-----, I'll drown you". William Cawley, also living in Boarding School Yard, gave similar evidence. Detective Bray was recalled, and proved that the place where Huxley was thrown in was, on Tuesday, when measured, 15 feet deep. Huxley was recalled, and said the depth was only six feet. Mr Cartwright then addressed the magistrates on behalf of his client, contending that the charge of attempt to murder had not been substantial, and therefore the case must be dismissed. The evidence did not show that the prisoner had premeditated any design upon Huxley's life, but it was an accident, simply the result of the prisoner scuffling with him at a time when he was drunk. Huxley had told them himself that he had suffered no ill effects from the "ducking" ; he, therefore, thought it was not a case in which the serious charge of attempt to murder could be maintained. After a few words from Mr Churton, endorsing the remarks of Mr Cartwright, the magistrates retired for about half an hour, and on their return, said they dismissed the case, not being of opinion that there was sufficient evidence to go before a jury.

191 13 August 1864

Cheshire Summer Assizes

BIGAMY Hannah Green was indicted for marrying Henry New, after she had been married to Thomas Parkes.

Hon Robert (Bourke?) prosecuted ; Mr Swetenham defended.

Theophilus (Healding?), parish clerk at St Peter's, Wolverhampton, proved that on the 30th August 1847, Hannah Green was married to Thomas Parkes, both of Bilston ; he was a puddler.

John New, boatman, Runcorn, said he knew the prisoner and Parkes ; they lived together as man and wife. Witness's cousin, Henry New, and the prisoner lived together as man and wife ; he is dead. He knew **Parkes** 20 years ; he never knew him nought but a boatman. The prisoner was never called Hannah Green ; he knew her father and mother, their name was Wood. Parkes behaved very badly to her, had heard of his selling her with a halter around her neck.

Rachel Woodward, living at Leigh in Lancashire, said she knew the prisoner ; she saw the prisoner about four years ago at the Presbyterian chapel in Pennington ; she was getting married to Henry New ; he died about three and a half years ago ; he was very ill when she was marrying him.

Cross-examined : Thomas Sparks sold her to Samuel Thompson for a shilling ; that was before she

married Henry New ; I was present when he bought her ; the halter was not on when I saw her ; the prisoner was agreeable to the sale ; it was up in Brummagem ; she had been ill used ; up in Brummagem, they say the sale breaks the marriage.

Re-examined : The sale took place about nine years ago ; the name of the man who sold her might have been Parkes, they called him Sparkes.

To the Judge : I am a boatman's wife ; I was present when prisoner's husband said he would sell her ; she said the man was her husband ; Parkes was a boatman.

Henry Valson, inspector of police, Runcorn, produced certificates of the marriage of Hannah Green and Thomas Parkes in 1847, and of Henry New and Hannah Parkes in 1859 ; he took the prisoner into custody ; he charged her with marrying Henry New while her husband was alive ; she said she did it with his consent. Cornelius New applied to him to take the woman up ; I was told he was Henry New's brother.

The prisoner was acquitted.

192 1 October 1864

CHILD MURDER AND ATTEMPTED SUICIDE AT WELSHPOOL An inquest was opened at Welshpool, on Saturday, on the body of a child about 18 months old, the illegitimate daughter of Elizabeth Price, an intelligent and respectable looking girl, formerly pupil teacher at the National School. The coroner, R D Harrison Esq adjourned the inquiry after examining the mother of Elizabeth Price ; but from what is rumoured in the town, we gather that eighteen months ago, the girl Price was delivered of an illegitimate child, which was put out to nurse at the house of a labourer named Davies, residing at Brocas Common. A few weeks back, the child was returned to Elizabeth Price (who at that time was residing with her mother), the payments for its support not having been regularly made. The child was then sent to a Mrs Jones of Mount Pleasant, and again sent back to the mother one day last week. After the child was returned the second time, some unpleasantness appears to have arisen between Elizabeth Price and her mother, and on Friday, Elizabeth, it is said, in great destitution, applied to the Middle Division of the parish for relief which, however, was not granted. Soon after five o'clock on the same evening, she was seen to leave her mother's house with the child in her arms, and she seems to have gone at once to the canal, between Gallowstree Bank Gate and the gas works, for in a very short time she was seen struggling in the water. Mrs Griffiths, of High Street, observed her in the water, and called a boatman, **David Lewis**, who dragged the poor woman out, apparently in a dying state. She was heard to mutter something about her child, and a search was made, resulting in the discovery of the dead body of the infant in the water a short distance off. Mr Edmunds, of the gas works, then came up and sent for medical assistance. Mr Sergeant Strefford too was sent for, and arrived with drags almost immediately, but before he came up, Mr Smith happening to pass on his way home from Llanymynech fair, the girl was placed in his cart and conveyed home. Mr E T D Harrison and Mr Lemon were both in attendance when the cart arrived at the house, and the mother was restored ; but being still in too weak a state to be removed, the inquest was adjourned.

193 3 December 1864

Knutsford Adjourned Petty Sessions

William Atkinson alias Hodgkinson, 16, boatman, was charged with stealing £2 1s of Sarah Ann Gaskell at Runcorn on 16th November. Two months.

194 7 January 1865

Chester City Sessions

With one exception, the cases in the calendar were larceny, and the evidence against the prisoners was that of witnesses who said they saw the person charged take the property which they were charged with stealing. There was only one case to which he need allude. It was that of John Powell, who was charged with stealing a quantity of oil cake. The case presented this peculiarity – that no oil cake was ever missed at all, but this was accounted for by the fact that a large store of oil cake (ten tons) was upon the premises from which it was taken. The prisoner was the captain of a steam tug, in the employ of the Shropshire Union Canal Company, and had been seen coming from

the direction of the wharf where the oil cake was stored with the stolen property in his possession.
THEFT OF OILCAKE **John Powell**, boatman, pleaded guilty to stealing a quantity of oil cake, from the wharf of the Shropshire Union Canal Company, on the 25th December, who were his employers. The particulars of the case have already appeared. The Chairman sentenced the prisoner to 12 months imprisonment, remarking that he had been placed in a position of trust, was in good employment, and no doubt in receipt of good wages at the time of the robbery. This greatly aggravated the crime, and induced him to pass that heavy sentence upon him.

195 11 February 1865

SUDDEN DEATH On Thursday last, **John McWalters**, a boatman in the employ of the Shropshire Union Railways and Canal Company, was proceeding to a barber's shop in this city, for the purpose of being shaved, when he suddenly fell down in the street. In a state of insensibility, he was taken to the infirmary, and died in about two minutes after his admission. The cause of death was *morbus cordis*.

196 25 March 1865

Bradwall Petty Sessions

John Machin, a boatman, was brought up and remanded to the Petty Sessions at Runcorn, charged with stealing a horse at Runcorn on the 13th of August last.

197 20 May 1865

Knutsford Adjourned Sessions

Joseph Taylor, 20, boatman, was charged with stealing 19 yards of rope, the property of Joseph Verdin and others, at Runcorn on 5th May. Mt Ffloulkes for the prosecution and Mr Macintyre for the defence. Verdict Not Guilty.

Margaret Baxter, 39, boatwoman, for stealing 7s 6d from the person of Ralph Taylor at Rudheath on 5th April. One month.

198 1 July 1865

Cheshire Quarter Sessions

John Horrocks alias Gill, 25, boatman, and **William Sims, alias Alexander Sims**, 14, boat boy, for stealing a cock and two hens, the property of John Hignett, at Runcorn on 8th June. Horrocks, who is an old offender, was sentenced to seven years penal servitude, and the younger prisoner to fourteen days hard labour.

199 8 July 1865

City Police Court

George Wright, a boatman, was charged with being drunk and disorderly in Foregate Street. Discharged on promising to leave the town.

200 29 July 1865

BODY OF AN UNKNOWN MAN FOUND IN THE RIVER On Saturday last, an inquest was held before Mr Tatlock, at the Deva Hotel, upon the body of a man, name unknown, which had been found floating in the river Dee that morning. About noon, a gardener named Frederick Stokes was crossing the Suspension Bridge when he saw the body of a man floating from the direction of the baulks of timber. The body was dressed, with the exception of a hat. Stokes called the attention of a boatman named **Henry Sumpter** to the body, and that person went out in a boat and brought the body, which was in an advanced state of decomposition, to the shore. The clothes on the body were searched by Sergeant Hickie. He found in the pockets 3s in silver, 1 1/2d in copper, a tobacco box, a knife, and a purse with a button on it. There were no initials on the knife. Deceased had in his coat pocket a watch guard, but no watch. He had a button hook, a tobacco pouch, a Catholic prayer book with no name in it, and a copy of the Illustrated Sporting Gazette of the 8th July. Deceased was dressed with blucher shoes, nearly new ; blue grey stockings, black and red striped trousers, black cloth waistcoat, blue corded tweed coat, with pockets at side and black bone buttons. He had two linen shirts on, nearly new, without initials. He had no whiskers, but a tuft of hair under the chin, inclined to curl. He appeared about 40 years of age, and 5ft 10in high. There was no mark of

violence upon the body. No person had identified deceased ; but identification by the features was almost impossible owing to decomposition. The Jury returned an open verdict of "Found dead in the waters of the river Dee".

201 12 August 1865

Cheshire Summer Assizes

John Wood, 57, boatman, Astley, and **Richard Wood**, 16, boatman, Astley, were charged with the manslaughter of William Lovatt at Anderton on the 28th June.

Mr M Lloyd and Mr Hilton were counsel for the prosecution. Mr Brandt defended the prisoners.

The elder prisoner was the captain of a boat plying upon the Trent and Mersey Canal, and the younger prisoner was his son. On the evening of the 29th June last, the prisoners had gone with their boat to Anderton Wharf. After nine o'clock, they left their boat and they met amongst others **William Lovatt**, who was also a waterman. There was a row amongst a lot of people and ultimately the deceased man went away, but was followed by the two prisoners. A fight took place between the eldest prisoner and the deceased, and when they were down struggling together, the former was heard to call out to his son to kick the deceased, which he did. Lovatt soon after died, and upon a *post mortem* examination being made, it was found that he had died from a rupture caused by a kick.

The prisoners were found guilty and sentenced to four months imprisonment each.

202 21 October 1865

MANSLAUGHTER BY A BOATMAN The adjourned inquest on the body of the boy, **John Parker**, was held on Thursday at the Knutsford Workhouse, when **Richard Hammond**, the perpetrator of the outrage, was present in custody of the police. The boy had been abused on board the boat, and had been lying in the cabin for several days ; he was afterwards put onto another boat and brought to Lymm, from whence he was removed to the Workhouse at Knutsford on the 24th September, and died there on the 6th October. Several witnesses were examined, all agreeing in evidence as to the lad's statement to them, how that he had been beaten with a whip by the prisoner Richard Hammond on the 16th September near to Bunker's Hill, because he, deceased, laughed at the prisoner when he was talking to a boy who was standing on a bridge. Medical evidence was given by Dr Bennett of Lymm, and Mr Earl, the medical officer of the workhouse, the latter of whom stated that deceased was in a high state of fever when brought to the workhouse, but he became better of this on the Saturday after his admission. He was delirious every night but one ; he became insensible on the Monday, and remained so until his death, which took place on Wednesday. He had made a *post mortem* examination of the body ; on the small of the back there was a mark about the size of the palm of the hand, the skin being of a darker colour. He further described the result of his examination, and gave as his opinion that the immediate cause of death was from an acute abscess in connection with the lungs. There was congestion of the brain, but that was a secondary cause. The abscess might have caused death from natural causes, but the beating and exposure might have accelerated death in the diseased state of the lungs. The jury gave a verdict that death resulted from an abscess and congestion of the brain, accelerated by the treatment the deceased had received at the hands of Richard Hammond, and the prisoner was committed on the coroner's warrant to the assizes.

203 21 October 1865

Cheshire Quarter Sessions

William Cawley, 41, boatman, James Littler, 42, miner, Aaron Buckley, 28 and Isaac Robinson, 24, labourers, were indicted for maliciously wounding Thomas Harrison at High Leigh in October 1864. The prisoners, on being released, were cheered by a mob of their partizans from Northwich, who swore death and vengeance against Buckley the approver.

204 2 December 1865

Chester Winter Assizes

Moses Gough, 30, boatman, Runcorn, pleaded not guilty to a charge of having assaulted **Edward Bower** and stolen from his person 30s, at Runcorn on the 19th September. Mr Horatio Lloyd

appeared for the prosecution, and stated that on the evening of the day in question, the prosecutor had been drinking for some time at one or two public houses, and he eventually left the Derby Arms at Runcorn a little before twelve o'clock. The prisoner, who left with the prosecutor, walked with him about 300 or 400 yards, and then threw him down, and held him down while two other men rifled his pockets. In the morning, the prosecutor went to the police office to give information of the robbery, and he there found that the prisoner and another man were in custody. He at once identified Gough, but said he was not certain as to the other man. The defence was that the prisoner had been asked by the prosecutor to go down with him to his boat, and that while on their way, he (prisoner) was knocked down by two men, and the prosecutor was also levelled to the ground. The jury, after hearing the evidence, found the prisoner Not Guilty.

205 6 January 1866

Cheshire Adjourned Sessions

William Hodgkinson alias Atkinson, 20, boatman, stealing a coat of James Hollinshead, at Runcorn on 11th December. Six months.

206 24 February 1866

SHOCKING CASE OF SHOOTING Early on Tuesday morning, a young man named Thomas Lefler, aged 16, a bootmaker, living with his father at 16 Woodfield Place, Paddington, London, was, with some other young men, leaning over the parapet of the canal bridge near the Lock Hospital, when they heard loud noises proceeding from a barge which was wending its way from the Paddington Basin to Southall. The only occupants of the barge were a boatman named **Joseph Ward**, aged 28, and his wife **Eliza**, aged 24 years. Both of them were in a state of semi intoxication, and were quarrelling. One of the young men on the bridge made some remarks, when Ward went into the cabin, and in a moment after, emerged from there, carrying with him a gun loaded with "No 2" shot. He then took deliberate aim at the young man on the bridge, and fired. The principal portion of the contents entered the head and face of Lefler, the effect being that one eye was completely destroyed and a portion of the cheek blown away. The young man was taken to St Mary's Hospital, where he lies in a precarious state.

207 31 March 1866

FOUND DROWNED An Inquest was held at the Infirmary on Monday, before Mr Tatlock, respecting the death of Sarah Lowe, an old woman, who used to go about selling stay laces, blacking, and other things, whose body had been found floating in the river, that morning, by a flatman named **James Randall**. The deceased had been missing above five weeks, and when last seen alive she was the worse for drink. Verdict, "Found dead in the river, having no marks of violence upon her body".

208 7 April 1866

Cheshire Assizes

Richard Hammond, 23, boatman, was charged with the manslaughter of **John Parker** at Knutsford.

Mr Ffoulkes prosecuted ; Mr Swetenham defended.

Eliza Walker, nurse at the Union Ward, Knutsford, said that on the 24th September, the boy, John Parker, was brought to the workhouse. His back was very much bruised and inflamed, and he appeared to be in much pain. He became delirious on Monday the 2nd October, and died on the following Wednesday.

James Aspinall, master of a canal boat on the Duke of Bridgewater's canal, was at Agden Bridge, and saw the boy lying on his face. The boy asked him if he would let him ride with him, as he wanted to go to Preston Brook workhouse. His wife helped him on board, and he took him to Lymm.

Sergeant Dutton received the boy. His back was very dark coloured. Mr Bennett, the surgeon, was sent for. The prisoner was subsequently apprehended on the charge of ill using the boy, who had been in his employ for about three months, and causing his death. He said, "I never hit that lad but

once in my life. I was talking to a boy, and the lad laughed at us, and I hit him with a whip". Charles Bennett, surgeon, examined the boy at Lymm, and found diffused inflammation in the region of the loins. He was also suffering from swelling of the right wrist and arm. The appearance might arise from exposure or from a blow. If the boy were of a consumptive turn, great exposure and lying out at night would account for the appearances.

Mr Earle, surgeon to the workhouse at Knutsford, examined the boy on the 24th September, in the hospital ward at the workhouse. The skin was swollen dark red, the left leg was swollen and painful, and there were red patches of skin about the knee and on the top of the foot. The left fore arm was swollen and painful from the wrist to the elbow. The boy complained of pain all over him, but his back was the worst. He treated him till he died. The *post mortem* examination showed that inflammation of the lungs was the primary cause of death. A secondary cause was congestion of the brain. A blow on the back from a whip might have accelerated death by giving rise to a feverish state of the system.

The learned Judge thought there was not evidence on which the jury ought to act, and a verdict of acquittal was recorded.

209 28 April 1866

CALVERLEY Thomas Kearsley, aged three years, the child of a boatman under the Shropshire Union Company, was drowned off a boat on Thursday night last. The inquest will be held before Mr Churton today.

210 28 April 1866

City Police Court

Thomas Edwards, a boatman, was charged with being drunk and disorderly at the end of Queen Street early this morning. Fined 5s and costs or three days imprisonment.

211 19 May 1866

Knutsford Adjourned Sessions

Samuel Hayes, 16, boatman, and **William Owen**, 14, boat boy, stealing twenty yards of rope, the property of Henry Shaw, at Runcorn. Twenty one days each.

212 30 June 1866

FATAL ACCIDENT On Saturday last, Mr H Churton held an inquest at the Wheatsheaf, Northwich, touching the death of a flatman named **Edmond Thomas**, aged 50 years, of Castle Northwich, who met with his death in consequence of a fall from the Bramley Moor Quay on to the deck of the flat on which he was employed, the fall being a distance of 10 feet. It appeared in evidence that the deceased was in drink at the time and, going to sit down on the Quay, overbalanced himself. He was insensible when taken up, but soon after, he recovered a little, and was sent home, where he died on the following day. From the evidence as to the condition of the deceased after the accident, it appeared that the spine had been greatly injured. Verdict, "Accidental death".

213 July 7 1866

Adjourned Sessions at Knutsford

Isaac Cook alias Cooper, 22, boatman, stealing 10lbs of beef, bacon and bread of Joseph Moores at Runcorn on 22nd June. Two months.

Benjamin Hill, 16, boatman, for stealing a horse and set of harness, the property of George Ward, at Barnton on 8th May. Two months.

214 14 July 1866

Chester City Sessions

ROBBERY OF GRAIN AT THE TOWER WHARF William Jones, 24, boatman, Ellesmere Port, was charged with stealing 30lbs of wheat, value 3s, the property of the Shropshire Union Railway and Canal Company, from the flat *Emma* on the Shropshire Union Canal, he being a servant in the said company's employ. Mr Wynne Ffoulkes appeared for the prosecution and Mr Swetenham for the defence. **Mr H Parry**, superintendent of the Shropshire Union Co, stated that on the evening in

question about a quarter past seven, the flat *Emma* was lying at the Tower Wharf loaded with grain in bulk. He noticed that the tar sheet had been lifted and one of the hatches was awry. He hailed the flat, and the prisoner, who was a hand on the flat, came up the hatches on the starboard side. In answer to witness as to what was his business below, the prisoner said he had been below to see whether the flat was making water. Witness asked why he had not tried the well, to which prisoner said there was no well. Witness found out that there was no well on that vessel. When asked why he had not tried the pump, prisoner gave an evasive answer. Witness went on board, and found a small bag of grain behind the prisoner, and almost touching him. On being questioned, prisoner denied all knowledge of the bag. The prisoner had no right to go down into the hold. It was expressly forbidden to do so in the company's rules. Witness took samples of the grain in bulk and delivered the same to the police as well as the bag. Witness called to the watchman, Jackson, to go down into the hold and see if anyone else was below. Jackson went down and found no one. Jackson said there was no water on the ceiling of the hold. Cross-examined : The prisoner had been in the company's employ for some years ; had improved his position somewhat and was, as far as he knew, a well conducted and honest lad. **James Davies**, master of the *Emma*, deposed to leaving the flat after ten minutes past seven. The hatches were down and everything safe on the flat then. Witness met several persons, and by Mr Wragge's met the prisoner, who said he was going down to the flat to wash. Witness did not know the bag produced. Did not see the prisoner with a pillow slip. The prisoner had been with him three weeks, but witness had known him for years ; he was a young man of good character. **Thomas Jackson**, Shropshire Union Railway and Canal Company's watchman, deposed to going on board the flat on the evening in question. The bag was lying on the deck. It lay on one side, the mouth open, and some of the grain spilt. The bag was by the prisoner, close behind him. The prisoner could not have come up from the hold without seeing it. He could have done so by coming up with his back towards it. PC Pinchers produced samples of the grain from the bulk and the bag ; also the bag. After a short consultation, the jury found the prisoner guilty, but recommended him to mercy. Mr Wynne Ffoulkes addressed the Recorder to the effect that the Shropshire Union Railway and Canal Company had not been subject to many of these robberies, but wished an example to be made. The Recorder, taking into consideration the recommendation of the jury, sentenced the prisoner to two months imprisonment with hard labour.

215 17 August 1866

Cheshire Summer Assizes

PERCIVAL AND WIFE v LONDON AND NORTH WESTERN RAILWAY COMPANY Mr Gifford QC with Mr Brandt appeared for the plaintiffs ; Mr Macintyre and Mr H Lloyd were for the defendants.

The plaintiffs reside at Runcorn, and keep a grocer's shop. On the evening of the 30th January last, they arrived at the Widnes railway station, and proceeded to Runcorn Gap for the purpose of being ferried over the river Mersey to Runcorn. They got into a boat with about five or six other persons, and they had not proceeded more than half way on their journey when they ran against the "gantry" (a sort of coffer dam in the centre of the river, belonging to one of the piers of the bridge which is being thrown across the Mersey to connect Cheshire with Lancashire). The male plaintiff lost a quantity of articles of trade he had been purchasing, and his clothes and those of his wife were spoiled. His wife had suffered in health in consequence of the accident. The defendants being the proprietors of the ferry, the action was brought against them to recover damages.

James Percival (plaintiff) said he was a grocer and resided in Runcorn. On the 30th January last, he arrived at the Runcorn Gap station about a quarter to eight o'clock in the evening. It was about half a mile from the ferry ; arrived there about five minutes to eight ; John Jones was with him ; entered the ferry boat with his wife and Jones ; there were six or seven persons in the boat ; it would carry 30 or 40 persons ; there were two ferrymen in charge of the boat at the time ; had crossed the river (Mersey) from Runcorn Gap to Runcorn often by the same boat ; the ferrymen were new hands ; one of them asked witness to take the tiller ; **Captain Dunbabb** was there also, and he kept the boat up against the tide with a boat hook ; witness was told to steer for the "gantry", as they were going to pull around her ; the boat hook was lost, but was afterwards picked up ; steered for the

gantry, and the force of the tide knocked the boat against it ; whilst there another ferry boat passed them ; the boat was right along the gantry, and when it was going round the gable end it went down, but how it went down he did not know. (A laugh). The gantry was an erection in the middle of the river.

Mr Brandt : It is a species of coffer dam.

Witness continued : The boat sank, and the passengers jumped on to the gantry ; plaintiff's wife's dress got fastened to part of the boat, the effect being that she could not get out of it, and she was up to her bosom in the river, as was also witness. **Peacock's** boat came to their assistance ; they were in the water about ten minutes ; they got into the fresh boat as well as the other passengers who were on the gantry ; when the boat went down, John Jones, who had also been in the water, jumped onto the gantry ; heard **Harrison**, captain of another boat, say, "What made you go that way?" ; it was said to the ferrymen in the swamped boat. The ferryman replied, "There was no other way". Plaintiffs and the others, when they got into Peacock's boat, were taken down the stream to Runcorn, round the bottom end of the gantry. Two men were not sufficient to manage the boat on the night in question ; it was very dark and wet ; there was a fresh in the river ; had seen the same boat since, and three or four men were now employed upon it. He lost a parcel of tobacco worth £7 odd, a cake, two umbrellas, a lady's muff was spoiled as well as a victorine, a dress, his clothes and boots. Mrs Percival was in the family way at the time of the accident, and she was very ill afterwards and attended by a medical gentleman.

Cross-examined by Mr Macintyre : There's a bridge being built across the Mersey at that portion of the river to connect Cheshire with Lancashire ; the gantry was attached to the pier No 2 (on the plan produced). At the time they were crossing, a sand bank had formed in the river near to pier No 2, which was nearly in the centre of the river on the Liverpool side of the gantry. The water ran very strong ; there was a great fresh in the river. There were two ferrymen in Peacock's boat.

Captain Dunbabin said he was the master of the *Julia* of Runcorn. On the 30th January, left the Widnes side of the river in the ferry boat, with the last witness ; there were several passengers in the boat ; the tide was three part ebb or a little more ; there was a great fresh in the river. Witness was in the habit of crossing the river once or twice a week. In his opinion, two men were enough to manage the boat. When it left the slip, each ferryman took an oar, and he (witness) took a boat hook. He took the hook to assist the boat across by shafting on the bottom. As they were going across, he said to Abrahams, one of the ferrymen, "Is not the tide too strong to go across the gantry?" the reply being, "There's no other way for it ; there's no water at the bottom end". They afterwards did cross at the bottom end. While using the boat hook, the force of the current threw the boat on to the hook and forced it out of his hand, the effect being that the boat went against the north east side of the gantry. The oars were not able to hold the boat against the current. The tide kept it alongside the gantry. The boat hook was afterwards recovered. Johnson, the other ferryman, requested the passengers to land on the starboard side of the boat ; Peacock's boat came up, and cleared the gantry by about a couple of yards, in consequence of taking the boat the other way. After Peacock's boat had passed, the ferrymen in the boat witness was in began to haul the boat alongside the gantry, the passengers standing up on the starboard side. As soon as they got on the centre pile of the gantry, the boat went under water, and the passengers jumped out, with the exception of Mrs Percival, who was immersed nearly up to her middle. She could not get out, as her dress was fastened to the "cleet". They hailed Peacock's boat to come to their assistance. It came back in about ten minutes ; the reason of their being so long was that the tide was so strong. In extricating Mrs Percival from the "cleet", her dress was torn. All the persons got into Peacock's boat, and proceeded to Runcorn by the north side of the gantry. On the way, they met **John Ellison's** boat, into which they got and were landed therefrom at No-man's land. All the passengers were wet. Had to walk up to their knees in sand and water when landed. The ferrymen would have carried them to shore on their backs, but it was of no use, as they were all wet. They were kept in their wet clothes about three quarters of an hour. The ferrymen in the boat were new hands except Abrahams, who was an odd hand. The proper complement of the boat would have been four.

The Learned Judge : Then is the difference between two and four men a question of time or a

question of safety?

Witness : Time, safety as well.

Cross-examined by Mr Macintyre : Two men to a boat was the rule, more was the exception. Did not notice a sand bank, it was dark ; came to a sandbank on the starboard or west side of the boat.

Re-examined by Mr Giffard QC : The accident might have been avoided by going another way. The gantry made the crossing of the river dangerous.

Samuel Ravenscroft said he was a master sail maker at Runcorn. He started with the party on the night of the accident. His opinion was that the boat was not sufficiently manned.

Samuel Wilding, another passenger by the boat, and a large shareholder in the London and North Western Railway Company (“on behalf of his wife”) said that the boat was not properly manned.

Cross-examined by Mr Macintyre : Had said that it was an accident, but had not said that the men themselves were not to blame for it. He had also said that the men were sober at the time.

William Foster said that he was in Harrison's boat on the occasion. Harrison was one of the oldest ferry men there. Harrison ferried him across the river by the Lancashire side of the gantry. Two men were not sufficient to man the boat. Was familiar with the ferry ; crossed it often. Since the accident, he had seen four and three men in the boat.

Cross-examined by Mr Macintyre : Never saw three men on any of the boats previous to the accident.

Charles Hazlehurst, a merchant of Runcorn, and a shareholder in the London and North Western Railway, was well acquainted with the Runcorn ferry, which was managed very badly.

This was plaintiffs' case.

Mr Macintyre addressed the jury for the defendants, and said that he thought he should be able to prove that the boat was properly manned, and that proper skill, care and attention were used ; also, that the accident occurred through circumstances over which the ferrymen had no control.

James Abrahams said he was a boatman in the employ of the defendants at Runcorn. Had been a regular ferryman for a fortnight before the 30th January last ; knew the river and sand banks. Remembered taking a party over the river in his boat on the evening of that day. Most of the witnesses that had been examined were some of the persons in the boat. Took the proper course for getting across ; three boat hooks were used to assist it in its course ; it was impossible to avoid the gantry, by pushing at which they got to the end. There was about eight feet width of water there. The boat had scarcely space to swim. When they got the boat half swung round, the pressure of water forced it underneath. The passengers got on to the gantry. There was a sandbank at the opposite corner. The course he took was the right and proper one, and where only there was sufficient water for the purpose.

Cross-examined by Mr Giffard QC : His mate had been regularly employed at the ferry before the accident about three weeks. Witness had been employed “off and on” for three or four years. There were enough hands in the boat to man it.

John Peacock said he was a boatman in the employment of the defendants. His boat left the Cheshire side to go over to the Lancashire side between seven and eight o'clock in the evening of the 30th January last ; passed the east end of the gantry ; saw last witness's boat ; witness got round the end first. That was the right course to take. The last witness took the right course at that particular time. The channel was about eight feet wide. After he had passed the gantry, he was hailed, and he went back and found that the boat had sunk. The current of the river was running very rapidly. Knew Abrahams and Johnson who manned the sunken boat ; they were strong, qualified men for the work.

John Harrison said he was a boatman, and had worked at the ferry for the last 34 years. Was on duty the night spoken of between seven and eight o'clock. Went to the west side of the gantry ; it was an hour and a half before “flood” ; there was very little water then ; could scarcely get the boat through. He had but few passengers. The river changed almost every day ; tried but could not get his boat “through” ; “bumped” Peacock's boat through ; that was from the Cheshire side ; came back the same way.

By the Learned Judge : They often returned the same way they went, although they sometimes

found it difficult going ; it was nothing new to them. (A laugh).

Cross-examined by Mr Giffard QC : He might have said to the ferrymen of the boat in trouble, "What made you go that way?" He did not remember saying it. The way they went was the proper one.

Thomas Albiston said he was captain of a steam tug in the Mersey. Knew Runcorn ferry and the gantry. At the state of the water on the evening of the 30th June (*sic*) last, the east end of the gantry was the proper point to take. Two men were not sufficient to take charge of such a boat on that night. Had crossed in the same boat on the same night half an hour before it sunk.

This was defendants' case.

Mr Macintyre summed up the case. It was for the jury to say if the plaintiffs had made out that the accident was caused by negligence ; if they had not, the defendants would be entitled to a verdict.

Mr Giffard QC replied, the learned Judge summed up, and the jury returned a verdict for the plaintiffs.

Mr Giffard QC announced that it had been agreed between both sides that the damages should be £50 ; and that in the case of Jones against the same defendants, and a similar action (which was to abide the decision of the jury in the foregoing cause), the damages should be £30.

216 18 August 1866

Cheshire Adjourned Sessions

William Felton alias Fenton, 16, boatman, **Walter Wilson**, 18 , boatman, and **John Bolton**, 15, boat boy, were charged with stealing a watch, value £4, from the person of Alexander Oldham, at Romiley on the 22nd of July. Felton pleaded guilty, the other two pleaded not guilty. One month each.

William Brown, 45, boatman, was charged with obtaining by false pretences half a gallon of ale from Elizabeth Anderton, and Robert France, 45, labourer, with obtaining two gallons of ale from the same person, at Runcorn on the 1st August. Seven days imprisonment.

217 18 August 1866

INQUEST AT NANTWICH On Saturday last, an inquest was held at the Oddfellows' Arms, Welsh Row, before H Churton Esq, coroner, respecting the death of **Mary Vaughan**, aged 64 years, the wife of a boatman of Wolverhampton. Deceased was found dead in bed in their boat at Hankelow, while on the way (by Canal) from Wolverhampton to Nantwich. A verdict accordingly was returned.

218 20 October 1866

Cheshire Quarter Sessions

Charles Swindells, 10, boat boy, for stealing a flute, the property of Ellen Linter, at Runcorn on 4th August. One months hard labour and ten strokes from a birch rod.

Thomas Hobson, a boatman, was indicted for stealing a purse, knife and other articles from the person of Charles Foster at Agden Bridge on August 19th. The jury acquitted the prisoner.

219 3 November 1866

Chester City Police Court

ASSAULTING A LITTLE GIRL **John Williams**, a canal boatman , was charged with indecently assaulting a little girl 12 years of age, named Hannah Orme, daughter of a publican in Crane Street. On Friday, the complainant was left in charge of the house, her father and mother having gone out. Prisoner was drinking in one of the rooms, but was sober, and he called for drink, with which he was served by complainant. He then committed the offence with which he was charged, and complainant raising an alarm, prisoner ran away from the house. He was apprehended on the same day, when he said he knew nothing about the affair. Fined £5 and costs, or two months imprisonment.

220 17 November 1866

A BOATMAN'S WIFE DROWNED IN THE CANAL BASIN **Margaret Davies**, the wife of a boatman, was drowned in the canal basin early on Wednesday morning. An inquest was held on the

body before J Tatlock Esq, deputy coroner, on the afternoon of the same day at the workhouse. A witness named **Samuel Kirkham**, a flatman, stated that between one and two o'clock on Wednesday morning, he was asleep on board his flat in the canal basin, when he heard the cries of **Walter Davies** (husband of the deceased), and on going on deck, he saw Davies clinging to the rudder of his boat. After a short time, he got him out of the water, and he saw that he was in liquor. Davies muttered something about his wife being in the water. Witness, fancying that she must be in the water, got a light, and he found her floating on her back in the basin about twelve yards from the boat. He managed to get her on shore, and he found that she was insensible ; she died in a few minutes afterwards. Walter Davies said that himself and his wife had been drinking together in Uncle Tom's Cabin (Watergate Street Row) during the previous night, and afterwards, about twelve o'clock, they went to the Liverpool Arms in Northgate Street, where they had "sundry and divers", and afterwards made their way to the boat in the "basin". He remembered nothing from the time he left the Liverpool Arms until he was taken out of the canal. When he was in the water, he heard his wife call out, "Catch hold of me". He could not say whether she was in the water or not when she called out to him. He did not recollect how he got into the canal, nor did he remember being taken out. He had had no quarrel with his wife. The jury, after a short deliberation, returned a verdict of "Accidentally drowned".

221 1 December 1866

Knutsford Adjoined Sessions

Three men named **William Penny**, 50, **James Weedall**, 39, and **George Ellis**, 54, flatmen, were indicted for stealing wearing apparel of Arthur Roorke, at Runcorn on 29th July. Mr Brandt appeared for the prosecution, and Mr Swetenham for the defence. The case broke down in consequence of the evidence, and the prisoners were acquitted.

Samuel Harrison, 36, flatman, for stealing two ducks at Weston on the 9th November, was sentenced to two months hard labour.

John Hawkins, 28, mechanic, and **Joseph Sidebotham**, 20, boatman, were indicted for passing counterfeit coins at Tranmere and Birkenhead. Mr H Lloyd appeared for the prosecution. Guilty : Twelve months hard labour.

222 13 April 1867

Cheshire Quarter Sessions

Joseph Grice, 18, boatman, breaking into a dwelling house and stealing therefrom one coat, the property of Arthur Egerton, at Hurleston on the 26th of October. Nine months.

223 6 July 1867

INQUESTS BEFORE MR DUNSTAN On Monday, at the Red Bull, Church Lawton, on the body of **James Bailey**, a canal boatman, who was drowned in the bottom lock, where he had gone to prepare for a boat passing through on the 22nd June. Verdict, "Accidentally drowned".

224 6 July 1867

Cheshire Quarter Sessions

Charles Dale, captain of a boat, who had been admitted to bail, and **John Bosson**, 57, boatman, were indicted for stealing 75lbs beans and 25lbs flour. Dale not guilty ; Bosson Guilty, and sentenced to nine months hard labour, after a previous conviction in January 1863, when he stole a cheese of Messrs Pointon, and received four months.

225 13 July 1867

SANDBACH PETTY SESSIONS On Monday, **John Barker** of Church Lawton, boatman, was charged by **Richard Glass**, canal constable, with wasting the water on the Trent and Mersey Canal at Church Lawton on the 1st of June. **Thomas Baskerville**, a lock tender, proved the charge, and defendant was fined 20s and costs.

226 27 July 1867

Nantwich Police Court

THEFT BY A BOATMAN **Samuel Bedhall**, boatman, was charged with stealing a quantity of

vinegar belonging to the Shropshire Union Railway and Canal Company, at Barbridge on the 16th July. George Crompton, cellarman for Mr Swan of Stourport, Worcestershire, deposed that on the 12th July, he filled a number of vinegar casks with vinegar belonging to his employer, which were consigned to Mr Turner, Victoria Bridge, Manchester. They were all safe when they left Mr Swan's premises, but on the 20th July inst, witness found the bung of one of the casks had been split, and appeared to have been removed. The grain in the stave and the grain in the bung ought to have corresponded with each other. The bung was put in the straight way when the cask was sent, but it was turned when he (witness) found it. The vinegar in the jar produced was, to the best of his belief, the same as that in the barrel, which was Mr Swan's make. Thomas Pugh, porter to the Shropshire Union Railway Company at Wolverhampton, proved delivering the cask in question with others to the prisoner, who placed them in his boat called the *Rapid*. They were all in good condition when handed over to him. They weighed 6cwt 2 qrs 18lbs, and the weight was recorded on the shipping note. John Hatton, shipper, deposed to having assisted in weighing the casks of vinegar, and found them 4cwt 1 qr 4lbs. John Ashley, chief clerk for the Canal Company at Barbridge, stated that after prisoner had discharged his boat at the Barbridge Wharf on the 16th, PC Poole went and searched his cabin, and found a quantity of vinegar in jars similar to the one produced. Prisoner was committed for trial at the next General Quarter Sessions at Knutsford.

227 17 August 1867

Cheshire Adjourned Sessions

Samuel Bedhall, 55, boatman, stealing from a certain boat a quantity of vinegar of the value of 9s, the property of the Shropshire Union Railway and Canal Company, at Barbridge on the 16th July last. Four months.

Joseph Crompton, 28, boatman, was charged with stealing 12s 6d, 3lbs of beef, 6lbs of bread, and a handkerchief, the property of Thomas Houghton, his master, at Latchford on the 14th March. Verdict, Not Guilty.

John Gleave, 44, boatman, for stealing 4 cwt of coals, the property of Richard Evans, at Lymm on the 11th of July. Two months.

Thomas Ogden, flatman, for stealing a boat of the value of £10, the property of John Stammers, at Tranmere on 29th June. Three months.

James Leicester, 31, boatman, was indicted for stealing 5s 6d from the person of Richard Rhodes, at Runcorn on 3rd August. Verdict, Not Guilty.

228 31 August 1867

A MAN STABBED BY HIS WIFE AT WIDNES **Elizabeth Hatton** of Widnes was, on Thursday, charged before Mr W Pilkington at St Helens, with cutting and wounding her husband, **Thomas Hatton**, boatman of Widnes, on Monday the 19th instant, with a knife. Thomas Hatton, the injured man, deposed that on Sunday night, the 18th inst, he and his wife, the prisoner, were at his son's house, where they had some drink, and they returned home about nine o'clock, and he went to bed shortly afterwards. About 11 o'clock, he got up and came into the room where his wife was, and found her lying on the floor with a man named John Cook. A row ensued, and he afterwards went to bed. Early on Monday morning, when he got up, the disturbance was renewed, and his wife took up a knife and threatened to "take his heart's blood", at the same time giving him a severe cut on the back of his head. He then gave information to the police. Charles Julott of Widnes, surgeon, said he attended Thomas Hatton on the 19th instant, whom he found weak and faint from loss of blood. He examined his head, and found an incised wound two inches in length, which cut through the scalp to the bone at the upper and back part of the head. He dressed and stitched the wound, which he believed had been inflicted with a knife or some sharp cutting instrument. James Baines, police constable stationed at Widnes, deposed that Thomas Hatton, on the morning of the 19th instant, came to the police station covered with blood, and seemed very faint and weak from loss of blood. He (Hatton) said that he had caught a man named Cook with his wife on the cellar floor, and because he began to talk about it, his wife took up a knife and swore she would have his heart's blood, and directly afterwards, he found himself bleeding from a cut on the top of his head. Dr

Julott was called in, who dressed his wound, and witness afterwards apprehended the prisoner on the charge of cutting and wounding her husband with a knife, which she denied having done ; but on the Friday, she admitted having cut him on the head with the knife he used for cutting his tobacco. The prisoner on Thursday stated that she stabbed him, and expressed her sorrow for the act. The prisoner was committed for trial at the quarter sessions.

229 19 October 1867 Sandbach Petty Sessions

Allen Harrison, a boatman, was fined 40s for a breach of the bye laws on the Trent and Mersey Canal, on the 30th ult.

230 19 October 1867 Cheshire Quarter Sessions

Moses Chapman, 53, boatman, was charged with stealing 25lbs of potatoes, the property of James Timperley, on the 28th August at Altrincham. The chairman read a long list of charges of assault and drunkenness, and the prisoner also admitted a previous conviction for felony in 1859. He was sent to prison for three months.

Edward Fillingham, 26, boatman, was charged with stealing 10s 3 1/2d, a pocket knife and one piece of tobacco from the person of Alexander McPherson, on the 24th August. The evidence was not considered sufficient, and the jury returned a verdict of Not Guilty.

231 16 November 1867 Sandbach Petty Sessions

George Joseph and **James Palin**, boatman of Wheelock, were each ordered to pay 8d per week towards the maintenance of George Palin sen, their father, who was chargeable to the Congleton Union.

George Turion (Turton?), boatman of Wolverhampton, was fined 20s and costs, charged with injuring a lock at Tetton on the 27th ult.

232 7 December 1867 Bankrupts

J Hampson, late of Lower Tranmere, boatman.

233 7 December 1867

FOUND DROWNED On Monday afternoon last, the 2nd inst, an inquest was held at the Cheshire Cheese, Newton by Middlewich, before Mr W R Dunstan, coroner, on the body of **John Shackleston**, aged six years. From the evidence, it appeared that the deceased was the son of **James Shackleston**, boatman, who resides at Cledford Bridge, about a mile from Middlewich. The deceased, who was a scholar at the National School, went home on Friday last at noon from the school with some other children, who left him at their door all right. The deceased had then to cross the canal bridge to his own home, a distance of little more than thirty yards ; he did not arrive, and was never seen again alive. About ten o'clock the same night, his lifeless body was found in the canal, close to the bridge. The mother, although expecting him to his dinner, excused herself for not enquiring about him until night, by saying she expected he had gone off with some boys who lived close by. Verdict, "Accidentally drowned".

234 14 December 1867 Chester Winter Assizes

ASSAULT WITH INTENT **John Barrow**, 36, boatman, Halifax, was indicted for assaulting and putting in bodily fear Mary Hall, and stealing from her person a purse and £1 18s, the property of William Hall, at Lymm on the 7th of June ; the prisoner was also indicted for assaulting her with intent.

Mr Ffoulkes prosecuted, and Mr Swetenham defended.

Mr Ffoulkes said he did not propose to offer any evidence on the first indictment, and at the direction of his Lordship, the jury acquitted the prisoner on that count.

Mr Ffoulkes then elected to proceed with the second count, and from his opening statement, it appeared that the prosecutrix lived at Adlington near Macclesfield. In the month of June, she was

living at Sutton near Warrington. On the day in question, she had been at Altrincham to see a friend, and on returning she intended to catch the train at Broadheath but, missing it, she walked along the canal bank towards Warrington. She overtook a boat which the prisoner was steering, and he offered to give her a lift. She accepted the invitation, and after she got into the boat, the prisoner pressed her into the cabin. There were two other men in the cabin at the time, and she refused to go. Shortly after, these men went into another boat and, after they had gone, the prisoner dragged her into the cabin, tore her clothing, and committed the offence with which he was charged. She escaped from him, and jumped from the boat to the canal side, and walked to Lymm, where she gave information to the police. The police went in search of the prisoner, but could not then find him. He was subsequently apprehended by the Yorkshire police, and handed over to the authorities at Lymm. When charged with the offence, he strongly denied it.

The jury found the prisoner guilty of the assault with intent, and his Lordship sentenced him to 18 months imprisonment with hard labour.

235 4 January 1868 Cheshire Quarter Sessions

Evan Humphries, 30, boatman, and Sarah Howard were indicted for stealing one rocking chair, the property of John Mack, at Runcorn on the 12th of October ; also one woollen shirt and one winsey petticoat, the property of Ann Lewis. Sarah Howard was also further charged with stealing one shirt, the property of Thomas Ellison, at Runcorn on the 28th of November. The female prisoner pleaded guilty. The jury found the male prisoner guilty. Both the prisoners were ordered to be imprisoned for four calendar months with hard labour.

236 29 February 1868

SHOCKING INHUMANITY A case of shameful brutality came before the county magistrates at Bolton on Monday. A man named **Richard Barrow** was charged with wilfully scalding his wife and two children. The prisoner is a boatman, and the occurrence took place at Blackrod, near Wigan. He entered the cabin of the boat late on Saturday evening in a state of intoxication, his wife and children being then in bed. She reproached him with his conduct, on which he deliberately took the kettle off the fire and poured the boiling contents upon them. The wife was badly scalded on one side of her face and arms ; but the poor children sustained the worst injuries, and the youngest, a baby only twelve months old, lies in a dangerous condition. Dr Dawson of Adlington, near Chorley, was sent for and dressed their wounds. As the life of the youngest child is despaired of, the magistrates remanded the prisoner for a few days to await the result of the injuries.

237 28 March 1868 Bankrupts

J Hodgetts, timber dealer and boatman, Ledbury.

238 11 April 1868 Cheshire Quarter Sessions

James Waller, boatman, was indicted for stealing an overcoat, the property of James Worsley, at Witton ; further charged with stealing a dozen pairs of braces, the property of Joseph Hardley, at Northwich. The prisoner pleaded guilty. Four months.

239 2 May 1868

FATAL GUN ACCIDENT ON THE RIVER WEAVER NEAR NORTHWICH For the last week or two, the river Weaver appears to have been the special scene of accidents, two persons having met with their death by drowning ; and now we have to record an occurrence by which a boatman named **David Ward**, aged 19 years, came to a most untimely end. It appears that on Friday last the unfortunate man, while with his flat near Crowton, saw, it is supposed, either a hare or a rabbit on the banks of the river and, stooping into the cabin of the boat to reach his gun, in his haste to make sure of his game, the hammer must have become entangled with something, and consequently discharged the contents of the weapon into his head, the whole of the left side of which was shot completely away, and the deceased's brains were scattered over the deck of the cabin. An inquest

was held on Monday last, before Jas Nicholson Esq, at the house of Mr Thomas Houghton, the Horn's Inn, Acton Bridge, but nothing further than the facts above stated was elicited, as no actual witnesses to the occurrence could be produced. The jury, after a short consultation, brought in a verdict of "Accidentally shot".

240 16 May 1868

Chester City Police Court

A VERY NATURAL RESULT **Thomas Williams**, boatman, was summoned for wilfully damaging a shutter of the house of Mr J Musgrove, bellman, Canal Side. Complainant said, on Sunday morning about one o'clock on the 3rd inst, three or four tremendous knocks came to his house door, and he heard some parties run away. He got up, went into his salt warehouse, and in a few minutes he saw the defendant return and throw a tremendous lump at his door and then run away again down the canal side. Complainant still kept concealed, and presently the defendant returned to the charge again, when he threw another tremendous lump, which split the window shutter from top to bottom, doing damage to the extent of 8s. After this, the complainant took a moonlight walk and identified the defendant, whom he knew by name, in the cabin of a boat. Defendant's story was a short one. He said : Three or four of us had had drink, and I suppose our heads caught his door when we wur on his step. We heard someone inside say, "Where's my stick?" and then we shifted. I don't think I did throw a stone, but he knows me and not the others." The magistrates fined the defendant 1s and ordered him to pay the damage and the costs ; in default to be committed for seven days.

241 23 May 1868

Cheshire Quarter Sessions

BREAKING INTO A DWELLING HOUSE AT WINCHAM **William Norris** (21), boatman, was indicted for breaking into the dwelling house of Thomas Woodward at Wincham near Northwich, and stealing therefrom the sum of seven pence, two pairs of boots and various articles of clothing, on the 14th of April. The prisoner pleaded guilty, and was sentenced to six months imprisonment.

242 30 May 1868

LOSS OF LIFE THROUGH TAKING A BIRD'S NEST On Friday last week, a boy named **Richard Gibbons**, aged 10 years, son of **John Gibbons**, a boatman, was killed while taking a bird's nest at the salt works, Winsford. The deceased, it appeared, had got on the roof of a building at Mr Cross's "Island Works" in the township of Over, and while in the act of taking the nest, a slate on which he was standing gave way, and the deceased was precipitated to the ground, a distance of 16ft, and was taken up dead. An inquest was held by Mr Churton, on Saturday, at the Navigation Inn, when a verdict of "Accidentally killed" was returned. A subscription was at once opened, headed by Messrs Burgess and Leigh, which realised the price of a coffin, and upwards of £5 in cash to enable the parents to bury the deceased.

243 24 October 1868

Chester City Police Court

Edward Roberts, boatman, Catherall's Buildings, was charged with indecent conduct towards Martha Evans. Mr Churton appeared for the defendant. The complainant told a straightforward tale at first, but when cross-examined, grossly contradicted herself, and even admitted that no offence had been committed. The Bench dismissed the summons.

244 5 December 1868

Cheshire Adjourned Sessions at Knutsford

Moses Chapman, 54, boatman, for stealing a pair of trousers, the property of Henry Kinsey, at Altrincham on the 23rd November, seven years penal servitude.

245 16 January 1869

INQUEST AT OVER An inquest was held at Over on Saturday last, on the body of **Peter Gibbons**, four years of age, the son of a boatman. The deceased was on board a flat, and while his mother was in the cabin, he fell overboard into the river Weaver. His father rescued him, and every

effort to resuscitate him was used, but he died, having been in the water above three minutes. It is somewhat remarkable that on the day of the occurrence, deceased's father had gone to attend his brother's funeral. When he got nearly to Winsford, he turned back, having a foreboding that all was not right at the boat, and he just reached it in time to rescue the boy from the water. A verdict of "Accidentally drowned" was returned.

246 24 April 1869

A BOATWOMAN DROWNED IN A LOCK On Saturday last, Mr Dunstan held an inquest at the Red Bull, Church Lawton, on the body of **Sarah Jenkinson Hollingshead**, aged 50 years, the wife of **Joseph J Hollingshead**, canal boatman in the employ of the Duke of Bridgewater Trustees. Deceased always accompanied her husband with the boat, they being no house dwellers. On Thursday evening last, about seven o'clock, they were proceeding along the canal with a boat, and when at the Lime Kiln Lock, deceased said she would go forward and get ready the further lock. She did go forward, and fell into the lock and was drowned. Verdict, "Accidentally drowned".

247 3 July 1869

Cheshire Quarter Sessions

NO BILL The Grand Jury found no bill against **William Steventon**, 32, boatman, Wellington, charged with stealing 50lbs weight of coal, the property of G Bebbington, at Tiverton on the 12th June.

248 21 August 1869

Knutsford Adjourned Sessions

SENTENCES Six months. **Robert Brockley**, boatman, stealing a pair of boots, the property of William Brown, Runcorn.

249 25 September 1869

Sandbach Petty Sessions

James Knibbs, beerseller of Moston, was committed to the House of Correction for one month, charged with stealing 80lbs weight of coals, at Moston on the 19th instant, the property of Messrs Hemer and Davis, salt proprietors of Wincham. The prisoner was captain of the boat *Hugh* belonging to Mr Croom, manager for the prosecutors, and on the day in question, he was on his way to Wincham with a boat load of slack, and while he had his boat tied up near to his own house, he was seen by a police officer stealing the coal from the boat and taking it towards his house.

250 2 October 1860

Whitchurch Petty Sessions

ALLEGED FELONY **John Ashley**, a boatman living at Brown Moss, was brought up on remand charged with having, on the 14th inst, stolen a bridle, value 5s, the property of Mr Ruscoe, builder. No further evidence being forthcoming than that given last week, prisoner was discharged.

251 8 November 1869

SUDDEN DEATH OF A BOATMAN On Tuesday morning, when a boatman named **Thomas Hawkins** was in the office of the Shropshire Union Canal Company, he suddenly fell as he was talking to Mr Hale, and died soon afterwards. Dr Roberts was sent for, and after an examination of the deceased, gave it as his opinion that death occurred through disease of the heart. An inquest was held at the Old Queen's Head, Foregate Street, the same day, and a verdict in accordance with the medical evidence was returned. The deceased was a married man, 60 years of age.

252 13 November 1869

Chester City Police Court

James Jones, a boatman of Staffordshire, who was found incapable through drink at the bottom of Crane Street this morning by PC23, was ordered to pay 2s 6d to the poor box.

253 11 December 1869

Chester City Police Court

THE BOATMAN'S TROUBLES **William Hough**, boatman, was charged by Mrs Dean with an assault. Complainant lives with her husband at Hoole Lane Locks, and on Thursday last, defendant

was coming up with his boat and horse, and as the day was rather frosty, he slipped and very nearly fell into the canal. He asked Dean why he had not put some cinders down, but Dean did not reply. Mrs Dean then came out and used some annoying language, and Hough also used abusive language. Hough, it was stated, went across the locks and struck complainant on the face. As the evidence produced was of a rather contradictory nature, the magistrates bound him over to keep the peace for three months, himself in £5 and one surety of £5.

254 11 December 1869

FOUND DROWNED An inquest was held on Wednesday, at the Bouverie Arms, Garden Lane, on the body of a girl 13 years of age, named **Sarah Ann Dale**, who was found drowned in the Canal Locks at the Northgate on the previous Monday evening. The deceased was the daughter of a boatman named **Thomas Dale**, whose boat was lying in the Tower Wharf. On the Monday evening, she went into the town with her father, and left him to go home by herself. There are two ways down to the wharf, and the deceased, it would seem, was not very well acquainted with either of them. It was about seven o'clock in the evening when she started to go home, and she was never seen alive again. When her father returned home, he found that she had not got to the boat, and he went in search of her. When he got to the Locks near the Northgate, he saw a tin bottle floating in the water, which the girl had in her possession when she left him. He immediately raised an alarm, and the lock-keeper came to his assistance. They ran the water out of the lock, and found the deceased at the bottom, quite dead. Her mouth was hurt, and her right side was bruised. They got her out, and she was taken to the Bouverie Arms. From evidence given at the inquest, it would seem that there had been two persons in the lock besides deceased within eight days. All the cases occurred at night. A footbridge crosses the locks, and there is no light of any description close to, and a person might very easily fall in. A verdict of "Found drowned" was returned.

255 8 January 1870

Flint Borough Petty Sessions

John Foulkes, a boatman, was charged by PC Wilcox with being drunk and disorderly on the 25th of last month, and breaking the windows of the Old Anchor Inn. Defendant being with his vessel in Liverpool, was represented by his mother, and a fine of 10s, including costs, was imposed.

256 26 February 1870

Knutsford Adjournd Sessions

Mary Lynch, prostitute, was indicted for picking the pocket of a boatman named **Green** on Sunday night last. The jury apparently thinking that the identity of the money was not strong enough in itself to warrant a verdict of guilty, and that the boatman had only met with his deserts, acquitted the accused, who seemed vastly delighted.

PLEADED GUILTY James Baddeley, 19, boatman, for embezzling 12s 6d of Mr Thomas Clarke, his master, at Willaston. Prisoner was employed to sell coal, and on the 4th January, sold 12s 6d worth, and never accounted for the money. There was one previous conviction against him ; he was sentenced to four months hard labour.

257 2 April 1870

Flintshire Lent Assizes

NIGHT POACHING AT LLANASA John Leigh, 36, boatman, surrendered to bail on a charge of going upon land in the occupation of Sir Piers Mostyn, at Llanasa on October 13th 1869, together with other persons unknown, being armed with a bludgeon for the purpose of destroying game. There was also an indictment for assaulting a gamekeeper.

Mr Lloyd Roberts prosecuted and Mr McIntyre defended.

On the night of the 13th of October, about ten o'clock, Isaac Jones and four others were watching in the Point of Ayr warren on Sir Piers Mostyn's estate, when they saw a gang of about a dozen men armed with bludgeons, and accompanied by a lurcher dog. Jones at once made a rush at the prisoner and caught him by the collar, and they scuffled together, the poacher trying to strike the keeper with his bludgeon but being unable to do so, as they were too close for the poacher to deliver a blow. Another of the gang was caught by Owen, one of the watchers, and held by him until four

of the others came up and released him. The stick used by the prisoner and some pegs and netting were picked up afterwards. When before the magistrates, the prisoner begged for mercy on account of his wife and family.

The facts having been stated by Isaac Jones, the witness in cross-examination said they took the prisoner to the saddle room at Sir Piers Mostyn's, and had something to drink. They gave some to the prisoner. (Laughter).

Two of the watchers, Owen and Nicholas, having been examined in support of the statements of Jones, Superintendent Adams was then sworn, and said he received the prisoner into custody, and the dog, bludgeon, pegs and netting were given up at the same time. Cross-examined : The prisoner when charged said he belonged to a vessel which was wind bound.

Mr McIntyre first took the objection that there was a waste piece of unoccupied ground, and that the wall was put up to keep out the rabbits. His defence would be that the prisoner was out to get provisions for his ship, that he was seized and mistaken for someone else, that the dog was not a lurcher, being more of the breed of an Irish greyhound, which hunted by sight and not by smell, and that the so called bludgeon was such a piece of wood as would be used by sailors on board ship.

His Lordship was inclined to think that there was not much in the objection that the warren was not enclosed, and said the only case for the jury was whether the prisoner was there for the purpose of taking game, as no actual violence was used.

During a temporary silence, the jury "laid their heads together" and to the astonishment of the court, returned a verdict of acquittal.

His Lordship : That's your verdict, not mine.

258 7 May 1870

ATTEMPT AT DROWNING At the Warrington Police Court on Friday week, a boatman named **Joseph Turner** was committed for trial on the charge of attempting to drown another boatman named **William Johnston**, by throwing him into the canal at Appleton, Cheshire on the 23rd ult.

259 7 May 1870

"STEALING" A DYING PARTRIDGE A boatman named **Rae** was lately convicted at the Derbyshire Quarter Sessions of stealing a partridge. A covey had been shot at by a party of gentlemen, and the prisoner picked up the bird in a field over which one of the party had a right of shooting. The question in dispute was the condition of the partridge when it came into the prisoner's possession, and the jury found that it was in a dying state, and could not escape. They therefore convicted Rae of having taken the bird fraudulently, with intent to deprive the owner of it. On Saturday, the Court of Criminal Appeal quashed this conviction. Five judges held that a bird or an animal in a wild state was not regarded as property, and that it was never intended to make those who preyed upon game thieves as well as poachers.

260 28 May 1870

SHOOTING AT SMALL BOYS A Hull boatman named **George Thacker** has had some fine sport at Sheffield for the trifling sum of sixty shillings. On Saturday morning, he was awoke by some stones falling upon the deck of his boat. He left his cabin, and seeing a number of boys on the bank of the canal, threatened that "if they were not soon off he would help them pretty quick". To show that he meant it, he fetched his gun and fired at the lads, some of whom were struck on various parts of the body, but were not seriously injured. Believing that the defendant did not intend to harm the boys by discharging a shot loaded gun at them, the magistrate imposed a mitigated fine of twenty shillings in each of three cases, with the alternative of three months imprisonment.

261 4 June 1870

Chester Police Court

LODGINGS GRATIS **Thomas Holland**, boatman, Nantwich, and Margaret Evans, Oswestry, were charged with sleeping in an outhouse belonging to Mr Pickavance, near the Soapery. A police officer found the prisoners there at eleven o'clock the previous evening. They were committed for

seven days with hard labour.

262 25 June 1870

ANOTHER ACCIDENT ON THE DEE Another accident, fortunately not a fatal one, occurred on Sunday evening on the river Dee. The steamer, *Lord Belgrave*, was tugging a boat containing five persons – a boatman named **Davies** of Dee Lane, three females who came from Blake's, fruiterer, and a child. The party were cautioned as to the danger of their position, but treated the advice given to them lightly ; and not many minutes after, as the steamer was rounding the turn at the Red House, the boat, being connected with a long towing rope, got into the swell of the steamer and was swamped. Timely aid was rendered by one of Mr Tasker's sons and others, and all were got out of the water.

263 9 July 1870

Cheshire Adjourned Quarter Sessions

Erastus Lewis, boatman, stealing a leather bag and other property at Chester, two months imprisonment.

John and Thomas Sniff, boatmen, charged with stealing provender from a stable at Weston Point, acquitted.

264 20 August 1870

ACCIDENTAL DEATH On the 7th inst, a child named **William Slater**, aged four years, son of a boatman, accidentally fell off the boat into the canal at Audlem and was drowned. An inquest was held before Henry Churton Esq when a verdict of “Accidentally drowned” was returned. The father of the boy is named **Isaac Slater**, and he belongs to Ilkeston, Derbyshire.

265 3 January 1914

SAD DROWNING FATALITY On Monday, the dead body of **Mr Christopher Dobson Price**, aged 48, who resided in John Street, Ellesmere Port, was taken from the Shropshire Union Canal. The deceased was in the employ of the Shropshire Union Company, but for some time past had been unable to carry out his duties owing to a slight paralysis of the arm, and had, in consequence, been in the habit of taking long walks, and very frequently had taken to walk along the canal towpath as far as Stanney, and on Monday was last seen alive wending his way in that direction, his lifeless body being afterwards found in the canal by a boatman who was on his journey from Chester to Ellesmere Port, and gave information to the police, who went to the spot, and with the assistance of the boatman took the body out. The sad affair has cast a gloom over the neighbourhood, especially amongst the employees of the Shropshire Union Co, where the deceased had been engaged for the last thirty years, and widespread sympathy was expressed towards the bereaved widow, two little children and other relatives who are left to mourn his loss.

Mr Price had for very many years taken a great interest in music, and for some years was the conductor of the Church Schools Silver Band, being an active supporter of it until the last. He was a member of the Oddfellows' Order and a loyal churchman, and latterly he had identified himself with the Central Hall Brotherhood, and on occasions had rendered cornet solos at the Sunday afternoon gatherings, and during his illness, it was a great consolation and encouragement to him when he received a communication from the secretary, Mr W Johnson, expressive of the sympathy of the Brotherhood in his sufferings. A rather pathetic incident is that the deceased had just entered a new house which he had erected, and was only now getting settled in his new home.

266 10 January 1914

Eddisbury Petty Sessions

BOATMAN'S CHEAP COAL **Henry Morris**, canal boatman, was charged with having stolen 67lbs of coal, value 8d, the property of the L and NW Railway Co. Moses Jones, stationmaster at Calveley, stated that on Saturday night December 13th, he went to the canal wharf, which adjoined

the station. A goods train had been shunted into the siding, and a number of canal boats were alongside. He walked about, and kept a look out, and eventually saw the prisoner beside a stationary train. He came to a stand beside a coal truck, and climbed on to it. Then he picked up a lump of coal, and threw it down. He got off the truck, and walked away with the coal. Witness intercepted him, and asked him where he was taking the coal. He replied that he was taking it to the cabin, and afterwards admitted having stolen it. He took the prisoner into custody, and handed him over to Constable Gregory. Evidence was given by Constable Gregory to the effect that prisoner told him he was short of coal and was taking it to the boat. On the following day, he visited the boat on which prisoner was employed, and there was no one in charge. He found 28lbs of coal in the forward part of the boat. Prisoner told the magistrates that he was very sorry for what had occurred. He had already been in Knutsford Gaol eight days. Superintendent Johnson said that was so, but he had been liberated on bail. In view of this, the prisoner was sentenced to one day's imprisonment only.

267 7 March 1914

Petty Sessions

BOATMAN STEALS CARGO **John Thomas Wardle** (22), canal boatman, pleaded guilty to stealing 18 plates, value 2s 3d, the property of the Shropshire Union Railway and Canal Company. **George Jutson**, boatman on the canal boat *Ethelred*, said the boat left the Potteries on the 27th February with a load of crates of earthenware. Defendant was employed on the boat, which arrived at Ellesmere Port on the 1st March. He saw prisoner open a crate, and take out 18 plates. **Edward Boswell**, captain of the boat, said defendant had no right to interfere with the plates. PC Shaw said on the 1st March he was in Station Road, Ellesmere Port, and saw defendant with something bulky under his coat. Witness asked him what he had, and he said he had plates. He further said that the plates had been given to him by his mate, instead of a shilling which he owed him. Not being satisfied with the answers defendant gave, witness took him to the police station, where he admitted stealing the plates. Defendant was fined 10s and costs, or 14 days imprisonment.

268 6 June 1914

"THERE'S MANY A SLIP" - HOOLE WEDDING STOPPED Hoole Parish Church was the centre of an exciting incident last Saturday morning, when the old proverb, "There's many a slip" was illustrated. It appears that a young Ellesmere Port boatman and a Hoole girl, who had been keeping company for some time, had arranged to get married last Saturday, the banns having been published three weeks before. The facts were not known to the bridegroom's father until a day or two preceding the marriage, and when the vicar of Hoole (Rev R A Pavitt) arrived home on the Friday evening, he was interviewed by the young man's mother, who produced the birth certificate showing that he was just turned 19, and told the vicar of the objection to the marriage. The vicar, of course, had to abandon the ceremony. The bridegroom drove up in a cab with some friends, and were about to enter the church, when they were told that the wedding could not take place. PS Hayward of Hoole, who had been informed, was present, and he, with others, explained the position to the bridegroom who, it is said, was very much annoyed, and created a scene which caused quite a crowd to gather at the church gate. The bridegroom's father was present, and it was necessary, it is said, to prevent a possible assault being committed. During this time, the bride, as might be expected, was much affected, and eventually gave way to tears. After some minutes had been spent in arguments, the bridegroom and the young lady and their friends drove away again in the cab, and the incident ended.

Interviewed by a "*Chronicle*" reporter, the vicar of Hoole said, "It rather reads in the paper as if they were a bit "sold" in not being informed that the wedding could not take place. As a matter of fact, I did not know their address, or I would have sent them word to prevent them coming". The vicar further added that the bridegroom went away vowing that he would get married somehow.

269 13 June 1914

SCENE AT AN HOTEL At the Petty Sessions on Wednesday, before Ald J M Frost and other

magistrates, John Winn, the licensee of the Knot Hotel (Cheshire Public House Trust) summoned **John Lowe**, a canal boatman, for being drunk and refusing to quit his licensed premises on the 6th inst, and further, for abusive language. Defendant pleaded guilty. Mr Winn stated that about 8.50 on Saturday evening, the defendant came into the hotel drunk, and seeing the condition he was in, he gave his barman orders not to serve him. Defendant became violent, and when requested to leave he refused to do so. He behaved like a madman, but at length he was persuaded to go. A few minutes later, however, he came back again, and said he had left sixpence with the barman and said he would be served. After a great deal of trouble, he was persuaded to go home. Defendant : I don't remember how I got home. Superintendent Hoole said the police supported the licensee in what he did. He conducted his house in an orderly manner. Defendant was fined 10s and costs.

270 20 June 1914

FATAL ACCIDENT AT BARBRIDGE - RUN OVER BY A HEAVY MOTOR TRAILER Mr J C Pate held an inquest at Nantwich Police Court on Saturday afternoon, with reference to the death of Albert Wood, 37, a labourer of Burland, who died in Nantwich Cottage Hospital from injuries following an accident.

John Wood, a canal boatman, said deceased, his son, had been working as a collier at Chirk. On Thursday last, he saw him at Barbridge, when he told him he was going to Burland to see his mother. He was sober at the time – 2 o'clock in the afternoon. Later he heard that an accident had befallen his son, and the same evening, he saw him at the hospital. He was then incapable of telling him how the accident happened.

Jas Latham of Barbridge said he saw the deceased walking through Barbridge. He was following a motor hauler which was going towards Nantwich. Deceased ran after it, and tried to get on to the trailer, but was unable to climb onto it, and he then saw him get on the connecting bar between the motor and the trailer. The motor had not proceeded along the road more than forty yards when witness saw the trailer passing away from the deceased, who was lying on the road. He thought both wheels of the trailer had passed over Wood.

Albert Street of Beeston, the driver of the motor hauler, said he was taking a load from Tarporley to Nantwich. He did not hear of the accident until after he had gone some distance. He had never seen anyone riding on the bar, and for anyone to balance himself on it would be very difficult. He was travelling at four miles an hour. The load on the trailer weighed two tons.

Acting Sergeant Wibberley gave evidence to the effect that the deceased was conveyed to the hospital in a motor car. On the way, deceased told him he jumped on the bar for a ride and fell off it.

Nurse Cotterill, matron at the hospital, said the deceased was brought to the institution at 3.20. He was attended by Dr Munro. He was suffering from internal injuries. The man succumbed at 2.30 on Friday morning.

The Coroner said the fatality was the result of the deceased's folly in attempting to ride on the rod, which was a very dangerous thing to do.

A verdict of "Accidental death" was returned.

271 31 October 1914

Whitchurch Petty Sessions

Charles Poole, boatman of the barge *Korea*, pleaded guilty to a charge of stealing 14lbs of potatoes, value 4d, the property of George Henry Slinn, Danson's Farm, Whitchurch, and was discharged on payment of the costs, 5s 6d.

272 31 October 1914

FRODSHAM MAN DROWNED NEAR BEESTON – SAD ENDING TO A SATURDAY'S "FISH" Mr J C Bate held an inquest at Beeston Castle on Thursday on the body of James Thomas Green, aged 43, of 202 Burkhill, Wigan Road, Newsprings, near Wigan, who was found drowned in the canal at Tiverton.

James Green, collier, living at 148 Wigan Road, Newsprings, near Wigan, stated that the deceased

was his brother, and resided with his parents. He was a collier, and was employed at the Lindsey Pit, Wigan. On Saturday the 24th October, at about 5.40 am, he left home in company with the deceased and other men, and they left Wigan by the 6.23 train for Crewe, and left there by the 9.25 am train, arriving at Beeston about 10 am. They went into the Beeston Castle Hotel, and they had a pint of beer each. They then went to the canal and over the towing path to Wharton's Lock, Tiverton, and commenced to fish near to the lock bridge. At about one o'clock they went into the Royal Oak and then did a little more fishing. They afterwards went into the public house again and had drinks, staying there till 5.30. Altogether they had about six pints each. They were a bit merry, and were enjoying themselves. After they had left the public house, they went along the towing path towards the station. He (witness) was with a man named Eccleston, and the other young man, Thomas Showell was behind with the deceased. When he got to Wharton's Lock, Showell caught up to them, and said that his brother was sitting on his basket, and asked him if he would come back for him. He said, "What is the good of going back for him ; if he will not come with you he will not come with me". He then said, "If he will not come, then let him stop. I am not going back for him". They went away down the canal side to Beeston Castle Hotel, and after another drink, they left by the 6.40 pm train for Crewe. When his brother did not arrive at home, he thought he might have been locked up. Thomas Showell, collier, 60 Longfield Street, Newsprings, said that he was with the deceased when he sat down on the basket. He (witness) said, "Now, Tom, where is the other men?" and he replied, "They have gone on". He asked him to come on his way or they should miss the train, and he said to him, "Go on, I will catch you up". He took the fishing rods off him, and left him sitting on his basket. When he left deceased he was drunk, and was also very stupid. He thought he was so drunk that he did not know what he was doing. He would have brought deceased along if he had been sober himself. He took the rods away because he thought he would follow them

Acting Sergeant Tom B Cotterill stated that on Tuesday he received information that deceased was missing from his home. From what afterwards came to his knowledge, he caused the canal at Wharton lock to be dragged by a long rake. Deceased was brought to the surface.

Ernest Charles Cadman and Walter Faulkner gave evidence. The latter said he examined the body, and it was fully dressed with the exception of a cap. There was a deep cut about four inches long on the left side of the head above the left ear, running from front to back, and a similar cut across the lower part of the back of the head. These cuts afterwards bled freely. Amongst other things on the body was a return ticket from Beeston to Wigan. Ernest Charles Cadman corroborated.

Samuel Vickers, licensee of the Royal Oak Inn, Tiverton, said that five fishermen came to his house, the deceased amongst them. He served them with drink. He was present at the lock when the body was pulled out, which he identified.

William Grimes jun, boatman of the canal boat *Black Cock*, Wheelock Bridge, Sandbach, said that he was taking his boat towards Ellesmere Port when he saw a man sitting on the footpath. It was about 6 pm. He lifted him up and said to him, "Can you go on?" and he said, "All right". He stood and watched him and saw him fall down and then get up and go towards Wharton Lock. He afterwards went back with a lamp and found deceased on the foot path. He persuaded him to lie down on some planks and put his basket under his head.

HE WAS ABSOLUTELY DRUNK

Previous to that, he had met three other fishing men half drunk.

William Williams, boatman of the canal boat *Indus*, King's Lock, Middlewich, also gave evidence. The jury returned an open verdict.

273 12 December 1914

FATAL FISHING EXPEDITION – LICENSING PROSECUTION AT EDDISBURY – TIVERTON PUBLICAN FINED The story of a fishing expedition to Beeston by a party of Wigan anglers, and its tragic sequel, was unfolded at the Eddisbury Petty Sessions on Monday, in connection with a licensing prosecution. The defendant was Samuel Vickers, beerhouse keeper, Royal Oak Inn, Tiverton, who was summoned for having permitted drunkenness on his licensed premises on

October 24th. Mr W H Churton, solicitor of Chester, prosecuted on behalf of the police, and Mr Eustace Jones, Chester, defended.

Mr Churton said it was a very grave and sad case. On Saturday October 24th, a man named Samuel Thomas Green, accompanied by his brother, a man named Showell and two other persons, started from Wigan for the purpose of going to Beeston to fish. Before he started from Wigan, Green had a drink of pop and beer. The party arrived at Beeston station about 10 am, and went straight to the hotel, where they had a pint of beer each. They went fishing along the canal side, and got near to the defendant's licensed house. At about a quarter past one, some of the party went to the inn, and were followed subsequently by the others, the whole of them remaining, with the exception of short intervals, during the remainder of the afternoon. Instead of fishing, they sat drinking until 5.20 in the evening, when they started back for Beeston station. He could not tell the magistrates how much drink they had at the inn, but they were there long enough to have had a considerable amount and, according to the evidence which he would call, it would be proved that they had at least six pints of beer each. The fact that the men were in the house the whole of the afternoon showed that, instead of fishing, they were simply

“FUDDLING IN THE PUBLIC HOUSE”.

He ventured to suggest that most of them were more or less the worse for liquor when they left at 5.20. Three went out first, followed by the deceased, and finally by Showell. The deceased got as far as the Mill Pool, about 102 yards away, when he collapsed, and was found by Showell sitting on his basket on the canal side. He saw he was the worse for drink, and took his rods ; he also tried to get him on his legs, but did not succeed, and the man told him to go on. After waiting some little time, Showell walked on, taking Green's rods with him, eventually overtaking the other fishermen. They never saw John Thomas Green (*sic*) again. Showell asked the latter's brother to go back, but he refused. Later, two boatmen travelling from the direction of Chester saw Green sitting on his basket, and one of them tried to get him up, but found he was too drunk. He therefore placed him at the side of the towing path to avoid him being damaged by the horses. These men would tell the court that they had previously met the other anglers, all of whom were more or less the worse for drink. That Showell was not sober was perfectly evident from the fact that immediately after he left Green, he came into collision with something which turned out to be a horse drawing a canal boat. The horse knocked him over, but he managed to pick himself up and follow the other men. This took place before six o'clock, and as sunset was at 4.48, it could not have been very dark, so that Showell must have been drunk if he could not see what knocked him over. Green must have got up afterwards, because when the boatmen saw him, he was half a mile nearer the station. The boatmen laid Green down with his head on the basket, and they told the licensee at the Royal Oak what they had seen and done. On the following Tuesday, the police received information that a man from Wigan was missing, and a search resulted in the finding of Green's body in Wharton's Lock. As far as he could ascertain, no precautions were taken by the publican to ascertain whether the anglers were the worse for drink or not, and he made no attempt to stop their supply. The result was that the man Green unfortunately lost his life by being drowned in the lock. It was a very serious case. If the public house had not been there, the man's life would not have been forfeited, and that was the reason he asked the magistrates to pause before they sanctioned plans for alterations to the premises. When the magistrates heard the evidence which he had outlined, he was sure they would agree it was a strong case of permitting drunkenness. He had seen the evidence given before the coroner, and the statements of the witnesses as to the times the men were at the inn, and the amount of drink consumed were very contradictory.

AN AFTERNOON'S “SPORT”.

The first witness for the prosecution was James Green, collier, of 48 Wigan Road, New Springs, Wigan, who stated that he and his brother left home at 5.40 on October 24th. Before leaving the town, his brother had a pint of pop and beer, and witness had a small rum. They travelled by the 6.20 train and were accompanied by three other men, their object being to go on a fishing expedition to Beeston. On arrival, they went to the Beeston Castle Hotel, where his brother had a pint of beer. From there, they walked along the towing path in the direction of Tiverton, and fished

until shortly after one o'clock. At about 1.10 or 1.15, they went to the Royal Oak, and had another pint of beer each. Half an hour later, they beckoned Showell in, and the others entered the house about three o'clock. They all stopped until 5.30, and during that time, he and his brother had five pints of beer each. They each paid for drinks, and were also treated by the landlord.

- Didn't you tell the Coroner you had six drinks?
- I said five or six.
- Why did you stop at the public house all the time? It came on "mizzling" rain.
- What was your condition? We were not drunk.

Witness went on to say that he and another young man left the inn first, and Showell and his brother were behind. Subsequently Showell overtook them, and said he had left the deceased sitting on his basket singing. He asked witness to go back, but he refused, stating that if he would not come with Showell, he would not come with him. They continued on their way to the station, and called at the Beeston Castle Hotel, where they had a gill of beer each. Afterwards, they left by the 6.40 train, reaching home at 9 o'clock. He identified the dead body of his brother on the following Wednesday. He admitted having stated in cross-examination by the Police Superintendent at the inquest that he was under the influence of drink.

Cross-examined : Mrs Vickers supplied them with the first drinks at the Royal Oak. The reason the licensee treated them to a drink was because witness supplied him with a rod and line. Only three of the party had the free pint – his brother, himself and Showell. They were not drunk, because they were able to walk to Beeston Castle and were served at the hotel. On arrival at Wigan, they had further drinks. His brother should have worked on Friday night, but he went to bed, and on the Saturday did not complain of feeling tired. If he had thought his brother had not been capable of taking care of himself, he would not have left him sitting on his basket on the towing path.

Mr Churton : Didn't you tell the Coroner, "I should not have left my brother on the towing path if I had been sober?" - Yes.

And is that the truth? - Yes.

NOT DRUNK BUT "UNDER THE INFLUENCE"

Thomas Showell, collier, New Springs, Wigan, spoke to accompanying the fishing party to Beeston. He went fishing on his own account towards Wharton's Lock, and at five minutes to one entered the Royal Oak for a drink. Afterwards he had another hour's fishing, and the Greens called to him to go in the inn again. They stopped there until 5.20. Witness had four pints with the Greens, but did not see the licensee treat anyone. On leaving the house he was not drunk, though he admitted being somewhat under the influence of drink. The others were in a similar condition. The licensee did not refuse to serve them. Witness, who was putting the rods together, was the last to leave the house. Between 60 and 100 yards from the bridge, he found Green sitting on his basket, and said to him, "Hello! Where are the other men?" and he replied that they had left him. Witness wanted him to go with him, but deceased said he would follow on. Green could not stand as much drink as witness. He left him on the basket, and some distance further on, came into collision with a horse. It was dark and he could not see it coming. However, he was not hurt, and eventually overtook the other anglers. To Green's brother he said, "You are a nice 'un, leaving your Tom". Green, however, replied, "Oh, he's all right, he'll come".

Mr Churton : When you left the man Thomas Green on the towing path, what was his condition ; was he drunk? - He was not drunk as I call them drunk. He was capable of taking himself home.

Cross-examined : In his opinion, Green was perfectly capable of taking care of himself. It was a dark night, and when he (witness) collided with the horse, he was running to overtake the other men.

EVIDENCE OF BOATMEN

William Grimes junior, boatman, Wheelock Bridge, Sandbach, stated that at 6 o'clock on the Saturday evening in question, he was going in the direction of Ellesmere Port, and noticed a fisherman sitting on a basket in the middle of the towing path near Wharton's Lock. When spoken to, he mumbled something, staggered along a few yards, and fell down again. He got up and went in the direction of the lock. Witness tied up at the Royal Oak, and afterwards went after the man

and found him on a heap of stones above the lock. With the help of another boatman named **Williams**, he put the angler near a shed, and fixed his basket under his head. The man was drunk. Later witness told the licensee they had seen a fisherman sitting in the middle of the towing path, but the licensee said nothing in reply. Previously, witness had seen the other anglers, and in his opinion, they were "neither drunk nor sober".

Cross-examined : It was a dark night, and he had to take a lantern to look for the man Green. The latter would have to pass under a bridge, where the towing path was only five feet wide. His companion said they had better go back and see if the fisherman had got under the bridge all right. When they found him, they offered to take him to the railway station for a shilling each, but Green said nothing.

William Williams, boatman, King's Lock, Middlewich, stated that his boat preceded the one Grimes was in, and he corroborated the statements of the last witness. In his opinion, Green was not capable of taking care of himself. The man was crying. The other fishermen whom they passed above the lock appeared to be all right.

BODY FOUND IN LOCK

Acting Sergeant Cotterill stated that, having received information of a man missing from Wigan, he made enquiries at the Royal Oak Inn. Later he caused the lock to be dragged, with the result that the body of the deceased was recovered, fully dressed with the exception of a cap. He also had a return half of a ticket from Wigan to Beeston. He had measured the distance from the inn to the place where Green was first seen, and it was 132 yards, and the distance to the lock from the planks where he was left by the boatmen was --- feet. The average width of the towing path was eight feet.

THE DEFENCE – A PLEA OF TIREDNESS

For the defence, Mr Eustace Jones pointed out that the two anglers Bromley and Hepplestone were merely acquaintances of the other three, and therefore he contended that their evidence would be more impartial than it otherwise would be. Their testimony, and also that of the licensee, absolutely contradicted the evidence of Green, whose recollection of what took place was very vague. It was quite possible that the landlord knew better than any of them what took place. There was no doubt that the men were not in the inn, as Mr Churton would have the court believe, from 1 o'clock until 5.30. Showell himself had admitted going in at two o'clock. It was clear that Showell and the deceased went out during the afternoon, and in their absence the landlord treated the other three to a drink each, they having given him a fishing rod. It would be shown, therefore, that the deceased had one and a half pints less to drink than the others. Assuming the latter had five pints, that would leave him with three and a half pints. A collier, however, could consume that quantity without showing signs of it. Shortly before he left the house, the deceased asked the landlord for a bunch of flowers to take to his brother's grave. That was not the sort of thing a drunken man would do. He carried the flowers, and he had them when he was last seen alive ; they were afterwards found on the towing path. His contention was that the deceased man was not drunk, but absolutely dead tired and sleepy. That was shown in his conversation with Showell, whom he told to go on and he would follow. People who were familiar with the district would know that it would be impossible for a drunken man to get underneath the bridge which had been referred to, and climb up the lock level without falling into the canal. The boatmen considered it necessary to take a lamp, yet the deceased got past the dangerous spot in safety. With regard to the other members of the fishing party, they were all sober, because they were served at the Beeston Castle Hotel, and as the licensee had not been summoned, they must take it that the police admitted the men were sober. If it was contended that Green's companions left him on the towing path under conditions which had been described, knowing that he was incapable of looking after himself, that was akin to murder.

THE LICENSEE'S VERSION

Defendant stated that the brothers Green came to the inn on the Saturday between 3 and 4 o'clock ; others came in afterwards. They were fishing from the garden during the afternoon. He was the only one in charge of the house, and all he served the men with were some three pints, the deceased man having a pint and a half less than the others. He did not have the free drink which witness gave for a rod and line, because he was out at the time. The deceased asked him for a bunch of

chrysanthemums before he left, stating that he wanted to put them on his brother's grave. All the anglers left about 5.20, when they were quite sober. They packed up their own rods and lines just before leaving the house. It was a dark night, and in his opinion if the deceased was drunk, he could not have got safely under the bridge and climb to the higher level.

Cross-examined : He thought the reason Green sat on his basket on the towing path was because he was tired and not because he was drunk. Witness was not in the house at one o'clock, and his wife would serve any customers up to 1.30. He admitted that the men might have been served by his wife. In fact, she might have served them with two pints. With regard to the man who was drowned, he served him with two and a half pints. None of the anglers were drunk, or they would not have been able to take their rods to pieces and pack them up.

Mrs Vickers, wife of the last witness, stated that three or four fishermen came to the inn about 1 o'clock, and they each had a drink of beer. She was out during the afternoon, and on returning, she saw the men in the passage packing up their rods. In her opinion, all five men were quite sober.

Cross-examined : She had an opportunity of judging of the anglers' condition when she returned home.

Mark Cook, photographer, Chester, proved several photographs, showing the towing path, bridge and other points mentioned in the evidence.

Chas Williams spoke to being at the Royal Oak, Tiverton, when the anglers were leaving. He noticed the man who was afterwards drowned carrying a bunch of flowers. All the men were, in his opinion, quite sober. He had a short conversation with them, and there was nothing in their speech to indicate they were under the influence of drink. Some boatmen came in the house about 7.30 and said they had met a fisherman at the lock and had gone back again with a lamp. They said they had offered to take the man to the station for a shilling each, and asked witness if it wasn't worth it, being such a dark night. Witness replied that he thought it was worth it. The man told the boatmen that he was a single man and would not pay them to take him to the station.

Cross-examined : He was not certain whether the boatmen told him the angler was drunk or not. They did tell him they had placed the man on some planks at the other side of the bridge, but he did not make any enquiries.

COLLIERS' DEFINITION OF "UNDER THE INFLUENCE"

James Bromley, collier, Wigan, stated that he accompanied Hepplestone to Beeston and fished in the canal. They both went to the Royal Oak at 3.30 and remained two hours. They had two pints of beer. Green was continually going in and out of the house. The licensee treated witness and two others, but not the deceased. None of them were drunk, and were not refused drink afterwards at the Beeston Castle Hotel or at Wigan.

Cross-examined : He was asked by a constable whether the deceased was drunk or under the influence of drink, and he told him he was under the influence of drink. A man could be under the influence of drink if he only had one glass.

Benjamin Hepplestone, collier, Wigan, corroborated, and in cross-examination by Mr Churton, he admitted having signed a statement containing the following :- "During the day, I had only four pints and one gill. None of us were drunk, but the deceased was under the influence of drink". But, added witness, a man who only had one drink could be under the influence of drink.

William Howes, boatman, spoke to seeing three fishermen eight minutes before he reached Wharton's Lock ; they were sober. He afterwards saw another fisherman with a basket on his back and carrying a basket of flowers in his hand. He was walking steadily, but sat down on a pile of stones. In his opinion, the man was not drunk.

Cross-examined : Neither would he say that the man was sober. He did not think it unusual for a fisherman to be sitting on a pile of stones ; he often saw them sitting close to the canal in the darkness. He admitted assisting to put the man in a place of safety, clear from the horses' feet.

THE BENCH'S DECISION

After a short retirement, the chairman announced that the Bench had decided to impose a fine of 40s and costs ; they also allowed £2 2s advocate's fee, making the full total of the penalty £8 6s 5d.

274 20 March 1915

SAD CASE OF DROWNING On Tuesday, Mr J C Bate held an inquest at the Beeston Castle Hotel, touching the death of Gwendoline Salisbury, aged 4 years, (daughter of Mr J H Salisbury, Beeston Brook) who was found drowned in the Shropshire Union Canal at Beeston Brook on Sunday. Mrs Salisbury, mother of the child, stated that her daughter attended Sunday School in the afternoon, and while she (witness) was getting tea ready about 5.30 pm, the child went out to meet her father. When the father came home, she asked him if he had seen Gwendoline. He said, "No". Mrs Salisbury then went out to look for her, and as she approached the canal, she asked a young man standing near if he had seen the child ; he said he believed they were getting her out of the water. No one appeared to have seen the child after her leaving home. The mother said the child was not in the habit of going to the canal. The body was found floating down the canal by **Mr Henry Statham**, boatman, and he was assisted by Mr Westwood in taking it out of the water. Artificial respiration was tried, but all efforts were unavailing. The jury found that deceased had fallen in the canal and was accidentally drowned.

275 15 May 1915

Petty Sessions

ASSAULT ON A RAILWAY INSPECTOR **John Hamer**, a Shropshire Union Canal flatman, of no fixed address, pleaded guilty to being drunk and disorderly at the Ellesmere Port Railway Station on the 8th inst, and also to assaulting Railway Inspector Frank Walker. Inspector Walker said prisoner arrived by train at Ellesmere Port Station at 6.25 pm. On leaving the train, he fell on the platform, and lay on his back. After the train had left the station, witness put prisoner on a truck. When they got on the down platform, prisoner caught hold of him and tried to throw him on the line. PC Shae said, at 6.30 pm, he was at the station, and saw the last witness and prisoner struggling on the platform. Prisoner was very violent, and appeared to be throwing Walker on the line. It seemed serious, as a train was approaching, and witness hastened to assist the inspector. On the way to the police station, prisoner was very violent, and was locked up. Defendant said it was the first time he had been drunk. He had two glasses of beer and a cigar. The Magistrates' Clerk (Mr W H Churton) : It was the cigar that made you drunk then? Prisoner : Yes. In reply to Mr Peter Jones, prisoner said he did not join the army because he had a father and sister to look after. Prisoner was fined 5s in each case.

276 29 May 1915

Police Court

NOT MAINTAINED HIS FAMILY On Friday, before Mr W H Denson, Dr Fitzgerald and Mr E M Sneyd-Kynnersley, **Edwin Thomas**, boatman of Chester, was charged with not maintaining his two children, whereby they became chargeable to the Chester Union. It was stated that defendant had paid nothing for five years, and the cost of the maintenance had amounted to £110. Defendant was sent to prison for a month.

277 24 July 1915

CRIMEAN VETERAN'S CAREER – A NATIVE OF RUNCORN The death has occurred at Ellesmere Port of **Mr James Evans**, one of our fast dwindling band of Crimean heroes, in his eighty ninth year, and a man who was once known as the "hero of the Mersey".

Mr Evans was a native of Runcorn, the son of a flatman. He went to Ellesmere Port some 68 years ago with *The Tower*, the first boat to negotiate Ellesmere Port. At the outbreak of hostilities in the Crimea, Mr Evans was one of the first to volunteer to board the *Arabia* at Liverpool, which was commissioned to take troops out to the front. "I left my ship", said Mr Evans to an interviewer, "and volunteered to serve my country. We took the 17th Lancers, and landed them at Barcelona, afterwards going to Marseilles for a load of French troops. We had a lieutenant on board the boat, and he was anxious for his country. "To him who will volunteer for the trenches, I will give £5 a month," he said one day, and I shouted, "Put my name down". We then had to go to the flagship *Royal Albert*, where we had big gun drill, after which we were sent to Inkerman with the 4th Battery".

At Sebastopol, Mr Evans was wounded by a piece of shell. Of Florence Nightingale, whom he saw at Inkerman, Mr Evans said, "She was a grand young woman, who always walked and worked among the wounded. We all thought the world of her, and she was just like a mother to us lads".

Subsequently, the Bridgewater Company put Mr Evans in charge of the lightship at Stanlow Point. One stormy night, he had a narrow escape, with difficulty getting clear of the ship before she sank.

"One night", he said, "I was looking through the window of the lighthouse during a terrible gale, when I suddenly saw a ship capsize in the Mersey. She was a salt laden vessel bound for Runcorn, and I got my boat and went to the spot as fast as I could. When I got there, the captain and his daughter were hanging over the side of the ship and clinging to a rope. I got them off, and kept them at the lighthouse for nine days. Before they went, they thanked me for what I'd done, and gave me £5."

On another occasion, he lost his boat after effecting a rescue in the Mersey, and the Royal Humane Society presented him with a medal, which he however refused.

A crew of ten were wrecked in the Mersey in the dead of night, and when Mr Evans arrived on the scene after receiving the signal, he found eight men clinging to the masthead, all of whom he saved. He claimed to have saved in all over forty lives from drowning in the Mersey, and on receiving a reward, many years ago, at Liverpool, he was christened the "hero of the Mersey". He was a devoted member of the Salvation Army, to which he belonged for upwards of forty years, and held the rank of sergeant for thirty two years.

In his latter days, he worked as a scavenger for the Urban District Council, but he was pensioned off about twelve months ago.

278 14 August 1915

CHESTER CANAL MYSTERY – UNKNOWN MAN DROWNED On Friday morning a boatman saw a man's body floating in the canal at Chester near the Tower Wharf. The police were informed and the body was taken to the mortuary. Up to now, the man has not been identified. From his appearance, it is conjectured that he belonged to the labouring class.

Mr F Turner (deputy coroner) held an inquest on the body at the Town Hall on Saturday.

The Coroner said the man was entirely unknown. The body was found floating in the canal at Tower Wharf about 10 o'clock on Friday morning by **Albert Price**, captain of the canal boat *Cracow*. He obtained assistance, got the body out of the water, and informed the police. Endeavours were being made to establish the identity of the man, but they had not been successful at present. Probably the jury would have to return an open verdict as to how he got in the water.

Dr Harrison, police surgeon, said he had examined the body, which was that of a male person aged between 30 and 40. It was in an advanced state of decomposition. There were no marks of violence. The body might have been in the water two or three weeks, but it was impossible to say. Death was probably due to drowning.

Albert Price, captain of the *Cracow*, gave evidence as to the finding of the body. He got assistance, and took it out of the water, and informed the police. It was floating six to eight inches below the water.

PC Bowen stated that the pockets of the deceased contained 11s 2 1/2d in cash, a metal watch and chain, two packets of margarine and one of tea, a pocket knife (closed) etc. His appearance was that of a labouring man.

The jury returned an open verdict.

279 21 August 1915

THE WEAVERHAM VILLAGE SENSATION.

"MORE SINNED AGAINST THAN SINNING"

MAGISTRATES' STRICTURES

"Though you ought not to have done what you did, we consider that you are more sinned against than sinning".

This was the view expressed by Mr Moreton, the Chairman of the Northwich Bench, when, on

Monday, **Mary Smith**, described as a glass carrier of School Bank, Weaverham, the wife of a Runcorn boatman, was again charged with attempting to commit suicide in a pit at Handford Brook Farm, Gorsage, on the 8th inst.

Arthur Johnson, labourer, School Bank, repeated his evidence (as reported in our last issue) and stated that while she was in service at Altrincham and Greenbank, he paid her several visits, and they were always on the best of terms. When she returned to Weaverham four months ago and lodged at his father's house, she was employed up to August 7th at the Refining Company, Acton. He walked about with her on many occasions, but had not been out with her since she slapped his face.

Alfred Johnson, School Bank, father of the last witness, repeated his evidence and said when he got to the field, he found the prisoner standing on the bank of the pit. She afterwards went out of his sight and, when he saw her standing below, he went for Mr Ellis. After Mr Ellis had assisted her out, she said she would not go home, and that she would have done it if it had not been for sticking in the mud.

Constable Niddrie also gave evidence of the arrest.

Frederick Clarke, police court missionary, stated that on Monday last, he received a telephone message from Superintendent Johnson, and came over from Winsford to interview the prisoner before she was sent to prison. The result was that he had made enquiries which were very satisfactory, and he had obtained a situation for her with a very nice family some distance away. Subject to the magistrate binding her over, they would receive her on Saturday and, in the meantime, he had arranged a home for her where she would be looked after kindly.

Mr Brandrith : Are they people who will be responsible?

Mr Clarke : They will be responsible. I have the greatest confidence in them, for they have assisted me in getting the situation for her, and I have been sending people there ever since I have been here. She will be carefully and kindly looked after, and assisted to get into the place on Saturday.

Superintendent Ennion informed the Bench that he had known prisoner for six or seven years. She had been a servant in Mrs Ennion's employ when they were stationed at Runcorn, and a very good servant she was too. She was at another place in Runcorn prior to that, and had a splendid character.

The magistrates conferred in private, and the Chairman then intimated that they had come to the conclusion to bind her over for 12 months in her own recognisances of £5. They had heard a very good character of her during the time she had been in service, and they had also heard that, though she was separated from her husband, it was not really her fault, or at all events that he was more to blame than she was. They did not wish to say very much about the case, but they thought it ought never to have been brought there, and to mark their feeling in the matter, they had decided not to allow the two Johnsons any costs. They considered that she was more sinned against than sinning, and, though they could not condone what she had done, they trusted she would earn a good character while she lived.

Mr Brandrith associated himself with the Chairman's remarks, and said he, personally, thought that the conduct of the two Johnsons was reprehensible to the fullest extent. They were responsible for the woman being there and, more than that, when she attempted to do what she did, had he been a man he would have seen that she did not go to the length she did. He declared in public that in his opinion the two of them were the great cause of the woman being where she was. What his colleague meant as to the case being brought there, was that it should never have happened, but that the police were justified in bringing the case when delivered to them.

280 11 September 1915

Police Court

CANAL BOATMAN'S PROVOCATION At Chester on Monday, **William Williams** of the Canal boat *Indus* was summoned for assault by Arthur Barker, 62 Cornwall Street, Chester. Complainant stated that he was twelve years of age, and that on the 25th ult he was on Cambrian Road canal bridge. Some boys decided to spit in the water, and did so. Immediately, a stone hit complainant on the face, and he fell on the floor. He could not get up again. George Bowen, another boy, said he

saw the complainant get a “brick” after someone had spit, and knocking him down senseless. Witness described the brick that hit the complainant. Defendant : It was not that big, or it would have knocked his head off!

In a statement to the magistrates, defendant said he threw it at the “lot” of the boys. Producing a fair sized heavy stone, he said, “This is the stone that was dropped as the boat went through, just missing my wife and baby. I tell you that it is not fit for a boatman to come through this city! Young men commit a nuisance on you, and do anything. They treat the boatman as dirt”.

The Mayor : They have no business to do that!

Thomas Henry Price, Gladstone Avenue, said he saw the boys on the bridge, throwing, and saw them spit and drop a “sod” down.

The Mayor said the Bench realised the boatmen had great provocation through boys on bridges throwing stones. His place was to have summoned them.

Defendant : But you have to go half a mile round to catch them.

The Mayor : If we get any of these boys doing what they did, we will treat them very severely. At the same time, you have committed an assault. You must pay the cost of the summons. You might have seriously injured the boy. But when you are doing your duty, they have no business to interfere with you.

281 11 September 1915

ANNOYANCE TO CANAL BOATMAN – A WARNING TO BOYS At a Children's Court this (Friday) morning, two boys named Thomas Fleet, Thomas Street, and Ronald Stanton, St Anne Street, were summoned for behaving in an insulting manner by spitting on a canal boat passing under the bridge in Cambrian Road on the 20th August. The Chief Constable said the cases arose out of a case in which a boatman was summoned for assaulting a boy earlier in the week. The boat was passing under the bridge in Cambrian Road when defendants spat on it. The boatman threw a stone and hit another boy. The boatmen were much annoyed by boys when passing under bridges in the city. Evidence was given by two other boys named George Bowen and Arthur Barker to the effect that defendants spat on the boat. The Chairman (Mr D L Hewitt) said they would only admonish defendants on that occasion. There were serious complaints by boatmen about being insulted, having stones thrown at them, and being spat upon when passing under the bridges. Any boys brought up for similar offences in future would be seriously dealt with.

282 2 October 1915

LEFT THE BOAT WITH THE “BOBBY” - EARLY MORNING ADVENTURES WITH THE POACHERS Joseph Johnson and John Massey, both of Boughton, Chester, were charged under the Poaching Protection Act with being suspected of having come from land in search of game and with having poaching implements in their possession. **Ernest Poole**, a canal boatman, was charged with aiding and abetting.

PC Platt deposed that at 4.30 in the morning of the 9th inst, he was concealed in an orchard near Stanney Mill canal bridge. He saw a boat approach and pull into the bank. He saw three men – two carrying bags and one carrying a net and pegs – pass over the bridge on to the towing path and board the boat, which proceeded on in the direction of Chester. Witness intercepted the boat at Stoke, but Poole refused to stop, and declined to let witness examine the boat. Witness went on for a mile or two, repeatedly asking to be allowed to search the boat for the bags and net. At length, witness stopped the horse himself and the boat was pulled up, but Poole kept it in the middle of the canal. Another boat came along and Poole boarded it, leaving witness in charge of the boat and his horse. Under the tarpaulin which covered the boat, witness saw the three men, but saw nothing of the bags or poaching implements. The men got on to the towing path and made off in the direction of Chester. On his way back, witness was handed the bags, which contained nine rabbits, by another boatman, who had picked them up out of the canal. Witness also recovered the net and pegs produced. He afterwards identified the two defendants in Boughton, Cheshire.

Massey denied being there. Johnson and Poole did not appear.

Superintendent Ennion asked for a maximum penalty against Poole. If these poachers could come into the country and then get the assistance of boatmen using the canal, it made the work of detecting them very difficult for the police.

The Chairman : What is Johnson?

The Superintendent : A poacher, sir. He gets his living at it. (The Superintendent read out a list of convictions against this defendant, and said there was nothing known against the other two).

The Chairman : Johnson doesn't seem to have been convicted lately?

The Superintendent : That's because he hasn't been caught, sir. (Laughter)

Johnson was fined £5, Massey 10s and Poole 40s.

283 25 December 1915

CANAL BOAT TRAFFIC IN WARTIME

NANTWICH BOATMAN'S ALLEGED DIFFICULTY

TAKES HIS CHILD – A SCHOOL GIRL – TO ASSIST HIM

A case of exceptional interest in view of the extraordinary circumstances urged, came before the Nantwich magistrates for further hearing on Monday. A canal boatman named **John Howard** of Poole, Nantwich, was summoned under the Education Act for not sending his child, a girl of 12, to school. Mr A O Bevan, who defended, said at the previous hearing a month ago, the magistrates adjourned the case to see if the child could be sent to school. They intimated on that occasion, failing that, they would hear any legal argument which might be advanced. Defendant was summoned for keeping his child from school without a sufficient reason. The child was twelve years and one month old. Mr Bevan explained that the father was a canal boatman in the employ of Messrs Chesworth and Co, coal merchants of Nantwich. It was admitted that the child had been kept from school from the 25th June up to the present time, that she was in the fifth or sixth standard, that in May last, a man named Allen, who was employed by the defendant, enlisted, and that from that date until June 25th, the defendant was

UNABLE TO WORK HIS BOAT

and that from June 25th the girl had been employed on the boat. Mr Bevan submitted that it was for the prosecution to show that the defendant acted without reason in keeping the girl from school, when it was admitted that the family would be in the direst poverty if the child were sent to school. He directed the attention of the magistrates to the three clauses of the Education Act of 1870, referring to the sufficient reasons laid down excusing a child's non attendance at an elementary school, but urged that Sir William Anson had laid it down that any other excuse besides the excuses mentioned might be accepted as a reasonable cause. He contended on the facts where a child was kept from school in order that the mother and other members of the family should not suffer physical discomfort, in which case they would be in the direst poverty, a person would be deemed to be acting reasonably. In this present instance, the father, if he had not made use of the girl, could not have obtained money for the maintenance of his family. It was a fact that owing to the shortage of men, boats were laid up between Nantwich and Tunstall.

The Chairman (Mr Bellyse) : What do the bye laws say?

Mr Kain (the attendance officer and the prosecutor) : Without reasonable excuse.

HIGH COURT DECISION

Mr Bevan said the question was determined in the High Courts in 1882 as to what other grounds constituted a reasonable excuse, and quoted Lord Justice Grove's remarks in the case they decided.

Mr Kain said that the defendant had other means of earning a living. There was no reason why any man should be out of work at the present time. The magistrates were the judges, and cases which came before them had to be decided on their merits. It was for defendant to prove a necessitous case.

Defendant, called, said he had a wife and six children, Agnes, the girl employed, being the oldest, and the youngest seven months old. In order to work a boat, it was necessary to have two persons – one to steer the boat and the other to tend the horse. The girl assisted him by guiding the horse while he steered the boat. She rode on the horse's back. When Allen left him, he applied at four

workhouses for a man or a boy to assist him, but could not get either. He tried also to get assistance at Wheelock, Chester and Ellesmere Port, and failed. At the latter place, he found they were short handed enough. Messrs Chesworth had also tried to find assistance for him. When he stated the case, "they" said it was a pitiable case.

Mr Kain : A serious case.

Defendant went on to say that the school attendance officer never called at his house, but he threatened to summon him. (Laughter) During the six weeks that elapsed after Allen left him until June 25th, defendant declared his family ran short of food. It was then he took the girl away. Witness corroborated as to boats being idle owing to men having enlisted, and said further that people in Burland and Ravensmoor would have no coal if he had not employed the girl on the boat.

Mr Kain : Have you tried to get other employment?

Defendant : Many times.

Thomas Hall, a member of the firm of Messrs Chesworth, said efforts were made by the firm to secure assistance, but, said witness, it was not everyone who could do this class of work ; it required a strong man.

Mr Brocklebank : But a child is doing the work now?

Defendant : No, the child is not doing the work. A man was employed to assist in loading and unloading at each journey's end, witness explained.

Witness said if the defendant had not made use of his child, he would have been out of work entirely. The firm got an extra man to load and unload, and that work had been at their cost. It was impossible to get a man, though the firm had done its best. The firm would be only too glad if they could replace the girl by employing a man if they could get one, but there were a lot of men who would not have heavy work.

Mr Kain : She has taken the place of a man who has enlisted.

Witness : Yes, but she is not doing the work of a man.

Mr Bevan said he wished it to be understood that there was no attempt being made to victimise the child since a man was employed to load and unload.

BENCH MAKE AN ORDER

The Chairman said an order would be made for the child to attend school after the Christmas holidays.

Mr Bevan, upon the decision being given, gave formal notice of appeal.

284 1 January 1916

Police Court

Henry Rowlands, boatman, 9 Canal Side, pleaded guilty to being drunk in Northgate Street. Evidence was given by PC Garnham, who stated he found defendant lying asleep across the footpath and locked him up for his own safety. This was dismissed on payment of costs.

285 15 April 1916

DEATH OF AN OLD INHABITANT On Tuesday, the death occurred of **Mr Joseph Griffiths**, who resided in Grosvenor Street, at the age of 81 years. Mr Griffiths was stated to be the oldest inhabitant of Ellesmere Port and was for very many years in the employ of the Shropshire Union Company as a flatman. He was an old member of the Marquis of Westminster Lodge of Oddfellows, and leaves a family of sons, the eldest being the present secretary of the Oddfellows' Lodge, and towards whom the sympathy of the inhabitants is shown.

286 13 May 1916

Petty Sessions

THEFT OF CABLE ROPE **Edward Flanagan**, a dredger captain on the Ship Canal and living at Weston, was charged with stealing 2cwt of cable rope, value £2, on the 1st May, the property of the Manchester Ship Canal Co. Abraham Knight, general dealer of Sunnyside, Ellesmere Port, was charged with receiving the rope on the same day, well knowing it to have been stolen. Mr W E Hough, solicitor, Widnes, appeared for Flanagan.

Superintendent Ennion said that in consequence of certain information which came to the

knowledge of PC Roberts, that officer went at 5 o'clock on the morning of the 2nd inst to a place where he found a quantity of cable rope covered up. He informed the inspector, and in consequence of instructions, he kept the rope under observation until 1 pm the same day, when defendant Knight came with a horse and cart and loaded up the rope. He was about to take it away when he was intercepted by the police officer, who questioned him. Defendant said he bought the rope from a flatman three weeks before, and he gave 11s 6d for it. At the police station, Knight made a long statement, in which he stated that the flatman told him the rope was no use, and he asked him 14s. Defendant, however, gave him only 11s 6d. He was expecting a summons for gaming, and he intended to sell the rope to pay the fine.

Flanagan was afterwards apprehended, and he said the rope was dredged up. When Knight's statement was communicated to him, he then said he only got 5s for the rope.

Evidence for the prosecution was given by PC Roberts and Mr F S Horner, resident engineer on the tidal section of the Manchester Ship Canal, residing at Helsby. Mr Horner said Flanagan had been employed by the Ship Canal Co for 18 or 20 years, and up to now he had borne a very good character. Defendant had no authority to take the rope away, even assuming it was dredged up from the canal.

Addressing the Bench on Flanagan's behalf, Mr Hough said the man had been employed by the company 18 years, and always had been extremely attentive to his work and very sober. He understood that the rope was recovered from the Ship Canal, and no doubt this prosecution would serve as a warning that masters of flats must not consider anything recovered from the canal in this way as their property. He hoped the Bench would be able to deal with the case under the Probation of Offenders Act.

The defendant Knight pleaded that he did not know the rope was stolen.

Mr Hough said Flanagan instructed him that he had nothing to do with the concealment of the rope. The Chairman said that, while taking into consideration Flanagan's good character, the Bench could not treat the offence under the Probation of Offenders Act. It was clear that he knew he was doing wrong, although the offence was perhaps committed without very much thought. He would be fined 20s. If it was not that Knight was considerably his junior, he would have been treated in the same way. Knight would have to pay 10s. The magistrates hoped the case would be a warning to others.

287 20 May 1916

FOUND IN THE CANAL AT CHESTER – FORMER MALPAS RESIDENT'S DEATH Mr J C Bate conducted an inquest at the Tarvin Union Workhouse, Great Boughton, on Tuesday, regarding the death of Harold Moreton Hughes, Anlaby, Tarvin Road, Chester. It appears the deceased left home on the 6th May to go on business to Christleton. He left there at about 9.45, and nothing was seen of him until he was pulled out of the canal on Monday.

Jessie Hughes, the widow, stated that deceased was 33 last birthday, and was a cattle dealer. He left her saying that he was going to see Mr Butler of Christleton. He said he would not be long away, and that was the last occasion she saw him alive. He said he would take the shortest cut along the canal. He was quite sober; he might have had just a drink. Two or three days later, she went to Christleton and found that he had not been to Mr Butler's.

Joseph Mosford of Christleton, stated that he knew deceased very well, and deceased used to come and see him very often. Deceased came at 10 minutes past nine, or a quarter past, and left about twenty minutes to ten. He was sober, but had had a drink or two.

The Coroner : Was he the worse for drink? - Oh, no, sir, no. Deceased was in a good position. At the shop, he was talking of nothing but the war.

The Coroner asked if the towing path was a public footpath.

One jurymen said the path was not closed all the year, and another pointed out that they had no right on it, and he thought that they went on it on sufferance.

Continuing, witness said deceased was attested and was going in the army.

The Coroner : For a sober man, it was a dangerous thing for him to walk on the canal path on a dark

night. - Oh, yes, sir.

On Mr Mosford pointing out that people might go down to the canal instead of the bridge, Mr Bate suggested it be brought to the notice of the Parish Council.

Albert Hicks, in the employ of the Shropshire Union Canal Co, living on Tarvin Bridge Locks, said that at half past five on Sunday morning, he heard a passing boatman shout. On going to the window, he saw two boats, and also saw that the gates could not be closed, as something was between them. By the time he got down, everything had come right. During the afternoon, a police constable told him that a man was missing. On Monday morning, he procured a drag, and it was not long before he hooked the corpse of deceased, 26 yards from the mouth of the lock.

The Coroner : Can you tell us whether there is a right of way for the public? Witness : I believe people use it on their own sufferance. The Company does not guarantee safety to them. I believe there is a way from Tarvin Road to Christleton Bridge.

The Coroner : Have you ever had instructions to stop anybody? - I have no instructions to do that, but if they loiter about the locks, I have instructions to shift them on. I have never heard of anybody being stopped. There are no notices to that effect.

PC Frank Astbury, stationed at Great Boughton, gave evidence and said the 6th of May was a very dark night. It was nearer for deceased to go round by Vicar's Cross than the way he did go.

Sergeant Hayward said that deceased was a man who was very short sighted.

The jury returned a verdict of "Found drowned".

288 15 July 1916

BODY FOUND IN THE DEE About 8 pm last Friday night, the body of a man was taken from the river near the Waterworks by **Leonard Tasker** of Pitt Street, whose attention was called to it floating in the water. River Constable Knowles was informed of the fact, and the body was removed to the mortuary. The body has not yet been identified. It appears to be that of a man of about 50 years of age. His height was about 5ft 6in and his build medium. The face is full, and the hair and moustache grey. The clothing on the body was a blue serge suit, black laced boots, a wide webbing belt, a print shirt with red stripes, brown tweed cap. In the pockets were found a rolled gold hunter watch and a steel chain, on which was a silver pendant with the following engraved upon it : "WLBC, 100 miles", a leather purse containing three half crowns and two sixpences, tobacco pouch, pipe, glasses, knife, police whistle bearing the words, "Liverpool City Police" and a silver matchbox with the name "F Clifton" upon it. Deceased had not been in the water long, his watch not having stopped. An inquest was held on Monday by Mr Brassey, the city coroner, at the Town Hall.

Leonard Tasker, 1 Watkin Court, Pitt Street, boatman at Capners', said that about 8.30, a gentleman informed him that he had seen a body floating in the river. He procured a boat, and found deceased on the meadows side of the river, just beyond the Waterworks. He lifted it into the boat and took it to the stage opposite the Royal Boating Club's premises, and communicated with the police. River Constable Knowles deposed to searching the body. There were no papers or any marks on the clothing by which he could be identified. The watch was going at the time, but stopped about five hours afterwards. (The Coroner : A good testimonial for the watch maker). Dr George Harrison said he had examined the body that morning. It was scrupulously clean, and the man appeared to be above the labouring class, probably a mechanic. Detective Hughes said the police had no report of anyone missing, and their enquiries as to ascertaining identity had so far been fruitless. The jury returned a verdict of "Found drowned", there being no evidence as to the state of deceased's mind.

289 22 July 1916

"A CAPITALISTS' WAR",

INDISCREET REMARKS OVERHEARD BY FRODSHAM CONTRACTOR

An important case under the Defence of the Realm Act was heard at Runcorn on Monday, before Messrs James Pritchard (chairman) and E Imison.

The defendant, **Leonard Sinnott**, boatman, New Street, Runcorn, pleaded not guilty to having

made statements that were likely to cause disaffection amongst his Majesty's subjects, Superintendent Ennion stated that the section of the Act under which the proceedings were taken decreed that "no person shall, by word of mouth, or in writing ... spread reports or make statements intended or likely to cause disaffection to his Majesty, or to interfere with the success of his Majesty's forces".

John Gifford Davies, builder and contractor, Main Street, Frodsham, said between ten and eleven o'clock on the 5th July, he was working near Highfield Tannery, Runcorn, and saw defendant speaking in the presence of four men on a flat. He heard defendant say, "Our men have done the same as the Germans have done. This is a capitalists' war. What better would you be if you go and come back without an arm or a leg?" Witness could see that he was of military age, and asked him why he was not in khaki. He replied, "I've more common sense". To the question whether he was "sticking up" for the Germans, defendant replied, "No, but our men have done the same as the Germans, and they're fighting for the capitalists". He also said that putting him into a suit of khaki would not make him fight. When witness told him that he would report the matter to the police, he said, "It won't do me any harm, and it won't do you any good".

Defendant : I was only speaking to one man, but there was another man on the flat.

Witness : There were four men present.

Defendant : He hasn't told you that I said I'd been brought up on steam boats, and that when the time came for me to go, I could go into the navy. I didn't say our men were doing the same as the Germans.

James Kavannah, captain of the flat *Elm*, told the court that on the 5th July, he was working on the flat *Violet and Emily* along with defendant and a man named **Jos Clare**. They had been talking about the war, and Davies came up and asked defendant if he was a German. He replied that he was not. In answer to other questions, he said that he had more sense than to be in khaki, then "if they put him in khaki, they could not make him fight", and that if he was short of food, he would steal. Davies put his head between them while they were talking.

Jos Clare, boatman, Irwell Lane, gave evidence of hearing defendant say that this was a capitalists' war, and other statements mentioned above.

Sergeant Nolan stated that in accordance with instructions from Superintendent Owen, he interviewed defendant, who said, "It's like this, sergeant ; it's a pity if a fellow can't speak nowadays. I was talking to a man named Kavannah on the boat, when Mr Davies asked me whether I was a German. I told him that I was not. He told me I ought to be in khaki, and I told him I had more sense, that if I went to France and lost a leg or an arm, the Government perhaps would not compensate me. I did say something about it being a capitalists' war, but I didn't mean it. I quite see the seriousness of the matter now, and I won't repeat it".

Defendant assured the magistrates that he was talking only to Kavannah. On the impulse of the moment, he said things that he was sorry for afterwards. He lost his temper. He was doing as much munition work as anybody in the town.

The Chairman informed defendant that he was liable to a penalty of six months imprisonment and a fine of £100. Any disaffection shown at a time like the present would be a serious matter. Having regard to the fact that this was the first case that had come before the court, the Bench were disposed to take a lenient course. The remarks were made privately, and perhaps inadvertently. A fine of £2 would be imposed.

Defendant paid £3, which included costs and witness's fees.

290 19 August 1916

TRoublesome Trippers at Chester – Magisterial Warning At the City Police Court, before Dr W H (Grimth?) and Ald D L Hewitt, three Birkenhead men employed at Cammell Laird's were charged, in custody, with offences relating to a "scene" in the Groves on Monday afternoon. Edward Kilbride, King's Buildings, Birkenhead, was charged with creating a breach of the peace by shouting and using obscene language in the Groves, and also with assaulting River Constable George Knowles whilst in the execution of his duty. Edgar Travis, Flint Street,

Birkenhead, was summoned for creating a breach of the peace in the Groves, and with obstructing Constable Knowles. Joseph Cook, Holborn Street, Tranmere, was charged with creating a breach of the peace in the Groves, further, with obstructing Constable Knowles, and thirdly with assaulting **Joseph Bailey**, a boatman living in Duke Street.

P C Knowles said that about 3.30 on Monday afternoon, the three prisoners came down to the Groves in a cab. They wanted a boat, but on account of their condition, and having bottles with them, they were refused. Witness warned other boat proprietors not to let these men have boats. When he got to the bottom of Souter's Lane, Kilbride commenced using most filthy language, and followed witness till he came to another mooring limit. Prisoner was spoken to about his language, and asked for his name and address, but he refused to give it. When he went to arrest Kilbride, the others started on him. Cook got between them, and there was a fourth man who got away. Prisoners were afterwards arrested by Sergeant Griffiths. Travis had a three half pint bottle of whisky in his pocket. Some of these trippers gave a great deal of trouble. They got up the river and took drink with them. They came back drunk, and boat proprietors had no end of trouble with them. Others came to the Groves in drink, and when they were refused a boat, created a disturbance. It was Kilbride who assaulted witness ; he (prisoner) got hold of him by the throat. Witness was dealing with the prisoners for nearly an hour. A boatman who came to his assistance was assaulted. Sergeant Griffiths said that from descriptions supplied to him, he arrested Kilbride and Travers in Foregate Street. Travers had the bottle of whisky as described. Kilbride had two glasses in his possession, the property of the L and N W Railway, which he appeared to have taken from the refreshment room at the station. He also had a bottle of stout. Cook was coming up Northgate Street, looking for his pals. Witness went outside, and arrested him. The three men had had drink, but he could not say they were drunk by any means. When this class of men – and women too – came to the town, they took it by storm. They took drink with them, and went not only up the river, but in the town.

Inspector Hewitt said the police had a serious complaint from Eaton Hall a few days ago about people coming from Birkenhead, behaving in an unseemly way, and smashing bottles in the park.

Joseph Bailey said he saw the prisoners pushing the officer “all over the place”, and thinking it hard that four should be on to one man, he went to his assistance. The men got away, and they finished with them by the porch of St John's Church. Witness got a “clout” on the side of his face, the mark of which could be seen.

A boat proprietor, who was warned not to let these men have a boat, said they started cursing and swearing at him in language not fit for the public to hear. The officer gave them every chance to go away. There were plenty of people about. This class of tripper came and took drink up the river, and then made a bother. Boat proprietors wanted to keep these people off the Dee for the good name of the river. If they did not get a boat, they gave nothing but insult.

DECISION OF THE BENCH All the prisoners said they came from Cammell Laird's, and after working hard all the weekend, they had a half day out on Monday.

Kilbride was fined 40s or one month, for assaulting the police ; Travis and Cook were fined 40s for obstructing the police, and Cook an extra 10s for assaulting Bailey. There was no adjudication over the “breach of the peace” charges. The Chairman (Dr Griffith) said it was about time this sort of thing was brought to an end. There had been numerous complaints by people of Chester about men creating disturbances on the bank of the river and in the boats. It was disgraceful that young people should have to hear such language. He hoped these proceedings would be a warning to other trippers coming to Chester. The Bench would deal very severely with subsequent cases. But for the nature of prisoners' employment, and their being required at work, the magistrates would probably have sent them to prison.

291 2 December 1916

SCENE IN A WIRRAL TRAIN

ELLESMERE PORT WOMAN FINED FOR ABUSIVE LANGUAGE **Sarah Price**, wife of a flatman residing at Ellesmere Port, was summoned on Thursday, at the Birkenhead County Police

Court, for using abusive language to a passenger in a railway carriage.

Mr P M Stone prosecuted, and said on October 12th, defendant was a passenger on the 10 pm train from Woodside to Bromborough. At Rock Ferry, two passengers entered the carriage where defendant was seated. In addition, there were in the carriage two other passengers and a boy. Defendant's hat was off and she was doing her hair. She was under the influence of drink and called one of the passengers "A ---- burglar". She then said he was a Irishman or "specimen of one", knocked his hat off and struck him in the mouth, making it bleed. When the passenger who had been assaulted said he would have her arrested, she began to swear and call him names.

Mr Stone remarked that an inoffensive passenger was entirely at the mercy of an ill mannered passenger in a train, when it was in motion.

The complainant, Joseph Wheal, a farm bailiff in the employ of Mr Clunie Dale, Bromborough, corroborated, and said he did nothing to provoke the woman.

John Richard Williams, gamekeeper in the employ of Mr Hutchison, the Marfords, Bromborough, and who was in the company of the last witness, gave evidence in support. Defendant made no suggestion at the time that Wheal put his arm round her waist.

Francis Bowles, stationmaster at Spittal, said the defendant, who was under the influence of drink when he saw her, made no suggestion if having been insulted.

Detective Parson said defendant told him that one of the men put his arm round her waist, and that she didn't like to make a complaint, as he was drunk at the time.

Defendant stated that when she was interfered with by complainant, she told him to mind his own business. Complainant, she said, sat beside her and put his arm round her waist. She denied having drink or using abusive language.

The Chairman (Mr H W Hind) said it was wrong of defendant to make charges against a respectable man, and imposed a fine of 40s or 11 days.

292 16 December 1916

BOATMAN'S SPLENDID HEROISM On Wednesday, one of the S U R Co's boats, worked by Steerer **William Clutterbuck** and his wife, was being taken up the locks, when the boat bumped against the sill and caused the cabin lamp to fall. At once, the cabin became all ablaze, with a little child about five months old lying in bed. The boat was low down in the lock, and the steerer with his wife were on the quay. It was only by the heroic act of another man named **Lee** that the little one was got out of the cabin alive. This man, after throwing a bucketful of water into the cabin, thereby temporarily laying the flames, dashed in and seized the child, but not before it had been badly burnt. It was taken to Dr Finny's and then sent to Chester Infirmary, where it died on Thursday. Much sympathy was expressed for the parents, and words of praise were bestowed upon the man Lee for his daring conduct.

293 27 January 1917

Ince

BOATMAN'S TRAGIC DEATH On Monday, Mr J C Bate held an inquiry at the Parish Room, Ince, concerning the death of **William Bromley**, aged 79, of the Square, Ince, who died on Friday while in a boat crossing the Ship Canal. Jonathan White, fisherman, Ince, said he had an appointment with deceased on Friday at 10 am to look after his nets. At 10.15 am, he met deceased on the canal bank. Deceased bade him good morning, and appeared in his usual health. He took witness across the canal, and about 2 3/4 hours later, witness returned, and deceased complained of the cold. They got into the boat and commenced the journey back. They had not gone more than a dozen yards from the steps when deceased said, "Take the oar, Jonathan". Witness noticed deceased was unwell, and spoke to him, but got no answer. Witness sculled the boat with one hand and held deceased with the other. Some men on the bank helped to get deceased out of the boat, and when they got him ashore, they found he was dead. Ethel May Johnson, housekeeper for deceased, said deceased had complained of indigestion for some time, and had taken medicine for it. He was employed by the Manchester Ship Canal Co to row fishermen across the canal. When he left home on Friday, he appeared to be in his usual health. Acting Sergeant Postons spoke to examining the

body. Dr Briant said death was due to heart failure following the exertion of rowing the boat after the cold, and a verdict in accordance with the medical evidence was returned.

294 25 August 1917 Rookery Bridge

BROTHERS SERIOUSLY WOUNDED Private James H Estcourt, Cheshire Regiment, was severely wounded in both thumbs on the 7th August, and is now in hospital abroad. He joined the army voluntarily three years ago. Before joining, he was a boatman working for the Anderton Co. His brother, **Private Fred Estcourt**, Wharf Street, Wheelock, of the same regiment, was severely wounded only three days later, on August 10th, by a bullet entering the back of his neck and coming out at his jaw. He is now in hospital at Northampton. He has been on active service on the Western Front about 15 weeks. Before joining the army, he was a boatman employed by the Shropshire Union. A third brother who joined the army is still in training.

295 19 January 1918 Ellesmere Port Sessions

Albert Shaw, a canal boatman, summoned **George Roberts**, another boatman, for assaulting him on the night of the 3rd inst. Complainant said that when at the Canal Locks at Ellesmere Port with his boat, defendant used some bad language to his (complainant's) wife, and threatened to throw her into the canal. When spoken to, defendant struck him in the ear. Complainant's wife, who also summoned defendant for abusive language, gave evidence as to the assault and the abuse. Defendant admitted the assault, but said complainant "went for" him first, and that the wife called him bad names. The Bench bound defendant over to keep the peace and ordered him to pay the costs.

296 20 July 1918

FLATMAN'S LONELY DEATH – INQUEST AT RUNCORN The body of a veteran flatman named **John Hillyer**, generally known as "Yorkshire Jack" was found on Friday morning in the cabin of the flat *Laura*, on which he had been employed, at Top Locks, Runcorn.

Deputy Coroner White conducted an inquest at the Runcorn Court House on Monday.

Richard Hillage, Tuckey's Yard, Percival Lane, waterman, said he had known the deceased 30 years. About nine years ago, he worked with witness on the flat *Annie*, and subsequently on the flat *Laura*. He was nearly 70 years of age, and for some time had been living on the flat. For five years, and particularly during the past year, he had suffered from asthma, and had to rest sitting up. Witness last saw him alive on Wednesday week, when he was sitting on the deck of his flat. Witness had not been working with him since before Christmas. He asked him how he was, and he replied that he was no better.

By Mr W Shaw : Deceased had sailed the flat alone for some time.

Dr Murphy spoke to examining the body on Friday. He was apparently about 70 years of age, and had been dead 24 hours, in witness's opinion. The cause of death was heart failure due to asthma and bronchitis. He probably died suddenly and peacefully. Witness recollected the man as an occasional caller at his surgery. He was treated for bronchitis about a month ago.

John Thomas Shaw, canal boat inspector to the Urban Council, said that he found deceased sitting dead in the locker in his cabin on Friday. Witness knew he had suffered from asthma.

Sergeant Clague spoke to removing the body to the mortuary. Deceased appeared to have died quite peacefully.

The jury found a verdict in accordance with the medical evidence.

297 10 October 1918 Police Court

WEDNESDAY before Dr Finney.

William Bristow, 24, canal boatman, was charged with bigamously marrying Mary Ann Rebecca Hodson on the 22nd November 1916. Beatrice Bristow, 24 Woodfield Road, Ellesmere Port, said she was married to prisoner at Ordsall, on the 11th May 1914, and resided with him until he joined the army. He was discharged about two years ago, when they lived together for three months, and

he then left her and went to live with Hodson at Rode Heath. As a result, she obtained a separation order against him. Mary Ann Rebecca Hodson said she had known prisoner since he was a child. He came and stayed on one of her boats about two years ago. He told her he was single. On the 22nd November 1916, she married him at Runcorn.

PC Hazelhurst said he received prisoner into custody from the Alsager police on a warrant charging him with non payment of £84, due on the separation order. In reply to the charge of bigamy, prisoner said, "All right".

Prisoner, who told the magistrate that he left his wife because she did not look after him properly, and that he intended to stick to the second "wife", was committed to the next Assizes.